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HOUSE OF REPRESENTATIVES—*Friday, May 13, 2016*

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

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

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

Help us this day to draw closer to You so that with Your spirit, and aware of Your presence among us, we may all face the tasks of this day.

Bless the Members of the people's House. Help them to think clearly, speak confidently, and act courageously in the belief that all noble service is based upon patience, truth, and love.

Give them the wisdom and the courage to fail not their fellow citizens nor You.

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

Amen.

THE JOURNAL

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

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

Mr. COLLINS of Georgia. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

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

Mr. COLLINS of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas (Mr. OLSON) come forward and lead the House in the Pledge of Allegiance.

Mr. OLSON led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

NATIONAL POLICE WEEK

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

Mr. OLSON. Mr. Speaker, this week, the people's House celebrates National Police Week.

We celebrate heroes like our colleague, DAVE REICHERT, who caught the Green River killer after 20 years.

We celebrate heroes like Ann Carrizales from Stafford, Texas, who was shot in the face and near her heart and sped off at over 100 miles per hour to apprehend the thugs who shot her.

We celebrate heroes like these young teenagers from my hometown of Sugar Land, Texas, who sold lemonade for cops because blue lives matter.

We celebrate lives like Harris County Deputy Sheriff Darren Goforth, who last year was gunned down in cold blood—shot 15 times in the back of his head and his backside. He was pumping gas in his uniform with his cruiser.

Heroes like DAVE REICHERT, Ann Carrizales, Darren Goforth, and young Texans selling lemonade have a message for America: Blue lives matter.

MEDIA IGNORE RELEASE OF CRIMINAL IMMIGRANTS

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

Mr. SMITH of Texas. Mr. Speaker, a new report by U.S. Immigration and Customs Enforcement reveals that last year the Obama administration released 20,000 illegal immigrants convicted of crimes into our communities. Together, they had committed 64,000 crimes, including kidnapping, homicide, drunken driving, and sexual assault.

Instead of putting the safety of Americans first, the Obama administration often gives a free pass to violent criminals who are in the United States illegally.

This report should have been national news. However, many outlets, such as the L.A. Times, Washington Post, and Associated Press, as well as the major television networks—ABC, NBC, and CBS—failed to cover this horrific report.

The American people deserve to know the truth about our immigration policies and the damaging consequences of the Obama administration's actions. When the national media intentionally fail to report the facts, the American people are the ones who literally suffer the consequences.

TITAN ROBOTICS FROM TRINITY SCHOOL AT GREENLAWN

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

Mrs. WALORSKI. Mr. Speaker, I rise today to recognize the Titan Robotics team from Trinity School at Greenlawn in South Bend. Next week, they will travel to California to compete in the Legoland North American Open Invitational Championship.

I recently had the opportunity to speak with these students about their project, in which they were challenged to find new ways to help the environment.

They discovered that recycling labels on plastic wrappers were often hidden or unclear, making consumers less likely to recycle. After hours of research, they proposed a solution: a new label with the recycle symbol that would wrap around the plastic wrappers on the outside, making it easier to

see if the product is recyclable. And they proposed a different label to inform consumers if the product is not recyclable.

Mr. Speaker, I commend these kids for their hard work and wish them the best of luck at their competition.

I also want to thank the parents, coaches, teachers, principals, and everyone in the community who supported them.

PRESCRIPTION DRUG ABUSE

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

Mr. HARDY. Mr. Speaker, drug overdose is now the leading cause of accidental death in America, and prescription painkillers account for 40 percent of those 47,000 deaths.

No one debates that these powerful medications can serve an important role in pain management, but we cannot ignore the ability to entrap innocent and unintended victims. That is why we are taking steps to protect those endangered by this epidemic.

With bills passed this week, we are improving training and providing resources for medical providers and pharmacists, making sure that Federal agencies work better together, and reducing excess amounts of unused meds in the homes of patients with short-term needs so that excess medicine can be available for those still in need instead of falling into the hands of children and family members.

There is always more we can do and will do in the future, but today is the day that America has started on the road to recovery.

HONORING MAYOR JOHN G. WARNER

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

Mr. POLIS. Mr. Speaker, it is with great honor that I rise before this body of Congress to recognize Dr. John Warner of Breckenridge, Colorado. John has served on the town council of Breckenridge for 14 years and the last 8 years as mayor.

Being mayor of one of the country's premier resort communities has its challenges, but John has guided his community through both growth and uncertainty with integrity and passion. His steadfast commitment to making the place that residents call home a better place is an inspiration to us all.

The hallmark of John's tenure was sustainability, and many important projects resulted from his efforts, like the new recycling facility, three solar projects, hybrid vehicles in the town's fleet, and a sustainability certification program for businesses.

Despite many complicated issues, John took each one with a calm assuredness and a balanced approach.

Mr. Speaker, it is with great pride that I rise to pay tribute to Dr. John G. Warner on behalf of the residents of the Second Congressional District and myself. His contributions to the town of Breckenridge will remain his legacy for many years to come.

HONORING SERGEANT JOHN SCHULTZ

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

Mr. MCKINLEY. Mr. Speaker, this week is indeed National Police Week, a time to honor and commemorate the sacrifices of the courageous men and women who serve in law enforcement. They keep our communities strong and our neighborhoods safe.

Today, I want to particularly recognize Sergeant John Schultz of the Wheeling Police Department for his 20 years of service and for always putting others first.

Sergeant Schultz has not only been a proud police officer, but he has also served abroad in Desert Storm and Desert Shield. For the last 5 years, he has mentored local kids as a PRO at Wheeling Middle School.

His selfless service was evident last year when on June 2, he dove into a public pool fully clothed in boots, shoes, and weapons to successfully rescue a student who was unconscious at the bottom of the pool.

For this courageous deed and his admirable and respected career, he has been recognized by the National Association of Police Organizations for honorable mention for the prestigious TOP COPS Award.

Let's congratulate him for this honor and thank all of his law enforcement colleagues who dedicate their lives every day to the well-being of all of our fellow citizens.

PROVIDING FOR CONSIDERATION OF S. 524, COMPREHENSIVE ADDICTION AND RECOVERY ACT OF 2016

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 725 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 725

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (S. 524) to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use. All points of order against consideration of the bill are waived. An amendment in the nature of a substitute consisting of the respective texts of the bills specified in section 2(a) of this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided among and controlled by the chair and ranking minority member of the Committee on Energy and Commerce and the chair and ranking minority member of the Committee on the Judiciary; and (2) one motion to commit with or without instructions.

SEC. 2. (a) The bills referred to in the first section of this resolution are as follows: H.R. 4641, H.R. 5046, H.R. 4063, H.R. 4985, H.R. 5048, H.R. 5052, H.R. 4843, H.R. 4978, H.R. 3680, H.R. 3691, H.R. 1818, H.R. 4969, H.R. 4586, H.R. 4599, H.R. 4976, H.R. 4982, H.R. 4981, and H.R. 1725, in each case as passed by the House.

(b) In forming the amendment in the nature of a substitute referred to in the first section of this resolution, the Clerk—

(1) shall assign appropriate designations to provisions within the amendment in the nature of a substitute;

(2) shall conform cross-references and provisions for short titles within the amendment in the nature of a substitute; and

(3) is authorized to make technical corrections within the amendment in the nature of a substitute, to include corrections in spelling, punctuation, page and line numbering, section numbering, and insertion of appropriate headings.

SEC. 3. Upon passage of S. 524 the title of such bill is amended to read as follows: ''To authorize the Attorney General and Secretary of Health and Human Services to award grants to address the national epidemics of prescription opioid abuse and heroin use, and to provide for the establishment of an inter-agency task force to review, modify, and update best practices for pain management and prescribing pain medication, and for other purposes.''.

SEC. 4. If S. 524, as amended, is passed, then it shall be in order for the chair of the Committee on Energy and Commerce or his designee to move that the House insist on its amendments to S. 524 and request a conference with the Senate thereon.

The SPEAKER pro tempore (Mr. HARDY). The gentleman from Georgia is recognized for 1 hour.

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

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on House Resolution 725, currently under consideration.

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

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I am pleased to bring this rule forward on behalf of the Rules Committee. The rule provides for consideration of

S. 524, the Comprehensive Addiction and Recovery Act.

The rule provides for 1 hour of debate equally divided among and controlled by the chairs and ranking minority members of the Energy and Commerce Committee and the Judiciary Committee.

□ 0915

The rule also provides for an amendment in the nature of a substitute that consists of the 18 bills passed by the House this week to combat the opioid epidemic. Under the rule, if S. 524 is passed, it will be in order for the chairman of the Energy and Commerce Committee to request a conference with the Senate on the House-passed package of bills.

Let me just emphasize this again for Members so they will understand the process. What we will do under the rule, if S. 524 is passed, it will then be made in order for the chairman of the Energy and Commerce Committee to request a conference with the Senate on the House-passed package of bills.

Each of these 18 bills included in the House package passed the House with strong bipartisan support. The level of support for these bills is a sign of the recognition that something must be done about the opioid epidemic.

You have seen Members who represent urban areas, Members who represent suburban areas, and Members like me who represent more rural areas support these bills. This problem does not discriminate. It is a nationwide issue, and it is taking a toll on communities all over our country. We need to act. With the passage of these bills, we are taking decisive action.

The Senate bill, the Comprehensive Addiction and Recovery Act, received unanimous support in that Chamber. I want to thank Senators PORTMAN and WHITEHOUSE for their leadership on that bill.

The House bills include elements of the Senate bill as well as additional measures. It is my hope that the conference provided for by these bills will yield the strongest possible measure. We need strong, swift, and decisive action to address the growing crisis of the opioid epidemic.

In the United States, more people die every year from drug overdoses than car accidents. As the debate has taken place here on the floor this week, I think the numbers have just been amazingly stark.

When you realize that a statistic like that, when the deaths from drug overdoses surpass car accidents, then we are dealing with something that begins to put it in perspective.

My home State of Georgia has 159 counties. In 2012, prescription drug overdoses led to deaths in 152 of those 159 counties, totaling 592 deaths. The opioid bills in the House package before us today help implement measures to prevent these tragedies.

Addiction is happening far too often with devastating consequences. Further, it is shown that prescription opioid abuse often leads to heroin abuse, compounding the problem. In fact, according to the Centers for Disease Control, 45 percent of people who used heroin were addicted to prescription opioid painkillers.

I mentioned this earlier in the week, but it is worth mentioning again now. I have had many conversations with sheriffs in my area in the Ninth District, which really runs on the I–85 corridor out of Atlanta and up into the northeast, and I keep in contact with them regularly.

My background with my father being in State Patrol, I know the law enforcement community very well. One of the first questions I always ask them—and in my 10 years, I was in the State House for over 6 years, and I have been up here now into my second term—I always ask: What is the biggest thing that you are seeing? What is the epidemic or what is the issue you most see?

Early on, it was methamphetamine. Especially in my rural area, my mountain area, methamphetamine still is very prevalent. But due to many of the restraints that were put in in Georgia—and I notice my friend here from Georgia as well—we worked in the State legislature to control the methamphetamine problem, and then the prescription opioid problem has developed.

Now what my sheriffs will tell me and my law enforcement community and my city police and others will tell me is that heroin is by far their fastest growing issue that they are seeing. It is hitting not just urban areas, it is hitting suburban areas, it is hitting very rural areas, and it is hitting across the income gap. Those who have been addicted to prescription opioids now find that heroin is cheaper to purchase and is cheaper to access.

The problem is, unlike many of the prescription opioid painkillers, the heroin issue is one in which they can take the first dose and it would be their last. This is something we cannot continue to look away from.

In Georgia, heroin deaths have increased 300 percent. That statistic alone should be a call to action. Nationwide, the number of people it affects is staggering. CDC statistics on opioid abuse show 18,893 overdose deaths related to prescription painkillers, and 10,574 overdose deaths related to heroin in 2014.

The opioid epidemic affects everyone. I believe that most people could tell you of a family member or friend who has suffered in some way because of this problem. And these problems aren't only affecting adults. They are affecting college-age students, high schoolers, children, and even the littlest among us, babies.

Every 25 minutes in our country babies are born with a dependency. This is tragic. Babies born addicted to opioids often struggle to survive, have dangerous health complications, and suffer from serious withdrawals.

These innocent children don't deserve this. They deserve a life full of promise. Instead, they face life-threatening challenges from the moment they are born. We can do better, and should do better. In fact, they suffer not only from the moment they are born, they are also suffering in the womb as well. This is an epidemic we have got to address.

Importantly, several of these bills in the House-passed package will help address this problem. For example, Congressman LOU BARLETTA introduced H.R. 4843, the Infant Plan of Safe Care Improvement Act.

This bill requires the Department of Health and Human Services to distribute information to States on best practices to develop safe care plans for infants affected by substance abuse and withdrawal symptoms.

H.R. 4978, the NAS Healthy Babies Act, introduced by Congressman EVAN JENKINS, requires a report on neonatal abstinence syndrome.

Another bill in this package deals with the problems that youth athletes may face if they are prescribed opiates for a sports-related injury. H.R. 4969, the John Thomas Decker Act of 2016, introduced by Congressman PAT MEEHAN from Pennsylvania, requires the CDC to study information and resources available to youth and families regarding the dangers of opioid use and abuse.

Still other bills relate to veterans and how we can help them. For example, the Comprehensive Opioid Abuse Reduction Act, introduced by Mr. SENSENBRENNER from Wisconsin, authorizes investments in veterans courts.

I believe there is another conversation that is going on in Congress right now concerning our criminal justice and criminal justice reform and things that we need to do to make sure that not only are we not using our jails as mental health facilities, but we are getting people the help that they need.

Some of the ways that you do that is found in treatment courts. Many of those are found in newer treatment courts, not just simply the substance abuse, but in veterans courts as well. We are going to continue to look at that.

In doing so, H.R. 4063, the Jason Simcakoski PROMISE Act, introduced by Congressman GUS BILIRAKIS, directs the Department of Defense and the Department of Veterans Affairs to jointly update the VA/DOD Clinical Practice Guideline, Management of Opioid Therapy for Chronic Pain. The bill also requires the VA to expand opioid safety initiatives.

I am a chaplain still in the Air Force Reserve. I served in Iraq. I saw firsthand the scars that the battlefield can

leave, both physical and mental. We need support systems for our veterans like the ones provided for in H.R. 5046 and H.R. 4063.

We need to address their pain, and we need to ensure they have an avenue to get the help they need. I believe the bills this rule provides for will take steps to make that happen. Our veterans deserve our very best.

We cannot discuss this package without mentioning the resources that this bill provides for law enforcement. As the son of a Georgia State Trooper, this component is critically important to me.

The bill provides for law enforcement training. These measures also provide for the expanded use of naloxone by law enforcement. Naloxone can effectively reverse opioid overdoses, so it is a valuable tool to have on hand.

Through the establishment of a comprehensive grant program that will provide resources to law enforcement, communities, and States, and combined with other bills, we have a real chance to make a difference here today.

Mr. Speaker, addiction issues are often related to other co-occurring disorders, including mental health issues. Addiction claims victims, and addiction is a disease. We must not turn a blind eye to those in need.

We must work to halt the opioid epidemic. We must act to prevent more deaths and to stop the growth and spread of this problem. The Senate bill, the House-passed bill, and the motion to go to conference are steps towards doing that.

These bills were brought forward due to the hard work of many Members. Over the course of this week, we have seen Members from every walk of life, representing people from every walk of life, come to the floor to speak on the opioid epidemic.

Each and every one of these Members have made statements to show the depth and breadth of this problem to the real people that we are sent here to represent. Through the 18 House-passed bills and the conference with the Senate, we have a chance to ease that problem, to actually combat it.

These bills call for further studies to examine the response of the opioid crisis, provide support for doctors' treatment of abusers, and also to help law enforcement efforts to combat drug trafficking.

Neighborhoods and families are being torn apart by heroin addiction and opioid abuse. Communities like my home in northeast Georgia need help to address this problem.

Through these bills, we are helping to provide that. Importantly, we are also providing enough flexibility so that States can determine what will work best for their specific populations and communities.

Many communities, many Members, and many staffers have worked hard to bring together these important reforms. I want to thank them for their dedication and hard work. These reforms are a step in the right direction.

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

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

I thank the gentleman for yielding me 30 minutes.

Mr. Speaker, I rise in opposition to this rule today that provides for consideration of S. 524.

As has been discussed on the floor this week, Mr. Speaker, our Nation is in the midst of an epidemic. While opioid abuse is nothing new, the numbers are getting more and more alarming. Addiction claimed over 28,000 lives in 2014 and drastically altered many more for the worst.

All week we have heard stories from both sides of the aisle speaking to how addiction is breaking apart families and communities. Today we are considering a package of bills that will hopefully take some meaningful steps towards addressing this crisis.

Prescription drug addiction is a very complex issue. There is no simple solution. It is a subject that deserves comprehensive debate and full consideration of ideas that Democratic and Republican Members have to be able to address: this public health crisis.

While I and many of my Democratic colleagues are supportive of the underlying legislation, there are problems with the process that have locked out ideas that can save lives that are being prevented from coming to the floor under this rule.

Of the 18 bills included under this rule, all but 2 were brought to the floor on suspension. What does that mean? It means no Members—Democratic or Republican—were allowed to amend or improve 16 of these 18 bills.

The scope of the two bills that were brought forward in a manner that allowed amendments was so narrow that it closed out many of the amendments that we considered in the Rules Committee because they weren't germane to these two particular bills. I find that very frustrating. It limits discussion on a major public health crisis, something that is an issue that is not at all partisan.

Many bipartisan amendments that I will talk about in a moment, many ideas from Republicans and Democrats, were simply not even allowed to be considered in this process. Amendments that would save lives, amendments that families would be grateful for, and amendments that would reduce opioid abuse in our country are not even allowed to be considered here on the floor of the House.

These were not amendments with an ideological agenda. Sometimes we are down here on a bill that is highly ideological and there are amendments that are locked out that would change it drastically or gut it. No, these are good faith efforts and ideas from the experiences that many of us have had back in our own districts as to how we can address this opioid abuse crisis that we are facing nationally.

Among the amendments that should have been allowed this week and why I am urging my colleagues to vote ''no'' on the rule—one amendment that was locked out was a bipartisan amendment by Representatives ANN KUSTER and FRANK GUINTA, my colleagues from New Hampshire, which is really one of the ground zero areas for this crisis, offered a bipartisan amendment to H.R. 4641 that would have allowed HHS to award grants to recovery community organizations.

Their amendment acknowledges that recovery is a long road. For any of us, including myself, who have known people who have been in recovery from drug addiction, they know it is difficult. It is a real test of internal fortitude for them. Of course, their community and family need to rally around and support their sobriety.

We need to be supporting not only prevention and initial treatment, but also lifetime support for the lifetime struggle to pull people out of the vicious cycle of addiction. This amendment that was blocked under this rule took the long view that, to address this crisis, we need the long-term support of recovery community organizations.

□ 0930

Now, we know how pressing this issue is for our New Hampshire colleagues, Republican and Democratic. So why not open up this process to allow their idea to be debated on its merits?

If Members of Congress found it lacking merit, of course, it would be the prerogative of Members of this body to vote it down; but at least have that debate, and I honestly think that it likely would have passed.

Representatives KATHERINE CLARK and EVAN JENKINS offered a bipartisan amendment to H.R. 4641—again, locked out under this rule. We are not allowed to debate it, and we are not allowed to vote on it.

Their proposal, very simply, would have authorized grants for the creation of comprehensive systems to provide support for prescribers with regard to patient pain and substance abuse. According to a study in the Journal of Opioid Management, fewer than half of primary care providers felt sufficiently trained in prescribing opioids. This would have helped address that training gap of prescribers so that they would less often use opioids and more frequently use alternative pain reduction prescriptions. It is our doctors and nurse practitioners and nurses who are on the front lines. They need to be adequately prepared to deal with patients in pain and with patients who are in the throes of addiction.

Again, unfortunately, under this rule, KATHERINE CLARK and EVAN JENKINS' amendment is not allowed to be considered by this body.

I, personally, offered a bipartisan amendment with Mr. ROHRABACHER of California that would have required the Pain Management Task Force, created in H.R. 4641, to take into consideration the potential for marijuana to serve as an alternative to opioids for pain management.

Several private studies have yielded promising results. In 2014, the Journal of Pain found that those who suffer from chronic pain reduced their use of opioids by a significant margin when using marijuana for medicinal purposes. Marijuana likely won't work in every instance where somebody has chronic pain, but, where it does, you have a far less harmful, less addictive option with much more limited side effects than opioids and painkillers. We shouldn't be taking an option with limited side effects off the table when it could help free millions of Americans from excruciating pain and crippling addiction.

Unfortunately, that amendment—simply an amendment to take into consideration and study the issue—was also blocked under this rule.

Those are some of the many examples. As I mentioned, none of the amendments made it out of the Rules Committee, and our colleagues will not have the opportunity to weigh in on the House floor. A wide variety of amendments were blocked.

From a process perspective, this is really irresponsible of this body, when responding to an epidemic of this complexity, to not debate and solicit ideas—bipartisan ideas, Republican ideas, and Democratic ideas—from Members of this body and to find creative solutions that can actually save lives and would be of great comfort to families who are affected.

My other concern is that the majority has authorized, but has not funded or appropriated any of the programs under these bills. In February, the President submitted a proposal that would have provided $1.1 billion in new funding to address this epidemic in enforcement and treatment. Despite that, this bill has no funding for these efforts.

Combating addiction is truly a bipartisan effort. When close to 100 Americans are dying from drug overdoses every day, we have to work together to change that. I think that, unfortunately, under this rule, while this might be some baby steps forward, we are falling short of the mark of really being able to put our very best thinking and very best solutions forward.

According to the CDC, since 1999, the number of prescription opioids sold in the United States has quadrupled despite no discernible change in the pain that Americans are reporting. So in a 15-year period, opioids are used four times as much. That is the precursor to this opioid addiction problem, and we need to do more to address that overprescription of opioids.

In my home State of Colorado, the statewide rate of drug overdose deaths increased from 9.7 percent per 100,000 residents to 16.3 percent per 100,000 residents. Opioids were a major component of that.

Nationally, there have been even larger increases. Since 1999, deaths from prescription opioids, like oxycodone, hydrocodone, and methadone, have quadrupled. So it is no surprise the number of prescription opioids sold in the United States have quadrupled and deaths have quadrupled. It is no coincidence that those numbers are similar.

In 2014, almost 2 million Americans had some level of dependence on prescription pain relievers. This trend has especially dire consequences during pregnancy, which one of our bills addresses. In the last decade alone, over 130,000 infants were born with newborn drug withdrawal symptoms.

Given the extremity of circumstances surrounding opioid abuse in this country, I am glad that this body is devoting some effort towards casting a critical eye on what we can do; and I am saddened that this body didn't have a more open process to include many of the ideas, which I mentioned earlier, from bipartisan Members of this body and others that are simply locked out under this rule.

The Committee on Energy and Commerce reported out 12 bills. The Committee on Foreign Affairs considered a bill to allow the Treasury Department to block international drug traffickers from using the U.S. financial system. The Committee on Veterans' Affairs passed out a bill. I was also pleased that the committee that I serve on, the Committee on Education and the Workforce, took up a bill that I coauthored along with Representatives BARLETTA and CLARK and Chairman KLINE and Ranking Member SCOTT and Representative WALBERG—the Infant Plan of Safe Care Improvement Act—which directs child protective service agencies to develop a safe care plan to closely monitor the health outcomes for infants who are born with this syndrome.

The scourge of opioid addiction has touched families in my district and across the country. No State has managed to avoid it. I stand in opposition to this rule because, truly, we need to do everything we can to address this emergency, including debating good ideas, creative ideas from both sides of the aisle, and letting the Members decide, based on their own experiences, their own creative solutions as to what we can do to help combat this scourge that has affected our country.

I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. CARTER), our only pharmacist in Congress, who, I think, has a very good insight into this.

Mr. CARTER of Georgia. I thank the gentleman for yielding, and I thank him for his long-time support of these types of issues, both as a member of the Georgia State legislature and as a Member of this august body. Representative COLLINS has consistently and very diligently worked on these issues. As the son of a law enforcement officer, he understands all too well the importance of making sure that our communities are safe, and I thank him for his support of this.

Mr. Speaker, I rise in support of this rule and of the House amendment to S. 524. This week, the House has worked hard to pass 18 bills that address almost every facet of the opioid abuse epidemic.

We called for the creation of a task force to develop best practices for pain management and prescribing pain medication. We have authorized grants for local and State agencies to better fight this epidemic through better resources. We have expanded care for newborn infants who are affected by illegal substance abuse. We have improved comprehensive opioid abuse treatment to pregnant and postpartum women. We have also created safety measures for the use of opioids when treating veterans who have chronic pain.

I am proud of the measures this body has passed that make up the House amendment to S. 524.

Mr. Speaker, our Nation is facing an opioid epidemic, and no community is safe. It affects all communities across the Nation whether they be urban, suburban, or rural.

Serving more than 30 years as a community pharmacist, I have witnessed and participated in some of the greatest advances in the history of medicine. I have seen diseases that once required hospitalization become illnesses that are treated from home with medication. I have seen an antibiotic regimen that once required four tablets each day for 10 days replaced with six tablets over 5 days. I have seen a deadly disease, like hepatitis C, cured by medication in just 90 days. The advances that I have witnessed in medicine can truly be called nothing more than miraculous, and that is important.

We need to recognize that this fight against the opioid epidemic is going to have to be a team effort. We are going to have to have everyone—all healthcare professionals—involved in this. Whether they be doctors, nurses, pharmacists, PAs, APRNs—whoever—they have to be involved. Families have to be involved. Our communities have to be involved. Our legislature has

to be involved. This week, our Congress has taken the lead. I am very proud of that. I am very proud of the work that it has done.

It is also going to take tools like the Prescription Drug Monitoring Programs. While a member of the Georgia State legislature, I had the honor of sponsoring the legislation that led to the creation of the Georgia Prescription Drug Monitoring Program. That program has been a great tool in our toolbox to fight the opioid epidemic. Since that time, we have tweaked that program and have made it even better, and it continues to get better. It continues to help us in our fight against the opioids.

I mentioned the advances that I have witnessed in medicine. I am a big fan of the pharmaceutical industry—a big fan, perhaps its biggest fan. What I have witnessed, again, has been miraculous. I call on the pharmaceutical companies because right now there exists a gap, a gap in treating pain. Right now we have available to us medication such as ibuprofen and acetaminophen, and then we go to the opioids. There are very few alternatives in between there in that gap—in that void, if you will. Very few. Once you get past tramadol and a couple of others, there is nothing else for us to use, there is nothing else for us to prescribe. I have confidence in the pharmaceutical manufacturers, and I call on them to fill in that gap, to fill in that void. We need more alternatives, more choices.

Whether it is true or untrue, I can tell you that many patients don't believe that ibuprofen or acetaminophen, which you can buy without a prescription, will work as well as something that you can buy with a prescription. That is something we have to overcome, but there is definitely a void there that needs to be filled. Again, I am very, very confident that the drug manufacturers and that the pharmaceutical companies can help us fill this void, and I call on them to do just that.

Mr. Speaker, as a lifelong pharmacist, I have seen the struggles firsthand that Americans face with opioid addiction. I have witnessed my colleagues in the pharmacy profession, some who just could not overcome that weakness and who succumbed to prescription drug abuse. I have witnessed that. I have witnessed it with patients. I have witnessed it with customers who have ruined their careers, who have ruined their families, and who have ruined their lives because of opioid abuse. This is an epidemic. Certainly it is something that has to be addressed in our country.

I encourage all of my colleagues to support this measure so we can improve our efforts to raise awareness while working towards solutions to solve this health crisis. I encourage my colleagues to support this bill, and I applaud my colleagues.

This has been a very, very proud week for me to be a Member of the United States Congress. To see what my colleagues in this House have done this week—as a pharmacist, as a healthcare professional—has made me very, very proud. We did good this week, and I am very proud to be a Member of this House.

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Oregon (Ms. BONAMICI), a member of the Committee on Education and the Workforce.

Ms. BONAMICI. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of the critical legislative efforts on the House floor this week to begin fighting the opioid crisis—an addiction crisis that has swept our country. There is much more work to be done to combat this epidemic. This is an encouraging start, but we must do more.

Too many communities in Oregon and across the Nation have seen the destruction that is caused by addiction, and too many have experienced the heartbreak of losing a child, a neighbor, a friend, or other loved one to overdose. Last year, just in Portland, Oregon, there were an average of two opioid deaths per week.

I think about Kerri, who is a mom from Knappa, in northwest Oregon. She lost her son, Jordan, after a 7-year struggle. Jordan's addiction began when he had a football injury in high school, and his doctor prescribed Vicodin. My own family has not been immune to this devastation. My brilliant and talented sister-in-law, Valerie, struggled with chronic pain and struggled in her life with the many, many opioids that were way too available. She relied on them to dull that pain until she lost her life a few years ago.

Countless families and doctors and nurses and public safety officers have all pleaded with us here in Congress to please act, to please save families from this loss and heartbreak.

I am glad we have come together today to answer this call, but these are only the first steps. Healthcare and treatment providers must have the resources they need to effectively curtail opioid abuse and addiction, and that means robust funding and better research and better education. We have all stood on this floor today and called this an epidemic. Let's treat it as such. Let's continue building on this progress.

I thank the chairman and the ranking member for their leadership.

□ 0945

Mr. COLLINS of Georgia. Mr. Speaker, some of the things also we have talked about today are education and prevention. It is also looking at things that we can be a part of and do.

As I have said earlier today, the things that have stuck out to me are some of the statistics that have jumped out. I mentioned the one earlier that more are dying from prescription overdoses than in car wrecks.

Also, there are other practical ways that we can be a part. If you are suffering out there—and, Mr. Speaker, if there is someone who is going through this with either prescription opioid abuse or through heroin abuse and addiction—there are toolkits available.

In fact, we have posted on our social media a place where people can go. It is from the Bipartisan Task Force to Combat the Heroin Epidemic. There are places where they can go to find a parent toolkit, where they can help their young children, also the young adults in their house, from middle school up through their 20s, on how we can best address some of these real issues.

It was very disturbing to me recently in a magazine article that I read that someone who was addicted, not only to heroin but was going through it, made the statement—and this just shows you the concern that is here—made the general statement that they were—there was this adrenaline rush when they were getting ready to shoot the heroin—is that this may be the last time I shoot up. That was almost driving them to do that.

To think about how that plays out, think about a young person who is so addicted and who is so wrapped to a drug that they really, when they go to put it in their body, knowing full well it could be the very last time they do anything, and yet that was part of the reason that they were doing it, that is just disturbing as we look at this.

There are also many other things that have come out. I think, as we go through this—we had a constituent who, knowing what we are doing here today, had looked to the pharmaceutical industry and who found ideas that are out there, such as this one from a pharmaceutical company that is looking at abuse-resistant opioids that don't have the same problems as we see in some of the others, such as OxyContin and some of the others that we have out there.

I think this is about proper management. I appreciate what Mr. CARTER from Georgia said on dealing with this and finding that balance. I think when we have the study, especially on how doctors prescribe how pain medication is used, these are all the kinds of things that get us to a point in which we limit the good uses that they may have, but also of preventing the addiction and the preventative steps that are putting us in the situation that we currently have.

So there are a lot of issues out here, and I think this is why this rule is effective. This rule is a good first step. It is something we move forward on. In doing so, I think we make a statement to the American people that we are

looking to the problems that they are experiencing. We are addressing those needs, and we are going to continue to do so.

If there is any indication that this was the last step, I think that is a misperception that is out there. This is a first step toward continuing this process. It will continue into the appropriations, I am sure, process as well. But these are the tools that we need to get into the toolbox right now and to be a part of that.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, this package before us cannot be the final word. Congress needs to approve funding to develop a comprehensive response to this epidemic and save lives.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up legislation that, in addition to including all of the opioid bills passed this week, which I do support, will also provide $600 million in funding to address the opioid epidemic.

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

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

There was no objection.

Mr. POLIS. Mr. Speaker, I yield 5 minutes to the distinguished gentlewoman from New Hampshire (Ms. KUSTER) to discuss our proposal.

Ms. KUSTER. Mr. Speaker, I thank my friend from Colorado for yielding, and I also thank the Representative from Georgia (Mr. COLLINS) for his words.

In New Hampshire, right now, we have a four-times-greater chance of dying from a heroin or opiate overdose than a car accident, as you have pointed out in national statistics.

This morning, I rise to say that I am proud of what the House has been able to accomplish this week in a bipartisan way by working to address this critical challenge of substance use disorder that is devastating communities in my home State of New Hampshire and all across the country.

Last year, I had the honor to cofound with my colleague from New Hampshire (Mr. GUINTA) the Bipartisan Task Force to Combat the Heroin Epidemic to address the critical problems that heroin and opioid addiction are bringing to every corner of my district and most parts of the country. The membership of the task force now includes 83 members, about half Republicans and Democrats, who are dedicated to fighting this problem.

Last month, we unveiled a legislative package of 15 bills to fight this epidemic, and we are pleased that many of these bills and provisions have been included in the package this week.

To mark the start of opioid week, we held a Special Order on Tuesday evening, when over 20 Members from both sides of the aisle came to the floor to share personal stories of friends and family who had been affected by the heroin epidemic.

As part of the Special Order, I told the story of Carl, the son of a constituent and friend of mine, Sue Messinger. Carl, at 24 years old, was working hard in college. He wanted to become a dentist. He was a recent graduate. He earned good grades, and he had his eye set on applying to dental school.

But it turned out, unbeknownst to his family, Carl had been using heroin. His was another face of addiction.

When he finally spoke to his parents, they began the long journey with him to recovery. They were able to secure a place in a detox program, and they then moved toward his recovery. He was passing every drug test. He remained resolutely committed to avoid drugs and alcohol, and his family was overjoyed to see him get better.

But when Carl came down with an upper respiratory infection shortly thereafter, a fatal error occurred. Unaware of Carl's history of addiction and his recent completion of detox, the doctor who he saw for the upper respiratory infection prescribed a narcotic cough suppressant.

Triggered by the codeine in the cough syrup, Carl's addiction to heroin was instantly reawakened, and he could not resist the craving. He injected heroin and died that day of pure fentanyl, 50 times more powerful than heroin, in his own home.

There were no labels on the bottle that indicated that the cough medicine could trigger drug-seeking behavior. There was no way for Carl or his mother or his parents to know that the cough medicine could pose a fatal danger.

Since his death, his mother, Sue, has spoken out about the need to reform labeling requirements. And I am pleased to be a sponsor of Representative WALBERG's bipartisan bill seeking to ensure that medical professionals have full knowledge of a patient's previous opioid addiction.

Sadly, that bill is not in the package of bills this week, and it is one among many that we will need to address at a later date. So I am hopeful that I can continue to work with the chair of this committee and so many others on the other side of the aisle to bring forward bills such as this that will make a difference in people's lives.

Earlier this week, I introduced the Drug Abuse Crisis Act that will provide $600 million in critical funding to finally address this heroin epidemic.

I want to close my remarks by talking about hope. So many of the bills that we have passed will finally bring hope for recovery, for treatment, for long-term recovery to the families, to the users, and to our communities. This legislation will build and expand upon the work that we have done this week by dramatically increasing resources for medication-assisted treatments, funding competitive programs for law enforcement and for those hardest hit by this drug crisis.

I am opposing this rule before us today and the previous question so that we can move to consider my Drug Abuse Crisis Act.

Let's bring hope to our families and communities, and please oppose the previous question.

Mr. COLLINS of Georgia. I yield myself such time as I may consume.

Mr. Speaker, as I went through in my opening statement, I mentioned a good many of the bills that were part of the House package this week. I want to go back through just a few more that we went through just to let people know the breadth and scope of what we have been doing.

H.R. 4982, Examining Opioid Treatment Infrastructure Act, is a bill that requires the Comptroller General to report to Congress on the inpatient and outpatient treatment capacity, availability, and needs in the United States. And that was by Mr. FOSTER of Illinois.

We also have H.R. 4599, Reducing Unused Medications Act of 2016, from Representative CLARK of Massachusetts.

We also have H.R. 4586, Lali's Law, sponsored by Representative DOLD of Illinois.

H.R. 3691, Improving Treatment for Pregnant and Postpartum Women Act of 2016, sponsored by Representative BEN RAY LUJÁN of New Mexico.

H.R. 3680, Co-Prescribing to Reduce Overdoses Act of 2016, sponsored by Representative SARBANES of Maryland.

We also have H.R. 1818, Veteran Emergency Medical Technician Support Act of 2016, sponsored by Mr. KINZINGER of Illinois.

Again, as you see the breadth of what we are doing here and why I believe moving forward on this rule is important and going through, many times what we have said is: look, these issues all address specific needs. They all are encompassing of our body, as a whole, all 435 of us, because, as I read here, these were a mix of both Republican and Democrat bills that have been passed on this floor this week.

So, as we look ahead, we look to the serious nature of what we are doing, it also really looks at the breadth and the scope of what we are dealing with here. This is why this needs to move forward today, why this package needs to be approved and also go to conference so we can continue to move forward with these ideals and with the things that have been put before us this week.

We can do that by making a positive step and acknowledging the good work that has gone on here. I appreciate all of the speakers today on both sides of

the aisle who have come forward to talk about this issue and talk about the real problems that we see that are occurring, really unfortunately, in kitchens and living rooms all across our country every day. So this is something that so many people can relate to.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself 2 minutes.

I rise today to honor a constituent of mine, Mr. Timothy J. Gagen of Breckenridge, Colorado. Tim is retiring from 40 years of civil service in municipal government. He has served towns and cities across Colorado, Illinois, and Indiana and recently received the Colorado City and County Management Association's Lifetime Achievement Award.

During his tenure in Colorado, Tim was instrumental in working with various entities, including the EPA, U.S. Army, Colorado State Health Board, and the U.S. Attorney General on two Superfund sites.

Tim was influential in the formation and success of our Highway 70 Coalition, an organization of governments that works with the Colorado Department of Transportation to improve safety and reduce congestion along our important Highway 70, the main artery to our mountain communities.

He spearheaded a crucial land exchange with the U.S. Forest Service that provided for much-needed workforce housing, and we were able to get a bill passed here and signed into law to get it done.

Tim's steadfast focus on the most important elements to our community—the people who live and work in the area—resulted in the Breckenridge Vision, developed by citizens. Tim's accomplishments are highlighted by two early learning centers, a scholarship program to assist parents from the county, and nearly 1,000 workforce affordable housing units in the town with a population of 4,500.

Mr. Speaker, it is with great pride that I rise to pay tribute to Mr. Timothy J. Gagen on behalf of the residents of the Second Congressional District. His contributions to the town of Breckenridge will remain his legacy for many years to come.

I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I inquire of the Chair how much time remains.

The SPEAKER pro tempore. The gentleman from Georgia has 7½ minutes remaining, and the gentleman from Colorado has 10 minutes remaining.

Mr. COLLINS of Georgia. Mr. Speaker, if the gentleman from Colorado is prepared to close, I am prepared to close as well.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, there have been harrowing tales told here on the floor of the House, and there is no doubt opioid addiction is a segment of that. It is a public health crisis in this country that is hurting communities, hurting families, killing people.

In 2012, enough prescriptions were written for opioids to give every single adult in this country their own bottle. Prescriptions for opioids have increased four times in the last 15 years. That is four times as many prescriptions.

□ 1000

We need to do something. It is a start today. It is not enough. It is not enough.

Unfortunately, these rules block out and prevent many creative and effective ideas from both sides of the aisle from coming to the floor. We also have missed the opportunity to provide funding to address treatment and enforcement.

The fact that both parties in both Chambers have come together to tackle opioid addiction is a testament to how far the reach of this epidemic is. Every district has been affected; every Member of this body has taken note. I and many of us know families and individuals whose lives have been devastated or ended prematurely from the opioid crisis.

It is crucial that we approach the problem from every possible angle: support for providers, training for law enforcement, well-funded treatment centers, thoughtful policies for addicted parents, education for our youth, innovative dispensing technologies, alternative pain management therapies. There are so many ideas to consider.

This rule packages 18 bills that address part of the problem together. Unfortunately, 16 of them don't allow amendments, and the 2 that do, many amendments were ruled out for lack of being germane. Given the rate of deaths from prescription opioid abuse, we should allow a full debate of amendments and ideas on the floor of the House to address this issue.

Yes, we are taking a first step today, but there is a lot more work to do to save lives and help families across our country. We need to fund these programs so they are not just words on a page.

This is a very real issue with real implications for American families, and we owe it to American families across the country to have a more open and thorough process to do more to combat the opioid scourge.

I urge my colleagues to vote ''no'' on the previous question so we can bring forward Ms. KUSTER's amendment, ''no'' on the underlying rule, and ''yes'' on the underlying bills.

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

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

Mr. Speaker, just the other day I had an opportunity to speak to a longtime friend, and there was a general discussion about what was going on up here and the steps that were being taken.

During this time, my friend began to list and talk about folks close to him that either had addiction to prescription pain medications or were dealing with the aftereffects of that problem. This came, frankly, out of nowhere and even to my friend, who basically said, ''I had no idea.'' And yet, within just the matter of a few weeks, he had found out within just his own sphere of influence that there were a number of people in his family and in his friendship connection who were dealing with this abuse.

That tells you that this is something that a lot of times is hidden just below the surface, unfortunately dealt with in very private, very concerning ways, because so many times they are trapped in a cycle of addiction in which the addiction is found and then treated and it comes back again and it re-expresses itself in many different ways.

As a pastor and as a chaplain, I have dealt with these issues before, and there is nothing more heartbreaking than to see someone who wants to break free from an addiction and break free from the abuse that they are perpetrating basically on their own body and to see progress made and then get a call or not see them for a week or two and then find out that they fell back into their old pattern or they unfortunately found a new addiction that has taken over.

But when we come to the floor of the House—and we have spoken this week on 18 bills and the promise of the Senate bill and the promise of a conference committee going forward—it is saying that we have heard these sometimes silent screams, these sometimes silent tears of those who may not know how to deal with it but yet they are looking for ways.

We have heard the anguish of law enforcement officers and first responders who come to scenes, and if they have the proper medication, if they have the proper treatments, then they can reverse some of these disastrous effects. Now we are making sure that we can get that to them, we can look for better ways of helping them do their job that they so heroically do every day.

We are looking at ways of looking at a task force so that we can look at how we prescribe and how we treat pain and those things in people's lives that are chronic and ongoing, how do we treat them better so that we don't have to deal maybe with this addiction side and we don't have to deal with possible aftereffects of that.

We have to also look at our ways on how we deal with folks who are addicted and how we deal with them in treatment, not only from the veterans' perspective, from the son or daughter

perspective, from the mom or dad perspective, the aunt or uncle, even the grandparent perspective. How do we do that? How do we do it effectively?

How do we make sure that when we get to our spending and we get to our appropriations and we make sure that these appropriations are going out that they are done so in appropriate ways? That is the function, I believe, of the Republican majority.

That is why we are bringing this forward today as we are, is to make a difference in the lives of people but do so in a way that is constructive and ongoing. As we have heard today and over the course of the week, the opioid epidemic is out of control, but we have an opportunity to start addressing the problem.

Again, the rule provides for consideration of legislation that will enact measures to address this problem through multiple avenues to ensure that we are taking a comprehensive approach to stopping this scourge. It takes important steps to address the serious and growing threat of opioid abuse. It keeps a promise that we won't sit idly by while people continue to battle addiction and die.

For that reason, I would urge my colleagues to support this rule, the Comprehensive Addiction and Recovery Act, and the motion to go to conference on the House-passed amendment in the nature of a substitute.

This is something we can do. This is a very positive step in a week in which, for the most part, we have come to the floor to hear bipartisan unity in saying, ''We will act.''

Do not let this day go by because we may not have gotten everything that everybody wanted. It is the time to vote ''yes'' on the previous question, it is the time to vote ''yes'' on the rule, and it is the time to vote ''yes'' to move forward so that we can conference with the Senate and put together a product that can make not only this body proud but make the American people know that we have heard their voice.

We agonize with them, many of us who have felt it firsthand. And in doing so, we are doing the people's business.

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

AN AMENDMENT TO H. RES. 725 OFFERED BY MR. POLIS

On page 2, line 2, strike ''the respective text of the bills specified in section 2(a) of this resolution'' and insert ''the text of H.R. 5189, as introduced,''.

Strike section 2 and redesignate subsequent sections accordingly.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

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

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

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

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

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

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting the resolution, if ordered; and agreeing to the Speaker's approval of the Journal.

The vote was taken by electronic device, and there were—yeas 232, nays 172, not voting 29, as follows:

[Roll No. 190]

YEAS—232

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

Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—172

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

NOT VOTING—29

Adams
Bishop (UT)
Bridenstine
Cárdenas
Fattah
Fincher
Forbes
Garamendi
Hastings
Herrera Beutler
Himes
Johnson (GA)
Kennedy
Kirkpatrick
Knight
Latta
Pascrell
Payne
Pitts
Richmond
Roskam
Rush
Russell
Salmon
Sanford
Speier
Stutzman
Titus
Whitfield

□ 1029

Messrs. CICILLINE and DEFAZIO changed their vote from ''yea'' to ''nay.''

Mr. POE of Texas changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 240, noes 165, not voting 28, as follows:

[Roll No. 191]

AYES—240

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

NOES—165

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

NOT VOTING—28

Adams
Bridenstine
Cárdenas
Diaz-Balart
Fattah
Fincher
Forbes
Garamendi
Hastings
Herrera Beutler
Himes
Kennedy
Kirkpatrick
Knight
Latta
Olson
Pascrell
Payne
Pitts
Richmond
Rush
Russell
Salmon
Sanford
Speier
Stutzman
Titus
Whitfield

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HULTGREN)(during the vote). There are 2 minutes remaining.

□ 1037

Mr. CARTWRIGHT changed his vote from ''aye'' to ''no.''

Ms. DUCKWORTH changed her vote from ''no'' to ''aye.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 235, nays 160, answered ''present'' 2, not voting 36, as follows:

[Roll No. 192]

YEAS—235

Abraham	Franks (AZ)	McNerney
Aderholt	Frelinghuysen	McSally
Allen	Gabbard	Meadows
Amodei	Garrett	Meehan
Ashford	Gibbs	Meeks
Barletta	Goodlatte	Meng
Barr	Gosar	Mica
Barton	Graham	Miller (MI)
Beatty	Granger	Moolenaar
Bilirakis	Grayson	Mooney (WV)
Bishop (GA)	Griffith	Moulton
Bishop (MI)	Grothman	Mullin
Bishop (UT)	Guthrie	Mulvaney
Black	Hahn	Murphy (PA)
Blackburn	Hardy	Nadler
Blumenauer	Harper	Napolitano
Bonamici	Harris	Neugebauer
Boustany	Hartzler	Newhouse
Brady (TX)	Heck (WA)	Noem
Brat	Hensarling	Norcross
Brooks (AL)	Higgins	Nunes
Brooks (IN)	Hinojosa	O'Rourke
Brown (FL)	Honda	Olson
Buchanan	Huelskamp	Palmer
Bustos	Huffman	Pelosi
Butterfield	Huizenga (MI)	Perlmutter
Byrne	Hultgren	Pingree
Calvert	Hunter	Pocan
Capps	Issa	Polis
Carney	Jeffries	Pompeo
Carson (IN)	Johnson, E. B.	Rangel
Carter (TX)	Jolly	Reichert
Cartwright	Jones	Ribble
Castro (TX)	Kaptur	Roby
Chabot	Katko	Rogers (KY)
Chaffetz	Keating	Ross
Chu, Judy	Kelly (IL)	Rothfus
Cicilline	Kelly (MS)	Royce
Clay	Kelly (PA)	Ruiz
Cole	Kildee	Ruppersberger
Collins (NY)	King (IA)	Sanchez, Loretta
Comstock	King (NY)	Scalise
Cook	Kline	Schiff
Cooper	Kuster	Schweikert
Costa	Labrador	Scott (VA)
Cramer	LaHood	Scott, Austin
Crawford	LaMalfa	Scott, David
Crenshaw	Lamborn	Sensenbrenner
Cuellar	Larsen (WA)	Serrano
Davis (CA)	Larson (CT)	Sessions
Davis, Danny	Levin	Sherman
DeGette	Lipinski	Shimkus
DeLauro	Loebsack	Shuster
DelBene	Lofgren	Simpson
Dent	Long	Smith (NE)
DesJarlais	Lowey	Smith (NJ)
Deutch	Lucas	Smith (TX)
Diaz-Balart	Luetkemeyer	Smith (WA)
Doggett	Lujan Grisham (NM)	Stefanik
Donovan	Luján, Ben Ray (NM)	Stewart
Doyle, Michael F.	Lummis	Takai
Duncan (SC)	Maloney, Carolyn	Takano
Duncan (TN)	Marino	Thornberry
Edwards	Massie	Tiberi
Ellison	Matsui	Torres
Ellmers (NC)	McCarthy	Trott
Emmer (MN)	McCaul	Tsongas
Engel	McClintock	Van Hollen
Esty	McCollum	Vela
Farenthold	McHenry	Wagner
Fleischmann	McMorris Rodgers	Walker
Fortenberry	Meehan	Walorski
Foster	Meeks	Walters, Mimi
Frankel (FL)	Meng	Walz
Wasserman Schultz	Wilson (FL)	Young (AK)
Waters, Maxine	Wilson (SC)	Young (IA)
Webster (FL)	Wittman	Young (IN)
Welch	Womack	Zeldin
Williams	Yarmuth	Zinke
	Yoho	

NAYS—160

Aguilar	Gowdy	Pearce
Amash	Graves (GA)	Perry
Babin	Graves (LA)	Peters
Becerra	Graves (MO)	Peterson
Benishek	Green, Al	Pittenger
Bera	Green, Gene	Poe (TX)
Beyer	Guinta	Poliquin
Blum	Gutiérrez	Posey
Bost	Hanna	Price, Tom
Boyle, Brendan F.	Heck (NV)	Ratcliffe
	Hice, Jody B.	Reed
Brady (PA)	Hill	Renacci
Brownley (CA)	Holding	Rice (NY)
Buck	Hoyer	Rigell
Bucshon	Hudson	Roe (TN)
Burgess	Hurd (TX)	Rogers (AL)
Capuano	Israel	Rohrabacher
Carter (GA)	Jackson Lee	Rokita
Castor (FL)	Jenkins (KS)	Ros-Lehtinen
Clark (MA)	Jenkins (WV)	Rouzer
Clarke (NY)	Johnson (GA)	Roybal-Allard
Clawson (FL)	Johnson (OH)	Ryan (OH)
Cleaver	Jordan	Sánchez, Linda T.
Clyburn	Joyce	
Coffman	Kilmer	Sarbanes
Cohen	Kind	Schakowsky
Collins (GA)	Kinzinger (IL)	Schrader
Conaway	Lance	Sewell (AL)
Connolly	Langevin	Sinema
Conyers	Lawrence	Sires
Costello (PA)	Lee	Slaughter
Courtney	Lewis	Smith (MO)
Crowley	Lieu, Ted	Stivers
Cummings	LoBiondo	Swalwell (CA)
Curbelo (FL)	Loudermilk	Thompson (CA)
Davis, Rodney	Love	Thompson (MS)
DeFazio	Lowenthal	Thompson (PA)
Delaney	Lynch	Tipton
Denham	MacArthur	Turner
DeSantis	Maloney, Sean	Upton
DeSaulnier	Marchant	Valadao
Dingell	McDermott	Vargas
Dold	McGovern	Veasey
Duckworth	McKinley	Velázquez
Duffy	Messer	Visclosky
Eshoo	Miller (FL)	Walberg
Farr	Moore	Walden
Fitzpatrick	Murphy (FL)	Watson Coleman
Fleming	Neal	Weber (TX)
Flores	Nolan	Wenstrup
Foxx	Nugent	Westerman
Fudge	Palazzo	Westmoreland
Gallego	Pallone	Woodall
Gibson	Paulsen	Yoder

ANSWERED ''PRESENT''—2

Rice (SC)	Tonko

NOT VOTING—36

Adams	Herrera Beutler	Quigley
Bass	Himes	Richmond
Bridenstine	Hurt (VA)	Rooney (FL)
Cárdenas	Johnson, Sam	Roskam
Culberson	Kennedy	Rush
Fattah	Kirkpatrick	Russell
Fincher	Knight	Salmon
Forbes	Latta	Sanford
Garamendi	Pascrell	Speier
Gohmert	Payne	Stutzman
Grijalva	Pitts	Titus
Hastings	Price (NC)	Whitfield

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1043

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated for:

Mr. HURT of Virginia. Mr. Speaker, I was not present for rollcall vote No. 192 on approval of the Journal. Had I been present, I would have voted ''yea.''

COMPREHENSIVE ADDICTION AND RECOVERY ACT OF 2016

Mrs. BROOKS of Indiana. Mr. Speaker, pursuant to House Resolution 725, I call up the bill (S. 524) to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 725, an amendment in the nature of a substitute described in the first section of that resolution is adopted, and the bill, as amended, is considered read.

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

S. 524

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

SECTION 1. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

TITLE I—PAIN MANAGEMENT BEST PRACTICES INTER-AGENCY TASK FORCE

SEC. 101. DEVELOPMENT OF BEST PRACTICES FOR THE USE OF PRESCRIPTION OPIOIDS.

(a) DEFINITIONS.—In this section—

(1) the term ''Secretary'' means the Secretary of Health and Human Services; and

(2) the term ''task force'' means the Pain Management Best Practices Inter-Agency Task Force convened under subsection (b).

(b) INTER-AGENCY TASK FORCE.—Not later than December 14, 2018, the Secretary, in cooperation with the Secretary of Veterans Affairs, the Secretary of Defense, and the Administrator of the Drug Enforcement Administration, shall convene a Pain Management Best Practices Inter-Agency Task Force to review, modify, and update, as appropriate, best practices for pain management (including chronic and acute pain) and prescribing pain medication.

(c) MEMBERSHIP.—The task force shall be comprised of—

(1) representatives of—

(A) the Department of Health and Human Services;

(B) the Department of Veterans Affairs;

(C) the Food and Drug Administration;

(D) the Department of Defense;

(E) the Drug Enforcement Administration;

(F) the Centers for Disease Control and Prevention;

(G) the Health Resources and Services Administration;

(H) the Indian Health Service;

(I) the National Academy of Medicine;

(J) the National Institutes of Health;

(K) the Office of National Drug Control Policy;

(L) the Substance Abuse and Mental Health Services Administration; and

(M) the Office of Women's Health;

(2) State medical boards;

(3) subject to subsection (e), physicians, dentists, and nonphysician prescribers;

(4) hospitals;

(5) subject to subsection (e), pharmacists and pharmacies;

(6) first responders;

(7) experts in the fields of pain research and addiction research;

(8) experts in the fields of adolescent and young adult addiction research;

(9) representatives of—

(A) pain management professional organizations;

(B) the mental health treatment community;

(C) the addiction treatment and recovery community;

(D) pain advocacy groups;

(E) veteran service organizations; and

(F) groups with expertise on overdose reversal;

(10) a person in recovery from addiction to medication for chronic pain;

(11) a person in recovery from addiction to medication for chronic pain, whose addiction began in adolescence or young adulthood;

(12) a person with chronic pain;

(13) an expert on active duty military, armed forces personnel, and veteran health and prescription opioid addiction;

(14) an expert in the field of minority health; and

(15) other stakeholders, as the Secretary determines appropriate.

(d) CONDITION ON PARTICIPATION ON TASK FORCE.—An individual representing a profession or entity described in paragraph (3) or (5) of subsection (c) may not serve as a member of the task force unless such individual—

(1) is currently licensed in a State in which such individual is practicing (as defined by such State) such profession (or, in the case of an individual representing an entity, a State in which the entity is engaged in business); and

(2) is currently practicing (as defined by such State) such profession (or, in the case of an individual representing an entity, the entity is in operation).

(e) DUTIES.—The task force shall—

(1) not later than 180 days after the date on which the task force is convened under subsection (b), review, modify, and update, as appropriate, best practices for pain management (including chronic and acute pain) and prescribing pain medication, taking into consideration—

(A) existing pain management research;

(B) research on trends in areas and communities in which the prescription opioid abuse rate and fatality rate exceed the national average prescription opioid abuse rate and fatality rate;

(C) recommendations from relevant conferences and existing relevant evidence-based guidelines;

(D) ongoing efforts at the State and local levels and by medical professional organizations to develop improved pain management strategies, including consideration of differences within and between classes of opioids, the availability of opioids with abuse deterrent technology, and pharmacological, nonpharmacological, medical device alternatives to opioids to reduce opioid monotherapy in appropriate cases and the coordination of information collected from State prescription drug monitoring programs for the purpose of preventing the diversion of pain medication;

(E) ongoing efforts at the Federal, State, and local levels to examine the potential benefits of electronic prescribing of opioids, including any public comments collected in the course of those efforts;

(F) the management of high-risk populations, other than populations who suffer pain, who—

(i) may use or be prescribed benzodiazepines, alcohol, and diverted opioids; or

(ii) receive opioids in the course of medical care;

(G) the distinct needs of adolescents and young adults with respect to pain management, pain medication, substance use disorder, and medication-assisted treatment;

(H) the 2016 Guideline for Prescribing Opioids for Chronic Pain issued by the Centers for Disease Control and Prevention;

(I) the practice of co-prescribing naloxone for both pain patients receiving chronic opioid therapy and patients being treated for opioid use disorders;

(J) research that has been, or is being, conducted or supported by the Federal Government on prevention of, treatment for, and recovery from substance use by and substance use disorders among adolescents and young adults relative to any unique circumstances (including social and biological circumstances) of adolescents and young adults that may make adolescent-specific and young adult-specific treatment protocols necessary, including any effects that substance use and substance use disorders may have on brain development and the implications for treatment and recovery;

(K) Federal non-research programs and activities that address prevention of, treatment for, and recovery from substance use by and substance use disorders among adolescents and young adults, including an assessment of the effectiveness of such programs and activities in—

(i) preventing substance use by and substance use disorders among adolescents and young adults;

(ii) treating such adolescents and young adults in a way that accounts for any unique circumstances faced by adolescents and young adults; and

(iii) supporting long-term recovery among adolescents and young adults; and

(L) gaps that have been identified by Federal officials and experts in Federal efforts relating to prevention of, treatment for, and recovery from substance use by and substance use disorders among adolescents and young adults, including gaps in research, data collection, and measures to evaluate the effectiveness of Federal efforts, and the reasons for such gaps;

(2) solicit and take into consideration public comment on the practices developed under paragraph (1), amending such best practices if appropriate;

(3) develop a strategy for disseminating information about the best practices developed under paragraphs (1) and (2) to prescribers, pharmacists, State medical boards, educational institutions that educate prescribers and pharmacists, and other parties, as the Secretary determines appropriate;

(4) review, modify, and update best practices for pain management and prescribing pain medication, specifically as it pertains to physician education and consumer education; and

(5) examine and identify—

(A) the extent of the need for the development of new pharmacological, nonpharmacological, and medical device alternatives to opioids;

(B) the current status of research efforts to develop such alternatives; and

(C) the pharmacological, nonpharmacological, and medical device alternatives to opioids that are currently available that could be better utilized.

(f) CONSIDERATION OF STUDY RESULTS.—In reviewing, modifying, and updating, best practices for pain management and prescribing pain medication, the task force shall take into consideration existing private sector, State, and local government efforts related to pain management and prescribing pain medication.

(g) LIMITATION.—The task force shall not have rulemaking authority.

(h) REPORT.—Not later than 270 days after the date on which the task force is convened under subsection (b), the task force shall submit to Congress a report that includes—

(1) the strategy for disseminating best practices for pain management (including chronic and acute pain) and prescribing pain medication, as developed under subsection (e);

(2) the results of a feasibility study on linking the best practices described in paragraph (1) to receiving and renewing registrations under section 303(f) of the Controlled Substances Act (21 U.S.C. 823(f));

(3) recommendations for effectively applying the best practices described in paragraph (1) to improve prescribing practices at medical facilities, including medical facilities of the Veterans Health Administration and Indian Health Service;

(4) the modified and updated best practices described in subsection (e)(4); and

(5) the results of the examination and identification conducted pursuant to subsection (e)(4), and recommendations regarding—

(A) the development of new pharmacological, nonpharmacological, and medical device alternatives to opioids; and

(B) the improved utilization of pharmacological, nonpharmacological, and medical device alternatives to opioids that are currently available.

TITLE II—COMPREHENSIVE OPIOID ABUSE REDUCTION ACT

SEC. 201. SHORT TITLE.

This title may be cited as the ''Comprehensive Opioid Abuse Reduction Act of 2016''.

SEC. 202. COMPREHENSIVE OPIOID ABUSE GRANT PROGRAM.

(a) IN GENERAL.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended by adding at the end the following:

''PART LL—COMPREHENSIVE OPIOID ABUSE GRANT PROGRAM

''SEC. 3021. DESCRIPTION.

''(a) GRANTS AUTHORIZED.—From amounts made available to carry out this part, the Attorney General may make grants to States, units of local government, and Indian tribes, for use by the State, unit of local government, or Indian tribe to provide services primarily relating to opioid abuse, including for any one or more of the following:

''(1) Developing, implementing, or expanding a treatment alternative to incarceration program, which may include—

''(A) pre-booking or post-booking components, which may include the activities described in part DD or HH of this title;

''(B) training for criminal justice agency personnel on substance use disorders and co-occurring mental illness and substance use disorders;

''(C) a mental health court, including the activities described in part V of this title;

''(D) a drug court, including the activities described in part EE of this title;

''(E) a veterans treatment court program, including the activities described in subsection (i) of section 2991 of this title;

''(F) a focus on parents whose incarceration could result in their children entering the child welfare system; and

''(G) a community-based substance use diversion program sponsored by a law enforcement agency.

''(2) In the case of a State, facilitating or enhancing planning and collaboration between State criminal justice agencies and State substance abuse systems in order to more efficiently and effectively carry out programs described in paragraph (1) that address problems related to opioid abuse.

''(3) Providing training and resources for first responders on carrying and administering an opioid overdose reversal drug or device approved by the Food and Drug Administration, and purchasing such a drug or device for first responders who have received such training to carry and administer.

''(4) Investigative purposes to locate or investigate illicit activities related to the unlawful distribution of opioids.

''(5) Developing, implementing, or expanding a medication-assisted treatment program used or operated by a criminal justice agency, which may include training criminal justice agency personnel on medication-assisted treatment, and carrying out the activities described in part S of this title.

''(6) In the case of a State, developing, implementing, or expanding a prescription drug monitoring program to collect and analyze data related to the prescribing of schedules II, III, and IV controlled substances through a centralized database administered by an authorized State agency, which includes tracking the dispensation of such substances, and providing for interoperability and data sharing with other States.

''(7) Developing, implementing, or expanding a program to prevent and address opioid abuse by juveniles.

''(8) Developing, implementing, or expanding an integrated and comprehensive opioid abuse response program, including prevention and recovery programs.

''(9) Developing, implementing, or expanding a program (which may include demonstration projects) to utilize technology that provides a secure container for prescription drugs that would prevent individuals, particularly adolescents, from gaining access to opioid medications that are lawfully prescribed for other individuals.

''(10) Developing, implementing, or expanding a program to prevent and address opioid abuse by veterans.

''(11) Developing, implementing, or expanding a prescription drug take-back program.

''(b) CONTRACTS AND SUBAWARDS.—A State, unit of local government, or Indian tribe may, in using a grant under this subpart for purposes authorized by subsection (a), use all or a portion of that grant to contract with or make one or more subawards to one or more—

''(1) local or regional organizations that are private and nonprofit, including faith-based organizations;

''(2) units of local government; or

''(3) tribal organizations.

''(c) PROGRAM ASSESSMENT COMPONENT; WAIVER.—

''(1) PROGRAM ASSESSMENT COMPONENT.—Each program funded under this subpart shall contain a program assessment component, developed pursuant to guidelines established by the Attorney General, in coordination with the National Institute of Justice.

''(2) WAIVER.—The Attorney General may waive the requirement of paragraph (1) with respect to a program if, in the opinion of the Attorney General, the program is not of sufficient size to justify a full program assessment.

''(d) ADMINISTRATIVE COSTS.—Not more than 10 percent of a grant made under this subpart may be used for costs incurred to administer such grant.

''(e) PERIOD.—The period of a grant made under this part may not be longer than 4 years, except that renewals and extensions beyond that period may be granted at the discretion of the Attorney General.

''SEC. 3022. APPLICATIONS.

''To request a grant under this part, the chief executive officer of a State, unit of local government, or Indian tribe shall submit an application to the Attorney General at such time and in such form as the Attorney General may require. Such application shall include the following:

''(1) A certification that Federal funds made available under this subpart will not be used to supplant State, local, or tribal funds, but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for the activities described in section 3021(a).

''(2) An assurance that, for each fiscal year covered by an application, the applicant shall maintain and report such data, records, and information (programmatic and financial) as the Attorney General may reasonably require.

''(3) A certification, made in a form acceptable to the Attorney General and executed by the chief executive officer of the applicant (or by another officer of the applicant, if qualified under regulations promulgated by the Attorney General), that—

''(A) the programs to be funded by the grant meet all the requirements of this part;

''(B) all the information contained in the application is correct;

''(C) there has been appropriate coordination with affected agencies; and

''(D) the applicant will comply with all provisions of this part and all other applicable Federal laws.

''(4) An assurance that the applicant will work with the Drug Enforcement Administration to develop an integrated and comprehensive strategy to address opioid abuse.

''SEC. 3023. REVIEW OF APPLICATIONS.

''The Attorney General shall not finally disapprove any application (or any amendment to that application) submitted under this part without first affording the applicant reasonable notice of any deficiencies in the application and opportunity for correction and reconsideration.

''SEC. 3024. EQUITABLE DISTRIBUTION OF FUNDS.

''In awarding grants under this part, the Attorney General shall ensure equitable distribution of funds based on the following:

''(1) The geographic distribution of grants under this part, taking into consideration the needs of underserved populations, including rural and tribal communities.

''(2) The needs of communities to address the problems related to opioid abuse, taking into consideration the prevalence of opioid abuse and overdose-related death in a community.

''SEC. 3025. DEFINITIONS.

''In this part:

''(1) The term 'first responder' includes a firefighter, law enforcement officer, paramedic, emergency medical technician, or other individual (including an employee of a legally organized and recognized volunteer organization, whether compensated or not), who, in the course of professional duties, responds to fire, medical, hazardous material, or other similar emergencies.

''(2) The term 'medication-assisted treatment' means the use of medications approved by the Food and Drug Administration for the treatment of opioid abuse.

''(3) The term 'opioid' means any drug, including heroin, having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having such addiction-forming or addiction-sustaining liability.

''(4) The term 'schedule II, III, or IV controlled substance' means a controlled substance that is listed on schedule II, schedule III, or schedule IV of section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).

''(5) The terms 'drug' and 'device' have the meanings given those terms in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

''(6) The term 'criminal justice agency' means a State, local, or tribal—

''(A) court;

''(B) prison;

''(C) jail;

''(D) law enforcement agency; or

''(E) other agency that performs the administration of criminal justice, including prosecution, pretrial services, and community supervision.

''(7) The term 'tribal organization' has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)) is amended by inserting after paragraph (26) the following:

''(27) There are authorized to be appropriated to carry out part LL $103,000,000 for each of fiscal years 2017 through 2021.''.

SEC. 203. AUDIT AND ACCOUNTABILITY OF GRANTEES.

(a) DEFINITIONS.—In this section—

(1) the term ''covered grant program'' means a grant program operated by the Department of Justice;

(2) the term ''covered grantee'' means a recipient of a grant from a covered grant program;

(3) the term ''nonprofit'', when used with respect to an organization, means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986, and is exempt from taxation under section 501(a) of such Code; and

(4) the term ''unresolved audit finding'' means an audit report finding in a final audit report of the Inspector General of the Department of Justice that a covered grantee has used grant funds awarded to that grantee under a covered grant program for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved during a 12-month period prior to the date on which the final audit report is issued.

(b) AUDIT REQUIREMENT.—Beginning in fiscal year 2016, and annually thereafter, the Inspector General of the Department of Justice shall conduct audits of covered grantees to prevent waste, fraud, and abuse of funds awarded under covered grant programs. The Inspector General shall determine the appropriate number of covered grantees to be audited each year.

(c) MANDATORY EXCLUSION.—A grantee that is found to have an unresolved audit finding under an audit conducted under subsection (b) may not receive grant funds under a covered grant program in the fiscal year following the fiscal year to which the finding relates.

(d) REIMBURSEMENT.—If a covered grantee is awarded funds under the covered grant program from which it received a grant award during the 1-fiscal-year period during which the covered grantee is ineligible for an allocation of grant funds under subsection (c), the Attorney General shall—

(1) deposit into the General Fund of the Treasury an amount that is equal to the amount of the grant funds that were improperly awarded to the covered grantee; and

(2) seek to recoup the costs of the repayment to the Fund from the covered grantee that was improperly awarded the grant funds.

(e) PRIORITY OF GRANT AWARDS.—The Attorney General, in awarding grants under a covered grant program shall give priority to eligible entities that during the 2-year period preceding the application for a grant have not been found to have an unresolved audit finding.

(f) NONPROFIT REQUIREMENTS.—

(1) PROHIBITION.—A nonprofit organization that holds money in offshore accounts for the purpose of avoiding the tax described in section 511(a) of the Internal Revenue Code of 1986, shall not be eligible to receive, directly or indirectly, any funds from a covered grant program.

(2) DISCLOSURE.—Each nonprofit organization that is a covered grantee shall disclose in its application for such a grant, as a condition of receipt of such a grant, the compensation of its officers, directors, and trustees. Such disclosure shall include a description of the criteria relied on to determine such compensation.

SEC. 204. VETERANS TREATMENT COURTS.

Section 2991 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa) is amended—

(1) by redesignating subsection (i) as subsection (j); and

(2) by inserting after subsection (h) the following:

''(i) ASSISTING VETERANS.—

''(1) DEFINITIONS.—In this subsection:

''(A) PEER TO PEER SERVICES OR PROGRAMS.—The term 'peer to peer services or programs' means services or programs that connect qualified veterans with other veterans for the purpose of providing support and mentorship to assist qualified veterans in obtaining treatment, recovery, stabilization, or rehabilitation.

''(B) QUALIFIED VETERAN.—The term 'qualified veteran' means a preliminarily qualified offender who—

''(i) served on active duty in any branch of the Armed Forces, including the National Guard or Reserves; and

''(ii) was discharged or released from such service under conditions other than dishonorable.

''(C) VETERANS TREATMENT COURT PROGRAM.—The term 'veterans treatment court program' means a court program involving collaboration among criminal justice, veterans, and mental health and substance abuse agencies that provides qualified veterans with—

''(i) intensive judicial supervision and case management, which may include random and frequent drug testing where appropriate;

''(ii) a full continuum of treatment services, including mental health services, substance abuse services, medical services, and services to address trauma;

''(iii) alternatives to incarceration; or

''(iv) other appropriate services, including housing, transportation, mentoring, employment, job training, education, or assistance in applying for and obtaining available benefits.

''(2) VETERANS ASSISTANCE PROGRAM.—

''(A) IN GENERAL.—The Attorney General, in consultation with the Secretary of Veterans Affairs, may award grants under this subsection to applicants to establish or expand—

''(i) veterans treatment court programs;

''(ii) peer to peer services or programs for qualified veterans;

''(iii) practices that identify and provide treatment, rehabilitation, legal, transitional, and other appropriate services to qualified veterans who have been incarcerated; or

''(iv) training programs to teach criminal justice, law enforcement, corrections, mental health, and substance abuse personnel how to identify and appropriately respond to incidents involving qualified veterans.

''(B) PRIORITY.—In awarding grants under this subsection, the Attorney General shall give priority to applications that—

''(i) demonstrate collaboration between and joint investments by criminal justice, mental health, substance abuse, and veterans service agencies;

''(ii) promote effective strategies to identify and reduce the risk of harm to qualified veterans and public safety; and

''(iii) propose interventions with empirical support to improve outcomes for qualified veterans.''.

SEC. 205. EMERGENCY FEDERAL LAW ENFORCEMENT ASSISTANCE.

Section 609Y(a) of the Justice Assistance Act of 1984 (42 U.S.C. 10513(a)) is amended by striking ''September 30, 1984'' and inserting ''September 30, 2021''.

SEC. 206. INCLUSION OF SERVICES FOR PREGNANT WOMEN UNDER FAMILY-BASED SUBSTANCE ABUSE GRANTS.

Part DD of title I of the Omnibus Crime Control and Safe Streets Act (42 U.S.C. 3797s et seq.) is amended—

(1) in section 2921(2), by inserting before the period at the end ''or pregnant women''; and

(2) in section 2927—

(A) in paragraph (1)(A), by inserting ''pregnant or'' before ''a parent''; and

(B) in paragraph (3), by inserting ''or pregnant women'' after ''incarcerated parents''.

SEC. 207. GAO STUDY AND REPORT ON DEPARTMENT OF JUSTICE PROGRAMS AND RESEARCH RELATIVE TO SUBSTANCE USE AND SUBSTANCE USE DISORDERS AMONG ADOLESCENTS AND YOUNG ADULTS.

(a) STUDY.—The Comptroller General of the United States shall conduct a study on how the Department of Justice, through grant programs, is addressing prevention of, treatment for, and recovery from substance use by and substance use disorders among adolescents and young adults. Such study shall include an analysis of each of the following:

(1) The research that has been, and is being, conducted or supported pursuant to grant programs operated by the Department of Justice on prevention of, treatment for, and recovery from substance use by and substance use disorders among adolescents and young adults, including an assessment of—

(A) such research relative to any unique circumstances (including social and biological circumstances) of adolescents and young adults that may make adolescent-specific and young adult-specific treatment protocols necessary, including any effects that substance use and substance use disorders may have on brain development and the implications for treatment and recovery; and

(B) areas of such research in which greater investment or focus is necessary relative to other areas of such research.

(2) Department of Justice non-research programs and activities that address prevention of, treatment for, and recovery from substance use by and substance use disorders among adolescents and young adults, including an assessment of the effectiveness of such programs and activities in preventing substance use by and substance use disorders among adolescents and young adults, treating such adolescents and young adults in a way that accounts for any unique circumstances faced by adolescents and young adults, and supports long term recovery among adolescents and young adults.

(3) Gaps that have been identified by officials of the Department of Justice or experts in the efforts supported by grant programs operated by the Department of Justice relating to prevention of, treatment for, and recovery from substance use by and substance use disorders among adolescents and young adults, including gaps in research, data collection, and measures to evaluate the effectiveness of such efforts, and the reasons for such gaps.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall submit to the appropriate committees of the Congress a report containing the results of the study conducted under subsection (a), including—

(1) a summary of the findings of the study; and

(2) recommendations based on the results of the study, including recommendations for such areas of research and legislative and administrative action as the Comptroller General determines appropriate.

TITLE III—JASON SIMCAKOSKI PROMISE ACT

SEC. 301. SHORT TITLE.

This title may be cited as the ''Promoting Responsible Opioid Management and Incorporating Scientific Expertise Act'' or the ''Jason Simcakoski PROMISE Act''.

SEC. 302. IMPROVEMENT OF OPIOID SAFETY MEASURES BY DEPARTMENT OF VETERANS AFFAIRS.

(a) EXPANSION OF OPIOID SAFETY INITIATIVE.—

(1) INCLUSION OF ALL MEDICAL FACILITIES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall expand the Opioid Safety Initiative of the Department of Veterans Affairs to include all medical facilities of the Department.

(2) GUIDANCE.—The Secretary shall establish guidance that each health care provider of the Department of Veterans Affairs, before initiating opioid therapy to treat a patient as part of the comprehensive assessment conducted by the health care provider, use the Opioid Therapy Risk Report tool of the Department of Veterans Affairs (or any subsequent tool), which shall include information from the prescription drug monitoring program of each participating State as applicable, that includes the most recent information to date relating to the patient that accessed such program to assess the risk for adverse outcomes of opioid therapy for the patient, including the concurrent use of controlled substances such as benzodiazepines, as part of the comprehensive assessment conducted by the health care provider.

(3) ENHANCED STANDARDS.—The Secretary shall establish enhanced standards with respect to the use of routine and random urine drug tests for all patients before and during opioid therapy to help prevent substance abuse, dependence, and diversion, including—

(A) that such tests occur not less frequently than once each year; and

(B) that health care providers appropriately order, interpret and respond to the results from such tests to tailor pain therapy, safeguards, and risk management strategies to each patient.

(b) PAIN MANAGEMENT EDUCATION AND TRAINING.—

(1) IN GENERAL.—In carrying out the Opioid Safety Initiative of the Department, the Secretary shall require all employees of the Department responsible for prescribing opioids to receive education and training described in paragraph (2).

(2) EDUCATION AND TRAINING.—Education and training described in this paragraph is education and training on pain management and safe opioid prescribing practices for purposes of safely and effectively managing patients with chronic pain, including education and training on the following:

(A) The implementation of and full compliance with the VA/DOD Clinical Practice Guideline for Management of Opioid Therapy for Chronic Pain, including any update to such guideline.

(B) The use of evidence-based pain management therapies, including cognitive-behavioral therapy, non-opioid alternatives, and non-drug methods and procedures to managing pain and related health conditions including medical devices approved or cleared by the Food and Drug Administration for the treatment of patients with chronic pain and complementary alternative medicines.

(C) Screening and identification of patients with substance use disorder, including drug-seeking behavior, before prescribing opioids, assessment of risk potential for patients developing an addiction, and referral of patients to appropriate addiction treatment professionals if addiction is identified or strongly suspected.

(D) Communication with patients on the potential harm associated with the use of opioids and other controlled substances, including the need to safely store and dispose of supplies relating to the use of opioids and other controlled substances.

(E) Such other education and training as the Secretary considers appropriate to ensure that veterans receive safe and high-quality pain management care from the Department.

(3) USE OF EXISTING PROGRAM.—In providing education and training described in paragraph (2), the Secretary shall use the Interdisciplinary Chronic Pain Management Training Team Program of the Department (or success program).

(c) PAIN MANAGEMENT TEAMS.—

(1) IN GENERAL.—In carrying out the Opioid Safety Initiative of the Department, the director of each medical facility of the Department shall identify and designate a pain management team of health care professionals, which may include board certified pain medicine specialists, responsible for coordinating and overseeing pain management therapy at such facility for patients experiencing acute and chronic pain that is non-cancer related.

(2) ESTABLISHMENT OF PROTOCOLS.—

(A) IN GENERAL.—In consultation with the Directors of each Veterans Integrated Service Network, the Secretary shall establish standard protocols for the designation of pain management teams at each medical facility within the Department.

(B) CONSULTATION ON PRESCRIPTION OF OPIOIDS.—Each protocol established under subparagraph (A) shall ensure that any health care provider without expertise in prescribing analgesics or who has not completed the education and training under subsection (b), including a mental health care provider, does not prescribe opioids to a patient unless that health care provider—

(i) consults with a health care provider with pain management expertise or who is on the pain management team of the medical facility; and

(ii) refers the patient to the pain management team for any subsequent prescriptions and related therapy.

(3) REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the director of each medical facility of the Department shall submit to the Under Secretary for Health and the director of the Veterans Integrated Service Network in which the medical facility is located a report identifying the health care professionals that have been designated as members of the pain management team at the medical facility pursuant to paragraph (1).

(B) ELEMENTS.—Each report submitted under subparagraph (A) with respect to a medical facility of the Department shall include—

(i) a certification as to whether all members of the pain management team at the medical facility have completed the education and training required under subsection (b);

(ii) a plan for the management and referral of patients to such pain management team if health care providers without expertise in prescribing analgesics prescribe opioid medications to treat acute and chronic pain that is non-cancer related; and

(iii) a certification as to whether the medical facility—

(I) fully complies with the stepped-care model of pain management and other pain management policies contained in Directive 2009–053 of the Veterans Health Administration, or successor directive; or

(II) does not fully comply with such stepped-care model of pain management and other pain management policies but is carrying out a corrective plan of action to ensure such full compliance.

(d) TRACKING AND MONITORING OF OPIOID USE.—

(1) PRESCRIPTION DRUG MONITORING PROGRAMS OF STATES.—In carrying out the Opioid Safety Initiative and the Opioid Therapy Risk Report tool of the Department, the Secretary shall—

(A) ensure access by health care providers of the Department to information on controlled substances, including opioids and benzodiazepines, prescribed to veterans who receive care outside the Department through the prescription drug monitoring program of each State with such a program, including by seeking to enter into memoranda of understanding with

States to allow shared access of such information between States and the Department;

(B) include such information in the Opioid Therapy Risk Report; and

(C) require health care providers of the Department to submit to the prescription drug monitoring program of each State information on prescriptions of controlled substances received by veterans in that State under the laws administered by the Secretary.

(2) REPORT ON TRACKING OF DATA ON OPIOID USE.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the feasibility and advisability of improving the Opioid Therapy Risk Report tool of the Department to allow for more advanced real-time tracking of and access to data on—

(A) the key clinical indicators with respect to the totality of opioid use by veterans;

(B) concurrent prescribing by health care providers of the Department of opioids in different health care settings, including data on concurrent prescribing of opioids to treat mental health disorders other than opioid use disorder; and

(C) mail-order prescriptions of opioid prescribed to veterans under the laws administered by the Secretary.

(e) AVAILABILITY OF OPIOID RECEPTOR ANTAGONISTS.—

(1) INCREASED AVAILABILITY AND USE.—

(A) IN GENERAL.—The Secretary shall maximize the availability of opioid receptor antagonists approved by the Food and Drug Administration, including naloxone, to veterans.

(B) AVAILABILITY, TRAINING, AND DISTRIBUTING.—In carrying out subparagraph (A), not later than 90 days after the date of the enactment of this Act, the Secretary shall—

(i) equip each pharmacy of the Department with opioid receptor antagonists approved by the Food and Drug Administration to be dispensed to outpatients as needed; and

(ii) expand the Overdose Education and Naloxone Distribution program of the Department to ensure that all veterans in receipt of health care under laws administered by the Secretary who are at risk of opioid overdose may access such opioid receptor antagonists and training on the proper administration of such opioid receptor antagonists.

(C) VETERANS WHO ARE AT RISK.—For purposes of subparagraph (B), veterans who are at risk of opioid overdose include—

(i) veterans receiving long-term opioid therapy;

(ii) veterans receiving opioid therapy who have a history of substance use disorder or prior instances of overdose; and

(iii) veterans who are at risk as determined by a health care provider who is treating the veteran.

(2) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on carrying out paragraph (1), including an assessment of any remaining steps to be carried out by the Secretary to carry out such paragraph.

(f) INCLUSION OF CERTAIN INFORMATION AND CAPABILITIES IN OPIOID THERAPY RISK REPORT TOOL OF THE DEPARTMENT.—

(1) INFORMATION.—The Secretary shall include in the Opioid Therapy Risk Report tool of the Department—

(A) information on the most recent time the tool was accessed by a health care provider of the Department with respect to each veteran; and

(B) information on the results of the most recent urine drug test for each veteran.

(2) CAPABILITIES.—The Secretary shall include in the Opioid Therapy Risk Report tool the ability of the health care providers of the Department to determine whether a health care provider of the Department prescribed opioids to a veteran without checking the information in the tool with respect to the veteran.

(g) NOTIFICATIONS OF RISK IN COMPUTERIZED HEALTH RECORD.—The Secretary shall modify the computerized patient record system of the Department to ensure that any health care provider that accesses the record of a veteran, regardless of the reason the veteran seeks care from the health care provider, will be immediately notified whether the veteran—

(1) is receiving opioid therapy and has a history of substance use disorder or prior instances of overdose;

(2) has a history of opioid abuse; or

(3) is at risk of becoming an opioid abuser as determined by a health care provider who is treating the veteran.

(h) DEFINITIONS.—In this section:

(1) The term ''controlled substance'' has the meaning given that term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(2) The term ''State'' means each of the several States, territories, and possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

SEC. 303. STRENGTHENING OF JOINT WORKING GROUP ON PAIN MANAGEMENT OF THE DEPARTMENT OF VETERANS AFFAIRS AND THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary of Veterans Affairs and the Secretary of Defense shall ensure that the Pain Management Working Group of the Health Executive Committee of the Department of Veterans Affairs–Department of Defense Joint Executive Committee (Pain Management Working Group) established under section 320 of title 38, United States Code, includes a focus on the following:

(1) The opioid prescribing practices of health care providers of each Department.

(2) The ability of each Department to manage acute and chronic pain among individuals receiving health care from the Department, including training health care providers with respect to pain management.

(3) The use by each Department of complementary and integrative health and complementary alternative medicines in treating such individuals.

(4) The concurrent use by health care providers of each Department of opioids and prescription drugs to treat mental health disorders, including benzodiazepines.

(5) The practice by health care providers of each Department of prescribing opioids to treat mental health disorders.

(6) The coordination in coverage of and consistent access to medications prescribed for patients transitioning from receiving health care from the Department of Defense to receiving health care from the Department of Veterans Affairs.

(7) The ability of each Department to identify and treat substance use disorders among individuals receiving health care from that Department.

(b) COORDINATION AND CONSULTATION.—The Secretary of Veterans Affairs and the Secretary of Defense shall ensure that the working group described in subsection (a)—

(1) coordinates the activities of the working group with other relevant working groups established under section 320 of title 38, United States Code;

(2) consults with other relevant Federal agencies with respect to the activities of the working group; and

(3) consults with the Department of Veterans Affairs and the Department of Defense with respect to, reviews, and comments on the VA/DOD Clinical Practice Guideline for Management of Opioid Therapy for Chronic Pain, or any successor guideline, before any update to the guideline is released.

(c) CLINICAL PRACTICE GUIDELINES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs and the Secretary of Defense shall issue an update to the VA/DOD Clinical Practice Guideline for Management of Opioid Therapy for Chronic Pain.

(2) MATTERS INCLUDED.—In conducting the update under subsection (a), the Pain Management Working Group, in coordination with the Clinical Practice Guideline VA/DOD Management of Opioid Therapy for Chronic Pain Working Group, shall examine whether the Clinical Practical Guideline should include the following:

(A) Enhanced guidance with respect to—

(i) the coadministration of an opioid and other drugs, including benzodiazepines, that may result in life-limiting drug interactions;

(ii) the treatment of patients with current acute psychiatric instability or substance use disorder or patients at risk of suicide; and

(iii) the use of opioid therapy to treat mental health disorders other than opioid use disorder.

(B) Enhanced guidance with respect to the treatment of patients with behaviors or comorbidities, such as post-traumatic stress disorder or other psychiatric disorders, or a history of substance abuse or addiction, that requires a consultation or comanagement of opioid therapy with one or more specialists in pain management, mental health, or addictions.

(C) Enhanced guidance with respect to health care providers—

(i) conducting an effective assessment for patients beginning or continuing opioid therapy, including understanding and setting realistic goals with respect to achieving and maintaining an expected level of pain relief, improved function, or a clinically appropriate combination of both; and

(ii) effectively assessing whether opioid therapy is achieving or maintaining the established treatment goals of the patient or whether the patient and health care provider should discuss adjusting, augmenting, or discontinuing the opioid therapy.

(D) Guidelines to govern the methodologies used by health care providers of the Department of Veterans Affairs and the Department of Defense to taper opioid therapy when adjusting or discontinuing the use of opioid therapy.

(E) Guidelines with respect to appropriate case management for patients receiving opioid therapy who transition between inpatient and outpatient health care settings, which may include the use of care transition plans.

(F) Guidelines with respect to appropriate case management for patients receiving opioid therapy who transition from receiving care during active duty to post-military health care networks.

(G) Guidelines with respect to providing options, before initiating opioid therapy, for pain management therapies without the use of opioids and options to augment opioid therapy with other clinical and complementary and integrative health services to minimize opioid dependence.

(H) Guidelines with respect to the provision of evidence-based non-opioid treatments within the Department of Veterans Affairs and the Department of Defense, including medical devices and other therapies approved or cleared by the Food and Drug Administration for the treatment of chronic pain as an alternative to or to augment opioid therapy.

SEC. 304. REVIEW, INVESTIGATION, AND REPORT ON USE OF OPIOIDS IN TREATMENT BY DEPARTMENT OF VETERANS AFFAIRS.

(a) COMPTROLLER GENERAL REPORT.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the Opioid Safety Initiative of the Department of Veterans Affairs and the opioid prescribing practices of health care providers of the Department.

(2) ELEMENTS.—The report submitted under paragraph (1) shall include the following:

(A) Recommendations on such improvements to the Opioid Safety Initiative of the Department as the Comptroller General considers appropriate.

(B) Information with respect to—

(i) deaths resulting from sentinel events involving veterans prescribed opioids by a health care provider of the Department;

(ii) overall prescription rates and prescriptions indications of opioids to treat non-cancer, non-palliative, and non-hospice care patients;

(iii) the prescription rates and prescriptions indications of benzodiazepines and opioids concomitantly by health care providers of the Department;

(iv) the practice by health care providers of the Department of prescribing opioids to treat patients without any pain, including to treat patients with mental health disorders other than opioid use disorder; and

(v) the effectiveness of opioid therapy for patients receiving such therapy, including the effectiveness of long-term opioid therapy.

(C) An evaluation of processes of the Department in place to oversee opioid use among veterans, including procedures to identify and remedy potential over-prescribing of opioids by health care providers of the Department.

(D) An assessment of the implementation by the Secretary of the VA/DOD Clinical Practice Guideline for Management of Opioid Therapy for Chronic Pain.

(b) QUARTERLY PROGRESS REPORT ON IMPLEMENTATION OF COMPTROLLER GENERAL RECOMMENDATIONS.—Not later than 2 years after the date of the enactment of this Act, and not later than 30 days after the end of each quarter thereafter, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a progress report detailing the actions by the Secretary during the period covered by the report to address any outstanding findings and recommendations by the Comptroller General of the United States under subsection (a) with respect to the Veterans Health Administration.

(c) ANNUAL REVIEW OF PRESCRIPTION RATES.—Not later than 1 year after the date of the enactment of this Act, and not less frequently than annually for the following 5 years, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report, with respect to each medical facility of the Department of Veterans Affairs, to collect and review information on opioids prescribed by health care providers at the facility to treat non-cancer, non-palliative, and non-hospice care patients that contains, for the 1-year period preceding the submission of the report, the following:

(1) The number of patients and the percentage of the patient population of the Department who were prescribed benzodiazepines and opioids concurrently by a health care provider of the Department.

(2) The number of patients and the percentage of the patient population of the Department without any pain who were prescribed opioids by a health care provider of the Department, including those who were prescribed benzodiazepines and opioids concurrently.

(3) The number of non-cancer, non-palliative, and non-hospice care patients and the percentage of such patients who were treated with opioids by a health care provider of the Department on an inpatient-basis and who also received prescription opioids by mail from the Department while being treated on an inpatient-basis.

(4) The number of non-cancer, non-palliative, and non-hospice care patients and the percentage of such patients who were prescribed opioids concurrently by a health care provider of the Department and a health care provider that is not health care provider of the Department.

(5) With respect to each medical facility of the Department, information on opioids prescribed by health care providers at the facility to treat non-cancer, non-palliative, and non-hospice care patients, including information on—

(A) the prescription rate at which each health care provider at the facility prescribed benzodiazepines and opioids concurrently to such patients and the aggregate such prescription rate for all health care providers at the facility;

(B) the prescription rate at which each health care provider at the facility prescribed benzodiazepines or opioids to such patients to treat conditions for which benzodiazepines or opioids are not approved treatment and the aggregate such prescription rate for all health care providers at the facility;

(C) the prescription rate at which each health care provider at the facility prescribed or dispensed mail-order prescriptions of opioids to such patients while such patients were being treated with opioids on an inpatient-basis and the aggregate of such prescription rate for all health care providers at the facility; and

(D) the prescription rate at which each health care provider at the facility prescribed opioids to such patients who were also concurrently prescribed opioids by a health care provider that is not a health care provider of the Department and the aggregate of such prescription rates for all health care providers at the facility.

(6) With respect to each medical facility of the Department, the number of times a pharmacist at the facility overrode a critical drug interaction warning with respect to an interaction between opioids and another medication before dispensing such medication to a veteran.

(d) INVESTIGATION OF PRESCRIPTION RATES.—If the Secretary determines that a prescription rate with respect to a health care provider or medical facility of the Department conflicts with or is otherwise inconsistent with the standards of appropriate and safe care, the Secretary shall—

(1) immediately notify the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives of such determination, including information relating to such determination, prescription rate, and health care provider or medical facility, as the case may be; and

(2) through the Office of the Medical Inspector of the Veterans Health Administration, conduct a full investigation of the health care provider or medical facility, as the case may be.

(e) PRESCRIPTION RATE DEFINED.—In this section, the term ''prescription rate'' means, with respect to a health care provider or medical facility of the Department, each of the following:

(1) The number of patients treated with opioids by the health care provider or at the medical facility, as the case may be, divided by the total number of pharmacy users of that health care provider or medical facility.

(2) The average number of morphine equivalents per day prescribed by the health care provider or at the medical facility, as the case may be, to patients being treated with opioids.

(3) Of the patients being treated with opioids by the health care provider or at the medical facility, as the case may be, the average number of prescriptions of opioids per patient.

SEC. 305. MANDATORY DISCLOSURE OF CERTAIN VETERAN INFORMATION TO STATE CONTROLLED SUBSTANCE MONITORING PROGRAMS.

Section 5701(l) of title 38, United States Code, is amended by striking ''may'' and inserting ''shall''.

SEC. 306. MODIFICATION TO LIMITATION ON AWARDS AND BONUSES.

Section 705 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 703 note) is amended to read as follows:

''SEC. 705. LIMITATION ON AWARDS AND BONUSES PAID TO EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS.

''The Secretary of Veterans Affairs shall ensure that the aggregate amount of awards and bonuses paid by the Secretary in a fiscal year under chapter 45 or 53 of title 5, United States Code, or any other awards or bonuses authorized under such title or title 38, United States Code, does not exceed the following amounts:

''(1) With respect to each of fiscal years 2017 through 2021, $230,000,000.

''(2) With respect to each of fiscal years 2022 through 2024, $360,000,000.''.

TITLE IV—KINGPIN DESIGNATION IMPROVEMENT ACT

SEC. 401. SHORT TITLE.

This title may be cited as the ''Kingpin Designation Improvement Act of 2016''.

SEC. 402. PROTECTION OF CLASSIFIED INFORMATION IN FEDERAL COURT CHALLENGES RELATING TO DESIGNATIONS UNDER THE NARCOTICS KINGPIN DESIGNATION ACT.

Section 804 of the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1903) is amended by adding at the end the following:

''(i) PROTECTION OF CLASSIFIED INFORMATION IN FEDERAL COURT CHALLENGES RELATING TO DESIGNATIONS.—In any judicial review of a determination made under this section, if the determination was based on classified information (as defined in section 1(a) of the Classified Information Procedures Act) such information may be submitted to the reviewing court ex parte and in camera. This subsection does not confer or imply any right to judicial review.''.

TITLE V—GOOD SAMARITAN ASSESSMENT ACT

SEC. 501. SHORT TITLE.

This title may be cited as the ''Good Samaritan Assessment Act of 2016''.

SEC. 502. FINDING.

The Congress finds that the executive branch, including the Office of National Drug Control Policy, has a policy focus on preventing and addressing prescription drug misuse and heroin use, and has worked with States and municipalities to enact Good Samaritan laws that would protect caregivers, law enforcement personnel, and first responders who administer opioid overdose reversal drugs or devices.

SEC. 503. GAO STUDY ON GOOD SAMARITAN LAWS PERTAINING TO TREATMENT OF OPIOID OVERDOSES.

The Comptroller General of the United States shall submit to the Committee on the Judiciary of the House of Representatives, the Committee on Oversight and Government Reform of the House of Representatives, the Committee on the Judiciary of the Senate, and the Committee on Homeland Security and Governmental Affairs of the Senate a report on—

(1) the extent to which the Director of National Drug Control Policy has reviewed Good

Samaritan laws, and any findings from such a review, including findings related to the potential effects of such laws, if available;

(2) efforts by the Director to encourage the enactment of Good Samaritan laws; and

(3) a compilation of Good Samaritan laws in effect in the States, the territories, and the District of Columbia.

SEC. 504. DEFINITIONS.

In this title—

(1) the term ''Good Samaritan law'' means a law of a State or unit of local government that exempts from criminal or civil liability any individual who administers an opioid overdose reversal drug or device, or who contacts emergency services providers in response to an overdose; and

(2) the term ''opioid'' means any drug, including heroin, having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having such addiction-forming or addiction-sustaining liability.

TITLE VI—OPEN ACT

SEC. 601. SHORT TITLE.

This title may be cited as the ''Opioid Program Evaluation Act'' or the ''OPEN Act''.

SEC. 602. EVALUATION OF PERFORMANCE OF DEPARTMENT OF JUSTICE PROGRAM.

(a) EVALUATION OF JUSTICE DEPARTMENT COMPREHENSIVE OPIOID ABUSE GRANT PROGRAM.—Not later than 5 years after the date of enactment of this Act, the Attorney General shall complete an evaluation of the effectiveness of the Comprehensive Opioid Abuse Grant Program under part LL of the Omnibus Crime Control and Safe Streets Act of 1968 administered by the Department of Justice based upon the information reported under subsection (d) of this section.

(b) INTERIM EVALUATION.—Not later than 3 years after the date of enactment of this Act, the Attorney General shall complete an interim evaluation assessing the nature and extent of the incidence of opioid abuse and illegal opioid distribution in the United States.

(c) METRICS AND OUTCOMES FOR EVALUATION.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall identify outcomes that are to be achieved by activities funded by the Comprehensive Opioid Grant Abuse Program and the metrics by which the achievement of such outcomes shall be determined.

(d) METRICS DATA COLLECTION.—The Attorney General shall require grantees under the Comprehensive Opioid Abuse Grant Program (and those receiving subawards under section 3021(b) of part LL of the Omnibus Crime Control and Safe Streets Act of 1968) to collect and annually report to the Department of Justice data based upon the metrics identified under subsection (c).

(e) PUBLICATION OF DATA AND FINDINGS.—

(1) PUBLICATION OF OUTCOMES AND METRICS.—The Attorney General shall, not later than 30 days after completion of the requirement under subsection (c), publish the outcomes and metrics identified under that subsection.

(2) PUBLICATION OF EVALUATION.—In the case of the interim evaluation under subsection (b), and the final evaluation under subsection (a), the National Academy of Sciences shall, not later than 90 days after such an evaluation is completed, publish the results of such evaluation and issue a report on such evaluation to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate. Such report shall also be published along with the data used to make such evaluation.

(f) ARRANGEMENT WITH THE NATIONAL ACADEMY OF SCIENCES.—For purposes of subsections (a), (b), and (c), the Attorney General shall enter into an arrangement with the National Academy of Sciences.

SEC. 603. EVALUATION OF PERFORMANCE OF DEPARTMENT OF HEALTH AND HUMAN SERVICES PROGRAM.

(a) EVALUATION OF DEPARTMENT OF HEALTH AND HUMAN SERVICES PROGRAMS.—Not later than 5 years after the date of enactment of this Act, except as otherwise provided in this section, the Secretary of Health and Human Services shall complete an evaluation of any program administered by the Secretary that provides grants for the primary purpose of providing assistance in addressing problems pertaining to opioid abuse based upon the information reported under subsection (d) of this section.

(b) INTERIM EVALUATION.—Not later than 3 years after the date of enactment of this Act, the Secretary shall complete an interim evaluation assessing the nature and extent of the incidence of opioid abuse and illegal opioid distribution in the United States.

(c) METRICS AND OUTCOMES FOR EVALUATION.—Not later than 180 days after the date of enactment of this Act, the Secretary shall identify outcomes that are to be achieved by activities funded by the programs described in subsection (a) and the metrics by which the achievement of such outcomes shall be determined.

(d) METRICS DATA COLLECTION.—The Secretary shall require grantees under the programs described in subsection (a) to collect and annually report to the Department of Health and Human Services data based upon the metrics identified under subsection (c).

(e) PUBLICATION OF DATA AND FINDINGS.—

(1) PUBLICATION OF OUTCOMES AND METRICS.—The Secretary shall, not later than 30 days after completion of the requirement under subsection (c), publish the outcomes and metrics identified under that subsection.

(2) PUBLICATION OF EVALUATION.—In the case of the interim evaluation under subsection (b), and each final evaluation under subsection (a), the National Academy of Sciences shall, not later than 90 days after such an evaluation is completed, publish the results of such evaluation and issue a report on such evaluation to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate. Such report shall also be published along with the data used to make such evaluation.

(f) ARRANGEMENT WITH THE NATIONAL ACADEMY OF SCIENCES.—For purposes of subsections (a), (b), and (c), the Secretary shall—

(1) enter into an arrangement with the National Academy of Sciences; or

(2) enter into a contract or cooperative agreement with an entity that is not an agency of the Federal Government.

(g) EXCEPTION.—If a program described under subsection (a) is subject to an evaluation substantially similar to the evaluation under subsection (a) pursuant to another provision of law, the Secretary may opt not to conduct an evaluation under subsection (a) of such program.

SEC. 604. DEFINITION.

In this title, the term ''opioid'' has the meaning given the term ''opiate'' in section 102 of the Controlled Substances Act (21 U.S.C. 802).

SEC. 605. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to be appropriated to carry out this Act.

SEC. 606. MATTERS REGARDING CERTAIN FEDERAL LAW ENFORCEMENT ASSISTANCE.

Section 609Y of the Justice Assistance Act of 1984 (42 U.S.C. 10513) is amended—

(1) in subsection (a), by striking ''There is'' and inserting ''Except as provided in subsection (c), there is''; and

(2) by adding at the end the following:

''(c) For fiscal year 2022, there is authorized to be appropriated $16,000,000, to provide under this chapter Federal law enforcement assistance in the form of funds.''.

TITLE VII—INFANT PLAN OF SAFE CARE IMPROVEMENT ACT

SEC. 701. SHORT TITLE.

This title may be cited as the ''Infant Plan of Safe Care Improvement Act''.

SEC. 702. BEST PRACTICES FOR DEVELOPMENT OF PLANS OF SAFE CARE.

Section 103(b) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5104(b)) is amended—

(1) by redesignating paragraphs (5) through (8) as paragraphs (6) through (9), respectively; and

(2) by inserting after paragraph (4), the following:

''(5) maintain and disseminate information about the requirements of section 106(b)(2)(B)(iii) and best practices relating to the development of plans of safe care as described in such section for infants born and identified as being affected by illegal substance abuse or withdrawal symptoms, or a Fetal Alcohol Spectrum Disorder;''.

SEC. 703. STATE PLANS.

Section 106(b)(2)(B)(iii) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a(b)(2)(B)(iii)) is amended by inserting before the semicolon at the end the following: ''to ensure the safety and well-being of such infant following release from the care of healthcare providers, including through—''

''(I) addressing the health and substance use disorder treatment needs of the infant and affected family or caregiver; and

''(II) the development and implementation by the State of monitoring systems regarding the implementation of such plans to determine whether and in what manner local entities are providing, in accordance with State requirements, referrals to and delivery of appropriate services for the infant and affected family or caregiver''.

SEC. 704. DATA REPORTS.

(a) IN GENERAL.—Section 106(d) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a(d)) is amended by adding at the end of the following:

''(17)(A) The number of infants identified under subsection (b)(2)(B)(ii).

''(B) The number of infants for whom a plan of safe care was developed under subsection (b)(2)(B)(iii).

''(C) The number of infants for whom a referral was made for appropriate services, including services for the affected family or caregiver, under subsection (b)(2)(B)(iii).''.

(b) REDESIGNATION.—Effective on May 29, 2017, section 106(d) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a(d)) is amended by redesignating paragraph (17) (as added by subsection (a)) as paragraph (18).

SEC. 705. MONITORING AND OVERSIGHT.

(a) AMENDMENT.—Title I of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 et seq.) is further amended by adding at the end the following:

''SEC. 114. MONITORING AND OVERSIGHT.

''The Secretary shall conduct monitoring to ensure that each State that receives a grant under section 106 is in compliance with the requirements of section 106(b), which—

''(1) shall—

''(A) be in addition to the review of the State plan upon its submission under section 106(b)(1)(A); and

''(B) include monitoring of State policies and procedures required under clauses (ii) and (iii) of section 106(b)(2)(B); and

''(2) may include—

''(A) a comparison of activities carried out by the State to comply with the requirements of section 106(b) with the State plan most recently approved under section 432 of the Social Security Act;

''(B) a review of information available on the Website of the State relating to its compliance with the requirements of section 106(b);

''(C) site visits, as may be necessary to carry out such monitoring; and

''(D) a review of information available in the State's Annual Progress and Services Report most recently submitted under section 1357.16 of title 45, Code of Federal Regulations (or successor regulations).''.

(b) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 note) is amended by inserting after the item relating to section 113, the following:

''Sec. 114. Monitoring and oversight.''.

SEC. 706. RULE OF CONSTRUCTION.

Nothing in this Act, or the amendments made by this Act, shall be construed to authorize the Secretary of Health and Human Services or any other officer of the Federal Government to add new requirements to section 106(b) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a(b)), as amended by this Act.

TITLE VIII—NAS HEALTHY BABIES ACT

SEC. 801. SHORT TITLE.

This title may be cited as the ''Nurturing And Supporting Healthy Babies Act'' or as the ''NAS Healthy Babies Act''.

SEC. 802. GAO REPORT ON NEONATAL ABSTINENCE SYNDROME (NAS).

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Finance and the Committee on Health, Education, Labor and Pensions of the Senate a report on neonatal abstinence syndrome (in this section referred to as ''NAS'') in the United States.

(b) INFORMATION TO BE INCLUDED IN REPORT.—Such report shall include information on the following:

(1) The prevalence of NAS in the United States, including the proportion of children born in the United States with NAS who are eligible for medical assistance under State Medicaid programs under title XIX of the Social Security Act at birth and the costs associated with NAS through such programs.

(2) The services for which coverage is available under State Medicaid programs for treatment of infants with NAS.

(3) The settings (including inpatient, outpatient, hospital-based, and other settings) for the treatment of infants with NAS and the reimbursement methodologies and costs associated with such treatment in such settings.

(4) The prevalence of utilization of various care settings under State Medicaid programs for treatment of infants with NAS and any Federal barriers to treating such infants under such programs, particularly in non-hospital-based settings.

(5) What is known about best practices for treating infants with NAS.

(c) RECOMMENDATIONS.—Such report also shall include such recommendations as the Comptroller General determines appropriate for improvements that will ensure access to treatment for infants with NAS under State Medicaid programs.

SEC. 803. EXCLUDING ABUSE-DETERRENT FORMULATIONS OF PRESCRIPTION DRUGS FROM THE MEDICAID ADDITIONAL REBATE REQUIREMENT FOR NEW FORMULATIONS OF PRESCRIPTION DRUGS.

(a) IN GENERAL.—The last sentence of section 1927(c)(2)(C) of the Social Security Act (42 U.S.C. 1396r–8(c)(2)(C)) is amended by inserting before the period at the end the following: '', but does not include an abuse-deterrent formulation of the drug (as determined by the Secretary), regardless of whether such abuse-deterrent formulation is an extended release formulation''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to drugs that are paid for by a State in calendar quarters beginning on or after the date of the enactment of this Act.

SEC. 804. LIMITING DISCLOSURE OF PREDICTIVE MODELING AND OTHER ANALYTICS TECHNOLOGIES TO IDENTIFY AND PREVENT WASTE, FRAUD, AND ABUSE.

(a) IN GENERAL.—Title XI of the Social Security Act is amended by inserting after section 1128J (42 U.S.C. 1320a–7k) the following new section:

''SEC. 1128K. DISCLOSURE OF PREDICTIVE MODELING AND OTHER ANALYTICS TECHNOLOGIES TO IDENTIFY AND PREVENT WASTE, FRAUD, AND ABUSE.

''(a) REFERENCE TO PREDICTIVE MODELING TECHNOLOGIES REQUIREMENTS.—For provisions relating to the use of predictive modeling and other analytics technologies to identify and prevent waste, fraud, and abuse with respect to the Medicare program under title XVIII, the Medicaid program under title XIX, and the Children's Health Insurance Program under title XXI, see section 4241 of the Small Business Jobs Act of 2010 (42 U.S.C. 1320a–7m).

''(b) LIMITING DISCLOSURE OF PREDICTIVE MODELING TECHNOLOGIES.—In implementing such provisions under such section 4241 with respect to covered algorithms (as defined in subsection (c)), the following shall apply:

''(1) NONAPPLICATION OF FOIA.—The covered algorithms used or developed for purposes of such section (including by the Secretary or a State (or an entity operating under a contract with a State)) shall be exempt from disclosure under section 552(b)(3) of title 5, United States Code.

''(2) LIMITATION WITH RESPECT TO USE AND DISCLOSURE OF INFORMATION BY STATE AGENCIES.—

''(A) IN GENERAL.—A State agency may not use or disclose covered algorithms used or developed for purposes of such section except for purposes of administering the State plan (or a waiver of the plan) under the Medicaid program under title XIX or the State child health plan (or a waiver of the plan) under the Children's Health Insurance Program under title XXI, including by enabling an entity operating under a contract with a State to assist the State to identify or prevent waste, fraud, and abuse with respect to such programs.

''(B) INFORMATION SECURITY.—A State agency shall have in effect data security and control policies that the Secretary finds adequate to ensure the security of covered algorithms used or developed for purposes of such section 4241 and to ensure that access to such information is restricted to authorized persons for purposes of authorized uses and disclosures described in subparagraph (A).

''(C) PROCEDURAL REQUIREMENTS.—State agencies to which information is disclosed pursuant to such section 4241 shall adhere to uniform procedures established by the Secretary.

''(c) COVERED ALGORITHM DEFINED.—In this section, the term 'covered algorithm'—

''(1) means a predictive modeling or other analytics technology, as used for purposes of section 4241(a) of the Small Business Jobs Act of 2010 (42 U.S.C. 1320a–7m(a)) to identify and prevent waste, fraud, and abuse with respect to the Medicare program under title XVIII, the Medicaid program under title XIX, and the Children's Health Insurance Program under title XXI; and

''(2) includes the mathematical expressions utilized in the application of such technology and the means by which such technology is developed.''.

(b) CONFORMING AMENDMENTS.—

(1) MEDICAID STATE PLAN REQUIREMENT.—Section 1902(a) of the Social Security Act (42 U.S.C. 1396a(a)) is amended—

(A) in paragraph (80), by striking ''and'' at the end;

(B) in paragraph (81), by striking the period at the end and inserting ''; and''; and

(C) by inserting after paragraph (81) the following new paragraph:

''(82) provide that the State agency responsible for administering the State plan under this title provides assurances to the Secretary that the State agency is in compliance with subparagraphs (A), (B), and (C) of section 1128K(b)(2).''.

(2) STATE CHILD HEALTH PLAN REQUIREMENT.—Section 2102(a)(7) of the Social Security Act (42 U.S.C. 1397bb(a)(7)) is amended—

(A) in subparagraph (A), by striking '', and'' at the end and inserting a semicolon;

(B) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new subparagraph:

''(C) to ensure that the State agency involved is in compliance with subparagraphs (A), (B), and (C) of section 1128K(b)(2).''.

SEC. 805. MEDICAID IMPROVEMENT FUND.

Section 1941(b)(1) of the Social Security Act (42 U.S.C. 1396w–1(b)(1)) is amended to read as follows:

''(1) IN GENERAL.—There shall be available to the Fund, for expenditures from the Fund for fiscal year 2021 and thereafter, $5,000,000.''.

TITLE IX—CO-PRESCRIBING TO REDUCE OVERDOSES ACT

SEC. 901. SHORT TITLE.

This title may be cited as the ''Co-Prescribing to Reduce Overdoses Act of 2016''.

SEC. 902. OPIOID OVERDOSE REVERSAL DRUGS PRESCRIBING GRANT PROGRAM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act, the Secretary of Health and Human Services may establish, in accordance with this section, a 5-year opioid overdose reversal drugs prescribing grant program (in this Act referred to as the ''grant program'').

(2) MAXIMUM GRANT AMOUNT.—A grant made under this section may not be for more than $200,000 per grant year.

(3) ELIGIBLE ENTITY.—For purposes of this section, the term ''eligible entity'' means a federally qualified health center (as defined in section 1861(aa) of the Social Security Act (42 U.S.C. 1395x(aa)), an opioid treatment program under part 8 of title 42, Code of Federal Regulations, any practitioner dispensing narcotic drugs pursuant to section 303(g) of the Controlled Substances Act (21 U.S.C. 823(g)), or any other entity that the Secretary deems appropriate.

(4) PRESCRIBING.—For purposes of this section and section 3, the term ''prescribing'' means, with respect to an opioid overdose reversal drug, such as naloxone, the practice of prescribing such drug—

(A) in conjunction with an opioid prescription for patients at an elevated risk of overdose;

(B) in conjunction with an opioid agonist approved under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) for the treatment of opioid abuse disorder;

(C) to the caregiver or a close relative of patients at an elevated risk of overdose from opioids; or

(D) in other circumstances, as identified by the Secretary, in which a provider identifies a patient is at an elevated risk for an intentional or unintentional drug overdose from heroin or prescription opioid therapies.

(b) APPLICATION.—To be eligible to receive a grant under this section, an eligible entity shall submit to the Secretary of Health and Human Services, in such form and manner as specified by the Secretary, an application that describes—

(1) the extent to which the area to which the entity will furnish services through use of the grant is experiencing significant morbidity and mortality caused by opioid abuse;

(2) the criteria that will be used to identify eligible patients to participate in such program; and

(3) how such program will work to try to identify State, local, or private funding to continue the program after expiration of the grant.

(c) USE OF FUNDS.—An eligible entity receiving a grant under this section may use the grant for any of the following activities, but may use not more than 20 percent of the grant funds for activities described in paragraphs (4) and (5):

(1) To establish a program for prescribing opioid overdose reversal drugs, such as naloxone.

(2) To train and provide resources for health care providers and pharmacists on the prescribing of opioid overdose reversal drugs, such as naloxone.

(3) To establish mechanisms and processes for tracking patients participating in the program described in paragraph (1) and the health outcomes of such patients.

(4) To purchase opioid overdose reversal drugs, such as naloxone, for distribution under the program described in paragraph (1).

(5) To offset the co-pays and other cost sharing associated with opioid overdose reversal drugs, such as naloxone, to ensure that cost is not a limiting factor for eligible patients.

(6) To conduct community outreach, in conjunction with community-based organizations, designed to raise awareness of prescribing practices, and the availability of opioid overdose reversal drugs, such as naloxone.

(7) To establish protocols to connect patients who have experienced a drug overdose with appropriate treatment, including medication assisted treatment and appropriate counseling and behavioral therapies.

(d) EVALUATIONS BY RECIPIENTS.—As a condition of receipt of a grant under this section, an eligible entity shall, for each year for which the grant is received, submit to the Secretary of Health and Human Services information on appropriate outcome measures specified by the Secretary to assess the outcomes of the program funded by the grant, including—

(1) the number of prescribers trained;

(2) the number of prescribers who have co-prescribed an opioid overdose reversal drug, such as naloxone, to at least one patient;

(3) the total number of prescriptions written for opioid overdose reversal drugs, such as naloxone;

(4) the percentage of patients at elevated risk who received a prescription for an opioid overdose reversal drug, such as naloxone;

(5) the number of patients reporting use of an opioid overdose reversal drug, such as naloxone; and

(6) any other outcome measures that the Secretary deems appropriate.

(e) REPORTS BY SECRETARY.—For each year of the grant program under this section, the Secretary of Health and Human Services shall submit to the appropriate committees of the House of Representatives and of the Senate a report aggregating the information received from the grant recipients for such year under subsection (d) and evaluating the outcomes achieved by the programs funded by grants made under this section.

SEC. 903. PROVIDING INFORMATION TO PRESCRIBERS IN CERTAIN FEDERAL HEALTH CARE AND MEDICAL FACILITIES ON BEST PRACTICES FOR PRESCRIBING OPIOID OVERDOSE REVERSAL DRUGS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Health and Human Services (in this section referred to as the ''Secretary'') may, as appropriate, provide information to prescribers within federally qualified health centers (as defined in paragraph (4) of section 1861(aa) of the Social Security Act (42 U.S.C. 1395x(aa))), and the health care facilities of the Indian Health Service, on best practices for prescribing opioid overdose reversal drugs, such as naloxone, for patients receiving chronic opioid therapy, patients being treated for opioid use disorders, and other patients that a provider identifies as having an elevated risk of overdose from heroin or prescription opioid therapies.

(b) NOT ESTABLISHING A MEDICAL STANDARD OF CARE.—The information on best practices provided under this section shall not be construed as constituting or establishing a medical standard of care for prescribing opioid overdose reversal drugs, such as naloxone, for patients described in subsection (a).

(c) ELEVATED RISK OF OVERDOSE DEFINED.—In this section, the term ''elevated risk of overdose'' has the meaning given such term by the Secretary, which—

(1) may be based on the criteria provided in the Opioid Overdose Toolkit published by the Substance Abuse and Mental Health Services Administration (SAMHSA); and

(2) may include patients on a first course opioid treatment, patients using extended-release and long-acting opioid analgesics, and patients with a respiratory disease or other comorbidities.

SEC. 904. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this title $5,000,000 for the period of fiscal years 2017 through 2021.

SEC. 905. CUT-GO COMPLIANCE.

Subsection (f) of section 319D of the Public Health Service Act (42 U.S.C. 247d–4) is amended by inserting before the period at the end the following: ''(except such dollar amount shall be reduced by $5,000,000 for fiscal year 2018)''.

TITLE X—IMPROVING TREATMENT FOR PREGNANT AND POSTPARTUM WOMEN ACT

SEC. 1001. SHORT TITLE.

This title may be cited as the ''Improving Treatment for Pregnant and Postpartum Women Act of 2016''.

SEC. 1002. REAUTHORIZATION OF RESIDENTIAL TREATMENT PROGRAMS FOR PREGNANT AND POSTPARTUM WOMEN.

Section 508 of the Public Health Service Act (42 U.S.C. 290bb–1) is amended—

(1) in subsection (p), in the first sentence, by inserting ''(other than subsection (r))'' after ''section''; and

(2) in subsection (r), by striking ''such sums'' and all that follows through ''2003'' and inserting ''$16,900,000 for each of fiscal years 2017 through 2021''.

SEC. 1003. PILOT PROGRAM GRANTS FOR STATE SUBSTANCE ABUSE AGENCIES.

(a) IN GENERAL.—Section 508 of the Public Health Service Act (42 U.S.C. 290bb–1) is amended—

(1) by redesignating subsection (r), as amended by section 2, as subsection (s); and

(2) by inserting after subsection (q) the following new subsection:

''(r) PILOT PROGRAM FOR STATE SUBSTANCE ABUSE AGENCIES.—

''(1) IN GENERAL.—From amounts made available under subsection (s), the Director of the Center for Substance Abuse Treatment shall carry out a pilot program under which competitive grants are made by the Director to State substance abuse agencies to—

''(A) enhance flexibility in the use of funds designed to support family-based services for pregnant and postpartum women with a primary diagnosis of a substance use disorder, including opioid use disorders;

''(B) help State substance abuse agencies address identified gaps in services furnished to such women along the continuum of care, including services provided to women in nonresidential based settings; and

''(C) promote a coordinated, effective, and efficient State system managed by State substance abuse agencies by encouraging new approaches and models of service delivery.

''(2) REQUIREMENTS.—In carrying out the pilot program under this subsection, the Director shall—

''(A) require State substance abuse agencies to submit to the Director applications, in such form and manner and containing such information as specified by the Director, to be eligible to receive a grant under the program;

''(B) identify, based on such submitted applications, State substance abuse agencies that are eligible for such grants;

''(C) require services proposed to be furnished through such a grant to support family-based treatment and other services for pregnant and postpartum women with a primary diagnosis of a substance use disorder, including opioid use disorders;

''(D) not require that services furnished through such a grant be provided solely to women that reside in facilities;

''(E) not require that grant recipients under the program make available through use of the grant all services described in subsection (d); and

''(F) consider not applying requirements described in paragraphs (1) and (2) of subsection (f) to applicants, depending on the circumstances of the applicant.

''(3) REQUIRED SERVICES.—

''(A) IN GENERAL.—The Director shall specify a minimum set of services required to be made available to eligible women through a grant awarded under the pilot program under this subsection. Such minimum set—

''(i) shall include requirements described in subsection (c) and be based on the recommendations submitted under subparagraph (B); and

''(ii) may be selected from among the services described in subsection (d) and include other services as appropriate.

''(B) STAKEHOLDER INPUT.—The Director shall convene and solicit recommendations from stakeholders, including State substance abuse agencies, health care providers, persons in recovery from substance abuse, and other appropriate individuals, for the minimum set of services described in subparagraph (A).

''(4) DURATION.—The pilot program under this subsection shall not exceed 5 years.

''(5) EVALUATION AND REPORT TO CONGRESS.—The Director of the Center for Behavioral Health Statistics and Quality shall fund an evaluation of the pilot program at the conclusion of the first grant cycle funded by the pilot program. The Director of the Center for Behavioral Health Statistics and Quality, in coordination with the Director of the Center for Substance Abuse Treatment shall submit to the relevant committees of jurisdiction of the House of

Representatives and the Senate a report on such evaluation. The report shall include at a minimum outcomes information from the pilot program, including any resulting reductions in the use of alcohol and other drugs; engagement in treatment services; retention in the appropriate level and duration of services; increased access to the use of medications approved by the Food and Drug Administration for the treatment of substance use disorders in combination with counseling; and other appropriate measures.

''(6) STATE SUBSTANCE ABUSE AGENCIES DEFINED.—For purposes of this subsection, the term 'State substance abuse agency' means, with respect to a State, the agency in such State that manages the Substance Abuse Prevention and Treatment Block Grant under part B of title XIX.''.

(b) FUNDING.—Subsection (s) of section 508 of the Public Health Service Act (42 U.S.C. 290bb–1), as amended by section 1002 and redesignated by subsection (a), is further amended by adding at the end the following new sentence: ''Of the amounts made available for a year pursuant to the previous sentence to carry out this section, not more than 25 percent of such amounts shall be made available for such year to carry out subsection (r), other than paragraph (5) of such subsection. Notwithstanding the preceding sentence, no funds shall be made available to carry out subsection (r) for a fiscal year unless the amount made available to carry out this section for such fiscal year is more than the amount made available to carry out this section for fiscal year 2016.''.

SEC. 1004. CUT-GO COMPLIANCE.

Subsection (f) of section 319D of the Public Health Service Act (42 U.S.C. 247d–4) is amended by striking ''through 2018'' and inserting ''through 2016, $133,300,000 for fiscal year 2017, and $138,300,000 for fiscal year 2018''.

TITLE XI—VETERAN EMERGENCY MEDICAL TECHNICIAN SUPPORT ACT

SEC. 1101. SHORT TITLE.

This title may be cited as the ''Veteran Emergency Medical Technician Support Act of 2016''.

SEC. 1102. ASSISTING VETERANS WITH MILITARY EMERGENCY MEDICAL TRAINING TO MEET REQUIREMENTS FOR BECOMING CIVILIAN EMERGENCY MEDICAL TECHNICIANS.

Part B of title III of the Public Health Service Act (42 U.S.C. 243 et seq.) is amended by inserting after section 314 the following:

''SEC. 315. ASSISTING VETERANS WITH MILITARY EMERGENCY MEDICAL TRAINING TO MEET REQUIREMENTS FOR BECOMING CIVILIAN EMERGENCY MEDICAL TECHNICIANS.

''(a) PROGRAM.—The Secretary shall establish a program consisting of awarding demonstration grants to States to streamline State requirements and procedures in order to assist veterans who completed military emergency medical technician training while serving in the Armed Forces of the United States to meet certification, licensure, and other requirements applicable to becoming an emergency medical technician in the State.

''(b) USE OF FUNDS.—Amounts received as a demonstration grant under this section shall be used to prepare and implement a plan to streamline State requirements and procedures as described in subsection (a), including by—

''(1) determining the extent to which the requirements for the education, training, and skill level of emergency medical technicians in the State are equivalent to requirements for the education, training, and skill level of military emergency medical technicians; and

''(2) identifying methods, such as waivers, for military emergency medical technicians to forgo or meet any such equivalent State requirements.

''(c) ELIGIBILITY.—To be eligible for a grant under this section, a State shall demonstrate that the State has a shortage of emergency medical technicians.

''(d) REPORT.—The Secretary shall submit to the Congress an annual report on the program under this section.

''(e) FUNDING.—No additional funds are authorized to be appropriated for the purpose of carrying out this section. This section shall be carried out using amounts otherwise available for such purpose.''.

TITLE XII—JOHN THOMAS DECKER ACT

SEC. 1201. SHORT TITLE.

This title may be cited as the ''John Thomas Decker Act of 2016''.

SEC. 1202. INFORMATION MATERIALS AND RESOURCES TO PREVENT ADDICTION RELATED TO YOUTH SPORTS INJURIES.

(a) TECHNICAL CLARIFICATION.—Effective as if included in the enactment of the Children's Health Act of 2000 (Public Law 106–310), section 3405(a) of such Act (114 Stat. 1221) is amended by striking ''Part E of title III'' and inserting ''Part E of title III of the Public Health Service Act''.

(b) AMENDMENT.—Title III of the Public Health Service Act is amended by inserting after part D of such title (42 U.S.C. 254b et seq.) the following new part E:

''PART E—OPIOID USE DISORDER

''SEC. 341. INFORMATION MATERIALS AND RESOURCES TO PREVENT ADDICTION RELATED TO YOUTH SPORTS INJURIES.

''(a) REPORT.—The Secretary shall—

''(1) not later than 24 months after the date of the enactment of this section, make publicly available a report determining the extent to which informational materials and resources described in subsection (b) are available to teenagers and adolescents who play youth sports, families of such teenagers and adolescents, nurses, youth sports groups, and relevant health care provider groups; and

''(2) for purposes of educating and preventing addiction in teenagers and adolescents who are injured playing youth sports and are subsequently prescribed an opioid, not later than 12 months after such report is made publicly available and taking into consideration the findings of such report, develop and, in coordination with youth sports groups, disseminate informational materials and resources described in subsection (b) for teenagers and adolescents who play youth sports, families of such teenagers and adolescents, nurses, youth sports groups, and relevant health care provider groups.

''(b) MATERIALS AND RESOURCES DESCRIBED.—For purposes of this section, the informational materials and resources described in this subsection are informational materials and resources with respect to youth sports injuries for which opioids are potentially prescribed and subsequently potentially lead to addiction, including materials and resources focused on the dangers of opioid use and misuse, treatment options for such injuries that do not involve the use of opioids, and how to seek treatment for addiction.

''(c) NO ADDITIONAL FUNDS.—No additional funds are authorized to be appropriated for the purpose of carrying out this section. This section shall be carried out using amounts otherwise available for such purpose.''.

TITLE XIII—LALI'S LAW

SEC. 1301. SHORT TITLE.

This title may be cited as ''Lali's Law''.

SEC. 1302. OPIOID OVERDOSE REVERSAL MEDICATION ACCESS AND EDUCATION GRANT PROGRAMS.

(a) TECHNICAL CLARIFICATION.—Effective as if included in the enactment of the Children's Health Act of 2000 (Public Law 106–310), section 3405(a) of such Act (114 Stat. 1221) is amended by striking ''Part E of title III'' and inserting ''Part E of title III of the Public Health Service Act''.

(b) AMENDMENT.—Title III of the Public Health Service Act is amended by inserting after part D of such title (42 U.S.C. 254b et seq.) the following new part E:

''PART E—OPIOID USE DISORDER

''SEC. 341. OPIOID OVERDOSE REVERSAL MEDICATION ACCESS AND EDUCATION GRANT PROGRAMS.

''(a) GRANTS TO STATES.—The Secretary may make grants to States for—

''(1) developing standing orders for pharmacies regarding opioid overdose reversal medication;

''(2) encouraging pharmacies to dispense opioid overdose reversal medication pursuant to a standing order;

''(3) implementing best practices for persons authorized to prescribe medication regarding—

''(A) prescribing opioids for the treatment of chronic pain;

''(B) co-prescribing opioid overdose reversal medication with opioids; and

''(C) discussing the purpose and administration of opioid overdose reversal medication with patients;

''(4) developing or adapting training materials and methods for persons authorized to prescribe or dispense medication to use in educating the public regarding—

''(A) when and how to administer opioid overdose reversal medication; and

''(B) steps to be taken after administering opioid overdose reversal medication; and

''(5) educating the public regarding—

''(A) the public health benefits of opioid overdose reversal medication; and

''(B) the availability of opioid overdose reversal medication without a person-specific prescription.

''(b) CERTAIN REQUIREMENT.—A grant may be made under this section only if the State involved has authorized standing orders regarding opioid overdose reversal medication.

''(c) PREFERENCE IN MAKING GRANTS.—In making grants under this section, the Secretary shall give preference to States that—

''(1) have not issued standing orders regarding opioid overdose reversal medication;

''(2) authorize standing orders that permit community-based organizations, substance abuse programs, or other nonprofit entities to acquire, dispense, or administer opioid overdose reversal medication;

''(3) authorize standing orders that permit police, fire, or emergency medical services agencies to acquire and administer opioid overdose reversal medication;

''(4) have a higher per capita rate of opioid overdoses than other applicant States; or

''(5) meet any other criteria deemed appropriate by the Secretary.

''(d) GRANT TERMS.—

''(1) NUMBER.—A State may not receive more than one grant under this section.

''(2) PERIOD.—A grant under this section shall be for a period of 3 years.

''(3) AMOUNT.—A grant under this section may not exceed $500,000.

''(4) LIMITATION.—A State may use not more than 20 percent of a grant under this section for educating the public pursuant to subsection (a)(5).

''(e) APPLICATIONS.—To be eligible to receive a grant under this section, a State shall submit an application to the Secretary in such form and manner and containing such information as the Secretary may require, including detailed proposed expenditures of grant funds.

''(f) REPORTING.—Not later than 3 months after the Secretary disburses the first grant payment to any State under this section and every

6 months thereafter for 3 years, such State shall submit a report to the Secretary that includes the following:

''(1) The name and ZIP Code of each pharmacy in the State that dispenses opioid overdose reversal medication under a standing order.

''(2) The total number of opioid overdose reversal medication doses dispensed by each such pharmacy, specifying how many were dispensed with or without a person-specific prescription.

''(3) The number of pharmacists in the State who have participated in training pursuant to subsection (a)(4).

''(g) DEFINITIONS.—In this section:

''(1) OPIOID OVERDOSE REVERSAL MEDICATION.—The term 'opioid overdose reversal medication' means any drug, including naloxone, that—

''(A) blocks opioids from attaching to, but does not itself activate, opioid receptors; or

''(B) inhibits the effects of opioids on opioid receptors.

''(2) STANDING ORDER.—The term 'standing order' means a document prepared by a person authorized to prescribe medication that permits another person to acquire, dispense, or administer medication without a person-specific prescription.

''(h) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—To carry out this section, there is authorized to be appropriated $5,000,000 for the period of fiscal years 2017 through 2019.

''(2) ADMINISTRATIVE COSTS.—Not more than 3 percent of the amounts made available to carry out this section may be used by the Secretary for administrative expenses of carrying out this section.''.

SEC. 1303. CUT-GO COMPLIANCE.

Subsection (f) of section 319D of the Public Health Service Act (42 U.S.C. 247d–4) is amended by inserting before the period at the end the following: ''(except such dollar amount shall be reduced by $5,000,000 for fiscal year 2017)''.

TITLE XIV—REDUCING UNUSED MEDICATIONS ACT

SEC. 1401. SHORT TITLE.

This title may be cited as the ''Reducing Unused Medications Act of 2016''.

SEC. 1402. PARTIAL FILLS OF SCHEDULE II CONTROLLED SUBSTANCES.

(a) IN GENERAL.—Section 309 of the Controlled Substances Act (21 U.S.C. 829) is amended by adding at the end the following:

''(f) PARTIAL FILLS OF SCHEDULE II CONTROLLED SUBSTANCES.—

''(1) PARTIAL FILLS.—

''(A) IN GENERAL.—A prescription for a controlled substance in schedule II may be partially filled if—

''(i) it is not prohibited by State law;

''(ii) the prescription is written and filled in accordance with the Controlled Substances Act (21 U.S.C. 801 et seq.), regulations prescribed by the Attorney General, and State law;

''(iii) the partial fill is requested by the patient or the practitioner that wrote the prescription; and

''(iv) the total quantity dispensed in all partial fillings does not exceed the total quantity prescribed.

''(B) OTHER CIRCUMSTANCES.—A prescription for a controlled substance in schedule II may be partially filled in accordance with section 1306.13 of title 21, Code of Federal Regulations (as in effect on the date of enactment of the Reducing Unused Medications Act).

''(2) REMAINING PORTIONS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), remaining portions of a partially filled prescription for a controlled substance in schedule II—

''(i) may be filled; and

''(ii) shall be filled not later than 30 days after the date on which the prescription is written.

''(B) EMERGENCY SITUATIONS.—In emergency situations, as described in subsection (a), the remaining portions of a partially filled prescription for a controlled substance in schedule II—

''(i) may be filled; and

''(ii) shall be filled not later than 72 hours after the prescription is issued.''.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the authority of the Attorney General to allow a prescription for a controlled substance in schedule III, IV, or V of section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)) to be partially filled.

TITLE XV—OPIOID REVIEW MODERNIZATION ACT

SEC. 1501. SHORT TITLE.

This title may be cited as the ''Opioid Review Modernization Act of 2016''.

SEC. 1502. FDA OPIOID ACTION PLAN.

Chapter V of the Federal Food, Drug, and Cosmetic Act is amended by inserting after section 569 of such Act (21 U.S.C. 350bbb–8) the following:

''SEC. 569–1. OPIOID ACTION PLAN.

''(a) NEW DRUG APPLICATION.—

''(1) IN GENERAL.—Subject to paragraph (2), prior to the approval pursuant to an application under section 505(b) of a new drug that is an opioid and does not have abuse-deterrent properties, the Secretary shall refer the application to an advisory committee of the Food and Drug Administration to seek recommendations from such advisory committee.

''(2) PUBLIC HEALTH EXEMPTION.—A referral to an advisory committee under paragraph (1) is not required with respect to a new drug if the Secretary—

''(A) finds that such a referral is not in the interest of protecting and promoting public health;

''(B) finds that such a referral is not necessary based on a review of the relevant scientific information; and

''(C) submits a notice containing the rationale for such findings to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives.

''(b) PEDIATRIC OPIOID LABELING.—The Secretary shall convene the Pediatric Advisory Committee of the Food and Drug Administration to seek recommendations from such Committee regarding a framework for the inclusion of information in the labeling of drugs that are opioids relating to the use of such drugs in pediatric populations before the Secretary approves any labeling or change to labeling for any drug that is an opioid intended for use in a pediatric population.

''(c) SUNSET.—The requirements of subsections (a) and (b) shall cease to be effective on October 1, 2022.''.

SEC. 1503. PRESCRIBER EDUCATION.

Not later than 1 year after the date of the enactment of this Act, the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, as part of the Food and Drug Administration's evaluation of the Extended-Release/Long-Acting Opioid Analgesics Risk Evaluation and Mitigation Strategy, and in consultation with relevant stakeholders, shall develop recommendations regarding education programs for prescribers of opioids pursuant to section 505–1 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355–1), including recommendations on—

(1) which prescribers should participate in such programs; and

(2) how often participation in such programs is necessary.

SEC. 1504. GUIDANCE ON EVALUATING THE ABUSE DETERRENCE OF GENERIC SOLID ORAL OPIOID DRUG PRODUCTS.

Not later than 2 years after the end of the period for public comment on the draft guidance entitled ''General Principals for Evaluating the Abuse Deterrence of Generic Solid Oral Opioid Drug Products'' issued by the Center for Drug Evaluation and Research of the Food and Drug Administration in March 2016, the Commissioner of Food and Drugs shall publish in the Federal Register a final version of such guidance.

TITLE XVI—EXAMINING OPIOID TREATMENT INFRASTRUCTURE ACT

SEC. 1601. SHORT TITLE.

This title may be cited as the ''Examining Opioid Treatment Infrastructure Act of 2016''.

SEC. 1602. STUDY ON TREATMENT INFRASTRUCTURE.

Not later than 24 months after the date of enactment of this Act, the Comptroller General of the United States shall initiate an evaluation, and submit to Congress a report, of the inpatient and outpatient treatment capacity, availability, and needs of the United States, which shall include, to the extent data are available—

(1) the capacity of acute residential or inpatient detoxification programs;

(2) the capacity of inpatient clinical stabilization programs, transitional residential support services, and residential rehabilitation programs;

(3) the capacity of demographic specific residential or inpatient treatment programs, such as those designed for pregnant women or adolescents;

(4) geographical differences of the availability of residential and outpatient treatment and recovery options for substance use disorders across the continuum of care;

(5) the availability of residential and outpatient treatment programs that offer treatment options based on reliable scientific evidence of efficacy for the treatment of substance use disorders, including the use of Food and Drug Administration-approved medicines and evidence-based nonpharmacological therapies;

(6) the number of patients in residential and specialty outpatient treatment services for substance use disorders;

(7) an assessment of the need for residential and outpatient treatment for substance use disorders across the continuum of care;

(8) the availability of residential and outpatient treatment programs to American Indians and Alaska Natives through an Indian health program (as defined by section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1603)); and

(9) the barriers (including technological barriers) at the Federal, State, and local levels to real-time reporting of de-identified information on drug overdoses and ways to overcome such barriers.

TITLE XVII—OPIOID USE DISORDER TREATMENT EXPANSION AND MODERNIZATION ACT

SEC. 1701. SHORT TITLE.

This title may be cited as the ''Opioid Use Disorder Treatment Expansion and Modernization Act''.

SEC. 1702. FINDING.

The Congress finds that opioid use disorder has become a public health epidemic that must be addressed by increasing awareness and access to all treatment options for opioid use disorder, overdose reversal, and relapse prevention.

SEC. 1703. OPIOID USE DISORDER TREATMENT MODERNIZATION.

(a) IN GENERAL.—Section 303(g)(2) of the Controlled Substances Act (21 U.S.C. 823(g)(2)) is amended—

(1) in subparagraph (B), by striking clauses (i), (ii), and (iii) and inserting the following:

''(i) The practitioner is a qualifying practitioner (as defined in subparagraph (G)).

''(ii) With respect to patients to whom the practitioner will provide such drugs or combinations of drugs, the practitioner has the capacity

to provide directly, by referral, or in such other manner as determined by the Secretary—

''(I) all schedule III, IV, and V drugs, as well as unscheduled medications approved by the Food and Drug Administration, for the treatment of opioid use disorder, including such drugs and medications for maintenance, detoxification, overdose reversal, and relapse prevention, as available; and

''(II) appropriate counseling and other appropriate ancillary services.

''(iii)(I) The total number of such patients of the practitioner at any one time will not exceed the applicable number. Except as provided in subclause (II), the applicable number is 30.

''(II) The applicable number is 100 if, not sooner than 1 year after the date on which the practitioner submitted the initial notification, the practitioner submits a second notification to the Secretary of the need and intent of the practitioner to treat up to 100 patients.

''(III) The Secretary may by regulation change such total number.

''(IV) The Secretary may exclude from the applicable number patients to whom such drugs or combinations of drugs are directly administered by the qualifying practitioner in the office setting.

''(iv) If the Secretary by regulation increases the total number of patients which a qualifying practitioner is permitted to treat pursuant to clause (iii)(II), the Secretary shall require such a practitioner to obtain a written agreement from each patient, including the patient's signature, that the patient—

''(I) will receive an initial assessment and treatment plan and periodic assessments and treatment plans thereafter;

''(II) will be subject to medication adherence and substance use monitoring;

''(III) understands available treatment options, including all drugs approved by the Food and Drug Administration for the treatment of opioid use disorder, including their potential risks and benefits; and

''(IV) understands that receiving regular counseling services is critical to recovery.

''(v) The practitioner will comply with the reporting requirements of subparagraph (D)(i)(IV).'';

(2) in subparagraph (D)—

(A) in clause (i), by adding at the end the following:

''(IV) The practitioner reports to the Secretary, at such times and in such manner as specified by the Secretary, such information and assurances as the Secretary determines necessary to assess whether the practitioner continues to meet the requirements for a waiver under this paragraph.'';

(B) in clause (ii), by striking ''Upon receiving a notification under subparagraph (B)'' and inserting ''Upon receiving a determination from the Secretary under clause (iii) finding that a practitioner meets all requirements for a waiver under subparagraph (B)''; and

(C) in clause (iii)—

(i) by inserting ''and shall forward such determination to the Attorney General'' before the period at the end of the first sentence; and

(ii) by striking ''physician'' and inserting ''practitioner'';

(3) in subparagraph (G)—

(A) by amending clause (ii)(IV) to read as follows:

''(IV) The physician has, with respect to the treatment and management of opiate-dependent patients, completed not less than 8 hours of training (through classroom situations, seminars at professional society meetings, electronic communications, or otherwise) that is provided by the American Society of Addiction Medicine, the American Academy of Addiction Psychiatry, the American Medical Association, the American Osteopathic Association, the American Psychiatric Association, or any other organization that the Secretary determines is appropriate for purposes of this subclause. Such training shall address—

''(aa) opioid maintenance and detoxification;

''(bb) appropriate clinical use of all drugs approved by the Food and Drug Administration for the treatment of opioid use disorder;

''(cc) initial and periodic patient assessments (including substance use monitoring);

''(dd) individualized treatment planning; overdose reversal; relapse prevention;

''(ee) counseling and recovery support services;

''(ff) staffing roles and considerations;

''(gg) diversion control; and

''(hh) other best practices, as identified by the Secretary.''; and

(B) by adding at the end the following:

''(iii) The term 'qualifying practitioner' means—

''(I) a qualifying physician, as defined in clause (ii); or

''(II) during the period beginning on the date of the enactment of the Opioid Use Disorder Treatment Expansion and Modernization Act and ending on the date that is 3 years after such date of enactment, a qualifying other practitioner, as defined in clause (iv).

''(iv) The term 'qualifying other practitioner' means a nurse practitioner or physician assistant who satisfies each of the following:

''(I) The nurse practitioner or physician assistant is licensed under State law to prescribe schedule III, IV, or V medications for the treatment of pain.

''(II) The nurse practitioner or physician assistant satisfies one or more of the following:

''(aa) Has completed not fewer than 24 hours of initial training addressing each of the topics listed in clause (ii)(IV) (through classroom situations, seminars at professional society meetings, electronic communications, or otherwise) provided by the American Society of Addiction Medicine, the American Academy of Addiction Psychiatry, the American Medical Association, the American Osteopathic Association, the American Nurses Credentialing Center, the American Psychiatric Association, the American Association of Nurse Practitioners, the American Academy of Physician Assistants, or any other organization that the Secretary determines is appropriate for purposes of this subclause.

''(bb) Has such other training or experience as the Secretary determines will demonstrate the ability of the nurse practitioner or physician assistant to treat and manage opiate-dependent patients.

''(III) The nurse practitioner or physician assistant is supervised by or works in collaboration with a qualifying physician, if the nurse practitioner or physician assistant is required by State law to prescribe medications for the treatment of opioid use disorder in collaboration with or under the supervision of a physician

The Secretary may review and update the requirements for being a qualifying other practitioner under this clause.''; and

(4) in subparagraph (H)—

(A) in clause (i), by inserting after subclause (II) the following:

''(III) Such other elements of the requirements under this paragraph as the Secretary determines necessary for purposes of implementing such requirements.''; and

(B) by amending clause (ii) to read as follows:

''(ii) Not later than 1 year after the date of enactment of the Opioid Use Disorder Treatment Expansion and Modernization Act, the Secretary shall update the treatment improvement protocol containing best practice guidelines for the treatment of opioid-dependent patients in office-based settings. The Secretary shall update such protocol in consultation with experts in opioid use disorder research and treatment.''.

(b) RECOMMENDATION OF REVOCATION OR SUSPENSION OF REGISTRATION IN CASE OF SUBSTANTIAL NONCOMPLIANCE.—The Secretary of Health and Human Services may recommend to the Attorney General that the registration of a practitioner be revoked or suspended if the Secretary determines, according to such criteria as the Secretary establishes by regulation, that a practitioner who is registered under section 303(g)(2) of the Controlled Substances Act (21 U.S.C. 823(g)(2)) is not in substantial compliance with the requirements of such section, as amended by this Act.

(c) OPIOID DEFINED.—Section 102(18) of the Controlled Substances Act (21 U.S.C. 802(18)) is amended by inserting ''or 'opioid''' after ''The term 'opiate'''.

(d) REPORTS TO CONGRESS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act and not less than over every 5 years thereafter, the Secretary of Health and Human Services, in consultation with the Drug Enforcement Administration and experts in opioid use disorder research and treatment, shall—

(A) perform a thorough review of the provision of opioid use disorder treatment services in the United States, including services provided in opioid treatment programs and other specialty and nonspecialty settings; and

(B) submit a report to the Congress on the findings and conclusions of such review.

(2) CONTENTS.—Each report under paragraph (1) shall include an assessment of—

(A) compliance with the requirements of section 303(g)(2) of the Controlled Substances Act (21 U.S.C. 823(g)(2)), as amended by this Act;

(B) the measures taken by the Secretary of Health and Human Services to ensure such compliance;

(C) whether there is further need to increase or decrease the number of patients a waivered practitioner is permitted to treat, as provided for by the amendment made by subsection (a)(1);

(D) the extent to which, and proportions with which, the full range of Food and Drug Administration-approved treatments for opioid use disorder are used in routine health care settings and specialty substance use disorder treatment settings;

(E) access to, and use of, counseling and recovery support services, including the percentage of patients receiving such services;

(F) changes in State or local policies and legislation relating to opioid use disorder treatment;

(G) the use of prescription drug monitoring programs by practitioners who are permitted to dispense narcotic drugs to individuals pursuant to a waiver under section 303(g)(2) of the Controlled Substances Act (21 U.S.C. 823(g)(2));

(H) the findings resulting from inspections by the Drug Enforcement Administration of practitioners described in subparagraph (G); and

(I) the effectiveness of cross-agency collaboration between Department of Health and Human Services and the Drug Enforcement Administration for expanding effective opioid use disorder treatment.

SEC. 1704. SENSE OF CONGRESS.

It is the Sense of Congress that, with respect to the total number of patients that a qualifying physician (as defined in subparagraph (G)(iii) of section 303(g)(2) of the Controlled Substances Act (21 U.S.C. 823(g)(2)) can treat at any one time pursuant to such section, the Secretary of Health and Human Services should consider raising such total number to 250 patients following a third notification to the Secretary of the need and intent of the physician to treat up to 250 patients that is submitted to the Secretary not sooner than 1 year after the date on which

the physician submitted to the Secretary a second notification to treat up to 100 patients.

SEC. 1705. PARTIAL FILLS OF SCHEDULE II CONTROLLED SUBSTANCES.

(a) IN GENERAL.—Section 309 of the Controlled Substances Act (21 U.S.C. 829) is amended by adding at the end the following:

''(f) PARTIAL FILLS OF SCHEDULE II CONTROLLED SUBSTANCES.—

''(1) PARTIAL FILLS.—

''(A) IN GENERAL.—A prescription for a controlled substance in schedule II may be partially filled if—

''(i) it is not prohibited by State law;

''(ii) the prescription is written and filled in accordance with the Controlled Substances Act (21 U.S.C. 801 et seq.), regulations prescribed by the Attorney General, and State law;

''(iii) the partial fill is requested by the patient or the practitioner that wrote the prescription; and

''(iv) the total quantity dispensed in all partial fillings does not exceed the total quantity prescribed.

''(B) OTHER CIRCUMSTANCES.—A prescription for a controlled substance in schedule II may be partially filled in accordance with section 1306.13 of title 21, Code of Federal Regulations (as in effect on the date of enactment of the Reducing Unused Medications Act of 2016).

''(2) REMAINING PORTIONS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), remaining portions of a partially filled prescription for a controlled substance in schedule II—

''(i) may be filled; and

''(ii) shall be filled not later than 30 days after the date on which the prescription is written.

''(B) EMERGENCY SITUATIONS.—In emergency situations, as described in subsection (a), the remaining portions of a partially filled prescription for a controlled substance in schedule II—

''(i) may be filled; and

''(ii) shall be filled not later than 72 hours after the prescription is issued.''.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the authority of the Attorney General to allow a prescription for a controlled substance in schedule III, IV, or V of section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)) to be partially filled.

TITLE XVIII—NATIONAL ALL SCHEDULES PRESCRIPTION ELECTRONIC REPORTING REAUTHORIZATION ACT

SEC. 1801. SHORT TITLE.

This title may be cited as the ''National All Schedules Prescription Electronic Reporting Reauthorization Act of 2015''.

SEC. 1802. AMENDMENT TO PURPOSE.

Paragraph (1) of section 2 of the National All Schedules Prescription Electronic Reporting Act of 2005 (Public Law 109–60) is amended to read as follows:

''(1) foster the establishment of State-administered controlled substance monitoring systems in order to ensure that—

''(A) health care providers have access to the accurate, timely prescription history information that they may use as a tool for the early identification of patients at risk for addiction in order to initiate appropriate medical interventions and avert the tragic personal, family, and community consequences of untreated addiction; and

''(B) appropriate law enforcement, regulatory, and State professional licensing authorities have access to prescription history information for the purposes of investigating drug diversion and prescribing and dispensing practices of errant prescribers or pharmacists; and''.

SEC. 1803. AMENDMENTS TO CONTROLLED SUBSTANCE MONITORING PROGRAM.

Section 399O of the Public Health Service Act (42 U.S.C. 280g–3) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''or'';

(ii) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following:

''(C) to maintain and operate an existing State-controlled substance monitoring program.''; and

(B) in paragraph (3), by inserting ''by the Secretary'' after ''Grants awarded'';

(2) by amending subsection (b) to read as follows:

''(b) MINIMUM REQUIREMENTS.—The Secretary shall maintain and, as appropriate, supplement or revise (after publishing proposed additions and revisions in the Federal Register and receiving public comments thereon) minimum requirements for criteria to be used by States for purposes of clauses (ii), (v), (vi), and (vii) of subsection (c)(1)(A).'';

(3) in subsection (c)—

(A) in paragraph (1)(B)—

(i) in the matter preceding clause (i), by striking ''(a)(1)(B)'' and inserting ''(a)(1)(B) or (a)(1)(C)'';

(ii) in clause (i), by striking ''program to be improved'' and inserting ''program to be improved or maintained'';

(iii) by redesignating clauses (iii) and (iv) as clauses (iv) and (v), respectively;

(iv) by inserting after clause (ii) the following:

''(iii) a plan to apply the latest advances in health information technology in order to incorporate prescription drug monitoring program data directly into the workflow of prescribers and dispensers to ensure timely access to patients' controlled prescription drug history;'';

(v) in clause (iv), as redesignated, by inserting before the semicolon at the end ''and at least one health information technology system such as an electronic health records system, a health information exchange, or an e-prescribing system''; and

(vi) in clause (v), as redesignated, by striking ''public health'' and inserting ''public health or public safety'';

(B) in paragraph (3)—

(i) by striking ''If a State that submits'' and inserting the following:

''(A) IN GENERAL.—If a State that submits'';

(ii) by striking the period at the end and inserting ''and include timelines for full implementation of such interoperability. The State shall also describe the manner in which it will achieve interoperability between its monitoring program and health information technology systems, as allowable under State law, and include timelines for implementation of such interoperability.''; and

(iii) by adding at the end the following:

''(B) MONITORING OF EFFORTS.—The Secretary shall monitor State efforts to achieve interoperability, as described in subparagraph (A).''; and

(C) in paragraph (5)—

(i) by striking ''implement or improve'' and inserting ''establish, improve, or maintain''; and

(ii) by adding at the end the following: ''The Secretary shall redistribute any funds that are so returned among the remaining grantees under this section in accordance with the formula described in subsection (a)(2)(B).'';

(4) in subsection (d)—

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

(i) by striking ''In implementing or improving'' and all that follows through ''(a)(1)(B)'' and inserting ''In establishing, improving, or maintaining a controlled substance monitoring program under this section, a State shall comply, or with respect to a State that applies for a grant under subparagraph (B) or (C) of subsection (a)(1)''; and

(ii) by striking ''public health'' and inserting ''public health or public safety''; and

(B) by adding at the end the following:

''(5) The State shall report to the Secretary on—

''(A) as appropriate, interoperability with the controlled substance monitoring programs of Federal departments and agencies;

''(B) as appropriate, interoperability with health information technology systems such as electronic health records systems, health information exchanges, and e-prescribing systems; and

''(C) whether or not the State provides automatic, real-time or daily information about a patient when a practitioner (or the designee of a practitioner, where permitted) requests information about such patient.'';

(5) in subsections (e), (f)(1), and (g), by striking ''implementing or improving'' each place it appears and inserting ''establishing, improving, or maintaining'';

(6) in subsection (f)—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking ''misuse of a schedule II, III, or IV substance'' and inserting ''misuse of a controlled substance included in schedule II, III, or IV of section 202(c) of the Controlled Substance Act''; and

(ii) in subparagraph (D), by inserting ''a State substance abuse agency,'' after ''a State health department,''; and

(B) by adding at the end the following:

''(3) EVALUATION AND REPORTING.—Subject to subsection (g), a State receiving a grant under subsection (a) shall provide the Secretary with aggregate data and other information determined by the Secretary to be necessary to enable the Secretary—

''(A) to evaluate the success of the State's program in achieving its purposes; or

''(B) to prepare and submit the report to Congress required by subsection (l)(2).

''(4) RESEARCH BY OTHER ENTITIES.—A department, program, or administration receiving nonidentifiable information under paragraph (1)(D) may make such information available to other entities for research purposes.'';

(7) by redesignating subsections (h) through (n) as subsections (j) through (p), respectively;

(8) in subsections (c)(1)(A)(iv) and (d)(4), by striking ''subsection (h)'' each place it appears and inserting ''subsection (j)'';

(9) by inserting after subsection (g) the following:

''(h) EDUCATION AND ACCESS TO THE MONITORING SYSTEM.—A State receiving a grant under subsection (a) shall take steps to—

''(1) facilitate prescriber and dispenser use of the State's controlled substance monitoring system;

''(2) educate prescribers and dispensers on the benefits of the system both to them and society; and

''(3) facilitate linkage to the State substance abuse agency and substance abuse disorder services.

''(i) CONSULTATION WITH ATTORNEY GENERAL.—In carrying out this section, the Secretary shall consult with the Attorney General of the United States and other relevant Federal officials to—

''(1) ensure maximum coordination of controlled substance monitoring programs and related activities; and

''(2) minimize duplicative efforts and funding.'';

(10) in subsection (l)(2)(A), as redesignated by paragraph (7)—

(A) in clause (ii), by inserting ''; established or strengthened initiatives to ensure linkages to substance use disorder services;'' before ''or affected patient access''; and

(B) in clause (iii), by inserting ''and between controlled substance monitoring programs and health information technology systems'' before '', including an assessment'';

(11) by striking subsection (m) (relating to preference), as redesignated by paragraph (7);

(12) by redesignating subsections (n) through (p), as redesignated by paragraph (7), as subsections (m) through (o), respectively;

(13) in subsection (m)(1), as redesignated by paragraph (12), by striking ''establishment, implementation, or improvement'' and inserting ''establishment, improvement, or maintenance'';

(14) in subsection (n), as redesignated by paragraph (12)—

(A) in paragraph (5)—

(i) by striking ''means the ability'' and inserting the following: ''means—

''(A) the ability'';

(ii) by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following:

''(B) sharing of State controlled substance monitoring program information with a health information technology system such as an electronic health records system, a health information exchange, or an e-prescribing system.'';

(B) in paragraph (7), by striking ''pharmacy'' and inserting ''pharmacist''; and

(C) in paragraph (8), by striking ''and the District of Columbia'' and inserting '', the District of Columbia, and any commonwealth or territory of the United States''; and

(15) by amending subsection (o), as redesignated by paragraph (12), to read as follows:

''(o) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there is authorized to be appropriated $10,000,000 for each of fiscal years from 2016 through 2020.''.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour, equally divided among and controlled by the chair and ranking minority member of the Committee on Energy and Commerce and the chair and ranking minority member of the Committee on the Judiciary.

The gentlewoman from Indiana (Mrs. BROOKS), the gentleman from New Jersey (Mr. PALLONE), the gentleman from Virginia (Mr. GOODLATTE), and the gentleman from Michigan (Mr. CONYERS) each will control 15 minutes.

The Chair recognizes the gentlewoman from Indiana.

□ 1045

GENERAL LEAVE

Mrs. BROOKS of Indiana. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on S. 524.

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

There was no objection.

Mrs. BROOKS of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this week in Congress, we passed 18 bills to address the heroin and opioid crisis that is impacting every community in this country.

I am thankful that my bill, H.R. 4641, which I worked on with Representative KENNEDY of Massachusetts, ensures that healthcare professionals have access to up-to-date guidelines and best practices for treating patients with acute and chronic pain.

Many of these proposals we considered this week enjoyed nearly unanimous support, and I can't express to you how refreshing it was to work with all of my colleagues on meaningful solutions to this public health crisis.

As we learned from the multitude of Members this week that shared their stories on the House floor, we are facing a public health crisis that crosses every socioeconomic, every geographic, generational, and ethnic boundary. It is a rural, urban, and suburban problem. It reaches into our schools, our places of work, and our hospitals. It is tearing apart and devastating families and people's lives.

However, in the midst of this crisis, as with many past crises faced by our Nation, we, as Members of Congress, have set aside our political differences and have crafted a package of thoughtful reforms that will support our communities ravaged by this scourge.

I am proud of the work done by the Energy and Commerce Committee and the strong, bipartisan leadership by Chairmen UPTON and PITTS and Ranking Members PALLONE and GREEN. We cannot overlook the hard work and countless hours spent by both the majority and the minority committee staff on this effort, and I want to thank them for their hard work.

Members of the Energy and Commerce Committee have pursued answers to this epidemic through roundtables and meetings with individuals and families on the front lines of this crisis—health workers, first responders, and community leaders seeking to guide their communities through this crisis.

We, as Members, have visited neonatal intensive care units in hospitals to see firsthand the devastating effects of infants born addicted to opioids and who must already fight for survival through their withdrawal in their very first days of life.

We have met with juvenile court judges and social workers whose caseloads have doubled over the past few years as more and more children are being removed from their parents' care because their parents are more concerned about where to find their next high than the welfare of their child and it is no longer safe for them to remain in their homes.

It is important to note that it is National Police Week this week. And it is our first responders, whom so many of us have talked to, those we have heard from in Indiana, who keep naloxone in their police cruisers because they are seeing this unprecedented increase in drug overdoses, and they are saving lives each and every day.

In a minute, my colleague from the Judiciary Committee will highlight all of the great work that their committee has also done to fight this scourge, but I would like to take a moment to highlight the bills rolled into this legislation that my colleagues from the Energy and Commerce Committee have painstakingly crafted.

The Opioid Review Modernization Act, led by Representatives CAROLYN B. MALONEY of New York and LANCE, would require the FDA to work closely with expert advisory committees before making critical opioid approval and labeling decisions, develop recommendations regarding prescriber education programs that address extended-release and long-acting opioids, and encourage the development and approval of generic opioids with abuse-deterrent properties.

Representative SARBANES led the Co-Prescribing to Reduce Overdoses Act, which would establish a grant program for co-prescribing of opioid reversal drugs for patients who are at a high risk of overdose.

Representative EVAN JENKINS and Representative BUSTOS crafted the Nurturing and Supporting Healthy Babies Act, which will expand our knowledge of care and treatment for babies with neonatal abstinence syndrome and fixes an unintended consequence with the Medicaid drug rebate program that discourages drug manufacturers from producing opioids that are harder to abuse.

Representative BEN RAY LUJÁN of New Mexico led efforts to establish a pilot program that will provide grants to State substance abuse agencies to promote innovative service delivery models for pregnant women who have a substance use disorder, such as opioid addiction.

Representative KINZINGER's Veteran Emergency Medical Technician Support Act will improve the quality of care within our communities by providing grants to States with emergency medical technician shortages so as to help streamline State requirements for our veterans to enter the EMT workforce without there being an unnecessary duplication of their training.

Representatives MEEHAN, KIND, and VEASEY led the legislation directing the CDC to study what information and resources are available to youth athletes and their families regarding the dangers of opioid use.

Lali's Law, authored by Representative DOLD and Representative KATHERINE CLARK of Massachusetts, would create a competitive grant program to help States increase access to the overdose reversal medications that save lives.

The Reducing Unused Medications Act, led again by Representatives CLARK of Massachusetts and STIVERS, clarifies when Schedule II controlled substances, including opioid pain medications, can be partially filled.

Representatives FOSTER and PALLONE spearheaded the Examining Opioid Treatment Infrastructure Act, which requires the GAO to collect the data necessary to assess the opioid infrastructure in our country, looking at the numbers of hospital beds and treatment facilities.

Finally, my Hoosier colleague, Representative BUCSHON, along with Representative TONKO, championed a bill that will expand existing opioid treatment capacity substantially by providers, all while ensuring that the care that individuals receive is high-quality and minimizes the risk of diversion.

Each approach that I have just set out has been a reflection of much effort put into crafting this bipartisan, thoughtful, and comprehensive package to give each of our communities, families, and individuals with addictions the support they need.

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

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, my heart goes out to the thousands of American families affected by the opioid epidemic. I am pleased the House is working in a bipartisan manner to address this crisis. However, we could be doing more.

The prescription opioid death rate has more than quadrupled since the late 1990s. In 2014, prescription opioids played a role in more than 28,000 overdose deaths.

We must equip our communities with the resources needed to reverse these trends. Yes, authorizing new grant programs, reports, and studies is an important step, but without new funding, communities won't be able to fully implement these initiatives.

On Wednesday, the majority blocked a Democratic substitute opioids package which would have provided $600 million—paid for, I might add—to fund the initiatives we have considered this week. I understand the need to get our fiscal house in order, but I don't understand the impulse to do so on the backs of millions of Americans grappling with opioid abuse.

These bills are great, and I wholeheartedly support them, but we need to put our money where our mouth is. This epidemic does not discriminate. It has touched every corner of our Nation, from my hometown of New York City to the shores of the Pacific.

So many Americans have already felt its impact. We need to do everything we can to keep it from impacting more of our families, our friends, and our constituents.

We are on the right path, but, again, without money, this becomes irrelevant. We need to make sure that we have adequate funding so what we all want to do on both sides of the aisle can become a reality.

Mrs. BROOKS of Indiana. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. BENISHEK).

Mr. BENISHEK. Mr. Speaker, it is past time to give our healthcare providers the tools they need to confront the growing epidemic of opioid abuse in our country. This is an emergency.

As a doctor who has treated patients in northern Michigan for over 30 years, both in private practice and in the VA system, I know how urgent the need for immediate action is.

The amendment to the Comprehensive Addiction and Recovery Act that we are considering today will be a giant step forward in how we provide treatment and care for those suffering from opioid addiction.

The bill will also improve the quality of care available to our Nation's veterans. The rate of abuse for legal prescription drugs is significantly higher among our veteran population than it is in the general population, and this problem is only continuing to grow.

We have an opportunity today to take a first step in fixing a major national problem and pass meaningful legislation that will help save the lives of thousands and thousands of Americans.

Mr. Speaker, I urge my colleagues to support this legislation and continue working together on bipartisan solutions for our Nation's growing epidemic of substance abuse.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. TONKO).

Mr. TONKO. Mr. Speaker, this week, we have seen a number of well-intentioned bills come to the floor with good ideas on how we can address the Nation's opioid epidemic that is sweeping our entire country.

I was proud to lead one of those efforts with my good friend Representative BUCSHON with a bill that endeavors to lift the cap on the number of patients a provider may treat with buprenorphine to 250, while expanding prescribing privileges to nurse practitioners and physician assistants.

This is a good bill, and it would make a real, immediate difference for individuals facing months-long waiting lists for effective treatment, like the gentleman that I met last week when touring an addiction clinic in my district. He had struggled with addiction for decades and, after making the decision to try to get clean, was faced with a closed door and a 7-month waiting list due to outdated Federal rules that our bill would have fixed.

Unfortunately, when this bill came to the floor, we were told the cap language had to be temporarily replaced with placeholder sense-of-Congress language until we go to conference because our bill was going to cost too much.

Now, when we talk about the cost of this bill, what we are really talking about is the fact that more people will have access to effective treatment and more lives—more lives—will be saved. It is an unfortunate truth that, in the distorted budgetary terms of Washington, dead people cost less than the living.

So we can talk all we want and we can pass all the bills we want, but unless we put our money where our mouth is, we will simply be peddling false hope. We will be condemning more of our brothers and sisters to the death spiral of addiction when we could have done something to help.

A sense of Congress won't end months-long waiting lists for effective treatment. A sense of Congress won't get lifesaving overdose reversal drugs out to our first responders. If this Congress has any sense, as we move into conference committee, we will support this epidemic with the robust resources this country deserves for a real and meaningful response.

Mrs. BROOKS of Indiana. Mr. Speaker, I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. Mr. Speaker, the opioid and heroin crisis has hit home for everyone, impacting our coworkers, our neighbors, and our friends in every corner of this country.

In Sacramento, my district, the deadly consequences of fentanyl are devastating our families. The faces behind this tragedy are people like 28-year-old Jerome Butler, a young father whose life was cut short because of a tainted pill.

The human toll of this crisis demands our leadership. This week, we took a step forward by passing a number of bipartisan bills to address the opioid epidemic, many of which we worked on in the Energy and Commerce Committee.

□ 1100

But we can and must do more. We need new funding to confront this tragedy.

My Democratic colleagues and I are ready to fund the President's $1.1 billion request for this crisis. We need a real investment to meet the challenges our committees are facing every day.

As we advance substance abuse legislation and continue our important work on comprehensive behavioral health reform, I urge my colleagues to focus on solutions that both adequately address the immediate crisis and long-term community prevention strategies.

The families reeling from the tragedies of this epidemic deserve nothing less than our swift action and full support.

Mrs. BROOKS of Indiana. Mr. Speaker, I reserve the balance of my time.

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

I rise this morning to speak in favor of the House amendment to S. 524.

Over the last 2 days of floor debate, we have heard heartfelt speeches from Members of Congress about how the opioid epidemic is affecting their constituents and, for some, their own families. We have heard from both Democrats and Republicans, Members from urban districts, suburban districts, and rural districts, as well as Members from every region of the United States.

What is clear is that no community has been immune to this crisis, including communities in my home State of New Jersey. About 256,000 New Jersey residents are addicted to heroin and prescription opioids. That is nearly the same as the entire population of Newark, the largest city in New Jersey.

This is a serious crisis that demands an urgent response. A comprehensive solution to the crisis will require real dollars and must take an approach that targets the full spectrum of addiction: prevention, crisis response, expanding access to treatment, and providing support for lifelong recovery.

The approach must be guided by science and cannot be deterred because of stigma or misperceptions about proven treatment and intervention strategies.

I am pleased to support the package of opioid legislation that we are considering today because it takes steps towards that approach.

This bill incorporates proven public health approaches to fight against the heroin and prescription drug abuse crisis. It improves the tools available to prescribers to prevent opioid abuse and the development of opioid use disorder. It expands access to lifesaving naloxone, an opioid overdose-reversal drug, to respond to those in an acute opioid crisis. It expands access to evidence-based treatments to help individuals with opioid use disorders enter recovery.

However, Mr. Speaker, I want to make clear we must go further to ensure that the scale of our response is proportionate to the burden of the crisis. We not only need to support individuals' entry into recovery, we need to ensure that we provide access to the support and services that lead to lifelong recovery. We must also further expand access to bupe, or buprenorphine, an office-based, medication-assisted treatment for opioid use disorders.

Currently, we do not have adequate treatment capacity to respond to the unprecedented demand for opioid use disorder treatment. That is why we need to expand upon the Opioid Use Disorder Treatment Expansion and Modernization Act to significantly increase the number of patients a physician can treat with this medication as well as permanently allowing nurse practitioners and physician assistants to treat patients with this medication.

In the committee, Democrats voted to raise the cap to 500 patients for qualifying physicians with appropriate credentials. Additionally, committee Democrats and Republicans voted unanimously to permanently allow nurse practitioners and physician assistants to treat patients with bupe.

I am committed to continuing to work with my colleagues as part of our conference with the Senate to ensure that we lift the arbitrary and harmful physician treatment cap and to ensure that nurse practitioners and physician assistants in every community can permanently use their skills and experience to serve those in need of opioid use disorder treatments in their community.

Finally, Mr. Speaker, I want to be clear that we should not be under the illusion that we can adequately respond to this crisis without providing urgently needed resources. Waiting on the appropriation process isn't suitable. Our States and communities urgently need money now.

Additionally, we should not be forced to cut other discretionarily funded public health programs to provide resources for substance abuse programs. The discretionary funding caps have already left many of our vital public health programs underfunded.

Forcing additional cuts to those programs in order to provide funding to respond to the opioid epidemic will limit our ability to adequately respond to the opioid crisis as well as to meet the remaining public health needs of our communities.

We don't have to guess how it turns out if we fail to provide the urgent, robust funding that is desperately needed. Sadly, the evidence is already staring us in the face. There will be more lives lost to the epidemic and will be thousands more Americans who will continue to be left behind to battle without the treatment and recovery support services they need.

We are losing now, we estimate, 78 Americans each day, and we can't afford anything less than a comprehensive well-funded Federal response.

I urge my colleagues to vote ''yes'' to this legislation because I believe it takes important steps in turning the tide on this crisis that is taking the lives of 78 Americans every day.

But I also urge my colleagues to support providing the financial resources and additional tools necessary to meet the burden of this crisis.

I urge support for this package and once again stress that we are not providing enough funding. As much as I believe that this package is very important, I certainly would agree with my colleague on the Republican side how important it is.

We are not providing enough resources. I hope that, when we go to conference and before this package goes to the President, we can provide the additional resources.

I urge everyone to support the bill.

I yield back the balance of my time.

Mrs. BROOKS of Indiana. Mr. Speaker, I yield myself such time as I may consume.

In closing, I would like to emphasize that, as my colleague, the ranking member from New Jersey, indicated, we have made real strides this week in turning back the epidemic, but we agree it is not enough and it is not over. This fight is not going to be over. There is still more to be done.

But I do hope that this week's productivity will lead to more weeks where we can continue to engage in a healthy and robust debate about the issues that matter. This week has proven we are stronger as a body when we focus on the things that unite us and bring us together.

Sadly, it shouldn't take an epidemic or a national crisis to bring us together. This week has taught us that, with enough will and dedication, we can get to yes.

The conference committee, which this bill will initiate, will need similar fortitude to swiftly come to a resolution on the differences we have with the Senate. That accomplishment is within our grasp.

We have come too far to turn back now rather than let this issue languish. That is why I urge my colleagues to vote in favor of this bill, support the motion to go to conference.

Beyond the 78 Americans who are dying every day, we have 1.9 million Americans addicted to or abusing prescription opioid-based painkillers across the country. Because of their lives and their families' lives, we must pass this bill.

I yield back the balance of my time.

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

It has been quite a week. This week the House has passed 18 bills designed to address various facets of America's opioid epidemic. Most recently, yesterday, the House passed by an overwhelming 413–5 vote the Judiciary Committee's flagship bill.

H.R. 5046, which was authored by Crime Subcommittee Chairman JIM SENSENBRENNER, creates a comprehensive Justice Department grant program to provide States with the resources needed to fight opioid addiction. It authorizes $103 million a year for 5 years for the grant program. It allocates precious resources responsibly by leveraging and streamlining existing programs and fully offsetting the legislation in compliance with the House's CutGo protocol.

In addition to that bill, the House passed four other Judiciary Committee bills this week to address drug abuse and protect American people.

H.R. 5052, the OPEN Act, increases the transparency and accountability of the comprehensive opioid abuse grant program in H.R. 5046 by requiring grantees to report on the use of grant funds and requiring a publicly available analysis of whether the grants have achieved their intended purposes.

H.R. 4985, the Kingpin Designation Improvement Act, protects classified information from disclosure when a drug kingpin challenges his designation as such in a Federal court.

H.R. 5048, the Good Samaritan Assessment Act, requires the GAO to study State and local Good Samaritan laws that protect caregivers, law enforcement personnel, and first responders who administer opioid overdose reversal drugs or devices from criminal or civil liability as well as those who contact emergency service providers in response to an overdose.

Finally, S. 32, the Transnational Drug Trafficking Act, improves law enforcement's ability to pursue international drug manufacturers, brokers, and distributors in source nations. I am pleased that the House took up the Senate version of this bill.

As a result, that legislation is on its way to the President's desk to be signed into law so that Federal prosecutors can begin using that tool to pursue foreign drug traffickers.

Along with the excellent legislation prepared by our sister committees, spearheaded by Chairman UPTON, Chairman MILLER, and Chairman KLINE, four of the Judiciary Committee bills will be included in the House amendment to S. 524, the Senate's Comprehensive Addiction and Recovery Act.

As a package, these bills make substantial policy changes at the Federal agencies responsible for fighting addiction. They take real steps to address the opioid epidemic and provide real relief to a real problem affecting real Americans. Members of this body should be proud of these accomplishments.

In addition to the committee chairmen I mentioned, I also want to thank Chairman HAROLD ROGERS, who spoke in support of H.R. 5046 yesterday and is a strong ally in the fight against elicit opioid abuse. I have no doubt that he will make every effort during this Congress to provide the critical funding authorized by the bills that have passed the House this week.

Mr. Speaker, I look forward to sending this legislation back to the Senate and moving to conference expeditiously. Congressional action to combat the opioid epidemic is sorely needed, and there is bipartisan, bicameral support for these efforts.

I thank my colleagues for their support and hard work. I urge everyone to support the House amendment to S. 524.

I thank my colleague, the ranking member of the committee, Mr. CONYERS, for his hard work on this as well. This truly is a bipartisan effort.

I commend all to support this motion to go to conference.

I reserve the balance of my time.

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

Members of the House, I rise in support of the House amendment to S. 524, the Comprehensive Addiction and Recovery Act.

Before starting out on the merits of the legislation, I want to commend the Judiciary Committee chairman, Mr. GOODLATTE, for shepherding our committee's five bills to House passage.

I also commend the subcommittee chairman, Mr. SENSENBRENNER of Wisconsin, for authoring the legislation that is largely responsible for bringing us together today.

I also want to recognize the leadership of the Crime Subcommittee ranking member, SHEILA JACKSON LEE of Texas, who was an original cosponsor of the primary Judiciary Committee bill and who has helped us find common ground in addressing the issue of drug addiction and treatment.

This week the House considered and passed a wide range of bills aimed at combating the devastating impact of drug abuse and addiction that is afflicting communities all across our Nation.

We must take this action because our Nation is in the midst of a major public health crisis caused by an epidemic of prescription and opioid abuse. It is a crisis that affects Americans of all ages, of all races, and of all income levels. It has devastated communities across the United States. It affects families, the workplace, and also our Nation's economy.

□ 1115

Drug overdoses are now the leading cause of injury-related deaths in our Nation. In my State of Michigan, for example, there were 1,745 drug overdose deaths in 2014, and more than half of those overdose deaths were attributed to opioids and heroin. In fact, 78 Americans die from an opioid overdose every single day. Without question, this is a crisis that cries out for immediate relief.

Fortunately, there may be effective solutions. For example, several States have undertaken various innovative measures to better respond to the rapid increase of individuals who are addicted to prescription opioids and heroin and to prevent individuals from dying as a result of drug overdose.

As I mentioned only yesterday during debate with respect to our consideration of H.R. 5046, which has been incorporated into the House amendment to S. 524, this measure would fund new, innovative ways to address the nationwide epidemic of opioid drug abuse addiction. These innovations include, for instance, the Law Enforcement Assisted Diversion approach, which has been utilized with great success in two cities of which I know—in Seattle and in Santa Fe. Programs such as this diversion approach underscore the fact that we cannot arrest our way out of opioid abuse addiction. Treating addicts as criminals only makes matters worse for them and also for the rest of us.

The diversion approach, which reduces, by the way, recidivism by 60 percent, is just one example of innovation at the State and local levels that we must encourage through increased funding assistance, and it is more evidence that treatment alternatives to incarceration work.

The funding authorized under this measure would establish a competitive grant program to provide funds to State and local governments to continue and improve their efforts to protect Americans from the dangers of opioid abuse and heroin use; and it will help ensure that addicts have access to the services that are provided.

These funds would support such initiatives as providing treatment alternatives to incarceration; fostering better collaboration between State criminal justice agencies and state substance abuse systems; providing first responders with the ability to purchase naloxone and to receive training on how to administer this lifesaving drug; establishing medication-assisted treatment programs by criminal justice agencies; in addition, investigating more of the illegal distribution methods of opioids; creating Prescription Drug Monitoring Programs; addressing juvenile opioid abuse, which is, unfortunately, increasing; and establishing comprehensive opioid abuse response programs.

The House amendment to S. 524 also includes a number of important provisions that have been added pursuant to a series of amendments that were passed by the House only yesterday.

In sum, these additional provisions expand the range of allowed purpose areas under the new program to more fully address the range of problems and solutions that are presented by opioid abuse. Whether we provide separate, new grant programs for each of these approaches or whether we consolidate them into one grant program, it is critical that we change our ways of addressing addiction. The scourge of drug abuse and its overwhelming impact on our communities requires us to address this problem not only immediately, but effectively.

I thank all of the committees and individuals who have participated in this effort. Accordingly, I support House amendment S. 524.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I do not have any speakers remaining, and I am prepared to close.

I reserve the balance of my time.

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

I support the House amendment to S. 524 because it will help address our Nation's crisis of opioid abuse and heroin use. My support for this legislation is based, in part, on the fact that it includes H.R. 5046, which is legislation that I have worked on with my colleagues on both sides of the aisle, that would provide critical grants to States and local governments, intended to prevent and treat opioid abuse addiction. Most importantly, I support this legislation because it would help save lives.

The House amendment to S. 524 provides a comprehensive approach to the opioid substance abuse public health emergency that is currently ravaging our Nation. Accordingly, I urge my colleagues to support this measure.

Mr. Speaker, I yield the balance of my time to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Let me thank Mr. GOODLATTE, Mr. CONYERS, the Judiciary Committee, and Mr. SENSENBRENNER, who mentioned yesterday

that he had been working on this for 2 years. We have joined him as the original cosponsors in supporting this on the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, of which I am the ranking member, along with Mr. SENSENBRENNER, and this is a moment that all of us are appreciative of.

Mr. Speaker, as I thought about this week, during which we are honoring police and we are also acknowledging those who have fallen in the line of duty, this bill, the Comprehensive Addiction and Recovery Act, becomes even more important. This week, the House adopted a number of bills that, together, are intended to provide a response to the opioid crisis that is commensurate with the scope of the problem.

Yesterday the House passed, by an overwhelming vote, the primary contribution of the Judiciary Committee's to this effort, H.R. 5046, the Comprehensive Opioid Reduction Act. I am an original cosponsor of that bill, and I was a cosponsor of the predecessor bill, both of which were introduced by my colleague, JIM SENSENBRENNER, the chairman of the subcommittee.

I commend him for the years of work and persistence on this issue. I also commend Chairman GOODLATTE and Ranking Member CONYERS for their leadership, for it would not have been shepherded through the committee if we had not all worked together to find common ground on this very important issue.

That has been the trend of the Judiciary Committee's as we work on criminal justice reform, which includes sentencing reduction and prison reform—provocative, innovative bills that are going to change the lives of many of those who are incarcerated for many, many years. We are going to turn mass incarceration upside down and on its ears and cause it to be extinct. This new approach to opioids is part of that.

This bill has no mandatory minimums. As we take the steps today which will allow us to engage in discussions with the Senate so that we may soon send a bill to the President for his signature, I am pleased of the progress that has been made. I can only hope that our work on sentencing reduction, prison reform, and juvenile justice will have the same kind of impetus and will wind up on the President's desk. That is the vision, I believe, of many Republicans and Democrats in and out of this House. As well, it is the vision of the President's; but, more importantly, it is the vision of suffering families' who do not have their loved ones with them.

The reason we must work together is that the leading killer of Americans today, which is drug overdose, started first by prescription use in many instances. Between 2000 and 2014, almost half a million people died from drug overdoses. That is a startling number. In 2014 alone, more than 47,000 people died of drug overdoses. The largest percentage of overdose deaths in 2014 was attributed to opioids, like prescription painkillers, methadone, morphine, and heroin. Specifically, 28,647 people overdosed and died because of an opioid in 2014.

This is an emergency, and it is a combination of prescription painkillers and heroin. Prescription painkillers abuse is the strongest risk for the future use of heroin. That is our athletes or those who have had surgery—just everyday Americans who find themselves caught in the trap of addiction. Approximately three out of four new heroin users report that their use began with the abuse of prescription drugs. Heroin use becomes appealing to those who are addicted to prescription drugs because it is cheaper and easier to obtain, and due to its potency, heroin use tends to lead to addiction. We know that from the 1980s and 1990s with crack cocaine in that crack was a more potent extraction of cocaine, and we saw many of those individuals not get treatment. They actually only got incarceration. Heroin addiction is often deadly just as crack cocaine was in leading to overdose or to other chronic diseases.

The rate at which the occurrence of heroin overdose deaths has increased is cause for alarm. In the 4 years between 2010 and 2014, heroin overdoses more than tripled. In 2013, 11 million people admitted to the improper use of prescription painkillers and, therefore, were at a heightened risk of becoming addicted.

That is why we have worked together this week on legislation to put together something like an omnibus in order to reduce the risks of addiction and to fund appropriate treatment responses for those who abuse these drugs. The bill that was passed yesterday reflects the strategy by proposing to establish a grant program to be administered by the Department of Justice to assist States and local governments.

It is important to note these statistics: the rate of deaths from heroin overdoses that account from the White population saw a 267 percent increase between 2010 and 2014; in African Americans, there was an increase of 213 percent in 2010 to 2014; in Hispanics, there was a 137 percent increase from 2010 to 2014; and in Native Americans, there was a 236 percent increase.

No aspect of American life has been uninfluenced by the devastation of heroin overdoses and deaths—many of it impacting families whose young, bright, talented, athletic, and, otherwise, young people have fallen victim to this. This grant program is extremely helpful, for which I am very pleased, because it deals with monitoring the prescription drugs, and it deals with matching those who are committed to working with police officers. It is truly an important bill.

Let me close by saying that we must have money to support all of this, and I am hoping that this will not be the last stop we will make.

Mr. Speaker, I rise in support of this amendment to S. 524, the Comprehensive Addiction and Recovery Act.

This week, the House adopted a number of bills that—together—are intended to provide a response to the opioid crisis that is commensurate with the scope of the problem.

Yesterday, the House passed—by an overwhelming vote—the primary contribution of the Judiciary Committee to this effort, H.R. 5046, the Comprehensive Opioid Abuse Reduction Act.

I am an original cosponsor of that bill, and I was a cosponsor of the predecessor bill, both of which were introduced by my colleague, JIM SENSENBRENNER, the Chairman of the Subcommittee on Crime.

I commend him for his years of work and persistence on this issue, and I also commend Chairman GOODLATTE and Ranking Member CONYERS for their leadership and work to find common ground on this very important issue.

As we take the steps today which will allow us to engage in discussions with the Senate so that we may soon send a bill to the President for signature, I am pleased at the progress we have made.

The reason we must work together is that a leading killer of Americans today is drug overdose.

Between 2000 and 2014, almost half a million people died from drug overdoses.

In 2014 alone, more than 47,000 people died of drug overdoses.

The largest percentage of overdose deaths in 2014 was attributed to opioids—like prescription painkillers, methadone, morphine, and heroin.

Specifically, 28,647 people overdosed and died because of an opioid in 2014.

This emergency is compounded due to the perilous connection between prescription painkillers and heroin.

Prescription painkiller abuse is the strongest risk factor for future heroin use.

Approximately three out of four new heroin users report that their use began with their abuse of prescription painkillers.

Heroin use becomes appealing to those addicted to prescription painkillers because it is cheaper and easier to obtain.

Due to its potency, heroin use tends to lead to addiction.

Heroin addiction is often deadly, leading to overdose or other chronic diseases.

The rate at which the occurrence of heroin overdose deaths increased is cause for alarm.

In the four years between 2010 and 2014, heroin overdoses more than tripled.

In 2013, 11 million people admitted to improper use of prescription painkillers and therefore were at a heightened risk of becoming addicted to heroin—with its attendant risks and dangers.

That is why we have worked together this week on legislation to reduce the risks of addiction and to fund appropriate treatment responses to those who abuse these drugs.

The bill we passed yesterday, H.R. 5046, reflects this strategy by proposing to establish a grant program, to be administered by the Department of Justice, to assist states and local governments, particularly by helping criminal justice agencies to tackle the opioid problem from a variety of angles.

This bill, included in this amendment, encourages the development of alternatives to incarceration that provide treatment as a solution to the underlying motivation for criminal behavior or conduct associated with mental disorders.

We must make our best efforts to prevent individuals from moving from painkillers to heroin by making treatment for addicts more accessible by encouraging the use of evidence-based programs, such as medication-assisted treatment.

Life-saving overdose reversal drugs, like naloxone, are most valuable in the hands of trained individuals who regularly come in contact with individuals who are prone to drug overdoses.

This legislation will increase the use and availability of naloxone and other overdose reversal drugs to first responders.

Addiction is a disease that affects the brain and eventually changes the behavior of addicts, causing them to experience mental health issues and encounter legal problems.

Treatment is the most reasonable and effective approach to diverting these individuals away from homelessness and prison.

There are also specific provisions we have proposed that allow for a wide range of services to be offered to our veterans who tend to suffer from mental health issues and addiction.

I support this legislation because I believe that it will help save lives and prevent and treat opioid addiction.

The approach Congress is taking with the crisis of heroin and other opioids is thoughtful and comprehensive.

I hope it signals a departure from some of the failed approaches concerning other drug crises in the past.

For instance, our response to the surge in crack cocaine in the 1980s was to enact draconian mandatory minimum penalties with vastly disparate treatment for crack and powder cocaine.

At that time, we in Congress took action that we are still trying to rectify.

At one point, more than 80% of the defendants sentenced for crack offenses were African American, despite the fact that more than 66% of crack users are white or Hispanic.

As we work on other legislation to address the enforcement and sentencing disparities related to the crack issue, we must re-examine our approach to that and other drug issues.

While law enforcement has an appropriate role and the bills recognize that, the bills we adopted this week and that we put forth as an amendment to the Senate bill today reflect a broader strategy that reflects the fact that this is an addiction issue.

Accordingly, we are not raising sentences or impacting mandatory minimums but we are funding anti-addiction mechanisms such as treatment alternatives to incarceration.

We are not adding to mass incarceration—with all of the related and devastating collateral consequences—but instead we are incentivizing state and local governments to prevent, treat, and heal.

That is what we should be doing, and that is what we should have done for crack and cocaine addicts.

With that history in mind and with the chance to take smarter and more effective steps now, I look forward to continuing to work with my colleagues in the House—and in the Senate—to apply this more comprehensive approach, including treatment alternatives, to those suffering from crack and cocaine addiction.

Yesterday, in my closing remarks on H.R. 5046, I stated my intention to ensure that we make progress on addiction not only involving opioids but drugs like crack and powder cocaine as well.

As I express my support for this legislation, I urge my colleagues to work with me in this broader initiative as well as join me in voting for this amendment to the Senate bill today.

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

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

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 725, the previous question is ordered on the bill, as amended.

The question is on the third reading of the bill.

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

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 400, nays 5, not voting 28, as follows:

[Roll No. 193]

YEAS—400

Abraham
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fitzpatrick
Fleischmann
Fleming
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garrett
Gibbs
Gibson
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Paulsen
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Stefanik
Stewart
Stivers
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz

Wasserman Schultz	Westerman	Yarmuth
Waters, Maxine	Westmoreland	Yoder
Watson Coleman	Williams	Yoho
Weber (TX)	Wilson (FL)	Young (AK)
Webster (FL)	Wilson (SC)	Young (IA)
Welch	Wittman	Young (IN)
Wenstrup	Womack	Zeldin
	Woodall	Zinke

NAYS—5

Amash	Gohmert	Scott (VA)
Brooks (AL)	Massie	

NOT VOTING—28

Adams	Herrera Beutler	Rush
Bass	Israel	Russell
Bridenstine	Kennedy	Salmon
Burgess	Kirkpatrick	Sanford
Cárdenas	Knight	Speier
Fattah	Latta	Stutzman
Fincher	Pascrell	Titus
Forbes	Payne	Whitfield
Garamendi	Pitts	
Hastings	Richmond	

□ 1151

Mr. SCOTT of Virginia changed his vote from ''yea'' to ''nay.''

So the bill was passed.

The result of the vote was announced as above recorded.

Pursuant to section 3 of House Resolution 725, the title of the bill was amended so as to read: ''An Act to authorize the Attorney General and Secretary of Health and Human Services to award grants to address the national epidemics of prescription opioid abuse and heroin use, and to provide for the establishment of an inter-agency task force to review, modify, and update best practices for pain management and prescribing pain medication, and for other purposes.''.

A motion to reconsider was laid on the table.

Stated for:

Mr. SCOTT of Virginia. Mr. Speaker, I inadvertently voted NAY on passage of S. 524, as amended by the House. I strongly support S. 524, as amended by the House.

PERSONAL EXPLANATION

Mr. SANFORD. Mr. Speaker, because I was in Nashville, Tennessee attending my son Landon's graduation from Vanderbilt University today, I was not present to vote. Had I been present, I would have voted ''yea'' on rollcall 190, ''aye'' on rollcall 191, ''yea'' on rollcall 192, and ''nay'' on rollcall 193.

PERSONAL EXPLANATION

Mr. KNIGHT. Mr. Speaker, on Friday, May 13th, I was absent due to obligations in the district. Had I been present for the day's vote series, I would have voted ''yea'' on rollcall No. 190, on ordering the previous question; ''yea'' on rollcall No. 191, on the rule providing for the consideration of S. 524; ''nay'' on rollcall No. 192, on approval of the journal; and ''yea'' on rollcall No. 193, on passage of S. 524 or the Comprehensive Addiction and Recovery Act of 2016, as modified by the House amendment.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate concurs in the amendment of the House of Representatives to bill (S. 1523) ''An Act to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes.''.

MOTION TO GO TO CONFERENCE ON S. 524, COMPREHENSIVE ADDICTION AND RECOVERY ACT

Mrs. BROOKS of Indiana. Mr. Speaker, I ask unanimous consent that the House insist on its amendments to the bill (S. 524) to authorize the Attorney General and Secretary of Health and Human Services to award grants to address the national epidemics of prescription opioid abuse and heroin use, and to provide for the establishment of an inter-agency task force to review, modify, and update best practices for pain management and prescribing pain medication, and for other purposes, and request a conference with the Senate thereon.

The SPEAKER pro tempore. The Clerk will report the title of the bill.

The Clerk read the title of the bill.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MS. ESTY

Ms. ESTY. Mr. Speaker, I have a motion to instruct conferees at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Ms. Esty moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the House amendments to the bill S. 524 (an Act to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use) be instructed to recede to title III of the bill (relating to treatment and recovery programs).

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentlewoman from Connecticut (Ms. ESTY) and the gentlewoman from Indiana (Mrs. BROOKS) each will control 30 minutes.

The Chair recognizes the gentlewoman from Connecticut.

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

Mr. Speaker, I rise today to offer a motion which would instruct the appointed conference committee to prioritize prevention, treatment, and recovery programs for folks suffering from prescription opioid or heroin addiction, but all of the good legislation that we worked on so hard this past week in the House is close to futile without appropriate Federal funding.

It is all too easy for us to say we support helping folks who suffer from addiction to get the treatment and resources they so desperately need or to support community programs that spread awareness about the dangers of prescription drug use or to instruct and support medical professionals about the risks of opioid addiction, but it is time for us to put our money where our mouth is.

This year, the President requested that we appropriate $1.1 billion to help the American people to prevent and treat addiction. It is time for us to act on that request. It is not enough to adopt important policies that we have this week on prevention and on treatment; we need funding.

We must provide adequate Federal funding to prevent addiction from occurring in the first place by expanding our prescription drug overdose prevention strategies. We must provide adequate Federal funding to help save the lives of those who have intentionally or accidentally overdosed by improving access to the overdose reversal drug naloxone and support targeted enforcement. And we must help our local law enforcement by supporting targeted enforcement activities.

Families across my district in Connecticut and across this great Nation are reaching out to our offices asking for support and help, asking us to come together and to address this public health crisis.

Recently, I was contacted by a family from my hometown about a young woman who was a classmate of one of my three children. They have lost track of this young woman. She has fallen into the grips of addiction and has disappeared for years from her family. They are trying to seek her out, find her, and get her treatment.

We were successful in finding her in a court. We were successful in getting her a bed. Sadly, she turned down treatment at this time. That is the story of what addiction does to families. We are hopeful that she will heed the voices of her family, that she will come back in and get treatment.

But that is also why prevention matters. Because it is so hard to treat addiction, we need to do everything we can to prevent folks from getting addicted in the first place.

That is why some of the provisions I included in this bill are so important: to make sure the public understands the risk of prescription drug addiction, to make sure that our medical professionals get continuing medical education to understand their responsibility to look out for their patients, to seek out alternative pain management strategies, and to understand those risks.

The sad truth is we don't have enough treatment beds. The sad truth is we don't have dissemination of best practices. The sad truth is we don't have the funding right now to address this crisis in the way that the American people want and need us to do.

So let's work together. Let's work together to prevent our children, our families, and our friends from being so poisoned by this addiction on our streets. We can't do it without funding. It is just unfair. Not just unwise, it is

unfair to claim credit for solving a problem and addressing it without the funds that need to go there.

So let's work together to provide funding. In our conference with the Senate, let's seek to put the resources there to back the wonderful policies that we adopted this week in this House.

So, again, I urge my colleagues to support this motion to instruct our conferees.

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

Mrs. BROOKS of Indiana. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. MESSER).

Mr. MESSER. Mr. Speaker, I want to thank my colleague, my good friend, the gentlewoman from Indiana, for her important work on this legislation.

I rise in support today of S. 524.

Mr. Speaker, an astounding 78 people die every day of opioid overdose in America—78 people each day, 78 families crushed in the wake of this epidemic. And that will continue to leave devastation in its path unless we act.

□ 1200

Austin, a city in my district, is all too aware of opioid addiction's devastating consequences. It has become the epicenter of an HIV outbreak connected to opioid addiction.

The community of Austin is rallying to that crisis, but Hoosiers aren't the only ones suffering. That is why this week we came together as a House to pass 18 bills to tackle this epidemic, including the bill we are debating right now.

These bills are an important first step. We must continue to work together to end this devastation and help the families crushed by this crisis.

Ms. ESTY. Mr. Speaker, I yield 5 minutes to the gentleman from Connecticut (Mr. HIMES), my friend and fellow Nutmegger.

Mr. HIMES. Mr. Speaker, I am delighted to join my colleague from Connecticut (Ms. ESTY) in supporting this motion to instruct because this is an issue that deserves not just the attention and the focus of the House, but it deserves a meaningful commitment of resources to address the problem that is plaguing every town and city in Connecticut and in this country.

Mr. Speaker, this year we will see 30,000 fatalities to this opioid crisis. In the 20 years of the Vietnam war, from 1955 to 1975, this Nation suffered just shy of 60,000 fatalities in the entire Vietnam war. In 2 years, the opioid crisis will claim more Americans than died in the Vietnam war; yet, we this week—and I salute the majority for acting on the opioid crisis—decided to make roughly $106 million available to this scourge.

For those watching at home, we didn't actually make that money available. In Congress, we authorize—which says, legally, you can spend the money—and we appropriate. Appropriate is actually when we take out the checkbook and write the check. And just to be clear for the American people, we authorized, but we did not appropriate.

So, again, I salute the majority and I salute the bipartisan tenor that we have had this week in addressing this very, very serious problem through so many bills, but now is the time to actually put our money where our mouths are. The reason for this is the number I gave you earlier: 30,000 Americans every single year.

I spoke earlier this week about a young man from my district named Alex Recupido, a 2010 graduate of Trumbull High School. He was a young man and was on his way to becoming a nurse.

He had moved to Florida to pursue that career when, in 2014, he fell prey to a heroin overdose that, like so many of these things, started with the abuse of prescription opioids and moved into a heroin addiction and then, of course, a tragic end, as so many Americans have experienced. There were 415 in my small State of Connecticut.

I had the opportunity to speak to Alex's mom this week. Like so many of these cases, there were any number of steps along the way where this horrible outcome could have been prevented. People knew that he had a problem, but nothing happened with treatment and recovery to stop the outcome of this young man dying in Florida in 2014.

Thirty thousand is a big and abstract number, but I wish you could have heard Alex Recupido's mom, who has now devoted her life to working and advocating for us to do our jobs to commit the resources we need to commit to address this opioid crisis in this country.

I wish you could have heard her. If you had heard her, we would probably be working through the night tonight to make sure that we adequately address this unbelievable problem.

This is really about treatment and recovery. It is about training our first responders. And let's face it. We can use a lot of words and we can talk about money, but until we write the checks to help our States and our municipalities and our treatment organizations and recovery organizations to actually make a difference on the ground, we are just talking.

I salute that. And I do salute the majority for devoting this week to these really, really important bills. But I also hope that we can do better than talking about $106 million and, through this motion to instruct, actually put the resources that we need on the table to try to stop those 30,000 deaths that are going to occur this year unless we act in a meaningful way.

So again I salute the majority for prioritizing this week, and I thank my colleague, ELIZABETH ESTY, for offering this motion to instruct. I hope we can get behind it and I hope we can actually do something good for an awful lot of tragic outcomes that will happen otherwise.

Mrs. BROOKS of Indiana. Mr. Speaker, I yield myself such time as I may consume.

This legislation was crafted in collaboration with colleagues from both sides of the aisle and it is in the best interest of the American people as a whole.

Regardless of which side of the Chamber we sit on or which State we represent, the number 78 has come up time and time again. Those are 78 Americans who are dying of heroin and opioid epidemic every single day from communities large and small, rural, urban, from coast to coast.

It is time we come together, as we have done this past week, on behalf of the millions of Americans and their families who are struggling with this horrible epidemic and desperately need our help.

The Senate has acted and now the House has put forward a powerful bipartisan package that reflects our priorities. This will not be all the work we do together. So the package of bills that we have done will not be all that this Congress does forever.

Together, in conference, we can enhance our collective response to this crisis. I look forward to resolving the issues that have been raised by my colleagues across the aisle with our Senate colleagues, and I look forward to the conference committee, where we will resolve so many issues on behalf of the American families and people who have lost loved ones to this crisis.

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

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

Mr. Speaker, as previous speakers have already noted, 30,000 Americans are likely to die this year from drug overdoses.

In the small cities in my district, like Waterbury, a town of about 100,000 people, 38 people died last year from drug overdoses. In New Britain, Connecticut, it was 31 people. Each one of those individuals had friends and family and loved ones. Each one of those deaths was mourned. Each one of those deaths was an unnecessary tragedy.

Our constituents send us to Washington to work together to solve problems, and this is the most basic and fundamental issue we deal with, literally, matters of life and death.

I am pleased that my good friend, my colleague from Indiana, SUSAN BROOKS, has worked so hard and that the majority has worked hard with the minority this week on it. But at the end of the day, our budgets are also our priorities.

We have to find a way to provide the resources so that these wonderful programs and the good policies that we

adopted this week are reflected and put into place to actually save lives.

We cannot claim credit for good policies when we do not provide the resources to the first responders on the streets, to the substance abuse counselors, to the coaches who need to understand the risks for their young athletes, to parents to understand those risks, to our dentists who are doing wisdom tooth extractions. All our work is for naught if it is simply a bill passed that appears in lawbooks.

Our job is not yet done. So I urge my colleagues in the strongest possible way to continue our good work and to put into effect the resources so that these policies adopted in the Senate and the House have the impact we all want and the American people need, which is to help save lives, to prevent our fellow citizens from becoming addicted to prescription drugs or to heroin, and to actually help them remove themselves from that addiction and return to life in its fullest form.

So, again, I urge my colleagues to take these instructions and take this charge to heart in the meeting in the conference committee.

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

The SPEAKER pro tempore. All time for debate has expired.

Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

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

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

The yeas and nays were ordered.

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

ADJOURNMENT FROM FRIDAY, MAY 13, 2016, TO MONDAY, MAY 16, 2016

Ms. ESTY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday, May 16, 2016, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

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

There was no objection.

HONORING THE LIFE OF ANN DAY

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

Ms. MCSALLY. Mr. Speaker, it is with a heavy heart that I rise today to honor the life of Ann Day, a dedicated public servant of southern Arizona who was tragically killed last weekend in a car crash.

Ann was the sister of former Supreme Court Justice Sandra Day O'Connor, but that did not keep her from making a mark on Arizona that was uniquely hers. She came from a ranching background and brought a ''cowgirl commonsense'' approach to problem solving that marked her many years of service.

Ann represented Tucson in the Arizona State Senate for 10 years, followed by 12 years as a Pima County supervisor. Her efforts led to the establishment of local landmarks like the Rillito River Path and Brandi Fenton Park, where a memorial service in her honor will be held on Saturday. She also will be remembered for her love of nature and substantial conservation efforts in Pima County.

Thanks to her, generations of people from across our country will continue to be able to come to southern Arizona and experience the breathtaking landscapes that we call home. She is truly someone whose impact and legacy will live on far beyond her years and someone who will be deeply missed by many in our community.

AUTHORIZED USE OF MILITARY FORCE

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

Ms. LEE. Mr. Speaker, I rise today to challenge this House to live up to our constitutional duty to debate the ongoing war in the Middle East.

For nearly 2 years, our brave servicemen and -women have been fighting yet another war. As they face snipers and mortar rounds, incredibly, some claim that they are not in combat.

How can we claim this is not combat? And, worse, how can we ask them to go to war when Congress cannot muster the courage to debate it and authorize it or not?

The last four Presidents have bombed the Middle East with little or no congressional oversight. Will we allow a fifth President to continue these wars unchecked?

As the National Defense Authorization Act comes to the floor next week, I submitted an amendment to force a debate on this war and repeal the 2001 blank check for endless war that got us into these perpetual wars.

As you can see, the Congressional Research Service has indicated that this 2001 resolution has been used over 37 times. These are some of the areas in which that has been used. That is just wrong.

The Rules Committee should allow this important debate to come to the House floor.

Mr. Speaker, let us debate this war, its costs, its consequences, and talk about a real strategy to end ISIL's reign of terror.

NATIONAL FOSTER CARE MONTH

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise to recognize the month of May as National Foster Care Month across our Nation. In fact, I was proud to sign on this week to the legislation creating this distinction.

National Foster Care Month was established more than 25 years ago to bring foster care issues to the forefront, highlighting the importance of permanency for every child and recognizing the essential role that foster parents, advocates, and social workers play in the lives of children in foster care across the country.

With nearly 415,000 children in foster care across America, it is safe to say that we all know a child in foster care. Furthermore, I want to recognize the families who have selflessly decided to open their homes to these boys and girls, providing good homes at a very challenging time for these young people.

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

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HONORING OUR NATION'S POLICE OFFICERS

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

Mr. LAMALFA. Madam Speaker, last night, my colleague, Congressman REICHERT, had a Special Order honoring our police officers for National Police Week here. And though I had wished to take part in that, I wasn't able to; but I certainly feel the need and desire to honor our police officers across this country for what they do, for being on the line for all of us here, and sometimes being unappreciated for that in a strange media setting that we have these days.

We hearken back to 2014, when 136 officers lost their lives. Fresh on our mind in northern California is the loss of two of our Placer County officers, Michael Davis and Danny Oliver, in a terrible run-and-gun situation that was going on with a released inmate. These two officers served many years in their role for the people of Placer County and northern California.

Like them, many others around the country have lost their lives in the line

of duty to protect us. We need to honor them. We need to be behind them at all times. The thin blue line is between us and a lot of really bad things in this Nation. They go to work each day willing to pay the price, if it is necessary. We honor them.

In the midst of everything going on these days in the news and the media, it is important that we always remember their sacrifice, and stop and thank them, and get to know them as they are trying to get to know the people in the community. We find out they are just human like us and are after the same things, as Americans.

MOMENT OF SILENCE FOR CARL WHITMARSH

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

Mr. AL GREEN of Texas. Madam Speaker, I stand today in the well of the House to pay tribute to a great and noble American, a person who gave a lot to his country.

He was a loyal Democrat. He was a Democrat's Democrat, but he was more than that. He was a person who was a voice for the voiceless.

He was one of those persons who had a publication that was widely circulated in Houston, Texas, and this publication was the means by which those of us who could read the front page, but not understand the rest of the story, we could acquire that intelligence by simply reading his words.

He made things not only clear, but perspicuously clear. He was a person that went out of his way to get truth to those who would be confused, if not but for what he would do.

So I am honored to say that Carl Whitmarsh was a great and noble American. But I am also honored to say that he was a person who made it very much possible for the Democratic Party to thrive in Houston, Texas.

Lane Lewis, who is the current chair, benefited from his presence. He and Lane worked closely together. In fact, it is very difficult to think of him and not think of Lane Lewis. Carl Whitmarsh, Lane Lewis.

Carl, may you rest in peace.

I will now ask for a moment of silence in his honor.

UNLEASHING AMERICA'S ECONOMIC POTENTIAL

The SPEAKER pro tempore (Mrs. MIMI WALTERS of California). Under the Speaker's announced policy of January 6, 2015, the gentleman from Georgia (Mr. WOODALL) is recognized for 60 minutes as the designee of the majority leader.

Mr. WOODALL. Madam Speaker, I want to begin by yielding to the gentleman from Montana (Mr. ZINKE), one of the great freshmen here leading our institution.

HONORING THE SERVICE OF REAR ADMIRAL BRIAN LOSEY

Mr. ZINKE. Madam Speaker, I rise today in support of Rear Admiral Brian Losey, the current commander of Naval Special Warfare Command, our Nation's top U.S. SEAL. He is entrusted with the honor of commanding all SEALs, all special boat units, and all support staff across this great country and across many theatres.

I have had the privilege of serving with Brian Losey, SEAL Team 6, Red Team, and I can tell you that Brian is an outstanding officer.

It is an obligation of every officer to take action when he sees wrong, and Brian Losey did just that. He saw a problem and took action. He took decisive action because he knew the actions of others around him were wrong.

Yet, once again, an entrusted, entrenched bureaucracy was allowed to hide behind threats, hide behind whistleblowers, hide behind rules that were intended to protect command and not to erode it. And yet, those accusations discredited a great officer and the head of the United States Navy SEALs.

I understand these protections are important, and they are necessary, but we cannot allow such protections to go against accountability and against the sanctity of command.

In this case, the Navy reviewed the investigation on Admiral Brian Losey. They found him to be innocent and wrongfully accused. I have seen the evidence and went through it line by line. I fully support the Navy's conclusion and believe that they properly reviewed this case.

The DOD had different conclusions, and I believe those DOD conclusions from the IG are flawed and are cherry-picked.

Admiral Losey is highly regarded by his subordinates, all of the Naval Special Warfare community, and all SEALs who have served with him and under his command. This includes the Navy SEAL standing before you. I have known this man and his family for 30 years.

Let me just give you a snapshot of Admiral Losey's leadership under his command of Naval Special Warfare. The SEALs, and those under his command, have executed 654 total missions, have killed 461 high-value targets—every one of those targets, if given a chance, would do grievous harm to our Nation—have captured 60, wounded 32, rescued an American hostage, deployed an average of 250 days of the year.

In 2015 alone, in Iraq, Naval Special Warfare Command and its components were responsible for the killing or capture of over 3,000 enemy combatants.

Admiral Losey personally deployed to Operation Inherent Resolve, Operation Enduring Freedom in the Trans-Sahara. He has deployed to 30 countries. Naval Special Warfare forces under his command are deployed to 70 countries across this great globe. They advanced partner forces' security capabilities, training over 6,000 of our allies.

Madam Speaker, America, our men, women, and children, both at home and abroad, are able to sleep at night due to the leadership of Admiral Losey and those forces that he commands.

Admiral Brian Losey, I thank you for your dedicated service to this country. As a former teammate and United States Navy SEAL, I am proud of all that you have done for our community, for the United States Navy, and our grateful Nation.

Mr. Speaker, I rise today in support of Rear Admiral Brian Losey, the current Commander of Naval Special Warfare Command, our Nation's top U.S. Navy SEAL, entrusted with the honor of Commanding all Navy SEALs. I had the privilege of serving with Brian in the SEALs and am proud to call him a team mate.

It is the obligation of every officer to take action when they see wrong, Admiral Losey did just that. He saw a problem and took action. Yet once again, our entrenched bureaucracy has allowed senior civilian individuals to hide behind anonymous accusations and whistle blower protections, in an attempt to discredit a great man and cover-up their transgressions.

While these protections are important and necessary, they cannot be allowed to be abused or shield them from being held accountable.

In this case, after the Navy reviewed the investigation of Admiral Losey, they found him to be innocent and wrongfully accused. I have seen the evidence. I fully support the U.S. Navy's conclusion and believe they properly reviewed the case and fairly adjudicated this matter.

Admiral Losey is highly regarded by his subordinates and all of the special warfare community as a true selfless and humble leader. This includes the Navy SEAL standing before you that has had the honor to serve with him and know him for the last 30 years. He has sacrificially served our nation with distinction and honor.

Let me just give you a snap shot of Admiral Losey's leadership under his command Naval Special Warfare Forces have:

Executed 654 total missions.

Killed 461 High Value Individuals.

Captured 60, Wounded 32.

Rescued an American Hostage.

Deployed an average number of 250 days.

NSW strives to maintain a 1:3 deploy-to-dwell ratio.

In 2015 Iraq alone, NSW was responsible for the coordinated capture/kill of over 3,000 enemy combatants.

Participated in Operation Inherent Resolve, Operation Enduring Freedom (AFG/PI/H0A/TransSahara).

Deployed to 30 countries as Crisis Response Forces.

Deployed to 70 countries to support 550 training events for allied and partner nations, advancing partner forces' security capabilities,

ultimately training approximately 6,000 foreign partner and allied military personnel per year.

American men, women, and children, both at home and abroad, are able to sleep soundly in their beds due to the leadership of Admiral Losey and the actions of the men and women he leads.

Admiral Brian Losey thank you for your dedicated and faithful service to the United States of America. As a former teammate and U.S. Navy SEAL, I am proud of all that you have done for the NSW community, the United States Navy, and our great nation.

The following in a more in depth background of the situation:

There has been significant public media interest in the Whistleblower Reprisal Investigations against Rear Admiral Brian Losey, currently serving as Commander, Naval Special Warfare Command while serving as Commander, Special Operations Command Africa. My professional interest in these issues as a member of House Armed Services Committee, and as a former member of the Naval Special Warfare Community, was drawn by the apparent divergence in reporting put forth by the DoD Inspector General, and the adjudication conclusions of the Navy—and further highlighted by a divergent Senate address by Senator CHUCK GRASSLEY and a pointed op-ed by the former Commander, U.S. Special Operations Command Admiral (ret) Bill McRaven, which raised concerns about the unjust and destructive politicization of the matter. I looked into these cases and identified the following significant, and not all-inclusive, items of concern from the evidence submitted to the DoD Inspector General:

Rear Admiral Losey relieved an Air Force Lieutenant Colonel of his duties as Director of Personnel and Administration (J1 Director). This officer was responsible for the processing of awards and evaluations for service members assigned or conducting duties in support of Special Operations Command Africa (SOCAFRICA), and was delinquent in the processing of over 300 awards and evaluations spanning a timeframe greater than two years.

Rear Admiral Losey and the Deputy Commander of SOCAFRICA counseled this officer well before any IG complaints were raised. By word and deed, this officer signaled that he was unwilling to step up his efforts to take care of service members, citing his family life as his primary concern, and arguing against establishing the normal administrative trackers for awards, evaluations, and pending transfers and gains in personnel as requested by Losey. After discovering that this officer allowed the use of Admiral Losey's legal signature via auto pen 36 times without the necessary authorization, and then not being truthful about it, Rear Admiral Losey relieved him and properly referred the placement of this officer to the Air Force chain of command.

In the same timeframe, an Army Captain assigned to the J1 filed an 8 page complaint against the J1 Director, citing a hostile work environment, lack of compliance with various administrative policies, and many of the same issues that SOCAFRICA leadership had already addressed in counseling with the J1 Director. An investigation was conducted by SOCAFRICA's higher headquarters, U.S. Africa Command, which determined that the J1 Director was culpably negligent and derelict in the execution of his duties on multiple counts. The investigation noted that the Senior NCO in the J1 among others, had reflected this officer ''was seldom in the workplace for 40 hours a week.'' The AFRICOM Judge Advocate Office endorsed the investigation and an Air Force Major General at AFRICOM issued a Letter of Counseling to the SOCAFRICA J1 Director citing ''a lack of; professionalism, selfless service, self-discipline and duty'' and further recommending that this officer ''approach future situations with the integrity and professionalism expected of an Air Force officer''.

The AFRICOM investigation further recommended that this officer be issued an adverse fitness report. Admiral Losey did not issue an adverse fitness report and instead, recommended this officer for all for promotion requirements and promotion. It is apparent that Admiral Losey exercised considerable restraint and care in handling this officer.

The written and verbal testimony as well as the substantial supporting documentation submitted to DoD IG by Rear Admiral Losey, the Deputy Commander, and the Chief of Staff reflects good faith and effective efforts to resolve both performance and misconduct issues related to the former Chief of Staff and the most senior civilian assigned to SOCAFRICA—publicly identified as Mr. Fred Jones through multiple media statements he has made related to these cases.

Mr. Jones was provided a written counseling document for necessary performance improvement owing to a lack of staff processes, which he was responsible for developing and implementing over the four years he was the Chief of Staff, as well as deficiencies in staff organization and execution of his assigned duties. In addressing the increasing workload and levels of risk brought to SOCAFRICA service members deploying to Africa in the shadow of the Arab Spring and exacerbated by longer term and growing Al Qaeda, Al Shabaab, and Boko Haram terrorism concerns, Mr. Jones agreed amicably in writing to the creation of a Director of Staff position to help level the workload not being addressed in his role as Chief of Staff. This parallels the common Deputy Commanding General for Operations and Deputy Commanding General for Support structure in Army Divisions. Rear Admiral Losey, with the diligent work of the staff was able to create a GS–15 position for Mr. Jones with no decrement to pays, benefits or stature. The new Chief of Staff, an Army Colonel, offered Mr. Jones workspace in the Chief of Staff office. Mr. Jones had a couple of other choices and selected an office co-located with a longtime friend, remote from the command group.

Shortly after the new Chief of Staff assumed his duties, he gained access to the SOCAFRICA pay report. He noted and confirmed significant irregularities in pay benefits drawn by several SOCAFRICA civilian members with AFRICOM, who issued the report. A formal, command-wide, and broad scoped investigation was initiated and spanned a timeframe of one and a half years prior to Rear Admiral Losey's arrival to approximately one and a half years after his arrival. The investigation of over 1,000 pay record entries revealed that Mr. Jones, along with 3 other civilians identified in allegations against Losey, comprised 92% of the major pay violations in SOCAFRICA in that three year period. This was particularly egregious as Mr. Jones, a retired Army Reserve Special Forces Colonel, was accountable for maintaining the integrity and compliance of the pay system, and was the single largest violator of DoD Financial Management Regulations and policies in SOCAFRICA by routinely seeking pay and leave benefit approvals from his subordinates. This investigation and a subsequent AFRICOM IG inspection further revealed that several civilians in SOCAFRICA held unauthorized super user/system administrator privileges in the pay system and were circumventing the normal benefit approval and verification processes. Rear Admiral Losey directed Mr. Jones to personally comply with proper procedures—but Mr. Jones disregarded this direction and continued to seek approvals of pay benefits through his subordinates. The whistleblower complaints against Rear Admiral Losey were raised AFTER the pay investigations were initiated and Mr. Jones implicated in misconduct. To not investigate this misconduct given the data presented would have been a dereliction of duty by Rear Admiral Losey.

This misconduct was further amplified when the new Chief of Staff went to work with staff experts to include Mr. Jones, in creating an apparently absent pay policy within SOCAFRICA. Weeks into this work, the new Chief of Staff discovered that a policy had already been created years earlier under the hand of Mr. Jones. Mr. Jones did not disclose that there was already a policy in effect that was not being complied with.

After designation as Director of Staff, Mr. Jones was properly detailed in accordance with his job description and duties to complete the body of instructions and policies that should have been in place for a command that was 4 years old. With persistent management oversight, he satisfactorily completed his tasks months after the agreed to suspense date, and was rated as ''successful'' in his performance evaluation. This evaluation was fully supported by civilian personnel policy, was not a ''lowering'' of his ratings, as this was Rear Admiral Losey's first report on Mr. Jones. This rating did not require any Performance Improvement Plan as incorrectly asserted by DoD IG, and is required only for evaluations reflecting ''failure''. It appears that Losey did not reprise in addressing these issues. It appears that the responsible management officials (RMOS) as a whole, took considerable care in ensuring Mr. Jones' pay and stature in the creation of a GS–15 Director of Staff position were not decremented or compromised.

In another disturbing demonstration of a lack of process, internal management, and compliance, SOCAFRICA's executive oversight agency for communications security (COMSEC) and specifically, the handling of sensitive cryptographic keying material noted a pervasive lack of compliance in SOCAFRICA's COMSEC program during a staff assist visit. Discrepancies in COMSEC are a national security concern, and reportable at all times. Their discovery during the assist visit threatened to shut down SOCAFRICA's communications, and the numerous operations

they supported. Rear Admiral Losey learned that his COMSEC vault and COMSEC managers were not certified, and that there were a significant number of cryptographic keys in Africa that had not been documented as properly destroyed. The was perplexing as Rear Admiral Losey recalled the receipt of commendatory correspondence from USSOCOM for an excellent internal management control program only a couple of months before his arrival at SOCAFRICA. This program is designed to apply additional oversight on sensitive or high impact functions of a command, to include COMSEC. Given that the program was commendable on one hand, and failing on another, an investigation was initiated. The investigation revealed that the COMSEC oversight portion of the internal management program was falsified with backdated compliance checklists, and an unsupported statement of compliance. Staff processes, staff function and compliance, fell squarely in Mr. Jones job responsibilities. Again, Rear Admiral Losey handled the correction of this issue administratively at the lowest level possible. By all evidence reviewed, it appears that Rear Admiral Losey did his best to ensure that SOCAFRICA was able to provide critical support to service members deploying into complex security situations and at risk, while preserving Mr. Jones equities as a civil servant. These areas included Somalia and boundary states, South Sudan, Libya, Uganda and countries impacted by the Lord's Resistance Army (LRA) and Joseph Kony, as well as a dozen more countries in the Trans-Sahara and Islamic Maghreb regions—areas where Al Qaeda and Boko Haram were spreading.

Civilian A, a named party in the allegations against Rear Admiral Losey, served as the SOCAFRICA Executive Officer (XO), and was a retired Army Major. He was subordinate to and rated by, Mr. Jones. He was the primary unauthorized approval authority for Mr. Jones' pay benefits as revealed in the broadly scoped, command wide investigation into the matter.

As XO, Civilian A was properly detailed in accordance with his job description and duties to assist Mr. Jones in completing the body of instructions and policies necessary to define and formalize SOCAFRICA's staff processes and functions. Along with Mr. Jones, Civilian A satisfactorily completed this task with persistent management oversight months after the agreed suspense date. In accordance with personnel policy, he was given ''successful'' evaluation marks in a report rendered by Losey. This was Losey's first report on the member, and was not a ''lowering''. As with Mr. Jones, a performance improvement plan was not required, and is triggered when a member is assessed to be ''failing''. As reflected in evidence submitted to DoD IG by RMOS, Civilian A had repeated clashes with senior management officials, and was constant in his efforts to assert alternative realities of discussions and agreements. He was particularly resistant to direction to removing his liquor displays from the government workplace.

At the request of Civilian A, and as agreed to at the outset of the detail period, Civilian A was moved to the SOCAFRICA Directorate for Plans (J5) upon completion of his work detail with Mr. Jones. As there was no civil servant position available for him in the J5, Rear Admiral Losey and management officials ensured his placement by creating a GS–13 non-compete billet in the J5 to support and ensure Civilian A's professional placement and development desires. DoD IG instructions require that investigators assess the motives and character of witnesses. In the case of Civilian A and Mr. Jones, it is apparent that the whistleblower complaint against Rear Admiral Losey was likely not triggered by the distant allegation of a travel infraction, but more proximately triggered as a shield to the long standing misconduct associated with padding their compensatory time and overtime pay benefits, and circumventing the very processes they were accountable for instituting and enforcing in SOCAFRICA. DoD IG questioned Losey on a ''locker room'' discussion from which nearly every quote that is attributed to Losey and his alleged reprisal motives emanate. After misrepresenting Rear Admiral Losey's transcribed testimony in preliminary reports, and after separate questionings a year apart, DoD IG concluded that they could not substantiate that any ''locker room'' discussion occurred—this was revealed finally as an allegation made by Civilian A as a ''one on one'' conversation. It is a significant concern, but likely an simple administrative oversight to see the elements of a conversation that could not be substantiated cascaded through every DoD IG investigative report as though they actually occurred. It is equally concerning that DoD IG enables these complainants seeking the title of ''whistleblower'' to exercise a seemingly unlimited dominion over truth and forthright character. Civilian A, as an Army Officer and Battalion XO, ordered a cover up in advance of a CID investigation into a drowning death of an Iraqi citizen. He later testified on the matter in exchange for immunity from prosecution, while soldiers from the Battalion that followed his orders were tried in court. Civilian A's character is well chronicled in the book ''Drowning in the Desert'' by V.H. Gambera. He was ultimately censured by the Chief Staff of the Army for obstruction of justice. These motive and character assessments are clearly relevant.

I reviewed the separate investigation into Rear Admiral Losey's leadership, as referenced by Admiral (ret) McCraven. Rear Admiral Losey's effectiveness as well the respect he generates in mission execution is well documented. Additionally I note that he has exceeded DoD and Navy averages for every command climate assessment area based on DEOMI Survey records.

I commend the Navy for its careful and forthright review of relevant evidence in this matter. Mission execution and ensuring proper support of service members in harm's way while bringing SOCAFRICA's processes and compliance to acceptable levels were evident drivers in RMO and Rear Admiral Losey's actions, and clearly supports the Navy's adjudication conclusions.

I am deeply concerned that three and a half years of investigating, over 100 witness interviews, and 300,000 e-mails were digested to produce biased reports at the near complete exclusion or distortion of the testimony, evidence, and documentation that provided credible support and justification for the actions of RMO's and for a commander's duty obligations and responsibilities. I am equally concerned at the disregard for timeliness in the execution of these investigations, and note there is still a ''phantom investigation'' open for over a thousand days? There are also legitimate concerns with DoD IG's handling of sensitive case material and its' release to the media. There is something seriously amiss at DoD IG.

Finally, I wholeheartedly agree with my colleague Senator GRASSLEY—there needs to be an independent, in depth investigation into the Deputy IC for Administrative Investigations, Marguerite Garrison. I have substantial misgivings in the integrity, investigative practices, timeliness, and compliance under her leadership in this matter based on my review.

[From the Tampa Tribune, Apr. 24, 2016]

(By William H. McRaven)

When I was a young boy my father, a veteran of World War II and Korea, schooled me on the downfall of Gen. Douglas MacArthur. MacArthur, he explained, had overstepped his authority and shown blatant disrespect for the civilian leadership of the country. President Harry Truman relieved him of his command, and MacArthur retired soon thereafter.

Civilian rule of the military was one of the most fundamental principles of the armed forces. To believe differently was dangerous, my father told me. Dad strongly supported Truman's action, and he made me understand the value of the civil-military relationship—a lesson I never forgot.

But over the past decade I have seen a disturbing trend in how politicians abuse and denigrate military leadership, particularly the officer corps, to advance their political agendas. Although this is certainly not a new phenomenon, it seems to be growing in intensity. My concern is that if this trend of disrespect to the military continues it will undermine the strength of the officer corps to the point where good men and women will forgo service—or worse the ones serving will be reluctant to make hard decision for fear their actions, however justified, will be used against them in the political arena.

Take the recent case of Rear Adm. Brian Losey.

Adm. Losey is the commander of all Naval Special Warfare forces—the SEALs and Special Boat sailors. I have known Losey for more than 30 years. He is without a doubt one of the finest officers with whom I have ever served. Over the past 15 years no officer I know in the SEAL Teams has given more to this country than Brian. None. As a young officer he was constantly deployed away from his family. After 9/11, he was sent to Afghanistan in the early days to help fight the Taliban. From there, Losey participated in the final march to Baghdad and then stayed in country as a SEAL Task Unit Commander. Afterward he served as the deputy and then the commanding officer of SEAL Team Six during more tough fighting in Afghanistan.

Later he was posted to the White House in the Office of Combating Terrorism. He made rear admiral in 2009 while at the White House. He was subsequently sent back overseas to Djibouti, Africa, to do a 15-month isolated tour as the commander of all U.S. forces in the Horn of Africa. As a result of that successful tour, he was given command of Special Operations Command, Africa (SOCAFRICA).

SOCAFRICA was a relatively new command, which had been established to address

the growing threat in North Africa. Located in the beautiful Swabian city of Stuttgart, Germany, it was initially staffed with military and civilian personnel from another nearby special operations unit. Although most of the men and women were incredibly capable, hard-working staffers, there was a small core who had been living in Europe for years enjoying the comfortable lifestyle in Stuttgart.

Upon Losey's arrival in Germany, the situation in North Africa changed dramatically, and the fledgling SOCAFRICA had to quickly get on wartime footing. Brian Losey did just that.

Losey is a no-nonsense officer who knows what it takes to get results. Combat is hard. Lives are at stake. Being genteel and considerate of everyone's feelings are not the qualities that will engender success. But although Losey can be a tough taskmaster, he is a ''by-the-book'' officer. Unfortunately for Losey, along the way to strengthening the command there were those who fought the change and through a series of whistleblower complaints sought to seek his removal.

At the time, I was the commander of the U.S. Special Operations Command in Tampa. I worked with Gen. Carter Ham, who commanded U.S. Africa Command and had operational control of Adm. Losey, to investigate the complaints.

The investigation we initiated determined that Losey's leadership style, while brusque and demanding, did not warrant his removal. The Navy subsequently recommended Losey for two stars, and he was confirmed by the Senate in December 2011.

Although the Navy inspector general absolved Losey of any wrongdoing, his promotion was put on hold pending DOD inspector general resolution of the complaints. Nevertheless, the secretary of the Navy agreed to reassign Adm. Losey to the premier job in Naval Special Warfare—command of all the SEALs.

During the past three years as commander of Naval Special Warfare Command (WARCOM), his staff has consistently ranked WARCOM to be one of the best places to work in the Navy. He has passed all Navy IG inspections with flying colors, and the retention statics for his young officers and enlisted is exceptional.

However, in the course of those three years, the whistleblowers from Stuttgart continued to pursue Losey's removal and resignation, routinely submitting new complaints to prolong the process and hold up his promotion.

A series of DOD inspector general investigations were reviewed by the Navy leadership and, once again, Adm. Losey was found not to have violated any law, rule or policy. In fact, it was clear to the Navy that the personnel action taken by Losey against the complainants was not reprisal. He was recommended again for promotion to two stars.

Despite the Navy's multiple endorsements, certain members of Congress chose to use Losey's case to pursue their own political agenda. They held hostage other Navy nominations until Losey's promotion recommendation was rescinded. The ransom for their congressional support was Brian Losey's career and, more importantly, his stellar reputation.

Mr. WOODALL. Madam Speaker, folks wonder sometimes what kind of men and women serve in this Chamber. And when I am asked, What did you learn new, ROB, that you didn't expect when you got to Congress, I talk about the caliber of the men and women who serve here.

If you have not had any time to spend with the gentleman from Montana, the former commander at Navy SEAL Team 6 spent 20 years serving his country in the SEALs and said: I have more leadership to provide. I want to run for Congress because I want to be able to make a difference in that way.

And he is making that difference here every day.

Madam Speaker, there is so much time where we spend tearing each other down and talking about all the problems that exist in Washington, and certainly, they are multiple. But to confront serious problems, you have to have serious people; and we do have serious people in this Chamber. Congressman ZINKE is one of those, and I am proud to serve with him, and I appreciate his leadership.

Madam Speaker, I want to talk about another topic that I think lets people—again, we can talk about all the challenges that exist in this country, but figuring out what the problem is and who to blame for it should not be our primary goal. Our primary goal should be solving those problems.

Madam Speaker, I want to talk about unleashing America's economic potential, and I want to talk about the FairTax. You know about the FairTax. The FairTax is not two words, as you know. FairTax is one word.

FairTax is the name of a bill in Congress. Not many bills in Congress command the notoriety that FairTax does, but it is H.R. 25. Anybody can pull it from congress.gov and read it. It is short, about 100 pages.

But it says, for Pete's sake, Madam Speaker, if we are going to try to make America competitive in the world, if we are going to try to create American jobs, if we are going to try to make America the country that you follow, if we are going to make America that leader in the world, what are we going to do it on?

Madam Speaker, if you want to create more jobs in America, you could depress salaries. We could pay everybody pennies, as some nations do, and try to create more jobs. That is an awful plan. That is not the right way.

If we wanted to create more jobs in America, we could stop caring about clean water and clean air and just throw our environment out with the job creation. But that is not what we want to do. That is a terrible idea.

Madam Speaker, as we sit here today, one thing that all the men and women in this Chamber control is the United States Tax Code. And the United States Tax Code, time and time again, is rated as the single worst Tax Code on the planet, the single worst Tax Code on the planet.

Once a week, you can open up a newspaper, find a story of a company leaving America to pursue incorporation outside of America's borders so that they can face a lower tax rate. And folks say: Oh, how unpatriotic; what an awful thing to do.

Madam Speaker, I would tell you that the law of the land requires them to do that. The law of the land says if you are the board of directors of a publicly traded corporation, you have a fiduciary duty to maximize return to shareholders. If you are trying to incorporate in a company that is punishing you, and you can go to a country that rewards you, you must make that. It is not optional. It is required.

So we can either try to pass laws that trap companies here, or we can try to pass laws that encourage every Nation on the planet to locate here. The FairTax does exactly that.

Madam Speaker, let me tell you a little bit about what the FairTax does. It is a fair chance for every American family to build a better life.

We talk so much about the income tax in this Chamber, but the truth is that 80 percent of American families pay more in payroll taxes than they do in income taxes.

All the time we spend complaining about the IRS, complaining about the American Tax Code, the Income Tax Code, it is the payroll tax that is the largest tax burden that 80 percent of American families face.

If you are a millionaire, a billionaire, if you are running your own giant, megacorporation, you can accept your salary any way you want to. You can do it from capital gains, stock options. You can have your privately held company pay you dividends. You have your choice about how you receive your income and, depending on what the Tax Code punishes and encourages, you can manipulate your income accordingly.

Madam Speaker, but if you are the rank-and-file American middle class family, you don't have a choice. You don't have capital gains or dividends or stock options to choose from. You get a paycheck, and out of that paycheck, the government takes the first dollar, and it is 15.3 percent that the government takes in payroll taxes alone.

□ 1230

Now, Madam Speaker, payroll taxes are a valuable tool in this country. They fund the Medicare program, and they fund the Social Security program. These are two very important programs to America, but they are both threatened. The revenue stream for those two programs is insufficient to fund the demands on those programs. We have to find a better way.

The FairTax says: don't take the money out of an individual's paycheck. The power to tax is the power to destroy. When you tax productivity, you destroy productivity. Rather than taxing income, let's tax consumption.

We all wondered on April 15, Madam Speaker, what our neighbors paid in income taxes. Don't you wonder? Money

magazine did a study one time. Fifteen different accountants worked on the same tax return, and they came up with 15 different answers. It was impossible to figure out which one was right, and none of those was the answer that Money magazine came up with for themselves. But you wonder what you are neighbor is paying, and you wonder if they are paying their fair share.

What the FairTax says is we are going to charge you not based on what you produce but what you consume.

So if you have a brand-new Mercedes sitting in your driveway, we think you ought to be able to help fund the American way of life. If you have a used Ford Festiva sitting in your driveway, maybe we ought to cut you some slack.

If you have just built yourself a new, 9-bedroom, 12-bathroom house, we think you ought to be able to afford to pay to help grow America. If you are a family of six living in a two-bedroom apartment, we think we ought to cut you some slack.

If you are working hard trying to improve your life, don't punish productivity, as today's Tax Code does; tax folks based on consumption. That is not a crazy idea, Madam Speaker. In fact, America is one of the only OECD countries, one of the only industrialized countries that doesn't have a consumption tax.

But America was founded on a consumption tax. That is exactly the way America began, saying that if you have enough money to import silver from Europe you ought to be able to pay the tax on that. It was excise taxes at that time. I am talking about a simple retail sales tax.

But people spend at different rates, Madam Speaker. People spend at different rates. What I have here—you can't see it; the print is going to be too small—but it is the relative tax rates of a two-adult, two-child household.

What the FairTax says is, listen, we all have basic expenses in our lives. If you are struggling and you are trying to make a better life for you and your family, you are going to have to buy your food, you are going to have to have an apartment, you are going to have some form of transportation, whether it is a car or riding public transportation, and you are going to have to have clothing. These are the basic necessities of life.

So we have created a system so that no American family pays retail sales taxes on those basic necessities. That is what we will call poverty-level spending. When you go above and beyond that, you begin to pay the taxes.

What that means, Madam Speaker, is that if you are earning $32,000 a year in that family of four, you are not paying a penny in taxes. Again, payroll tax is today the largest tax that American families pay. We are not asking you to pay a penny.

But if you are earning $50,000 a year, then you start to pay an effective rate of about 7½ percent. If you are earning $64,000, then it is about 11 percent, and on and on and on until you get all the way up to a 23-percent tax.

There are no exceptions, no deductions, and no exemptions. Everybody pays on everything after that poverty-level spending.

Again, Madam Speaker, if you can afford to have a boat and a new jet ski sitting in your driveway, then I think you can afford to help struggling families in America succeed. If you are one of those struggling families and you are saving every penny that you have because you want to send your child to college one day, then we ought to cut you some slack.

Madam Speaker, the FairTax was created by a group of economists, a group of public citizen activists, who said: If we started from scratch today, then what Tax Code would we write?

There is not a man or a woman in Congress, Madam Speaker, who believes that if we wrote a Tax Code today that we would write the one we have. The one we have is atrocious. It is atrocious.

What that does is it targets every individual working at the IRS. The IRS is the most vilified institution in this town. By moving the burden of taxation from income to consumption, the FairTax would close the IRS forever.

Madam Speaker, the problem with the IRS could be the occasional rogue man or woman that works there, but most of the men and women that work there are conscientious and hard-working civil servants charged with implementing the atrocious Tax Code that this Congress has passed.

Milton Friedman, the Nobel Prize-winning economist, said: The best way to escape this trap that we are in is to throw the whole thing out and start over from scratch. He is exactly right.

Madam Speaker, #PassTheFairTax is the way we are driving this particular debate. Imagine if working American families never, ever, ever had to deal with the IRS again. If you are a sophisticated business, you are going to collect that tax in sales taxes. You are going to have to deal with a State tax collector, and you are going to have to deal with an occasional Federal audit. But if you are a rank-and-file American family, you will never be threatened by the IRS again.

Madam Speaker, you know, as I do, we handle casework all the time from constituents being pushed around by the IRS, getting threatening letters from the IRS and having their home threatened by the IRS. Why? Because, despite their very best efforts, they messed up their tax return.

Money magazine hired 15 professional accounting groups to fill out a tax return. They all got different answers. But when an American family makes that same mistake, they are punished.

I want to close the IRS for good, Madam Speaker. I want to get folks out of the business of being threatened by their government. I don't think folks mind paying their fair share, but they would like a thank-you for paying their fair share, not a threatening letter from the IRS at the end of the day.

What are we talking about in terms of productivity, Madam Speaker? The Tax Code grows longer and longer and longer every year. The National Taxpayers Union this year, by this April 15, said that in this 1 year alone we spent 6.1 billion—billion—hours filling out tax returns, that we spent collectively $330 billion to comply—$330 billion to comply.

Madam Speaker, what would have happened to the economy if we had dedicated that $330 billion to economically productive activities? We could have dedicated that $330 billion to paying down the debt.

It is not just the $330 billion that we lose because we are spending it on taxes. Our Tax Code is so convoluted. The New York Times reported last month that $458 billion, almost one-half-trillion, go uncollected every year, sometimes through fraud, sometimes through deceit, and oftentimes just through an inability to understand the Tax Code and folks not reporting it properly. Collectively, we are talking about $1 trillion in lost productivity here in this country.

There are 11 million words of laws and regulations in the Tax Code. Madam Speaker, you know that you haven't read it. I haven't read it either. We are paying people to help us with our taxes; they haven't read it either. You call the IRS Help Line for help; they haven't read it either. Eleven million words, nobody has read it, and nobody understands it. We make a criminal out of every family in this Nation when we ask them to comply with it.

Madam Speaker, sadly, particularly over the last 2 years, we have been reading about abuses at the IRS, whether it is targeting groups based on what their conservative beliefs are, whether it is inappropriately leaking confidential information, selectively leaking that information to support one effort or another.

Madam Speaker, the IRS knows more about each and every one of us than many of us are willing to tell our children, and it is wrong. You cannot give that kind of power to an agency without having agency abuses.

We can close the IRS. We can get every American family out of the business of dealing with the IRS on April 15 by simply paying a retail sales tax when they shop at their local stores.

Madam Speaker, we are talking about igniting America's economy. We are talking about doing those things that encourage productivity, doing those things that encourage risk-taking, and doing those things on which America's economy was founded but many of which we have lost sight of in the past several years.

We can't avoid paying taxes. Death and taxes are certain. What we can do is make it easier, what we can do is make it more effective, and what we can do is make it less punishing.

We are having a debate right now, Madam Speaker, about what kind of new Tax Code to provide for America. I believe we are going to get there. I don't think we are going to get there this year. I think it is going to require some Presidential leadership. I think all the Presidential candidates remaining are talking about what they would do to change the Tax Code.

We all realize we are getting shellacked by the rest of the globe. All of our major trading partners are bringing their corporate rates down and down and down, creating the kind of corporate flight that we are talking about.

I don't want to talk about changing America's Tax Code so it fits in kind of the middle of the pack, so that we are kind of average with all of our peers around the globe. I would tell you, America has no peers around the globe. America is a leader around the globe. America stands alone around the globe, and America should lead the world with the single best Tax Code around the globe.

I don't want to lower wages, I don't want to impact environmental regulations, and I don't want to change those things that deliver value. I want to change those things that don't. And a complicated Tax Code benefits no one except lobbyists in Washington, D.C.

Madam Speaker, Americans for Fair Taxation, again, hired some of the best economists we have in the land, who predicted that we could create 13 million more jobs—13 million more jobs—with a Tax Code that encouraged investment, that encouraged savings, and that got us out of the business of punishing productivity and into the business of rewarding.

Michael Boskin, the former chairman of the Council of Economic Advisers, Madam Speaker, said that the long-term gain to GDP from a consumption-based tax reform would be roughly 10 percent—a 10-percent change to GDP simply because we take away a punitive Tax Code and put in one that makes sense.

Madam Speaker, I don't know about families in your district; families in my district can't wait. Families in my district don't think the economy is going so great that it is okay if we shave off 10 percent at the top. We can do better and we must.

''Long-run GDP per capita would be 9.7-percent higher under a national sales tax,'' says Alan Auerbach at the University of California, Berkeley.

Time and time again, economists from the left and economists from the right come to the same conclusion: the power to tax is the power to destroy. Taxing income punishes and destroys productivity.

''Near-term 9- to 13-percent increase in the GDP,'' says Dale Jorgenson, the former chairman of the economics department at Harvard University.

There is a reason all of these different economists come together around the same figure, Madam Speaker, again, from the left and from the right. We have an opportunity to do better, if only we will agree.

Madam Speaker, it is #PassTheFairTax. The FairTax has more cosponsors—again, it is H.R. 25—more cosponsors than any other fundamental tax reform in this institution. On the Senate side, it has more cosponsors than any other fundamental tax reform bill on the Senate side.

Madam Speaker, the FairTax has supporters in every State across the Nation. It is not coming out of Washington, D.C.

Passing the FairTax would take away so much of the power that this town can exercise over people. We will give you a tax credit for buying an electric car, we will give you a tax credit for buying a windmill, we will give you a tax credit for having more children, and we will give you a tax credit for this, that, and the other. With the FairTax, all of those exceptions and exemptions go away. Hear that.

I started telling you about the amazing men and women who serve in this Chamber, folks who come to work every day to try to build a better America in cooperation with their bosses, their constituents back home.

We talk so often about how the Washington culture creates all these exceptions and exemptions and somebody is benefiting from it and somebody is getting paid off for it. Nonsense.

There is one bill in this Chamber that abolishes every single special-interest exception, exemption, carveout, and credit in the entire United States Tax Code. That bill is the FairTax, and that bill has more support in this Chamber than any other fundamental tax reform bill in Congress.

Madam Speaker, we have an opportunity to do this together. We have an opportunity to build a better economy together. We have an opportunity to take the IRS out of every single one of our constituents' lives forever.

It is going to take a lot of courage. It is going to take a lot of courage to abolish all of those exceptions and exemptions. It is going to take a lot of courage to hit the reset clock on the American Tax Code. It is going to take a lot of courage to get out of the business of trying to be mediocre with the rest of the world and kind of settle right there in the middle and to move from the very worst Tax Code on the planet to the very best Tax Code on the planet.

Worst to first, Madam Speaker. That is what the FairTax offers. I ask the support from each and every one of my colleagues that has not yet cosponsored this bill.

With that, Madam Speaker, I yield back the balance of my time.

□ 1245

APPOINTMENT OF INDIVIDUALS TO COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

The SPEAKER pro tempore. The Chair announces the Speaker's appointment pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431) and the order of the House of January 6, 2015, of the following individuals on the part of the House to the Commission on International Religious Freedom for a term effective May 14, 2016, and ending May 14, 2018:

Mr. Daniel I. Mark, Villanova, Pennsylvania.

Ms. Kristina Arriaga, Alexandria, Virginia, to succeed Dr. Robert P. George.

GREAT AMERICAN BATHROOM CONTROVERSY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Florida (Mr. GRAYSON) is recognized for 60 minutes as the designee of the minority leader.

Mr. GRAYSON. Madam Speaker, I rise today to address the great American bathroom controversy.

On my right, this is a picture of someone who may or may not be recognizable to many Americans today. I will say her name. The name may be more recognizable to some. Her name is Christine Jorgensen.

Christine Jorgensen was born in 1926. She grew up in the Bronx, like I did. She went to high school at Christopher Columbus High School, which was near the public housing where I grew up in the Bronx. In fact, my father taught history at Christopher Columbus High School. I don't know whether he taught Christine or not, but it is possible.

In 1945, Christine was drafted and served in the U.S. military. Now, that may be a puzzle for some of you listening to me right now who say: I didn't realize that women were drafted in the 1940s. Well, at that time, Christine's name was George, George Jorgensen. That is the name she was born with.

She was, in fact, on her birth certificate male, something that she struggled with greatly all through the time that she was growing up—being a male—something that she struggled with being in the military, and then after leaving military service.

In 1951, she heard about the possibility of changing her gender. So she went to Denmark and underwent three

or more surgeries, plus a very substantial amount of estrogen treatments, came back to the United States, and then forever thereafter, after 1953, was known as Christine Jorgensen.

Christine Jorgensen was out. She was well known in America as someone who was transgendered. I knew about her story when I was growing up in the 1960s and 1970s. She made no effort to hide. She didn't feel any shame about it.

In fact, she was proud of the fact that she had been able to take advantage of what medicine had to offer and live the life that she felt she would have been able to live from the beginning if she had the proper gender.

She had some degree of fame. Republican Vice President Spiro Agnew referred to her once in a speech to mock one of his political opponents. She performed both as a singer and as an actress all through the 1950s, through the entire 1960s, and well into the 1970s. She was the most famous, if you will, transgendered person in America probably to this day.

Now, I have to tell you I don't know exactly where she went when she had to go. I don't know exactly whether she went into a men's room or a ladies' room. But here is an interesting thing. Even though this is something new under the Sun, even though America never had to address this issue before, no one ever even bothered to ask.

I don't remember anybody saying ''Christine Jorgensen ought to go to the men's room. She was born a male'' or, for that matter, ''Christine Jorgensen identifies as a female. She should go to the ladies' room.''

Isn't it odd that America in the 1950s seems to have shown a lot more maturity than America is showing today with our great bathroom controversy right now, where the cisgendered people of America try to dictate to the transgendered people of America where they can go to the bathroom, or, at least, frankly, the more bigoted among us.

Now, we had a law passed recently in North Carolina. I am going to go out on a limb and say that it passed almost exclusively with cisgendered Republican votes in which they tried to dictate which bathroom Christine Jorgensen would have to go to if she were alive today and had to relieve herself.

Amazingly enough, they actually decided in their wisdom that Christine Jorgensen, if she were alive today, like all of her transgendered brothers and sisters, would have to go to the bathroom that she didn't identify as but, instead, the bathroom that was on her birth certificate.

Now, this is particularly ironic. There was one form of discrimination that Christine Jorgensen did actually face during her lifetime. She was not allowed to get married.

She was not allowed to get married to a man because her birth certificate said she was a male. She was not issued a marriage license on account of the fact that a male was trying to marry a male.

Well, my goodness, here in America, just in the past 12 months or so, we finally managed to solve that problem. Christine Jorgensen could get married today to her lover.

Now we have a whole new problem. Now, thanks to Republicans and bigots in North Carolina, we have a law that would require Christine Jorgensen to go to the men's room. Think about that. Think about that. In fact, the natural consequence of that law is what I am about to show you right here. That.

So you folks in North Carolina who are obsessed with where the transgendered go to the bathroom, this is the result you have come up with, to have people who self-identify as women, people who look like women, people who act like women—they somehow are being driven into the men's room.

The same thing is true of the transgendered who identify as men. You are going to force people who look like men, act like men, identify as men—you are going to force them into the ladies' room. My God, what is wrong with you? That doesn't make any sense at all.

Now, let me tell you something. If I had been back in the day growing up in New York and Christine Jorgensen happened to walk into the men's room—it never happened, but let's say it did—I would have thought that is odd, but I wouldn't have said a word about it.

I wouldn't have gone over to her and said to her: Excuse me. I don't think you are supposed to be here. On the contrary. I would have just made an appropriate mental note, assumed that she probably found herself in the wrong men's room, and I would have let it go.

I would not have felt any fear. I would not have felt any hatred. I would not have felt anything that would indicate to me that somehow I should discriminate against this person. Nevertheless, I would have thought it was odd.

What this law does is guarantee that experience or, worse, to have people who identify and look and dress and act like women forced to go into a men's room, to have people who identify and look and act and dress as men forced to go into a ladies' room. Are you nuts?

Listen, I have heard that the Republican Party is the party of small government. I have also heard that, on the issue of abortion, the party of small government wants government small enough to fit into a woman's uterus. Now it turns out that the party of small government wants government small enough to fit underneath a toilet seat.

Can't we all be adults about this? Can't we all be adults about this, the way we were in the 1960s and 1970s and 1980s? Do we really need a new law on this subject, much less a stupid law, a bad law, a ridiculous law?

I understand that it is possible, even in the absence of this law, that there might be some conceivable problems about this kind of situation. I am not sure exactly what they are. I am pretty sure that, if everybody exactly acted as an adult, we could get beyond them without having to litigate over it.

I am wondering how you even enforce a law like this. What are we going to do? Have to give saliva samples every time we want to go to the bathroom to see what gender we were born with? My goodness.

Bear in mind that there is a law against loitering. There is a law against wide stances in a bathroom. A Republican Senator learned that a few years ago. There is a law against disorderly conduct. There is a law against voyeurism. There is a law against indecent exposure. In fact, in a really bad situation, there are laws against assault and even rape.

So why do we need a law to dictate that people who identify as men have to go to the ladies' room and people who identify as ladies have to go to the men's room?

We had laws like that once. We used to say that we didn't want White people to have to be uncomfortable going to the room with Black people. I represent part of the State of Florida. I can remember when we had laws like that. And then somehow or another we pulled ourselves together and we realized how ridiculous that was.

Well, how is this any different? Thank goodness the Attorney General recognizes that it is not. People who are cisgendered have no right to dictate where people who are transgendered urinate any more than people who are White have the right to dictate where people who are Black do it. That is not America. Let's show some common sense.

Now, if we did actually want to deal with real problems, we could deal with this one. A little boy and a little girl, both looking into their diapers, and the caption is: Oh, that explains the difference in our wages.

Now, if you want to talk about gender in America in the early 21st century, we could start with that. Why is it that women still make only 79 cents for every dollar that a man makes in countless occupations and professions even today? Why is that?

If you want to get to the heart of what is really going on between the sexes in America today, why don't we do something to address that problem?

And if we want to be more dramatic about it, let's remember the fact that, in America today, 91 percent of the victims of rape are women. Could we take

our legislative energy and possibly apply it toward dealing with that problem, which actually is a problem that affects countless women across the country?

Let's not protect them from having to go to the same bathroom as a transgendered person by insisting that people who look and act and identify as men go to the bathroom with them.

Let's instead try to pass wise laws that would equalize pay between men and women, oh, and if we possibly could, reduce the incidence, the terrible incidence, of rape.

But getting back to this North Carolina law, there is a deep legal principle that this law offends. It offends me and it offends a lot of people with a good conscience.

That deep legal principle is this. It goes by four letters: M-Y-O-B. That is an even higher law than the law that was passed by the North Carolina legislature. MYOB: Mind your own business.

I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KNIGHT (at the request of Mr. MCCARTHY) for today on account of obligations in the district.

Mr. LATTA (at the request of Mr. MCCARTHY) for Tuesday, May 10, through Friday, May 13, on account of the passing of his father.

Mr. PAYNE (at the request of Ms. PELOSI) for today on account of meetings in district.

ADJOURNMENT

Mr. GRAYSON. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 p.m.), under its previous order, the House adjourned until Monday, May 16, 2016, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5334. A letter from the Deputy Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rule — Amendments to the Definitions of ''Portfolio Reconciliation'' and ''Material Terms'' for Purposes of Swap Portfolio Reconciliation (RIN: 3038-AE17) received May 11, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

5335. A letter from the Deputy Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting the Department's Major final rules — Customer Due Diligence Requirements for Financial Institutions (RIN: 1506-AB25) received May 11, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5336. A letter from the Assistant Secretary of Labor for Occupational Safety and Health, Occupational Safety and Health Administration, Department of Labor, transmitting the Department's Major final rule — Improve Tracking of Workplace Injuries and Illnesses [Docket No.: OSHA-2013-0023] (RIN: 1218-AC49) received May 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

5337. A letter from the Deputy Assistant Administrator, Office of Diversion Control, DEA, Department of Justice, transmitting the Department's final rule — Schedules of Controlled Substances: Placement of UR-144, XLR11, and AKB48 into Schedule I [Docket No.: DEA-417] received May 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5338. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Oregon: Interstate Transport of Lead and Nitrogen Dioxide [EPA-R10-OAR-2016-0050; FRL-9946-39-Region 10] received May 11, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5339. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval of California Air Plan Revisions, Eastern Kern Air Pollution Control District [EPA-R09-OAR-2016-0070; FRL-9945-24-Region 9] received May 11, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5340. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Withdrawal of Approval and Disapproval of Air Quality Implementation Plans; California; San Joaquin Valley; Contingency Measures for the 1997 PM2.5 Standards [EPA-R09-OAR-2013-0534; FRL-9946-29-Region 9] received May 11, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5341. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2015-0810; FRL-9944-77] (RIN: 2070-AB27) received May 11, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5342. A letter from the Director, Office of Congressional Affairs, Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting the Commission's final evaluation of vendor submittal — Final Safety Evaluation by the Office of Nuclear Reactor Regulation for Topical Report WCAP-17096-NP, Revision 2 ''Reactor Internals Acceptance Criteria Methodology and Data Requirements'' Project No. 669 received May 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5343. A letter from the Attorney-Adviser, Office of the Legal Adviser, Department of State, transmitting the Department's final rule — Public Access to Information [Public Notice: 9510] (RIN: 1400-AD44) received May 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

5344. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Red Snapper Management Measures; Amendment 28 [Docket No.: 130919819-6040-02] (RIN: 0648-BD68) received May 11, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5345. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Atlantic Highly Migratory Species; Commercial Blacktip Sharks, Aggregated Large Coastal Sharks and Hammerhead Sharks in the Western Gulf of Mexico Sub-Region [Docket No.: 150413357-5999-02] (RIN: 0648-XE484) received May 11, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5346. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area [Docket No.: 150916863-6211-02] (RIN: 0648-XE558) received May 11, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5347. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2016 Commercial Accountability Measure and Closure for South Atlantic Gray Triggerfish; January Through June Season [Docket No.: 141107936-5399-02] (RIN: 0648-XE526) received May 11, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5348. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries off West Coast States; Biennial Specifications and Management Measures; Inseason Adjustments [Docket No.: 140904754-5188-02] (RIN: 0648-BF92) received May 11, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5349. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2016 Commercial Accountability Measure and Closure for South Atlantic Vermilion Snapper [Docket No.: 130312235-3658-02] (RIN: 0648-XE506) received May 11, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5350. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Economic Exclusive Zone Off Alaska; Deep-Water Species Fishery by

Vessels Using Trawl Gear in the Gulf of Alaska [Docket No.: 140918791-4999-02] (RIN: 0648-XE516) received May 11, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5351. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2016 Commercial Accountability Measure and Closure for Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic [Docket No.: 001005281-0369-02] (RIN: 0648-XE533) received May 11, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5352. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Resources of the South Atlantic; 2016-2017 Recreational Fishing Season for Black Sea Bass [Docket No.: 130403320-4891-02] (RIN: 0648-XE542) received May 11, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5353. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska [Docket No.: 150818742-6210-02] (RIN: 0648-XE543) received May 11, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5354. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 150121066-5717-02] (RIN: 0648-XE566) received May 11, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MCCAUL: Committee on Homeland Security. H.R. 4743. A bill to authorize the Secretary of Homeland Security to establish a National Cybersecurity Preparedness Consortium, and for other purposes; with an amendment (Rept. 114–565). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 4780. A bill to require the Secretary of Homeland Security to develop a comprehensive strategy for Department of Homeland Security operations abroad, and for other purposes; with an amendment (Rept. 114–566). Referred to the Committee of the Whole House on the state of the Union.

Mr. BRADY of Texas: Committee on Ways and Means. H.R. 3832. A bill to amend the Internal Revenue Code of 1986 to prevent tax-related identity theft and tax fraud, and for other purposes; with an amendment (Rept. 114–567, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, Committee on the Judiciary discharged from further consideration. H.R. 3832 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. NEUGEBAUER:

H.R. 5223. A bill to deauthorize the Salt Creek project in Graham, Texas; to the Committee on Transportation and Infrastructure.

By Mr. BABIN (for himself, Mr. STEWART, Mr. WOODALL, Mr. WEBER of Texas, Mr. ROE of Tennessee, Mr. POSEY, Mr. WALKER, Mr. STUTZMAN, Mrs. BLACKBURN, Mr. MCCLINTOCK, Mr. SESSIONS, Mr. DESJARLAIS, Mr. HARRIS, Mr. GROTHMAN, Mr. ZINKE, Mr. SMITH of Texas, Mr. BURGESS, Mr. YOHO, Mr. OLSON, Mr. SMITH of Missouri, and Mr. MULLIN):

H.R. 5224. A bill to withhold Federal financial assistance from each country that denies or unreasonably delays the acceptance of nationals of such country who have been ordered removed from the United States and to prohibit the issuance of visas to nationals of such country; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WEBER of Texas (for himself, Mr. VELA, Mr. CUELLAR, Mr. FARENTHOLD, Mr. SESSIONS, Mr. SAM JOHNSON of Texas, Mr. BARTON, Mr. SMITH of Texas, Mr. MARCHANT, Mr. WILLIAMS, Mr. BABIN, Mr. AL GREEN of Texas, Ms. GRANGER, Mr. GENE GREEN of Texas, Mr. POE of Texas, Mr. CULBERSON, Mr. GOHMERT, and Mr. OLSON):

H.R. 5225. A bill to streamline certain feasibility studies and avoid duplication of effort; to the Committee on Transportation and Infrastructure.

By Mr. WALBERG (for himself and Mr. NEWHOUSE):

H.R. 5226. A bill to amend chapter 3 of title 5, United States Code, to require the publication of information relating to pending agency regulatory actions, and for other purposes; to the Committee on Oversight and Government Reform.

By Mrs. MILLER of Michigan (for herself, Mr. BRADY of Pennsylvania, and Mr. HARPER):

H.R. 5227. A bill to authorize the National Library Service for the Blind and Physically Handicapped to provide playback equipment in all forms, to establish a National Collection Stewardship Fund for the processing and storage of collection materials of the Library of Congress, and to provide for the continuation of service of returning members of Joint Committee on the Library at beginning of a Congress; to the Committee on House Administration, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BENISHEK (for himself, Mr. HUIZENGA of Michigan, Mr. AMASH, Mr. MOOLENAAR, Mr. KILDEE, Mr. UPTON, Mr. WALBERG, Mr. BISHOP of Michigan, Mr. LEVIN, Mrs. MILLER of Michigan, Mr. TROTT, Mrs. DINGELL, Mr. CONYERS, and Mrs. LAWRENCE):

H.R. 5228. A bill to designate the Department of Veterans Affairs community-based outpatient clinic in Traverse City, Michigan, as the ''Colonel Demas T. Craw VA Clinic''; to the Committee on Veterans' Affairs.

By Mr. TAKANO (for himself and Mrs. RADEWAGEN):

H.R. 5229. A bill to direct the Secretary of Veterans Affairs to carry out a study to evaluate the effectiveness of programs, especially in regards to women veterans and minority veterans, in transitioning to civilian life, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. BLACKBURN (for herself and Mr. VEASEY):

H.R. 5230. A bill to prohibit pyramid promotional schemes, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BOST:

H.R. 5231. A bill to require the Secretary of Veterans Affairs to provide for the inspection of kitchens and food service areas at medical facilities of the Department of Veterans Affairs to ensure that the same standards for kitchens and food service areas at hospitals in the private sector are being met at kitchens and food service areas at medical facilities of the Department; to the Committee on Veterans' Affairs.

By Ms. DELAURO (for herself and Ms. LEE):

H.R. 5232. A bill to amend the Internal Revenue Code of 1986 to protect children's health by denying any deduction for advertising and marketing directed at children to promote the consumption of food of poor nutritional quality; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MEADOWS:

H.R. 5233. A bill to repeal the Local Budget Autonomy Amendment Act of 2012, to amend the District of Columbia Home Rule Act to clarify the respective roles of the District government and Congress in the local budget process of the District government, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. JUDY CHU of California (for herself and Mrs. NAPOLITANO):

H.R. 5234. A bill to amend the Public Health Service Act to provide for behavioral and mental health outreach and education strategies to reduce stigma associated with mental health among the Asian American, Native Hawaiian, and Pacific Islander population; to the Committee on Energy and Commerce.

By Mr. DESAULNIER:

H.R. 5235. A bill to designate the facility of the United States Postal Service located at 1025 Nevin Avenue in Richmond, California, as the ''Harold D. McCraw, Sr. Post Office Building''; to the Committee on Oversight and Government Reform.

By Ms. ESHOO:

H.R. 5236. A bill to direct the Federal Communications Commission to adopt rules to

ensure the accuracy of call location information for 9-1-1 calls, and for other purposes; to the Committee on Energy and Commerce.

By Ms. JENKINS of Kansas:

H.R. 5237. A bill to amend the Fair Labor Standards Act of 1938 to strengthen equal pay requirements; to the Committee on Education and the Workforce.

By Mr. LEWIS:

H.R. 5238. A bill to amend the Internal Revenue Code of 1986 to provide an income tax credit for the costs of certain infertility treatments, and for other purposes; to the Committee on Ways and Means.

By Mr. MCNERNEY:

H.R. 5239. A bill to amend the Federal Trade Commission Act to permit the Federal Trade Commission to enforce such Act against certain common carriers; to the Committee on Energy and Commerce.

By Mrs. NOEM (for herself, Mr. PASCRELL, Mr. PETERSON, Mr. LOEBSACK, Mr. SMITH of Nebraska, Mr. BLUM, and Mr. SMITH of Missouri):

H.R. 5240. A bill to amend the Internal Revenue Code of 1986 to modify the incentives for biodiesel; to the Committee on Ways and Means.

By Mr. RUIZ:

H.R. 5241. A bill to amend title XVIII of the Social Security Act to distribute additional information to Medicare beneficiaries to prevent health care fraud, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SALMON:

H.R. 5242. A bill to prohibit Executive agencies from using funds for yoga classes or instruction, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. ROS-LEHTINEN (for herself, Mr. DEUTCH, Ms. GRANGER, and Mrs. LOWEY):

H. Res. 729. A resolution expressing support for the expeditious consideration and finalization of a new, robust, and long-term Memorandum of Understanding on military assistance to Israel between the United States Government and the Government of Israel; to the Committee on Foreign Affairs.

By Mrs. BLACK (for herself, Ms. SEWELL of Alabama, Mr. PETERS, Mr. HASTINGS, Mrs. NAPOLITANO, Mr. BYRNE, Mr. FLEISCHMANN, Mr. WEBER of Texas, Ms. HAHN, Mr. CICILLINE, Mr. ADERHOLT, Mr. ROE of Tennessee, and Ms. CLARK of Massachusetts):

H. Res. 730. A resolution expressing the sense of the House of Representatives regarding the important role of the health care industry in identifying victims of sex trafficking; to the Committee on Energy and Commerce.

MEMORIALS

Under clause 3 of rule XII,

220. The SPEAKER presented a memorial of the General Assembly of the State of Tennessee, relative to House Joint Resolution No. 528, affirming Tennessee's sovereignty under the Tenth Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the federal government by the Constitution of the United States; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. NEUGEBAUER:

H.R. 5223.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution, under the General Welfare Clause

By Mr. BABIN:

H.R. 5224.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 & Article I, Section 8, Clause 18

By Mr. WEBER of Texas:

H.R. 5225.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. WALBERG:

H.R. 5226.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States; the power to regulate commerce among the several states and Article I, Section 8, Clause 18 to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.

The bill will prevent Executive Agencies from violating the rule and spirit of the Administrative Procedures Act by requiring additional transparency about public communications made by the agencies; most importantly communications made with the intent of artificially promoting support for pending regulatory actions. Congress has the authority to limit regulations by the Executive branch under its Commerce Clause power and it is necessary and proper to introduce legislation to effectively carryout this power.

By Mrs. MILLER of Michigan:

H.R. 5227.

Congress has the power to enact this legislation pursuant to the following:

Article 1. Section 8. The Congress shall have Power . . . To exercise exclusive Legislation in all Case whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authroity over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-yards, and other needful Buildings;

By Mr. BENISHEK:

H.R. 5228.

Congress has the power to enact this legislation pursuant to the following:

United States Constitution, Article I, Section 8.

By Mr. TAKANO:

H.R. 5229.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mrs. BLACKBURN:

H.R. 5230.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. BOST:

H.R. 5231.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Ms. DELAURO:

H.R. 5232.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution and Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. MEADOWS:

H.R. 5233.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Article I, Section 8, Clause 17 of the Constitution, Congress has the authority ''to exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Accpetance of Congress, become the Seat of the Government of the United States . . . ''

By Ms. JUDY CHU of California:

H.R. 5234.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1 of teh United States Constitution

By Mr. DESAULNIER:

H.R. 5235.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Ms. ESHOO:

H.R. 5236.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. JENKINS of Kansas:

H.R. 5237.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution and Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. LEWIS:

H.R. 5238.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. MCNERNEY:

H.R. 5239.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Mrs. NOEM:

H.R. 5240.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts, and Excises shall be uniform throughout the United States;

By Mr. RUIZ:

H.R. 5241.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. SALMON:

H.R. 5242.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7—''No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.''

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 242: Ms. ESHOO.
H.R. 430: Mr. HASTINGS.
H.R. 535: Mr. KIND.
H.R. 546: Mr. TAKANO.
H.R. 662: Mr. KELLY of Mississippi.
H.R. 711: Mr. FITZPATRICK.
H.R. 816: Mr. MARINO.
H.R. 923: Mr. MULLIN, Mr. CONAWAY, and Mr. MCCLINTOCK.
H.R. 971: Mr. SMITH of New Jersey.
H.R. 973: Mr. BRADY of Pennsylvania.
H.R. 986: Mr. TROTT.
H.R. 1062: Mr. GRAVES of Georgia.
H.R. 1197: Mr. HECK of Nevada.
H.R. 1252: Mr. SMITH of Washington.
H.R. 1255: Mr. SMITH of Washington.
H.R. 1342: Ms. JUDY CHU of California.
H.R. 1399: Ms. EDWARDS, Ms. FUDGE, and Miss RICE of New York.
H.R. 1519: Mr. FOSTER.
H.R. 1559: Mr. ROUZER.
H.R. 1586: Mr. PETERS.
H.R. 1769: Mr. WALDEN, Mrs. MILLER of Michigan, and Mr. YOUNG of Alaska.
H.R. 1962: Ms. NORTON.
H.R. 1963: Mr. RUSH.
H.R. 2058: Mr. WESTERMAN.
H.R. 2101: Mr. HIMES.
H.R. 2173: Mr. VEASEY, Mr. HASTINGS, Mr. DEFAZIO, and Ms. ESTY.
H.R. 2315: Mr. GUINTA.
H.R. 2368: Mr. RUSH, Mr. CROWLEY, Mr. MEEKS, Mr. QUIGLEY, Ms. EDWARDS, and Mr. HASTINGS.
H.R. 2434: Mr. LONG, Ms. SINEMA, and Mr. REICHERT.
H.R. 2597: Mr. THOMPSON of California.
H.R. 2656: Ms. STEFANIK.
H.R. 2657: Mr. HONDA, Mr. POLIS, and Mr. KING of New York.
H.R. 2726: Mr. MCCAUL.
H.R. 2793: Mrs. BLACKBURN.
H.R. 2962: Mr. RUPPERSBERGER and Mr. QUIGLEY.
H.R. 3080: Mr. LONG.
H.R. 3119: Mr. ZELDIN and Ms. TSONGAS.
H.R. 3229: Mr. ASHFORD and Ms. LOFGREN.
H.R. 3237: Mr. QUIGLEY.
H.R. 3286: Ms. ESTY.
H.R. 3297: Mr. FARENTHOLD.
H.R. 3308: Mr. YOHO.
H.R. 3381: Mr. KILDEE, Mr. CUELLAR, Mr. BILIRAKIS, Ms. BONAMICI, and Mr. GROTHMAN.
H.R. 3514: Mr. DEUTCH, Mr. DEFAZIO, Mr. DANNY K. DAVIS of Illinois, and Mr. GALLEGO.
H.R. 3632: Mr. WELCH.
H.R. 3673: Mr. MCKINLEY and Mr. SENSENBRENNER.
H.R. 3684: Mr. HECK of Nevada.
H.R. 3799: Mrs. MCMORRIS RODGERS and Mr. GRIFFITH.
H.R. 3832: Mr. HECK of Nevada.
H.R. 3861: Mr. BRAT and Mr. ELLISON.
H.R. 3917: Mr. RUIZ.
H.R. 4006: Mr. GOSAR.
H.R. 4013: Mr. DANNY K. DAVIS of Illinois.
H.R. 4055: Mr. MURPHY of Florida, Mr. JEFFRIES, and Mr. PRICE of North Carolina.
H.R. 4062: Mr. HUELSKAMP.
H.R. 4065: Mr. BILIRAKIS and Ms. ROS-LEHTINEN.
H.R. 4165: Mr. GARAMENDI and Mr. RICHMOND.
H.R. 4166: Mr. GUINTA, Mr. HUIZENGA of Michigan, Mrs. WAGNER, Mr. MARCHANT, Mr. STIVERS, and Mr. MCHENRY.
H.R. 4184: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. LEE, Mr. RUSH, and Mr. LOWENTHAL.
H.R. 4283: Mr. DESAULNIER.
H.R. 4428: Mr. WITTMAN.
H.R. 4447: Mr. POCAN and Ms. DUCKWORTH.
H.R. 4499: Mrs. BROOKS of Indiana.
H.R. 4513: Mr. ROONEY of Florida.
H.R. 4554: Mr. KILMER.
H.R. 4591: Ms. JENKINS of Kansas.
H.R. 4613: Ms. CLARKE of New York.
H.R. 4615: Mr. LAMALFA, Mrs. KIRKPATRICK, and Mr. VARGAS.
H.R. 4625: Mr. SMITH of New Jersey.
H.R. 4626: Mr. SMITH of Washington, Mr. GUTIÉRREZ, Mr. HUIZENGA of Michigan, Ms. DUCKWORTH, Mr. ROONEY of Florida, and Mr. HARRIS.
H.R. 4653: Mr. CUMMINGS.
H.R. 4695: Mr. AMODEI.
H.R. 4715: Mr. WOMACK, Mr. RIBBLE, Mr. DANNY K. DAVIS of Illinois, and Mr. BOST.
H.R. 4764: Ms. TITUS.
H.R. 4766: Mr. PEARCE.
H.R. 4768: Mr. MCHENRY, Mr. DUNCAN of South Carolina, Mr. GUINTA, and Mr. RODNEY DAVIS of Illinois.
H.R. 4773: Mr. DOLD, Mr. RODNEY DAVIS of Illinois, Ms. HERRERA BEUTLER, and Mr. REED.
H.R. 4813: Mr. GARRETT.
H.R. 4849: Mr. MCCLINTOCK.
H.R. 4879: Mr. VEASEY, Ms. MOORE, Ms. WILSON of Florida, Mr. RUSH, Ms. ADAMS, Ms. VELÁZQUEZ, Mr. KENNEDY, Mr. CROWLEY, Ms. DEGETTE, Ms. JACKSON LEE, Ms. DELAURO, Mr. CONNOLLY, and Mr. KILMER.
H.R. 4893: Mr. FITZPATRICK, Mrs. BEATTY, Mr. HECK of Nevada, Mr. RENACCI, Mr. HUELSKAMP, Ms. DUCKWORTH, Mr. FARR, Mrs. COMSTOCK, and Ms. DELAURO.
H.R. 4941: Mr. MCCLINTOCK.
H.R. 4954: Mrs. TORRES, Mr. TAKANO, Mr. TONKO, Mr. RUSH, Mr. WELCH, Ms. MOORE, Mr. HASTINGS, Ms. MATSUI, Mr. GRIJALVA, and Mr. DESAULNIER.
H.R. 4955: Mrs. NOEM and Mr. LAHOOD.
H.R. 4965: Mr. HASTINGS.
H.R. 4966: Mr. HASTINGS.
H.R. 4980: Mr. ROKITA and Mr. MCCLINTOCK.
H.R. 4989: Mr. KIND.
H.R. 4992: Mr. BRAT.
H.R. 5001: Ms. MCSALLY.
H.R. 5025: Mr. BECERRA, Mr. WEBER of Texas, Mr. BRADY of Texas, Mr. POE of Texas, and Mr. GRIJALVA.
H.R. 5035: Mr. MCCLINTOCK.
H.R. 5047: Mr. NEWHOUSE.
H.R. 5073: Mr. DEUTCH, Mr. COURTNEY, Mr. MICA, Mr. PERLMUTTER, and Mr. Yarmuth.
H.R. 5094: Mr. MURPHY of Pennsylvania, Mr. RUSH, Mr. BURGESS, Mr. SHERMAN, Mr. POE of Texas, Ms. KELLY of Illinois, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. QUIGLEY, and Mr. HIGGINS.
H.R. 5143: Mr. LOUDERMILK and Mr. PITTENGER.
H.R. 5166: Mr. GRAYSON, Mrs. LAWRENCE, and Mr. MULVANEY.
H.R. 5170: Mr. POLIS.
H.R. 5190: Mr. MEEHAN.
H.R. 5191: Mr. RYAN of Ohio.
H.R. 5207: Mr. SCHIFF, Mr. HIGGINS, Mr. O'ROURKE, and Mr. YARMUTH.
H.R. 5210: Mr. BUCSHON, Mr. LAMBORN, Mr. BARR, and Mr. MARINO.
H.J. Res. 87: Mr. CRAMER, Mr. ADERHOLT, Mr. FRANKS of Arizona, Mr. ROUZER, Mr. SMITH of Texas, Mr. HECK of Nevada, and Mr. SALMON.
H. Con. Res. 128: Mr. HECK of Nevada.
H. Res. 14: Mrs. BEATTY.
H. Res. 154: Ms. DEGETTE.
H. Res. 263: Mr. KENNEDY, Ms. JACKSON LEE, and Mr. VEASEY.
H. Res. 551: Ms. DUCKWORTH.
H. Res. 586: Mr. DELANEY.
H. Res. 590: Mr. CARNEY, Mr. KLINE, Mr. CONYERS, Mr. MURPHY of Pennsylvania, and Mr. DESJARLAIS.
H. Res. 631: Mr. GALLEGO.
H. Res. 693: Mr. BABIN.
H. Res. 707: Mr. GOSAR and Mr. LABRADOR.
H. Res. 712: Mr. KILMER.
H. Res. 724: Mrs. NAPOLITANO and Mr. VEASEY.
H. Res. 726: Mr. CONYERS, Mr. TONKO, Mr. POCAN, Mrs. NAPOLITANO, Ms. SCHAKOWSKY, Mr. NORCROSS, Ms. CLARKE of New York, Mr. CARSON of Indiana, Mr. KILDEE, Mr. KIND, Ms. DELAURO, Mr. FOSTER, Ms. WILSON of Florida, Mr. LEVIN, Mrs. LAWRENCE, Mr. DEUTCH, Ms. NORTON, Ms. BONAMICI, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. FUDGE, Mr. DESAULNIER, Ms. KUSTER, and Mr. CARTWRIGHT.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

61. The SPEAKER presented a petition of Mr. Gregory D. Watson, a citizen of Austin, TX, relative to urging Congress to refrain from relieving the U.S. Commonwealth of Puerto Rico in any way from its financial indebtedness; which was referred to the Committee on Natural Resources.

62. Also, a petition of the Common Council of the City of Darlington, Wisconsin, relative to Resolution 2016-02, supporting an amendment to the United States Constitution stating that only human beings are endowed with constitutional rights and that money is not speech; which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

HONORING DEBBIE FARRELL ON HER RETIREMENT

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Mr. LIPINSKI. Mr. Speaker, I rise today to recognize Mrs. Debbie Farrell who is retiring from her position as principal of Forest Hills Elementary School after more than 35 years dedicated to education.

Mrs. Farrell began her teaching career at Coweta County School System in Newnan, Georgia in 1979. She showed her commitment to serving students with special needs by teaching Special Education in Des Moines, Iowa from 1980 to 1982 and serving as a learning disabilities clinician from 1984 to 1989. From 1992 to 1999 she worked as a special education teacher then as an Associate Principal in District 101 in Western Springs, Illinois. In 2001–2002 she served as Principal at South Elementary School in Westmont, Illinois. Since 2002 Mrs. Farrell has been the Principal at Forest Hills Elementary School in Western Springs District 101. Under her leadership, the school has been rated a Top 25 school in the State of Illinois four times, including one year in which Forest Hills was the second-highest performing in the State.

Mrs. Farrell received a Bachelor's Degree from Western Illinois University and Master's Degrees from both St. Xavier University and Iowa State University. She resides in Palos Park, with her husband Kevin, her sons Jim and John, and her daughter Katie.

Mr. Speaker, I ask my colleagues to join me in thanking Mrs. Debbie Farrell for all she has done in her 35 plus years as an educator and to congratulate her on her retirement. Thousands of students have greatly benefitted from her dedicated service.

RECOGNIZING APRAXIA AWARENESS

HON. KEITH J. ROTHFUS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Mr. ROTHFUS. Mr. Speaker, I rise today to call attention to Childhood Apraxia of Speech, a speech and communication disorder that causes extreme difficulty in learning to speak, which can affect literacy and school performance. Often times, children with Childhood Apraxia of Speech require frequent and aggressive speech therapy to improve their ability to communicate. Sadly, the cause of the disorder is unknown. More progress must be made to understand and develop better treatment for this complex condition.

Fortunately, the Childhood Apraxia of Speech Association located in Pittsburgh, PA continues to work tirelessly to raise awareness about Childhood Apraxia of Speech and to provide support to families of affected children. Thanks to their hard work, great strides have been made toward educating the public, and local, state, and federal officials. Increased awareness of this disorder will serve as an impetus toward more effective treatment, as well as to create a more supportive environment for families struggling with this rare condition.

Children with apraxia and their families confront tremendous obstacles with determination and persistence. To all the families and children living with apraxia, I offer my heartfelt encouragement as you deal with the unique challenges you face. I ask my colleagues to join me in recognizing these individuals on Apraxia Awareness Day this May and in thanking the Childhood Apraxia of Speech Association for increasing awareness in our communities about this challenging disorder.

DARWIN ANDERSON: INNOVATOR, FIREFIGHTER, AND FRIEND

HON. RICHARD M. NOLAN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Mr. NOLAN. Mr. Speaker, I rise today to recognize Darwin Anderson of Brainerd, Minnesota. Last Saturday the tanker base at the Brainerd Airport was named after Darwin, who passed away February 6th 2015, to commemorate his 43 years of service and exceptional work as a Department of Natural Resources (DNR) firefighter.

Darwin was one of the first to see the potential for using aircraft and a network of tanker bases throughout the state to fight wildfires. He was also a pioneer in utilizing a helicopter with a bucket as a tool for fighting wildfires. In addition to Darwin's innovations, his compassion and charisma have earned him the respect of his coworkers. His colleagues speak very highly of Darwin's supervisory skills and the guidance he has given them throughout their careers. Many of his peers attribute their own success to Darwin's mentoring.

Leaders such as Darwin make a positive impact on others' lives and in their communities—so much so one of his colleagues said, "With Darwin, forestry equaled family." His family, wife Janet, sons Jeffery, Ryan, Erik, and daughter Yvette gave him the support he needed to do such a difficult job.

It is an honor to recognize Darwin's many accomplishments, and I know my colleagues will join me in thanking Darwin for his leadership, innovation, and many years of dedicated service to our state.

IN HONOR OF CHIEF WARRANT OFFICER TWO NICOLE SPROESSER

HON. DONALD NORCROSS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Mr. NORCROSS. Mr. Speaker, I rise today to honor Chief Warrant Officer Two Nicole Sproesser for her achievements, contributions, and service in both the U.S. Army and the New Jersey National Guard.

Chief Sproesser joined the Army in 2001. She deployed to Kuwait and Iraq as a Quartermaster, supporting Operation Enduring Freedom and Operation Iraqi Freedom from February 2003 to October 2003. She was responsible for transporting all food, water, and supplies to units across Iraq. For her logistical support of 2,496 soldiers during Operation Iraqi Freedom, she was awarded the Army Commendation Medal. Promoted to sergeant after just two and a half years in the Army, she was awarded the Soldier of the Year for the 49th Quartermaster Group.

After fulfilling her service obligation with the Army in August of 2004, Chief Sproesser joined the New Jersey National Guard in December of that same year. In 2008, she was selected to become a Warrant Officer and now works as the Property Book Officer for the 57th Troop Command, where she manages and maintains 18 units with property totaling 189 million dollars.

While in the National Guard, Chief Sproesser served in numerous major homeland security operations, including Hurricane Sandy, as a Battle Captain, and Hurricane Irene, as an Officer in Charge. She has displayed both tactical and technical leadership abilities numerous times and has been inducted into the International Society of Logistics in 2015.

Chief Sproesser comes from a family committed to public service; her mother also served in the Army and her father is currently serving as President of the New Jersey Fraternal Order of Police. She and her husband, Eric—an Army Purple Heart recipient, also have three children, Christian, Aiden, and Cora Grace with whom they take frequent trips to tour Civil War battlegrounds.

Mr. Speaker, Chief Warrant Officer Two Nicole Sproesser is a great American whose dedication to serving her country in the U.S. Army and New Jersey National Guard is an inspiration to her community. I join with her family, friends, and all of New Jersey in honoring the selfless service of this exceptional woman.

IN RECOGNITION OF RUTGERS UNIVERSITY'S 250TH ANNIVERSARY

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Mr. PALLONE. Mr. Speaker, today I rise to recognize the 250th anniversary of one of the greatest academic institutions in New Jersey, the United States and the world.

Since 1766, Rutgers University has forged young minds and prepared our nation's workforce. Students at Rutgers get exposure to the full range of academic disciplines and the kind of trailblazing research that can only be found at the world's top research institutions. Reflecting the assets of the great state of New Jersey, the Rutgers student body is also one of the most diverse in the nation.

Throughout the years, I've enjoyed the privilege of representing the Rutgers community. During my time in Congress, whatever issue comes across my plate, I've always had the nation's experts in every field within arm's reach.

That's especially true in recent years, following the merger with University of Medicine and Dentistry of New Jersey and the designation of the Cancer Institute of New Jersey as a National Cancer Institute.

It is Rutgers' tremendous history of academic achievement and national leadership that led President Obama to accept the University's invitation to speak at its 250th commencement this coming Sunday. I was proud to lead two Congressional letters urging the President to accept Rutgers' invitation.

I commend Rutgers for its 250 years of contributions to our country, and I'm excited about Rutgers' future and its accomplishments yet to come.

FOSHAY LEARNING CENTER FIRST ROBOTICS TEAM 597 ENDS A YEAR AS WORLD CHAMPION

HON. KAREN BASS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Ms. BASS. Mr. Speaker, I am very proud to welcome home the Foshay Learning Center FIRST Robotics Team 597, the Wolverines, who have closed out their year as reigning champions at the competition that ended on April 30, 2016.

One year ago, Team 597, coming from an inner-city Los Angeles school in my district, beat out 18,000 students with 900 robots from 40 countries to win the Chairman's Award, the highest honor given at the 2015 FRC World Championships in St. Louis, Missouri. The award recognizes the team that best represents a model for other teams to emulate, and best embodies the purpose and goals of FIRST, including the promotion of not just STEM skills but teamwork, entrepreneurship, volunteerism and resourcefulness.

Under strict rules, limited resources, and the guidance of volunteer mentors including teachers, engineers, business professionals, parents, alumni and more, the Wolverines team had just six weeks to build and program their robot to perform challenging tasks against a field of competitors. They also had to raise funds, design a team ''brand,'' hone teamwork skills, and perform community outreach. In addition to learning valuable STEM and life skills, participants are eligible to apply for millions in college scholarships.

Under the leadership of their advisor, Foshay math teacher, Darryl Newhouse, Team 597 not only built a great robot, competed in local and regional events, raised funds to support their work and the trip to St. Louis, but they also excelled in seeding teams at local elementary schools and giving back to their community in multiple ways.

Just last month, Team 597 had the honor of sending two representatives to the 2016 White House Science Fair, initiated by President Barack Obama six years ago to honor the student winners of a broad range of science, technology, engineering and mathematics (STEM) competitions across the country. And last week they returned to St. Louis as reigning champions.

I salute the Wolverines and the parents, teachers, parents, family, friends, organizations, and professionals who support them.

IN RECOGNITION OF JOHN A. MARKEY

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Mr. KEATING. Mr. Speaker, I rise today in recognition of John A. Markey for his service to the City of New Bedford and the Commonwealth of Massachusetts as Mayor of New Bedford. I am also proud to commemorate the apt naming of the city-owned plaza on Front Street in the city he served with such dedication.

Jack Markey, as he is known to most, was first elected to serve the citizens of New Bedford as its mayor in 1971. At that time, there was a great need for strong leadership to preserve and restore the rich tapestry of this historic city. Under his eleven-year tenure over six terms, Mayor Markey ushered in essential investment and restoration projects into the Downtown New Bedford Historic District—serving as a critical turning point for New Bedford and for the perception and image of this tourist destination.

Under Mayor Markey's leadership, the City made several forward-thinking investments in community development, including burying utility lines, resurfacing streets with cobblestone, enhancing landscaping and restoring several historic landmarks. Before leaving office to become the Presiding Judge of the New Bedford District Court in 1982, Markey strongly advocated for the establishment of the New Bedford Whaling National Historic Park. It is for these reasons that he is deservedly recognized by having this plaza named after him.

Mr. Speaker, I ask my colleagues to join me in honoring the lifelong service and commitment of John A. ''Jack'' Markey to the City of New Bedford.

HONORING SCOTT CETOUTE FOR ACHIEVING PERFECT ATTENDANCE WHILE ENROLLED IN THE BROWARD COUNTY SCHOOL SYSTEM FROM KINDERGARTEN THROUGH HIS SENIOR YEAR

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Mr. HASTINGS. Mr. Speaker, I am honored to rise today to recognize Mr. Scott Cetoute, a student-athlete and soon to be graduate of Plantation High School. Scott was recently honored at the Broward County Public Schools fifth annual Best-in-Class and Perfect Attendance Awards ceremony on Thursday, May 12, 2016, and will be honored again on Tuesday, May 17, 2016 at the Broward County School Board Meeting.

The Best-in-Class Award is an accolade presented to students who have been continuously enrolled in Broward County Public Schools from kindergarten through 12th grade, who have perfect attendance. This is a remarkable achievement and it is an immense honor of mine to recognize Scott for his unwavering devotion to education.

Having never missed a single day of school for a total of 2,340 days is no small feat. Furthermore, in a show of appreciation, various community and business partners have joined together to provide Scott and fellow honorees with an assortment of gifts and supplies that will assist them as they continue their journey towards higher education.

Mr. Speaker, I once again want to commend Mr. Scott Cetoute for his dedication and commitment to education. He is a shining example of student success. I wish him all the very best as he begins studying at Broward Community College this summer to earn his Associate Degree, then upon completion he will continue his education further at Florida International University (FIU). Scott has strong aspirations to become a Pharmacist once he completes his education. I know that he will make his community and the state of Florida proud.

RECOGNIZING MAJOR RITA CATALINA ROSALES GONZALEZ

HON. BETO O'ROURKE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Mr. O'ROURKE. Mr. Speaker, I rise today to honor Army Major Rita Catalina Rosales Gonzalez for her extraordinary dedication to duty and service to our nation. Major Rosales has distinguished herself through her service while serving as a Legislative Liaison in the Army's House Liaison Division from June 2015 to April 2016.

A native of Monterrey, México, Major Rosales immigrated to the United States when she was just ten years old. Feeling a call to service, she joined the Army in 2005 and served the first seven years of her career at Fort Bliss in my district of El Paso, Texas.

While at Fort Bliss, Major Rosales served as a Patriot Launcher Platoon Leader; a Patriot Fire Control Platoon Leader and Battery Trainer; a Battalion Fire Direction Section Officer-in-Charge; a Brigade Chief Air Defense Fire Control Officer; and as a Battery Commander. Following her time at Fort Bliss, Major Rosales would later serve as a Public Affairs Officer in the Office of the Chairman of the Joint Chiefs of Staff. Major Rosales' service to our country also includes two deployments in support of Operation Enduring Freedom, once to the United Arab Emirates from 2008 to 2009 and once to the Kingdom of Bahrain from 2011 to 2012.

Major Rosales' career has been marked by excellence, as evidenced by her selection as the Distinguished Honor Graduate of her Air Defense Artillery Officer Basic Course; the Distinguished Honor Graduate of the Patriot Top Gun Course; the Honor Graduate of the Air Defense Artillery Fire Control Officer Course; and the Honor Graduate of her Air Defense Artillery Captains' Career Course.

As Major Rosales transitions to her role as a Battalion Operations Officer at Fort Bragg, North Carolina, I am confident that she will approach this role with a continued commitment to excellence and selfless service. Her outstanding leadership, strategic vision, and keen judgment are in keeping with the finest traditions of military service and reflect great credit upon her, the Office of the Army Legislative Liaison, and the United States Army.

TO HONOR THE LIFE AND LEGACY OF EDNA LANIER

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Mr. HUDSON. Mr. Speaker, I rise today to honor the life and legacy of Edna Lanier who passed away on April 17, 2016, at the age of 99. Throughout her life Mrs. Lanier was a fixture in the community of Lexington, North Carolina, and she will be greatly missed by all who had the pleasure of knowing her. I send my prayers and sincerest condolences to Mrs. Lanier's family and friends during this difficult time.

By all accounts, Mrs. Lanier was the embodiment of what a North Carolinian should be—she was devoted to her family and friends, kind to every person she met, and passionate about making her community a better place for all to live. Throughout her life, Mrs. Lanier had a giving-spirit and wanted to share her knowledge and experiences with those around her, which led to her mentoring young women in her spare time. She was deeply committed to her faith and was an active member of the First United Methodist Church. Mrs. Lanier was also a passionate sports fan, especially of her beloved University of North Carolina Tar Heels.

Mrs. Lanier was also a small business owner and a prominent member of the Lexington Area Chamber of Commerce. In 1940, Mrs. Lanier and her husband, Ardell, opened Lanier Hardware, which has been a fixture in uptown Lexington since the day it opened. Because Mr. and Mrs. Lanier were partners in everything they did, whether it was in business or in their everyday lives, she helped run the hardware store and would do all of the bookkeeping and accounting. They also started Standell Properties, a local real estate business.

In addition to their successful business ventures in Lexington, the Laniers were actively involved in philanthropic efforts to help others in the community, working with local programs like the Lexington Civitan Club, the Davidson Prison Ministry and the West Davidson Public Library. Mrs. Lanier was often recognized by organizations in Lexington for her devotion to her community and the impact she had on the area. Among her many awards, Mrs. Lanier was recognized by the Lexington Chamber of Commerce as the 2006 ''Outstanding Woman of the Year.''

Mr. Speaker, please join me today in remembering the life of Edna Lanier and celebrating her legacy that benefited so many in the town of Lexington, and the state of North Carolina.

PAYING TRIBUTE TO COMMANDER MATTHEW L. DUNLAY, AS HE PREPARES TO RETIRE AFTER 20 YEARS OF SERVICE TO THE UNITED STATES NAVY AND TO OUR NATION

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Mr. JOLLY. Mr. Speaker, I rise to pay tribute to Commander Matthew L. Dunlay, as he prepares to retire after 20 years of Commissioned Service to the United States Navy and for his extraordinary dedication to duty and to the United States of America.

I have worked with Commander Dunlay personally over the past three years when he worked as an Appropriations Liaison in the Office of the Assistant Secretary of the Navy (Financial Management and Comptroller). I would like to share with you some highlights of his fine career.

Commander Matthew L. Dunlay graduated from the Norwich University in 1996 with a Bachelor of Science Degree in Civil Engineering. He was commissioned an Ensign upon completion of the NROTC program and reported directly to Pensacola, FL for flight training. He was designated a Naval Aviator in March 1998.

Commander Dunlay has served in a variety of sea and shore assignments during his career. At sea, his assignments include HSL–46 deploying to the Adriatic Sea in support of Operation Noble Anvil during the 1999 Kosovo Campaign onboard USS *Vella Gulf* (CG 72) and to the South Pacific Ocean in support of Counter Narco-Terror operations on board USS *O'Bannon* (DD 987). Serving at HSL–60, he deployed to the Arabian Gulf, Horn of Africa and Red Sea onboard USS *Philippine Sea* (CG 58) in support of OIF and OEF, and then as Officer-in-Charge onboard USS *John L. Hall* (FFG 32) where he led the Navy's first Aerial Authorized Use of Force Detachment deployed with U.S. Coast Guard Aerial Sharp Shooters to the USSOUTHCOM AOR. His assignments while at HSL–60 included Squadron Operations Officer and Squadron Maintenance Officer.

Shore assignments include Air Test and Evaluation Squadron THREE ONE (VX–31), China Lake, CA as a Helicopter Search and Rescue Mission Commander and C–26 Transport Aircraft Commander. Commander Dunlay has also been assigned to the U.S. Naval War College, Newport, RI, for duty as a Graduate Student enrolled in the College of Naval Command and Staff.

In 2008, he was selected as a Navy Legislative Fellow to the U.S. House of Representatives where as a key staff member he advised a Senior U.S. Congressman on National Security Policy and Foreign Defense Affairs. Following his Legislative Fellowship on Capitol Hill in 2009, he reported to Colorado Springs, CO where served as the Senior Military Advisor to the Commander, NORAD and USNORTHCOM for Legislative Affairs.

After completing his assignment at NORAD and USNORTHCOM, Commander Dunlay reported to his current assignment as a Congressional Liaison in the Navy's Financial Management and Budget Office managing a diverse portfolio containing the Research Development Test and Evaluation (RDT&E) appropriations along with the Missile Defense, Cyber and C4ISR appropriations. For nearly three years, Commander Dunlay has demonstrated exceptional leadership and foresight, engaging Members of the Appropriations Committee and its Staff to provide information essential to resourcing the Navy for its role as the world's dominant sea power. In an increasingly difficult budget environment, Commander Dunlay provided essential support in shepherding three Navy budgets through the appropriations process. Matt served our Navy and nation with integrity, insight and dedication. My office, the subcommittee staff, and I have found him to be a pleasure to work with and all respect his professionalism.

Mr. Speaker, on behalf of a grateful nation, I join my colleagues today in saying thank you to Commander Matthew L. Dunlay for his extraordinary dedication to duty and steadfast service to this country throughout his distinguished career. We wish Matt, and his sons Luke and Remington ''Fair Winds and Following Seas'' as he leaves the Naval Service.

IN CELEBRATION OF THE 50TH ANNIVERSARY OF BARBARA AND BILL CARNEY

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise today in celebration of the marriage of Barbara and Bill Carney. On May 14, 2016, Barbara and Bill Carney will celebrate fifty years of marriage, friendship, fun, and family. Those 50 years have taken them on a winding and unpredictable journey—from the Irish Catholic neighborhood of Flatbush, Brooklyn, to the suburbs of Long Island, to the halls of the

United States Congress—with unforeseen stops and innumerable joys along the way. With love, respect, and patience, they made it look easy. Their lives together, their love for each other, their generosity of spirit, and their faith and humor have impacted so many people through the years.

Barbara Haverlin and Bill Carney grew up blocks from one another in Brooklyn. They attended the same parish, St. Catherine of Genoa, frequented the same places, and enjoyed overlapping groups of friends. They did not meet, however, until their early twenties at O'Reilly's Pub, where Bill was tending bar and Barbara was dating one of the O'Reilly brothers. On a dare from co-workers, Bill asked out the boss's girlfriend. Within two weeks of the first date, they decided to marry and were wed twelve months later.

Both having lost their parents in their teens, Barbara and Bill deeply appreciated the importance and value of family. Both were blessed with extensive community and family, where one's brother, cousin, and neighbor were always there for each other. That is the value and spirit that Barbara and Bill maintained in raising their two daughters, Julie Baker and Jackie Carney D'Aquila.

After marriage, Bill held multiple jobs to support his family—always willing to try or learn a new skill. Never one to shy away from challenges or view something as impossible, Bill decided to run for U.S. Congress at 32 years old. In 1977, with Barbara's backing and the support of a handful of what would prove to be life-long friends, Bill beat the odds and was elected to represent the 1st Congressional District of New York. During his political career, Bill enjoyed phenomenal staff, advisors, and friends. He served four terms in the House before deciding to retire and open his own boutique consulting firm in 1986.

Bill and Barbara will be joined in celebrating their 50th Anniversary this month by their daughters, sons-in-law, four grandchildren, and scores of friends and family.

PERSONAL EXPLANATION

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Mrs. CAPPS. Mr. Speaker, I was not able to be present for the following Roll Call vote on May 11, 2016 and would like to reflect that I would have voted as follows: Roll Call Number 183: NO.

PERSONAL EXPLANATION

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, on Roll Call Number 189, on Motion to Suspend the Rules and Pass, as Amended, H.R. 4586, Lali's Law I was unavoidably detained and missed the vote. Had I been present, I would have voted YEA.

KEESLER AIR FORCE BASE 75TH ANNIVERSARY

HON. STEVEN M. PALAZZO

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Mr. PALAZZO. Mr. Speaker, I rise today to honor Keesler Air Force Base on the celebration of their 75th anniversary.

On June 12, 1941 Army Air Corps Station Number 8, Aviation Mechanics School was activated and on August 25, 1941 it was officially designated Keesler Army Air Field in honor of Second Lt. Samuel Reeves Keesler of Greenwood, MS. Lt. Keesler and his pilot were shot down after engaging four German aircraft on October 8, 1918. Lt. Keesler was seriously injured and died the following day. He was posthumously awarded the WWI Victory Medal with Silver Star for his heroism.

Following the passage of the National Security Act of 1947 the United States Air Force became a separate military service, and Keesler Field became what we know it as today, Keesler Air Force Base. Since 1941, Keesler Air Force Base has served as an irreplaceable training ground for our men and women of the military.

In recognition of their dedication to the mission as well as their dedication to the Airmen stationed there, on April 5, 2013 Keesler Air Force Base was awarded the Commander in Chief's Annual Award for Installation Excellence, signifying Keesler as the best Air Force Installation within the Department of Defense.

Once again, I would like to commend the men and women of Keesler on their 75th anniversary celebration.

HONORING MR. LARRY BETTINELLI

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Mr. Larry Bettinelli, who is being honored as the 2016 Napa Valley Grower of the Year at the Napa Valley Grapegrower's 41st annual dinner in Napa, California.

Mr. Bettinelli, a fifth generation Napa Valley farmer, has a long history of successful management and leadership within the vineyard industry in California, as well as a proven commitment to serving his community. He graduated from St. Helena High School before completing his Agriculture degree at California Polytechnic State University, San Luis Obispo.

Before founding his successful vineyard management company, Bettinelli Vineyards, Mr. Bettinelli served in the U.S. Marine Corps as a helicopter pilot, and worked as a Vineyard Manager for Beringer Vineyards and Jaeger Vineyards.

Throughout his career, Mr. Bettinelli has exemplified the values of the Napa Valley Grapegrowers. In his own business, he prioritizes the preservation of vineyards and agricultural resources of the Napa Valley, and also serves on the Napa County Disease and Pest Control District Board. Drawing on his knowledge and success in the vineyard industry, Mr. Bettinelli represents and advocates on behalf of growers as Chairman of the Napa Valley Grapegrowers' Industry Issues Committee.

Building on his own family history in the Napa Valley, Mr. Bettinelli looks to the region's future by sharing his expertise with the next generation of growers and farmers. He has served as the Founding Chairman of the St. Helena High School Agriculture Establishment Committee and as President of the St. Helena Future Farmers of America boosters. Mr. Bettinelli also finds the time to volunteer with the Yountville Veterans Home chapel and sits on Board of Directors for the St. Helena Choral Society.

Mr. Speaker, Larry Bettinelli has had a remarkable career as a business leader and has been a lifelong community servant in our Napa Valley community. Therefore, it is fitting and proper that we honor him here today.

HONORING EDWARD A. HILL

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Mr. DEFAZIO. Mr. Speaker, I rise today to honor the memory and life of Edward A. Hill, a loving husband, son, brother, uncle, friend and colleague. Ed was a member of my staff from 2007 to 2011. His wife, Jessica Zufolo, also served on my staff in the late 1990s. They have been a part of the DeFazio family for many years, and it is with a heavy heart that we mourn Ed's passing.

Ed didn't start out working in politics, but after volunteering to help elect Chris Murphy in 2006 he decided to leave his insurance industry job in Connecticut and move to Washington, D.C. He quickly fell in love with Congress and with Jessica, whom he had met on the campaign trail. I don't think he ever looked back.

Ed was the type of guy everyone liked to be around. He was always smiling and quick with a joke or words of support. His love of craft beer and the home brew he shared made him very popular in the DeFazio office.

About nine months ago Ed was diagnosed with esophageal cancer. He fought it hard until the end. Unfortunately he was diagnosed too late, which is not uncommon with this type of cancer. April was Esophageal Cancer Awareness month, and I'm sure in his honor Ed would encourage us all to get tested.

Ed passed away on May 1st at Georgetown Hospital. At only 45 years of age, he was way too young to die. But he lived those years he had to the fullest. He will be remembered and missed by all whose lives he touched.

IN HONOR OF THE NATIONAL CAPITAL LYME AND TICK-BORNE DISEASE ASSOCIATION

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Mrs. COMSTOCK. Mr. Speaker, I would like to take this time to discuss the extremely important work done by the National Capital Lyme and Tick-Borne Disease Association (NatCapLyme), an invaluable organization representing my district. NatCapLyme has been working tirelessly to help defeat an illness that affects so many in our community. Known for their work improving the living standard for those suffering from tick-borne illnesses, NatCapLyme has empowered and educated countless patients, families, and the community at large about this disease.

I am honored to join NatCapLyme on May 15th, 2016 for their 6th Annual Loudoun Lyme 5K/10K/1K that will drive awareness and raise money to help find a cure for Lyme disease—the number one tick-borne illness in the United States. The Loudoun Lyme 5K/10K will also feature a 1K fun run, as well as an informational fair to educate the public about Lyme disease, its causes, symptoms and treatments. I look forward to joining them again this year and in years to come in support of their efforts.

NatCapLyme has been working nationally for the past 20 years to further improve the lives of those suffering from tick-borne illnesses while also supporting ongoing efforts to find cures and advocate for patients. In the Commonwealth of Virginia, they worked with local legislators, including myself, to permanently designate May as Lyme Disease Awareness Month in Virginia. They also built a coalition of constituents across Virginia to help enact landmark legislation HB–1933 to help better diagnose Lyme disease by identifying potential shortcomings in testing methods utilized at that time. I was proud to partner with them on this legislation and introduce it in the House of Delegates.

As a Member of Congress, I have joined the bipartisan Lyme Disease Caucus because I remain committed to raising awareness of this disease and believe in the important work that NatCapLyme does each day. Mr. Speaker, for helping countless American citizens who suffer from tick-borne illnesses, I would like to sincerely thank the National Capital Lyme and Tick-Borne Disease Association for all their hard work, and ask that my colleagues join me in doing the same.

RECOGNIZING THE LIFE OF THE REVEREND DR. PAUL M. MARTIN

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Ms. DEGETTE. Mr. Speaker, I rise to honor the life of an extraordinary constituent, the Reverend Dr. Paul M. Martin, who, as pastor of Macedonia Baptist Church for 16 years, was a change agent in the Denver community.

Paul's passing in March shocked and saddened the many people he touched in a life filled with love, hope and purpose. We continue to grieve, but with the perspective of these past few weeks, we've also been able to take some consolation in memories of this extraordinary man and the knowledge that his legacy lives on within us.

Paul Martin was a man of the people. Well educated and worldly, he nevertheless found endless satisfaction in working deep within the community, rolling up his sleeves and diving into the day-to-day matters that affect so many lives—from the parochial to the profound. I especially appreciated that the very same man who reached countless numbers of the faithful via a successful radio ministry also chose to serve on the committees to ensure that the development of DIA and Stapleton were done with community interests in mind.

And for my own part, I'll never forget how the friendship and support Paul gave me through my years of public service. I first met Paul and his wonderful wife and soulmate, Agnes, when my church, Montview Presbyterian, partnered in worship with Macedonia. I spent so many special Sundays sitting in the Macedonia choir loft with my fellow choirmates from both churches, listening to Paul's inspirational sermons.

I am sure there are many others in Colorado, in California and in places around the world where Paul preached and taught who have similar stories to tell about his influence on the paths they followed.

Paul was a voice of wisdom, consolation and inspiration. He will be deeply missed, but we are grateful that he was such a key part of our community and our lives for so long. Although a family commitment prevents me from being with you today in person, my spirit is there in solidarity. To Agnes, the Martin family, and the entire Macedonia community, I send my prayers and deepest condolences.

IN HONOR OF THE LEGACY OF CARL WHITMARSH

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Mr. AL GREEN of Texas. Mr. Speaker, today I would like to honor the memory of a great man and leader in Harris County: Carl Whitmarsh. Mr. Whitmarsh, originally from Brenham, Texas and a graduate of Texas Tech University where he studied political science, untimely passed at the age of 64. Throughout Mr. Whitmarsh's life, he held a variety of positions that allowed him to have significant influence, including president of the Oak Forest Area Democrats, executive director of the Harris County Democratic party, and as an aide to Senator Lloyd Bentsen during his vice presidential campaign in 1988.

Mr. Whitmarsh was not only a community leader, but acted boldly to advocate for the better representation of his community. Mr. Whitmarsh will be specifically remembered for his commitment to democratic principles, impassioned advocacy for the underserved, as well as his many positive working relationships with public officials.

Mr. Speaker, I am blessed to have the opportunity to honor the memory of a dear friend, a man of character who was also an extraordinary agent for change. May he rest in the peace he so richly deserves.

IN HONOR OF DELBERT NELSON

HON. DONALD NORCROSS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Mr. NORCROSS. Mr. Speaker, I rise today to honor and celebrate Delbert Nelson of Camden, New Jersey for his achievements, contributions, and service in both the United States Army and as a pillar of our community.

Delbert was born, raised, and educated in Camden. After high school, he served in the Army's 43rd Infantry during the Korean War. Once he returned stateside, he worked for the Campbell Soup Company for 43 years, before retiring in 1994.

Delbert has dedicated his retirement to improving the quality of life of Camden's citizens. As a founding and active member of Parkside Business & Community In Partnership, Inc., and the Vice President of the Camden Neighborhood Renaissance, he has helped bring commercial development back into the city. He has worked to improve the natural beauty of the area by volunteering at the Camden Greenway Work Group. Communities around the country need more people like Mr. Nelson that take pride in where they live and devote their time to better it.

He has also been involved in local politics and helping fellow veterans He has been an At-Large member of the Camden City Democratic Committee and is the Camden Mayor's representative for the Battleship New Jersey Board of Trustees. He has been active in the VFW as the former Commander of Clarence Hill VFW Post Number 1297–Camden and the current Sr. Vice Commander of Lawnside Post 2003. In his time with the VFW, he has achieved the distinguished honor of being named All-State Post Commander.

Delbert and his wife, Doris, have been married for 66 years and have been blessed with 4 daughters, 6 grandchildren, and 3 great-grandchildren. He is also a father figure to many of his nieces and nephews.

Mr. Speaker, Delbert Nelson is a great American whose dedication to serving his country and community is an inspiration. I join with his family, friends, and all of New Jersey in honoring the selfless service of this exceptional man.

IN RECOGNITION OF ANTONIO THOMAS JAMES RUGGIERO

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Mr. KEATING. Mr. Speaker, I rise today in sincere recognition of Antonio Thomas James Ruggiero, a decorated veteran of World War II and a personal friend of mine who passed away on April 14, 2016.

Tommy, as he was known to his family and friends, was born in Plymouth, Massachusetts on August 25, 1920 to Vincent and Lucia Ruggiero. After graduating from Plymouth High School, Tommy enlisted in the United States Army and served in the 2nd Ranger Battalion's D Company during the Invasion of Normandy in June of 1944. On D-Day, his landing craft was hit by enemy fire, leaving him one of the 90 surviving Rangers stranded in the freezing Atlantic for hours before joining the fight. Later in the war, Tommy also fought in the fierce Battle of Hurtgen Forest and the famed Battle of the Bulge. The Battle of Hurtgen Forest in 1944 was the longest and one of the fiercest battles fought on German soil during World War II. His company was integral in securing the strategic Hill 400 during this battle. For his outstanding military service, Tommy earned a Bronze Star and Purple Heart as well as the highest honor from the French Government, the Croix de Guerre and French Medal of Merit.

His exemplary service did not end there, however, In 1947, he joined the Plymouth Fire Department, rising to rank of Captain before retiring in 1975. In addition, he was an active member of the veterans' community in Massachusetts, participating in local, state and even national events with Presidents and First Ladies to highlight and celebrate the efforts of the men and women who served in uniform. Tommy also worked closely with my office over the years to secure unit citations for the extraordinary efforts of D and F Companies of 2nd Ranger Battalion during the Battle of Hurtgen Forest.

Tommy's perseverance and integrity served as an inspiration for all who knew him and he was an outstanding role model for the community. He leaves behind his wife, Mary, of 68 years as well as a loving daughter, sister, brother-in-law, nieces and nephews, and will be deeply missed by all those who knew him.

Mr. Speaker, I rise today to honor the life of Antonio Thomas James Ruggiero and his distinguished service for our country. I ask that my colleagues join me in recognizing the life of a dedicated and honorable public servant.

HONORING UNITED STATES AIR FORCE COLONEL DOUGLAS J. SCHWARTZ'S DISTINGUISHED MILITARY CAREER

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Mrs. WALORSKI. Mr. Speaker, I rise today to recognize United States Air Force Colonel Douglas J. Schwartz and honor him for a decorated career serving our nation.

Col. Schwartz began his 34-year career in the United States Air Force after receiving his commission through Officer Training School at Purdue University, where he graduated with a Bachelor of Science degree in management in 1981. Since then, he has gone on to accumulate more than 4,200 flight hours as a command pilot and receive numerous awards and decorations, including the Meritorious Service Medal with six oak leaf clusters as well as the Air Medal with two oak leaf clusters.

During his distinguished career, Col. Schwartz has been stationed throughout the country, operating in large part at Grissom Air Reserve Base (ARE) in Miami County, Indiana. At Grissom ARB, Col. Schwartz has commanded the 434th Air Refueling Wing, the largest KC–135 Stratotanker unit in the Air Force Reserve Command. Within this role, Col. Schwartz has directed the efforts of nearly 1,900 military, civilian, and contractor personnel as they work to advance the mission of the United States Air Force. In addition, he has also commanded such aircraft as the B–52 and the C–40.

As a member of the House Armed Services Committee, I have seen the impact of Col. Schwartz's work and his commitment to excellence. His passion for serving the greater good is truly remarkable and deserves the praise of many.

From my time working with him, I know Col. Schwartz epitomizes the ideal of servant leadership. Not only that, but he has invested substantially in the Grissom community and has spent his entire career working for the betterment of our country. On behalf of Hoosiers in the Second Congressional District, it is my honor to thank him for his service and sacrifice for our community.

PERSONAL EXPLANATION

HON. J. RANDY FORBES

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Mr. FORBES. Mr. Speaker, due to the recent passing of my mother I was unable to cast my vote today for an important piece of legislation. Had I been in the chamber, I would have voted YES on the House amendment to S. 524, the Comprehensive Addiction and Recovery Act of 2016. This legislation will help to strengthen a variety of different treatment and prevention programs to combat heroin and opioid addiction.

DR. JULIA M. McNAMARA, PRESIDENT OF ALBERTUS MAGNUS COLLEGE ON THE OCCASION OF HER RETIREMENT

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Ms. DELAURO. Mr. Speaker, today I rise to join the Albertus Magnus College community as they pay tribute to the woman who has led this outstanding institution for the last thirty-four years, Dr. Julia M. McNamara. Over the course of her tenure, she has guided Albertus Magnus through a myriad of transitions which have expanded the college in countless ways. Her vision, dedication, and seemingly endless energy have ensured that Albertus Magnus has continually met the changing needs of its students and faculty.

To say that Julia has left an indelible mark on this institution would be an understatement. For perspective, just last year Albertus celebrated its 90th Anniversary which means that for more than one third of its existence, Julia has been at its helm. Shortly after she was appointed President, Albertus Magnus became coeducational after sixty years as a women's college and in that same year, an innovative and highly successful Accelerated Degree Program for adult students was established. Julia oversaw the completion of a $6 million capital campaign, the largest in the school's history, as well as the construction of state-of-the-art indoor and outdoor athletic facilities that has allowed the College to join the NCAA-Division III. Ensuring that all of their student's needs were being met, Julia was also instrumental in the College becoming a participant in the Post 9/11 G.I. Bill Yellow Ribbon Program, where Albertus works closely with veterans to help them succeed in accelerated programs.

Under Julia's direction Albertus expanded opportunities for its students with the establishment of the Master of Arts in Liberal Studies Program, the first post-graduate degree in the College's history, and New Dimensions, a degree completion program for adult professionals, was begun in 1994. Today, the College also offers a Master of Science in Management degree, Master of Arts in Art Therapy—the only one in Connecticut—Master of Business Administration, a Master of Arts in Leadership, Master of Science in Education, Master of Fine Arts in Writing and Master of Science in Human Services, Master of Science in Accounting and the Master of Science in Criminal Justice.

Julia's contributions to our community extend far beyond her work at Albertus Magnus. She is a past Chair of the Yale-New Haven Hospital Board of Trustees and currently serves as Vice Chair. She has also served on the Board of Directors of The Community Foundation for Greater New Haven, the International Festival of Arts & Ideas, the United Way of Greater New Haven and the Shubert Theatre. In 1990, she became the first woman to serve on the Committee of the Proprietors of the Common and Undivided Lands, which oversees the use of the New Haven Green and she currently serves on the Board of Directors of the Association of Catholic Colleges and Universities.

The Greater New Haven Chamber of Commerce's Community Leadership Award, the New Haven YWCA's Women in Leadership Distinguished Service Award, Columbus House's Outstanding Service to the Community Award, the Academy of Our Lady of Mercy, Lauralton Hall's Claven Award, and the New Haven Business Times' Women in Business Lifetime Achievement Award are just a sampling of the myriad of awards and recognitions with which Julia has been honored for her service to the community.

I would be remiss if I did not take a moment to extend a personal note of thanks and appreciation to Julia for her many years of friendship and support. In addition to being a constant resource on higher education challenges and policies, she has served on the Ted DeLauro Scholarship Committee, a scholarship given to high school seniors for service to the community which I established in my father's name, since its inception in 1991. Julia is an extraordinary woman and I, like so many

others, consider myself fortunate to call her my friend.

Today, as she reflects on her career with Albertus Magnus, family, friends, and colleagues gather to pay tribute to unparalleled leadership and commitment, not only to Albertus Magnus, but to higher education and our community. I am proud to have this opportunity to extend my deepest thanks and appreciation to Dr. Julia M. McNamara for her invaluable contributions. I wish her, her husband, Dick, as well as the apples of their eyes, their three dogs, Kerry, Fiona, and Nova, all the best for many more years of health and happiness as she enjoys her retirement.

PERSONAL EXPLANATION

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Mrs. CAPPS. Mr. Speaker, I was not able to be present for the following Roll Call vote on April 12, 2016 and would like to reflect that I would have voted as follows: Roll Call Number 139: YES.

IN RECOGNITION OF THE WOUND CARE CENTER AT CAROLINAS HEALTHCARE SYSTEM NORTHEAST FOR RECEIVING THE ROBERT A. WARRINER III, M.D., CENTER OF EXCELLENCE AWARD

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Mr. HUDSON. Mr. Speaker, I rise today to honor the Wound Care Center at Carolinas HealthCare System NorthEast, located in Concord, North Carolina, for earning the Robert A. Warriner III, M.D., Center of Excellence award from Healogics. The dedicated team at the Wound Care Center should take pride in this significant achievement, and the people of Cabarrus County should take comfort in knowing they have such a distinguished group of individuals providing high-quality healthcare in our community.

The Wound Care Center opened its doors in July of 2012, and has been providing excellent care to the people of our area ever since. In order to earn the Robert A. Warriner III, M.D., Center of Excellence award, the Wound Care Center had to achieve an average patient satisfaction rating of 92 percent, as well as a healing rate of at least 91 percent within a 30–day period. In addition to reaching these high standards, the Wound Care Center had to maintain their performance over a 12-month period. Earning this award is truly a reflection of the staff at the Wound Care Center who are able to provide such exceptional service on a consistent basis.

What is even more impressive is the fact that this is the third consecutive year the Wound Care Center has earned this honor, which is an astonishing feat. By continuing to focus on the patients they are serving, the Wound Care Center at Carolinas HealthCare System NorthEast is able to continually provide the highest quality of care and customer satisfaction in the field of wound healing. Each member of the team is fully invested in developing a personal connection with patients on their road to recovery. This patient-centered approach should be championed as a model for all medical centers in North Carolina and across the country. With nearly six million people affected by problem wounds across the country at any given time, wound care centers remain an important part of our health care system. There is no doubt in my mind that Wound Care Center at Carolinas HealthCare System NorthEast will continue to be a leader in this crucial field.

Mr. Speaker, please join me today in congratulating the entire team at the Wound Care Center at Carolinas HealthCare System NorthEast for earning the Robert A. Warriner III, M.D., Center of Excellence award.

SAVING A LIFE WHILE ON A SUNDAY JOG

HON. RICHARD M. NOLAN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Mr. NOLAN. Mr. Speaker, I rise today to recognize Thomas Stolee of Duluth, Minnesota for intervening and ultimately thwarting a suicide attempt.

Thomas's usual Sunday afternoon jog around the University of Minnesota Twin Cities Campus became a life-saving experience after he spotted a woman standing at the edge of a bridge over the Mississippi River. She appeared ready to jump, and when Thomas asked if she was in trouble, she ordered him to leave.

Despite his best efforts at persuasion, the woman proceeded with her attempt to leap from the bridge. At that moment, Thomas jeopardized his own safety as he lunged forward and pulled her back from the precipice. Following the incident, a passing campus security patrol stopped to provide assistance. Thomas saved the life of a total stranger that day. However, those close to him were not surprised by the college freshman's compassion and heroism.

I ask my colleagues to join me in recognizing and thanking Thomas Stolee for his courage in saving the life of a desperate person in need.

IN HONOR OF THE 70TH ANNIVERSARY OF THE MOHAVE ELECTRIC COOPERATIVE

HON. PAUL A. GOSAR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Mr. GOSAR. Mr. Speaker, I rise today to honor the 70th anniversary of the Mohave Electric Cooperative (MEC).

MEC is a locally-based, member-owned, not-for-profit electric distribution cooperative that provides electricity to several communities in rural Arizona. When MEC was originally incorporated in 1946 it served just five miles of line and 90 meter locations. Today, under the watchful eye of its Chief Executive Officer, Tyler Carlson, it serves over 1,500 miles of line and more than 39,000 electric meters in the communities of Mohave Valley, Hackberry, Fort Mohave, Peach Springs, and Wickieup, Arizona.

MEC was established using a loan from the Rural Electrification Administration. These loans were made available to create energy distribution systems for isolated communities that for-profit power companies considered unprofitable. This program brought electricity to communities across the country that may not have received it otherwise—including communities in rural Arizona. In this manner, MEC has brought modern amenities to rural Arizona at affordable rates. It is a true accomplishment and an infrastructure milestone.

Because MEC is a member-owned not-for-profit their rates reflect their expenses—they are not increased to achieve profitability. This has allowed MEC to establish a history of providing excellent service at competitive rates. I am very grateful for their efforts to supply reliable and affordable electricity to my constituents. I look forward to seeing their continued success over the next 70 years.

TITAN ROBOTICS

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2016

Mrs. WALORSKI. Mr. Speaker, I rise today to recognize Titan Robotics from Trinity School at Greenlawn in South Bend. Next week, they will travel to California to compete in the Legoland North American Open Invitational Championship.

I recently had the opportunity to speak with these students about their project, in which they were challenged to find new ways to help the environment. They discovered that recycling labels on plastic wrappers were often hidden or unclear, making consumers less likely to recycle. After hours of research, they proposed a label that would wrap around plastic wrappers, making it easier to see if the product is recyclable. They proposed another label to inform consumers if the product is not recyclable.

Mr. Speaker, I commend these kids for their hard work and wish them the best of luck at their competition. I also want to thank the parents, coaches, teachers, principals, and everyone in the community who has supported them. I submit the names of the students and coaches.

Names of Students on Titan Robotics:
Helena Drake
Graham Harding
Jackson Kirby
Ceci Kurdelak
Peter Rossi
Names of Coaches on Titan Robotics:
Gene Harding
Jeff Kirby
Frank Rossi

SENATE—*Monday, May 16, 2016*

The Senate met at 2 p.m. and was called to order by the Honorable LISA MURKOWSKI, a Senator from the State of Alaska.

PRAYER

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

Let us pray.

Eternal God, who preserves our Nation with the power of Your might, we lift our hearts in praise. We are grateful for Your unfailing love and faithfulness because Your promises are backed by the honor of Your Name. We place our hope in You and remember daily how You have sustained us in the past.

Lord, give our Senators the wisdom to trust You in the small things, realizing that faithfulness with the least prepares them for fidelity with the much. May they trust You to do what is best for America in good times and in bad. Look down from Heaven on the entire human family and give us Your peace.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 16, 2016.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable LISA MURKOWSKI, a Senator from the State of Alaska, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Ms. MURKOWSKI thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

NATIONAL POLICE WEEK

Mr. MCCONNELL. Madam President, this week we commemorate National Police Week and pay tribute to the local, State, and Federal law enforcement officers who keep our country and our communities safe. We are grateful for their service and for their sacrifice. We benefit from their pledge to serve, protect, and defend.

I had the pleasure recently of meeting with several officers from Richmond, KY, who were in town for the events of police week. I also met with the families of Kentucky police officers who laid down their lives in the line of duty. Tragically, five officers from the Bluegrass State were lost in 2015: on March 5, Lieutenant Clifford Scott Travis of the Bullitt County Detention Center; on March 11, Officer Burke Jevon Rhoads of the Nicholasville Police Department; on June 23, State Trooper Eric Keith Chrisman; on September 13, State Trooper Joseph Cameron Ponder; and on November 6, Senior Patrol Officer Daniel Neil Ellis of the Richmond Police Department.

The names of these five officers, along with the names of hundreds of other brave officers from across the country, have been added to our national monument to law enforcement officers lost in the line of duty—the National Law Enforcement Officers Memorial. The names of over 500 Kentuckians appear on the memorial, and more than 20,000 names from across the country appear in all.

That includes the four Capitol police officers we have lost in the line of duty since 1994. The Capitol police recently held a ceremony to honor their fallen officers. It reminds us of the continuing sacrifices of the men and women who stand guard every day at the very heart of our democracy. We are grateful for their service.

I am a proud cosponsor of the resolution to recognize National Police Week this year. The resolution recognizes the work of active-duty law enforcement officers, the 25th anniversary of the National Law Enforcement Officers Memorial, the 15th anniversary of 9/11, and all the officers lost in the line of duty in 2015.

I am also a proud cosponsor of the Fallen Heroes Flag Act. This bill would create a program to provide flags that have been flown over the Capitol to the immediate family members of law enforcement and public safety officers who were lost in the line of duty. This bill has passed both the House and the Senate and is awaiting the President's signature.

I am also a cosponsor, with my friend the senior Senator from Texas, of the POLICE Act. The POLICE Act would expand COPS grants so that those grants could be used for active-shooter training and to help equip law enforcement to respond to events like the San Bernardino shootings. Passing the POLICE Act would help give our police officers the training they need to do their jobs more effectively. I am hopeful we can quickly move to this important legislation.

I am proud to represent Kentucky's police officers here in the Senate. Law enforcement is very dangerous work. It is also a noble calling, and I am grateful for the service of every police officer in Kentucky and across the Nation. I know my colleagues share my deep admiration and respect for police officers everywhere.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

NATIONAL POLICE WEEK

Mr. REID. Madam President, I join the Republican leader in recognizing the contributions of law enforcement officers all around this country. I am sorry that they have such a tough job, and I don't think we appreciate them enough. So I appreciate what the Republican leader said. In Nevada, we too have had our share of these awful instances where these men and women are killed needlessly.

ZIKA VIRUS AND NOMINATION OF MERRICK GARLAND

Mr. REID. Madam President, what we know today is that the Zika virus was first discovered in 1947 in Uganda. It was first detected in monkeys, but in 1947 they also learned that the mosquito was now carrying this same virus the monkeys had. Initially, we didn't know or hear much about Zika. But we have heard plenty now, and we are going to hear a lot more.

Researchers named the virus Zika because that is where the mosquito carrying the virus was discovered, in the Zika Forest of Uganda, as I mentioned. The Ugandan term ''zika'' means ''overgrown.'' So these mosquitoes with this virus were discovered in an overgrown forest in Uganda. Now, seven decades later, Zika is an international emergency, and countries are scrambling to address the problems created by this mosquito that bites. What I have learned is that there is

more than one type of mosquito; there are two.

Already Zika-carrying mosquitoes have transmitted the disease to American citizens in Puerto Rico and other United States territories. Soon, mosquitoes carrying this virus will be biting and infecting people in the continental United States. That is not hyperbole. It is going to happen. Zika-carrying mosquitoes won't be limited to the gulf coast.

Madam President, look at this map. You can't see it very well on this, but you can see the discoloration here, the original coloring that we have. We have the blue, and we have the orange and the gray. Now, I was really surprised. I thought this would really be in the subtropical climates here in the United States, in the southern part of our country. I thought that is where it would be, but you can see that is not the case.

Nevada is here, and Las Vegas is here. There are over 2 million people living there. It is all over the United States. Boulder, CO, is up here. Puerto Rico and Hawaii are here.

This map is from the Centers for Disease Control and Prevention, and it shows the estimated range of the two types of Zika-carrying mosquitoes. Areas of this map, as I have indicated, are three in color and cover 39 States. Most of these States, as I have indicated, don't have subtropical weather. Nevada, Colorado, Wisconsin, Ohio, Kentucky, New Hampshire, and Maine are listed.

Health officials are desperate to stop Zika, this devastating virus that has been around so long but it was not known to carry all the many problems it now carries. It causes birth defects and other deadly conditions.

Last week, a report on NPR described what Zika does to the brain as it begins to grow. This is one condition:

> As the brain . . . starts to grow, it creates pressure, which pushes on the skull and causes it to grow. But if something stops brain growth—such as [the Zika] virus—pressure on the skull drops. And the skull can collapse down onto the brain.

Two weeks ago we had people come to explain this to my caucus, and they described these skulls that just collapse. But Zika isn't only linked to birth defects. As I have indicated, the virus is also associated with a nervous system disorder that can result in paralysis, among other problems.

Yet, in spite of all the devastating impacts of Zika, I am sorry to say, the Republicans in Congress don't see this virus as an urgent issue. Months ago, President Obama requested almost $2 billion to fight Zika, and for the same months the Republicans have refused to give the money America needs to fight this crisis.

The best time to deal with any crisis is before it is here, but Republicans have dragged their feet. We should have passed an emergency spending bill months ago—months ago. We need to address Zika in the territories and give States and local governments the resources they are begging for.

Last Thursday, appropriators filed an amendment that would provide $1.1 billion in Zika funding. That simply is not enough. This isn't about negotiating an arbitrary number made up by lawmakers. Our public health officials have made it clear they need that money.

Senate Republicans are giving our government half of what it needs to fight this ravaging virus. This is beyond reckless. House Republicans are even doing less. The chairman of the House Committee on Appropriations last week said that Republicans are working on a Zika funding measure, but what House Republicans are proposing is even less than about half of the already low $1.1 billion amendment from Senate appropriators.

Republicans are trying to haggle as if this is some sort of bidding war. That is not how Congress should react to a potentially disastrous health crisis. We know what is going on in Puerto Rico. We know. Because of Republicans' refusal to lift a finger to help fight the Zika crisis, the administration was forced to use Ebola funds in order to fight Zika now. They had to take about $510 million that was set aside specifically for Ebola.

Two years ago, America was afraid of Ebola. Ebola is still a killer, and we invested in supporting public health infrastructures to prevent future outbreaks like the one we saw, as I indicated, 2 years ago. We need to replenish these monies so we can continue to work on vaccines and other things, but Republicans are standing in the way.

It is really a sad commentary on Republicans that when asked for emergency funding to protect millions of Americans, they respond by offering half of what is needed. This is in a spending bill, and then we have to go to the House and have a conference. In the meantime, people are begging for this money. Republicans should be ashamed that we aren't doing everything in our power to protect the American people from this virus now. We should have an emergency spending bill on the floor now. If it were a flood or a fire that occurred, we would have been here. It is just too bad because this is a crisis that is already here. It is not an emerging crisis. It is here.

Madam President, last week, the Republican leader came to the floor and here is what he said: ''We have elections in this country right on time, and that is not an excuse not to do our work.''

Again: ''We have elections in this country right on time, and that is not an excuse not to do our work.''

That is what Senator MCCONNELL said. So I say to my friend from Kentucky: I agree. Elections are no excuse not to do our work. So Senate Republicans should do their job and give Supreme Court nominee Merrick Garland a hearing and a vote.

There is clearly no question that Merrick Garland is experienced and qualified to be a nominee. He is the nominee, and he has the expertise to go along with what a Supreme Court nominee should have. Throughout his decades as a prosecutor and judge, Mr. Garland has proven himself to be committed to the rule of law and following it. That is more than I can say for my Republican colleagues who, by refusing to consider this nominee, are rejecting their constitutional duties.

The Republican leader needs to practice what he preaches. He says that elections shouldn't interfere with our Senate duties. He should prove it. The Republican Senators should prove that. Put aside Presidential elections, put aside Donald Trump, put aside all the phony excuses, and give Merrick Garland the consideration he deserves. Study Judge Garland's questionnaire; it is here. Analyze his record; it is here. Give him a hearing and send his nomination to the floor now.

As the Republican leader put it, ''We have elections in this country right on time, and that is not an excuse not to do our work.'' That is absolutely right. I would ask the Republicans to do their job.

Madam President, on the Zika matter, I would add the following: ''The news from the House virtually guarantees that the Republican Congress will provide too little aid, too late to address the looming Zika crisis.''

The way things are going around here, the appropriations bills are not going to be finished until right before the end of this fiscal year, late September. The crisis will long have arrived and we will be talking about cases that exist in the continental United States. It is wrong to wait.

I don't see anyone here on the floor, so I would ask the Chair to announce the business of the day.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 4:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The assistant Democratic leader.

ZIKA VIRUS

Mr. DURBIN. Madam President, 3 months ago President Barack Obama

asked this Congress for funding to address a public health emergency: combating the Zika Virus. I am pleased that this week, 14 weeks after his request, we are going to respond. We are not responding in full. The President asked for $1.9 billion to address this serious public health challenge. We are not responding without some theatrics and posturing first, but we are going to vote on some amendments this week, and it is about time.

It has been 14 weeks since representatives from the Centers for Disease Control and Prevention and the National Institutes of Health testified at the Senate Appropriations Committee on the dire need for immediate action to combat the Zika virus.

I visited the Centers for Disease Control about 14 weeks ago. By then, they had been able to verify that the tissue samples from miscarriages and other serious health problems coming in from Brazil were linked to the Zika Virus. So there was no question that these mosquitoes carrying this virus had serious public health consequences—so serious that the Centers for Disease Control dedicated 1,000 staffers to deal with this issue. That was about 12 or 14 weeks ago.

The President used his authority to come to Congress and say: We have a public health emergency; treat it like it is an emergency. Here we are 14 weeks later getting around to discussing it.

When I think back in times of American history when Congress has been called on to respond to an emergency, there have been amazing examples where partisanship was set aside and people said: In the interest of America, we need to act and act now. Whether we are talking about mobilizing for a war, whether we are talking about responding to terrorism, we have done it. We can do it. This time we have failed. We have failed for 14 weeks. In that period of time, 1,200 Americans in 44 States, Washington, DC, and 3 U.S. territories, including over 110 pregnant women, have contracted Zika. Six more have contracted Guillain-Barre, an autoimmune disorder that can cause paralysis and death. Recently, the first Zika-caused death and the first Zika-related microcephaly cases were reported in Puerto Rico. In my State of Illinois, 16 people have tested positive for Zika, including at least 3 pregnant women.

Over the past few months, we have learned more about Zika and how dangerous it can be. We now know it is carried by two types of mosquitoes. We now know it is linked to serious neurological damage and birth defects in children. We now know it can be sexually transmitted. We also know that the mosquitoes carrying the Zika virus thrive in the warm summer months, which is why this action should have been taken long ago and must be taken this week.

The best way to fight a public health threat such as Zika is to have a strong, stable public health infrastructure in place. That is what the President asked for. That means reliable and stable funding year after year.

Our public health agencies have to be viewed as the first line of defense, just as we view the Pentagon as the first line of defense when it comes to military and terrorist threats. Our public health agencies are the first line of defense when we are speaking of Ebola, the Zika virus, and a variety of other challenges that could literally threaten the health and lives of innocent Americans.

We must ensure robust and stable funding for agencies like the Centers for Disease Control. These invasive problems can pop up at any time. We can't rally to each and every occurrence after it happens; we have to be prepared. The Centers for Disease Control is not only the best, it is the best in the world, but it cannot operate without adequate funding.

The National Institutes of Health is working on a vaccine right now to protect all of us from the Zika virus. That is the answer, but it takes time—a year. We should have been moving on it sooner.

We must provide critical resources to the Food and Drug Administration. Their reviewers are responsible for ensuring that any Zika treatments or vaccines are safe and effective, and in order to ensure the safety of those vaccines and treatments, they have to be clinically tested.

For years we have heard congressional Republicans rail against Federal spending and even embrace the notion of a sequester—a blind across-the-board cut. Case in point: Over the past few months, we have heard Republicans protest, stall, and push back on providing funding to help combat the Zika virus. There have been a variety of excuses for their delay, but the outcome has always been the same: We have lost time in responding to this public health emergency.

For years, those of us on this side of the aisle have been arguing that this approach—one of starving funding and endless delays—is shortsighted and irresponsible. Yes, we must be good stewards of the taxpayers' dollars, but I would argue that there is no better use of the taxpayers' dollars than investments in public health—investments in the National Institutes of Health, the Centers for Disease Control, and the Food and Drug Administration. These are investments that prepare our Nation for the unforeseen, such as Zika or Ebola, but they are also investments that help us prepare for the foreseen situations that Americans face every day, such as Alzheimer's, cancer, Parkinson's, and diabetes. That is why I introduced the American Cures Act—legislation that would provide our Federal health research agencies reliable and robust funding increases every year into the future.

We are not going to win a war against Zika, Ebola, Alzheimer's, or cancer if our response is tepid, delayed, watered down, or subject to the whims of political fate. Big budget cuts make a good talking point in a speech somewhere, but the results can be devastating.

I look forward to continuing to work with my colleagues on the Senate Appropriations Committee to find a path forward to address the funding of these critical Federal health agencies. There is more to do, and we must do it together. If we don't do it together, we will pay a heavy price.

This week we will take up the issue. We will be voting on three Zika-related amendments this week. The first, offered by Senator NELSON of Florida, is one that I fully support. It would fulfill the President's request by providing the $1.9 billion in needed funding to ensure an immediate and comprehensive response to Zika. We need to treat this public health emergency like a public health emergency. Senator NELSON's amendment would ensure that the CDC has the money they need to support States in conducting surveillance, vector control, emergency communications, and research. It would ensure that the National Institutes of Health has the money to develop this vaccine, and it would ensure that USAID has the money they need to build up a global health response to Zika.

I am proud to be a cosponsor of the Nelson amendment. It would provide the United States, as well as pregnant women in many affected countries, with the very best chance of minimizing the damage done by the Zika virus. Let's not be penny wise and pound foolish. Cutting back on this money for pregnant women and running the risk that a baby is born with a lifetime of medical challenges and expenses is not a way to save money; it is a disaster for the family and a disaster for our budget.

Then comes the second amendment, offered by Senator CORNYN of Texas. This is a misguided amendment. I urge my colleagues to defeat it. Senator CORNYN's amendment would provide a portion of the funding needed to adequately respond to the Zika virus. He picked the number $1.1 billion and said: Let's take the money out of the Prevention and Public Health Fund for America—money that is currently being invested to deal with other health challenges around our country. In order to deal with the Zika virus, Senator CORNYN would take money away from other efforts to keep Americans healthy.

The prevention fund accounts for 12 percent—nearly $900 million—of the Centers for Disease Control's core public health efforts, such as lead poisoning prevention, breast and cervical

cancer screening, and tobacco prevention and control. Think about that for a second. Senator CORNYN of Texas wants to take the money out of those areas—legitimate public health concerns—and put it in Zika. He is going to move some of the pieces around on the chessboard in the hope of moving the right one. Sadly, it will endanger innocent people.

There is something else to be considered. His amount is $1.1 billion, and the President asked for $1.9 billion. For some reason, Senator CORNYN believes that we can reduce the threat of the Zika virus by 40 percent on the floor of the Senate. I don't buy it. This is a public health emergency. Reducing the funding for it from what the President requested by 40 percent is playing Russian roulette with innocent lives across America and around the world. Senator CORNYN's amendment cuts base funding that would ordinarily be provided to the Centers for Disease Control.

We are also dealing with lead poisoning issues across America, which was yesterday's front-page story in the Chicago Tribune. All of the lead testing around my State of Illinois finds that areas you wouldn't dream of—the suburbs of Chicago, including some of the wealthier suburbs of Chicago—sadly have too much lead in the water. We know that after what happened in Flint, we have to take it seriously. The impact on innocent children is obvious. Cutting back on funding for that to pay for the Zika virus is robbing Peter to pay Paul.

Lastly, we have an amendment that will be offered by Senator BLUNT. It is like Senator CORNYN's approach in that it would only provide $1.1 billion, and I take exception to that number. As I said, it is 40 percent less than what the President believes is needed for this emergency, but it would not cut the money out of the prevention fund, so that is a positive thing to say about the Blunt amendment over the Cornyn amendment. This amendment is an improvement, but still, it is important for us to adequately fund public health defense for innocent Americans.

When Dr. Frieden of the CDC tells us how much the CDC needs to fight Zika, I trust the doctor. I do not believe we should second-guess his approach, and I don't believe we should provide the Centers for Disease Control with less money than what Dr. Frieden says is needed.

That said, I appreciate that Senator BLUNT is trying.

I hope the initial amendment by Senator NELSON passes. That is the responsible amendment to deal with the public health emergency.

We have seen Zika coming for months. We had the administration's detailed, comprehensive plan of action sitting up here for over 3 months. The time to act is way overdue.

It is my hope that the Senate will finally approve Zika funding this week and that House Republicans will stop their stalling as well and get to work and do the same. We have lost enough time already.

I yield the floor.

The PRESIDING OFFICER (Mr. BARRASSO). The Senator from Alabama.

Mr. SESSIONS. Mr. President, I wish to share some remarks and ask unanimous consent that I be allowed such time as I may consume.

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

Mr. SESSIONS. Mr. President, I appreciate Senator DURBIN's comments, and I believe there is clear bipartisan support for dealing with the Zika virus. And something will be done on that, but make no mistake—there is a disagreement, and our colleagues on the Democratic side, as they always do, just want to add whatever new expense comes up during the year to the deficit of the United States of America.

There are many ways we can save money to pay for new expenditures, and that is what Senator CORNYN is talking about. He wants to have it paid-for so we don't add more debt.

You say: How can that be?

Well, we are already in debt. This year we borrowed approximately $540 billion to fund the government. We spent $4 trillion and we borrowed $540 billion of that. That is a very large number. It is unsustainable, and it is getting worse.

We have to start paying for things that we want to do around here and make some choices and set some priorities. That is the entire dispute about this matter, if you want to know the truth about it. There is no way we can't find the money to fund this Zika challenge—sufficient funds to do that—within the spending we already have.

NOMINATION OF PAULA XINIS

Mr. SESSIONS. Mr. President, I wish to speak in opposition to the nomination of Paula Xinis to the U.S. District Court for the District of Maryland. By all accounts, she is a nice person and has a number of admirers. I don't question her integrity. I had an exchange with her at the Judiciary Committee hearing when she came before the committee. I think this nominee has perhaps the most hostile record toward police of any I have seen in a long time. Her background is troubling to me, and I believe it justifies us not allowing her to have a lifetime appointment where she is unaccountable to anyone as she conducts her daily duties involving, on a very frequent basis, the appearance of police before her in criminal cases of all kinds. She would even hear cases against police officers for misconduct that may come before her over her career.

I was a prosecutor for almost 15 years in Federal court before Federal judges. I was blessed to appear before Federal judges of high quality who gave the prosecutor a fair trial and gave the defendant a fair trial, and that is what we are looking for. I am aware of a lot of Federal judges who have a clear bias against law enforcement and have made the communities less safe, made prosecuting a nightmare, and I don't believe it is good for the legal system. There is nothing you can do about it. A judge can declare that the evidence is insufficient to convict on his or her own motion which nobody can appeal. That is the final word even though a jury, had they been able to hear the case, might have found otherwise.

Yesterday was Peace Officers Memorial Day, and this week is Police Week. We take special occasion each year to remember the service and sacrifice of law enforcement officers and their indispensable role in ensuring law and order in our cities and towns throughout the country.

Too often when something goes wrong on the streets today, the media is quick to point their fingers at the police, and that is why we have an impartial justice system—so that the facts can come out in open court. In my experience, when those facts do come out—and I have had the duty of prosecuting police officers—many more times than not, we learn that the police did everything they could according to the procedures and that the complaints we heard about in the media and through others are not accurate. That is what the facts show us time and time again.

It is critical that we have judges who respect the rights of the accused but also respect the role of law enforcement and the dangers they face on a daily basis.

We have a nominee for the Federal court in Maryland before us, and every police officer in the country needs to know where she stands and how she approaches the duties, responsibilities, and requirements of the police and how she approaches law enforcement. Will she give them a fair hearing? Aren't they entitled to that?

Ms. Paula Xinis worked as a Federal public defender for the District of Maryland for 13 years; that is, she was on a paid defender's staff who defended the criminals who were being prosecuted in Federal court, those accused for a whole lot of crimes. There is nothing wrong with that. It is a perfectly honorable profession, and I certainly want to emphasize that. For 6 of those 13 years, she simultaneously served as a complaint examiner in the Office of Police Complaints for the District of Columbia here in DC. During the course of her work there, she heard complaints against police officers for conduct as part of their duties. She heard six complaints, and in every one of those cases, every single one, she found against the police officers.

It troubled me, and I asked her some questions about it. In one of the cases, an officer arrested a man who was loitering amidst a group of individuals

outside a grocery store while talking on his cell phone. When he was asked to move along, he refused to do so. Then the man became belligerent and repeatedly swore and cursed at the police officer. The officer eventually arrested the man for disorderly conduct. On the panel, Ms. Xinis concluded that the police had harassed the man and found the police officer guilty of misconduct.

When I asked her about this decision at her confirmation hearing in the Judiciary Committee, she said she didn't even know what consequences this finding might have on the career of a police officer as a result of having this on their record.

In 2011, Ms. Xinis began work with her current 11-attorney law firm in Baltimore, where she focuses her practice emphasis on lawsuits against the police. According to her firm's Web site, she and two of her colleagues recently settled a $5 million police brutality lawsuit. Notably, her firm also represented the family of Freddie Gray, Jr., the 25-year-old man who was arrested on April 12, 2015, for possessing an illegal switchblade and who subsequently tragically died in police custody, causing riots in Baltimore, if my colleagues recall. On September 8, 2015, the suit against the city and the police department, in which her firm represented the plaintiff, settled for $6.4 million.

This may have been a totally justified settlement. I certainly believe that any death in the custody of a police officer by any accused is entitled to and requires a thorough investigation. But in a big city like Baltimore, when there is civil unrest and huge public attention, cities are under political, if not legal, pressure to reach some sort of financial settlement. This was a tragic case. The details were disputed. But it appears that some of the facts were not clear, certainly.

The point is, Ms. Xinis has built a career of dealing with lawsuits against police and police departments and dealing with complaints against the police. In every complaint case she heard, she ruled against the police, which, frankly, makes me uneasy, as it does many law enforcement officers. When a lawyer sits as a complaint examiner in a case involving alleged police misconduct, the examiner—the judge, almost, in that case—should know and understand the reality of police work and what our people have to do every day to defend us from crime.

I asked her about her findings that the arrest of a loud, cursing loiterer outside a store was police harassment. In other words, the cursing loiterer was OK, but the police officer was wrong.

I would think that someone who has spent their entire professional career in this arena would be familiar with some of the concepts and procedures in policing in cities around the country today.

For example, broken windows policing is well known. I think most people know what broken windows policing is. It is a short-hand way to describe a policy that originally grew and became predominant in New York City under Mayor Rudy Giuliani, and many believe it saved New York City. Crime was surging, disorder was about, the city's financial status was at risk, and they started a systematic smart method of policing, and the murder rate is less than half of what it was in New York City. The entire city has been transformed.

So here she is judging police officers about how to handle confrontations on the street and how to make our communities safer. Shouldn't she know about these things?

Broken windows policing suggests that when law enforcement consistently enforces the law in cases involving minor crimes—not just big crimes but even minor crimes—that consistency helps to prevent major crimes. It is proven to work. It is a major trend. Virtually every city in America does it.

Yes, we have people who are out on the streets causing trouble or risks, and they get their backs up and complain when anybody says anything to them. Police officers have to use judgment. But this police officer, to me, did what one would normally expect him to do. He certainly didn't need to be charged and convicted of harassment.

Her statement that she did not know what ''broken windows'' was and was not familiar with it I think evidenced a real lack of understanding.

There is concern about this appointment by people who have to deal with this every day. Here is a letter from the Fraternal Order of Police, the Baltimore City lodge, signed by Lieutenant Gene Ryan, President. Again, this is the Baltimore City Fraternal Order of Police:

On behalf of almost 5,000 members of the Baltimore City Fraternal Order of Police, Lodge #3, I write this letter in extreme opposition to the appointment of Paula Xinis as a United States District Judge in the Federal District Court system.

While on paper, Ms. Xinis appears to be a highly qualified criminal attorney, our membership is urgently concerned about her obvious disdain for the law enforcement profession as expressed time and again through the various court appearances in which she has represented citizens claiming harm caused by police personnel. In fact, her current partnership in the Baltimore firm of Murphy, Falcon, & Murphy itself is of concern as this is a firm well known in our area for hostility toward our profession and our members and, as a result, we question the ability of Ms. Xinis to remain impartial in any Federal cases involving law enforcement.

Senators, we respectfully request that you give consideration to our request to deny the appointment of Paula Xinis to the Federal bench at this time.

I also have a letter from the Maryland State Lodge of the Fraternal Order of Police, President Ismael Vincent Canales. He writes:

As President of the Maryland Fraternal Order of Police and on behalf of over twenty-thousand active and retired law enforcement officers throughout the State of Maryland, I respectfully request that members of the U.S. Senate vote unfavorably on the appointment of Paula Xinis as a Judge to the United States District Court of Maryland.

I believe that Ms. Xinis at this time fails to have the requisite temperament and ability to be fair and impartial on matters that directly affect law enforcement.

And he goes on.

Mr. President, I ask unanimous consent that these two letters be printed in the RECORD.

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

FRATERNAL ORDER OF POLICE,
BALTIMORE CITY LODGE NO. 3,
Baltimore, MD, May 16, 2016.

TO ALL MEMBERS OF THE UNITED STATES SENATE: On behalf of the almost 5,000 members of the Baltimore City Fraternal Order of Police, Lodge #3, I write this letter in extreme opposition to the appointment of Paula Xinis as a United States District Judge in the Federal District Court system.

While, on paper, Ms. Xinis appears to be a highly qualified criminal attorney, our membership is urgently concerned about her obvious disdain for the law enforcement profession as expressed time and again through the various court appearances in which she has represented citizens claiming harm caused by police personnel. In fact, her current partnership in the Baltimore law firm of Murphy, Falcon & Murphy itself is of concern as this is a firm well known in our area for hostility toward our profession and our members and, as a result, we question the ability of Ms. Xinis to remain impartial in any Federal cases involving law enforcement.

Senators, we respectfully request that you give consideration to our request to deny the appointment of Paula Xinis to the Federal Bench at this time, and any time In the future.

Most sincerely,
LT. GENE RYAN,
President, Baltimore City Fraternal Order of Police, Lodge #3.

MARYLAND STATE LODGE,
FRATERNAL ORDER OF POLICE,
Baltimore, MD, May 16, 2016.

Hon. JEFF SESSIONS,
Senate Judiciary Committee,
Washington, DC.

DEAR SENATOR JEFF SESSIONS: As President of the Maryland Fraternal Order of Police, and on behalf of the over twenty-thousand active and retired law enforcement officers throughout the State of Maryland, I respectfully request that the members of the United States Senate vote unfavorably on the appointment of Paula Xinis as a Judge to the United States District Court of Maryland.

After careful review and consideration, I believe that Ms. Xinis at this time fails to have the requisite temperament and ability to be fair and impartial on matters that directly affect law enforcement. Based on prior and recent experience, Ms. Xinis has shown a clear bias towards law enforcement which began in her position as a complaint examiner in the Office of Police Complaints for the District of Columbia and culminated with her involvement in the civil suit surrounding the Freddie Gray Case in Baltimore

City, MD. Ms. Xinis is clearly a consummate advocate which we commend her for. However, at this time, I do not believe that she has displayed throughout her professional career a sufficient ability to equitably apply the law.

It is for these reasons that I respectfully request that the Senate vote unfavorably on the appointment of Paula Xinis to the United States District Court of Maryland.

Sincerely,

VINCE CANALES.

Mr. SESSIONS. Mr. President, Federal judges decide cases every day that have a significant real world impact on our criminal justice system—sometimes good, sometimes bad.

Let me point out this case. It gives an insight into the kinds of things I saw every day as a prosecutor, and it is happening every day right now in courts all over America.

Here is the case before United States District Judge Royce C. Lamberth. He denied a request by the prosecutor for early release of two top associates of Rayful Edmond III, a notorious drug kingpin in Washington, DC. I think they made a movie about him or a film about him, one of the most notorious gang leaders around. The Washington Post described Judge Lamberth's astonishment when the U.S. Attorney did not object to the drug felon's request for early release. Quote:

The judge rebuked the Office of acting United States attorney Vincent H. Cohen Jr., of the District, saying prosecutors did not give due weight to the criminal history of Butler, 52, the Los Angeles-based cocaine broker and partner of D.C. drug lord Rayful Edmond III, and Jones, 58, one of four top armed enforcers of Edmond's violent trafficking network. The group imported as much as 1,700 pounds of Colombian cocaine a month.

That is almost a ton a month. That is the largest amount I have ever seen. I thought the biggest case I had ever seen was 600 pounds flown in on about 20 plane loads over several months. This is 1,700 pounds a month.

Edmond's organization enabled drug addiction on a scale that until then ''was unprecedented and largely unimaginable'' in Washington, Lamberth wrote, and the harm the defendants caused ''is immeasurable and in many cases irreversible.''

''To put it bluntly, the court is surprised and disappointed by the United States Attorney's decision to not oppose the present motions,'' Lamberth said.

Quote:

''The court struggles to understand how the government could condone the release of Butler and Jones, each convicted of high-level, sophisticated and violent drug trafficking offenses.''

So that is a Federal judge doing their duty. I am not sure where Ms. Xinis would be on this.

Contrast that with many courts across the country that are currently rubberstamping motions for early release for Federal drug trafficking felons under the Sentencing Commission's reductions to the sentencing guidelines that have already occurred and that are impacting the prison population significantly, as we will see. That is according to an October 2015 article in the Los Angeles Times entitled ''The face of the federal prison release: A heavy dose of meth, crack, and cocaine.''

This is what the article says:

A federal analysis of the expected impact of the first wave of those approved for early release shows 663 prisoners from California had filed for shorter sentences as of late July. Federal judges denied 92 of them.

It looks as though six out of seven were granted.

According to an October 2015 article regarding offenders released in the Pittsburgh area, the U.S. Attorney's Office there ''erred on the side of granting'' the motions.

So the U.S. attorney's office is not defending the legitimate, original sentence that was imposed. They walk in and just don't—if there is any doubt about it, they just go along with the prisoner's request.

According to a November 2015 article entitled ''Upstate NY gang members on secret list of 6,000 freed early from prison,'' it is happening in New York too.

Quote:

In the Northern District of New York, the [Court, prosecutors, and defense attorneys] agreed on the eligibility of almost all of the inmates, and disagreed on only five cases that became subject to litigation. . . . Of those five cases, a judge ordered early release for three and rejected one. A fifth case is pending.

So out of all the cases, only one was rejected.

Judges have a duty to make sure that they—they don't have to take everything the prosecutor says. The prosecutor sometimes asks for a higher sentence than a judge wants to give, but a judge is equally required to reject a prosecutor's failure to oppose unjustified reductions.

This is, frankly, President Obama's policy, and the policy of the Attorney General, whom he has appointed—Loretta Lynch and Eric Holder before her—basically to cut people's sentences that have been lawfully imposed throughout this country. In my opinion, it is impacting public safety and will continue to do so in the future.

Judges must protect the rights of the accused, absolutely, and give them a fair hearing, as they are required to do, but they must give the people, the police, and the prosecutor the right to a fair trial also. These kind of cases cause concern about who is protecting the public. Would Judge Xinis be more likely to follow the pattern of Judge Royce Lamberth in saying no or go along with these other cases?

Over the past year, our law enforcement officers across the country have been shot at, assaulted, and murdered, too often simply because they wear a badge. Last year we lost 123 police officers—35 in the first 4 months of 2016. Violent crime and murders have increased across the country at alarming rates.

Let me share with my colleagues some of the things we are seeing in trends in violent crime. Recently, the Major Cities Chiefs Police Association, a long-established group, called an emergency meeting to deal with the numbers I am going to share with you today. The numbers I will quote represent the percentage of increase in total murders in the first quarter of this year, 2016, over the first quarter of 2015: Las Vegas, 82 percent increase; Dallas, TX, 73 percent increase; Chicago, 70 percent; Jacksonville, FL, 67 percent; Newark, NJ, 60 percent increase; Miami-Dade, 38 percent; Los Angeles, 33 percent; Atlanta, 20 percent; Baltimore, 10 percent. These are substantial increases in crime.

The FBI Director, Mr. Comey, a long-term experienced law officer, who served at the top of the Department of Justice as a prosecutor, recently said he believes the pushback on police officers—this trend of attacking and blaming police officers—has caused some drawback and reluctance of police officers to take on situations like the guy at the store standing out front that was cursing the police officer. Properly handled, those kinds of things reduce crime. They help violence not to start. Once it gets started, bad things can happen. Oftentimes, somebody gets killed. It is not like on television where somebody punches somebody and they get up and walk away and laugh about it. A good punch breaks teeth, jaws, and can kill. This increase in murder rates is significant, and we have to be aware of it. Lives are at stake, many innocent people. If we get off the right path, we will lose lives as a result of criminal conduct.

Think about some of the cases, such as that of Kate Steinle in California, who was out with her father and was murdered by an illegal immigrant who had been deported multiple times. Judges have to know this isn't a game. We don't want to put anybody in jail, but if we don't maintain order in cities, chaos can result, innocent people will die, and prosperity will be reduced.

According to the FBI statistics released just this year, the number of violent crimes committed across the country was up in the first half of 2015 compared to the same period of 2014. The number of murders, rapes, assaults, and robberies were up all over the first 6 months of 2015. There was a 6.2-percent increase in murder. Violent crime across America rose 5.3 percent in large cities, and overall violent crime increased 1.7 percent, an increase that followed two consecutive years of decline.

In my judgment, what I am seeing is this is a long-term trend. I think we will continue to see this increase. I wish it weren't so, but I am afraid it is. According to statistics released Friday

by the Major Cities Chiefs Police Association, the number of homicides increased in the first months of 2016 in more than two dozen major cities. The Washington Post reports ''the numbers were particularly grim for a handful of places—Chicago, Los Angeles, Dallas and Las Vegas—where the numbers of homicides increased in the first three months of 2016. . . .''

The article goes on to quote FBI Director Comey. He said:

I was very worried about it last fall, and I am in many ways more worried, because the numbers are not only going up, they're continuing to go up in most of those cities faster than they were going up last year. Something is happening. I don't know what the answer is, but holy cow, do we have a problem.

He also said before our committee that he remembered the last crimewave in the seventies and the sixties and how enforcement brought it down dramatically. He said we don't want to forget the lessons we learned previously. Director Comey has further suggested that possible explanations for this spike in violent crime included gang and drug violence. He has also suggested that greater scrutiny of police as they do their duty has possibly changed the way officers and communities interact, something he calls the ''viral video effect,'' which he believes leads to less aggressive policing. Less aggressive policing means more crime and more deaths.

On Mother's Day weekend in Chicago, more than 50 people were shot between Friday afternoon and early Monday. During a 3½-hour period early Saturday, one man was killed and 14 others wounded, as the Chicago Tribune said, ''the equivalent of someone being shot every 14 minutes.''

According to the Tribune, Police Superintendent Eddie Johnson ''saved his harshest criticism for a criminal justice system that he said isn't putting away the city's most dangerous offenders for long enough periods. 'Until we have real truth in sentencing and hold these offenders accountable, this will be the unfortunate reality in the city of Chicago.' ''

According to an article in the Washington Post, April 2 of this year, ''violence is occurring at levels unseen for years [in Chicago]. In the first quarter of 2016, 141 people were killed, up from 82 last year, according to police department data. The number of shootings surged to 677 from 359 a year earlier. The city is on track to have more than 500 killings this year, which would make this just the third year since 2004 that Chicago topped that figure.''

Some say we have too many people in prison. We have heard that. It is certainly our responsibility, in part, in Congress, to set sentencing laws that are smart, that protect the public, don't put too many people in jail, and strike the right balance.

In the early to mid-1980s, Congress passed, in a bipartisan, overwhelming vote, mandatory minimum sentences and sentencing guidelines. They allowed dangerous people to be denied bail on appeal. They allowed people who made frivolous appeals—for the judge to assert that there was no substantial basis for the appeal and he could leave them in jail while they made their appeals because too many people were filing for appeals just to stay out of jail and committed crimes while they were out. All of these are great reforms. They are now under systemic attack. During that entire period of time, the crime rate in America went down. The murder rate in the late nineties was half what it was in 1980. How many good people are alive today because of this improvement in law enforcement? We ended the revolving door, where people were arrested, released, arrested. They came in another time and they are arrested and then they would get out and murder somebody. It was happening all the time. We didn't have the jail capacity to put the people in jail. We didn't have enough police to deal with the surging crime rate. When you have 20-, 30-, 40-percent increases in crime, you are talking about doubling the crime and murder rate in America in 2 or 3 years, after we spent 20 years bringing it down by half.

We have to be sure that what we are doing, colleagues, is smart, and we are not signing death warrants for thousands of American innocent citizens.

Well, what is the prison situation today? Is the population going up? According to the Bureau of Justice Statistics, the rate of imprisonment in the United States is at its lowest in a decade. The Federal prison population—195,914 as of May 12, 2016—is at its lowest level since 2006. Since 2013, the Federal prison population has decreased by over 20,000, and it is projected to continue downward. According to the Federal Bureau of Prisons, the population is projected to drop another 10,000 this year, which will bring it to its lowest levels since 2005. The Bureau of Prisons, which houses prisoners, ''projects that the inmate population will continue to decline for the next couple of years, particularly as a result of retroactive changes to sentencing guidelines.''

Indeed, the 46,276 Federal drug trafficking inmates made eligible for early release comprise 25 percent of the current prison population. Admissions to Federal prisons have declined every year since 2011 and will likely decline further due to the Obama administration's policy directing prosecutors not to charge certain criminal offenses.

I don't think this Congress has a duty to confirm everyone who is appointed by the President. We know the President has hostility toward prisons. He has directed his Attorney General to reduce prison populations, and that is happening. He has directed the Bureau of Prisons to participate in this. He has directed the Attorney General and the Attorney General has agreed and issued policy that rejects Attorney General Thornburgh's policies when I was a U.S. attorney. Basically, the Thornburgh policy was, if a person used a gun during a crime, a bank robbery, or drug dealing, they were required, under the law, to get an additional 5 years' penalty in addition because the goal was to deter people from carrying guns during the criminal act, therefore, having fewer people killed in this country. It actually worked. In my opinion, it was part of the reason for the decline in the murder rate, clearly. You were required to charge them because the law said, if you carried a gun, you must get 5 years in addition to the other penalties. Now the Attorney General tells everybody: Well, prosecutors, you don't have to charge that; in fact, we don't want you to charge too much on these kinds of cases. As a result, the prosecutions are down, drug prosecutions are down 21 percent, and sentencing is down too.

When I asked the Attorney General why the prosecutions of these cases are down so much, she said they are prosecuting bigger cases. I have to say that for the last 50 years, that is the excuse that prosecutors use for having a decline in statistics. They say: Well, we are working bigger cases. But regardless if you are working bigger cases, why are the sentencing numbers down? Presumably, she is saying: We are prosecuting more serious criminals, but the sentences are going down. We are seeing from the prosecutorial end a significant retrenchment or backing off of strong prosecution policy.

A judge who gets a lifetime appointment and is no longer accountable to the American people—or anyone else, for that matter—is not entitled to confirmation if we have doubts about the ability over the years to treat police fairly and protect the public from serious criminals.

Certainly, it does not send a positive message to police and the community in Baltimore, where she will hear cases if confirmed. Last year was the deadliest year in Baltimore's history—344 murders and countless crimes against persons and property.

I believe Ms. Xinis's record demonstrates such a lack of understanding of the reality of law enforcement and the duty of our whole criminal justice system to protect the public as to disqualify her from the Federal bench. That is why I will oppose the nomination.

I do not believe she lacks the personal qualities or the integrity needed to be a judge or be a successful person throughout her life, whatever job she holds. She certainly has many admirers. I am not questioning that, but her record, as I have discussed, indicates an approach to law enforcement that

does not justify the support of a lifetime appointment.

I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

ZIKA VIRUS

Mr. CORNYN. Mr. President, over the past few months the Zika virus has not only spread across the Caribbean and Latin America, but it has become a matter of grave concern in the United States.

Although many of the symptoms are relatively minor, Zika has been found to cause severe birth defects in children if the virus is acquired by a woman of childbearing age who is, in fact, pregnant. In places where the virus has been especially active, experts have found alarming rates of infants born with something called microcephaly—in other words, basically a shrunken skull. Obviously, it is a profoundly damaging birth defect. This is due to the mother being infected by the virus while pregnant.

As the weather continues to warm, Texans are rightly concerned about the continued spread of the virus in our State because it is transmitted primarily by mosquitoes. But it is not just any mosquito but those known to be present in places such as Texas, Florida, Louisiana, and some of the warmer areas. But we don't know if that will always be the case or whether they will expand their range or exactly how this could unroll.

In fact, cases in 11 Texas counties have already been confirmed, including Austin, Houston, and Dallas. One important distinction in these cases is that they are tied to people traveling to Latin America, Puerto Rico, or Central America right now. In other words, there has been no confirmed case, I believe, by the Centers for Disease Control of anybody actually being bitten by a mosquito in the United States and having acquired the Zika virus. But that doesn't mean that it is not potentially dangerous, in fact, for the reasons I have mentioned, along with the fact that we now have at least a couple of cases of confirmed sexual transmission of the Zika virus.

Fortunately, top research and medical facilities in Texas have been working on ways to prevent the spread of the Zika virus and to protect all Americans from its symptoms. A few months ago, I visited with some of those at the University of Texas Medical Branch at Galveston, where they told me about their work in Brazil studying this virus. As the world leader in mosquito-borne viruses, their research is continually groundbreaking.

In fact, recently the Brazilian Ministry of Health announced a collaboration with researchers at the University of Texas Medical Branch at Galveston to help them develop a Zika virus vaccine. They have also had experience when it comes to tackling other large-scale viruses. Last year UTMB was named one of the first regional Ebola treatment centers in the country, and UTMB researchers went on to develop an effective, quick-acting Ebola vaccine.

When they stressed the urgent need for the United States to approach this virus in a careful and deliberate manner, I listened to what they were telling me. I heard a similar message when I recently visited the Texas Medical Center in Houston. They, too, are medical pioneers and are working to create a rapid test for the virus and to strengthen mosquito control in potential hot spots. Interestingly, this is one of the most important components of dealing with the Zika virus; that is, mosquito control.

Indeed, we will hear more about some of the EPA regulations that are currently in effect which discourage or inhibit the ability of local public health units in places such as Houston, Galveston, and elsewhere to actually control the mosquito population. We will talk more about that later.

But like the researchers in Galveston, these folks at the Texas Medical Center urge congressional action so that our country can be better prepared to handle this potential health crisis, instead of having to react after the fact. When the cases of Ebola were confirmed in Dallas, I remember very clearly how people felt overwhelmed by the fast-developing situation on the ground, so much so that they really did not feel that they were totally prepared ahead of time to deal with it. We don't want to make that mistake twice when it comes to the Zika virus.

Conversations I have had with these Texas institutions, as well as the Secretary of Health and Human Services and the Director of the Centers for Disease Control, the CDC, have underscored to me the need to act with urgency to avert what could become a major public health crisis in this country.

Because States like mine boast a warmer climate and they are in closer proximity to where the mosquitoes that currently carry the Zika virus are located, we will likely serve on the frontline in dealing this summer with this response nationwide.

Congress can't afford to sit back and do nothing. I don't hear anybody saying: Do nothing. I hear everybody saying we need to act clearly, with dispatch, and without unnecessary delay.

But part of what we need to do is to make sure we have a plan in place and that we are executing a plan in a way that maximizes the effectiveness in combatting not only the mosquitoes that carry this virus but also the virus itself. We have to make sure our public health officials on the frontline of research and prevention have the resources they need to get the job done too.

Fortunately, tomorrow, the Senate will vote on several pieces of legislation designed to provide additional Federal funding so public officials can handle this impending crisis head on.

The first proposal is from the President of the United States. President Obama has made a spending request of nearly $2 billion that isn't paid for. It is emergency funding, meaning that the funding would be deficit-increasing and debt-increasing. Also, the President's proposal to spend $2 billion comes without very much in the way of a plan about how the administration would use the money. I guess they are asking us to trust them, but, frankly, I think we have a greater responsibility to make sure that the money will be put to good use and that we have appropriated an adequate amount of money—but not more money than is necessary—to deal with this potential crisis.

The second piece of legislation we will vote on is a compromise package that was negotiated between the chairman and the ranking member of the Labor, Health and Human Services Appropriations Subcommittee in a bipartisan and commonsense way. I congratulate Senator BLUNT and Senator MURRAY for working through this in an orderly sort of process, and I commend them on reaching an agreement.

Their compromise bill is basically for $1.1 billion. In other words, it is not the $1.9 billion or $2 billion that the President requested. They thought the $1.1 billion was a more accurate and justifiable number.

Unfortunately, the legislation that has been negotiated between the chairman and the ranking member of the Labor, Health and Human Services Appropriations Subcommittee is not paid for either. What this would essentially do is borrow from our children and grandchildren to meet the present exigencies of this crisis.

The good news is we have a third option, which I want to talk about briefly. It is a third piece of legislation that I have introduced and which is nearly identical to the Blunt-Murray proposal, the Appropriations subcommittee proposal. It would also provide a compromise of $1.1 billion in Federal funding targeted toward health care professionals across the country.

But my bill has a key distinction. It is fully paid for. You might ask: Where does that money come from?

When the Affordable Care Act—or ObamaCare, as it has come to be known—was passed, it included a provision for the Prevention and Public

Health Fund. This, again, was part of the Affordable Care Act. The purpose that was stated in the legislation was ''to provide for expanded and sustained national investment in prevention and public health programs.'' In other words, it could have been tailor-made to deal with this potential Zika crisis.

What I would propose is that we deal with the problem without delay. We appropriate the right amount of money, which both Democrats and Republicans—at least in the Appropriations Committee—have agreed is $1.1 billion, but that we take available funds and funds that will be available under the Prevention and Public Health Fund, and we pay for it.

You wouldn't think that would be particularly revolutionary or novel around here, but unfortunately I think too often what we do is we act in an emergency or to avert an emergency and we don't follow through and do it in a fiscally responsible sort of way.

The fact of the matter is we do need to address the Zika virus. There is no doubt about that. There is no difference among us in this Chamber or in Congress about the need to deal with that. As a matter of fact, the House of Representatives has proposed a version of their response today, I believe. But we need to do this responsibly.

There is no reason why we have to put our country deeper in debt to protect ourselves against this virus. We don't have an endless supply of money. The Federal Treasury can't just keep printing money, and we can't just keep imposing on our children and grandchildren the responsibilities to pay the money back that we continue to borrow, particularly when we have a fund available to offset this expenditure.

As the Presiding Officer well knows, our growing debt in and of itself is a threat to our country's future and our way of life. The Presiding Officer and I have listened to the Senator from Georgia, Mr. PERDUE, talk about what impact our debt has on our ability not only to withstand another financial crisis, such as we had in 2008, but simply to fund such essential functions of the Federal Government like national defense.

Particularly, as the interest rates are going up, more and more money is going to be paid to our bond holders, such as China and others, instead of paying for essential functions of the government, like national defense or safety net programs that we all agree are worthwhile.

If we can deal with this potential crisis and do so in a fiscally responsible way without growing the debt, then we ought to be able to do that. This should be a no-brainer.

We should take this opportunity tomorrow to give our public health officials and local officials back home the resources they need to protect our constituents—the American people—against the spread of the Zika virus, but we ought to do so without adding to our mounting debt.

Fortunately, this legislation also includes a provision that would waive provisions of the Clean Water Act—I have referred to those a little earlier—and permit State and local officials to spray to protect against mosquitoes year around. Unfortunately, this particular legislation, the Clean Water Act, has provisions in it that essentially tie the hands of public health officials when it comes to mosquito eradication, which is one of the essential components of a strategy to defeat this potential crisis.

We all agree that the Zika virus is a real threat with real public health consequences. It has already impacted a generation in Brazil and other Latin American countries. We are told it is apparently rampant in Puerto Rico and Haiti, and there is no question it is coming our way. With the summer months ahead of us, the potential for this virus to spread to the United States is a major concern that we ought to address with dispatch. We have to give those on the ground the tools and support they need to address this threat, but we have to do so in a responsible way.

I urge our colleagues on both sides of the aisle to support the legislation which funds the Zika prevention program at $1.1 billion but pays for it out of the Prevention and Public Health Fund, as apparently this fund was created to do—to ''provide for expanded and sustained national investment in prevention and public health programs.''

I urge my colleagues on both sides to support this legislation when we have a chance to vote tomorrow. The time to act is now.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. FISCHER). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Paula Xinis, of Maryland, to be United States District Judge for the District of Maryland.

The PRESIDING OFFICER. Under the previous order, there will be 60 minutes for debate only on the nomination, with the time equally divided in the usual form.

The Senator from Ohio.

ZIKA VIRUS

Mr. PORTMAN. Madam President, I rise today to talk about the Zika virus. We will have a vote on this tomorrow.

Tonight I wish to speak about the need for us to move forward with emergency funding with regard to this virus. We need to combat it. It is spreading. It poses a threat to the safety of women, children, and the elderly. It is particularly important that we keep it from spreading because there is no known Zika vaccine or treatment.

A lot of my constituents have asked me about this back home. This is a virus that has spread from Africa, to Asia, to Latin America, and now it is coming into our own country. It is spreading so quickly because it is insidious. It is difficult to test for it because it is usually confused with other viruses, like dengue. It can only be detected in a few days after you get it in the blood. Many of its symptoms in older adults are similar to other viruses, such as influenza, so it is tough to know whether you have it. It is typically contracted simply by being bitten by a mosquito, and two kinds of mosquitoes—both of which are in the United States—are the problem. We now know that it can also be transmitted by sexual activity. We are told that men may be able to sexually transmit the virus for months after the initial infection based on some experiences.

So, again, this is a difficult issue. Some people may not even know they have it; yet they might be spreading it. The spread of the virus is accelerating. It took 60 years for Zika to make it out of Africa to the Pacific. Just 8 years after that, it reached the Western Hemisphere in Latin America.

Today it has infected people in 62 countries, including the United States and 34 other countries in the Americas, so pretty much every country in the Americas is now infected with it. Hundreds of Americans have been infected. We know of nearly 500, including 48 pregnant women and 12 people in my home State of Ohio, in fact. Thus far, it looks as though all of the Americans who have become infected did so by traveling overseas, being infected by the mosquito or by sexual contact with someone who had Zika.

The World Health Organization calls it ''a threat of alarming proportions'' because it is spreading so quickly and because it has serious consequences for the most vulnerable in our society, particularly the elderly—an older gentleman in Puerto Rico recently died of

Zika—children, babies in the womb, which we will talk about in a second, and pregnant women.

As Zika has spread, health officials have reported an increased incidence of babies born with a horrible birth defect where a baby's head and brain are abnormally small. The consequences of this birth defect are absolutely tragic. These kids have seizures, slow development, intellectual disabilities, and often loss of hearing and vision. The consequences last a lifetime. There is no known cure for this disease. We don't want any child to have to suffer through that. It is in all of our interests to protect more babies from this syndrome.

In Brazil, there have been more than 900 confirmed cases since Zika arrived, with another 4,000 suspected cases. These are conservative estimates, and they are rising. That is up from around an average of 150 each year—a 600-percent increase from year to year.

Officials also tell us that Zika can cause what is called Guillain-Barre syndrome, which causes the body's immune system to attack its own nerves. It is a cruel syndrome, and in bad cases it can cause total paralysis and loss of sensation. This can happen to anyone, not just newborns but adults as well. These are just two of the neurological side effects that can result, and, like Zika, they are thought to be incurable.

For most adults, Zika is not fatal, but to the most vulnerable, like the elderly and the unborn, it could be a lifetime of suffering, disability, or even death. I mentioned the man in Puerto Rico who died last week after being infected by Zika, a fellow American. His immune system began to attack the platelets in his blood, so they couldn't clot, and that was the effect for him.

As Zika spreads, it becomes clearer than ever that our response has to be very aggressive, both domestically and internationally. It has to be aggressive, and therefore it has to be funded. That is why I think it is important that we deal with emergency funding before it is truly an emergency.

I thank my colleagues for the steps they have already taken to improve our response. In March, this body passed and President Obama signed into law bipartisan legislation which I cosponsored with my friend Senator FRANKEN that will give accelerated priority review at the Food and Drug Administration for new drugs and vaccines to treat Zika. This is very important, and I applaud the Senate for moving quickly and the administration for moving on that. It is a critical step. Right now, there is no cure and no treatment. President Obama has signed it into law.

I am also grateful to the administration for redirecting more than $500 million of residual Ebola funds that were originally appropriated by Congress to deal with Ebola and were not necessary. They stopped using those funds for Ebola and shipped those funds over to Zika to stop it from spreading. I applaud them for that as well.

Again, we have more work to do, and it is my view that we ought to move forward with emergency funding. There was a proposal—I believe it was finalized just last week, Thursday or Friday—from Senator BLUNT and Senator MURRAY that goes a long way toward dealing with this issue.

The majority of the funding is right here in the United States, while the rest will go to international immigration purposes so we can keep Zika from crossing our borders again. A lot of this funding goes to the Centers for Disease Control and Prevention—the majority of it—to enhance mosquito control programs, improve infrastructure for testing for Zika, and expand the pregnancy risk assessment monitoring system, all of which are important. This is emergency funding, and I think it is necessary. Some funding also helps provide health services for pregnant women in Puerto Rico and invests in scientific research for a treatment or a vaccine. This is perhaps the most important thing we can do. These are critical priorities.

I would also note that I am pleased that we have maintained the Hyde protections in this proposal, and I believe this is consistent with the goal of protecting innocent life, protecting these innocent babies from birth defects. We want this funding to be used to help preserve life and to help the vulnerable.

We need to ensure adequate funding. We have to recognize the tools already at our disposal and use them. I have remained in contact with the Secretary of the Air Force as this virus has spread to make clear that in Ohio we have reservists at Youngstown Air Reserve Station who are ready to help. This Air Reserve Station in Youngstown, OH, is the home of the 910th Airlift Wing, which is the only fixed-wing aerial spray unit in the United States. It has been used by the military all over the United States. They have played key roles in other public health emergencies, including spraying millions of acres in Louisiana and Texas for mosquito abatement after Hurricane Katrina. I believe they could play that same role now. They are ready to do it, but frankly they need an upgrade in their equipment to be able to do it.

As RADM Stephen Redd of the CDC told me in the Homeland Security and Governmental Affairs Committee, ''there could be a role for that airwing in locations that do not have [finely honed mosquito control enterprises].'' He said that a lot of counties in this country do not have that. He said: ''One of the things that we think is really important that the Zika virus outbreak is pointing out is the need to really revitalize those mosquito control efforts.'' I couldn't agree with him more.

We need to revitalize these efforts to be sure we have them and use the tools that are at our disposal right now. If Zika were to spread around the country, it is incredibly important that we have this control effort.

I hope we move forward on this in the next couple of days, send this legislation to the President for his signature, and get moving on dealing with the Zika emergency we have before us. People all over Ohio ask me about it because they are worried. We need to keep our constituents safe, and we need to give them peace of mind.

Adopting the amendment I think we are going to have before us in the next couple of days is the best action we can take right now to achieve these goals, and I urge my colleagues on both sides of the aisle to strongly support emergency funding for this purpose.

Thank you.

I yield back my time.

THE PRESIDING OFFICER (Mr. COATS). The Senator from Vermont.

Mr. LEAHY. Mr. President, it has been 5 weeks since the Senate last confirmed a judicial nominee. In that time, judicial vacancies have continued to increase. Unfortunately, the Republican leadership has repeatedly objected to unanimous consent motions made to overcome the obstruction of 20 judicial nominees. These are nominees who were voted out unanimously by committee and are awaiting a confirmation vote.

The majority leader claims that President Obama's nominees have been treated fairly, but anyone paying attention to the Senate over the past 7 years knows that is not the case. It has been almost 2 months since Chief Judge Merrick Garland was nominated by President Obama to fill a vacancy on the Supreme Court. Chief Judge Garland is widely respected, and prior to his nomination, he had repeatedly received praise from the very Republicans who now refuse to allow him to appear for a confirmation hearing. These same Republicans refuse to do their jobs as Senators while outside groups pour millions of dollars into television ads that seek to discredit Chief Judge Garland's record. Before there was even a Supreme Court nominee, one Republican aide promised conservatives were ''going to light this person up.'' Sadly, it appears they are making good on their threat while simultaneously refusing to allow him a public hearing where he could respond.

Meanwhile, lower court nominees have stalled. Paula Xinis, whom we will vote on today, was nominated more than a year ago to fill an emergency vacancy—not just a regular vacancy but an emergency vacancy in Maryland. Since 2011, she has practiced as a criminal defense attorney at a law firm. Prior to that, she served in the

Federal Public Defender's Office for the District of Maryland for 13 years, from 1998 to 2011. Ms. Xinis has extensive trial experience, representing hundreds of clients as a public defender and trying 16 cases to completion over the course of her career. The ABA Standing Committee on the Federal Judiciary unanimously rated Ms. Xinis ''well qualified'' to serve in the district court. They gave Paula Xinis their highest rating. She is strongly supported by both Senators from Maryland, and her nomination was unanimously approved by the Judiciary Committee by voice vote 8 months ago. All the Republicans on the Judiciary Committee approved her nomination from the Committee by unanimous voice vote.

Senator SESSIONS came to the floor today to oppose Ms. Xinis's nomination based on her experience as an examiner of complaints against police officers in the District of Columbia. From 1995 to 2011, Ms. Xinis served as a complaint examiner in six cases where she made determinations on complaints brought against Metropolitan Police Department officers. At her Senate Judiciary Committee hearing, Senator SESSIONS questioned Ms. Xinis about her experience and expressed concern that, in the six cases Ms. Xinis served as a complaint examiner, she sustained rulings against police officers in all of them. Senator SESSIONS questions Ms. Xinis's fairness to police officers based on her determinations in these six cases.

However, as Senator SESSIONS said on the floor today, he does not question her personal qualifications or her integrity to be a Federal judge. And he also did not question her testimony before the Judiciary Committee in which she committed to being a fair and impartial judge, should she be confirmed. Furthermore, Ms. Xinis's record as a complaint examiner shows that each one of her six determinations was sustained by the chief of police; none of them was overturned. Her decisions could have been appealed and overturned if they were incorrect, but they were not.

Paula Xinis has earned the express support of law enforcement and has defended police officers as an attorney on a number of occasions. For instance, in one case, she provided legal counsel to a Baltimore police officer unfairly accused of criminal wrongdoing. That officer wrote a letter of support for Ms. Xinis, where he said: ''Throughout the entire ordeal, I spent countless hours with Paula and her team. They worked diligently seeking the evidence needed to exonerate me. Although it was an extremely dark time for me, she always made me feel confident that she 'had my back' and that she was dedicated to seeing that I was vindicated. Thankfully, as a result of her tireless efforts on my behalf, all of the charges brought against me were dismissed earlier this year.'' This does not sound like a person who holds any biases against law enforcement. In addition to this officer, several other members of the law enforcement community have written in support of Ms. Xinis's nomination.

After we actually vote on Paula Xinis's nomination today, there will still be 19 judicial nominees pending on the Executive Calendar waiting for a confirmation vote. Every single one of these nominees was voted out of the Judiciary Committee by unanimous voice vote. Instead of allowing a vote on these nominees on a regular basis, the Republican leadership objects to the Senate being able to do our jobs.

After today's vote, the next in line for consideration is a district court nominee from New Jersey and then a district court nominee from Nebraska. I know the Senators from New Jersey are pushing for a vote on the nominee to serve in their State. I hope the Republican Senators from Nebraska are urging their leadership to schedule the confirmation of Robert Rossiter, who was approved by unanimous voice vote in committee. That vacancy has been pending for over a year and a half. There is no good reason for votes on these nominees to be further delayed.

Senator GRASSLEY has indicated that Republicans will shut down the judicial nominations process in July, even though vacancies have risen from 43 to 81 since Republicans took over the majority. They have allowed vacancies to rise dramatically and now want to shut it down even though the judicial nominees pending are not controversial and we have numerous vacancies that need to be filled. This is wrong. Contrast this to the last 2 years of George W. Bush's administration, when Democrats were in control. At this same point in the Bush Presidency, Democrats had reduced vacancies to just 46.

Because of Republican obstruction, our independent judiciary is struggling to perform its role under the Constitution. The Marshall Project recently interviewed several sitting judges to examine the impact judicial vacancies are having on our courts. Chief Judge Ron Clark of the Eastern District of Texas, which currently has three judicial emergency vacancies, said: ''We're managing the best we can—but if they don't get us another judge soon, you could start to see some more draconian kinds of delays.'' There is a nominee to this court pending in the Judiciary Committee, but the Texas Senators, who both are members of the committee, have not returned their blue slips to allow that nominee to even receive a hearing. I hope the Texas Senators heed the call of Chief Judge Clark and get moving on their nominee.

And I hope the Senate majority allows this body to return to regular order when it comes to processing judicial nominees. We have a constitutional responsibility to provide advice and consent on the President's nominees. The Constitution has not changed, but once President Obama took office, this body's normal practice for treating nominees turned for the worse. Deference to home State Senators was no longer the norm, and procedural delay after procedural delay quickly became the standard practice of the Republican caucus, whether they were in the minority or now in the majority. In a New York Times op-ed a week ago, former Judge Shira Sheindlin of the Southern District of New York warned that the Republicans' obstruction to district court nominees ''undermines public trust in the impartiality and legitimacy of the judiciary.''

I was heartened to hear the majority leader last week make the point that an election year is ''not an excuse not to do our work.'' I could not agree more. That is why in the last 2 years of the George W. Bush administration, when I served as chairman of the Judiciary Committee, we confirmed 68 of President Bush's judicial nominees. That is compared to a handful of President Obama's nominees that the Republicans have allowed. We confirmed 68 of President Bush's judicial nominees, and we confirmed right up to the time we went out for the elections in September, not in June or July or May.

We have also confirmed more than a dozen Supreme Court Justices in Presidential election years, and many in this Senate served at the time. The last one we had, of course, was during President Reagan's final year in office. We did so because we knew the Supreme Court should not be held hostage to election-year politics; yet we are being held hostage to election-year politics because we are not doing our jobs. And the Supreme Court issued a couple more 4-to-4 opinions today.

I urge the majority leader to heed his own advice and to schedule a confirmation vote for the pending lower court nominees, and I urge the chairman of the Judiciary Committee to follow suit by scheduling confirmation hearings for Chief Judge Garland so that we can do our jobs.

Mr. President, I ask unanimous consent that Judge Sheindlin's op-ed and the Marshall Project review be printed in the RECORD.

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

[From the Marshall Project, April 26, 2016]

WHAT HAPPENS WHEN THERE AREN'T ENOUGH JUDGES TO GO AROUND?

(By Eli Hager)

The ninth seat on the Supreme Court has been vacant for two months.

But Antonin Scalia's chair is not the only empty one in the vast federal judiciary, where several judgeships have remained unfilled for 30 months or more. Around the country, there are 84 of these vacancies,

largely as a result of the Senate's historically low rate of confirming President Barack Obama's nominees. And since the beginning of last year, the number of unfilled seats and pending nominations have been steadily rising.

Down in the gears of the justice system, all those absent judges have taken a toll.

Because courts are obligated to find ways to meet speedy-trial rules, at least in criminal cases, the vacancies have not caused across-the-board delays. But by all accounts, the unconfirmed nominees—combined with what advocates say is an insufficient number of judgeships overall—have forced the system to find sometimes extraordinary ways to make do with the few judges available.

Some judges, for example, are having to drive hundreds of miles to cover the empty seats. Less-qualified magistrate judges, senior judges who are supposed to be entering retirement, and visiting judges who fly in from other states, have all had to pitch in. And many of the remaining judges say that it's hard, with such a lack of personnel, to give every case the attention it deserves.

In the worst-hit districts, including all four districts of Texas, some areas of Florida and California, Middle Alabama, and elsewhere, the situation is now considered an ''emergency.''

Ron Clark, chief judge of the Eastern District of Texas, which has three judicial emergencies out of only eight total judgeships, says that ''we're managing the best we can—but if they don't get us another judge soon, you could start to see some more draconian kinds of delays.''

JUDICIAL VACANCIES IN THE FEDERAL COURTS

In the past year, unfilled federal judgeships have been rising dramatically. Similarly, the number of seats on the bench considered ''emergencies''—vacant for many months with a large caseload per judge—and the number of White House nominations awaiting Senate confirmation have climbed.

A 2014 study by the Brennan Center for Justice found that the vacancies led to a host of negative consequences. Among them were unresolved motions, habeas corpus petitions waiting years to be heard (or being handled by law clerks instead of judges), judges spending less time on each case, and defendants pleading guilty because they believed a trial would not get the timely attention it deserved.

And in civil proceedings, where the Speedy Trial Act does not apply, longer wait times for trial are becoming more common.

Morrison C. England Jr., chief judge of the Eastern District of California, says that ''cases that aren't the priority are going to get pushed back for years, literally.''

In Middle Alabama, Ricky Martin, a pastor, had been allowing registered sex-offenders to stay in mobile homes surrounding his church—until the state legislature made it illegal for him to do so. Martin filed suit in August of 2014, and the local D.A. responded with a ''motion to dismiss'' a few months later. But a judge didn't get around to weighing in—in Martin's favor—until this April, and the case may not actually be resolved for two more years or longer.

The process would have taken only three to four months if there were more judges available, says Randall Marshall, legal director of the ACLU of Alabama.

But sometimes, the effect is the opposite: the proceedings get rushed.

Brian McGiverin, a civil-rights lawyer in Austin, Texas, says that because there are so few judges, the remaining ones are all overbooked. As a result, they often ''give you a cramped amount of time for trial, regardless of how many witnesses you'd like to call.''

McGiverin recently assisted in the case of a woman named Abieyuwa Ikhinmwin, who claimed that she was racially profiled, handled with excessive force, and wrongfully arrested by police in San Antonio.

He says the court tried to ''fast-track'' her lawsuit, threatening to dismiss it within 21 days unless she paid a fee and submitted additional information—which would not have happened when there were enough judges.

Clark, chief judge in the nearby Eastern District of Texas, says that ''with so few of us, it's definitely harder to have the flexibility that a defense lawyer might want us to. So the answer sometimes has to be, 'No, sorry, we can't offer that time in court.' ''

Meanwhile, the consequences of too few judges are worsened in the most geographically expansive districts.

''When there's a missing judge in a state like ours,'' Clark says, ''it's not like we can walk down the hall and take care of a trial for him—the trip from Beaumont to Plano is five and a half hours, and that's if the traffic is good.''

He and the other judges in his district waste about two days a week on the road.

''We're one traffic accident away from the wheels falling off,'' he says.

As an additional stop-gap measure, the worst-hit districts are relying on pinch hitters.

In Middle Alabama, less-experienced magistrate judges (who are appointed directly by the district judges, rather than nominated by the president and confirmed by the Senate) have for several years been doing work once reserved for the district judges, from taking guilty pleas to overseeing evidentiary hearings. The district is also getting last-minute help from visiting judges, who have traveled from Iowa and Florida to pitch in.

''When there are judges who come in from elsewhere,'' says Christine Freeman, executive director of the federal defender's office in Montgomery, Ala., ''they are strangers to us, to the prosecutor, to court officials, to the probation officers, to every single person involved in a case.''

''That makes it very hard to predict outcomes for your client,'' Freeman adds.

But the lack of judges has perhaps fallen hardest on senior judges, who, because they are typically over 70 or 80 years old, usually take on 50 percent or less of a full caseload.

Instead, in Middle Alabama and elsewhere, their caseloads have been 150 or even 200 percent of normal.

''I'm 73, and I'd like to be able to say, 'Look, I'm done, I want to spend more time with my family,' '' says Michael Schneider, one of the senior judges in Eastern Texas. ''I'm encouraged that the president has nominated someone, but I can't actually cut back until a nominee is approved.''

''I'm going to be at this for awhile,'' Schneider adds. ''It's frustrating.''

England, the chief judge in Eastern California, says that senior judges are the only reason why vacancies haven't become more of a crisis.

''We are living and dying with our senior judges,'' England says. ''They're taking on cases they shouldn't have to, but that's what's saving us.''

Of course, federal courts being overburdened is the symptom of more than simply a lack of nominations and confirmations.

Since 1990, Congress has not passed major legislation creating new judgeships, even as the war on drugs, and now the surge in prosecution of undocumented immigrants, have jammed up the system with exponentially more cases.

As a result, by 2013, there was a 39 percent uptick in the number of overall filings, while only 4 percent more judges were added to handle all that extra work.

Throw in the higher-than-normal number of vacancies, and it's a recipe for an overburdened judiciary. After a three-year wait, for instance, the Eastern District of California finally got a vacancy filled last October. But Chief Judge England says the crushing burden of too few judges hasn't lessened.

''One way or the other, Congress would need to give this district more judges,'' he says. ''We need help—we have too many trials. I'm booked for 2016 and 2017 already.''

[From the New York Times, May 6, 2016]

AMERICA'S TRIAL COURT JUDGES: OUR FRONT LINE FOR JUSTICE

(By Shira A. Scheindlin)

The outcry over the Senate's failure to hold hearings on Judge Merrick Garland's nomination to the Supreme Court is fully justified. But that isn't the only judiciary scandal on Capitol Hill. Even as the spotlight shines on the high court, the Senate has refused to confirm dozens of uncontroversial nominees to fill vacancies in the federal trial courts.

Such obstructionism has become an everyday occurrence. Just last week, Senate Republicans refused to vote on 11 federal district court nominees whom the Judiciary Committee had already approved—even those who were supported by Republicans in their home states. During President George W. Bush's last two years in office, the Democratic-controlled Senate confirmed about 57 district court judges. Since Republicans took power in 2014, the Senate has confirmed only 15 of President Obama's trial court nominees.

This is an even bigger problem than Judge Garland's stalled nomination. Trial court judges do the bulk of the work in the federal court system: Last year nearly 375,000 new cases were filed, while the Supreme Court justices issued just under 75 opinions. And because most trial court decisions are never appealed, they become the final word in significant disputes that affect millions of Americans.

I know this firsthand. I served as a trial judge for over 21 years, and stepped down from the bench last week. As I walked out of a federal courthouse in Lower Manhattan on one of my last days, an African-American United States marshal asked me if he could have a word.

He explained that he had grown up in New York City's public housing, and thanked me for my 2013 decision in the ''stop and frisk'' case. (I ruled that the New York Police Department's practice in which police officers stopped hundreds of thousands of New Yorkers without reasonable suspicion, a vast majority of whom were innocent African-Americans and Latinos, was unconstitutional.)

''You just can't know what a difference this has made to so many people in my community,'' he said. ''You can't even imagine.''

But I think I can. At the policy's peak in 2011, officers stopped nearly 700,000 people. That number dropped to about 23,000 last year, and the policy change was not accompanied by a rise in serious crime, despite dire predictions to the contrary. As a result of my rulings and community outcry, the Police Department agreed to reforms, which include better record keeping, the use of police body cameras and the abandonment of racial profiling.

Other examples abound. In 1974, Judge Jack Weinstein of the Eastern District of New York found the de facto segregation in a Coney Island public school to be unconstitutional, a ruling affirmed on appeal. The school was ultimately integrated under his supervision, and without the ''white flight'' that politicians had feared would result.

And in one of the highest-profile civil rights cases ever in a trial court, Leonard about a decade later that both the housing and schools in Yonkers were intentionally segregated, and ordered construction of integrated housing in the city. An appeals court upheld this ruling, which, despite years of public protest, immensely improved the living conditions for thousands of Yonkers residents.

The influence of district judges has likewise had an effect on national security. In the mid-2000s, Judge Alvin Hellerstein, also from the Southern District of New York, ordered the government to disclose photographs under the Freedom of Information Act that depict the abuse of Abu Ghraib detainees, which was affirmed by the appellate court. Judge Hellerstein also effectively forced the government to turn over the Department of Justice's infamous ''torture memos,'' which incited a national conversation about whether torture is ever appropriate.

Not every decision by district court judges benefits the public: Last week Judge Thomas Schroeder of North Carolina's Middle District upheld myriad legislative changes to the state's voting rules that will result in reduced voting opportunities for minorities, unless reversed.

Whether Judge Garland should be confirmed or not, there can be no denying that Supreme Court nominations are inherently political. So it's no surprise that they are drawn out for ideological or partisan reasons. But district court nominations are different. Ideology is not the issue: Experience and competence are the only criteria.

And yet the Senate majority's policy of delaying qualified district-court nominations on purely political grounds undermines public trust in the impartiality and legitimacy of the judiciary. This is especially worrisome because the public's understanding of how justice is administered is most likely based on its access to and experience with lower court proceedings.

Presidential debates have focused on the Islamic State, trade pacts and immigration policy; meanwhile, the next president will most likely appoint 130 trial judges over the next four years. The public needs to know what's at stake. Trial judges must spot the issues, decide the outcomes and fashion the remedies in all kinds of disputes. I cannot force this Congress to do its job. But I urge voters not to forget the White House's power to appoint all judges when they choose the next president.

Mr. LEAHY. Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Thank you very much, Mr. President.

I rise this evening in support of the nomination of Paula Xinis to serve on the District Court of Maryland. I know Senator CARDIN will be coming to the floor shortly to also comment on Ms. Xinis's nomination. Senator CARDIN and I recommended Ms. Xinis to President Obama with the utmost confidence in her abilities, talent, and competence for the job. She is a brilliant litigator and a dedicated public servant. The Judiciary Committee agreed with us, because they also voted her out of the committee unanimously.

I thank Senator MCCONNELL, the majority leader, for scheduling this vote; Senator GRASSLEY for moving this nomination; and I also thank my very good and dear friend Senator LEAHY, the vice chairman of the committee, who has been a strong advocate not only for this nomination but for moving all nominations forward, as voted out by the committee in a prompt way.

As I talk about Ms. Xinis, I want the Presiding Officer to know that I have recommended several judicial nominees for district and appellate courts, and I take my advise and consent responsibility very seriously. When I recommend to the President a position on the district court, I have four criteria: absolute integrity, judicial competence and temperament, a commitment to core constitutional principles, and a history of civic engagement in Maryland.

Ms. Xinis exceeds these expectations over and beyond. She has dedicated her career to the rule of law, achieving equal justice under the law and also being an advocate for the underdog. She is truly an outstanding nominee with a long history of public service—14 years as a Federal public defender, handling everything from the most simple misdemeanors to very complex white-collar crimes. She has also taken on extra duties, training staff and being an attorney supervisor of research and writing, proving time and time again how committed and dedicated she is.

She worked as a clerk for the distinguished and esteemed Judge Diana Gribbon Motz, a well-respected judge on the Fourth Circuit. She also has been a member of the private sector as a senior trial partner in a private law firm in Baltimore, taking on complex civil litigation and protecting those who have been harmed by lead paint or carbon monoxide poisoning.

Judge Motz, in recommending Ms. Xinis to me, said she is so intelligent and generous in terms of working very hard, in terms of knowing the law and practicing the law, but she also commented on her work ethic, praising her skill in the courtroom and her service to the community.

She has mentored children, provided legal advice to at-need communities in Baltimore, and served on numerous bar associations. She has deep appreciation for the law and everything that it means. I do believe she will be an outstanding judge.

There have been criticisms raised of Ms. Xinis, and the criticisms have centered around her support within the law enforcement community. Flashing yellow lights were raised by one of our colleagues on the other side of the aisle, asking whether she had an impartial attitude toward police officers. I have four letters here from retired police officers in Baltimore City all attesting to that.

Mr. President, I ask unanimous consent to have these letters printed in the RECORD.

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

CITY OF CHARLOTTESVILLE,
POLICE DEPARTMENT,
Charlottesville, VA, August 30, 2015.

Re Letter in Support of Paula Xinis, for the position of United States District Judge for the District of Maryland.

Hon. CHARLES GRASSLEY,
Chairman, U.S. Senate Committee on the Judiciary, Washington, DC.
Hon. PATRICK LEAHY,
Ranking Member, U.S. Senate Committee on the Judiciary, Washington, DC.

DEAR HONORABLE SENATORS GRASSLEY AND LEAHY: My name is Timothy Longo and I currently serve as the Chief of Police in the City of Charlottesville, Virginia. I am a career law enforcement officer having previously served as a Colonel with the Baltimore City Police Department, retiring in March of 2000. In addition, to my professional training and experience, I am proud to have received my law degree from the University of Baltimore and was admitted to the Maryland Bar in December of 1993.

For the past 25 years, I have had the honor of instructing thousands of law enforcement officers and administrators on matters of policy, law, and generally accepted policing practices. In addition to my sworn duties and responsibilities, I have served on many occasions as a police practices expert assisting both plaintiff and defense counsel in civil rights claims resulting from the actions of law enforcement officers, and the policies and practices related to those actions. It is in this capacity that I have come to know and respect Paula Xinis. I have come to learn that the Senate Judiciary Committee is presently considering Paula's candidacy and I respectfully write in support of her appointment.

Paula and I met several years ago when I was asked to assist her in the evaluation of a civil rights claim that she had filed on behalf of a client related to the actions of a municipal law enforcement officer and the agency and municipality that employed that officer. The claim arose out of a use of force incident which resulted in serious and permanent injury. I firmly believe that cases such as this requires not only a thorough understanding of Section 1983 litigation and that of municipal liability, but an equally thorough understanding of police training, policy, and practice.

For more than a year, I worked closely with Paula as she sought to better understand how a police officer is trained, the policies, principles, and practices that guide their work, as well as the manner in which police departments investigate incidents that result in force. What I discovered from the onset, and frankly what continued to impress me as I worked with Paula on this important matter, is the thoughtful and objective manner in which she approached both the facts and the theory of her client's case.

Although the complaint she had advanced on behalf of her client depicted a series of

facts that one may find was clearly contrary to generally accepted policing practices on the face of her client's complaint, she consistently endeavored to examine that complaint and the facts in the support of it through the lenses of a career law enforcement officer who had not only worked the streets of a large metropolitan city, instructed thousands in policing, but also served as a policy maker as to the training of police officers and practices that guide that work. She and I spoke countless times, and at great length, about not only that particular case but the way that police officers go about their work and the decisions that they make quickly and oftentimes without much deliberation.

Paula was amazingly careful to reserve her own judgment and opinion as to the appropriateness of the officer's conduct and that of the agency's policy maker and listened carefully to my assessment of her claim and my opinion as to its propriety in light of my specialized training and experience.

America's law enforcement officers are facing incredibly difficult challenges as we closely evaluate the manner in which we go about our work, carefully consider re-shaping and reforming our practices, and endeavor to strengthen the necessary relationships we have with those whom we serve. Undoubtedly, law enforcement officers, policy makers, and municipalities will more frequently find themselves being scrutinized by our trial and appellate courts, and ultimately the court of public opinion. The nature of our work and recent police-citizen interactions that have ended tragically makes this reality most certain. Thus, it has never been more critical to connect the right people to this important work; not just on the front line but throughout the criminal justice continuum.

It is with a tremendous amount of pride and the utmost confidence that I respectfully ask the Senate of the United States to confirm the appointment of Paula Xinis to the United States District Court for the District of Maryland. I have absolutely no doubt that Paula will bring the competence and objectivity that is necessary to discharge the duties of such an important position. She has my confidence, respect, and unfettered support.

If I can be of further assistance, please don't hesitate to call upon me.

Meanwhile, I thank you for your time and thoughtful consideration.

Respectfully Submitted,

TIMOTHY JOHN LONGO, Sr.,
Chief of Police,
City of Charlottesville, Virginia.

POLICE DEPARTMENT,
BALTIMORE, MARYLAND,
4 September 2015.

To: Senator Patrick Leahy.
From: Sgt Brian Atwood.
Subject: Recommendation for Paula Xinis to U.S. District Judge for Md.

SIR: My name is Sgt Brian Atwood; I am a twenty year veteran with the Baltimore Police Department, I started my career in May of 1995 in the Western District. During my career I have received three Bronze Stars for Valor, two Life Saving awards and have received numerous unit citations of. I have held several positions of authority include: Field Training Officer, Officer in Charge, Sergeant and Sergeant in Charge. I have been assigned to follow district units: Patrol, Flex Units, Drug Unit, and Firearm Instructor. I'm currently assigned to the departments, Special Operation Section. I have held tactical positions as both an officer and sergeant within the elite Emergency Service Unit. My current assignment is supervising sergeant of the K–9 unit.

I am also a passed board member of Maryland's largest FOP with over 5000 active and retired members. As a member of FOP Lodge #3, I have held numerous positions within our lodge to include. Grievance Rep, Grievance Chairman, P.A.C funds Chairman, Legal Advisory Board, Contract Team Chairman, and was elected to the position of Vice President for our Lodge.

It is my understanding that the Senate Judiciary Committee will be considering Ms. Paula Xinis for United States District Judge. I would proudly recommend Ms Xinis to the position of U.S District Judge for Maryland. Ms Xinis is a person of honor, integrity, fairness and would be outstanding in that position.

In closing as a 20 year member of the law enforcement community, I know first hand the need to have judges that are well balanced, fair and great listeners. It is equally important that our judges take the rule of law and always apply it equally, with understanding and compassion in there decision. That is why I proudly recommend Ms. Paula Xinis to the position of U.S. District Judge.

Respectfully,

Sgt. BRIAN ATWOOD.

ABINGDON, MD, AUGUST 31, 2015.

Re Letter in Support of Judicial Nomination of Paula Xinis for the United States District Court for the District of Maryland.

Hon. CHARLES GRASSLEY,
Chairman, U.S. Senate Committee on the Judiciary, Washington, DC.
Hon. PATRICK LEAHY,
Ranking Member, U.S. Senate Committee on the Judiciary, Washington, DC.

DEAR SENATORS GRASSLEY AND LEAHY: Please accept this letter as support for the nomination of Paula Xinis as a United States District Judge for the District of Maryland. I was employed as a Police Officer with the Baltimore Police Department from 1987 until the time of my retirement in September 2014. While assigned to the Patrol Division, I handled calls for service related to violations of Maryland's handgun and narcotics laws. I also actively participated in shooting investigations. I also spent thirteen years assigned to the Tactical Unit/Quick Response Team. During my tenure with the Tactical Unit, one of the Unit's primary focus was serving high risk warrants for the Homicide and Robbery Units. When we weren't training, serving warrants and/or responding to barricade/hostage situations, we were utilized as suppression unit for illegal handguns and narcotics violations. For five straight years, my partner and I maintained the highest number of gun seizures/arrests and the largest narcotics cases within the Baltimore City Police Tactical Section. We received numerous commendations for our handgun arrests. Throughout the course of my career, I was called upon to testify in both the District and Circuit Courts in Baltimore City and County, as well as the United States District Court for the District of Maryland in Baltimore.

Unfortunately, my successful career in law enforcement was derailed in 2014 when I encountered difficulties in connection with a call for service. I was improperly and unfairly accuse of wrongdoing which led to criminal charges. This was a new experience for me as I had never even been disciplined during my career. I felt vulnerable and betrayed. It was clear to me and my wife that we needed legal representation that would aggressively fight to vindicate me.

My wife, whose practice is primarily the defense of civil cases, had been involved in a case in Baltimore City where Ms. Xinis represented the plaintiffs several years prior. During the course of that case, she would often remark that Ms. Xinis was a worthy advocate, yet fair and open-minded. Because of her experience with Ms. Xinis, my wife contacted her on a weekend to seek legal counsel and advice. From that point forward, Ms. Xinis made herself available to us, even if it was to simply reassure us that we were in good hands. Throughout the entire ordeal, I spent countless hours with Paula and her team. They worked diligently seeking the evidence needed to exonerate me. Although it was an extremely dark time for me, she always made me feel confident that she ''had my back'' and that she was dedicated to seeing that I was vindicated. Thankfully, as a result of her tireless efforts on my behalf, all of the charges brought against me were dismissed earlier this year.

I can personally attest to Ms. Xinis' legal acumen and her commitment to seeking justice, regardless of who the defendant may be. I observed her demonstrate the ability to forcefully argue her position to the court while being respectful to the court and other counsel. She can be a fierce advocate while maintaining a reassuring demeanor. My exposure to the judicial process throughout the course of my law enforcement career and as an officer who was wrongfully accused, has provided me with insight as to what is required to be an effective, fair and open-minded jurist. I can state without a doubt that Ms. Xinis possesses all of the necessary traits to be an asset to the federal bench in Maryland. The Committee could not find a more qualified candidate to fill the vacancy in Maryland.

Sincerely,

THOMAS J. SCHMIDT, Sr.

SEPTEMBER 1, 2015.

Re Support of Paula Xinis, for United States District Judge for the District of Maryland.

DEAR SENATOR PATRICK LEAHY (RANKING MEMBER) UNITED STATES SENATE COMMITTEE ON THE JUDICIARY: My name is Gregory Eads, Jr. I am a retired Baltimore City Police Officer. I served 22 years on the Baltimore City Police Department and retired in November 2014. I was currently assigned to the Bomb Squad and Emergency Services Unit where primarily I responded to suspicious package calls, bomb sweeps for visiting V.I.P's and stadium events. In my tenure as a police officer with the department I've acquired several skills and with worked in numerous specialized units. I have worked in Patrol, Bike(flex) squad, Drug enforcement unit, SWAT, Organized Crime Unit, Firearms Apprehension Strike Team. I am highly decorated officer that was awarded several unit citations, accommodations, and bronze star for valor.

I've come to learn the senate Judiciary Committee is considering Paula for a United States District Judge. I want to extend my support for Paula as a candidate. Paula and I met at her law firm as she was preparing to defend a co-worker in criminal case. She was interviewing me as a character witness. During this exchange we discussed my family, experiences and my background being a second generation Police Officer in Baltimore City. We share some similarities on life and making a difference in the world. Paula has a young child, demanding career and is very well known among her peers.

I was most impressed with her attention to detail, due diligence and preparation of the case. She is hardworking, open minded, and fair. I believe she would be an asset as she exemplifies the firm qualities that a United States District Court Judge possesses. As a police officer we need Judges that are fair, impartial and firm on the bench. With Paula being confirmed by the Senate Committee you will have that Judge I am referring to. I am grateful that I had the pleasure of meeting and working with Paula.

Sincerely,

GREGORY EADS Jr.,
(Retired) BPD.

Ms. MIKULSKI. One letter is from someone who is a 20-year veteran, working in the Western District. The Western District is where they filmed ''The Wire.'' It is rough, tough, and hardscrabble. This former police sergeant said:

In closing, as a 20-year member of the law enforcement community, I know firsthand the need to have judges that are well balanced, fair and great listeners. . . . That is why I proudly recommend Ms. Paula Xinis to the position of U.S. District Judge.

I won't go through every letter—the RECORD will speak for itself—but when you have retired police officers, those who are not on duty now but who worked with her hands-on and who know the way she works with law enforcement, the way she engages with them when she was a public defender and so on—I think these letters speak for themselves.

In closing, let me say this: The job of a U.S. Senator to recommend someone to be a judge is indeed a great honor, but it is an enormous responsibility. I take it very seriously, and I would only recommend somebody who was truly qualified to render impartial justice and bring the competency and the temperament to do that. I believe Ms. Xinis possesses competency, the judicial temperament, and a real commitment to equal justice under the law.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I join Senator MIKULSKI, as the two Senators from Maryland, in strongly recommending the favorable consideration of Paula Xinis for the district court judgeship of Maryland.

I first want to acknowledge the leadership of our senior Senator from Maryland in developing a process in which we screen the very most talented people for opportunities to serve on our Federal bench. This is a professional process that we have gone forward with under Senator MIKULSKI's leadership in order to try to get the very best on our courts.

It is not a partisan issue at all. It is strictly looking for those who have the judicial temperament and experience to be able to be an outstanding member of the bench. We have done that on previous nominations that have been considered on this floor, and Paula Xinis follows in that tradition. I thank Senator MIKULSKI for the process that we went forward on in making this recommendation to President Obama.

I might tell you, President Obama then forwarded the nomination to the Senate in March of last year—in March of 2015. It took 6 months for the Judiciary Committee to make its recommendations to the full floor in September of 2015. It was not a controversial nomination in the committee. The committee reviewed all of Ms. Xinis's background, record, everything that she has done, and on a very strong voice vote brought her forward to the full floor.

So this is not a controversial nomination. Because of the delay, originally to fill the vacancy of Deborah Chasanow, who took senior status, it is now a judicial emergency. People of Maryland are in a desperate situation to have an adequate number of judges to handle the workload in our district. It is critical we move forward in the confirmation of this nominee. Senator MIKULSKI has pointed out how qualified this person is.

I can tell you, over the last several months, I have been stopped on numerous occasions by attorneys and nonattorneys in Maryland saying: Why isn't Paula Xinis confirmed by now? She is a wonderful person. We have had experience with her.

I have heard glowing comments about her dedication to our community, her professional competency, and her qualifications to serve on the U.S. district court. It is for that reason the ABA gave her the highest ratings in their review of her qualifications. She has been in the private practice of law at Murphy, Falcon & Murphy. After just 2 years, she was made a partner in that firm. She has been an assistant Federal public defender, showing her compassion to represent some of the most difficult cases in our criminal justice system.

She was a law clerk for Judge Motz on the Fourth Circuit Court of Appeals. She has devoted her life to understanding our legal system but also to carrying out its major charge to make sure we have equal access to justice under the law. She got her JD from Yale Law School, her BA from the University of Virginia.

What I really appreciated, in getting to know Paula Xinis better during this confirmation process, was getting to know her family background; that is, to represent the American story. Her father was an immigrant from Greece, came over with very little resources. They were able to take advantage of the opportunities in this country as an immigrant family. Now Paula Xinis has been nominated by President Obama to serve on the district court for Maryland.

Quite a success story, but Paula Xinis has never forgotten her background. She has always been giving back to our community. She is known for her pro bono work for her church members in the church she belongs to, but as Senator MIKULSKI pointed out, in working with the House of Ruth in a mentoring program, she has taken on some of the most difficult challenges to affect the lives of people who are less fortunate. She has an 11-year-old who is like her second son whom she has mentored and given a real opportunity in our community.

She has the whole package. She will make a great district judge. Senator MIKULSKI mentioned the comments that were made on the floor in regard to her support for law enforcement for police officers. I hope, if anyone has any questions about that, read the letters Senator MIKULSKI put into the RECORD. I know of some of these cases. I know of the case of Timothy John Longo, who served with the Baltimore City Police Department and is now the chief of police for Charlottesville, VA.

He said:

I have absolutely no doubt that Paula will bring the competency and objectivity that is necessary to discharge the duty of such an important position. She has my confidence, respect and unfettered support.

Then there is Thomas Schmidt, who Ms. Xinis represented when he was accused of wrongdoing as a police officer. She represented him in the most difficult challenge. Mr. Schmidt said:

Throughout the entire ordeal, I spent countless hours with Paula and her team. They worked diligently seeking the evidence needed to exonerate me. Although it was an extremely dark time for me, she always made me feel confident that she had my back, and that she was dedicated to seeing that I was vindicated. Thankfully, as a result of her tireless efforts on my behalf, all the charges brought against me were dismissed earlier this year.

She has been in the forefront of defending those who were defending us as first responders. There are other letters that have been written by police officers indicating that Paula Xinis contains exactly what they want to see in a judge: someone who is fair and impartial and who will carry out the rule of law in an objective manner. So for all of those reasons, we bring you a nominee who is eminently qualified and deserves the support of this body. We would urge our colleagues to support this nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Today the Senate will vote on the nomination of Paula Xinis to be a judge for the District of Maryland. I will support that nomination.

Mr. President, I come to the floor at this time to also talk about judges generally. I have been hearing the usual complaints from Members of the minority party regarding the pace of judicial nominations. I would urge my colleagues to step back and look at the

bigger picture. The relevant number to consider is the number of confirmations during an entire Presidency. At this point in his Presidency, President George W. Bush had 303 judicial nominees confirmed. After tonight's vote, so far in his Presidency, President Obama will have 325 confirmed. Those are 22 more nominees than Bush had.

So as we continue to hear complaints about how many judges are being confirmed, we should put these complaints in context. The simple fact is, President Obama has had quite a few more nominees confirmed than President Bush did.

Further, I would note that as chairman, after this Wednesday, I will have held hearings for the same number of nominees this Congress has had as the last chairman of the committee did to this point during the last 2 years of President Bush's Presidency. At this point in the 2008 Congress—that would be the 110th Congress—the former chairman held hearings on 43 nominees. At the end of May of this year, we will have held hearings on 43 nominees thus far in the 114th Congress.

I yield back all remaining time.

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

All time is yielded back.

The question is, Will the Senate advise and consent to the Xinis nomination?

Mr. GRASSLEY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. COTTON), the Senator from Texas (Mr. CRUZ), the Senator from Wyoming (Mr. ENZI), the Senator from Arizona (Mr. FLAKE), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Kansas (Mr. MORAN), the Senator from Kansas (Mr. ROBERTS), the Senator from Alaska (Mr. SULLIVAN), the Senator from Pennsylvania (Mr. TOOMEY), and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING), the Senator from Vermont (Mr. SANDERS), and the Senator from Oregon (Mr. WYDEN) are necessarily absent.

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

The result was announced—yeas 53, nays 34, as follows:

[Rollcall Vote No. 72 Ex.]

YEAS—53

Alexander	Brown	Collins
Baldwin	Cantwell	Coons
Bennet	Cardin	Donnelly
Blumenthal	Carper	Durbin
Booker	Casey	Feinstein
Boxer	Coats	Franken
Gillibrand	Markey	Reid
Graham	McCaskill	Rubio
Grassley	McConnell	Schatz
Hatch	Menendez	Schumer
Heinrich	Merkley	Shaheen
Heitkamp	Mikulski	Stabenow
Hirono	Murphy	Tester
Kaine	Murray	Udall
Kirk	Nelson	Warner
Klobuchar	Peters	Warren
Leahy	Portman	Whitehouse
Manchin	Reed	

NAYS—34

Ayotte	Ernst	Perdue
Barrasso	Fischer	Risch
Blunt	Gardner	Rounds
Boozman	Heller	Sasse
Burr	Hoeven	Scott
Capito	Inhofe	Sessions
Cassidy	Isakson	Shelby
Cochran	Lankford	Thune
Corker	Lee	Tillis
Cornyn	McCain	Wicker
Crapo	Murkowski	
Daines	Paul	

NOT VOTING—13

Cotton	King	Toomey
Cruz	Moran	Vitter
Enzi	Roberts	Wyden
Flake	Sanders	
Johnson	Sullivan	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from Iowa.

INCOME INEQUALITY

Mr. GRASSLEY. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of a newspaper article at the conclusion of my remarks.

Income inequality has been a hot topic this campaign season. It has become the rallying cry of the left to support their economic agenda. Whether it is taxing the rich, raising the minimum wage, combating global warming, or any other number of policies. If you listen to Secretary Clinton and Senator SANDERS on the campaign trail, you would get the impression that income inequality is the fault of Republicans. They contend that their preferred policies will close the gap between the rich and the poor. However, the inconvenient fact is that inequality rose considerably more under President Clinton than it did under President Reagan. Further, it has increased more under President Obama than it did under President Bush.

For any of my colleagues wondering how this could be the case, I would encourage them to read Lawrence Lindsey's op-ed that ran in the Wall Street Journal in March.

Mr. Lindsey's article title ''How Progressives Drive Income Inequality'' details how liberal policies have not only failed to reduce income inequality, but may in fact be contributing to it.

For instance, my colleagues on the left all too frequently look to ever richer and more expansive transfer payment programs as the solution. However, too often our existing transfer programs meant to help the less fortunate act as an anchor preventing Americans from climbing up the income ladder.

This risks creating a permanent underclass of citizens that are dependent on the state for their basic needs. That may be the dream of European-style Social Democrats, but it is most certainly not the American Dream.

The Congressional Budget Office looks at this effect in terms of marginal effective tax rates on low and moderate income workers. This refers to how much extra tax or reduction in government benefits is imposed on an—American worker when he or she earns an additional dollar of income.

CBO estimates that in 2016 those under 450% of the federal poverty level will face an average effective tax rate of about 41%. Keep in mind that this is just the average. CBO demonstrates how a substantial number of workers could experience marginal effective rates exceeding 50, 60, or even 80%, which is far higher than the top statutory rate of 39.6% paid by the wealthiest Americans.

The end result is a worker facing these rates may just decide it doesn't make much sense to take on extra hours or put in the effort to learn extra skills to increase their earnings potential. Historically, this has impacted married women in the workforce most of all as they are more likely than men to drop out of the workforce completely as a result.

Discouraging individuals from entering the labor force, taking on more work hours, gaining extra experience, or learning new skills, is a recipe for stagnate incomes and increased income disparity. But, far from seeking to address these work disincentive effects, President Obama has made it worse for millions of workers. Take the premium tax credit enacted as part of the Affordable Care Act for instance. CBO estimates it will raise marginal tax rates by an estimated 12 percentage points for recipients.

Secretary Clinton and Senator SANDERS also have provided no indication they would reverse this trend. In fact, they appear to only be interested in exacerbating this problem through richer transfer programs, increased costs on employers, and increased payroll taxes.

The scapegoat of the income inequality debate on the left has, of course, been the much-hyped top 1 percent. Here we are told that if we just tax the rich, we can solve all of our problems and address income inequality in one fell swoop.

But, if increased taxes on the wealthy is a solution to income inequality, why—as I pointed out at the start of this speech—did income inequality grow faster under President Clinton than under President Reagan? And why has income inequality grown faster under President Obama than under President Bush?

The fact of the matter is that taxing the wealthy to reduce income inequality at best is a fool's errand and at worst could be a blow to our economy—potentially harming individuals at all income levels.

A recent research paper by the liberal Brookings Institution looked directly into the question of whether substantially increasing taxes on the wealthy would reduce income inequality. To quote their findings, ''An increase in the top tax rate leads to an almost imperceptible reduction in overall income inequality, even if the additional revenue is explicitly redistributed.'' Raising taxes might be successful at generating revenue to fund greater wealth transfer payments. But it does nothing to rectify the ''opportunity gap.''

Soak the rich policies do not create greater opportunity for low-income individuals. In fact, wealth transfer policies often have the perverse effect of trapping their intended beneficiaries in soul-crushing government dependency. Moreover, because of their negative effects on economic growth and capital formation, they can reduce opportunity for all Americans. You do not have to take my word for the anti-growth effects of increasing taxes. Research by Christina Romer, President Obama's former chief economist, found that a tax increase of 1% of GDP reduces economic growth by as much as 3%.

According to this study, tax increases have such a substantial effect on economic growth because of the ''powerful negative effect of tax increases on investment.''

In effect, what those who pursue wealth-destroying redistributionist policies are really saying—to quote Margaret Thatcher—is that they ''would rather that the poor were poorer, provided that the rich were less rich.'' That may result in less differences in wealth between Americans, but the expense of making us all worse off. Our goal must be to create wealth and opportunity for ALL Americans.

We should reject the notion that in order to improve the lot of one individual, someone else must be made worse off. The leadership of other side has become fixated on redistributing the existing economic pie. The better policy is to increase the size of the pie. When this occurs, no one is made better off at the expense of anyone else. This is best achieved through pro-growth policies aimed at growing the economic pie, not by taking from some and giving to others.

Instead of seeking to reduce inequality by knocking the top down a few pegs on the income ladder, policies should be focused on helping individuals climb upwards by tearing down barriers that stand in their way. We all agree with the need for a sound safety net to protect the most vulnerable among us. But when that safety net begins to act like an anchor holding people back, we need to be brave enough to chart a new course. This is what we sought to do with welfare reforms in 1994 through work requirements and incentives. It is once again time for us to review and reform programs so as to minimize as much as possible the current built-in work disincentives from transfer programs that I discussed earlier.

Another often overlooked issue is the burden overregulation imposes on low-income individuals.

Dr. McLaughlin of the Mercatus Center in testimony before a Senate Judiciary subcommittee hearing earlier this year discussed two negative impacts regulation can have on low-income households.

First, while it is well recognized that regulations can increase transaction costs for businesses, it is equally true that consumers feel the costs in the form of higher prices. Since low-income households tend to spend, rather than save, a much larger share of their income, they are the ones hit hardest by the regulatory costs. In this regard, regulation acts much like a regressive tax on the consumption of those that are the least well off.

A second point made by Dr. McLaughlin is that regulations can often create a barrier to entry. Setting out on one's own to start a business is as American as apple pie. It is an avenue that Americans throughout history have taken to climb from the poor house to the penthouse. But, the cost imposed by entry regulations can too often stand in the way. This directly limits opportunities of lower-income individuals who are the least likely to be able to cut through the red tape and have money on hand to afford the associated costs. Research by Dr. McLaughlin directly links entry regulations with income inequality. His study looked at the relationship between regulation and income inequality across 175 countries and found that stringent entry regulations are correlated with significantly higher levels of income inequality.

On the campaign trail we have heard Senator SANDERS sing the virtues of Denmark in his crusade against inequality. Interestingly enough, Denmark scores very well in the World Bank's ''ease of doing business'' ranking, which looks at the cost, time, and overall red tape in starting and running a business. In fact, Denmark is ranked third, while the U.S. lags behind in seventh and has been consistently falling backwards since 2008. While Senator SANDERS points to Denmark as a model for the U.S. due to its tax and social welfare policies, it is Denmark's regulatory efficiency that deserves our attention. In addition to reducing unnecessary regulatory barriers and built-in work disincentives, there is no question we need to do a better job ensuring individuals have the skills necessary to compete in the 21 century economy.

There has been considerable research demonstrating that the widening wage gap between skilled and unskilled labor has contributed to the growth in income inequality. I consistently hear from employers in Iowa who cannot find enough skilled workers to fill well-paying jobs. If we are to reduce income inequality, we must first reduce opportunity inequality.

We have an excellent system of community colleges in Iowa that train Iowans for jobs that are available in Iowa, but those who are chronically unemployed tend to lack the so-called ''soft skills'' that are necessary to hold down a job. In order to eliminate opportunity inequality, we must get back to the notion of the inherent dignity of work and ensure that hard work pays off.

These are just a few areas we should be able to work together on to increase opportunities for those least well off among us. Increasing opportunity should be our focus, not pitting American against American based on their socioeconomic status. If we make increased opportunity our focus, no one is required to be made worse off to benefit someone else. In fact, by tearing down barriers standing in the way of hardworking Americans, all Americans will benefit from higher productivity, higher wages, and higher economic growth.

My colleagues on the other side who are truly interested in reducing poverty and inequality should abandon their divisive politics of envy and class warfare Instead, work with Republicans on an agenda focused on economic growth and opportunity to benefit ALL Americans.

I yield the floor.

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

[Mar. 4, 2016]

HOW PROGRESSIVES DRIVE INCOME INEQUALITY

(By Lawrence B. Lindsey)

Hillary Clinton and Bernie Sanders are promising all types of programs to make America a more equal country. That's no surprise. But when you look at performance and not rhetoric, the administrations of political progressives have made the distribution of income more unequal than their adversaries, who supposedly favor the wealthy.

The Census Bureau releases annual updates on income distribution in the U.S., publishing three technical statistical measures—the Gini index, the mean logarithmic deviation of income (mean log deviation for

short), and the Theil index—each of which represents inequality levels on a scale of 0 to 1 (zero signifies perfect equality and 1 indicates perfect inequality). By all three measures, inequality rose more under Bill Clinton than under Ronald Reagan. And it wasn't even close. While the inequality increase as measured by the Gini index was only slightly more during Clinton's two terms, the Theil index and mean log deviation increased two and three times as much, respectively.

Barack Obama's administration follows this pattern, despite the complaints he and his supporters have made about his predecessor. The mean log deviation increased 37% more under Mr. Obama than under President George W. Bush, although when this statistic was released, Mr. Obama had only six years as president compared with Mr. Bush's eight. The Gini index rose more than three times as much under Mr. Obama than under Mr. Bush. The Theil index increased sharply during the Obama administration, while it fell slightly under Bush 43.

Sure, no president intends to raise inequality. And the spin doctors for Messrs. Clinton and Obama may insist that it wasn't their fault.

But consider their policies. Both Democratic presidents presided over bubble economies fueled by easy monetary policy. There is no better way to make the rich richer than to run policies that push up the price of financial assets. Cheap money is a boon to those who have access to it. Interest rates were also too low under Bush 43, but that bubble was in housing, and the effects were therefore more evenly distributed than under Mr. Clinton's stock-market bubble or Mr. Obama's credit bubble.

Money matters, but so do other policies, such as the long, historic sweep of the expanding welfare state. In 1968, government transfer payments totaled $53 billion or roughly 7% of personal income. By 2014, these had climbed to $2.5 trillion—about 17% of personal income. Despite the redistribution of a sixth of all income, inequality measured by all three of the Census Bureau's indexes is far higher today than in 1968.

Transfer payments under Mr. Obama increased by $560 billion. By contrast private-sector wages and salaries grew by $1.1 trillion. So for every $2 in extra wages, about $1 was paid out in extra transfer payments—lowering the relative reward to work. Forty-five million people received food stamps in mid–2015, an increase of 46% since the end of 2008. Similarly, 71.6 million individuals were enrolled in Medicaid and the Children's Health Insurance Program, an increase of 13.3 million since October 2013.

In 2008, during the deepest recession in 75 years, 13.2% of Americans lived below the government's official poverty line. The Great Recession officially ended in June 2009, but in 2014, after five years of economic expansion, 14.8% of Americans were still in poverty. The economy was better, and there were a lot more handouts, but still poverty rose.

The structure of American households shows how this happened. From 2008 through 2014, the most recent year for which we have data, the number of two-earner households declined. These two-earner households have become the backbone of the American middle class.

Research by the Hamilton Project and the Urban Institute show that when families with children making between $20,000 and $50,000 attempt to have a second earner go back to work, the effective tax rate on the extra earnings—including lost government benefits such as food stamps, the earned-income tax credit, and medical support payments—is between 50% and 80%. This phase-out of the ever increasing array of benefits has created a ''working-class trap'' instead of a ''poverty trap'' that is increasing inequality and keeping the income of these households lower than they might otherwise be.

While the number of two-earner households declined during the first six years of the Obama presidency, the number of single-earner households rose by 2.6 million and the number of households with no earners rose by almost five million. In other words, two thirds of the increase in the number of families under Mr. Obama was accounted for by households with no one working. This is the reason the middle class has shrunk, and the reason inequality has increased. And unless we increase the number of people wanting to work and the number of jobs through economic growth, inequality will only increase.

The flip side of the progressive agenda to redistribute income to those with less is to raise taxes on the ''rich.'' The data show that it is also an ineffective way to reduce inequality.

President Clinton increased the top tax rate on higher earners—yet inequality rose during his administration, and faster than under the tax-cutting Ronald Reagan. The same happened under President Obama. Tax rates went up on upper-income earners. Inequality rose too, and more than under his tax-cutting predecessor.

A recent Brookings Institution study—whose authors include Peter Orszag, President Obama's director of the Office of Management and Budget—found that boosting the top tax rates even more, as Sen. Sanders suggests, would have little or no effect on inequality. The paper explored the effects of raising the highest marginal income-tax rate to 50% from 39.6%. Assuming no behavioral effects, the expected revenue was then distributed directly (and in theory costlessly) to the bottom 20% of income earners.

The $95 billion in extra taxes and transfers reduced the Gini Coefficient by only 0.003. To put that in perspective, that reversed only one fifth of the increase in inequality during the Obama presidency.

There was a catch. When the authors assumed that there might be a behavioral response by higher income taxpayers, inequality fell—but for the wrong reasons. Less work, saving, investing and more tax sheltering reduced the taxable income of higher earners and therefore meant less revenue to redistribute So the rich got poorer, by their own choice, but the poor got less in benefits. A true lose-lose situation.

None of this should really be surprising. If the socialist ideal of ''from each according to his ability, to each according to his need'' worked in practice, the Berlin Wall might still be standing. Of course, one of the reasons it came down is that a new ruling class emerged to take from the productive and give to those in need, siphoning off a cut of the swag along the way. Ruling classes always have sticky fingers.

Redistribution through the political process is not costless—even in a perfect world there would be a large bureaucracy to feed. Special-interest elites also emerge when so much money is being moved around. They take their cut, introducing even more inefficiency into the system.

Presidential contenders who boast of their plans to reduce inequality might ponder the fact that providing more free things is not the answer. Even free college and free health care are paid with taxes that discourage people from increasing their work, savings and entrepreneurship.

Attacking the rich and running against inequality may be a sensible political strategy. But in the end the programs to implement this strategy make the problem worse. Yet advocates come back and demand the same programs. That is perilously close to the definition of insanity attributed to Einstein: doing the same thing over and over again and expecting different results.

The repeated failure of political promises has another downside—increasing voter alienation and cynicism. The appeal of redistribution is understandable, but voters who think the progressives running today are going to reduce inequality are falling into the same trap as people entering fifth or sixth marriages—the triumph of hope over experience.

The PRESIDING OFFICER. The Senator from Maine.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

Ms. COLLINS. Mr. President, what is the pending business?

The PRESIDING OFFICER. H.R. 2577 is the pending business, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Pending:

Collins amendment No. 3896, in the nature of a substitute.

McConnell (for Lee) amendment No. 3897 (to amendment No. 3896), to prohibit the use of funds to carry out a rule and notice of the Department of Housing and Urban Development.

McConnell (for Nelson/Rubio) amendment No. 3898 (to amendment No. 3896), making supplemental appropriations for fiscal year 2016 to respond to Zika virus.

McConnell (for Cornyn/Johnson) amendment No. 3899 (to amendment No. 3896), making emergency supplemental appropriations for the fiscal year ending September 30, 2016.

McConnell (for Blunt) amendment No. 3900 (to amendment No. 3896), Zika response and preparedness.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, we are working very hard on both sides of the aisle. Senator REED and I have been discussing a package of amendments which we ultimately hope to approve by unanimous consent. We are making sure that it is a balanced package, reflecting both Republican and Democratic initiatives. These are amendments that are acceptable to both of us as managers of the bill, but we are waiting for the process to work its way through. My hope is that we might be able to do it this evening, but if not this evening, then perhaps we will be able to turn to it first thing in the morning.

I thank the Presiding Officer and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENTS NOS. 3903; 3909; 3917; 3919; 3922; AND 3921, AS MODIFIED, TO AMENDMENT NO. 3896

Ms. COLLINS. Mr. President, I ask unanimous consent that the following amendments be called up en bloc and reported by number: Heitkamp No. 3903; Barrasso No. 3909; Ayotte No. 3917; Mikulski-Shelby No. 3919; Feinstein-Portman No. 3922; and Franken-Tillis No. 3921, as modified.

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

The clerk will report the amendments by number.

The senior assistant legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS], for others, proposes amendments numbered 3903; 3909; 3917; 3919; 3922; and 3921, as modified, en bloc to amendment No. 3896.

The amendments are as follows:

AMENDMENT NO. 3903

(Purpose: To require a report on the economic and infrastructure effects on airports of collegiate aviation flight training operations)

On page 26, after line 21, add the following:

SEC. 119J. (a) Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report assessing the importance of collegiate aviation flight training operations and the effect of such operations on the economy and infrastructure of airports in the National Plan of Integrated Airport Systems.

(b) In the report required by subsection (a), the Comptroller General shall include the following:

(1) An assessment of the total capacity of collegiate aviation flight training programs in the United States to meet the needs of the United States to train commercial pilots.

(2) An assessment of the footprint of collegiate aviation flight training operations at the airports in the United States.

(3) An assessment of whether infrastructure beyond that necessary for operations of commercial air carriers is needed at airports at which collegiate aviation flight training operations are conducted.

(4) If such infrastructure is needed, an estimate of the cost of such infrastructure.

(5) An identification of funding sources, available before the date of the enactment of this Act or that may become available after such date of enactment, that may be used to construct such infrastructure.

(6) Recommendations for improving technical and financial assistance to airports to construct such infrastructure.

AMENDMENT NO. 3909

(Purpose: To allow Indian tribes to use certain funds to construct housing for certain skilled workers)

On page 103, line 18, insert ''and, notwithstanding title I of that Act (42 U.S.C. 5301 et seq.), eligible Indian tribes may use funds made available under this paragraph for the construction of housing for law enforcement, health care, educational, technical, and other skilled workers'' after ''title)''.

AMENDMENT NO. 3917

(Purpose: To prohibit the use of funds for the Continuum of Care program of the Department of Housing and Urban Development unless the program allows for zero-tolerance recovery housing)

In the matter under the heading ''HOMELESS ASSISTANCE GRANTS'' under the heading ''COMMUNITY PLANNING AND DEVELOPMENT'' in title II of division A, insert before the period at the end the following: '': *Provided further*, That none of the funds provided under this heading shall be available for the continuum of care program unless the Secretary ensures that zero-tolerance recovery housing programs are eligible to receive funds under the continuum of care program''.

AMENDMENT NO. 3919

(Purpose: To provide for safety improvements on transit systems)

At the appropriate place in title I of division A, insert the following:

SEC. ____. Notwithstanding any other provision of this Act—

(1) the total amount made available under the heading ''ADMINISTRATIVE EXPENSES'' under the heading ''FEDERAL TRANSIT ADMINISTRATION'' shall be $113,165,000; and

(2) the total amount made available under the heading ''SALARIES AND EXPENSES'' under the heading ''OFFICE OF THE SECRETARY'' shall be $113,896,000.

AMENDMENT NO. 3922

(Purpose: To allow jurisdictions to maintain access to certain funds deposited in their HOME Investment Trust Fund that would otherwise expire)

At the appropriate place in title II of division A, insert the following:

SEC. ____. Section 218(g) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12748(g)) shall not apply with respect to the right of a jurisdiction to draw funds from its HOME Investment Trust Fund that otherwise expire in 2016, 2017, 2018, or 2019 under that section.

AMENDMENT 3921, AS MODIFIED

(Purpose: To require the United States Interagency Council on Homelessness to submit a report on improving health and housing outcomes for chronically homeless individuals, individuals with behavioral health conditions, and children)

At the appropriate place in division A, insert the following:

SEC. ____. Not later than 24 months after the date of enactment of this Act, the United States Interagency Council on Homelessness shall submit to Congress a report that assesses how Federal housing programs and Federal health programs could better collaborate to reduce costs and improve health and housing outcomes, in particular for—

(1) chronically homeless individuals;

(2) homeless individuals with behavioral health conditions; and

(3) homeless children, including infants, in families that—

(A) receive housing assistance under programs administered by the Federal Government; or

(B) could benefit from grant programs administered by the Federal Government.

Ms. COLLINS. I ask unanimous consent that the Senate now vote on these amendments en bloc.

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

Ms. COLLINS. I know of no further debate on these amendments.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the amendments en bloc.

The amendments (Nos. 3903; 3909; 3917; 3919; 3922; and 3921, as modified) were agreed to en bloc.

AMENDMENT NO. 3899, AS MODIFIED

Ms. COLLINS. Mr. President, I ask unanimous consent that the Cornyn amendment No. 3899 be modified with the changes that are at the desk.

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

The amendment, as modified, is as follows:

(Purpose: Making emergency supplemental appropriations for the fiscal year ending September 30, 2016, and for other purposes)

At the appropriate place in division B, insert the following:

TITLE ____

ZIKA RESPONSE AND PREPAREDNESS

CHAPTER 1

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

PRIMARY HEALTH CARE

For an additional amount for fiscal year 2016 for ''Primary Health Care'', $40,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally: *Provided*, That funds appropriated in this paragraph shall be used to expand the delivery of primary health services authorized by section 330 of the Public Health Service (''PHS'') Act in Puerto Rico and other territories: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

HEALTH WORKFORCE

For an additional amount for fiscal year 2016 for ''Health Workforce'', $6,000,000 to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally: *Provided*, That funds appropriated in this paragraph may, for purposes of providing primary health services in areas affected by Zika virus or other vector-borne diseases, be used to assign National Health Service Corps (''NHSC'') members to Puerto Rico and other Territories, notwithstanding the assignment priorities and limitations in or under sections 333(a)(1)(D), 333(b), or 333A(a) of the PHS Act, and to make NHSC Loan Repayment Program awards under section 338B of such Act: *Provided further*, That for purposes of the previous proviso, section 331(a)(3)(D) of the PHS Act shall be applied as if the term ''primary health services'' included health services regarding pediatric subspecialists: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MATERNAL AND CHILD HEALTH

For an additional amount for fiscal year 2016 for ''Maternal and Child Health'', $5,000,000 to remain available until September 30, 2017, to prevent, prepare for, and

respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally: *Provided*, That funds appropriated in this paragraph may be awarded for projects of regional and national significance in Puerto Rico and other Territories authorized under section 501 of the Social Security Act, notwithstanding section 502 of such Act: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CENTERS FOR DISEASE CONTROL AND PREVENTION

CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

For an additional amount for fiscal year 2016 for ''CDC-Wide Activities and Program Support'', $449,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally; and to carry out titles II, III, and XVII of the PHS Act with respect to domestic preparedness and global health: *Provided*, That products purchased with these funds may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F–2 of the PHS Act: *Provided further*, That funds may be used for purchase and insurance of official motor vehicles in foreign countries: *Provided further*, That the provisions in section 317S of the PHS Act shall not apply to the use of funds appropriated in this paragraph: *Provided further*, That funds appropriated in this paragraph may be used for grants for the construction, alteration, or renovation of nonfederally owned facilities to improve preparedness and response capability at the State and local level: *Provided further*, That of the amount appropriated in this paragraph, $88,000,000 may be used to reimburse accounts administered by the Centers for Disease Control and Prevention for obligations incurred for Zika virus response prior to the enactment of this Act: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For an additional amount for fiscal year 2016 for ''National Institute of Allergy and Infectious Diseases'', $200,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally, including expenses related to carrying out section 301 and title IV of the PHS Act: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for fiscal year 2016 for ''Public Health and Social Services Emergency Fund'', $150,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally; to develop necessary countermeasures and vaccines, including the development and purchase of vaccines, therapeutics, diagnostics, necessary medical supplies, and administrative activities; for carrying out titles II, III, and XVII of the PHS Act with respect to domestic preparedness and global health; and for additional payments for distribution as provided for under the ''Social Services Block Grant Program'': *Provided*, That funds appropriated in this paragraph may be used to procure security countermeasures (as defined in section 319F–2(c)(1)(B) of the PHS Act, as amended by this Act): *Provided further*, That paragraphs (1) and (7)(C) of subsection (c) of section 319F–2 of the PHS Act, but no other provisions of such section, shall apply to such security countermeasures procured with funds appropriated in this paragraph: *Provided further*, That products purchased with funds appropriated in this paragraph may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F–2 of the PHS Act: *Provided further*, That countermeasures related to the Zika virus procured with funds appropriated in this paragraph shall be deemed to be security countermeasures as defined in section 319F–2(c)(1) of the PHS Act, and paragraph (7)(C), but no other provision, of such section 319F–2(c) shall apply to procurements of such countermeasures: *Provided further*, That $75,000,000 shall be transferred to ''Social Services Block Grant'' for health services, notwithstanding section 2005(a)(4) of the Social Security Act, in territories with active or local transmission cases of the Zika virus, as confirmed by the Centers for Disease Control and Prevention: *Provided further*, That the Secretary of Health and Human Services shall distribute funds transferred to the ''Social Services Block Grant'' in this paragraph to such territories in accordance with objective criteria that are made available to the public: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS CHAPTER

(INCLUDING TRANSFER OF FUNDS)

SEC. ____. For purposes of preventing, preparing for, and responding to Zika virus, other vector-borne diseases, and related health outcomes domestically and internationally, the Secretary of Health and Human Services may use funds provided in this chapter to acquire, lease, construct, alter, renovate, equip, furnish, or manage facilities outside of the United States, as necessary to conduct such programs, in consultation with the Secretary of State, either directly for the use of the United States Government or for the use, pursuant to grants, direct assistance, or cooperative agreements, of public or nonprofit private institutions or agencies in participating foreign countries.

SEC. ____. Funds appropriated by this chapter may be used by the heads of the Department of Health and Human Services, Department of State, and the Agency for International Development to appoint, without regard to the provisions of sections 3309 through 3319 of title 5 of the United States Code, candidates needed for positions to perform critical work relating to Zika response for which—

(1) public notice has been given; and

(2) the Secretary of Health and Human Services has determined that such a public health threat exists.

SEC. ____. Funds appropriated in this chapter may be transferred to, and merged with, other appropriation accounts under the headings ''Centers for Disease Control and Prevention'', ''Public Health and Social Services Emergency Fund'', ''Health Resources and Services Administration'', and ''National Institutes of Health'' for the purposes specified in this chapter following consultation with the Office of Management and Budget: *Provided*, That the Committees on Appropriations shall be notified 10 days in advance of any such transfer: *Provided further*, That, upon a determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation: *Provided further*, That none of the funds made available by this chapter may be transferred pursuant to the authority in section 206 of division G of Public Law 113–235 or section 241(a) of the PHS Act.

SEC. ____. Not later than 30 days after enactment of this Act, the Secretary of Health and Human Services shall provide a detailed spend plan of anticipated uses of funds made available in this chapter, including estimated personnel and administrative costs, to the Committees on Appropriations. The Secretary of Health and Human Services should also provide quarterly obligation updates to the Committees until all funds are expended or expire.

CHAPTER 2

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For an additional amount for fiscal year 2016 for ''Diplomatic and Consular Programs'', $14,594,000, to remain available until September 30, 2017, for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That up to $4,000,000 may be made available for medical evacuation costs of any other Department or agency of the United States under the Chief of Mission authority, and may be transferred to any other appropriation of such Department or agency for such costs: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For an additional amount for fiscal year 2016 for ''Emergencies in the Diplomatic and Consular Services'', $4,000,000 for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases, to remain available until expended: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REPATRIATION LOANS PROGRAM ACCOUNT

For an additional amount for fiscal year 2016 for ''Repatriation Loans Program Account'' for the cost of direct loans, $1,000,000, to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases, to remain available until expended: *Provided*, That such costs, including costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such funds are available to subsidize an additional amount of gross obligations for the principal amount of direct loans not to exceed $1,880,406: *Provided further*, That such

amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

For an additional amount for fiscal year 2016 for ''Operating Expenses'', $10,000,000, to remain available until September 30, 2017, for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

GLOBAL HEALTH PROGRAMS

For an additional amount for fiscal year 2016 for ''Global Health Programs'', $211,000,000, to remain available until expended, for necessary expenses for assistance or research to prevent, treat, or otherwise respond to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such funds may be made available for multi-year funding commitments to incentivize the development of global health technologies, following consultation with the Committees on Appropriations: *Provided further*, That none of the funds appropriated in this chapter may be made available for the Grand Challenges for Development program: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For an additional amount for fiscal year 2016 for ''Nonproliferation, Anti-Terrorism, Demining and Related Programs'', $4,000,000, to remain available until September 30, 2017, for necessary expenses to support response and research efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MULTILATERAL ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For an additional amount for fiscal year 2016 for ''International Organizations and Programs'', $13,500,000, to remain available until September 30, 2017, for necessary expenses to support response and research efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That section 307(a) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS CHAPTER

(INCLUDING TRANSFER OF FUNDS)

SEC. ____. (a) Funds appropriated by this chapter under the headings ''Global Health Programs'', ''Nonproliferation, Anti-terrorism, Demining and Related Programs'', ''International Organizations and Programs'', and ''Operating Expenses'' may be transferred to, and merged with, funds appropriated by this chapter under such headings to carry out the purposes of this chapter.

(b) Funds appropriated by this chapter under the headings ''Diplomatic and Consular Programs'', ''Emergencies in the Diplomatic and Consular Service'', and ''Repatriation Loans Program Account'' may be transferred to, and merged with, funds appropriated by this chapter under such headings to carry out the purposes of this chapter.

(c) The transfer authorities provided by this section are in addition to any other transfer authority provided by law.

(d) Upon a determination that all or part of the funds transferred pursuant to the authorities provided by this section are not necessary for such purposes, such amounts may be transferred back to such appropriations.

(e) No funds shall be transferred pursuant to this section unless at least 15 days prior to making such transfer the Secretary of State or the Administrator of the United States Agency for International Development (USAID), as appropriate, notifies the Committees on Appropriations in writing of the details of any such transfer.

NOTIFICATION REQUIREMENT

SEC. ____. Funds appropriated by this chapter that are made available to respond to the Zika virus outbreak, other vector-borne diseases, or other infectious diseases shall not be available for obligation unless the Secretary of State or the USAID Administrator, as appropriate, notifies the Committees on Appropriations in writing at least 15 days in advance of such obligation.

SPEND PLAN REQUIREMENT

SEC. ____. Not later than 45 days after the date of enactment of this Act and prior to the obligation of funds made available by this chapter to respond to the Zika virus outbreak, other vector-borne diseases, or other infectious diseases, the Secretary of State and the USAID Administrator, as appropriate, shall submit spend plans to the Committees on Appropriations on the anticipated uses of funds on a country and project basis, including estimated personnel and administrative costs: *Provided*, That such plans shall be updated and submitted to the Committee on Appropriations every 90 days until September 30, 2017, and every 180 days thereafter until all funds have been fully expended.

COMPTROLLER GENERAL OVERSIGHT

SEC. ____. Of the funds appropriated by this chapter, up to $500,000 shall be made available to the Comptroller General of the United States, to remain available until expended, for oversight of activities supported pursuant to this chapter with funds appropriated by this chapter: *Provided*, That the Secretary of State and USAID Administrator, as appropriate, and the Comptroller General shall consult with the Committees on Appropriations prior to obligating such funds.

RESCISSION

SEC. ____. Of the unobligated balances available under the heading ''Operating Expenses'' in title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235), $10,000,000 are rescinded: *Provided*, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CHAPTER 3

REMOVING BARRIERS TO COMBATING THE ZIKA VIRUS AND MOSQUITO-BORNE TRANSMISSION OF DISEASE

REMOVING BARRIERS TO COMBATING THE ZIKA VIRUS AND MOSQUITO-BORNE TRANSMISSION OF DISEASE

SEC. ____. Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

''(s) MOSQUITO CONTROL WAIVER.—Notwithstanding any other provision of this section, the Administrator (or a State, in the case of a permit program approved under subsection (b)) shall not require a permit for a discharge from the application by an entity authorized under State or local law, such as a vector control district, of a pesticide in compliance with all relevant requirements of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.) to control mosquitos or mosquito larvae to protect the public health and welfare, including for the prevention or control of the Zika virus, West Nile virus, or dengue fever. The Administrator shall not directly or indirectly require any State to require such a permit.''.

CHAPTER 4

GENERAL PROVISIONS—THIS TITLE

EXTENSION OF AUTHORITIES AND PROVISIONS

SEC. ____. Unless otherwise provided for by this title, the additional amounts appropriated pursuant to this title for fiscal year 2016 are subject to the requirements for funds contained in the Consolidated Appropriations Act, 2016 (Public Law 114–113).

PERSONAL SERVICE CONTRACTORS

SEC. ____. Funds made available by this title to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases may be used to enter into contracts with individuals for the provision of personal services (as described in section 104 of part 37 of title 48, Code of Federal Regulations (48 CFR 37.104)), within the United States and abroad, subject to prior consultation with, and the notification procedures of, the Committees on Appropriations: *Provided*, That such individuals may not be deemed employees of the United States for the purpose of any law administered by the Office of Personnel Management.

DESIGNATION REQUIREMENT

SEC. ____. Each amount designated in this title by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

EFFECTIVE DATE

SEC. ____. This title shall become effective immediately upon enactment of this Act.

RECISSION

SEC. ____. From amounts appropriated for the Prevention and Public Health Fund under section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u-11)—

(1) for fiscal year 2017, $931,000,000 shall be rescinded on the date on which such amounts are available for obligation; and

(2) for fiscal year 2018, $200,000,000 shall be rescinded on the date on which such amounts are available for obligation.

SHORT TITLE

SEC. ____. This title may be cited as the ''Emergency Supplemental Appropriations for Zika Response and Preparedness Act, 2016''.

AMENDMENT NO. 3900, AS MODIFIED

Ms. COLLINS. Mr. President, I ask unanimous consent that the Blunt amendment No. 3900 be modified with the changes that are at the desk.

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

The amendment, as modified, is as follows:

(Purpose: Zika response and preparedness)

At the appropriate place in division B, insert the following:

TITLE ____

ZIKA RESPONSE AND PREPAREDNESS

CHAPTER 1

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

PRIMARY HEALTH CARE

For an additional amount for fiscal year 2016 for ''Primary Health Care'', $40,000,000 to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally: *Provided*, That funds appropriated in this paragraph shall be used to expand the delivery of primary health services authorized by section 330 of the Public Health Service (''PHS'') Act in Puerto Rico and other territories: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

HEALTH WORKFORCE

For an additional amount for fiscal year 2016 for ''Health Workforce'', $6,000,000 to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally: *Provided*, That funds appropriated in this paragraph may, for purposes of providing primary health services in areas affected by Zika virus or other vector-borne diseases, be used to assign National Health Service Corps (''NHSC'') members to Puerto Rico and other Territories, notwithstanding the assignment priorities and limitations in or under sections 333(a)(1)(D), 333(b), or 333A(a) of the PHS Act, and to make NHSC Loan Repayment Program awards under section 338B of such Act: *Provided further*, That for purposes of the previous proviso, section 331(a)(3)(D) of the PHS Act shall be applied as if the term ''primary health services'' included health services regarding pediatric subspecialists: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MATERNAL AND CHILD HEALTH

For an additional amount for fiscal year 2016 for ''Maternal and Child Health'', $5,000,000 to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes domestically and internationally: *Provided*, That funds appropriated in this paragraph may be awarded for projects of regional and national significance in Puerto Rico and other Territories authorized under section 501 of the Social Security Act, notwithstanding section 502 of such Act: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CENTERS FOR DISEASE CONTROL AND PREVENTION

CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

For an additional amount for fiscal year 2016 for ''CDC-Wide Activities and Program Support'', $449,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally; and to carry out titles II, III, and XVII of the PHS Act with respect to domestic preparedness and global health: *Provided*, That products purchased with these funds may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F–2 of the PHS Act: *Provided further*, That funds may be used for purchase and insurance of official motor vehicles in foreign countries: *Provided further*, That the provisions in section 317S of the PHS Act shall not apply to the use of funds appropriated in this paragraph: *Provided further*, That funds appropriated in this paragraph may be used for grants for the construction, alteration, or renovation of non-federally owned facilities to improve preparedness and response capability at the State and local level: *Provided further*, That of the amount appropriated in this paragraph, $88,000,000 may be used to reimburse accounts administered by the Centers for Disease Control and Prevention for obligations incurred for Zika virus response prior to the enactment of this Act: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For an additional amount for fiscal year 2016 for ''National Institute of Allergy and Infectious Diseases'', $200,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally, including expenses related to carrying out section 301 and title IV of the PHS Act: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for fiscal year 2016 for ''Public Health and Social Services Emergency Fund'', $150,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally; to develop necessary countermeasures and vaccines, including the development and purchase of vaccines, therapeutics, diagnostics, necessary medical supplies, and administrative activities; for carrying out titles II, III, and XVII of the PHS Act with respect to domestic preparedness and global health; and for additional payments for distribution as provided for under the ''Social Services Block Grant Program'': *Provided*, That funds appropriated in this paragraph may be used to procure security countermeasures (as defined in section 319F–2(c)(1)(B) of the PHS Act, as amended by this Act): *Provided further*, That paragraphs (1) and (7)(C) of subsection (c) of section 319F–2 of the PHS Act, but no other provisions of such section, shall apply to such security countermeasures procured with funds appropriated in this paragraph: *Provided further*, That products purchased with funds appropriated in this paragraph may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F–2 of the PHS Act: *Provided further*, That countermeasures related to the Zika virus procured with funds appropriated in this paragraph shall be deemed to be security countermeasures as defined in section 319F–2(c)(1) of the PHS Act, and paragraph (7)(C), but no other provision, of such section 319F–2(c) shall apply to procurements of such countermeasures: *Provided further*, That $75,000,000 shall be transferred to ''Social Services Block Grant'' for health services, notwithstanding section 2005(a)(4) of the Social Security Act, in territories with active or local transmission cases of the Zika virus, as confirmed by the Centers for Disease Control and Prevention: *Provided further*, That the Secretary of Health and Human Services shall distribute funds transferred to the ''Social Services Block Grant'' in this paragraph to such territories in accordance with objective criteria that are made available to the public: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS CHAPTER

(INCLUDING TRANSFER OF FUNDS)

SEC. ____. For purposes of preventing, preparing for, and responding to Zika virus, other vector-borne diseases, and related health outcomes domestically and internationally, the Secretary of Health and Human Services may use funds provided in this chapter to acquire, lease, construct, alter, renovate, equip, furnish, or manage facilities outside of the United States, as necessary to conduct such programs, in consultation with the Secretary of State, either directly for the use of the United States Government or for the use, pursuant to grants, direct assistance, or cooperative agreements, of public or nonprofit private institutions or agencies in participating foreign countries.

SEC. ____. Funds appropriated by this chapter may be used by the heads of the Department of Health and Human Services, Department of State, and the Agency for International Development to appoint, without regard to the provisions of sections 3309 through 3319 of title 5 of the United States Code, candidates needed for positions to perform critical work relating to Zika response for which—

(1) public notice has been given; and

(2) the Secretary of Health and Human Services has determined that such a public health threat exists.

SEC. ____. Funds appropriated in this chapter may be transferred to, and merged with, other appropriation accounts under the headings ''Centers for Disease Control and Prevention'', ''Public Health and Social Services Emergency Fund'', ''Health Resources and Services Administration'', and ''National Institutes of Health'' for the purposes specified in this chapter following consultation with the Office of Management and Budget: *Provided*, That the Committees on Appropriations shall be notified 10 days in advance of any such transfer: *Provided further*, That, upon a determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation: *Provided further*, That none of the funds made available by this chapter may be transferred pursuant to the authority in section 206 of division G of Public Law 113–235 or section 241(a) of the PHS Act.

SEC. ____. Not later than 30 days after enactment of this Act, the Secretary of Health and Human Services shall provide a detailed spend plan of anticipated uses of funds made available in this chapter, including estimated personnel and administrative costs, to the Committees on Appropriations. The Secretary of Health and Human Services should also provide quarterly obligation updates to the Committees until all funds are expended or expire.

CHAPTER 2

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For an additional amount for fiscal year 2016 for ''Diplomatic and Consular Programs'', $14,594,000, to remain available until September 30, 2017, for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That up to $4,000,000 may be made available for medical evacuation costs of any other Department or agency of the United States under Chief of Mission authority, and may be transferred to any other appropriation of such Department or agency for such costs: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For an additional amount for fiscal year 2016 for ''Emergencies in the Diplomatic and Consular Service'', $4,000,000 for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases, to remain available until expended: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REPATRIATION LOANS PROGRAM ACCOUNT

For an additional amount for fiscal year 2016 for ''Repatriation Loans Program Account'' for the cost of direct loans, $1,000,000, to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases, to remain available until expended: *Provided*, That such costs, including costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such funds are available to subsidize an additional amount of gross obligations for the principal amount of direct loans not to exceed $1,880,406: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

For an additional amount for fiscal year 2016 for ''Operating Expenses'', $10,000,000, to remain available until September 30, 2017, for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

GLOBAL HEALTH PROGRAMS

For an additional amount for fiscal year 2016 for ''Global Health Programs'', $211,000,000, to remain available until expended, for necessary expenses for assistance or research to prevent, treat, or otherwise respond to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such funds may be made available for multi-year funding commitments to incentivize the development of global health technologies, following consultation with the Committees on Appropriations: *Provided further*, That none of the funds appropriated in this chapter may be made available for the Grand Challenges for Development program: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For an additional amount for fiscal year 2016 for ''Nonproliferation, Anti-terrorism, Demining and Related Programs'', $4,000,000, to remain available until September 30, 2017, for necessary expenses to support response and research efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MULTILATERAL ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For an additional amount for fiscal year 2016 for ''International Organizations and Programs'', $13,500,000, to remain available until September 30, 2017 for necessary expenses to support response and research efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That section 307(a) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS CHAPTER

(INCLUDING TRANSFER OF FUNDS)

SEC. ____. (a) Funds appropriated by this chapter under the headings ''Global Health Programs'', ''Nonproliferation, Anti-terrorism, Demining and Related Programs'', ''International Organizations and Programs'', and ''Operating Expenses'' may be transferred to, and merged with, funds appropriated by this chapter under such headings to carry out the purposes of this chapter.

(b) Funds appropriated by this chapter under the headings ''Diplomatic and Consular Programs'', ''Emergencies in the Diplomatic and Consular Service'', and ''Repatriation Loans Program Account'' may be transferred to, and merged with, funds appropriated by this chapter under such headings to carry out the purposes of this chapter.

(c) The transfer authorities provided by this section are in addition to any other transfer authority provided by law.

(d) Upon a determination that all or part of the funds transferred pursuant to the authorities provided by this section are not necessary for such purposes, such amounts may be transferred back to such appropriations.

(e) No funds shall be transferred pursuant to this section unless at least 15 days prior to making such transfer the Secretary of State or the Administrator of the United States Agency for International Development (USAID), as appropriate, notifies the Committees on Appropriations in writing of the details of any such transfer.

NOTIFICATION REQUIREMENT

SEC. ____. Funds appropriated by this chapter that are made available to respond to the Zika virus outbreak, other vector-borne diseases, or other infectious diseases shall not be available for obligation unless the Secretary of State or the USAID Administrator, as appropriate, notifies the Committees on Appropriations in writing at least 15 days in advance of such obligation.

SPEND PLAN REQUIREMENT

SEC. ____. Not later than 45 days after enactment of this Act and prior to the obligation of funds made available by this chapter to respond to the Zika virus outbreak, other vector-borne diseases, or other infectious diseases, the Secretary of State and the USAID Administrator, as appropriate, shall submit spend plans to the Committees on Appropriations on the anticipated uses of funds on a country and project basis, including estimated personnel and administrative costs: *Provided*, That such plans shall be updated and submitted to the Committee on Appropriations every 90 days until September 30, 2017, and every 180 days thereafter until all funds have been fully expended.

COMPTROLLER GENERAL OVERSIGHT

SEC. ____. Of the funds appropriated by this chapter, up to $500,000 shall be made available to the Comptroller General of the United States, to remain available until expended, for oversight of activities supported pursuant to this chapter with funds appropriated by this chapter: *Provided*, That the Secretary of State and USAID Administrator, as appropriate, and the Comptroller General shall consult with the Committees on Appropriations prior to obligating such funds.

RESCISSION

SEC. ____. Of the unobligated balances available under the heading ''Operating Expenses'' in title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235), $10,000,000 are rescinded: *Provided*, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CHAPTER 3

GENERAL PROVISIONS—THIS TITLE

EXTENSION OF AUTHORITIES AND PROVISIONS

SEC. ____. Unless otherwise provided for by this title, the additional amounts appropriated pursuant to this title for fiscal year 2016 are subject to the requirements for funds contained in the Consolidated Appropriations Act, 2016 (Public Law 114–113).

PERSONAL SERVICE CONTRACTORS

SEC. ____. Funds made available by this title to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases may be used to enter into contracts with individuals for the provision of personal services (as described in section 104 of part 37 of title 48, Code of Federal Regulations (48 CFR 37.104)), within the United States and abroad, subject to prior consultation with, and the notification procedures of, the Committees on Appropriations: *Provided*, That such individuals may not be deemed employees of the United States for the purpose of any law administered by the Office of Personnel Management.

DESIGNATION REQUIREMENT

SEC. ____. Each amount designated in this title by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

EFFECTIVE DATE

SEC. ____. This title shall become effective immediately upon enactment of this Act.

Ms. COLLINS. Mr. President, that allowed us to move forward on the appropriations bill we are now considering. I am very pleased, and I thank the ranking member for working so cooperatively, and I thank all of the sponsors of these amendments for working with us so we can start to make real progress on this appropriations bill.

MORNING BUSINESS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

NATIONAL POLICE WEEK

Mr. GRASSLEY. Mr. President, I will be submitting a bipartisan resolution to commemorate National Police Week, which this year began on Sunday, May 15, and ends on Saturday, May 21.

Senator LEAHY and 52 others have joined me as original cosponsors of the measure. The theme of this year's Police Week is ''Honoring Our Heroes.''

National Police Week is dedicated to the brave men and women in blue who selflessly protect and serve our communities every hour of every day of every week and in every community across the United States.

The week affords an opportunity to honor those who have made the ultimate sacrifice while striving to make our neighborhoods safer and more secure.

Multiple events have taken place in Washington, DC over the past week to not only remember those officers who tragically lost their lives in the line of duty but also to honor outstanding acts of valor and service by many others.

Tens of thousands of police officers as well as their friends and family members have gathered in our nation's capital for these events, which included the Annual Blue Mass, a Candlelight Vigil and a Police Unity Tour Arrival Ceremony, among others.

Yesterday was National Peace Officers Memorial Day and thousands gathered on the West Front of the Capitol for the 35th Annual National Peace Officers Memorial Service.

This solemn service offered an opportunity for all of us to pay our respects to fallen officers and the families, communities, and law enforcement agencies that have been permanently altered because they paid the ultimate sacrifice.

We owe these brave men and women our utmost respect and gratitude as we honor their noble profession this week.

Each of the officers killed in the line of duty this year started their shift with the same goals: do some good, backup my fellow officers, and return home safely.

Some of these officers had dedicated decades of their lives to protecting their communities.

One of these officers was murdered mere hours after being sworn to her oath of service.

At the National Law Enforcement Officers Memorial, the names of some 200 Iowans are inscribed amongst their law enforcement family.

Carved into the Memorial's walls are the names of more than 20,000 men and women who have been killed in the line of duty throughout U.S. history.

Each are unique in their own personal stories but they are uniform in their fidelity to truth and justice.

The individuals are heroes, not because of the manner in which they died but because time and again they answered a call to do right, impervious to the constant lurking of danger.

Regrettably, 123 new names of officers killed in the line of duty in 2015 will be added to the rolls this week and we know that they will not be the last.

Mr. President, the men and women of law enforcement make sacrifices both big and small, frequently missing family celebrations and holidays because they believe in serving something greater than themselves.

The work of law enforcement is not a job, it is a calling.

That calling and those officers' devotion to duty merits our admiration and we are deeply indebted to them.

I call on all Americans this week to pause and contemplate the safety and security they enjoy.

We all must recognize that such peace is the result of sacrifices made by the brave men and women of law enforcement.

I also want to take this opportunity to urge my colleagues to support this year's resolution designating National Police Week.

ADAM WALSH REAUTHORIZATION ACT OF 2016

Mr. LEAHY. Mr. President, hopefully this week the Senate will vote on legislation to reauthorize key elements of the Adam Walsh Act. I supported this important law when it was first enacted nearly 10 years ago, and I am proud to be a cosponsor of this reauthorization bill. Over the years, I have worked closely with John Walsh and others who have been such tireless advocates on behalf of missing and exploited children. And as a Senator and former prosecutor, but most importantly, as a father and a grandfather, I take seriously my duty to protect the children of Vermont and every community throughout the country.

The Adam Walsh Reauthorization Act will reauthorize two important programs that assist State and local law enforcement agencies to monitor and apprehend sex offenders. Specifically, this legislation authorizes the Attorney General to continue providing grants to State and local law enforcement agencies in their efforts to improve sex offender registry systems. The bill also reauthorizes funding for grants to improve information sharing and verification and supports the work of the U.S. Marshals Service in helping State and local law enforcement to locate and apprehend sex offenders who fail to comply with registration requirements.

Last Congress, I was proud to help lead the fight to reauthorize the National Center for Missing and Exploited Children, NCMEC, which has served for more than three decades as a national clearinghouse on issues related to missing and exploited children. I know that the center works closely with the marshals and other Federal, State, and local law enforcement agencies, and the Adam Walsh Reauthorization Act will help further our support for these collaborative efforts.

The bill also includes an important set of provisions authored by Senator

SHAHEEN to protect the rights of sexual assault survivors. I want to thank and applaud Senator SHAHEEN for her hard work and leadership on the Sexual Assault Survivors Rights Act. As an original cosponsor of her bill, I supported the inclusion of her important measure as part of this bill.

I encourage all Senators to support this bill. I hope that the House will take it up and promptly pass it so that it can be signed into law by the President. There is no need to delay any longer our support for the Federal, State, and local enforcement agencies that work tirelessly to protect the children of our community. But once this bill becomes law, our job does not end there. It is not sufficient to just pay lip service to this issue and allow Congress to pat itself on the back for passing an authorization bill. Just as we have seen with our efforts to combat the opioid abuse epidemic, a bill that authorizes programs is important and worthy of support, but ultimately an empty promise if it is not backed up with the actual Federal resources that Congress authorizes. I will keep fighting to ensure that Congress puts its money where its mouth is and provides the funding that is necessary to support these important efforts. I will continue fighting to improve our laws so that we protect the most vulnerable in all of our communities.

ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD–423.

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

DEFENSE SECURITY COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 15–70, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Egypt for defense articles and services estimated to cost $143 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,
Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 15–70

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Egypt.

(ii) Total Estimated Value:

Major Defense Equipment* $116 million.

Other $ 27 million.

Total $143 million.

(iii) Description and Quantity or Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE) includes:

Twenty (20) UGM–84L Harpoon Block II Encapsulated Missiles

Two (2) Encapsulated Harpoon Certification Training Vehicles (EHCTV)

Non-MDE items also included are containers, spare and repair parts, support and test equipment, publications and technical documentation. personnel training and training equipment. U.S. Government and contractor representative technical assistance, engineering and logistics support services, and other related elements of logistics support.

(iv) Military Department: Navy (XX–P–LFW)

(v) Prior Related Cases, if any:

FMS case ABW–$48M–12 Nov 97.

FMS case ABZ–$68M–27 Mar 98.

FMS Case CAN–$107M–22 Jan 03.

(vi) Sales Commission. Fee. etc.. Paid. Offered, or Aereed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: May 11, 2016.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Egypt—UGM:–84L Harpoon Block II Encapsulated Missiles

The Government of Egypt has requested a possible sale of:

Major Defense Equipment (MDE) includes:

Twenty (20) UGM–84L Harpoon Block II Encapsulated Missiles

Two (2) Encapsulated Harpoon Certification Training Vehicles (EHCTV).

Non-MDE items also included are containers, spare and repair parts, support and test equipment, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor representative technical assistance, engineering and logistics support services, and other related elements of logistics support.

This proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a strategic partner that has been and continues to be an important force for political stability and economic progress in the Middle East.

The proposed sale of these submarine-launched missiles will support the Egyptian Navy's Type 209 submarines, increasing its anti-surface warfare and maritime security capabilities. Egypt already possesses Harpoon Block II missiles and will have no difficulty absorbing these additional weapons.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractor will be The Boeing Company in St. Louis, Missouri. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require annual trips to Egypt involving U.S. Government and contractor representatives for technical reviews, support, and oversight for approximately five years.

There will be no adverse impact on United States defense readiness as a result of this proposed sale

TRANSMITTAL NO. 15–70

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The UGM–84L Harpoon Block II Encapsulated missile system is classified CONFIDENTIAL. The Harpoon missile is a conventional tactical weapon system currently in service in the U.S. Navy and in 29 other foreign nations. It provides day, night, and adverse weather, stand-off capability and is an effective Anti-Surface Warfare missile. The UGM–84L incorporates components, software, and technical design information that are considered sensitive. The following components of the proposed sale are classified CONFIDENTIAL:

a. The Radar Seeker

b. The Global Positioning System/Inertial Navigation System (GPS/INS)

c. Operational Flight Program Software

d. Missile operational characteristics and performance data

These elements are essential to the ability of the Harpoon missile to selectively engage hostile targets under a wide range of operations, tactical, and environmental conditions.

2. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures which might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities. All defense articles and services listed in this transmittal have been authorized for release and export to Egypt.

DEFENSE SECURITY COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16–08, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to the United Arab Emirates for defense articles and services estimated to cost $476 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

JENNIFER ZAKRISKI,
(For J. W. Rixey, Vice Admiral, USN Director).

Enclosures.

TRANSMITTAL NO. 16–08

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: United Arab Emirates.

(ii) Total Estimated Value:
Major Defense Equipment* $ 468 million.
Other $ 8 million.
TOTAL $ 476 million.
(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:
Major Defense Equipment (MDE):
Four-thousand (4,000) AGM–1 14R/K Hellfire Missiles.
Also included are the following non-MDE items: training and technical assistance. The estimated cost is $476 million.
(iv) Military Department: Army (AE-B-ZUF, Amendment 2)
(v) Prior Related Cases, if any:
AE–B–JAH–02 Jan 92—$606 million.
AE–13–UDE–06 Jan 00—195 million.
AE–B-ZUF–31 Dec 08–$174 million.
AE–B–ZUL–21 Oct 09–$252 million.
(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.
(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.
(viii) Date Report Delivered to Congress: May 11, 2016.
*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

United Arab Emirates—AGM–114 R/K Hellfire Category III Missiles

The United Arab Emirates (UAE) has requested a possible sale of four-thousand (4,000) AGM–114 R/K Hellfire Missiles over the next three (3) years in increments of one-thousand (1,000) to one-thousand five-hundred (1,500) missiles. Also included in this possible sale are training and technical assistance. The total estimated value of MDE is $468 million. The overall total estimated value is $476 million.

This proposed sale will enhance the foreign policy and national security of the United States by helping to improve the security of a partner country, which has been, and continues to be, an important force for political stability and economic progress in the Middle East.

The proposed sale will improve the UAE's capability to meet current and future threats and provide greater security for its critical infrastructure. The UAE will use the enhanced capability to strengthen its homeland defense. (UAE will have no difficulty absorbing these Hellfire missiles into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractor will be Lockheed Martin Missile and Fire Control in Dallas, Texas. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any U.S. Government or contractor representatives to the United Arab Emirates.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 16–08

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b1) of the Arms Export Control Act, as amended

Annex Item No. vii

(vii) Sensitivity of Technology

1. The AGM–114 R/K Hellfire Category III Missile is an air-to-ground missile used against heavy and light armored targets, thin-skinned vehicles, urban structures, bunkers, caves, and personnel. The missile is Inertial Measurement Unit-based, with a variable delay fuze, improved safety and reliability. The highest level for release of the AGM–114 R/K Hellfire Missile Semi-Active Laser is SECRET, based upon the software. The highest level of classified information that could be disclosed by a proposed sale or by testing of the end item is SECRET: the highest level that must be disclosed for production, maintenance or training is CONFIDENTIAL. Reverse engineering could reveal CONFIDENTIAL information. Vulnerability data, countermeasures, vulnerability/susceptibility analyses and threat definitions are classified up to SECRET.

2. A determination has been made that the Government of the United Arab Emirates can provide substantially the same degree of protection for the technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

3. All defense articles and services listed in this transmittal have been authorized for release and export to the United Arab Emirates.

DEFENSE SECURITY COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(5)(A) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 01–16. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 11–37 of 28 October 2011.

Sincerely,

J. W. RIXEY,
Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 01–16

Report of Enhancement or Upgrade of Sensitivity of Technology or Capability (Sec. 36(B)(5)(A), AECA)

i. Purchaser: Government of Finland.

ii. Sec. 36(b)(1), AECA Transmittal No.: 11–37; Date: 28 October 2011; Military Department: Air Force.

iii. Description: On 28 October 2011, Congress was notified by Congressional certification transmittal number 11–37, of the possible sale under Section 36(b)(1) of the Arms Export Control Act (AECA) of 70 AGM–158 Joint Air-to-Surface Standoff Missiles (JASSM), 2 test vehicles, support and test equipment, publications, and technical documentation, personnel training and training equipment, U.S. Government and contractor engineering, technical and logistics support services, and other related elements of logistical and program support. The estimated total cost was $255 million. Major Defense Equipment (MDE) constituted $134 million of this total.

This transmittal reports the addition of one test vehicle, a JASSM Missile in which the warhead has been replaced by test instruments. The additional unit will result in a net increase in cost of MDE of $2 million, resulting in a revised MDE cost of $136 million. The total cost will remain at $255 million.

iv. Significance: This report is being provided to increase the quantity of JASSM test vehicles Finland will procure from 2 to 3. The additional equipment provides Finland additional capability to support its JASSM missiles.

v. Justification: This proposed sale will contribute to the foreign policy goals and national security objectives of the United States by improving the security of a partner nation that remains an important force for political stability and economic progress in Europe. Finland intends to integrate the JASSM on its F/A–18C/D aircraft. Finland's acquisition of JASSM is intended to modernize its current aircraft munitions suite and counter potential threats. This will contribute to the Finnish military's goal of updating its capability. Finland will have no difficulty absorbing this additional test vehicle into its inventory.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

vi. Date Report Delivered to Congress: May 13, 2016.

DEFENSE SECURITY COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(5)(A) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 0L–16. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 13–67 of January14, 2014.

Sincerely,

J.W. RIXEY,
Vice Admiral, USN, Director.

Enclosure.

TRANSMITTAL NO. 0L–16

Report of Enhancement or Upgrade of Sensitivity of Technology or Capability (Sec. 36(B)(5)(A), AECA)

(i) Purchaser: Government of Singapore.
(ii) Sec. 36(b)(1), AECA Transmittal No.: 13–67; Date: 14 January 2014; Military Department: Air Force.
(iii) Description: On 14 January 2014, Congress was notified by Congressional certification transmittal number 13–67, of the possible sale under Section 36(b)(1) of the Arms Export Control Act of:
70 Active Electronically Scanned Array Radars (AESA)
70 LN–260 Embedded Global Positioning System/Inertial Navigation Systems (GPS/INS)
70 Joint Helmet Mounted Cueing Systems (JHMCS)
70 APX–125 Advanced Identification Friend or Foe (IFF) Combined Interrogator Transponders
3 AIM–9X Block II Captive Air Training Missiles
3 TGM–650 Maverick Missiles for testing and integration
4 GBU–50 Guided Bomb Units (GBU) for testing and integration
5 GBU–38 Joint Direct Attack Munitions for testing and integration
3 CBU–105 (D–4)/B Sensor Fused Weapons for testing and integration
1 AIS Interface Test Adapters for software updates
1 Classified Computer Program Identification Numbers (CPINs)
4 GBU–49 Enhanced Paveways for testing and integration
2 DSU–38 Laser Seekers for testing and integration
6 GBU–12 Paveway II, Guidance Control Units
Also included were Modular Mission Computers (MMC), a software maintenance facility, cockpit multifunction displays, radios,

secure communications, video recorders; a Joint Mission Planning System (JMPS); maintenance, repair and return, aircraft and ground support equipment, spare and repair parts, tool and test equipment; engine support equipment, publications and technical documentation; aerial refueling support, aircraft ferry services, flight test; personnel training and training equipment, site surveys, construction, U.S. Government and contractor engineering, technical, and logistics support services, and other related elements of logistics and program support. The estimated value of Major Defense Equipment (MDE) was $330 million. The estimated total cost was $2.43 billion.

This transmittal reports an update to the MDE status of the MMC and cockpit multifunction displays. The MMC and cockpit multifunction displays included in the notified sale were categorized as MDE by the U.S. Air Force in June and August 2015, respectively. Updating the designation of this equipment as MDE results in a $62.2 million increase to the MDE value of this sale. The new estimated MDE value is $392.2 million. The total case value will remain $2.43 billion.

(iv) Significance: This equipment provides the Republic of Singapore Air Force improved situational awareness and the ability to interpret complex tactical situations more quickly and accurately.

(v) Justification: This proposed sale will contribute to the foreign policy and national security of the United States by increasing the ability of Singapore to contribute to regional security. The proposed sale will improve the security of a strategic partner which has been, and continues to be, an important force for political stability and economic progress in the Asia Pacific region.

(vi) Date Report Delivered to Congress: May 13, 2016.

TRIBUTE TO PASTOR BENNIE MORAN

Mrs. CAPITO. Mr. President, today I wish to honor Pastor Bennie Moran of Faith Baptist Church in Morgantown, WV, upon his retirement after 49 years of faith-based service to the community. Pastor Moran held the church's first service in 1967 from his home with only 10 people in attendance. Word of the newly formed church spread throughout the county, so the growing congregation had to meet at the Westover Community Building for the next 7 years. In 1973, the church moved into its first permanent location. Faith Baptist Church remained there until 1995, which is when they moved into their current location. Pastor Moran was there helping the church every step of the way.

Born in Fairmont, WV, Bennie grew up a son of a coal miner. He attended Fairmont State University for his undergraduate degree and received his doctorate from Bob Jones University. Bennie also proudly served his country in the U.S. Army. I am honored to represent this individual who has faithfully served both this country and his community. Today I ask my colleagues to join me in honoring Pastor Moran's service to Faith Baptist Church and the State of West Virginia.

ADDITIONAL STATEMENTS

HOLOCAUST MEMORIAL OBSERVANCES OF GREELEY AND NORTHERN COLORADO

● Mr. BENNET. Mr. President, for over 35 years, the Holocaust Memorial Observances of Greeley and Northern Colorado have worked to raise awareness of the atrocities of Nazi crimes and the perils of anti-Semitism and have fostered greater understanding and knowledge throughout Colorado. Through various educational experiences, the Holocaust Memorial Observances have preserved many of the stories of the courage and bravery that have come to define that period.

This month, the members of the Holocaust Memorial Observances committee hosted a series of discussions, films, and school visits, including a presentation by Holocaust survivor Peter Daniels, formerly known as Peter Berlowitz. Thanks to the committee's hard work, our children, grandchildren, and generations after them will have the opportunity to reflect on the experiences of people like Peter Daniels and his inspiring story of survival and determination.

It is my pleasure to commend the Holocaust Memorial Observances of Greeley and Northern Colorado committee for their dedicated service to this critical cause and to congratulate the committee on continuing to provide a platform for individuals to counteract hate and prejudice.●

TRIBUTE TO MARK VAN TINE

● Mr. BENNET. Mr. President, today I wish to recognize Mark Van Tine, vice president of Digital Aviation for the Boeing Company and chief executive officer of Jeppesen. He is retiring after 35 years with the company as a champion of the aviation industry.

Mr. Van Tine leads more than 3,800 employees at Jeppesen, which is headquartered in Englewood, CO, and serves general, business, military, and the commercial aviation sectors. Additionally, Jeppesen works closely with the aviation industry to improve the flying experience at Denver International Airport. A new navigation pattern design, for example, allows commercial airline pilots to descend in a single, smooth arc rather than a more traditional stair-step pattern, resulting in lower costs, fewer carbon emissions, and gentler landings.

Since 1981, Mr. Van Tine has held numerous positions at Jeppesen, including serving as its chief information officer, before being named CEO in 2002. In 2012, he became the leader of Boeing's new Digital Aviation organization, taking on the tremendous challenge of overseeing Jeppesen's digital transformation. This involved moving the entire global aviation industry to electronic charts, which reduced paperwork and increased efficiency.

Mr. Van Tine is also an active contributor to the general aviation community. He sits on the boards of the General Aviation Manufacturers Association, GAMA, and the Experimental Aircraft Association, EAA. In 2009, he served as GAMA's chairman and has since chaired the association's Security Issues Committee for the last 5 years. He also chairs the Jeppesen Aviation Foundation, which honors the legacy of Captain Elrey B. Jeppesen by supporting educational institutions, organizations, and students in the aviation community.

Encouraging students to become the next generation of aviation leaders is Mr. Van Tine's greatest passion. His commitment to education has ensured Jeppesen continues to support programs that introduce Colorado students to science, technology, engineering, and math using aviation. This includes initiatives such as Aurora Public Schools, Experience Aviation, Rocky Mountain BEST, Shades of Blue, and the Cherry Creek School Foundation.

Under Mr. Van Tine's leadership, Jeppesen has become a sponsor of numerous scholarships aimed at encouraging students to pursue aviation careers. Mr. Van Tine has also created a national STEM competition for high schoolers with the annual prize being a 2-week build of a Glasair Sportsman airplane. This June marks the third year Mr. Van Tine will join students to assemble an aircraft in the GAMA/Build-A-Plane Aviation Design Challenge.

I congratulate Mark Van Tine on his many accomplishments and years of outstanding service to the aviation community. He is truly an asset to the people of Colorado and to the millions of passengers around the world who are safer in the skies and at sea through the use of his navigation services.●

RECOGNIZING THE SLCC MEN'S BASKETBALL TEAM

● Mr. LEE. Mr. President, on March 14, 2016, the Salt Lake Community College men's basketball team walked into the Hutchinson Sports Arena in Hutchinson, KS, to play their first game in the NJCAA national tournament, the ''Big Dance'' for America's community colleges, ranked 13th out of 24 highly talented and competitive teams. Six days and five games later, the Salt Lake Bruins walked out as national champions, having bested the home team, Hutchinson Community College, 74 points to 64, in front of a sold-out crowd of more than 6,000 fans.

On behalf of the people of Utah, I commend the Salt Lake Community College 2015–2016 men's basketball team for their well-deserved championship. In particular, I applaud the Bruins not

just because they won, but because of how they won.

When a team is awarded the national title after winning 5 games in 6 days, beating the opposition by an average of more than 18 points, as the Bruins did in Hutchinson, it can be tempting to look back at the season and see a preordained path to the championship. But, as head coach Todd Phillips surely knows, there are no guaranteed victories in basketball, only earned ones, even for a team as storied and successful as Salt Lake Community College.

Indeed, the story of the Salt Lake Bruins' championship season is one not of assured success, but obstacles overcome.

At the end of the regular season, the Bruins had lost five of their last seven games, finishing third in the Scenic West Athletic Conference, their worst performance in Coach Phillips' five seasons with the team.

Entering the regional tournament on a three-game losing streak, the team seemed to be fraying at the edges, their season on the brink of irrelevance. Something wasn't right. The team was playing well below its potential, and everyone knew it.

The easy response for the players and the coaches would have been to point fingers, assign blame, and begin looking forward to the fresh start always promised by the next season waiting around the corner.

But that is not the Salt Lake way. Instead of giving up, the team doubled down, rebuilding their confidence and rededicating themselves to each other and to their season. And they did this as all good teams must do: together.

The Salt Lake Bruins' always have plenty of stand-out athletes, and this season was no exception, but the 12-man roster that took home the national title truly played and won as a team.

To the 16 men who earned this championship, as players and as coaches, congratulations. Your legendary season—and the teamwork that made it possible—is an inspiration to the Nation and one of the many reasons I am proud to call Utah home.●

100TH ANNIVERSARY OF THE RESERVE OFFICERS' TRAINING CORPS AT THE UNIVERSITY OF OREGON

● Mr. WYDEN. Mr. President, this year marks the 100th anniversary of the Webfoot Warriors, the Reserve Officers' Training Corps program at the University of Oregon. As an alumnus of the University of Oregon Law School, I would like to commemorate this milestone. Reserve Officers' Training Corps, or ROTC, is a voluntary program offered at hundreds of schools across the country. Students who meet the eligibility requirements and stick with the program receive subsidized tuition and, after graduation, are commissioned as officers in the U.S. military. The ROTC curriculum consists of courses in military science and history as well as practical skills and leadership training.

The ROTC program we know today traces its roots to the National Defense Act of 1916, a bill signed into law by President Woodrow Wilson barely a year before the United States entered World War I. Like many other university administrators of the day, Prince Lucien Campbell, the University of Oregon's president at the time, was a supporter of the program. President Campbell established the first ROTC curriculum at the University of Oregon, placing a retired British military officer—the appropriately named Lieutenant Colonel John Leader—in charge. More than 100 students participated in the first drill in March 1916.

The University of Oregon ROTC program commissioned its first officers in 1919, after the Allied victory in World War I, and the unit has produced some truly top-notch officers in the decades since. In fact, the Army Cadet Command awarded the unit a General Douglas MacArthur Award for the 2014–2015 academic year, recognizing it as one of the top eight Army ROTC programs in the country. According to the unit's records, the University of Oregon has produced more general officers than any nonmilitary ROTC program in the country. The program also counts a total of 47 flag officers among its graduates.

As Oregonians, we have long taken pride in serving our State and this great country, and the Webfoot Warriors are hardly an exception. As then-President Campbell put it himself, ''the matter of military training in any school seems to me to be a training for better citizenship, rather than for war.'' Today I say thank you to all of the men and women of the Webfoot Warriors past and present, and I wish the University of Oregon ROTC program another 100 years of success.●

50TH ANNIVERSARY OF CLACKAMAS COMMUNITY COLLEGE

● Mr. WYDEN. Mr. President, today I wish to congratulate Clackamas Community College, CCC, in Clackamas County, OR, on 50 years of continued growth and achievement in providing valuable education to Oregon's citizens. From Gladstone, to Oregon City, to Wilsonville, CCC has grown to include three campuses and two extension sites. Now with campuses educating 35,000 students, CCC still has a community-minded focus and provides its communities with affordable education and training opportunities which aid in creating family-wage jobs.

Since 1966, CCC has prided itself on being a welcoming place for students seeking transfer degrees, specialized career technical education, or returning to finish a high school diploma. The college has over 80 career and technical programs, from automotive technology and renewable energy, to the ever-growing field of medical and dental assistance.

CCC has also grown into one of the top community colleges in the Nation for our veterans, earning a Best in the West award from the Military Times last year. The college has made service to veterans and military families a high priority and an integral part of its campus identity. The college has several full-time veterans advocates on staff and the only Army Strong Community Center in the western U.S., connecting military families to the resources they need.

For 50 years, educators, administrators, and board members have followed their vision that has led to CCC being a fixture of achievement in northwest Oregon. And to help continue that tradition of achievement, CCC has recently launched the ''Imagine Clackamas'' project, which is a 2-year outreach effort designed to help the college identify where to adapt and expand its strengths. I am excited to see what new heights this great community college will reach as it thrives for decades to come.

It is an honor to represent Clackamas Community College in the U.S. Senate, and congratulations again to the college on its 50th anniversary.●

MESSAGE FROM THE HOUSE

At 2:03 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1818. An act to amend the Public Health Service Act to provide grants to States to streamline State requirements and procedures for veterans with military emergency medical training to become civilian emergency medical technicians.

H.R. 4586. An act to amend the Public Health Service Act to authorize grants to States for developing standing orders and educating health care professionals regarding the dispensing of opioid overdose reversal medication without person-specific prescriptions, and for other purposes.

H.R. 5046. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize the Attorney General to make grants to assist State and local governments in addressing the national epidemic of opioid abuse, and for other purposes.

The message further announced that pursuant to section 451 of the Workforce Innovation and Opportunity Act (Public Law 113–128) the Minority Leader appoints the following member on the part of the House of Representatives to the National Council on Disability: Mr. James T. Brett of Massachusetts.

The message also announced that pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431) and the order of the House of January 6, 2015, the Speaker appoints the following members on the part of the House of Representatives to the Commission on International Religious Freedom for a term effective May 14, 2016, and ending May 14, 2018: Mr. Daniel I. Mark of Villanova, Pennsylvania and Ms. Kristina Arriaga of Alexandria, Virginia to succeed Dr. Robert P. George.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1818. An act to amend the Public Health Service Act to provide grants to States to streamline State requirements and procedures for veterans with military emergency medical training to become civilian emergency medical technicians; to the Committee on Health, Education, Labor, and Pensions.

H.R. 4586. An act to amend the Public Health Service Act to authorize grants to States for developing standing orders and educating health care professionals regarding the dispensing of opioid overdose reversal medication without person-specific prescriptions, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5046. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize the Attorney General to make grants to assist State and local governments in addressing the national epidemic of opioid abuse, and for other purposes; to the Committee on the Judiciary.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on May 13, 2016, she had presented to the President of the United States the following enrolled bills:

S. 32. An act to provide the Department of Justice with additional tools to target extraterritorial drug trafficking activity, and for other purposes.

S. 125. An act to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2020, and for other purposes.

S. 2755. An act to provide Capitol-flown flags to the immediate family of firefighters, law enforcement officers, members of rescue squads or ambulance crews, and public safety officers who are killed in the line of duty.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INHOFE, from the Committee on Environment and Public Works, without amendment:

S. 2808. A bill to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts (Rept. No. 114–254).

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1626. A bill to reauthorize Federal support for passenger rail programs, improve safety, streamline rail project delivery, and for other purposes.

By Mr. ISAKSON, from the Committee on Veterans' Affairs, without amendment:

S. 2921. A bill to amend title 38, United States Code, to improve the accountability of employees of the Department of Veterans Affairs, to improve health care and benefits for veterans, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. GRAHAM (for himself, Mr. WHITEHOUSE, and Mr. BLUMENTHAL):

S. 2931. A bill to amend title 18, United States Code, to protect Americans from cybercrime; to the Committee on the Judiciary.

By Mr. CASSIDY:

S. 2932. A bill to amend the Controlled Substances Act with respect to the provision of emergency medical services; to the Committee on Health, Education, Labor, and Pensions.

By Ms. BALDWIN (for herself, Mr. MORAN, and Mr. TILLIS):

S. 2933. A bill to prohibit certain health care providers from providing non-Department health care services to veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SCHUMER (for himself, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Mr. MURPHY, Mr. WYDEN, and Mr. MARKEY):

S. 2934. A bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HEINRICH (for himself and Mr. GARDNER):

S. Res. 465. A resolution supporting the United States solar energy industry in its effort to bring low-cost, clean, 21st-century solar technology into homes and businesses across the United States; to the Committee on Energy and Natural Resources.

By Mr. GRASSLEY (for himself, Ms. STABENOW, Mr. FRANKEN, Mr. GARDNER, Ms. HEITKAMP, Mr. KAINE, Mr. PETERS, Ms. KLOBUCHAR, Mr. INHOFE, Mr. SCOTT, Mr. MERKLEY, Mrs. FEINSTEIN, and Mr. BLUMENTHAL):

S. Res. 466. A resolution recognizing National Foster Care Month as an opportunity to raise awareness about the challenges of children in the foster-care system, and encouraging Congress to implement policy to improve the lives of children in the foster-care system; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WICKER (for himself and Mr. MERKLEY):

S. Res. 467. A resolution supporting the goals and ideals of National Nurses Week, to be observed from May 6 through May 12, 2016; considered and agreed to.

ADDITIONAL COSPONSORS

S. 553

At the request of Mr. CORKER, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 553, a bill to marshal resources to undertake a concerted, transformative effort that seeks to bring an end to modern slavery, and for other purposes.

S. 628

At the request of Ms. BALDWIN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 628, a bill to amend the Public Health Service Act to provide for the designation of maternity care health professional shortage areas.

S. 688

At the request of Mr. MANCHIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 688, a bill to amend title XVIII of the Social Security Act to adjust the Medicare hospital readmission reduction program to respond to patient disparities, and for other purposes.

S. 804

At the request of Mrs. SHAHEEN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 804, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 884

At the request of Mr. BLUNT, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 884, a bill to improve access to emergency medical services, and for other purposes.

S. 1358

At the request of Ms. MURKOWSKI, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1358, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to inter in national cemeteries individuals who supported the United States in Laos during the Vietnam War era.

S. 1500

At the request of Mr. CRAPO, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 1500, a bill to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes.

S. 1714

At the request of Mr. MANCHIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1714, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of

America Pension Plan, and for other purposes.

S. 2010

At the request of Mr. BARRASSO, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2010, a bill to provide for phased-in payment of Social Security Disability Insurance payments during the waiting period for individuals with a terminal illness.

S. 2031

At the request of Mr. BARRASSO, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2031, a bill to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes.

S. 2041

At the request of Mr. CASEY, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2041, a bill to promote the development of safe drugs for neonates.

S. 2051

At the request of Mr. CARPER, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 2051, a bill to improve, sustain, and transform the United States Postal Service.

S. 2178

At the request of Mr. BOOZMAN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2178, a bill to amend the Internal Revenue Code of 1986 to make permanent certain provisions of the Heartland, Habitat, Harvest, and Horticulture Act of 2008 relating to timber, and for other purposes.

S. 2196

At the request of Mr. PORTMAN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 2196, a bill to amend title XVIII of the Social Security Act to provide for the non-application of Medicare competitive acquisition rates to complex rehabilitative wheelchairs and accessories.

S. 2417

At the request of Mr. THUNE, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 2417, a bill to amend the Indian Health Care Improvement Act to allow the Indian Health Service to cover the cost of a copayment of an Indian or Alaska Native veteran receiving medical care or services from the Department of Veterans Affairs, and for other purposes.

S. 2424

At the request of Mr. PORTMAN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2424, a bill to amend the Public Health Service Act to reauthorize a program for early detection, diagnosis, and treatment regarding deaf and hard-of-hearing newborns, infants, and young children.

S. 2489

At the request of Mr. WHITEHOUSE, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 2489, a bill to ensure that persons who form corporations in the United States disclose the beneficial owners of those corporations, in order to prevent the formation of corporations with hidden owners, stop the misuse of United States corporations by wrongdoers, and assist law enforcement in detecting, preventing, and punishing terrorism, money laundering, tax evasion, and other criminal and civil misconduct involving United States corporations, and for other purposes.

S. 2499

At the request of Mr. HATCH, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 2499, a bill to amend the Internal Revenue Code of 1986 to improve access to health care through expanded health savings accounts, and for other purposes.

S. 2569

At the request of Mr. PETERS, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2569, a bill to authorize the Director of the United States Geological Survey to conduct monitoring, assessment, science, and research, in support of the binational fisheries within the Great Lakes Basin, and for other purposes.

S. 2577

At the request of Mr. CORNYN, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 2577, a bill to protect crime victims' rights, to eliminate the substantial backlog of DNA and other forensic evidence samples to improve and expand the forensic science testing capacity of Federal, State, and local crime laboratories, to increase research and development of new testing technologies, to develop new training programs regarding the collection and use of forensic evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to support accreditation efforts of forensic science laboratories and medical examiner offices, to address training and equipment needs, to improve the performance of counsel in State capital cases, and for other purposes.

S. 2598

At the request of Ms. WARREN, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 2598, a bill to require the Secretary of the Treasury to mint coins in recognition of the 60th anniversary of the Naismith Memorial Basketball Hall of Fame.

S. 2736

At the request of Mr. THUNE, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 2736, a bill to improve access to durable medical equipment for Medicare beneficiaries under the Medicare program, and for other purposes.

At the request of Ms. HEITKAMP, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 2736, supra.

S. 2795

At the request of Mr. INHOFE, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 2795, a bill to modernize the regulation of nuclear energy.

S. 2822

At the request of Mr. PORTMAN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 2822, a bill to continue the use of a 3-month quarter EHR reporting period for health care providers to demonstrate meaningful use for 2016 under the Medicare and Medicaid EHR incentive payment programs, and for other purposes.

S. 2904

At the request of Mr. WHITEHOUSE, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 2904, a bill to amend title II of the Social Security Act to eliminate the five month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 2906

At the request of Mr. FRANKEN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2906, a bill to amend the Tariff Act of 1930 to require congressional approval of determinations to revoke the designation of the People's Republic of China as a nonmarket economy country for purposes of that Act.

S. 2921

At the request of Mr. ISAKSON, the names of the Senator from North Carolina (Mr. BURR), the Senator from Ohio (Mr. PORTMAN) and the Senator from Indiana (Mr. DONNELLY) were added as cosponsors of S. 2921, a bill to amend title 38, United States Code, to improve the accountability of employees of the Department of Veterans Affairs, to improve health care and benefits for veterans, and for other purposes.

S. CON. RES. 35

At the request of Mr. RUBIO, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. Con. Res. 35, a concurrent resolution expressing the sense of Congress that the United States should continue to exercise its veto in the United Nations Security Council on resolutions regarding the Israeli-Palestinian peace process.

S. CON. RES. 36

At the request of Mr. NELSON, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. Con. Res. 36, a concurrent

resolution expressing support of the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to reaffirm its commitment to that goal through a financial commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs.

S. RES. 459

At the request of Mr. ISAKSON, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. Res. 459, a resolution recognizing the importance of cancer research and the vital contributions of scientists, clinicians, cancer survivors, and other patient advocates across the United States who are dedicated to finding a cure for cancer, and designating May 2016, as ''National Cancer Research Month''.

At the request of Mrs. FEINSTEIN, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. Res. 459, supra.

S. RES. 462

At the request of Mrs. MURRAY, the names of the Senator from Michigan (Ms. STABENOW), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from New Jersey (Mr. BOOKER) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. Res. 462, a resolution urging the United States Soccer Federation to immediately eliminate gender pay inequity and treat all athletes with the same respect and dignity.

AMENDMENT NO. 3900

At the request of Mr. BLUNT, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 3900 proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 465—SUPPORTING THE UNITED STATES SOLAR ENERGY INDUSTRY IN ITS EFFORT TO BRING LOW-COST, CLEAN, 21ST-CENTURY SOLAR TECHNOLOGY INTO HOMES AND BUSINESSES ACROSS THE UNITED STATES

Mr. HEINRICH (for himself and Mr. GARDNER) submitted the following resolution; which was referred to the Committee on Energy and Natural Resources:

S. RES. 465

Whereas the solar energy industry has reached 1,000,000 solar installations nationwide, a milestone that marks just the beginning of the role of solar energy as a mainstream power source;

Whereas although decades elapsed before the solar energy industry reached the 1,000,000 installation milestone, the solar energy industry projects that the solar energy industry will reach 2,000,000 installations in just 2 more years;

Whereas, as of December 2015, there are over 27 gigawatts of cumulative solar electric capacity operating in the United States, which is enough energy to power more than 5,400,000 average homes in the United States;

Whereas, as of December 2015, the United States solar energy industry provides employment opportunities for more than 208,000 solar workers in all 50 States and the solar energy industry is creating jobs at a rate 12 times higher than the rate of employment growth in the overall economy;

Whereas the United States solar energy industry is a leading employer of minorities, women, and veterans;

Whereas there are nearly 4,000 primary and secondary schools in the United States with active solar energy systems, which means that more than 2,700,000 students in the United States attend solar schools;

Whereas the cost of solar energy has dropped by 70 percent in the last 7 years and solar energy has brought billions of dollars in new investments to communities across the United States;

Whereas continued decreases in cost, new financing models, and innovative programs, such as community solar, have made solar power accessible to millions of homeowners of many incomes and backgrounds;

Whereas grid-connected solar energy reduces carbon emissions by more than 31,000,000 metric tons annually;

Whereas, by 2020, solar electric capacity will quadruple in size to nearly 100 gigawatts and employment in the solar energy industry will more than double to 420,000 workers in the United States; and

Whereas, having reached the milestone of 1,000,000 solar installations in the United States, solar energy should be supported by sound policies and continued private sector innovation and ingenuity that will propel the United States forward to a stronger economy and well-paying jobs: Now, therefore, be it

Resolved, That the Senate supports the United States solar energy industry in its effort to bring low-cost, clean, 21st-century solar technology into homes and businesses across the United States.

SENATE RESOLUTION 466—RECOGNIZING NATIONAL FOSTER CARE MONTH AS AN OPPORTUNITY TO RAISE AWARENESS ABOUT THE CHALLENGES OF CHILDREN IN THE FOSTER-CARE SYSTEM, AND ENCOURAGING CONGRESS TO IMPLEMENT POLICY TO IMPROVE THE LIVES OF CHILDREN IN THE FOSTER-CARE SYSTEM

Mr. GRASSLEY (for himself, Ms. STABENOW, Mr. FRANKEN, Mr. GARDNER, Ms. HEITKAMP, Mr. KAINE, Mr. PETERS, Ms. KLOBUCHAR, Mr. INHOFE, Mr. SCOTT, Mr. MERKLEY, Mrs. FEINSTEIN, and Mr. BLUMENTHAL) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 466

Whereas National Foster Care Month was established more than 20 years ago to—

(1) bring foster-care issues to the forefront;

(2) highlight the importance of permanency for every child; and

(3) recognize the essential role that foster parents, social workers, and advocates have in the lives of children in foster care throughout the United States;

Whereas all children deserve a safe, loving, and permanent home;

Whereas the primary goal of the foster-care system is to ensure the safety and well-being of children while working to provide a safe, loving, and permanent home for each child;

Whereas there are approximately 415,000 children living in foster care;

Whereas there were approximately 255,000 youth that entered the foster-care system in 2014, while over 107,500 youth were eligible and awaiting adoption at the end of 2014;

Whereas children of color are more likely to stay in the foster-care system for longer periods of time and are less likely to be reunited with their biological families;

Whereas foster parents are the front-line caregivers for children who cannot safely remain with their biological parents and provide physical care, emotional support, education advocacy, and are the largest single source of families providing permanent homes for children leaving foster care to adoption;

Whereas children in foster care who are placed with relatives, compared to children placed with nonrelatives, have more stability, including fewer changes in placements, have more positive perceptions of their placements, are more likely to be placed with their siblings, and demonstrate fewer behavioral problems;

Whereas some relative caregivers receive less financial assistance and support services than do foster caregivers;

Whereas recent studies show foster children enrolled in Medicaid were prescribed antipsychotic medications at nearly 4 times the rate of other children receiving Medicaid;

Whereas youth in foster care are much more likely to face educational instability with 65 percent of former foster children experiencing at least 7 school changes while in care;

Whereas an increased emphasis on prevention and reunification services is necessary to reduce the number of children that are forced to remain in the foster-care system;

Whereas more than 22,000 youth ''age out'' of foster care without a legal permanent connection to an adult or family;

Whereas the number of youth who age out of foster care has steadily increased for the past decade;

Whereas foster care is intended to be a temporary placement, but children remain in the foster-care system for an average of 2 years;

Whereas children in foster care experience an average of 3 different placements, which often leads to disruption of routines and the need to change schools and move away from siblings, extended families, and familiar surroundings;

Whereas children entering foster care often confront the widespread misperception that children in foster care are disruptive, unruly, and dangerous, even though placement in foster care is based on the actions of a parent or guardian, not the child;

Whereas children who age out of foster care lack the security or support of a biological or adoptive family and frequently

struggle to secure affordable housing, obtain health insurance, pursue higher education, and acquire adequate employment;

Whereas on average, 8.5 percent of the positions in child protective services remain vacant;

Whereas due to heavy caseloads and limited resources, the average tenure for a worker in child protection services is just 3 years;

Whereas States, localities, and communities should be encouraged to invest resources in preventative and reunification services and postpermanency programs to ensure that more children in foster care are provided with safe, loving, and permanent placements;

Whereas Federal legislation over the past 3 decades, including the Adoption Assistance and Child Welfare Act of 1980 (Public Law 96–272), the Adoption and Safe Families Act of 1997 (Public Law 105–89), the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Public Law 110–351), the Child and Family Services Improvement and Innovation Act (Public Law 112–34), and the Preventing Sex Trafficking and Strengthening Families Act (Public Law 113-183) provided new investments and services to improve the outcomes of children in the foster-care system;

Whereas May 2016 is an appropriate month to designate as National Foster Care Month to provide an opportunity to acknowledge the accomplishments of the child-welfare workforce, foster parents, advocacy community, and mentors for their dedication, accomplishments, and positive impact they have on the lives of children; and

Whereas much remains to be done to ensure that all children have a safe, loving, nurturing, and permanent family, regardless of age or special needs: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of National Foster Care Month;

(2) recognizes National Foster Care Month as an opportunity to raise awareness about the challenges that children face in the foster-care system;

(3) encourages Congress to implement policy to improve the lives of children in the foster-care system;

(4) acknowledges the special needs of children in the foster-care system;

(5) recognizes foster youth throughout the United States for their ongoing tenacity, courage, and resilience while facing life challenges;

(6) acknowledges the exceptional alumni of the foster-care system who serve as advocates and role models for youth who remain in care;

(7) honors the commitment and dedication of the individuals who work tirelessly to provide assistance and services to children in the foster-care system; and

(8) reaffirms the need to continue working to improve the outcomes of all children in the foster-care system through parts B and E of title IV of the Social Security Act (42 U.S.C. 601 et seq.) and other programs designed to—

(A) support vulnerable families;

(B) invest in prevention and reunification services;

(C) promote adoption in cases where reunification is not in the best interests of the child;

(D) adequately serve those children brought into the foster-care system; and

(E) facilitate the successful transition into adulthood for children that ''age out'' of the foster-care system.

SENATE RESOLUTION 467—SUPPORTING THE GOALS AND IDEALS OF NATIONAL NURSES WEEK, TO BE OBSERVED FROM MAY 6 THROUGH MAY 12, 2016

Mr. WICKER (for himself and Mr. MERKLEY) submitted the following resolution; which was considered and agreed to:

S. RES. 467

Whereas, beginning in 1991, National Nurses Week is celebrated annually from May 6, also known as ''National Recognition Day for Nurses'', through May 12, the birthday of Florence Nightingale, the founder of modern nursing;

Whereas National Nurses Week is a time of year to reflect on the important contributions that nurses make to provide safe, high-quality health care;

Whereas nurses are known to be patient advocates, acting fearlessly to protect the lives of individuals under the care of the nurses;

Whereas nurses represent the largest single component of the health care profession, with an estimated population of 3,964,000 professionally active nurses in the United States;

Whereas nurses are leading in the delivery of quality care in a transformed health care system that improves patient outcomes and safety;

Whereas the Future of Nursing report of the Institute of Medicine has called for the nursing profession to meet the call for leadership in a team-based delivery model;

Whereas, when nurse staffing levels increase, the risk of patient complications and lengthy hospital stays decreases, resulting in cost savings;

Whereas nurses are experienced researchers, and the work of nurses encompasses a wide scope of scientific inquiry, including clinical research, health systems and outcomes research, and nursing education research;

Whereas nurses provide culturally and ethnically competent care and are educated to be sensitive to the regional and community customs of individuals needing care;

Whereas nurses are well-positioned to provide leadership to eliminate health care disparities that exist in the United States;

Whereas nurses are the cornerstone of the public health infrastructure, promoting healthy lifestyles and educating communities on disease prevention and health promotion;

Whereas nurses are strong allies to Congress as the nurses help inform, educate, and work closely with legislators to improve the education, retention, recruitment, and practice of all nurses and, more importantly, the health and safety of the patients for whom the nurses care;

Whereas strengthening nursing workforce development programs at all levels, including the number of doctorally prepared faculty members, and providing education to the nurse research scientists who can discover new nursing care models to improve the health status of the diverse population of the United States, are needed;

Whereas nurses touch the lives of the people of the United States from birth to the end of life; and

Whereas nursing has been voted as the most honest and ethical profession in the United States for each of the 13 years preceding the date of adoption of this resolution: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Nurses Week, as founded by the American Nurses Association;

(2) recognizes the significant contributions of nurses to the health care system in the United States; and

(3) encourages the people of the United States to observe National Nurses Week with appropriate recognition, ceremonies, activities, and programs to demonstrate the importance of nurses to the everyday lives of patients.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3909. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

SA 3910. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3911. Ms. KLOBUCHAR (for herself and Mr. TILLIS) submitted an amendment intended to be proposed by her to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3912. Ms. MURKOWSKI (for Mr. SULLIVAN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3913. Mrs. FEINSTEIN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3914. Mr. TESTER (for himself and Mr. KIRK) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr . TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3915. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3916. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3917. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3918. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3919. Ms. MIKULSKI (for herself, Mr. SHELBY, Mr. CARDIN, Mr. WARNER, Mr. KAINE, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3920. Mr. BROWN (for himself, Mr. TOOMEY, Mr. SANDERS, Mrs. MURRAY, Mr. CASEY, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3921. Mr. FRANKEN (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3922. Mrs. FEINSTEIN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3923. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3924. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3925. Mr. GRASSLEY (for himself, Mrs. ERNST, Mr. INHOFE, Mr. MORAN, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3926. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3927. Mr. COONS (for himself, Mr. BOOKER, Mr. CASEY, and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3928. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3929. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3909. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

On page 103, line 18, insert ''and, notwithstanding title I of that Act (42 U.S.C. 5301 et seq.), eligible Indian tribes may use funds made available under this paragraph for the construction of housing for law enforcement, health care, educational, technical, and other skilled workers'' after ''title)''.

SA 3910. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 238, line 22, insert after ''equipment'' the following: ''(including rehabilitative equipment for veterans entitled to a prosthetic appliance under chapter 17 of title 38, United States Code, which may include recreational sports equipment that provides an adaption or accommodation for the veteran, regardless of whether such equipment is intentionally designed to be adaptive equipment, such as hand cycles, recumbent bicycles, medically adapted upright bicycles, and upright bicycles)''.

SA 3911. Ms. KLOBUCHAR (for herself and Mr. TILLIS) submitted an amendment intended to be proposed by her to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. ESTABLISHMENT OF CENTER OF EXCELLENCE IN PREVENTION, DIAGNOSIS, MITIGATION, TREATMENT, AND REHABILITATION OF HEALTH CONDITIONS RELATING TO EXPOSURE TO BURN PITS AND OTHER ENVIRONMENTAL EXPOSURES.

(a) IN GENERAL.—Subchapter II of chapter 73 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 7330B. Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures

''(a) ESTABLISHMENT.—(1) The Secretary shall establish within the Department a center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures to carry out the responsibilities specified in subsection (d).

''(2) The Secretary shall establish the center of excellence under paragraph (1) through the use of—

''(A) the directives and policies of the Department in effect as of the date of the enactment of this section;

''(B) the recommendations of the Comptroller General of the United States and Inspector General of the Department in effect as of such date; and

''(C) guidance issued by the Secretary of Defense under section 313 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 1074 note).

''(b) SELECTION OF SITE.—In selecting the site for the center of excellence established under subsection (a), the Secretary shall consider entities that—

''(1) are equipped with the specialized equipment needed to study, diagnose, and treat health conditions relating to exposure to burn pits and other environmental exposures;

''(2) have a track record of publishing information relating to post-deployment health exposures among veterans who served in the Armed Forces in support of Operation Iraqi Freedom and Operation Enduring Freedom;

''(3) have collaborated with a geosciences department that has a medical geology division;

''(4) have developed animal models and in vitro models of dust immunology and lung injury consistent with the injuries of members of the Armed Forces who served in support of Operation Iraqi Freedom and Operation Enduring Freedom; and

''(5) have expertise in allergy and immunology, pulmonary diseases, and industrial and management engineering.

''(c) COLLABORATION.—The Secretary shall ensure that the center of excellence collaborates, to the maximum extent practicable, with the Secretary of Defense, institutions of higher education, and other appropriate public and private entities (including international entities) to carry out the responsibilities specified in subsection (d).

''(d) RESPONSIBILITIES.—The center of excellence shall have the following responsibilities:

''(1) To provide for the development, testing, and dissemination within the Department of best practices for the treatment of health conditions relating to exposure to burn pits and other environmental exposures.

''(2) To provide guidance for the health systems of the Department and the Department of Defense in determining the personnel required to provide quality health care for members of the Armed Forces and veterans with health conditions relating to exposure to burn pits and other environmental exposures.

''(3) To establish, implement, and oversee a comprehensive program to train health professionals of the Department and the Department of Defense in the treatment of health conditions relating to exposure to burn pits and other environmental exposures.

''(4) To facilitate advancements in the study of the short-term and long-term effects of exposure to burn pits and other environmental exposures.

''(5) To disseminate within medical facilities of the Department best practices for training health professionals with respect to health conditions relating to exposure to burn pits and other environmental exposures.

''(6) To conduct basic science and translational research on health conditions relating to exposure to burn pits and other environmental exposures for the purposes of understanding the etiology of such conditions and developing preventive interventions and new treatments.

''(7) To provide medical treatment to all veterans identified as part of the open burn pit registry established under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

''(e) USE OF BURN PITS REGISTRY DATA.—In carrying out its responsibilities under subsection (d), the center shall have access to and make use of the data accumulated by the burn pits registry established under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

''(f) DEFINITIONS.—In this section:

''(1) The term 'burn pit' means an area of land located in Afghanistan or Iraq that—

''(A) is designated by the Secretary of Defense to be used for disposing solid waste by burning in the outdoor air; and

''(B) does not contain a commercially manufactured incinerator or other equipment specifically designed and manufactured for the burning of solid waste.

''(2) The term 'other environmental exposures' means exposure to environmental hazards, including burn pits, dust or sand, hazardous materials, and waste at any site in Afghanistan or Iraq that emits smoke containing pollutants present in the environment or smoke from fires or explosions.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $30,000,000 for each of the first five fiscal years beginning after the date of the enactment of this section.''.

(b) USE OF FUNDS.—In carrying out section 7330B of title 38, United States Code, as added by subsection (a), the Secretary of Veterans Affairs may use amounts appropriated or otherwise made available to the Department of Veterans Affairs for any other purpose.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 73 of such title is amended by inserting after the item relating to section 7330A the following new item:

''7330B. Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures.''.

SA 3912. Ms. MURKOWSKI (for Mr. SULLIVAN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the general provisions of title I in division A, add the following:

SEC. _____. Any bridge eligible for assistance under title 23, United States Code, that is structurally deficient and requires construction, reconstruction, or maintenance—

(1) may be reconstructed in the same location with the same capacity and dimensions as in existence on the date of enactment of this Act; and

(2) shall be exempt from any environmental reviews, approvals, licensing, and permit requirements under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) sections 402 and 404 of the Federal Water Pollution Control Act (33 U.S.C. 1342, 1344);

(C) division A of subtitle III of title 54, United States Code;

(D) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(E) the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.);

(F) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(G) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), except when the reconstruction occurs in designated critical habitat for threatened and endangered species;

(H) Executive Order 11990 (42 U.S.C. 4321 note; relating to the protection of wetland); and

(I) any Federal law (including regulations) requiring no net loss of wetland.

SA 3913. Mrs. FEINSTEIN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, in Division A insert the following:

SEC. ____. Section 218(g) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12748(g)) shall not apply with respect to the right of a jurisdiction to draw funds from its HOME Investment Trust Fund that would otherwise expire in 2016, 2017, 2018, or 2019 under that section.

SA 3914. Mr. TESTER (for himself and Mr. KIRK) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I of division B, insert the following:

SEC. ____. (a) Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report evaluating the extent to which the Department of Defense has developed a comprehensive force structure plan, including military construction requirements, to meet emerging security threats in Europe.

(b) The report required under subsection (a) shall include an assessment of the extent to which the Department of Defense has—

(1) identified the near-term and long-term United States military force requirements in Europe in support of the European Reassurance Initiative;

(2) evaluated the posture, force structure, and military construction options for meeting projected force requirements;

(3) evaluated the long-term costs associated with the posture, force structure, and military construction requirements; and

(4) developed a Future Years Defense Program for force structure costs associated with the European Reassurance Initiative.

(c) The report shall also include any other matters related to security threats in Europe that the Comptroller General determines are appropriate, and recommendations as warranted for improvements to the Department's planning and analysis methodology.

SA 3915. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

In section 124(a) of division A, insert '', or for any project designated under section 1702 or 1934 of the SAFETEA–LU (Public Law 109–59; 119 Stat. 1256, 1485) and located within that boundary,'' before ''any earmarked amount''.

SA 3916. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 41, after line 25, add the following:

SEC. 127. (a) Section 127(a)(10) of title 23, United States Code, is amended by striking ''January 1, 1987'' and inserting ''July 1, 2016''.

(b) The amendment made by subsection (a) shall take effect on July 1, 2016.

SA 3917. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

In the matter under the heading ''HOMELESS ASSISTANCE GRANTS'' under the heading ''COMMUNITY PLANNING AND DEVELOPMENT'' in title II of division A, insert before the period at the end the following: '': *Provided further*, That none of the funds provided under this heading shall be available for the continuum of care program unless the Secretary ensures that zero-tolerance recovery housing programs are eligible to receive funds under the continuum of care program''.

SA 3918. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 152, strike lines 1 through 13 and insert the following:

(1) The Secretary shall notify the owner and provide an opportunity for response within 15 days of UPCS inspection results. If the violations remain, the Secretary shall

develop a Compliance, Disposition and Enforcement Plan within 30 days of the UPCS inspection results and must provide the owner with a Notice of Default with a specified timetable, determined by the Secretary, for correcting all deficiencies. The Secretary must also provide a copy of the Notice of Default to the tenants, the local government, any mortgagees, and any contract administrator. If the owner's appeal results in a UPCS score of 60 or above, the Secretary may withdraw the Notice of Default.

SA 3919. Ms. MIKULSKI (for herself, Mr. SHELBY, Mr. CARDIN, Mr. WARNER, Mr. KAINE, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the appropriate place in title I of division A, insert the following:

SEC. ____. Notwithstanding any other provision of this Act—

(1) the total amount made available under the heading ''ADMINISTRATIVE EXPENSES'' under the heading ''FEDERAL TRANSIT ADMINISTRATION'' shall be $113,165,000; and

(2) the total amount made available under the heading ''SALARIES AND EXPENSES'' under the heading ''OFFICE OF THE SECRETARY'' shall be $113,896,000.

SA 3920. Mr. BROWN (for himself, Mr. TOOMEY, Mr. SANDERS, Mrs. MURRAY, Mr. CASEY, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

EXTENSION OF REQUIREMENT FOR REPORT ON CAPACITY OF DEPARTMENT OF VETERANS AFFAIRS TO PROVIDE FOR SPECIALIZED TREATMENT AND REHABILITATIVE NEEDS OF DISABLED VETERANS

SEC. 251. Section 1706(b)(5)(A) of title 38, United States Code, is amended, in the first sentence, by striking ''through 2008''.

SA 3921. Mr. FRANKEN (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the appropriate place in division A, insert the following:

SEC. ____. Not later than 24 months after the date of enactment of this Act, the United States Interagency Council on Homelessness shall submit to Congress a report that assesses how Federal housing programs and Federal health programs could better collaborate to reduce costs and improve health and housing outcomes, in particular for—

(1) chronically homeless individuals;

(2) homeless individuals with behavioral health conditions; and

(3) homeless children in families that—

(A) receive housing assistance under programs administered by the Federal Government; or

(B) could benefit from grant programs administered by the Federal Government.

SA 3922. Mrs. FEINSTEIN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the appropriate place in title II of division A, insert the following:

SEC. ____. Section 218(g) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12748(g)) shall not apply with respect to the right of a jurisdiction to draw funds from its HOME Investment Trust Fund that otherwise expire in 2016, 2017, 2018, or 2019 under that section.

SA 3923. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

In division A, on page 50, line 7, insert ''up to'' before ''$25,000,000''.

In division A, on page 50, line 8, insert ''not less than'' before ''$25,000,000''.

In division A, on page 50, lines 9 and 10, strike ''section 24407 (c)(5), (c)(6), (c)(7), and (c)(10) of title 49'' and insert ''paragraphs (2), (5), (6), (7) and (10) of section 24407(c) of title 49''.

SA 3924. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in Division B, insert the following:

REPROGRAMMING OF FUNDS

SEC. _____. (a) IN GENERAL.—Notwithstanding any other provision of law, not to exceed $1,100,000,000 of the unobligated balances of amounts made available to the Department of State, the United States Agency for International Development, and the Department of Health and Human Services for fiscal year 2015, or any fiscal year before fiscal year 2015, that remain available for obligation may be transferred or reprogrammed by the head of the applicable agency for use to prevent, prepare for, or respond to the Zika virus.

(b) NOTIFICATION AND CERTIFICATION REQUIREMENTS.—

(1) IN GENERAL.—Not later than 15 days prior to the transfer or reprogramming of funds made available pursuant to subsection (a) or section 7058(c) of the Consolidated Appropriations Act, 2016 (Public Law 114-113)—

(A) the Director of the Office of Management and Budget shall certify to the appropriate Congressional committees that the net effect of all transfers and reprogramming made pursuant to subsection (a) shall not result in an increase in outlays over the period of fiscal years 2016 through 2021; and

(B) the Secretary of Health and Human Services, in coordination with the Secretary of State and the Administrator of the United States Agency for International Development, shall submit to the appropriate Congressional committees a multi-year spending plan that specifies the proposed uses of such funds.

(2) SPENDING PLAN.—The spending plan submitted under paragraph (1)(B) shall include—

(A) the objectives, indicators to measure progress, and a timeline to implement a successful strategy to respond to the Zika virus;

(B) the amounts intended to be transferred or reprogrammed pursuant to this Act, that are made available from prior Acts making appropriations for—

(i) the Department of State, foreign operations, and related programs to support such strategy; and

(ii) the Department of Labor, Health and Human Services, Education, and related agencies;

(C) a description of how any foreign assistance planned to be transferred or reprogrammed pursuant to subsection (a) will differ from, complement, and leverage funds allocated by—

(i) each government for countries in which the United States will use funds authorized by this Act; and

(ii) other governmental, nongovernmental, and intergovernmental donors; and

(D) a description of—

(i) the resources each government described in subparagraph (C)(i) possess to prevent, prepare for, and respond to the Zika virus; and

(ii) the political will of each government described in subparagraph (C)(i) to use the resources described in clause (i).

(c) FOLLOW UP REPORT.—Not later than November 30, 2017, the Secretary of Health and Human Services, in coordination with the Secretary of State and the Administrator of the United States Agency for International Development, shall submit to the appropriate Congressional committees, a report that contains a full accounting, on a program level, of funds transferred or reprogrammed pursuant to subsection (a). Such report shall, to the greatest extent practicable, contain a comparison of the full accounting contained in the report to the original spending plan described in subsection (b)(2).

(d) LIMITATION ON AUTHORITY.—The authority provided in the section to reprogram and obligate funds shall terminate on September 30, 2017.

(e) PROHIBITION.—No transfers or reprogramming of funds under this section shall be made from the funds designated by

Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(ii).

(f) DEFINITION.—In this section, the term ''appropriate Congressional committees'' means the Committee on Appropriations and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Appropriations and the Committee on Oversight and Government Reform of the House of Representatives.

SA 3925. Mr. GRASSLEY (for himself, Mrs. ERNST, Mr. INHOFE, Mr. MORAN, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, insert the following:

SEC. 251. None of the amounts appropriated or otherwise made available under this Act may be used, in any case arising out of the administration by the Secretary of Veterans Affairs of any law administered by the Secretary, to treat an individual as adjudicated as a mental defective for purposes of subsection (d)(4) or (g)(4) of section 922 of title 18, United States Code, without the order or finding of a judge, magistrate, or other judicial authority of competent jurisdiction that such person is a danger to himself or herself or others.

SA 3926. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ____. (a) Not later than 90 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall prepare a report, and post the report on the public website of the Department of Housing and Urban Development (in this section referred to as the ''Department''), regarding Real Estate Assessment Center (in this section referred to as ''REAC'') inspections of all properties assisted, insured, or both, under a program of the Department, which shall include—

(1) the percentage of all inspected properties that received a REAC-inspected score of less than 65 within the last 48 months;

(2) the number of properties in which the most recent REAC-inspected score represented a decline relative to the previous REAC score;

(3) a list of the 10 metropolitan statistical areas with the lowest average REAC-inspected scores for all inspected properties; and

(4) a list of the 10 States with the lowest average REAC-inspected scores for all inspected properties.

(b) The Comptroller General of the United States shall prepare a report, and post the report on the public website of the Government Accountability Office, regarding areas in which REAC inspections of all properties assisted, insured, or both, under a program of the Department should be reformed and improved.

SA 3927. Mr. COONS (for himself, Mr. BOOKER, Mr. CASEY, and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

In division A, beginning on page 51, strike line 14 and all that follows through page 53, line 3, and insert the following:

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for activities associated with the Northeast Corridor, as authorized by section 11101(a) of the Fixing America's Surface Transportation Act (division A of Public Law 114–94), and for activities associated with the National Network, as authorized by section 11101(b) of such Act, $1,834,000,000, to remain available until expended: *Provided*, That the Secretary may retain up to 0.5 percent of the funds provided under this heading to fund the costs of project management and oversight of activities authorized by section 11101(c) of such Act: *Provided further*, That in addition to the project management oversight funds authorized under such section 11101(c), the Secretary may retain up to an additional $5,000,000 of the funds provided under this heading to fund expenses associated with the Northeast Corridor Commission established under section 24905 of title 49, United States Code: *Provided further*, That the Secretary may retain up to an additional $2,000,000 of the funds provided under this heading to fund expenses associated with the State-Supported Route Committee established under 24712 of title 49, United States Code: *Provided further*, That of the amounts made available under this heading, not less than $50,000,000 shall be made available to bring Amtrak-served facilities and stations into compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

SA 3928. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

ADDITIONAL RESCISSIONS OF UNOBLIGATED EBOLA FUNDS

SEC. __. (a) Of the unobligated balances made available under the heading ''Public Health and Social Services Emergency Fund (Including Transfer of Funds)'' in title VI of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2015 (division G of Public Law 113-235) for the purpose of other preparation and response, $250,000,000 shall be rescinded: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) Of the unobligated balances made available under the heading ''CDC-Wide Activities and Program Support (Including Transfer of Funds)'' in title VI of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2015 (division G of Public Law 113-235) for supporting national public health institutes and global health security, $384,000,000 shall be rescinded: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(c) Of the unobligated balances made available under the heading ''Economic Support Fund'' in title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113-235), $466,000,000 shall be rescinded: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SA 3929. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____. Amounts provided for in this title shall, prior to appropriating any sums out of any money in the Treasury not otherwise appropriated, be transferred from the following:

(1) $250,000,000 from the unobligated balances made available under the heading ''Public Health and Social Services Emergency Fund (Including Transfer of Funds)'' in title VI of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2015 (division G of Public Law 113-235) for the purpose of other preparation and response.

(2) $384,000,000 from the unobligated balances made available under the heading ''CDC-Wide Activities and Program Support (Including Transfer of Funds)'' in title VI of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2015 (division G of Public Law 113-235) for supporting national public health institutes and global health security.

(3) $466,000,000 from the unobligated balances made available under the heading ''Economic Support Fund'' in title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113-235).

ARIEL RIOS FEDERAL BUILDING

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4957, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 4957) to designate the Federal building located at 99 New York Avenue, N.E., in the District of Columbia as the ''Ariel Rios Federal Building.''

There being no objection, the Senate proceeded to consider the bill.

Ms. COLLINS. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 4957) was ordered to a third reading, was read the third time, and passed.

CONGRATULATING THE HISTORIC COLUMBIA RIVER HIGHWAY ON ITS 100TH YEAR

Ms. COLLINS. Mr. President, I ask unanimous consent that the Environment and Public Works Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 387.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 387) congratulating the Historic Columbia River Highway on its 100th year.

There being no objection, the Senate proceeded to consider the resolution.

Ms. COLLINS. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 387) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 3, 2016, under ''Submitted Resolutions.'')

NATIONAL INDUSTRIAL ASSESSMENT CENTER WEEK

Ms. COLLINS. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 403.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 403) designating the week beginning April 24, 2016 as ''National Industrial Assessment Center Week'' in celebration of the 40th anniversary of Industrial Assessment Centers.

There being no objection, the Senate proceeded to consider the resolution.

Ms. COLLINS. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 403) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 17, 2016, under ''Submitted Resolutions.'')

SUPPORTING THE GOALS AND IDEALS OF NATIONAL NURSES WEEK

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 467, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 467) supporting the goals and ideals of National Nurses Week, to be observed from May 6 through May 12, 2016.

There being no objection, the Senate proceeded to consider the resolution.

Ms. COLLINS. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 467) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR TUESDAY, MAY 17, 2016

Ms. COLLINS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, May 17; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of H.R. 2577, with the time until 12:30 p.m. and from 2:15 p.m. until 2:30 p.m. equally divided between the managers or their designees; further, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings; finally, that notwithstanding the provisions of rule XXII, the Senate vote on the motions to invoke cloture at 2:30 p.m. tomorrow.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Ms. COLLINS. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:14 p.m., adjourned until Tuesday, May 17, 2016, at 10 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate May 16, 2016:

THE JUDICIARY

PAULA XINIS, OF MARYLAND, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MARYLAND.

HOUSE OF REPRESENTATIVES—*Monday, May 16, 2016*

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 16, 2016.

I hereby appoint the Honorable STEVE WOMACK to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

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

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

END HUNGER NOW

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

Mr. MCGOVERN. Mr. Speaker, thousands of people will gather in Washington, D.C., this weekend for Feeding the 5000, an event designed to bring awareness to the issue of food waste. Participants will be served a communal meal made entirely out of food that would otherwise have been discarded—in other words, wasted. Since 2009, Feedback, a global environmental organization working to end food waste, has hosted dozens of Feeding the 5000 events in cities across the globe.

I am pleased to see so many local partners—including government agencies, charitable organizations, NGOs, industry, and chefs—joining together to call attention to food waste, because the truth of the matter is we will need all of these partners working together to solve the issue of food waste.

Last year, the USDA announced their first ever food waste reduction goal, calling for a 50 percent reduction in food waste by 2030. USDA is working with charitable organizations, faith-based groups, and the private sector, and I believe this goal is 100 percent achievable.

American consumers, businesses, and farms spend an estimated $218 billion per year growing, processing, transporting, and disposing of food that is never eaten. Up to 40 percent of all food grown is never eaten; 40 to 50 million tons of food is sent to landfills each year, plus another 10 million tons is left unharvested on farms. This food waste translates into approximately 387 billion calories of food that went unconsumed. With 50 million Americans—including 16 million children—struggling with hunger every year, these are startling figures.

We know food waste occurs throughout the supply chain, from harvesting to manufacturing, to retail operations and consumer habits. But we must do more to reduce food waste at every stage, recover food that would otherwise have been wasted, and recycle unavoidable waste as animal feed, compost, or energy.

Thankfully, there is already a lot of great work being doing to raise awareness about the problem of food waste. Just last week, I attended a screening of the documentary film called ''Just Eat It'' at Amherst Cinema, organized by The Food Bank of Western Massachusetts. ''Just Eat It'' follows a couple, Jen and Grant, as they stop going to the grocery store and live solely off of foods that would have been thrown away. Jen and Grant were able to find an abundance of perfectly safe and healthy food available for consumption that would have been thrown away.

It is exciting to see new partnerships forming to study food waste and find ways to use this perfectly good food to reduce hunger in our communities. One such private-public collaboration, ReFED, has brought together over 30 business, government, and NGO leaders committed to wide-scale solutions to U.S. food waste.

In March 2016, ReFED released a Roadmap that charts the course for a 20 percent reduction of food waste within a decade. The Roadmap calls for farmers to reduce unharvested food and create secondary markets for imperfect produce. It calls on manufacturers to reduce inefficiencies, make packaging adjustments, and standardize date labeling. It calls on food service companies to further implement waste tracking and incorporate imperfect produce and smaller plates into restaurants. It urges the Federal Government to strengthen tax incentives for food donations and consider standardized date labeling legislation.

The good news is that many in the industry are already taking steps to dramatically cut down on wasted food by implementing robust donation programs. For example, Starbucks recently announced it will soon scale up its successful food donation pilot program nationwide. In partnership with the Food Donation Connection and Feeding America, Starbucks will donate unsold food from more than 7,000 company-operated stores—salads, sandwiches, and other refrigerated items—to the Feeding America food bank network. By 2021, that amounts to almost 50 million meals.

Our college campuses are also stepping up. Both the Campus Kitchens Project and the Food Recovery Network will work with college dining facilities and students to provide hunger relief in their local communities. In my congressional district, Becker College, Holy Cross College, Smith College, the University of Massachusetts Amherst, and Worcester Polytechnic Institute all have campus food recovery initiatives.

Over the past 35 years, Feeding America has demonstrated an outstanding commitment to ensuring food that would otherwise have been wasted makes its way to food banks across the country and into the homes of families in need. There are dozens of other industry leaders also taking steps to reduce food waste by implementing manufacturing upgrades, maximizing harvests, and utilizing recycling initiatives.

I appreciate the efforts of the Food Waste Reduction Alliance in bringing together industry partners to reduce food waste, shrink the environmental footprint, and alleviate hunger in our communities.

Reducing food waste is one step we can take toward our goal of ending hunger in the United States and throughout the world. I am pleased to see so many partners at every level of the food supply chain taking action to reduce food waste, but there is still more that needs to be done. Let's solve the problem of food waste, and let's end hunger now.

A FIRE CHIEF SAYS GOOD-BYE

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

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to celebrate

Ramsey Fire Chief Dean Kapler, who recently announced his upcoming retirement.

Since 1993, Dean Kapler has been responsible for every aspect of the Ramsey Fire Department, a responsibility that he handles with determination and enthusiasm. Over the past 23 years, Dean has recruited and trained 55 firefighters and maintained three fire stations. Additionally, he has worked tirelessly to provide better coverage and expand fire service for the Ramsey area.

The dedication that Dean Kapler has displayed to his home city of 37 years is further proven by the retirement date he has chosen. His retirement will be determined by the completion of the new fire department, a project that he has supervised and insists on seeing through to completion.

I want to thank Dean for all the work that he has done for the city of Ramsey, and I wish him happiness in his well-earned retirement.

MONTICELLO NUCLEAR GENERATING PLANT IS ''ABOVE AND BEYOND''

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to celebrate Xcel Energy's Monticello Nuclear Generating Plant for receiving the Above and Beyond Award from the U.S. Department of Defense. This award recognizes employers who have gone above and beyond the legal requirements of supporting Guard and Reserve employees, often by giving nonrequired benefits.

The role of a Reserve member is critically important to national security, but it is a job with an uncertain future. Thankfully, the Monticello plant fully welcomes the work ethic, leadership, and applied knowledge veterans can bring to a position.

Those who serve and sacrifice to keep our Nation safe not only deserve our respect, but also our help when they come home. That is why Xcel's commitment to hire our veterans is so important.

I commend the Monticello Nuclear Generating Plant for hiring our veterans and for assisting employees who are serving in the Guard or Reserves. Congratulations and thank you to Xcel Energy for your well-deserved award.

RECESS

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

Accordingly (at 12 o'clock and 9 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

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

PRAYER

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

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

In you, Lord, is found the fullness of life and love. It is why the human heart always longs for more. We seek You, Lord, sometimes without knowing it.

People within our borders, within this Chamber, pray for our Nation. Others around the world pray for the United States of America as well. So many see our potential for good, for doing the right thing in the search for justice and peace.

Answer the longing of Your people, Lord. Draw closer to us. Help the Members of the people's House to realize the promise You have placed within them. Not by words alone, but by actions, help them as those of Your choosing to be people of promise who give You glory in their service to the Nation.

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

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Michigan (Mr. KILDEE) come forward and lead the House in the Pledge of Allegiance.

Mr. KILDEE led the Pledge of Allegiance as follows:

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

RECOGNIZING LANCASTER GENERAL HEALTH/PENN MEDICINE

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

Mr. PITTS. Mr. Speaker, today I want to recognize Lancaster General Health/Penn Medicine for being a finalist in the 2015 McGaw Prize for Excellence in Community Service. Lancaster General was the only Pennsylvania health system to be recognized for this honor.

Lancaster General was singled out for its work on community programs for the chronically ill, the Amish community, and those dealing with tobacco and obesity issues.

Recently, the health system launched a community-led effort called Lighten Up Lancaster that works to increase obesity awareness and weight loss. For the Amish, Lancaster General offered a special free immunization program for children in the rural areas.

The Hospital and Healthsystem Association of Pennsylvania said Lancaster General Health/Penn Medicine has fully recognized that a relationship with the community is invaluable and key to improving health and wellness. It is well-deserving of this national recognition.

Lancaster General used the $10,000 prize money to pay for technology to track and coordinate its social services. Congratulations, Lancaster General Health/Penn Medicine.

FLINT RESIDENTS DESERVE ACTION BY THEIR GOVERNMENT

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

Mr. KILDEE. Mr. Speaker, my hometown of Flint is still facing a crisis: 100,000 people still cannot turn on their tap and have access to safe drinking water.

This Congress faces a multitude of public health crises—Zika, the opioid epidemic—but Congress must also do its job and act on Flint to aid the people that I represent of my hometown that are still suffering and still cannot drink the water coming out of the tap—100,000 people.

This is a disaster. It is a crisis that demands Congress to act. Congress should do its job and immediately take up the Families of Flint Act, legislation that I have introduced that has over 150 cosponsors, 150 Members of this body cosponsoring legislation that would replace those damaged lead service lines, provide public health service and wraparound services, especially for children who can overcome the impact of lead exposure, but just need help in order to do so.

Families in Flint have waited too long. Congress has to do its job and act on the Flint crisis.

RECESS

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

Accordingly (at 2 o'clock and 5 minutes p.m.), the House stood in recess.

□ 1600

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of New York) at 4 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

CONVEYING FEDERAL PROPERTY TO THE MUNICIPALITY OF ANCHORAGE, ALASKA

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1492) to direct the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1492

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

SECTION 1. REAL PROPERTY CONVEYANCE.

(a) DEFINITIONS.—In this section:

(1) ARCHIVIST.—The term ''Archivist'' means the Archivist of the United States.

(2) CITY.—The term ''City'' means the Municipality of Anchorage, Alaska.

(b) CONVEYANCE.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act and after completion of the survey and appraisal described in this section, the Administrator of General Services, on behalf of the Archivist, shall offer to convey to the City by quitclaim deed for the consideration and under the conditions described in subsection (d), all right, title, and interest of the United States in and to a parcel of real property described in subsection (c).

(2) COSTS OF CONVEYANCE.—The City shall be responsible for paying—

(A) the costs of an appraisal conducted pursuant to subsection (d)(1)(B); and

(B) any other costs relating to the conveyance of the Federal property under this Act.

(c) LEGAL DESCRIPTION OF PROPERTY.—

(1) IN GENERAL.—The parcel to be conveyed under subsection (b) consists of approximately 9 acres and improvements located at 400 East Fortieth Avenue in the City that is administered by the National Archives and Records Administration.

(2) SURVEY REQUIRED.—As soon as practicable after the date of enactment of this Act, the exact acreage and legal description of the real property to be conveyed under subsection (b) shall be determined by a survey, paid for by the City, that is satisfactory to the Archivist.

(d) TERMS AND CONDITIONS.—

(1) CONSIDERATION.—

(A) IN GENERAL.—As consideration for the conveyance of the property under subsection (b), the City shall pay to the Archivist an amount not less than the fair market value of the conveyed property, to be determined as provided in subparagraph (B).

(B) APPRAISAL.—The fair market value of the property to be conveyed under subsection (b) shall be determined based on an appraisal that—

(i) is conducted by a licensed, independent appraiser that is approved by the Archivist and the City;

(ii) is based on the highest and best use of the property;

(iii) is approved by the Archivist; and

(iv) is paid for by the City.

(2) PRECONVEYANCE ENTRY.—The Archivist, on terms and conditions the Archivist determines to be appropriate, may authorize the City to enter the property at no charge for preconstruction and construction activities.

(3) ADDITIONAL TERMS AND CONDITIONS.—The Archivist may require additional terms and conditions in connection with the conveyance under subsection (b) as the Archivist considers appropriate to protect the interests of the United States.

(e) PROCEEDS.—Any net proceeds received by the Archivist as a result of the conveyance under this Act shall be deposited in the Treasury and used for deficit reduction, in such manner as the Secretary of the Treasury considers appropriate.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from Indiana (Mr. CARSON) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska.

GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on S. 1492.

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

There was no objection.

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

For the record, this is the same bill that has passed this House twice unanimously. It was over in the Senate, and they sent it back to us. It is a very simple bill that would direct the General Services Administration, on behalf of the National Archives, to convey property to Alaska, to the city of Anchorage.

I am pleased that the sponsor of the House companion bill, as I mentioned before, has been passed by the House twice and has now been sent back to my senator, Senator DAN SULLIVAN.

The National Archives has determined that it no longer needs the property and wants to sell it as part of its efforts to shrink its real estate footprint and reduce the costs to the taxpayer. The bill will require fair market value for the property based on an independent appraisal. The proceeds will be deposited into the Treasury and will be used for deficit reduction.

This bill is in line with what we have been urging all Federal agencies to do—consolidate and reduce their space and sell unneeded properties.

The municipality of Anchorage requested this land be made available, and the city council passed a resolution that thanks the delegation for supporting this legislation. I am very excited to get this land into the hands of the municipality of Anchorage for development purposes.

I urge my colleagues to support the passage of this legislation.

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

Mr. CARSON of Indiana. Mr. Speaker, I yield myself such time as I may consume.

I support S. 1492, which directs the GSA, on behalf of the Archivist of the United States, to convey 9 acres of property in Anchorage, Alaska, to the local municipality in exchange for its fair market value.

The GSA and the Archivist of the United States have come to the conclusion that this property is underutilized and is no longer needed by the Federal Government. A House version of this bill was reported out of committee by a voice vote and was subsequently passed by the House. Selling this property to the city of Anchorage, Alaska, at its fair market value protects the interests of taxpayers who acquired the property. It also allows the Federal Government to shed the costs of maintaining and securing an unneeded property.

Finally, I encourage the GSA to continue using its existing authority and expertise to identify and dispose of other pieces of underutilized Federal real estate as appropriate.

I urge my colleagues to support this legislation.

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

Mr. YOUNG of Alaska. Mr. Speaker, I urge my colleagues to support this legislation, and I urge its passage.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, S. 1492.

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

A motion to reconsider was laid on the table.

STOLEN IDENTITY REFUND FRAUD PREVENTION ACT OF 2016

Mr. RENACCI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3832) to amend the Internal Revenue Code of 1986 to prevent tax-related identity theft and tax fraud, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3832

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Stolen Identity Refund Fraud Prevention Act of 2016''.

SEC. 2. CENTRALIZED POINT OF CONTACT FOR IDENTITY THEFT VICTIMS.

The Secretary of the Treasury, or the Secretary's delegate, shall establish and maintain an office at the Internal Revenue Service and procedures to ensure that any taxpayer whose return has been delayed or otherwise adversely affected due to the theft of the taxpayer's identity has a centralized point of contact throughout the processing of his or her case. The office shall coordinate with other offices within the Internal Revenue Service to resolve the taxpayer's case as quickly as possible.

SEC. 3. TAXPAYER NOTIFICATION OF SUSPECTED IDENTITY THEFT.

(a) IN GENERAL.—Chapter 77 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 7529. NOTIFICATION OF SUSPECTED IDENTITY THEFT.

''If the Secretary determines that there was an unauthorized use of the identity of any taxpayer, the Secretary shall—

''(1) as soon as practicable and without jeopardizing an investigation relating to tax administration, notify the taxpayer and include with that notice—

''(A) instructions to the taxpayer about filing a police report, and

''(B) the forms the taxpayer must submit to allow investigating law enforcement officials to access the taxpayer's personal information, and

''(2) if any person is criminally charged by indictment or information relating to such unauthorized use, notify such taxpayer as soon as practicable of such charge.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 77 of such Code is amended by adding at the end the following new item:

''Sec. 7529. Notification of suspected identity theft.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to determinations made after the date of the enactment of this Act.

SEC. 4. REPORT ON ELECTRONIC FILING OPT OUT.

The Secretary of the Treasury (or the Secretary's delegate) shall submit a feasibility study to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate describing a program under which a person who has filed an identity theft affidavit with the Secretary may elect to prevent the processing of any Federal tax return submitted in an electronic format by that taxpayer or a person purporting to be that taxpayer. The study shall be submitted within 180 days after the date of the enactment of this Act and should also include a recommendation on whether to implement such a program.

SEC. 5. USE OF INFORMATION IN DO NOT PAY INITIATIVE IN PREVENTION OF IDENTITY THEFT REFUND FRAUD.

The Secretary of the Treasury, and the Secretary's delegate, shall use the information available under the Do Not Pay Initiative established under section 5 of the Improper Payments Elimination and Recovery Improvement Act of 2012 (31 U.S.C. 3321 note) to help prevent identity theft refund fraud.

SEC. 6. REPORT ON IDENTITY THEFT REFUND FRAUD.

(a) IN GENERAL.—Not later than September 30, 2018, and biannually thereafter through September 30, 2023, the Secretary of the Treasury (or the Secretary's delegate) shall report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate on the extent and nature of fraud involving the use of a misappropriated taxpayer identity with respect to claims for refund under the Internal Revenue Code of 1986 during the preceding completed income tax filing season, and the detection, prevention, and enforcement activities undertaken by the Internal Revenue Service with respect to such fraud, including—

(1) detailing efforts to combat identity theft fraud, including an update on the victims' assistance unit;

(2) information on both the average and maximum amounts of time that elapsed before the cases of victims of such fraud were resolved; and

(3) discussing Internal Revenue Service efforts associated with other avenues for addressing identity theft refund fraud.

(b) ADDITIONAL REQUIREMENTS.—In addition, each report shall provide an update on the implementation of this Act and identify the need for any further legislation to protect taxpayer identities.

(c) PROGRESS ON OUTREACH AND EDUCATION.—In the first biannual report on identity theft refund fraud under subsection (a), the Secretary (or the Secretary's delegate) shall include—

(1) an assessment of the agency's progress on identity theft outreach and education to the private sector, State agencies, and external organizations; and

(2) the results of a feasibility study on the costs and benefits to enhancing its taxpayer authentication approach to the electronic tax return filing process.

SEC. 7. INFORMATION SHARING AND ANALYSIS CENTER.

(a) IN GENERAL.—The Secretary (or the Secretary's delegate) shall establish an information sharing and analysis center to centralize, standardize, and enhance data compilation and analysis to facilitate sharing actionable data and information with respect to identity theft.

(b) REPORT.—Not later than 1 year after establishment of the information sharing and analysis center, the Secretary (or the Secretary's delegate) shall submit a report to the Committee on Ways and Means of the House of Representatives and Committee on Finance of the Senate on the information sharing and analysis center described in subsection (a). The report shall include the data that was shared, the use of such data, and the results of the data sharing and analysis center in combating identity theft.

SEC. 8. LOCAL LAW ENFORCEMENT LIAISON.

(a) ESTABLISHMENT.—The Commissioner of Internal Revenue shall establish within the Criminal Investigation Division of the Internal Revenue Service the position of Local Law Enforcement Liaison.

(b) DUTIES.—The Local Law Enforcement Liaison shall serve as the primary source of contact for State and local law enforcement authorities with respect to tax-related identity theft, having duties that shall include—

(1) receiving information from State and local law enforcement authorities;

(2) responding to inquiries from State and local law enforcement authorities;

(3) administering authorized information-sharing initiatives with State or local law enforcement authorities and reviewing the performance of such initiatives;

(4) ensuring any information provided through authorized information-sharing initiatives with State or local law enforcement authorities is used only for the prosecution of identity theft-related crimes and not redisclosed to third parties; and

(5) such other duties relating to tax-related identity theft prevention as are delegated by the Commissioner of Internal Revenue.

SEC. 9. IRS PHONE SCAM REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Inspector General for Tax Administration, in consultation with the Federal Communications Commission and the Federal Trade Commission, shall submit a report to Congress regarding identity theft phone scams under which individuals attempt to obtain personal information over the phone from taxpayers by falsely claiming to be calling from or on behalf the Internal Revenue Service.

(b) CONTENTS OF REPORT.—Such report shall include—

(1) a description of the nature and form of such scams;

(2) an estimate of the number of taxpayers contacted pursuant to, and the number of taxpayers who have been victims of, such scams;

(3) an estimate of the amount of wrongful payments obtained from such scams; and

(4) details of potential solutions to combat and prevent such scams, including best practices from the private sector and technological solutions.

SEC. 10. PROVIDING IDENTITY THEFT PREVENTION INFORMATION WHILE ON HOLD WITH INTERNAL REVENUE SERVICE.

The Secretary of the Treasury, or the Secretary's delegate, shall ensure that if a taxpayer is on hold with the Internal Revenue Service on a taxpayer service telephone call the following information is provided:

(1) Basic information about common identity theft tax scams.

(2) Directions on where to report such activity.

(3) Tips on how to protect against identity theft tax scams.

SEC. 11. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. RENACCI) and the gentleman from New Jersey (Mr. PASCRELL) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. RENACCI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 3832, currently under consideration.

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

There was no objection.

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

I rise to urge approval of H.R. 3832, the Stolen Identity Refund Fraud Prevention Act of 2016.

I introduced this bipartisan legislation with my friend and colleague, Mr. LEWIS, to combat tax-related identity theft. On a personal note, it has been an honor to work with Mr. LEWIS. He

paid me a great compliment when he said I ''rained passion and truth'' on the important issue of identity theft. Truthfully, since Congressman LEWIS was first elected, he has been a legislator who has brought great passion and truth to every endeavor of his storied career. I truly thank him for working with me on this legislation.

Tax-related identity theft is an evolving criminal activity that targets innocent taxpayers nationwide and robs the Treasury of billions of dollars each year. I was grateful for the opportunity last month to testify before the Committee on Ways and Means about my experience with tax-related ID theft. Last year, my personal information was stolen, and someone used that information to electronically file a fraudulent tax return for my wife and me. That return, which included a fraudulent W–2 from the House of Representatives, claimed a significant refund, with the proceeds directed to a bank account outside the U.S. So when it comes to ID theft, I truly understand the impact that it has on taxpayers in northeast Ohio and across the country.

I am committed to cracking down on the growing threat, and this bipartisan bill is an important first step forward. I was pleased that two core components from this bill were included in the PATH Act that passed last December. The remaining components of this bill will help further shield taxpayer dollars from thieves and reduce the hardships that are caused by this criminal activity. They include establishing a centralized point of contact at the IRS for ID theft victims. This will make it easier for victims to resolve their ID theft tax cases and ensure a unit at the IRS is held accountable for handling a taxpayer's case from start to finish.

Another one would improve the taxpayer notification of suspected ID theft. When the IRS determines there has been the unauthorized use of a taxpayer's identity, the IRS would be required—as soon as practicable and without jeopardizing an investigation—to notify the taxpayer and give instructions to the taxpayer about filing a police report.

The last one I will mention would require the IRS to submit a study on the feasibility of establishing a program for ID theft victims to be able to opt out of electronic filing. This provision would require the IRS to report back to Congress within 180 days on this issue.

I also thank my friend, Mr. PASCRELL, for his work on this issue and for his amendments that were incorporated into the bill during this markup last month.

Mr. Speaker, tax-related identity theft is one of the most pressing challenges that we face in the world of tax administration. This complex and evolving threat requires cooperation from Congress, the IRS, State revenue agencies, and industry stakeholders. While I am aware that not every tax-related ID theft problem is best served with a congressional solution, this legislation is an important first step in fighting ID theft and in better protecting victims.

I urge all Members to support this bipartisan legislation.

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

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, May 13, 2016.

Hon. KEVIN BRADY,
Chairman, Committee on Ways & Means, Washington, DC.

DEAR CHAIRMAN BRADY: I am writing with respect to H.R. 3832, the ''Stolen Identity Refund Fraud Prevention Act,'' which was referred to the Committee on Ways and Means and in addition to the Committee on the Judiciary. As a result of your having consulted with us on provisions in H.R. 3832 that fall within the Rule X jurisdiction of the Committee on the Judiciary, I agree to discharge our committee from further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 3832 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and asks that you support any such request.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 3832, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration of H.R. 3832.

Sincerely,

BOB GOODLATTE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, May 16, 2016.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, Washington, DC.

DEAR CHAIRMAN GOODLATTE: Thank you for your letter regarding H.R. 3832, the ''Stolen Identity Refund Fraud Prevention Act of 2016.'' As you noted, the Committee on the Judiciary was granted an additional referral of the bill.

I am most appreciative of your decision to waive formal consideration of H.R. 3832 so that it may proceed expeditiously to the House floor. I acknowledge that although you waived formal consideration of the bill, the Committee on the Judiciary is in no way waiving its jurisdiction over the subject matter contained in those provisions of the bill that fall within your Rule X jurisdiction. I would support your effort to seek appointment of an appropriate number of conferees on any House-Senate conference involving this legislation.

I will include a copy of our letters in the Congressional Record during consideration of this legislation on the House floor.

Sincerely,

KEVIN BRADY,
Chairman.

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

I commend my friend from Ohio (Mr. RENACCI) for his work on this bill. As he knows, I have been interested in this issue of tax fraud and identity theft for some time.

I am pleased that the bill we are marking up today, H.R. 3832, includes many provisions included in the bill that I put forth, H.R. 3981, the Identity Theft and Tax Fraud Prevention Act. These provisions include having a central point of contact for a victim of identity theft and taxpayer notification of suspected identity theft. In addition, two of my amendments were included in the bill.

The first would create a local law enforcement liaison within the Criminal Investigation Division of the IRS. Our police and law enforcement officers are out every day, keeping our communities safe and tracking down criminals. Too often, coordinating their efforts with the IRS when it comes to identity theft is not as easy as it should be.

My amendment helps law enforcement officers do their jobs by creating a local law enforcement liaison at the IRS. This position will be tasked with sharing information and responding to local law enforcement when they have information or inquiries about identity theft cases. It is common sense, and it will make it easier for police officers to go to a single place at the IRS when they want to work a case.

The second amendment included in this bill deals with the IRS phone scam, and this is growing by the day. Imagine sitting at home when you receive a call from a threatening voice on the other end of the line that claims to be the IRS. For too many Americans, this experience is all too familiar. These criminals may ask unsuspecting citizens for their personal information, for their Social Security numbers, or even for bank account information—that has been done; it is very common—and will threaten them with arrest or other penalties if the listeners don't comply. These phone scams have become increasingly aggressive and harmful to taxpayers.

My amendment addresses this problem in practical ways. First, it requires the Treasury Inspector General for Tax Administration to issue a report that identifies potential technological solutions to the phone scam.

Second, it would have the IRS provide information to callers who may be put on hold, when calling in, regarding common identity theft tax scams and how to avoid them.

We need to do all we can to make sure taxpayers are informed and armed

against these scams. Identity theft and tax fraud is a growing problem in the United States of America. As technology changes and as criminal syndicates target American citizens' tax returns, we have an obligation to address the issue.

This bill does not go quite as far as I would have liked, and I urge my colleagues to take a look at H.R. 3981. I am also proud to be a cosponsor of Congressman JOHN LEWIS' bill, the Taxpayer Protection Act of 2016, which takes additional steps to increase funding for taxpayer services and to end the use of private debt collectors.

This bill is a step in the right direction. I congratulate its sponsor as it is a good example of how we can work together across the aisle and find commonsense solutions for the American people. I hope this is a harbinger of things to come. Who knows?

I reserve the balance of my time.

Mr. RENACCI. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. Mr. Speaker, I strongly support H.R. 3832. Mr. RENACCI and I are very good friends, as I am with Mr. LEWIS, and it is good to see Mr. PASCRELL here today.

The gentleman is right in that it is nice to see us working together to do something about people. This is about people. This is policy that concerns people, and it works in the right direction. I don't think there is anything quite as unnerving as finding out that somebody has stolen your identity. I think Shakespeare sums it up right in Othello by putting it really succinctly when he says: ''But he that filches from me my good name, robs me of that which not enriches him, and makes me poor indeed.''

□ 1615

Now, Pennsylvania is sixth in population but second when it comes to fraud, tax fraud. This is incredible that this could happen.

As we sit here today—and as Mr. PASCRELL so clearly pointed out, and Mr. RENACCI—this is about protecting people from people who wish to do them harm. They not only wish to take their tax returns, but it robs them of their identity. There is nothing that could be more chilling than losing your identity.

As we look at how this goes forward—and I think that this phone fraud is the one that is particularly interesting. When the IRS calls on you, it is not on the phone. It is in writing. And I tell constituents all the time, I also have received those calls saying that: Hey, you know what? You need to get in touch with us right now. We can handle this over the phone with you.

I said: Fine. You know what? Leave your name and number, and I will get back to you because I am really busy right now.

That is followed by a very quick click.

There is so much going on in our world today. We are so vulnerable at every single turn. We put so much information out there on ourselves. This is a piece of legislation that protects people. It protects not only their returns, but protects their identity.

So I am glad that Mr. RENACCI has done this with Mr. LEWIS and my good friend Mr. PASCRELL. We stand here today with the same purpose, and that is to protect the people who sent us here to represent them. It is the least we can do.

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

I just want to quickly say that what is really happening out there is that many seniors are being preyed upon. When you get a threatening phone call, you don't know what to think. And when you are up there in age, as some of us are, Mr. KELLY, you don't know what to expect, and you don't know who to turn to.

So this is very important, what Mr. RENACCI is putting forth right now. I just want everyone to understand that. It has good bipartisan support, and I hope that we can move this very, very quickly.

I reserve the balance of my time.

Mr. RENACCI. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. REED).

Mr. REED. Mr. Speaker, I thank the gentleman from Ohio for yielding.

I rise today, Mr. Speaker, to join my colleagues on both sides of the aisle—Mr. PASCRELL, Mr. LEWIS, Mr. RENACCI, and Mr. KELLY—in a common refrain. What Mr. RENACCI, Mr. LEWIS, and Mr. PASCRELL have identified here is something we have been working on in the committee for quite some time, and that is to make sure that we have a tax administration and a Tax Code that respects the privacy of individuals.

When that privacy is violated—I cannot speak like my colleague from Pennsylvania and quote Shakespeare, as I am a simple country lawyer from western New York—simply, what we need to do is to stand on the side of our taxpayers. When tax fraud occurs, real people suffer as a result of it.

What Mr. RENACCI and all of us have come together here to support are simple, commonsense reforms that are going to help people out like Terry. Terry is from Hornell in my district. He reached out to us, Mr. Speaker, about 1½ years to 2 years ago. He, too, was the victim of identity fraud and identity theft.

When he went to file his return, he found out that he would not be getting that refund because someone had already stolen that money from the U.S. Government. Terry relied on that money, Mr. Speaker. He needed that money. After many phone calls, after many efforts from our office, we were able to work it out and get that taken care of for Terry.

Terry is representative of millions of Americans who have found themselves in this situation, just like Mr. RENACCI did. So I applaud Mr. RENACCI for developing these commonsense reforms that are going to give a point of contact at the IRS, that are going to make sure when people engage in identity theft in the tax arena that there are real penalties and consequences to that behavior.

I strongly support this legislation, Mr. Speaker, and I urge my colleagues, just as has been demonstrated here today, to come together as we care deeply about the American taxpayer and stand for them as the victims of this crime.

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

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

I again want to thank my colleague, Mr. LEWIS, for his work with me and this legislation. I also truly want to thank Mr. PASCRELL. As he said, I hope it is a sign of things to come, where we can work together on important issues that face the American people.

I urge all Members to support H.R. 3832, the Stolen Identity Refund Fraud Prevention Act of 2016.

I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I rise in opposition to H.R. 3832, the Stolen Identity Refund Fraud Prevention Act of 2016, as amended. While I support the legislation's underlying goal of deterring and preventing tax-related identity theft and tax fraud, I strongly oppose the bill's expansion of mandatory minimum sentencing.

Section 5 of the bill would expand the mandatory minimums found in Title 18 Section 1028A of the United States Code. This section of Title 18 imposes a mandatory minimum sentence of two years for ''aggravated identity theft.'' Under section 5 of this bill, a violation of section 7206(b) of the Internal Revenue Code would require a judge to impose a two year mandatory minimum regardless of the circumstances of the case. While a two year sentence may be appropriate for most individuals convicted under this bill, it should be left to the discretion of the sentencing judge to determine the exact sentence based on all the relevant facts and circumstances.

Research and evidence in the past few decades has demonstrated that mandatory minimums are ineffective deterrents, waste the taxpayers' money, force judges to impose irrational sentences, and discriminate against minorities, particularly with regards to drug offenses. Unfortunately, there are too many mandatory minimums in the federal code.

Mr. Speaker, if we expect to do anything about that problem, the first step has to be to stop passing new ones. The mandatory minimums in the code today did not get there all at once—they got there one at a time, each one part of a larger bill, which on balance might have been a good idea. Therefore, the only way to stop passing new mandatory minimums is to stop passing bills that contain mandatory minimums.

Therefore, I urge my colleagues to vote No on H.R. 3832.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. RENACCI) that the House suspend the rules and pass the bill, H.R. 3832, as amended.

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

A motion to reconsider was laid on the table.

REAFFIRMATION OF THE TAIWAN RELATIONS ACT AND THE SIX ASSURANCES

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 88) reaffirming the Taiwan Relations Act and the Six Assurances as the cornerstone of United States-Taiwan relations, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 88

Whereas the Cold War years cemented the close friendship between the United States and Taiwan, with Taiwan as an anti-Communist ally in the Asia-Pacific;

Whereas United States economic aid prevented Taiwan from sliding into an economic depression in the 1950s and greatly contributed to the island's later economic takeoff;

Whereas Taiwan has flourished to become a beacon of democracy in Asia and leading trade partner for the United States, and the relationship has endured for more than 65 years through many shifts in Asia's geopolitical landscape;

Whereas the strong relationship between the United States and Taiwan is based on mutually beneficial security, commercial, and cultural ties;

Whereas Deputy Assistant Secretary of State Susan Thornton stated in her testimony before the House Foreign Affairs Committee on February 11, 2016, that ''The people on Taiwan have built a prosperous, free, and orderly society with strong institutions, worthy of emulation and envy'';

Whereas Deputy Secretary of State Antony J. Blinken stated on March 29, 2016, that with Taiwan's January 2016 elections, ''the people of Taiwan showed the world again what a mature, Chinese-speaking democracy looks like'';

Whereas on January 1, 1979, when the Carter Administration established diplomatic relations with the People's Republic of China (PRC), it ended formal diplomatic ties with the Republic of China on Taiwan;

Whereas, the United States Congress acted swiftly to reaffirm the United States-Taiwan relationship with the enactment of the Taiwan Relations Act just 100 days later, ensuring the United States maintained a robust and enduring relationship with Taiwan;

Whereas the Taiwan Relations Act (Public Law 96–8) was enacted on April 10, 1979, codifying into law the basis for continued commercial, cultural, and other relations between the United States and Taiwan;

Whereas the Taiwan Relations Act was enacted ''to help maintain peace, security, and stability in the Western Pacific'', which ''are in the political, security, and economic interests of the United States and are matters of international concern'';

Whereas the United States Congress significantly strengthened the draft legislation originally submitted by the Executive Branch to include provisions concerning Taiwan's security in the Taiwan Relations Act;

Whereas then-Deputy Assistant Secretary of State Kin Moy stated in his written testimony before the House Foreign Affairs Committee on March 14, 2014, that, ''Our enduring relationship under the Taiwan Relations Act represents a unique asset for the United States and is an important multiplier of our influence in the region'', and credited the Taiwan Relations Act for having ''played such a key part in protecting Taiwan's freedom of action and U.S. interests the last 35 years in the Asia-Pacific area'';

Whereas then-Special Assistant to the President and National Security Council Senior Director for Asian Affairs Evan Medeiros noted on March 28, 2014 that the Taiwan Relations Act was ''an enduring expression to the people of Taiwan about our commitment to their well-being, their security, their economic autonomy, and their international space'';

Whereas the Taiwan Relations Act states ''the United States decision to establish diplomatic relations with the People's Republic of China rests upon the expectation that the future of Taiwan will be determined by peaceful means'';

Whereas the Taiwan Relations Act states that it is the policy of the United States to ''provide Taiwan with arms of a defensive character'' and ''to maintain the capacity of the United States to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of the people on Taiwan'';

Whereas each successive United States Administration since the enactment of the Taiwan Relations Act has provided arms of a defensive character to Taiwan;

Whereas a 2015 Department of Defense report to Congress on Military and Security Developments Involving the People's Republic of China stated that, ''Preparing for potential conflict in the Taiwan Strait remains the focus and primary driver of China's military investment'';

Whereas the United States has an abiding interest in the preservation of cross-Strait peace and stability, and in peace and stability in the entire Asia-Pacific region;

Whereas on July 14, 1982, as the United States negotiated with the People's Republic of China over the wording of a joint communique' related to United States arms sales to Taiwan, President Ronald Reagan instructed his representative in Taiwan, American Institute in Taiwan (AIT) Director James R. Lilley, to relay a set of assurances to Taiwan's then-President Chiang Ching-kuo;

Whereas in House and Senate testimony immediately after the issuance of the August 17, 1982, Joint Communique' with the PRC, then-Assistant Secretary of State for East Asian and Pacific Affairs John H. Holdridge stated on behalf of the Executive Branch that—

(1) ''. . .[W]e did not agree to set a date certain for ending arms sales to Taiwan'';

(2) ''. . .[W]e see no mediation role for the United States'' between Taiwan and the PRC;

(3) ''. . .[N]or will we attempt to exert pressure on Taiwan to enter into negotiations with the PRC'';

(4) ''. . .[T]here has been no change in our longstanding position on the issue of sovereignty over Taiwan'';

(5) ''We have no plans to seek'' revisions to the Taiwan Relations Act; and

(6) the August 17 Communique', ''should not be read to imply that we have agreed to engage in prior consultations with Beijing on arms sales to Taiwan'';

Whereas these assurances, first delivered to Taiwan's president by AIT Director Lilley, have come to be known as the Six Assurances;

Whereas in testimony before the House Foreign Affairs Committee on October 4, 2011, then-Assistant Secretary of State Kurt Campbell stated that, ''[The] Taiwan Relations Act, plus the so-called Six Assurances and Three Communique's, form the foundation of our overall approach'', to relations with Taiwan; and

Whereas in testimony before the Senate Foreign Relations Committee on April 3, 2014, Assistant Secretary of State Daniel R. Russel stated that the Six Assurances ''continue to play an important part as an element of our approach to Taiwan and the situation across the strait'': Now, therefore, be it

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

(1) affirms that the Taiwan Relations Act and the Six Assurances are both cornerstones of United States relations with Taiwan; and

(2) urges the President and Department of State to affirm the Six Assurances publicly, proactively, and consistently as a cornerstone of United States-Taiwan relations.

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

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

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

I rise in strong support of H. Con. Res. 88.

I would like to recognize Mr. CHABOT for his longstanding dedication and support for the people of Taiwan.

Mr. Speaker, Taiwan has always been a strong friend and critical ally to the United States. Congress has been central to this relationship, championing a strong relationship with Taiwan through landmark measures like the Taiwan Relations Act and through pressing successive administrations to fulfill their obligation to sell defensive arms to Taiwan.

Taiwan is now the United States' ninth largest trading partner, and it is in the U.S.' interest to have a stable and a prosperous Taiwan.

It is an exciting time in Taiwan. In January, a free and fair election once again demonstrated the strength and vibrancy of Taiwan's democratic system. And in 3 days, we expect the

newly elected President to be inaugurated in a peaceful transfer of power from one party to another.

The people of Taiwan should be proud of their prosperous, free, and democratic society and what they have been able to accomplish, despite having to face countless challenges outside of their control.

Mr. Speaker, when the U.S. established diplomatic relations with the People's Republic of China on January 1, 1979, the U.S. Congress acted just 100 days later to pass the Taiwan Relations Act, which would ensure that the United States maintained a robust and enduring relationship with Taiwan.

Three years later, in 1982, President Reagan deepened the U.S. commitment to Taiwan by issuing the Six Assurances to Taiwan, which included treating Taiwan as we would treat any one of our allies when making decisions on defensive arms sales, not setting a date for termination of arms sales, and not altering the Taiwan Relations Act.

Mr. Speaker, this legislation is especially important when it comes to the Six Assurances. When the Reagan administration delivered the Six Assurances, it was by way of a verbal agreement and has largely remained as such since 1982.

Today, by passing this resolution, Congress is going on record that the cornerstone of U.S.-Taiwan policy is not only the Taiwan Relations Act, but also the Six Assurances. This important measure solidifies President Reagan's commitment to Taiwan and urges this administration and the ones that follow to publicly, proactively, and consistently take the Six Assurances into account when handling United States-Taiwan relations.

I am proud that in the 114th Congress we have already passed legislation which supports Taiwan's inclusion in INTERPOL and that we are now also passing a measure which will reassure our friends in Taiwan and press the administration to continue to abide by the Six Assurances. I am also proud that maintaining a strong relationship with Taiwan continues to be a bipartisan issue.

I appreciate Mr. ELIOT ENGEL's support on this initiative, the ranking member of the Foreign Affairs Committee. Let me say that, by passing this resolution, we, the United States Congress, are yet again taking another step toward strengthening the U.S.-Taiwan partnership.

I reserve the balance of my time.

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

I rise in support of this resolution.

Let me once again thank Chairman ED ROYCE and our colleague from Ohio (Mr. CHABOT), who introduced this measure.

At the end of this week, Taiwan will swear in a new President, marking another peaceful democratic transition in that country. I have had the pleasure of meeting the President-elect, Dr. Tsai Ing-wen, several times as well as the country's outgoing leader, President Ma. And though they represent different political parties, it is clear that they are both fully committed to Taiwan's vibrant democracy and open society. Those values are also at the root of the close ties between the United States and Taiwan.

This resolution affirms our commitment to the Taiwan Relations Act and the Six Assurances. These are the measures that have underpinned our relationship with the Taiwanese people since we normalized relations with the People's Republic of China.

As Taiwan prepares for this week's political transition, it is vital that the United States send a clear signal that we continue to stand with the people of Taiwan on a range of issues, from Taiwan's defense to its growing role on the global stage, to its commitment to freedom and democracy.

So I am happy to support this measure. We should continue to stand with our partners in Taiwan, and I wish the people of Taiwan well as they swear in a new President this week. I might add, it is the first woman President of Taiwan.

I urge support for this resolution.

I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 4 minutes to the gentleman from Ohio (Mr. CHABOT). He is chairman of the Small Business Committee, a senior member of the Committee on Foreign Affairs, and the author of this measure.

Mr. CHABOT. Mr. Speaker, I rise today in support of H. Con. Res. 88.

I was one of the original founders of the Congressional Taiwan Caucus. It was a bipartisan group of people who founded it. I have been the chairman of the Foreign Affairs' Subcommittee on Asia and the Pacific. I have been a longtime friend of Taiwan. I have been there probably a dozen times over the years.

This important legislation reaffirms the Taiwan Relations Act and the Six Assurances as cornerstones of U.S.-Taiwan relations.

As a longtime supporter of Taiwan, as I mentioned, I believe that the U.S.-Taiwan relationship is absolutely vital to the security and sustainability not just of Taiwan, but of the whole region.

Taiwan is a close ally, one that truly believes and practices freedom and democracy. We witnessed this firsthand this past January, as some of my colleagues have mentioned, when the people of Taiwan held democratic national elections resulting in the election of Tsai Ing-wen. I want to congratulate her and wish her best wishes in her role as President of Taiwan.

Taiwan elects their people democratically, unlike the PRC right across the Taiwan Strait. As we know, China has been bullying Taiwan for many years now. It is unfortunate that the PRC, China, doesn't follow, as an example, the people of Taiwan, who democratically elect their leaders.

□ 1630

Taiwan faces an unrelenting threat from China, which has nearly 1,600 ballistic missiles aimed at this small island. I remember when I came to Congress about 20 years ago, we talked about how scary it was that there were a couple hundred, 200 or 300 missiles aimed at Taiwan at that time. That has increased over the years to 1,600 missiles aimed at Taiwan from China.

Although Taiwan enjoys de facto independence, China's ultimate goal is to take over Taiwan, to annex Taiwan, whatever the people of Taiwan believe. We absolutely cannot let that happen. China's ultimate goal, as I say, is the annexation of the island. We have all seen the growing hostilities in the East China Sea and South China Sea over the last couple years.

I believe that this legislation underscores the point that the Taiwan Strait continues to be one of the potential flash points on the globe. We have seen China literally building islands and then militarizing those islands, much to the chagrin of all their neighbors in the region, from Japan to Vietnam, to Taiwan, to the Philippines, and on and on. That is what the PRC, China, has been up to. Any sort of solution between China and Taiwan should be reached in a peaceful and fair manner and only with the agreement of the people of Taiwan.

Mr. Speaker, April 10, 2016, marked the 37th anniversary of the enactment of the Taiwan Relations Act, the TRA. This act codifies into law an institutional framework and legal basis for continued interaction between the U.S. and Taiwan, and it serves to maintain peace and stability in the western Pacific.

When President Ronald Reagan agreed to sign the U.S.-China third communique in 1982, he was aware of the communique's effect on Taiwan and fully recognized that Taiwan needed to be reassured that they would not be abandoned—and they will not be abandoned—by the United States.

In order to reinforce American support for Taiwan, the United States issued the Six Assurances. The Six Assurances provided a framework for sustaining the unique relationship between the United States and our ally, Taiwan. Mr. Speaker, they are as valid today as they were back in 1982. They rightfully function along with the TRA, as cornerstones of U.S.-Taiwan relations.

I encourage my colleagues to support this resolution.

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

Mr. Speaker, it is important that the democracies of the world stand together to help strengthen freedom, justice, and opportunity. That is why the United States and Taiwan have been such natural partners over the decades. Even as we deal with the People's Republic of China, we must continue to stand with our friends in Taiwan.

Again, I am delighted that Dr. Tsai Ing-wen is the first female President of Taiwan. Perhaps we will follow suit in November with the first woman President. This resolution reaffirms just how important that relationship is; and as Taiwan moves forward with this week's political transition, that country's people should know that they have an enduring friend in the United States.

Again, I commend Mr. CHABOT for his insight in putting forward this resolution. I thank our chairman. I support this measure.

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

Mr. ROYCE. Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN), the chairman emeritus of the Committee on Foreign Affairs.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the chairman and the ranking member for their wonderful leadership for many years on the issue of strengthening U.S.-Taiwan relations. I also want to thank the gentleman from Ohio (Mr. CHABOT), my dear friend, for authoring this important resolution of which I am proud to be a cosponsor.

H. Con. Res. 88 reaffirms the Taiwan Relations Act and the Six Assurances as the cornerstones of U.S.-Taiwan relations, guidelines to which there should be no doubt about the commitment of the United States to our neighbor.

In January, Taiwan once again demonstrated that it is one of the world's strongest and most vibrant democracies, a great partner, and I congratulate President-elect Tsai on her tremendous election and all of the people of Taiwan on their continued democratic success.

Taiwan is truly a beacon of freedom in the Pacific, serving as an inspiration for those still suffering under repressive regimes, and is living proof of what can be achieved with liberty and self-government, principles that undergird both of our nations and form the foundation for our mutual stability, for our security, for our prosperity.

As Taiwan's neighbor China continues raising tensions in the region, it is crucial that the United States provide Taiwan with the capability to defend herself against Chinese aggression, whether that aggression is political in nature, economic, or military. Both China and Taiwan must know that our commitment to Taiwan has not wavered one bit.

Taiwan is an essential U.S. ally. It is our friend. It is our partner. I thank the gentleman from Ohio (Mr. CHABOT), my friend, for authoring this resolution, for reaffirming our commitment to the Taiwan Relations Act, to the Six Assurances, and to the Taiwanese people here today.

The United States will continue to stand shoulder to shoulder with Taiwan. I look forward, Mr. Speaker, Mr. Chairman, and ranking member, to even greater cooperation and friendship with Taiwan in the years ahead.

I thank the gentleman for the time, and I thank the ranking member for his leadership and Mr. CHABOT for authoring this important resolution.

Mr. ROYCE. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, I rise today to support H. Con. Res. 88 and its effects on U.S. foreign relations.

Since 1979, the United States has enjoyed a friendly and productive relationship that has been supported by the passage of the Taiwan Relations Act and Six Assurances. The Taiwan Relations Act was a monumental piece of legislation that is directly responsible for fostering the longstanding friendship between the United States and Taiwan. The Six Assurances also played a significant role, setting the principles by which the United States would mediate its relationship with Taiwan and China.

As security concerns have increased in the South Pacific, our allies in the region have contributed significantly to the safety and economic growth of the region. As a member of the Congressional Taiwan Caucus, I am continually supportive of efforts to strengthen the friendship between our two countries.

I would like to commend Congressman CHABOT, Chairman ROYCE, and the Committee on Foreign Affairs for their leadership on this issue and their continued efforts in championing the close ties we have with Taiwan. I encourage all of my colleagues to support this measure so we can continue to ensure a bright future for both Taiwan and for the United States.

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

As one of the coauthors of this legislation, I really want to thank Representative CHABOT for introducing this measure and for being a longtime champion on Taiwan, especially as he was chairman of the Subcommittee on Asia and the Pacific last Congress. I want to thank Mr. ENGEL as well for his efforts on this legislation.

We have a commitment to democracy, and we share that with Taiwan. We share this commitment to the rule of law, to human rights. Frankly, Taiwan serves as an example of what can be built based upon these shared principles, and so do we.

I think the Six Assurances are a critical element of U.S.-Taiwan policy, but obviously they are not consistently referenced or referred to as a cornerstone of U.S.-Taiwan policy alongside the Taiwan Relations Act, which is considered that cornerstone. Passage of H. Con. Res. 88 will put that longstanding verbal agreement onto paper, and, in turn, it will call on the administration and future administrations in unambiguous terms to publicly abide by the assurances offered by President Reagan.

Taiwan is one of America's closest friends, and I urge my colleagues to join me in supporting H. Con. Res. 88.

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

Mr. CONNOLLY. Mr. Speaker, I rise today in support of H. Con. Res. 88, reaffirming the Taiwan Relations Act and the Six Assurances as the cornerstone of U.S.-Taiwan relations.

As a co-Chair of the Congressional Taiwan Caucus, I want to thank my colleague and founding co-Chair of the Taiwan Caucus, STEVE CHABOT, for introducing this measure.

When discussing the origins, stakeholders, and impact of the Taiwan Relations Act (TRA), it is important to note the significant role Congress played in amending the draft legislation the Executive Branch proposed for the maintenance of unofficial relations with Taiwan.

I want to thank the Chairman and Ranking Member of the House Foreign Affairs Committee for working with me on an amendment to H. Con. Res. 88 that credits Congress with significantly strengthening the TRA and the codified U.S. commitment to Taiwan.

The draft legislative text proposed by the Executive Branch published in the March 1979 Department of State Bulletin included three simple titles to provide the legal authority for the maintenance of commercial, cultural, and other relations with Taiwan.

However, the Taiwan Relations Act enacted into law bears little resemblance to the text published in the March 1979 Bulletin.

Through the legislative process in both the House of Representatives and Senate, Congress left its mark on our enduring commitment to Taiwan in several ways, most notably by adding the security commitments made in Section 2(b)(5) and Section 3 of the TRA.

The U.S. and Taiwan have since developed a dynamic relationship based on our shared values, deep economic ties, security relationship, and a history of bilateral collaboration.

It is in the tradition of Congressional stewardship of the U.S.-Taiwan relationship that I urge my colleagues to support H. Con. Res. 88.

Ms. JACKSON LEE. Mr. Speaker, I rise today in support of H. Con. Res. 88 reaffirming the Taiwan Relations Act (TRA) and the six assurances as cornerstones of the United States-Taiwan relations.

Since its enactment, the TRA has played an indispensable role in shaping U.S.-Taiwan relations, resulting in a mutually-beneficial relationship that encourages strong security, cultural, and economic ties.

The TRA is unique because it is the only law to govern nearly every aspect of U.S. relations within a foreign government in the absence of diplomatic relations.

Taiwan's story is unique in that it is an example to the world of the potential of a country.

Indeed, Taiwan and the United States share many values including:

1. a commitment to democracy;

2. a commitment to human rights and the rule of law; and

3. a commitment to economic prosperity.

Maintaining and deepening our strong relations with Taiwan is an important part of U.S. engagement in Asia, a region of great and growing importance to the United States.

This includes a vital security and strategic interest within the Taiwan Strait, where United States troops are stationed within the Taiwan Strait region.

Further, Taiwan has grown to become America's ninth-largest overall trading partner and our seventh-largest destination for agricultural exports.

Indeed, I am particularly proud that as a Member of the Congressional Caucus on Taiwan, my colleagues and I can serve an important role in strengthening bilateral relations by engaging our counterparts in Taiwan.

Not too long ago, we commemorated the 37th anniversary of the enactment of the Taiwan Relations Act.

I encourage my colleagues to continue to join me in support of and in promotion of our bilateral relations with Taiwan.

Mr. Speaker, I commend the speech delivered by Taiwan President Ma Ying-jeou on March 30, 2016, in which he emphasized the strong and abiding friendship between Taiwan and the United States, which was integral to Taiwan's transformation into the free, prosperous, and just society it is today.

President Ma also spoke of Taiwan's future through the lens of three key issues:

1. cross-strait relations;

2. energy; and

3. economic development.

President Ma also mentioned that through the effort to seek peace, Taiwan has become a peacemaker and provider of humanitarian aid.

I also want to congratulate Taiwan on the January 16, 2016 election of the first female President to be elected—Dr. Tsai Ing-wen.

Mr. Speaker, the inauguration of President Dr. Tsai Ing-wen is the third peaceful transition of power in Taiwan's democratic history.

The United States congratulates the people and government of Taiwan on the election of President Tsai Ing-wen and Taiwan's enduring and strong commitment to nurturing democracy, human rights and the rule-of-law.

This is why I support and urge my colleagues to support H. Con. Res. 88.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 88, as amended.

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

The title of the concurrent resolution was amended so as to read: ''Concurrent resolution reaffirming the Taiwan Relations Act and the Six Assurances as cornerstones of United States-Taiwan relations.''.

A motion to reconsider was laid on the table.

PROVIDING AUTHORITY TO MAINTAIN AND OPERATE A TOLL BRIDGE ACROSS THE RIO GRANDE

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2143) to provide for the authority for the successors and assigns of the Starr-Camargo Bridge Company to maintain and operate a toll bridge across the Rio Grande near Rio Grande City, Texas, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2143

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

SECTION 1. STARR-CAMARGO BRIDGE.

Public Law 87–532 (76 Stat. 153) is amended—

(1) in the first section, in subsection (a)(2)—

(A) by inserting '', and its successors and assigns,'' after ''State of Texas'';

(B) by inserting ''consisting of not more than 14 lanes'' after ''approaches thereto''; and

(C) by striking ''and for a period of sixty-six years from the date of completion of such bridge,'';

(2) in section 2, by inserting ''and its successors and assigns,'' after ''companies'';

(3) by redesignating sections 3, 4, and 5 as sections 4, 5, and 6, respectively;

(4) by inserting after section 2 the following:

''SEC. 3. RIGHTS OF STARR-CAMARGO BRIDGE COMPANY AND SUCCESSORS AND ASSIGNS.

''(a) IN GENERAL.—The Starr-Camargo Bridge Company and its successors and assigns shall have the rights and privileges granted to the B and P Bridge Company and its successors and assigns under section 2 of the Act of May 1, 1928 (45 Stat. 471, chapter 466).

''(b) REQUIREMENT.—In exercising the rights and privileges granted under subsection (a), the Starr-Camargo Bridge Company and its successors and assigns shall act in accordance with—

''(1) just compensation requirements;

''(2) public proceeding requirements; and

''(3) any other requirements applicable to the exercise of the rights referred to in subsection (a) under the laws of the State of Texas.''; and

(5) in section 4 (as redesignated by paragraph (3))—

(A) by inserting ''and its successors and assigns,'' after ''such company'';

(B) by striking ''or'' after ''public agency,'';

(C) by inserting ''or to a corporation,'' after ''international bridge authority or commission,''; and

(D) by striking ''authority, or commission'' each place it appears and inserting ''authority, commission, or corporation''.

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

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise in support of S. 2143, the Starr-Camargo Bridge act, introduced by Senator CORNYN and by Representative CUELLAR of Texas. With today's passage, this bill goes to the President's desk for signature.

The Starr-Camargo Bridge act grants permanent authority to continue operating and maintaining the international bridge that connects Rio Grande City, Texas, with Mexican cities such as Monterrey and Mexico City. This bridge is one of 28 vehicle border crossings on the Texas-Mexico border and one of two privately owned crossing facilities. The Starr-Camargo Bridge has had continued growth in commercial traffic since 2009, and it plays an important role in facilitating legitimate trade and travel in the region.

This bill, S. 2143, would permanently extend the authority for the Starr-Camargo Bridge Company to operate the bridge. It would grant the bridge company the same rights and privileges already granted to this body to the B and P Bridge Company in Progreso, Texas. By granting this authority, we would be incentivizing the Starr-Camargo Bridge Company to continue maintaining and expanding the bridge's capacity to keep up with growing trade and commerce along the Texas border with Mexico.

This legislation received the full support of the Committee on Foreign Affairs when it was marked up last month.

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

Mr. ENGEL. Mr. Speaker, I rise in strong support of this measure, and I yield myself such time as I may consume.

Mr. Speaker, let me once again thank our chairman, ED ROYCE, for bringing forward this bipartisan measure and for his continued good leadership on the committee. I also want to thank the gentleman from Texas (Mr. CUELLAR), my good friend, who introduced the House version of this legislation which has already passed the Senate.

When it comes to our southern neighbor, Mexico, lately we have been hearing far too much about building walls. Mexico is a critically important partner to the United States. Our people share long, close ties, so we should be talking about building bridges, Mr. Speaker, not building walls.

A few weeks ago, the Senate helped build a bridge by confirming a new Ambassador to Mexico, Roberta Jacobson. This was long overdue. She is excellent, and we are glad to have her on her way to Mexico City now.

Today, with this bill, we are talking about, quite literally, strengthening a bridge between the United States and Mexico in the years ahead. The Starr-Camargo Bridge connects Rio Grande, Texas, with Monterrey and Ciudad Camargo in Mexico. The legal authority to operate this bridge will expire in 16 years. That may seem like a long way off, but as a result of that end date, we have already started to see a constraint in long-term investments. This bill would eliminate that expiration date.

We have done the same thing before. The Weslaco-Progreso International Bridge once had a sunsetting authorization, and Congress acted to lift that deadline.

This bill doesn't cost the U.S. taxpayers a penny, but it does clear the way for this bridge to remain an important conduit between our countries for years to come. It also sends an important message from those of us actually responsible for making laws and advancing American foreign policy.

Mexico is an extremely important partner to the United States, and bridges—not barriers—will help that friendship to thrive. I support this measure.

I reserve the balance of my time.

□ 1645

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

Mr. ENGEL. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. CUELLAR).

Mr. CUELLAR. I thank my friend for yielding.

Mr. Speaker, first of all, I want to thank Chairman ED ROYCE for his leadership and for the help of his staff on this particular bill.

Also, I thank my friend, the ranking member, Mr. ELIOT ENGEL, and his staff also for supporting and helping us on this particular bill.

As the lead sponsor of this bill, I rise in support of this legislation. Mr. Speaker, this bill will provide equity in the law and removes a level of uncertainty.

In 1962, Congress authorized the Starr-Camargo International Bridge Company to construct, operate, and maintain the private toll bridge between the United States and Mexico near Rio Grande City, which is a city in my district.

Congress, in drafting this original authorization, included a sunset clause of 66 years. In doing so, Congress left a level of uncertainty in the law, as it did not state what should happen to the bridge once the 66 years went by.

Congress has authorized private toll bridges or other bridges along the U.S.-Mexico border before, yet previously had not included this sunset on the authorization. This sunset clause, while still a number of years away, has already begun to create issues for the owner and operator of the Starr-Camargo Bridge bill.

Due to this uncertainty around what should happen to this bridge should the authorization lapse, they are unable to get much-needed long-term financing to make improvements and finance the long-term maintenance and operations of the bridge. This bill will give the Starr-Camargo Bridge permanent status.

The Starr-Camargo Bridge plays an important role in our Nation's commerce and the economy of south Texas. The bridge supports 200 to 300 commercial trucks per day, consisting of construction materials as well as fresh fruits and vegetables coming north and machinery, oil, and recyclable products going south. The bridge further supports the crossing of around 4,000 cars a day.

Today the United States trades an estimated $531 billion in goods and services with Mexico, our Nation's third largest trading partner, and this trade is only expected to grow in the future. In order for our Nation to take full advantage of this trade, we must be clear in these sorts of uncertainties in the law.

This bill, by ending the authorization's sunset, will afford the bridge greater opportunities to pursue and finance projects that will enhance and expand the capacity of the bridge and supporting facilities and further improve trade between the United States and Mexico.

I would like to thank Senator CORNYN for working with me on this legislation and for taking that lead and, as I said a few minutes ago, Chairman ROYCE and Ranking Member ENGEL for their support as well as their staffs.

I also would like to thank local leaders, Starr County Judge Eloy Vera and State Representative Ryan Guillen, for their support of this legislation.

I ask my colleagues to support this important bill.

Mr. ENGEL. Mr. Speaker, in closing, again I want to emphasize that Mexico is a vital partner to the United States in terms of trade, security, and a wide range of regional concerns. We need to keep all the channels between our countries flowing, and that includes the physical connections between the U.S. and Mexico.

This bill would help strengthen an important bridge between our countries and, at the same time, signal just how important we consider this friendship. I support this measure. I thank the gentleman from Texas (Mr. CUELLAR).

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

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

I want to thank Representative CUELLAR for his steadfast leadership to ensure the House's consideration of this legislation and that we move forward on this.

I thought I would also point out that this bill comes at no cost to the taxpayer. What it does instead is incentivizes the private sector to invest and maintain this important commercial border crossing. That is the point here.

While the actual end date for the bridge's authority is still some years away, the lack of that permanent authority has already begun to constrain the financing of long-term improvements that will help make the crossing more efficient and secure.

So I thank Mr. CUELLAR again and, also, Mr. CASTRO and Mr. POE, both members of the committee who have also been strong supporters.

I thank Mr. ENGEL for helping to ensure that our border infrastructure is maintained and modernized to keep pace with the growing legitimate commercial activity across our southern border.

I encourage my colleagues to support this measure.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, S. 2143.

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

A motion to reconsider was laid on the table.

FRANK R. WOLF INTERNATIONAL RELIGIOUS FREEDOM ACT

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1150) to amend the International Religious Freedom Act of 1998 to improve the ability of the United States to advance religious freedom globally through enhanced diplomacy, training, counterterrorism, and foreign assistance efforts, and through stronger and more flexible political responses to religious freedom violations and violent extremism worldwide, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1150

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Frank R. Wolf International Religious Freedom Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. FINDINGS; POLICY.

(a) FINDINGS.—Section 2(a) of the International Religious Freedom Act of 1998 (22 U.S.C. 6401(a)) is amended—

(1) in paragraph (3), by inserting immediately prior to the penultimate sentence the following new sentence: ''The freedom of thought, conscience, and religion is understood to protect theistic and non-theistic beliefs as well as the right not to profess or practice any religion.''; and

(2) in paragraph (6)—

(A) by inserting ''and the specific targeting of non-theists, humanists, and atheists because of their beliefs'' after ''religious persecution''; and

(B) by inserting ''and in regions where nonstate actors exercise significant political power and influence'' after ''religious majorities''.

(b) POLICY.—Section 2(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6401(b)) is amended by adding at the end the following new paragraph:

''(6) Because the promotion of international religious freedom protects human rights, advances democracy abroad, and advances United States interests in stability, security, and development globally, the promotion of international religious freedom requires new and evolving policies, and diplomatic responses that are drawn from the expertise of the national security agencies, the diplomatic services, and other governmental agencies and nongovernmental organizations, and are coordinated across and carried out by the entire range of Federal agencies.''.

SEC. 3. DEFINITIONS.

Section 3 of the International Religious Freedom Act of 1998 (22 U.S.C. 6402) is amended—

(1) in paragraph (13)—

(A) in subparagraph (A)—

(i) by redesignating clauses (iv) and (v) as clauses (v) and (vi), respectively; and

(ii) by inserting after clause (iii) the following:

''(iv) not professing a particular religion, or any religion;''; and

(B) in subparagraph (B)—

(i) by inserting ''conscience, non-theistic views, or'' before ''religious belief or practice''; and

(ii) by inserting after ''forced religious conversion'' the following: '', forcibly compelling non-believers or non-theists to recant their beliefs or to convert''; and

(2) by adding at the end, the following new paragraphs:

''(14) SPECIAL WATCH LIST.—The term 'Special Watch List' means the Special Watch List as contained in the Executive Summary to the Annual Report and described in section 102(b)(1)(F)(iii).

''(15) NON-STATE ACTOR.—The term 'non-state actor' means a nonsovereign entity that exercises significant political power and is able to exert influence at a national or international level but does not belong to or ally itself to any particular country and often employs illegal violence in pursuit of its objectives.

''(16) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)''.

TITLE I—DEPARTMENT OF STATE ACTIVITIES

SEC. 101. OFFICE ON INTERNATIONAL RELIGIOUS FREEDOM; AMBASSADOR AT LARGE FOR INTERNATIONAL RELIGIOUS FREEDOM.

(a) IN GENERAL.—Section 101 of the International Religious Freedom Act of 1998 (22 U.S.C. 6411) is amended—

(1) in subsection (b), by adding at the end before the period the following: '', and shall report directly to the Secretary of State'';

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''responsibility'' and inserting ''responsibilities'';

(ii) by striking ''shall be to advance'' and inserting the following: ''shall be to—

''(A) advance'';

(iii) in subparagraph (A) (as so added), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following new subparagraph:

''(B) integrate United States international religious freedom policies and strategies into the foreign policy efforts of the United States.'';

(B) in paragraph (2), by inserting ''the principal adviser to'' before ''the Secretary of State'';

(C) in paragraph (3)—

(i) in subparagraph (A), by striking ''and'' at the end;

(ii) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

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

''(C) contacts with nongovernmental organizations that have an impact on the state of religious freedom in their respective societies or regions, or internationally.'';

(D) by redesignating paragraph (4) as paragraph (5); and

(E) by inserting after paragraph (3) the following new paragraph:

''(4) COORDINATION RESPONSIBILITIES.—In order to promote religious freedom as an interest of United States foreign policy, the Ambassador at Large—

''(A) shall coordinate international religious freedom policies across all programs, projects, and activities of the United States; and

''(B) should participate in any interagency processes on issues in which the promotion of international religious freedom policy can advance United States national security interests, including in democracy promotion, stability, security, and development globally.''; and

(3) in subsection (d), by striking ''staff for the Office'' and all that follows through the period at the end and inserting ''individuals to fill at least 25 full-time equivalent staff positions, and any other temporary staff positions as needed to compile, edit, and manage the Annual Report under the direct supervision of the Ambassador at Large, and for the conduct of investigations by the Office and for necessary travel to carry out the provisions of this Act. The Secretary of State should also provide to the Ambassador at Large funds that are sufficient to carry out the duties described in this section, including as necessary representation funds, in amounts comparable to those provided to other Ambassadors at Large in the Department of State.''.

(b) SENSE OF CONGRESS.—Because international religious freedom is a vital foreign policy interest and one that needs coordination across many regional bureaus and among Special Envoys and Special Representatives with overlapping mandates, the Secretary of State should consider elevating the office of International Religious Freedom and the position of the Ambassador-at-Large for International Religious Freedom to the Office of the Secretary, similar to other Ambassador-at-Large positions that now report directly to the Secretary. Providing the Office of International Religious Freedom with additional resources and status will demonstrate both the strategic importance of international religious freedom policy within the State Department bureaucracy and show persecuted religious groups globally that the U.S. gives priority to the protection and promotion of international religious freedom as mandated by the International Religious Freedom Act of 1998.

SEC. 102. ANNUAL REPORT ON INTERNATIONAL RELIGIOUS FREEDOM.

(a) IN GENERAL.—Section 102(b)(1) of the International Religious Freedom Act of 1998 (22 U.S.C. 6412(b)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''September 1'' and inserting ''May 1'';

(2) in subparagraph (A)—

(A) by redesignating clause (iv) as clause (vii); and

(B) by inserting after clause (iii) the following new clauses:

''(iv) particularly severe violations of religious freedom in that country in the case of a foreign country with respect to which a government does not exist or the government does not control its territory;

''(v) an identification of prisoners in that country pursuant to section 108;

''(vi) any action taken by the government of that country to censor religious content, communications, or worship activities online, including descriptions of the targeted religious group, the content, communication, or activities censored, and the means used.'';

(3) in subparagraph (B), in the matter preceding clause (i)—

(A) by inserting ''persecution of lawyers, politicians, or other human rights advocates

seeking to defend the rights of members of religious groups or highlight religious freedom violations, prohibitions on ritual animal slaughter or male infant circumcision,'' after ''entire religions,''; and

(B) by inserting ''policies that ban or restrict the public manifestation of religious belief and the peaceful involvement of religious groups or their members in the political life of each such foreign country,'' after ''such groups,'';

(4) in subparagraph (C)—

(A) by striking ''A description'' and inserting ''A comprehensive description'';

(B) by striking ''policies in support'' and inserting ''diplomatic and political coordination efforts, and other policies in support''; and

(C) by adding at the end before the period the following: '', and a comprehensive and country-specific analysis of the impact of actions by the United States on the status of religious freedom in each such country''; and

(5) in subparagraph (F)—

(A) in clause (i)—

(i) by striking ''section 402(b)(1)'' and inserting ''section 402(b)(1)(B)(i)''; and

(ii) by adding at the end the following: ''Any country in which a non-state actor designated as an entity of particular concern for religious freedom under section 301 of the Frank R. Wolf International Religious Freedom Act is located shall be included in this section of the report.''

(B) by adding at the end the following new clause:

''(iii) SPECIAL WATCH LIST.—A list, to be known as the 'Special Watch List', which shall identify each country that engages in or tolerates severe violations of religious freedom during the previous year but which the President determines does not meet, at the time of the publication of the Annual Report, all of the criteria described in section 3(11) for designation under section 402(b)(1).''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the original intent of the International Religious Freedom Act of 1998 (22 U.S.C. 6401 et seq.) was to require annual reports from both the Department of State and the Commission on International Religious Freedom to be delivered each year, during the same calendar year, and with at least 5 months separating these reports, in order to provide updated information for policy-makers, Members of Congress, and nongovernmental organizations; and

(2) given that the annual Country Reports on Human Rights Practices no longer contain updated information on religious freedom conditions globally, it is important that the Department of State and the Commission work together to fulfill the original intent of the International Religious Freedom Act of 1998.

SEC. 103. TRAINING FOR FOREIGN SERVICE OFFICERS; REPORT.

(a) AMENDMENT TO FOREIGN SERVICE ACT OF 1980.—Section 708 of the Foreign Service Act of 1980 (22 U.S.C. 4028) is amended—

(1) by redesignating subsections (b) and (c) as subsections (d) and (e), respectively;

(2) in subsection (d), as redesignated, by striking ''The Secretary of State'' and inserting ''REFUGEES.—The Secretary of State'';

(3) in subsection (e), as redesignated, by striking ''The Secretary of State'' and inserting ''CHILD SOLDIERS.—The Secretary of State'';

(4) by striking subsection (a) and inserting the following:

''(a) DEVELOPMENT OF CURRICULUM.—

''(1) IN GENERAL.—The Secretary of State shall develop a curriculum for training United States Foreign Service officers in the scope and strategic value of international religious freedom, how violations of international religious freedom harm fundamental United States interests, how the advancement of international religious freedom can advance such interests, how United States international religious freedom policy should be carried out in practice by United States diplomats and other Foreign Service officers, and the relevance and relationship of international religious freedom to United States defense, diplomacy, development, and public affairs efforts. The Secretary of State shall ensure the availability of sufficient resources to develop and implement such curriculum.

''(2) ROLE OF OTHER OFFICIALS.—The Secretary of State shall carry out paragraph (1)—

''(A) with the assistance of the Ambassador at Large for International Religious Freedom appointed under section 101(b) of the International Religious Freedom Act of 1998;

''(B) in coordination with the Director of the George P. Shultz National Foreign Affairs Training Center and other Federal officials as appropriate; and

''(C) in consultation with the United States Commission on International Religious Freedom established in section 201(a) of the International Religious Freedom Act of 1998 and other relevant stakeholders.

''(b) TRAINING PROGRAM.—Not later than the date that is one year after the date of the enactment of the Frank R. Wolf International Religious Freedom Act, the Director of the George P. Shultz National Foreign Affairs Training Center shall begin mandatory training on religious freedom for all Foreign Service officers, including all entry level officers, all officers prior to departure for posting outside the United States, and all outgoing deputy chiefs of mission and ambassadors. Such training shall, at minimum, be a separate, independent, and required segment of each of the following:

''(1) The A–100 course attended by all Foreign Service officers.

''(2) The courses required of every Foreign Service officer prior to a posting outside the United States, with segments tailored to the particular religious demography, religious freedom conditions, and United States strategies for advancing religious freedom, in each receiving country.

''(3) The courses required of all outgoing deputy chiefs of mission and ambassadors.

''(c) INFORMATION SHARING.—The curriculum and training materials developed pursuant to subsections (a) and (b) should be made available to all other Federal agencies.''.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, with the assistance of the Ambassador at Large for International Religious Freedom, and the Director of the George P. Shultz National Foreign Affairs Training Center, shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report containing a comprehensive plan for undertaking training for Foreign Service officers as required under section 708 of the Foreign Services Act of 1980, as amended by subsection (a) of this section.

SEC. 104. PRISONER LISTS AND ISSUE BRIEFS ON RELIGIOUS FREEDOM CONCERNS.

Section 108 of the International Religious Freedom Act of 1998 (22 U.S.C. 6417) is amended—

(1) in subsection (b), by striking ''faith'' and inserting ''activities, religious freedom advocacy, or efforts to protect and advance the universally-recognized right to the freedom of religion,'';

(2) in subsection (c), by striking '', as appropriate, provide'' and insert ''make available''; and

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

''(d) VICTIMS LIST MAINTAINED BY THE UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM.—

''(1) IN GENERAL.—The Commission shall make publicly available online and in official publications lists of persons it determines are imprisoned, detained, disappeared, placed under house arrest, tortured, or subject to forced renunciations of faith for their religious activity or religious freedom advocacy by the government of a foreign country that the Commission recommends for designation as a country of particular concern for religious freedom under section 402(b)(1) or by a non-state actor that the Commission recommends for designation as an entity of particular concern for religious freedom under section 301 of the Frank R. Wolf International Religious Freedom Act and include as much publicly-available information as possible on the conditions and circumstances of such persons.

''(2) DISCRETION.—In compiling such lists, the Commission shall exercise all appropriate discretion, including consideration of the safety and security of, and benefit to, the persons who may be included on the lists and the families of such persons.''.

TITLE II—NATIONAL SECURITY COUNCIL

SEC. 201. SPECIAL ADVISER FOR INTERNATIONAL RELIGIOUS FREEDOM.

Section 101 of the National Security Act of 1947 (50 U.S.C. 3021) is amended by striking subsection (k) and inserting the following:

''(k) SENSE OF CONGRESS.—It is the sense of Congress that there should be within the staff of the National Security Council a Special Adviser to the President on International Religious Freedom, whose position should be comparable to that of a director within the Executive Office of the President, with the primary responsibility to serve as a resource for executive branch officials on international religious freedom, compiling and maintaining information on the facts and circumstances of violations of religious freedom (as defined in section 3 of the International Religious Freedom Act of 1998), and making relevant policy recommendations to advance United States international religious freedom policy. The Special Advisor should also assist the Ambassador-at-Large to coordinate international religious freedom policies and strategies throughout the executive branch and within any interagency policy committees where the Ambassador-at-Large participates.''.

TITLE III—PRESIDENTIAL ACTIONS

SEC. 301. NON-STATE ACTOR DESIGNATIONS.

(a) IN GENERAL.—The President shall, concurrent with the annual foreign country review required by section 402(b)(1) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)(1))—

(1) review and identify any non-state actors operating in any such reviewed country or surrounding region that have engaged in particularly severe violations of religious freedom; and

(2) designate, in a manner consistent with such Act, each such non-state actor as an entity of particular concern for religious freedom.

(b) REPORT.—Whenever the President designates a non-state actor under subsection (a) as an entity of particular concern for religious freedom, the President shall, as soon as practicable after the designation is made, submit to the appropriate congressional committees a report detailing the reasons for such designation.

(c) ACTIONS.—The President should take specific actions to address severe violations of religious freedom of non-state actors that are designated under subsection (a), including taking actions commensurate to those actions described in section 405 of the International Religious Freedom Act of 1998 (22 U.S.C. 6445).

(d) DEPARTMENT OF STATE ANNUAL REPORT.—The Secretary of State should include information detailing the reasons the President designated a non-state actor as an entity of particular concern for religious freedom under subsection (a) in the Annual Report required in section 102(b)(1) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)(1)).

(e) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State should work with Congress to create new political, financial, and diplomatic tools to address severe violations of religious freedom by non-state actors and to update the actions the President can take in section 405 of the International Religious Freedom Act of 1998.

(f) DETERMINATIONS OF RESPONSIBLE PARTIES.—In order to appropriately target Presidential actions under the International Religious Freedom Act of 1998 in response, the President shall with respect to each non-state actor designated as an entity of particular concern for religious freedom under subsection (a), seek to determine the specific officials or members thereof that are responsible for the particularly severe violations of religious freedom engaged in or tolerated by that entity.

(g) DEFINITIONS.—In this section, the terms ''appropriate congressional committees'', ''non-state actor'', and ''particularly severe violations of religious freedom'' have the meanings given such terms in section 3 of the International Religious Freedom Act of 1998 (22 U.S.C. 6402), as amended by section 3 of this Act.

SEC. 302. PRESIDENTIAL ACTIONS IN RESPONSE TO PARTICULARLY SEVERE VIOLATIONS OF RELIGIOUS FREEDOM.

Section 402 of the International Religious Freedom Act of 1998 (22 U.S.C. 6442) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

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

''(A) IN GENERAL.—Not later than 90 days after the date on which each Annual Report is submitted under section 102(b), the President shall—

''(i) review the status of religious freedom in each foreign country to determine whether the government of that country has engaged in or tolerated particularly severe violations of religious freedom in each such country during the preceding 12 months or longer; and

''(ii) designate each country the government of which has engaged in or tolerated violations described in clause (i) as a country of particular concern for religious freedom.''; and

(ii) in subparagraph (C), by striking ''September 1 of the respective year'' and inserting ''the date on which each Annual Report is submitted under section 102(b)'';

(B) by amending paragraph (3) to read as follows:

''(3) CONGRESSIONAL NOTIFICATION.—

''(A) IN GENERAL.—Whenever the President designates a country as a country of particular concern for religious freedom under paragraph (1)(A), the President shall, not later than 90 days after the designation is made, transmit to the appropriate congressional committees—

''(i) the designation of the country, signed by the President;

''(ii) the identification, if any, of responsible parties determined under paragraph (2); and

''(iii) a description of the actions taken under subsection (c), the purposes of the actions taken, and the effectiveness of the actions taken.

''(B) REMOVAL OF DESIGNATION.—A country that is designated as a country of particular concern for religious freedom under paragraph (1)(A) shall retain such designation until the President determines and reports to the appropriate congressional committees that the country should no longer be so designated.''; and

(C) by adding at the end, the following new paragraph:

''(4) TREATMENT OF COUNTRIES ON SPECIAL WATCH LIST.—

''(A) IN GENERAL.—The President shall designate as a country of particular concern for religious freedom under paragraph (1)(A) any country that appears on the Special Watch List in more than 2 consecutive Annual Reports.

''(B) EXERCISE OF WAIVER AUTHORITY.—The President may waive the application of subparagraph (A) with respect to a country for up to 2 years if the President certifies to the appropriate committees of Congress that—

''(i) the country has entered into an agreement with the United States to carry out specific and credible actions to improve religious freedom conditions and end religious freedom violations;

''(ii) the country has entered into an agreement with the United Nations, the European Union, or other ally of the United States, to carry out specific and credible actions to improve religious freedom conditions and end religious freedom violations; or

''(iii) the waiver is in the national security interests of the United States.

''(C) EFFECT ON DESIGNATION AS COUNTRY OF PARTICULAR CONCERN.—The presence or absence of a country from the Special Watch List in any given year shall not preclude the designation of such country as a country of particular concern for religious freedom under paragraph (1)(A) in any such year.''; and

(2) in subsection (c)(5), in the second sentence, by inserting ''and include a description of the impact of the designation of such sanction or sanctions that exist in each country'' after ''determines satisfy the requirements of this subsection''.

SEC. 303. REPORT TO CONGRESS.

Section 404(a)(4)(A) of the International Religious Freedom Act of 1998 (22 U.S.C. 6444(a)(4)(A)) is amended—

(1) in clause (iii), by striking the period at the end and inserting ''; and''; and

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

''(iv) the impact on the advancement of United States interests in democracy, human rights, and security, and a description of policy tools being applied in the country, including programs that target democratic stability, economic growth, and counter-terrorism.''.

SEC. 304. PRESIDENTIAL WAIVER.

Section 407 of the International Religious Freedom Act of 1998 (22 U.S.C. 6447) is amended—

(1) in subsection (a)—

(A) by striking ''subsection (b)'' and inserting ''subsection (c)''; and

(B) by inserting '', for a single 180-day period,'' after ''may waive'';

(2) by striking ''that—'' and all that follows and inserting ''that the exercise of such waiver authority would further the purposes of this Act.'';

(3) by redesignating subsection (b) as subsection (c);

(4) by inserting after subsection (a) the following:

''(b) ADDITIONAL AUTHORITY.—Subject to subsection (c), the President may waive, for any additional period of time after the 180-day period described in subsection (a), the application of any of the actions described in paragraphs (9) through (15) of section 405(a) (or a commensurate action in substitution thereto) with respect to a country, if the President determines and so reports to the appropriate congressional committees that—

''(1) the respective foreign government has ceased the violations giving rise to the Presidential action; or

''(2) the exercise of such authority is important to the national interests of the United States.''.

(5) in subsection (c), by inserting ''or (b)'' after ''subsection (a)''; and

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

''(d) SENSE OF CONGRESS.—It is the sense of Congress that—

''(1) ongoing and persistent waivers of the application of any of the actions described in paragraphs (9) through (15) of section 405(a) (or commensurate action in substitution thereto) with respect to a country do not fulfill the purposes of this Act; and

''(2) because the promotion of religious freedom is a compelling interest of United States foreign policy, the President, the Secretary of State, and other Executive branch officials, in consultation with Congress, should seek to find ways to address existing violations, on a case-by-case basis, through the actions specified in section 405 or other commensurate action in substitution thereto.''.

SEC. 305. PUBLICATION IN THE FEDERAL REGISTER.

Section 408(a)(1) of the International Religious Freedom Act of 1998 (22 U.S.C. 6448(a)(1)) is amended by adding at the end the following: ''Any designation of a non-state actor as an entity of particular concern for religious freedom under section 301 of the Frank R. Wolf International Religious Freedom Act, together with, when applicable and to the extent practicable, the identities of individuals determined to be responsible for the violations under subsection (e) of such section.''.

TITLE IV—PROMOTION OF RELIGIOUS FREEDOM

SEC. 401. ASSISTANCE FOR PROMOTING RELIGIOUS FREEDOM.

(a) AVAILABILITY OF ASSISTANCE.—It is the sense of Congress that for each fiscal year that begins on or after the date of the enactment of this Act, the Department of State should make available—

(1) an amount equal to not less than 10 percent of the amounts available in that fiscal year for the Human Rights and Democracy Fund for the promotion of international religious freedom and for projects to advance United States interests in the protection and

advancement of international religious freedom, in particular, through grants to—

(A) groups that are able to develop legal protections or promote cultural and societal understanding of international norms of religious freedom;

(B) groups that seek to address and mitigate religiously motivated and sectarian violence and combat violent extremism; and

(C) groups that seek to strengthen investigations, reporting, and monitoring of religious freedom violations; and

(2) an amount equal to not less than 2 percent of amounts available in that fiscal year for the Human Rights and Democracy Fund to be made available for the establishment of a Religious Freedom Defense Fund, administered by the Ambassador at Large for International Religious Freedom, to provide grants for—

(A) victims of religious freedom abuses and their families to cover legal and other expenses that may arise from detention, imprisonment, torture, fines, and other restrictions; and

(B) projects to help create and support training of a new generation of defenders of religious freedom, including legal and political advocates, and civil society projects which seek to create advocacy networks, strengthen legal representation, train and educate new religious freedom defenders, and build the capacity of religious communities and rights defenders to protect against religious freedom violations, mitigate societal or sectarian violence, or minimize legal or other restrictions of the right to freedom of religion.

(b) PREFERENCE.—It is the sense of Congress that, in providing grants under subsection (a), the Ambassador at Large for International Religious Freedom should, as appropriate, give preference to projects targeting religious freedom violations in countries designated as countries of particular concern for religious freedom under section 402(b)(1) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)(1)) and countries included on the Special Watch List described in section 102(b)(1)(F)(iii) of the International Religious Freedom Act of 1998 (22 U.S.C. 6412(b)(1)(F)(iii)).

(c) ADMINISTRATION AND CONSULTATIONS.—

(1) ADMINISTRATION.—Amounts made available in accordance with subsection (a) shall be administered by the Ambassador at Large for International Religious Freedom.

(2) CONSULTATIONS.—In developing priorities and policies for providing grants in accordance with subsection (a), including priorities and policies for identification of potential grantees, the Ambassador at Large for International Religious Freedom shall consult with other Federal agencies, including the United States Commission on International Religious Freedom and, as appropriate, nongovernmental organizations.

TITLE V—DESIGNATED PERSONS LIST FOR PARTICULARLY SEVERE VIOLATIONS OF RELIGIOUS FREEDOM

SEC. 501. DESIGNATED PERSONS LIST FOR PARTICULARLY SEVERE VIOLATIONS OF RELIGIOUS FREEDOM.

Title VI of the International Religious Freedom Act of 1998 (22 U.S.C. 6471 et seq.) is amended—

(1) by redesignating section 605 as section 606; and

(2) by inserting after section 604 the following new section:

"SEC. 605. DESIGNATED PERSONS LIST FOR PARTICULARLY SEVERE VIOLATIONS OF RELIGIOUS FREEDOM.

''(a) LIST.—

''(1) IN GENERAL.—The Secretary of State, in coordination with the Ambassador at Large and in consultation with relevant government and non-government experts, shall establish and maintain a list of foreign individuals who are sanctioned, through visa denials, financial sanctions, or other measures, because they are responsible for ordering, controlling, or otherwise directing particularly severe violations of freedom religion.

''(2) REFERENCE.—The list required under paragraph (1) shall be known as the 'Designated Persons List for Particularly Severe Violations of Religious Freedom'.

''(b) REPORT.—

''(1) IN GENERAL.—The Secretary of State shall submit to the appropriate congressional committees a report that contains the list required under subsection (a), including, with respect to each foreign individual on the list—

''(A) the name of the individual and a description of the particularly severe violation of religious freedom committed by the individual;

''(B) the name of the country or other location in which such violation took place; and

''(C) a description of the actions taken pursuant to this Act or any other Act or Executive order in response to such violation; and

''(2) SUBMISSION AND UPDATES.—The Secretary of State shall submit to the appropriate congressional committees—

''(A) the initial report required under paragraph (1) not later than 180 days after the date of the enactment of this section; and

''(B) updates to the report every 180 days thereafter and as new information becomes available.

''(3) FORM.—The report required under paragraph (1) should be submitted in unclassified form but may contain a classified annex.

''(4) DEFINITION.—In this subsection, the term 'appropriate congressional committees' means—

''(A) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives; and

''(B) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.''.

TITLE VI—MISCELLANEOUS PROVISIONS

SEC. 601. MISCELLANEOUS PROVISIONS.

Title VII of the International Religious Freedom Act of 1998 (22 U.S.C. 6481 et seq.) is amended by adding at the end the following new sections:

"SEC. 702. VOLUNTARY CODES OF CONDUCT FOR UNITED STATES INSTITUTIONS OF HIGHER EDUCATION OUTSIDE THE UNITED STATES.

''(a) FINDING.—Congress recognizes the enduring importance of United States institutions of higher education worldwide both for their potential for shaping positive leadership and new educational models in host countries and for their emphasis on teaching universally recognized rights of free inquiry and academic freedom.

''(b) SENSE OF CONGRESS.—It is the sense of Congress that United States institutions of higher education operating campuses outside the United States or establishing any educational entities with foreign governments, particularly with or in countries the governments of which engage in or tolerate severe violations of religious freedom as identified in the Annual Report, should seek to adopt a voluntary code of conduct for operating in such countries that should—

''(1) uphold the right of freedom of religion of their employees and students, including the right to manifest that religion peacefully as protected in international law;

''(2) ensure that the religious views and peaceful practice of religion in no way affect, or be allowed to affect, the status of a worker's or faculty member's employment or a student's enrollment; and

''(3) make every effort in all negotiations, contracts, or memoranda of understanding engaged in or constructed with a foreign government to protect academic freedom and the rights enshrined in the United Nations Declaration of Human Rights.

"SEC. 703. SENSE OF CONGRESS REGARDING NATIONAL SECURITY STRATEGY TO PROMOTE RELIGIOUS FREEDOM THROUGH UNITED STATES FOREIGN POLICY.

''It is the sense of Congress that—

''(1) the annual national security strategy report of the President required by section 108 of the National Security Act of 1947 (50 U.S.C. 3043) should promote international religious freedom as a foreign policy and national security priority and should articulate that promotion of the right to freedom of religion is a strategy that protects other, related human rights, and advances democracy outside the United States, and make clear its importance to United States foreign policy goals of stability, security, development, and diplomacy; and

''(2) the national security strategy report should be a guide for the strategies and activities of relevant Federal agencies and inform the Department of Defense quadrennial defense review under section 118 of title 10, United States Code, and the Department of State Quadrennial Diplomacy and Development Review.''.

SEC. 602. CLERICAL AMENDMENTS.

The table of contents of the International Religious Freedom Act of 1998 (22 U.S.C. 6401 note) is amended—

(1) by striking the item relating to section 605 and inserting the following:

''Sec. 606. Studies on the effect of expedited removal provisions on asylum claims.'';

(2) by inserting after the item relating to section 604 the following:

''Sec. 605. Designated Persons List for Particularly Severe Violations of Religious Freedom.''; and

(3) by adding at the end the following:

''Sec. 702. Voluntary codes of conduct for United States institutions of higher education operating outside the United States.

''Sec. 703. Sense of Congress regarding national security strategy to promote religious freedom through United States foreign policy.''.

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

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, today, 18 years after enactment of the International Religious Freedom Act of 1998, the right to believe and practice one's faith remains under threat around the world.

The threats come not just from authoritarian regimes obsessed with control, such as North Korea, Iran, or Vietnam, which were the focus of that law, but also from lethal terrorist groups.

Two months ago this Chamber made history by declaring that the so-called Islamic State, or ISIS, is committing genocide against religious and ethnic minorities. It has committed mass murder, beheadings, rape, torture, slavery, and the kidnapping of children, among many other atrocities. ISIS dynamites churches and flattens ancient monasteries, hoping to erase the very existence of religious groups that disagree with their brutal world view.

Boko Haram in Nigeria and al Shabaab in East Africa are also responsible for their own deadly persecutions, both also linked to ISIS in their support for that terrorist movement.

These groups have turned religious intolerance into a murderous force of global instability. The right to believe and practice according to the dictates of conscience is a direct challenge to their ideologies. Thus, religious freedom is not just a human rights issue; frankly, today, it is a global security issue. However, current law related to religious freedom, which focuses solely on governments of sovereign states, does not address this reality.

Based on years of oversight and multiple hearings, H.R. 1150, the Frank R. Wolf International Religious Freedom Act, updates the International Religious Freedom Act of 1998 to improve the coordination and effectiveness of U.S. efforts to promote religious liberty around the world and also expressly addresses the role of these nonstate actors like ISIS.

Introduced by Subcommittee Chairman SMITH and Congresswoman ANNA ESHOO, the bill was amended and agreed to by the Foreign Affairs Committee and has more than 115 bipartisan cosponsors.

It is fitting that this bill is named in honor of our former colleague from Virginia, Frank Wolf, a tireless advocate for human rights and the author of the original International Religious Freedom Act of 1998, which we are amending.

By enhancing coordination, confronting non-state actors, and improving reporting and training, H.R. 1150 is a helpful refinement of our statutory commitment to combat religious persecution around the globe. It deserves our unanimous support.

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

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, May 13, 2016.

Hon. ED ROYCE,
Chairman, Committee on Foreign Affairs, Washington, DC.

DEAR CHAIRMAN ROYCE: I am writing concerning H.R. 1150, the Frank R. Wolf International Religious Freedom Act of 2016.

As a result of your having consulted with the Committee on Financial Services concerning provisions in the bill that fall within our Rule X jurisdiction, I agree to forgo action on the bill so that it may proceed expeditiously to the House Floor. The Committee on Financial Services takes this action with our mutual understanding that, by foregoing consideration of H.R. 1150 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as this or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for any such request.

Finally, I would appreciate your response to this letter confirming this understanding with respect to H.R. 1150 and would ask that a copy of our exchange of letters on this matter be included in your committee's report to accompany the legislation, as well as in the Congressional Record during floor consideration thereof.

Sincerely,

JEB HENSARLING,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, May 12, 2016.

Hon. JEB HENSARLING,
Chairman, Committee on Financial Services, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Affairs on H.R. 1150, the Frank R. Wolf International Religious Freedom Act, and for agreeing to be discharged from further consideration of that bill.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of the Committee on Financial Services, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will seek to place our letters on H.R. 1150 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with your committee as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, May 13, 2016.

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs, Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 1150, the Frank R. Wolf International Religious Freedom Act of 2015. As you know, the Committee on Foreign Affairs received an original referral and the Committee on Oversight and Government Reform a secondary referral when the bill was introduced on February 27, 2015. I recognize and appreciate your desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Committee on Oversight and Government Reform will forego action on the bill.

The Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 1150 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation. Further, I request your support for the appointment of conferees from the Committee on Oversight and Government Reform during any House-Senate conference convened on this or related legislation.

Finally, I would ask that a copy of our exchange of letters on this matter be included in the bill report filed by the Committee on Foreign Affairs, as well as in the Congressional Record during floor consideration, to memorialize our understanding

Sincerely,

JASON CHAFFETZ,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, May 12, 2016.

Hon. JASON CHAFFETZ,
Chairman, Committee on Oversight and Government Reform, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Affairs on H.R. 1150, the Frank R. Wolf International Religious Freedom Act, and for agreeing to be discharged from further consideration of that bill.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of the Committee on Oversight and Government Reform, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will seek to place our letters on H.R. 1150 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with your committee as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

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

Mr. Speaker, I rise in support of this measure. Let me again thank Chairman ED ROYCE for bringing this bill forward. I also want to thank my friend, Congressman CHRIS SMITH of New Jersey, for his leadership and for authorizing this bill.

Mr. Speaker, freedom of religion has been a bedrock principle of open and democratic societies for centuries. Some of the first immigrants to settle on American shores sailed here because they were fleeing religious persecution at home. This liberty is enshrined in our own founding documents, in the Universal Declaration of Human Rights, and in the charters of democracies all over the world.

The freedom to worship as a person chooses or not to worship at all should be settled business and nobody's business but the person themselves. Yet, around the world religious communities endure discrimination, persecution, and violence.

It is amazing to me that, when we look at the history of strife and war that has swirled around religious persecution, governments continue to deny this freedom to their own people. This assault on religious liberty holds societies back and undercuts progress. It obviously has no place in the 21st century.

So for the United States and other countries that cherish freedom, it is not enough just to guarantee religious liberty to our own people. We need to speak out and act when we see this right under attack around the world. For that matter, we have a responsibility to speak out when we see any liberty under attack, whether freedom of the press, the right to organize, or the equality of LGBT persons.

Mr. SMITH's legislation would help ensure that promoting and supporting religious liberty are a component of American foreign policy. It would help ensure that our diplomats around the world understand the importance of this issue and are working to advance this freedom on the front lines.

It is worth noting that we should also continue to fully fund the State Department's Human Rights and Democracy Fund, which helps address a range of human rights abuses around the world, including threats to our religious freedom. Together with this legislation, it sends a clear message to the world that protecting human rights is a priority for the United States.

So I support this measure. I urge my colleagues to do the same. I again want to congratulate my friend Mr. SMITH, who is so strong on issues like this and so forceful in pushing forward all the way until we finally got this on the floor of the House.

I urge my colleagues to support this measure.

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

Mr. ROYCE. Mr. Speaker, I yield 10 minutes to the gentleman from New Jersey (Mr. SMITH), chairman of the Foreign Affairs Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, and the author of the bill.

Mr. SMITH of New Jersey. Mr. Speaker, I want to thank my good friend, Chairman ROYCE, for his leadership on this bill, the markup, and for the very timely recommendations he and staff made to improve it.

I would like to thank ELIOT ENGEL again for working hand in glove in a good, bipartisan effort to protect international religious freedom.

As my good friend, Chairman ROYCE, noted a moment ago, 18 years ago Congress had the foresight to pass the International Religious Freedom Act of 1998. That landmark bill, authored by Congressman Frank Wolf of Virginia, made advancing the right to religious freedom a significant and profoundly serious U.S. foreign policy priority.

Passage of the International Religious Freedom Act was not easy. There were determined opponents in Congress and in the Clinton administration. I know. I chaired the congressional hearings and the subcommittee markup. It was no cakewalk.

But our opposition was overcome by the courage, tenacity, and vision of Frank Wolf, bolstered by a diverse, bipartisan, and ecumenical coalition of Members of Congress, ethnic minority and religions groups, and human rights organizations. That coalition has reassembled to support this bill today, the Frank R. Wolf International Religious Freedom Act.

I want to especially thank ANNA ESHOO, who is the principal Democratic sponsor of this legislation, for her leadership and for working particularly in the Middle East to combat the savagery that is being imposed upon people of minority faiths, including Christians.

□ 1700

I thank her for her leadership and, again, for being the principal Democrat on this bill.

Let me just note that naming this bill after Frank Wolf, who I consider to be, and many of us consider to be the William Wilberforce of modern times, is an attempt to recognize his extraordinary life's work promoting human rights, 34 years as a Member of Congress, including, and especially, religious freedom.

He now serves as the Wilson Chair at Baylor, again, continuing his lifesaving work for religious believers all over the world.

He just returned from Nigeria and testified at our hearing last week. He was in the embattled states in northern Nigeria, where Boko Haram runs free, massacring people. He was there on a fact-finding mission to promote religious freedom.

Mr. Speaker, the Frank R. Wolf International Religious Freedom Act that is before us is a series of upgrades to meet the challenges of the 21st century.

We know that the world is experiencing an unprecedented crisis of international religious freedom; a crisis that continues to create millions—no, tens of millions of victims; a crisis that undermines liberty, prosperity, and peace; a crisis that poses a direct challenge to the U.S. interests in the Middle East, Russia, China, Sub-Saharan Africa, and elsewhere in the world.

The Pew Research Center notes that over 75 percent of the world's population today lives in countries where severe religious freedom abuses occur annually. According to Pew, instances of anti-Semitism are at a 7-year high. It is getting worse everywhere, particularly in the Middle East, but also in Europe and in the United States.

Mr. Speaker, ancient Christian communities in Iraq and Syria are on the verge of extinction, and other religious minorities in the Middle East face a constant assault from the Islamic State.

Several weeks ago, this Congress passed a resolution, sponsored by JEFF FORTENBERRY, that was followed by a declaration by Secretary of State John Kerry, that said that ISIS has committed, and continues to commit genocide, mass atrocities and war crimes against Christians, Yazidis, and other minority faiths.

We are on record. We know it is happening. We are speaking out.

In a couple of weeks, I am chairing a hearing on what is next; what should we be doing next to combat this terrible, terrible crisis.

In Nigeria, the Islamist terror group, Boko Haram, is believed to have killed over 6,600 people last year alone, mostly Christian, but there are Muslims as well who are being targeted. According to the testimony we received last week, since 2009, the number is about 15,000 year to date since 2009.

Mr. Speaker, at one of those hearings a few years ago, I had a man named Habila. Habila, I met him at an IDP camp in Jos, Nigeria, where a lot of churches have been firebombed. He told me this story. He was credible, and it checked out. And he came to Congress and testified.

Boko Haram put an AK–47—a terrorist—to his jaw and said: Renounce Christ or I will kill you. You must become a Muslim on the spot.

Habila said: I am ready to meet my Lord.

And this terrorist pulled the trigger and blew most of his face away.

What courage, what faith for a man. And when he told the story, you could have heard a pin drop.

Mr. Speaker, the bipartisan U.S. Commission on International Religious Freedom just released its 2016 annual report. And let me note, parenthetically, USCIRF, or that Commission, was also created by Chairman Wolf as part of IRFA, the original bill.

They have found that the abuses committed by governments and nonstate actors has ''deteriorated.'' ''The incarceration of prisoners of conscience''—they point out—''remains astonishingly widespread . . .''

They point out that ''Over the past year, the Chinese government''—as just one of many examples—''has stepped up its persecution of religious groups''—across the board: Tibetans, Uighurs, Muslim Uighurs, Christians, and, of course, the Falun Gong.

I spoke in mid-February at NYU, I gave a keynote there in Shanghai, and

talked about how Xi Jinping, the President of China, is in a race to the bottom with North Korea to make religion absolutely subservient to the Communist Party. He calls it the sinification of religion; and what was already a bad situation has now become demonstrably worse.

The Frank R. Wolf International Religious Freedom Act will upgrade the tools so that this administration, and subsequent ones, can do an even better job to try to mitigate and, hopefully, end religious persecution. It does this by, one, requiring that international religious freedom policies be integrated into national security, immigration, rule of law, and other relevant U.S. foreign policies.

It creates a Designated Persons List of individuals sanctioned for participating in or directing religious freedom abuses.

It expands diplomatic training on international religious freedoms for all State Department diplomats; creates a tier system for IRFA, for the reports, not just countries of particular concern, of which there are currently 10, but also those that are on a watch list, those that are bad and, perhaps, getting worse.

It gives the President authority to designate non-state actors in addition to countries; and it also requires the Ambassador at Large to report directly to the Secretary of State.

It also is increasingly clear that religious freedom diplomacy is really needed to advance U.S. interests around the world. This will do it.

The legislation is backed by the U.S. Conference of Catholic Bishops and the International Religious Freedom Roundtable, a diverse and ecumenical group of individuals from the faith community.

Finally, just let me thank Scott Flipse, who worked for Frank Wolf previously, then he worked for the International Religious Freedom Office at the State Department, and now is working at the China Commission; our General Counsel, Piero Tozzi; Janice Kaguyutan, I thank her for her work on this; and Sajit Gandhi. This is a true, bipartisan piece of legislation and, hopefully, the Senate will favorably receive it.

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

Again, Mr. Speaker, in closing, we focus on human rights as part of our foreign policy because it is the right thing to do. The United States is founded on the idea that an individual should be able to live according to his or her own beliefs. That is a value we want to see thriving around the world.

Advancing human rights is also the smart thing to do. Countries with a strong respect for human rights are countries that prosper and play a constructive role on the global stage.

I want to again say to my friend, the gentleman from New Jersey (Mr. SMITH), when he comes for advancing human rights, he takes a second seat to nobody. He is indefatigable when it comes to these things. In all the years I have known him, he has always been fair and honest. I really sincerely commend him, and know how heartfelt it is and how much we appreciate his hard work.

When we see governments stifling religious freedom, or any freedom, we have a responsibility to speak out and make it clear that the United States remains a champion for these basic liberties. This bill helps us to live up to that responsibility, and I am proud to support it.

I thank Chairman ROYCE and Mr. SMITH.

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

Mr. ROYCE. Mr. Speaker, I yield 4 minutes to the gentlewoman from Virginia (Mrs. COMSTOCK), our esteemed colleague, who ably represents the district formerly served by Frank Wolf, who is honored in the title of this bill. Representative BARBARA COMSTOCK is a coauthor of this bill with Mr. SMITH, and I thank them both.

Mrs. COMSTOCK. I thank the gentleman for yielding.

Mr. Speaker, ask human rights and religious freedom advocates to name their most steadfast friend who has served on Capitol Hill over the years, and Representative Frank Wolf, my predecessor, is always on the short list, as are my colleagues here today.

So I am honored today to stand in support of a bill I proudly cosponsored, the Frank R. Wolf International Religious Freedom Act, named after the distinguished gentleman who served in this seat for the 10th District of Virginia, and as the co-chair of the Congressional Human Rights Caucus, and a man whose deep faith and commitment to human rights and religion freedom were a large part of why he was known for years here and around the country, and even around the world, as the conscience of the Congress.

He wrote a book, a powerful book, titled a ''Prisoner of Conscience,'' about his many trips over the years and how he fought for religious freedom; and I hope he doesn't mind if I recommend that book to our listeners here.

We continue to be blessed with Congressman Wolf's passionate leadership as he leads the 21st Century Wilberforce Initiative to create a world where religious freedom is recognized by nations across the globe as a fundamental human right.

Since leaving Congress, Mr. Wolf has continued to travel to the front lines to see, firsthand, the plight of ethnic minorities in Iraq and Syria, including Christians, Yazidis, Kurds, and other minority religious groups.

As previously mentioned, he has just returned from Nigeria. He continues to shine a light every day on the dark places where men and women and children, even, of faith are victimized, tortured and, tragically, even killed for their faith. He will not let the world look away, and we thank him for his continued work and his strong and much-needed voice.

Now this legislation amends his own legislation to continue that mission that Mr. Wolf so valiantly fought for for 3 decades here in Congress. It will improve the ability of the United States to advance religious freedom globally, with stronger and more flexible political responses to a disturbing and growing denial of basic religious freedoms around the world.

As has been said by many, Frank Wolf is the William Wilberforce of our day. He is, and has always been, a voice for the voiceless. He once said: ''Most would agree that conscience rights figure prominently in the narrative of America's founding. Historically, Americans and our corresponding institutions have recognized that conscience is not ultimately allegiant to the state, but to something, and for many people, Someone, higher.''

I appreciate the opportunity today to continue that legacy with the passing of this important legislation which will continue his important and vital mission and legacy; and that is needed now, more than ever, for so many of the reasons that my colleagues here have highlighted.

I thank the gentleman so much for the privilege of addressing and cosponsoring this legislation.

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

Mr. Speaker, I want to thank my colleagues for their contributions to this bill and to today's debate, especially Mr. SMITH, Congresswoman BARBARA COMSTOCK and Mr. ENGEL.

The right to believe and practice one's religion according to the dictates of conscience is often called the first freedom. It is one of the founding ideas of our Nation, but we do not believe that it is only an American value. Rather, this is what we believe here. We believe it flows from the inherent dignity of every human person, and it deserves protection everywhere.

In today's world, those who are most violently opposed to religious freedom also pose the biggest threat to our Nation. They also pose the biggest threat to civilization worldwide.

Thus, the promotion of religious liberty is not some isolated human rights concern. No. It is a key component of our national security. And this bill, now authored by Mr. SMITH, H.R. 1150, contains important updates to the International Religious Freedom Act of 1998 that will enhance the effectiveness of the United States' efforts to promote that liberty around the world, so it deserves our unanimous support.

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

Ms. JACKSON LEE. Mr. Speaker, I rise today in support of H.R. 1150, amending the Frank Wolf International Religious Freedom Act.

I support this measure because the right to freedom of religion has been a cornerstone of the American conscience.

Many of our country's first leaders fled religious persecution abroad and went on to establish laws protecting religious freedom.

This core belief of our great nation does not stop at our national borders; we offer refuge to those suffering from religious persecution throughout the world.

A testament to this commitment was the International Religious Freedom Act of 1998 which was a landmark piece of legislation seeking to make religious freedom a higher priority in U.S. Foreign policy.

The Act was approved by Congress unanimously in 1998 and signed into law by President Clinton.

The Act condemns violations of religious freedom and promotes and assists other governments in the promotion of the fundamental right to freedom of religion.

While strides have been made in establishing worldwide practice of freedom of religion, it is currently under attack.

Let me also note that people are being prosecuted under blasphemy laws for freedom of expression, which is why I introduced the bipartisan measure H. Res. 290, calling for the global repeal of blasphemy laws.

I support H.R. 1150 because we must continue to work to preserve religious freedoms as well as making sure that religion is not a pretext for prosecution or persecution in the world.

Indeed, one of the key amendments to IRFA would be to relocate the Office of International Religious Freedom within the Office of the Secretary of State.

This action would allow for greater coordination of strategic focus and the minimization of duplicated efforts, streamline mandates, and centralize efforts to engage religious communities and promote human rights more generally in regards to religious freedom.

Currently, the office is headed by the Ambassador at-Large for International Religious Freedom which monitors religious persecution and discrimination worldwide to develop policy recommendations, programs, and awareness.

Besides being placed in the Secretary of State's office, the Ambassador at large would be able to make every effort to collaborate and coordinate across all U.S. agencies and departments to formulate strategic religious freedom policies, programs, and activities.

These two changes will provide a greater ability for us to advance religious freedom throughout the world.

H.R. 1150 will also allow us to assist emerging democracies to implement freedom of religion while also helping older partners maintain their freedom of religion practices and conscience.

H.R. 1150 calls to ensure that our diplomats and foreign policy experts are well versed in the importance of religious freedom and how to address atrocities related to religion.

H.R. 1150 also addresses how to improve our ability to promote freedom of religion by enhancing the capabilities and knowledge of our diplomats.

Our Foreign Service Officers (FSO) are on the front lines everyday carrying out American foreign policy while also shaping it, which makes sure that they are adequately trained on religious freedom.

H.R. 1150 directs the Secretary to develop mandatory religious freedom training for all Foreign Service Officers.

This major change will enhance FSO capabilities to identify severe persecutors to help assemble the Ambassador's Annual Report on International Religious Freedom.

In addition to the Annual Report, H.R. 1150 calls for an updated lists of persons that are currently being persecuted and forced to renounce their faith.

This is essential in bringing awareness to countries that need to be monitored or that have non-state actors that have high levels of detainment, disappearance, torture, or murder based on someone's religion.

Another key aspect of H.R. 1150 is to enhance engagement and coordination with the executive branch on issues pertaining to international religious freedom policies and global religion engagement strategies.

This would be achieved through amendment of The National Security Act of 1947, calling for the appointment of a Special Adviser for Global Religious Engagement and establishing the Interagency Policy Committee on Religious Freedom and Engagement.

Mr. Speaker, I urge all Members to support adequate funding in order to enable rapid and decisive efforts of supporting democracy and preservation of human rights.

The SPEAKER pro tempore (Mr. SMITH of Nebraska). The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 1150, as amended.

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

A motion to reconsider was laid on the table.

□ 1715

REQUIRING COMPTROLLER GENERAL TO ASSESS OPTIONS FOR DISPOSITION OF PLUM ISLAND ANIMAL DISEASE CENTER IN PLUM ISLAND, NEW YORK

Mr. RATCLIFFE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1887) to amend certain appropriation Acts to repeal the requirement directing the Administrator of General Services to sell Federal property and assets that support the operations of the Plum Island Animal Disease Center in Plum Island, New York, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1887

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

SECTION 1. FINDINGS.

Congress finds the following:

(1) The Federal Government has owned Plum Island, New York, since 1899.

(2) Since 1954, the Plum Island Animal Disease Center has conducted unrivaled scientific research on a variety of infectious animal-borne diseases, including foot-and-mouth disease, resulting, most recently, in the development of a new cell line that rapidly and reliably detects this highly debilitating disease of livestock.

(3) Over 62 years, the Center has had a strong, proven record of safety.

(4) $23,200,000 in Federal dollars have been spent on upgrades to, and the maintenance of, the Center since January 2012.

(5) In addition to the Center, Plum Island contains cultural, historical, ecological, and natural resources of regional and national significance.

(6) Plum Island is situated where the Long Island Sound and Peconic Bay meet, both of which are estuaries that are part of the National Estuary Program and are environmentally and economically significant to the region.

(7) The Federal Government has invested hundreds of millions of Federal dollars over the last two decades to make long-term improvements with respect to the conservation and management needs of Long Island Sound and Peconic Bay.

(8) The Department of Homeland Security has undertaken a study to consider alternatives for the final disposition of Plum Island, including an analysis of—

(A) conservation of the island's resources;

(B) any remediation responsibilities;

(C) the need for any legislative changes;

(D) cost; and

(E) any revenues from the alternatives.

SEC. 2. REPORT REQUIRED ON STUDY BY DEPARTMENT OF HOMELAND SECURITY ON CLEAN UP AND ALTERNATIVE USES OF PLUM ISLAND.

(a) ASSESSMENT BY COMPTROLLER GENERAL.—

(1) ASSESSMENT REQUIRED.—The Comptroller General of the United States shall conduct an assessment of the study by the Department of Homeland Security on the options for the disposition of Plum Island referred to in section 1(8). Such assessment shall include a determination of whether the methodologies used by the Department in conducting such study adequately support the Department's findings with respect to the following:

(A) The possible alternative uses for Plum Island, including the transfer of ownership to another Federal agency, a State or local government, a nonprofit organization, or a combination thereof for the purpose of education, research, or conservation.

(B) The possible issues and implications, if any, of pursuing such alternative uses for Plum Island.

(C) The potential cost to be incurred for expenses related to the transition, cleanup, and hazard mitigation of Plum Island by a recipient of such property.

(2) REPORT REQUIRED.—Not later than 180 days after the date on which the Department of Homeland Security completes the study referred to in section 1(8), the Comptroller General of the United States shall submit to Congress a report containing the following:

(A) The results of the assessment described under paragraph (1).

(B) A description of the Secretary of Homeland Security's coordination with the Administrator of General Services, the Secretary of the Interior, and the Administrator of the Environmental Protection Agency in conducting the Department of Homeland Security study referred to in section 1(8).

(b) STUDY BY COMPTROLLER GENERAL.—

(1) STUDY REQUIRED.—If the Comptroller General of the United States determines that the methodologies referred to in subsection (a)(1) do not adequately support the Department of Homeland Security's findings related to an issue described in subparagraphs (A) through (C) of such subsection, the Comptroller General shall conduct a study on any such issue.

(2) REPORT REQUIRED.—If the Comptroller General of the United States conducts a study under paragraph (1), not later than one year after the date on which the Department of Homeland Security completes the study referred to in section 1(8), the Comptroller General shall submit to Congress a report containing the results of the study conducted under paragraph (1).

SEC. 3. SUSPENSION OF ACTION.

No action may be taken to carry out section 538 of title V of division D of the Consolidated Appropriations Act, 2012 (Public Law 112–74; 125 Stat. 976) until at least 180 days after the reports required by subsection (a)(2) of section 2 and, if applicable, subsection (b)(2) of such section have been submitted to Congress.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. RATCLIFFE) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. RATCLIFFE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, after my remarks, I will include an exchange of letters between the Committee on Transportation and Infrastructure and the Committee on Homeland Security regarding H.R. 1887.

Mr. Speaker, today I rise in support of H.R. 1887, which suspends an appropriations provision in order to ensure that all necessary information is accessible before deciding how to move forward with Plum Island Animal Disease Center.

Since 1954, the U.S. Department of Homeland Security Science and Technology Directorate's Plum Island Animal Disease Center has served the Nation in defending against accidental or intentional introduction of foreign animal diseases. In 2005, DHS announced that Plum Island would be moved to a new Federal facility in Kansas. While DHS will eventually move the research conducted, Plum Island will continue to operate until the National Bio and Agro-Defense Facility is fully operational and a complete transition has been made in 2022 or 2023.

The gentleman from New York, Representative ZELDIN, my friend, introduced H.R. 1887 with strong bipartisan support from the entire Long Island and Connecticut delegations in both the House and the Senate to stop the sale of Plum Island.

DHS recently undertook a study on alternatives for the disposition of Plum Island. As amended, H.R. 1887 suspends the sale of Plum Island until a thorough review of the analysis of alternatives is conducted by DHS and GAO. The bill before us today requires GAO to review the DHS study and report to Congress on whether the methodologies DHS uses adequately support the Department's findings. If those methodologies are found lacking, GAO must study possible alternative uses for Plum Island and possible costs associated for the transition and cleanup of the island.

H.R. 1887 delays the sale of Plum Island until GAO reports its findings to Congress, allowing for a complete understanding of possible options for Plum Island once the Animal Disease Center functions are transitioned. This bill ensures consideration of all options for the disposition of the island.

Mr. Speaker, I urge all Members to join me in supporting this bill.

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

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,
Washington, DC, May, 12, 2016.

Hon. MICHAEL MCCAUL,
Chairman, Committee on Homeland Security, Washington, DC.

DEAR CHAIRMAN MCCAUL: I write concerning H.R. 1887, a bill to amend certain appropriation Acts to repeal the requirement directing the Administrator of General Services to sell federal property and assets that support the operations of the Plum Island Animal Disease Center in Plum Island, New York.'' This legislation includes matters that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite Floor consideration of H.R. 1887, the Committee on Transportation and Infrastructure will forgo action on this bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. I request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest in the Congressional Record during House Floor consideration of the bill. I look forward to working with the Committee on Homeland Security as the bill moves through the legislative process.

Sincerely,

BILL SHUSTER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, May 16, 2016.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN SHUSTER: Thank you for your letter regarding H.R. 1887. I appreciate your support in bringing this legislation before the House of Representatives, and accordingly, understand that the Committee on Transportation and Infrastructure will not seek a sequential referral on the bill.

The Committee on Homeland Security concurs with the mutual understanding that by foregoing a sequential referral of this bill at this time, the Committee on Transportation and Infrastructure does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support your request to have the Committee on Transportation and Infrastructure represented on the conference committee.

I will insert copies of this exchange in the Congressional Record during consideration of this bill on the House floor. I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. MCCAUL,
Chairman, Committee on Homeland Security.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in support of H.R. 1887 and yield myself such time as I may consume.

Mr. Speaker, since 1954, the Plum Island Animal Disease Center in New York's Long Island Sound has served as the primary laboratory in the United States responsible for research on foreign animal diseases of livestock, such as foot-and-mouth disease and other animal diseases that could be accidentally or deliberately introduced into the United States.

At Plum Island, the Department of Homeland Security works with the Agricultural Research Service and Animal and Plant Health Inspection Service within the U.S. Department of Agriculture to research and develop new vaccines and diagnostic tests to respond to animal disease outbreaks.

On September 11, 2005, DHS announced plans to develop the National Bio and Agro-Defense Facility, or NBAF, as a state-of-the-art biocontainment laboratory to replace the Plum Island facility, an aging facility nearing the end of its lifecycle. After undertaking a multiyear site selection process, DHS selected a site in Manhattan, Kansas, for the NBAF. It is slated to begin operations in 2022.

This brings us to H.R. 1887. The focus of this bill is to deal with the question of what to do with Plum Island once DHS no longer needs it. DHS is currently studying the range of options for disposition of the property, including transferring it to another Federal agency, a State or local government, or a nonprofit organization for the purposes of education, research, or conservation. In doing so, DHS is expected to assess the full implications of each option, including cost, cleanup, and hazard mitigation.

H.R. 1887 requires the Government Accountability Office, or GAO, to assess whether DHS' forthcoming study is adequate to support its findings. In the event that the study is lacking in a key area, GAO would be required to conduct its own study on that issue or issues. Importantly, H.R. 1887 prohibits the sale of Plum Island operations until at least 180 days after the required reports in the bill have been submitted to Congress.

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

Mr. RATCLIFFE. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. ZELDIN), my distinguished colleague.

Mr. ZELDIN. Mr. Speaker, I thank the gentleman from Texas (Mr. RATCLIFFE) and Mr. THOMPSON as well for both speaking in favor of this legislation, H.R. 1887.

Plum Island is not for sale. The whole purpose of this legislation is to prevent the sale of Plum Island by the Federal Government to the highest bidder.

Situated at the gateway of the Long Island Sound, Plum Island is treasured by my local community. As a critical resource for research, approximately 90 percent of the land on Plum Island has been sheltered from development, offering Long Island a diverse wildlife and ecosystem and a critical habitat for migratory birds, marine mammals, and rare plants.

With recorded history dating back to the 1700s, Plum Island is also an essential cultural and historical resource as well. Since World War II, Plum Island has been utilized as a research laboratory. The facility, which has been under Federal jurisdiction since 1899, has since grown to become what is known today as the Plum Island Animal Disease Center.

In 2005, the Department of Homeland Security, which currently has jurisdiction over the island, announced that the Animal Disease Center research would be moved to a new Federal facility: the National Bio and Agro-Defense Facility in Kansas.

To offset the cost of the relocation, a law was enacted that called for the private sale of Plum Island to the highest bidder. However, due to costs associated with the cleanup and closure of Plum Island and because of local zoning restrictions, the Federal Government would receive little compensation for the sale of Plum Island. Allowing for continued research, public access, and permanent preservation of the island, H.R. 1887 will reverse a 2008 law that mandated the sale of Plum Island.

The bill, as amended, will commission the Government Accountability Office, in consultation with the Department of Homeland Security, which currently owns the island, to formulate a comprehensive plan for the future of the island. This plan will include possible alternative uses, which can include transfer of ownership to another Federal agency, the State or local government, nonprofit, or combination thereof, for the purpose of education, research, and conservation.

Just less than 3 weeks ago, on April 28, 2016, H.R. 1887 was marked up with an amendment and passed out of the House Homeland Security Committee with unanimous bipartisan support. Currently, 24 Republicans and Democrats in this Chamber have signed on as cosponsors of this bill.

I see the gentleman from Connecticut (Mr. COURTNEY) is here. He has long been championing this issue since before I got here.

I would especially like to thank House Majority Leader KEVIN MCCARTHY and House Homeland Security Committee Chairman MICHAEL MCCAUL for both taking such a direct, personal interest in helping with this effort in the House. Their leadership is very much appreciated.

I would also like to thank all the locally elected officials, groups, and concerned residents on Long Island and elsewhere who have moved heaven and Earth to raise awareness of this cause and help recruit cosponsors.

I encourage all my colleagues to vote in support of this critical bill. Hopefully, the Senate also passes this long-awaited legislation in earnest so that the President can sign this proposal into law this year.

I have had the opportunity to visit Plum Island. It is a place where you feel as if you are thousands of miles away from Long Island. You have the history of Fort Terry, the coastline, the dunes, the waterways, the water hitting the rocks, and the seals. You literally feel as if you are nowhere near the Northeastern United States. It is a treasure, and it is one that should be protected.

Mr. Speaker, I am very grateful for this Chamber's considering this legislation and hopefully passing it unanimously.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield 3 minutes to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Speaker, I want to, first of all, thank Mr. THOMPSON of Mississippi for his interest and support in this measure, even though he hails from a part of the country which is far away from the Long Island Sound. But, again, going back to his days on the Agriculture Committee, he clearly knows the forensics of this legislation, and, again, his interest and support is much appreciated.

I thank the gentleman from Texas (Mr. RATCLIFFE) for bringing this bill up today.

Again, Long Island Sound, maybe, is not right on your radar screen, but as Congressman ZELDIN said, it is an incredibly special place, a tidal estuary which separates Connecticut from New York, and it is within the New York territory. Frankly, it is a very small, densely populated area, and the interest level on both sides of the Long Island Sound in terms of passage of this legislation is off the charts.

I again want to thank Mr. ZELDIN for his efforts.

Again, this measure started in 2013 in response to the GAO report that basically signaled that the sale of this island was on the fast track, and it really took persistence up until today's vote on the floor to make sure that we stop that process, as Mr. ZELDIN indicated, and send the message that Plum Island is not for sale.

Again, because of its unique history, the activity that took place there with the Animal Disease Center made it unsuitable for residential development and commercial development, but sort of the outcome of that is that this incredibly rich diversity of biology has sprung up there.

Like the gentleman from Long Island, I have had the opportunity to visit there, and it is as if you were in a different world. That is something that we can never take for granted, particularly in a part of the country where, again, there are tremendous amounts of sea traffic, maritime activity, and economic activity. To try and, again, basically preserve this 840-acre parcel with its incredible richness is something that really will live on for generations and, really, I think, will make the 114th Congress memorable, certainly in terms of that region, for many years to come.

Again, like the gentleman from New York, I want to say that the external pressure which was brought to bear by municipal officials and by folks from Save the Sound—that is an umbrella group on both sides of the Long Island Sound—and the Connecticut Fund for the Environment, again, is what really kept the interest level and the pressure on both delegations to make sure that this didn't get lost in the process and allow that mandated sale to move forward.

Mr. Speaker, I strongly urge passage of this bill, and, again, with the gentleman from New York, am determined to make sure that this moves as quickly as possible through the Upper Chamber and is signed into law by President Obama, sending a message to all the individuals and groups that are so interested in preserving Plum Island that, in fact, we, again, have taken it off this sort of conveyor belt and we are going to make sure that it gets the careful treatment that it deserves. At the end of the day, it is going to basically preserve this for generations to come.

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

Mr. Speaker, H.R. 1887 has broad bipartisan support. It will ensure that,

before DHS disposes of Plum Island, there is a thorough vetting of all the options.

Mr. Speaker, I encourage my colleagues to support this legislation.

I yield back the balance of my time.

□ 1730

Mr. RATCLIFFE. Mr. Speaker, I once again urge my colleagues to support Mr. ZELDIN's bill, H.R. 1887.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 1887, repeals the requirement directing the Administrator of General Services to sell Federal property and assets that support the operations of the Plum Island Animal Disease Center in Plum Island, New York, and for other purposes.

Mr. Speaker, as a senior member of the Homeland Security I support this bill because the safety record of the Plum Island Animal Disease Center is unparalleled.

The Plum Island Animal Disease Center is a United States federal research facility dedicated to the study of animal diseases. It is part of the DHS Directorate for Science and Technology.

Since 1954, the center has had the goal of protecting America's livestock from animal diseases

Throughout the history of the Plum Island Animal Disease Center, there have been no accidental releases of infected animals to the mainland.

The Animal Disease Center on Plum Island has conducted first rate scientific research on a variety of infectious animal-borne diseases, including foot-and-mouth disease, resulting most recently, in the development of a new cell line that rapidly and reliably detects this highly debilitating disease of livestock

Mr. Speaker, in addition to the Animal Disease Center Plum Island contains cultural, historical, ecological, and natural resources of regional and national significance.

Importantly, the Federal Government has invested hundreds of millions of tax payer dollars over the last two decades to make long-term improvements with respect to the conservation and management needs of Long Island Sound and Peconic Bay.

Mr. Speaker, preserving historical and geographical entities play a pivotal role in maintaining homeland security and the sustainability of our ecosystem and health of our community.

I urge all members to join me in voting to pass H.R. 1887.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. RATCLIFFE) that the House suspend the rules and pass the bill, H.R. 1887, as amended.

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

The title of the bill was amended so as to read: ''A bill to authorize the Comptroller General of the United States to assess a study on the alternatives for the disposition of Plum Island Animal Disease Center, and for other purposes.''.

A motion to reconsider was laid on the table.

NATIONAL CYBERSECURITY PREPAREDNESS CONSORTIUM ACT OF 2016

Mr. RATCLIFFE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4743) to authorize the Secretary of Homeland Security to establish a National Cybersecurity Preparedness Consortium, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4743

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Cybersecurity Preparedness Consortium Act of 2016''.

SEC. 2. NATIONAL CYBERSECURITY PREPAREDNESS CONSORTIUM.

(a) IN GENERAL.—The Secretary of Homeland Security may work with a consortium, including the National Cybersecurity Preparedness Consortium, to support efforts to address cybersecurity risks and incidents (as such terms are defined in section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148)), including threats of terrorism and acts of terrorism.

(b) ASSISTANCE TO THE NCCIC.—The Secretary of Homeland Security may work with a consortium to assist the national cybersecurity and communications integration center of the Department of Homeland Security (established pursuant to section 227 of the Homeland Security Act of 2002) to—

(1) provide training to State and local first responders and officials specifically for preparing for and responding to cybersecurity risks and incidents, including threats of terrorism and acts of terrorism, in accordance with current law;

(2) develop and update a curriculum utilizing existing programs and models in accordance with such section 227, for State and local first responders and officials, related to cybersecurity risks and incidents, including threats of terrorism and acts of terrorism;

(3) provide technical assistance services to build and sustain capabilities in support of preparedness for and response to cybersecurity risks and incidents, including threats of terrorism and acts of terrorism, in accordance with such section 227;

(4) conduct cross-sector cybersecurity training and simulation exercises for entities, including State and local governments, critical infrastructure owners and operators, and private industry, to encourage community-wide coordination in defending against and responding to cybersecurity risks and incidents, including threats of terrorism and acts of terrorism, in accordance with subsection (c) of section 228 of the Homeland Security Act of 2002 (6 U.S.C. 149);

(5) help States and communities develop cybersecurity information sharing programs, in accordance with section 227 of the Homeland Security Act of 2002, for the dissemination of homeland security information related to cybersecurity risks and incidents, including threats of terrorism and acts of terrorism; and

(6) help incorporate cybersecurity risk and incident prevention and response (including related to threats of terrorism and acts of terrorism) into existing State and local emergency plans, including continuity of operations plans.

(c) PROHIBITION ON DUPLICATION.—In carrying out the functions under subsection (b), the Secretary of Homeland Security shall, to the greatest extent practicable, seek to prevent unnecessary duplication of existing programs or efforts of the Department of Homeland Security.

(d) CONSIDERATIONS REGARDING SELECTION OF A CONSORTIUM.—In selecting a consortium with which to work under this Act, the Secretary of Homeland Security shall take into consideration the following:

(1) Any prior experience conducting cybersecurity training and exercises for State and local entities.

(2) Geographic diversity of the members of any such consortium so as to cover different regions across the United States.

(e) METRICS.—If the Secretary of Homeland Security works with a consortium pursuant to subsection (a), the Secretary shall measure the effectiveness of the activities undertaken by such consortium under this Act.

(f) OUTREACH.—The Secretary of Homeland Security shall conduct outreach to universities and colleges, including historically Black colleges and universities, Hispanic-serving institutions, Tribal Colleges and Universities, and other minority-serving institutions, regarding opportunities to support efforts to address cybersecurity risks and incidents, including threats of terrorism and acts of terrorism, by working with the Secretary pursuant to subsection (a).

(g) TERMINATION.—The authority to carry out this Act shall terminate on the date that is five years after the date of the enactment of this Act.

(h) CONSORTIUM DEFINED.—In this Act, the term ''consortium'' means a group primarily composed of non-profit entities, including academic institutions, that develop, update, and deliver cybersecurity training in support of homeland security.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. RATCLIFFE) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. RATCLIFFE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include any extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 4743. The National Cybersecurity Preparedness Consortium Act of 2016 allows the U.S. Department of Homeland Security to work with a consortium, including the National Cybersecurity Preparedness Consortium, to support efforts to address cybersecurity risks and incidents.

This bill allows DHS to engage with a consortium to assist the National Cybersecurity and Communications Integration Center, or NCCIC, in providing

training to State and local first responders in preparing for and responding to cybersecurity risks and incidents. An example of a consortium DHS may work with under this bill is the National Cybersecurity Preparedness Consortium, or NCPC.

The NCPC provides State and local communities with the tools they need to prevent, detect, respond to, and recover from cyber attacks. The consortium also evaluates communities' cybersecurity posture and provides them with a roadmap to correct deficiencies in the security of their information systems.

Based out of the University of Texas at San Antonio's Center for Infrastructure Assurance and Security, the NCPC membership includes the University of Arkansas, the University of Memphis, Norwich University, and Texas A&M Engineering Extension Service.

DHS is responsible for carrying out significant aspects of the Federal Government's cybersecurity mission. The Cybersecurity Act, which was recently signed into law, allows DHS to actively share cyber threat indicators and defensive measures with the private sector by affording liability protections.

DHS's National Cybersecurity and Communications Integration Center is responsible for facilitating cross-sector coordination to address cybersecurity risks and incidents.

H.R. 4743 allows DHS to work with any consortium, including the NCPC, in a number of activities, including providing technical assistance, conducting cross-sector cybersecurity training and simulation exercises, and helping States and local communities to develop cybersecurity information sharing programs. Allowing DHS to work with organizations already supporting State and local cyber preparedness and response will provide additional support to State and local entities.

I urge all Members to join me in supporting this bill.

I reserve the balance of my time.

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

I rise in support of H.R. 4743, the National Cybersecurity Preparedness Consortium Act of 2016.

Mr. Speaker, H.R. 4743 allows the Department of Homeland Security to utilize university-based consortia to help provide cybersecurity training and support to State, local, and tribal leaders, including first responders.

There is strong bipartisan support for this legislation, as introduced by the gentleman from Texas (Mr. CASTRO).

H.R. 4743 authorizes DHS to use consortia to provide State and local governments with university-developed cyber training and technical assistance, including for the development of cyber information sharing that jurisdictions in need can use.

Recent studies reveal that organizations at the State and local level describe their cybersecurity programs as being in the early and middle stages of maturity, and 86 percent of State and local respondents identified managing cybersecurity risk as one of their most stressful jobs.

By partnering with consortia, DHS can make a meaningful impact on raising the levels of cybersecurity on the State, local, and tribal levels.

Importantly, H.R. 4743 requires DHS, when selecting a consortium for participation in its cyber efforts, to not only take into account the prior experience of the institutions that would be conducting cybersecurity training exercises, but also the geographic diversity of the institutions participating in the consortium. The inclusion of geographic diversity should help reach more States and localities.

Moreover, I am pleased that the bill requires DHS to do outreach to colleges and universities, including Historically Black Colleges and Universities, Hispanic-serving institutions, and other minority-serving institutions about opportunities to provide research-based cybersecurity-related training exercises and technical assistance.

Mr. Speaker, States and localities need the ability to prevent, detect, respond to, and recover from cyber events as they would have any other disaster or emergency situation. For this reason, I support H.R. 4743 and urge passage.

I reserve the balance of my time.

Mr. RATCLIFFE. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. HURD), my distinguished friend and colleague.

Mr. HURD of Texas. Mr. Speaker, I thank the gentleman for his leadership on this issue and for yielding me some time.

I would like to also thank the ranking member and my colleague from San Antonio on this piece of legislation that is so important to our hometown.

It is no secret that cyber attacks are on the rise, and the unfortunate reality is that everyone is vulnerable. The costs of protecting your network and properly training communities on best practices in a digital world can be burdensome.

As we all know, State and local communities, in many instances, do not possess the same digital resources as the Federal Government. States and communities need the ability to detect, respond to, and recover from cyber events just as they would any other disaster or emergency situation.

That is why I am proud to be an original cosponsor of H.R. 4743, which will allow DHS to coordinate with a handful of universities that have been leading the way in cyber preparedness.

One of these universities, the University of Texas at San Antonio, is located in my hometown and serves many of my constituents. Another leader in this field is none other than my alma mater, Texas A&M University.

Building upon their great work and the breakthroughs of others across the country will be crucial to protecting our digital infrastructure at all levels. This will help us ensure that our first responders and government entities are adequately prepared for a significant cyber event.

I thank my colleague from Texas for his attention to this issue. I fully support H.R. 4743, the National Cybersecurity Preparedness Consortium Act of 2016. I urge my colleagues to support this bill.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. CASTRO), the author of this bill.

Mr. CASTRO of Texas. Mr. Speaker, I thank Ranking Member THOMPSON for yielding me this time and for his support of this legislation. He and his staff have been terrific partners in moving this bill forward.

I would also like to thank my fellow Texans, Chairman MCCAUL, Congressman HURD, Congressman RATCLIFFE, and also Congressman RICHMOND, who is not a Texan, but is a wonderful person here in our body, for all of their work on this issue.

Every day our Nation faces a growing number of potentially debilitating cyber threats. Our retailers, our banks, government agencies, military operations, and everyday private American citizens all face these threats. We must ensure that our defenses are as strong as possible because of that.

I represent San Antonio, a national leader in the cybersecurity field. Institutions in San Antonio do cutting-edge cyber work that keeps our Nation safe.

For example, the University of Texas at San Antonio leads the National Cybersecurity Preparedness Consortium, which helps communities across the Nation improve their cyber defenses.

It is critical that localities understand the impact cyber attacks could have on their ability to function and are prepared to prevent, detect, respond to, and recover from harmful cyber incidents.

UTSA and its cybersecurity consortium are educating communities about these cyber threats and helping them develop the defenses they need to successfully withstand a cyber emergency.

This legislation allows consortiums like UTSAs to work more closely with DHS to address cybersecurity risks and incidents at the State and local level. This collaboration will bolster our cyber preparedness and keep us one step ahead of cyber attackers.

Mr. Speaker, again I would like to thank the Homeland Security Committee's leadership for their partnership on this legislation and also all of the staff, both Republican and Democratic, who helped bring this to the floor.

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

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

Mr. Speaker, the inspiration for this bill was important work being done by the National Cybersecurity Preparedness Consortium, a group of five universities led by the University of Texas at San Antonio that has helped to raise cyber preparedness at the State and local level by evaluating communities, cybersecurity postures, and providing them with a roadmap to correct deficiencies.

While this consortium is making an important contribution to cybersecurity, there is an enormous need for training and technical assistance around the Nation. With the enactment of H.R. 4743, more institutions will be able to partner with DHS to provide such critical assistance.

As such, I urge passage.

I yield back the balance of my time.

Mr. RATCLIFFE. Mr. Speaker, I once again urge my colleagues to support H.R. 4743.

I yield back the balance of my time.

Mr. MCCAUL. Mr. Speaker, I rise in support of H.R. 4743, the National Cybersecurity Preparedness Consortium Act of 2016.

This bill allows the Department of Homeland Security to work with a cybersecurity consortium to carry out training, technical assistance and simulation exercises for State and local officials, critical infrastructure owners and operators and private industry.

The National Cybersecurity Preparedness Consortium, based at the University of Texas San Antonio's Center for Infrastructure Assurance and Security, provides research-based cybersecurity-related training and exercises to increase cybersecurity preparedness across the nation.

Other members of the Consortium include the Texas Engineering Extension Service in the Texas A&M University system, the University of Memphis, the University of Arkansas System, and Norwich University.

Last December, I helped usher through the landmark Cybersecurity Act of 2015. That legislation helps protect our nation's private sector and federal networks which are under continuous threat from foreign hackers and cyber terrorists. H.R. 4743 will be a value add in better securing the Nation's overall cybersecurity preparedness.

Locally, first responders and government officials as well as critical infrastructure owners and operators and private industry are bombarded with cybersecurity threats in the same way as at the federal level.

Helping organizations working to incorporate cybersecurity risk and incident prevention and response into State and local emergency plans is just one of the elements this bill encourages.

Allowing DHS to work with organizations like the Consortium, will ensure more tools are available back at home for those working to prepare for and combat cyber attacks on a regular basis.

I support this bill and urge my colleagues to do the same.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of H.R. 4743, the National Cybersecurity Preparedness Consortium Act of 2016, because it will establish an important resource to ensure that private sector entities are better prepared to protect against cyber threats.

As a senior member of the House Committee on Homeland Security, I am well aware of the threats posed by cybersecurity vulnerabilities, and this bill takes an essential step to strengthen domestic cybersecurity.

H.R. 4743 establishes a National Cybersecurity Preparedness Consortium to engage academic, nonprofit, private industry, and federal, state, and local government partners to address cybersecurity risks and incidents, including threats or acts of terrorism.

The Consortium may provide training to State and local first responders and officials to equip them with the tools and skills needed to prepare for and respond to cybersecurity risks and incidents, including threats and acts of terrorism, in accordance with current law.

I thank both Chairman MCCAUL and Ranking Member THOMPSON for the bipartisan work done to bring the bill before the House for Consideration.

I am pleased that during the Committee markup of H.R. 4743, two important Jackson Lee Amendments were adopted.

The first Jackson Lee Amendment to H.R. 4743 establishes metrics as a measure of the effectiveness of the National Cybersecurity Preparedness Consortium program.

Having the information provided by my amendment to H.R. 4743, will allow the Congressional oversight committees to better plan future programs around cybersecurity collaborations that are intended to share knowledge on best practices in securing computer networks from attack.

The second Jackson Lee Amendment added an additional objective of the bill, a directive that should help participants prepare to address continuity of operations.

This amendment provides a focus for the Consortium's work on the issue of continuity of operation, which addresses whether an entity can survive a cyber-attack, continue to provide information or services during an attack; or the likelihood that the time to recovery from a successful cyberattack or threat is predictable and reasonable.

Just as the attacks on the morning of September 11, 2001 came without notice so may a major cyber-attack.

In March, of this year, U.S. Attorney General Lynch announced "wanted" notices for a group of Iranian hackers the United States believes are behind a 2013 computer intrusion of a small New York dam and a series of cyberattacks on dozens of U.S. banks.

There are many companies offering continuity of operations services to companies large and small with the intent that they will be there to support their clients in the event of a cyber incident.

The work of the Consortium should go beyond planning to the answering questions regarding the operationalization of plans in the event of an attack or cyber incident.

We know that planning is crucial, but we must encourage cybersecurity planning to go beyond the planning process to understand the capacity of an entity's continuity of operations plans by looking at continuity of operations of service providers should an incident impact an area or industry.

I support H.R. 4743, because it provides this assurance by providing critical cybersecurity collaboration among experts and industries that are essential to critical infrastructure operations or have a significant economic presence in our nation's economy that a cyber-attack would have broad repercussions.

I ask my colleagues to join me in supporting H.R. 4743.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. RATCLIFFE) that the House suspend the rules and pass the bill, H.R. 4743, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

DEPARTMENT OF HOMELAND SECURITY STRATEGY FOR INTERNATIONAL PROGRAMS ACT

Mr. RATCLIFFE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4780) to require the Secretary of Homeland Security to develop a comprehensive strategy for Department of Homeland Security operations abroad, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4780

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Department of Homeland Security Strategy for International Programs Act''.

SEC. 2. COMPREHENSIVE STRATEGY FOR INTERNATIONAL PROGRAMS FOR VETTING AND SCREENING PERSONS SEEKING TO ENTER THE UNITED STATES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a comprehensive three-year strategy for international programs of the Department of Homeland Security in which personnel and resources of the Department are deployed abroad for vetting and screening of persons seeking to enter the United States.

(b) CONTENTS.—The strategy required under subsection (a) shall include, at a minimum, the following:

(1) Specific Department of Homeland Security risk-based goals for international programs of the Department in which personnel and resources of the Department are deployed abroad for vetting and screening of persons seeking to enter the United States.

(2) A risk-based method for determining whether to establish new international programs in new locations, given resource constraints, or expand existing international programs of the Department, in which personnel and resources of the Department are deployed abroad for vetting and screening of persons seeking to enter the United States.

(3) Alignment with the highest Department-wide and Government-wide strategic priorities of resource allocations on international programs of the Department in which personnel and resources of the Department are deployed abroad for vetting and screening of persons seeking to enter the United States.

(4) A common reporting framework for the submission of reliable, comparable cost data by components of the Department on overseas expenditures attributable to international programs of the Department in which personnel and resources of the Department are deployed abroad for vetting and screening of persons seeking to enter the United States.

(c) CONSIDERATIONS.—In developing the strategy required under subsection (a), the Secretary of Homeland Security shall consider, at a minimum, the following:

(1) Information on existing operations of international programs of the Department of Homeland Security in which personnel and resources of the Department are deployed abroad for vetting and screening of persons seeking to enter the United States that includes corresponding information for each location in which each such program operates.

(2) The number of Department personnel deployed to each location at which an international program referred to in subparagraph (A) is in operation during the current and preceding fiscal year.

(3) Analysis of the impact of each international program referred to in paragraph (1) on domestic activities of components of the Department of Homeland Security.

(4) Analysis of barriers to the expansion of an international program referred to in paragraph (1).

(d) FORM.—The strategy required under subsection (a) shall be submitted in unclassified form but may contain a classified annex if the Secretary of Homeland Security determines that such is appropriate.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. RATCLIFFE) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. RATCLIFFE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include any extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 4780, the Department of Homeland Security Strategy for International Programs Act, offered by the ranking member of the committee, the gentleman from Mississippi (Mr. THOMPSON).

This bill would require the Secretary of Homeland Security to submit a report to Congress on the Department of Homeland Security's international programs, including the vetting and screening of persons seeking to enter the United States.

□ 1745

The legislation builds off of recommendations made by the Committee on Homeland Security's bipartisan Task Force on Combating Terrorist and Foreign Fighter Travel that identified security gaps which allow jihadists to get to and from Iraq and Syria undetected. Specifically, the task force recommended that U.S. authorities continue to push the border outward by deploying homeland security initiatives overseas.

The DHS has established several international programs that are designed to thoroughly vet and screen such individuals before their travel to the United States. Through its many international programs, the DHS personnel overseas effectively extends our Nation's borders to increase the security of the United States. Expanding initiatives like the U.S. Customs and Border Protection's Preclearance program or Immigration and Customs Enforcement's Visa Security Program could help detect and interdict threats before they are bound for the homeland. For example, the Preclearance program allows overseas-based CBP officers to screen all passengers and luggage before a flight takes off for the United States.

The CBP currently has 15 preclearance locations in six countries, including Ireland, Aruba, the Bahamas, Bermuda, Canada, and the United Arab Emirates. However, the foreign fighter threat and travel patterns continue to concern immigration and national security officials. As a result, DHS has announced plans to expand preclearance operations.

Other programs, like ICE's Visa Security Program deploy specially trained agents to diplomatic posts worldwide to conduct additional visa security screening and quickly identify potential terrorists or criminal threats before they reach the United States. Agents provide an additional level of review for persons of special interest or concern, review visa applications, liaise with host country immigration and border security officials, and conduct investigations with a nexus to U.S. travel and security. The program has agents posted at consulates and embassies in more than 25 countries, with additional plans to expand to additional high-risk locations.

As the Department of Homeland Security continues to build its international footprint for these and other border security programs, the DHS must ensure that the expansion of international programs is considered with risk, cost, and benefit in mind. This bill would require the DHS to report on the specific risk-based goals for these international programs to ensure that they align with Department-wide and government-wide strategic priorities.

This additional transparency, including the costs related to international programs, will improve Congress' oversight of these activities. Additionally, the Department will be required to consider how the deployment of personnel abroad may impact its domestic capabilities as well as to identify barriers for the expansion of international programs.

While international programs provide tangible national security and travel facilitation benefits, the growing DHS presence overseas should be built upon the foundation of a long-term strategy that guides the Department in the deployment of officers and agents in a risk-based manner.

I am confident that the comprehensive strategy that is required by this bill will help ensure that the Department is managing these programs effectively and that Congress has the appropriate insight that is necessary to protect the American taxpayers' investment in our security.

I, therefore, urge all Members to join me in supporting this bill.

I reserve the balance of my time.

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

I rise in support of H.R. 4780, the Department of Homeland Security Strategy for International Programs Act.

I introduced H.R. 4780 to require the Secretary of Homeland Security to develop a comprehensive strategy for the Department's international programs where personnel and resources are deployed abroad for vetting and screening persons who are seeking to enter the U.S.

In recent years, the Department has expanded its international footprint through programs such as the Immigration Advisory Program, the Joint Security Program, and the Visa Security Program. In fact, presently, the Customs and Border Protection has, approximately, 800 employees who are posted in 43 countries, and the Immigration and Customs Enforcement has almost 400 employees in 45 countries. DHS personnel who are at overseas locations perform vital vetting and passenger prescreening activities to ensure individuals who are traveling to the U.S. do not pose a threat to our Nation's security.

Looking ahead, the DHS has announced plans to expand the Preclearance program to 10 new locations in the coming years, and ICE continues to expand its Visa Security Program to additional visa-issuing posts abroad.

I strongly support these efforts to push out our borders through the expansion of these important homeland security programs. That said, to do it right, DHS needs a comprehensive strategy to bolster its presence and partnerships around the world. My bill requires just that. Specifically, it requires the DHS to have a 3-year strategy that includes risk-based goals, which is a process to ensure resource allocations align with overall Departmental strategic priorities, and a common reporting framework for personnel who are deployed abroad.

My bill requires the DHS to not only take into account where it currently deploys resources for these overseas screening and vetting programs and the number of DHS personnel at each location, but also any impacts of these overseas activities on domestic operations, including with respect to staffing at U.S. ports of entry.

After 9/11, the attempted Christmas Day attack in 2009, as well as other more recent cases, it is imperative for the DHS and its Federal partners to bolster the screening and vetting of travelers before they arrive at our borders. My bill will help ensure that the DHS has a sound strategy for its efforts to do so.

Mr. Speaker, we face evolving terrorist threats, which include individuals who are attempting to use legitimate forms of travel to the U.S. to inflict harm. The DHS personnel who are posted abroad perform critical preemptive operations to make sure that travelers who are coming to our country are thoroughly screened and vetted. H.R. 4780 will help ensure that these important international DHS programs are utilized in a strategic and effective manner to further enhance the security of the U.S.

Before I yield back, I would note that H.R. 4780 is a part of a larger legislative package that I am introducing today. Among other things, my package would authorize significant expansions of critical CBP and ICE overseas screening and vetting programs and significant new CBP staffing resources to support overseas program expansion and address domestic staffing shortages at U.S. international airports.

I urge my colleagues to support H.R. 4780.

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

Mr. RATCLIFFE. Mr. Speaker, once again, I urge my colleagues to support H.R. 4780.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 4780, the ''Department of Homeland Security Strategy for International Programs Act.''

This legislation directs the Department of Homeland Security (DHS) to submit a comprehensive three-year strategy for international programs in which DHS personnel and resources are deployed abroad for vetting and screening persons seeking to enter the United States.

Mr. Speaker, as a senior member of the Homeland Security I support this bill because the issue of proper vetting and screening processes' upon the entry into the country is paramount.

Mr. Speaker, H.R. 4780 directs the Security Committee of the Department of Homeland Security to use the following strategies to implement this legislation:

1. A risk-based method for determining whether to establish new international programs in new locations, given resource constraints, or expand existing international programs;

2. Alignment with the highest DHS-wide and government-wide strategic priorities of resource allocations on such programs; and

3. A common reporting framework for the submission of reliable, comparable cost data by DHS components on overseas expenditures attributable to such programs.

In developing this strategy the Department for health and human services shall secure:

1. Information on existing operations of DHS programs that includes corresponding information for each location in which each such program operates,

2. Analysis of the impact of each such international program on domestic activities of DHS components,

3. The number of DHS personnel deployed to each location at which such an international program is in operation during the current and preceding fiscal year, and

4. Analysis of barriers to the expansion of such an international program.

There should be a proper vetting and screening process for individuals entering the country from locations abroad.

Border security is an evolving process, and our legislative process must evolve with it.

Avoiding recurrences of attacks on the homeland such as the 9/11 attack is a major reason entry into the country should be heavily monitored.

I urge all members to join me in voting to pass H.R. 4780.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. RATCLIFFE) that the House suspend the rules and pass the bill, H.R. 4780, as amended.

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

A motion to reconsider was laid on the table.

COUNTERTERRORISM ADVISORY BOARD ACT OF 2016

Mr. KATKO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4407) to amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security a board to coordinate and integrate departmental intelligence, activities, and policy related to counterterrorism, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4407

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Counterterrorism Advisory Board Act of 2016''.

SEC. 2. DEPARTMENT OF HOMELAND SECURITY COUNTERTERRORISM ADVISORY BOARD.

(a) IN GENERAL.—At the end of subtitle A of title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.) insert the following new section:

''SEC. 210G. DEPARTMENTAL COORDINATION ON COUNTERTERRORISM.

''(a) ESTABLISHMENT.—There is in the Department a board to be composed of senior representatives of departmental operational components and headquarters elements. The purpose of the board shall be to coordinate and integrate departmental intelligence, activities, and policy related to the counterterrorism mission and functions of the Department.

''(b) CHARTER.—There shall be a charter to govern the structure and mission of the board. Such charter shall direct the board to focus on the current threat environment and the importance of aligning departmental counterterrorism activities under the Secretary's guidance. The charter shall be reviewed and updated every four years, as appropriate.

''(c) MEMBERS.—

''(1) CHAIR.—The Secretary shall appoint a Coordinator for Counterterrorism within the Department who will serve as the chair of the board.

''(2) ADDITIONAL MEMBERS.—The Secretary shall appoint additional members of the board from among the following:

''(A) The Transportation Security Administration.

''(B) United States Customs and Border Protection.

''(C) United States Immigration and Customs Enforcement.

''(D) The Federal Emergency Management Agency.

''(E) The Coast Guard.

''(F) United States Citizenship and Immigration Services.

''(G) The United States Secret Service.

''(H) The National Protection and Programs Directorate.

''(I) The Office of Operations Coordination.

''(J) The Office of the General Counsel.

''(K) The Office of Intelligence and Analysis.

''(L) The Office of Policy.

''(M) The Science and Technology Directorate.

''(N) Other Departmental offices and programs as determined appropriate by the Secretary.

''(d) MEETINGS.—The board shall meet on a regular basis to discuss intelligence and coordinate ongoing threat mitigation efforts and departmental activities, including coordination with other Federal, State, local, tribal, territorial, and private sector partners, and shall make recommendations to the Secretary.

''(e) TERRORISM ALERTS.—The board shall advise the Secretary on the issuance of terrorism alerts pursuant to section 203 of this Act.

''(f) PROHIBITION ON ADDITIONAL FUNDS.—No additional funds are authorized to carry out this section.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is

amended by inserting after the item relating to section 210F the following new item:

''Sec. 210G. Departmental coordination on counterterrorism.''.

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary, acting through the Coordinator for Counterterrorism, shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the status and activities of the board established under section 210G of the Homeland Security Act of 2002, as added by subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. KATKO) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. KATKO. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to include any extraneous material on the bill under consideration.

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

There was no objection.

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

Since the tragic events of 9/11, this body has endeavored to better integrate intelligence and law enforcement agencies to react to new and evolving threats and to reduce duplicative efforts and waste. To a large extent, we have succeeded in producing a more integrated security apparatus that properly reflects the terrorist threats of the 21st century. However, we must continue to make improvements to counter fast-changing threats like those posed by ISIS.

Mr. Speaker, we are seeing the greatest convergence of radical Islamic threats in history, with more than 40,000 jihadist fighters traveling to the battlefield in Syria and Iraq.

Furthermore, the United States faces the highest threat level since 9/11—with open counterterrorism investigations in all 50 States in this great country of ours and with more than 80 ISIS-related arrests in the past 2 years, including one just up the road from my district on New Year's Eve.

With the current threat environment in mind, I offer H.R. 4407, the Counterterrorism Advisory Board Act of 2016.

Initially established at the end of 2010, this panel brings together the Department of Homeland Security's top counterterrorism decisionmakers to respond to threats. However, I led a bipartisan task force, which found that the Counterterrorism Advisory Board, or CTAB, had neither been codified nor had its charter kept pace with today's evolving terrorist threats. That is why we need to pass this bill—to ensure that the DHS is effectively integrating intelligence, operations, and policy to fight terrorism and that it is quickly exchanging threat information.

This legislation formally establishes the CTAB in law, and it makes it the Department's central coordination body for counterterrorism activities. The bill also updates the Board's charter to better enable it to confront tomorrow's challenges today, and it requires the Secretary to appoint a Coordinator for Counterterrorism to oversee the Board's activities. It is an important change to the current structure.

Additionally, the legislation requires the CTAB to advise the Secretary on the issuance of terrorism alerts, ensuring that top counterterrorism and intelligence officials play a key role in developing these critical notices to the public.

Finally, H.R. 4407 ensures continued congressional oversight by requiring the DHS to report on the status and activities of the CTAB so that we can be certain it is meeting its mandate.

I thank Chairman MCCAUL for appointing me to lead the bipartisan Task Force on Combating Terrorist and Foreign Fighter Travel, which formulated, roughly, 50 recommendations for making our country safer, one of which serves as the basis for this legislation.

I also thank Ranking Member THOMPSON and his great staff for all of the work we have been doing to get a lot of these bills passed into law, and I very much appreciate our bipartisan work together.

I am proud to say we have now acted legislatively on more than half of the task force's findings, largely thanks to the hard work of the other members of the task force and their willingness to reach across the aisle and do what is right for our country.

I urge my colleagues to support this measure.

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

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

I rise in support of H.R. 4407, the Counterterrorism Advisory Board Act of 2016.

H.R. 4407 authorizes, within the Department of Homeland Security, the Counterterrorism Advisory Board, or CTAB, to coordinate and integrate Departmental intelligence, activities, and policy related to counterterrorism.

Since 2010, the internal body, which is comprised of top DHS officials, has helped to harmonize counterterrorism programs and activities across the DHS. H.R. 4407 directs the CTAB to meet on a regular basis to coordinate and integrate the Department's counterterrorism efforts, and it sets forth the leadership and composition of the Board. H.R. 4407 also requires the DHS to report to Congress on the Board's status and activities.

This legislation is a product of the House Committee on Homeland Security's bipartisan Task Force on Terrorist and Foreign Fighter Travel, which learned that the CTAB, which has operated for 6 years, was never authorized in law.

□ 1800

To ensure that the board remains an integral part of counterterrorism policy recommendations and responses across the Department, the task force recommended that the board be codified in law. Codification of the board is consistent with the task force's finding that information sharing is critical to preventing foreign fighter travel.

I believe that the CTAB should be a permanent fixture in the Department to help inform the counterterrorism decisionmaking of future Department Secretaries. As such, I support this legislation, which tackles an important task force recommendation and finding, and commend the gentleman from New York (Mr. KATKO) for introducing it as well as making it here for the hearing of this bill today.

I reserve the balance of my time.

Mr. KATKO. Mr. Speaker, I reserve the balance of my time to close.

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

Again, H.R. 4407 will authorize within the Department of Homeland Security the counterterrorism advisory board to coordinate and integrate departmental intelligence activities and policies related to counterterrorism. The board already plays a central and necessary role within DHS.

Enactment of H.R. 4407 will ensure that, no matter what happens in the upcoming election or who is the head of the Department, the counterterrorism advisory board will remain intact.

I urge passage of H.R. 4407.

I yield back the balance of my time.

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

I once again urge my colleagues to support this strong bipartisan piece of legislation. It is commonsense legislation, but it is very important to institutionalize things that are working to some extent within the Department of Homeland Security and the counterterrorism advisory board. The tweaks that we have in this legislation are going to make it a good, firm setting for fighting the counterterrorism activity going forward.

I do want to note for a moment as well that there have been an awful lot of bills that came out of Homeland Security this term, and the vast majority of those bills have had bipartisan support. I am proud of the work we are doing together with our colleagues on both sides of the aisle, and we are going to continue to do that moving forward to keep this country safe.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 4407, Counterterrorism Advisory Board Act of 2016, because it will establish a board to coordinate and integrate DHS's intelligence, activities, and clarify policy related to its counterterrorism mission and functions.

As a member of the House Committee on Homeland Security since its establishment, and current Ranking Member of the Judiciary Subcommittee on Crime, Terrorism and Homeland Security this bill is of importance to me.

It was said of the George W. Bush Administration by the 9–11 Commission that it did not connect the dots that would have allowed the intelligence and law enforcement communities to detect and possibly deter the September 11, 2001 attack against our nation.

We have learned a great deal over the nearly 15 years since Al Qaeda attacked our nation.

One of the more important lessons is the need to have coordination and unity of effort among and within intelligence and law enforcement agencies in our battle to defeat terrorists.

H.R. 4407 establishes a board that will:

(1) advise the Secretary of DHS on the issuance of terrorism alerts, and meet on a regular basis to discuss intelligence; and

(2) coordinate ongoing threat mitigation efforts and departmental activities.

The terrorism alert system initiated following September 2001, caused confusion and uncertainty.

In November 2002, I was proud to join my colleagues in voting to create the Department of Homeland Security.

H.R. 4407 will develop a process for determining when alerts should be issued, which will make it easier for the Department of Homeland Security to develop messages that will guide public and interagency actions.

My work on the Homeland Security Committee has allowed me the privilege of serving as Chair of the Subcommittee on Transportation Security, and the Ranking Member of the Border and Maritime Security Subcommittee.

The Homeland Security Committee has worked over the years since its founding to ensure that this agency is prepared and staffed to meet the challenges and demands of its mandate.

As we have worked to define and support the mission of the Department of Homeland Security we have worked to keep the efforts of the agency focused not only on the threats we have faced, but also the new ones that may come.

It is the responsibility of Congress not only to provide DHS with new guidelines, but also to provide the agency with the funding it needs to do the work of protecting this great nation.

For several Congresses DHS has faced a government shutdown and sequestration that has depleted its resources and stranded its efforts to do all of the work members of this body demands.

Mr. Speaker, since DHS initiated its headquarters consolidation in 2006, it has progressed despite changes in senior leadership and waning funding support from Congress.

As I urge my colleagues to support this bill, I also remind them that the passage of new laws that require more of the agency should also mean that we should require more of ourselves as members of Congress.

We should support the work of the men and women of DHS as they stand on the front line of our nation's domestic security by making sure that they have the tools and the skills needed to do the job we require.

I ask my colleagues to join me in supporting H.R. 4407.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. KATKO) that the House suspend the rules and pass the bill, H.R. 4407, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 6 o'clock and 3 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DOLD) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 4743, by the yeas and nays;

H.R. 4407, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

NATIONAL CYBERSECURITY PREPAREDNESS CONSORTIUM ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4743) to authorize the Secretary of Homeland Security to establish a National Cybersecurity Preparedness Consortium, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. RATCLIFFE) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 394, nays 3, not voting 36, as follows:

[Roll No. 194]

YEAS—394

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley

McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (KY)
Rokita
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Watson Coleman
Weber (TX)
Welch
Wenstrup
Westerman
Westmoreland
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—3

Amash
Gohmert
Massie

NOT VOTING—36

Brown (FL)
Carter (TX)
Cleaver
Crawford
DeGette
Fattah
Fincher
Fleming
Forbes
Frelinghuysen
Grijalva
Gutiérrez
Herrera Beutler
Higgins
Hultgren
Johnson, Sam
Kelly (IL)
Latta
Lieu, Ted
Maloney, Carolyn
Nolan
Rogers (AL)
Rohrabacher
Rooney (FL)
Rush
Sanchez, Loretta
Shuster
Simpson
Sires
Slaughter
Swalwell (CA)
Takai
Walker
Waters, Maxine
Webster (FL)
Whitfield

□ 1850

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

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: ''A bill to authorize the Secretary of Homeland Security to work with cybersecurity consortia for training, and for other purposes.''.

A motion to reconsider was laid on the table.

COUNTERTERRORISM ADVISORY BOARD ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4407) to amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security a board to coordinate and integrate departmental intelligence, activities, and policy related to counterterrorism, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. KATKO) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 389, nays 5, not voting 39, as follows:

[Roll No. 195]

YEAS—389

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Sean
Marino
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Watson Coleman
Weber (TX)
Welch
Wenstrup
Westerman
Westmoreland
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—5

Amash
Gohmert
Jones
Massie
Yoho

NOT VOTING—39

Bass
Brown (FL)
Carter (TX)
Cleaver
Crawford
DeGette
Fattah
Fincher
Fleming
Forbes
Frelinghuysen
Grijalva
Gutiérrez
Herrera Beutler
Higgins
Hultgren
Johnson, Sam
Kelly (IL)
LaMalfa
Latta
Lieu, Ted
Maloney, Carolyn
Marchant
Nolan
Rohrabacher
Rooney (FL)
Rush
Sanchez, Loretta
Schrader
Simpson
Sires
Slaughter
Swalwell (CA)
Takai
Vela
Walker
Waters, Maxine
Webster (FL)
Whitfield

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1857

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1900

CUBA DRUG SHIPMENT

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

Ms. ROS-LEHTINEN. Mr. Speaker, the U.S. Deputy Secretary of Homeland Security is currently in Cuba participating in bilateral meetings on law enforcement cooperation with the Castro regime. This will serve as another propaganda coup for the Castro brothers.

In the past, the Obama administration and Cuba have held technical exchanges on counternarcotics. Yet, last month, Panamanian authorities intercepted over 400 kilos of cocaine in a shipment from—guess where—Cuba en route to Belgium.

This is not the first time that the Castro brothers tried to ship illicit materials. In 2013, Mr. Speaker, approximately 240 tons of illegal weapons were intercepted by Panamanians on a ship going from Cuba to North Korea. In fact, this shipment was the largest weapons cache ever intercepted going to North Korea in violation of several U.N. Security Council resolutions.

So how does this happen, Mr. Speaker? Let's not forget that Cuba's military owns and operates Cuba's port facilities.

So how does cocaine, how do shipments, and how do guns get onto these ships? I doubt that our deputy secretary will inquire about the complicity of the Castro regime in these illicit shipments when he meets with his Cuban counterparts. So shame on us, Mr. Speaker.

CELEBRATING THE CARDENAS' 24TH WEDDING ANNIVERSARY

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

Mr. CÁRDENAS. Mr. Speaker, today is a day that is a very emotional day for my family and me.

Many years ago, there was a beautiful young woman who grew up in Pacoima. She was the daughter of immigrants, and I was lucky enough to meet her and lucky enough for her to accept a date. Some years later, we got married, 24 years ago today, and I just wanted to take an opportunity to thank her for having a moment of lapse and accepting that date and eventually for us getting married. We have four beautiful children that we have raised.

I don't take it for granted, ladies and gentlemen, that as her parents are from Mexico and my parents are from Mexico, from another country, we now have been able to provide a better life for our children that previous generations could not.

So I stand before you as a proud American and a very happy man to know that I am married to a wonderful woman, born Norma Sanchez and now is Norma Cárdenas. She is the mother of our children and someone that I miss very much.

So to you, Norma, I am sorry I couldn't be home. I am thousands of miles away. But thank you for understanding. I look forward to seeing you to celebrate with you soon.

NATIONAL LAW ENFORCEMENT WEEK

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

Mr. PAULSEN. Mr. Speaker, it is National Law Enforcement Week and a time to honor the men and women in blue that risk their health and safety daily to keep our communities safe.

The shooting of two officers just this last week in New Hampshire shows us that the danger that law enforcement faces is all too real. Whenever I participate in a police ride-along, I am constantly impressed by the professionalism and the commitment to duty from our police officers.

It is important that we recognize their efforts and make sure they have the resources to do their jobs effectively. I was pleased that last week we reauthorized the Bulletproof Vest Partnership Grant Program to help local law enforcement agencies obtain potentially lifesaving equipment for their officers.

In addition, we passed my bill to provide law enforcement with more tools to find abducted and missing children.

Mr. Speaker, we owe a debt of gratitude to the Thin Blue Line and the men and women of law enforcement for all that they do to keep us safe.

RECOGNIZING INTERNATIONAL DAY AGAINST HOMOPHOBIA AND TRANSPHOBIA

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

Ms. LEE. Mr. Speaker, I rise today to recognize the International Day Against Homophobia and Transphobia. Every year on May 17, LGBT individuals and their allies use this day to bring awareness to LGBT discrimination.

Since 2004, this day has expanded to every corner of the world. It is celebrated in more than 130 countries, including 37 countries where homosexuality is illegal, where courageous individuals and organizations are standing up for basic human rights.

Sadly, homophobia, transphobia, and LGBT discrimination still exist around the world. Despite last year's victory for marriage equality, many still want to turn the clock back on equality. North Carolina, Mississippi, and Tennessee's recent anti-LGBT laws cast light on this discrimination. Sadly, these hateful bills are nothing more than State-sanctioned hate.

I am proud to have introduced H. Res. 263, supporting the goals and ideals of the International Day Against Homophobia and Transphobia. I would like to thank the 70 cosponsors and encourage all of my colleagues to sign on as cosponsors.

Mr. Speaker, I urge my colleagues to join me tomorrow and every day in speaking out against LGBT hatred.

RECOGNIZING MARYANN VOLDERS ON BEING NAMED ADMINISTRATOR OF THE YEAR

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, as co-chairman of the Congressional Career and Technical Education Caucus, it is my pleasure to recognize the efforts of MaryAnn Volders, who was recently named Administrator of the Year by the Pennsylvania Association of Career and Technical Education.

MaryAnn is the vice president of secondary education at the Central Pennsylvania Institute of Science and Technology, or CPI, located in Centre County, in Pennsylvania's Fifth Congressional District. She has been with CPI for the past 9 years, having previously worked with the Tyrone Area School District.

This award is a true sign of Volders' work in helping prepare students for careers in growing technical fields not only across Pennsylvania, but also across the United States. On a day-to-day basis, MaryAnn's work can include everything from working on a grant to assisting students and teachers—working to create the best possible educational environment at CPI.

Her nomination included five letters of support, including one from a student. MaryAnn says a student greeted her with congratulatory roses after she received word that she had won this award and recognition.

NATIONAL POLICE WEEK

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

Mr. GUINTA. Mr. Speaker, I rise to recognize the brave men and women who protect New Hampshire.

Last week in Manchester, our State's largest city, a robbery suspect shot and

wounded two police officers. Thankfully, Manchester Police Department caught the suspect. Officers Ryan Hardy and Matthew O'Connor are healing.

Other police officers who risk their lives every day haven't been as lucky. Merrimack native, Ashley Guindon, an officer in Virginia, died in the line of duty earlier this year, a day after being sworn in. Ashley's name will join those on the National Law Enforcement Officers Memorial in Washington, D.C.

During National Police Week, officers from around the country are here to pay their respects. Today, I had the pleasure of meeting Hooksett Police Chief Peter Bartlett and Jordan Wells of the Portsmouth PD.

My friends are on the front lines of New Hampshire's heroin epidemic. My bill to increase their access to lifesaving antioverdose medication passed the House, and I am a proud partner in a number of efforts to make their jobs easier and safer.

A police officer's job will always be dangerous. This week is an opportunity for us to thank them, particularly those who have made the ultimate sacrifice.

SECURING AMERICA'S AIRPORTS

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

Ms. JACKSON LEE. Mr. Speaker, I have the privilege of serving on the Homeland Security Committee, and in that capacity I have the oversight for any number of agencies, including the Transportation Security Administration agency, along with our ranking member and ranking member of our subcommittee and our chairpersons. Let me be very clear: we want America to be secured.

But I had the privilege of meeting again with the Administrator of TSA, and as we watched incidents in Arizona and Chicago, I am very sure that as we build the TSOs and as we work to correct these issues, we could not have a better frontline defense for protecting America.

As I have traveled to airports across the Nation and watched civilians or citizens, passengers traveling through, I have seen a smile and a recognition of how important TSOs are. It is important to make sure that equipment works, and it is more important to make sure that we have the right kind of staffing. We are almost 3,000 to 4,000 short of the number of TSOs that we need.

It is also important that we recognize that a professional Federal staff is very important, similar to the many other law enforcement agencies that we have. Privatization is not the answer, but efficiency, expediency, good equipment, and training is. I believe we are moving forward to make sure that we have that kind of trained force to secure the American people and secure the Nation's airports.

COMMEMORATING SMALL BUSINESS WEEK

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

Mr. WILSON of South Carolina. Mr. Speaker, earlier this month we celebrated Small Business Week, a time when we especially recognize the unique contributions small businesses make providing opportunities for citizens.

South Carolina feels the positive impact of small-business owners. These individuals represent 97 percent of all employers in our State. I am grateful to represent these entrepreneurs who are dedicated to creating jobs that will help citizens around them have meaningful and fulfilling lives.

I appreciate visiting with members of the South Carolina small-business community. I was grateful to tour Dayton Rogers, a plant in Columbia, South Carolina, led by President Ron Lowry, where I was inspired by the enthusiastic personnel.

I participated in a roundtable discussion with the National Federation of Independent Business, NFIB, led by Ben Homeyer about the overreach of government. These meetings made it clear that small businesses are not being supported by this administration because of the burdensome tax regulations.

I look forward to working with my fellow House Republicans as we support reforms to reduce regulations and create jobs and opportunities.

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

RECOGNIZING REBUILDING TOGETHER WAYCROSS

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

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Rebuilding Together Waycross and all the hard work of its volunteers.

The Rebuilding Together organization rebuilds family homes for veterans, people with disability, and low-income families, with the goal of a safe and healthy home for each person in the community.

The nonprofit organization was founded in 1973 in Midland, Texas, by a small group of people who noticed the need to refurbish homes in their community. In the beginning, the group worked on those homes once a year each April, but by 1988, Rebuilding Together gained national recognition.

Rebuilding Together now has over 100,000 volunteers who complete 10,000 projects each year and has spread to rebuilding homes in Waycross, Georgia. Rebuilding Together Waycross is one of four Rebuilding Together networks in the State of Georgia.

I want to thank everyone who is a part of Rebuilding Together, and especially Rebuilding Together Waycross, for the hard work and for the life-changing services that this group has provided to families across America.

MEDIA IGNORES PUBLIC'S VIEWS ON CLIMATE CHANGE

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

Mr. SMITH of Texas. Mr. Speaker, Americans are skeptical about the news they receive on climate change. A recent Gallup poll found that 46 percent of Americans believe that the Earth's natural changes are the primary cause of climate change. Americans are split as to the cause of any climate change. However, the liberal national media only portrays one side of the story.

Over the last month, every New York Times and Washington Post article on this topic attributed warmer temperatures solely to human activity. Not one mentioned that natural changes could partially be the cause.

What is amazing is that, with all the media bias blaming humans for climate change, half of all Americans still remain skeptical. Americans deserve all the facts about climate change, not just the one side the liberal national media are trying to promote.

□ 1915

CELEBRATING NATIONAL POLICE WEEK

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

Ms. FOXX. Mr. Speaker, for more than 50 years, May 15 has been recognized as Peace Officers Memorial Day, and the calendar week in which May 15 falls is National Police Week.

During National Police Week, we honor those law enforcement officers who have lost their lives in the line of duty for the safety and protection of others. In 2016, 252 fallen law enforcement heroes were added to the National Law Enforcement Officers Memorial. Their sacrifice is not forgotten, and their families remain in our prayers during this week of remembrance.

The men and women who dedicate their lives to law enforcement not only keep our families safe, but they also help to preserve the way of life we hold so dear. They walk the neighborhood beats, patrol our streets, and willingly

do the dangerous work that make our lives safer. They deserve our gratitude today and every day.

MICROSTAMPING LIMITS CHOICE

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

Mr. LAMALFA. Mr. Speaker, tonight I introduced H. Res. 731 expressing Congress' opposition to laws requiring that microstamping technology be included in handguns.

Time and time again, studies have shown that microstamping technology has failed to achieve any reliable effectiveness.

A study by the University of California, Davis—certainly no hotbed of support for the Second Amendment—recommended against imposing microstamping requirements, and the creator of the technology participated in a study which determined it did not work reliably.

Mr. Speaker, the only real impact of microstamping is to increase costs and make it more difficult for Americans to exercise their Second Amendment rights. Unfortunately, that is the true intent of these laws, not to increase safety, but to simply make it more difficult for law-abiding citizens to own firearms.

Even the Ninth Circuit Court agreed—the most overturned court in the country—just today that laws intended solely to prevent Americans from exercising their rights are unconstitutional.

Mr. Speaker, I ask my colleagues to reject these laws and join me in standing up for the Second Amendment and join on to H. Res. 731.

CONGRESSIONAL BLACK CAUCUS

The SPEAKER pro tempore (Mr. BOST). Under the Speaker's announced policy of January 6, 2015, the gentlewoman from Ohio (Mrs. BEATTY) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mrs. BEATTY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and add any extraneous material relevant to the subject matter of my Special Order.

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

There was no objection.

Mrs. BEATTY. Mr. Speaker, I rise this evening as co-anchor along with my classmate and scholar, Congressman HAKEEM JEFFRIES, from the Eighth District of New York, for tonight's Congressional Black Caucus Special Order hour, Equal Justice Under the Law: Criminal Justice Reform and Challenging the School-to-Prison Pipeline.

Congressman JEFFRIES leads by example. He is a member of the Criminal Justice Task Force, and he has a long personal and professional history of being a Brother's Keeper.

This evening the Congressional Black Caucus comes to the House floor to discuss the current state of America's criminal justice system and the necessary reform, reform that will allow us to invest in our communities and expand opportunities for all Americans.

Mr. Speaker, the school-to-prison pipeline is an epidemic that is plaguing schools across the Nation. Mr. Speaker, the need and appetite to reform our Federal criminal justice system has been building for years, and now it is clear that there is consensus that the time is now to take meaningful action.

The school-to-prison pipeline refers to the policies and practices that pushes our Nation's children, especially our most at-risk children, out of the classroom and into the juvenile and criminal justice system. Far too often, students are expended, expelled, or even arrested for minor offenses that lead to visits to the principal's office a thing of the past.

Statistics reflect that these policies disproportionately target students of color and those with a history of abuse, neglect, poverty, or learning disabilities. Those who are unnecessarily forced out of school become stigmatized and fall behind in their studies, Mr. Speaker. Many eventually decide to drop out of school altogether, and many others commit crimes in their community.

Former U.S. Attorney General Eric Holder discussed the issue in a speech to the American Bar Association in 2013, stating that rigid discipline policies transformed too many educational institutions from the doorway of opportunity into the gateway to the criminal justice system and that a minor school disciplinary offense should put a student in the principal's office, not in the police precinct.

According to recent data by the Department of Education, African American students are arrested far more than their White classmates. Black and Hispanic students represent more than 70 percent of those involved in school-related arrests or referrals to law enforcement. Currently, African Americans make up two-fifths of combined youth today, Mr. Speaker.

In my home State of Ohio, the impact of suspensions and expulsions on communities is striking. In Ohio, a history of prior suspensions from school is the number one factor that leads children to dropping out of school. Children who do not finish high school, as we all are aware, are more likely to end up incarcerated or in our juvenile or criminal justice system and are 3.5 times more likely to be arrested.

Approximately 82 percent of the adult population is composed of high school dropouts. Mr. Speaker, unfortunately, this is a pipeline that reflects the prioritization of incarceration over education. But, Mr. Speaker, I come today as a member of the Congressional Black Caucus because I believe we can disrupt the pipeline.

To do this, we need to be honest about the opportunity gaps that exist across our country and in our schools because you cannot talk about the school-to-prison pipeline without discussing what needs to be provided as economic opportunities.

We need better educational chances for our young people. We need more support to our families so that they can do the best job that they can or that they are capable of doing to help support their own children. We must confront prejudices in our Nation head-on.

That is why initiatives like the White House's My Brother's Keeper is so important. My Brother's Keeper Task Force is a coordinated Federal effort to address persistent opportunity gaps faced by boys and young men of color and ensure that all young people can reach their full potential.

Mr. Speaker, lastly, this past weekend I met with the dynamic men of the Columbus chapter of Kappa Alpha Psi Fraternity, Incorporated, in my district and saw My Brother's Keeper work firsthand.

I learned of their many forms of being role models, as being community mentors for at-risk students, particularly young males, who are in need of inspiration and counsel regarding their choice of a life's career.

The mentoring men of Kappa Alpha Psi Fraternity, Incorporated, are men who are doctors, lawyers, government officials, teachers, and entrepreneurs, just to name a few.

Mr. Speaker, these men are role models for the community. They bought a house in my district, and they use that home as an anchor to provide opportunities and leadership development, professional networking, and positive reinforcement.

Tonight it is important for me to put a face on what we need to do as one small example to stop the school-to-prison pipeline. I salute Philip Shotwell, Polemarch; Richard Crockett, 1st Vice Polemarch; Attorney Byron Potts; Dr. Gus Parker; and Board of Directors Nathaniel Jordan for being men who understand, if we are going to stop the school-to-prison pipeline, we need to look at our own districts.

A young man asked them why he should stay in school, and they replied: Young man, you are your own future. We are relying on you to be a law-abiding citizen, educated, self-sufficient, and a good citizen because we don't want you to be a statistic in the school-to-prison pipeline.

Mr. Speaker, tonight you will hear many stories, you will hear facts, and you will hear about legislation.

Let me end by saying that I am proud to be a cosponsor of the Safe, Accountable, Fair, Effective (SAFE) Justice Reinvestment Act of 2015, H.R. 2944, a bill that recognizes the importance of mentoring and reducing recidivism and helps offenders think through the decisions that confront them when they leave prison.

Mr. Speaker, I yield to the gentleman from North Carolina (Mr. BUTTERFIELD), our chairman of the Congressional Black Caucus, a person who has a long background in being an advocate and a fighter for those who are in our communities and faced with many of the things that you are going to hear tonight.

Mr. BUTTERFIELD. Mr. Speaker, I thank Congresswoman BEATTY for yielding, thank her for her friendship, and thank her for all that she does not just for the Congressional Black Caucus, but for all that she does for the constituents that she represents back in Ohio and for what she does for all people in America.

Let me also thank Congressman JEFFRIES for his great work and his willingness to participate in these Special Order hours. I know that the evening is late sometimes, but the two of them come to the floor and work very hard.

I want to spend my few minutes, if I may, Mr. Speaker, talking about just an overview of the criminal justice system. There is no question that the criminal justice system is broken. All of us I think can agree on that. Those on the left and those on the right, all of us even, for different reasons, perhaps, come to one conclusion, that the criminal justice system is in need of serious, serious reform.

I know that we are debating legislation here in the House regarding reforming the criminal justice system. Our colleagues over in the Senate are doing the same. But it is time for action. It is time for action on criminal justice reform in the 114th Congress.

As many of my colleagues know, I spent 30 years, 30 long years, in a courtroom, half of those as a lawyer, the other half as a judge. Most of the 15 years as a judge I was a trial judge, which meant that I was on the front line in our criminal justice system and I saw it firsthand. I can tell you without question that the criminal justice system in America is in need of serious reform from the top to the bottom.

We have all heard the statistics, and I am going to repeat them again tonight: 2.2 million Americans are in prison. Of that number, that number is disproportionately African American. That is 25 percent of the world's prison population right here in the United States of America.

Just think about that, Mr. Speaker. We are 5 percent of the world's population, but 25 percent of those who are incarcerated are incarcerated in the United States of America. We have a serious problem of mass incarceration that must be reduced.

But the point that I want to put in the RECORD tonight is that, of those who are incarcerated in this country, 90 percent of those are incarcerated at the State level and 10 percent incarcerated at the Federal level—90 percent incarcerated at the State level.

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When we discuss criminal justice reform—and Congressman BOBBY SCOTT is going to be speaking in a few minutes, and he talks about this all of the time, as well as Congresswoman SHEILA JACKSON LEE—we must not only talk about reform at the Federal level, but we must find ways to require States to reform their criminal justice systems at the local level. We should encourage States to take a serious look at their systems and to seek ways to reduce mass incarceration at the State level without posing any harm to the communities. Too many of those who are incarcerated at the State level are in prison for drug-related offenses and crimes that don't endanger the community whatsoever.

We should encourage States to enact expungement laws. We get telephone calls all the time—and I am sure my colleagues get the same calls as well—from those who are seeking ways to expunge their records so that young men and women who have served in the criminal justice system can get some of those offenses removed from their records, particularly those offenses that deal with petty crimes and misdemeanors and drug-related offenses, because when you have these offenses on your criminal record, it prevents young people from getting the gainful employment that they so richly deserve.

We also need to encourage States to look at ways to remove criminal charges from criminal records that did not result in convictions. I think most of my colleagues can relate to that. We know that, so often, police officers at the local level will charge a young offender with multiple offenses at the time of arrest, and some of the offenses are not even deserving of a charge. Sometimes police have a tendency to overcharge at the time of arrest. Then when the case finally goes to court, those 10 or 12 charges are reduced down to one charge or two charges; the defendant pleads guilty; and the case is disposed of while the other 8 or 10 charges that are dismissed continue to be on the young person's criminal record for a lifetime. So often, just the fact that the individual has been charged with a crime prevents that young person from getting a job. So often, it makes a difference.

Finally, I thank Mrs. BEATTY for talking about using the court system to punish students. That happens. It happens in every State in America. Our public school systems cannot, and should not, use the court system as a means of punishment for students who have behavioral problems in school.

I thank all of my colleagues for all of their work. I thank them for their efforts. I thank them for their tremendous interest in this subject because it is real. We know it. We need criminal justice reform, and we need it now.

Mrs. BEATTY. I thank Congressman BUTTERFIELD.

We certainly agree with you that the criminal justice system is broken. That is why the Congressional Black Caucus is here tonight—to make sure that we are prepared to outline the steps and the legislation that is going to be in the forefront. I thank the gentleman for his leadership in making this a top priority for the Congressional Black Caucus.

Mr. Speaker, it is now my honor and privilege to yield to the gentleman from the Third Congressional District of Virginia. He is a true scholar, an attorney, and someone who is a leader on tonight's topic. He is someone who has worked tirelessly to make sure that we do more than just come and stand and talk about this issue tonight. He comes to talk about real reform, to talk about making a difference in our broken criminal justice system. He is my friend, Congressman BOBBY SCOTT.

Mr. SCOTT of Virginia. I thank the gentlewoman.

I appreciate the gentleman from New York and certainly the gentlewoman from Ohio for organizing this Special Order to discuss the need for criminal justice reform.

Mr. Speaker, we have serious, fundamental problems with our criminal justice system today. For too long, policymakers have chosen to play politics with crime policy by enacting so-called tough on crime slogans and sound bites, such as three strikes and you are out, mandatory minimum sentences, and—if you get it to rhyme, apparently, it is better—if you do the adult crime, you do the adult time. As appealing as these policies sound, their impacts range from a negligible reduction in crime to actually increasing the crime rate.

As a result of these policies, the United States, despite representing only 5 percent of the world's population, has 25 percent of the world's prisoners and now has the highest incarceration rate of any nation's, by far, in the world. There are 2.2 million people behind bars in this country. That is triple the number of prisoners we had just three decades ago. At over 700 persons incarcerated for every 100,000 in the population, the United States far exceeds the world's average incarceration rate of about 100 per 100,000.

Recent studies have questioned the sanity of this mass incarceration. For

example, the Pew Research Center on States estimates that after about 350 per 100,000, any crime reduction value begins to diminish, and at over 500 per 100,000, incarceration becomes, actually, counterproductive. As I said, our rate is now at 700 per 100,000.

These counterproductive effects are created because today there are too many children who are being raised by a parent who is in prison and by too many people with felony records who are unable to find jobs. The impact of our tax dollars is also distressing. The Bureau of Prisons is consuming too much of the Department of Justice's budget, meaning that the Department has fewer and fewer resources for other programs that can actually reduce crime and enhance public safety. The tough on crime approach falls the hardest on minorities. While the incarceration rate overall in the United States is approximately 700 per 100,000, for Blacks, the incarceration rate is over 2,200 per 100,000; and in some jurisdictions, they lock up Blacks at the rate of 4,000 per 100,000—a rate 40 times the international average.

The war on drugs has exacerbated this problem. Over 2,000 Federal prisoners are now serving life without parole for nonviolent drug crimes, and many more are serving unduly harsh sentences for nonviolent offenses. The racial disparities are staggering. Despite the fact that Whites engage in drug offenses at a rate equal to or often higher than that of African Americans, African Americans are incarcerated on drug charges at a rate 10 times greater than that of Whites.

We all agree that there is a problem with mass incarceration. So what is the best way to solve it?

When reviewing any legislative package called criminal justice reform, I think there are some key principles that we have to address.

First, reform must meaningfully address the problem of mass incarceration by significantly reducing admissions to prison and shortening a prisoner's length of stay.

Second, any reform must address the primary driver of the ballooning Federal prison populations, and that is mandatory minimum penalties, especially those for drug and firearm offenses.

Third, we must address the disparate impact on race in the Federal criminal justice system that has resulted from the application of many neutrally worded policies and laws.

Fourth, reform must address mental health and addiction issues as a public health issue and require intervention and treatment plans to resolve underlying issues that led those to be involved in the criminal justice system rather than implement so-called tough on crime, lock 'em up approaches. Everybody knows that the war on drugs has failed. We need to address drug abuse more as a public health issue and less as a criminal justice issue.

Fifth, we must provide comprehensive reentry and rehabilitation services and incentives for completing those programs that are found to actually work, with a particular focus on those with the greatest need.

Finally, any legislation must be based on research and evidence, not on poll-tested slogans and sound bites or political negotiations, which are unrelated to research and evidence.

How do the current proposals stack up?

First, we look at the current bills that have been reported out of the House and Senate Judiciary Committees and notice that they fail to embody any of the principles. In fact, they often take the opposite approach.

While these bills reduce the number of admissions and/or length of stay in some limited cases, they also create new mandatory minimums, even new mandatory minimums or mandatory consecutive enhancements. They enhance existing mandatory minimums to apply to people who would not get them under the present law, and they irrationally limit who can benefit from prospective and retroactive relief provisions. It is unknown whether there will be an overall increase or decrease in prison impact at the 10-year point after implementation, if these bills pass, compared to doing nothing. The United States Sentencing Commission has been unable to quantify the impact of the expansions or the limitations on relief. So the fact that we do not have the numbers means that we cannot determine whether these bills will have any meaningful effect on mass incarceration.

Though the bills do shorten two supersized mandatory minimums, they do not eliminate any mandatory minimum. The Senate bill actually creates two new ones, and both bills create new mandatory consecutive sentencing enhancements, which must be served after any other sentence. Both bills expand mandatory minimums for drug and gun offenses by applying them to people who would not be eligible to receive them today.

If the problem we are trying to address is mass incarceration, why are those in the bill to begin with?

Neither of the bills will do anything to address the disparate racial impact that pervades our criminal justice system. Federal mandatory minimums, in particular those for drug and firearm offenses, have been studied and have been found to have a racially disparate impact. These bills do nothing to eliminate mandatory minimums. Even though they reduce some, they create new ones, expand others, and create new sentencing enhancements. So the bills may actually make racial disparities in sentencing even worse than they are under present law.

Finally, both bills put limits on who can receive prospective and retroactive relief. If you look at the limitations, you will find that they have a racially disparate impact on minorities.

On the issue of the war on drugs, both bills also fail to treat drug abuse and addiction as a public health problem. In fact, the strategy used in the bills to address heroin addiction is not a public health approach, for the bills impose mandatory additional prison time. This is not a public health, research-based approach.

On the comprehensive reentry and rehabilitation services to reduce recidivism, these bills have turned science and empirical evidence upside down. They give the greatest incentives for completing the programs to those with the lowest need while categorically barring offenders with the highest risk from benefiting from the rehabilitation programs. This approach not only violates research, but it will exacerbate the current racial disparities in the criminal justice system.

Mr. Speaker, there is ample research available to show what credible criminal justice reform ought to look like. For example, Texas—one of the Nation's most conservative States—recently passed criminal justice reform legislation that was based on research and evidence, and the result was a significant reduction in crime, a significant reduction in incarceration, and a savings of billions of dollars.

The SAFE Justice Act—the Safe, Accountable, Fair, and Effective Justice Act—which I cosponsored with the gentleman from Wisconsin (Mr. SENSENBRENNER), which the gentlewoman from Ohio pointed out that she is supporting, was based on the Texas model and includes evidence-based prevention and early intervention programs; reducing incarceration even at the State level as well as at the Federal level; comprehensive police training and funding for body cameras, drug and veterans' courts; a significant reduction in the use of mandatory minimum sentences; and rehabilitation for all of those in prison and second-chance programs for those who have been released. It has broad, bipartisan support. All of the provisions in the bill are fully paid for by reallocating the reduction in mandatory minimums, and it shows that we do not have to accept a bill that fails to conform to evidence and research.

Mr. Speaker, criminal justice reform legislation ought to be consistent with the research and evidence that is readily available. From what I can tell, the bills reported out of the House and Senate Judiciary Committees have nothing based in research and evidence and, sadly, seem more concerned about the politics of criminal justice reform, with little regard to actually wanting to end our Nation's addiction to mass incarceration.

The SAFE Justice Act is a better evidence-based approach, which will, if enacted, reduce crime, save money, and reduce racial disparities that pervade our criminal justice system.

I appreciate the gentlewoman from Ohio and the gentleman from New York for hosting tonight's Special Order.

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Mrs. BEATTY. Mr. Speaker, I thank Congressman SCOTT for clearly articulating to us why we cannot let our criminal justice system remain on this trajectory.

Mr. Speaker, I now yield to the Congresswoman from the 13th District of California. My colleague and my friend is someone who travels the world advocating for those who live in poverty, advocating for those who are incarcerated in this broken criminal justice system that we are focusing on tonight.

I yield to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I first thank the gentlewoman from Ohio for those very kind and humbling remarks. I want to thank her for her tremendous leadership and for continuing to come down here each and every week to ensure that her voice, the Congressional Black Caucus' voice, and Congressman JEFFRIES' voice are really put forth so that the people of our country will understand the critical issues before us and the fact that the Congressional Black Caucus is really leading on each and every issue. Congresswoman BEATTY and Congressman JEFFRIES really have done a phenomenal job. They both have gone way beyond the call of duty, and so we thank them so much for their efforts.

Make no mistake—and I think we are hearing this over and over again tonight—mass incarceration is a crisis in our country. The United States of America imprisons far more people than any other nation in the world.

When African Americans are incarcerated at six times the rate of Whites, it is no surprise to me. It is no surprise that African Americans constitute nearly half of the total 2.3 million incarcerated Americans in 2008. Together, African Americans and Latinos comprise 58 percent of all prisoners in 2008, even though African Americans and Latinos make up approximately one-quarter of the United States population.

While our prison population grows unchecked and is growing unchecked, we continue to criminalize our students rather than invest in their education. Right now we spend $10,500 a year to educate a child, but we spend $88,000 a year to keep a child locked up. That is unacceptable. Let me repeat that. It costs eight times more money to keep a child in jail than to educate them and prepare them for a good future.

We are not just talking about a few children here. Our country incarcerates five times more children than any other nation in the world. Sadly, two-thirds of these kids will never return to school. When we lock up these children, we are essentially throwing away the key. Instead of preparing them for a future, we are just getting them ready for a life in a cell.

Now, let me be clear, from the moment many of these children are born, they are funneled into the prison pipeline. Simply put, the system is really stacked against them. For instance, one in three African American children lives in poverty today, while one in four Hispanic children lives in poverty.

Mr. Speaker, while Black children represent just 18 percent of preschool enrollment, they account for nearly half of all preschool suspensions. Now, Congresswoman BEATTY, we are talking toddlers ages 2 to 5. These kids don't even get a start, let alone a head start. They are being suspended from school.

How do you suspend toddlers and babies from school?

Something is wrong with this. So we, I must say, in the Appropriations Committee are trying to address this with the Department of Education. This is immoral.

When they get older, African American students are four times more likely to be expelled from school than their White peers for the same offense. More than half of all students who are involved in school-related arrests or referred to law enforcement are Black or Latino. This has a lasting effect and impact on young students. Studies show that students who are disciplined by schools are more likely to end up in the juvenile justice system where their chances of returning to school are slim to none. This is unacceptable. These young people are having their futures ripped away before they even have a chance.

We need to change the system and end the school-to-prison pipeline. First, we must start by making serious investments in our young people. We should ensure that all students have equal access to high-quality public school education. We must also expand summer youth job opportunities and summer training programs so that our teens have the opportunity to learn workforce skills, contribute to their communities, and start a path to economic opportunity. As a member of the Subcommittee on Early Childhood, Elementary, and Secondary Education, we are working to try to make sure that these resources become a priority of our subcommittee, which they, unfortunately, aren't at this point.

We also need to tear down the institutional racism, quite frankly, that is holding students of color back and trapping our young people in a broken criminal justice system.

I am reminded of when I was in the California legislature. I was on the public safety committee, and proposals were brought to us, plans for building prisons 10 to 12 years out for kids who are just starting kindergarten. That is what we had to deal with. Now we see what has happened to the prison industrial complex in California. That is why we must work together and pass legislation to end mass incarceration and fix our broken criminal justice system. We need to get rid of these outdated minimum sentencing standards. These are relics from the failed war on drugs and disproportionately target people of color.

In California, once again, the three strikes law passed. Of course, I opposed that while in the California legislature. This law has incarcerated young African American men for nonviolent drug offenses 25 years to life. That is 25 years to life for nonviolent drug offenses. We need to repeal that law.

We also need to make sure that law enforcement officers reflect the diversity of communities that they police. So we have introduced H. Res. 262, which supports effective community-oriented policing and encourages greater diversity in law enforcement.

During the last appropriation season, the Congressional Black Caucus worked with Congressman Lacy Clay to direct the Department of Justice to begin collecting training data. Our legislation tracks when officers receive training for use of force, racial and ethnic bias, de-escalation of conflict, and constructive engagement with the public. This was just a small step, and we need to do more.

With regard to reentry, banning the box is essential. We have worked with the White House to try to make sure that Federal contractors ban the box. We haven't accomplished that, but Federal agencies cannot now ask for one's criminal history records. In my district, we do expungement, we do record remedies. We have remedied thousands and thousands of young people who now can go on and move forward with their lives. I want to thank the Family Law Center in Oakland, California, for doing that.

We need to go back to the drawing board and repeal the welfare reform provisions that are denied for life. There is a Federal ban for food stamps, eligibility for public housing, and Pell grants for those who have been incarcerated for drug felonies. Now, you know who that targets; primarily African American and Latino men. They don't even have a second chance when they get out of jail as a result of these lifetime bans.

Finally, let me just say it is time to really look at this problem in a big way and to understand that we have to dismantle, not reform—but we have to dismantle this prison industrial complex and start investing in our communities, especially our young children.

And we must understand that, in doing this, we have to look at institutional and systemic racism, which is at the core of many of our policies.

So this is a fight that we are going to win, but it is going to be because all of us here in the Congressional Black Caucus—Congresswoman BEATTY, Congressman JEFFRIES, Congressman SCOTT, and Congresswoman JACKSON LEE, and the entire membership—continue to fight the good fight to make sure that finally we will begin to see a real criminal justice system, which it is not right now.

Mrs. BEATTY. Mr. Speaker, I thank Congresswoman LEE. When people ask us why are we doing this today, I thank the gentlewoman for reminding us that the system is stacked against us and that we have had the future of so many of our young folks ripped away from them.

Mr. Speaker, I yield to the gentlewoman from the great State of Ohio (Ms. FUDGE). She is from the 11th Congressional District. She is an attorney. She has served as a former mayor. She is the immediate past chair of the Congressional Black Caucus.

She is someone who gives us advice. I remember her saying to us: Push the envelope because you are the voice for the voiceless. Look at the legislative issues that will make a difference in the lives of others.

So tonight we come to talk about equal justice under the law. Mr. Speaker, we come to challenge this House.

It is my great honor to yield to Congresswoman MARCIA FUDGE.

Ms. FUDGE. Mr. Speaker, I thank the gentlewoman for yielding. It is a pleasure to watch my fellow Ohioan and friend and the gentleman from New York on this House floor every Monday night bringing the message of the Congressional Black Caucus because indeed they are the people who carry our message to the United States.

Mr. Speaker, the school-to-prison pipeline is robbing far too many children of productive futures. Instead of learning in classrooms, a large percentage of our Nation's at-risk students sit in jail cells.

The numbers don't lie. Black students are suspended and expelled at a rate three times greater than White students. More than one in four boys of color with disabilities and nearly one in five girls of color with disabilities receives an out-of-school suspension. And studies show that students who are suspended or expelled in school are more likely to end up in prison.

Our Nation's children deserve better. It is time we prioritize education and not incarceration. Comprehensive criminal justice reform must include policies which dismantle the school-to-prison pipeline. We must reauthorize the Juvenile Justice and Delinquency Prevention Act, a bill that funds delinquency prevention and improvements in State and local juvenile justice programs, supports restorative initiatives, and promotes early intervention. Disrupting the pipeline will provide a pathway for a successful future and lessen the burden on our current judicial system.

The number of people incarcerated in America quadrupled between 1980 and 2008. Of the more than 2.3 million Americans incarcerated today, more than 1 million of them are Black.

In my home State of Ohio, more than 50,000 people are incarcerated in a system that was designed to only hold 39,000. And on average, States across this Nation spend $30,000 per year to house one inmate. That is at least $19,000 more per year than we spend to educate one child. It is time we get our priorities straight.

As ranking member of the Education and the Workforce Subcommittee on Early Childhood, Elementary, and Secondary Education, promoting policies that keep our children in school is one of my top priorities.

I ask my colleagues: What are yours?

Mrs. BEATTY. Mr. Speaker, I thank Congresswoman FUDGE for reminding us again of the value and the importance of our work.

Mr. Speaker, at this time, it is indeed my honor to yield time to the gentleman from New York (Mr. JEFFRIES), who is coanchor of tonight's Congressional Black Caucus Special Order hour.

As I said earlier, Congressman HAKEEM JEFFRIES is not only a scholar, he, too, is an attorney. He is someone who walks the talk. He is someone who has a long history of being a Brother's Keeper.

Mr. Speaker, so tonight, when we discuss this topic, when we talked about the challenge, when we talked about all of the plethora of things that are incorporated in why we must come forward tonight to challenge the criminal justice system which is stacked against us and broken, certainly we have heard the disparities as it relates to African Americans.

So it is indeed my honor to ask my coanchor, Congressman HAKEEM JEFFRIES, to share with us our challenge.

Mr. JEFFRIES. Mr. Speaker, I thank the distinguished gentlewoman from Ohio, my good friend, the distinguished and dynamic anchor for tonight's Special Order, Congresswoman JOYCE BEATTY, for yielding and for her continued leadership and for leading the discussion on the House floor today as it relates the urgency of this Congress and America dealing with the school-to-prison pipeline mass incarceration and the prison industrial complex that so many of my colleagues have explained and exposed here on the House floor today.

A few years ago I had a conversation that has always stuck with me in the area of criminal justice when I was speaking to a formally incarcerated individual who spent several years behind bars incarcerated in a New York State penitentiary. He has turned his life around and he is now an advocate for criminal justice reform. He said to me on his final day, after being imprisoned for years in upstate New York, that he had a conversation with a high-ranking corrections officer, a supervisor who he had gotten to know and thought he had befriended to some degree during his time of incarceration.

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On that last day, he said to this young African American incarcerated individual who was on his way out, he said: I just want to thank you.

This gentleman was a little perplexed. He wasn't sure what he was talking about. He said: I just want to thank you for helping me to get my boat; and beyond that, I want to thank your son, who is going to help my son get his boat as well.

That conversation has really haunted me because, in such a powerful and profound way, what it captures is the essence of what the prison industrial complex represents, which is this decision that was made in so many parts of the United States of America, certainly in New York, by Democrats and Republicans.

When the automobile factories and the steel mills, the manufacturing plants began to close in the 1970s and in the 1980s, devastating parts of the upstate economy, a decision was made in place of those factory jobs to build prisons in their place as a means of economic development for depressed upstate communities. But here is the problem. If you build it, someone has got to fill those prisons. In order to fill those prisons, several things have developed which we are in the process of trying to dismantle right now: the school-to-prison pipeline and the criminalization of young people, particularly in communities of color, where they basically are not given a chance from the very beginning. As a result of being channeled unjustly, often, into the criminal justice system at an early age, they essentially become economic commodities for those who have come to rely on prisons to replace the factory and manufacturing jobs that have left the United States of America.

That has been a big problem in New York. It is a problem in other parts of the country. It is a shame here in the United States of America that we have gone from a place where, when the war on drugs began in 1971—President Nixon declared drug abuse public enemy number one—there were less than 350,000 people incarcerated in America. Even when the crime bill that is being heavily debated in the public domain right now was passed in 1994, at the height of the concern about crime

here in the United States of America, the incarcerated population was still under 900,000 people. But we have gone from less than 350,000 in 1971 to under 900,000 in 1994 to more than 2.2 million in 2016.

The United States has 5 percent of the world's population and 25 percent of the world's incarcerated individuals. We incarcerate more people than any other country in the world, and it is shameful. The school-to-prison pipeline is a large part of that dynamic, along with the failed war on drugs. So we are going to have to deal with this situation in a meaningful way.

The statistics clearly show that, if you suspend a young person, that individual—often a Black or Latino boy—is less likely to graduate and complete school and more likely to become entangled in the criminal justice system because we have applied an overly punitive approach to discipline, particularly in the inner city.

Now, in this Chamber, I have seen surprising levels of compassion as it relates to dealing with the heroin and opioid crisis that is sweeping across America right now, and I am glad that folks have decided to take a different approach than the approach that was taken in the 1980s with the crack cocaine epidemic that was sweeping across communities that those of us in the Congressional Black Caucus represent.

I welcome this newfound compassion. I just hope that you would extend it now not just to the manner in which we deal with the heroin crisis—that is important—but let's extend it to the overcriminalization that is taking place as relates to young people across America, particularly in Black and Brown communities.

I am glad that we have become enlightened as it relates to moving away from punishment and toward prevention and intervention related to the heroin and opioid crisis. Let's also become enlightened in terms of dealing with breaking the school-to-prison pipeline.

We will have more to say as we move forward with this discussion, but I know there are other Members who would like to contribute to this hour of power that Representative JOYCE BEATTY has brought to the House floor in connection with the CBC Special Order.

Mrs. BEATTY. Mr. Speaker, I thank Congressman JEFFRIES for reminding us that the United States makes up less than 5 percent of the world's population, yet incarcerates nearly a quarter of the global prison population.

Thank you for also being on point and reminding us, Mr. Speaker, if we are to reform America's criminal justice system and advance efforts to break the cycles of incarceration in African American communities, in low-income communities, then we must unite and make sure that we pass real legislation.

Mr. Speaker, can you advise me how much time we have left, please.

The SPEAKER pro tempore. The gentlewoman from Ohio has 12 minutes remaining.

Mrs. BEATTY. Thank you, Mr. Speaker.

Mr. Speaker, at this time, it is indeed my honor to yield to the gentlewoman who hails from the 18th Congressional District of Texas (Ms. JACKSON LEE). Of the many things that this Congresswoman does, she serves on the Committee on the Judiciary, she has been a longtime advocate for reforming the criminal justice system. I refer to her as a strong voice, a strong advocate, and, truly, a scholar.

Ms. JACKSON LEE. Mr. Speaker, I want to add my appreciation to the gentlewoman from Ohio; the gentleman from New York; and the Members who have spoken, including the chairman of the Congressional Black Caucus, Mr. BUTTERFIELD; the former chair, Ms. FUDGE; and the ranking member on the Committee on Education and the Workforce, Mr. SCOTT.

There could not be a more important topic than the topic that we are speaking about tonight. There are moments in history that I think come at times when urgency is the call of the day. It is often said that Dr. King emphasized in his tenure the urgency of moving forward on civil rights and spoke eloquently about the fact of why we cannot wait. If I might, I want to capture his theme of why we cannot wait to end the school-to-prison pipeline. End it now and begin the whole comprehensive approach of criminal justice reform.

Let me take Texas as an example and cite some very important statistics from the Appleseed Report and as well a comment on the work that we are doing in the Committee on the Judiciary. I am so glad at this moment in history to be the ranking member of the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations and working with the members of my subcommittee, including Mr. JEFFRIES, who is a member, Ms. BASS, who is a member, and a number of other members as well, on this very difficult hurdle that we have.

Let it be very clear that this hurdle of criminal justice reform is, as I heard Mr. JEFFRIES make mention of, that we have taken hold of this issue of opioids and heroin in a way that not one single bill was passed last week that had a criminal focus, particularly out of the Committee on the Judiciary. Not one bill had mandatory minimums.

In the debate last week, on Friday, I reiterated over and over again no mandatory minimums in this legislation. That should be the perfect that we try to achieve going forward on criminal justice reform.

But let me give the beginnings of that very tragic outcome in America, filling up the Nation's prisons, not having criminal justice but criminal unfairness. It starts with a path to incarceration, which includes in the schools, stops, failing public schools, zero tolerance and other school discipline, police in school hallways, disciplinary alternative schools, and court involvement in juvenile detention. All of these are a path for students to incarceration, and it is without understanding what a class C misdemeanor ticket and a trip to court for thousands of Texas students and their families means.

Texas students as young as 6 have been ticketed at school in past years, and it is not uncommon for elementary school students to be ticketed by school-based law enforcement. School-based arrest of students often occurs without prior notice to parents. Police officers in some Texas schools are resorting to use of force, measures more commonly associated with fighting street crime: pepper spray, tasers, and trained canines when a schoolyard fight breaks out or when students are misbehaving in a cafeteria or at a school event.

This should not be the picture for a 6-year-old or a 4-year-old or an 8-year-old or an 11-year-old or a 13-year-old. This should not be equated with school.

Let me read to you part of the Appleseed Report and a quote by Ryan Kellus Turner and Mark Goodner: ''In a little over two decades, a paradigm shift has occurred in the Lone Star State. The misdeeds of children—acts that in the near recent past resulted in trips to the principal's office, corporal punishment, or extra laps under the supervision of a middle school or high school coach . . .'' Now, of course, corporal punishment will be eliminated from that. What is worse, ''. . . now result in criminal prosecution, criminal records, and untold millions of dollars in punitive fines and hefty court costs being imposed against children ages 10 through 16.''

''It is conservatively estimated that more than 275,000 non-traffic tickets are issued to juveniles in Texas each year . . .'' And based on the information from the Texas Office of Court Administration, the number of non-traffic tickets issued to students may well grossly exceed that number because it was very difficult to get it. ''Texas can interrupt this destructive cycle and prevent the loss of more young people to the 'school-to-prison pipeline' through early interventions focused less on punishment and more on creating positive school environments that address students' academic and behavioral needs.''

Let me just say that ''police officers in some Texas schools are resorting to 'use of force.' '' Now, they are supposed to be there as SROs. SROs are supposed to have educational training. SROs are

supposed to be able to have the understanding of how to deal with counseling issues and teaching that is evidence based, but here is the problem. The problem is that they are focused more on law enforcement.

I am glad to be part of this Special Order tonight that deals with the pipeline that has started working our children toward incarceration: overcrowded schools, lack of qualified teachers, inadequate resources, and then the zero tolerance for school discipline of children and the rate of suspension having increased dramatically in recent years from 1.7 million in 1974 to 3.1 million in 2000; and it has gone beyond that, and the greatest emphasis has been on children of color.

So here is my call to the United States Congress. We have to begin the process of dismantling the school-to-prison pipeline. We have to understand that children can learn. No child is a throwaway. I offer that often in my remarks in my district.

The detention system is an unfair system. I don't know how many of you realize that when a child is sent to juvie, that child can remain there until they reach the age of 21. How does that happen? Even if their sentence is not as egregious as one might think—a simple misbehavior in school. The way that happens is because in juvenile, you can assess more time on a child without telling that child's parent because that child did not follow orders or, in essence, that child did not behave or that child chewed gum when you told them not to.

□ 2015

We in the Judiciary Committee are working on juvenile justice reform. One of them that I am most concerned about and want to move is ending solitary confinement for juveniles, recognizing Kalief's Law, involving the death of one inside the New York prison at Rikers Island. The individual in solitary confinement had not been rendered guilty yet.

And so we want to eliminate putting juveniles in solitary confinement. Because the tragedy, Mr. Speaker, was that that youngster was released, ultimately, but after he was released, he, in essence, committed suicide.

So I want to close my remarks by indicating that I want to turn this system upside down. I want to make sure that we deal with juvenile justice reform. I want to ban the box. We have done that in legislation that has not yet passed. I want to make sure that we have alternative sentencing.

At the same time, the Judiciary Committee has moved two bills out of committee. I want to see these bills have a vigorous discussion and debate on the floor of the House so that we can move to conference.

Time is going by. Let us not let the perfect be, in essence, the downfall of change. H.R. 3713 provides for the reduction of sentencing for many who are languishing, by law, in prison today in the Federal system.

As I have spoken to people across the country, they have indicated that, even though some States like my State of Texas have made enormous, enormous strides—I am proud of that—it has not happened around the country.

The bully pulpit of the Federal Government can be the most effective tool to moving toward criminal justice reform and sentencing reduction dealing with felony drug offenses. We are moving toward that point.

A vote on the floor of the House and moving toward conference can move our efforts toward legislation that can truly be responsive to both concerns and as well positives that are in that bill.

So as we deal with this prison pipeline, we have to not only talk, we have to do. And when we do, we have to make sure that we respond to the concerns, but we also have to make sure that we move legislation that can ultimately come out of the Senate and go to conference and make a difference in the lives of so many.

I want to thank the gentlewoman from Ohio. I also want to say how timely the Congressional Black Caucus is. All that have been crying out, from Black Lives Matter to the Mother of the Movement, say that we need changes dealing with the whole vastness of criminal justice reform: police-community relations, police actions, actions dealing with guns, actions dealing with the loss of life of our young people.

Let's get a framework that can allow us to debate, to fix, to amend, and to get a product that will ultimately be signed by the President of the United States on behalf of the people of the United States who are crying out for relief.

Mr. Speaker, I am pleased to join my colleagues of the Congressional Black Caucus, Congressman HAKEEM JEFFRIES (D–NY) and Congresswoman JOYCE BEATTY (D–OH) who are anchoring this Special Order on Ending the School-to-Prison Pipeline.

The over-criminalization of school children in America can no longer be swept under the rug, ignored or irrationally justified.

We are in a state of national crisis and it is time to act.

Upon taking office, every Member of Congress makes a solemn pledge: to protect and defend the American people.

This is the most important oath we take as elected officials—and, to honor this promise, we must do everything in our power to stem the School-to-Prison Pipeline in our nation.

The three most important concerns for Members of Congress today are No. 1 Children, No. 2 Children, and No. 3 Children.

House Republicans are still unwilling to act to stop the criminalization of our children in schools and instead work towards providing children the opportunity to thrive in American communities.

This Congress has a moral obligation to do our part to end the epidemic of losing our children to the correctional system.

Now is the time for Republicans to join Democrats in protecting the lives of America's youth by taking common sense steps in redirecting those who go astray.

Over the past year, several proposals have been introduced to address the need for overarching reform of our nation's criminal justice system.

Americans must consider the educational environment in which we place our students, from preschool to high school, subjecting them to disciplinary policies that more closely resemble policing than teaching.

Around the country, advocates are collecting data illustrating the devastating effects of what they call the ''school-to-prison pipeline,'' where student behavior is criminalized, children are treated like prisoners and, all too often, actually end up behind bars.

The school-to-prison pipeline refers to interlocking sets of relationships at the institutional/structural and the individual levels.

All of these policies and practices work together to push our nation's schoolchildren—youth of color, especially, our most at-risk children—out of schools and into unemployment and into the juvenile and criminal justice legal systems.

This pipeline reflects the prioritization of incarceration over education.

For a growing number of students, the path to incarceration includes the ''stops'' deterring matriculation such as:

1) Failing Public Schools;

2) Zero-Tolerance and Other School Discipline;

3) Policing School Hallways;

4) Disciplinary Alternative Schools; and

5) Court Involvement and Juvenile Detention.

In a little over two decades, a paradigm shift has occurred in the Lone Star State.

The misdeeds of children—acts that in the near recent past resulted in trips to the principal's office, corporal punishment, or extra laps under the supervision of a middle school or high school coach, now result in criminal prosecution, criminal records, and untold millions of dollars in punitive fines and hefty court costs being imposed against children in elementary and high schools.

Disrupting class, using profanity, misbehaving on a school bus, student fights, and truancy once meant a trip to the principal's office.

Today, such misbehavior results in a Class C misdemeanor ticket and a trip to court for thousands of Texas students and their families each year.

It is conservatively estimated that more than 275,000 non-traffic tickets are issued to juveniles in Texas each year.

While it is impossible to pinpoint how many of these tickets are issued by campus police, the vast majority of these tickets are issued for offenses most commonly linked to school-related misbehavior—disruption of class, disorderly conduct, disruption of transportation, truancy, and simple assaults related to student fights.

''Criminalization'' of student misbehavior extends to even the youngest students.

In Texas, students as young as six have been ticketed at school in the past five years, and it is not uncommon for elementary-school students to be ticketed by school-based law enforcement.

School-based arrest of students often occurs without prior notice to parents or a lawyer being present during initial questioning of the student.

The increase in ticketing and arrest of students, in Texas and nationwide, has coincided with the growth in school-based policing.

Campus policing is the largest and fastest growing area of law enforcement in Texas, according to its own professional association.

With counselors stretched to handle class scheduling and test administration duties, school administrators and teachers are increasingly turning to campus police officers to handle student behavior problems.

Today in Texas, most public schools have a police officer assigned to patrol hallways, lunchrooms, school grounds, and after-school events.

Police officers in some Texas schools are resorting to ''use of force'' measures more commonly associated with fighting street crime—pepper spray, Tasers and trained canines—when a schoolyard fight breaks out or when students are misbehaving in a cafeteria or at a school event.

The intent is to keep schools and students safe, but there can be unintended consequences to disciplining public school students in a way that introduces them to the justice system or exposes them to policing techniques more commonly used with adults.

Texas can interrupt this destructive cycle and prevent the loss of more young people to the ''school-to-prison pipeline'' through early interventions focused less on punishment and more on creating positive school environments that address students' academic and behavioral needs.

We must seek appropriate recommendations for reform.

For most students, the pipeline begins with inadequate resources in public schools.

Overcrowded classrooms, a lack of qualified teachers, and insufficient funding for ''extras'' such as counselors, special education services, and even textbooks, lock students into second-rate educational environments.

This failure to meet educational needs increases disengagement and dropouts, increasing the risk of later court involvement.

Even worse, schools may actually encourage dropouts in response to pressures from test-based accountability regimes such as the No Child Left Behind Act, which create incentives to push out low-performing students to boost overall test scores.

Lacking resources, facing incentives to push out low-performing students, and responding to a handful of highly-publicized school shootings, schools have embraced zero-tolerance policies that automatically impose severe punishment regardless of circumstances.

Under these policies, students have been expelled for bringing nail clippers or scissors to school.

Rates of suspension have increased dramatically in recent years—from 1.7 million in 1974 to 3.1 million in 2000—and have been most dramatic for children of color.

Overly harsh disciplinary policies push students down the pipeline and into the juvenile justice system.

Suspended and expelled children are often left unsupervised and without constructive activities.

They also can easily fall behind in their coursework, leading to a greater likelihood of disengagement and drop-outs.

All of these factors increase the likelihood of court involvement.

As harsh penalties for minor misbehavior become more pervasive, schools increasingly ignore or bypass due process protections for suspensions and expulsions.

The lack of due process is particularly acute for students with special needs, who are disproportionately represented in the pipeline despite the heightened protections afforded to them under law.

Many under-resourced schools become ''pipeline gateways'' by placing increased reliance on police rather than teachers and administrators to maintain discipline.

Growing numbers of districts employ school resource officers to patrol school hallways, often with little or no training in working with youth.

As a result, children are far more likely to be subject to school-based arrests—the majority of which are for non-violent offenses, such as disruptive behavior—than they were a generation ago.

The rise in school-based arrests, the quickest route from the classroom to the jailhouse, most directly exemplifies the criminalization of school children.

In some jurisdictions, students who have been suspended or expelled have been completely denied their right to an education.

In others, they are sent to disciplinary alternative schools.

Growing in number across the country, these shadow systems—sometimes run by private, for-profit companies—are immune from educational accountability standards (such as minimum classroom hours and curriculum requirements) and may fail to provide meaningful educational services to the students who need them the most.

As a result, struggling students return to their regular schools unprepared, are permanently locked into inferior educational settings, or are funneled through alternative schools into the juvenile justice system.

Youth who become involved in the juvenile justice system are often denied procedural protections in the courts.

Studies demonstrate that as many as 80 percent of court-involved children do not have lawyers.

Students who commit minor offenses may end up in secured detention if they violate boilerplate probation conditions prohibiting them from activities like missing school or disobeying teachers.

Students pushed along the pipeline find themselves in juvenile detention facilities, many of which provide few, if any, educational services.

Students of color, who are far more likely than their white peers to be suspended, expelled, or arrested for the same kind of conduct at school, and those with disabilities are particularly likely to travel down this pipeline.

Though many students are propelled down the pipeline from school to jail, it is difficult for them to make the journey in reverse.

Students who enter the juvenile justice system face many barriers to their re-entry into traditional schools.

The vast majority of these students never graduate from high school.

Numerous studies have also shown that as many as 70–80 percent of youth involved in the justice system meet the criteria for a disability.

We must move away from the engrained culture of criminalization as the answer to our problems.

It is no secret that 1 in every 3 black males born today can expect to go to prison at some point in their life, compared with 1 in every 6 Latino males, and 1 in every 17 white males.

It is a statistic we know well because it is one that has been reported since 2001 and has remained unchanged for nearly 15 years.

It is time we stop repeating and start understanding and unraveling the fateful 1 in 3 trend that continues to sweep entire generations of young men of color into a lifetime of systematic and barriers.

The United States currently has the largest number of prisoners in the world due to its skyrocketing national imprisonment rate.

Rather than investing in premier educational responses, the United States pays the highest cost globally for incarceration.

Federal, state, and local leaders are looking for innovative ways to improve public health and public safety outcomes, while reducing the costs of criminal justice and corrections.

A number of innovative strategies can save public funds and improve public health by keeping low-risk, non-violent, drug-involved offenders out of prison or jail, while still holding them accountable and ensuring the safety of our communities.

The Obama Administration is committed to funding and evaluating the long-term effects of these innovative criminal justice and corrections interventions.

I too call upon my colleagues to come together and pass legislation that will help stop the derailment of children's lives.

Meanwhile, Federal agencies will continue to seek opportunities to expand smart probation and problem-solving court initiatives around the country in collaboration with state, local, and tribal agencies.

In recognition of the considerable potential in cost savings, improved outcomes for offenders, and improved public safety, a growing number of state and local officials around the country are starting their own promising initiatives to break the cycle of drug use, crime, and incarceration.

Nearly every state is struggling with significant shortfalls in revenue and making significant cuts to spending in order to close budget gaps.

In making these cuts, many states are focusing attention on corrections spending, one of the fastest growing lines in state budgets over the past two decades.

Many states are pursuing a justice reinvestment approach, using data to determine what has been driving the growth in the prison population and how that growth might be stopped.

In addition, small investments have been made in programs designed to reduce recidivism.

New policies have been enacted, slowing the growth of prison populations or even downsizing corrections systems, saving states hundreds of millions of dollars.

A portion of those savings are being reinvested in community-based services and supports, including substance abuse treatment.

However, to have meaningful impact on behaviors that contribute to crime, recidivism, and substance abuse, states must focus on a handful of proven strategies that will maximize the impact of limited investments being made in the treatment of substance use disorders and community supervision.

I am a strong supporter of education and I am particularly sensitive and protective of measures to keep students safe in school.

In this same spirit, we must invest in a multi-step, collaborative process that involves the combined efforts of law enforcement, prosecutors, influential community members, social services, reentry services, community corrections, faith-based organizations, and city management.

We have seen too often the horrific abuses of school officers dragging, punching, slapping, and more to students.

First and foremost school-based law enforcement personnel need to be removed from the educational setting.

And if law enforcement are not removed, they should be required to receive post-certification training in issues specific to youth, including:

1) de-escalation and mediation techniques;

2) restraint techniques to be used when force cannot be avoided;

3) signs and symptoms of trauma, abuse and neglect in children and youth, as well as appropriate responses;

4) signs and symptoms of mental illness in children and youth, and appropriate responses; and

5) manifestations of other disabilities, such as autism, and appropriate responses, adolescent development, Juvenile law, and Special education and applicable general education law.

Prohibit school districts from receiving any revenue from Class C ticketing for truancy or any other offense.

Eliminate Disruption of Class and Disruption of Transportation as penal code offenses.

Prohibit ticketing of students under the age of 14.

Young children are simply not equipped to understand a Class C misdemeanor ticket as a meaningful consequence of misbehavior, and the consequences of court involvement on academic success are too great to allow this practice to continue.

Ticketing of older students should be a last resort.

Ticketing, arrest and use of force in schools is preposterously reshaping today's school disciplinary policies disproportionately to actual need.

We must acknowledge this epidemic and move to correct the inevitable injustice that follows when our children are derailed from their futures.

I thank my colleagues of the Congressional Black Caucus, Congressman HAKEEM JEFFRIES (D–NY) and Congresswoman JOYCE BEATTY (D–OH) for hosting this Special Order on Ending the School-to-Prison Pipeline.

It is an invaluable and much needed effort.

Mrs. BEATTY. Mr. Speaker, let me just end by saying that the urgency is now. In the words of Nelson Mandela, ''It always seems impossible until it's done.'' Tonight the Congressional Black Caucus says: Let's get it done.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, our children represent the future of our nation. Our future is more promising when our children have a clear path to succeed and have the opportunities to become active members of the community. Over time, a culture of favoring incarceration over education has become more prominent throughout our society—particularly as it relates to minority and low-income populations. Financial shortfalls at all levels of government are also placing downward pressure on states and municipalities to cut back on public services and educational or community-based programs in favor of harsh criminalization or incarceration.

The result is the ''school-to-prison pipeline,'' which poses a very real threat to our children and our society. This pipeline refers to harsh policies and practices that cultivate a culture where young individuals are pushed into the juvenile and criminal justice systems through harsh punishments in schools. Inadequate resources in public schools, economic instability, zero-tolerance policies, and harsh punishments for non-violent offenses are all contributing to the school-to-prison pipeline. As a result, the United States suffers from the largest number of prisoners in the world and the economic and social burden of the high costs of incarceration.

Zero tolerance policies are dangerous to have in our schools. These policies impose extremely severe punishments on students, regardless of the circumstances, which can result in suspension or even expulsion from school. Children of color and students with special needs have experienced a dramatic increase in these suspensions and expulsions, which greatly increase their probability of entering into the juvenile justice system. Schools are also beginning to display an overreliance on law enforcement to maintain discipline through the use of school resource officers.

Mr. Speaker, the school-to-prison pipeline is the result of a dangerous precedent being set in our schools. Zero tolerance policies and the overreliance on law enforcement to keep order in our schools not only detracts from the culture of learning we expect in our schools, but also condemns countless children to a life of suffering for making simple mistakes during their youth. Our society will suffer if we continue on this path of forcing children into the criminal justice system and it is time that we considered serious reforms to keep children in our communities and outside the juvenile justice system.

RECESS

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

Accordingly (at 8 o'clock and 19 minutes p.m.), the House stood in recess.

□ 2120

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. FOXX) at 9 o'clock and 20 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4909, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

Mr. BYRNE, from the Committee on Rules, submitted a privileged report (Rept. No. 114–569) on the resolution (H. Res. 732) providing for consideration of the bill (H.R. 4909) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SWALWELL of California (at the request of Ms. PELOSI) for today on account of family health emergency.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on May 13, 2016, she presented to the President of the United States, for his approval, the following bills:

H.R. 4336. To amend title 38, United States Code, to provide for the inurnment in Arlington National Cemetery of the cremated remains of certain persons whose service has been determined to be active service.

H.R. 4238. To amend the Department of Energy Organization Act and the Local Public Works Capital Development and Investment Act of 1976 to modernize terms relating to minorities.

ADJOURNMENT

Mr. BYRNE. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 21 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, May 17, 2016, at 10 a.m. for morning-hour debate.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MCCAUL. Committee on Homeland Security. H.R. 1887. A bill to amend certain appropriation Acts to repeal the requirement

directing the Administrator of General Services to sell Federal property and assets that support the operations of the Plum Island Animal Disease Center in Plum Island, New York, and for other purposes; with an amendment (Rept. 114–568). Referred to the Committee of the Whole House on the state of the Union.

Mr. BYRNE: Committee on Rules. House Resolution 732. Resolution providing for consideration of the bill (H.R. 4909) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes (Rept. 114–569). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ROGERS of Kentucky:

H.R. 5243. A bill making appropriations for the fiscal year ending September 30, 2016, to strengthen public health activities in response to the Zika virus, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KNIGHT (for himself and Ms. BROWNLEY of California):

H.R. 5244. A bill to provide for the establishment of a national memorial and national monument to commemorate those killed by the collapse of the Saint Francis Dam on March 12, 1928, and for other purposes; to the Committee on Natural Resources.

By Mr. PASCRELL:

H.R. 5245. A bill to direct the Federal Trade Commission to prescribe rules to protect consumers from unfair and deceptive acts and practices in connection with primary and secondary ticket sales, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WEBER of Texas:

H.R. 5246. A bill to remove the Federal claim to navigational servitude for a parcel of land in Texas City, Texas, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GARAMENDI (for himself, Mr. COSTA, Mr. CÁRDENAS, and Mr. PETERS):

H.R. 5247. A bill to provide short-term water supplies to drought-stricken California and provide for long-term investments in drought resiliency throughout the Western United States; to the Committee on Natural Resources, and in addition to the Committees on Transportation and Infrastructure, Science, Space, and Technology, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of Georgia (for himself, Mr. DENT, and Ms. BROWN of Florida):

H.R. 5248. A bill to amend title 38, United States Code, to clarify the eligibility of children of Vietnam veterans born with spina bifida for benefits of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mrs. CAPPS (for herself, Mrs. ELLMERS of North Carolina, Mr. MCKINLEY, and Ms. MATSUI):

H.R. 5249. A bill to direct the NIH to intensify and coordinate fundamental, translational, and clinical research with respect to the understanding of pain, the discovery and development of therapies for chronic pain, and the development of alternatives to opioids for effective pain treatments; to the Committee on Energy and Commerce.

By Mr. DELANEY (for himself and Mr. TAKAI):

H.R. 5250. A bill to amend the Small Business Act to reform the HUBZone program, and for other purposes; to the Committee on Small Business.

By Ms. ESTY (for herself and Ms. DELAURO):

H.R. 5251. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for property owners who remove hazards relating to lead, asbestos, and radon; to the Committee on Ways and Means.

By Mr. HURD of Texas:

H.R. 5252. A bill to designate the United States Customs and Border Protection Port of Entry located at 1400 Lower Island Road in Tornillo, Texas, as the ''Marcelino Serna Port of Entry''; to the Committee on Ways and Means.

By Mr. HURD of Texas (for himself, Mr. MCCAUL, Mrs. MILLER of Michigan, Mr. KING of New York, Mr. KATKO, and Ms. MCSALLY):

H.R. 5253. A bill to amend the Homeland Security Act of 2002 and the Immigration and Nationality Act to improve visa security, visa applicant vetting, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MURPHY of Florida (for himself, Mr. POLIQUIN, and Mr. CONYERS):

H.R. 5254. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to seniors who install modifications on their residences that would enable them to age in place, and for other purposes; to the Committee on Ways and Means.

By Mr. RUSH:

H.R. 5255. A bill to amend the Federal Trade Commission Act to permit the Federal Trade Commission to enforce such Act against certain tax-exempt organizations; to the Committee on Energy and Commerce.

By Mr. THOMPSON of Mississippi (for himself, Ms. LORETTA SANCHEZ of California, Ms. JACKSON LEE, Mr. KEATING, Mr. PAYNE, Mrs. WATSON COLEMAN, and Ms. CLARKE of New York):

H.R. 5256. A bill to enhance the overseas operations of the Department of Homeland Security aimed at preventing terrorist threats from reaching the United States, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on the Judiciary, Ways and Means, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ZINKE (for himself and Mr. DESANTIS):

H.R. 5257. A bill to provide for a career military justice litigation track for judge advocates in the Armed Forces; to the Committee on Armed Services.

By Mr. LAMALFA:

H. Res. 731. A resolution expressing the sense of the House of Representatives that mandates imposed on manufacturers requiring inclusion of unproven and unreliable technology in firearms is costly and punitive, and the prohibition of firearms without such features is an infringement on the rights of citizens under the Second Amendment; to the Committee on the Judiciary.

By Ms. BASS (for herself, Mr. MARINO, Mr. MCDERMOTT, Mrs. BLACK, Mr. LANGEVIN, Mr. FRANKS of Arizona, Ms. ESHOO, Mr. DANNY K. DAVIS of Illinois, Mr. VAN HOLLEN, Ms. HAHN, Ms. DELBENE, Mr. COHEN, Ms. LEE, Mr. CONYERS, Mr. KILDEE, Ms. WILSON of Florida, Mr. DEUTCH, Mr. CRAMER, Ms. CLARKE of New York, Mr. LOWENTHAL, Mr. GRIJALVA, Mr. LOEBSACK, Mr. SCHIFF, Mr. HECK of Washington, Ms. NORTON, Ms. FRANKEL of Florida, Mr. CARSON of Indiana, Mr. VARGAS, Mrs. RADEWAGEN, Ms. EDWARDS, Mr. PAYNE, Ms. MCCOLLUM, Mr. TED LIEU of California, Ms. BONAMICI, Mr. JODY B. HICE of Georgia, Mr. SEAN PATRICK MALONEY of New York, Mr. POCAN, Mr. RANGEL, Mr. THOMPSON of Pennsylvania, Mr. HASTINGS, Mr. RUSH, Mr. TAKANO, Mr. ASHFORD, Mr. BISHOP of Georgia, Ms. SEWELL of Alabama, Ms. KUSTER, Mr. WITTMAN, Mr. O'ROURKE, Mr. MULLIN, Ms. JUDY CHU of California, Mrs. LAWRENCE, Ms. DELAURO, Ms. ROYBAL-ALLARD, Mr. CÁRDENAS, Mr. BARLETTA, Mr. DAVID SCOTT of Georgia, Mr. RUIZ, Ms. BROWNLEY of California, Mrs. HARTZLER, Ms. KAPTUR, Mrs. BUSTOS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. COOPER, Mr. MCGOVERN, Mr. JEFFRIES, Mrs. CAPPS, Ms. MOORE, Mr. PETERS, Mr. YOUNG of Alaska, Mr. FATTAH, Ms. ADAMS, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. WATSON COLEMAN, Ms. FUDGE, Mr. THOMPSON of Mississippi, Mr. RICHMOND, and Mr. MURPHY of Florida):

H. Res. 733. A resolution recognizing National Foster Care Month as an opportunity to raise awareness about the challenges of children in the foster-care system, and encouraging Congress to implement policy to improve the lives of children in the foster-care system; to the Committee on Ways and Means.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ROGERS of Kentucky:

H.R. 5243.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . .'' In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: ''The Congress shall have the Power . . . to pay the

Debts and provide for the common Defence and general Welfare of the United States . . . .'' Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. KNIGHT:

H.R. 5244.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 18, relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress.

By Mr. PASCRELL:

H.R. 5245.

Congress has the power to enact this legislation pursuant to the following:

Article I of the United States Constitution.

By Mr. WEBER of Texas:

H.R. 5246.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. GARAMENDI:

H.R. 5247.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clause 18

By Mr. BISHOP of Georgia:

H.R. 5248.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mrs. CAPPS:

H.R. 5249.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority in which this bill rests is the power of the Congress to regulate Commerce, as enumerated by Article 1, Section 8, Clause 3 of the United States Constitution.

By Mr. DELANEY:

H.R. 5250.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution, which provides Congress with the ability to enact legislation necessary and proper to effectuate its purposes in taxing and spending.

By Ms. ESTY:

H.R. 5251.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the Constitution.

By Mr. HURD of Texas:

H.R. 5252.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Sections 1 and 8 of the United States Constitution

By Mr. HURD of Texas:

H.R. 5253.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1; and Article 1, section 8, clause 18 of the Constitution of the United States.

By Mr. MURPHY of Florida:

H.R. 5254.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I Section 8 of the Constitution of the United States.

By Mr. RUSH:

H.R. 5255.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8, Cl. 3.: ''To regulate commerce with foreign nations, and among the several states, and with the Indian tribes.''

By Mr. THOMPSON of Mississippi:

H.R. 5256.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. ZINKE:

H.R. 5257.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: ''to provide for the common Defence'', ''to raise and support Armies'', ''to provide and maintain a Navy'' and ''to make Rules for the Government and Regulation of the land and naval Forces''

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 27: Mr. ROTHFUS.

H.R. 194: Mr. RODNEY DAVIS of Illinois, Mr. REICHERT, Mr. NUGENT, Mr. TIPTON, and Mr. SHIMKUS.

H.R. 210: Mr. RENACCI.

H.R. 244: Mr. YOUNG of Iowa.

H.R. 266: Mr. CHABOT, Mr. PALMER, Mr. FLEMING, and Mr. HUELSKAMP.

H.R. 292: Mr. BLUM.

H.R. 430: Ms. SINEMA.

H.R. 448: Mr. VARGAS, Ms. LORETTA SANCHEZ of California, and Mr. MEEKS.

H.R. 504: Mr. COOPER.

H.R. 592: Mr. WENSTRUP.

H.R. 624: Ms. JUDY CHU of California.

H.R. 667: Mr. MCCLINTOCK.

H.R. 711: Mr. TURNER.

H.R. 746: Mrs. CAROLYN B. MALONEY of New York.

H.R. 756: Miss RICE of New York and Ms. SLAUGHTER.

H.R. 842: Mr. BLUM and Mr. NOLAN.

H.R. 879: Mr. COOK and Mr. MCCLINTOCK.

H.R. 897: Mr. SCALISE.

H.R. 921: Ms. CLARKE of New York, Mr. KLINE, Mr. GRAVES of Georgia, Mr. SENSENBRENNER, Mrs. BEATTY, Mr. BLUM, Mr. NOLAN, and Mr. WENSTRUP.

H.R. 1122: Mr. POMPEO.

H.R. 1185: Mr. BYRNE.

H.R. 1196: Mr. BUCSHON.

H.R. 1197: Mrs. DAVIS of California.

H.R. 1220: Mr. BLUM.

H.R. 1221: Ms. GRAHAM.

H.R. 1274: Ms. MATSUI.

H.R. 1312: Ms. GRAHAM.

H.R. 1356: Mrs. RADEWAGEN.

H.R. 1460: Mr. MOULTON and Mr. CLEAVER.

H.R. 1519: Mr. DESAULNIER.

H.R. 1594: Mr. SIMPSON.

H.R. 1600: Mr. HONDA.

H.R. 1718: Mr. TURNER, Mr. BUCSHON, and Mr. ROSS.

H.R. 1763: Mr. PERLMUTTER.

H.R. 1814: Mr. RUSH.

H.R. 1855: Mr. CAPUANO.

H.R. 2058: Mr. MARCHANT.

H.R. 2076: Mr. CAPUANO.

H.R. 2121: Mr. TURNER.

H.R. 2144: Mr. SESSIONS.

H.R. 2189: Mrs. WAGNER and Mr. MARINO.

H.R. 2296: Mr. QUIGLEY.

H.R. 2315: Mr. LANGEVIN.

H.R. 2316: Mr. NEWHOUSE.

H.R. 2350: Mr. BARLETTA, Mr. MCGOVERN, Mrs. BEATTY, and Mr. KILMER.

H.R. 2500: Mr. THOMPSON of Pennsylvania.

H.R. 2515: Mr. ENGEL and Mr. BEYER.

H.R. 2694: Ms. DUCKWORTH, Mr. HASTINGS, and Mr. DELANEY.

H.R. 2773: Mr. SMITH of Washington.

H.R. 2802: Mr. TIBERI.

H.R. 2817: Mr. HECK of Nevada.

H.R. 2903: Mr. HECK of Nevada and Mr. KNIGHT.

H.R. 3099: Mr. SMITH of New Jersey.

H.R. 3119: Mr. YOUNG of Iowa and Mr. LANGEVIN.

H.R. 3222: Mr. GRAVES of Louisiana.

H.R. 3229: Mr. CICILLINE.

H.R. 3284: Mr. LIPINSKI, Mr. WALZ, Mrs. BEATTY, Mr. GARAMENDI, Mr. JEFFRIES, and Mr. GALLEGO.

H.R. 3299: Mr. RUSH and Ms. SPEIER.

H.R. 3365: Mr. NADLER and Mr. CARNEY.

H.R. 3381: Mr. JOYCE.

H.R. 3526: Mrs. CAROLYN B. MALONEY of New York.

H.R. 3535: Mr. THOMPSON of Pennsylvania.

H.R. 3556: Ms. LEE and Ms. BROWNLEY of California.

H.R. 3660: Ms. LORETTA SANCHEZ of California.

H.R. 3666: Mr. THOMPSON of Mississippi.

H.R. 3676: Mr. LARSEN of Washington.

H.R. 3684: Ms. SLAUGHTER.

H.R. 3693: Mr. ROHRABACHER.

H.R. 3706: Mr. WALZ and Mr. COURTNEY.

H.R. 3742: Mr. KING of New York, Mr. COLLINS of New York, Mr. JONES, Mr. BUCSHON, Ms. GRAHAM, Mr. WENSTRUP, and Mr. FORTENBERRY.

H.R. 3817: Mr. FOSTER.

H.R. 3870: Mr. HECK of Nevada.

H.R. 3882: Ms. MCCOLLUM.

H.R. 3883: Mr. PITTENGER.

H.R. 3884: Mr. PITTENGER.

H.R. 3885: Mr. PITTENGER.

H.R. 3929: Mr. SWALWELL of California, Ms. PINGREE, Mr. LAMALFA, Mr. COURTNEY, Mr. CRENSHAW, Mr. CARNEY, Mr. COOPER, Ms. JENKINS of Kansas, and Mr. CONNOLLY.

H.R. 3945: Mrs. RADEWAGEN.

H.R. 3965: Ms. DUCKWORTH.

H.R. 4062: Mr. LUETKEMEYER and Mr. SCHRADER.

H.R. 4131: Mr. REICHERT and Mr. WALDEN.

H.R. 4144: Mr. GENE GREEN of Texas, Mr. QUIGLEY, and Ms. JUDY CHU of California.

H.R. 4153: Mrs. CAROLYN B. MALONEY of New York.

H.R. 4172: Ms. SCHAKOWSKY.

H.R. 4183: Mr. CURBELO of Florida.

H.R. 4215: Mr. DANNY K. DAVIS of Illinois.

H.R. 4230: Ms. MCCOLLUM.

H.R. 4277: Mr. KIND and Mr. BLUMENAUER.

H.R. 4365: Mr. BUCSHON, Mr. GRAVES of Georgia, Ms. SCHAKOWSKY, Mr. JOLLY, and Mr. VAN HOLLEN.

H.R. 4450: Mr. LOWENTHAL.

H.R. 4481: Mrs. CAROLYN B. MALONEY of New York.

H.R. 4499: Ms. ESTY.

H.R. 4553: Mr. KIND.

H.R. 4585: Mr. CONYERS, Mr. POCAN, Ms. MCCOLLUM, and Ms. JACKSON LEE.

H.R. 4606: Mr. CICILLINE.

H.R. 4613: Mr. PETERS.

H.R. 4614: Mr. WESTERMAN.

H.R. 4625: Mr. LIPINSKI.

H.R. 4640: Mr. COLE.

H.R. 4657: Mr. MURPHY of Pennsylvania.

H.R. 4668: Mr. DELANEY.

H.R. 4683: Mrs. RADEWAGEN.

H.R. 4706: Mr. WALZ.

H.R. 4715: Mr. JOLLY.
H.R. 4764: Mr. FARENTHOLD, Mr. COLLINS of New York, and Mr. MURPHY of Pennsylvania.
H.R. 4773: Mr. COSTELLO of Pennsylvania and Mr. ROSKAM.
H.R. 4775: Mr. ROKITA.
H.R. 4792: Mr. LANGEVIN.
H.R. 4795: Mr. CHABOT and Mr. BOUSTANY.
H.R. 4797: Ms. LEE.
H.R. 4815: Mr. BRAT.
H.R. 4828: Mr. BUCSHON, Mr. ALLEN, Mr. HUDSON, and Mrs. MCMORRIS RODGERS.
H.R. 4848: Mr. BOUSTANY.
H.R. 4884: Mr. MCKINLEY.
H.R. 4904: Mr. GOSAR, Mrs. LUMMIS, and Mr. JOYCE.
H.R. 4928: Mr. CRAMER, Mr. BABIN, and Mr. DESJARLAIS.
H.R. 4941: Mr. COLLINS of New York.
H.R. 4942: Mr. DESAULNIER.
H.R. 4979: Mr. OLSON, Mr. FLORES, Mr. MULLIN, Mr. POMPEO, Mr. MOULTON, Mr. COLLINS of New York, and Mr. HARPER.
H.R. 5001: Ms. BROWNLEY of California.
H.R. 5008: Mr. LOBIONDO, Mr. MCKINLEY, Mr. ELLISON, Mr. BRADY of Pennsylvania, Mr. NORCROSS, Mr. VISCLOSKY, and Mr. LOEBSACK.
H.R. 5014: Mr. POLIS and Mr. BLUMENAUER.
H.R. 5025: Mr. OLSON and Mrs. NAPOLITANO.
H.R. 5044: Ms. MOORE, Mr. TONKO, Ms. EDWARDS, Mr. PIERLUISI, Ms. GRAHAM, Mr. SARBANES, Ms. MENG, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. HIGGINS, Mrs. LAWRENCE, Mr. GRIJALVA, Mr. CONYERS, Mr. PALLONE, Mr. PAYNE, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. PASCRELL, and Mr. SCOTT of Virginia.
H.R. 5067: Mr. YODER, Ms. JACKSON LEE, and Mr. SEAN PATRICK MALONEY of New York.
H.R. 5073: Ms. FRANKEL of Florida and Mr. JONES.
H.R. 5090: Mr. BECERRA, Mr. VISCLOSKY, Mr. ALLEN, Ms. DUCKWORTH, Ms. BONAMICI, Ms. JACKSON LEE, Ms. GABBARD, Mrs. DINGELL, Ms. MENG, Mr. KLINE, Ms. EDWARDS, Mr. MURPHY of Florida, Ms. LINDA T. SÁNCHEZ of California, Mr. VELA, Mr. GRAYSON, Mr. LOWENTHAL, Mr. SMITH of New Jersey, Mr. FITZPATRICK, Mr. MILLER of Florida, Mr. JEFFRIES, Mr. GUTIÉRREZ, Mr. LARSON of Connecticut, Mr. COLLINS of New York, Mr. AGUILAR, Mr. TONKO, Mr. BEN RAY LUJÁN of New Mexico, Mr. KEATING, Mr. HULTGREN, and Ms. CASTOR of Florida.
H.R. 5119: Mr. FLEMING, Mr. DONOVAN, Mr. MEADOWS and Mr. GIBSON.
H.R. 5170: Mr. BOUSTANY, Mr. BARR, Mr. BISHOP of Georgia, and Mr. LANGEVIN.
H.R. 5183: Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CICILLINE, Mr. LOWENTHAL, and Mr. BLUMENAUER.
H.R. 5210: Mr. COLLINS of Georgia, Mr. WENSTRUP, and Mr. RYAN of Ohio.
H.R. 5218: Mr. CRAMER.
H.R. 5224: Mr. GOSAR and Mr. GRAVES of Louisiana.
H.R. 5226: Mr. FARENTHOLD, Mr. MEADOWS, Mr. DUNCAN of Tennessee, Mr. GROTHMAN, Mr. DAVID SCOTT of Georgia, Mr. BUCK, Mr. JODY B. HICE of Georgia, Mr. BLUM, Mr. WALKER, and Mr. CARTER of Georgia.
H.J. Res. 89: Mr. CARTER of Texas.
H.J. Res. 92: Mr. SMITH of Missouri.
H. Con. Res. 40: Mr. HECK of Nevada.
H. Con. Res. 89: Mr. ROKITA and Mr. SMITH of New Jersey.
H. Con. Res. 129: Ms. SCHAKOWSKY, Mr. KILMER, Mr. COHEN, Mr. DONOVAN, Mr. LOWENTHAL, and Mr. GRAYSON.
H. Res. 28: Mr. SHUSTER.
H. Res. 220: Ms. CLARKE of New York, Mr. FATTAH, Mr. DESAULNIER, and Mr. BUTTERFIELD.
H. Res. 263: Mr. LEVIN, Mrs. CAROLYN B. MALONEY of New York, and Mr. YARMUTH.
H. Res. 290: Mr. DONOVAN.
H. Res. 343: Mr. MEADOWS.
H. Res. 569: Ms. ADAMS and Ms. GRAHAM.
H. Res. 586: Mr. DEUTCH.
H. Res. 590: Mrs. KIRKPATRICK.
H. Res. 617: Mr. COFFMAN.
H. Res. 647: Mr. PETERS and Mr. FRELINGHUYSEN.
H. Res. 650: Mr. PERLMUTTER, Mr. LOWENTHAL, Mrs. MIMI WALTERS of California, Mr. BISHOP of Georgia, Mr. AMODEI, and Mr. PALLONE.
H. Res. 683: Mr. NADLER, Mr. SMITH of Washington, and Ms. JUDY CHU of California.
H. Res. 694: Ms. EDWARDS and Ms. MATSUI.
H. Res. 729: Mr. HOYER, Mr. ENGEL, Mr. WEBER of Texas, and Ms. FRANKEL of Florida.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. ROGERS OF KENTUCKY

H.R. 5243, making appropriations for the fiscal year ending September 30, 2016, to strengthen public health activities in response to the Zika virus, and for other purposes, does not contain any congressional earmark, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

Amendment No. 1 to be offered by Representative MAC THORNBERRY to H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

EXTENSIONS OF REMARKS

RECOGNIZING CARLOS ELIAS

HON. TOM GRAVES

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Mr. GRAVES of Georgia. Mr. Speaker, I, along with Representative WASSERMAN SCHULTZ, rise today to recognize and pay tribute to Carlos Elias on his retirement after 36 years of service to the federal government, 17 years of which were with the Architect of the Capitol.

Carlos started his federal career in 1980 with the U.S. Army Corps of Engineers after graduating from the University of Puerto Rico. Carlos joined the Architect of the Capitol in 1999 as the Deputy Superintendent of the U.S. Capitol Building, and in 2001 was appointed to the position of Superintendent of the U.S. Capitol Building and the Capitol Visitor Center.

As Superintendent, Mr. Elias oversees 1.5 million gross square feet and manages 250 employees. In addition to maintenance functions, he is responsible for repairs, modernization, improvements, conservation, preservation, and new construction activities.

He also served as lead coordinator for the last four Presidential Inaugurations and he is responsible for the construction of the Inaugural platform, installation of the sound system, security fencing, and all other supporting infrastructure.

Mr. Elias is overseeing the $60 million U.S. Dome Restoration Project, the first since 1959. Due to age and weather, the Dome had more than 1,000 cracks and deficiencies. The project was awarded in November 2013 and, with Mr. Elias' management, we expect it to be completed before the Presidential Inauguration—on time and under budget.

Our subcommittee has come to depend on Carlos and his team for their exceptional customer service and reliability. In addition, Carlos has provided us with invaluable guidance and analysis throughout the years.

Carlos' retirement constitutes a profound loss for the institution. He will not be easily replaced and will be sorely missed. We wish him and his wife, Ana, all the best in this next phase of their lives.

HONORING 20 WORLD WAR II VETERANS FROM OREGON FOR THEIR HONOR FLIGHT TO THE NATION'S CAPITAL

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Mr. WALDEN. Mr. Speaker, I rise to recognize the 20 World War II veterans from Oregon who will be visiting their memorial today in Washington, D.C. through Honor Flight of Oregon. On behalf of a grateful state and country, we welcome these heroes to our nation's capital.

This particular Honor Flight brings us 20 World War II veterans from 13 cities and towns in Oregon representing every branch of the military. Infantrymen, mechanics, operators, cutters, flight crew, pilots, seamen . . . each of these brave Americans deserves our everlasting thanks for their contributions to the war effort, and for their sacrifice on behalf of our liberty.

The veterans on this flight from Oregon are as follows: Robert Kukuska, Army; Arthur Lyons, Army; Walter Young, Army; Cecil Coleman, Army Air Force; Michael W. Foree, Army Air Force; Carl Maier, Army Air Force; Gordon Halsten, Coast Guard; Robert Bennett, Marines; Earl Giggers, Merchant Marines; Jack Alsup, Navy; Oral Fitts, Navy; John Hilderbrand, Navy; Robert Lazzarini, Navy; Virgil Luksan, Navy; James Smith, Navy; Howard Winegarden, Navy; Verl Middlesworth, Navy; Eugene Wellman, Navy Reserve; Wayne Harris, Navy Seabees; and Howard Graul, Navy Seabees.

These 20 heroes join the estimated 20,000–25,000 veterans who will travel to Washington, D.C. from their home states in 2016, adding to the more than 150,000 veterans who have been honored through the Honor Flight Network of volunteers nationwide since 2005.

Mr. Speaker, each of us is humbled by the courage of these veterans who put themselves in harm's way for our country and way of life. As a nation, we can never fully repay the debt of gratitude owed to them for their honor, commitment, and sacrifice in defense of the freedoms we have today.

My colleagues, please join me in thanking these veterans and the volunteers of the Bend Heroes Foundation and Honor Flight of Oregon for their exemplary dedication and service to this great country.

RECOGNIZING BRECHBILL & HELMAN CONSTRUCTION COMPANY FOR 50 YEARS OF SUCCESS

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Mr. SHUSTER. Mr. Speaker, I rise today to recognize Darrell Brechbill, John Helman, and Linda Brechbill on the occasion of their 50th year in business and well-deserved retirements.

Brechbill and Helman Construction Company began in 1966 in Chambersburg, Pennsylvania, and subsequently has grown to become a premier design-build commercial construction company serving a large portion of the Mid-Atlantic Region. Throughout their 50 years of business, Darrell, John, and Linda have remained actively involved in the projects and business, which has enabled the company to make many of its impressive contributions.

I would be remiss to not also highlight the great work these owners have done to positively impact their community. Both Darrell and John have served on the boards of local nonprofit organizations, and their quality of work can be seen in the hotels, office buildings, restaurants, supermarkets, warehouses, and manufacturing buildings they built within their community.

I am honored to recognize and congratulate Darrell, John, and Linda on their 50 years of building up not only their business but also communities. They exemplify the true American Dream, building something from nothing, and I wish them the absolute best on their hard-earned retirements.

IN RECOGNITION OF NATIONAL NURSES WEEK

HON. ROD BLUM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Mr. BLUM. Mr. Speaker, I rise today in honor of National Nurses Week and to graciously thank the hardworking nurses residing and practicing in the First District of Iowa.

Every day, nurses provide compassionate, quality care to patients across the country. As the largest workforce in the healthcare sector, nurses are often the first line of defense in prevention and treatment to patients. I am confident nurses will continue to do an admirable job promoting safe public health practices among the communities in the First District. From schools to hospitals to long term care, these hardworking men and women provide compassionate care to those in need.

I urge my colleagues to continue to support nurses as they dedicate their lives to the well-being of others. Nurses deserve our recognition for their contributions to healthcare and I am proud to stand before you today and offer my thanks for their sacrifices.

HONORING MR. BILL ''BULLDOG'' CUNNINGHAM

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Mr. HENSARLING. Mr. Speaker, longtime East Dallas constituent, Bill L. ''Bulldog'' Cunningham passed away on April 24, 2016, after a courageous fight with prostate cancer.

Born on May 3, 1921, Bulldog grew up in East Dallas. He graduated from Woodrow Wilson High School in 1949 and was a star on the football team. He went to play football at Midwestern State University, but withdrew after one year to join the United States Marine Corps. During his service, he was wounded three times. And awarded the Purple Heart. After leaving Korea, he served the rest of his time as a drill instructor at Camp Pendleton.

After returning to Dallas, he married his sweetheart, Mina, in 1954. They were blessed with four boys, Gregory, Vickers, William, and Michael. He is survived by Mina, his four sons, eight grandchildren and one great-grandson. It was rare to see Bulldog or Mina separately. Their marriage of over 60 years was an example of a life-long love. The Cunninghams are a very close-knit family.

Bulldog made a life-long passion out of his chosen profession of insurance. He based his insurance company in East Dallas. He was a member of the Million Dollar Round Table. In the last year of his life, he was still a national top 10 percent producer for Safeco Insurance.

Bulldog was an active political volunteer, along with his wife, Mina. He was very active in the Dallas community, including the Greater East Dallas Chamber of Commerce, in which he was instrumental in their annual Economic Summit, investing a lot of time in building the event, Habitat for Humanity, City of Dallas Planning & Zoning Commission, and numerous other organizations and city boards and commissions. He was inducted into the Woodrow Wilson High School Hall of Fame in 2004.

Mr. Cunningham will be sorely missed by his family, friends, and the East Dallas community. We have lost a patriotic, hard-working businessman who was the example of who we should all strive to be. My condolences to Mina and the rest of the Cunningham family. Melissa and I are praying for God's comfort on you during this time of loss.

HONORING WEST VIRGINIA'S ALWAYS FREE HONOR FLIGHT AND VETERANS

HON. EVAN H. JENKINS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Mr. JENKINS of West Virginia. Mr. Speaker, I rise today to honor the brave men and women who sacrificed so much for the freedoms we hold so dear. Those who serve this great country deserve not only our respect but our deepest gratitude. I stand here today to honor West Virginia's veterans who are visiting Washington, D.C., with the Always Free Honor Flight on May 18, 2016. These veterans served honorably in times of war and times of peace, and they deserve to be recognized and thanked for their service to our nation and their efforts to secure the freedoms we enjoy as Americans.

As a country we must never forget the costs of war, the costs to the families of our service men and women, and the costs of protecting our freedom, especially when there are so many in this world who seek to destroy our way of life. I want to thank all those who came with this Honor Flight, and I extend my sincerest appreciation for what they have done for West Virginia and for this country.

SACRAMENTO CENTER FOR INTERNATIONAL TRADE DEVELOPMENT IS SELECTED TO RECEIVE PRESIDENT'S E–STAR AWARD

HON. AMI BERA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Mr. BERA. Mr. Speaker, I rise today to offer congratulations to the Sacramento Center for International Trade Development and the Los Rios Community College District for being awarded the ''E–Star'' award from the United States Department of Commerce, which recognizes excellence in export assistance.

The Sacramento Center for International Trade Development is a prominent part of the drive to increase exports from the Sacramento region. The program, which is administered through the Los Rios Community College District, is a longstanding force for global competitiveness in our area.

For more than two decades, the Center has provided export services and programs that serve to enhance the effectiveness and profitability of Northern California businesses. The Center's relationship with the Department of Commerce provides Sacramento area businesses with a unique edge, helping to contribute to the growing economy in our region. The Center provides critical support to our local businesses, and deserves this important recognition.

Mr. Speaker, I am proud to honor the Sacramento Center for International Trade Development and the Los Rios Community College District for their work to support Northern California. Please join me in congratulating them on this significant achievement.

TRIBUTE TO COLONEL JOHN J. LINDSAY

HON. MARTHA ROBY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Mrs. ROBY. Mr. Speaker, I rise to pay tribute to Colonel John J. Lindsay for dedicating 28 years of honorable service to the United States Army. John and his family's devotion, sacrifice, and commitment to the Nation is worthy of praise and recognition.

A native of New York, John was commissioned into the United States Army as a second lieutenant after graduating from the United States Military Academy in 1988. He is a combat proven leader and a highly skilled AH–64D Apache attack helicopter pilot. John is a true professional and scholar, earning a Bachelor of Science in National Security from the United States Military Academy and a Master of Science in Human Resources from Central Michigan University. He is a graduate of the U.S. Army Command and General Staff College, the Joint Forces Staff College, and the U.S. Army War College Fellowship Program.

Upon entrance into the Armed Forces, Colonel Lindsay attended the aviation officer basic course and initial entry rotary wing flight training at Fort Rucker in the 2nd Congressional District of Alabama that I proudly represent. Throughout John's career in Army aviation, he served in a range of assignments from the platoon level to the Department of the Army headquarters staff. His initial assignment was as an aeroscout platoon leader in the Republic of Korea with the 5–501st Attack Helicopter Battalion, 17th Aviation Brigade. He continued to his second overseas assignment in Wiesbaden, Germany with 5–6 Cavalry Squadron, 12th Aviation Brigade. During his tenure with the 12th Aviation Brigade, he served as squadron liaison officer and squadron adjutant. He later served as the assistant squadron operations officer and headquarters troop Commander in 6–6 Cavalry Squadron, based in Illesheim, Germany.

Upon completion of his overseas tour in Germany, he returned to the U.S. and served in multiple duty assignments from the National Training Center (NTC) at Ft. Irwin, CA to the U.S. Army Personnel Command in Alexandria, VA. Later in his career, John returned to the 11th Aviation Regiment and served during the initial invasion of Iraq. The Army selected John to command 1–14th Aviation Battalion at Ft Rucker, AL, where he completed the AH–64D Instructor Pilot course and assumed responsibility of all attack and reconnaissance flight training for the Army. After command, he was assigned to the U.S. Army Human Resources Command where he served as the aviation branch chief and later as the chief of maneuver, fires and effects division.

Upon promotion to Colonel, Colonel Lindsay attended the U.S. Army War College Fellowship at the Institute for Defense Analyses in Washington, D.C., and subsequently deployed as the director of the Joint Operations Center (JOC) to U.S. Forces Iraq. In his most recent assignments, he served as a senior advisor to the Vice Chief of Staff of the Army and also as the director of army aviation for the Army's G 3/5/7. John was instrumental in the formulation of the Army's Aviation Restructure Initiative (ARI), which optimizes the operational capability, deployment and lethality, and deployment in Army Aviation.

Mr. Speaker, it has been a sincere pleasure to have worked with Colonel John J. Lindsay over the last three years. On behalf of a grateful nation, I join my colleagues in recognizing and commending John for his service to the United States of America. We wish him, his lovely wife Virginia, and their three children, Ian, Emma, and Kevin all the best as they depart the United States Army and continue on their wonderful journey.

IN RECOGNITION OF NATIONAL TEACHER APPRECIATION WEEK

HON. ROD BLUM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Mr. BLUM. Mr. Speaker, I rise today in recognition of National Teacher Appreciation Week occurring last week and to graciously

thank all the hardworking educators in the First District of Iowa.

Every day, teachers rise and face the challenge of preparing today's youth to be the leaders of tomorrow. Our teachers are at the forefront of shaping young minds, recognizing potential, and encouraging their success.

Across the country, teachers are empowering students with the necessary skills to achieve their dreams and become the next generation of leaders of the United States.

As Members of Congress, we must do our part to equip our teachers with the best tools and resources possible to educate our children—who are our most precious resource and deserve every effort we can make to give them the opportunity to succeed.

I thank all the dedicated teachers in the First District of Iowa during National Teacher Appreciation Week for continuing to provide their best to our children and empowering them to reach their full potential.

IN RECOGNITION OF MUSTANG SUD'S 50 YEARS OF SERVICE

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Mr. BURGESS. Mr. Speaker, I rise today to recognize a milestone for the Mustang Special Utility District (SUD). On May 13, 2016, this local government entity will celebrate fifty years of utility service to residents and businesses in northeast Denton County.

The organization started as a small water supply corporation in 1966 with less than 50 connections. The Mustang SUD now covers 100 square miles and 11,000 connections as a provider of retail water and sewer utilities within its designated boundaries, encompassing cities and communities between Pilot Point to the north and Oak Point to the south.

The Mustang SUD is governed by an elected board of directors. The nine directors are elected to three year terms and must be retail customers of the organization and reside within the district's boundaries. Since 2011, the organization has been deemed a ''Superior Public Water System'' by the Texas Commission on Environmental Quality (TCEQ).

To be designated ''Superior,'' the system must meet the TCEQ's stringent criteria for overall excellence in the operation of a public water system. These standards include excelled efforts in protecting public health, ensuring reliable operations and water supply for the system's customers, compliance with regulatory requirements and environmental stewardship.

It is my privilege to represent the customers of the Mustang SUD in the U.S. House of Representatives.

HONORING MR. HAL RICHARDS

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Mr. HENSARLING. Mr. Speaker, today I rise to honor and congratulate a dear friend, Mayor Hal Richards of Terrell, Texas. Hal is an outstanding community leader and servant for the people of Kaufman County.

Hal was born in 1953 in El Paso while his father served in the Army at Fort Bliss. After the military, his father's job as a petroleum engineer took him across Texas to wherever the next oil boom struck. The Richards family even lived in Venezuela for a period of time. Ultimately, the family settled in Garland, Texas where he was an active musician in the Garland High School band and even played in a slightly lesser known garage band, The Monotones.

After graduating high school, Hal took his talents to Texas A&M where he served as the drum major in the Fighting Texas Aggie Band. He graduated in 1975 with a degree in political science, and later he earned his MBA.

Hal met his wife Christi while at A&M and they married in 1976. They found their way to Terrell in 1981 where he opened a tractor distributorship and raised his family. The folks of Terrell are glad they did. In 2001, Hal sold the tractor dealership and took over his father's manufacturing company, Catco, where he continues to oversee operations.

Hal decided to give back to his adopted town and ran for city council, and served for one term before being elected Mayor of Terrell in 2007. As mayor, he has been instrumental in the growth of ''Terrell America,'' the adopted slogan. Hal has served his community in a number of other capacities including: Chairman of the Terrell Chamber of Commerce, Assistant Scout Master, member and past president of the Rotary Club, and his church's vestry. Not surprisingly, Hal was also recently named Citizen of the Year. And if he wasn't busy enough, Hal finally realized a lifelong dream of becoming a pilot in 2003.

Hal and Christi have three sons, Jason, Travis and Chad. Like their dad, they are all proud Texas A&M graduates as well. It is truly an honor to represent Hal Richards in the United States House of Representatives. On behalf of the Fifth District of Texas I would like to congratulate Hal for a job well done as Mayor, and thank him for his tireless commitment to his family and community.

PAYING TRIBUTE TO THE ''FROGMEN'' OF THE U.S. NAVAL COMBAT DEMOLITION UNITS IN WORLD WAR II

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Mr. HOYER. Mr. Speaker, I had the privilege of meeting on March 30 with William ''Bill,'' Dawson of Waldorf; Maryland, in the Fifth Congressional District. Bill is the last living member of the first class of Naval Special Warfare Operators to train for duty with the U.S. Naval Combat Demolition Units that were the precursor to today's Navy SEAL teams. He is ninety-one years old and a retired Washington, D.C. firefighter who remains deeply proud of his service to our nation and to his community. I was honored to receive from him a copy of his book Before They Were SEALS They Were Frogs, which recounts the story of the Naval Combat Demolition Units during the Second World War and his own service in the Pacific.

First created in 1943 and led by Lt. Draper L. Kauffman, the first Naval Combat Demolition Units were tasked with the reconnaissance of amphibious landing sites and the demolition of enemy obstacles that would hinder the advance of invading Allied forces. After their specialized training at Fort Pierce in Florida, including the series of grueling tests that is now considered to have been the first-ever ''Hell Week,'' the first Navy ''Frogmen'' deployed to the European and Pacific theaters of operation in support of combat operations.

Navy Frogmen were instrumental in clearing obstacles on Omaha Beach and Utah Beach during the Normandy invasion on D-Day in 1944, and many were killed or wounded performing their dangerous missions. In the Pacific, Frogmen demonstrated similar gallantry during the operations to liberate the Philippines, Guam, Borneo, and many other places that had been occupied by Japanese forces and that were instrumental in the advance toward victory. Frogmen were training for cold-water operations in preparation for an anticipated invasion of the Japanese home islands when the war ended.

The Underwater Demolition Teams that succeeded the initial Naval Combat Demolition Units saw action in Korea and Vietnam, and it was in the early 1960s that the Navy decided to transition them into the Navy SEAL teams we know today, in a reflection of their broadening role beyond the water's edge. Americans are grateful for the extraordinary service and sacrifices of our Navy SEALs, among the most skilled, experienced, and courageous to serve in defense of our nation. I'm proud to represent many Navy personnel and veterans in Maryland's Fifth District, which is home to Pax River Naval Air Station, the Naval Surface Warfare Center Indian Head Division, and Webster Field. I join in thanking Bill Dawson and all of those who were our nation's first Navy Frogmen for their gallant service in defense of freedom and for their crucial role in the history of U.S. Naval Special Operations.

PERSONAL EXPLANATION

HON. JAMES A. HIMES

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Mr. HIMES. Mr. Speaker, on May 13, 2016, I was unable to be present to cast my vote on roll call No. 190, Motion on Ordering the Previous Question on the Rule (H. Res. 725). Had I been present for roll call No. 190, I would have voted ''NAY.''

I was unable to be present to cast my vote on roll call No. 191, the rule providing for consideration of the House Amendment S. 524—Comprehensive Addiction and Recovery Act of 2016 (H. Res. 725). Had I been present for roll call No. 191, I would have voted ''NAY.''

I was unable to be present to cast my vote on roll call No. 192, on approving the Journal. Had I been present for roll call No. 192, I would have voted ''AYE.''

CONGRATULATING BENJAMIN FRANKLIN PLUMBING FOR BEING RECOGNIZED AS A FINALIST FOR THE 2016 SECRETARY OF DEFENSE EMPLOYER SUPPORT FREEDOM AWARD

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Mr. LONG. Mr. Speaker, I rise today to congratulate Benjamin Franklin Plumbing, of Springfield, Missouri, for being recognized as a finalist for the 2016 Secretary of Defense Employer Support Freedom Award.

The Secretary of Defense Employer Support Freedom Award is the agency's highest recognition given to employers who offer exceptional support to their workers who serve in the National Guard or Army Reserve. This award is an incredibly prestigious honor, as only 30 businesses were selected as finalists this year from more than 2,400 potential candidates.

Mr. Speaker, it is a true privilege to represent the Southwest Missourians at Benjamin Franklin Plumbing, who have earned this nomination for respecting our troops. I'm proud to be a part of this community, where businesses like this have taken it upon themselves to act as patriotic role-models and I urge my colleagues to join me in applauding their being named a finalist for this esteemed award.

IN RECOGNITION OF OCA'S SACRAMENTO DRAGON BOAT FESTIVAL 21ST ANNIVERSARY GALA

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Ms. MATSUI. Mr. Speaker, I rise today to recognize the Organization of Chinese Americans' Sacramento chapter and the distinguished organizations that are being honored at the 21st annual Dragon Boat Festival and Gala. I ask all my colleagues to join me in honoring OCA Sacramento and these fine organizations.

The OCA Sacramento chapter is an active advocate for all Asian Pacific Islander Americans, dedicated to advancing the social, political, and economic well-being of our Sacramento community. An exemplary organization, OCA Sacramento promotes civic participation and community involvement. OCA Sacramento hosts a variety of annual events celebrating traditional Chinese holidays and festivals, such as the Dragon Boat Festival, which promote and foster an understanding of our city's rich cultural heritage. OCA Sacramento offers essay contests and scholarships for youth, which promote education and leadership skills. OCA Sacramento's deep involvement and commitment to our community is commendable.

In keeping with this year's theme of ''Light the Torch for the Next Generation,'' receiving this year's Community Partner Award at the Festival are Wells Fargo, the Sacramento Police Department, and the Sacramento Sheriff's Department. These community organizations are dedicated to making the Sacramento region a safe and prosperous place to live, work, and raise a family.

Mr. Speaker, as the members of OCA Sacramento gather at the Dragon Boat Festival to celebrate their 21st anniversary, I ask all my colleagues to join me in honoring them for their unwavering commitment to the Sacramento region.

BARBARA SHORTER

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Ms. CASTOR of Florida. Mr. Speaker, I rise today to honor the accomplishments of a true champion of progress during Black History Month and all year long, Barbara Shorter. Her invaluable contributions to the Tampa Bay community is an inspiration to us all. Today, I am grateful to recognize her selfless dedication and honor her valuable service to our community.

Ms. Shorter grew up in St. Petersburg, graduating from Gibbs High School. She matriculated from Florida A&M University where she then began her illustrious career as an Administrative Assistant to the Dean of the School of Agriculture and Home Economics. She dedicated the next decade to teaching before continuing her own education at Florida A&M when she received her Master's in Guidance and Counseling. Soon after graduation she accepted a position as the Assistant Principal at Northeast High School, becoming the third African American teacher ever assigned to an all-white high school in Pinellas County. Returning to her own Gibbs High School as Principal, she became the first female African American High School Principal in Pinellas County in 100 years. Most recently, she was an Adjunct Instructor at the University of South Florida.

Ms. Shorter is a longtime leader in the African-American community. She was recognized as Tampa Bay's Black Most Influential in 1983 as well as Pinellas County's Educator of the Year for two straight years. Her local successes were recognized on the national level upon an invitation from Secretary of State Colin Powell to President Clinton's Summit on Education Issues from 1997–2000.

Ms. Shorter service was not limited only to her work in the educational field. Throughout her life, she displayed a passion for civic engagement. She inspired the next generation of leaders in the African-American community by being actively involved in more than a dozen associations. Her most distinct honor was being the President of the Pinellas County High School Principals Association and the minority member for the Florida Association of School Administrators. She currently is a member of the Florida A&M University Alumni Association and has been an active member of the Galilee Missionary Baptist Church, having had longest active membership at 70 plus years.

Ms. Shorter was an unabashed environmentalist. Her heroic commitment to environmentalism made an unforgettable mark on the Tampa Bay community. Tampa Bay is a better and more beautiful place to live thanks to her efforts.

Ms. Shorter has selflessly dedicated her life to our community and the children of Tampa Bay. Countless students and young professionals have benefited from her immeasurable efforts and unabashed enthusiasm. Her commitment will always be remembered and appreciated. Mr. Speaker, on behalf of a grateful Tampa Bay community, I am proud to recognize Barbara Shorter for her lifelong exemplary service to the State of Florida

CELEBRATING THE RETIREMENT OF VETERANS SERVICE OFFICER, MIKE LAMBARIA

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Mr. CUELLAR. Mr. Speaker, I rise today to celebrate the retirement of Veterans Service Officer, Mike Lambaria of Atascosa County, Texas. He has proudly served the people of Atascosa County for nearly 10 years.

Mike Lambaria was born on October 4th, 1944 to Mike Lambaria Sr. and Ruth Lambaria. After graduating from Pleasanton High School, he attended the University of Kansas and graduated with a degree in Business Administration and a minor in History. After college, Mr. Lambaria joined the U.S. Army and courageously served his country in Vietnam. He received multiple awards for his service, including: Army Good Conduct Medal, Army of Occupation Medal, National Defense Service Medal, Army Service Ribbon, Overseas Service Ribbon, Vietnam Service Medal, Republic of Vietnam Campaign Medal, Combat Infantryman Badge, and Expert Infantryman Badge.

Following his retirement from the Military in 1985, Mike worked as a military liaison with McDonnell Douglas until 1988. In 1989, he worked in Saudi Arabia as an advisor for logistics and combat. He returned home in 1992, becoming a teacher and coach at Poteet High School until 2006. After his tenure with Poteet High School, Mike began his career as a Veterans Service Officer for the Atascosa County Veterans Services Office. Mike was known to go above and beyond in his duties. He would drive veterans to their appointments, then come back, see veterans in the office, and help them submit claims. He also assisted homeless veterans in finding places to stay and worked with local churches and organizations to get homeless veterans food and clothing. Mike has even provided monetary assistance to homeless veterans with funds out of his own pocket.

Beyond his dedication to his work, Mike is an active member of the community, serving on the Atascosa County Historical Commission, Atascosa County Crime Stoppers Board, Atascosa County Healthcare Center Board, and the Chairman for the Emergency Food and Shelter Program. In addition to his exemplary career as a public servant, Mike Lambaria is a committed husband to Anita

Lambaria. Together they have three sons: Scott Michael, Craig Anthony and John, as well as eight grandchildren. According to Mr. Lambaria, he could not have accomplished the past 25 years of success without the support and love of his wife.

Mr. Speaker, I am honored to have the opportunity to recognize Mike Lambaria, a decorated war hero, a devoted Veterans Service Officer to Atascosa County, and a loving family man.

HONORING SENIOR CORPS WEEK AND THE SERVICE OF OLDER AMERICANS

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Mr. GRIJALVA. Mr. Speaker, I rise today in support of national Senior Corps Week.

Older Americans bring a lifetime of skills and experience as parents, workers, and citizens that can be tapped to meet challenges in our communities.

For more than four decades Senior Corps, and its three programs—RSVP, Senior Companions, and Foster Grandparents—have proven to be a highly effective way to engage Americans age 55 and over in meeting national and community needs.

Each year Senior Corps provides opportunities for nearly 330,000 older Americans across the nation, including approximately 435 in Southern Arizona, to serve their communities. Foster Grandparents serve one-on-one as tutors and mentors to young Arizonans who have special needs. Senior Companions help homebound Arizona seniors and other adults maintain independence in their own homes. RSVP volunteers conduct safety patrols for local police departments, protect the environment, tutor and mentor youth, respond to natural disasters, and provide other services through more than 130 groups across Arizona.

Senior Corps volunteers last year provided more than 96.2 million hours of service, helping to improve the lives of our most vulnerable citizens, strengthen our educational system, protect our environment, provide independent living services, and contribute to our public safety.

Senior Corps volunteers build a capacity of organizations and communities by serving through more than 65,000 nonprofit, community, educational, and faith-based community groups nationwide.

At a time of mounting social needs and growing interest in service by older Americans, there is an unprecedented opportunity to harness the talents of 55-plus volunteers to address community challenges.

Service by older Americans helps volunteers by keeping them active, healthy, and engaged, helps our communities by solving local problems, and helps our nation by saving taxpayer dollars, reducing healthcare costs, and strengthening our democracy.

The sixth annual Senior Corps Week, taking place May 16–20, 2016, is a time to thank Senior Corps volunteers for their service and recognize their positive impact and value to our communities and nation.

HONORING HENRY CHAPMAN MERCER AND THE MERCER MUSEUM

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize the accomplishments of Henry Chapman Mercer and the importance of the Mercer Museum.

Bucks County's agricultural history is preserved in the 100-year-old Mercer Museum, thanks to the foresight of Henry Chapman Mercer. The noted historian, scholar and archaeologist collected and preserved outmoded materials of daily life believing they would be lost forever in the rush of the Industrial Revolution. Mr. Mercer gathered and displayed more than 30,000 hand tools and even boats and horse-drawn carriages at the museum he would design and build in Doylestown, Bucks County. More than 50 Early American trades are represented, including blacksmithing, shoemaking, farming, printing, cider making and needlework crafts, some items hanging from the ceiling. All are organized and housed in an imposing museum built over a three-year period entirely of concrete. Through the decades, this National Historic Landmark has advanced in the management of its collections and also in meeting contemporary museum standards. Today, the museum and its new wing offer dozens of programs for all ages. For a century, the Mercer Museum stands out as a place where Bucks County's past is honored along with the memory of an extraordinary man—Henry Chapman Mercer.

CONGRATULATING MACY MORGAN, ON BEING NAMED THE 2016 REGION 4 GOLD ALL-AROUND CHAMPION AND WINNING HER AGE DIVISION AT THE XCEL MISSOURI STATE CHAMPIONSHIPS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Mr. LONG. Mr. Speaker, I rise today to congratulate Ozark, Missouri, gymnast Macy Morgan, on recently winning her age division at the XCEL Missouri State Championships and being named the 2016 Region 4 Gold Allaround Champion in the face of great life obstacles.

Macy is an 11-year-old girl who has already conquered more adversity in her life than most people will ever face. Diagnosed at only 8 months old with a form of kidney cancer, Macy had to fight for her life in a situation that most families couldn't imagine. Despite this adversity, Macy fought her cancer into remission with an indomitably cheerful outlook. Furthermore, Macy has volunteered and given back to patients at St. Jude's Children's Hospital, the same health providers that cared for her illness.

Macy is now one of the best young gymnasts in the state of Missouri. Her athletic abilities are known state wide, and she has won numerous medals for her skill. She is regarded as a natural gymnast, and her coaches speculate that she one day may represent the United States in the Olympic Games.

Mr. Speaker, Macy Morgan is truly a remarkable young woman and her success in overcoming adversity is impressive on its own merits. But her working to become an elite gymnast is all the more praiseworthy and inspiring to other young people in Missouri's Seventh Congressional District. I would ask that my colleagues join me in expressing both our congratulations and deep admiration for Macy and her achievements.

HONORING THE 40TH ANNIVERSARY OF THE JUDGMENT OF PARIS

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor the 40th anniversary of the Judgment of Paris wine tasting competition, an event that brought global esteem to the California wine community.

On May 24, 1976, a who's-who of French wine and food influencers gathered for a blind tasting of Cabernet Sauvignon and Chardonnay wines at the Paris InterContinental Hotel organized by wine merchant Steven Spurrier.

Mr. Spurrier selected the finest California vintages at the time. He included Cabernet Sauvignon from Stag's Leap Wine Cellars, Ridge Vineyards Monte Bello, Heitz Wine Cellars, Clos du Val Winery, Mayacamas Vineyards, and Freemark Abbey Winery.

In the white wine category, Mr. Spurrier chose Chardonnay from Chateau Montelena Winery, Chalone Vineyard, Spring Mountain Vineyard, Freemark Abbey Winery, Veedercrest Vineyards, and David Bruce Winery.

When the experts' scores were tallied, two wines from California's Napa Valley—the 1973 Chateau Montelena Winery Chardonnay by winemaker Miljenko ''Mike'' Grgich and the Stag's Leap Wine Cellars 1973 Cabernet Sauvignon made by Warren Winiarski—came out on top, forever changing the way the world views American wine.

George Taber documented this consequential decision in a TIME magazine article, ''Modern Living: Judgment of Paris.'' The resulting coverage of the Judgment of Paris created an immediate and positive impact on the world of wine, and inspired among experts, consumers, and the trade a new appreciation for California wines.

The Napa Valley is now recognized internationally as the vanguard of the American wine business. The California wine community now adds $61.5 billion to the state's economy and $121.8 billion to the United States economy. The wine community supports 330,000 jobs in the state and brings more than 21 million visitors to California wine regions annually. Wine is now produced in all fifty of the United States, and enjoyed at ever increasing levels by consumers throughout the country.

Mr. Speaker, it is fitting and proper that we recognize and honor the historical significance of the 40th anniversary of this event, as well as the impact of the California victory on the world of wine and the United States wine industry as a whole.

To recognize the 40th anniversary of the Judgment of Paris, Rep. DUNCAN HUNTER and I, House Leadership from both sides of the aisle, and the entire California delegation will submit the following language as a resolution:

Whereas forty years ago in Paris, a number of leading French wine experts were invited by Wine Merchant Stephen Spurrier to blind taste some of the greatest wines of France and California;

Whereas those prestigious experts chose the 1973 Chateau Montelena Winery Napa Valley Chardonnay by winemaker Miljenko ''Mike'' Grgich as the finest white wine in the tasting;

Whereas those same experts chose the 1973 Stag's Leap Wine Cellars S.L.V. Napa Valley Cabernet Sauvignon made by Warren Winiarski as the finest red wine in the tasting;

Whereas the resulting story by journalist George Taber found widespread distribution throughout the press, notably in TIME magazine, as ''The Shot Heard Round the World'';

Whereas this attention created an immediate, positive impact on the world of wine, and created among experts, consumers and the trade a new and enthusiastic appreciation for California wines;

Whereas wine is now produced in all fifty of the United States, and enjoyed at ever increasing levels by consumers throughout the country;

Whereas the Smithsonian Institution's National Museum of American History exhibits the winning bottles in its permanent collections (the 1973 Chateau Montelena Winery Chardonnay and the 1973 Stag's Leap Wine Cellars S.L.V. Cabernet Sauvignon), and has included those bottles in their selection of remarkable objects in the book The Smithsonian's History of America in 101 Objects by Richard Kurin;

Whereas the Napa Valley is now recognized internationally as a vanguard of the United States wine business and contributes more than $162 billion to the nation's economy.

Resolved, That the U.S. House of Representatives recognizes and honors the historical significance of the 40th Anniversary of the Judgment of Paris, and the impact of the California victory at the 1976 Paris Tasting on the world of wine and the American wine industry as a whole.

PERSONAL EXPLANATION

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Ms. SPEIER. Mr. Speaker, due to a conflict, I unavoidably missed the following votes on May 13, 2016.

Had I been present I would have voted as follows:

On roll call No. 190, I would have voted ''nay'' (May 13) (On Ordering the Previous Question for Providing for consideration of the bill (S. 524) the Comprehensive Addiction and Recovery Act of 2016).

On roll call No. 191, I would have voted ''nay'' (May 13) (On Agreeing to the Resolution for Providing for consideration of the bill (S. 524) the Comprehensive Addiction and Recovery Act of 2016).

On roll call No. 192, I would have voted ''yea'' (May 13) (On Approving the Journal).

On roll call No. 193, I would have voted ''yea'' (May 13) (On Passage of S. 524, the Comprehensive Addiction and Recovery Act of 2016).

IN HONOR OF THE HONORABLE JEROME E. GAFF, U.S. ARMY, VIETNAM 1969–1970

HON. STEPHEN F. LYNCH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Mr. LYNCH. Mr. Speaker, I rise today in honor of Jerome Edward Gaff, May 30, 1946, in recognition of his outstanding service to the United States Army.

Jerry is the son of John M. and Dorothy A. Gaff who raised Jerry in Chelsea, MA. Jerry grew up alongside his brothers Harold, Jack, Tom, and sister, Loretta. Jerry and his family relocated to Everett MA, where he made his residence from 1950–1969. He graduated from Everett High School in 1964, and soon after, began working at General Edwards Inn Restaurant in the Point of Pines Section of Revere with his brothers and sisters. He was drafted into the U.S. Army on April 19, 1969, where he served his tour of duty in Vietnam from September 1969 to November 1970.

While serving in the Army, he served with the 1st Infantry Division (Big Red One) Sept. 1969 to Mar. 1970 and the 11th Armored Cavalry Regiment (Black Horse) Mar. 1970 to Nov. 1970. He was stationed at the U.S. Army base located in Lai Khe, northwest of Saigon. During his time in the Army he was active in the major battle of the Cambodian Incursion from May to June, 1970. He received several medals for his Army service including: National Defense Service Medal, Army Commendation Medal, Vietnam Service Medal, Bronze Star Medal and the Vietnam Campaign Medal. Although Jerry is a decorated veteran of the Vietnam Conflict he seldom spoke of his distinguished military career, and upon returning stateside focused his attention to raising his family, but never forgot those who served with him, and stills serves as an advocate for all veterans today.

When he returned from the war, he continued to work at the General Edwards Inn. He attended college before and after the war, studying education and Spanish. In 1972, he was married and had four daughters, Nancy 42, Shannon 41, Lauren 39 and Marybeth 38. Jerry and his family moved to Sandown, NH in the summer of 1978, just prior to the opening of his restaurant The Village Square Inn, located in Hampstead, NH. Jerry was owner/chef at the restaurant through the early 90s. He continued to be a well-respected chef in the southern New Hampshire area until his recent retirement. In his retirement, Jerry enjoys his summers at the lake and spending time with his friends and family, including his girlfriend Gail and his nine grandchildren. Jerry is an avid sports fan, who excelled in hockey as a young man, is an outstanding horseshoe player, excellent cribbage player, and fisherman. Jerry has positively influenced everyone in his lifetime and is the definition of what it means to be a Father, Grandfather, and Friend.

Mr. Speaker, Jerry is a true gentleman and is known for being funny, kind and caring. He continues to support his fellow veterans by meeting with others at his local Veterans hospitals/clinics. His dedication to those he served with is only exceeded by his dedication to his family and friends.

Mr. Speaker, I wish to congratulate Jerry on the occasion of his 70th birthday. I find it only fitting that we honor Jerry's lifetime of accomplishments as a testament of his excellent military service, outstanding character, his positive influence on all those who have met him, and his commitment to his family and community.

INTRODUCTION OF THE EXPANDING DHS OVERSEAS PASSENGER SECURITY SCREENING AND VETTING OPERATIONS ACT

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, over the past several years, terrorists have exploited legitimate channels of travel to the United States from countries around the globe with the intention of conducting attacks. To prevent terrorist travel, the Department of Homeland Security has ''pushed out our borders'' by expanding its presence and partnerships around the world to ensure vetting of passengers well in advance of their arrival in the United States.

Today, I am introducing the ''Expanding DHS Overseas Passenger Security Screening and Vetting Operations Act'' to enhance DHS' overseas operations that vet and screen foreign travelers to the United States by, among other things:

Requiring DHS to use a strategic, risk-based, and coordinated approach to expand overseas operations;

Increasing U.S. Customs and Border Protection's (CBP) capacity to screen additional passengers and facilitate travel by authorizing an additional 2,000 CBP Officers and 600 Agriculture Specialists to address existing domestic staffing shortages, particularly at U.S. international airports, while expanding overseas operations; and

Expanding U.S. Immigration and Customs Enforcement's (ICE) visa vetting operations by directing ICE to stand up an additional 50 Visa Security Units at overseas visa-issuing posts abroad and authorizing the PATRIOT automated visa vetting program at 50 additional high-risk locations.

My legislation, which I am introducing with Representatives LORETTA SANCHEZ (CA), SHEILA JACKSON LEE (TX), WILLIAM R. KEATING

(MA), DONALD M. PAYNE, Jr. (NJ), BONNIE WATSON COLEMAN (NJ), and YVETTE D. CLARKE (NY), would bolster the effectiveness of recent VWP reforms and strengthen DHS' capacity to prevent terrorists and other dangerous people from entering the U.S.

CELEBRATING THE 100TH ANNIVERSARY OF THE CITY OF BOWIE

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Mr. HOYER. Mr. Speaker, I rise to mark an important milestone in the history of the Fifth District and the State of Maryland. This year, the City of Bowie celebrates the centennial of its incorporation, which took place on April 18, 1916. In the intervening century, Bowie has grown and flourished, becoming the fifth-largest city in Maryland and a vibrant and diverse community.

Bowie has its roots in a small village called Huntington City that developed in 1870 alongside a railroad depot named for Maryland Governor Oden Bowie, a local resident who had been instrumental in bringing the railroad to the area. Within twelve years, the village had grown into a small town of several streets lined with shops and houses, which was renamed Bowie after the rail station. When the Town of Bowie was first incorporated in 1916, its first commissioners were R.P. Watts, William Luers, and Thomas P. Littlepage, who held their town meetings in the Knights of St. John Hall, which still stands today.

In the 1950's, Bowie began to spread south of the original railroad settlement to include new suburban developments. These included Belair at Bowie, whose annexation by the Town of Bowie marked the beginning of today's City of Bowie. Today, the city operates under the same charter as it adopted in 1916 and is home to approximately 56,000 Marylanders. While still retaining the feel of a small town, Bowie has grown to include a number of new suburban developments that have brought diversity and economic opportunity that are benefitting the residents of Bowie and the surrounding area.

I'm honored to represent the City of Bowie and its residents in Congress. Bowie continues to follow an upward trajectory of growth and development, and I look forward to continuing to work with the Mayor and city officials to ensure that Bowie has all the resources it requires to succeed. I hope my colleagues will join me in marking this important milestone for Bowie and wishing it much success as it enters its second century of incorporation.

HONORING JERRY CLARK

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in honoring the life of Jerry Clark, who passed away in February. Jerry was a standout civic leader who was devoted to the people of the District and its causes. Jerry Clark was also a particularly avid leader of our D.C. statehood movement and a leader in the lesbian, gay, bisexual, and transgender (LGBT) community.

Because the District has been fighting for equal citizenship rights for its entire two centuries of existence, Jerry's consistently devoted leadership stands out through ups and downs, whether on the nuts and bolts or the big issues, without fanfare. Jerry, who was born in Indiana, was there for D.C. without fail, carrying the banner of freedom for his adopted city.

Jerry brought similar vigor to other causes and endeavors. A graduate of Princeton University and the University of Chicago Law School, Jerry completed his doctoral studies and then spent his career dedicated to workers as executive director of the United Mine Workers Health and Retirement Funds.

At the same time, Jerry threw himself into work for LGBT rights. That work earned Jerry the Distinguished Service Award for exemplary and dedicated work for the LGBT community in the District of Columbia from the D.C. Gay and Lesbian Activists Alliance. His work was so widespread in the District that former D.C. Mayor Vincent Gray appointed Clark to the Mayor's committee on the 50th anniversary of the 1963 March on Washington. Our city has lost a true crusader who never stopped standing up for equality for the disenfranchised.

Among the many organizations that have benefited from Jerry's service are the Gertrude Stein Democratic Club, the National LGBTQ Task Force, the DC for Democracy, DC Statehood Coalition, Bread for the Soul, Ward 1 Democrats, the Coalition to Stop Gun Violence, the Law and Society Association, the Whitman-Walker HealthSpring Gala, and the Democratic National Committee Gay and Lesbian Leadership Council.

Mr. Speaker, I ask the House to join me in honoring the full and productive life of Jerry Clark and for his dedicated work with District of Columbia residents, for D.C. Statehood, for the LGBT community, and for workers.

HONORING EVALYNN DIAMOND

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to honor my dear friend, Evalynn ("Evy") Diamond. Evy represented the best of our great State of New Mexico: she was a loving wife and mother, a loyal friend to so many, a brilliant, hard-working and talented teacher, and a dedicated activist in our community.

Evy and her husband of 40 years, Jeff, met in 1975 when they were both teaching at Temple Beth Shalom in Santa Ana, California. They shared a love for the state of Israel and became active in the Anti-Defamation League (ADL). She and Jeff fund ADL's A World of Difference program in Haifa which fosters tolerance between Jewish, Christian, and Muslim children. Evy made frequent trips to Israel to meet with Israeli leaders, journalists, and other activists, whether Jewish or Muslim, to uphold the values of the ADL. She was a committed activist who dedicated much of her life to promoting peace and cooperation.

In addition to her work with the ADL, Evy worked tirelessly with Jeff to promote and fund cancer research. After their son Shannon died from melanoma on August 31, 2009, they established a fund in his memory at the University of New Mexico Cancer Center Foundation. The fund seeks to educate the public about early diagnosis, preventions and treatment of melanoma in medically underserved communities in New Mexico. Whether working with the ADL or funding cancer research, Evy has consistently demonstrated her compassion and devotion to fighting for important causes.

However, Evy's greatest love, after Jeff and her sons, was her career as a teacher. She was an outstanding educator who instilled a love of learning, hard work, and excellence in all her students. Those students have gone on to become leaders in law enforcement, health care, and many other professions throughout our community. Indeed, we need more teachers like Evy who devote themselves to their students with passion and find innovative ways to teach and support her students.

On April 18, 2016, at the age of 84, Evy passed away in her home in Carlsbad with Jeff and her son, Max Shaw, at her side. In addition to her husband Jeff and her son Max, she is survived by Shannon's wife, Christine, and their two children, Jacob and Marlena Shaw Davis. Evy was a true friend whom we will all miss dearly. I cherish our friendship and all of the wonderful contributions she has made to our state. Her memory and legacy is a blessing to us all.

RECOGNIZING GUAM DEPARTMENT OF EDUCATION SCHOOL NURSES

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Ms. BORDALLO. Mr. Speaker, I rise today to commend and congratulate nurses and school nurse support staff of the Guam Department of Education (GDOE) in honor of the 2016 National School Nurses Day. There are currently 44 Registered Nurses and 3 Licensed Practical Nurses serving the students of the Guam Department of Education. These nurses take on the daunting task of caring for the Guam Department of Education's more than 30,000 students and nearly 4,000 employees of the Guam Department of Education. These school nurses work day in and day out to remove the barriers to learning and ensure the health of our island's children.

Guam Department of Education nurses join the National Association of School Nurses in celebrating the theme of this year's School Nurses Day: Better Health; Better Learning. They also join the American Nurses Association in celebrating the 2016 Nurses Week: Culture of Safety; It Starts With You! GDOE nurses have chosen to celebrate National School Nurses Day by teaching students how to conduct hands only CPR.

Every year the GDOE nurses serve a critical role in providing a safe and healthy learning environment for students throughout Guam's public elementary, middle, and high schools. GDOE nurses provide frontline, critical care for the most fragile children in our community and are members of health teams that support both educational and response initiatives dedicated to improving public health. Additionally, school nurses are liaisons to the school administrators, parents and healthcare providers when it comes to attending to the physical health of our island's students.

Every school year is different and challenging for the GDOE nurses. In April, the school nurses received a call from the Department of Public Health and Social Services asking them to administer 5,000 doses of TB skin test solution to GDOE students and staff who need updates. The school nurses embraced the challenge and were able to host TB clinics in almost every GDOE school for students and staff. Despite these challenges, our island's school nurses have responded to these needs with professionalism and passion for the school communities they serve.

I commend and congratulate nurses and school nurse support staff of the Guam Department of Education (GDOE) as they celebrate the 2016 National School Nurses Day and on a successful school year. I join the people of Guam in expressing our appreciation for their contributions to Guam's school communities.

PERSONAL EXPLANATION

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Ms. CASTOR of Florida. Mr. Speaker, on May 10 and 11, 2016 I was absent. Vice President BIDEN gave an important address about U.S. foreign policy in the Western Hemisphere in my District and I was part of the program. Had I been present on Tuesday May 10, I would have voted ''yes'' on H.R. 4957 and H.R. 5052. Had I been present on Wednesday May 11, I would have voted ''no'' on the Previous Questions on H. Res. 720, ''no'' on Agreeing to H. Res. 720, ''yes'' on H.R. 4843, and lastly, had I been present I would have voted ''yes'' on H.R. 4641—the same way I voted in Committee when we were considering the bill in the Energy and Commerce Health Subcommittee Markup on April 20, 2016 and in the full Energy and Commerce Committee Markup on April 27, 2016.

HEROIN EPIDEMIC IN SOUTH JERSEY

HON. THOMAS MacARTHUR

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Mr. MACARTHUR. Mr. Speaker, I rise today to address the growing addiction crisis and the challenge it presents for families and communities in South Jersey.

We need to take action now, and it is with resolve, that I stand with the Bipartisan Task Force to Combat the Heroin Epidemic, and local leaders like Ocean County Prosecutor Joseph D. Coronato and Ocean County Sheriff Michael G. Mastronardy. New Jersey's heroin overdose death rate is triple the soaring U.S. rate and our local officials have made combating the addiction epidemic a top priority. They have sought partnerships between law enforcement, hospitals and educators, and created a Drug Task Force to coordinate efforts with local police forces. The steps Congress is taking are strong and necessary, and I am proud to lead that effort by supporting bipartisan bills to address this growing crisis.

Ocean County admits more people for heroin addiction treatment than any county in New Jersey. I wish we didn't have such high numbers of people needing help—but as long as they need assistance, we must make sure they get it, so they can improve their lives and provide hope to those struggling with this disease.

Mr. Speaker, the people of New Jersey's Third Congressional District are tremendously grateful for the hard work done by Prosecutor Coronato, Sheriff Mastronardy and others like them. All of us know someone whose life has been affected by drug addiction—we need to fight this epidemic now.

RECOGNIZING THE LEADERSHIP OF CAROL ANN MOONEY

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, today I want to recognize the significant leadership of a selfless educator and inspirational woman, Carol Ann Mooney. After a storied career in Catholic education in South Bend, Indiana, Mrs. Mooney will be retiring from her position as president of St. Mary's College after holding that title for twelve years.

Mrs. Mooney's love for St. Mary's is tried and true, seeing as she is the first lay alumna President of the university. She attended St. Mary's from 1968–1972, then made the short physical but grand intellectual journey to the University of Notre Dame Law School, where she graduated first in her class. After a stint in law firms here in Washington D.C., she returned to South Bend to join the University of Notre Dame Law School's faculty, in her journey holding the titles of assistant dean, associate dean, university vice president, and associate provost. In 2004, she was delighted to return to the alma mater that she and I share to become its first alumna president.

Mrs. Mooney's tenure at St. Mary's is defined by her deep love for the school. Under her leadership, the school saw unprecedented growth with a record-breaking fundraising campaign, underwent a lengthy accreditation process with the Higher Learning Commission, rapidly expanded diversity on the campus, and launched three graduate programs.

More than anything, Mrs. Mooney will be remembered as a mentor, who was available to talk to students always. The young women of St. Mary's College will certainly miss Mrs. Mooney, but not as much as she will miss seeing them as she has for the better portion of her life. During retirement, Mrs. Mooney and her husband will stay in South Bend, but plan to visit their four children and grandchild as much as possible.

Mr. Speaker, I want to recognize the selfless dedication this woman has given to educating young people and shaping the future generation of leaders and thinkers. For this she deserves our undue respect, admiration, and praise—though her humility will likely not allow her to accept it.

IN HONOR OF THE LAW ENFORCEMENT OFFICERS IN NORTH CAROLINA'S 8TH CONGRESSIONAL DISTRICT

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Mr. HUDSON. Mr. Speaker, I rise today to recognize and honor the brave men and women who faithfully serve in North Carolina's 8th District as law enforcement officers.

In 1962, Congress established National Police Week to pay our respects to officers who died in the line of duty, as well as those who continue to serve. This is a week for all of us to join together and show support for these heroes in blue.

It is because of their tireless—and sometimes unnoticed—work that we remain safe in our homes. Their commitment to our community deserves our gratitude and appreciation, and their service is an example to all of us.

As Representative of North Carolina's eighth district, I'm committed to making sure our law enforcement officers have the tools needed to do their jobs. Just last week, the House passed five bills supporting our law enforcement community, including legislation to protect our police forces' access to bulletproof vests and enable them to carry their firearms when off-duty.

Mr. Speaker, these brave men and women continue to serve our communities year after year, and it's important to offer them our sincere gratitude. I ask my fellow Americans, to join me in reflecting on the sacrifice of our fallen officers, honoring those who are currently serving, and saying a big thank you to these heroes and their families.

THE AGENT ORANGE RECONCILIATION ACT OF 2016

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Mr. BISHOP of Georgia. Mr. Speaker, I rise in effort to heal the post-conflict, human cost of war by caring for the children of our Vietnam veterans living with Spina Bifida resulting from Agent Orange exposure.

Spina Bifida, which literally means ''split spine,'' is a condition in which a baby's spinal column fails to close properly during pregnancy. Typically, an adult with Spina Bifida may suffer from nerve damage, paralysis, and difficulty completing ordinary, day-to-day tasks, and generally, surgery must be performed within 24 hours of the child's birth to minimize the risk of further damage due to infection, and to preserve any remaining function in the spinal cord. In many cases, those suffering from Spina Bifida require costly surgeries and extensive medical care because of potential paralysis resulting from damage to the spinal cord. Thankfully, due to medical advances, most children born with Spina Bifida live well into their adulthood.

The Department of Veterans Affairs presumes a link between Vietnam-era veterans exposed to herbicides such as Agent Orange, and the incidences of Spina Bifida in their biological children.

The Agent Orange Benefits Act (Public Law 104–204), which became law in 1996, established a benefits package for the children of Vietnam veterans as a result of exposure of one or both biological parents to herbicide during active duty in the Vietnam war. These benefits include lifetime health care services for Spina Bifida and any disability associated with Spina Bifida, a monthly monetary allowance, and VA vocational training and rehabilitation service. The Act authorized the VA to provide such benefits effective October 1, 1997, but not earlier than the date of the VA's receipt of an individual's claim for benefits. Regrettably however, this legislation did not tackle the already incurred medical costs directly correlated to Spina Bifida.

According to the VA, there are approximately 1,200 affected children of Vietnam-era veterans receiving compensation since enactment of the Agent Orange Benefits Act. While these children became eligible for benefits in 1997, these veterans and their families have been left with the cost of years of medical care necessary to treat a child's condition since birth that was directly attributable to the veteran's wartime service.

The Agent Orange Reconciliation Act of 2016 would make the benefits for children of Vietnam-era veterans born with and currently suffering from Spina Bifida effective beginning at birth. As a result, this bill would provide a one-time retroactive monetary payment to the families enduring this condition to compensate for treatment of the symptoms of Spina Bifida from birth until enactment of the Agent Orange Benefits Act.

Let us provide the benefits for which we are responsible with this important legislation. Our provision of benefits to the children of Vietnam veterans living suffering from Spina Bifida from their birth not only honors the service of these veterans but also recognizes the harmful and continued effects of Agent Orange Exposure in later generations.

FIRST CONGRESSIONAL DISTRICT OF NEW YORK OUR COMMUNITY SALUTES HONOREE LIST

HON. LEE M. ZELDIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Mr. ZELDIN. Mr. Speaker, I rise today to pay a special tribute to nineteen exemplary young men and women who have chosen to serve their country in various branches of the Armed Forces of the United States. These courageous individuals will be dedicating themselves to the cause of protecting the security and welfare of their fellow citizens. I admire their strong sense of patriotism, as well as their desire to protect our values and make certain we remain the great nation we are today. Each of the following students has my deepest appreciation for their service to this country. These students will be honored by Our Community Salutes, a local community group, on May 19, 2016 at the Our Community Salutes Brookhaven Town Enlistee Recognition Ceremony at Sunset Harbor in Patchogue, NY.

Of the nineteen from my district, three have joined the U.S. Army; their names are the following: Jacob Bernocco of Patchogue-Medford High School; Janneth Guambana of Center Moriches High School; and Alexis Wallace of William Floyd High School.

Twelve have joined the U.S. Marines; their names are the following: Scott Amato of William Floyd High School; Deny Amaya of Center Moriches High School; Tyler Baudier of William Floyd High School; Alexander Cruz-Perez of William Floyd High School; Dion Kennedy of Center Moriches High School; William Ladolcetta of William Floyd High School; Jonas Marrello of Center Moriches High School; Camron McLeod of Longwood High School; Michael Murphy of William Floyd High School; Shaun O'Mara of Patchogue-Medford High School; Caleb Richters of Longwood High School; and Terrell Sinclair of William Floyd High School.

One has joined the U.S. Navy; his name is Adam Erkan of Bellport High School.

One has joined the U.S. Air Force; her name is Jilian McCabe of Patchogue-Medford High School.

One has joined the U.S. Coast Guard; his name is James Giarraputo of Center Moriches High School.

One has joined the Air National Guard; his name is Jakob Klaus of Center Moriches High School.

Mr. Speaker, we should be extremely grateful to each and every one of these nineteen individuals. Their call to duty cannot be underscored or admired enough and it is my distinct honor and privilege to represent them and their families in the First Congressional District of New York. I wish them the best of luck in their respective branches and in all of their future endeavors.

PERSONAL EXPLANATION

HON. DINA TITUS

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 16, 2016

Ms. TITUS. Mr. Speaker, I was absent on May 12, 2016, and May 13, 2016. If I were present, I would have voted on the following:

Thursday, May 12, 2016

Roll no. 186—H.R. 5046—On agreeing to the Lynch amendment: YEA.

Roll no. 187—H.R. 5046—On passage: YEA.

Roll no. 188—H.R. 1818—On motion to suspend the rules and pass the bill, as amended: YEA.

Roll no. 189—H.R. 4586—On motion to suspend the rules and pass the bill, as amended: YEA.

Friday, May 13, 2016

Roll no. 190—H. Res. 725—On ordering the previous question: NAY.

Roll no. 191—H. Res. 725—On agreeing to the resolution: NAY.

Roll no. 192—On approving the Journal: YEA.

Roll no. 193—S. 524—On passage: YEA.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, May 17, 2016 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 18

9:30 a.m.

Committee on Environment and Public Works

Business meeting to consider S. 2816, to reauthorize the diesel emissions reduction program, S. 2795, to modernize the regulation of nuclear energy, S. 1479, to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify provisions relating to grants, S. 2446, to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of

coal combustion residuals that are protective of human health and the environment, S. 921, to direct the Secretary of the Interior to establish a nonregulatory program to build on and help coordinate funding for restoration and protection efforts of the 4-State Delaware River Basin region, H.R. 3114, to provide funds to the Army Corps of Engineers to hire veterans and members of the Armed Forces to assist the Corps with curation and historic preservation activities, S. 2754, to designate the Federal building and United States courthouse located at 300 Fannin Street in Shreveport, Louisiana, as the ''Tom Stagg Federal Building and United States Courthouse'', the nominations of Thomas A. Burke, and Jane Toshiko Nishida, both of Maryland, both to be an Assistant Administrator of the Environmental Protection Agency, and General Services Administration resolutions.

SD–406

10 a.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine the Telephone Consumer Protection Act at 25, focusing on effects on consumers and business.

SR–253

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine Every Student Succeeds Act implementation, focusing on perspectives from education stakeholders.

SD–430

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine assessing the security of critical infrastructure, focusing on threat, vulnerabilities, and solutions.

SD–342

Committee on the Judiciary

To hold hearings to examine the nominations of Donald Karl Schott, of Wisconsin, to be United States Circuit Judge for the Seventh Circuit, Paul Lewis Abrams, to be United States District Judge for the Central District of California, Stephanie A. Finley, to be United States District Judge for the Western District of Louisiana, Claude J. Kelly III, to be United States District Judge for the Eastern District of Louisiana, and Winfield D. Ong, to be United States District Judge for the Southern District of Indiana.

SD–226

2 p.m.

Committee on Small Business and Entrepreneurship

To hold hearings to examine small business and the Affordable Care Act.

SR–428A

2:15 p.m.

Committee on Indian Affairs

To hold hearings to examine S. 2785, to protect Native children and promote public safety in Indian country, S. 2916, to provide that the pueblo of Santa Clara may lease for 99 years certain restricted land, and S. 2920, to amend the Tribal Law and Order Act of 2010 and the Indian Law Enforcement Reform Act to provide for advancements in public safety services to Indian communities.

SD–628

3 p.m.

Committee on the Judiciary

Subcommittee on Crime and Terrorism

To hold hearings to examine ransomware, focusing on understanding the threat and exploring solutions.

SD–226

MAY 19

10 a.m.

Committee on Banking, Housing, and Urban Affairs

Subcommittee on Securities, Insurance, and Investment

To hold hearings to examine improving communities' and businesses' access to capital and economic development.

SD–538

Committee on Foreign Relations

To hold hearings to examine the international Treaty on Plant Genetic Resources for Food and Agriculture, adopted by the Food and Agriculture Organization of the United Nations on November 3, 2001, and signed by the United States on November 1, 2002 (the ''Treaty'') (Treaty Doc.110–19), and the Convention on the Law Applicable to Certain Rights in Respect of Securities Held with an Intermediary (the ''Convention''), done at The Hague on July 5, 2006, and signed by the United States on that same day (Treaty Doc.112–06).

SD–419

Committee on the Judiciary

Business meeting to consider S. 247, to amend section 349 of the Immigration and Nationality Act to deem specified activities in support of terrorism as renunciation of United States nationality, S. 356, to improve the provisions relating to the privacy of electronic communications, and the nominations of Ronald G. Russell, to be United States District Judge for the District of Utah, Inga S. Bernstein, to be United States District Judge for the District of Massachusetts, Stephanie A. Gallagher, to be United States District Judge for the District of Maryland, and Suzanne Mitchell, and Scott L. Palk, both to be a United States District Judge for the Western District of Oklahoma.

SD–226

10:15 a.m.

Committee on Agriculture, Nutrition, and Forestry

To hold an oversight hearing to examine the Farm Credit System, focusing on the outlook of the current economic climate.

SR–328A

10:30 a.m.

Committee on Appropriations

Business meeting to markup an original bill entitled, ''Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2017'', and an original bill entitled, ''Legislative Branch Appropriations Act, 2017''.

SD–106

11:30 a.m.

Committee on Foreign Relations

Business meeting to consider an original bill extending certain privileges and immunities to the Gulf Cooperation Council, and a routine list in the Foreign Service.

S–116

2 p.m.

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH–219

2:30 p.m.

Committee on Energy and Natural Resources

To hold hearings to examine the Bureau of Ocean Energy Management's 2017–2022 OCS Oil and Gas Leasing Program.

SD–366

Committee on the Judiciary

Subcommittee on Immigration and the National Interest

To hold hearings to examine the Administration's immigration policies.

SD–226

MAY 24

10:30 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine understanding the role of sanctions under the Iran Deal.

SD–538

MAY 25

10 a.m.

Committee on Foreign Relations

Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy

To hold hearings to examine international cybersecurity strategy, focusing on deterring foreign threats and building global cyber norms.

SD–419

2:30 p.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine understanding the role of sanctions under the Iran Deal, focusing on Administration perspectives.

SD–538

MAY 26

10 a.m.

Committee on Agriculture, Nutrition, and Forestry

To hold hearings to examine a review of the United States livestock and poultry sectors, focusing on marketplace opportunities and challenges.

SH–216

JUNE 8

10:30 a.m.

Committee on Appropriations

Subcommittee on Military Construction and Veterans Affairs, and Related Agencies

To hold hearings to examine a review of the Department of Veterans Affairs' electronic health record (VistA), progress toward interoperability with the Department of Defense's electronic health record, and plans for the future.

SD–124

SENATE—*Tuesday, May 17, 2016*

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

PRAYER

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

Let us pray.

Eternal God, who hears our prayers and listens to our cries for help, thank You for Your mercies that come to us new each day. You save us with Your strength, continually showing us Your unfailing love.

Help our lawmakers today to discern Your voice and do Your will. Lord, give them the ability to differentiate Your guidance from all others, permitting You to lead them to Your desired destination. Speak to them through Your Word, guide them with Your Spirit, and sustain them with Your might.

O God, You are our rock, our fortress, and our Savior. All Your promises prove true.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

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

THE APPROPRIATIONS PROCESS

Mr. MCCONNELL. Mr. President, last week, the Republican-led Senate passed, by an overwhelming majority, the first appropriations bill of the year—the energy security and water infrastructure funding bill. The Republican-led Senate did so in record early time. We began considering an annual appropriations bill this year at the earliest point in 40 years—40 years—and then we passed an annual appropriations bill this year at the earliest point in 40 years. Passage of this bill also marks the first time the Senate has passed an individual energy and water funding measure since 2009.

This shows what is possible with a little cooperation and regular order. By returning to regular order, we are better able to make better decisions about how taxpayer dollars are spent through the appropriations bills.

Here is what we mean when we talk about returning to regular order. We mean working in committee and allowing Senators from both sides to have their voices heard. We mean bringing bills to the floor and empowering more Members to offer suggestions they think might make a good bill even better. We mean working through hours of debate and deliberation, processing amendments from both sides, and then arriving at a final bill that actually passes.

That is just what we did here, and it resulted in the record early passage of an energy and water appropriations bill that will help support economic development, waterways infrastructure, and energy programs—initiatives that are important in my home State of Kentucky and in States across our country.

So I want to thank Senator ALEXANDER for working diligently with Senator FEINSTEIN to move this bill forward. They collaborated with both Democratic and Republican colleagues to ensure a fair process and an outcome that a majority of Senators could support.

I also want to thank Chairman COCHRAN and Ranking Member MIKULSKI for working within the Committee on Appropriations to move appropriations measures so early this year. We have already begun considering two more of them this week. The first measure is the transportation and housing infrastructure bill. It will make smart investments in important infrastructure priorities. It will strengthen our surface transportation network and help make air travel safer, more efficient, and more reliable.

I thank Senator COLLINS for her dedicated leadership on this important legislation.

The second measure is the Veterans and Military Construction funding bill. It will increase accountability at the VA and help ensure veterans receive the health care and benefits they rely on. It will advance vital national security projects, such as missile defense, and help ensure military families are supported with housing, schools, and health facilities to serve them.

This is the result of great work by a true champion of veterans—Senator KIRK. Senator KIRK and Senator COLLINS both worked hard to move these bills out of the Committee on Appropriations with unanimous bipartisan support. Now they are working hard to pass them together out here on the floor. They have already lined up several amendments that we will consider later today.

I would like to say a few words about one of these issues in particular. Both Republicans and Democrats agree that preventing the spread of Zika is a bipartisan priority. That is why Members from both parties have been looking at different approaches to properly address the situation. They worked through the best avenue to address the funding that may be needed to do so—the appropriations process—and came up with several different approaches for us to consider later today.

One amendment is from Senators BLUNT and MURRAY. It is a targeted approach that focuses on immediate needs while also providing resources for longer term goals, such as a vaccine. It includes accountability measures and represents a notable departure from our Democratic colleagues' initial position. It is good to see our Democratic friends compromise.

Another amendment is from Senators CORNYN and JOHNSON. Their enhanced approach builds upon the appropriators' work by responsibly offsetting Zika funding with funds that have been set aside for public health and prevention purposes. It would also remove redtape and help promote mosquito control, which is the best way to keep Americans safe from this virus in the near term while a vaccine is under development. The House is also advancing its own paid-for Zika measure this very week.

So we will take several votes today. We will continue moving forward with the appropriations process, and we will address Zika funding in that context because keeping Americans safe and healthy is a top priority for all of us.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

INTERNATIONAL DAY AGAINST HOMOPHOBIA AND TRANSPHOBIA

Mr. REID. Mr. President, today is International Day Against Homophobia and Transphobia. This day of recognition is especially significant for America since the civil rights of transgender Americans are at the forefront of an important national debate. At its core, the debate comes down to a simple question: With whom do we stand? Do we stand with the bullies or do we stand against the bullies? Do we stand up for the bullies or against the bullies? Do we defend the persecutors or do we come to the defense of the persecuted?

These are the questions posed to us, and they should be. These are the questions posed to us by what is happening in North Carolina and the law there that undermines the civil rights of transgender Americans.

During a 1-day special session in March, the North Carolina legislature rammed through a controversial law that strikes down local antidiscrimination ordinances. The actions taken by North Carolina's legislature and Governor are nothing short of State-sponsored discrimination against transgender individuals. The law is clearly and completely illegal. It is in direct opposition to Federal civil rights statutes prohibiting discrimination on the basis of sex.

The Federal courts have made it clear that sex discrimination under the Civil Rights Act covers transgender individuals. This goes back to 1989, when the Supreme Court ruled in Price Waterhouse v. Hopkins that sex discrimination includes sex stereotyping under title VII of the Civil Rights Act of 1964. Relying on the Supreme Court's ruling in that case, appellate courts have concluded that discrimination against transgender people is prohibited when it is based on gender nonconformity.

That is why last week the Department of Justice sued North Carolina, finding that its law constitutes a pattern or practice of discrimination under the Civil Rights Act, the Education Amendments Act of 1972, and the Violence Against Women Act, which we passed just last year.

This kind of shocking discriminatory lawmaking has no place in the 21st century. It certainly has no place in America. Attorney General Loretta Lynch said last week:

This is not the first time we have seen discriminatory responses to historic moments of progress for our nation. We saw it in the Jim Crow laws that followed the Emancipation Proclamation. We saw it in fierce and widespread resistance to Brown v. Board of Education. And we saw it in the proliferation of state bans on same-sex unions intended to stifle any hope that gay and lesbian Americans might one day be afforded the right to marry.

This issue has been far-reaching. It has far-reaching consequences. This is about access to employment, education, and just about everything else in public life. This is about whether we are going to allow our fellow citizens to be bullied, intimidated, and harassed.

The North Carolina law is not only wrong, but it runs counter to the progress we are seeing in States and cities across all of America. Right now, 18 States and approximately 200 cities have laws on the books to protect transgender individuals in being able to use the restroom that matches their gender identity.

Take, for example, what happened in Reno, NV, just last year. Reno, NV, is in Washoe County. It is the second largest school district in Nevada. In February 2015, in response to concerns from parents and students, the Washoe County School District issued policies to help foster a healthy and inclusive environment for transgender students.

The Washoe County School District developed thoughtful and commonsense policies that allow all students in Washoe County to have access to all school programs and activities. It was the first district in Nevada to do so. In the year since those regulations were adopted, schools across the district have reported few, if any, concerns about the new policies.

North Carolina leaders need to learn from Washoe County. They need to learn a thing or two about tolerance, as exhibited by the students and, yes, the adults across Washoe County.

North Carolina is already paying a severe price for its discriminatory law, and more is yet to come. Hundreds of America's biggest and most prestigious corporations and organizations have already come out in firm opposition to the law—companies such as Google, Bank of America, Starbucks, and Pfizer. You have major businesses that don't want to do business there. You have entertainers who won't perform there, such as Bruce Springsteen. But it is not just that. It is hundreds—hundreds—of other firms that are coming out in opposition to the law because what they are doing is illegal.

But Republican leaders are standing by their bigotry at a tremendous cost to the State, and that is disappointing. I stand with the administration in opposing the North Carolina law. I stand with all Americans against this shameful bullying. Most of all, I stand with the transgender people of North Carolina and our country who are the targets of this State-sponsored discrimination. My heart goes out to them.

This is not how a great nation should operate. We are better than this. So I look forward to the day, and it is coming soon, when this hateful law is struck down.

ZUBIK V. BURWELL

Mr. REID. Mr. President, yesterday, the Supreme Court chose not to rule on the merits of Zubik v. Burwell, a case brought by religiously affiliated nonprofit employers challenging the accommodation to the Affordable Care Act's contraceptive coverage provision. Instead, the Court remanded the case to lower courts for further proceeding.

The good news is that the order doesn't stop women who rely on the Affordable Care Act for contraceptive coverage from getting the services they need while the legal process plays out. But this remand highlights that the Supreme Court cannot properly do its job until we do ours here in the Senate. We must give Judge Merrick Garland a hearing and a vote so the Supreme Court can become fully functioning again.

There have been numerous cases that have been determined differently because of a 4-to-4 split. A number of them are just tied 4-to-4. A number of them have been remanded back to lower courts without action.

The Supreme Court to do its job needs nine—nine—Justices. So I hope the time is coming quickly when American women will know once and for all that their bosses can't interfere with their health care decisions, and I am confident the courts will ultimately do the right thing and uphold the Affordable Care Act's accommodation to the contraceptive coverage provision. Until that time, though, Senate Democrats will continue to watch this matter very closely and do everything in our power to defend access for women to birth control measures that they feel appropriate.

Mr. President, I think it is such a blight on the Senate that we are not doing anything to fill that ninth spot. It needs to be done, and it needs to be done quickly. Justice is being delayed. Justice is not being served.

I see my friend from Montana is on the floor. I ask the Chair, prior to his being recognized, to tell the Senate what we are going to do today.

RESERVATION OF LEADER TIME

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

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2577, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Pending:

Collins amendment No. 3896, in the nature of a substitute.

McConnell (for Lee) amendment No. 3897 (to amendment No. 3896), to prohibit the use of funds to carry out a rule and notice of the Department of Housing and Urban Development.

McConnell (for Nelson/Rubio) amendment No. 3898 (to amendment No. 3896), making supplemental appropriations for fiscal year 2016 to respond to Zika virus.

McConnell (for Cornyn) modified amendment No. 3899 (to amendment No. 3896), making emergency supplemental appropriations for the fiscal year ending September 30, 2016.

McConnell (for Blunt) modified amendment No. 3900 (to amendment No. 3896), Zika response and preparedness.

The PRESIDING OFFICER. Under the previous order, the time until 12:30 p.m. will be equally divided between the managers or their designees.

The Senator from Montana.

Mr. TESTER. Mr. President, as we begin consideration of the fiscal year 2017 Military Construction and Veterans Affairs appropriations bill, I want to start by thanking the chairman of the subcommittee and his staff.

The process Chairman KIRK and I put into place was fair, inclusive, and open, and I appreciate that he went out of his way to incorporate input from me, my team, and Senators from this side of the aisle.

This bill does right by our brave service men and women by honoring our Nation's commitment to veterans, Active-Duty military, and their families. We owe these folks our gratitude for their selfless sacrifice to freedom and democracy.

As a result of last year's bipartisan budget agreement, we are on the same page this year in terms of top-line funding numbers. This level of funding has allowed us to make critical investments in military construction, veterans programs, as well as Arlington National Cemetery and the U.S. Court of Appeals for Veterans Claims.

For VA, this bill provides $102 billion in mandatory funding for veterans' benefits—$102 billion—and includes an additional $103.9 billion in fiscal year 2018 advance funding to ensure that there is not a lapse in getting disability compensation and education benefits to our veterans.

For VA's discretionary accounts, including the Veterans Health Administration, the bill appropriates $74.9 billion. That is $3.4 billion more than the Department has this year. Within that amount, we are able to target increased funding for several key priorities for veterans. That includes health care, disability claims and appeals processing, medical and prosthetic research, and family caregiver support. That means the VA will be able to aggressively pursue critical veteran-centered research into a host of medical conditions, including PTSD and traumatic brain injury—the unseen wounds of war that are so difficult to both identify and treat. It also means the VA will have additional resources to meet the growing demand of caregivers who are providing critical, family-centered, long-term care for our veterans, and it will allow VBA to hire 300 new claims processors and 240 additional employees for the Board of Veterans Appeals, all focused on reducing the appeals backlog—something Senator SULLIVAN and I are working on over on the authorizing side. These funds will complement that work.

The bill before us also includes a new medical community care account that consolidates the various sources of funding that connect veterans to care in their own communities. The creation of this new account is extremely important in providing better oversight over a program that is critical for our veterans, particularly those in rural areas where services through the VA are often unavailable. It is also a key component in ongoing efforts to consolidate and streamline the number of different programs the VA has to get veterans care in their local communities. That is something a number of us are working on in a bipartisan manner in the Veterans' Affairs Committee.

On the MILCON side of the ledger, the bill before us also delivers. We have provided increased funding for a number of unfunded MILCON requirements identified by the services. Given the severe constraints on the budget, funding for military construction is squeezed more tightly now than ever. It is not just the cost of trying to maintain a deteriorating building, which in itself is substantial, it is also the impact that effort has on training, readiness, and retention of personnel—the very areas DOD is struggling to reinforce.

Shortchanging military construction is not a cost-effective or sustainable defense strategy over the long haul. That is why I am glad this bill provides nearly $500 million over the budget requested for unfunded priorities.

I am pleased the majority chose not to put forward controversial amendments on this bill during committee consideration. The bill that funds veterans health care and our military installations should not be a vehicle for politics. Our veterans and our servicemembers deserve a clean bill, so we need to avoid the ugly stuff on this bill.

I have a lot more to say about this bill as it is considered over the next, hopefully, several days. For now, I reiterate my thanks to the folks on the majority side, as well as Vice Chairman MIKULSKI, for their efforts in getting us where we are today.

Lastly, I remind all of our colleagues that we are open for business. So if there are amendments you are thinking about, get them filed and get them to our staffs so we can move forward. Amendments at the eleventh hour are never good, so get them in early so we can consider them.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent to speak as in morning business.

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

PRESIDENT'S POLICY ON TRANSGENDER ACCESS TO SCHOOL BATHROOMS

Mr. INHOFE. Mr. President, since Friday, my State and DC offices have been flooded with calls from concerned constituents regarding President Obama's latest unilateral action directing public schools and colleges to allow transgender kids into the bathrooms and locker rooms of their choice. In Oklahoma, we understand what this is all about. This is all about a liberal agenda being crammed down the neck of Oklahoma and the rest of the country.

On Sunday, I went to a church service near the Grand Lake area in Northeastern Oklahoma, where the nearest community has about 250 people. The pastor, whose name is Mark, said, ''If ever there were a Shadrach, Meshach, and Abednego moment in America, it is now.''

They understand that there is a real battle going on in Washington for our values. These values should be decided at the local level by the parents and teachers who truly understand what needs to take place to protect all kids.

He went on to say that ''we have to embolden our school board members [and other politicians] with our support.'' I agree. This is why I put forth a bill last year, which passed last year, to empower local school authorities to make these kinds of decisions. What the President is doing is unilaterally redefining title IX of the education law that prohibits discrimination on the basis of sex. With the new guidance he has issued, Obama is aiming to prohibit anything that could be construed as discrimination against ''gender identity, including discrimination based on a student's transgender status.''

Ultimately, the President is demanding, under threat of losing significant public assistance—in my State of Oklahoma, this amounts to about $450 million—if States and school districts don't comply. In other words, it is blackmail: You comply or you lose something you are entitled to.

By rewriting the law, President Obama has decided, without any input from Congress, that local schools must accommodate a very small segment of the population in a very specific way by allowing them to use the bathroom of their choice. By blackmailing our schools with funding that goes to low-income and special needs kids—money which schools are already entitled to receive—the Obama administration is writing its own laws to punish those who disagree.

As the pastor said this weekend, ''We should not sell out the innocence and the safety of our children'' as a condition for receiving Federal money that helps those who need it the most. In fact, he went on to say: We just will not accept it. We don't need to accept it. It is not worth the price we would pay.

This misguided policy is directed at the comfort of a microminority at the expense of the comfort, privacy, and safety of the majority of students who do not want to expose themselves or be exposed to another student of a different sex.

As Oklahoma's attorney general, Scott Pruitt, has noted, the administration's letter ''definitely changes the law in that it takes the unprecedented step of redefining 'sex' to mean 'gender identity.''' Furthermore, he states that the President's actions ''are unlawful'' and that they represent the ''most egregious administrative overreach to date'' and that Oklahoma ''will vigorously defend the State's interests.''

I fully support Oklahoma and other States that are vowing to fight this undemocratic edict from a politician who is no longer accountable to the voters. Oklahoma's parents, schools, and State and local boards are best equipped to deal with the issues they face in the classroom and on school grounds and should not be dictated to from Washington.

Our Nation's schools should not be ground zero for social experiments from the liberal agenda, and this is exactly what is happening now, but it doesn't take an Attorney General or a U.S. Senator to come to these conclusions. I thank God that basic morality is ringing out from the pews, not just in Northeastern Oklahoma but throughout America.

You are doing the Lord's work, Mark. Keep it up.

Mr. President, I ask unanimous consent that the time spent in a quorum call before 12:30 p.m. today be equally divided.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mrs. MURRAY. Mr. President, as a mother and a grandmother, I know that one of the most frightening questions an expecting parent has to ask their doctor is, ''Is my baby safe?''

Too many parents are asking that question right now because of the Zika virus. There are now more than 1,200 reported cases of Zika in the United States and the three territories—more than 100 of these are pregnant women—and on Friday, Puerto Rico announced its first case of Zika-related microcephaly.

Unfortunately, those numbers are only expected to grow in the coming months. So this is an emergency, and public health experts have repeatedly made it clear that as we get closer to the summer and to mosquito season, we cannot afford to delay. We need to better control mosquitoes that carry the Zika virus. We need to raise awareness to make sure families are informed about this disease, and we need to expand access to family planning services and accelerate the development of a vaccine. The President laid out a strong emergency funding proposal to accomplish each of those goals in February.

I support that plan. I was very disappointed that instead of acting on it as quickly as possible, my colleagues on the other side of the aisle simply refused to even consider it. Instead, they found reason after reason to delay. First, they said the administration should take funds from the ongoing Ebola response to combat Zika. Then, they said they needed more information about the President's proposal, even though Zika has been discussed in 55 congressional hearings, even after briefings by senior administration officials, and even though the administration's 25-page proposal had been available for months for anyone to see.

House Republicans have released a proposal that would provide a very meager $622 million, less than one-third of what is needed for this emergency, without any funding for preventive health care or outreach to those who are at risk of Zika, and they are still insisting in the House for the funding for the offset.

In the face of all of that partisanship and inaction and with public experts making it clearer every day how much we need to act before mosquito season is in full effect, I was encouraged that Chairman BLUNT and others on the Appropriations Committee were willing to work with Democrats on a first step to respond to this emergency. The agreement we have reached would put a down payment on the President's proposal into the hands of our first responders and researchers right away. It would provide much needed relief for Puerto Rico, backfill nearly $100 million in essential public health funding that the administration had been forced to reprogram, invest in prevention and support services for pregnant women and families at home and abroad, and put research dollars into developing a vaccine.

I believe the Republicans should do what we have urged them to do for months and join Democrats in supporting the President's full emergency funding request. But if they continue to refuse, then at the very least, they should be willing to support a bipartisan first step toward protecting families from this virus, and Democrats will continue pushing for every necessary resource going forward.

Families across the country are looking to Congress for action on Zika. They do not have time for lengthy debates about offsets, and they don't have more time to wait. So I hope we can move very quickly to get this emergency funding package through the Senate and the House and onto the President's desk. If we act now, we can help protect our families across the country from the truly tragic consequences of this disease, and there is no reason to delay.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, for months Democrats have asked the Republicans who control the Senate to let us act, while the Zika virus has spread across South America, Central America, and several U.S. territories. For months, we have asked the Republicans who control the Senate to let us act, while more and more American travelers are back in the United States after contracting the Zika virus. For months, we have asked the Republicans who control the Senate to let us act, while health experts at the World Health Organization, the National Institutes of Health, and the Centers for Disease Control and Prevention have begged Congress for the resources to fight this disease. For months, we have asked Republicans who control the Senate to let us act, while more people infected by Zika have developed a debilitating and sometimes fatal condition that damages the nervous system. For months we have asked the Republicans who control the Senate to let us act, while more mothers infected by Zika have given birth to babies with severe brain defects. And for months, we have asked the Republicans who control the Senate to let us act, while the President has been forced to divert emergency funds from other critical areas, including the emergency Ebola response.

Today, months after President Obama first requested nearly $2 billion to fight the Zika virus in the United States, the Republicans who control the Senate will finally let us vote on options for funding the Zika response.

Today the Senate will consider three proposals. The first proposal would completely fund the President's response plan. It offers our best hope to fully protect Americans, and I will vote for that proposal. I plead with every Senator to do the same because that is what our Nation's experts have said it will cost to limit the sickness, death, and deformity caused by the Zika virus.

I know that some Republicans understand this point. Senator RUBIO, whose State of Florida is at great risk for local transmission of Zika, recently said this:

> I believe in limited government, but I do believe one of the obligations of a limited Federal Government is to protect our people from dangers, whether they be foreign enemies or the risk of disease outbreak. . . . I don't think we want to be halfway through the summer and wake up to the news that hundreds and hundreds of Americans in multiple States have been infected and we did nothing.

Senator RUBIO supports fully funding the President's response plan. I hope it

passes the Senate. If it doesn't, it will be because the majority of Senate Republicans vote against it. If that happens, we will be forced to consider another proposal.

The second proposal would give the President half of what is needed to fight the outbreak. I will support this proposal if that is the last resort, as will many Democrats, because this is a health emergency. If your ship is sinking and you need 12 lifeboats but you can only get 6, you take the 6. We will take whatever the Republicans who control the Senate are willing to give to protect the American people.

Cutting the Zika funding request in half might give Republicans a chance to tell people how tough they are on spending, and that may be how Republican politics works, but it is not how science works. It is not possible to delay a response to a health emergency for month after month without consequences. It is not possible to nickel-and-dime a response to a health emergency without consequences. Sure, the Republicans' half measure is better than nothing. But an estimated 4 million people are facing the prospect of Zika infection by the end of this year, and a half response is not good enough.

The final Republican proposal is even dumber. It would not only give the President about half of what is needed but it would cover the cost by gutting the Prevention and Public Health Fund, which provides significant support to local public health departments all across the country. You heard that right. Some Senate Republicans think the best way to fund America's emergency response to the Zika virus is to rob from America's frontline responders who help identify and track infectious diseases such as the Zika virus.

On the other side of Congress, House Republicans are kicking around an even more bizarre idea—funding only about one-third of the President's plan to fight Zika and doing it by cutting hundreds of millions of dollars out of our Ebola response. With the Ebola epidemic just passed and still no FDA-approved vaccine or treatment for Ebola, what could possibly go wrong with that plan?

I simply do not understand the Republicans. The responsible thing to do—the rational thing to do—is to invest the resources needed to stop the Zika threat in its tracks and to invest in more science and public health infrastructure so that we are ready when the next crisis comes.

As congressional Republicans embrace this irrational anti-spending ideology, this country is put in greater and greater danger. Instead of investing in research so we can develop effective treatments, instead of supporting careful planning so we are ready for the next health challenge, and instead of fully funding emergency response infrastructure so we are prepared to respond to new threats, these Republicans govern by simply lurching from crisis to crisis.

We are in this mess with Zika—a mess that is about to get a lot worse—because of stupid decisions made right here in Congress. Keep in mind that Zika, like Ebola, is a disease we have known about for years. But our ability to do the necessary research to eradicate these threats has been undercut by Republicans' desire to make more and more budget cuts, even when they put the health of Americans in danger.

This country's scientific research capacity has been decimated. Over the last decade, the budget of the National Institute of Allergy and Infectious Diseases has lost about 20 percent of its purchasing power—20 percent. The Prevention and Public Health Fund that helps build the infrastructure needed to prevent people from getting sick and to shut down outbreaks like Zika has been on the Republicans' chopping block year after year.

Here is the bottom line. Our doctors, scientists, and health officials need our complete support in fighting this virus. They have told us how much money they need to do that. The less money Congress gives them, the more people will be hurt by the Zika virus—more babies with heartbreaking deformities, more adults with devastating illnesses.

The Zika virus does not care what politicians in Washington decide is politically expedient. The virus is coming, and if Republicans block Congress from protecting the people of this country, then Republicans must accept responsibility for the devastating consequences.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Mr. President, first of all, let me begin by saying how encouraged I am that we are finally seeing some action here in Congress dealing with the Zika virus. Today, we have not one but three separate proposals to deal with this which are going to come up for a vote.

I support fully funding the request made. People say the President's request. Fine, it came from the White House. But it is really the scientists' request, the doctors' request, and the public health sector's request for how to address this issue.

The fundamental point I make is twofold. We can pay for it. We can find $1.9 billion. By the way, we can always come back later and find it, too, although I know that is hard to see happening here in Washington. But this is a public health emergency that cannot wait for this extended debate on this issue, especially when you talk about an $18 trillion debt. Zika funding is not the reason why we have an $18 trillion debt. It is not the national driver of our debt. That is why dealing with the long-term security of Medicare and Social Security is so critical. But we can pay for $1.9 billion, and we should. But it is public health experts who have said the amount we need is $1.9 billion.

I continue to urge my colleagues to take this with the sense of urgency that the public health experts have. The people I have met with, the people I have interacted with, and the people I have been talking to are not political people. I haven't been talking to people in the White House political office. I have been meeting with people who work at the Centers for Disease Control. I have been meeting with people who work at the Florida Department of Health. I have been talking to department of health officials in Puerto Rico. I have been talking with doctors who are in the frontline of dealing with microcephaly and what it means long term for the children who have been impacted by it. That is with whom I have been talking.

They have outlined the kinds of things we need to be doing. But more importantly, what they outlined is that there is so much we still don't know about Zika. For example, we don't know what the long-term consequences are of a mother who is infected with Zika while pregnant and the child was born without microcephaly. We don't know what happens in 6 months, 9 months, 1 year, or 5 years down the road. But I do know that many medical experts believe there will be further manifestations of the disease's impact on the central nervous system in many of these children years after this debate in Congress is finished.

I do know that Puerto Rico is being ravaged by this. Puerto Rico is a territory of the United States. These are American citizens who have been infected with Zika. They don't have a Senator from Puerto Rico, although I am more than honored and grateful for the opportunity to speak on their behalf on these issues. But what people have to understand is—this is not the right way to approach it, but even if your approach is that it is Puerto Rico and it is not the mainland of the United States, then I invite you to go to the airport in Orlando or Miami, and you can see the daily flights and the constant flow of people back and forth.

We also look at the fact that the summer months are coming. This is a mosquito-borne infection. We know that mosquito season is here, and it is coming fast. We know that the Zika virus becomes more potent as temperatures get warmer. Guess what. It is about to get really warm not just in Florida but throughout the Gulf Coast States and throughout the country.

We know that places such as Brazil have been deeply impacted by the Zika virus. Guess what. Tens of thousands of people are about to travel through the United States to and from Brazil for the summer Olympics.

We know that Major League Baseball canceled a game in Puerto Rico because they believed it was a serious enough risk that they didn't want to put the players at risk, not to mention the crowd.

We see something percolating, and we don't know much about it. We know enough about it to know it is a serious problem. We do not know how far this is going to go. As a result, we see the people of this country facing a public health threat, and our response should be to deal with it the way medical experts say we need to deal with it.

We can put language in the proposal that says: If you don't end up spending the full $1.9 billion and you don't need all of that money, all of that money automatically goes back to Treasury within it a year or two if it hasn't been spent.

Why take the chance? Why take the chance that at some point this summer we could have a significant and serious outbreak in the United States of America when all the Senators are back in their home States doing campaign stuff or whatever they are doing and have to come back here and deal with it and explain to the people why, when doctors and medical experts were warning us that this was a significant risk, we decided to lowball it and spend less than what was called for by experts.

By no means do I intend for this to sound as if I am criticizing Senators MURRAY and BLUNT. I thank them for their work. They have tried to come up with a bipartisan proposal that can pass.

I said earlier, I am proud of the amendment that my colleague from Florida, Senator NELSON, and I are proposing here today. I hope that the $1.9 billion amount passes, but if we are left with a vote on the Blunt-Murray amendment, I think that is better than nothing, and I will support it. But why are we taking this chance? It makes absolutely no sense.

While I am happy that the Senate will hopefully take action on this issue, I am concerned about what I hear coming from the House. I am glad that they are finally beginning to move on the legislation and that something is happening, but I am very concerned about the direction of their own funding measure. Their funding measure isn't even $1.1 billion. It is $622 million, and quite frankly, that will not cut it. If we don't spend more than that on the front end, I believe we will spend a lot more later on because the problem is not going to go away, and it certainly will not go away with $622 million to combat it. This is concerning to me because even if we do manage to pass the $1.9 billion request, I am afraid even that may not be enough for the long term.

The issue that seems to be holding them back is the desire to offset spending. As I said, I support that 100 percent. I believe we can find $1.9 billion and transfer it from some other part of our budget to ensure that we are not deficit-spending. We can do that and we should do that. I am in favor of doing that, but that will not keep me from trying to do something about it.

In times of public health emergencies, just like during times of natural disasters, I don't think we should delay action while we try to figure out these budgetary moves and try to agree on what we are going to cut from other parts of the budget. I still believe we should do it, but we cannot hold back for another few weeks while we are trying to get to that point.

The administration has already diverted half a billion dollars that was intended for the fight against Ebola, but the House would raid even more of the Ebola funds for the Zika response.

It is easy to say: Ebola is not in the headlines anymore. We are not reading about it that much, so it must not be a problem.

Ebola still exists. It is not polio. We haven't eradicated it from the United States or the world. It is just not a percolating crisis right now, but there is nothing to say that it couldn't pop up again.

By the way, these sorts of pandemics will become more and more common as people are able to extensively travel all over the world. We are at the crossroads of a lot of that travel.

I don't think I am prepared to walk away. Maybe they don't need the full half a billion dollars, but I think it would be shortsighted to say that Ebola is finished, so we don't have to worry it anymore. There has to be some money available in case that comes up again, because it could.

I believe the House can and should do better than what it has proposed and should provide offsets to the spending—provide the $1.9 billion offsets. I guarantee they will be able to find that fairly quickly. They could provide stringent accountability measures. They could stipulate in the law that they pass, for example, that if we are wrong and don't end up spending or needing anything close to $1.9 billion or even $1.1 billion, that the taxpayers' money will be returned to the Treasury. But let's not play with fire.

As of now, there are 112 people in the State of Florida who have been infected. We have many more American citizens who have been infected in Puerto Rico. There are many unborn children who are at risk, and many more will be impacted once mosquito season sets in. At the end of the day, these are the people we should be fighting for, and quite frankly, we can do much better than what the House is proposing.

This is a devastating disease. It has taken lives throughout our hemisphere, and the way it impacts unborn children alone should call us to action. We have seen the images from Brazil of the children born with microcephaly. This is a devastating condition. The cost of caring for those children throughout their lives is extensive, and we are going to do it. We need to do it, and we will do it, but let's try to prevent it. Let's try to get ahead of it. Let's try not to just be reactive but proactive.

There are reports in the press today that scientists have been able to take a significant step toward potentially creating a vaccine. Once there is a vaccine for Zika, this problem will be under control.

As I said earlier, let's not play with fire. I hope my colleagues will jump on board and fully fund the $1.9 billion. If they want, we can put language in the legislation that says that if the money isn't fully spent, it will be refunded to the Treasury.

Why take the chance? Why take a chance on an issue that is not yet well defined? Why take the chance on a disease that we still don't know everything about? Why take the chance that we could have an outbreak much worse than anything any of us anticipated and be caught off guard? Why take the chance that you will have to go home in August and September and explain to millions of people across this country why so many Americans are now being infected by this disease and you lowballed our approach to it a few months ago? Why take the chance?

Let's do it once. Let's get it right. Let's ensure that we are protecting our people and deal with it now and deal with it fully. This is our obligation, and I hope we will embrace it here today. There is no reason we should not fully fund this proposal and listen to the doctors and health care experts who are asking us for this and build from there. I hope that is what my colleagues will do in a few hours when we vote on these proposals that stand before us.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. FLAKE. Mr. President, I come to the floor to speak with regard to providing funding for the emerging Zika crisis that the Senate will be considering on the floor today.

We in this body and the entire Congress over the past several years have provided a lot of additional health-related supplemental funding. In fact, over the past 13 years, roughly $19 billion has been directed toward health-related emergency supplemental funding. This, of course, does not include

the hundreds of billions of dollars in other supplemental spending that has circumvented the budgetary oversight process.

With a national debt of $19 trillion, we have to make sure we budget for these types of emergencies. When we have appropriated on a supplemental basis $19 billion over the past 13 years—supplemental health funding—then we know we need to budget for this type of crisis and not simply go the supplemental route and go out from under our budgetary caps.

I will support cloture today on the measure that includes an offset. We have to be more fiscally responsible as we deal with these crises. This is a crisis we need to deal with, but we ought to at least attempt to offset that funding. I believe taxpayers deserve nothing less than that.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Ms. MIKULSKI. Mr. President, it has been 3 months since the administration sent Congress the emergency funding request for Zika, and Congress hasn't acted on it. But today we have an opportunity to do so, and I hope we do.

We will have pending before the Congress three different options on how to fund this public health emergency, but we must realize it is an emergency, and we need to have a sense of urgency to protect the American people and to help those south of the border to be able to cope with it. What are we waiting for? The mosquitoes are here. The mosquitoes have not only come, they have already come.

I have said in the past that we can't build a wall to keep them out—the mosquitoes will not pay for it—but it is no laughing matter. The President has said we need $1.9 billion to fight Zika to stop it from doing any more harm. That is what I am fighting for. We know we need to get the job done.

It is not just Senator BARB talking. The World Health Organization has declared Zika a public health emergency. The President declared it as such. The Centers for Disease Control and Prevention, through Dr. Freiden, has said this is a national and international emergency. And Dr. Fauci, head of the Institute of Infectious Diseases and Neurology at NIH, whom we have turned to on so many occasions, has also said it. So every public health entity has validated that this is a serious public health crisis.

We can prevent its dire consequences. Through action, particularly related to mosquito control and working with pregnant women and women of childbearing age, we can deal with this. This is not some unknown disease that would suddenly be arriving on our shores for which we would have no knowledge and no tools. These are basic public health tools related to mosquito control and helping women of childbearing age.

If we refuse to act, this will be a self-inflicted wound on our own people, and the consequences are dire. For those who care about children—I am sure we have already seen what has happened south of the border with little children being born with microencephalitis. My gosh, it is heartbreaking. It is heartbreaking for the little child with a limited life expectancy and limited life opportunities, the responsibility that will come to the family—usually to the mother—and to the society that will have to care for that child.

Today we are talking about money, but we have to think about the human concerns. Both Dr. Freiden and Dr. Fauci have conveyed to me and other Members of this body, particularly those on the Appropriations Committee and on the Health and Education Committee, that there are other unknown health issues related to those over the age of 65 or those with compromised immune situations now. If you have a chronic condition like diabetes, you could be subject to really negative consequences from being bitten. We have heard about Guillain-Barre. There are other diseases that are a consequence of Zika that give arthritic symptoms that can last for over 10 years.

Why don't we do something about it? We know that mosquitoes carry Zika. We already know they are in several States. We know Puerto Rico is already being hard hit. Sports events and other events have been canceled. We know it is down in Florida. Look at the way Senators NELSON and RUBIO are working together. We need to act, and we need to act now because we do know these horrible and devastating impacts. We have heard eloquent and poignant and even wrenching descriptions of what happens to children.

I know a topic in our Congress and in the Senate has often been the unborn. Well, we really want to protect the unborn, and this is the way to do it. We have to stop the mosquitoes through mosquito control.

This is basic public health. We also have to work with those women who are pregnant or of childbearing age to know about the consequences and what actions they can take to be able to do that. We need to be able to do this at the Federal level. Congress needs to act.

They are already acting at a local level, but they are spending local money to be able to do it. My own Governor, a Republican, Larry Hogan, is acting. He convened a task force. He pulled his public health people together. He ordered his own health department to coordinate education and awareness with local health departments in Maryland. I salute Governor Hogan in taking that action. He has already authorized the distribution of thousands of prevention kits for pregnant women across the entire State. Those kits cost about $130,000 to put together and to distribute. Maryland is doing this on its own dime. Well, mosquitoes are a national consequence and even an international one.

The counties in Maryland are doing their job—again, not Democrat or Republican. Again, my Governor is a staunch fiscal conservative, but he knows public health saves money, along with helping people with their lives.

Anne Arundel County, the home of the State capital, headed by a Republican county executive, is acting. This local county is already distributing its own prevention kits. It is not only the State capital, it is the home of the Naval Academy. Everybody is acting on their own.

In Baltimore City, our mayor is acting, working with the Bloomberg School of Public Health. We are spending local money on mosquito control. They need help. They need help from their own government to deal with the issue south of the border as they come up here, and they need help in their own communities to be able to fund the basic public health measures that we know are tried and that we know are true to be able to do that. I really encourage us to be able to do this and not to do it by raiding our programs.

I absolutely oppose taking money from the Prevention and Public Health Fund to pay for Zika. The prevention fund provides resources to States against other public health problems. We can't prepare for and protect against Zika by taking funds from other public health activities. We don't know what the summer and the winter hold. States could lose as much as 40 percent of their surveillance dollars to track other infectious diseases.

We have been asked for a very straightforward set of options. There is the Nelson-Rubio amendment asking for $1.9 billion. That is what I support. It would fully fund our measures, both nationally and internationally, and particularly help deal with the spread of this disease and helping local communities.

I reject another amendment that will be coming, offered by the Senator from Texas, Mr. CORNYN, who is well intentioned, and I appreciate his sincere interest in this. But he is robbing the prevention fund. We need an urgent supplemental. This was an unexpected event, which means that it is temporary, it is unexpected, and we need to deal with it.

I really want to congratulate—I know Senator BLUNT and Senator MURRAY have been working on another option if the other two fail. Whatever it is, at the end of the day we need to take action. This is a public health emergency. We need to deal with it in the most expeditious way. I know every Senator here is concerned about it.

The mosquitoes have already come to Maryland. What we don't want is to be stung by its consequences. So let's get on with the business of the day. I thank my colleagues for dealing with this issue now.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I want to talk about the amendment I have offered with Senator MURRAY and Senator MIKULSKI and Senator COCHRAN. The chairman and the ranking member of the Appropriations Committee have joined in that amendment, as have Senator GRAHAM and Senator LEAHY. The committees involved are truly looking at this, trying to find a way forward that allows us to take action. We do need to take action, as my good friend from Maryland has just so well explained.

There is no vaccine. There is no simple diagnostic test. There is no way to treat the virus once you get infected. So communities really don't have very many options right now. The limited resources they have to manage the one thing we can do something about immediately besides education—the local mosquito population—are resources that are not nearly adequate to meet the current need.

At this time, there is no way to fully prevent the infection, leaving high-risk populations at risk, especially pregnant women or women trying to get pregnant. That seems to be the population where the impact of this disease—the impact of this Zika infection—has not only the most short-term but the most long-term implications because of microcephaly and other things that are going to be impacting children born.

I am told by the Centers for Disease Control and Prevention that every indication now would be that once you have had Zika, you cannot get it again. It becomes the inoculation, so just because you get Zika and may at a later time become pregnant, you are not likely to have the same thing. That is one of the studies going on, to verify for sure that is the case and also to verify for sure how long after you have had Zika that pregnancy can still be a problem.

This is a growing problem. There are already 650 confirmed Zika cases in the U.S. territories, with the majority of those being in Puerto Rico. There are over 500 travel-associated cases of Zika in the United States. If they got it here, it has been through sexual transmission and not from the mosquitoes themselves because obviously it is not mosquito season yet, but that is very close.

This is a public health threat and clearly an emergency. This is not something we can plan now to deal with 2 years from now because 2 years from now would be too late to deal with this crisis. However, I want to make clear that our deliberations over the supplemental request have never been an either-or scenario. There has never been a scenario where we are either going to rubberstamp the administration's request or do nothing. That straw man will not work. That is not the situation.

We need to evaluate this request. The request has certain items the administration asks for that I think if you look at them not even very closely—and certainly when you look at them closely—you find out they are unnecessary, they are unwarranted.

This is a bill designed to address an emergency situation, not a bill designed to make the most of an emergency. For example, the administration's proposal has a request for the building and expansion of new Federal buildings; $85 million of that initial request was to build new buildings. There is no way those buildings would probably even be started during the so-called emergency timeframe or during the real emergency timeframe. Certainly they would not be of use during the timeframe. That is not a real reason to ask for money; it is just an excuse to ask for money. The Congress could, should, and I believe will say: No, we are not going to do that.

The second request I would like to point out today, the request to provide the department of health with $175 million of that $1.9 billion, was just a slush fund. It was just a fund with virtually unlimited authority to transfer that $175 million or any part of it to any purpose of any Federal Government agency.

There may be some purposes in this emergency we don't know about yet, but they are not going to be $175 million, and they are not the kind of emergency appropriations you couldn't get by other means where the Congress is clearly involved. We did not provide this kind of funding in the Ebola crisis when the Democrats were in charge of the Senate. We should not provide it today.

There is no reason for a $175 million undesignated fund to be used anywhere in the Federal Government, any more than there is a reason to take $85 million and build a new Federal building, and say ''Well, it is part of the Zika emergency'' because it clearly is not. If there is a need for a Federal building at CDC, the Centers for Disease Control and Prevention can come to the Congress and make that case. That is the way that should be done.

If this amendment prevails today, that money will not be available. It is not unreasonable to ask the administration for details on what activities would be funded. What are their priorities, and when would they realistically spend these funds?

The $1.1 billion emergency fund would take us through the end of not just this fiscal year but the next fiscal year, about the same time we would hope in talking to the National Institutes of Health that a vaccine will be available. Once a vaccine is available, we will need to look at this Zika infection in a new way, and we will get to look at it in a new way.

If the administration had been a little more transparent at first, maybe we could have reached this point earlier. But to suggest that the Congress has needlessly delayed funding is both unfair and untrue.

I also think that this is the time we can move forward. The role of the Appropriations Committee is to look at this and to see that the money appropriated is going to be spent in the right way.

In the meantime, the administration has made available to the Zika crisis almost $600 million. Mr. President, $589 million is a lot of money. It is particularly a lot of money when it is basically one-third of what was being asked for. Whether what was being asked for was necessary or not, $589 million of unobligated funds that were available in other places have been brought to this cause.

The fact that the administration did that shows in a good way just how serious they are about the crisis. If this were not a real crisis, they would not be taking $589 million that in some process would be spent somewhere else and say: Listen, we need to spend this on Zika right now. But for the people we work for, it is important to understand that $589 million is being spent on this, and that is no more than what would possibly have been spent if this appropriation would have happened the day the administration asked for it.

The Appropriations Committee took the necessary time to understand the funding needs and response requirements to ensure that we protect all Americans, including taxpaying Americans. We worked in a bipartisan manner to provide the Department of Health and Human Services and the Department of State with targeted funding to respond to Zika.

Today we have that result, a bipartisan amendment worked out between the leaders of the Appropriations Committee and the Labor HHS and State and Foreign Operations Subcommittees to meet this emergency. Specifically, I worked with my ranking member on Labor HHS, Senator MURRAY, to reach an agreement that will provide $850 million to the Department of Health and Human Services to respond in a three-pronged strategy.

First, that Department is to provide the funds necessary to develop vaccine candidates, therapeutics, and new diagnostic tools.

Secondly, the Centers for Disease Control and Prevention will be able to focus responsible efforts domestically and internationally on the highest priority activities, such as vector control, emergency preparedness, and public health outreach.

Finally, the supplemental provides targeted funding to Puerto Rico, which public health experts believe will be the most at-risk area in a Zika outbreak.

Additionally, this amendment, with the work of Senator GRAHAM and Senator LEAHY, includes $248 million for the Department of State and USAID to support other affected countries' ability to implement programs to reduce the transmission of the virus.

This amendment is a targeted response providing the funding needed through 2017. It includes funding for priority initiatives focused on prevention, control, and treatment. It does not include funding for unessential requests.

I hope at the end of the day all Members find a way to meet this emergency. I believe the bipartisan amendment we are offering is the most likely of these amendments to meet the need. Certainly, in my view, it is the amendment that has taken the most focus on exactly what is needed to meet this crisis and meet it now.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I would say to the Senator from Missouri that while this Senator is most appreciative that he and Senator MURRAY have come forth in a bipartisan fashion with about half of the funding that this Senator—also in a bipartisan proposal, since my colleague from Florida, Senator RUBIO, is the sponsor of this amendment with this Senator, I would point to the Senator's own words commending the administration that they recognized that this was crisis enough to go in and borrow $580 million from the Ebola fund to get started, since we couldn't get Congress off dead center until now.

I commend Senator BLUNT and Senator MURRAY for their action. I commend the leadership for being willing to put this on the T-HUD bill, appropriations bill, but for the Senator to suggest that he raised that point that it was such an emergency—$589 million—but the Appropriations Committee proposal only replaces the $589 million that has been taken from the Ebola fund. It replaces, replenishes it only with $88 million instead of $589 million.

By the way, the news just broke. There is another outbreak of Ebola.

This Senator is not here to talk about Ebola. This Senator is on the floor to talk about another health care medical emergency, of which there is well over 100 cases in this Senator's State of Florida. Senator RUBIO and I are desperately trying to help.

Before Senator BLUNT leaves, I wish to say one other thing. He mentioned that we need to control the vector. What does that mean? The vector is the gremlin that spreads the virus; that is, the aegypti strain of mosquito. That mosquito is now all over the southern United States, especially in Puerto Rico, and mosquito control costs money.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter from one of my counties, the Osceola County Commission, saying that they desperately need the funds as they are out of funds for mosquito control.

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

MAY 12, 2016.

Subject: Mosquito Control—Urgent Need for Funding

EMERGENCY FUNDING REQUEST,

Florida Department of Health Emergency Preparedness and Response, Tallahassee, FL.

On February 04, 2016 Governor Scott declared a state of public health emergency for four Florida counties. This public health emergency has placed Osceola County under significant financial pressure. Our program is locally funded with an annual budget of less than $500,000 for arthropod control, so the County does not have the additional resources to address this catastrophic public health emergency.

At the time of the Governor's Declaration, Osceola already had ceased operations and gone into off-season mode. However, on February 05, 2016, local media covered the first case of Zika virus in Osceola County. Since then, the virus has expanded into several other areas and resulted in a substantial service demand increase, and the number of Zika cases is still climbing, even as resources are being depleted. Media continues to report that the positive cases are all travel-related—with Central Florida hosting more than 63 million visitors annually, and with Osceola County's predominant Hispanic demographic, we are the epicenter for this life-threatening virus.

Current staffing levels are not sufficient to meet this emergency. County resources are exhausted, and funds are not readily available to respond to this disaster. Lives are at stake.

To date, we have tried to be as creative as possible, reallocating staff and other departmental resources to respond to the public threat. We have shifted larvacide staff to go door to door, conducting Zika sweeps in response to service calls. This shifting of staff has reduced our ability to larvicide, which creates a catch-22 situation—larva not eliminated today become biting adult mosquitos tomorrow. While it's hard to predict all the potential mosquito control needs for the remainder of this year, the continuing emergency situation and citizen anxiety continues to require a heightened awareness and response.

Below is a list of currently identified funding shortfalls, with potentially more to come as the summer trap numbers rise.

Additional full-time temporary staff to perform day time sweeps and Larvicide	$200,000
Funding for increased aerial spraying	100,000
Additional Back Pack Sprayers (5 X 1,800.00)	9,000
Extra on-hand fuels, chemicals, dry ice and baits	50,000
Private contractor for Tire pile removal	250,000
5 spray trucks with mounted sprayers to increase frequency of adulticide treatments county wide	200,000
Additional funding for spray driver pool (to compensate for additional work for night-time drivers)	80,000
Total initial request	$889,000

Respectfully,

DONALD FISHER,
County Manager, Osceola County BOCC.

Mr. NELSON. What Senator RUBIO and I have is an emergency appropriation of $1.9 billion, although it is not treated that way in this appropriations bill.

The Centers for Disease Control predicts that up to 25 percent of our fellow American citizens on the island of Puerto Rico are going to be infected by the end of the year; that is, 800,000 people just there.

Already in the United States, we have over 1,000 cases reported in 45 States; 113 of those 1,000 are in Florida. Most of them are in South Florida, Miami-Dade County. Yesterday we just had another case that brought that total to 113. Those 113 cases are spread all over the State of Florida.

The community leaders, as indicated by this letter from Osceola County, are saying they are out of funds. Help. This is an emergency. With four reported cases of the virus so far just in that county, which is near Orlando, they have determined they will need to triple their annual budget for mosquito control.

The county manager writes:

This public health emergency has placed Osceola County under significant financial pressure.

County resources are exhausted, and funds are not readily available to respond to this disaster. Lives are at stake.

Think about what the House has done—a $600 million Zika bill. That is nowhere what we need. Such a figure is not only absurd, it is an insult to the men and women who are on the frontlines trying to battle this virus. These are local governments, such as the one I mentioned in Osceola County. We have an opportunity to respond.

This Senator understands it is already baked in the cake. Even though this proposal by Senator RUBIO and me is bipartisan, it is already baked in the cake that it is going to be the $1.1 billion, but beware. The crisis is looming. We haven't gotten an effective method for controlling the mosquito. We do not have a vaccine. All of these things take time, they take money, and it is going to need research. There is $277 million in this proposal that Senator RUBIO and I think needs to go to the National Institutes of Health to accelerate their research for a vaccine and other basic research.

When you compare the two competing provisions out here today—the committee position and ours—going to Puerto Rico, ours is $250 million. That

island is devastated—$250 million for Medicaid funds. What is in the committee report is $126 million—half.

For example, take the $743 million in our proposal for the CDC, the Centers for Disease Control. In the committee, there is $449 million. Overall, take the funding to HHS. There is $105 billion in ours and roughly half, $850 million, in the committee provision.

I think we should not nickel-and-dime our response to what the World Health Organization has said and already declared a public health emergency of international concern. The urgency is now and we ought to do the right thing.

I conclude by staying we have the Olympics in a few months in Rio. Brazil is covered with Zika infestation and infection. Remember, it cannot only be transmitted by the mosquito, the aegypti, but it can also be transmitted sexually.

Also, remember the doctors do not know—other than to suspect that it can be transmitted to the pregnant woman any time during the 9 months of pregnancy and it may not show up in the infant until years later in some developmental issue. They do know that in the first trimester of pregnancy, the infected virus is producing the babies with microcephaly. Such a case was just reported with an infected pregnant woman in Puerto Rico.

We have not heard the last of this, and you are going to see it magnified with regard to the Olympics. Sooner or later we are going to have to face the music. It looks like we are going to face the music with about half of the appropriation today. Ultimately, this is a full-blown emergency.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, while our colleague from Florida is on the floor, I thank him for being a loud and vocal proponent and for taking swift action. I thank the Senator for leading the fight.

Mr. NELSON. I thank the Senator for his support because he recognizes the emergency.

Mr. CARPER. Mr. President, I rise in support of emergency supplemental funding for Federal efforts to combat the impending threat of the Zika virus.

Reports of the spread of this virus are concerning. Actually, they are troubling, not just for public health officials but for many Americans who are reading about it in the paper and seeing coverage of it in the news almost by the hour. Families are reconsidering vacations they had planned, especially to more tropical locations.

As we approach the mosquito season, people are understandably worried about how this outbreak will affect them and their families, not just to go on a vacation and camping but literally to go outside and have a cookout or eat out on the porch.

We need to continue working to fully understand and combat the health risks that are posed by Zika. Just like our response to Ebola, our response to Zika must be an all-hands-on-deck effort.

In February, President Obama submitted a $1.9 billion emergency supplemental funding request to Congress to bolster programs and activities which would curb the spread of this virus. Given the real threat posed by Zika, I support the funding level requested by the President. I intend to vote for the amendment offered by our colleague from Florida, Senator NELSON, which would fully fund this request.

With that being said, I understand that a bipartisan agreement on funding has been reached between Senator BLUNT and Senator MURRAY, which would provide $1.1 billion toward the Zika effort. I appreciate their hard work in negotiating this language. I am going to support their amendment as well so our Nation's public health officials can take all necessary actions to combat the spread of this virus.

As we have heard, the Zika virus has spread explosively throughout Central America and South America. In fact, it has already reached Puerto Rico, other U.S. territories, and is expected to spread further north as the weather continues to warm.

Researchers have learned much about this virus in just the last couple of months. Their findings are indeed troubling.

Last month the Centers for Disease Control and Prevention announced there is now enough scientific evidence to confirm what many have long speculated—the Zika virus is the direct cause of severe birth defects.

Further complicating matters, it now appears that the mosquito primarily responsible for transmitting the virus has a wider presence in the United States than we had originally thought.

I have two maps. We will look at the first one.

The blue color is not good. Orange is less dangerous, less threatening in terms of the mosquitoes. The combination of the blue and the orange is troubling. If you look at the combination of blue and orange, it means that the two most worrisome mosquitoes are going to be covering the southern half of our country this summer.

The areas to the northeast and the Midwest, to the northern part, are somewhat less troubling, but my State of Delaware is right here.

Arizona, the State of the Presiding Officer, is right over here. Senator NELSON's State is right here. The only person on the floor whose State looks like they are going to escape is Maine. Senator COLLINS is here. Maybe she is in the clear, but she is here to help lead the fight to make sure we are all in this together and we are looking out for each other.

I wish to show another map. Major cities across the East Coast, including in the District of Columbia, could be hit hard by the Zika virus.

With mosquito season upon us and with more than 500 travel-related cases already diagnosed within the continental United States, we must be prepared for the possibility of outbreaks in some parts of this country. That is why I was glad to see President Obama and his administration take an early and proactive role in addressing Zika. Some of the actions already undertaken by Federal agencies include assisting State and local governments in mosquito-control efforts and ensuring that local health officials have the equipment they need to test people for this disease.

We also know that promising advances are being made in medical countermeasures and vaccine development. To date, these efforts have required the transfer of resources from other priorities, as we know, including Ebola. Last month the Obama administration announced it would redirect, on an interim basis, almost $600 million from other public health accounts to pay for Zika-related activities. I believe the President made the right call in light of the circumstances and the dire threat that is posed by the Zika virus.

Now, however, it is time for this Congress to do our job. It is my hope that we can come together in passing an amendment offered by our colleague from Florida, Senator NELSON. However, if we are unable to fully fund the President's request, I believe the funding provided by the Blunt-Murray amendment will go a long way toward supporting the many efforts currently being undertaken by the administration to combat Zika. I urge my colleagues to join me in providing the funding needed to stop the spread of the Zika virus.

Mr. President, I will close with this: When the President gave his State of the Union speech—I think right after the 2014 election—he had up in the Gallery sitting next to Mrs. Obama some of the folks who helped lead the fight against Ebola in Africa. There were doctors, nurses, and other people who developed vaccines and that type of thing. It was a proud moment for our country about 3 months after the election, the early part of 2015.

We were not directly threatened here by Ebola. They lost 40,000 people in Africa, in the western part of Africa. For the most part, there were a lot of scare tactics about Ebola used in the runup to the election here in this country, but the actual threat, in hindsight, was not that great.

What we did was we reached across the world and we invested a lot of taxpayer resources to help people who were in a terrible situation. We helped save literally hundreds of thousands of lives—their lives; not so much our lives

but their lives. This is different. This is different. What we have at stake here is our lives and the quality of our lives and the ability of women to bring healthy babies into this world. It is not just us, it is our friends to the south of us in Mexico, Central America, South America, the islands of Puerto Rico and Cuba. We are all in this together.

This is an all-hands-on-deck moment, and we need a good team effort. The Senate is going to vote today on whether we are going to be a full partner in that effort, and we need to be that full partner. We need to do our job. And this is one of those days that I am confident and hopeful that we will.

Mr. President, I yield the floor. I note the presence of the Senator from Hawaii, which hopefully will not be affected by this virus. I am happy to yield to her.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, our Nation is facing a serious threat to public health. The Zika virus has the potential to be a major public health crisis. According to the Centers for Disease Control, there are over 500 cases in the United States, including 9 in Hawaii. Currently, all of these cases are travel-related. There are 700 cases in U.S. territories, almost all of which were locally acquired. Summer, which is the peak travel season and peak mosquito season, is almost upon us. Every year, 40 million Americans travel to Zika-affected countries. It is just a matter of time before the threat of locally transmitted Zika becomes a reality in the United States.

Although the President sent his emergency funding request to fight Zika to Congress more than 3 months ago, I am glad to see Democrats and Republicans coming together now to prevent a major U.S. Zika outbreak. Public health experts at the Centers for Disease Control, Department of Health and Human Services, and elsewhere in the administration have said that $1.9 billion is needed to fight the Zika virus.

During the Senate's last State work period, I met with Hawaii researchers and health care providers, who agreed that we need this Federal funding to get ahead of Zika. This funding would go toward our vector-control programs, education, and vaccine development.

I visited a Hawaii company—Hawaii Biotech—that is working on a Zika vaccine. This company has a proven track record in developing vaccines. Hawaii Biotech has spent months working to develop a Zika vaccine using private funding. At this critical point of vaccine development, Dr. Elliott Parks and his team at Hawaii Biotech agree that a public infusion of funds will help them get over the finish line.

I also had the opportunity to visit with Governor David Ige, the Hawaii Director of Health, and health care providers. They all shared one message: that Federal funding is critical to getting ahead of a widespread Zika outbreak.

The funding we are voting on today could help companies like Hawaii Biotech develop a much needed Zika vaccine. It would help States like mine increase mosquito control and awareness on Zika.

Zika is not the benign virus we once thought it was, and funding only becomes more urgent as we learn about its harmful effects. Zika poses an imminent threat to pregnant women and, in reality, to all women of childbearing age. By now, we have all seen the harmful impacts Zika has on babies. The images and reports of babies born with microcephaly are heartbreaking. Zika can threaten our Nation's supply of donated blood. While blood banks across the country are working on methods to clean and test blood, they need funding to accelerate their research.

Congress can take steps to ensure the safety and well-being of all citizens. We can be proactive, not reactive, to impending threats such as Zika.

The Federal Government should play a leading role in coordinating and assisting local and State governments with mosquito control and supporting the latest research, much as we stepped up with Federal support when confronted with Ebola and avian flu.

While there are three Zika funding measures before us today, I strongly urge my colleagues to join me in voting yes on Senator NELSON's amendment to fully fund the President's request at $1.9 billion.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, what we do next on Zika is not an ideological test; it is a test of our basic competence. It has nothing to do with one's views on the size and scope of the Federal Government because, after all, if you believe the government should do even just a few things, preventing a catastrophic epidemic has to be one of them.

Zika is a public health emergency, and we have to act now to fund $1.9 billion in supplemental funding to address it, as requested by the public health experts.

I congratulate Senators NELSON, RUBIO, BLUNT, and MURRAY for working across the aisle to reach these agreements, and I would especially like to offer my support for the Nelson-Rubio $1.9 billion compromise. The Nelson-Rubio amendment provides the full $1.9 billion in Zika funding through the following: approximately $743 million for the CDC, $277 million for NIH, $335 million for USAID, and $417 million for the State Department. And here is an important aspect of it: It also pays back the borrowed Ebola money that we need to ensure that countries stay prepared to prevent another Ebola crisis.

There are a few proposals to pay for this, but I want to make the following point: This is an emergency. It fits the definition precisely, and so it shouldn't require a so-called pay-for.

I would like to say something to the Members who have rediscovered their fiscal conservatism. Remember that we just passed a $622 billion tax subsidy package last December, and none of it was paid for—more than half a trillion dollars not paid for—and 5 months later we are nickeling-and-diming the Centers for Disease Control.

I recently visited CDC headquarters in Atlanta to learn more about their efforts to combat Zika, dengue, and other vector-borne diseases. I have total confidence in the CDC's ability to respond to challenges like Zika, but we have to give them the strongest funding possible to make sure they can do their good work. And taking money away from the Prevention and Public Health Fund will strip CDC and other important agencies of the funds they need to protect our country from within and from without.

It is fair to say that this is a Congress that has struggled to do its job. And even when it stumbles through a solution such as this, it sometimes creates a new set of problems. So far in addressing Zika, we have forced the administration to pull money from the CDC for Ebola or from States to address public health risks. If you want to find savings, there are plenty to be had in the Tax Code, including the more than half a trillion dollar package that was passed in December, and not a penny was paid for. There was $622 billion in tax subsidies—some great things in there, some questionable things in there—and not a penny of it was accounted for and paid for properly.

Regardless of your side of the aisle, we can all agree that this is the one thing the government ought to do: keep us safe.

Thank you to Senator RUBIO and others for their calls to make Zika funding nonpartisan. Investing in the CDC and other agencies will protect our citizens from horrific diseases and shouldn't depend on your philosophy regarding the size and scope of the Federal Government.

Let's do our job. Let's keep the people of the United States safe. Let's fund this emergency for Zika and keep us safe from Ebola and other dangerous diseases.

Mr. President, I yield the floor.

Mrs. FEINSTEIN. Mr. President, today I wish to speak about the urgent need for Congress to approve emergency funds to fight the Zika virus.

The Zika virus is a rapidly growing public health threat, and the stakes for

women are particularly high. I strongly believe Congress should approve the full $1.9 billion requested by the administration to fight the virus. Investing the required resources now will mean fewer cases of Zika down the road.

The virus is carried by two species of mosquito. They are found in 40 States in this country. These mosquitos have been found in 12 counties in California, including the five most populous: Los Angeles, San Diego, Orange, Riverside, and San Bernardino. More than 20 million people live in these counties.

There have been 503 travel-related cases in the United States so far, meaning an individual was infected during a trip to Latin America, South America, or the Caribbean, where the virus is widespread.

There have not yet been any reported cases of local transmission in the continental United States, although more than 700 cases have been reported in U.S. territories, including one fatality on April 29. It is only a matter of when, not if, we see the first case of local transmission, particularly as we approach the summer, when mosquitos are most active. By July, 7 States are expected to see high mosquito activity.

While scientists are still working to understand the effects of the Zika virus, they are more serious than we initially thought. Zika causes severe, brain-related birth defects in babies when women are infected during pregnancy.

Microcephaly, one of the most serious effects of Zika, causes babies' heads to be much smaller than normal. In severe cases, you will also see seizures, developmental delays, intellectual disabilities, feeding problems, and hearing and vision loss.

The Centers for Disease Control and Prevention continues to research the virus, and it could be several years before the full range of health effects is known.

The most common way people contract Zika virus is through mosquito bites, but there have been documented cases of the virus being spread from men to women through sexual contact. Scientists now believe sexual transmission is more common than initially thought.

Zika symptoms are mild—fever, rash, and joint pain—meaning that many people may become infected and spread with disease without knowing they have it. Unless we act now, we could end up with a significant number of Zika carriers who don't know they are infected.

As I mentioned previously, the administration has asked Congress for $1.9 billion in emergency funding to stop the spread of the Zika virus. Senator NELSON introduced a bill, which I have cosponsored, to provide the full $1.9 billion. Senator NELSON and Senator RUBIO have also introduced an amendment to the bill currently under consideration to provide the full $1.9 billion. Last week, an agreement was reached between Senators MURRAY and BLUNT on an amendment that would provide $1.1 billion in funding.

I applaud their efforts and know they worked hard to come to agreement on a package that could get broad bipartisan support. The Federal Government will use these funds for a number of prevention and mitigation activities, including controlling mosquito populations, researching and testing for the virus, educating the public, and developing a vaccine.

However, I think it is important to highlight what we are losing by funding the Zika response at $1.1 billion and not $1.9 billion. Reduced funding now will hinder our response in a number of ways.

It will be harder to address Zika in the future, with a potentially higher cost. Notably, the Centers for Disease Control and Prevention will receive nearly $300 million less. The National Institutes of Health will receive $77 million less. The Health and Human Services Emergency Fund will receive $83 million less. This means that testing may not be as widely available as it should be, and developing a vaccine may take longer.

There is also $114 million less to fight Zika abroad. We live in a global society. To prevent the spread of Zika virus, we must fight the disease where it is, not wait for it to come here.

It's also important to note that we can't launch prevention and mitigation activities overnight. It takes time to address mosquito populations and distribute testing kits. If we don't approve the necessary funds now and Zika spreads, funds approved later may not be as effective.

Past is prologue, and we have seen the effects of similar health crises. I remember when rubella was widespread in the United States before a vaccine was available. This is also a disease with mild symptoms. It spread easily and was particularly dangerous for pregnant women and their babies.

The rubella vaccination campaign in 1969 was critical to stopping this disease, which infected 12.5 million people from 1964–1965. In 2004, the United States was declared rubella-free. We're down to an average of 11 travel-related cases per year.

The point is we know enough about the Zika virus to understand that it is a serious threat. We also know from history how important it is to address public health threats as early as possible. This is especially important when the virus is carried by an insect as common as mosquitoes and the initial symptoms of the disease are mild or even undetectable.

In closing, Congress cannot afford to delay. I strongly urge the Senate to approve the administration's sensible request to fight this growing public health threat. Thank you.

Mrs. BOXER. Mr. President, today I wish to speak in opposition to Senator CORNYN's amendment. This amendment eliminates protections under the Clean Water Act related to spraying pesticides into the Nation's rivers, streams, and lakes to control mosquitoes.

Pesticide pollution is a significant problem and a major contributor to poor water quality in our Nation's water bodies. According to the Environmental Protection Agency, more than 1,800 waterways in the U.S. are known to be polluted by pesticides, and many more may be polluted but are not monitored. We know that pesticides harm fish and wildlife and are linked to a wide range of damaging human health impacts, including cancer and harm to pregnant women, infants, and children.

Exempting pesticide spraying from the Clean Water Act is completely unnecessary to control the spread of mosquitoes to address the Zika virus. In 2011, EPA issued a streamlined Clean Water Act general permit, which allows operators to get one permit for up to 5 years. The permit requires simple management techniques and reporting to protect water quality, fish and wildlife habitat, swimming, and recreational uses.

Most mosquito control districts around the country already have authorization to spray pesticides to control mosquitoes under this existing pesticide permit. In addition, EPA's permit includes provisions to allow immediate spraying to address public health emergencies. If a local government is not currently authorized to spray under EPA's permit and a pest emergency is declared at the local, State, or Federal level, pesticides can be immediately sprayed to address the health concerns without approval by EPA or a State.

In the case of Zika, States or local governments can declare a pest emergency under the general permit in areas where they believe Zika-carrying mosquitos may be a problem, and they can immediately begin spraying pesticides to control the spread of the virus.

These requirements are a commonsense approach to ensure gallons of excess pesticides are not dumped into our waters, and they provide sufficient flexibility to address public health threats, such as Zika.

The Cornyn amendment is not about improving the response to Zika. It is a backdoor attempt to gut the Clean Water Act, one of our Nation's bedrock environmental laws.

I urge my colleagues to oppose the Cornyn amendment and help keep our waterways clean.

The PRESIDING OFFICER. The Senator from Maine.

AMENDMENT NO. 3922, AS MODIFIED

Ms. COLLINS. Mr. President, I ask unanimous consent that notwithstanding the adoption of the Feinstein-Portman amendment No. 3922 that it be modified with the changes at the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment, as modified, is as follows:

At the appropriate place in title II of division A, insert the following:

SEC. ____. Section 218(g) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12748(g)) shall not apply with respect to the right of a jurisdiction to draw funds from its HOME Investment Trust Fund that otherwise expired or would expire in 2016, 2017, 2018, or 2019 under that section.

Ms. COLLINS. I thank the Chair.

The PRESIDING OFFICER (Mr. PERDUE). The majority whip.

Mr. CORNYN. Mr. President, shortly the Senate will vote on three different versions of appropriations bills that will provide the needed money to help combat the anticipated challenges we are going to have with the Zika virus, which we have talked a lot about. Obviously, Zika is a threat, particularly to women of childbearing age because of the horrific birth defects associated with it, most prominently microcephaly, or basically a skull that is smaller than normal, leading to premature death and, obviously, horrific injuries.

There is bipartisan support for this legislation.

First of all, we will have a chance to vote on the President's request of $1.9 billion. The biggest objection I have to that $1.9 billion is that it really doesn't come with a plan that says how the President will spend that money. It also is not paid for. As the Presiding Officer well knows, we have a huge national debt, and there is no reason to just gratuitously rack up more debt in order to deal with this public health concern.

There is a second vote we will have on a $1.1 billion appropriations bill. This is the product of the good work done by Senator ROY BLUNT of Missouri and Senator PATTY MURRAY of Washington. They have cut down the President's request from $1.9 billion to $1.1 billion, and they believe this will fund the needed work not only of this fiscal year but into the next fiscal year as well. That is also not offset or paid for, and I think that is a problem.

First of all, the House has proposed a roughly $600 million bill that is fully offset, so we are going to have some differences between the House and the Senate over how we address the Zika virus challenge.

The third is a piece of legislation I have offered that I would certainly ask my colleagues to support. This is fully offset out of something called the Prevention and Public Health Fund that was created by the Affordable Care Act. So there is money in the Treasury now that could help pay for the $1.1 billion. I should say that about $900 million of it could be paid for now, and by next year there will be more money put into this Prevention and Public Health Fund.

As we can see, the Affordable Care Act provides that. This Prevention and Public Health Fund is ''to provide for expanded and sustained national investment in prevention and public health programs.'' I can't imagine any more urgent public health program or one that we should be looking to prevent more than this particular threat, the Zika virus.

I would point out that the Prevention and Public Health Fund has been used to fund some things—many good things, some which I think are questionable, like promoting free pet neutering, encouraging urban gardening, and boosting bicycle clubs. Certainly, prevention of these horrific birth defects and the threat of the Zika virus spreading through the continental United States and its impact on our population is more important than these.

So I ask my colleagues, please, let's deal with this threat in the responsible way that we all agree we should, but let's do so in a fiscally responsible way as well. There is no reason to gratuitously add to the deficit and the debt. We can do this in a responsible way from a public health standpoint and fiscally as well.

Mr. President, I know the Senator from New York, Mr. SCHUMER, is coming to the floor at noon, and we are going to present a matter for the Senate's consideration. I don't see him here yet, but I am told he is on his way. So let me turn to that topic, and I know Senator SCHUMER will be here momentarily.

JUSTICE AGAINST SPONSORS OF TERRORISM ACT

Mr. CORNYN. Mr. President, all of us remember the horrible events of September 11 and the grief and pain so many people went through in New York. Roughly 3,000 people lost their lives. Obviously, the family members have not forgotten that, and the Nation hasn't forgotten their loss either.

The Senator from New York, Mr. SCHUMER, and I have introduced legislation called the Justice Against Sponsors of Terrorism Act. This is bipartisan legislation which would enable Americans and their family members who lost loved ones on that horrible day to pursue their claims for justice against those who sponsored those acts of terrorism on U.S. homeland.

This bill was reported out of the Senate Judiciary Committee without objection, and similar legislation passed the Senate unanimously last Congress. I believe that kind of unanimous support sends a clear message: that we will combat terrorism with every tool we have available and that the victims of terrorist attacks in our country should have every means at their disposal to seek justice.

I am grateful for the work of the Senator from New York, Mr. SCHUMER, in introducing this bill along with me and Chairman GRASSLEY for shepherding it through the Senate Judiciary Committee. I also appreciate the support of a large bipartisan group of like-minded Senators in this Chamber. We worked with a number of Senators, including the Senator from Alabama and the Senator from South Carolina, who expressed concerns about earlier versions of the legislation. I appreciate their willingness to work with us to deal with their concerns in a way that now has gained their support.

This legislation amends the Foreign Sovereign Immunities Act passed in 1976. So we already have a piece of legislation on the books that waives sovereign immunity under some circumstances, but the problem is that it does not extend to terrorist attacks on our homeland by countries and organizations that have not already been designated as state sponsors of terrorism. This makes some small changes in that legislation that first passed in 1976 to expand the scope of that to allow the families of the 9/11 tragedy to seek justice in our courts of law.

Mr. President, there are some aspects of the bill that I would like to discuss in particular, and to that effect I would like to enter into a colloquy with my friend on a number of points.

Senators SESSIONS and GRAHAM had expressed concern that earlier versions of this legislation might be interpreted to derogate too far from traditional principles of foreign sovereign immunity and put the United States at risk of being sued for our operations abroad. We worked extensively with them on this issue.

To alleviate the concerns they raised, the substitute amendment to S. 2040 narrowly tailors the immunity exception in several way.

First, it is limited—like the Foreign Sovereign Immunity Act's ''tort exception''—to physical injury ''occurring in the United States.'' The act of international terrorism that causes the injury must also take place ''in the United States.''

This focus on U.S. territory avoids the issues raised by the State Department regarding section 1605A, the ''State Sponsor of Terrorism'' exception to the FSIA passed decades ago by Congress. Section 1605A permits jurisdiction over acts that occur anywhere, but is limited to certain states.

Second, jurisdiction can only be predicated on acts of terrorism and not on acts of war, as both terms are defined under the Anti-Terrorism Act.

Third, the injury must be ''caused by'' the tortious act or acts of the foreign state. This language, which requires a showing of jurisdictional causation, is drawn from decisions of Federal courts interpreting section 1605A. Courts interpreting new section 1605B should look to cases like Kilburn, Rux, and Owens, the analysis of which we intend to incorporate here.

Finally, this new version adopts the language of 1605A regarding the conduct of officials, employees, and agents of foreign states. This language incorporates traditional principles of vicarious liability and attribution, including doctrines such as respondeat superior, agency, and secondary liability.

Mr. SCHUMER. I thank the Senator from Texas.

My friend the senior Senator from Texas is exactly right: we have made several changes to the bill since the last time it was introduced—and passed—to make it as narrow and targeted as possible.

I join him in thanking Senators SESSIONS and GRAHAM for working with us to strike the right balance.

I have two points on this.

Congress addressed terrorism under the FSIA decades ago, in what became section 1605A, the exception for ''state sponsors of terrorism.'' I want to make clear that JASTA is responding to a very specific issue about terrorism on U.S. soil. It is not our intent to imply anything about other areas of law. Other provisions of this statute allowing victims of terror to sue foreign governments for acts of international terrorism have a longstanding jurisprudence that JASTA is not meant to alter.

The new version of the legislation also includes an important new tool for the executive branch to address litigation against a foreign sovereign under section 1605B.

Section 5 allows the Department of Justice to seek a stay of the litigation—including related cases, not against the foreign state itself—if the government certifies that it is involved in good-faith discussions to resolve the matter. This stay can be extended.

Of course, if the administration seeks to use this new authority, it should be prepared to provide substantial evidence of good-faith negotiations to the court such as details about those involved in the discussions and their authority to reach a resolution, where and when the discussion occurred and a timeline for resolving the matter.

I wish to say a few words about secondary liability under the Anti-Terrorism Act, which JASTA addresses.

The purpose of the Justice Against Sponsors of Terrorism Act is to hold foreign sponsors of terrorism that target the United States accountable in Federal courts.

One thing that has come up in our discussions of this bill is whether the bill's provisions would extend civil liability under the Anti-Terrorism Act to situations where someone has been forced to make payments or provide aid to aid to a foreign terrorist organization under genuine duress or, for example, as ransom payments for the release of someone taken hostage. This type of conduct is outside the scope of traditional aiding and abetting liability and our bill does not change that.

To sum up, the Foreign Sovereign Immunity Act has been amended, and amended again, in its relatively short life, in order to strike the proper balance between our interests abroad and the rights of our citizens to obtain redress when they are victims of wrongdoing—no matter who the perpetrator is. This version of JASTA would move our laws even closer to that ideal balance.

I yield again to the senior Senator from Texas.

Mr. CORNYN. Mr. President, I would also like to say a few words about secondary liability under the Anti-Terrorism Act, which JASTA addresses.

This bill is called the Justice Against Sponsors of Terrorism Act. It helps fulfill the promise of the original Anti-Terrorism Act, which was intended to ''interrupt, or at least imperil, the flow of money'' to terrorist groups. So, while JASTA clarifies the rule for secondary liability, which may attach to terrorism sponsors, it doesn't impact other aspects of the ATA that may also make them liable. For example, this bill is not intended to alter how violations of sections 2339A—material support—or 2339C—terrorist financing—can be the basis for direct liability under the ATA.

Mr. President, I would add, there is already litigation pending by the families who lost loved ones on 9/11, and right now there appears to be somewhat of a split in the Federal courts with regard to the scope of sovereign immunity and whether it applies. This legislation would basically clarify that both for pending cases and for future claims.

At this point, I would defer to my friend, the Senator from New York, for any statement he would care to make, and then I would be happy to offer a unanimous consent request.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I thank my good friend from Texas for yielding and for the great job he has done. This is another example of bipartisan legislation and, in fact, another example of a Cornyn-Schumer collaboration, which works pretty well around here.

Senator CORNYN and I have introduced this bill for the last three Congresses, first under the leadership of Senator LEAHY and then under Senator GRASSLEY. It has twice passed without objection through the Senate Judiciary Committee, once by the full Senate. I thank Senators LEAHY and GRASSLEY for their help as well.

The bill is very near and dear to my heart as a New Yorker because it would allow the victims of 9/11 to pursue some small measure of justice by giving them a legal avenue to hold foreign sponsors of terrorism accountable for their actions.

The courts in New York have dismissed the 9/11 victims' claims against certain foreign entities alleged to have helped fund the 9/11 attacks. These courts are following what we believe is a nonsensical reading of the Foreign Sovereign Immunities Act. For the sake of the families, I want to make clear beyond a shadow of a doubt that every entity, including foreign states, will be held accountable if they are found to be sponsors of the heinous act of 9/11.

My friend, the senior Senator from Texas, and I have worked hard to narrow the bill to strike the proper balance between our interests abroad and the rights of our citizens to obtain redress when they are victims of terrible wrongdoing. We had a colloquy for the RECORD that goes into more detail on some of the legal nitty-gritty, but we cannot lose sight of the bigger picture: What this legislation means to the victims of 9/11 transcends day-to-day politics.

One of the most impassioned advocates of this bill is Ms. Terry Strada, who is seeking justice for her husband Tom. Tom lost his life in the North Tower on September 11. Terry didn't just lose a husband; she lost a father to a young son of 7, a daughter of 4, and a tiny baby boy who was born shortly after the towers fell. She lost a loving father and her best friend. Terry Strada and many others are seeking what we would all be compelled to seek if we suffered such loss at the hands of hate and evil, which is simply justice.

The fact that some foreign governments may have aided and abetted terrorism is infuriating to the families if justice is not done. That is what they seek—justice, justice, justice.

Terry and her three children have championed this bill for over a decade. They are not cursing the darkness—as would be human nature to do—at their terrible, unjust, and almost inexplicable loss. Instead, her family and many other families have chosen to light candles, to do whatever they can to make sure this never happens again, so that any foreign entity that would seek to choose to help and aid and abet and do terrorism here on our shores will pay a price if it is proven that they have done so.

So Terry and the other families are lighting candles—a saintly act. I thank them and all the other families as well—Monica Gabrielle, Mindy Kleinberg, Lori Van Auken, Kristen Breitweiser, Patty Casazza—for their tireless advocacy and patience.

In conclusion, JASTA is long overdue—a responsible, balanced fix to a law that has extended too large a shield to foreign actors who finance and enable terrorism on a massive scale. The victims of 9/11 and other terrorist attacks have suffered such pain and heartache that they certainly should not be denied justice.

Mr. President, I yield to my colleague from Texas for the unanimous consent request.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, I thank my colleague from New York for his comments and for his partnership in working on this important legislation.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 362, S. 2040.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 2040), to deter terrorism, provide justice for victims, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Justice Against Sponsors of Terrorism Act''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) International terrorism is a serious and deadly problem that threatens the vital interests of the United States.

(2) The Constitution confers upon Congress the power to punish crimes against the law of nations and therefore Congress may by law impose penalties on those who provide material support to foreign organizations engaged in terrorist activity, and allow for victims of international terrorism to recover damages from those who have harmed them.

(3) International terrorism affects the interstate and foreign commerce of the United States by harming international trade and market stability, and limiting international travel by United States citizens as well as foreign visitors to the United States.

(4) Some foreign terrorist organizations, acting through affiliated groups or individuals, raise significant funds outside of the United States for conduct directed and targeted at the United States.

(5) It is necessary to recognize the substantive causes of action for aiding and abetting and conspiracy liability under the Anti-Terrorism Act of 1987 (22 U.S.C. 5201 et seq.).

(6) The decision of the United States Court of Appeals for the District of Columbia in Halberstam v. Welch, 705 F.2d 472 (D.C. Cir. 1983), which has been widely recognized as the leading case regarding Federal civil aiding and abetting and conspiracy liability, including by the Supreme Court of the United States, provides the proper legal framework for how such liability should function in the context of the Anti-Terrorism Act of 1987 (22 U.S.C. 5201 et seq.).

(7) The United Nations Security Council declared in Resolution 1373, adopted on September 28, 2001, that all countries have an affirmative obligation to ''[r]efrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts,'' and to ''[e]nsure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice''.

(8) Consistent with these declarations, no country has the discretion to engage knowingly in the financing or sponsorship of terrorism, whether directly or indirectly.

(9) Persons, entities, or countries that knowingly or recklessly contribute material support or resources, directly or indirectly, to persons or organizations that pose a significant risk of committing acts of terrorism that threaten the security of nationals of the United States or the national security, foreign policy, or economy of the United States, necessarily direct their conduct at the United States, and should reasonably anticipate being brought to court in the United States to answer for such activities.

(10) The United States has a vital interest in providing persons and entities injured as a result of terrorist attacks committed within the United States with full access to the court system in order to pursue civil claims against persons, entities, or countries that have knowingly or recklessly provided material support or resources, directly or indirectly, to the persons or organizations responsible for their injuries.

(b) PURPOSE.—The purpose of this Act is to provide civil litigants with the broadest possible basis, consistent with the Constitution of the United States, to seek relief against persons, entities, and foreign countries, wherever acting and wherever they may be found, that have provided material support, directly or indirectly, to foreign organizations or persons that engage in terrorist activities against the United States.

SEC. 3. FOREIGN SOVEREIGN IMMUNITY.

Section 1605(a) of title 28, United States Code, is amended—

(1) by amending paragraph (5) to read as follows:

''(5) not otherwise encompassed in paragraph (2), in which money damages are sought against a foreign state arising out of physical injury or death, or damage to or loss of property, occurring in the United States and caused by the tortious act or omission of that foreign state or of any official or employee of that foreign state while acting within the scope of the office or employment of the official or employee (regardless of where the underlying tortious act or omission occurs), including any statutory or common law tort claim arising out of an act of extrajudicial killing, aircraft sabotage, hostage taking, terrorism, or the provision of material support or resources for such an act, or any claim for contribution or indemnity relating to a claim arising out of such an act, except this paragraph shall not apply to—

''(A) any claim based upon the exercise or performance of, or the failure to exercise or perform, a discretionary function, regardless of whether the discretion is abused; or

''(B) any claim arising out of malicious prosecution, abuse of process, libel, slander, misrepresentation, deceit, interference with contract rights, or any claim for emotional distress or derivative injury suffered as a result of an event or injury to another person that occurs outside of the United States; or''; and

(2) by inserting after subsection (d) the following:

''(e) DEFINITIONS.—For purposes of subsection (a)(5)—

''(1) the terms 'aircraft sabotage', 'extrajudicial killing', 'hostage taking', and 'material support or resources' have the meanings given those terms in section 1605A(h); and

''(2) the term 'terrorism' means international terrorism and domestic terrorism, as those terms are defined in section 2331 of title 18.''.

SEC. 4. AIDING AND ABETTING LIABILITY FOR CIVIL ACTIONS REGARDING TERRORIST ACTS.

(a) IN GENERAL.—Section 2333 of title 18, United States Code, is amended by adding at the end the following:

''(d) LIABILITY.—In an action under subsection (a) for an injury arising from an act of international terrorism committed, planned, or authorized by an organization that had been designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189), as of the date on which such act of international terrorism was committed, planned, or authorized, liability may be asserted as to any person who aids and abets, by knowingly providing substantial assistance, or who conspires with the person who committed such an act of international terrorism.''.

(b) EFFECT ON FOREIGN SOVEREIGN IMMUNITIES ACT.—Nothing in the amendments made by this section affects immunity of a foreign state, as that term is defined in section 1603 of title 28, United States Code, from jurisdiction under other law.

SEC. 5. PERSONAL JURISDICTION FOR CIVIL ACTIONS REGARDING TERRORIST ACTS.

Section 2334 of title 18, United States Code, is amended by inserting at the end the following:

''(e) PERSONAL JURISDICTION.—The district courts shall have personal jurisdiction, to the maximum extent permissible under the 5th Amendment to the Constitution of the United States, over any person who commits or aids and abets an act of international terrorism or who conspires with the person who committed such act, for acts of international terrorism in which any national of the United States suffers injury in his or her person, property, or business by reason of such an act in violation of section 2333.''.

SEC. 6. LIABILITY FOR GOVERNMENT OFFICIALS IN CIVIL ACTIONS REGARDING TERRORIST ACTS.

Section 2337 of title 18, United States Code, is amended to read as follows:

''§ 2337. Suits against Government officials

''No action may be maintained under section 2333 against—

''(1) the United States;

''(2) an agency of the United States; or

''(3) an officer or employee of the United States or any agency of the United States acting within the official capacity of the officer or employee or under color of legal authority.''.

SEC. 7. SEVERABILITY.

If any provision of this Act or any amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be invalid, the remainder of this Act and the amendments made by this Act, and the application of the provisions and amendments to any other person not similarly situated or to other circumstances, shall not be affected by the holding.

SEC. 8. EFFECTIVE DATE.

The amendments made by this Act shall apply to any civil action—

(1) pending on, or commenced on or after, the date of enactment of this Act; and

(2) arising out of an injury to a person, property, or business on or after September 11, 2001.

Mr. CORNYN. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be withdrawn; that the Cornyn substitute amendment be agreed to; and that the bill, as amended, be read a third time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 3945) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Justice Against Sponsors of Terrorism Act''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) International terrorism is a serious and deadly problem that threatens the vital interests of the United States.

(2) International terrorism affects the interstate and foreign commerce of the United States by harming international trade and market stability, and limiting international travel by United States citizens as well as foreign visitors to the United States.

(3) Some foreign terrorist organizations, acting through affiliated groups or individuals, raise significant funds outside of the United States for conduct directed and targeted at the United States.

(4) It is necessary to recognize the substantive causes of action for aiding and abetting and conspiracy liability under chapter 113B of title 18, United States Code.

(5) The decision of the United States Court of Appeals for the District of Columbia in Halberstam v. Welch, 705 F.2d 472 (D.C. Cir. 1983), which has been widely recognized as the leading case regarding Federal civil aiding and abetting and conspiracy liability, including by the Supreme Court of the United States, provides the proper legal framework for how such liability should function in the context of chapter 113B of title 18, United States Code.

(6) Persons, entities, or countries that knowingly or recklessly contribute material support or resources, directly or indirectly, to persons or organizations that pose a significant risk of committing acts of terrorism that threaten the security of nationals of the United States or the national security, foreign policy, or economy of the United States, necessarily direct their conduct at the United States, and should reasonably anticipate being brought to court in the United States to answer for such activities.

(7) The United States has a vital interest in providing persons and entities injured as a result of terrorist attacks committed within the United States with full access to the court system in order to pursue civil claims against persons, entities, or countries that have knowingly or recklessly provided material support or resources, directly or indirectly, to the persons or organizations responsible for their injuries.

(b) PURPOSE.—The purpose of this Act is to provide civil litigants with the broadest possible basis, consistent with the Constitution of the United States, to seek relief against persons, entities, and foreign countries, wherever acting and wherever they may be found, that have provided material support, directly or indirectly, to foreign organizations or persons that engage in terrorist activities against the United States.

SEC. 3. RESPONSIBILITY OF FOREIGN STATES FOR INTERNATIONAL TERRORISM AGAINST THE UNITED STATES.

(a) IN GENERAL.—Chapter 97 of title 28, United States Code, is amended by inserting after section 1605A the following:

''§ 1605B. Responsibility of foreign states for international terrorism against the United States

''(a) DEFINITION.—In this section, the term 'international terrorism'—

''(1) has the meaning given the term in section 2331 of title 18, United States Code; and

''(2) does not include any act of war (as defined in that section).

''(b) RESPONSIBILITY OF FOREIGN STATES.—A foreign state shall not be immune from the jurisdiction of the courts of the United States in any case in which money damages are sought against a foreign state for physical injury to person or property or death occurring in the United States and caused by—

''(1) an act of international terrorism in the United States; and

''(2) a tortious act or acts of the foreign state, or of any official, employee, or agent of that foreign state while acting within the scope of his or her office, employment, or agency, regardless where the tortious act or acts of the foreign state occurred.

''(c) CLAIMS BY NATIONALS OF THE UNITED STATES.—Notwithstanding section 2337(2) of title 18, a national of the United States may bring a claim against a foreign state in accordance with section 2333 of that title if the foreign state would not be immune under subsection (b).

''(d) RULE OF CONSTRUCTION.—A foreign state shall not be subject to the jurisdiction of the courts of the United States under subsection (b) on the basis of an omission or a tortious act or acts that constitute mere negligence.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) The table of sections for chapter 97 of title 28, United States Code, is amended by inserting after the item relating to section 1605A the following:

''1605B. Responsibility of foreign states for international terrorism against the United States.''.

(2) Subsection 1605(g)(1)(A) of title 28, United States Code, is amended by inserting ''or section 1605B'' after ''but for section 1605A''.

SEC. 4. AIDING AND ABETTING LIABILITY FOR CIVIL ACTIONS REGARDING TERRORIST ACTS.

(a) IN GENERAL.—Section 2333 of title 18, United States Code, is amended by adding at the end the following:

''(d) LIABILITY.—

''(1) DEFINITION.—In this subsection, the term 'person' has the meaning given the term in section 1 of title 1.

''(2) LIABILITY.—In an action under subsection (a) for an injury arising from an act of international terrorism committed, planned, or authorized by an organization that had been designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189), as of the date on which such act of international terrorism was committed, planned, or authorized, liability may be asserted as to any person who aids and abets, by knowingly providing substantial assistance, or who conspires with the person who committed such an act of international terrorism.''.

(b) EFFECT ON FOREIGN SOVEREIGN IMMUNITIES ACT.—Nothing in the amendment made by this section affects immunity of a foreign state, as that term is defined in section 1603 of title 28, United States Code, from jurisdiction under other law.

SEC. 5. STAY OF ACTIONS PENDING STATE NEGOTIATIONS.

(a) EXCLUSIVE JURISDICTION.—The courts of the United States shall have exclusive jurisdiction in any action in which a foreign state is subject to the jurisdiction of a court of the United States under section 1605B of title 28, United States Code, as added by section 3(a) of this Act.

(b) INTERVENTION.—The Attorney General may intervene in any action in which a foreign state is subject to the jurisdiction of a court of the United States under section 1605B of title 28, United States Code, as added by section 3(a) of this Act, for the purpose of seeking a stay of the civil action, in whole or in part.

(c) STAY.—

(1) IN GENERAL.—A court of the United States may stay a proceeding against a foreign state if the Secretary of State certifies that the United States is engaged in good faith discussions with the foreign state defendant concerning the resolution of the claims against the foreign state, or any other parties as to whom a stay of claims is sought.

(2) DURATION.—

(A) IN GENERAL.—A stay under this section may be granted for not more than 180 days.

(B) EXTENSION.—

(i) IN GENERAL.—The Attorney General may petition the court for an extension of the stay for additional 180-day periods.

(ii) RECERTIFICATION.—A court shall grant an extension under clause (i) if the Secretary of State recertifies that the United States remains engaged in good faith discussions with the foreign state defendant concerning the resolution of the claims against the foreign state, or any other parties as to whom a stay of claims is sought.

SEC. 6. SEVERABILITY.

If any provision of this Act or any amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be invalid, the remainder of this Act and the amendments made by this Act, and the application of the provisions and amendments to any other person not similarly situated or to other circumstances, shall not be affected by the holding.

SEC. 7. EFFECTIVE DATE.

The amendments made by this Act shall apply to any civil action—

(1) pending on, or commenced on or after, the date of enactment of this Act; and

(2) arising out of an injury to a person, property, or business on or after September 11, 2001.

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

Mr. CORNYN. Mr. President, I know of no further debate on the measure.

The PRESIDING OFFICER. Is there further debate?

If not, the bill having been read the third time, the question is, Shall it pass?

The bill (S. 2040), as amended, was passed.

Mr. CORNYN. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

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

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—Continued

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent to speak for up to 5 minutes.

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

Mr. BLUMENTHAL. Mr. President, there is an urgent need that we must address—I hope it will be later in the day—which is emergency funding to facilitate a rapid response to a spreading public health crisis—now in Puerto Rico but threatening the rest of our Nation. There must be a rapid, robust response to the public health emergency the Zika virus poses.

Zika is a vicious, virulent virus capable of crippling and killing. We have seen its effects in some cases of developmental disability that has resulted to children. It poses a threat to 4 million people in the Americas.

Connecticut may not be generally thought to have a warm climate, but the mosquitoes are swarming and spawning there. They include a type of mosquito—the Asian tiger—that has now been documented to carry Zika. This poses an immediate and urgent threat for Connecticut and for the entire eastern coast and Northeast United States.

There is a way that Connecticut is contributing to a solution. Two of our companies in Connecticut, Quest and Protein Sciences, are actively working on a vaccine. I visited Protein Sciences recently and saw firsthand the work that is being done there, but the scientists at that company and others working on a vaccine need this emergency funding. That is their plea to us, and I hope we will respond to it today—not just because the vaccine is needed, but it must be part of a broader effort, to include eliminating and eradicating mosquitoes wherever possible, educating the public on how to protect themselves and particularly their children and pregnant women against this disease.

In Connecticut, there have already been six Zika diagnoses to date. There have been none resulting from infections in Connecticut but still affecting pregnant women. Our experience documents that any State in our country may be eventually affected.

My plea today is that we use this opportunity to pass emergency funding and not deplete or gut a critical resource—the Prevention and Public Health Fund. For example, this fund has provided $324 million for section 317 immunization grant programs, which States rely on to maintain and increase vaccine coverage, particularly for uninsured Americans and for needed responses to disease outbreaks. Invading and decimating this fund will do lasting damage to the public health of America because the Prevention and Public Health Fund is the Federal Government's largest single investment in prevention.

Over the past 5 years, the fund has put more than $6 billion toward overdue investments in disease prevention and public health promotion. Raiding this fund would wreak havoc on our efforts to reduce chronic disease rates, immunize our children, address infectious disease outbreaks and, ironically, lower health care costs.

There is a saying I have heard numerous times on the floor of the Senate and at other public forums: An ounce of prevention is worth a pound of cure. That lesson has been brought home by our experience with Ebola as well as with other public health threats. It is equally true of Zika. We should endeavor to eradicate mosquitoes and educate the public on the spread of this disease before it causes microcephaly, other developmental disabilities, and loss of vision and hearing in newborns. It is a threat to adults, as well as to newborns. Undercutting the investments we have made to date in public health is far from the right course to take. With women and families across the country looking to Congress for action, now is the time for us to take advantage of the bipartisan measures that are before us.

I urge that we support those bipartisan measures that will help us increase readiness and surveillance, develop a vaccine, and educate communities about how we can better protect women and children, as well as others, from this vicious and pernicious disease.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. BURR. Mr. President, I ask unanimous consent to speak as in morning business.

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

Mr. BURR. Mr. President, I rise today to speak on the importance of fighting the Zika virus and the urgency of being prepared for the full range of threats we may face, whether naturally occurring, such as Zika, or manmade.

To some, this may look like a grasshopper, but that is actually a mosquito. The question is, Prepared for all hazards? We still do not have answers to all the questions surrounding Zika, but we do know this: Zika is a very serious public health threat, and we need to act. That is why I support the Blunt-Murray amendment to bolster our Nation's response to it.

The CDC has indicated that the mosquitoes responsible for spreading the virus could be found in a significant portion of the United States, including my State of North Carolina. What makes this virus particularly troubling is that it has the potential to cause tragic birth defects in babies born to mothers infected with Zika. The virus has also been linked with serious neurologic conditions. The sad news of reported cases of microcephaly is an urgent call to us that this virus poses a very serious threat to pregnant women and their unborn children. We need to take action to help these women deliver healthy babies and stop the spread of the virus.

It is concerning to know that we do not have drugs to prevent or treat Zika, and we will likely not have them until after the summer when mosquitos are present in many of the communities back home.

Zika underscores the importance of supporting a flexible, all-hazards approach and response framework under the Pandemic and All-Hazards Preparedness Act—legislation I authored almost a decade ago—to ensure our Nation would be better prepared for the range of serious public health threats we might face, such as Zika. It also underscores that Mother Nature always has the potential to throw us a curveball, this time in the form of a virus with the potential for devastating birth defects transmitted through a simple mosquito bite. This mosquito-borne virus also highlights why we must be prepared with the appropriate tools to protect the health of America from situations in which infectious diseases are moving from animals to humans.

Thankfully, because of the Pandemic and All-Hazards Preparedness Act, we have been better prepared to respond to Zika and other recent threats. But this work is never done, and we must always remain vigilant when it comes to medical and public health preparedness and response. The next threat may be naturally occurring, or it may be the result of a deliberate attack. We need to be prepared for all of them.

After 9/11, Congress established the BioShield Special Reserve Fund to encourage the development of countermeasures that meet specific requirements for use against chemical, biological, radiological, and nuclear agents that the Department of Homeland Security has determined pose a material threat against the United States population sufficient to affect our national security. These are threats like anthrax, Ebola, hemorrhagic fever, and smallpox. Like Zika, the American people expect us to be ready to respond to these threats.

Unfortunately, I am not going to be able to support the amendment offered by my colleagues from Florida because it would gut BioShield. The President's fiscal year 2017 budget proposed decreasing BioShield by $160 million, and then weeks later, with Zika's emergence, the administration proposed raiding the BioShield fund. These actions do not instill confidence that the Federal Government is prepared to handle these threats and will be a committed partner in these public-private partnerships—partnerships that are crucial for defeating Zika. I want to work with the administration to improve our Nation's biodefense preparedness and response, especially with regard to emerging infectious diseases, but gutting BioShield is not the answer.

I also wish to take a moment and talk about the Biomedical Advanced Research and Development Authority, or BARDA, as I call it. BARDA is currently helping innovators navigate the development of the ''valley of death'' by supporting advanced research and development of medical countermeasures and spurring innovation, such as platform technologies, to ensure that we are as nimble as possible when confronting serious public health threats. BARDA is on the frontline of combating Zika because it is a linchpin in advanced medical countermeasures.

It is also critical that we support BARDA in fulfilling its mission. The Blue Ribbon Study Panel on Biodefense recently issued a report that found there are ''serious gaps and inadequacies that continue to leave the Nation vulnerable to threats from nature and terrorists alike.''

We cannot lose our focus on preparing for the threats we have identified. By strengthening our work in this area, we will be better prepared for the next naturally occurring threat. Regardless of the threat, we know the American people expect us to protect them from it and to be prepared to combat it. Today the threat is Zika. Two years ago the threat was Ebola. And the years before that, it was a novel flu strain. We have been here before. We don't know what the next threat will be or how it will arise, but by staying focused on identified threats and being vigilant to finish what we start, we will be better prepared for the next threat, whether naturally occurring or the result of a deliberate attack.

I strongly support the Blunt-Murray Zika amendment because it will help protect women, babies, and families threatened by Zika in North Carolina and across the United States. It will also ensure that we continue to make progress against a full range of threats we may face in the future. I believe we must confront the threat of Zika with the resources this tragic virus demands and the compassion that women and children deserve. The Blunt-Murray amendment does both. I look forward to supporting it and continuing to fight to ensure that Americans are protected from Zika and all other threats we might face.

While the Presiding Officer and chairman are here, I might add that America is the world's response. We are the ones who funded and initiated the cure for Ebola. We are the ones who took the seasonal flu variations and modified them to reflect the greatest threat. And America will be the one—for the world—that addresses a cure, vaccine, or countermeasure for Zika. The good news is that, as a Congress, over 10 years ago we set up the architecture to be able to be ahead of things like Zika and Ebola. Quite frankly, during different administrations under different control, we failed to fund the things that we recognized we needed to do.

As we have this crisis and we respond to it, let's also reassure the American people that we are going to invest in that architecture and that we will be ahead of novel diseases. I call it novel. We have known about Zika for over 40 years, and the fact is that technology now allows us to address this in a different way. Let's invest in those platform technologies. Let's make sure we have an architecture that allows advanced development for the vaccines or the countermeasures. Let's not let down the American people on the next disease or the next threat that we might face.

I thank the Presiding Officer and the chairman.

I yield the floor.

RECESS

THE PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:42 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—Continued

The PRESIDING OFFICER. Under the previous order, the time until 2:30 p.m. will be equally divided between the managers or their designees.

The Senator from Maine.

Ms. COLLINS. Mr. President, at this point I wish to yield to Senator REED of Rhode Island, the subcommittee ranking member and the comanager of this bill.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, let me thank the chairman for her consideration. I rise in support of the Zika supplemental amendment offered by Senators MURRAY and BLUNT, as well as the amendment offered by Senator NELSON.

The threat of the Zika virus is a serious public health issue and Congress must act to help minimize the spread before we have an epidemic on our hands. It has been over 2 months since the Administration asked for emergency funds for a comprehensive response to the Zika virus and to speed up development of a vaccine. This should not be a partisan issue, and inaction leaves us more susceptible to this serious public health emergency. This disease is spreading rapidly in other countries, and as we saw last year with Ebola—and with other mosquito-borne illnesses—we are living in an interconnected world and we are not immune to the spread of these diseases.

Already, there are over 1,000 cases of Zika virus in the United States and U.S. territories, including over 100 pregnant women. We have only seen two cases so far in my home State of Rhode Island, but the virus is spreading and it isn't going away on its own. We will certainly see these numbers increase as we approach the summer months.

I had the opportunity to host a discussion in Rhode Island about this topic just a few weeks ago, bringing together Federal officials from the Centers for Disease Control and Prevention and the National Institute for Allergy and Infectious Diseases, as well as public health officials from the Rhode Island Department of Health, among other experts in the State. Everyone agreed that funding is needed immediately to ensure that we are prepared for Zika.

State and local public health departments will be critical to strengthening efforts to prevent and diagnose cases of Zika, among other mosquito-borne illnesses this summer. While transmission of mosquito-borne illnesses has been limited in the United States so far, it is critical that state and local public health departments have the resources they need—in addition to ongoing communication with the CDC—so they have the most up-to-date information on diagnostics and testing for mosquito-borne illnesses.

The NIH also needs more resources to help fast-track research and development of a vaccine for the Zika virus. The Zika virus has the potential to circulate in the United States over the long term, and we need to be prepared for the fact that we will be combating this disease for more than just a few months in the summer.

We also need more research on the virus. The Zika virus has been around for decades, and there have been outbreaks in other parts of the world, but we didn't know it could cause a birth defect called microcephaly that impacts brain development until this year. We still don't know the long-term

impacts on these children and their mothers.

I plan to support Senator NELSON's amendment to fully fund the administration's Zika supplemental request. I appreciate his efforts to push this issue and to help ensure that we have robust funding to help combat the threat of Zika.

While Senator NELSON's approach is preferable, I also plan to support the amendment of Senator MURRAY and Senator BLUNT to provide $1.1 billion in funding to address Zika. This amendment is a bipartisan compromise, and my hope is that no less than this funding level will move forward and be signed into law before we head into the summer months.

It is so critical that we move quickly on this so our state and local health departments will have the resources they need to deal with the potential growing cases in the coming months. Senators MURRAY and BLUNT have been working for weeks on this amendment, and I want to thank them for their commitment to get to this agreement.

I will oppose Senator CORNYN's amendment, which would make harmful cuts to the Prevention and Public Health Fund. This is a classic case of robbing Peter to pay for Paul. The Prevention and Public Health Fund makes exactly the kinds of investments in our public health infrastructure that better prepare us to deal with emergencies like Zika or Ebola.

The Prevention and Public Health Fund also helps fund disease prevention programs such as cancer screenings and immunization programs that save us money in the long run. Instead of cutting the Prevention and Public Health Fund to pay for the Zika supplemental, we should actually be investing more into these programs. So it is my hope we will reject this approach and instead pass emergency legislation today to deal with the Zika virus.

The funding that will be made available as a result of today's votes will be critical in the efforts to prevent outbreaks of the disease in the United States and hopefully the creation of a vaccine in the near future.

There is still a lot we don't know about the Zika virus—and once we pass this emergency funding package, Congress will still need to work together to continue evaluating needs and determining whether more resources are necessary.

I look forward to working with my colleagues to protect Americans from the potentially devastating impacts of the Zika virus.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, shortly the Senate will proceed to consider three alternative proposals to provide much needed funding to combat the Zika virus. I am deeply concerned about the rapidly emerging and evolving Zika virus, which poses a particular threat to pregnant women and can cause serious birth defects.

To learn more about this virus and other public health challenges, I recently toured the Centers for Disease Control and Prevention in Atlanta, GA, with my friend and colleague Senator ISAKSON. I was deeply impressed by the team of extraordinarily dedicated public servants who work there. These scientists leverage an enormous range of knowledge to protect the American people, including through rapid response to infectious disease threats.

CDC's experts told me they call the mosquito that carries the Zika virus the cockroach of the mosquito world because it is so difficult to get rid of. This mosquito can breed in water that fits within the size of a bottle cap. It is commonly found in the United States in areas like Florida and our gulf coast.

There are now more than 1,000 cases of Zika virus in the United States and its three territories, including two laboratory-confirmed cases in the State of Maine. Earlier, one of our colleagues showed a map of the States that are most affected by Zika, but the fact is, due to travel, there are confirmed Zika cases in virtually every single State, but of course Puerto Rico in particular has been especially hard hit, with the number of cases soaring. These statistics are even more alarming when we consider that we have not yet reached the summer months when mosquitoes tend to be more prevalent. Recent studies suggest that Zika might spread across the warmer and wetter parts of the Western Hemisphere. As many as 200 million people in our country live in areas where the mosquito that carries the virus could potentially thrive.

You may have read what may seem like good news—that the Zika virus is asymptomatic in approximately 80 percent of those affected, but CDC recently concluded that the virus causes microcephaly and a range of other severe fetal brain defects. Americans are justifiably worried about the Zika virus, as the failure to prevent its spread could have devastating consequences for our families.

In addition to the human and emotional toll, the Zika virus may ultimately cost the United States an astonishing sum of money when we consider that we already spend more than $2.6 billion per year on hospital stays related to birth defects. So the investment we are making today is not only the right thing to do from a humanitarian and public health perspective, it is also the right thing to do from an economic viewpoint.

In addition to these serious birth defects, the Zika virus has been linked to Guillain-Barre syndrome, a disease that can cause paralysis and even death.

It is imperative that we take steps to combat the Zika virus without delay. To that end, I support the bipartisan compromise agreement worked out by Senators BLUNT and MURRAY to provide an additional $1.2 billion to combat the Zika virus, including $361 million for the CDC and $200 million for the National Institutes of Health. We can and we should do more to plan for emerging disease threats through the regular appropriations process so we do not have to turn frequently to emergency supplemental funding, but in this case the Zika virus is an imminent and evolving public health threat that cannot wait and that cannot be ignored.

The CDC has a very specific plan to rapidly respond to this very real threat, including by developing diagnostic tests that will help us identify the virus and help to educate providers and the public about appropriate prevention methods. I think it is important to understand that the CDC is the interface with State and local public health centers and agencies, so its role is absolutely critical in the education and prevention process.

The National Institutes of Health is similarly prepared to conduct research into vaccines that might help us better prevent the virus and the conditions that it can tragically cause, but again that requires funding.

The CDC has sounded the alarm in its warning about a serious Zika outbreak in our country. It is essential we devote sufficient financial resources to meet this new challenge. I am convinced that today the Senate will do its part to deal with this serious threat to our public health.

Thank you, Mr. President.

Mr. REED. Mr. President, I have a parliamentary inquiry: How much time do we have remaining?

The PRESIDING OFFICER. The Senator from Rhode Island has 1½ minutes remaining, and the Senator from Maine has zero time remaining.

Mr. REED. Mr. President, I yield back the remaining time on our side.

The PRESIDING OFFICER. All time has been yielded back.

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Senate amendment No. 3898 to amendment No. 3896 to Calendar No. 138, H.R. 2577, an act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Marco Rubio, Debbie Stabenow, Harry Reid, Sheldon Whitehouse, Richard J. Durbin, Al Franken, Jeanne Shaheen,

Robert Menendez, Brian E. Schatz, Joe Manchin III, Bill Nelson, Charles E. Schumer, Michael F. Bennet, Edward J. Markey, Benjamin L. Cardin, Tom Udall, Gary C. Peters.

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

The question is, Is it the sense of the Senate that debate on amendment No. 3898, offered by the Senator from Kentucky for the Senator from Florida, to amendment No. 3896 to H.R. 2577, shall be brought to a close?

The yeas and nays are mandatory under this rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ) and the Senator from Wyoming (Mr. ENZI).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

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

The yeas and nays resulted—yeas 50, nays 47, as follows:

[Rollcall Vote No. 73 Leg.]

YEAS—50

Ayotte	Gillibrand	Nelson
Baldwin	Heinrich	Peters
Bennet	Heitkamp	Portman
Blumenthal	Hirono	Reed
Booker	Kaine	Reid
Boxer	King	Rubio
Brown	Kirk	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Leahy	Shaheen
Carper	Manchin	Stabenow
Casey	Markey	Tester
Cassidy	McCaskill	Udall
Coons	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Feinstein	Murphy	Wyden
Franken	Murray	

NAYS—47

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

NOT VOTING—3

Cruz	Enzi	Sanders

The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 47.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Senate amendment No. 3899 to amendment No. 3896 to Calendar No. 138, H.R. 2577, an act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, Roy Blunt, Roger F. Wicker, Marco Rubio, Lamar Alexander, Richard C. Shelby, Thad Cochran, John McCain, Michael B. Enzi, Jeff Flake, John Cornyn, Shelley Moore Capito, Johnny Isakson, Richard Burr, Bob Corker, Susan M. Collins, John Hoeven.

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

The question is, Is it the sense of the Senate that debate on amendment No. 3899, offered by the Senator from Kentucky for the Senator from Texas, to amendment No. 3896 to H.R. 2577, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ) and the Senator from Wyoming (Mr. ENZI).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

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

The yeas and nays resulted—yeas 52, nays 45, as follows:

[Rollcall Vote No. 74 Leg.]

YEAS—52

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

NAYS—45

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

NOT VOTING—3

Cruz	Enzi	Sanders

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 45.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

CLOTURE MOTION

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Senate amendment No. 3900 to amendment No. 3896 to Calendar No. 138, H.R. 2577, an act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, Roy Blunt, Roger F. Wicker, Marco Rubio, Lamar Alexander, Richard C. Shelby, Thad Cochran, John McCain, Michael B. Enzi, Jeff Flake, John Cornyn, Shelley Moore Capito, Johnny Isakson, Richard Burr, Bob Corker, Susan M. Collins, John Hoeven.

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

The question is, Is it the sense of the Senate that debate on amendment No. 3900, offered by the Senator from Kentucky, Mr. MCCONNELL, for the Senator from Missouri, Mr. BLUNT, to amendment No. 3896 to H.R. 2577, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ) and the Senator from Wyoming (Mr. ENZI).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

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

The yeas and nays resulted—yeas 68, nays 29, as follows:

[Rollcall Vote No. 75 Leg.]

YEAS—68

Alexander	Coons	Markey
Ayotte	Donnelly	McCain
Baldwin	Durbin	McCaskill
Bennet	Feinstein	McConnell
Blumenthal	Franken	Menendez
Blunt	Gillibrand	Merkley
Booker	Graham	Mikulski
Boozman	Hatch	Murkowski
Boxer	Heinrich	Murphy
Brown	Heitkamp	Murray
Burr	Hirono	Nelson
Cantwell	Hoeven	Peters
Capito	Isakson	Portman
Cardin	Kaine	Reed
Carper	King	Reid
Casey	Kirk	Rounds
Cassidy	Klobuchar	Rubio
Cochran	Leahy	Schatz
Collins	Manchin	Schumer

Shaheen	Udall	Whitehouse
Stabenow	Vitter	Wicker
Tester	Warner	Wyden
Tillis	Warren	

NAYS—29

Barrasso	Gardner	Risch
Coats	Grassley	Roberts
Corker	Heller	Sasse
Cornyn	Inhofe	Scott
Cotton	Johnson	Sessions
Crapo	Lankford	Shelby
Daines	Lee	Sullivan
Ernst	Moran	Thune
Fischer	Paul	Toomey
Flake	Perdue	

NOT VOTING—3

Cruz	Enzi	Sanders

The PRESIDING OFFICER. On this vote, the yeas are 68, the nays are 29.

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

The Senator from Maine.

AMENDMENT NO. 3946 TO AMENDMENT NO. 3900, AS MODIFIED

Ms. COLLINS. Madam President, I call up the Blunt amendment No. 3946.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS], for Mr. BLUNT, proposes an amendment numbered 3946 to amendment No. 3900, as modified.

Ms. COLLINS. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require the periodic submission of spending plan updates to the Committee on Appropriations)

On page 10 of the amendment, line 1, strike ''. The'' and all that follows through the period on line 3, and insert the following: '': *Provided*, That such plans shall be updated and submitted to the Committee on Appropriations of the Senate every 90 days until September 30, 2017, and every 180 days thereafter until all funds have been fully expended.''.

Ms. COLLINS. Madam President, I would now like to yield time to Senator ISAKSON for a statement.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Madam President, I thank the Senator from Maine for the recognition.

AMENDMENT NO. 3900, AS MODIFIED

I want to commend Senator COLLINS and Senator REED for their hard work and great leadership on this amendment, Senator MURRAY and Senator BLUNT for bringing this issue before us, and the Senate for having the good sense to invoke cloture on it this afternoon.

If anybody in the audience or in this room doesn't think this is an emergency, they should have been with Senator COLLINS and me 2 weeks ago at the CDC in Atlanta. We spent 4 hours looking at the depiction of what a Zika outbreak is going to look like if it doesn't stop and if we don't abate it.

There have already been 1 million cases in the Caribbean, Central America, and South America and 500 cases in the United States of America, and it is going to grow. The faster we get our arms around it, the better off the American people are going to be.

This is a lot of money, but it is only a pittance compared to what it would cost if the epidemic got out of control and we didn't stop it and defeat it. This money will go to Labor, Health and Human Services, the State Department, the CDC, and other entities to provide the education, training, and information necessary to get control of this disease.

Remember what happened with Ebola. When it broke out and we finally got involved, only through CDC's ability to educate and also to contain and control the disease did we finally get our arms around it and stop the epidemic. The same thing is going to be true with Zika. We need to contain, control, and get the necessary education to the countries to see to it that we stop it.

I commend the Senate for invoking cloture on the amendment today. I commend these two Senators for their hard work, and I am glad we are on the leading point of the spear. I want everybody to be clear—this is an emergency. Had we not invoked cloture on this amendment today, in months we would have had a greater emergency because Zika would have spread unabated in the Southern United States.

Lastly, I want to give great credit to Senator COLLINS for all the hard work she has done on health and human services for so many years and for her hard work for the CDC. On behalf of Dr. Frieden, we are glad you finally came and visited. God bless you.

I yield back.

The PRESIDING OFFICER. The Senator from Maine.

OPIOID EPIDEMIC

Mr. KING. Madam President, we just invoked cloture on an amendment to deal with the funding of an incipient epidemic—an epidemic that has serious ramifications for our society and for our country—and it is right that we did that.

I rise today, however, to point out the fact that we are in the midst not of an incipient epidemic but a real epidemic that since lunchtime today has killed 15 people in this country. Fifteen people have lost their lives since the middle of the day today. The epidemic I refer to, of course, is heroin and opiate drug abuse and addiction. This is a crisis which is upon us right now.

A month or so ago, we passed with great fanfare the CARA bill, the comprehensive addiction bill. It was the right thing to do. It was a good bill, but it had no funding. Passing a bill like that with no funding is like sending the fire department to a fire with no water. We cannot deal with this problem until we have the capacity to provide treatment to the people who need it.

Right now there is a huge shortage of treatment beds. There is even a shortage of detox beds, let alone treatment. When a person finally gets to the point where they are struggling with this terribly destructive disease and they are ready to embrace and take on the treatment, to not have it available or to have it available at an exorbitant cost is tragic.

We are losing lives every hour—47,000 people a year—and it is expanding and exploding, and it is tearing our communities apart.

I am delighted that we invoked cloture on an amendment involving the Zika virus. It is important that we do so. But we also should be attending to this crisis that is staring us right in the face and is tearing our country apart.

I hope we can soon get to an amendment that will allow us to begin the process of funding the resolution of this scourge before it takes more lives and before it tears apart more families and communities.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, today the Senate invoked cloture on an amendment to provide more than $1 billion in emergency spending to help combat the Zika virus. I support this effort. I think it is a good amendment, and I commend our leaders in the Appropriations Committee for reaching this bipartisan agreement.

However, I join my colleague from Maine, my colleague from West Virginia, and all of those who are disappointed that the opioid epidemic is not being treated with the same degree of urgency.

Some Senators on the other side of the aisle have said it is their preference to deal with the opioid epidemic through the regular appropriations process. Let me say that I am not encouraged by the results so far. With all due respect to my colleagues, an extra $1 million here and there for a few programs, which is what we are seeing in the appropriations process, is not going to address the nationwide crisis that Senator KING has said is going to kill tens of thousands of Americans this year.

While the HHS appropriations bill is still being drafted, because of the tight budget caps that are in place for this fiscal year, I am not optimistic that it will include the type of game-changing funding that we need to stem the tide of this crisis. Unfortunately, we saw that the Commerce, Justice, and Science appropriations bill included only minor increases to programs to

address the heroin and opioid epidemic. That is why we need emergency funding, and we need it now.

In March, the Senate had an opportunity to provide $600 million in emergency funding to address this crisis, but despite strong bipartisan support, that amendment was defeated on a point of order. Congress needs to rise to this challenge, just as it has done during previous public health emergencies and just as we are doing right now to address the Zika virus. Just last year Congress approved $5.4 billion to combat the Ebola outbreak, which killed one American, but in 2014, 47,000 Americans died from drug overdoses. Each day we wait, another 120 people die of drug overdoses. We are losing one person a day in New Hampshire.

Now is the time to act. I urge my colleagues to reconsider.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, first of all, I thank my good friend from New Hampshire, Senator SHAHEEN, for putting in this most needed funding to fight this epidemic, and I thank Senator KING from Maine as well. We are all fighting it.

My State has been hit the hardest of all the States, and New Hampshire is right behind us as far as having more deaths from opioid drug abuse than any other State. If you put what we are asking for into perspective and look at what we have done over the years since the war on drugs began about four decades ago, we have spent $1 trillion in the United States, but we are fighting this war the wrong way. We have all looked at this as a horrific crime, and we have just kept putting people away. In that period of time, we spent $450 billion to lock up these people in Federal prisons and most of them were locked up for nonviolent crimes.

We need to look at this. This is an illness, and to treat an illness, you have to have funding. We just talked about Zika, and we have done it for Ebola. I even checked what we have done with polio. Since we eradicated polio, we have saved this country $220 billion. Can you imagine what would have happened if we hadn't? We wanted to have it eradicated around the world by the year 2000.

The savings is enormous, but the bottom line right now is productivity. I have the lowest workforce participation in the country right now in West Virginia. A lot of it is due to the addictions that people have. In 2014, we had 42,000 West Virginians—including 4,000 youth—who sought treatment for illegal drug use but failed to receive it. There was no place for them to go. They wanted to change their lives. They asked in every way possible to do that, but we have no treatment centers.

This goes a long way to basically help treat an illness which is absolutely destroying America, not just in West Virginia, New Hampshire, and Maine, but I am talking about all 50 States. We have an epidemic we are dealing with today. Yet we are not dealing with it because we have no treatment, and that is because no one has put the priorities and values that we have in this country to eradicate this horrible scourge in our country.

I ask all of my colleagues to please reconsider the funding that is needed to fight opioid abuse with proper treatment around the country.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

BROWN V. BOARD OF EDUCATION ANNIVERSARY AND FILLING THE SUPREME COURT VACANCY

Mr. KAINE. Madam President, I rise to discuss the pending vacancy on the U.S. Supreme Court, and I do so on a very momentous day in American legal history. May 17, today, is the anniversary of the Supreme Court's decision in the pivotal case of Brown v. Board of Education. On May 17, 1954, the Supreme Court ruled that the promise of equality—stated as paramount in the Declaration of Independence and then reaffirmed in the 14th Amendment to the Constitution passed in the aftermath of the Civil War—could not be denied to little school children based on their skin color. The Brown v. Board case was actually five cases consolidated together—one from Virginia, one from Kansas, one from Delaware, one from South Carolina, and one from the District of Columbia.

While most of us know what the Brown case resolved, few remember that the Brown ruling was in serious jeopardy because of the death of a Supreme Court Justice and the deep divisions on the Court among the remaining eight members. It was only through the prompt filling of a judicial vacancy that the Court was able to come together and render a ruling in America's best interest.

The Brown case was originally argued in 1952, and the court that heard the argument was hopelessly divided. In fact, it was so divided that they asked that the case be reargued in 1953, and then to make matters worse, Chief Justice Fred Vinson died before the reargument. By many accounts, his death left the Court evenly divided over an issue of the most fundamental importance. Had the vacancy left by the death of Judge Vinson persisted, there is no way of predicting whether the Supreme Court could have even resolved the case. Imagine how different our history as a Nation would be if the Supreme Court had been unable to decide on a matter of fundamental importance.

President Eisenhower nominated former California Governor Earl Warren to fill the vacancy. The Senate did its job, held a prompt hearing, and confirmed the appointment. Chief Justice Warren then used his skill to cut through the division and convince his colleagues that the Court should speak unanimously and say that a child's skin color should not determine which school he or she should attend. Because the Senate did its job, the Court was able to do its job, and all of America was lifted.

I have listened to my colleagues and Virginia citizens about the current Supreme Court vacancy for 3 months. I have come to this conclusion: I think the Senate is treading on dangerous ground here. We are communicating—and I think the communication could be unintentional—a message to our public that is painful, and our actions in this high-profile matter are creating pain among many of my constituents. I fear that a precedent is about to be set that could undermine all three branches of our government.

I offer these comments today because the Senate can correct the dangerous message we are sending, and I hope that calm reflection will call us to honor the great traditions of this body.

The death of Justice Scalia on February 13 created a naturally occurring vacancy on a Court that is statutorily required to have nine members. Within hours of Justice Scalia's death, the majority leader announced a blockade on the vacancy, declaring that no nomination by President Obama would ever receive a hearing or a vote. This hastily announced blockade has been described as follows: The majority thinks the American people should decide on the Presidential race, and therefore, this nomination should be for the next President to make, even if that means a Supreme Court vacancy for more than a year.

I want to examine the majority's rationale. What has the Senate done in other instances when a vacancy has occurred during the last year of a President's term? Well, that is easy enough to find out. Before Justice Scalia's death, more than a dozen Justices have been confirmed during a Presidential year. For the last 100 years, with the exception of nominees who have withdrawn their nomination, the Senate has taken action on every pending nominee to fill a vacancy on the Court.

In the past, some Senators have suggested that a vacancy occurring during the final year of a Presidential term should be entitled to less deference than other Executive nominations, but that is related to the question of whether or not a Senator votes yes or no, and, of course, Senators are free to vote yes or no on nominees. But the refusal to even consider a nominee is unprecedented.

Beyond the precedent of previous Senate actions, let's look at article II, section 2, of the Constitution. It says that the President ''shall nominate''

and ''appoint''—''by and with the Advice and Consent of the Senate''—various officials, including Supreme Court Justices.

While all agree that the advice and consent provision gives the Senate the ability to affirm or reject a nominee, there is nothing in the clause suggesting that the Senate can blockade the consideration of a nominee, and there is certainly nothing in the clause to suggest that the President's appointed powers or the Senate's confirmation powers are somehow limited in the last year of a Presidential term.

Finally, the meaning of the constitutional clause was extensively discussed as the Constitution was drafted, approved, and ratified by the States, and Alexander Hamilton's Federalist Paper 76 also discusses the provision at length. All understood that the advice and consent provision was an opportunity for the Senate to determine whether a Presidential nominee for a Senate confirmable position possessed ''fit character.'' That is the check against Presidential power intended by the clause. The President, knowing that a Senate would inquire into the character of a nominee, would not just nominate people purely for partisan, personal, or regional reasons—wanting to fill it with people from my State, for example. ''Fit character'' would require that the President nominate somebody who could pass that scrutiny in the Senate. ''Fit character'' is a phrase with some significant subjectivity to it, giving each Senator the ability to decide what it means in a given instance. But the position that the character of the nominee doesn't matter at all—as evidenced by the majority's view that there would be no meetings, no hearings, and no vote regardless of the person nominated for the vacancy—is directly contrary, in my view, to the intent of the provision.

I look at this, and I believe the asserted rationale that we should not take up the Garland nomination because the vacancy occurred in the final year of a Presidential term is at odds with the text of the Constitution, with the clear meaning of the text, as explained during the drafting of the provision, and with the clear line of Senate action in previous cases.

What could explain the blockade of Judge Garland? I obviously don't know, and I can't comment upon motivations that I am unaware of, but I do want to discuss how it appears—a perception that we are leaving, possibly unwittingly, based on my discussions with Virginians. The current Senate blockade is variously interpreted as an opposition to the nominee, as opposition to the particular President making the nomination, or as some effort to undermine judicial independence.

Let's look at those three interpretations that are very commonly held by Virginians and others. The first interpretation: Is it opposition to the nominee? I think we can dispense with that pretty quickly. The blockade strategy is not based on the character of the nominee, Judge Merrick Garland, and I can assert this safely because the blockade strategy was announced—no meeting, no hearing, no vote—before the President even nominated Judge Garland. It was said that regardless of the character of a particular nominee, they would not entertain a nomination from this particular President. This is ironic, given that the nomination for a Supreme Court Justice is fundamentally about the very essence of justice and that the essence of justice must carry with it a duty to consider each individual on his or her own merits. The position that we would refuse to consider Judge Garland on his own merits seems contrary, to me, to the very notion of justice itself.

Now that Judge Garland has been nominated, we also know that the blockade is not about the character of the nominee. Judge Garland has an esteemed record as a prosecutor, private practitioner, and Federal appellate judge on the D.C. Circuit Court of Appeals. He is the chief judge on that court. His judicial service alone is approaching the 20-year mark on a court that most believe is second in importance only to the U.S. Supreme Court.

I have not seen any Member of the majority assert any credible weakness in Judge Garland's background, integrity, experience, character, judicial temper, or fitness for the position. Indeed, the majority's senior Member, a respected former chair of the Judiciary Committee, has praised Judge Garland as exactly the kind of jurist who should be on the Supreme Court.

In my recent interview with Judge Garland, I came away deeply impressed with his thoughtful manner and significant experience as a trial attorney and judge. This is no ivory tower jurist, but instead a man who understands the real-life struggles of plaintiffs and defendants, lawyers and juries, legislators and citizens, and trial judges who depend upon the Supreme Court to give clarity and guidance to the rules that impact the most important issues of their lives.

I think we should give President Obama his due in proposing a nominee with such impeccable credentials. I reject the first possible explanation that the majority's opposition is about the nominee. In fact, a determination that Merrick Garland was not of fit character to even receive consideration as a Supreme Court Justice would set such a high bar for appointees that it is hard to imagine anyone ever clearing it.

Since the Garland blockade has nothing to do with the character of the nominee, many perceive that it is instead explained by the majority's views of this President.

Is there something about President Obama that would warrant his Supreme Court nominee receiving second-class treatment compared with past Senate practice?

Could it be the circumstances of the President's election? Some Presidents have been elected with less than a majority vote of the American public and have thus been burdened with the notion that they did not have a mandate from the American public, but President Obama was elected in both 2008 and 2012 with overwhelming majorities in the electoral college, and his popular vote margins in both elections were also relatively strong in comparison with the norm in recent Presidential elections. So there is nothing about the legitimacy of President Obama's elections that would warrant treating this President's nomination different from previous Executives.

This makes extremely puzzling the majority's claim that they want to ''let the American people decide.'' The American people did decide. They gave President Obama the constitutional responsibility to nominate Justices to the Supreme Court from his first day in office to his last. Some may not be happy with the decision, but it is insulting to the President and it is insulting to the American electorate who chose him, according to longstanding and clear electoral rules, to demean the legitimacy of his election.

Could it be the unique unpopularity of this President? I think one could hypothesize a situation where a President, in the last year of his term, is so unpopular that a Senate might conclude that the public is no longer supportive of the Executive, but that is not the case with President Obama. The President's current popularity is actually quite strong compared with other Presidents during their final years in office. So there is nothing about the President's popularity with the American electorate that would warrant treating his court nominee different than the treatment afforded to past nominees.

So what could it be about President Obama that would warrant the blockade of his Court nominee in a manner completely different than the way the Senate has treated all other occupants of the Oval Office? In what way is this President different to justify such treatment?

I state again what I have said before. Obviously, I don't know the answer. I cannot say why the Senate would be so willing to break its historic practice and, by my reading of the Constitution, to refuse consideration of a nomination made by this particular President, but I can say it is painful and offer some thoughts about how it appears to many of my neighbors, to many of my constituents, as well as to many of my parishioners with whom I attend church. They reacted with alarm when news came that certain leaders had declared,

soon after President Obama was elected, that their primary goal was to assure that he would not be reelected. They watched with sadness as some in Congress raised questions about whether he was even born in the United States. They saw some in Congress question his faith and his patriotism. They observed a Member of Congress shout ''you lie'' at this President during a televised speech to the entire Congress. They noticed, recently, as the Budget Committees of both the House and Senate refused to even hold hearings on the President's submitted 2017 budget—the only time a President has been treated in such a manner since the passage of the Budget Control Act of 1974. In short, they are confused and they are disturbed by what they see as an attack on this President's legitimacy. I am not referring to an attack on this President's policies, which should always be fair game for vigorous disagreement, and I have often attacked this President's policies, but instead what people are worried about is some level of attack on the very notion that it is this individual occupying the Oval Office.

This latest action—the refusal to even consider any Supreme Court nominee afforded by President Obama in his final year, when other Presidents were granted consideration of their nominees—seems highly suspicious to them. When that blockade is maintained, even after the President affords to the Senate a nominee of sterling credentials, the suspicion is heightened. When the asserted reason is the need to ''let the people decide,'' thus suggesting that the people's decision to elect this particular President twice is entitled to no respect, they are deeply troubled. What can explain why this President—the Nation's first African-American President—is singled out for this treatment?

Again, I don't know, but we cannot blind ourselves to how actions are perceived. The treatment of a Supreme Court nomination by this President that departs from the practice with previous Executives and that cannot be explained due to any feature of the particular nominee under consideration feeds a painful perception about motivations. The pain is magnified when it is in connection with an appointment to the Supreme Court, whose very building proclaims in stone over its entrance the cardinal notion of ''Equal Justice Under Law.''

There is a third interpretation of the Garland blockade that is also troubling. Some see the blockade as just sort of power politics—as an attempt to slant the Court. The death of Justice Scalia creates concern among those who fear a natural transition on the Court, so there is an effort to stop that natural and lawful transition.

The blockade on filling a naturally occurring vacancy, in my view, is harmful to the independence of the article III branch. Even in the 3 months since Justice Scalia's death, the Court's rulings have shown the challenges of an eight-member Court. On four occasions already, the Court has been unable to render a clear decision in a case of great importance. Since the blockade, if successful, will probably maintain the artificial vacancy until the spring of 2017, it is likely to happen in other cases as well. So lower courts, and all persons whose rights and liberties are subject to rule by this Court, are deprived of the clarity on Federal issues that the Court was designed to provide, but it is more than just a hobbling of the Court's ability to decide individual discrete cases.

Seventy years ago, when Winston Churchill spoke at Westminster College about the descent of an Iron Curtain across Europe, he defined the differences between free societies and those driven by tyranny. Key to his description of free societies was an independent judiciary. It is an independent judiciary that serves as a bulwark against Executive or legislative power grabs, protecting the liberties of an individual from an overreaching Executive or from a majoritarian legislature that does not fully grasp the rights of minorities. That is what an independent judiciary is designed to do. I think we all know this independence of the American judiciary has been one of the great hallmarks of American democracy.

In my view, the blockade of the Garland nomination undermines this independence. The Judiciary Act of 1869 sets the composition of the Court at nine Justices with life tenure, and that statute has remained in force for 150 years. When President Franklin Roosevelt didn't like certain rulings of the Supreme Court in the 1930s, he tried to expand the Court and elbow out older Justices by proposing a forced retirement age and an expansion of the numbers in that Judiciary Act of 1869. Everybody understood that FDR's actions were an attempt to attack the independence of the judicial branch, and so congressional leaders of both parties stood up to stop him.

I think this current blockade is the legislative equivalent of what President Roosevelt tried to do. Refusing to consider an Obama nomination in order to artificially maintain a Court vacancy for more than a year is as much an attack on the judiciary as trying to expand it beyond nine members. I hope we would agree with this: Whether an independent judiciary is attacked by the executive or the legislative branches, we need to be equally diligent in repelling that attack.

American diplomats work every day around the world trying to convince other societies of the virtues of the rule of law and the independent judiciary, but the current blockade, unless corrected, suggests that we do not practice what we preach. By refusing to fill a naturally occurring vacancy, we send the message that the rule of law and an independent judiciary are ultimately secondary to having a more favorable or a more compliant judiciary, even when we have to weaken it to obtain what we want.

I once lived in a country with a military dictatorship that held this view of the judiciary. The judiciary was not prized for its independence but instead was priced for its slavish obedience to a few in control of society. By refusing to fill a Supreme Court vacancy because a partial and weakened Court is deemed more acceptable than a full and lawfully constituted Court, we move away from one of our best traditions—to become more like legal systems that we are working to change around the world every day. In doing so, we weaken the judiciary by leaving this vacancy that has already affected proceedings, we weaken the Executive by hobbling the constitutional power to fill dually constituted executive and judicial positions, but we also weaken the legislative body, which has that important duty of checking these nominees for fitness of character, and by doing it without even being willing to cast a vote, I think we hurt our own institutional credibility.

In conclusion, I harken back to 1954. A matter of fundamental importance to our Nation was before the Supreme Court. The death of a Justice left an eight-member Court that had already shown it was deeply divided and likely unable to reach a ruling, but the Senate did its job and filled the Court and the Court could then render a ruling that changed the course of American history for the better.

We should learn from that history and do our job. Persisting with this current blockade and sending these possibly unintentional messages is deeply dangerous. The refusal to carry out the commands of the Constitution and the Judiciary Act of 1869, to abide by the Senate precedents, to fill a naturally occurring Supreme Court vacancy, to offer the advice and consent that is part of a Senator's job description, and to entertain a well-qualified nominee—even for a hearing, much less a vote—will not be viewed favorably in the bright and objective light that history will shine on all of our actions.

We can fix this. If the Judiciary Committee will hold a hearing, cast a vote, report Judge Garland to the floor, and then ensure that the Senate debates this nomination and holds a floor vote, we will uphold our responsibility. Judge Garland might be confirmed or he might be rejected, but in taking action—rather than mounting an unprecedented blockade—we preserve the ability of each Senator to make the

judgment about whether Judge Garland possesses the fit character necessary for this position. We act in accordance with the Constitution and the Judiciary Act of 1869, we follow the traditional practices of the Senate—practices that have served us well, as the case of Brown v. Board of Education shows—and we cure the painful and dangerous message that is communicated by the current blockade strategy.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Madam President, I rise to follow the eloquent remarks of my colleague from the State of Virginia and to remark upon 62 years—62 years since Brown v. Board was handed down by our Supreme Court; 62 days since Judge Merrick Garland was nominated by our President to fill a vital vacancy on our Nation's highest Court. I wish to thank and commend my colleague, a very able attorney and someone who has argued cases passionately around a wide range of issues but none so much as civil rights.

As Senator KAINE rightly pointed out, the history of Brown v. Board is that a series of cases were brought together from across several States—including his State of Virginia and my State of Delaware—gathered together and argued in front of the Supreme Court by Thurgood Marshall, then chief counsel of the NAACP, and ultimately decided in 1954. Initially, a divided Court was unable to render judgment because in the spring of 1953, Chief Justice Vinson had died, leaving the Court then in a similar situation as it is now—divided on a range of vital and important issues.

The good Senator from Virginia has reminded us that our failure to act now—our failure to do our job and to follow the dictates of our Constitution, the ''shall'' language in article II, section 2—the failure of this body to offer any hearing or vote on this very capable circuit court judge sends the wrong message, not just here within this country to our citizens but around the world.

The Senator from Virginia spent time—and it changed his life and his perspective—in Central America as a younger man in a country where judicial independence was a fiction on paper. I, too, spent time in the 1980s in a country in Southern Africa known as South Africa, where this same legal system that existed here under Jim Crow existed there under the name of apartheid. It is to that country I go in just 2 weeks, with Congressman JOHN LEWIS of Georgia and with the children of Robert Kennedy, to commemorate the 50th anniversary of a speech given in Cape Town 50 years ago.

It is a striking moment for us to reflect on the importance and the power and the centrality of Brown v. Board in wiping away the dark stain of Plessy v. Ferguson, that obscene legal fiction rendered in 1896 that ''separate but equal'' allowed us to square the horrible distension of justice in our country of a separation between the races with the words in our Constitution, the words above the Presiding Officer, the words above the entrance to our Supreme Court, the words above the Presiding Officer's desk in our Chamber, ''E pluribus unum''—from many, one—more importantly, the words above the Supreme Court entrance, ''Equal Justice Under Law.''

We have these soaring words in our foundational documents and in our most important government buildings that suggest that we will ''dispense justice equally,'' that we will be gathered from many differences in backgrounds into one. Yet the reality in this country, for its initial decades, more than its initial century, was anything but.

It was 62 years ago today that the Supreme Court of these United States issued a unanimous decision wiping Plessy v. Ferguson away.

I rise briefly to comment that I grew up in a small town in Delaware known as Hockessin. It was a so-called ''Colored'' school in Hockessin that was the basis of one of these cases. There were actually two cases from Delaware: Belton v. Gebhart from Claymont, related to the Claymont High School, and Bulah v. Gebhart, relating to the Hockessin Elementary School. In both cases, a famous lawyer from Delaware named Louis Redding took their cases to the Delaware courts. A brave judge, Judge Collins Seitz, rendered a judgment that found the discriminatory practices in the State of Delaware illegal. It was that case that was affirmed—of the five gathered—in Brown v. Board.

Although Delaware has a very troubled and checkered racial history, these cases are ones of which I and my constituents can justifiably be proud. Moments when the courts of this country have stepped up and wiped the stain of racism and of legal segregation from our books are moments of which we can and should be proud.

As my colleague from Virginia pointedly reminded us, for 62 days the incredibly qualified and capable district court judge nominated by our current President has waited—waited for an answer from this body, waited for a hearing before the Senate Judiciary Committee, on which I serve, waited for a vote. In the century that there has been a Judiciary Committee of this body, every previous nominee who has not withdrawn has received a hearing, a vote, or both.

What are we so afraid of in allowing this talented judge to come forward, to lay his views and his credentials and his experience before this body or a committee of this body? What is the concern? My colleague from Virginia has asked and I ask, what is the animating concern that insists that for 62 or 63 or 64 or more days, Judge Garland must wait, throughout this entire year perhaps, into next year? How many cases will remain undecided by an equally divided Court due to our unwillingness or the unwillingness of many in this Chamber to do their job, to take up the challenge, to have a hearing, and to cast their vote?

With that, I simply want to say that it is to me of grave concern that we have not acted as a body, that we have not acted collectively to provide a path forward for this talented, capable judge. Many in this Chamber may find him not to be capable or qualified, but without a hearing, how would you know? He has submitted a full response—thousands of pages—to the questionnaire typically expected before the Judiciary Committee of any nominee. His record is before us—abundant, voluminous. He has more experience than any previous nominee as a Federal circuit court judge. What is the concern that would prevent us from moving forward?

On this 62nd anniversary of the most important decision, in my view, in the history of the U.S. Supreme Court, Brown v. Board, I call on my colleagues to once again show the courage of Louis Redding, of Judge Seitz, of Justice Warren, and of all of those who rendered central decisions in the history of this country that allowed our Supreme Court to operate independent of political interference and capable of making real the promise above our Supreme Court of ''Equal Justice Under Law.''

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I am very honored and I feel very privileged to be a member of this body today as we commemorate the anniversary of Brown v. Board of Education. I thank my colleagues, the distinguished Senator from Delaware, and most especially my very good friend and colleague from Virginia for his very eloquent and powerful remarks and also for bringing us together in this colloquy today.

Sixty-two years ago on this day, the Supreme Court unanimously struck down as unconstitutional the segregation of schools by race, declaring that ''separate but unequal schools are inherently unequal.'' Today, that proposition seems so obvious as to be indisputable and the fact of a unanimous Supreme Court seems inevitable, but it was hardly inevitable 62 years ago.

It is a triumph and tribute to American justice that it happened and that it happened at all given the staunch and implacable resistance that there was to that proposition 62 years ago. In fact, the Supreme Court courageously stepped forward to advance American

justice and establish a milestone and reestablish the principle that it is enshrined in our Constitution that every citizen is entitled to equal protection under law.

The battle to upend years of racial and educational inequity remains unfinished today. If we emerge from this colloquy with any message, it must be that the work remains unfinished and there is so much more work to be done in the spirit and letter of the law.

The culmination of decades-long work and strategy by innovative lawyers, community organizations organizers, and other advocates of social change was that decision. It is a tribute to their work as well and a reminder that individuals can make a difference in our system, can litigate to a successful conclusion, can advocate principles that are a matter of moral imperative. It took an act of the Supreme Court, of an independent judiciary, to declare educational segregation unconstitutional and integration the law of the land.

As a law clerk on the U.S. Supreme Court in the 1974–1975 term, working for Justice Harry Blackmun, I had the chance to watch arguments, some of them on pressing issues of the time, but also to talk with some of the Justices who watched or even participated in the Brown decision, including Justice Thurgood Marshall, the chief counsel for the plaintiffs in Brown.

Anybody who thinks that decision was inevitable should talk to some of the lawyers who were involved in the litigation and who eventually advanced it to the Supreme Court and to its successful conclusion and read the history of the controversy within the Court and the internal debate that took place about the proper role of the Court and the principles to be applied. It was far from inevitable. But it also shows how the branches of government, working together and collaboratively advancing justice in America, are important to the fundamental dynamic of our constitutional system.

The Brown decision took enforcement. President Dwight Eisenhower led that effort in one of the toughest tests in the massive protest in Little Rock, AR, just 3 years after Brown.

Ten years after Brown, Congress expanded the logic of this great decision to pass the Civil Rights Act of 1964 making segregation in public places like restaurants illegal as well.

Reading and reviewing the dynamics of the Court at the time, one wonders what would have happened if there had been only eight members. How history might have been different. Justice might have been delayed and perhaps history changed for the far worse, justice denied as a result of that delay.

The group of Justices who unanimously issued the decision was no intellectual monolith; they were members nominated to the Court by Presidents Roosevelt, Truman, and Eisenhower. Before the Court came an issue of major significance, which they came together to evaluate on principles of law that we all share, that discrimination is invidious and intolerable and violations of the Constitution will be held unacceptable in the Court.

Today, congressional Republicans, very frankly, hamper the ability of the Supreme Court to answer important legal questions of our time by refusing to hold even a hearing or a vote for Judge Merrick Garland. Their doing so has left the bench of the Supreme Court with only eight Justices. That lack of a ninth Justice diminishes and in many respects even disables the Court, as we saw just yesterday in a decision that might well have been decided otherwise if there had been nine Justices to give a majority to one point of view or another.

Justice Scalia warned against this very issue, stating that ''eight justices raise the possibility that, by reason of a tie vote, [the Court] will find itself unable to resolve the significant legal issue presented by the case. . . . Even one unnecessary recusal impairs the functioning of the Court.''

Justice Scalia's foresight was prescient. In two recent cases, even before the one yesterday, the Court deadlocked, unable to reach a definitive pronouncement on the law, because of a 4-to-4 tie. Unnecessary circuit splits cause uncertainty, which in turn hampers the activities of ordinary citizens, of small businesses wondering what rules will apply to them, whether it is banking rules or investment regulations, hampering their ability to plan and create jobs.

The Washington Post recently reported that the Court's acceptance of new cases has slowed significantly, leaving crucial unresolved legal questions without definitive answers. That is not how our system is supposed to work. That is not how the Founders saw it. That is not how the Supreme Court could resolve the Brown v. Board of Education challenge. The Supreme Court must have a full complement of Justices to effectively address these complex, challenging, urgent issues faced by our Nation today.

I reject the notion that the Senate's refusal to act, as laid out in no uncertain terms by our Republican colleagues, fulfills our constitutional obligation. It is our obligation to advise and consent on the President's nominee. We ''shall'' do so. That is the constitutional mandate—not when it is politically convenient, not when we think it is advantageous, but when the President nominates, whoever the President is, whether it is President Eisenhower nominating Earl Warren or Presidents Truman and Roosevelt, who nominated other Justices on the Supreme Court who decided Brown v. Board of Education.

We cannot afford to weaken the Federal judiciary's credibility, the trust and confidence of the American people in the authority of our judiciary. Its authority depends on it being above politics. Alas, what the Senate is doing is dragging the U.S. Supreme Court into the muck of partisan bickering.

Brown v. Board of Education became the law of the land because of the U.S. Supreme Court's credibility. The Supreme Court had no police force to enforce it. It had no armies or mandatory physical force. It had its credibility and its authority, its moral authority because it was above politics in the minds of most Americans. That is the reason President Eisenhower was able to do what he succeeded in enforcing at Little Rock and the Presidents afterward have done similarly.

Most importantly, I hope we all take time today to reflect on the importance of the Brown decision and recognize the grit and courage of the men and women who fought to end school segregation only 62 years ago. The best way of honoring their legacy is to do our job and our duty constitutionally, to fulfill that duty and their legacy by considering Judge Garland's nomination without further delay.

I yield the floor and recognize my distinguished colleague from New Jersey.

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

Mr. BOOKER. Madam President, I rise to discuss—along with my friends and colleagues on the Senate floor—what is a momentous anniversary for our country, the 62nd anniversary of the Brown v. Board of Education decision, its legacy, and the work that still remains before us.

I thank my colleagues for standing and speaking on this anniversary and understanding that it was 62 years ago today the Supreme Court unanimously affirmed that separate could never be equal, that under the law—at the very least—every child born in America, regardless of the color of their skin, had the right to pursue a quality education.

The Court found that separate schooling of children based on their race was in direct violation of the 14th amendment of the Constitution. The Court's finding is perhaps best summarized by this excerpt from Justice Warren's opinion when he said:

> We come then to the question presented: Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other ''tangible'' factors may be equal, deprive the children of the minority group of equal educational opportunities? We believe that it does.

Those were historical words. This not only made clear at the time that the deep and profound illegality of segregation was real, but it set a legal standard for generations in posterity that

reflects our deepest held American values, that we as a nation believe in equality. We as a nation believe in our interdependency to one another.

In the decades since the Brown ruling, the implementation of the Court's decision has contributed to a lot of progress. Frankly, I stand here today because of the progress and momentum that was exhibited by that decision.

Right before Brown v. Board of Education, only about one in seven African Americans, then compared with more than one in three Whites, held a high school degree.

Today we have come so far the Census Bureau reports that 87 percent of Black adults have a high school degree, nearly equal to that of Whites, which are at 89 percent. Before Brown, only about 1 in 40 Blacks earned a college degree. Now, more than one in five Black students are going to college. This is extraordinary progress we have seen in our country, something we should all celebrate.

Under the law, at the very least, the Supreme Court clearly affirmed all Americans' right to a quality education and in doing so affirmed equal value, dignity, and worth of our kids.

However, it is also worth reflecting on the anniversary of Brown that our Nation has struggled to live up to these standards in full. Brown advanced a civil rights movement that helped desegregate many parts of American society, but we still have work to do. Let us take this anniversary to recognize not just our progress, to celebrate not just that milestone, but to understand that the work of equality, the work of recognizing the value, the worth, and how much we need each other as a community still goes on.

In fact, just yesterday, six decades after the Supreme Court in Brown struck down the doctrine of ''separate but equal,'' a Federal judge ruled that a school district in Mississippi was continuing to operate a segregated, dual secondary school system: one set of schools for Whites and one set of schools for Blacks.

Across the country right now, about 40 percent of Black and Latino students attend intensely segregated schools—meaning more than 90 percent minority student body—and White students are similarly segregated from their peers of color. Only 14 percent of Whites attend schools that one would consider multicultural, multiracial, and reflecting the diversity of our country, and too many of our schools continue to fall short of our low-income and minority students. In other words, too many of our students of color and of low-income students are concentrated in poor-performing schools.

More than 1.1 million American students are attending over 1,200 high schools in our Nation that fail to graduate one-third of their students. To me, this is an outrage. It is an immoral affront to whom we are. We still have work to do.

Our Nation is still struggling to live up to the ideals and, indeed, the judicial standards set by Brown in the realm of education in many ways because of our failure to live up to this standard in so many other areas of our American life.

There still exists, in the words of Dr. Martin Luther King, that ''Other America.'' Dr. King spoke of this in the year before I was born—in 1968—about the ''Other America.'' He spoke of the duality that persisted, the disparities in housing, education, employment, and in income. He spoke of what he referred to very pointedly as the myth of time, the misguided idea that only time can solve the problem of racial injustice, the idea that things will work out for themselves.

As happy as I am about the progress we have made as a country, I have to say that we still have so much work to do almost 50 years after King spoke those words. Time has not solved the problem. There remain challenges in our country. This duality is more subtle in some ways than it was in 1954, but there still exists injustice in America. From housing to education, de facto segregation along socioeconomic and racial lines has blended together, in many ways replacing what was then de jure segregation.

Census data has shown that residential segregation by race has declined very slowly but that Whites still live largely in neighborhoods with low minority density. People of color still live in neighborhoods with high minority density. Many of these neighborhoods were designed through policies that were discriminatory against minorities. We still are seeing the legacies of those policies from redlining to FHA policies, to HUD policies that were designed to create segregation. The legacy of that still exists in segregated neighborhoods today.

While poverty rates among African Americans has fallen over the past half century—something we should be proud of—Black poverty rates are still more than double that of Whites. That means the same for kids today. Children of color are often twice as likely to be poor as White children.

In fact, one out of the three Hispanic children growing up today are growing up in poverty. One in six African-American children live in what is called extreme poverty on less than $8 a day.

This is not who we are as a nation. Our children are our greatest natural resource. In a global, knowledge-based economy, when we are competing against other nations from Germany to Japan, in this kind of economy, the most valuable natural resource a nation has is not oil or coal or gas, it is the genius of our children.

Many people think Brown was about achieving greater justice for Black people, but what we really understand—especially in retrospect—as we see African Americans now contributing in every area of life, the reality is this was about bringing justice to all of America.

Brown was saying that, hey, we as a country cannot stand if we are apart because a house divided does fall. Brown was saying the truth is, we do better when we are together, like the old African saying that says: If you want to go fast, go alone. But if you want to go far, go together—because we as a country need each other. It is like those words on the Jefferson Memorial, written in our Declaration of Independence, when we knew—to make this country work—we needed one another, so much so that those Founders pledged to each other their lives, their fortunes, and their sacred honor.

In this competitive nature, we cannot afford to waste things. Worse than the gulf coast oilspill, we are wasting the potential of our children when we leave so many floundering in poverty and lack of educational opportunities. Children growing up in poverty right now have dramatically negative life outcomes compared to people who are not growing up in poverty. In fact, right now in America, where 20 percent of children live in poverty, only 9 out of every 100 kids born in poverty will make it to college, often an index of being able to be successful, manifesting your genius, finding greater ways to contribute to the whole.

We have work to do. In particular, we have work to do in an area that drives so much of the injustice in our country. One of the great ways we are seeing injustice in my generation that was not the case in my parents' generation, that was not a reality in the 1950s, has been the criminal justice system. Something has happened and exploded. Injustice in our country is growing like a cancer on the soul of our country.

The same Supreme Court where that great case was decided, where written above the wall is ''Equal Justice Under Law,'' we now see a nation that has a criminal justice system that is not affording equal justice to all Americans.

Unfortunately, we see that often falling among racial lines. We have this explosive drug war, which has not been a War on Drugs, but it has been a war on people, particularly the most vulnerable people in our society, from people who are addicted to substances, from people who have mental illnesses, from people who are poor, and, yes, disproportionately directed toward minorities.

We now see a criminal justice system where we know, based upon data analysis, there is no difference between Blacks and Whites in usage of drugs. In fact, there is no difference in selling drugs between Blacks and Whites, but the reality is, if you are African American in this country, you are 3.7 times

more likely to be arrested for those drug crimes.

If you are churned into the criminal justice system as a result of those arrests, just one arrest for a nonviolent drug offense—something that the last two Presidents have admitted to doing—and you are arrested for that, then you find yourself in a world where, as the American Bar Association says, you have literally 40,000-plus collateral consequences, where you find it exceptionally difficult to find employment when you finish with your sentence. You find it incredibly difficult to get a loan to perhaps start a business, to even attempt to get a business license or a Pell grant. If you can't feed yourself, in many cases, you find it hard to even get food stamps or to find public housing assistance.

We now live in a nation where we have so overincarcerated disproportionately some areas of our country, that today 1 in 13 Africa Americans are prevented by law from even voting. They have lost their right to vote because of a felony conviction. In some States, the overincarceration for drug crimes is so great that we see, in places such as Florida, that one out of every five African Americans has lost their right to vote.

This isn't just affecting those people who are churned into the system, it is affecting their children as well.

Today in America, one in nine Black kids are growing up with a parent behind bars, which means it affects their financial well-being and it affects their ability to rise up out of poverty because they are being thrust down into it. In fact, a recent study has shown that we as a country—as a whole—would have 20 percent less poverty if we had incarceration rates similar to those in other industrial nations.

So here we celebrate the anniversary of this momentous decision that took a huge step for our Nation in the march toward justice and equality, but because of staggering injustices like we see in our broken criminal justice system, kids often struggle more in school and are poorer and have fewer opportunities for success.

So 62 years after Brown, we know our schools don't exist in vacuums. They exist because of the communities around them. When communities of privilege have the same amount of violations of drug crimes as communities of poverty, yet the communities of poverty experience a criminal justice system that has so much more incarceration, we are often condemning children to having greater hills to climb and greater mountains of injustice in front of them.

I stand here on this day to celebrate so much this great decision but also to remind us that we have work to do in this country until we can begin to live up to this ideal of patriotism, which is love of country and which to me necessitates that we love each other. We don't always have to agree with one other. We don't always have to get along. But we have to recognize that every one of us in this Nation has value, has worth. We need each other, and we need our children to do well because if my neighbor's child loses, I lose. If they go to prison, I pay. But if they succeed—if they become a teacher, an artist, a biologist, an inventor, a businesswoman—then they contribute to this country and my children benefit because your children succeeded. That is the story of America.

We cannot afford to leave people behind as we, as a nation, strive for excellence and greatness. We cannot be a nation that is truly reaching its potential if we are wasting so much of that potential on the sidelines.

I would be remiss if I did not also speak to a process issue. While we are still working to fulfill the vision of Brown, it is more urgent now than ever that we have a fully functioning Supreme Court. We were fortunate to have had a functioning Supreme Court in 1954. There were nine Justices doing their job, a President willing to do his job, and a Senate—all working in a time of great tumultuous change in our Nation. People were focused and steadfast—in both parties—toward creating greater justice. With people in their seats, in their jobs, I have faith in America and in our ability to get it right.

We need to make sure that today we give every opportunity to get the job done, to do the work that is necessary. It is important that we fill positions and vacancies, and the one on the Supreme Court now is clearly needed.

So today is an important day of remembrance, but history shows that we cannot simply get stuck applauding our past. The glory and greatness of ancestry is truly worthy of our reverence. But if we are to honor those who struggled before, if we are to honor those milestones, if we are to celebrate the history that shows us at our best when we came together—Black American, White American, Latino American, Indian American, Asian American—if we are to celebrate those great days of the past, we must celebrate them not just with cheers and remembrances but by redoubling our work in accordance with those values.

We must have a sense of urgency. Time is not neutral. We must use it. We cannot just count the great days of the past. We must make this day count as we continue the work of our Nation, as we continue to be the country that we say we are—a nation of liberty and justice for all.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

HONORING POLICE DETECTIVE BRAD LANCASTER

Mr. MORAN. Madam President, I rise this afternoon in the middle of this debate on an appropriations bill because of the timing of a tragedy in our State and the reality that this is a week of importance to reflect upon what happened in Kansas just a few days ago.

I wish to honor the life of Police Detective Brad Lancaster. He was a member of the Kansas City, Kansas Police Department, and he was killed in the line of duty. On May 9 of this year, Detective Lancaster joined Kansas City, KS, patrol officers in responding to a call about a suspicious person. When law enforcement arrived, the suspicious person fled into a field where Detective Lancaster exchanged gunfire and was hit twice. Unfortunately, ultimately, he died from his injuries.

Detective Lancaster gave his life to keep his community safe, and he deserves our highest respect and appreciation, our love and care for his family, for his service, and for his sacrifice. His friends, family, and neighbors remember Brad Lancaster's commitment to his community and its extension beyond his 9 years of service to the Kansas City, Kansas Police Department.

Before joining the police department, Brad served in the U.S. Air Force and completed two tours of duty abroad, including one in Kuwait during Desert Shield. Neighbors say Brad was a family man and one who was always there to offer a helping hand.

Detective Lancaster is survived by his wife Jamie and two daughters, Brianna and Jillian. I join the Kansas City community and law enforcement agencies across the country in our prayers for Detective Lancaster and his family as we mourn his death.

This tragic loss occurred just prior to National Police Week, a time in which we celebrate those who leave their homes and families each day and put their lives on the line to keep our neighborhoods safe. So today, during this National Police Week, and especially in the wake of this tragic death in Kansas City, I wish to express my sincere thanks and appreciation to American law enforcement officers and their families and to thank them for working tirelessly amid dangerous conditions for the sake of others and for upholding the law and for the burdens they shoulder and the sacrifices they make on a daily basis. We owe so much to these everyday heroes.

Law enforcement officers perform some of the most difficult and hazardous jobs in America. A routine traffic stop can turn into deadly gunfire, a shootout without warning. Members of this legislative body and communities across America alike must do everything we possibly can to prioritize and protect the lives of those who protect us.

Federally, efforts like the Justice Assistance Grant Program and the bulletproof vest grant program help enhance the safety of our law enforcement officers, and Congress's continued support

of these efforts is important. This body passed the Fallen Heroes Flag Act, which was signed into law on Monday. This week, I hope the Senate will unanimously adopt a resolution to express appreciation to the police officers and honor each of the 123 who were killed in the line of duty last year.

Support and appreciation for law enforcement must be delivered not only in the communities where officers have been killed but to every officer every day. When we as Americans commit to the safety, training, and support of law enforcement, we can help to secure our streets, strengthen our communities, and, hopefully, reduce the number of deaths in the line of duty.

May Kansas City, KS, police detective Brad Lancaster and each of those fallen heroes rest in peace.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. MCCAIN. Madam President, I ask unanimous consent to address the Senate as in morning business.

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

NOMINATION OF ERIC FANNING

Mr. MCCAIN. Madam President, I am here with my good friend from Kansas and dedicated Member of the U.S. Senate—an expert on national security, a person who has served with honor in the U.S. Marine Corps, and has served in this body and in the other body honorably in positions of responsibility. Where we may have had a disagreement, my friend has shown he is a man of conviction regarding the detainees from Guantanamo coming to the United States of America. But he also understands fully the importance of the position of the Secretary of the Army.

Senator ROBERTS and I have worked closely together on this year's Defense Authorization Act to ensure the administration does not have the authority to release or transfer detainees on the mainland. Unfortunately, the administration has failed for over 7 years to present a substantive plan on how they intend to close Guantanamo Bay, to me, to the Congress, to my colleagues, or the American people.

Thanks to Senator ROBERTS' efforts, this year's bill extends the prohibition to any reprogramming request to transfer or release detainees. These provisions confirm that President Obama will not be able to move detainees to the mainland of the United States of America in the coming year.

I want to point out that I understand Senator ROBERTS' emphasis and value that he places on Fort Leavenworth. Fort Leavenworth is the intellectual center of the United States Army. This is where General David Petraeus spent 2 years developing strategy for the surge—at Fort Leavenworth. This is where the up-and-coming leaders of the U.S. Army—and other services as well, but primarily the U.S. Army—go to get their training, their intellect, and their ability to lead. So I can fully understand why my friend from Kansas would be adamantly opposed to the transfer of detainees to Fort Leavenworth, which would change the complexion and the makeup of that very important place in the past, present, and future of the U.S. Army.

So I thank my colleague from Kansas for his agreement today. I would ask him to say a few words before I ask consent that this nomination be considered.

Again, I appreciate my old friend whose passion, whose commitment to the people of Kansas is without equal—which also accounts for the fact that they have sent him here to represent them on several occasions.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Madam President, I thank my colleague and my good friend from Arizona for enabling me to make a few remarks to address the nomination of Mr. Eric Fanning to serve as Secretary of the Army.

I have pledged to the people of Kansas that I would do everything in my power to stop President Obama from moving terrorist detainees to Fort Leavenworth, KS. The Senator from Arizona has certainly described the situation very well: It is the intellectual center of the Army. I believe today that I can tell Kansans that the threat from this administration will go unfulfilled.

Last week, in a private meeting with Deputy Defense Secretary Robert Work, I received the assurances I needed to hear to release my vote on Mr. Fanning. Make no mistake. I think President Obama's threat to act by Executive order still remains. However, Secretary Work has assured me that, as the individual charged with executing a movement of detainees to the mainland, he would be unable to fulfill such an order before the close of this administration. Practically speaking, the clock has run out for the President.

As I have stated on this floor and to my good friend and colleague, the distinguished Senator from Arizona, my issue has never been—let me make this very clear—with Mr. Fanning's character, his courage, or his capability. He will be a tremendous leader as Army Secretary and will do great by our soldiers at Fort Leavenworth, Fort Riley, and—let me emphasize—every soldier serving our Nation today.

I just talked to Mr. Fanning this afternoon and let him know I was releasing this hold and wished him good luck on his speech to the graduates of West Point. I look forward to voting for Mr. Fanning, who has always had my support for this position.

I am happy to support his nomination today with these new assurances from the administration and from the chairman and ranking member of the Senate Armed Services Committee to work with me to strengthen provisions on funding for the transfer of detainees to the mainland in this year's National Defense Authorization Act. I have worked closely with Chairman MCCAIN and Ranking Member REED. I look forward to completing work on an authorizing bill shortly. Additionally, the Senate Appropriations Committee is committed to prohibiting funding for construction or modification to any facility in the United States for the purpose of housing detainees in this year's MILCON funding bill currently on the floor.

With the clock running down on the last months of the Obama administration, it is increasingly improbable that this administration could bring high-value terrorists and their associated risks to an American community like Fort Leavenworth, KS.

The bottom line is this: We have run out the clock, and Congress looks to prohibit this administration from moving detainees to the mainland at every turn. As the Secretary of Defense and the Attorney General have testified before Congress, moving detainees to the mainland is prohibited by law and will remain so through the end of this President's term.

I again thank my friend and my colleague, Senator MCCAIN, for working with me to work this out. My congratulations to Secretary Eric Fanning—Army Secretary Eric Fanning.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I again thank my old friend from Kansas for his agreement to move forward. I look forward to continuing our long, many years' effort together to keep this Nation safe.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCAIN. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 477 only, with no other executive business in order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nomination.

The bill clerk read the nomination of Eric K. Fanning, of the District of Columbia, to be Secretary of the Army.

Thereupon, the Senate proceeded to consider the nomination.

Mr. MCCAIN. Madam President, I know of no further debate on the nomination.

The PRESIDING OFFICER. Is there any further debate?

Hearing none, the question is, Will the Senate advise and consent to the Fanning nomination?

The nomination was confirmed.

Mr. MCCAIN. Madam President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table, the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—Continued

AMENDMENT NO. 3897

Mr. BROWN. Madam President, I rise today to speak in opposition to the Lee amendment No. 3897. I wish to take a moment to thank Senator COLLINS and Senator JACK REED for their terrific work on this bill and for how they teamed up to manage this bill in pretty much the right way.

With this legislation, we are making critical investments in our transportation, housing, and community development programs. In this country today, one in four families who rent spend more than half of their income on housing. We have been taught from young adulthood on that you shouldn't spend more than 25, 30, or 35 percent at the most on house payments or rent, yet one-fourth of Americans are spending more than half of their income on housing.

I recently read the book ''Evicted'' by Matthew Desmond. In that book, one renter was quoted as saying that when her paycheck came in, her rent eats first. She had kids who were hungry. She had bus tokens to buy so she could get to work. With all of the challenges she had, she said: My rent eats first. We know what that means.

In housing, whether it is in rural Maine or whether it is in urban or rural Ohio, we know that rental prices have continued to go up and up. Evictions are so much more common than they were a decade or, especially, two decades ago. That has to change, and it makes clear why we need to maintain our existing affordable housing resources.

This bill focuses on improving the quality of federally assisted houses and removing lead paint hazards from homes. We know the effect that has on us. We learned from Flint about water, but we know an even bigger problem is lead in paint. In 2007, in the city that I call home, the city of Cleveland—the ZIP Code I live in, 44105—there were more foreclosures in my ZIP Code than any ZIP Code in the United States. We also know in cities like Cleveland and rural areas like Appalachia, where most of the housing stock is World War II or older, almost all of that housing stock has toxic levels of lead paint.

The bill pays particular attention to transit safety. The Banking Committee oversees transit. Senator MIKULSKI has worked with Senator SHELBY and me, as well as our colleagues representing the local area—Senators WARNER, CARDIN, and KAINE—to make sure the FTA has the resources needed to oversee the Washington Metro. It is something we have neglected for decades.

I wish to thank my colleagues for working with us to ensure that young foster care alumni don't have to choose between getting the education they need to be self-sufficient and having a roof over their heads. I wish more funds were available for these important investments—particularly, additional funding to address family homelessness. But I thank my colleagues for their work within the subcommittee's funding constraints and their attention to these critical issues. I especially thank the chair, SUSAN COLLINS, for that.

Unfortunately, Senator LEE's amendment will undermine some of the good we are doing with this legislation. It will prohibit the Department of Housing and Urban Development from carrying out a key component of the Fair Housing Act of 1968. When Congress passed that bill in the wake of the assassination of Martin Luther King, Jr., it made housing discrimination illegal in every State in the Nation for the first time.

For generations, redlining, restrictive covenants, and outright discrimination kept families of color locked out of entire neighborhoods and created segregated communities that linger to this day. These were tools of racial oppression as well as economic oppression, and in far too many cases, they went hand in hand. The Fair Housing Act made these despicable practices illegal everywhere.

Congress included another important component in the Fair Housing Act: a requirement that HUD and its grantees administer their federal housing and urban development grants in a way that would affirmatively further fair housing. State and local governments and public housing authorities were required to use their Federal funds in ways that would reverse, rather than reinforce, segregation in these communities. But today, the outlines of decades-old discrimination are still too visible.

I listened to a preacher on Martin Luther King Day on a cold Cleveland January morning 2½ years ago. He said something we all know but don't think enough about: Life expectancy is connected to your ZIP Code. Whether you grow up on the east side of Cleveland, whether you grow up in a wealthy suburb, whether you grow up in Appalachia, whether you grow up in a prosperous small town, your ZIP Code determines whether you have access to good health care, to quality education, to social support necessary to succeed. When where you live matters this much, we all have a moral obligation to ensure that families can live in the neighborhoods of their choice and to ensure that communities are creating opportunity in every ZIP Code. Unfortunately, in the 50 years since our country passed the Fair Housing Act, HUD has not provided enough direction to help communities meet this goal.

A 2010 GAO report recommended that HUD take action to improve its process for meeting its obligations, including three things: establishing standards and a format for grantees to follow, requiring grantees to establish timeframes for implementing their plans, and requiring grantees to submit their analyses to HUD for review.

HUD developed a new rule that will finally help local governments across the country support and foster fair housing policies that create vibrant and integrated communities. This rule was developed through a 2-year public process. Twelve of my colleagues and I urged Secretary Castro to develop a strong rule after considering comments from stakeholders.

Senator LEE's amendment would stop HUD from responding to those GAO recommendations. The updated rule will give communities the clarity and the tools they need to meet their obligations and fulfill this duty that this Senate has supported in a bipartisan way for going on five decades now.

Some of the questions communities will ask during these assessments may demand that they think in new ways about how to create housing opportunities for all the residents, regardless of race, religion, disability, or the size of their families. These are the types of questions this body told the country to ask when it enacted the Fair Housing Act in 1968.

We need to invest Federal resources in ways that provide access to opportunity to all citizens in every ZIP Code.

I urge my colleagues to vote no on the Lee amendment.

INVICTUS GAMES

Madam President, last week athletes from around the world traveled to Orlando to compete in the second Invictus Games. Like all athletes, they participate for many reasons—camaraderie, personal discipline, the joy of the game. But the Invictus competitors are so much more: They are veterans who fought for our country and our allies and were wounded or suffered mental injuries in service to a cause greater than themselves.

The games were founded in 2014 by England's Prince Harry to bring Active-Duty servicemembers and veterans together to compete in an international sporting event and to recognize their achievements. These warrior athletes have already given so much for our country. They have seen the horrors of combat, spent months and years away from their families, and suffered injuries, both visible and not so visible. They have been changed forever by the realities of war but, as Invictus shows, they have not been defeated.

The name of the games comes from the poem of the same name by the 19th century British poet William Ernest Henley. ''Invictus'' means ''unconquered.''

On a personal note, ''Invictus'' was my father's favorite poem, which we shared at his funeral. I became even more interested in these games because it means ''unconquered.''

Madam President, I ask unanimous consent to have printed in the RECORD the poem ''Invictus'' by William Ernest Henley.

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

''INVICTUS''

(By William Ernest Henley)

Out of the night that covers me,
Black as the pit from pole to pole,
I thank whatever gods may be
For my unconquerable soul.

In the fell clutch of circumstance
I have not winced nor cried aloud.
Under the bludgeonings of chance
My head is bloody, but unbowed.

Beyond this place of wrath and tears
Looms but the Horror of the shade,
And yet the menace of the years
Finds and shall find me unafraid.

It matters not how strait the gate,
How charged with punishments the scroll,
I am the master of my fate,
I am the captain of my soul.

Mr. BROWN. Madam President, the words of ''Invictus'' have inspired men and women for generations, and the spirit is alive in the athletes who represented their countries in Orlando.

Three people from my State competed on the U.S. team. Army CPT Kelly Elmlinger is a mother, cancer survivor, and fierce competitor who grew up in Attica in Seneca County, which is in my part of the State. She brought home the gold for our country in the women's 400-meter dash.

Team USA included Brian McPherson, a Marine Corps sergeant from Nashport, just east of Columbus. Sergeant McPherson has battled a traumatic brain injury sustained while deployed in Iraq when a suicide bomber walked into his unit. He competed in track and field and cycle competitions. He said:

I am a son, brother, uncle, professional, Marine, and athlete who proudly stands before you after being ravaged by war. I was and am changed from these events but they lead me to what I now consider a greater path.

Those times have taught me much about myself, while giving me the additional skills to leave the Marines and integrate back into society.

Competitions like this have been so important to that journey.

He said:

Adaptive sports gave me the strength to be an example for fellow servicemembers, civilians, and myself. I learned of a passion I didn't know existed deep within me.

Sports have given me an outlet and time to sort through my thoughts and emotions.

Lastly, Stephen Miller, a retired Navy officer from Cleveland, competed in indoor rowing in Orlando. He said:

Training helps to remind me that I am part of a team and family. I get to share the experiences, recovery and memories not only with US athletes, but also with our allies and comrades.

He, Sergeant McPherson, Captain Elmlinger, and all of the Invictus competitors embody William Ernest Henley's words:

It matters not how strait the gate,
How charged with punishments the scroll,
I am the master of my fate,
I am the captain of my soul.

These athletes have mastered fate on the battlefield, the sports field, and have overcome more trials than almost any of us could imagine. Their perseverance serves as a testament to the power of the human spirit. It isn't sympathy or charity that we owe these heroes; we owe them gratitude, respect, and the opportunity to live a life that befits their service and sacrifice for our great Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

AMENDMENT NO. 3900, AS MODIFIED

Mr. LEAHY. Mr. President, I want to speak in support of the Blunt-Murray-Graham-Leahy amendment, which provides $1.1 billion in emergency funding to combat the Zika virus.

The map of the United States beside me beside me shows the Centers for Disease Control's estimate of the range of the two types of mosquito that may spread Zika. As you can see, this public health emergency is not in some far-off land. It could easily end up in the backyards of tens of millions of Americans. Before I discuss the pending bill I want to mention that earlier this afternoon I voted for the Nelson-Rubio Zika supplemental, which would have provided the full $1.9 billion requested by the President months ago.

It is mystifying to me that Republicans voted to defeat that amendment, considering that Zika is spreading faster and in more ways than predicted when the President first requested those funds. The excuse we have heard for months, particularly from House Republican leaders, is that they don't have enough information about the proposed uses of the funds.

Have they bothered to attend any of the briefings, or if briefings weren't enough, to pick up the phone and call the head of the CDC, or the Director of the National Institute of Health, or any of the other experts who have been sounding alarm bells since last year?

In a little over a year the Zika virus has spread from Brazil to almost every country and territory in this hemisphere. There is no question that it is spreading faster and is more dangerous than was anticipated just a few months ago.

As this map shows, more than half the continental United States, including my own state of Vermont, is now projected to be within the range of Zika carrying mosquitos. The virus can have devastating consequences for many of those who become infected, particularly children. We need to act, and if there is one area where politicians should not second guess the medical experts, it is how to respond to public health emergencies.

So what did the House of Representatives do? First, they don't treat the Zika crisis as an emergency, even though it has spread to 36 countries and territories in this hemisphere and has been declared a public health emergency by the World Health Organization.

The House bill, introduced yesterday, would cut the amount requested by more than two-thirds, rob from other programs like the funds to combat Ebola, and limit the availability of Zika funds to the remaining 4 months of this fiscal year. More than half a billion dollars in Ebola funds have already been reprogrammed to combat Zika because it would have been irresponsible for the administration to wait any longer while Congress failed to act as the mosquitoes came north. But Ebola remains a deadly threat. Cases of Ebola continue to be confirmed in West Africa, and we have seen how one Ebola case today can become a dozen cases tomorrow and a hundred cases the next day. How quickly people here forget the fear that gripped this country after a single Ebola-related death in Texas 2 years ago. The funds we appropriated to combat Ebola are being put to good use, including to strengthen the capacity of African countries to respond to future

outbreaks of Ebola or something even worse.

The emergency funding in this bill includes $258 million for the Department of State and USAID to combat Zika in Latin America and the Caribbean. These funds will support efforts to control the spread of Zika and other insect-borne diseases, including to protect maternal health, expand public education on prevention, and encourage private sector research for the development of vaccines and diagnostics. These funds will provide contributions to international organizations, including the World Health Organization and the Pan American Health Organization, to reduce the impact of the disease on infants and their families, and accelerate diagnosis. Funds are also included for Department of State and USAID operations to implement programs in the field, and provide medical support for U.S. citizens, State Department, USAID, and other Federal Government employees stationed overseas.

If the Zika virus is not controlled in Latin America and the Caribbean, a year from now, it will likely be worse than projected and more costly to control. And if we continue to rob Ebola funds, which are being used for the purposes Congress intended, we simply shift the risk from one life-threatening disease to another. That makes no sense at all.

If there is one thing on which Republicans and Democrats, House and Senate, should agree it is doing whatever is necessary to protect the American people from dangerous, contagious diseases. It is past time for us to act, and I urge all Senators to support the Blunt-Murray-Graham-Leahy amendment.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from New Hampshire.

NATIONAL POLICE WEEK

Ms. AYOTTE. Mr. President, I rise today in recognition of National Police Week to honor and thank the men and women in uniform, law enforcement officers in our great State of New Hampshire who do a phenomenal job every single day keeping us safe.

When I worked as attorney general, I was honored to work directly with our law enforcement officers at every level in our State. We have the very finest law enforcement officers in the State of New Hampshire. During this week, I want to thank them for every single thing they have done under the difficult circumstances they face every day in order to make sure our communities are safe in the State of New Hampshire.

Tragically, just last week we had an example of the dangers our police officers face every single day when two Manchester police officers were shot in the line of duty early Friday morning.

Early Friday morning, Officer Ryan Hardy encountered a situation on Second Street, where he noticed the description of someone who had robbed a gas station the night before. As he was approaching this individual, Officer Hardy was shot multiple times at close range. The individual fled, and then this suspect fired into a group of police officers, and when he did that, he unfortunately also shot Officer Matthew O'Connor in the leg. Both of these police officers acted with great heroism, tenacity, and courage in the work they do every single day on the streets of Manchester. All of the police officers who responded that day did a phenomenal job, but that is an example of what our police officers are facing on a daily basis. They don't know whether the next stop they make of someone is going to go bad. Unfortunately, early on Friday morning, it did go bad.

We are so grateful for their service, for the service of Officer Hardy and the service of Officer O'Connor. We are grateful and blessed that despite significant injuries, they are doing OK and they did not get killed in the line of duty.

I just want to say to them, I want to say to the Manchester Police Department, and I want to say to their wives, Amanda and Elise—because families serve too. We worry about our police officers, but I know from having served as attorney general of New Hampshire that every time we are home on Thanksgiving or we are home on Christmas or we are home on some other holiday or great occasion, guess what our police officers are out doing. They are out patrolling our streets and our highways, keeping us safe, making sure we can enjoy that moment with our families. But their families worry. They worry when they are out: Is my loved one going to come home?

So I say to the families of our law enforcement officers as we stand here during National Police Week: Thank you. Thank you for what you do in allowing your loved ones to serve and for supporting our law enforcement officers because families serve too.

We are so grateful for what Officer Hardy and Officer O'Connor did on that early Friday morning, and we are grateful to all of the officers who responded to that call. I am grateful they are doing well in their recovery. We wish them the very best. They continue to be in my prayers and in my family's prayers for a speedy recovery. All of the police officers in our State are in my prayers.

When I was attorney general, two of the most difficult moments I had were giving a eulogy at the funerals of two police officers who were killed in the line of duty during my time as Attorney General. One of them, Officer Bruce McKay, had served the Franconia Police Department for 12 years, and he was brutally murdered in 2007 during a traffic stop. The other police officer was Officer Michael Briggs. In fact, on Sunday I am going to the dedication of a community center in Manchester in honor of Officer Michael Briggs.

It is hard to believe it has been 10 years since he was killed in the line of duty, but the fact that they are naming a community center in his honor there in the center of Manchester, where he helped so many young people and so many people in how he served the people of Manchester, is a testament to the kind of person he was.

I got to know the family of Officer Michael Briggs very closely, including his parents Lee and Maryann and his wife Laura and his sons, Brian and Mitchell. I want them to know today—I know it has been almost 10 years, but I will never forget—and we will never forget—their sacrifice and certainly what Officer Michael Briggs did for the State of New Hampshire, his heroism.

In fact, before he served as a Manchester police officer—as I think about coming toward the 10th anniversary of his death—before he served as a police officer, he served as a marine, serving our country in the line of duty. He served as a corrections officer also and did an incredible job. In fact, he received awards for saving people's lives, running into burning buildings to save people in the line of duty. I will never forget that he saved the life of the individual who murdered him. He had saved his life before. Unfortunately, he was murdered by a career criminal in the line of duty. That is a true example of the heroism of our police officers, the service and sacrifice they make, as well as their families. Unfortunately, that says it all right there.

So today as I stand on the Senate floor, I think about my time as attorney general, I certainly think about the families of the police officers who have been killed in the line of duty in New Hampshire and the sacrifices that every single day our men and women in uniform make on our behalf.

On Friday in New Hampshire there will be a law enforcement memorial ceremony. It is a ceremony I plan to attend. It is a ceremony where each year we read the names that are etched into the memorial of those law enforcement officers who have been killed in the line of duty in New Hampshire. There have been far too many—far too many—who have made the ultimate sacrifice so the rest of us could live our lives in safety and in happiness. One of the privileges I had as attorney general was to read the names of our law enforcement officers who were killed in the line of duty, to recognize their service and their sacrifice, with often many of their family members there—family members who would offer a flower or a beautiful wreath to recognize the sacrifice of their family so we could remember their family member, the law enforcement officers who were killed in the line of duty.

Today on the Senate floor I would like to read the names of these police officers who were killed in the line of duty in New Hampshire. I know we will recognize them in New Hampshire on Friday, but I want to recognize them on the Senate floor. They are, from Cheshire County, Deputy Sheriff John Walker, Sr.; from Dover, Officer George Pray; from Laconia, Police Officer Charles H. Dolloff; from Strafford County, Deputy Sheriff Charles E. Smith; from Manchester, Sergeant Henry McAllister; from Manchester, Inspector William M. Moher; from Exeter, Officer Albert L. Colson; from Nashua, Patrolman James H. Roche; from Carroll County, Sheriff Harry M. Leavitt; from New Hampshire State Police, Raymond Elliott; from Lancaster, Chief Andrew T. Malloy; from New Hampshire State Police, Trooper Harold B. Johnson; from Colebrook, Chief Fred T. Towle; from Nashua, Patrolman Michael Latvis; from New Hampshire State Police, Lieutenant Ivan H. Hayes; from Northumberland, Officer Joseph H. Platt; from Nashua, Patrolman Edward C. Graziano; from New Hampshire Fish and Game, Conservation Officer William Mooney; from New Hampshire Fish and Game, Conservation Officer Gary Waterhouse; from Farmington, Assistant Chief Louis A. Sheets; from Berlin, Officer Robert Devoid; from Berlin, Officer Dorman Wheelock; from Gorham, Officer Jerome O. Piet; from Rockingham County, Department of Corrections Officer Robert Charles Prescott; from New Hampshire Fish and Game, Conservation Officer James Clark II; from Nashua, Acting Chief Armand J. Roussel; from Seabrook, Chief Charles S. Knowles; from Durham, Lieutenant Robert Hollis, Jr.; from Berlin, Sergeant Paul G. Brodeur; from Manchester, Officer Ralph W. Miller; from New Hampshire State Police, Trooper Richard F. Champy; from Somersworth, Patrolman Donald R. Kowalski; from Jaffrey, Police Supervisor William E. O'Neil, Sr.; from Hanover, Chief James H. Collins; from Derry, Sergeant Thomas C. Kelly; from New Hampshire State Police, Trooper Gary P. Parker; from New Hampshire State Police, Trooper Joseph Edward Gearty; from Antrim, Chief of Police Ralph C. Brooks; from New Hampshire State Police, Sergeant James Stanwood Noyes; from East Kingston, Officer Melvin Alan Keddy; from Auburn, Lieutenant Donald Eaton; from New Hampshire State Police, Trooper Leslie George Lord; from New Hampshire State Police, Trooper Scott Edward Phillips; from Epsom, Patrolman Jeremy T. Charron; from Manchester, Officer Michael Leland Briggs; from Franconia, Corporal N. Bruce McKay; from Greenland, Chief of Police Michael P. Maloney; and from Brentwood, Patrolman Stephen Arkell.

As I read those names, it obviously strikes me—it is shocking how many names are on that wall in our State. Having met and worked with so many of our law enforcement officers—they are incredibly brave. The sacrifices of their families are tremendous.

Most recently, I went to two community events to recognize—really memorialize—these fallen heroes. The Maloney family and the Arkell family have started foundations to help other police families, to help have scholarships in the names of these two decorated officers. Unfortunately, those are the two most recent additions to this wall.

Chief Maloney embodied the values of service, integrity, and honor. His leadership in the Greenland Police Department will never be forgotten. He was admired by everyone in the community. This is another example of the sacrifice our police officers make. He was only a few days before his retirement. He could have stayed in the station, but he went out to the call with his fellow officers and, when the situation escalated, Chief Maloney did what he always did. He put his life before his fellow officers, and because of his sacrifices that day, other lives were saved. Unfortunately, we lost Chief Maloney in the line of duty just days before his retirement. If that is not a hero, I don't know what is and who is.

When I think about his family, and having gotten to know his family, I know today, as we think about the importance of this week, I just want to say thank you to them and just let them know they continue to be in our prayers, and we will not forget Chief Maloney's service and his sacrifice and his heroism.

Likewise, just like Chief Maloney, Officer Stephen Arkell was taken from us far too soon. He was an unsung hero. He went about his extraordinary work as a police officer very quietly and humbly, going above and beyond the call of duty not only as a police officer but as a coach in his community, as someone who has helped so many other people and made a difference in people's lives. During his 15-year career as a police officer, he made a difference for the people of Brentwood. He made us proud, and he was another true hero in his community.

Today, during National Police Week, I want to say to his family, who recently had a 5K in his honor to provide scholarships for others in the Brentwood community, thank you for your sacrifice. We will never forget the sacrifice of Officer Stephen Arkell.

During National Police Week, as I stand on the Senate floor, one of the things that has bothered me is, too often the rhetoric we have been hearing about our police and our law enforcement officers out in the public discussion has been negative. It has been negative. It has been sweeping. It has been basically stereotyping our police, and it has been wrong. So, today, during this important week, I want to say to our law enforcement officers in New Hampshire, I want to say to the law enforcement officers across this country who keep us safe: Thank you. We stand with you. We are proud of you. We have your back because we know you have our backs every single day, because we would not be a free and safe society but for the sacrifices our law enforcement officers make every single day in New Hampshire and in every State in this country. They are the thin blue line between us and those who want to do us harm and threaten our way of life.

So when we hear people who are making sweeping generalizations about our police that are negative, I want the people of this country to think about what it would be like if we didn't have the courageous law enforcement officers who patrol our streets every single day, who go out on nights and weekends and holidays when we are safely home sleeping, who are out making sure we are safe. We should stand up for our law enforcement officers.

This week, of all weeks, as we are here for National Police Week, we need to honor our law enforcement officers. We need to thank our men and women in uniform who patrol our streets and our highways and in every way protect us, whether as corrections officers or Fish and Game officers or as State police—at every single level in the State of New Hampshire, we say thank you. We stand with you. I thank you. I hope that as we stand here this week, all of us will make sure that we thank also the Capitol Police for the incredible work they do here keeping us safe and defending this Capitol.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I am going to speak about an amendment that I am going to propose right away. It is about fidelity to the Constitution and the Bill of Rights—specifically, fidelity to the Second Amendment as it involves the Department of Veterans Affairs.

There appears to be a troubling trend within the VA. As of December 2015, almost 99 percent of the names listed on the ''mental defective'' category for the National Instant Criminal Background Check System, otherwise known as the national gun-ban list, are from the Veterans Administration. Once a person's name is on that list, they are banned from owning or possessing a firearm. Their Second Amendment rights are completely null and void.

Now, why is this happening? Once the VA determines that a veteran requires a fiduciary to administer benefit payments, the VA reports that veteran to the gun-ban list, resulting in a total denial of a veteran's right to possess and own firearms. In other words, their Second Amendment rights are being denied.

The VA has attempted to justify its actions by relying on regulations that grant limited authority to determine incompetence only in the context of financial affairs. So I quote: ''Rating agencies have sole authority to make official determinations of competency and incompetency for the purpose of insurance and disbursement of benefits.''

It is clear, therefore, that the VA's core regulatory authority applies to matters of competency for financial purposes. Importantly, this financial fiduciary standard has been employed since way back in the 1970s. It has nothing to do with regulating firearms. Yet that is exactly what is happening. Firearms are being regulated. Federal law requires that before a person is reported to a gun-ban list, they be determined a ''mental defective.''

The Bureau of Alcohol, Tobacco, Firearms and Explosives created a regulation to define what ''mental defective'' means. It includes, among other requirements, that a person is a danger to self or others. Granted, the VA regulation at issue and the ATF regulation do share some of the same language. But the intent and the purpose are totally different. On the one hand, the VA regulation is designed to appoint a fiduciary. On the other hand, the ATF regulation is designed to regulate firearms.

Now, this is a huge distinction. The level of mental impairment that justifies taking away the right to possess and own firearms must rest at a severe and substantial level—a level where the mere possession of a firearm constitutes a danger to self or others. That decision is never made by the VA, or the Veterans Administration, before submitting names to the gun-ban list.

As such, imposing a gun ban is a harsh result that could sweep up veterans that are fully capable of appropriately operating a firearm for self-defense purposes. So how does this work, then, in practice? The Daily Caller interviewed a veteran who had been a victim of this VA process for an April 21, 2015, article.

The veteran reportedly told a VA counselor, who asked about how he handles his finances, that on the mere suggestion of his wife, he now uses auto debit for bills so he doesn't have to go to the post office. The VA doctor put down that he doesn't pay his own bills, and his wife handles his finances. The next thing he knew was that his wife was appointed as his fiduciary and his name was placed on the gun-ban list.

Whether or not he handles his own finances, what does that have to do with talking away a veteran's right to self-defense? After all, this is the core purpose of the Second Amendment—self-defense. Self-defense is a natural right of all individuals. It is a God-given right. It is a right that existed before the Declaration of Independence and the Constitution were ever drafted. It is a sacred right.

The Supreme Court has held the Second Amendment to be a fundamental right. So, when the Federal Government erases that right for any given individual, it better then have compelling justification to do so. Assigning a fiduciary is not a compelling justification. That is especially so when the VA does not even determine whether veterans are a danger to themselves or others before reporting the names to that gun-ban list.

Further, the VA fails to offer adequate constitutional due process protections. The standard of review—clear and convincing evidence—is particularly low in light of the fact that a constitutional right is involved. Hearsay is allowed in the hearing process, and the burden of proof is on the veteran to show that they are competent to manage their finances. In essence, it is the veteran who has the burden of proof of showing that they should maintain their Second Amendment rights, although, again, that is not even the purpose of the hearing. That cannot stand. When constitutional issues are at stake, the burden ought to be on the government.

Finally, the hearing that does take place is before VA employees, not a neutral arbiter. With these significant flaws, it is clear that the VA regulatory scheme is inherently suspect. Importantly, these VA regulations have been in place since the 1970s, well before even the existence of a gun-ban list. The Supreme Court held the Second Amendment to be a fundamental right in 2010. Associate Justice Alito, who wrote the opinion of the Court, stated: ''It is clear that the Framers . . . counted the right to keep and bear arms among those fundamental rights necessary to our system of ordered liberty.''

It cannot be said that the VA's regulatory scheme adequately protects the liberty interests of the veteran—quite the contrary. The VA regulatory scheme is an example of the Federal Government once again going too far. As government expands, liberty contracts. There are just too many flaws in the VA's regulatory scheme that result in a failure at ensuring constitutional demands are met.

There has been no update to the VA's protocols since the Supreme Court's decision in 2010. During the course of my oversight of this issue, not even the Department of Justice can adequately explain why there has been no substantive update to the gun-reporting system. That is why I have introduced this amendment.

My amendment is simple. It is straightforward. It makes perfect constitutional sense. It simply requires that before the VA reports names to the Department of Justice for eventual placement on the gun-ban list, the Veterans Administration must first find that a veteran is a danger to himself, herself, or others, and that finding must be done via judicial order.

These requirements do three important things: First, it makes the ''danger to self or others'' standard applicable to the VA. We all agree, don't we, that dangerous persons must not own or possess firearms.

Second, it shifts the burden of proof from the veteran and onto the government, where it ought to be. Third, it fixes the conditional due process issues by moving the hearing from the VA to the judicial system.

Like I said, these are commonsense constitutional fixes, but, more importantly, it is what our Nation's veterans deserve. Our veteran population is sacred. They deserve the thanks of a grateful Nation, not the iron fist of an out-of-control Federal Government.

Most importantly, the government must not unfairly target our veteran population simply because some may have challenges after returning home from war, like maybe having someone handle their finances. The fact that almost 99 percent of the names in the gun-ban list of the category that we call ''mental defective'' are from the VA raises suspicion that our government is unfairly targeting veterans.

That is why the American Legion and the Veterans of Foreign Wars have expressed strong support for my amendment. There is nothing more offensive to the principles of liberty than when the government takes away a person's constitutional rights when it has no right to take away those constitutional rights. Moreover, I have heard from Iowa veterans that some veterans are even reluctant to seek care from the VA for fear of losing their Second Amendment rights.

It is outrageous, then, that veterans are afraid to seek the care they have actually earned by being in service to their country because the VA might deprive them of a constitutionally protected right without due process. This must stop.

I urge my colleagues to support this legislation. Support it on constitutional grounds, support it on fairness grounds, and support it for the sake of veterans who may be wrongly targeted. To all of our Nation's veterans, I say: God bless you, and thank you for your service to our great country. You deserve better than to have your rights violated by the very agency that is supposed to fulfill our Nation's commitment to you.

I urge my colleagues to join me in making this very bad situation right—constitutionally right.

Mr. President, I ask unanimous consent to have printed in the RECORD a May 16, 2016, letter from the VFW supporting this approach.

I repeat for my colleagues that the American Legion supports it, but they couldn't get a letter to us.

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

VETERANS OF FOREIGN WARS
OF THE UNITED STATES,
Washington, DC, May 16, 2016.

Hon. CHARLES E. GRASSLEY,
U.S. Senate,
Washington, DC.

DEAR SENATOR GRASSLEY: On behalf of the nearly 1.7 million members of the Veterans of Foreign Wars of the United States (VFW) and our Auxiliaries, I write in support of your amendment to H.R. 2577, which would protect veterans' rights under the Second Amendment of the United States Constitution.

Currently, when the Department of Veterans Affairs (VA) makes the determination that a veteran would benefit from the assistance of a fiduciary to handle his or her finances, VA sends that veteran's name to the National Instant Check System, preventing them from legally purchasing firearms. The VFW has long opposed this practice, believing that veterans who swore to support and defend the United States Constitution should not lose their rights under the Second Amendment simply because they need fiduciary assistance. The need for a fiduciary in no way implies that they are a danger to themselves or others. By ensuring that no veteran loses his or her right to purchase firearms without order or finding of a judge, magistrate, or other judicial authority of competent jurisdiction, your amendment would put an end to this objectionable VA practice.

The VFW thanks you for your leadership on this issue, and your commitment to protecting veterans' constitutional rights and liberties. We look forward to working with you and your staff to pass this much needed amendment.

Sincerely,

RAYMOND C. KELLEY,
Director, VFW National Legislative Service.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to set aside the pending amendment and call up amendment No. 3925.

The PRESIDING OFFICER. Is there objection?

The Senator from Illinois.

Mr. DURBIN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I listened carefully to the explanation of my friend and colleague from Iowa. I hope there are several things we can agree on at the outset. The first is that we don't want someone who is a convicted felon or is so mentally unstable that they cannot be trusted to own or purchase a firearm. I hope we can agree on that.

Mr. GRASSLEY. I agree.

Mr. DURBIN. Good.

I hope the next thing we can agree on is that we want to make certain that our veterans are treated fairly, that they are given every consideration for having served our country, but we do not want to put them in harm's way either by way of suicide or by committing a crime with a gun, and we want to have a process that respects that goal. I hope my colleague and friend from Iowa would agree with that.

The problem we have is the Senator from Iowa is amending an appropriations bill. The difficulty you face when you amend appropriations bills, in most instances, if you are not authorizing and strictly sticking within the four corners of an appropriations bill, you can cut off funds—no funds shall be spent for—and that is what the amendment of the Senator from Iowa does. No funds shall be spent at the Veterans' Administration for—and he just described the process.

Here is the difficulty. This amendment as written doesn't solve the problem; it creates a bigger problem.

I will concede at the outset to the Senator from Iowa that we should be sitting down and resolving a very serious issue between the definition of ''mental defect'' and ''mental competency'' between the NICS law and the VA. There is plenty of room for us to sit down and come up with a reasonable way to deal with the situation. But the amendment offered by the Senator from Iowa just basically says, unfortunately, that we are going to weaken the law that prohibits people with serious mental illnesses from buying guns.

Currently, the Department of Veterans Affairs informs the FBI NICS gun background check database when a veteran has been found in a VA proceeding to be mentally incompetent because of injury or disease. I want to make sure that is clear in the RECORD. This is what it says. In connection with an award of veterans' benefits, the VA formally may determine as ''mentally incompetent'' a person who ''because of injury or disease lacks the mental capacity to contract or to manage his or her own affairs, including disbursement of funds without limitation.'' This is an adjudication, a hearing on mental competency which goes to the question of whether the veteran is mentally incompetent because of injury or disease.

Under the amendment offered by the Senator from Iowa, VA mental health determinations would no longer count as prohibiting gun possession. Tens of thousands of names currently in the NICS system would likely need to be purged, meaning these people could go out and buy guns. Last year the VA told my staff they had supplied 174,000 names to the NICS database because of diagnosed mental conditions.

I do not dispute what the Senator from Iowa suggested—that some of these veterans may be suffering from a mental illness not serious enough to disqualify them from owning a firearm, but certainly many of them do.

Last year the VA told us that this list of 174,000 names includes 10,168 individuals diagnosed with paranoid schizophrenia, 3,981 individuals with major depressive disorder, 2,835 individuals with bipolar disorder, and many others who have been found to have very serious mental illnesses.

Allowing people with these serious mental illnesses to buy guns raises the very serious risk of suicide and violence. Already we are seeing an average of 22 suicides by veterans every single day. That is double that of the civilian population. To hand guns over to people such as the 14 or 15,000 whom I have just described who have serious mental illness is dangerous—dangerous to them, members of their family, and to the public.

The VA's referral process is not haphazard. There are due process safeguards to make sure the VA is not referring names inappropriately. The VA has set up a relief program for a veteran to contest a finding of mental competency. If we need to revisit that process—and as I said at the outset, I am not arguing that we shouldn't—we need to do it in the context of substantive legislation so that we treat the veterans fairly, treat their families fairly, and treat the public fairly in dealing with this constitutional protection. But simply invalidating the mental health records of 170,000 people the VA has supplied to the FBI, as this amendment would do, is dangerous—dangerous to the veterans, dangerous to their families, and dangerous to the public.

Let's do this in a thoughtful, orderly way, not by an appropriations bill.

I do object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, first, we are not talking about convicted felons here, like the first thing the Senator from Illinois started to say. What we are trying to do is protect the constitutional rights of veterans, Second Amendment rights, and we are preventing the government from spending money to violate the constitutional rights.

As I just made clear, the main purpose of the VA regulation is to appoint a fiduciary, not to regulate firearms, but it has the effect of regulating firearms. This standard has been in place since the 1970s. It has nothing to do with regulating firearms.

Don't you think that since the Supreme Court held the Second Amendment to be a fundamental right in 2010, there ought to be an update of this system?

Indeed, Federal law made clear that the regulations prescribed by the VA Secretary are limited to ''the nature and extent of proof and evidence and the method of taking and furnishing them in order to establish the right to benefits under such laws,'' 38 USC 501. Again, that provides no authority to regulate firearms, but it has that impact.

Just like the Senator from Illinois, I don't want dangerous persons to have firearms, but the government must first prove a person is a danger before

taking away their constitutional rights.

I am somewhat disappointed that Members on the other side of the aisle would object to even considering an amendment that simply protects veterans from having a fundamental, constitutional right taken away and doing it without due process.

When we were in the minority, we were accused of being obstructionist because we wouldn't go along with the then-majority leader's efforts to block Senators of both parties from offering amendments. Now that we are in a majority, Senator MCCONNELL has tried to restore the tradition of having amendments considered from both sides of the aisle. Yet we have these old tricks—still refusing to vote on amendments that show the American people whose side they are on.

I think this is an opportunity to show you are on the side of the veterans—veterans who probably handled guns in Iraq and Afghanistan not being able to do that here.

I don't understand what is so tough about voting on whether veterans' constitutional rights should be protected. It should be clear to anyone paying attention who is obstructing. They tried to destroy the Senate as a deliberative body when they were in the majority. Now they are obstructing a vote on protecting the fundamental constitutional rights of those who have put their lives on the line for our country.

Shame on you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, before my friend and colleague leaves, we have worked together for years, and I respect very much his legislative capability. He and I are working together on some very important legislation.

I am not a member of the Veterans' Affairs Committee. I don't know if the Senator from Iowa is a member—he is not. This is a subject matter that is in the jurisdiction of that committee.

Let me just concede at the outset that reporting 174,000 names to the FBI goes too far, but eliminating 174,000 names goes too far. We need to find a reasonable way to identify those suffering from serious mental illness who would endanger themselves, their families, or others and to sort out those who don't fit in that category. We can do that and we should do that in a reasonable way, so we are respectful of veterans and also respectful of the general public's right to be safe from the misuse of firearms.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I would just say a simple thing. I have already said we don't want dangerous people to have guns. But the point is that the VA is not identifying the people who might be a danger to themselves or a danger to society. As the Senator from Illinois says, they are simply doing it because ''You can't handle your own finances.'' That is where their constitutional rights are being denied. Their constitutional rights are being denied by a VA employee—maybe somebody who doesn't know anything about mental health—and that is wrong. That is what we are trying to prevent.

I yield the floor.

The PRESIDING OFFICER (Mr. DAINES). The majority leader.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the Collins substitute amendment No. 3896.

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Senate Amendment No. 3896 to Calendar No. 138, H.R. 2577, an act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, Susan M. Collins, Roy Blunt, John Cornyn, Richard Burr, Bill Cassidy, Roger F. Wicker, Johnny Isakson, Marco Rubio, Mark Kirk, Lindsey Graham, Chuck Grassley, Jerry Moran, Orrin G. Hatch, John Hoeven, John Barrasso, John Boozman.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the underlying bill, H.R. 2577.

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 138, H.R. 2577, an act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, Susan M. Collins, Roy Blunt, John Cornyn, Richard Burr, Bill Cassidy, Roger F. Wicker, Johnny Isakson, Marco Rubio, Mark Kirk, Lindsey Graham, Jerry Moran, Chuck Grassley, Orrin G. Hatch, John Hoeven, John Barrasso, John Boozman.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum calls with respect to the cloture motions be waived.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations en bloc: Calendar Nos. 444 through 447, 467, 217, 218, 479, 480, 482, 484, 553, 554 through 558, with no other executive business in order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nominations en bloc.

The senior assistant legislative clerk read the nominations of Linda Thomas-Greenfield, an Assistant Secretary of State (African Affairs), to be a Member of the Board of Directors of the African Development Foundation for the remainder of the term expiring September 27, 2015; Linda Thomas-Greenfield, an Assistant Secretary of State (African Affairs), to be a Member of the Board of Directors of the African Development Foundation for a term expiring September 27, 2021; John W. Leslie, Jr., of Connecticut, to be a Member of the Board of Directors of the African Development Foundation for a term expiring September 22, 2019; Linda I. Etim, of Wisconsin, to be a Member of the Board of Directors of the African Development Foundation for a term expiring September 22, 2021; Georgette Mosbacher, of New York, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2018; Todd A. Fisher, of New York, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2016; Deven J. Parekh, of New York, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2016; Robert Annan Riley III, of Florida, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federated States of Micronesia; Karen Brevard Stewart, of Florida, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of the Marshall Islands; Matthew John Matthews, of Oregon, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for the rank of Ambassador during his tenure of service as United States Senior Official for the Asia-Pacific Economic Cooperation (APEC) Forum; Marcela Escobari, of Massachusetts, to be an Assistant Administrator of the United States Agency for International Development; Swati A. Dandekar, of Iowa, to be United States

Director of the Asian Development Bank, with the rank of Ambassador; Adam H. Sterling, of Virginia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Slovak Republic; Kelly Keiderling-Franz, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Oriental Republic of Uruguay; Stephen Michael Schwartz, of Maryland, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Republic of Somalia; Christine Ann Elder, of Kentucky, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Liberia; and Elizabeth Holzhall Richard, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Lebanese Republic.

Thereupon, the Senate proceeded to consider the nominations.

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the Thomas-Greenfield, Leslie, Etim, Mosbacher, Fisher, Parekh, Riley, Stewart, Matthews, Escobari, Dandekar, Sterling, Keiderling-Franz, Schwartz, Elder, and Richard nominations en bloc?

The nominations were confirmed en bloc.

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

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—Continued

The PRESIDING OFFICER. The Senator from Maine.

AMENDMENTS NOS. 3934, 3918, 3905, 3926, 3961, AND 3941 TO AMENDMENT NO. 3896

Ms. COLLINS. Mr. President, I am pleased to report that due to a lot of hard work on both sides of the aisle by Senators and their staffs, the leaders, and particularly my colleague Senator REED of Rhode Island, we have another group of amendments we are able to clear tonight.

I therefore ask unanimous consent that the following amendments be called up en bloc and reported by number: amendment No. 3934, offered by Senator KING; amendment No. 3918, offered by Senator RUBIO; amendment No. 3905, offered by Senator HELLER; amendment No. 3926, offered by Senator RUBIO; amendment No. 3961, offered by Senator MANCHIN; and amendment No. 3941, offered by Senator BOOKER.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendments en bloc by number.

The senior assistant legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS], for others, proposes amendments numbered 3934, 3918, 3905, 3926, 3961, and 3941 en bloc to amendment No. 3896.

The amendments are as follows:

AMENDMENT NO. 3934

(Purpose: To authorize the use of funds to carry out a matching program with the Department of Education to identify veterans who are unemployable due to a service-connected disability and who are also borrowers of Federal student loans in order to streamline and expedite the process through which such veterans may discharge their Federal student loans)

On page 223, line 9, after ''interoperability:'' insert the following: ''*Provided further*, That, notwithstanding any other provision of law, $300,000 shall be available to carry out a matching program with the Department of Education to identify veterans who are unemployable due to a service-connected disability and who are also borrowers of Federal student loans in order to streamline and expedite the process through which such veterans may discharge their Federal student loans.''.

AMENDENT NO. 3918

(Purpose: To shorten the time given to a property owner to respond to a violation of a contract and the time given to the Secretary to develop a Compliance, Disposition, and Enforcement Plan)

On page 152, strike lines 1 through 13 and insert the following:

(1) The Secretary shall notify the owner and provide an opportunity for response within 15 days of UPCS inspection results. If the violations remain, the Secretary shall develop a Compliance, Disposition and Enforcement Plan within 30 days of the UPCS inspection results and must provide the owner with a Notice of Default with a specified timetable, determined by the Secretary, for correcting all deficiencies. The Secretary must also provide a copy of the Notice of Default to the tenants, the local government, any mortgagees, and any contract administrator. If the owner's appeal results in a UPCS score of 60 or above, the Secretary may withdraw the Notice of Default.

AMENDMENT NO. 3905

(Purpose: To prohibit funds from being used to provide housing assistance benefits to individuals convicted of certain criminal offenses)

At the appropriate place in division A, insert the following:

SEC. ____. None of the funds made available under this Act shall be used to provide housing assistance benefits for an individual who is convicted of—

(1) aggravated sexual abuse under section 2241 of title 18, United States Code;

(2) murder under section 1111 of title 18, United States Code; or

(3) any other Federal or State offense involving—

(A) severe forms of trafficking in persons or sex trafficking, as those terms are defined in paragraphs (9) and (10), respectively, of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102); or

(B) child pornography, as defined in section 2256 of title 18, United States Code.

AMENDMENT NO. 3926

(Purpose: To determine the effectiveness of Real Estate Assessment Center physical inspections)

At the appropriate place in division A, insert the following:

SEC. ____. (a) Not later than 90 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall prepare a report, and post the report on the public website of the Department of Housing and Urban Development (in this section referred to as the ''Department''), regarding Real Estate Assessment Center (in this section referred to as ''REAC'') inspections of all properties assisted, insured, or both, under a program of the Department, which shall include—

(1) the percentage of all inspected properties that received a REAC-inspected score of less than 65 within the last 48 months;

(2) the number of properties in which the most recent REAC-inspected score represented a decline relative to the previous REAC score;

(3) a list of the 10 metropolitan statistical areas with the lowest average REAC-inspected scores for all inspected properties; and

(4) a list of the 10 States with the lowest average REAC-inspected scores for all inspected properties.

(b) The Comptroller General of the United States shall prepare a report, and post the report on the public website of the Government Accountability Office, regarding areas in which REAC inspections of all properties assisted, insured, or both, under a program of the Department should be reformed and improved.

AMENDMENT NO. 3961

(Purpose: To allow airports to use airport improvement program funds to repair damage to runway safety areas caused by natural disasters)

At the appropriate place in division A, insert the following:

SEC. _____. (a) Subchapter I of chapter 471, as amended by this subtitle, is further amended by adding at the end the following:

''§ 47144. Use of funds for repairs for runway safety repairs

''(a) IN GENERAL.—The Secretary of Transportation may make project grants under this subchapter to an airport described in subsection (b) from funds under section 47114 apportioned to that airport or funds available for discretionary grants to that airport

under section 47115 to conduct airport development to repair the runway safety area of the airport damaged as a result of a natural disaster in order to maintain compliance with the regulations of the Federal Aviation Administration relating to runway safety areas, without regard to whether construction of the runway safety area damaged was carried out using amounts the airport received under this subchapter.

''(b) AIRPORTS DESCRIBED.—An airport is described in this subsection if—

''(1) the airport is a public-use airport;

''(2) the airport is listed in the National Plan of Integrated Airport Systems of the Federal Aviation Administration;

''(3) the runway safety area of the airport was damaged as a result of a natural disaster;

''(4) the airport was denied funding under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 4121 et seq.) with respect to the disaster;

''(5) the operator of the airport has exhausted all legal remedies, including legal action against any parties (or insurers thereof) whose action or inaction may have contributed to the need for the repair of the runway safety area;

''(6) there is still a demonstrated need for the runway safety area to accommodate current or imminent aeronautical demand; and

''(7) the cost of repairing or replacing the runway safety area is reasonable in relation to the anticipated operational benefit of repairing the runway safety area, as determined by the Administrator of the Federal Aviation Administration.''.

(b) The analysis for chapter 471, as amended by this subtitle, is further amended by inserting after the item relating to section 47143 the following:

''47144. Use of funds for repairs for runway safety repairs.''.

AMENDMENT NO. 3941

(Purpose: To slightly modify the scope of projects eligible for railroad safety grants)

On page 50 of division A, strike line 7 and all that follows through ''Code:'' on line 10, and insert the following: ''up to $25,000,000 shall be available to carry out section 24407(c)(1) of title 49, United States Code; and not less than $25,000,000 shall be available to carry out paragraphs (2), (5), (6), (7) and (10) of section 24407(c) of such title:''.

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate now vote on these amendments en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. COLLINS. Mr. President, I know of no further debate on these amendments.

The PRESIDING OFFICER. Is there further debate?

If not, the question occurs on agreeing to the amendments en bloc.

The amendments (Nos. 3934, 3918, 3905, 3926, 3961, and 3941) were agreed to en bloc.

The PRESIDING OFFICER. The Senator from Illinois.

AMENDMENTS NOS. 3914, 3938, 3948, 3954, AND 3971 TO AMENDMENT NO. 3896

Mr. KIRK. Mr. President, I ask unanimous consent that the following amendments be called up en bloc and reported by number: No. 3914, by Senator TESTER; No. 3938, by me; No. 3948, by Senator HELLER; No. 3954, by Senator HEITKAMP; and No. 3971, by Senator BENNET.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendments by number.

The senior assistant legislative clerk read as follows:

The Senator from Illinois [Mr. KIRK], for himself and others, proposes amendments numbered 3914, 3938, 3948, 3954, and 3971 en bloc to amendment No. 3896.

The amendments are as follows:

AMENDMENT NO. 3914

(Purpose: To require the Comptroller General of the United States to submit to Congress a report evaluating force structure and military construction requirements in Europe)

At the appropriate place in title I of division B, insert the following:

SEC. ___. (a) Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report evaluating the extent to which the Department of Defense has developed a comprehensive force structure plan, including military construction requirements, to meet emerging security threats in Europe.

(b) The report required under subsection (a) shall include an assessment of the extent to which the Department of Defense has—

(1) identified the near-term and long-term United States military force requirements in Europe in support of the European Reassurance Initiative;

(2) evaluated the posture, force structure, and military construction options for meeting projected force requirements;

(3) evaluated the long-term costs associated with the posture, force structure, and military construction requirements; and

(4) developed a Future Years Defense Program for force structure costs associated with the European Reassurance Initiative.

(c) The report shall also include any other matters related to security threats in Europe that the Comptroller General determines are appropriate, and recommendations as warranted for improvements to the Department's planning and analysis methodology.

AMENDMENT NO. 3938

(Purpose: To make a technical correction to section 132 of title I of division J of Public Law 114–113)

At the appropriate place in title I of division B, insert the following:

SEC. ___. (a) Of the amounts appropriated by section 132 of the Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2016 (division J of Public Law 114–13; 129 Stat. 2683), $30,000,000 is hereby rescinded.

(b) Notwithstanding section 123 of this title, for an additional amount for fiscal year 2016 for ''Military Construction, Army'' in this title, $30,000,000, to remain available until September 30, 2021, is provided for advances to the Federal Highway Administration, Department of Transportation, for construction of access roads as authorized by section 210 of title 23, United States Code.

(c) This section shall become effective immediately upon enactment of this Act.

AMENDMENT NO. 3948

(Purpose: To modify the contents of the quarterly report on disability compensation claims)

On page 245, lines 23 through 24, strike ''and (7) the number and results of Quality Review Team audits'' and insert ''(7) the number and results of Quality Review Team audits; (8) the number of claims completed by each Regional Office based on the Regional Office being the station of jurisdiction; and (9) the number of claims completed by each Regional Office based on the Regional Office being the station of origin''.

AMENDMENT NO. 3954

(Purpose: To require coordination within the Department of Veterans Affairs to meet the readjustment and psychological counseling needs of veterans in rural and highly rural communities)

At the end of title II of division B, add the following:

SEC. 251. (a) The Secretary of Veterans Affairs shall ensure that the Readjustment Counseling Service of the Department of Veterans Affairs coordinates directly with the Office of Rural Health of the Department on efforts to expand the capacity of Vet Centers (as defined in section 1712A(h) of title 38, United States Code) in order to ensure that the readjustment and psychological counseling needs of veterans in rural and highly rural communities are met.

(b) Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report detailing the number of Vet Centers (as so defined) operated by the Department and a strategic plan to increase the capacity of such Vet Centers to address unmet readjustment and psychological counseling needs of veterans in rural and highly rural communities.

AMENDMENT NO. 3971

(Purpose: To authorize the Secretary of Veterans Affairs to provide monthly assistance allowance to disabled veterans training to compete on the United States Olympic Team)

At the end of title II of division B, add the following:

SEC. 251. MONTHLY ASSISTANCE ALLOWANCE FOR DISABLED VETERANS COMPETING ON OLYMPIC TEAMS.

Section 322(d)(1) of title 38, United States Code, is amended—

(1) by striking ''allowance to a veteran'' and inserting the following: ''allowance to—

''(A) a veteran'';

(2) in subparagraph (A), as designated by paragraph (1), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(B) a veteran with a service-connected disability rated as 30 percent or greater by the Department who is selected by the United States Olympic Committee for the United States Olympic Team for any month in which the veteran is competing in any event sanctioned by the National Governing Bodies of the United States Olympic Sports.''.

Mr. KIRK. Mr. President, I ask unanimous consent that the Senate now vote on these amendments en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. KIRK. I know of no further debate on these amendments.

The PRESIDING OFFICER. Is there further debate?

If not, the question occurs on agreeing to the amendments en bloc.

The amendments (Nos. 3914, 3938, 3948, 3954, and 3971) were agreed to en bloc.

The PRESIDING OFFICER. The Senator from Maine.

MORNING BUSINESS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

62ND ANNIVERSARY OF BROWN V. BOARD OF EDUCATION

Mr. DURBIN. Mr. President, 62 years ago today, the Supreme Court issued its decision in Brown v. Board of Education, which struck down laws permitting racially segregated schools in 17 States and the District of Columbia.

The Court overturned Plessy v. Ferguson, the notorious 1896 decision that found racially segregated schools could be, ''separate but equal.'' The Court unanimously held that laws requiring racial segregation in schools violate the Equal Protection clause of the 14th Amendment and recognized that equal access to education is a fundamental civil right. In the Brown v. Board opinion, Chief Justice Earl Warren wrote, ''in the field of public education, the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal.''

As I have said before, this historic decision was the most important Supreme Court decision of the 20th century—and perhaps of all time. Shortly after the decision, the New York Times published an editorial that stated: ''The Supreme Court's historic decision in the school desegregation cases brings the United States back into the mainstream of its own best traditions. Segregation is a hangover of slavery, and its ugliest manifestation has been in the schools.''

While the Brown decision was a historic victory for equality, this anniversary is bittersweet. We have made great progress in the last 62 years, but there is much work that remains to be done to create ''the more perfect union'' that our Constitution promises. Significant racial disparities persist in our schools, as well as our economy and our criminal justice system.

Just last week, following a five-decade legal battle, a Federal district court judge ordered a school district in Mississippi to desegregate. In her opinion, Judge Debra Brown wrote that: ''[the school district's] delay in desegregation has deprived generations of students of the constitutionally-guaranteed right of an integrated education. Although no court order can right these wrongs, it is the duty of the District to ensure that not one more student suffers under this burden.''

It is shocking to consider that, six decades after the Brown decision, there is still resistance to the Court's mandate to desegregate our schools.

We also continue to see efforts to make it more difficult for African Americans and other minorities to exercise the most fundamental constitutional right, the right to vote. Three years after the Brown v. Board of Education decision, the Rev. Dr. Martin Luther King, Jr., spoke at the Lincoln Memorial during a prayer pilgrimage to Washington.

In a speech entitled ''Give Us the Ballot,'' Dr. King described the, ''noble and sublime decision'' in Brown, as well as the massive resistance to enforcing the decision. Dr. King noted that: ''many states have risen up in open defiance. The legislative halls of the South ring loud with such words as 'interposition' and 'nullification.' But even more, all types of conniving methods are still being used to prevent [African-Americans] from becoming registered voters. The denial of this sacred right is a tragic betrayal of the highest mandates of our democratic tradition.''

Dr. King knew that there was a vital connection between desegregation and the right to vote. Without Federal voting protections, African Americans would not have a voice in government to ensure that the Supreme Court's decision in Brown was fully implemented. He went on to say, ''our most urgent request to the President of the United States and every member of Congress is to give us the right to vote. . . . Give us the ballot.''

Eight years later, the Voting Rights Act was signed into law. For years, this landmark legislation was recognized as a great achievement. It was repeatedly reauthorized by large, bipartisan majorities in Congress. However, 3 years ago, in Shelby County v. Holder, the Supreme Court gutted the Voting Rights Act. In a divided 5–4 vote, the Court struck down the provision that required certain jurisdictions with a history of discrimination to preclear changes to their voting laws with the Department of Justice.

Since the decision, States like Texas, North Carolina, Alabama, and Mississippi have put in place restrictive state voting laws, which all too often have a disproportionate impact on lower-income and minority voters.

Sixty-two years after the Supreme Court's decision in Brown v. Board of Education, it is clear there is much more work to do. We should remember Dr. King's words in 1957. We should restore the law he implored Congress to enact. It is time to bring the bipartisan Voting Rights Advancement Act to the floor and ensure that the Federal Government is once again able to fully protect the fundamental right to vote.

The Supreme Court of the United States stands just across the street from here. On the front of the Court four words are engraved: ''Equal Justice Under Law.'' Those words are a promise and a challenge to all of us. On this day, the anniversary of one of the Court's greatest triumphs, let us rededicate ourselves to ensuring that those four words—''Equal Justice Under Law''—ring true for this generation and future generations of Americans.

JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, today is the 62nd anniversary of the Supreme Court's landmark decision in Brown v. Board of Education, which reaffirmed our Nation's commitment to justice and equality by ending racial segregation in our public schools. The unanimous Court overruled one of its worst precedents in Plessy v. Ferguson and held that ''in the field of public education, the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal.''

For generations, the Brown v. Board decision has been viewed as a turning point in the effort to eradicate the shameful legacy of Jim Crow and racial segregation. On this anniversary, we are reminded of the significance of a strong and independent Supreme Court, as set forth in our Constitution. Americans respect the Court as our guardian of the Constitution and the rule of law. Each generation of Americans since the Nation's founding has worked to bend the arc of the moral universe further toward justice, seeking to fulfill the Constitution's stated purpose of forming ''a more perfect Union.'' In Brown v. Board, the Court's unanimous decision reflected that we are a nation of laws and that equal justice under law has meaning.

Unfortunately, while we commemorate this momentous Supreme Court decision today, we find the Supreme Court today weakened by Senate Republicans' current obstruction. It is an undisputable fact that the Republicans' refusal to consider Chief Judge Merrick Garland's nomination means that the Supreme Court will be without a full nine justices for more than one of its terms. The Republican argument articulated in February that they should delay all consideration because it is an election year has no precedent and is unprincipled. It shows contempt for the Court as an institution and as an independent and coequal branch of government.

The result of Republicans' sustained obstruction is that the Court is taking

on fewer cases, and even in the cases it does hear, it has repeatedly been unable to definitively resolve the issue before it. A May 1 article by Robert Barnes in the Washington Post notes that the number of cases that the Justices have accepted has fallen, and the experts in that article attribute this to the Court being down one member. As one expert noted in the article, ''there seem to be a number of 'defensive denials,' meaning neither side of the ideologically split court wants to take some cases because of uncertainty about how it will turn out, or whether the court will be able to reach a decision.''

Another harmful effect of this Republican obstruction is that the Court has been contorting itself to avoid 4–4 splits by leaving the key questions of cases undecided. Just yesterday, in two different cases, the Court was unable to make a final decision on the merits. In both cases, the appellate courts are split on the law, and the Supreme Court was unable to live up to its name. One of the cases, Zubik v. Burwell, involved religiously affiliated employers' objections to their employees' health insurance coverage for contraception. The Court had already taken the unusual step of ordering supplemental briefing in the case, seemingly to avoid a 4–4 split. Even with the extra briefing, the Court was still unable to make a decision. Instead, it sent the issue back to the lower courts expressing ''no view on the merits of the cases.'' In the second case, Spokeo v. Robbins, the question at issue was Congress's ability to statutorily create rights that confer standing for plaintiffs to sue when those rights are violated. The case involves important privacy questions about Americans' power to take action when incorrect information is posted about them online. The Court, however, failed to reach the key question at issue. The effect is that the current split among the Circuit Courts of Appeals remains unresolved. As yesterday's New York Times editorial notes, ''Every day that passes without a ninth justice undermines the Supreme Court's ability to function, and leaves millions of Americans waiting for justice or clarity as major legal questions are unresolved.''

In addition to these contortions, the Court has deadlocked in at least three instances on significant legal issues before it. These 4–4 splits have real, practical consequences. As a recent Economist article noted, ''By letting lower-court decisions stand but not requiring other courts to abide by the ruling, the stage is set for odd state-by-state or district-by-district distinctions when it comes to the meaning of laws or the constitution.'' I ask unanimous consent that all three articles be printed in the RECORD at the conclusion of my remarks.

Republicans' refusal to do their jobs and consider Chief Judge Garland's nomination diminishes the role of the Supreme Court. In nominating Chief Judge Garland to the Supreme Court, President Obama has picked an eminently qualified judge who has more Federal judicial experience than any other Supreme Court nominee in history. This is an individual who has received praise across the political spectrum. But instead of delving into his lengthy public service record for themselves, Republicans have decided to outsource their jobs to outside interest groups who have spent millions of dollars to smear Chief Judge Garland. And worse, they continue to refuse to allow Chief Judge Garland a chance to respond at a public hearing.

As long as they stick to this unprincipled position, Republicans will continue to undermine the Court's ability to serve its role under our Constitution as the final arbiter of our Nation's laws. Republicans should reverse course and treat the Court as the independent and coequal branch of government that it is.

So today, let us not only celebrate the Court's historic decision in Brown, but also resolve to return this venerated institution to full strength. It begins with giving Chief Judge Garland a fair public hearing and a vote.

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

[From the Washington Post, May 1, 2016]

SCALIA'S DEATH AFFECTING NEXT TERM, TOO? PACE OF ACCEPTED CASES AT SUPREME COURT SLOWS

(By Robert Barnes)

The ways in which Justice Antonin Scalia's sudden death are altering the current Supreme Court term have been widely chronicled.

But it appears the absence of Scalia will be felt on the court's work next term, as well.

The number of cases the justices have accepted has fallen, meaning that a docket that in recent years has been smaller than what is traditional is shrinking still.

The court has accepted only six cases since Scalia died Feb. 13. The number is low compared with the average, Scotusblog.com editor Amy Howe said at an event last week reviewing the Supreme Court's work.

And none of the cases that the court has accepted for the term that begins in October approach the level of controversy that have marked the dramatic rulings of recent years.

A panel of court experts assembled by the Constitutional Accountability Center last week offered a number of reasons for the reduced workload.

But they boiled down to a reluctance of the ideologically divided eight-member court to take on an issue in which it might not be able to provide a clear answer.

First, a reminder of the enormous leeway the justices have in setting their agenda.

An outraged citizen's vow to fight an injustice ''all the way to the Supreme Court'' comes to pass only if the Supreme Court consents.

With a few exceptions of cases the court is mandated to consider, justices are unencumbered as they cull through the thousands of petitions seeking review. In recent years, only about 70 or so cases receive writs of certiorari—''cert grants''—signaling that the justices will review the decision of the lower court.

It takes the approval of four justices to schedule a case for full briefing and oral argument. The court makes those decisions all year—it could announce on Monday that it has accepted more cases—but generally those granted after January are placed on the court's docket for the term that begins the following October.

So there is plenty of time for the court to pick up the pace. But based on what's in the pipeline, Howe suggested that there could be plenty of lulls in the court's schedule.

If Senate Republicans hold true to their pledge not to hold hearings or a vote on President Obama's nomination of U.S. Circuit Judge Merrick Garland to fill Scalia's seat before the election, the court will enter the next term one justice down. And if a lame-duck Senate after the election does not consider him, it would be sometime in the spring, at the earliest, before the court is back to full strength.

John P. Elwood, a Washington lawyer and Supreme Court specialist, said ''having an extra member matters.''

He watches the Supreme Court's docket as closely as anyone, writing a column for Scotusblog about the cases the court considers at its private conferences and which seem likely to be granted.

He said there seem to be a number of ''defensive denials,'' meaning neither side of the ideologically split court wants to take some cases because of uncertainty about how it will turn out, or whether the court will be able to reach a decision.

''The court already is a defensive enough institution,'' Elwood said. He said that Justices Clarence Thomas and Stephen G. Breyer have noted that the court is cautious about granting cert in the best of times.

They ''have said essentially, 'You can't screw up by not taking a case, you can only screw up by taking a case,' '' Elwood said. ''And now there's one more reason not to take a case: that the court may blow up and not be able to decide the thing.''

Sherrilyn Ifill, president and director-counsel of the NAACP Legal Defense and Educational Fund, said the apparent slowdown is another consequence of waiting to fill Scalia's seat.

It is a rebuttal to ''all of these sanguine statements that we can have eight justices and it just doesn't matter, we'll just kick the can down the road,'' she said.

Ifill often disagrees with the decisions of the conservative court but said that everyone agrees ''this is a branch of government that actually gets the job done.'' She added: ''I think the court is trying to be prudent and not be a participant in its own demise by not taking these cases it can't decide.''

Brianne J. Gorod, the Constitutional Accountability Center's chief counsel, said justices ''know that if the issue is an important one it will probably come back in a year or two, when hopefully there will be a ninth justice.''

Andrew J. Pincus, another Washington lawyer who practices before the court, agreed with this analysis but said it is the wrong approach for the court to take.

''This sounds a little self-interested,'' Pincus began, but he said the court has a ''wrongheaded view'' about the frequency with which issues appear before it, and a ''complete misperception of the real world impact of lower-court decisions that are out there for a long time that people in the real world have to comply with.''

But if it is easy to detect a slowdown in the court's grants, it is more difficult to identify which cases the court might have taken if at full strength.

The court makes those decisions in secret. No vote total is announced and rarely is an explanation given.

So there can only be speculation about which cases are skipped because the court is divided, or which the justices agreed the lower court got it right and there is no work for them to do.

[From the New York Times, May 16, 2016]

THE CRIPPLED SUPREME COURT

Every day that passes without a ninth justice undermines the Supreme Court's ability to function, and leaves millions of Americans waiting for justice or clarity as major legal questions are unresolved.

On Monday, the eight-member court avoided issuing a ruling on one of this term's biggest cases, Zubik v. Burwell, which challenges the Affordable Care Act's requirement that employers' health care plans cover the cost of birth control for their employees. In an unsigned opinion, the court sent the lawsuits back to the lower federal courts, with instructions to try to craft a compromise that would be acceptable to everyone.

This is the second time since Justice Antonin Scalia's death in February that the court has failed to reach a decision in a high-profile case; in March, the court split 4 to 4 in a labor case involving the longstanding right of public-sector unions, which represent millions of American workers, to charge collective bargaining fees to nonmembers.

The Zubik litigation, which involves seven separate cases, was brought by religiously affiliated nonprofit employers like hospitals, colleges and social service organizations that do not want any role in giving their employees access to contraception.

The Obama administration, mindful of concerns over religious freedom, has already provided a way out for these employers: They must notify their insurer or the government, in writing, of their objection, at which point the government takes over and provides coverage for the contraceptives at no cost to the employers.

This sensible arrangement was not enough for several plaintiffs who said it still violated their religious freedom under a federal law, because the act of notification itself made them complicit in the provision of birth control.

Eight federal courts of appeals have already rejected this claim, finding that such a minor requirement did not place a substantial burden on the objectors' religious freedom. In her opinion for the Court of Appeals for the District of Columbia Circuit, Judge Cornelia Pillard wrote that under both federal law and the Constitution, ''freedom of religious exercise is protected but not absolute.'' This was the right answer, and should have easily guided the justices in resolving this case.

But in a highly unusual order issued days after oral arguments, the justices asked both sides to consider a potential compromise—having a religiously affiliated employer tell an insurer of its objection to birth control coverage, and then having the insurer separately notify employees that it will provide cost-free contraceptives, without any involvement by the employer.

In Monday's opinion, the court said both sides' responses indicated that a compromise was possible. Without weighing in on the merits of the litigation, the court sent the lawsuits back to the federal appeals courts and told them to give the parties ''an opportunity to arrive at an approach going forward that accommodates petitioners' religious exercise while at the same time ensuring that women covered by petitioners' health plans 'receive full and equal health coverage, including contraceptive coverage.'''

This move solves nothing. Even if these plaintiffs can find their way to an agreement with the government that satisfies their religious objections, there are other employers with different religious beliefs who will not be satisfied, and more lawsuits are sure to follow.

The court could have avoided this by affirming the appellate decisions that correctly ruled in the government's favor. Unfortunately, the justices appear to be evenly split on this issue, as they may be on other significant cases pending before them.

The court's job is not to propose complicated compromises for individual litigants; it is to provide the final word in interpreting the Constitution and the nation's laws. Despite what Senate Republicans may say about the lack of harm in the delay in filling the vacancy, the court cannot do its job without a full bench.

[From the Economist, May 9, 2016]

WHY THE SUPREME COURT IS SLOWING DOWN

With five votes, the late Justice William Brennan liked to tell his clerks, ''you can do anything around here''. Justice Brennan's rule still applies after the death in February of Antonin Scalia. But with only eight justices remaining, the magic number of five is now harder to come by. Twice since Mr. Scalia's death the Supreme Court has performed the judicial equivalent of throwing up its hands. In a small case concerning banking rules and in a hugely consequential case challenging the future of public-sector unions, the justices issued one-sentence per curiam (''by the court'') rulings: ''The judgment is affirmed by an equally divided court.'' A tie in the high court means that the ruling in the court below stands. But a tie-induced affirmance does not bind other lower courts, and the judgment has no value as a precedent. A tie, in short, leaves everything as it was and as it would have been had the justices never agreed to hear the case in the first place.

That's a lot of wasted ink, paper, time and breath. And now it seems the justices may be keen to reduce future futile efforts as they contemplate a year or more with a missing colleague. As Robert Barnes wrote in the Washington Post last week, the Supreme Court's pace of ''grants''—cases it agrees to take up—has slowed. Only 12 cases are now on the docket for the October 2016 term that begins in the fall, and grants are lagging below the average of recent years. The slow pace is especially notable because it marks a slowdown from an already highly attenuated docket. Seventy years ago, the justices decided 200 or more cases a year; that number declined to about 150 in the 1980s and then plummeted into the 80s and, in recent years, the 70s. The justices will grant more cases in dribs and drabs following their private conferences in May and June and after the so-called ''long-conference'' in September (followed by more conferences throughout the autumn and winter), but early indications are that the term starting in October may be one of the most relaxed in recent memory.

The Obama administration continues to push Senate Republicans to change their minds and hold confirmation hearings for Merrick Garland, chief judge of the District of Columbia circuit court. While a number of GOP senators have agreed to meet Mr. Garland for lunch or tea, none have endorsed him or said he should have a hearing. The fight to fill Mr. Scalia's seat before the next president takes office includes a new hashtag (#WeNeedNine) and a counter showing the number of ''days of obstruction'' in the Senate since Mr. Obama tapped Mr. Garland for the job. (That number is 51 and counting.) But the Republican leadership isn't budging. Charles Grassley, chair of the judiciary committee, admits that leaving the appointment to the next president is a ''gamble'' given that Donald Trump is now all-but certain to be the Republican nominee, but he is sticking to his guns.

What's wrong with eight justices? The primary worry is that tie votes will sow legal confusion and uncertainty. When justices are split down the middle, they cannot resolve rival views on crucial national issues—from affirmative action and public unions to gay rights, birth control and abortion. By letting lower-court decisions stand but not requiring other courts to abide by the ruling, the stage is set for odd state-by-state or district-by-district distinctions when it comes to the meaning of laws or the constitution. This seems to be the worry that prompted the justices to search for a compromise after hearing arguments in March in the latest fight over Obamacare and contraception. One federal district court has said that the contraceptive mandate violates a 1993 law banning the government from unduly interfering with other people's religious scruples. A half dozen other appellate courts have come to the opposite opinion. So if the justices divide 4–4 in Zubik v Burwell, women across most of America will have access to birth control through their employer's health coverage, while women in seven midwestern states will not. The justices' unprecedented effort to square the circle by playing mediator does not look promising.

Some legal scholars argue that an eight-justice bench isn't so bad after all and might actually be preferable. Eric Segall, a professor of law at Georgia State University, thinks the 4–4 ideological divide is pushing justices to moderate their claims in an effort to win votes from their colleagues on the other side. ''[T]o accomplish their goals'', Mr. Segall writes, ''the Justices would simply have to get along better''. This is a prescription, he says, to ''more public confidence in the final outcomes'' of Supreme Court decisions. We may have seen just such a compromise at work in a recent voting-rights decision, Evenwel v Abbott. After the oral argument in December, most pundits (including your correspondent) were expecting a 5–4 decision upending the common understanding of ''one person, one vote'' (counting everybody) in favour of counting only eligible voters, a scheme favouring whiter, wealthier, GOP-leaning districts. But the justices came out 8–0 in the other direction. The four liberals seem to have attracted the conservatives' votes (though Justices Samuel Alito and Clarence Thomas disagreed with the reasoning) by lowering the temperature a bit: the constitution permits states to use total population as the basis for drawing districts, Justice Ruth Bader Ginsburg wrote for her colleagues, but the question of whether it requires them to do so is off the table until a case forces it back on.

But beyond the Evenwel surprise and the seemingly ill-fated attempt to resolve the dicey dilemma in Zubik, it's very hard to see how a denuded court is an appealing concept

in the medium or long-term. A patchwork quilt of legal realities may have been fitting for America under the Articles of Confederation, before the country had a political system that made it something approximating a union, but America's constitutional design is not consonant with deep confusion about what the law means on controversial questions of public life. While the bind they're in may lead to occasional compromises, the justices will only bend so far. Whether the divide manifests as 4–4 splits or a tendency to hear fewer cases in which those splits seem likely, a curbed Supreme Court is not a court that can possibly live up to its name.

VOTE EXPLANATION

Mr. WYDEN. Mr. President, I regret that due to travel delays on my return from Oregon, I missed the vote yesterday on the confirmation of the nominee, Paula Xinis, to fill a judicial emergency vacancy in the U.S. District Court for the District of Maryland.

Ms. Xinis was nominated more than a year ago. The ABA Standing Committee on the Federal Judiciary unanimously rated Xinis ''Well Qualified'' to serve on the district court, its highest rating. She has the support of her home State Senators, Senators MIKULSKI and CARDIN. She was voted out of the Judiciary Committee by voice vote on September 17, 2015. In addition, 20 judicial nominees for lower court vacancies that were all voted out of committee by unanimous voice vote are currently on the Executive Calendar. It is important that the Senate work to prioritize filling these vacancies.

For those reasons, had I not experienced travel delays and been present as originally intended, I would have voted in support of her nomination.

NATIONAL HURRICANE PREPAREDNESS WEEK

Mr. VITTER. Mr. President, I wish to recognize the week of May 15 through 21, 2016, as National Hurricane Preparedness Week.

As each Louisianian knows, the beginning of June marks the beginning of hurricane season, and we are acutely aware of how dangerous and damaging these storms can be. As we recognize National Hurricane Preparedness Week, I want to emphasize the importance of making adequate preparations to keep our families and communities safe. While it is impossible to predict when a disaster will strike, being informed, prepared, and having a plan can make all the difference in the world.

The National Hurricane Center recommends that folks take specific steps to prepare, such as creating a plan for your family, buying proper supplies ahead of time, locating a safe room or the safest areas in your home for each hurricane hazard, making a plan for your pets, and taking First Aid, CPR, or disaster preparedness classes.

On a Federal level, I have been working to implement precautionary measures. As chairman of the Transportation and Infrastructure Subcommittee, I worked with my Republican and Democrat colleagues on the critically important Water Resources Development Act of 2016, which recently passed through the Senate Committee on Environment and Public Works. This bill would advance numerous hurricane protection efforts that will make our communities safer and better prepared for such disasters, most notably through the support it provides to coastal restoration efforts in Louisiana. Passing WRDA 2016 is an absolute top priority, and I will continue working to bring it to the Senate floor for a vote in the near future.

Regarding long-term preparedness, I am proud to announce that my bipartisan bill to reauthorize the National Estuary Program is on its way to the President's desk to be signed into law. Louisiana's estuaries create a natural buffer zone and have protected thousands of square miles of land along the coast, including some of the Nation's busiest ports, high-yielding fisheries, and vast oil and mineral deposits. My bill will make sure our critical estuaries are restored and preserved so that our coastal communities are better protected ahead of future storms.

Hurricanes are part of life, especially in Louisiana, but diligence and preparation can help reduce their impact on your family, home, and business. I urge you to take hurricane watches and warnings seriously. Please plan ahead for your family's safety, and encourage your neighbors to do the same.

REMEMBERING SELMER LELAND

Mr. TESTER. Mr. President, today I wish to honor Selmer T. Leland, a decorated World War I veteran and longtime resident of Kalispell, MT.

Unfortunately Selmer is no longer with us, so I will be presenting his son, Orland Leland, with the medals he earned for his heroic service during World War I.

Orland, on behalf of myself, my fellow Montanans, and my fellow Americans, I would like to acknowledge your father's remarkable sacrifice and service to this Nation and thank you for your unwavering commitment to keeping his legacy alive.

Selmer was born on April 30, 1894, in Abercrombie, ND, to Isak and Sanna Leland.

He grew up alongside his seven siblings on their family farm in North Dakota. When Selmer was 8, the family moved to Canada.

Later, when he grew old enough, Selmer ventured out on his own to Montana, becoming a farmer in Big Sandy, before enlisting in the army at the age of 23.

It was in October of 1917 when Selmer joined the American Expeditionary Forces in France as a private of Company G, 2nd Battalion, 16th Infantry Regiment, 1st Infantry Brigade, 1st Division.

Selmer was shipped off, and by May of 1918, he had earned his first Purple Heart, after enduring an onslaught of mustard gas in weeks leading up to the Battle of Cantigny.

The attack cost him a lung and resulted in lifelong respiratory issues.

Just 10 weeks later, Selmer took a bullet to the shoulder in the Second Battle of Marne, earning him a bronze oakleaf cluster to adorn his Purple Heart.

He also sustained shrapnel wounds to his chest and, as his son Orland proudly tells it, he died, more than 60 years later, with that bullet still in his arm.

Despite these two devastating injuries, Selmer persevered, spending another year overseas, even after the war had ended, as a member of the American occupation forces in Germany.

When he finally returned to the States, in September of 1919, his company was invited to Washington, DC, to meet President Woodrow Wilson, so he could thank them personally for their service.

Eventually, Selmer moved back to his family's homestead in Canada to farm again. This is where he met the love of his life, Clara.

Clara was a Kalispell girl, born and raised, who was visiting family up in Canada when she met Selmer.

The two fell in love, and, in February of 1924, they returned to Kalispell to get married.

By December, they had their first son, Robert Leland, who followed in his father's footsteps by joining the Army during WWII and fighting in the Battle of the Bulge.

Robert eventually had five kids: Marvin, Melvin, Shirley, Mark, and Robert, Jr., who went on to serve in Vietnam.

Both Robert and Robert, Jr., have since passed on, but their generations of service won't soon be forgotten.

After spending some time in the Pacific Northwest, the family eventually settled down in Kalispell, where Selmer spent his career as a sawmill worker until retiring at the age of 65, but his work was far from done.

After retiring from the sawmill, Selmer became a logger, heading to work every day in the forests well into his seventies.

Twenty years after the birth of their first son, Clara and Selmer, now 50, welcomed their second son, Orland, who I have the distinct pleasure of being with today.

Both Orland and his wife, Janet, were born and raised in Kalispell and still reside here today.

Orland, who was a firefighter for 30 years, and Janet, who is the volunteer director at the Kalispell Regional Medical Center, have both continued this

family's legacy of dedicated public service.

They also have five children—Dianna, Kevin, Tammy, Sam, and Curt—some of whom are here with us today.

Thank you all for being here to celebrate Selmer's life, legacy, and history.

I have the profound honor of presenting Selmer's son Orland Leland with his father's WWI medals: Purple Heart with one bronze oakleaf cluster; World War I Victory Medal with Montdidier Noyon, Aisne-Marne, St. Mihiel and Meuse-Argonne Battle Clasps and France Service Clasp; and World War I Victory Button—Silver.

Orland, these medals serve as a small token of our country's appreciation for your father's heroic service and profound sacrifice.

He is truly an American hero, and we have the utmost gratitude for his service.

REMEMBERING FRED DE ROCHE

Mr. TESTER. Mr. President, today I wish to honor Fred D. De Roche, a decorated World War II veteran, Blackfeet tribal member, and lifelong resident of Browning, MT.

Fred was killed in action, bravely defending this Nation, so I will be presenting his son, Art De Roche, with the medals his father earned during World War II.

Art, on behalf of myself, my fellow Montanans, and my fellow Americans, I would like to acknowledge your father's gallant service to this Nation and thank you for the sacrifices you have made, losing your father at such a young age.

Fred was born on April 3, 1924, to Charlie and Annie De Roche in Browning, MT.

He grew up with many siblings, raising cows and horses on his family's ranch on the Blackfeet reservation.

He eventually met his wife, Mildred Underbear, and soon after getting married, the couple discovered they were pregnant.

As many of you know, Native Americans have always exhibited a deep and profound love of country, enlisting in the military at higher rates than any other ethnic group.

Fred was no different. In fact, Fred had enlisted in the Army earlier that year, alongside his cousin, Billy Wolftail.

In the ultimate act of patriotism, Fred deployed before his son, Art, was born on February 11, 1943.

Fred was sent to Belgium, where he served as a private in the Headquarters Company's 39th Infantry Regiment, 9th Infantry Division.

It was there that Fred earned his Bronze Star Medal on October 15, 1944, for meritorious achievement in active ground combat.

A little more than 2 months later, on December 21, 1944, Fred fought his last battle in courageous service to this great Nation.

He was awarded a Purple Heart for his valor and bravery.

On Memorial Day 2015, the Blackfeet Nation was honored at the Montana Veterans Memorial in Great Falls.

I was proud to be the main speaker at that event, where 162 tiles were added to the walls of the memorial, in recognition of military veterans from the Blackfeet Nation. Mr. Fred DeRoche was one of the names added that day.

Fred died in battle, but his spirit and legacy live on in his son, Art, who I have the distinct pleasure of being here with today.

Art was raised by his great-grandmother, Rosie Big Beaver, on the Blackfeet reservation.

He grew up in Browning, married his wife, Shirley, and together, they raised three beautiful children here: Arthur, Jr., David James, and Jolene Anne.

Thank you all for being here to celebrate Fred's life and legacy of service to our State, the Blackfeet people, and this great Nation.

I have the profound honor of presenting Fred's son, Art De Roche, with his father's medals: Bronze Star; Purple Heart; European-African-Middle Eastern Campaign Medal with one Bronze Service Star; World War II Victory Medal; Combat Infantryman Badge; Belgian Fourragere; and Honorable Service Lapel Button WWII.

Art, these medals serve as a small token of our country's appreciation for your father's heroic service and profound sacrifice.

He is truly an American hero, and we are eternally grateful for his service.

RECOGNIZING THE POLYNESIAN VOYAGING SOCIETY AND THE MALAMA HONUA WORLDWIDE VOYAGE

Ms. HIRONO. Mr. President, Hawaii's traditional Polynesian voyaging canoe Hokulea and her crew are in the Washington, DC, area this week as part of its Malama Honua Worldwide Voyage. I would like to congratulate and honor the Polynesian Voyaging Society for its work in bringing about this significant endeavor to raise awareness of global sustainability while sharing traditional Polynesian navigation practices and creating global relationships through cultural exchanges. Hokulea will voyage over 60,000 miles to 100 ports in 27 nations, including 12 Marine World Heritage sites identified by the United Nations Educational, Scientific, and Cultural Organization.

Established in 1973, the Polynesian Voyaging Society developed a new generation of Polynesian navigators, perpetuating the teachings of Master Navigator Mau Piailug from the island of Satawal in the Federated States of Micronesia. The Polynesian Voyaging Society is largely credited with revolutionizing the perception of Polynesian-style voyaging as a sophisticated form of sailing and navigation.

In 1976, the Polynesian Voyaging Society completed construction of the double-hulled voyaging canoe named Hokulea, which translates to ''star of gladness.'' Hokulea is the first traditional voyaging canoe to be built in Hawaii in over 600 years and has since served as a cultural ambassador of Hawaii to the world.

Crew members observed patterns in the stars, sun, moon, wind, and ocean swells to guide Hokulea to Tahiti on her inaugural journey. The voyage demonstrated that Polynesian wayfinding methods could successfully be used to travel on long-distance journeys and revived a navigational method many assumed was lost.

In 2013, Hokulea and her sister canoe Hikianalia embarked on a journey around the State of Hawaii before commencing a 36-month worldwide voyage named Malama Honua, which means ''to care for our Earth.''

Since the journey began, Hokulea has visited 24 islands and six countries across Polynesia, Mauritius, South Africa, Brazil, and the East Coast of the United States, visiting States Florida, South Carolina, North Carolina, Virginia, New York, and Washington, DC.

I extend my deepest congratulations to the Polynesian Voyaging Society and the crews of Hokulea and Hikianalia and wish them smooth sailing as they continue the Malama Honua Worldwide Voyage.

I look forward to hearing of their many adventures upon completion of the voyage, and I encourage all of my colleagues to visit Hokulea while she is docked in Washington, DC.

TRIBUTE TO COLONEL PAUL J. TAYLOR

Mr. MORAN. Mr. President, I wish to pay tribute to COL Paul J. Taylor for his inspiring and honorable dedication to the U.S. Army and service to our Nation. Paul spent a year on Capitol Hill as an Army Congressional Fellow in the U.S. Senate where he learned valuable skills that prepared him for his service the last 3 years as a Congressional Budget Liaison for the Secretary of the Army. In this capacity, I have found Paul to be a critical resource and trusted confidant on all matters related to supporting our Army.

Colonel Taylor was nominated to attend the U.S. Military Academy from his home State of Connecticut and was commissioned an armor officer in 1993.

Colonel Taylor has served in a broad range of armor and cavalry assignments during his 23 years of service. As a junior officer, he served as a tank platoon leader, executive officer, and battalion maintenance officer in the 1st Infantry Division at Fort Riley, in

my own State of Kansas. During his time with the Big Red One, he met the former Amy S. Boydston, from Centerville, KS. The two were married at Fort Riley and have experienced more than 20 years of Army life together, along with their three daughters: Lauren, Abigail, and Ella Kate.

Following his time at Fort Riley, Colonel Taylor attended advanced training at Fort Knox, KY, and stayed to command two armor companies in the 1st Armored Training Brigade. Upon completion of command, Colonel Taylor was stationed in Doha, Qatar, as the operations officer responsible for one of the Army's forward positioned headquarters in the Middle East.

After returning from Qatar, Colonel Taylor was assigned to the National Training Center at Fort Irwin, CA, the Army's premier training center, where he helped train units for deployment for 4 years. Colonel Taylor was next assigned to Fort Hood, TX, where he served as a brigade and battalion operations officer and executive officer in 4th Infantry Division, including a deployment to Operation Iraqi Freedom in Iraq.

Following his assignment at Fort Hood, Colonel Taylor was selected through a highly competitive process to serve as an Army Congressional Fellow on the personal staff of my colleague Senator JOHN CORNYN of Texas. Following his fellowship, he was assigned to the Army's Office of the Chief of Legislative Liaison, where he served for 2 years as the Army's primary liaison for personnel issues to the U.S. Congress and the Armed Services Committees.

During this assignment, Colonel Taylor was selected for command of 1st Squadron, 32d Cavalry, in the 101st Airborne Division at Fort Campbell, KY. Following command, he returned to the Pentagon, where he served for 3 years as a congressional budget liaison officer in the Office of the Assistant Secretary of the Army for Financial Management and Comptroller. He expertly managed the Army's procurement and research, development, test, and evaluation portfolios, liaising with the House and Senate Appropriations Committees to provide critical resources for Army warfighters. His most recent assignment was the office's senior budget liaison, providing day-to-day leadership to 15 other budget liaisons who greatly benefited from his guidance and mentorship.

Over the last several years, Colonel Taylor has developed a close working relationship with my office. As much as his Kansas ties mean to me and my staff, equally valued is Paul's strength of character and humble approach in serving others. He represents the best in our Army, and he will always be welcome in my office and as part of our Kansas community. I wish Paul, his wife Amy, and his daughters Lauren, Abigail, and Ella Kate the very best as they transition from Army life and move home to Kansas.

On behalf of a grateful nation, I join my colleagues today in recognizing and commending COL Paul Taylor for more than 23 years of service to his country. Paul's leadership throughout his career has positively impacted his soldiers, peers, and superiors. We wish Paul, his wife Amy, and their children all the best as they continue their journey of service.

ADDITIONAL STATEMENTS

SAMSUNG SOLVE FOR TOMORROW STEM EDUCATION COMPETITION

● Mr. GARDNER. Mr. President, today I wish to congratulate a group of eighth-grade students at Horizon Middle School in Aurora, CO. Recently I met with Simon-Peter Frimpong and Grayson Fast who participated in the Samsung Solve for Tomorrow STEM Education Competition. Grayson, Simon-Peter, and their classmates were among just five grand prize winners out of more than 4,000 contestants nationwide. This competition brings together schools from across the country to encourage the use of science, technology, engineering, and mathematics, STEM, to solve complicated problems. As a national winner of this competition, Horizon Middle School will receive funds to purchase cutting-edge technology for their school.

To win this competition, the students at Horizon Middle School created a more comfortable and versatile prosthetic limb for a local veteran. Along with providing more comfortable everyday use, the students designed multiple attachments, including an attachment for a longboard, to allow him to participate in various activities. This project required enormous amounts of time and dedication, as well as an in-depth study of STEM disciplines. Along this journey, the students had the unending support of their teacher Melinda Possehl and the school's principal, Nichole Bell.

Congratulations again to the students of Horizon Middle School on your outstanding accomplishment. I look forward to what the future has in store for these tremendously bright students.●

ALWAYS FREE HONOR FLIGHT

● Mr. MANCHIN. Mr. President, with immense pride, I wish to recognize the 25 heroic veterans who have traveled to Washington from West Virginia on this year's Always Free Honor Flight this week. This truly moving event serves as a unique opportunity for us to honor and share our deepest gratitude for these individuals who have sacrificed so much in the service of our great Nation.

With one of our country's highest per capita rates of military servicemembers and veterans, West Virginia is undoubtedly one of our Nation's most patriotic States. Throughout the history of the Mountain State, our citizens have demonstrated the bravery and selflessness time and again in making tremendous sacrifices to keep our homeland safe and free. According to the Department of Defense, West Virginia had the highest casualty rate in the Nation during the Vietnam war, and I am so proud that the honor flight will allow these West Virginia veterans to pay homage to their brethren at the Vietnam wall. As these veterans tour the monuments that have been constructed in their honor, I offer my sincerest thanks to them on behalf of our Nation for their service.

The veterans joining us in Washington hail from across West Virginia, from Scott Depot and Princeton to Rainelle and Lewisburg. They have served in World War II, the Korean war, the Vietnam war, during the Cold War prior to the Berlin Wall's collapse, and the wars in the Middle East. They have participated in decisive overseas battles and won myriad accolades for their accomplishments in uniform.

First and foremost, I wish to remember PO3 Earnest McKenzie, an Athens, WV, native, who joined the U.S. Navy in 1955 and served on the USS *Brownson* in the Vietnam war. He was supposed to attend this week's honor flight to visit the memorials made in his honor, but he sadly passed away on Friday at the age of 75. My thoughts and prayers are with his family during this sad time, and I sincerely thank him for his service and sacrifice.

I especially wish to recognize our World War II veterans who will be on this honor flight. Ninety-four year old former SN William ''Ray'' Calvin Sexton from Tazewell, joined the Navy in Bramwell, WV, in 1943 and was a gunner stationed in Panama and the Galapagos Islands. We will also be joined by Machinist Mate Third Class Marion Grey Noel, who joined the Navy in the 1940s and bravely fought at the battle of Iwo Jima and Okinawa.

These men truly represent the sacrifices made by our Nation's ''greatest generation'' and embody American patriotism and valor. They fearlessly fought in such a pivotal war in an era that threatened our existence as a nation. We are losing so many of our World War II veterans every day, and the time to show our utmost gratitude to them is here and now.

I also wish to highlight the tremendous achievements of two Vietnam war veterans who will be on this honor flight. Mabscott, WV, native, former SPC Raymond C. Palmer joined the Army in 1967 and fought in the 1968 Tet Offensive when the Vietcong and North Vietnamese forces launched a series of attacks on scores of towns and cities

through South Vietnam. Another Vietnam veteran participating in this week's honor flight is SSG Michael A. Hudnall of Rainelle, WV, who joined the Army in 1969. Staff Sergeant Hudnall served in the 1st Air Cavalry stationed in Bien Hoa and earned two Purple Hearts, two Bronze Stars, and two Air Medals. Their dedication to our Nation knows no bounds, and I thank them for their service.

I also wish to recognize Army SFC Paul W. Dorsey of Bluefield, WV, who joined the Army in 1978. Sergeant First Class Dorsey served the United States for 10 years in Germany, more than 3 of which he was stationed in Berlin prior to the Wall's collapse. Following his return home, Sergeant First Class Dorsey went on to serve an additional decade stateside and continues to give back to his community. He is a JROTC instructor at Montcalm High School in Mercer City and serves as vice president of the Always Free Honor Flight network. Thank you, Sergeant First Class Dorsey, for your lifelong commitment to the U.S. military and our veterans.

The veterans participating in this week's honor flight range in age from 54 to 94 and have fought for our freedom in many historic events. This week, as we celebrate these incredible veterans and their answering our Nation's call of duty, we must remember that the men and women who have given so much to ensure America's safety deserve the utmost care and support upon their return home.

We must continue to fight for a Department of Veterans Affairs that provides our veterans with the services they very much need and deserve.

This week's honor flight and the continued support of our veterans would not be possible without the dedication of so many volunteers and caregivers. I wish to thank the JROTC cadets from Princeton, Montcalm, Bluefield, and Pikeview high schools, as well as the military spouses serving as the guardians on this year's honor flight. The care and love you provide for our veterans is invaluable and deeply appreciated.

I also commend those in the Always Free Honor Flight network for their dedication to providing our veterans with such a unique and meaningful experience. My gratitude especially goes out to Dreama Denver, president of Always Free Honor Flight network and owner Little Buddy Radio of Princeton, WV, as well as Pam Coulbourne, the coordinator of these flights. Dreama and Pam launched the Always Free Honor Flight in 2012 and have been making the dreams of West Virginia's veterans a reality every year since. They, along with Sergeant First Class Dorsey and board member and official photographer Steve Coleman, have done a tremendous job of ensuring that our veterans receive the recognition they deserve. Dreama, Pam, and Steve have also dedicated themselves to the Denver Foundation, serving as incredible examples of how individuals can give back to their communities.

Our Nation would not enjoy the freedom and liberty we do today without the commitment and sacrifice of the veterans who have served throughout our history. Their bravery and sacrifice know no bounds, and for this, we are forever grateful. With this week's Always Free Honor Flight, we celebrate and give thanks for these veterans and all they have done for our country.

God bless our many servicemembers and veterans, the great State of West Virginia, and the United States of America.●

TRIBUTE TO TAD FELTS

● Mr. MORAN. Mr. President, in a rural State like my own, where many Kansans live more than half an hour from the nearest neighboring town, communities are stitched together by what they hear on the radio.

For more than 40 years, Tad Felts has been broadcasting high school athletics and reporting north central Kansas news for KKAN–KQMA radio in Phillipsburg, but after several decades chronicling hundreds—or more likely thousands—of sporting events, Tad decided a couple years back it was time to watch a few more games from the bleachers rather than the press box. Now, this month, he will retire from radio altogether.

Tad first started his radio career in Garden City at KIUL as a high school sophomore in 1948, working after school and at night for free. During his time at KIUL, his main duties were cleaning the floors and playing records. While he was a student at Fort Hays State University in 1951, Tad worked at KAYS radio station in Hays and upon graduation at KLOE in Goodland. Tad found his eventual home with the team at KKAN–KQMA in Phillipsburg in 1972.

Given his decades of experience in broadcasting, Tad knows the business well and takes great joy in teaching others. Gerard Wellbrock, the sports director of KAYS radio in Hays and the voice of the Fort Hays State University Tigers said this about Tad: ''He was a good mentor, I learned so much from him. The work ethic, how to deal with people, the relations you build with athletic directors and coaches. It's hard not to like Tad. And you learned a lot about work, and life, just by being around him.''

In gyms across north central Kansas, the KKAN–KQMA banner can be seen at high school basketball games, wrestling tournaments, and State championships. In fact, it is because of Tad's dedication that the radio station is so often present. Families who can't make the game in person, often because they are working long hours on the farm, especially appreciate local radio hosts being there because they can still catch the details of the game.

In rural America, entire communities revolve around how the high school sports team is doing. It is a common topic of conversation while standing in the checkout line at the grocery store or while dining at a neighborhood restaurant.

By no means is Tad a one-trick pony, though. Cherished equal to his sports reporting are his updates from the field during wheat harvest season, in which Tad will drive straight up to a farmer in his combine and record an interview from the cab. This is in addition to the full slate of city council and school board meetings, county fairs, and annual parades.

For years, Tad's knowledge and sunny disposition has greeted folks tuning in to local radio. One former peer of Tad's said this about the significant impact he has made: ''KKAN–KQMA Radio has played an integral role in the lives of people in the Phillipsburg area, and Tad has always been a driving force behind that station's programming and its scope of community service.''

His professionalism was recognized by his peers when Tad was inducted into the Kansas Association of Broadcasters Hall of Fame in 2010. Inductees to the hall of fame are selected based upon their contributions to the broadcasting profession, their broadcast career, and their recognition and awards received, and Tad is an extremely deserving recipient.

Today I want to express my gratitude to Tad Felts for helping to strengthen the close bonds of rural communities through his years of faithful service. I want to congratulate him on a job well done for the past nearly six decades. Tad's been a tremendous friend to me over the years, and his work has served as a bedrock for many of the communities I grew up in and care deeply about.

Tad, I wish you all the best and thank you for everything you have done to improve the lives of so many in our great State.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mrs. Neiman, one of his secretaries.

PRESIDENTIAL MESSAGE

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13047 OF MAY 20, 1997, WITH RESPECT TO BURMA—PM 48

The PRESIDING OFFICER laid before the Senate the following message

from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Burma that was declared on May 20, 1997, is to continue in effect beyond May 20, 2016.

The Government of Burma has made significant progress across a number of important areas since 2011, including the release of over 1,300 political prisoners, a peaceful and competitive election, the signing of a Nationwide Ceasefire Agreement with eight ethnic armed groups, the discharge of hundreds of child soldiers from the military, steps to improve labor standards, and expanding political space for civil society to have a greater voice in shaping issues critical to Burma's future. In addition, Burma has become a signatory of the International Atomic Energy Agency's Additional Protocol and ratified the Biological Weapons Convention, significant steps towards supporting global non-proliferation. Despite these strides, the situation in the country continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States.

Concerns persist regarding continued obstacles to full civilian control of the government, the ongoing conflict and human rights abuses in the country, particularly in ethnic minority areas, and military trade with North Korea. In addition, Burma's security forces, operating with little oversight from the civilian government, often act with impunity. We are further concerned that prisoners remain detained and that police continue to arrest critics of the government for peacefully expressing their views. For this reason, I have determined that it is necessary to continue the national emergency with respect to Burma.

Despite this action, the United States remains committed to working with both the new government and the people of Burma to ensure that the democratic transition is irreversible.

BARACK OBAMA.

THE WHITE HOUSE, *May 17, 2016*.

MESSAGES FROM THE HOUSE

At 10:54 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 1492. An act to direct the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska.

S. 2143. An act to provide for the authority for the successors and assigns of the Starr-Camargo Bridge Company to maintain and operate a toll bridge across the Rio Grande near Rio Grande City, Texas, and for other purposes.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1150. An act to amend the International Religious Freedom Act of 1998 to improve the ability of the United States to advance religious freedom globally through enhanced diplomacy, training, counterterrorism, and foreign assistance efforts, and through stronger and more flexible political responses to religious freedom violations and violent extremism worldwide, and for other purposes.

H.R. 1887. An act to authorize the Comptroller General of the United States to assess a study on the alternatives for the disposition of Plum Island Animal Disease Center, and for other purposes.

H.R. 3832. An act to amend the Internal Revenue Code of 1986 to prevent tax-related identity theft and tax fraud, and for other purposes.

H.R. 4407. An act to amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security a board to coordinate and integrate departmental intelligence, activities, and policy related to counterterrorism, and for other purposes.

H.R. 4743. An act to authorize the Secretary of Homeland Security to work with cybersecurity consortia for training, and for other purposes.

H.R. 4780. An act to require the Secretary of Homeland Security to develop a comprehensive strategy for Department of Homeland Security operations abroad, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 88. Concurrent resolution reaffirming the Taiwan Relations Act and the Six Assurances as cornerstones of United States-Taiwan relations.

ENROLLED BILL SIGNED

At 12:32 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 1523. An act to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

At 6:04 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, with amendments, in which it requests the concurrence of the Senate:

S. 524. An act to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

The message further announced that the House insists upon its amendments to the bill (S. 524) to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use, and asks a conference with the Senate on the disagreeing votes of the two Houses thereon; and appoints the following Members as managers of the conference on the part of the House:

For consideration of the Senate bill and the House amendments, and modifications committed to conference: Messrs. UPTON, PITTS, LANCE, GUTHRIE, KINZINGER of Illinois, BUCSHON, Mrs. BROOKS of Indiana, Messrs. GOODLATTE, SENSENBRENNER, SMITH of Texas, MARINO, COLLINS of Georgia, TROTT, BISHOP of Michigan, MCCARTHY, PALLONE, BEN RAY LUJÁN of New Mexico, SARBANES, GENE GREEN of Texas, CONYERS, Ms. JACKSON LEE, Ms. JUDY CHU of California, Mr. COHEN, Ms. ESTY, Ms. KUSTER, and Mr. COURTNEY.

From the Committee on Education and the Workforce, for consideration of title VII of the House amendment, and modifications committed to conference: Messrs. BARLETTA, CARTER of Georgia, and SCOTT of Virginia.

From the Committee on Veterans' Affairs, for consideration of title III of the House amendment, and modifications committed to conference: Mr. BILIRAKIS, Mrs. WALORSKI, and Mr. RUIZ.

From the Committee on Ways and Means, for consideration of section 705 of the Senate bill, and section 804 of the House amendment, and modifications committed to conference: Messrs. MEEHAN, DOLD, and MCDERMOTT.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1150. An act to amend the International Religious Freedom Act of 1998 to improve the ability of the United States to advance religious freedom globally through enhanced diplomacy, training, counterterrorism, and foreign assistance efforts, and through stronger and more flexible political responses to religious freedom violations and violent extremism worldwide, and for other purposes; to the Committee on Foreign Relations.

H.R. 3832. An act to amend the Internal Revenue Code of 1986 to prevent tax-related identity theft and tax fraud, and for other purposes; to the Committee on Finance.

H.R. 4407. An act to amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security a board to coordinate and integrate departmental intelligence, activities, and policy related to counterterrorism, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4743. An act to authorize the Secretary of Homeland Security to work with cybersecurity consortia for training, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4780. An act to require the Secretary of Homeland Security to develop a comprehensive strategy for Department of Homeland Security operations abroad, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 88. Concurrent resolution reaffirming the Taiwan Relations Act and the Six Assurances as cornerstones of United States-Taiwan relations; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CORKER, from the Committee on Foreign Relations, without amendment:

S. 2937. An original bill to authorize appropriations for the Department of State for fiscal year 2017, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. FLAKE (for himself and Mr. COATS):

S. 2935. A bill to limit the availability of public housing for over-income families; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BLUMENTHAL:

S. 2936. A bill to amend the Internal Revenue Code of 1986 to protect children's health by denying any deduction for advertising and marketing directed at children to promote the consumption of food of poor nutritional quality; to the Committee on Finance.

By Mr. CORKER:

S. 2937. An original bill to authorize appropriations for the Department of State for fiscal year 2017, and for other purposes; from the Committee on Foreign Relations; placed on the calendar.

By Mr. DAINES (for himself, Mr. ENZI, and Mr. BARRASSO):

S. 2938. A bill to direct the Secretary of the Interior to reestablish the Royalty Policy Committee in order to further a more consultative process with key Federal, State, tribal, environmental, and energy stakeholders, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. VITTER:

S. 2939. A bill to prohibit the provision of Federal funds to State and local governments for payment of obligations, to prohibit the Board of Governors of the Federal Reserve System from financially assisting State and local governments, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BOOZMAN (for himself and Mr. CASEY):

S. 2940. A bill to amend title XVIII of the Social Security Act to align physician supervision requirements under the Medicare program for radiology services performed by advanced level radiographers with State requirements; to the Committee on Finance.

By Ms. AYOTTE (for herself, Mrs. FEINSTEIN, Mr. RUBIO, and Ms. CANTWELL):

S. 2941. A bill to require a study on women and lung cancer, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORKER (for himself and Mr. CARDIN):

S. 2942. A bill to extend certain privileges and immunities to the Gulf Cooperation Council; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GRASSLEY (for himself, Mr. LEAHY, Mr. MCCONNELL, Mr. PETERS, Mr. COCHRAN, Ms. HEITKAMP, Mr. PORTMAN, Mr. KING, Ms. AYOTTE, Ms. WARREN, Mr. ENZI, Mr. BROWN, Mr. BURR, Mr. SCHATZ, Mr. COTTON, Ms. HIRONO, Ms. MURKOWSKI, Mr. BOOKER, Mr. BOOZMAN, Mr. NELSON, Mr. CRAPO, Mrs. GILLIBRAND, Mr. DAINES, Mr. CARPER, Mr. MORAN, Mr. BLUMENTHAL, Mr. TILLIS, Mrs. MURRAY, Mr. CORNYN, Ms. KLOBUCHAR, Mrs. FISCHER, Mr. WHITEHOUSE, Mr. GARDNER, Mr. BENNET, Mrs. CAPITO, Mr. DONNELLY, Mr. HATCH, Mr. CASEY, Mr. JOHNSON, Mr. COONS, Mr. CRUZ, Mrs. FEINSTEIN, Mr. BLUNT, Mr. MANCHIN, Mr. ISAKSON, Mr. DURBIN, Mr. RUBIO, Mr. FRANKEN, Mr. WICKER, Mr. SCHUMER, Mr. SESSIONS, Mr. HOEVEN, Mr. GRAHAM, Mr. VITTER, Mr. MENENDEZ, Mr. LANKFORD, and Ms. COLLINS):

S. Res. 468. A resolution designating the week of May 15 through May 21, 2016, as ''National Police Week''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 440

At the request of Mr. CRAPO, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 440, a bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness.

S. 1212

At the request of Mr. CARDIN, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 1212, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1566

At the request of Mr. FRANKEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1566, a bill to amend the Public Health Service Act to require group and individual health insurance coverage and group health plans to provide for coverage of oral anticancer drugs on terms no less favorable than the coverage provided for anticancer medications administered by a health care provider.

S. 1682

At the request of Mr. KIRK, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1682, a bill to extend the Iran Sanctions Act of 1996 and to require the Secretary of the Treasury to report on the use by Iran of funds made available through sanctions relief.

S. 1911

At the request of Ms. COLLINS, the names of the Senator from Alabama (Mr. SESSIONS) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 1911, a bill to implement policies to end preventable maternal, newborn, and child deaths globally.

S. 2031

At the request of Mr. BARRASSO, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2031, a bill to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes.

S. 2217

At the request of Mr. BLUNT, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2217, a bill to amend the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants and similar retail food establishments, and to amend the authority to bring proceedings under section 403A.

S. 2235

At the request of Mr. MARKEY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 2235, a bill to repeal debt collection amendments made by the Bipartisan Budget Act of 2015.

S. 2531

At the request of Mr. KIRK, the names of the Senator from North Carolina (Mr. TILLIS) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 2531, a bill to authorize State and local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.

S. 2611

At the request of Mr. UDALL, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2611, a bill to amend the Federal Election Campaign Act of 1971 to replace the Federal Election Commission with the Federal Election Administration, and for other purposes.

S. 2653

At the request of Mrs. MURRAY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2653, a bill to direct the Secretary of Education to establish an

award program recognizing excellence exhibited by public school system employees providing services to students in prekindergarten through higher education.

S. 2659

At the request of Mr. BURR, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 2659, a bill to reaffirm that the Environmental Protection Agency cannot regulate vehicles used solely for competition, and for other purposes.

S. 2712

At the request of Mr. BOOZMAN, the names of the Senator from Texas (Mr. CORNYN) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 2712, a bill to restore amounts improperly withheld for tax purposes from severance payments to individuals who retired or separated from service in the Armed Forces for combat-related injuries, and for other purposes.

S. 2752

At the request of Mr. RUBIO, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 2752, a bill to prohibit the facilitation of certain financial transactions involving the Government of Iran or Iranian persons and to impose sanctions with respect to the facilitation of those transactions, and for other purposes.

S. 2816

At the request of Mr. CARPER, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 2816, a bill to reauthorize the diesel emissions reduction program.

S. 2835

At the request of Mr. REED, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2835, a bill to amend the National Dam Safety Program Act to establish a program to provide grant assistance for the rehabilitation and repair of high hazard potential dams, and for other purposes.

S. 2854

At the request of Mr. BURR, the names of the Senator from Mississippi (Mr. COCHRAN), the Senator from Illinois (Mr. KIRK), the Senator from Mississippi (Mr. WICKER) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 2854, a bill to reauthorize the Emmett Till Unsolved Civil Rights Crime Act of 2007.

S. 2870

At the request of Mrs. MCCASKILL, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2870, a bill to amend title 10, United States Code, to prevent retaliation in the military, and for other purposes.

S. 2872

At the request of Mrs. CAPITO, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2872, a bill to require the Government Accountability Office to submit to Congress a report on neonatal abstinence syndrome (NAS) in the United States and its treatment under Medicaid.

S. 2877

At the request of Mrs. CAPITO, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2877, a bill to amend title 32, United States Code, to specify the availability of certain funds provided by the Department of Defense to States for drug interdiction and counter-drug activities.

S. 2901

At the request of Mr. WARNER, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2901, a bill to enhance defense and security cooperation with India, and for other purposes.

S. 2921

At the request of Mr. ISAKSON, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2921, a bill to amend title 38, United States Code, to improve the accountability of employees of the Department of Veterans Affairs, to improve health care and benefits for veterans, and for other purposes.

S. 2930

At the request of Mr. VITTER, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2930, a bill to ensure that Federal funding for the United Nations Framework Convention on Climate Change complies with applicable statutory limitations.

S. CON. RES. 36

At the request of Mr. NELSON, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. Con. Res. 36, a concurrent resolution expressing support of the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to reaffirm its commitment to that goal through a financial commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs.

S. RES. 349

At the request of Mr. ROBERTS, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. Res. 349, a resolution congratulating the Farm Credit System on the celebration of its 100th anniversary.

S. RES. 466

At the request of Mr. GRASSLEY, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. Res. 466, a resolution recognizing National Foster Care Month as an opportunity to raise awareness about the challenges of children in the foster-care system, and encouraging Congress to implement policy to improve the lives of children in the foster-care system.

AMENDMENT NO. 3897

At the request of Mr. LEE, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of amendment No. 3897 proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 3916

At the request of Ms. AYOTTE, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of amendment No. 3916 intended to be proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 3922

At the request of Mrs. FEINSTEIN, the names of the Senator from New Jersey (Mr. MENENDEZ), the Senator from Massachusetts (Mr. MARKEY) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of amendment No. 3922 proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 3925

At the request of Mr. GRASSLEY, the names of the Senator from Kentucky (Mr. PAUL), the Senator from Idaho (Mr. CRAPO) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of amendment No. 3925 intended to be proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DAINES (for himself, Mr. ENZI, and Mr. BARRASSO):

S. 2938. A bill to direct the Secretary of the Interior to reestablish the Royalty Policy Committee in order to further a more consultative process with key Federal, State, tribal, environmental, and energy stakeholders, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. DAINES. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2938

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Certainty for States and Tribes Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) COMMITTEE.—The term ''Committee'' means the Royalty Policy Committee reestablished under section 3(a).

(2) BOARD.—The term ''Board'' means the State and Tribal Resources Board established under section 3(c).

(3) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 3. RECONSTITUTION OF THE ROYALTY POLICY.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall reestablish the Royalty Policy Committee in accordance with the charter of the Secretary dated March 26, 2010, except as otherwise provided in this Act.

(b) CORRECTIONS AND UPDATES.—In reestablishing the Committee, the Secretary shall make appropriate technical corrections and updates to the charter of the Committee, including by revising—

(1) all references to the Minerals Management Service or the Minerals Revenue Management so as to refer to the Office of Natural Resources Revenue;

(2) the estimated number and frequency of meetings of the Committee so that the Committee shall meet not less frequently than once each year; and

(3) the non-Federal membership of the Committee to include—

(A) not fewer than 5 members representing Governors of States that receive more than $10,000,000 annually in royalty revenues from Federal leases; and

(B) not more than 5 members representing Indian tribes that are mineral-producing Indian tribes under—

(i) the Act of May 11, 1938 (commonly known as the ''Indian Mineral Leasing Act of 1938'') (25 U.S.C. 396a et seq.);

(ii) title XXVI of the Energy Policy Act of 1992 (25 U.S.C. 3501 et seq.);

(iii) the Indian Mineral Development Act of 1982 (25 U.S.C. 2101 et seq.); or

(iv) any other law relating to mineral development that is specific to 1 or more Indian tribes.

(c) ESTABLISHMENT OF SUBCOMMITTEE.—

(1) IN GENERAL.—The Secretary shall establish a subcommittee of the Committee, to be known as the ''State and Tribal Resources Board''.

(2) MEMBERSHIP.—The Board shall be comprised of the non-Federal members of the Committee described in subsection (b)(3).

SEC. 4. REVIEW OF REGULATIONS AND POLICIES.

(a) CONSULTATION AND REPORT.—

(1) IN GENERAL.—With respect to any proposed regulation or policy relating to mineral leasing policy for Federal land or Indian land for exploration, development, or production of oil, gas, or coal (including valuation methodologies and royalty and lease rates for oil, gas, or coal), not later than 180 days after the applicable date described in paragraph (2), the Committee shall—

(A) assess the proposed regulation or policy; and

(B) issue a report that describes the potential impact of the proposed regulation or policy, including any State and tribal budgetary and economic impacts described in subsection (b).

(2) DATE DESCRIBED.—The date referred to in paragraph (1) is, as applicable—

(A) with respect to a proposed regulation or policy issued on or after the date of enactment of this Act, the date of the issuance by the Secretary of the proposed regulation or policy; and

(B) with respect to a proposed regulation or policy that is pending as of the date of enactment of this Act, the date of the enactment of this Act.

(b) STATE AND TRIBAL IMPACT DETERMINATION.—

(1) IN GENERAL.—To the maximum extent practicable, before any proposed regulation described in subsection (a)(1) is issued as a final rule, the Board shall publish a determination of the impact of the regulation on school funding, public safety, and other essential State or Indian tribal government services.

(2) DELAY REQUEST.—If the Board determines that a regulation described in paragraph (1) will have a negative State or tribal budgetary or economic impact, the Board may request a delay in the issuance of the proposed regulation as a final rule for the purposes of further—

(A) stakeholder consultation;

(B) budgetary review; and

(C) development of a proposal to mitigate the negative budgetary or economic impact.

(3) LIMITATION.—A delay under paragraph (2) shall not exceed a 180-day period beginning on the date on which the Board requested the delay.

(c) REVISION OF PROPOSED REGULATION.—

(1) IN GENERAL.—Before any proposed regulation described in subsection (a)(1) may be issued as a final rule, the Secretary shall take into account any negative State or tribal budgetary or economic impact determined by the Committee under subsection (a)(1) and revise the proposed regulation to avoid the negative impact.

(2) FINAL RULE.—Any final regulation subject to paragraph (1) shall include—

(A) a summary of the report required under subsection (a)(1)(B); and

(B) a clear explanation of why the recommendations of that report (including the State and tribal determination under subsection (b)(1)) were or were not taken into account in the finalization of the regulation.

(d) REPORT TO CONGRESS.—The Secretary shall submit to the Chairmen and Ranking Members of the Committee on Energy and Natural Resources and the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report regarding the explanation under subsection (c)(2)(B) of why the recommendations of the report under subsection (a)(1)(B) (including the State and tribal determination under subsection (b)(1)) were or were not taken into account in the finalization of the regulation.

SEC. 5. SPECIAL REVIEW OF PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT.

(a) PARTICIPANTS IN PROGRAMMATIC REVIEW.—

(1) IN GENERAL.—In carrying out the programmatic review of coal leasing on Federal land as described in section 4 of Secretarial Order 3338, issued by the Secretary on January 15, 2016, and entitled ''Discretionary Programmatic Environmental Impact Statement to Modernize the Federal Coal Program'', the Secretary shall confer with, and take into consideration the views of, representatives appointed to the review board described in paragraph (2).

(2) REVIEW BOARD.—Each Governor of a State in which more than $10,000,000 in revenue is collected annually by the United States as bonus bids, royalties, and rentals, and fees for production of coal under leases of Federal land, may appoint not more than 3 representatives to a review board to carry out the programmatic review described in paragraph (1), not fewer than 1 of whom shall be a member of the Board.

(3) DEADLINE.—

(A) IN GENERAL.—The Secretary shall complete the programmatic review described in paragraph (1) not later than January 15, 2019.

(B) FAILURE TO MEET DEADLINE.—If the programmatic review is not completed by the deadline described in subparagraph (A), the programmatic review shall be considered to be complete as of that deadline.

(b) TERMINATION OF OTHER PROGRAMMATIC REVIEW.—Beginning on January 16, 2019, no Federal funds may be used to carry out the programmatic review described in subsection (a)(1).

(c) NO IMPLEMENTATION REQUIREMENT.—Nothing in this section requires the Secretary to conduct or complete the programmatic review or keep in effect the pause or moratorium on the issuance of new Federal coal leases under the Secretarial order described in subsection (a)(1) after January 20, 2017.

(d) TERMINATION OF MORATORIUM.—Effective January 16, 2019—

(1) the pause or moratorium on the issuance of new Federal coal leases under the Secretarial order referred to in subsection (a)(1) is terminated; and

(2) that Secretarial order shall have no force or effect.

SEC. 6. GRANDFATHERING OF COAL LEASES ON APPLICATION AND COAL LEASE MODIFICATIONS.

Nothing in Secretarial Order 3338, issued by the Secretary on January 15, 2016, and entitled ''Discretionary Programmatic Environmental Impact Statement to Modernize the Federal Coal Program'' shall be considered to prohibit or restrict any issuance of a coal lease on application, or modification to a coal lease on application pursuant to subpart 3432 of part 3430 of title 43, Code of Federal Regulations (or successor regulations), for which the Bureau of Land Management has begun a review under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) as of January 15, 2016.

SEC. 7. DEADLINE FOR COAL LEASE SALES AND MODIFICATIONS.

Not later than 1 year after the date on which the Secretary completes the analysis required under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) for an application for a coal lease, or an application for a modification to a coal lease pursuant to subpart 3432 of part 3430 of title 43, Code of Federal Regulations (or successor regulations), accepted by the Secretary, the Secretary shall conduct the lease sale and issue the lease, or approve the modification, unless the applicant indicates in writing that the applicant no longer seeks the lease or modification to the lease.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 468—DESIGNATING THE WEEK OF MAY 15 THROUGH MAY 21, 2016, AS ''NATIONAL POLICE WEEK''

Mr. GRASSLEY (for himself, Mr. LEAHY, Mr. MCCONNELL, Mr. PETERS, Mr. COCHRAN, Ms. HEITKAMP, Mr. PORTMAN, Mr. KING, Ms. AYOTTE, Ms. WARREN, Mr. ENZI, Mr. BROWN, Mr. BURR, Mr. SCHATZ, Mr. COTTON, Ms. HIRONO, Ms. MURKOWSKI, Mr. BOOKER, Mr. BOOZMAN, Mr. NELSON, Mr. CRAPO, Mrs. GILLIBRAND, Mr. DAINES, Mr. CARPER, Mr. MORAN, Mr. BLUMENTHAL, Mr. TILLIS, Mrs. MURRAY, Mr. CORNYN, Ms. KLOBUCHAR, Mrs. FISCHER, Mr. WHITEHOUSE, Mr. GARDNER, Mr. BENNET, Mrs. CAPITO, Mr. DONNELLY, Mr. HATCH, Mr. CASEY, Mr. JOHNSON, Mr. COONS, Mr. CRUZ, Mrs. FEINSTEIN, Mr. BLUNT, Mr. MANCHIN, Mr. ISAKSON, Mr. DURBIN, Mr. RUBIO, Mr. FRANKEN, Mr. WICKER, Mr. SCHUMER, Mr. SESSIONS, Mr. HOEVEN, Mr. GRAHAM, Mr. VITTER, Mr. MENENDEZ, Mr. LANKFORD, and Ms. COLLINS) submitted the following resolution; which was considered and agreed to:

S. RES. 468

Whereas, in 1962, John Fitzgerald Kennedy signed the Joint Resolution entitled ''Joint Resolution to authorize the President to proclaim May 15 of each year as Peace Officers Memorial Day and the calendar week of each year during which such May 15 occurs as Police Week'' (36 U.S.C. 136);

Whereas Federal, State, local, and tribal police officers, sheriffs, and other law enforcement officers across the United States serve with valor, dignity and integrity;

Whereas law enforcement officers are charged with pursuing justice for all individuals and performing their duties with fidelity to the constitutional and civil rights of the individuals that the law enforcement officers serve;

Whereas, in 2016, the Senate solemnly commemorates the 25th anniversary of the National Law Enforcement Officers Memorial, a national monument that pays homage to the more than 20,000 law enforcement heroes who made the ultimate sacrifice for the safety and protection of the United States and its people;

Whereas, in 2016, on the 15th anniversary of the September 11th terrorist attacks against the United States, the Senate honors the memory of those who perished, including the 72 law enforcement officers who were lost on that fateful day, and recognizes the tireless efforts of the law enforcement community to protect the citizenry and homeland through diligent investigations that disrupt terrorist plots, stem the flow of financing to terrorist networks, and bring evildoers to justice;

Whereas law enforcement officers selflessly serve their neighborhoods, often at the risk of their own personal safety, and remain resolute in responding to calls for help despite their badges, at times, serving as a target for senseless acts of violence;

Whereas the vigilance, compassion, and decency of law enforcement officers are the best defense of society against individuals who prowl communities seeking to do harm;

Whereas Peace Officers Memorial Day, 2016, honors 123 law enforcement officers recently killed in the line of duty, including Joseph James Abdella, Gregory Thomas Alia, Darrell Lamond Allen, Adrian Arellano, James Matthew Bava, Gregg Anthony Benner, James Arthur Bennett, Jr., Sean Michael Bolton, Louis Michael Bonacasa, Robert James Bowling, Michael Alan Brandle, Vernell Brown, Jr., Stacey Lynn Case, Trevor John Casper, Craig Anthony Chandler, Eric Keith Chrisman, Michael Anthony Cinco, Neville S. K. Colburn, David Lee Colley, Rodney Condall, Ryan P. Copeland, Gil C. Datan, Christopher A. Davis, Timothy A. Davison, Benjamin Joseph Deen, Nicholas Glenn Dees, Diane Digiacomo, Daniel Neil Ellis, Eric Alan Eslary, Jared J. Forsyth, Carlos Diamond Francies, Donald R. Fredenburg, Jr., Ricardo Galvez, Eligio Ruiz Garcia, Jr., Johnny Edward Gatson, Juandre Devon Gilliam, Sr., Darren H. Goforth, John Ballard Gorman, Terence Avery Green, Arthur Adolph Green, III, Richard Allen Hall, Bryce Edward Hanes, Brent L. Hanger, Steven Brett Hawkins, Rosario Hernández de Hoyos, Randolph A. Holder, Daryle S. Holloway, Carl G. Howell, Michael Jeremiah Johnson, Tronoski Dontel Jones, Jaimie Lynn Jursevics, William Karl Keesee, Christopher Dan Kelley, Korby Lee Kennedy, Sonny Lee Kim, Paul John Koropal, Thomas Joseph LaValley, Joseph G. Lemm, Noah Aaron Leotta, Anthony E. Lossiah, Scott Paul Lunger, Dwight Darren Maness, Richard K. Martin, Chester J. McBride, III, Eli M. McCarson, James Bryan McCrystal, Sr., John P. McKee, Roy D. McLaughlin, Eric O. Meier, Gregory Dale Mitchell, Charles Kerry Mitchum, Brian Raymond Moore, Gregory King Moore, William J. Myers, David Joseph Nelson, Henry Andres Nelson, Ladson Lamar O'Connor, Roger Monroe Odell, Kerrie Sue Orozco, Miguel Joseph Perez-Rios, Joseph Cameron Ponder, Brennan Roger Rabain, Jeffrey Emmons Radford, Anthony A. Raspa, Lloyd E. Reed, Jr., Sean Patrick Renfro, Burke Jevon Rhoads, Frank Román-Rodríguez, Elsa L. Rosa-Ortiz, Steven Martin Sandberg, William C. Sheldon, Rick Lee Silva, Sonny Allan Smith, Iris Janett Smith, Nathan-Michael William Smith, William Matthew Solomon, Luz M. Soto-Segarra, Michael Lynn Starrett, John Scott Stevens, Garrett Preston Russell Swasey, Liquori Terja Tate, Peter Wagner Taub, Scott R. Thompson, Taylor Joseph Thyfault, Kevin Jermaine Toatley, Zacarias Toro, Jr., Clifford Scott Travis, Nathan John Van Oort, Sr., Peggy Marie Vassallo, Rosemary Vela, Steven J. Vincent, Adrianna Maria Vorderbruggen, Darryl Deon Wallace, James Marvin Wallen, Jr., Daniel Scott Webster, Josie Lamar Wells, Craig Stephen Whisenand, John James Wilding, Robert Francis Wilson, III, Chad H. Wolf, Richard Glenn Woods, Alex K. Yazzie, and Kyle David Young; and

Whereas 35 law enforcement officers across the United States have made the ultimate sacrifice during the first 4 months of 2016: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 15 through May 21, 2016, as ''National Police Week'';

(2) expresses strong support for law enforcement officers across the United States for their efforts to build safer and more secure communities;

(3) recognizes the need to ensure that law enforcement officers have the equipment, training, and resources necessary to protect their health and safety while the law enforcement officers are protecting the public;

(4) recognizes the members of the law enforcement community for their selfless acts of bravery;

(5) acknowledges that police officers and other law enforcement officers who have made the ultimate sacrifice should be remembered and honored; and

(6) encourages the people of the United States to observe National Police Week with appropriate ceremonies and activities that promote awareness of the vital role of law enforcement officers in building safer and more secure communities across the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3930. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table.

SA 3931. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3932. Mr. KIRK submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3933. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3934. Mr. KING (for himself, Mr. COONS, and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3935. Mrs. BOXER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3936. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3937. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3938. Mr. KIRK (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3939. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3940. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr.

TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3941. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3942. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3943. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3944. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3945. Mr. CORNYN (for himself and Mr. SCHUMER) proposed an amendment to the bill S. 2040, to deter terrorism, provide justice for victims, and for other purposes.

SA 3946. Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

SA 3947. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3948. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3949. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3950. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3951. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3952. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3953. Mrs. GILLIBRAND (for herself, Mr. BOOKER, and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3954. Ms. HEITKAMP (for herself, Ms. COLLINS, Mr. KING, and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3955. Mr. LANKFORD (for himself and Mr. LEE) submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3956. Mr. DURBIN (for himself, Mr. BLUMENTHAL, Mr. BROWN, Mr. MURPHY, Mrs. MURRAY, Mr. REED, Ms. WARREN, Mr. CARPER, Mr. FRANKEN, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3957. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3958. Mr. LEE (for himself and Mr. PAUL) submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr . COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3959. Mrs. SHAHEEN (for herself, Mr. KING, Ms. BALDWIN, Mr. MANCHIN, and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3960. Mr. PETERS (for himself and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3961. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3962. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3963. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3964. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3965. Mr. INHOFE (for himself and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3966. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3967. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3968. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3969. Mr. INHOFE (for himself and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3970. Ms. COLLINS (for herself and Mr. REED) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3971. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3972. Mr. DURBIN (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3973. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3974. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3975. Mr. FLAKE (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3976. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3977. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3978. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3979. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the

bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3980. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3981. Mr. FLAKE (for himself, Mr. TOOMEY, Mr. COATS, and Mr. PAUL) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3982. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3983. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3984. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3985. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3986. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3987. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 2806, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2017, and for other purposes.; which was ordered to lie on the table.

SA 3988. Mr. MENENDEZ (for himself, Mr. SANDERS, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table.

SA 3989. Mr. MENENDEZ (for himself, Mr. BROWN, Mr. BOOKER, Ms. BALDWIN, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3990. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3991. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3992. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3993. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3994. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3995. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3996. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3997. Mr. KIRK submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3998. Mr. TESTER (for himself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3999. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4000. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4001. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4002. Mr. BLUMENTHAL (for himself, Mr. MARKEY, and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4003. Ms. COLLINS (for Mr. SULLIVAN (for himself, Mr. SCHATZ, and Mr. MARKEY)) proposed an amendment to the bill S. 1335, to implement the Convention on the Conservation and Management of the High Seas Fisheries Resources in the North Pacific Ocean, as adopted at Tokyo on February 24, 2012, and for other purposes.

SA 4004. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3930. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

After section 191 in title I of division A, add the following:

SEC. ____. No funds shall be transferred into the Sport Fish Restoration and Boating Trust Fund pursuant to section 9503(c)(3)(B) of the Internal Revenue Code of 1986 for use by the United States Fish and Wildlife Service if the Director of the United States Fish and Wildlife Service issues a compatibility determination to restrict motorized boats in Havasu Wildlife Refuge, Arizona.

SA 3931. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. _____. (a) Notwithstanding section 102(h) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6032(h)) and section 910(b) of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7209(b)), and except as provided in subsection (b), none of the funds appropriated or otherwise made available by this Act or by any other Act may be used to directly or indirectly prohibit the provision of technical services otherwise permitted under an international air transportation agreement in the United States for an aircraft of a foreign air carrier that is en route to or from Cuba based on the restrictions set forth in part 515 of title 31, Code of Federal Regulations (commonly known as the ''Cuban Assets Control Regulations'').

(b) This section shall not apply—

(1) if—

(A) the United States is at war with Cuba;

(B) armed hostilities between the United States and Cuba are in progress; or

(C) there is imminent danger to the public health or physical safety of United States citizens; or

(2) to foreign air carriers that are owned by the Government of Cuba or are based in Cuba.

SA 3932. Mr. KIRK submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R.

2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. INSPECTION OF KITCHENS AND FOOD SERVICE AREAS AT MEDICAL FACILITIES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary of Veterans Affairs shall provide for the conduct of inspections of kitchens and food service areas at each medical facility of the Department of Veterans Affairs to ensure that the same standards for kitchens and food service areas at hospitals in the private sector are being met at kitchens and food service areas at medical facilities of the Department.

(b) AGREEMENT.—

(1) IN GENERAL.—The Secretary shall seek to enter into an agreement with the Joint Commission on Accreditation of Hospital Organizations under which the Joint Commission on Accreditation of Hospital Organizations conducts the inspections required under subsection (a).

(2) ALTERNATE ORGANIZATION.—If the Secretary is unable to enter into an agreement described in paragraph (1) with the Joint Commission on Accreditation of Hospital Organizations on terms acceptable to the Secretary, the Secretary shall seek to enter into such an agreement with another appropriate organization that—

(A) is not part of the Federal Government;

(B) operates as a not-for-profit entity; and

(C) has expertise and objectivity comparable to that of the Joint Commission on Accreditation of Hospital Organizations.

(c) REMEDIATION PLAN.—

(1) INITIAL FAILURE.—If a kitchen or food service area of a medical facility of the Department is determined pursuant to an inspection conducted under subsection (a) not to meet the standards for kitchens and food service areas in hospitals in the private sector, that medical facility fails the inspection and the Secretary shall—

(A) implement a remediation plan for that medical facility within 48 hours; and

(B) Conduct a second inspection under subsection (a) at that medical facility within 7 days of the failed inspection.

(2) SECOND FAILURE.—If a medical facility of the Department fails the second inspection conducted under paragraph (1)(B), the Secretary shall close the kitchen or food service area at that medical facility that did not meet the standards for kitchens and food service areas in hospitals in the private sector until remediation is completed and all kitchens and food service areas at that medical facility meet such standards.

(3) PROVISION OF FOOD.—If a kitchen or food service area is closed at a medical facility of the Department pursuant to paragraph (2), the Director of the Veterans Integrated Service Network in which the medical facility is located shall enter into a contract with a vendor approved by the General Services Administration to provide food at the medical facility.

(d) REPORTS.—

(1) QUARTERLY.—Not less frequently than quarterly, the Director of each Veterans Integrated Service Network shall submit to Congress a report on inspections conducted under this section during that quarter at medical facilities of the Department under the jurisdiction of that Director.

(2) SUBSEQUENT PERIOD.—A Director of a Veterans Integrated Service Network may submit to Congress the report described in paragraph (1) not less frequently than semiannually if the Director does not report any failed inspections for the one-year period preceding the submittal of the report.

SA 3933. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

SEC. ___. Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army shall submit to Congress a report that includes—

(1) a detailed description of the age and condition of the aircraft maintenance hangars of the Army's Combat Aviation Brigade;

(2) an identification of the most deficient such hangers;

(3) a plan to modernize or replace such hangars; and

(4) a description of the resources required to modernize or replace such hangers.

SA 3934. Mr. KING (for himself, Mr. COONS, and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

On page 223, line 9, after ''interoperability:'' insert the following: ''*Provided further*, That, notwithstanding any other provision of law, $300,000 shall be available to carry out a matching program with the Department of Education to identify veterans who are unemployable due to a service-connected disability and who are also borrowers of Federal student loans in order to streamline and expedite the process through which such veterans may discharge their Federal student loans.''.

SA 3935. Mrs. BOXER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. (a) The Secretary of Veterans Affairs shall treat a marriage and family therapist described in subsection (b) as qualified to serve as a marriage and family therapist in the Department of Veterans Affairs, regardless of any requirements established by the Commission on Accreditation for Marriage and Family Therapy Education.

(b) A marriage and family therapist described in this subsection is a therapist who meets each of the following criteria:

(1) Has a masters or higher degree in marriage and family therapy, or a related field, from a regionally accredited institution.

(2) Is licensed as a marriage and family therapist in a State (as defined in section 101(20) of title 38, United States Code) and possesses the highest level of licensure offered from the State.

(3) Has passed the Association of Marital and Family Therapy Regulatory Board Examination in Marital and Family Therapy or a related examination for licensure administered by a State (as so defined).

SA 3936. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

CONSIDERATION OF CERTAIN TIME SPENT RECEIVING MEDICAL CARE FROM SECRETARY OF DEFENSE AS ACTIVE DUTY FOR PURPOSES OF ELIGIBILITY FOR POST-9/11 EDUCATIONAL ASSISTANCE

SEC. 251. Section 3301(1)(B) of title 38, United States Code, is amended by inserting ''12301(h),'' after ''12301(g),''.

SA 3937. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

CONSIDERATION OF CERTAIN TIME SPENT RECEIVING MEDICAL CARE FROM SECRETARY OF DEFENSE AS ACTIVE DUTY FOR PURPOSES OF ELIGIBILITY FOR POST-9/11 EDUCATIONAL ASSISTANCE

SEC. 251. (a) IN GENERAL.—Section 3301(1)(B) of title 38, United States Code, is amended by inserting ''12301(h),'' after ''12301(g),''.

(b) RETROACTIVE APPLICATION.—The amendment made by subsection (a) shall apply as if such amendment were enacted immediately after the enactment of the Post-9/11 Veterans Educational Assistance Act of 2008 (Public Law 110–252).

SA 3938. Mr. KIRK (for himself and Mr. TESTER) submitted an amendment

intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the appropriate place in title I of division B, insert the following:

SEC. ____. (a) Of the amounts appropriated by section 132 of the Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2016 (division J of Public Law 114–13; 129 Stat. 2683), $30,000,000 is hereby rescinded.

(b) Notwithstanding section 123 of this title, for an additional amount for fiscal year 2016 for ''Military Construction, Army'' in this title, $30,000,000, to remain available until September 30, 2021, is provided for advances to the Federal Highway Administration, Department of Transportation, for construction of access roads as authorized by section 210 of title 23, United States Code.

(c) This section shall become effective immediately upon enactment of this Act.

SA 3939. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, add the following:

SEC. ____. (a) During the 3-year period beginning on the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall develop and carry out a scalable aerospace additive manufacturing demonstration initiative, which shall focus on developing research and training to support certification of a range of aircraft components that are representative of industry applications to address barriers to the use of additive manufacturing in United States civil aerospace.

(b) The demonstration initiative required by subsection (a) shall—

(1) promote and facilitate collaboration among institutions of higher education, the commercial aircraft industry (including manufacturers, suppliers, and commercial air carriers), Manufacturing Innovation Institutes of the National Network for Manufacturing Innovation administered by the Department of Commerce, and Manufacturing Innovation Institutes administered by the Federal Aviation Administration;

(2) identify and promote opportunities for collaboration and technical exchange among agencies involved in research related to scalable additive manufacturing, including the National Aeronautics and Space Administration, the National Science Foundation, the National Institute of Standards and Technology, and the Department of Energy;

(3) develop a research and training program for basic and applied technical advances related to additively manufactured aerospace components, including safety-critical applications; and

(4) develop and undertake research related to additive manufacturing processing supporting the certification of additively manufactured components with institutions of higher education, industry, non-profit research institutes, and the Manufacturing Innovation Institutes described in paragraph (1).

(c) The Administrator shall submit to Congress a report on the initiative required by subsection (a).

SA 3940. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. (a) The Secretary of Veterans Affairs shall use amounts appropriated or otherwise made available in this title to ensure that the ratio of veterans to full-time employment equivalents within any program of rehabilitation conducted under chapter 31 of title 38, United States Code, does not exceed 125 veterans to one full-time employment equivalent.

(b) Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the programs of rehabilitation conducted under chapter 31 of title 38, United States Code, including an assessment of the veteran-to-staff ratio for each such program.

SA 3941. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

On page 50 of division A, strike line 7 and all that follows through ''Code:'' on line 10, and insert the following: ''up to $25,000,000 shall be available to carry out section 24407(c)(1) of title 49, United States Code; and not less than $25,000,000 shall be available to carry out paragraphs (2), (5), (6), (7) and (10) of section 24407(c) of such title:''.

SA 3942. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 114, line 11, strike ''$10,501,000,000'' and insert ''$10,301,000,000''.

SA 3943. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 80, line 10, strike ''$16,431,696,000'' and insert ''$15,740,696,000''.

SA 3944. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY PROJECTS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) FINDINGS.—Congress finds the following:

(1) The Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2016, which was passed by the Senate on November 10, 2015, without a single vote cast against the bill, and the Consolidated Appropriations Act, 2016 include the following amounts to be appropriated to the Department of Veterans Affairs:

(A) $35,000,000 to make seismic corrections to Building 208 at the West Los Angeles Medical Center of the Department in Los Angeles, California, which, according to the Department, is a building that is designated as having an exceptionally high risk of sustaining substantial damage or collapsing during an earthquake.

(B) $158,000,000 to provide for the construction of a new research building, site work, and demolition at the San Francisco Veterans Affairs Medical Center.

(C) $161,000,000 to replace Building 133 with a new community living center at the Long Beach Veterans Affairs Medical Center, which, according to the Department, is a building that is designated as having an extremely high risk of sustaining major damage during an earthquake.

(D) $468,800,000 for construction projects that are critical to the Department for ensuring health care access and safety at medical facilities in Louisville, Kentucky, Jefferson Barracks in St. Louis, Missouri, Perry Point, Maryland, American Lake, Washington, Alameda, California, and Livermore, California.

(2) The Department is unable to obligate or expend the amounts described in paragraph (1), other than for construction design, because the Department lacks an explicit authorization by an Act of Congress pursuant to section 8104(a)(2) of title 38, United States Code, to carry out the major medical facility projects described in such paragraph.

(3) Among the major medical facility projects described in paragraph (1), three are critical seismic safety projects in California.

(4) Every day that the critical seismic safety projects described in paragraph (3) are delayed increases the risk of a life-threatening

building failure in the case of a major seismic event.

(5) According to the United States Geological Survey—

(A) California has more than a 99 percent chance of experiencing an earthquake of magnitude 6.7 or greater in the next 30 years;

(B) even earthquakes of less severity than magnitude 6.7 can cause life threatening damage to seismically unsafe buildings; and

(C) in California, earthquakes of magnitude 6.0 or greater occur on average once every 1.2 years.

(6) On January 20, 2016, the Senate passed this legislation by unanimous consent as S. 2422, 114th Congress.

(b) AUTHORIZATION.—The Secretary of Veterans Affairs may carry out the following major medical facility projects, with each project to be carried out in an amount not to exceed the amount specified for that project:

(1) Seismic corrections to buildings, including retrofitting and replacement of high-risk buildings, in San Francisco, California, in an amount not to exceed $180,480,000.

(2) Seismic corrections to facilities, including facilities to support homeless veterans, at the medical center in West Los Angeles, California, in an amount not to exceed $105,500,000.

(3) Seismic corrections to the mental health and community living center in Long Beach, California, in an amount not to exceed $287,100,000.

(4) Construction of an outpatient clinic, administrative space, cemetery, and columbarium in Alameda, California, in an amount not to exceed $87,332,000.

(5) Realignment of medical facilities in Livermore, California, in an amount not to exceed $194,430,000.

(6) Construction of a medical center in Louisville, Kentucky, in an amount not to exceed $150,000,000.

(7) Construction of a replacement community living center in Perry Point, Maryland, in an amount not to exceed $92,700,000.

(8) Seismic corrections and other renovations to several buildings and construction of a specialty care building in American Lake, Washington, in an amount not to exceed $16,260,000.

(c) AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2016 or the year in which funds are appropriated for the Construction, Major Projects, account, $1,113,802,000 for the projects authorized in subsection (b).

(d) LIMITATION.—The projects authorized in subsection (b) may only be carried out using—

(1) funds appropriated for fiscal year 2016 pursuant to the authorization of appropriations in subsection (c);

(2) funds available for Construction, Major Projects, for a fiscal year before fiscal year 2016 that remain available for obligation;

(3) funds available for Construction, Major Projects, for a fiscal year after fiscal year 2016 that remain available for obligation;

(4) funds appropriated for Construction, Major Projects, for fiscal year 2016 for a category of activity not specific to a project;

(5) funds appropriated for Construction, Major Projects, for a fiscal year before fiscal year 2016 for a category of activity not specific to a project; and

(6) funds appropriated for Construction, Major Projects, for a fiscal year after fiscal year 2016 for a category of activity not specific to a project.

SA 3945. Mr. CORNYN (for himself and Mr. SCHUMER) proposed an amendment to the bill S. 2040, to deter terrorism, provide justice for victims, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Justice Against Sponsors of Terrorism Act''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) International terrorism is a serious and deadly problem that threatens the vital interests of the United States.

(2) International terrorism affects the interstate and foreign commerce of the United States by harming international trade and market stability, and limiting international travel by United States citizens as well as foreign visitors to the United States.

(3) Some foreign terrorist organizations, acting through affiliated groups or individuals, raise significant funds outside of the United States for conduct directed and targeted at the United States.

(4) It is necessary to recognize the substantive causes of action for aiding and abetting and conspiracy liability under chapter 113B of title 18, United States Code.

(5) The decision of the United States Court of Appeals for the District of Columbia in Halberstam v. Welch, 705 F.2d 472 (D.C. Cir. 1983), which has been widely recognized as the leading case regarding Federal civil aiding and abetting and conspiracy liability, including by the Supreme Court of the United States, provides the proper legal framework for how such liability should function in the context of chapter 113B of title 18, United States Code.

(6) Persons, entities, or countries that knowingly or recklessly contribute material support or resources, directly or indirectly, to persons or organizations that pose a significant risk of committing acts of terrorism that threaten the security of nationals of the United States or the national security, foreign policy, or economy of the United States, necessarily direct their conduct at the United States, and should reasonably anticipate being brought to court in the United States to answer for such activities.

(7) The United States has a vital interest in providing persons and entities injured as a result of terrorist attacks committed within the United States with full access to the court system in order to pursue civil claims against persons, entities, or countries that have knowingly or recklessly provided material support or resources, directly or indirectly, to the persons or organizations responsible for their injuries.

(b) PURPOSE.—The purpose of this Act is to provide civil litigants with the broadest possible basis, consistent with the Constitution of the United States, to seek relief against persons, entities, and foreign countries, wherever acting and wherever they may be found, that have provided material support, directly or indirectly, to foreign organizations or persons that engage in terrorist activities against the United States.

SEC. 3. RESPONSIBILITY OF FOREIGN STATES FOR INTERNATIONAL TERRORISM AGAINST THE UNITED STATES.

(a) IN GENERAL.—Chapter 97 of title 28, United States Code, is amended by inserting after section 1605A the following:

''§ 1605B. Responsibility of foreign states for international terrorism against the United States

''(a) DEFINITION.—In this section, the term 'international terrorism'—

''(1) has the meaning given the term in section 2331 of title 18, United States Code; and

''(2) does not include any act of war (as defined in that section).

''(b) RESPONSIBILITY OF FOREIGN STATES.—A foreign state shall not be immune from the jurisdiction of the courts of the United States in any case in which money damages are sought against a foreign state for physical injury to person or property or death occurring in the United States and caused by—

''(1) an act of international terrorism in the United States; and

''(2) a tortious act or acts of the foreign state, or of any official, employee, or agent of that foreign state while acting within the scope of his or her office, employment, or agency, regardless where the tortious act or acts of the foreign state occurred.

''(c) CLAIMS BY NATIONALS OF THE UNITED STATES.—Notwithstanding section 2337(2) of title 18, a national of the United States may bring a claim against a foreign state in accordance with section 2333 of that title if the foreign state would not be immune under subsection (b).

''(d) RULE OF CONSTRUCTION.—A foreign state shall not be subject to the jurisdiction of the courts of the United States under subsection (b) on the basis of an omission or a tortious act or acts that constitute mere negligence.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) The table of sections for chapter 97 of title 28, United States Code, is amended by inserting after the item relating to section 1605A the following:

''1605B. Responsibility of foreign states for international terrorism against the United States.''.

(2) Subsection 1605(g)(1)(A) of title 28, United States Code, is amended by inserting ''or section 1605B'' after ''but for section 1605A''.

SEC. 4. AIDING AND ABETTING LIABILITY FOR CIVIL ACTIONS REGARDING TERRORIST ACTS.

(a) IN GENERAL.—Section 2333 of title 18, United States Code, is amended by adding at the end the following:

''(d) LIABILITY.—

''(1) DEFINITION.—In this subsection, the term 'person' has the meaning given the term in section 1 of title 1.

''(2) LIABILITY.—In an action under subsection (a) for an injury arising from an act of international terrorism committed, planned, or authorized by an organization that had been designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189), as of the date on which such act of international terrorism was committed, planned, or authorized, liability may be asserted as to any person who aids and abets, by knowingly providing substantial assistance, or who conspires with the person who committed such an act of international terrorism.''.

(b) EFFECT ON FOREIGN SOVEREIGN IMMUNITIES ACT.—Nothing in the amendment made by this section affects immunity of a foreign state, as that term is defined in section 1603 of title 28, United States Code, from jurisdiction under other law.

SEC. 5. STAY OF ACTIONS PENDING STATE NEGOTIATIONS.

(a) EXCLUSIVE JURISDICTION.—The courts of the United States shall have exclusive jurisdiction in any action in which a foreign state is subject to the jurisdiction of a court of the United States under section 1605B of title 28, United States Code, as added by section 3(a) of this Act.

(b) INTERVENTION.—The Attorney General may intervene in any action in which a foreign state is subject to the jurisdiction of a court of the United States under section 1605B of title 28, United States Code, as added by section 3(a) of this Act, for the purpose of seeking a stay of the civil action, in whole or in part.

(c) STAY.—

(1) IN GENERAL.—A court of the United States may stay a proceeding against a foreign state if the Secretary of State certifies that the United States is engaged in good faith discussions with the foreign state defendant concerning the resolution of the claims against the foreign state, or any other parties as to whom a stay of claims is sought.

(2) DURATION.—

(A) IN GENERAL.—A stay under this section may be granted for not more than 180 days.

(B) EXTENSION.—

(i) IN GENERAL.—The Attorney General may petition the court for an extension of the stay for additional 180-day periods.

(ii) RECERTIFICATION.—A court shall grant an extension under clause (i) if the Secretary of State recertifies that the United States remains engaged in good faith discussions with the foreign state defendant concerning the resolution of the claims against the foreign state, or any other parties as to whom a stay of claims is sought.

SEC. 6. SEVERABILITY.

If any provision of this Act or any amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be invalid, the remainder of this Act and the amendments made by this Act, and the application of the provisions and amendments to any other person not similarly situated or to other circumstances, shall not be affected by the holding.

SEC. 7. EFFECTIVE DATE.

The amendments made by this Act shall apply to any civil action—

(1) pending on, or commenced on or after, the date of enactment of this Act; and

(2) arising out of an injury to a person, property, or business on or after September 11, 2001.

SA 3946. Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

On page 10 of the amendment, line 1, strike ''. The'' and all that follows through the period on line 3, and insert the following: '': *Provided*, That such plans shall be updated and submitted to the Committee on Appropriations of the Senate every 90 days until September 30, 2017, and every 180 days thereafter until all funds have been fully expended.''.

SA 3947. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 219, line 25, strike the period and insert '': *Provided*, That the National Cemetery Administration shall complete the Rural Veterans Burial Initiative by not later than September 30, 2017.''

SA 3948. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

On page 245, lines 23 through 24, strike ''and (7) the number and results of Quality Review Team audits'' and insert ''(7) the number and results of Quality Review Team audits; (8) the number of claims completed by each Regional Office based on the Regional Office being the station of jurisdiction; and (9) the number of claims completed by each Regional Office based on the Regional Office being the station of origin''.

SA 3949. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. None of the funds made available in this title may be used to pay bonuses to employees within the Veterans Health Administration until the Secretary of Veterans Affairs certifies to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives that individuals eligible for health care from the Department of Veterans Affairs are allowed to choose the medical facility of the Department at which to receive care.

SA 3950. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. None of the funds made available in this title may be used to pay bonuses to employees within the Veterans Benefits Administration who perform work related to the processing of disability claims under the laws administered by the Secretary of Veterans Affairs until the nationwide backlog of such claims is at 10 percent or less of the pending workload for the Veterans Benefits Administration.

SA 3951. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

ANNUAL REPORT ON BONUSES

SEC. 251. Not later than one year after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary of Veterans Affairs shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report that contains, for the year preceding the submittal of the report, a description of the bonuses awarded to Regional Office Directors of the Department of Veterans Affairs, Directors of Medical Centers of the Department, and Directors of Veterans Integrated Service Networks, including the amount of each bonus and the name of the individual to whom the bonus was awarded.

SA 3952. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. MONTHLY ASSISTANCE ALLOWANCE FOR DISABLED VETERANS COMPETING ON OLYMPIC TEAMS.

Section 322(d)(1) of title 38, United States Code, is amended—

(1) by striking ''allowance to a veteran'' and inserting the following: ''allowance to—

''(A) a veteran'';

(2) in subparagraph (A), as designated by paragraph (1), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(B) a veteran with a disability, as determined by the Secretary, who is selected by the United States Olympic Committee for the United States Olympic Team for any month in which the veteran is competing in any event sanctioned by the National Governing Bodies of the United States Olympic Sports.''.

SA 3953. Mrs. GILLIBRAND (for herself, Mr. BOOKER, and Mrs. BOXER) submitted an amendment intended to be

proposed by her to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. (a) RESEARCH ON THERAPEUTIC USES OF CANNABIS PLANT.—The Secretary of Veterans Affairs may, in coordination with the National Center for Posttraumatic Stress Disorder, within the limits of statutory authorities and funding under other provisions of law, conduct clinical research on the potential benefits of therapeutic use of the cannabis plant by veterans—

(1) to treat serious health conditions, such as posttraumatic stress disorder (PTSD), chronic pain and neuropathies, sleep disorders, traumatic brain injury, seizures, Parkinson's disease, cancer, spinal cord injuries, human immunodeficiency virus (HIV), and Crohn's disease; and

(2) as a treatment to achieve and maintain abstinence from opioids and heroin.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report detailing any efforts of the Department of Veterans Affairs to expand the conduct of research described in subsection (a).

SA 3954. Ms. HEITKAMP (for herself, Ms. COLLINS, Mr. KING, and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the end of title II of division B, add the following:

SEC. 251. (a) The Secretary of Veterans Affairs shall ensure that the Readjustment Counseling Service of the Department of Veterans Affairs coordinates directly with the Office of Rural Health of the Department on efforts to expand the capacity of Vet Centers (as defined in section 1712A(h) of title 38, United States Code) in order to ensure that the readjustment and psychological counseling needs of veterans in rural and highly rural communities are met.

(b) Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report detailing the number of Vet Centers (as so defined) operated by the Department and a strategic plan to increase the capacity of such Vet Centers to address unmet readjustment and psychological counseling needs of veterans in rural and highly rural communities.

SA 3955. Mr. LANKFORD (for himself and Mr. LEE) submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1 of the amendment, strike line 3 and all that follows through line 20 on page 18, and insert the following:

TITLE ___

ZIKA RESPONSE AND PREPAREDNESS

CHAPTER 1

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

PRIMARY HEALTH CARE

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to $40,000,000, shall also be available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector borne diseases, and related health outcomes, domestically and internationally: *Provided*, That funds made available in this paragraph shall be used to expand the delivery of primary health services authorized by section 330 of the Public Health Service (''PHS'') Act in Puerto Rico and other territories.

HEALTH WORKFORCE

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to $6,000,000, shall also be available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally: *Provided*, That funds made available in this paragraph may, for purposes of providing primary health services in areas affected by Zika virus or other vector-borne diseases, be used to assign National Health Service Corps (''NHSC'') members to Puerto Rico and other Territories, notwithstanding the assignment priorities and limitations in or under sections 333(a)(1)(D), 333(b), or 333A(a) of the PHS Act, and to make NHSC Loan Repayment Program awards under section 338B of such Act: *Provided further*, That for purposes of the previous proviso, section 331(a)(3)(D) of the PHS Act shall be applied as if the term ''primary health services'' included health services regarding pediatric subspecialists.

MATERNAL AND CHILD HEALTH

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to $5,000,000, shall also be available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally: *Provided*, That funds made available in this paragraph may be awarded for projects of regional and national significance in Puerto Rico and other Territories authorized under section 501 of the Social Security Act, notwithstanding section 502 of such Act.

CENTERS FOR DISEASE CONTROL AND PREVENTION

CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to $449,000,000, shall also be available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally; and to carry out titles II, III, and XVII of the PHS Act with respect to domestic preparedness and global health: *Provided*, That products purchased with these funds may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F–2 of the PHS Act: *Provided further*, That funds may be used for purchase and insurance of official motor vehicles in foreign countries: *Provided further*, That the provisions in section 317S of the PHS Act shall not apply to the use of funds made available in this paragraph: *Provided further*, That funds made available in this paragraph may be used for grants for the construction, alteration, or renovation of non-federally owned facilities to improve preparedness and response capability at the State and local level: *Provided further*, That of the amount made available in this paragraph, $88,000,000 may be used to reimburse accounts administered by the Centers for Disease Control and Prevention for obligations incurred for Zika virus response prior to the enactment of this Act.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to $200,000,000, shall also be available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally, including expenses related to carrying out section 301 and title IV of the PHS Act.

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to $150,000,000, shall also be available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally; to develop necessary countermeasures and vaccines, including the development and purchase of vaccines, therapeutics, diagnostics, necessary medical supplies, and administrative activities; for carrying out titles II, III, and XVII of the PHS Act with respect to domestic preparedness and global health; and for additional payments for distribution as provided for under the ''Social Services Block Grant Program'': *Provided*, That funds made available in this paragraph may be used to procure security countermeasures (as defined in section 319F–2(c)(1)(B) of the PHS Act, as amended by this Act): *Provided further*, That paragraphs (1) and (7)(C) of subsection (c) of section 319F–2 of the PHS Act, but no other provisions of such section, shall apply to such security countermeasures procured with funds made available in this paragraph: *Provided further*, That products purchased with funds made available in this paragraph may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F–2 of the PHS Act: *Provided further*, That countermeasures related to the Zika virus procured with funds made available in this paragraph shall be deemed to be security countermeasures as defined in

section 319F–2(c)(1) of the PHS Act, and paragraph (7)(C), but no other provision, of such section 319F–2(c) shall apply to procurements of such countermeasures: *Provided further*, That $75,000,000 shall be transferred to ''Social Services Block Grant'' for health services, notwithstanding section 2005(a)(4) of the Social Security Act, in territories with active or local transmission cases of the Zika virus, as confirmed by the Centers for Disease Control and Prevention: *Provided further*, That the Secretary of Health and Human Services shall distribute funds transferred to the ''Social Services Block Grant'' in this paragraph to such territories in accordance with objective criteria that are made available to the public.

GENERAL PROVISIONS—THIS CHAPTER

(INCLUDING TRANSFER OF FUNDS)

SEC. ____. For purposes of preventing, preparing for, and responding to Zika virus, other vector-borne diseases, and related health outcomes domestically and internationally, the Secretary of Health and Human Services may use funds provided in this chapter to acquire, lease, construct, alter, renovate, equip, furnish, or manage facilities outside of the United States, as necessary to conduct such programs, in consultation with the Secretary of State, either directly for the use of the United States Government or for the use, pursuant to grants, direct assistance, or cooperative agreements, of public or nonprofit private institutions or agencies in participating foreign countries.

SEC. ____. Funds made available by this chapter may be used by the heads of the Department of Health and Human Services, Department of State, and the Agency for International Development to appoint, without regard to the provisions of sections 3309 through 3319 of title 5 of the United States Code, candidates needed for positions to perform critical work relating to Zika response for which—

(1) public notice has been given; and

(2) the Secretary of Health and Human Services has determined that such a public health threat exists.

SEC. ____. Funds made available in this chapter may be transferred to, and merged with, other appropriation accounts under the headings ''Centers for Disease Control and Prevention'', ''Public Health and Social Services Emergency Fund'', ''Health Resources and Services Administration'', and ''National Institutes of Health'' for the purposes specified in this chapter following consultation with the Office of Management and Budget: *Provided*, That the Committees on Appropriations shall be notified 10 days in advance of any such transfer: *Provided further*, That, upon a determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation: *Provided further*, That none of the funds made available by this chapter may be transferred pursuant to the authority in section 206 of division G of Public Law 113–325 or section 241(a) of the PHS Act.

SEC. ____. If there remains an insufficient amount of unobligated funds under any heading under this chapter, funds may be transferred from the unobligated balance of funds under other headings under this chapter: Provided, That the total amount of funds made available by this title shall not exceed $850,000,000.

SEC. ____. Not later than 30 days after enactment of this Act, the Secretary of Health and Human Services shall provide a detailed spend plan of anticipated uses of funds made available in this chapter, including estimated personnel and administrative costs, to the Committees on Appropriations. The Secretary of Health and Human Services should also provide quarterly obligation updates to the Committees until all funds are expended or expire.

SEC. ____. Prior to the transfer or reprogramming of funds made available by this chapter, the director of the Office of Management and Budget shall certify to the appropriate Congressional committees that the net effect of all transfers shall not result in an increase in outlays over the period of fiscal years 2016 through 2021.

CHAPTER 2

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to $14,594,000, shall also be available until September 30, 2017, for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That up to $4,000,000 may be made available for medical evacuation costs of any other Department or agency of the United States under Chief of Mission authority, and may be transferred to any other appropriation of such Department or agency for such costs.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to $4,000,000, shall also be available for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases, to remain available until expended.

REPATRIATION LOANS PROGRAM ACCOUNT

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to $1,000,000, shall also be available to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS MADE AVAILABLE TO THE PRESIDENT

OPERATING EXPENSES

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to $10,000,000, shall also be available until September 30, 2017, for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases.

BILATERAL ECONOMIC ASSISTANCE

FUNDS MADE AVAILABLE TO THE PRESIDENT

GLOBAL HEALTH PROGRAMS

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to $211,000,000, shall also be available for necessary expenses for assistance or research to prevent, treat, or otherwise respond to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such funds may be made available for multi-year funding commitments to incentivize the development of global health technologies, following consultation with the Committees on Appropriations: *Provided further*, That none of the funds made available in this chapter may be made available for the Grand Challenges for Development program.

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to $4,000,000, shall also be available until September 30, 2017, for necessary expenses to support response and research efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases.

MULTILATERAL ASSISTANCE

FUNDS MADE AVAILABLE TO THE PRESIDENT

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

Unobligated balances of amounts appropriated under this heading in previous fiscal years, up to $13,500,000, shall also be available until September 30, 2017, for necessary expenses to support response and research efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That section 307(a) of the Foreign Assistance Act of 1961 shall not apply to funds made available under this heading.

GENERAL PROVISIONS—THIS CHAPTER

(INCLUDING TRANSFER OF FUNDS)

SEC. ____. (a) Funds made available by this chapter under the headings ''Global Health Programs'', ''Nonproliferation, Anti-terrorism, Demining and Related Programs'', ''International Organizations and Programs'', and ''Operating Expenses'' may be transferred to, and merged with, funds made available by this chapter under such headings to carry out the purposes of this chapter.

(b) Funds made available by this chapter under the headings ''Diplomatic and Consular Programs'', ''Emergencies in the Diplomatic and Consular Service'', and ''Repatriation Loans Program Account'' may be transferred to, and merged with, funds made available by this chapter under such headings to carry out the purposes of this chapter.

(c) If there remains an insufficient amount of unobligated funds under any heading under this chapter, funds may be transferred from the unobligated balance of funds under other headings under this chapter: Provided, That the total amount of funds made available by this title shall not exceed $258,094,000.

(d) The transfer authorities provided by this section are in addition to any other transfer authority provided by law.

(e) Upon a determination that all or part of the funds transferred pursuant to the authorities provided by this section are not necessary for such purposes, such amounts may be transferred back to such appropriations.

(f) No funds shall be transferred pursuant to this section unless at least 15 days prior to making such transfer the Secretary of State or the Administrator of the United States Agency for International Development (USAID), as appropriate, notifies the Committees on Appropriations in writing of the details of any such transfer.

(g) Prior to the transfer or reprogramming of funds made available by this chapter, the director of the Office of Management and Budget shall certify to the appropriate Congressional committees that the net effect of all transfers and reprogramming shall not result in an increase in outlays over the period of fiscal years 2016 through 2021.

NOTIFICATION REQUIREMENT

SEC. ____. Funds made available by this chapter that are made available to respond

to the Zika virus outbreak, other vector-borne diseases, or other infectious diseases shall not be available for obligation unless the Secretary of State or the USAID Administrator, as appropriate, notifies the Committees on Appropriations in writing at least 15 days in advance of such obligation.

SPEND PLAN REQUIREMENT

SEC. ____. Not later than 45 days after enactment of this Act and prior to the obligation of funds made available by this chapter to respond to the Zika virus outbreak, other vector-borne diseases, or other infectious diseases, the Secretary of State and the USAID Administrator, as appropriate, shall submit spend plans to the Committees on Appropriations on the anticipated uses of funds on a country and project basis, including estimated personnel and administrative costs: *Provided*, That such plans shall be updated and submitted to the Committee on Appropriations every 90 days until September 30, 2017, and every 180 days thereafter until all funds have been fully expended.

COMPTROLLER GENERAL OVERSIGHT

SEC. ____. Of the funds made available by this chapter, up to $500,000 shall be made available to the Comptroller General of the United States, to remain available until expended, for oversight of activities supported pursuant to this chapter with funds made available by this chapter: *Provided*, That the Secretary of State and USAID Administrator, as appropriate, and the Comptroller General shall consult with the Committees on Appropriations prior to obligating such funds.

RESCISSION

SEC. ____. Of the unobligated balances available under the heading ''Operating Expenses'' in title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235), $10,000,000 are rescinded: *Provided*, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CHAPTER 3

GENERAL PROVISIONS—THIS TITLE

EXTENSION OF AUTHORITIES AND PROVISIONS

SEC. ____. Unless otherwise provided for by this title, the additional amounts made available pursuant to this title for fiscal year 2016 are subject to the requirements for funds contained in the Consolidated Appropriations Act, 2016 (Public Law 114–113).

PERSONAL SERVICE CONTRACTORS

SEC. ____. Funds made available by this title to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases may be used to enter into contracts with individuals for the provision of personal services (as described in section 104 of part 37 of title 48, Code of Federal Regulations (48 CFR 37.104)), within the United States and abroad, subject to prior consultation with, and the notification procedures of, the Committees on Appropriations: *Provided*, That such individuals may not be deemed employees of the United States for the purpose of any law administered by the Office of Personnel Management.

EFFECTIVE DATE

SEC. ____. This title shall become effective immediately upon enactment of this Act.

SA 3956. Mr. DURBIN (for himself, Mr. BLUMENTHAL, Mr. BROWN, Mr. MURPHY, Mrs. MURRAY, Mr. REED, Ms. WARREN, Mr. CARPER, Mr. FRANKEN, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. ____. (a) From amounts appropriated or otherwise made available under this title for the administration of educational assistance programs under the laws administered by the Secretary of Veterans Affairs, the Secretary of Veterans Affairs shall ensure that any online consumer tool offered or supported by the Department of Veterans Affairs that provides information to veterans regarding specific postsecondary educational institutions, such as the GI Bill Comparison Tool or any successor or similar program, includes for each such institution an accounting of pending investigations and civil or criminal actions against the institution by Federal agencies and State attorneys general, to the extent such information is publicly available.

(b) In gathering publicly available information on investigations and civil or criminal actions described in subsection (a), the Secretary of Veterans Affairs shall—

(1) consult the heads of other Federal agencies and, as practicable, State attorneys general; and

(2) review any reports required to be filed with the Securities and Exchange Commission under section 13 or section 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m and 78o(d)), including Form 10–Q and Form 10–K.

(c) To ensure that the information required under subsection (a) is presented in the most useful and effective way possible for veterans, the Secretary of Veterans Affairs shall consult with the Secretary of Education, the Bureau of Consumer Financial Protection, and veteran and consumer advocates.

SA 3957. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

ADDITIONAL RESCISSIONS OF UNOBLIGATED EBOLA FUNDS

SEC. __. (a) Of the unobligated balances made available under the heading ''Public Health and Social Services Emergency Fund (Including Transfer of Funds)'' in title VI of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2015 (division G of Public Law 113–235) for the purpose of other preparation and response, $250,000,000 shall be rescinded: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) Of the unobligated balances made available under the heading ''CDC-Wide Activities and Program Support (Including Transfer of Funds)'' in title VI of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2015 (division G of Public Law 113–235) for supporting national public health institutes and global health security, $384,000,000 shall be rescinded: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(c) Of the unobligated balances made available under the heading ''Funds Appropriated to the President'' under the heading ''Bilateral Economic Assistance'' in title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235), $466,000,000 shall be rescinded: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SA 3958. Mr. LEE (for himself and Mr. PAUL) submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____. Amounts provided for in this title shall, prior to appropriating any sums out of any money in the Treasury not otherwise appropriated, be transferred from the following:

(1) $250,000,000 from the unobligated balances made available under the heading ''Public Health and Social Services Emergency Fund (Including Transfer of Funds)'' in title VI of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2015 (division G of Public Law 113–235) for the purpose of other preparation and response.

(2) $384,000,000 from the unobligated balances made available under the heading ''CDC-Wide Activities and Program Support (Including Transfer of Funds)'' in title VI of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2015 (division G of Public Law 113–235) for supporting national public health institutes and global health security.

(3) $466,000,000 from the unobligated balances made available under the heading ''Funds Appropriated to the President'' under the heading ''Bilateral Economic Assistance'' in title IX of the Department of

State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235).

SA 3959. Mrs. SHAHEEN (for herself, Mr. KING, Ms. BALDWIN, Mr. MANCHIN, and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ___. DEPARTMENT OF JUSTICE.

(a) STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE.—In addition to any amounts otherwise made available, there is appropriated, out of any money in the Treasury not otherwise appropriated, for fiscal year 2017, $240,000,000, to remain available until expended, to the Department of Justice for State law enforcement initiatives (which shall include a 30 percent pass-through to localities) under the Edward Byrne Memorial Justice Assistance Grant program, as authorized by subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.) (except that section 1001(c) of such Act (42 U.S.C. 3793(c)) shall not apply for purposes of this Act), to be used, notwithstanding such subpart 1, for a comprehensive program to combat the heroin and opioid crisis, and for associated criminal justice activities, including approved treatment alternatives to incarceration: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)).

(b) COMMUNITY ORIENTED POLICING SERVICES PROGRAMS.—In addition to any other amount for ''Community Oriented Policing Services Programs'' for competitive grants to State law enforcement agencies in States with high rates of primary treatment admissions for heroin or other opioids, there is appropriated, out of any money in the Treasury not otherwise appropriated, for fiscal year 2017, $10,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)).

SEC. ___. DEPARTMENT OF HEALTH AND HUMAN SERVICES.

(a) SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION.—In addition to any amounts otherwise made available for ''Substance Abuse Treatment'', there is appropriated, out of any money in the Treasury not otherwise appropriated, for fiscal year 2017, $300,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)): *Provided further*, That of the amount provided—

(1) $285,000,000 is for the Substance Abuse Prevention and Treatment block grant program under subpart II of part B of title XIX of the Public Health Service Act;

(2) $10,000,000 is for the Medication Assisted Treatment for Prescription Drug and Opioid Addiction program of the Programs of Regional and National Significance within the Center for Substance Abuse Treatment; and

(3) $5,000,000 is for the Recovery Community Services program of the Programs of Regional and National Significance within the Center for Substance Abuse Treatment.

(b) CENTERS FOR DISEASE CONTROL AND PREVENTION.—In addition to any amounts otherwise made available, there is appropriated, out of any money in the Treasury not otherwise appropriated, for fiscal year 2017, $50,000,000, to remain available until expended, to the Centers for Disease Control and Prevention of the Department of Health and Human Services, for prescription drug monitoring programs, community health system interventions, and rapid response projects: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)).

SA 3960. Mr. PETERS (for himself and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 4, line 24, strike ''$88,000,000'' and insert ''$50,000,000 shall be transferred to the head of the Department of Health and Human Services to carry out programs that serve pregnant women, infants, toddlers, and preschoolers, and help families care for their children through early, comprehensive health services, in communities affected by water polluted by lead or a toxic pollutant as the result of an event for which the President has declared an emergency, and $38,000,000''.

SA 3961. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the appropriate place in division A, insert the following:

SEC. _____. (a) Subchapter I of chapter 471, as amended by this subtitle, is further amended by adding at the end the following:

''§ 47144. Use of funds for repairs for runway safety repairs

''(a) IN GENERAL.—The Secretary of Transportation may make project grants under this subchapter to an airport described in subsection (b) from funds under section 47114 apportioned to that airport or funds available for discretionary grants to that airport under section 47115 to conduct airport development to repair the runway safety area of the airport damaged as a result of a natural disaster in order to maintain compliance with the regulations of the Federal Aviation Administration relating to runway safety areas, without regard to whether construction of the runway safety area damaged was carried out using amounts the airport received under this subchapter.

''(b) AIRPORTS DESCRIBED.—An airport is described in this subsection if—

''(1) the airport is a public-use airport;

''(2) the airport is listed in the National Plan of Integrated Airport Systems of the Federal Aviation Administration;

''(3) the runway safety area of the airport was damaged as a result of a natural disaster;

''(4) the airport was denied funding under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 4121 et seq.) with respect to the disaster;

''(5) the operator of the airport has exhausted all legal remedies, including legal action against any parties (or insurers thereof) whose action or inaction may have contributed to the need for the repair of the runway safety area;

''(6) there is still a demonstrated need for the runway safety area to accommodate current or imminent aeronautical demand; and

''(7) the cost of repairing or replacing the runway safety area is reasonable in relation to the anticipated operational benefit of repairing the runway safety area, as determined by the Administrator of the Federal Aviation Administration.''.

(b) The analysis for chapter 471, as amended by this subtitle, is further amended by inserting after the item relating to section 47143 the following:

''47144. Use of funds for repairs for runway safety repairs.''.

SA 3962. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

After section 191 of title I of division A, add the following:

SEC. 1_____. Section 127 of title 23, United States Code, is amended by adding at the end the following:

''(u) VEHICLES IN NORTH DAKOTA.—A vehicle limited or prohibited under this section from operating on a segment of the Interstate System in the State of North Dakota may operate on such a segment if such vehicle—

''(1) has a gross vehicle weight of 129,000 pounds or less;

''(2) other than gross vehicle weight, complies with the single axle, tandem axle, and bridge formula limits set forth in subsection (a); and

''(3) is authorized to operate on such segment under North Dakota State law.''.

SA 3963. Mr. GARDNER submitted an amendment intended to be proposed to

amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ____. (a) None of the funds appropriated or otherwise made available by this Act may be obligated or expended to permit United States airspace to be used for a flight operated to transfer an individual detained at Guantanamo to a State, territory, or possession of the United States.

(b) In this section, the term ''individual detained at Guantanamo'' means any individual who—

(1) is in detention, on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba;

(2) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(3) is—

(A) in the custody or under the control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SA 3964. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 101, strike line 5 and all that follows through page 104, line 2, and insert the following:

(1) $650,000,000 shall be available for the Indian Housing Block Grant program, as authorized under title I of NAHASDA: *Provided*, That, notwithstanding NAHASDA, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race census data and with the need component based on multi-race census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: *Provided further*, That notwithstanding section 302(d) of NAHASDA, if on January 1, 2017, a recipient's total amount of undisbursed block grant funds in the Department's line of credit control system is greater than three times the formula allocation it would otherwise receive under the first proviso under this paragraph, the Secretary shall adjust that recipient's formula allocation down by the difference between its total amount of undisbursed block grant funds in the Department's line of credit control system on January 1, 2017, and three times the formula allocation it would otherwise receive: *Provided further*, That notwithstanding the previous two provisos, no Indian tribe shall receive an allocation amount greater than 10 percent of the total amount made available under this paragraph: *Provided further*, That grant amounts not allocated to a recipient pursuant to the previous two provisos shall be allocated under the need component of the formula proportionately among all other Indian tribes not subject to an adjustment under such provisos: *Provided further*, That the second and third provisos shall not apply to any Indian tribe that would otherwise receive a formula allocation of less than $8,000,000: *Provided further*, That to take effect, the four previous provisos do not require issuance or amendment of any regulation, and shall not be construed to confer hearing rights under any section of NAHASDA or its implementing regulations: *Provided further*, That the Department will notify grantees of their formula allocation within 60 days of the date of enactment of this Act;

(2) $2,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided*, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed $17,857,142 to remain available until September 30, 2021;

(3) $60,000,000 shall be for grants to Indian tribes for carrying out the Community Development Block Grant program as authorized under title I of the Housing and Community Development Act of 1974, notwithstanding section 106(a)(1) of such Act, of which, up to $4,000,000 may be used for emergencies that constitute imminent threats to health and safety notwithstanding any other provision of law (including section 204 of this title): *Provided*, That not to exceed 20 percent of any grant made with funds appropriated under this paragraph shall be expended for planning and management development and administration; and

(4) $2,000,000 shall be to support the inspection of Indian housing units, contract expertise, training, and technical assistance needs in Indian country related to funding provided under this heading.

SA 3965. Mr. INHOFE (for himself and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. From the amount made available in this title under the heading ''Medical Support and Compliance'', not less than $18,000,000 shall be made available to Directors of Veterans Integrated Service Networks to contract with appropriate non-Department of Veterans Affairs entities to assess, evaluate, and improve the health care delivery by and business operations of medical centers of the Department under the jurisdiction of each such Director.

SA 3966. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. For each veteran seeking assistance from the Department of Veterans Affairs to purchase a home, for purposes of the veteran receiving a timely appraisal on a home, the Secretary of Veterans Affairs shall disclose to the veteran that the veteran may pay the entity conducting the appraisal an amount in excess of the amount provided on the Appraisal Fee Schedule issued by the Department.

SA 3967. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 41, strike lines 12 through 25 and insert the following:

''(89) United States Route 67 from Interstate 40 in North Little Rock, Arkansas, to United States Route 412.

''(90) The Edward T. Breathitt Parkway from Interstate 24 to Interstate 69.''.

(b) INCLUSION OF CERTAIN ROUTE SEGMENTS ON INTERSTATE SYSTEM.—Section 1105(e)(5)(A) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended in the first sentence by striking ''and subsection (c)(83)'' and inserting ''subsection (c)(83), subsection (c)(89), and subsection (c)(90)''.

(c) DESIGNATION.—Section 1105(e)(5)(C)(i) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended by adding at the end the following: ''The route referred to in subsection (c)(89) is designated as Interstate Route I–57. The route referred to in subsection (c)(90) is designated as Interstate Route I–169.''.

SA 3968. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ____. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to regulate, either directly or indirectly and including by requiring an environmental impact statement or similar analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the acquisition, use,

transfer, or disposal of property at an airport for airfield or non-airfield development activities if—

(a) the property was not financed with Federal funding; and

(b) the acquisition, use, transfer, or disposal of the property does not impair the safety, utility, or efficiency of aircraft operations at the airport.

SA 3969. Mr. INHOFE (for himself and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. From the amount made available in this title under the heading ''Medical Support and Compliance'', up to $18,000,000 shall be made available to Directors of Veterans Integrated Service Networks to contract with appropriate non-Department of Veterans Affairs entities to assess, evaluate, and improve the health care delivery by and business operations of medical centers of the Department under the jurisdiction of each such Director.

SA 3970. Ms. COLLINS (for herself and Mr. REED) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ___. None of the funds made available by this Act may be used by the Department of Housing and Urban Development to direct a grantee to undertake specific changes to existing zoning laws as part of carrying out the final rule entitled ''Affirmatively Furthering Fair Housing'' (80 Fed. Reg. 42272 (July 16, 2015)) or the notice entitled ''Affirmatively Furthering Fair Housing Assessment Tool'' (79 Fed. Reg. 57949 (September 26, 2014)).

SA 3971. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the end of title II of division B, add the following:

SEC. 251. MONTHLY ASSISTANCE ALLOWANCE FOR DISABLED VETERANS COMPETING ON OLYMPIC TEAMS.

Section 322(d)(1) of title 38, United States Code, is amended—

(1) by striking ''allowance to a veteran'' and inserting the following: ''allowance to—

''(A) a veteran'';

(2) in subparagraph (A), as designated by paragraph (1), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(B) a veteran with a service-connected disability rated as 30 percent or greater by the Department who is selected by the United States Olympic Committee for the United States Olympic Team for any month in which the veteran is competing in any event sanctioned by the National Governing Bodies of the United States Olympic Sports.''.

SA 3972. Mr. DURBIN (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV of division B (before the short title), insert the following:

SEC. ___. (a) Section 102(b) of the Higher Education Act of 1965 (20 U.S.C. 1002(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking ''and'' after the semicolon;

(B) in subparagraph (E), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(F) meets the requirements of paragraph (2).'';

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

''(2) REVENUE SOURCES.—

''(A) IN GENERAL.—In order to qualify as a proprietary institution of higher education under this subsection, an institution shall derive not less than 15 percent of the institution's revenues from sources other than Federal funds, as calculated in accordance with subparagraphs (B) and (C).

''(B) FEDERAL FUNDS.—In this paragraph, the term 'Federal funds' means any Federal financial assistance provided, under this Act or any other Federal law, through a grant, contract, subsidy, loan, guarantee, insurance, or other means to a proprietary institution, including Federal financial assistance that is disbursed or delivered to an institution or on behalf of a student or to a student to be used to attend the institution, except that such term shall not include any monthly housing stipend provided under the Post-9/11 Veterans Educational Assistance Program under chapter 33 of title 38, United States Code.

''(C) IMPLEMENTATION OF NON-FEDERAL REVENUE REQUIREMENT.—In making calculations under subparagraph (A), an institution of higher education shall—

''(i) use the cash basis of accounting;

''(ii) consider as revenue only those funds generated by the institution from—

''(I) tuition, fees, and other institutional charges for students enrolled in programs eligible for assistance under title IV;

''(II) activities conducted by the institution that are necessary for the education and training of the institution's students, if such activities are—

''(aa) conducted on campus or at a facility under the control of the institution;

''(bb) performed under the supervision of a member of the institution's faculty; and

''(cc) required to be performed by all students in a specific educational program at the institution; and

''(III) a contractual arrangement with a Federal agency for the purpose of providing job training to low-income individuals who are in need of such training;

''(iii) presume that any Federal funds that are disbursed or delivered to an institution on behalf of a student or directly to a student will be used to pay the student's tuition, fees, or other institutional charges, regardless of whether the institution credits such funds to the student's account or pays such funds directly to the student, except to the extent that the student's tuition, fees, or other institutional charges are satisfied by—

''(I) grant funds provided by an outside source that—

''(aa) has no affiliation with the institution; and

''(bb) shares no employees with the institution; and

''(II) institutional scholarships described in clause (v);

''(iv) include no loans made by an institution of higher education as revenue to the school, except for payments made by students on such loans;

''(v) include a scholarship provided by the institution—

''(I) only if the scholarship is in the form of monetary aid based upon the academic achievements or financial need of students, disbursed to qualified student recipients during each fiscal year from an established restricted account; and

''(II) only to the extent that funds in that account represent designated funds, or income earned on such funds, from an outside source that—

''(aa) has no affiliation with the institution; and

''(bb) shares no employees with the institution; and

''(vi) exclude from revenues—

''(I) the amount of funds the institution received under part C of title IV, unless the institution used those funds to pay a student's institutional charges;

''(II) the amount of funds the institution received under subpart 4 of part A of title IV;

''(III) the amount of funds provided by the institution as matching funds for any Federal program;

''(IV) the amount of Federal funds provided to the institution to pay institutional charges for a student that were refunded or returned; and

''(V) the amount charged for books, supplies, and equipment, unless the institution includes that amount as tuition, fees, or other institutional charges.

''(D) REPORT TO CONGRESS.—Not later than July 1, 2016, and by July 1 of each succeeding year, the Secretary shall submit to the authorizing committees a report that contains, for each proprietary institution of higher education that receives assistance under title IV and as provided in the audited financial statements submitted to the Secretary by each institution pursuant to the requirements of section 487(c)—

''(i) the amount and percentage of such institution's revenues received from Federal funds; and

''(ii) the amount and percentage of such institution's revenues received from other sources.''.

(b) Section 487 of the Higher Education Act of 1965 (20 U.S.C. 1094) is amended—

(1) in subsection (a)—

(A) by striking paragraph (24);

(B) by redesignating paragraphs (25) through (29) as paragraphs (24) through (28), respectively;

(C) in paragraph (24)(A)(ii) (as redesignated by subparagraph (B)), by striking ''subsection (e)'' and inserting ''subsection (d)''; and

(D) in paragraph (26) (as redesignated by subparagraph (B)), by striking ''subsection (h)'' and inserting ''subsection (g)'';

(2) by striking subsection (d);

(3) by redesignating subsections (e) through (j) as subsections (d) through (i), respectively;

(4) in subsection (f)(1) (as redesignated by paragraph (3)), by striking ''subsection (e)(2)'' and inserting ''subsection (d)(2)''; and

(5) in subsection (g)(1) (as redesignated by paragraph (3)), by striking ''subsection (a)(27)'' in the matter preceding subparagraph (A) and inserting ''subsection (a)(26)''.

(c) The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended—

(1) in section 152 (20 U.S.C. 1019a)—

(A) in subsection (a)(1)(A), by striking ''subsections (a)(27) and (h) of section 487'' and inserting ''subsections (a)(26) and (g) of section 487''; and

(B) in subsection (b)(1)(B)(i)(I), by striking ''section 487(e)'' and inserting ''section 487(d)'';

(2) in section 153(c)(3) (20 U.S.C. 1019b(c)(3)), by striking ''section 487(a)(25)'' each place the term appears and inserting ''section 487(a)(24)'';

(3) in section 496(c)(3)(A) (20 U.S.C. 1099b(c)(3)(A)), by striking ''section 487(f)'' and inserting ''section 487(e)''; and

(4) in section 498(k)(1) (20 U.S.C. 1099c(k)(1)), by striking ''section 487(f)'' and inserting ''section 487(e)''.

SA 3973. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. During fiscal year 2017, the Secretary of Veterans Affairs may not pay any bonus to an individual in a Senior Executive position (as defined in section 3132(a) of title 5, United States Code) in the Department of Veterans Affairs who is employed within Veterans Integrated Service Network 16.

SA 3974. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. ____. (a) DEFINITIONS.—In this section—

(1) the term ''families'' has the meaning given that term in section 3(b)(3) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3));

(2) the term ''low-income families'' has the meaning given that term in section 3(b)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(2));

(3) the term ''Secretary'' means the Secretary of Housing and Urban Development; and

(4) the term ''very low-income families'' has the meaning given that term in section 3(b)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(2)).

(b) PURPOSES.—The purposes of this section are—

(1) to give public housing agencies and the Secretary the flexibility to design and implement various approaches for providing and administering housing assistance that achieves greater cost effectiveness in using Federal housing assistance to address local housing needs for low-income families;

(2) to reduce administrative burdens on public housing agencies providing such assistance;

(3) to give incentives to assisted families to work and become economically self-sufficient;

(4) to increase housing choices for low-income families; and

(5) to enhance the ability of low-income elderly residents and persons with disabilities to live independently.

(c) MOVING TO WORK CHARTER PROGRAM AUTHORITY.—

(1) CONTRACT AUTHORITY.—

(A) IN GENERAL.—Subject to the phase-in requirements under subparagraph (B), the Secretary shall enter into charter contracts, beginning in fiscal year 2017, with not more than 250 public housing agencies administering the public housing program or assistance provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(B) PHASE-IN.—The phase-in requirements under this subparagraph are as follows:

(i) By the end of fiscal year 2017, the Secretary shall have entered into charter contracts with not less than 80 public housing agencies described in subparagraph (A).

(ii) By the end of fiscal year 2018, the Secretary shall have entered into charter contracts with not less than 160 public housing agencies described in subparagraph (A).

(iii) By the end of fiscal year 2019, the Secretary shall have entered into charter contracts with not less than 250 public housing agencies described in subparagraph (A).

(2) CHARTER CONTRACTS.—A charter contract shall—

(A) supersede and have a term commensurate with any annual contributions contract between a public housing agency and the Secretary; and

(B) provide that a participating public housing agency shall receive—

(i) capital and operating assistance allocated to such agency under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g); and

(ii) assistance provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(3) USE OF ASSISTANCE.—Any assistance provided under paragraph (2)(B)—

(A) may be combined; and

(B) shall be used to provide locally designed housing assistance for low-income families, including—

(i) services to facilitate the transition to work and self-sufficiency; and

(ii) any other activity which a public housing agency is authorized to undertake pursuant to State or local law.

(d) TERMS AND CONDITIONS OF ASSISTANCE.—

(1) APPLICABILITY OF UNITED STATES HOUSING ACT OF 1937.—Except as provided in this subsection, the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) shall not be applicable to any public housing agency participating in the Moving to Work Charter program established under this section.

(2) APPLICABLE 1937 ACT PROVISIONS.—The following provisions of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) are applicable to any public housing agency participating in the Moving to Work Charter program established under this section:

(A) Subsections (a) and (b) of section 12 (42 U.S.C. 1437j (a) and (b)) shall apply to housing assisted under a charter contract, other than housing assisted solely due to occupancy by families receiving tenant based rental assistance.

(B) Section 18 (42 U.S.C. 1437p) shall continue to apply to public housing developed under such Act notwithstanding any use of the housing under a charter contract.

(3) CHARTER CONTRACT TERMS.—A charter contract shall provide that a public housing agency—

(A) may—

(i) combine assistance received under sections 8 and 9 of the United States Housing Act of 1937 (42 U.S.C. 1437f and 1437g), as described in subsection (c)(3); and

(ii) use such assistance to provide housing assistance and related services for activities authorized by this section, including those activities authorized by sections 8 and 9 of such Act;

(B) certify that in preparing its application for participation in the Moving to Work Charter program established under this section, such agency has—

(i) provided for citizen participation through a public hearing and, if appropriate, other means; and

(ii) taken into account comments from the public hearing and any other public comments on the proposed activities under this section, including comments from current and prospective residents who would be affected by such contract;

(C) shall ensure that not less than 75 percent of the families assisted under a charter contract shall be, at the time of such families' entry into the Moving to Work Charter program, very low-income families;

(D) shall establish a reasonable rent policy, which shall—

(i) be designed to encourage employment, self-sufficiency, and homeownership by participating families, consistent with the purposes of this section;

(ii) include transition and hardship provisions;

(iii) be included in the annual plan of such agency; and

(iv) be subject to the opportunities for public participation described in subsection (f)(1)(C)(iv);

(E) shall continue to assist not less than substantially the same total number of low-income families as would have been served had such agency not entered into such contract;

(F) shall maintain a comparable mix of families (by family size) as would have been provided had the agency not entered into such contract;

(G) shall ensure that housing assisted under such contract meets housing quality standards established or approved by the Secretary;

(H) shall receive training and technical assistance, upon request by such agency, to assist with the design and implementation of the activities described under this section;

(I) shall receive an amount of assistance under sections 8 and 9 of the United States Housing Act of 1937 (42 U.S.C. 1437f and 1437g) that is not diminished by the participation of such agency in the Moving to Work Charter program established under this section;

(J) shall be subject to the procurement procedures described in such contract;

(K) shall ensure that each family receiving housing assistance—

(i) is engaged in work activities that would count toward satisfying the monthly work participation rates applicable to the State in which such public housing agency is located for purposes of the State temporary assistance to needy families program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) if the family were receiving assistance or benefits under that program; or

(ii) would qualify under that program to an exception to engaging in such work activities; and

(L) shall provide housing assistance to families assisted under a charter contract for not more than 5 years.

(e) SELECTION.—In selecting among public housing agency applications to participate in the Moving to Work Charter program established under this section, the Secretary shall consider—

(1) the potential of each agency to plan and carry out activities under such program;

(2) the relative performance by an agency under section 6(j) of the United States Housing Act of 1937 (42 U.S.C. 1437d(j));

(3) the need for a diversity of participants in terms of size, location, and type of agency; and

(4) any other appropriate factor as determined by the Secretary.

(f) CHARTER REPORT.—

(1) CONTENTS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, and in place of all other planning and reporting requirements otherwise required, each public housing agency that is a party to a charter contract shall submit to the Secretary, on an annual basis, a single charter report, in a form and at a time specified by the Secretary.

(B) SOLE MEANS OF REPORTING.—A charter report submitted under subparagraph (A) shall be the sole means by which a public housing agency shall be required to provide information to the Secretary on the activities assisted under this section during a fiscal year, unless the Secretary has reason to believe that such agency has violated the charter contract between the Secretary and such agency.

(C) REQUIREMENTS.—Each charter report required under subparagraph (A) shall—

(i) document the use by a public housing agency of any assistance provided under a charter contract, including appropriate financial statements;

(ii) describe and analyze the effect of assisted activities in addressing the objectives of this section;

(iii) include a certification by such agency that such agency has prepared an annual plan which—

(I) states the goals and objectives of that agency under the charter contract for the past fiscal year;

(II) describes the proposed use of assistance by that agency for activities under the charter contract for the past fiscal year;

(III) explains how the proposed activities of that agency will meet the goals and objectives of that agency;

(IV) includes appropriate budget and financial statements of that agency; and

(V) was prepared in accordance with a public process as described in clause (iv);

(iv) describe and document how a public housing agency has provided residents assisted under a charter contract and the wider community with opportunities to participate in the development of and comment on the annual plan, which shall include not less than 1 public hearing; and

(v) include such other information as may be required by the Secretary pursuant to subsection (g)(2).

(2) REVIEW.—Any charter report submitted pursuant to paragraph (1) shall be deemed approved unless the Secretary, not later than 45 days after the date of submission of such report, issues a written disapproval because—

(A) the Secretary reasonably determines, based on information contained in the report, that a public housing agency is not in compliance with the provisions of this section or other applicable law; or

(B) such report is inconsistent with other reliable information available to the Secretary.

(g) RECORDS AND AUDITS.—

(1) KEEPING OF RECORDS.—Each public housing agency shall keep such records as the Secretary may prescribe as reasonably necessary—

(A) to disclose the amounts and the disposition of amounts under the Moving to Work Charter program established under this section;

(B) to ensure compliance with the requirements of this section; and

(C) to measure performance.

(2) ACCESS TO DOCUMENTS BY THE SECRETARY.—

(A) IN GENERAL.—The Secretary shall have access for the purpose of audit and examination to any books, documents, papers, and records that are pertinent to assistance in connection with, and the requirements of, this section.

(B) LIMITATION.—Access by the Secretary described under subparagraph (A) shall be limited to information obtained solely through the annual charter report submitted by a public housing agency under subsection (f), unless the Secretary has reason to believe that such agency is not in compliance with the charter contract between the Secretary and such agency.

(3) ACCESS TO DOCUMENTS BY THE COMPTROLLER GENERAL.—The Comptroller General of the United States, or any duly authorized representative of the Comptroller General, shall have access for the purpose of audit and examination to any books, documents, papers, and records that are pertinent to assistance in connection with, and the requirements of the Moving to Work Charter program established under this section.

(h) PROCUREMENT PREEMPTION.—

(1) IN GENERAL.—Any State or local law which imposes procedures or standards for procurement which conflict with or are more burdensome than applicable Federal procurement requirements shall not apply to any public housing agency under the Moving to Work Charter program established under this section.

(2) REDUCTION OF ADMINISTRATIVE BURDENS.—The Secretary may approve procurement procedures for public housing agencies participating in the Moving to Work Charter program established under this section that reduce administrative burdens of procurement requirements imposed by Federal law.

(i) SUBSEQUENT LAWS PREEMPTED.—A public housing agency participating in the Moving to Work Charter program established under this section shall not be subject to any provision of law which conflicts with the provisions of this section and which is enacted subsequent to the date of execution of such agency's charter contract or Moving to Work program agreement, as described in subsection (j), unless such law expressly provides for such law's application to public housing agencies subject to this section.

(j) EXISTING AGREEMENTS.—Notwithstanding anything in this section or any other provision of law, any public housing agency which has an existing Moving to Work program agreement with the Secretary pursuant to section 204 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (Public Law 104–134; 110 Stat. 1321–281) and which is not in default thereof, may, at the option of such agency—

(1) continue to operate under the terms and conditions of such agreement notwithstanding any limitation on the terms contained in such contract; or

(2) at any time, enter into a charter contract with the Secretary on terms and conditions which are not less favorable to the agency than such existing agreement.

(k) PUBLIC HOUSING AGENCY EVALUATION.—

(1) IN GENERAL.—Not later than the end of fiscal year 2017, the Secretary shall appoint a Federal advisory committee consisting of public housing agencies with charter contracts, public housing industry organizations, resident organizations, other public housing and section 8 voucher stakeholders, and experts on accreditation systems in similar fields, to assess and develop a demonstration program to test standards, criteria, and practices for a national public housing agency accreditation system or other evaluation system.

(2) REPORT.—Not later than the end of fiscal year 2019, the committee established under paragraph (1) and the Secretary shall provide a report and recommendations to Congress with respect to the establishment of a national public housing agency accreditation system.

SA 3975. Mr. FLAKE (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ____. None of the funds made available under this division may be used by the Federal Government to interfere with State and local inspections of public housing dwelling units.

SA 3976. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and

Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ____. (a) In this section, the term ''covered agency'' means—

(1) the Department of Housing and Urban Development;

(2) the Department of Transportation;

(3) the Federal Maritime Commission;

(4) the National Railroad Passenger Corporation;

(5) the National Transportation Safety Board;

(6) the Neighborhood Reinvestment Corporation; and

(7) the United States Interagency Council on Homelessness.

(b) Not later than 1 year after the date of enactment of this Act, and every year thereafter, the Director of the Office of Management and Budget shall submit to Congress and post on the website of the Office of Management and Budget a report on projects funded by a covered agency—

(1) that are more than 5 years behind schedule; or

(2) for which the amount spent on the project is not less than $1,000,000,000 more than the original cost estimate for the project.

(c) Each report submitted and posted under subsection (b) shall include, for each project included in the report—

(1) a brief description of the project, including—

(A) the purpose of the project;

(B) each location in which the project is carried out;

(C) the year in which the project was initiated; and

(D) each primary contractor and grant recipient for the project;

(2) the original expected date for completion of the project;

(3) the current expected date for completion of the project;

(4) the original cost estimate for the project;

(5) the current cost estimate for the project;

(6) an explanation for a delay in completion or increase in the original cost estimate for the project; and

(7) recommendations to reduce the cost for the project that may require legislative action.

SA 3977. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division B, add the following:

SEC. 410. (a) None of the funds made available in this Act may be used to award a construction contract on behalf of the Federal Government—

(1) in any solicitation, bid specification, project agreement, or other controlling document to require or prohibit a bidder, offeror, contractor, or subcontractor to enter into or adhere to an agreement with a labor organization; or

(2) to discriminate against or give preference to such a bidder, offeror, contractor, or subcontractor based on their entering into or refusing to enter into an agreement with a labor organization.

(b) Subsection (a) does not apply to any construction contract awarded before the date of the enactment of this Act.

SA 3978. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. Notwithstanding any other provision of this Act, the Secretary of Veterans Affairs may not provide any allowance in connection with a permanent change of station to an individual in a Senior Executive Service position (as defined in section 3132(a) of title 5, United States Code) at the Department of Veterans Affairs.

SA 3979. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. Not later than September 30, 2017, the Secretary of Veterans Affairs shall—

(1) submit to the Committee on Appropriations and the Committee on Veterans' Affairs of the Senate and the Committee on Appropriations and the Committee on Veterans' Affairs of the House of Representatives an itemized accounting of the use of Federal award GU1103 in the amount of $3,265,487 that was awarded in 2013 to renovate a veteran's cemetery in Guam under the Veterans Cemetery Grants Program of the Department of Veterans Affairs; and

(2) publish such itemized accounting on a publicly available Internet website of the Department.

SA 3980. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. Not later than September 30, 2017, the Secretary of Veterans Affairs shall submit to Congress a plan on modernizing the system of the Veterans Health Administration for processing claims by non-Department of Veterans Affairs health care providers for reimbursement for health care provided to veterans under the laws administered by the Secretary.

SA 3981. Mr. FLAKE (for himself, Mr. TOOMEY, Mr. COATS, and Mr. PAUL) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ____. None of the funds made available in this division may be used to provide housing assistance under section 3 or section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437a and 1437f) to any family whose income for the most recent 2 consecutive years has exceeded 120 percent of the median income for the area in which the family resides.

SA 3982. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division A, insert the following:

SEC. ____. Not later than 90 days after the date of enactment of this Act, the Secretary shall prepare and submit to Congress a report on the community development block grant program under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) that describes—

(1) how the Secretary could devise a system of consolidated reporting of expenditures and accomplishments by grant recipients under the program in an easily analyzable format, which would include—

(A) a cost-benefit analysis of each project that a grant recipient has funded using amounts provided under the program, including—

(i) the number of people the project was expected to help;

(ii) the number of people the project actually helped; and

(iii) the number of houses rehabilitated or removed due to blight;

(B) a description of how each grant recipient validated the self-reported information described in subparagraph (A); and

(C) a description of how to tie the outcome data described in clauses (ii) and (iii) of subparagraph (A) to census tract or block group data to enable independent researchers to validate the outcomes; and

(2) measures that the Secretary could adopt to identify viable urban communities

that can serve as models for other communities trying to rehabilitate certain neighborhoods, which measures shall be tied to census tract or block group data, such as communities—

(A) in which not more than 10 percent of households have an income at or below the poverty level;

(B) in which the median wage is not less than 90 percent of the median wage for the metropolitan statistical area;

(C) in which the unemployment rate is not more than 8 percent; or

(D) that meet 2 of the 3 criteria under subparagraphs (A) through (C).

SA 3983. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I of division A, insert the following:

SEC. ____. None of the funds made available under this title may be used for the VelociRFTA bus rapid transit project in Roaring Fork Valley, Colorado.

SA 3984. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 64, line 21, strike ''$5,000,000'' and insert ''$3,000,000''.

SA 3985. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 152, line 13, insert ''The Secretary may refuse to withdraw the Notice of Default upon receipt of a petition from the Governor of the State in which the deficient property is located.'' after ''Default.''.

SA 3986. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, line 10, insert ''*Provided further*, That the Secretary may provide replacement vouchers for units operated by management or ownership that has been declared in default of a Housing Assistance Payments contract due to physical deficiencies:'' after ''funds:''.

SA 3987. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 2806, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2017, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

CERTAIN SERVICE DEEMED TO BE ACTIVE MILITARY SERVICE

SEC. 251. (a) IN GENERAL.—For purposes of section 401(a)(1)(A) of the GI Bill Improvement Act of 1977 (38 U.S.C. 106 note), the Secretary of Defense is deemed to have determined that qualified service of an individual constituted active military service.

(b) DETERMINATION OF DISCHARGE STATUS.—The Secretary of Defense shall issue an honorable discharge under section 401(a)(1)(B) of the GI Bill Improvement Act of 1977 to each person whose qualified service warrants an honorable discharge. Such discharge shall be issued before the end of the one-year period beginning on the date of the enactment of this Act.

(c) PROHIBITION OF RETROACTIVE BENEFITS.—No benefits may be paid to any individual as a result of the enactment of this Act for any period before the date of the enactment of this Act.

(d) QUALIFIED SERVICE DEFINED.—In this section, the term ''qualified service'' means service of an individual as a member of the organization known as the United States Cadet Nurse Corps during the period beginning on July 1, 1943, and ending on December 15, 1945.

SA 3988. Mr. MENENDEZ (for himself, Mr. SANDERS, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

In division A, strike section 230.

SA 3989. Mr. MENENDEZ (for himself, Mr. BROWN, Mr. BOOKER, Ms. BALDWIN, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

SEC. ____. MILITARY FAMILIES CREDIT REPORTING ACT.

(a) SHORT TITLE.—This section may be cited as the ''Military Families Credit Reporting Act''.

(b) NOTICE OF STATUS AS AN ACTIVE DUTY MILITARY CONSUMER.—The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is amended—

(1) in section 605 (15 U.S.C. 1681c), by adding at the end the following:

''(i) NOTICE OF STATUS AS AN ACTIVE DUTY MILITARY CONSUMER.—

''(1) IN GENERAL.—With respect to an item of adverse information about a consumer that arises from the failure of the consumer to make any required payment on a debt or other obligation, if the action or inaction that gave rise to the item occurred while the consumer was an active duty military consumer, the consumer may provide appropriate proof, including official orders, to a consumer reporting agency that the consumer was an active duty military consumer at the time such action or inaction occurred, and any consumer report provided by the consumer reporting agency that includes the item shall clearly and conspicuously disclose that the consumer was an active duty military consumer when the action or inaction that gave rise to the item occurred.

''(2) MODEL FORM.—The Bureau shall prepare a model form, which shall be made publicly available, including in an electronic format, by which a consumer may—

''(A) notify, and provide appropriate proof to, a consumer reporting agency in a simple and easy manner, including electronically, that the consumer is or was an active duty military consumer; and

''(B) provide contact information of the consumer for the purpose of communicating with the consumer while the consumer is an active duty military consumer.

''(3) NO ADVERSE CONSEQUENCES.—Notice, whether provided by the model form described in paragraph (2) or otherwise, that a consumer is or was an active duty military consumer may not provide the sole basis for—

''(A) with respect to a credit transaction between the consumer and a creditor, a creditor—

''(i) denying an application of credit submitted by the consumer;

''(ii) revoking an offer of credit made to the consumer by the creditor;

''(iii) changing the terms of an existing credit arrangement with the consumer; or

''(iv) refusing to grant credit to the consumer in a substantially similar amount or on substantially similar terms requested by the consumer;

''(B) furnishing negative information relating to the creditworthiness of the consumer by or to a consumer reporting agency; or

''(C) except as otherwise provided in this title, a creditor or consumer reporting agency noting in the file of the consumer that the consumer is or was an active duty military consumer.'';

(2) in section 605A (15 U.S.C. 1681c–1)—

(A) in subsection (c)—

(i) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively, and adjusting the margins accordingly;

(ii) in the matter preceding subparagraph (A), as so redesignated, by striking ''Upon'' and inserting the following:

''(1) IN GENERAL.—Upon''; and

(iii) by adding at the end the following:

''(2) NEGATIVE INFORMATION NOTIFICATION.—If a consumer reporting agency receives an item of adverse information about a consumer who has provided appropriate proof that the consumer is an active duty military consumer, the consumer reporting agency shall promptly notify the consumer, according to a frequency, manner, and timeliness determined by the Bureau or specified by the consumer—

''(A) that the consumer reporting agency has received the item of adverse information, along with a description of the item; and

''(B) the method by which the consumer may dispute the validity of the item.

''(3) CONTACT INFORMATION FOR ACTIVE DUTY MILITARY CONSUMERS.—

''(A) IN GENERAL.—If a consumer who has provided appropriate proof to a consumer reporting agency that the consumer is an active duty military consumer provides the consumer reporting agency with contact information for the purpose of communicating with the consumer while the consumer is an active duty military consumer, the consumer reporting agency shall use that contact information for all communications while the consumer is an active duty military consumer.

''(B) DIRECT REQUEST.—Unless the consumer directs otherwise, the provision of contact information by the consumer under subparagraph (A) shall be deemed to be a request for the consumer to receive an active duty alert under paragraph (1).

''(4) SENSE OF CONGRESS.—It is the sense of Congress that any person making use of a consumer report that contains an item of adverse information should, if the action or inaction that gave rise to the item occurred while the consumer was an active duty military consumer, take such fact into account when evaluating the creditworthiness of the consumer.''; and

(B) in subsection (e), by striking paragraph (3) and inserting the following:

''(3) subparagraphs (A) and (B) of subsection (c)(1), in the case of a referral under subsection (c)(1)(C).''; and

(3) in section 611(a)(1) (15 U.S.C. 1681i(a)(1)), by adding at the end the following:

''(D) NOTICE OF DISPUTE RELATED TO ACTIVE DUTY MILITARY CONSUMERS.—With respect to an item of information described under subparagraph (A) that is under dispute, if the consumer to whom the item relates has notified the consumer reporting agency, and has provided appropriate proof, that the consumer was an active duty military consumer at the time the action or inaction that gave rise to the disputed item occurred, the consumer reporting agency shall—

''(i) include that fact in the file of the consumer; and

''(ii) indicate that fact in each consumer report that includes the disputed item.''.

SA 3990. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

PROHIBITION ON RECOVERY OF OVERPAYMENT OF COMPENSATION PAID TO INCARCERATED INDIVIDUALS EXCEPT IN THE CASE OF FRAUD, MISREPRESENTATION, OR BAD FAITH

SEC. 251. Section 5313 of title 38, United States Code, is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection (e):

''(e) The Secretary may not recover from a person the amount of any compensation that should have been reduced under this section after the date that is 180 days after the date on which such amount should have been reduced under this section unless the Secretary determines that the person committed fraud, misrepresentation, or bad faith that resulted in such amount not being reduced.''.

SA 3991. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. PUBLICATION OF INFORMATION ON PROVISION OF HEALTH CARE BY DEPARTMENT OF VETERANS AFFAIRS.

(a) PUBLICATION OF INFORMATION.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of Veterans Affairs shall publish on an Internet database of the Department of Veterans Affairs available to the public information on the provision of health care by the Department.

(2) ELEMENTS.—

(A) IN GENERAL.—Each publication required by paragraph (1) shall include, with respect to each medical facility of the Department during the 180-day period preceding such publication, the following:

(i) The average length of stay for inpatient care.

(ii) A description of any hospital-acquired condition acquired by a patient.

(iii) The rate of readmission of patients within 30 days of release.

(iv) The rate at which opioids are prescribed to each patient.

(v) The average wait time for emergency room treatment.

(vi) A description of any scheduling backlog with respect to patient appointments.

(vii) The average number of patients seen per month by each primary care physician.

(B) ADDITIONAL ELEMENTS.—The Secretary may include in each publication required by paragraph (1) such additional information on the safety of medical facilities of the Department, health outcomes at such facilities, and quality of care at such facilities as the Secretary considers appropriate.

(3) SEARCHABILITY.—The Secretary shall ensure that the Internet database required by paragraph (1) is searchable by State, city, and facility.

(4) PERSONAL INFORMATION.—The Secretary shall ensure that personal information connected to information published under paragraph (1) is protected from disclosure as required by applicable law.

(b) COMPTROLLER GENERAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report setting forth recommendations for additional elements to be included with the information published under subsection (a) to improve the evaluation and assessment of the safety and health of individuals receiving health care under the laws administered by the Secretary and the quality of health care received by such individuals.

SA 3992. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ____. (a) None of the funds made available in this Act may be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.), or to prevent or impede that Inspector General's access to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to the Inspector General and expressly limits the Inspector General's right of access.

(b) A department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner.

(c) Each Inspector General shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the establishment over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.

SA 3993. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

SEC. ____. (a) None of the funds made available in this Act may be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.), or to prevent

or impede that Inspector General's access to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to the Inspector General and expressly limits the Inspector General's right of access.

(b) A department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner.

(c) Each Inspector General shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the establishment over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.

SA 3994. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

TITLE ___—WHISTLEBLOWER PROTECTIONS

SEC. ___01. SHORT TITLE.

This title may be cited as the ''Dr. Chris Kirkpatrick Whistleblower Protection Act of 2016''.

Subtitle A—Employees Generally

SEC. ___11. DEFINITIONS.

In this subtitle—

(1) the terms ''agency'' and ''personnel action'' have the meanings given such terms under section 2302 of title 5, United States Code; and

(2) the term ''employee'' means an employee (as defined in section 2105 of title 5, United States Code) of an agency.

SEC. ___12. STAYS; PROBATIONARY EMPLOYEES.

(a) REQUEST BY SPECIAL COUNSEL.—Section 1214(b)(1) of title 5, United States Code, is amended by adding at the end the following:

''(E) If the Merit Systems Protections Board grants a stay under this subsection, the head of the agency employing the employee shall give priority to a request for a transfer submitted by the employee.''.

(b) INDIVIDUAL RIGHT OF ACTION FOR PROBATIONARY EMPLOYEES.—Section 1221 of title 5, United States Code, is amended by adding at the end the following:

''(k) If the Merit Systems Protection Board grants a stay to an employee in probationary status under subsection (c), the head of the agency employing the employee shall give priority to a request for a transfer submitted by the employee.''.

(c) STUDY REGARDING RETALIATION AGAINST PROBATIONARY EMPLOYEES.—The Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report discussing retaliation against employees in probationary status.

SEC. ___13. ADEQUATE ACCESS OF SPECIAL COUNSEL TO INFORMATION.

Section 1212(b) of title 5, United States Code, is amended by adding at the end the following:

''(5) The Special Counsel, in carrying out this subchapter, is authorized to—

''(A) have access to all records, reports, audits, reviews, documents, papers, recommendations, or other material available to the applicable agency which relate to a matter within the jurisdiction or authority of the Special Counsel; and

''(B) request from any agency such information or assistance as may be necessary for carrying out the duties and responsibilities of the Special Counsel under this subchapter.''.

SEC. ___14. PROHIBITED PERSONNEL PRACTICES.

Section 2302(b) of title 5, United States Code, is amended—

(1) in paragraph (12), by striking ''or'' at the end;

(2) in paragraph (13), by striking the period at the end and inserting ''; or''; and

(3) by inserting after paragraph (13) the following:

''(14) access the medical record of another employee for the purpose of retaliation for a disclosure or activity protected under paragraph (8) or (9).''.

SEC. ___15. DISCIPLINE OF SUPERVISORS BASED ON RETALIATION AGAINST WHISTLEBLOWERS.

(a) IN GENERAL.—Subchapter II of chapter 75 of title 5, United States Code, is amended by adding at the end the following:

''§ 7515. Discipline of supervisors based on retaliation against whistleblowers

''(a) DEFINITIONS.—In this section—

''(1) the term 'agency' has the meaning given that term under section 2302;

''(2) the term 'prohibited personnel action' means taking or failing to take an action in violation of paragraph (8), (9), or (14) of section 2302(b) against an employee of an agency; and

''(3) the term 'supervisor' means a supervisor, as defined under section 7103(a), who is employed by an agency, as defined under paragraph (1) of this subsection.

''(b) PROPOSED ADVERSE ACTIONS.—

''(1) IN GENERAL.—In accordance with paragraph (2), the head of an agency shall propose against a supervisor whom the head of that agency, an administrative law judge, the Merit Systems Protection Board, the Office of Special Counsel, an adjudicating body provided under a union contract, a Federal judge, or the Inspector General of the agency determines committed a prohibited personnel action the following adverse actions:

''(A) With respect to the first prohibited personnel action, an adverse action that is not less than a 12-day suspension.

''(B) With respect to the second prohibited personnel action, removal.

''(2) PROCEDURES.—

''(A) NOTICE.—A supervisor against whom an adverse action under paragraph (1) is proposed is entitled to written notice.

''(B) ANSWER AND EVIDENCE.—

''(i) IN GENERAL.—A supervisor who is notified under subparagraph (A) that the supervisor is the subject of a proposed adverse action under paragraph (1) is entitled to 14 days following such notification to answer and furnish evidence in support of the answer.

''(ii) NO EVIDENCE.—After the end of the 14-day period described in clause (i), if a supervisor does not furnish evidence as described in clause (i) or if the head of the agency determines that such evidence is not sufficient to reverse the proposed adverse action, the head of the agency shall carry out the adverse action.

''(C) SCOPE OF PROCEDURES.—Paragraphs (1) and (2) of subsection (b) of section 7513, subsection (c) of such section, paragraphs (1) and (2) of subsection (b) of section 7543, and subsection (c) of such section shall not apply with respect to an adverse action carried out under this subsection.

''(c) LIMITATION ON OTHER ADVERSE ACTIONS.—With respect to a prohibited personnel action, if the head of the agency carries out an adverse action against a supervisor under another provision of law, the head of the agency may carry out an additional adverse action under this section based on the same prohibited personnel action.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter II of chapter 75 of title 5, United States Code, is amended by adding at the end the following:

''7515. Discipline of supervisors based on retaliation against whistleblowers.''.

SEC. ___16. SUICIDE BY EMPLOYEES.

(a) REFERRAL.—The head of an agency shall refer to the Office of Special Counsel, along with any information known to the agency regarding the circumstances described in paragraphs (2) and (3), any instance in which the head of the agency has information indicating—

(1) an employee of the agency committed suicide;

(2) prior to the death of the employee, the employee made any disclosure of information which reasonably evidences—

(A) any violation of any law, rule, or regulation; or

(B) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety; and

(3) after a disclosure described in paragraph (2), a personnel action was taken against the employee.

(b) OFFICE OF SPECIAL COUNSEL REVIEW.—For any referral to the Office of Special Counsel under subsection (a), the Office of Special Counsel shall—

(1) examine whether any personnel action was taken because of any disclosure of information described in subsection (a)(2); and

(2) take any action the Office of Special Counsel determines appropriate under subchapter II of chapter 12 of title 5, United States Code.

SEC. ___17. TRAINING FOR SUPERVISORS.

In consultation with the Office of Special Counsel and the Inspector General of the agency (or senior ethics official of the agency for an agency without an Inspector General), the head of each agency shall provide training regarding how to respond to complaints alleging a violation of whistleblower protections (as defined in section 2307 of title 5, United States Code, as added by this subtitle) available to employees of the agency—

(1) to employees appointed to supervisory positions in the agency who have not previously served as a supervisor; and

(2) on an annual basis, to all employees of the agency serving in a supervisory position.

SEC. ___18. INFORMATION ON WHISTLEBLOWER PROTECTIONS.

(a) EXISTING PROVISION.—

(1) IN GENERAL.—Section 2302 of title 5, United States Code, is amended—

(A) by striking subsection (c); and

(B) by redesignating subsections (d), (e), and (f) as subsections (c), (d), and (e), respectively.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) Section 4505a(b)(2) of title 5, United States Code, is amended by striking ''section 2302(d)'' and inserting ''section 2302(c)''.

(B) Section 5755(b)(2) of title 5, United States Code, is amended by striking ''section 2302(d)'' and inserting ''section 2302(c)''.

(C) Section 110(b)(2) of the Whistleblower Protection Enhancement Act of 2012 (5 U.S.C. 2302 note) is amended by striking ''section 2303(f)(1) or (2)'' and inserting ''section 2303(e)(1) or (2)''.

(D) Section 704 of the Homeland Security Act of 2002 (6 U.S.C. 344) is amended by striking ''2302(c)'' each place it appears and inserting ''2307''.

(E) Section 1217(d)(3) of the Panama Canal Act of 1979 (22 U.S.C. 3657(d)(3)) is amended by striking ''section 2302(d)'' and inserting ''section 2302(c)''.

(F) Section 1233(b) of the Panama Canal Act of 1979 (22 U.S.C. 3673(b)) is amended by striking ''section 2302(d)'' and inserting ''section 2302(c)''.

(b) PROVISION OF INFORMATION.—Chapter 23 of title 5, United States Code, is amended by adding at the end the following:

''§ 2307. Information on whistleblower protections

''(a) DEFINITIONS.—In this section—

''(1) the term 'agency' has the meaning given that term in section 2302;

''(2) the term 'new employee' means an individual—

''(A) appointed to a position as an employee of an agency on or after the date of enactment of the Dr. Chris Kirkpatrick Whistleblower Protection Act of 2016; and

''(B) who has not previously served as an employee; and

''(3) the term 'whistleblower protections' means the protections against and remedies for a prohibited personnel practice described in paragraph (8), subparagraph (A)(i), (B), (C), or (D) of paragraph (9), or paragraph (14) of section 2302(b).

''(b) RESPONSIBILITIES OF HEAD OF AGENCY.—The head of each agency shall be responsible for the prevention of prohibited personnel practices, for the compliance with and enforcement of applicable civil service laws, rules, and regulations, and other aspects of personnel management, and for ensuring (in consultation with the Special Counsel and the Inspector General of the agency) that employees of the agency are informed of the rights and remedies available to them under this chapter and chapter 12, including—

''(1) information regarding whistleblower protections available to new employees during the probationary period;

''(2) the role of the Office of Special Counsel and the Merit Systems Protection Board with regard to whistleblower protections; and

''(3) how to make a lawful disclosure of information that is specifically required by law or Executive order to be kept classified in the interest of national defense or the conduct of foreign affairs to the Special Counsel, the Inspector General of an agency, Congress, or other agency employee designated to receive such disclosures.

''(c) TIMING.—The head of each agency shall ensure that the information required to be provided under subsection (b) is provided to each new employee of the agency not later than 6 months after the date the new employee is appointed.

''(d) INFORMATION ONLINE.—The head of each agency shall make available information regarding whistleblower protections applicable to employees of the agency on the public website of the agency, and on any online portal that is made available only to employees of the agency if one exists.

''(e) DELEGEES.—Any employee to whom the head of an agency delegates authority for personnel management, or for any aspect thereof, shall, within the limits of the scope of the delegation, be responsible for the activities described in subsection (b).''.

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 23 of title 5, United States Code, is amended by adding at the end the following:

''2307. Information on whistleblower protections.''.

Subtitle B—Department of Veterans Affairs Employees

SEC. ___21. PREVENTION OF UNAUTHORIZED ACCESS TO MEDICAL RECORDS OF EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) DEVELOPMENT OF PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(A) develop a plan to prevent access to the medical records of employees of the Department of Veterans Affairs by employees of the Department who are not authorized to access such records;

(B) submit to the appropriate committees of Congress the plan developed under subparagraph (A); and

(C) upon request, provide a briefing to the appropriate committees of Congress with respect to the plan developed under subparagraph (A).

(2) ELEMENTS.—The plan required under paragraph (1) shall include the following:

(A) A detailed assessment of strategic goals of the Department for the prevention of unauthorized access to the medical records of employees of the Department.

(B) A list of circumstances in which an employee of the Department who is not a health care provider or an assistant to a health care provider would be authorized to access the medical records of another employee of the Department.

(C) Steps that the Secretary will take to acquire new or implement existing technology to prevent an employee of the Department from accessing the medical records of another employee of the Department without a specific need to access such records.

(D) Steps the Secretary will take, including plans to issue new regulations, as necessary, to ensure that an employee of the Department may not access the medical records of another employee of the Department for the purpose of retrieving demographic information if that demographic information is available to the employee in another location or through another format.

(E) A proposed timetable for the implementation of such plan.

(F) An estimate of the costs associated with implementing such plan.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Homeland Security and Governmental Affairs and the Committee on Veterans' Affairs of the Senate; and

(2) the Committee on Oversight and Government Reform and the Committee on Veterans' Affairs of the House of Representatives.

SEC. ___22. OUTREACH ON AVAILABILITY OF MENTAL HEALTH SERVICES AVAILABLE TO EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs shall conduct a program of outreach to employees of the Department of Veterans Affairs to inform those employees of any mental health services, including telemedicine options, that are available to them.

SEC. ___23. PROTOCOLS TO ADDRESS THREATS AGAINST EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs shall ensure protocols are in effect to address threats from individuals receiving health care from the Department of Veterans Affairs directed towards employees of the Department who are providing such health care.

SEC. ___24. COMPTROLLER GENERAL OF THE UNITED STATES STUDY ON ACCOUNTABILITY OF CHIEFS OF POLICE OF DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTERS.

The Comptroller General of the United States shall conduct a study to assess the reporting, staffing, accountability, and chain of command structure of the Department of Veterans Affairs police officers at medical centers of the Department.

SA 3995. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. (a) REPORT ON OPIOID ABUSE AND TREATMENT.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary of Veterans Affairs shall publish on a publicly available Internet website of the Department of Veterans Affairs a report that includes the following information:

(1) A comprehensive list of all facilities of the Department offering an opioid abuse treatment program, including details on the types of services available at each facility.

(2) The number of veterans treated by a health care provider of the Department for opioid abuse during the year preceding the publication of the report.

(3) Of the veterans described in paragraph (2), the number treated for opioid abuse in conjunction with posttraumatic stress disorder, depression, or anxiety.

(4) With respect to veterans receiving treatment for opioid abuse—

(A) the average period of time veterans reported abusing opioids before beginning such treatment during the year preceding the publication of the report; and

(B) the main reasons reported to the Department by veterans as to how they came to receive such treatment, including self-referral or recommendation by a physician or family member.

(b) PROTECTION OF INFORMATION.—No information published under subsection (a) shall include any information that personally identifies a veteran.

SA 3996. Mr. VITTER submitted an amendment intended to be proposed to

amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II in Division A, add the following:

SEC. ____. (a) DEFINITIONS.—In this section—

(1) the term ''families'' has the meaning given that term in section 3(b)(3) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3));

(2) the term ''low-income families'' has the meaning given that term in section 3(b)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(2));

(3) the term ''Secretary'' means the Secretary of Housing and Urban Development; and

(4) the term ''very low-income families'' has the meaning given that term in section 3(b)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(2)).

(b) PURPOSES.—The purposes of this section are—

(1) to give public housing agencies and the Secretary the flexibility to design and implement various approaches for providing and administering housing assistance that achieves greater cost effectiveness in using Federal housing assistance to address local housing needs for low-income families;

(2) to reduce administrative burdens on public housing agencies providing such assistance;

(3) to give incentives to assisted families to work and become economically self-sufficient;

(4) to increase housing choices for low-income families; and

(5) to enhance the ability of low-income elderly residents and persons with disabilities to live independently.

(c) MOVING TO WORK CHARTER PROGRAM AUTHORITY.—

(1) CONTRACT AUTHORITY.—

(A) IN GENERAL.—Subject to the phase-in requirements under subparagraph (B), the Secretary shall enter into charter contracts, beginning in fiscal year 2017, with not more than 250 public housing agencies administering the public housing program or assistance provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(B) PHASE-IN.—The phase-in requirements under this subparagraph are as follows:

(i) By the end of fiscal year 2017, the Secretary shall have entered into charter contracts with not less than 80 public housing agencies described in subparagraph (A).

(ii) By the end of fiscal year 2018, the Secretary shall have entered into charter contracts with not less than 160 public housing agencies described in subparagraph (A).

(iii) By the end of fiscal year 2019, the Secretary shall have entered into charter contracts with not less than 250 public housing agencies described in subparagraph (A).

(2) CHARTER CONTRACTS.—A charter contract shall—

(A) supersede and have a term commensurate with any annual contributions contract between a public housing agency and the Secretary; and

(B) provide that a participating public housing agency shall receive—

(i) capital and operating assistance allocated to such agency under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g); and

(ii) assistance provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(3) USE OF ASSISTANCE.—Any assistance provided under paragraph (2)(B)—

(A) may be combined; and

(B) shall be used to provide locally designed housing assistance for low-income families, including—

(i) services to facilitate the transition to work and self-sufficiency; and

(ii) any other activity which a public housing agency is authorized to undertake pursuant to State or local law.

(d) TERMS AND CONDITIONS OF ASSISTANCE.—

(1) APPLICABILITY OF UNITED STATES HOUSING ACT OF 1937.—Except as provided in this subsection, the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) shall not be applicable to any public housing agency participating in the Moving to Work Charter program established under this section.

(2) APPLICABLE 1937 ACT PROVISIONS.—The following provisions of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) are applicable to any public housing agency participating in the Moving to Work Charter program established under this section:

(A) Subsections (a) and (b) of section 12 (42 U.S.C. 1437j (a) and (b)) shall apply to housing assisted under a charter contract, other than housing assisted solely due to occupancy by families receiving tenant based rental assistance.

(B) Section 18 (42 U.S.C. 1437p) shall continue to apply to public housing developed under such Act notwithstanding any use of the housing under a charter contract.

(3) CHARTER CONTRACT TERMS.—A charter contract shall provide that a public housing agency—

(A) may—

(i) combine assistance received under sections 8 and 9 of the United States Housing Act of 1937 (42 U.S.C. 1437f and 1437g), as described in subsection (c)(3); and

(ii) use such assistance to provide housing assistance and related services for activities authorized by this section, including those activities authorized by sections 8 and 9 of such Act;

(B) certify that in preparing its application for participation in the Moving to Work Charter program established under this section, such agency has—

(i) provided for citizen participation through a public hearing and, if appropriate, other means; and

(ii) taken into account comments from the public hearing and any other public comments on the proposed activities under this section, including comments from current and prospective residents who would be affected by such contract;

(C) shall ensure that not less than 75 percent of the families assisted under a charter contract shall be, at the time of such families' entry into the Moving to Work Charter program, very low-income families;

(D) shall establish a reasonable rent policy, which shall—

(i) be designed to encourage employment, self-sufficiency, and homeownership by participating families, consistent with the purposes of this section;

(ii) include transition and hardship provisions;

(iii) be included in the annual plan of such agency; and

(iv) be subject to the opportunities for public participation described in subsection (f)(1)(C)(iv);

(E) shall continue to assist not less than substantially the same total number of low-income families as would have been served had such agency not entered into such contract;

(F) shall maintain a comparable mix of families (by family size) as would have been provided had the agency not entered into such contract;

(G) shall ensure that housing assisted under such contract meets housing quality standards established or approved by the Secretary;

(H) shall receive training and technical assistance, upon request by such agency, to assist with the design and implementation of the activities described under this section;

(I) shall receive an amount of assistance under sections 8 and 9 of the United States Housing Act of 1937 (42 U.S.C. 1437f and 1437g) that is not diminished by the participation of such agency in the Moving to Work Charter program established under this section;

(J) shall be subject to the procurement procedures described in such contract;

(K) shall ensure that each family receiving housing assistance—

(i) is engaged in work activities that would count toward satisfying the monthly work participation rates applicable to the State in which such public housing agency is located for purposes of the State temporary assistance to needy families program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) if the family were receiving assistance or benefits under that program; or

(ii) would qualify under that program to an exception to engaging in such work activities; and

(L) shall provide housing assistance to families assisted under a charter contract for not more than 5 years.

(e) SELECTION.—In selecting among public housing agency applications to participate in the Moving to Work Charter program established under this section, the Secretary shall consider—

(1) the potential of each agency to plan and carry out activities under such program;

(2) the relative performance by an agency under section 6(j) of the United States Housing Act of 1937 (42 U.S.C. 1437d(j));

(3) the need for a diversity of participants in terms of size, location, and type of agency; and

(4) any other appropriate factor as determined by the Secretary.

(f) CHARTER REPORT.—

(1) CONTENTS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, and in place of all other planning and reporting requirements otherwise required, each public housing agency that is a party to a charter contract shall submit to the Secretary, on an annual basis, a single charter report, in a form and at a time specified by the Secretary.

(B) SOLE MEANS OF REPORTING.—A charter report submitted under subparagraph (A) shall be the sole means by which a public housing agency shall be required to provide information to the Secretary on the activities assisted under this section during a fiscal year, unless the Secretary has reason to believe that such agency has violated the charter contract between the Secretary and such agency.

(C) REQUIREMENTS.—Each charter report required under subparagraph (A) shall—

(i) document the use by a public housing agency of any assistance provided under a

charter contract, including appropriate financial statements;

(ii) describe and analyze the effect of assisted activities in addressing the objectives of this section;

(iii) include a certification by such agency that such agency has prepared an annual plan which—

(I) states the goals and objectives of that agency under the charter contract for the past fiscal year;

(II) describes the proposed use of assistance by that agency for activities under the charter contract for the past fiscal year;

(III) explains how the proposed activities of that agency will meet the goals and objectives of that agency;

(IV) includes appropriate budget and financial statements of that agency; and

(V) was prepared in accordance with a public process as described in clause (iv);

(iv) describe and document how a public housing agency has provided residents assisted under a charter contract and the wider community with opportunities to participate in the development of and comment on the annual plan, which shall include not less than 1 public hearing; and

(v) include such other information as may be required by the Secretary pursuant to subsection (g)(2).

(2) REVIEW.—Any charter report submitted pursuant to paragraph (1) shall be deemed approved unless the Secretary, not later than 45 days after the date of submission of such report, issues a written disapproval because—

(A) the Secretary reasonably determines, based on information contained in the report, that a public housing agency is not in compliance with the provisions of this section or other applicable law; or

(B) such report is inconsistent with other reliable information available to the Secretary.

(g) RECORDS AND AUDITS.—

(1) KEEPING OF RECORDS.—Each public housing agency shall keep such records as the Secretary may prescribe as reasonably necessary—

(A) to disclose the amounts and the disposition of amounts under the Moving to Work Charter program established under this section;

(B) to ensure compliance with the requirements of this section; and

(C) to measure performance.

(2) ACCESS TO DOCUMENTS BY THE SECRETARY.—

(A) IN GENERAL.—The Secretary shall have access for the purpose of audit and examination to any books, documents, papers, and records that are pertinent to assistance in connection with, and the requirements of, this section.

(B) LIMITATION.—Access by the Secretary described under subparagraph (A) shall be limited to information obtained solely through the annual charter report submitted by a public housing agency under subsection (f), unless the Secretary has reason to believe that such agency is not in compliance with the charter contract between the Secretary and such agency.

(3) ACCESS TO DOCUMENTS BY THE COMPTROLLER GENERAL.—The Comptroller General of the United States, or any duly authorized representative of the Comptroller General, shall have access for the purpose of audit and examination to any books, documents, papers, and records that are pertinent to assistance in connection with, and the requirements of the Moving to Work Charter program established under this section.

(h) PROCUREMENT PREEMPTION.—

(1) IN GENERAL.—Any State or local law which imposes procedures or standards for procurement which conflict with or are more burdensome than applicable Federal procurement requirements shall not apply to any public housing agency under the Moving to Work Charter program established under this section.

(2) REDUCTION OF ADMINISTRATIVE BURDENS.—The Secretary may approve procurement procedures for public housing agencies participating in the Moving to Work Charter program established under this section that reduce administrative burdens of procurement requirements imposed by Federal law.

(i) SUBSEQUENT LAWS PREEMPTED.—A public housing agency participating in the Moving to Work Charter program established under this section shall not be subject to any provision of law which conflicts with the provisions of this section and which is enacted subsequent to the date of execution of such agency's charter contract or Moving to Work program agreement, as described in subsection (j), unless such law expressly provides for such law's application to public housing agencies subject to this section.

(j) EXISTING AGREEMENTS.—Notwithstanding anything in this section or any other provision of law, any public housing agency which has an existing Moving to Work program agreement with the Secretary pursuant to section 204 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (Public Law 104–134; 110 Stat. 1321–281) and which is not in default thereof, may, at the option of such agency—

(1) continue to operate under the terms and conditions of such agreement notwithstanding any limitation on the terms contained in such contract; or

(2) at any time, enter into a charter contract with the Secretary on terms and conditions which are not less favorable to the agency than such existing agreement.

(k) PUBLIC HOUSING AGENCY EVALUATION.—

(1) IN GENERAL.—Not later than the end of fiscal year 2017, the Secretary shall appoint a Federal advisory committee consisting of public housing agencies with charter contracts, public housing industry organizations, resident organizations, other public housing and section 8 voucher stakeholders, and experts on accreditation systems in similar fields, to assess and develop a demonstration program to test standards, criteria, and practices for a national public housing agency accreditation system or other evaluation system.

(2) REPORT.—Not later than the end of fiscal year 2019, the committee established under paragraph (1) and the Secretary shall provide a report and recommendations to Congress with respect to the establishment of a national public housing agency accreditation system.

SA 3997. Mr. KIRK submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. INSPECTION OF KITCHENS AND FOOD SERVICE AREAS AT MEDICAL FACILITIES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary of Veterans Affairs shall provide for the conduct of inspections of kitchens and food service areas at each medical facility of the Department of Veterans Affairs to ensure that the same standards for kitchens and food service areas at hospitals in the private sector are being met at kitchens and food service areas at medical facilities of the Department.

(b) AGREEMENT.—

(1) IN GENERAL.—The Secretary shall seek to enter into an agreement with the Joint Commission on Accreditation of Hospital Organizations under which the Joint Commission on Accreditation of Hospital Organizations conducts the inspections required under subsection (a).

(2) ALTERNATE ORGANIZATION.—If the Secretary is unable to enter into an agreement described in paragraph (1) with the Joint Commission on Accreditation of Hospital Organizations on terms acceptable to the Secretary, the Secretary shall seek to enter into such an agreement with another appropriate organization that—

(A) is not part of the Federal Government;

(B) operates as a not-for-profit entity; and

(C) has expertise and objectivity comparable to that of the Joint Commission on Accreditation of Hospital Organizations.

(c) REMEDIATION PLAN.—

(1) INITIAL FAILURE.—If a kitchen or food service area of a medical facility of the Department is determined pursuant to an inspection conducted under subsection (a) not to meet the standards for kitchens and food service areas in hospitals in the private sector, that medical facility fails the inspection and the Secretary shall—

(A) implement a remediation plan for that medical facility within 48 hours; and

(B) Conduct a second inspection under subsection (a) at that medical facility within 7 days of the failed inspection.

(2) SECOND FAILURE.—If a medical facility of the Department fails the second inspection conducted under paragraph (1)(B), the Secretary shall close the kitchen or food service area at that medical facility that did not meet the standards for kitchens and food service areas in hospitals in the private sector until remediation is completed and all kitchens and food service areas at that medical facility meet such standards.

(3) PROVISION OF FOOD.—If a kitchen or food service area is closed at a medical facility of the Department pursuant to paragraph (2), the Director of the Veterans Integrated Service Network in which the medical facility is located shall enter into a contract with a vendor approved by the General Services Administration to provide food at the medical facility.

(d) REPORTS.—

(1) QUARTERLY.—Not less frequently than quarterly, the Director of each Veterans Integrated Service Network shall submit to Congress a report on inspections conducted under this section during that quarter at medical facilities of the Department under the jurisdiction of that Director.

(2) SUBSEQUENT PERIOD.—A Director of a Veterans Integrated Service Network may submit to Congress the report described in paragraph (1) not less frequently than semiannually if the Director does not report any failed inspections for the one-year period preceding the submittal of the report.

SEC. 252. INSPECTION OF MOLD ISSUES AT MEDICAL FACILITIES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary of Veterans Affairs shall provide for the inspection of mold issues at medical facilities of the Department of Veterans Affairs.

(b) AGREEMENT.—

(1) IN GENERAL.—The Secretary shall seek to enter into an agreement with the Joint Commission on Accreditation of Hospital Organizations under which the Joint Commission on Accreditation of Hospital Organizations conducts the inspections required under subsection (a).

(2) ALTERNATE ORGANIZATION.—If the Secretary is unable to enter into an agreement described in paragraph (1) with the Joint Commission on Accreditation of Hospital Organizations on terms acceptable to the Secretary, the Secretary shall seek to enter into such an agreement with another appropriate organization that—

(A) is not part of the Federal Government;

(B) operates as a not-for-profit entity; and

(C) has expertise and objectivity comparable to that of the Joint Commission on Accreditation of Hospital Organizations.

(c) REMEDIATION PLAN.—If a medical facility of the Department is determined pursuant to an inspection conducted under subsection (a) to have a mold issue, the Secretary shall—

(1) implement a remediation plan for that medical facility within 48 hours; and

(2) Conduct a second inspection under subsection (a) at that medical facility within 90 days of the initial inspection.

(d) REPORTS.—

(1) QUARTERLY.—Not less frequently than quarterly, the Director of each Veterans Integrated Service Network shall submit to the Secretary of Veterans Affairs and Congress a report on inspections conducted under this section during that quarter at medical facilities of the Department under the jurisdiction of that Director.

(2) SUBSEQUENT PERIOD.—A Director of a Veterans Integrated Service Network may submit to Congress the report described in paragraph (1) not less frequently than semiannually if the Director does not report any mold issues for the one-year period preceding the submittal of the report.

SA 3998. Mr. TESTER (for himself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. COVERAGE UNDER DEPARTMENT OF VETERANS AFFAIRS BENEFICIARY TRAVEL PROGRAM OF TRAVEL IN CONNECTION WITH CERTAIN SPECIAL DISABILITIES REHABILITATION.

(a) IN GENERAL.—Section 111(b)(1) of title 38, United States Code, is amended by adding at the end the following new subparagraph:

''(G) A veteran with vision impairment, a veteran with a spinal cord injury or disorder, or a veteran with double or multiple amputations whose travel is in connection with care provided through a special disabilities rehabilitation program of the Department (including programs provided by spinal cord injury centers, blind rehabilitation centers, and prosthetics rehabilitation centers) if such care is provided—

''(i) on an in-patient basis; or

''(ii) during a period in which the Secretary provides the veteran with temporary lodging at a facility of the Department to make such care more accessible to the veteran.''.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the beneficiary travel program under section 111 of title 38, United States Code, as amended by subsection (a), that includes the following:

(1) The cost of the program.

(2) The number of veterans served by the program.

(3) Such other matters as the Secretary considers appropriate.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the first day of the first fiscal year that begins after the date of the enactment of this Act.

SA 3999. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 105, line 9, strike ''$5,000,000'' and insert ''$500,000''.

SA 4000. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 105, strike lines 5 through 10.

SA 4001. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 27, line 9, strike ''In addition'' and all that follows through the end of line 12.

SA 4002. Mr. BLUMENTHAL (for himself, Mr. MARKEY, and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 44 of division A, strike line 3 and all that follows through page 45, line 21, and insert the following:

SEC. 131. (a) Section 133 of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016 (division L of Public Law 114–113) is repealed.

(b) Section 133 of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2015 (division K of Public Law 113–235) is amended by striking subsections (a) and (b).

SA 4003. Ms. COLLINS (for Mr. SULLIVAN (for himself, Mr. SCHATZ, and Mr. MARKEY)) proposed an amendment to the bill S. 1335, to implement the Convention on the Conservation and Management of the High Seas Fisheries Resources in the North Pacific Ocean, as adopted at Tokyo on February 24, 2012, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Ensuring Access to Fisheries Act''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

SEC. 101. SHORT TITLE.

This subtitle may be cited as the ''North Pacific Fisheries Convention Implementation Act''.

SEC. 102. DEFINITIONS.

In this subtitle:

(1) ADVISORY COMMITTEE.—The term ''Advisory Committee'' means the advisory committee established under section 103.

(2) COMMISSION.—The term ''Commission'' means the North Pacific Fisheries Commission established pursuant to the North Pacific Fisheries Convention.

(3) COMMISSIONER.—The term ''Commissioner'' means a United States Commissioner appointed under section 103.

(4) CONVENTION AREA.—The term ''Convention Area''—

(A) means the waters of the high seas areas of the North Pacific Ocean; and

(B) excludes—

(i) the high seas areas of the Bering Sea and other high seas areas that are surrounded by the exclusive economic zone of a single nation, which are bounded to the south by a continuous line beginning at the seaward limit of waters under the jurisdiction of the United States around the Commonwealth of the Northern Mariana Islands at 20 degrees North latitude, then proceeding East and connecting the coordinates: 20°00′00″N, 180°00′00″E/W; 10°00′00″N 180°00′00″E/W; 10°00′00″N, 140°00′00″W; 20°00′00″N, 140°00′00″W; and thence East to the seaward limit of waters under the fisheries jurisdiction of Mexico; and

(ii) the exclusive economic zone of the United States or of any other country.

(5) COUNCIL.—The term ''Council'' means the North Pacific Fishery Management Council, the Pacific Fishery Management Council, or the Western Pacific Fishery Management Council established under section 302 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852).

(6) EXCLUSIVE ECONOMIC ZONE.—The term ''exclusive economic zone'' means—

(A) with respect to the United States, the zone established by Presidential Proclamation Numbered 5030 of March 10, 1983 (16 U.S.C. 1453 note), the inner boundary of which, for purposes of this subtitle, is a line coterminous with the seaward boundary of each of the coastal States; and

(B) with respect to a foreign country, a designated zone similar to the zone referred to in subparagraph (A) for that country.

(7) FISHERIES RESOURCES.—

(A) IN GENERAL.—The term ''fisheries resources'' means all fish, mollusks, crustaceans, and other marine species, including any products thereof, caught by a fishing vessel within the Convention Area.

(B) EXCLUSIONS.—The term ''fisheries resources'' does not include—

(i) sedentary species insofar as they are subject to the sovereign rights of coastal nations consistent with Article 77, paragraph 4 of the 1982 Convention and indicator species of vulnerable marine ecosystems as listed in, or adopted pursuant to, Article 13, paragraph 5 of the North Pacific Fisheries Convention;

(ii) catadromous species;

(iii) marine mammals, marine reptiles, or seabirds; or

(iv) other marine species already covered by pre-existing international fisheries management instruments within the area of competence of such instruments.

(8) FISHING ACTIVITIES.—

(A) IN GENERAL.—The term ''fishing activities'' means—

(i) the actual or attempted searching for, catching, taking, or harvesting of fisheries resources;

(ii) engaging in any activity that can reasonably be expected to result in the locating, catching, taking, or harvesting of fisheries resources for any purpose;

(iii) the processing of fisheries resources at sea;

(iv) the transhipment of fisheries resources at sea or in port; or

(v) any operation at sea in direct support of, or in preparation for, any activity described in clauses (i) through (iv), including transshipment.

(B) EXCLUSIONS.—The term ''fishing activities'' does not include any operation related to an emergency involving the health or safety of a crew member or the safety of a fishing vessel.

(9) FISHING VESSEL.—The term ''fishing vessel'' means any vessel used or intended for use for the purpose of engaging in fishing activities, including a processing vessel, a support ship, a carrier vessel, or any other vessel directly engaged in such fishing activities.

(10) HIGH SEAS.—The term ''high seas'' does not include an area that is within the exclusive economic zone of the United States or of any other country.

(11) NORTH PACIFIC FISHERIES CONVENTION.—The term ''North Pacific Fisheries Convention'' means the Convention on the Conservation and Management of the High Seas Fisheries Resources in the North Pacific Ocean (including any annexes, amendments, or protocols that are in force, or have come into force) for the United States, which was adopted at Tokyo on February 24, 2012.

(12) PERSON.—The term ''person'' means—

(A) any individual, whether or not a citizen or national of the United States;

(B) any corporation, partnership, association, or other entity, whether or not organized or existing under the laws of any State; or

(C) any Federal, State, local, tribal, or foreign government or any entity of such government.

(13) SECRETARY.—Except as otherwise specifically provided, the term ''Secretary'' means the Secretary of Commerce.

(14) STATE.—The term ''State'' means each of the several States of the United States, the District of Columbia, the Commonwealth of the Northern Mariana Islands, Guam, American Samoa, and any other commonwealth, territory, or possession of the United States.

(15) STRADDLING STOCK.—The term ''straddling stock'' means a stock of fisheries resources which migrates between, or occurs in, the exclusive economic zone of 1 or more parties to the Convention and the Convention Area.

(16) TRANSSHIPMENT.—The term ''transshipment'' means the unloading of any fisheries resources taken in the Convention Area from 1 fishing vessel to another fishing vessel either at sea or in port.

(17) 1982 CONVENTION.—The term ''1982 Convention'' means the United Nations Convention on the Law of the Sea of 10 December 1982.

SEC. 103. UNITED STATES PARTICIPATION IN THE NORTH PACIFIC FISHERIES CONVENTION.

(a) UNITED STATES COMMISSIONERS.—

(1) NUMBER OF COMMISSIONERS.—The United States shall be represented on the Commission by 5 United States Commissioners.

(2) SELECTION OF COMMISSIONERS.—The United States Commissioners shall be as follows:

(A) APPOINTMENT BY THE PRESIDENT.—

(i) IN GENERAL.—Two of the Commissioners shall be appointed by the President and shall be an officer or employee of—

(I) the Department of Commerce;

(II) the Department of State; or

(III) the United States Coast Guard.

(ii) SELECTION CRITERIA.—In making each appointment under clause (i), the President shall select a Commissioner from among individuals who are knowledgeable or experienced concerning fisheries resources in the North Pacific Ocean.

(B) NORTH PACIFIC FISHERY MANAGEMENT COUNCIL.—One Commissioner shall be the chairperson of the North Pacific Fishery Management Council or a designee of such chairperson.

(C) PACIFIC FISHERY MANAGEMENT COUNCIL.—One Commissioner shall be the chairperson of the Pacific Fishery Management Council or a designee of such chairperson.

(D) WESTERN PACIFIC FISHERY MANAGEMENT COUNCIL.—One Commissioner shall be the chairperson of the Western Pacific Fishery Management Council or a designee of such chairperson.

(3) CHAIRPERSON.—The President shall designate 1 of the Commissioners appointed under paragraph (2) to serve as chairperson of the United States Commissioners.

(b) ALTERNATE COMMISSIONERS.—In the event of a vacancy in a Commissioner appointed under subsection (a), the Secretary of State, in consultation with the Secretary, may designate from time to time and for periods of time considered appropriate an alternate Commissioner to the Commission. An alternate Commissioner may exercise all powers and duties of a Commissioner in the absence of a Commissioner appointed under subsection (a), and shall serve the remainder of the term of the absent Commissioner for which designated.

(c) ADMINISTRATIVE MATTERS.—

(1) EMPLOYMENT STATUS.—An individual serving as a Commissioner, or an alternative Commissioner, other than an officer or employee of the United States Government, shall not be considered a Federal employee, except for the purposes of injury compensation or tort claims liability as provided in chapter 81 of title 5, United States Code, and chapter 171 of title 28, United States Code.

(2) COMPENSATION.—An individual serving as a Commissioner or an alternate Commissioner, although an officer of the United States while so serving, shall receive no compensation for the individual's services as such Commissioner or alternate Commissioner.

(3) TRAVEL EXPENSES.—

(A) IN GENERAL.—The Secretary of State shall pay the necessary travel expenses of a Commissioner or an alternate Commissioner in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5, United States Code.

(B) REIMBURSEMENT.—The Secretary may reimburse the Secretary of State for amounts expended by the Secretary of State under this paragraph.

(d) ADVISORY COMMITTEE.—

(1) ESTABLISHMENT OF PERMANENT ADVISORY COMMITTEE.—

(A) MEMBERSHIP.—There is established an advisory committee which shall be composed of 11 members appointed by the Secretary as follows:

(i) A member engaging in commercial fishing activities in the management area of the North Pacific Fishery Management Council.

(ii) A member engaging in commercial fishing activities in the management area of the Pacific Fishery Management Council.

(iii) A member engaging in commercial fishing activities in the management area of the Western Pacific Fishery Management Council.

(iv) 3 members from the indigenous population of the North Pacific, including an Alaska Native, Native Hawaiian, or a native-born inhabitant of any State of the United States in the Pacific, and an individual from a Pacific Coast tribe.

(v) A member that is a marine fisheries scientist that is a resident of a State the adjacent exclusive economic zone for which is bounded by the Convention Area.

(vi) A member nominated by the Governor of the State of Alaska.

(vii) A member nominated by the Governor of the State of Hawaii.

(viii) A member nominated by the Governor of the State of Washington.

(ix) A member nominated by the Governor of the State of California.

(B) TERMS AND PRIVILEGES.—Each member of the Advisory Committee shall serve for a term of 2 years and shall be eligible for reappointment for not more than 3 consecutive terms. The Commissioners shall notify the Advisory Committee in advance of each meeting of the Commissioners. The Advisory Committee shall attend each meeting and shall examine and be heard on all proposed programs, investigations, reports, recommendations, and regulations of the Commissioners.

(C) PROCEDURES.—

(i) IN GENERAL.—The Advisory Committee shall determine its organization and prescribe its practices and procedures for carrying out its functions under this subtitle, the North Pacific Fisheries Convention, and the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(ii) PUBLIC AVAILABILITY OF PROCEDURES.—The Advisory Committee shall publish and make available to the public a statement of its organization, practices, and procedures.

(iii) QUORUM.—A majority of the members of the Advisory Committee shall constitute a quorum to conduct business.

(iv) PUBLIC MEETINGS.—Meetings of the Advisory Committee, except when in executive session, shall be open to the public. Prior notice of each non-executive meeting shall be made public in a timely fashion. The Advisory Committee shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(D) PROVISION OF INFORMATION.—The Secretary and the Secretary of State shall furnish the Advisory Committee with relevant information concerning fisheries resources and international fishery agreements.

(2) ADMINISTRATIVE MATTERS.—

(A) SUPPORT SERVICES.—The Secretary shall provide to the Advisory Committee in a timely manner such administrative and technical support services as are necessary to function effectively.

(B) COMPENSATION; STATUS.—An individual appointed to serve as a member of the Advisory Committee—

(i) shall serve without pay; and

(ii) shall not be considered a Federal employee, except for the purposes of injury compensation or tort claims liability as provided in chapter 81 of title 5, United States Code, and chapter 171 of title 28, United States Code.

(C) TRAVEL EXPENSES.—

(i) IN GENERAL.—The Secretary of State shall pay the necessary travel expenses of members of the Advisory Committee in carrying out the duties of the Advisory Committee in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5, United States Code.

(ii) REIMBURSEMENT.—The Secretary may reimburse the Secretary of State for amounts expended by the Secretary of State under this subparagraph.

(e) UNITED STATES PARTICIPATION.—In instances in which the United States is participating in any meeting of the parties to the North Pacific Fisheries Convention, the United States shall be represented by the Commissioners and the Advisory Committee.

SEC. 104. AUTHORITY AND RESPONSIBILITY OF THE SECRETARY OF STATE.

The Secretary of State may—

(1) receive and transmit, on behalf of the United States, reports, requests, recommendations, proposals, decisions, and other communications of and to the Commission;

(2) in consultation with the Secretary, act upon, or refer to other appropriate authority, any communication under paragraph (1);

(3) with the concurrence of the Secretary, and in accordance with the provisions of the Convention, object to any decision of the Commission; and

(4) in the conduct of any program, including scientific and research programs, under this subtitle, request and utilize on a reimbursed or non-reimbursed basis the assistance, services, personnel, equipment, and facilities of other Federal departments and agencies, foreign governments, foreign agencies, or international intergovernmental organizations.

SEC. 105. AUTHORITY OF THE SECRETARY OF COMMERCE.

(a) PROMULGATION OF REGULATIONS.—

(1) AUTHORITY.—The Secretary, in consultation with the Secretary of State and, with respect to enforcement measures, the Secretary of the department in which the Coast Guard is operating, is authorized to promulgate such regulations as may be necessary to carry out the United States international obligations under the North Pacific Fisheries Convention and this subtitle, including recommendations and decisions adopted by the Commission.

(2) REGULATIONS OF STRADDLING STOCKS.—In the implementation of a measure adopted by the Commission that would govern a straddling stock under the authority of a Council, any regulation promulgated by the Secretary to implement such measure within the exclusive economic zone of the United States shall be approved by such Council.

(b) RULE OF CONSTRUCTION.—Regulations promulgated under subsection (a) shall be applicable only to a person or a fishing vessel that is or has engaged in fishing activities, or fisheries resources covered by the North Pacific Fisheries Convention under this subtitle.

(c) ADDITIONAL AUTHORITY.—The Secretary may conduct, and may request and utilize on a reimbursed or non-reimbursed basis the assistance, services, personnel, equipment, and facilities of other Federal departments and agencies in—

(1) scientific, research, and other programs under this subtitle;

(2) fishing operations and biological experiments for purposes of scientific investigation or other purposes necessary to implement the North Pacific Fisheries Convention;

(3) the collection, utilization, and disclosure of such information as may be necessary to implement the North Pacific Fisheries Convention, subject to sections 552 and 552a of title 5, United States Code, and section 402(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881a(b));

(4) if recommended by the Commissioners, the assessment and collection of fees, not to exceed 3 percent of the ex-vessel value of fisheries resource harvested by vessels of the United States in fisheries conducted in the Convention Area, to recover the actual costs to the United States of management and enforcement under this subtitle, which shall be deposited as an offsetting collection in, and credited to, the account providing appropriations to carry out the functions of the Secretary under this subtitle; and

(5) the issuance of permits to owners and operators of United States vessels to engage in fishing activities in the Convention Area seaward of the exclusive economic zone of the United States, under such terms and conditions as the Secretary may prescribe, including the period of time that a permit is valid.

(d) CONSISTENCY WITH OTHER LAWS.—The Secretary shall ensure the consistency, to the extent practicable, of fishery management programs administered under this subtitle, the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), the Tuna Conventions Act of 1950 (16 U.S.C. 951 et seq.), the South Pacific Tuna Act of 1988 (16 U.S.C. 973 et seq.), section 401 of Public Law 108–219 (16 U.S.C. 1821 note) (relating to Pacific albacore tuna), the Western and Central Pacific Fisheries Convention Implementation Act (16 U.S.C. 6901 et seq.), the National Oceanic and Atmospheric Administration Authorization Act of 1992 (Public Law 102–567) and the amendments made by that Act, and Public Law 100–629 (102 Stat. 3286).

(e) JUDICIAL REVIEW OF REGULATIONS.—

(1) IN GENERAL.—Regulations promulgated by the Secretary under this subtitle shall be subject to judicial review to the extent authorized by, and in accordance with, chapter 7 of title 5, United States Code, if a petition for such review is filed not later than 30 days after the date on which the regulations are promulgated.

(2) RESPONSES.—Notwithstanding any other provision of law, the Secretary shall file a response to any petition filed in accordance with paragraph (1), not later than 30 days after the date the Secretary is served with that petition, except that the appropriate court may extend the period for filing such a response upon a showing by the Secretary of good cause for that extension.

(3) COPIES OF ADMINISTRATIVE RECORD.—A response of the Secretary under paragraph (2) shall include a copy of the administrative

record for the regulations that are the subject of the petition.

(4) EXPEDITED HEARINGS.—Upon a motion by the person who files a petition under this subsection, the appropriate court shall assign the matter for hearing at the earliest possible date.

SEC. 106. ENFORCEMENT.

(a) IN GENERAL.—The Secretary and the Secretary of the department in which the Coast Guard is operating—

(1) shall administer and enforce this subtitle and any regulations issued under this subtitle; and

(2) may request and utilize on a reimbursed or non-reimbursed basis the assistance, services, personnel, equipment, and facilities of other Federal departments and agencies in the administration and enforcement of this subtitle.

(b) SECRETARIAL ACTIONS.—Except as provided under subsection (c), the Secretary and the Secretary of the department in which the Coast Guard is operating shall prevent any person from violating this subtitle in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though sections 308 through 311 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1858, 1859, 1860, 1861) were incorporated into and made a part of this subtitle. Any person that violates any provision of this subtitle is subject to the penalties and entitled to the privileges and immunities provided in the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) in the same manner, by the same means, and with the same jurisdiction, power, and duties as though sections 308 through 311 of that Act (16 U.S.C. 1858, 1859, 1860, and 1861) were incorporated into and made a part of this subtitle.

(c) JURISDICTION OF THE COURTS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the district courts of the United States shall have exclusive jurisdiction over any case or controversy arising under the provisions of this subtitle, and any such court may at any time—

(A) enter restraining orders or prohibitions;

(B) issue warrants, process in rem, or other process;

(C) prescribe and accept satisfactory bonds or other security; and

(D) take such other actions as are in the interest of justice.

(2) HAWAII AND PACIFIC INSULAR AREAS.—In the case of Hawaii or any possession of the United States in the Pacific Ocean, the appropriate court is the United States District Court for the District of Hawaii, except that—

(A) in the case of Guam and Wake Island, the appropriate court is the United States District Court for the District of Guam; and

(B) in the case of the Northern Mariana Islands, the appropriate court is the United States District Court for the District of the Northern Mariana Islands.

(3) CONSTRUCTION.—Each violation shall be a separate offense and the offense shall be deemed to have been committed not only in the district where the violation first occurred, but also in any other district authorized by law. Any offense not committed in any district is subject to the venue provisions of section 3238 of title 18, United States Code.

(d) CONFIDENTIALITY.—

(1) IN GENERAL.—Any information submitted in compliance with a requirement under this subtitle to the Secretary or to implement the Convention, including information submitted on or before the date of enactment of the Ensuring Access to Fisheries Act, shall be confidential and may not be disclosed, except—

(A) to a Federal employee who is responsible for administering, implementing, or enforcing this subtitle;

(B) to the Commission, in accordance with requirements in the North Pacific Fisheries Convention and decisions of the Commission, and, insofar as possible, in accordance with an agreement with the Commission that prevents public disclosure of the identity or business of any person;

(C) to State, Council, or Marine Fisheries Commission employees pursuant to an agreement with the Secretary that prevents public disclosure of the identity or business of any person;

(D) when required by court order; or

(E) when the Secretary has obtained written authorization from the person submitting such information to release such information to another person for a reason not otherwise provided for in this paragraph, and such release does not violate other requirements of this subtitle.

(2) USE OF INFORMATION.—

(A) IN GENERAL.—Except as provided under subparagraph (B), the Secretary shall promulgate regulations regarding the procedures the Secretary considers necessary to preserve the confidentiality of information submitted under this subtitle.

(B) EXCEPTION.—The Secretary may release or make public information submitted under this subtitle if the information is in any aggregate or summary form that does not directly or indirectly disclose the identity or business of any person.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be interpreted or construed to prevent the use for conservation and management purposes by the Secretary of any information submitted under this subtitle.

SEC. 107. PROHIBITED ACTS.

It is unlawful for any person—

(1) to violate any provision of this subtitle or any regulation or permit issued pursuant to this subtitle;

(2) to use any fishing vessel to engage in fishing activities without, or after the revocation or during the period of suspension of, an applicable permit issued pursuant to this subtitle;

(3) to refuse to permit any officer authorized to enforce the provisions of this subtitle to board a fishing vessel subject to such person's control for the purposes of conducting any search, investigation, or inspection in connection with the enforcement of this subtitle or any regulation, permit, or the North Pacific Fisheries Convention;

(4) to assault, resist, oppose, impede, intimidate, or interfere with any such authorized officer in the conduct of any search, investigation, or inspection in connection with the enforcement of this subtitle or any regulation, permit, or the North Pacific Fisheries Convention;

(5) to resist a lawful arrest for any act prohibited by this subtitle or any regulation promulgated or permit issued under this subtitle;

(6) to ship, transport, offer for sale, sell, purchase, import, export, or have custody, control, or possession of, any fisheries resources if the person knew or should have known in the exercise of due care that the fisheries resources were taken or retained in violation of this subtitle or any regulation or permit referred to in paragraph (1) or paragraph (2);

(7) to interfere with, delay, or prevent, by any means, the apprehension or arrest of another person, knowing that such other person has committed any act prohibited by this section;

(8) to submit to the Secretary false information (including false information regarding the capacity and extent to which a United States fish processor, on an annual basis, will process a portion of the optimum yield of a fishery that will be harvested by fishing vessels of the United States) regarding any matter that the Secretary is considering in the course of carrying out this subtitle if the person knew or should have known in the exercise of due care that the information was false;

(9) to assault, resist, oppose, impede, intimidate, sexually harass, bribe, or interfere with any observer on a vessel under this subtitle, or any data collector employed by or under contract to any person to carry out responsibilities under this subtitle;

(10) to engage in fishing activities in violation of any regulation adopted pursuant to this subtitle;

(11) to fail to make, keep, or furnish any catch returns, statistical records, or other reports required by regulations adopted pursuant to this subtitle to be made, kept, or furnished;

(12) to fail to stop a vessel upon being hailed and instructed to stop by a duly authorized official of the United States;

(13) to import, in violation of any regulation adopted pursuant to this subtitle, any fisheries resources in any form of those species subject to regulation pursuant to a recommendation, resolution, or decision of the Commission, or any fisheries resources in any form not under regulation but under investigation by the Commission, during the period such fisheries resources have been denied entry in accordance with the provisions of this subtitle;

(14) to make or submit any false record, account, or label for, or any false identification of, any fisheries resources which have been, or are intended to be imported, exported, transported, sold, offered for sale, purchased, or received in interstate or foreign commerce; or

(15) to refuse to authorize and accept boarding by a duly authorized inspector pursuant to procedures adopted by the Commission for the boarding and inspection of fishing vessels in the Convention Area.

SEC. 108. COOPERATION IN CARRYING OUT CONVENTION.

(a) FEDERAL AND STATE AGENCIES; PRIVATE INSTITUTIONS AND ORGANIZATIONS.—The Secretary may cooperate with departments and agencies of the United States Government, any public or private institutions or organizations within the United States or abroad, and, through the Secretary of State, the duly authorized officials of the government of any party to the North Pacific Fisheries Convention, in carrying out responsibilities under this subtitle.

(b) SCIENTIFIC AND OTHER PROGRAMS; FACILITIES AND PERSONNEL.—Each Federal department and agency is authorized, upon the request of the Secretary, to cooperate in the conduct of scientific and other programs and to furnish facilities and personnel for the purpose of assisting the Commission in carrying out its duties under the North Pacific Fisheries Convention.

(c) SANCTIONED FISHING OPERATIONS AND BIOLOGICAL EXPERIMENTS.—Nothing in this subtitle, or in the laws of any State, prevents the Secretary or the Commission from—

(1) conducting or authorizing the conduct of fishing operations and biological experiments at any time for purposes of scientific investigation; or

(2) discharging any other duties prescribed by the North Pacific Fisheries Convention.

(d) STATE JURISDICTION NOT AFFECTED.—Nothing in this subtitle shall be construed to diminish or to increase the jurisdiction of any State in the territorial sea of the United States.

SEC. 109. TERRITORIAL PARTICIPATION.

The Secretary of State shall ensure participation in the Commission and its subsidiary bodies by the Commonwealth of the Northern Mariana Islands to the same extent provided to the territories of other nations.

SEC. 110. EXCLUSIVE ECONOMIC ZONE NOTIFICATION.

Masters of commercial fishing vessels of countries fishing under the management authority of the North Pacific Fisheries Convention that do not carry vessel monitoring systems capable of communicating with United States enforcement authorities shall, prior to or as soon as reasonably possible after, entering and transiting the exclusive economic zone bounded by the Convention Area—

(1) notify the United States Coast Guard of the name, flag state, location, route, and destination of the vessel and of the circumstances under which it will enter United States waters;

(2) ensure that all fishing gear on board the vessel is stowed below deck or otherwise removed from the place it is normally used for fishing activities and placed where it is not readily available for fishing activities; and

(3) if requested by an enforcement officer, proceed to a specified location so that a vessel inspection can be conducted.

SEC. 111. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated out of funds made available to the Secretary and the Secretary of State $500,000 for each of fiscal years 2017 through 2021 to carry out this subtitle and to pay the United States contribution to the Commission under Article 12 of the North Pacific Fisheries Convention.

Subtitle B—Miscellaneous

SEC. 121. FUNDING FOR TRAVEL EXPENSES.

(a) NORTH PACIFIC BERING SEA FISHERIES ADVISORY BODY.—Section 5 of the Act entitled ''An Act to approve the governing international fishery agreement between the United States and the Union of Soviet Socialist Republics, and for other purposes'', approved November 7, 1988 (Public Law 100–629; 16 U.S.C. 1823 note), is amended by adding at the end the following:

''(e) TRAVEL EXPENSES.—

''(1) IN GENERAL.—The Secretary of State shall pay the necessary travel expenses of the members of the advisory body established pursuant to this section in carrying out their service as such members in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5, United States Code.

''(2) REIMBURSEMENT.—The Secretary of Commerce may reimburse the Secretary of State for amounts expended by the Secretary of State under this subsection.''.

(b) NORTH PACIFIC ANADROMOUS FISH COMMISSION.—

(1) UNITED STATES COMMISSIONERS.—Section 804 of the North Pacific Anadromous Stocks Act of 1992 (16 U.S.C. 5003) is amended by adding at the end the following:

''(e) TRAVEL EXPENSES.—

''(1) IN GENERAL.—The Secretary shall pay the necessary travel expenses of the United States Commissioners and Alternate United States Commissioners in carrying out the duties of the Commission in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5, United States Code.

''(2) REIMBURSEMENT.—The Secretary of Commerce may reimburse the Secretary for amounts expended by the Secretary under this subparagraph.''.

(2) ADVISORY PANEL.—Section 805 of the North Pacific Anadromous Stocks Act of 1992 (16 U.S.C. 5004) is amended by striking subsection (e) and inserting the following:

''(e) COMPENSATION.—The members of the Advisory Panel shall receive no compensation for their service as such members.

''(f) TRAVEL EXPENSES.—

''(1) IN GENERAL.—The Secretary shall pay the necessary travel expenses of the members of the Advisory Panel in carrying out their service as such members in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5, United States Code.

''(2) REIMBURSEMENT.—The Secretary of Commerce may reimburse the Secretary for amounts expended by the Secretary under this subparagraph.''.

SEC. 122. NATIONAL SEA GRANT COLLEGE PROGRAM REAUTHORIZATION ACT OF 1998.

Section 10 of the National Sea Grant College Program Reauthorization Act of 1998 (15 U.S.C. 1541) is amended by striking ''the United States Coast Guard'' each place it appears and inserting ''another Federal agency''.

TITLE II—SOUTH PACIFIC FISHERIES CONVENTION IMPLEMENTATION ACT

SEC. 201. SHORT TITLE.

This title may be cited as the ''South Pacific Fisheries Convention Implementation Act''.

SEC. 202. DEFINITIONS.

In this title:

(1) ADVISORY COMMITTEE.—The term ''Advisory Committee'' means the advisory committee established under section 203.

(2) COMMISSION.—The term ''Commission'' means the South Pacific Fisheries Commission established under the South Pacific Fisheries Convention.

(3) COMMISSIONER.—The term ''Commissioner'' means a United States Commissioner appointed under section 203.

(4) CONVENTION AREA.—The term ''Convention Area'' means—

(A) the waters of the Pacific Ocean beyond areas of national jurisdiction and in accordance with international law, bounded by the 10° parallel of north latitude and the 20° parallel of south latitude and by the 135° meridian of east longitude and the 150° meridian of west longitude; and

(B) the waters of the Pacific Ocean beyond areas of national jurisdiction and in accordance with international law—

(i) east of a line extending south along the 120° meridian of east longitude from the outer limit of the national jurisdiction of Australia off the south coast of Western Australia to the intersection with the 55° parallel of south latitude; then due east along the 55° parallel of south latitude to the intersection with the 150° meridian of east longitude; then due south along the 150° meridian of east longitude to the intersection with the 60° parallel of south latitude;

(ii) north of a line extending east along the 60° parallel of south latitude from the 150° meridian of east longitude to the intersection with the 67° 16′ meridian of west longitude;

(iii) west of a line extending north along the 67° 16′ meridian of west longitude from the 60° parallel of south latitude to its intersection with the outer limit of the national jurisdiction of Chile; then along the outer limits of the national jurisdictions of Chile, Peru, Ecuador and Colombia to the intersection with the 2° parallel of north latitude; and

(iv) south of a line extending west along the 2° parallel of north latitude (but not including the national jurisdiction of Ecuador (Galapagos Islands)) to the intersection with the 150° meridian of west longitude; then due north along the 150° meridian of west longitude to its intersection with 10° parallel of north latitude; then west along the 10° parallel of north latitude to its intersection with the outer limits of the national jurisdiction of the Marshall Islands; and then generally south and around the outer limits of the national jurisdictions of Pacific States and territories, New Zealand and Australia until it connects to the commencement of the line described in clause (i).

(5) COUNCIL.—The term ''Council'' means the Western Pacific Regional Fishery Management Council.

(6) EXCLUSIVE ECONOMIC ZONE OF THE UNITED STATES.—The term ''exclusive economic zone of the United States'' means the zone established by Presidential Proclamation Numbered 5030 of March 10, 1983 (16 U.S.C. 1453 note), the inner boundary of which, for purposes of this title, is a line coterminous with the seaward boundary of each of the coastal States.

(7) FISHERY RESOURCES.—

(A) IN GENERAL.—The term ''fishery resources'' means all fish within the Convention Area.

(B) INCLUSIONS.—The term ''fishery resources'' includes mollusks, crustaceans, and other living marine resources, including any products thereof, as may be decided by the Commission.

(C) EXCLUSIONS.—The term ''fishery resources'' does not include—

(i) sedentary species in so far as they are subject to the national jurisdiction of coastal States pursuant to Article 77 paragraph 4 of the 1982 Convention;

(ii) highly migratory species listed in Annex I of the 1982 Convention;

(iii) anadromous species;

(iv) catadromous species;

(v) marine mammals;

(vi) marine reptiles; or

(vii) sea birds.

(8) FISHING.—

(A) IN GENERAL.—The term ''fishing'' means—

(i) the actual or attempted searching for, catching, taking, or harvesting of fishery resources;

(ii) engaging in any activity that can reasonably be expected to result in the locating, catching, taking, or harvesting of fishery resources for any purpose;

(iii) transshipment and any operation at sea in direct support of, or in preparation for, any activity described in this subparagraph; or

(iv) the use of any vessel, vehicle, aircraft, or hovercraft, in relation to any activity described in clauses (i) through (iii).

(B) EXCLUSIONS.—The term ''fishing'' does not include any operation related to an emergency involving the health or safety of a crew member or the safety of a fishing vessel.

(9) FISHING VESSEL.—The term ''fishing vessel'' means any vessel used or intended for use for the purpose of fishing, including a

support ship, a carrier vessel, or any other vessel directly involved in such fishing operations.

(10) PANEL.—The term ''Panel'' means the Council's Advisory Panel.

(11) PERSON.—The term ''person'' means—

(A) any individual, whether or not a citizen or national of the United States;

(B) any corporation, partnership, association, or other entity, whether or not organized or existing under the laws of any State; or

(C) any Federal, State, local, tribal, or foreign government, or any entity of such government.

(12) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(13) SOUTH PACIFIC FISHERIES CONVENTION.—The term ''South Pacific Fisheries Convention'' means the Convention on the Conservation and Management of the High Seas Fishery Resources in the South Pacific Ocean (including any annexes, amendments, or protocols that are in force, or have come into force, for the United States), which was adopted at Auckland on November 14, 2009.

(14) STATE.—The term ''State'' means each of the several States of the United States, the District of Columbia, American Samoa, Guam, and any other commonwealth, territory, or possession of the United States.

(15) STRADDLING STOCK.—The term ''straddling stock'' means a stock of fishery resources which migrates between, or occurs in, the exclusive economic zone of 1 or more parties to the South Pacific Fisheries Convention and the Convention Area.

(16) TRANSSHIPMENT.—The term ''transshipment'' means the unloading of all or any of the fishery resources or fishery resources products derived from fishing in the Convention Area on board a fishing vessel to another fishing vessel either at sea or in port.

(17) 1982 CONVENTION.—The term ''1982 Convention'' means the United Nations Convention on the Law of the Sea of 10 December 1982.

SEC. 203. APPOINTMENT OF UNITED STATES COMMISSIONERS.

(a) APPOINTMENT.—

(1) IN GENERAL.—The United States shall be represented on the Commission by not more than 3 Commissioners. In making each appointment, the President shall select a Commissioner from among individuals who are knowledgeable or experienced concerning fishery resources in the South Pacific Ocean.

(2) REPRESENTATION.—At least 1 of the Commissioners shall be—

(A) serving at the pleasure of the President, an officer or employee of—

(i) the Department of Commerce;

(ii) the Department of State; or

(iii) the United States Coast Guard; and

(B) the chairperson or designee of the Council.

(b) ALTERNATE COMMISSIONERS.—The Secretary of State, in consultation with the Secretary, may designate from time to time and for periods of time considered appropriate an alternate Commissioner to the Commission. An alternate Commissioner may exercise all powers and duties of a Commissioner in the absence of a Commissioner appointed under subsection (a).

(c) ADMINISTRATIVE MATTERS.—

(1) EMPLOYMENT STATUS.—An individual serving as a Commissioner, or as an alternate Commissioner, other than an officer or employee of the United States Government, shall not be considered a Federal employee, except for the purposes of injury compensation or tort claims liability as provided in chapter 81 of title 5, United States Code and chapter 171 of title 28, United States Code.

(2) COMPENSATION.—An individual serving as a Commissioner or an alternate Commissioner, although an officer of the United States while so serving, shall receive no compensation for the individual's services as such Commissioner or alternate Commissioner.

(3) TRAVEL EXPENSES.—

(A) IN GENERAL.—The Secretary of State shall pay the necessary travel expenses of a Commissioner or an alternate Commissioner in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5, United States Code.

(B) REIMBURSEMENT.—The Secretary may reimburse the Secretary of State for amounts expended by the Secretary of State under this paragraph.

(d) ADVISORY COMMITTEE.—

(1) ESTABLISHMENT OF PERMANENT ADVISORY COMMITTEE.—

(A) MEMBERSHIP.—There is established an advisory committee which shall be composed of 7 members appointed by the Secretary as follows:

(i) A member engaging in commercial fishing in the management area of the Council.

(ii) 2 members from the indigenous population of the Pacific, including a Native Hawaiian and a native-born inhabitant of any State in the Pacific.

(iii) A member that is a marine fisheries scientist and a member of the Council's Scientific and Statistical Committee.

(iv) A member representing a non-governmental organization active in fishery issues in the Pacific.

(v) A member nominated by the Governor of the State of Hawaii.

(vi) A member designated by the Council.

(B) TERMS AND PRIVILEGES.—Each member of the Advisory Committee shall serve for a term of 2 years and shall be eligible for reappointment for not more than 3 consecutive terms. The Commissioners shall notify the Advisory Committee in advance of each meeting of the Commissioners. The Advisory Committee may attend each meeting and may examine and be heard on all proposed programs, investigations, reports, recommendations, and regulations of the Commissioners.

(C) PROCEDURES.—

(i) IN GENERAL.—The Advisory Committee shall determine its organization and prescribe its practices and procedures for carrying out its functions under this title, the South Pacific Fisheries Convention, and the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(ii) PUBLIC AVAILABILITY OF PROCEDURES.—The Advisory Committee shall publish and make available to the public a statement of its organization, practices, and procedures.

(iii) QUORUM.—A majority of the members of the Advisory Committee shall constitute a quorum to conduct business.

(iv) PUBLIC MEETINGS.—Meetings of the Advisory Committee, except when in executive session, shall be open to the public. Prior notice of each non-executive meeting shall be made public in a timely fashion. The Advisory Committee shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(D) PROVISION OF INFORMATION.—The Secretary and the Secretary of State shall furnish the Advisory Committee with relevant information concerning fishery resources and international fishery agreements.

(2) ADMINISTRATIVE MATTERS.—

(A) SUPPORT SERVICES.—The Secretary shall provide to the Advisory Committee in a timely manner such administrative and technical support services as are necessary to function effectively.

(B) COMPENSATION; STATUS; EXPENSES.—An individual appointed to serve as a member of the Advisory Committee—

(i) shall serve without pay; and

(ii) shall not be considered a Federal employee, except for the purposes of injury compensation or tort claims liability as provided in chapter 81 of title 5, United States Code, and chapter 171 of title 28, United States Code.

(e) MEMORANDUM OF UNDERSTANDING.—For fishery resources in the Convention Area, the Secretary, in coordination with the Secretary of State, shall develop a memorandum of understanding with the Council that clarifies the role of the Council with respect to—

(1) participation in United States delegations to international fishery organizations in the Pacific Ocean, including government-to-government consultations;

(2) providing formal recommendations to the Secretary and the Secretary of State regarding necessary measures for both domestic and foreign fishing vessels;

(3) coordinating positions with the United States delegation for presentation to the appropriate international fishery organization; and

(4) recommending those domestic fishing regulations that are consistent with the actions of the international fishery organization, for approval and implementation under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

SEC. 204. AUTHORITY AND RESPONSIBILITY OF THE SECRETARY OF STATE.

The Secretary of State may—

(1) receive and transmit, on behalf of the United States, reports, requests, recommendations, proposals, decisions, and other communications of and to the Commission;

(2) in consultation with the Secretary, act upon, or refer to other appropriate authority, any communication under paragraph (1);

(3) with the concurrence of the Secretary, and in accordance with the provisions of the Convention, object to any decision of the Commission; and

(4) in the conduct of any program, including scientific and research programs, under this title, request and utilize on a reimbursed or non-reimbursed basis the assistance, services, personnel, equipment, and facilities of other Federal departments and agencies, foreign governments, foreign agencies, or international intergovernmental organizations.

SEC. 205. AUTHORITY OF THE SECRETARY OF COMMERCE.

(a) PROMULGATION OF REGULATIONS.—

(1) AUTHORITY.—The Secretary, in consultation with the Secretary of State and, with respect to enforcement measures, the Secretary of the department in which the Coast Guard is operating, is authorized to promulgate such regulations as may be necessary to carry out United States international obligations under the South Pacific Fisheries Convention and this title, including recommendations and decisions adopted by the Commission.

(2) REGULATIONS OF STRADDLING STOCKS.—If the Secretary has discretion in the implementation of 1 or more measures adopted by the Commission that would govern a straddling stock under the authority of the Council, the Secretary shall promulgate, to the extent practicable within the implementation schedule of the South Pacific Fisheries Convention and any recommendations and decisions adopted by the Commission, such

regulations in accordance with the procedures established by the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(b) RULE OF CONSTRUCTION.—Regulations promulgated under subsection (a) shall be applicable only to a person or a fishing vessel that is or has engaged in fishing, or fishery resources covered by the South Pacific Fisheries Convention under this title.

(c) ADDITIONAL AUTHORITY.—The Secretary may conduct, and may request and utilize on a reimbursed or non-reimbursed basis the assistance, services, personnel, equipment, and facilities of other Federal departments and agencies in—

(1) scientific, research, and other programs under this title;

(2) fishing operations and biological experiments for purposes of scientific investigation or other purposes necessary to implement the South Pacific Fisheries Convention;

(3) the collection, utilization, and disclosure of such information as may be necessary to implement the South Pacific Fisheries Convention, subject to sections 552 and 552a of title 5, United States Code, and section 402(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881a(b));

(4) if recommended by the Commissioners, the assessment and collection of fees, not to exceed 3 percent of the ex-vessel value of fishery resources harvested by vessels of the United States in fisheries conducted in the Convention Area, to recover the actual costs to the United States of management and enforcement under this title, which shall be deposited as an offsetting collection in, and credited to, the account providing appropriations to carry out the functions of the Secretary under this title; and

(5) the issuance of permits to owners and operators of United States vessels to engage in fishing in the Convention Area seaward of the exclusive economic zone of the United States, under such terms and conditions as the Secretary may prescribe, including the period of time that a permit is valid.

(d) CONSISTENCY WITH OTHER LAWS.—The Secretary shall ensure the consistency, to the extent practicable, of fishery management programs administered under this title, the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), the Tuna Conventions Act of 1950 (16 U.S.C. 951 et seq.), the South Pacific Tuna Act of 1988 (16 U.S.C. 973 et seq.), section 401 of Public Law 108–219 (16 U.S.C. 1821 note) (relating to Pacific albacore tuna), the Atlantic Tunas Convention Act of 1975 (16 U.S.C. 971 et seq.), and the Western and Central Pacific Fisheries Convention Implementation Act (16 U.S.C. 6901 et seq.).

(e) JUDICIAL REVIEW OF REGULATIONS.—

(1) IN GENERAL.—Regulations promulgated by the Secretary under this title shall be subject to judicial review to the extent authorized by, and in accordance with, chapter 7 of title 5, United States Code, if a petition for such review is filed not later than 30 days after the date on which the regulations are promulgated.

(2) RESPONSES.—Notwithstanding any other provision of law, the Secretary shall file a response to any petition filed in accordance with paragraph (1), not later than 30 days after the date the Secretary is served with that petition, except that the appropriate court may extend the period for filing such a response upon a showing by the Secretary of good cause for that extension.

(3) COPIES OF ADMINISTRATIVE RECORD.—A response of the Secretary under paragraph (2) shall include a copy of the administrative record for the regulations that are the subject of the petition.

(4) EXPEDITED HEARINGS.—Upon a motion by the person who files a petition under this subsection, the appropriate court shall assign the matter for hearing at the earliest possible date.

SEC. 206. ENFORCEMENT.

(a) IN GENERAL.—The Secretary and the Secretary of the department in which the Coast Guard is operating—

(1) shall administer and enforce this title and any regulations issued under this title; and

(2) may request and utilize on a reimbursed or non-reimbursed basis the assistance, services, personnel, equipment, and facilities of other Federal departments and agencies in the administration and enforcement of this title.

(b) SECRETARIAL ACTIONS.—Except as provided under subsection (c), the Secretary and the Secretary of the department in which the Coast Guard is operating shall prevent any person from violating this title in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though sections 308 through 311 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1858, 1859, 1860, 1861) were incorporated into and made a part of this title. Any person that violates any provision of this title is subject to the penalties and entitled to the privileges and immunities provided in the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) in the same manner, by the same means, and with the same jurisdiction, power, and duties as though sections 308 through 311 of that Act (16 U.S.C. 1858, 1859, 1860, 1861) were incorporated into and made a part of this title.

(c) JURISDICTION OF THE COURTS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the district courts of the United States shall have exclusive jurisdiction over any case or controversy arising under the provisions of this title, and any such court may at any time—

(A) enter restraining orders or prohibitions;

(B) issue warrants, process in rem, or other process;

(C) prescribe and accept satisfactory bonds or other security; and

(D) take such other actions as are in the interest of justice.

(2) HAWAII AND PACIFIC INSULAR AREAS.—In the case of Hawaii or any other State in the Pacific Ocean, the appropriate court is the United States District Court for the District of Hawaii, except that—

(A) in the case of Guam and Wake Island, the appropriate court is the United States District Court for the District of Guam; and

(B) in the case of the Northern Mariana Islands, the appropriate court is the United States District Court for the District of the Northern Mariana Islands.

(3) CONSTRUCTION.—Each violation shall be a separate offense and the offense shall be deemed to have been committed not only in the district where the violation first occurred, but also in any other district authorized by law. Any offense not committed in any district is subject to the venue provisions of section 3238 of title 18, United States Code.

(d) CONFIDENTIALITY.—

(1) IN GENERAL.—Any information submitted in compliance with a requirement under this title to the Secretary or to implement the Convention, including information submitted on or before the date of enactment of the Ensuring Access to Fisheries Act, shall be confidential and may not be disclosed, except—

(A) to a Federal employee who is responsible for administering, implementing, or enforcing this title;

(B) to the Commission, in accordance with requirements in the South Pacific Fisheries Convention and decisions of the Commission, and, insofar as possible, in accordance with an agreement with the Commission that prevents public disclosure of the identity or business of any person;

(C) to a State or Council employee pursuant to an agreement with the Secretary that prevents public disclosure of the identity or business of any person;

(D) when required by court order; or

(E) when the Secretary has obtained written authorization from the person submitting such information to release such information to another person for a reason not otherwise provided for in this paragraph, and such release does not violate other requirements of this title.

(2) USE OF INFORMATION.—

(A) IN GENERAL.—Except as provided under subparagraph (B), the Secretary shall promulgate regulations regarding the procedures the Secretary considers necessary to preserve the confidentiality of information under this title.

(B) EXCEPTION.—The Secretary may release or make public information submitted under this title if the information is in any aggregate or summary form that does not directly or indirectly disclose the identity or business of any person.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be interpreted or construed to prevent the use for conservation and management purposes by the Secretary of any information submitted under this title.

SEC. 207. PROHIBITED ACTS.

It is unlawful for any person—

(1) to violate any provision of this title or any regulation or permit issued under this title;

(2) to use any fishing vessel to engage in fishing without, or after the revocation or during the period of suspension of, an applicable permit issued under this title;

(3) to refuse to permit any officer authorized to enforce the provisions of this title to board a fishing vessel subject to such person's control for the purposes of conducting any search, investigation, or inspection in connection with the enforcement of this title or the South Pacific Fisheries Convention;

(4) to assault, resist, oppose, impede, intimidate, or interfere with any such authorized officer in the conduct of any search, investigation, or inspection in connection with the enforcement of this title or the South Pacific Fisheries Convention;

(5) to resist a lawful arrest for any act prohibited by this title or any regulation promulgated or permit issued under this title;

(6) to ship, transport, offer for sale, sell, purchase, import, export, or have custody, control, or possession of any fisheries resources if the person knew or should have known in the exercise of due care that the fisheries resources were taken or retained in violation of this title or any regulation or permit referred to in paragraph (1) or paragraph (2);

(7) to interfere with, delay, or prevent, by any means, the apprehension or arrest of another person, knowing that such other person has committed any act prohibited by this section;

(8) to submit to the Secretary false information (including false information regarding the capacity and extent to which a United States fish processor, on an annual basis, will process a portion of the optimum yield of a fishery that will be harvested by fishing vessels of the United States) regarding any matter that the Secretary is considering in the course of carrying out this title if the person knew or should have known in the exercise of due care that the information was false;

(9) to assault, resist, oppose, impede, intimidate, sexually harass, bribe, or interfere with any observer on a vessel under this title, or any data collector employed by or under contract to any person to carry out responsibilities under this title;

(10) to engage in fishing in violation of any regulation adopted under this title;

(11) to fail to make, keep, or furnish any catch returns, statistical records, or other reports required to be made, kept, or furnished under this title;

(12) to fail to stop a vessel upon being hailed and instructed to stop by a duly authorized official of the United States;

(13) to import, in violation of any regulation promulgated under this title, any fishery resources in any form of those species subject to regulation pursuant to a recommendation, resolution, or decision of the Commission, or any fishery resources in any form not under regulation but under investigation by the Commission, during the period the fishery resources have been denied entry in accordance with the provisions of this title;

(14) to make or submit any false record, account, or label for, or any false identification of, any fishery resources which have been, or are intended to be imported, exported, transported, sold, offered for sale, purchased, or received in interstate or foreign commerce; or

(15) to refuse to authorize and accept boarding by a duly authorized inspector pursuant to procedures adopted by the Commission for the boarding and inspection of fishing vessels in the Convention Area.

SEC. 208. COOPERATION IN CARRYING OUT CONVENTION.

(a) FEDERAL AND STATE AGENCIES; PRIVATE INSTITUTIONS AND ORGANIZATIONS.—The Secretary may cooperate with departments and agencies of the United States Government, any public or private institutions or organizations within the United States or abroad, and, through the Secretary of State, the duly authorized officials of the government of any party to the South Pacific Fisheries Convention, in carrying out responsibilities under this title.

(b) SCIENTIFIC AND OTHER PROGRAMS; FACILITIES AND PERSONNEL.—Each Federal department and agency is authorized, upon the request of the Secretary, to cooperate in the conduct of scientific and other programs and to furnish facilities and personnel for the purpose of assisting the Commission in carrying out its duties under the South Pacific Fisheries Convention.

(c) SANCTIONED FISHING OPERATIONS AND BIOLOGICAL EXPERIMENTS.—Nothing in this title, or in the laws of any State, prevents the Secretary or the Commission from—

(1) conducting or authorizing the conduct of fishing operations and biological experiments at any time for purposes of scientific investigation; or

(2) discharging any other duties prescribed by the South Pacific Fisheries Convention.

(d) STATE JURISDICTION NOT AFFECTED.—Nothing in this title shall be construed to diminish or to increase the jurisdiction of any State in the territorial sea of the United States.

SEC. 209. TERRITORIAL PARTICIPATION.

The Secretary of State shall ensure participation in the Commission and its subsidiary bodies by American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands to the same extent provided to the territories of other nations.

SEC. 210. EXCLUSIVE ECONOMIC ZONE NOTIFICATION.

Masters of commercial fishing vessels of nations fishing under the management authority of the South Pacific Fisheries Convention that do not carry vessel monitoring systems capable of communicating with United States enforcement authorities shall, prior to, or as soon as reasonably possible after, entering and transiting the exclusive economic zone of the United States seaward of the Convention Area—

(1) notify the United States Coast Guard of the name, flag state, location, route, and destination of the vessel and of the circumstances under which it will enter the exclusive economic zone of the United States seaward of the Convention Area;

(2) ensure that all fishing gear on board the vessel is stowed below deck or otherwise removed from the place it is normally used for fishing and placed where it is not readily available for fishing; and

(3) if requested by an enforcement officer, proceed to a specified location so that a vessel inspection can be conducted.

SEC. 211. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated out of funds made available to the Secretary and the Secretary of State $500,000 for each of fiscal years 2017 through 2021 to carry out this title and to pay the United States contribution to the Commission under Article 15 of the South Pacific Fisheries Convention.

(b) INTERNATIONAL COOPERATION AND ASSISTANCE.—

(1) IN GENERAL.—Subject to the limits of available appropriations and consistent with applicable law, the Secretary or the Secretary of State shall provide appropriate assistance, including grants, to developing nations and international organizations of which such nations are members to assist those nations in meeting their obligations under the South Pacific Fisheries Convention.

(2) TRANSFER OF FUNDS.—Subject to the limits of available appropriations and consistent with other applicable law, the Secretary and the Secretary of State are authorized to transfer funds to any foreign government, international, non-governmental, or international organization, including the Commission, for purposes of carrying out the international responsibilities under paragraph (1).

TITLE III—NORTHWEST ATLANTIC FISHERIES CONVENTION AMENDMENTS ACT

SEC. 301. SHORT TITLE; REFERENCES TO THE NORTHWEST ATLANTIC FISHERIES CONVENTION ACT OF 1995.

(a) SHORT TITLE.—This title may be cited as the ''Northwest Atlantic Fisheries Convention Amendments Act''.

(b) REFERENCES TO THE NORTHWEST ATLANTIC FISHERIES CONVENTION ACT OF 1995.—Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Northwest Atlantic Fisheries Convention Act of 1995 (16 U.S.C. 5601 et seq.).

SEC. 302. REPRESENTATION OF THE UNITED STATES UNDER CONVENTION.

Section 202 (16 U.S.C. 5601) is amended—

(1) in subsection (a)(1), by striking ''General Council and the Fisheries'';

(2) in subsection (b)(1), by striking ''at a meeting of the General Council or the Fisheries Commission'';

(3) in subsection (b)(2), by striking '', at any meeting of the General Council or the Fisheries Commission for which the Alternate Commissioner is designated'';

(4) in subsection (d)(1), by striking ''at a meeting of the Scientific Council'';

(5) in subsection (d)(2), by striking '', at any meeting of the Scientific Council for which the Alternative Representative is designated''; and

(6) in subsection (f)(1)(A), by striking ''Magnuson Act'' and inserting ''Magnuson-Stevens Fishery Conservation and Management Act''.

SEC. 303. REQUESTS FOR SCIENTIFIC ADVICE.

Section 203 (16 U.S.C. 5602) is amended—

(1) in subsection (a)—

(A) by striking ''The Representatives may'' and inserting ''A Representative may'';

(B) by striking ''described in subsection (b)(1) or (2)'' and inserting ''described in paragraph (1) or (2) of subsection (b)''; and

(C) by striking ''the Representatives have'' and inserting ''the Representative has'';

(2) by striking ''VII(1)'' each place it appears and inserting ''VII(10)(b)''; and

(3) in subsection (b)(2), by striking ''VIII(2)'' and inserting ''VII(11)''.

SEC. 304. AUTHORITIES OF SECRETARY OF STATE WITH RESPECT TO CONVENTION.

Section 204 (16 U.S.C. 5603) is amended by striking ''Fisheries Commission'' each place it appears and inserting ''Commission consistent with the procedures detailed in Articles XIV and XV of the Convention''.

SEC. 305. INTERAGENCY COOPERATION.

Section 205(a) (16 U.S.C. 5604(a)) is amended to read as follows:

''(a) AUTHORITIES OF THE SECRETARY.—In carrying out the provisions of the Convention and this title, the Secretary may arrange for cooperation with—

''(1) any department, agency, or instrumentality of the United States;

''(2) a State;

''(3) a Council; or

''(4) a private institution or an organization.''.

SEC. 306. PROHIBITED ACTS AND PENALTIES.

Section 207 (16 U.S.C. 5606) is amended—

(1) by striking ''Magnuson Act'' each place it appears and inserting ''Magnuson-Stevens Fishery Conservation and Management Act''; and

(2) by striking ''fish'' each place it appears and inserting ''fishery resources''.

SEC. 307. CONSULTATIVE COMMITTEE.

Section 208 (16 U.S.C. 5607) is amended—

(1) in subsection (b)(2), by striking ''two'' and inserting ''2''; and

(2) in subsection (c), by striking ''General Council or the Fisheries'' each place it appears.

SEC. 308. DEFINITIONS.

Section 210 (16 U.S.C. 5609) is amended to read as follows:

''SEC. 210. DEFINITIONS.

''In this title:

''(1) 1982 CONVENTION.—The term '1982 Convention' means the United Nations Convention on the Law of the Sea of 10 December 1982.

''(2) AUTHORIZED ENFORCEMENT OFFICER.—The term 'authorized enforcement officer'

means a person authorized to enforce this title, any regulation issued under this title, or any measure that is legally binding on the United States under the Convention.

''(3) COMMISSION.—The term 'Commission' means the body provided for by Articles V, VI, XIII, XIV, and XV of the Convention.

''(4) COMMISSIONER.—The term 'Commissioner' means a United States Commissioner to the Northwest Atlantic Fisheries Organization appointed under section 202.

''(5) CONVENTION.—The term 'Convention' means the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries, done at Ottawa on October 24, 1978, and as amended on September 28, 2007.

''(6) CONVENTION AREA.—The term 'Convention Area' means the waters of the Northwest Atlantic Ocean north of 35°00′ N and west of a line extending due north from 35°00′ N and 42°00′ W to 59°00′ N, thence due west to 44°00′ W, and thence due north to the coast of Greenland, and the waters of the Gulf of St. Lawrence, Davis Strait and Baffin Bay south of 78°10′ N.

''(7) COUNCIL.—The term 'Council' means the New England Fishery Management Council or the Mid-Atlantic Fishery Management Council.

''(8) FISHERY RESOURCES.—

''(A) IN GENERAL.—The term 'fishery resources' means all fish, mollusks, and crustaceans, including any products thereof, within the Convention Area.

''(B) EXCLUSIONS.—The term 'fishery resources' does not include—

''(i) sedentary species over which coastal States may exercise sovereign rights consistent with Article 77 of the 1982 Convention; or

''(ii) in so far as they are managed under other international treaties, anadromous and catadromous stocks and highly migratory species listed in Annex I of the 1982 Convention.

''(9) FISHING ACTIVITIES.—

''(A) IN GENERAL.—The term 'fishing activities' means harvesting or processing fishery resources, or transhipping of fishery resources or products derived from fishery resources, or any other activity in preparation for, in support of, or related to the harvesting of fishery resources.

''(B) INCLUSIONS.—The term 'fishing activities' includes—

''(i) the actual or attempted searching for or catching or taking of fishery resources;

''(ii) any activity that can reasonably be expected to result in locating, catching, taking, or harvesting of fishery resources for any purpose; and

''(iii) any operation at sea in support of, or in preparation for, any activity described in this paragraph.

''(C) EXCLUSIONS.—The term 'fishing activities' does not include any operation related to emergencies involving the health and safety of crew members or the safety of a vessel.

''(10) FISHING VESSEL.—

''(A) IN GENERAL.—The term 'fishing vessel' means a vessel that is or has been engaged in fishing activities.

''(B) INCLUSIONS.—The term 'fishing vessel' includes a fish processing vessel or a vessel engaged in transshipment or any other activity in preparation for or related to fishing activities, or in experimental or exploratory fishing activities.

''(11) ORGANIZATION.—The term 'Organization' means the Northwest Atlantic Fisheries Organization provided for by Article V of the Convention.

''(12) PERSON.—The term 'person' means any individual (whether or not a citizen or national of the United States), and any corporation, partnership, association, or other entity (whether or not organized or existing under the laws of any State).

''(13) REPRESENTATIVE.—The term 'Representative' means a United States Representative to the Northwest Atlantic Fisheries Scientific Council appointed under section 202.

''(14) SCIENTIFIC COUNCIL.—The term 'Scientific Council' means the Scientific Council provided for by Articles V, VI, and VII of the Convention.

''(15) SECRETARY.—The term 'Secretary' means the Secretary of Commerce.

''(16) STATE.—The term 'State' means each of the several States of the United States, the District of Columbia, and any other commonwealth, territory, or possession of the United States.

''(17) TRANSSHIPMENT.—The term 'transshipment' means the unloading of all or any of the fishery resources on board a fishing vessel to another fishing vessel either at sea or in port.''.

SEC. 309. AUTHORIZATION OF APPROPRIATIONS.

Section 211 (16 U.S.C. 5610) is amended to read as follows:

''SEC. 211. CONTRIBUTIONS TO ORGANIZATION.

''There is authorized to be appropriated out of funds made available to the Secretary and the Secretary of State $500,000 for each of fiscal years 2017 through 2021 to carry out this title and to pay the United States contribution to the Organization as provided in Article IX of the Convention.''.

SEC. 310. QUOTA ALLOCATION PRACTICE.

Section 213 (16 U.S.C. 5612) is repealed.

SA 4004. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

In division A, strike section 225 and insert the following:

SEC. 225. (a) Any entity receiving housing assistance payments shall maintain decent, safe, and sanitary conditions, as determined by the Secretary of Housing and Urban Development (in this section referred to as the ''Secretary''), and comply with any standards under applicable State or local laws, rules, ordinances, or regulations relating to the physical condition of any property covered under a housing assistance payment contract.

(b) The Secretary shall take action under subsection (c) when a multifamily housing project with a section 8 contract or contract for similar project-based assistance—

(1) receives a Uniform Physical Condition Standards (UPCS) score of 30 or less;

(2) fails to certify in writing to the Secretary within 3 days that all Exigent Health and Safety deficiencies identified by the inspector at the project have been corrected; or

(3) receives a UPCS score between 31 and 59 and has received consecutive scores of less than 60 on UPCS inspections.

Such requirements shall apply to insured and noninsured projects with assistance attached to the units under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), but do not apply to such units assisted under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to public housing units assisted with capital or operating funds under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g).

(c) CORRECTIONS OF DEFICIENCIES.—

(1) The Secretary shall notify the owner and provide an opportunity for response within 30 days. If the violations remain, the Secretary shall develop a Compliance, Disposition and Enforcement Plan within 60 days and must provide the owner with a Notice of Default with a specified timetable, determined by the Secretary, for correcting all deficiencies. The Secretary must also provide a copy of the Notice of Default to the tenants, the local government, any mortgagees, and any contract administrator. If the owner's appeal results in a UPCS score of 60 or above, the Secretary may withdraw the Notice of Default.

(2) At the end of the time period for correcting all deficiencies specified in the Notice of Default, if the owner fails to fully correct such deficiencies, the Secretary may—

(A) require immediate replacement of project management with a management agent approved by the Secretary;

(B) impose civil money penalties, which shall be used solely for the purpose of supporting safe and sanitary conditions at applicable properties, as designated by the Secretary, with priority given to the tenants of the property affected by the penalty;

(C) abate the section 8 contract, including partial abatement, as determined by the Secretary, until all deficiencies have been corrected;

(D) pursue transfer of the project to an owner, approved by the Secretary under established procedures, which will be obligated to promptly make all required repairs and to accept renewal of the assistance contract as long as such renewal is offered;

(E) transfer the existing section 8 contract to another project or projects and owner or owners;

(F) pursue exclusionary sanctions, including suspensions or debarments from Federal programs;

(G) seek judicial appointment of a receiver to manage the property and cure all project deficiencies or seek a judicial order of specific performance requiring the owner to cure all project deficiencies;

(H) work with the owner, lender, or other related party to stabilize the property in an attempt to preserve the property through compliance, transfer of ownership, or an infusion of capital provided by a third-party that requires time to effectuate; or

(I) take any other regulatory or contractual remedies available as deemed necessary and appropriate by the Secretary.

(d) The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect, subject to the exercise of contractual abatement remedies to assist relocation of tenants for major threats to health and safety after written notice to and informed consent of the affected tenants and use of other remedies set forth above. To the extent the Secretary determines, in consultation with the tenants and the local government, that the property is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (''MAHRAA'')

and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance.

(e) The Secretary shall report quarterly on all properties covered by this section that are assessed through the Real Estate Assessment Center and have UPCS physical inspection scores of less than 60 or have received an unsatisfactory management and occupancy review within the past 36 months. The report shall include—

(1) the enforcement actions being taken to address such conditions, including imposition of civil money penalties and termination of subsidies, and identify properties that have such conditions multiple times;

(2) actions that the Department of Housing and Urban Development is taking to protect tenants of such identified properties; and

(3) any administrative or legislative recommendations to further improve the living conditions at properties covered under a housing assistance payment contract.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on May 17, 2016, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FINANCE

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 17, 2016, at 10 a.m., in room SD–215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Integrating the Corporate and Individual Tax Systems: The Dividends Paid Deduction Considered.''

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

COMMITTEE ON FOREIGN RELATIONS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 17, 2016, 11 a.m., to conduct a hearing entitled ''War in Syria: Next Steps to Mitigate the Crisis.''

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 17, 2016, at 2:30 p.m., to conduct a hearing entitled ''America's Insatiable Demand for Drugs: Assessing the Federal Response.''

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

COMMITTEE ON THE JUDICIARY

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on May 17, 2016, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''National Foster Care Month: Supporting Youth in the Foster Care and Juvenile Justice Systems.''

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

SELECT COMMITTEE ON INTELLIGENCE

Ms. COLLINS. Mr. President, I ask unanimous consent that the Select Committee On Intelligence be authorized to meet during the session of the Senate on May 17, 2016, at 2:30 p.m., in room SH–219 of the Hart Senate Office Building.

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

SUBCOMMITTEE ON EAST ASIA, THE PACIFIC, AND INTERNATIONAL CYBER SECURITY

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations Subcommittee on East Asia, the Pacific, and International Cyber Security be authorized to meet during the session of the Senate on May 17, 2016, 4 p.m., to conduct a hearing entitled ''International Cybersecurity Strategy.''

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

SUBCOMMITTEE ON FISHERIES, WATER, AND WILDLIFE

Ms. COLLINS. Mr. President, I ask unanimous consent that the Subcommittee on Fisheries, Water, and Wildlife of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on May 17, 2016, at 10 a.m., in room SD–406 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Marine Debris and Wildlife: Impacts, Sources, and Solutions.''

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

SUBCOMMITTEE ON WATER AND POWER

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources' Subcommittee on Water and Power be authorized to meet during the session of the Senate on May 17, 2016, at 2 p.m., in room SD–366 of the Dirksen Senate Office Building.

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

PRIVILEGES OF THE FLOOR

Ms. COLLINS. Mr. President, I ask unanimous consent that Christopher Banks, a congressional detailee to the Appropriations Committee, be given floor privileges for the remainder of this session.

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

NATIONAL POLICE WEEK

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 468, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 468) designating the week of May 15 through May 21, 2016, as ''National Police Week.''

There being no objection, the Senate proceeded to consider the resolution.

Ms. COLLINS. Mr. President, I ask unanimous consent that I be added as a cosponsor to S. Res. 468.

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

Ms. COLLINS. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 468) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

NORTH PACIFIC FISHERIES CONVENTION IMPLEMENTATION ACT

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 405, S. 1335.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1335) to implement the Convention on the Conservation and Management of the High Seas Fisheries Resources in the North Pacific Ocean, as adopted at Tokyo on February 24, 2012, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Ms. COLLINS. Mr. President, I ask unanimous consent that the Sullivan substitute amendment be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 4003) in the nature of a substitute was agreed to.

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

The bill (S. 1335), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

ORDERS FOR WEDNESDAY, MAY 18, 2016

Ms. COLLINS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, May 18; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate be in a period of morning business for 1 hour, with Senators permitted to speak therein, and with the majority controlling the first half and the Democrats controlling the final half; that following morning business, the Senate then resume consideration of H.R. 2577; finally, that all time during the adjournment and morning business count postcloture on the Blunt-Murray amendment No. 3900.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Ms. COLLINS. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order following the remarks of the Senator from Rhode Island, Mr. WHITEHOUSE.

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

The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I thank the chairman for giving me this time at the end of the day and congratulate her on the progress that has been made with my senior Senator, JACK REED, on this bill.

This is the 137th time that I have addressed this body, asking us to wake up to the threat of climate change. While we sleepwalk, our atmosphere and oceans continue to suffer the damage caused by carbon pollution. As we do nothing, more and more Americans demand action. Look at the new findings from Yale and George Mason Universities. Despite years of industry climate denial propaganda, 75 percent of all registered voters—88 percent of Democrats, 78 percent of Independents, and 61 percent of Republicans—support regulating carbon dioxide as a pollutant; 74 percent of registered voters—88 percent of Democrats, 74 percent of Independents, and 56 percent of Republicans—say corporations and industry should do more to address global warming, and 68 percent of all registered voters—86 percent of Democrats, 66 percent of Independents, and 47 percent even of Republicans—believe fossil fuel companies should be required to pay a carbon tax and the money should be used to reduce other taxes, such as income taxes, by an equal amount.

So why does this Chamber sit idly by and not even have that conversation? Take the fossil fuel industry. For years Big Oil and its allies funded outright denial of man-made climate change. Now they have shifted strategies, from denial to dissembling—saying one thing but doing another.

Take ExxonMobil. In 2007, the oil giant committed to stop funding the front groups that promote science denial. Here is what they said: ''In 2008, we will discontinue contributions to several public policy research groups whose positions on climate change could divert attention from the important discussion on how the world will secure the energy required for economic growth in an environmentally responsible manner.''

This sounds like a step toward responsible corporate behavior. A casual reader might believe that ExxonMobil would in fact stop funding groups with anti-scientific climate positions. One might think that, but one would be wrong.

According to publicly available company documents, in 2014, ExxonMobil funded several organizations that promote climate science disinformation, including the American Legislative Exchange Council, which peddled legislation to State legislatures that include a finding that human-induced global warming ''may lead to . . . possibly beneficial climactic changes''; the Hoover Institution, whose senior fellow is not a climate scientist, argued that climate data since 1880 supports a conclusion that it would take as long as long as 500 years to reach 4 degrees centigrade of global warming; the Manhattan Institute of Policy Research, where a senior fellow writing about climate change said: ''The science is not settled, not by a long shot. . . . Furthermore, even if we accept that carbon dioxide is bad, it's not clear exactly what we should do about it''; the so-called National Black Chamber of Commerce, whose President and CEO, Harry Alford, played the debunked denier card, that ''there has been no global warming detected for the last 18 years. That is over 216 months in a row that there has been no detected global warming.'' By the way, NASA just reported that April was the hottest April ever recorded, just like every one of the past 7 months was the hottest ever recorded for that month. Let's not forget our friends at the Pacific Legal Foundation, whose senior attorney attacked EPA's authority to even regulate CO_2, in part, because it is a ''ubiquitous natural substance essential to life on Earth.''

Saying one thing and doing another—ExxonMobil is publicly saying it is separated from the climate denial outfits, but it is still subsidizing their work to undermine public understanding of climate change. This doesn't even count whatever they may be doing behind the dark money curtain that wretched Citizens United decision gave them.

The hypocrisy turns even worse in fossil fuel industry lobbying. An ExxonMobil executive recently stated: ''When governments are considering policy options, ExxonMobil believes a revenue-neutral carbon tax is the most effective way to manage carbon emissions.''

I have a revenue-neutral carbon tax bill, along with Senator SCHATZ, and I can assure this body that ExxonMobil is not lobbying in support of it. Every Member of Congress knows that all the massive political infrastructure of the fossil fuel industry is adamantly opposed to any meaningful action.

Shell Oil issued a report just last week that states: ''Economy-wide carbon pricing—whether through carbon trading, carbon taxes or mandated carbon-emissions standards—provides an efficient and cost-effective way of aligning incentives and motivating action across the economy to reduce carbon emissions.''

Top executives of six large European oil and gas companies, including Shell, BP and Statoil, issued a joint letter calling on governments ''to introduce carbon pricing systems where they do not yet exist at the national or regional levels. . . . [W]e and our senior staff will seek to engage and share our companies' perspectives on the role of carbon pricing in several important settings,'' which includes ''in our meetings with Ministers and government representatives.''

I ask unanimous consent to have printed in the RECORD the letter at the conclusion of my remarks.

The question is, Has any Member of the Senate ever seen Shell or BP or Statoil or any other oil and gas company or any of their lobbying entities even once lobby Members of Congress on carbon pricing—other than, of course, to say, hell, no.

My bill with Senator SCHATZ, the American Opportunity Carbon Fee Act, provides a market-based, revenue-neutral carbon fee—just like these companies say they support. It is built on principles espoused by leading Republican economists and by Republican former officeholders.

Despite the industry's claims, I have seen exactly zero evidence that any of these companies—or their sizable trade associations—are using any of their lobbying muscle to advance carbon pricing legislation. Instead, ExxonMobil and Shell and the trade associations that represent them continue to pump millions of dollars into political machinery designed to lobby against any action on climate change. They say one thing, but they do another.

This chart from the nonprofit research organization InfluenceMap

shows the streams of money flowing from ExxonMobil and from Shell, as well as from the American Petroleum Institute, the Western States Petroleum Association, and even the Australian Petroleum Production and Exploration Association. In 2015 alone, ExxonMobil spent $27 million, Shell spent $22 million, and the American Petroleum Institute spent $65 million on obstructive climate lobbying. This money deluge includes advertising and public relations, direct lobbying in Congress and at statehouses, and political contributions and electioneering. They say one thing but do another—to the tune of $100 million a year.

As late as 2014, ExxonMobil gave the U.S. Chamber of Commerce $1 million for the chamber to propagate its climate message, delivered loud and clear not only here in Congress but in the courts, of absolute intransigence against any serious climate action. The U.S. Chamber is powerful, and in Congress we all see everywhere around us its implacable hostility against serious climate legislation.

The gap between ExxonMobil's stated support for a revenue-neutral carbon tax and its lobbying activities in Congress against any such thing is why Representative TED LIEU of California and I recently asked the American Geophysical Union, a topnotch scientific society, to reexamine its financial support from ExxonMobil. The American Geophysical Union is made up of honest scientists. In their world, they likely expect that when people say something, it is true. Sadly, in Congress we don't enjoy the same experience. The good-hearted folks at the American Geophysical Union appear to have been taken in by ExxonMobil's false claims of support for a carbon price. Since we actually see the fossil fuel industry's lobbying presence, we wanted to correct any false impression.

> What we see in Congress is that their lobbying efforts are 100 percent opposed to any action on Climate. . . . Whatever position AGU chooses to take, you should not take it based on self-serving representations by ExxonMobil.

POLITICO reported that in November ExxonMobil sent executives to Capitol Hill to try and convince congressional critics that ExxonMobil is a conscientious corporation that supports ''sound climate policy.'' Who did they think they were kidding? Do they think we don't know how they lobby? We are the targets of their lobbying. We know how they lobby. Unsurprisingly, the ExxonMobil executives left DC ''empty-handed . . . after refusing to directly answer questions about whether [ExxonMobil] had suppressed internal research that underscored the threat of climate change while publicly sowing doubt about climate science.''

Given the fossil fuel industry's massive conflict of interest on carbon pollution, there is every reason for them to play a double game: trying to buy a little credibility for themselves with their public comments, while at the same time using all their lobbying muscle to crush any threat of bipartisan action on the carbon pricing they claim to espouse.

Sadly, in this double game they play, the fossil fuel industry has essentially no corporate opposition in Congress. Across the private sector, there are great corporate leaders on climate change, but from what I see, corporate climate lobbying from the good guys nets to zero. The good guys have given up the field and let the fossil fuel industry to have its way with Congress unopposed, and the result is predictable: Many good Members of Congress are frozen in place, often against their better judgment.

I ask unanimous consent to have printed in the RECORD an article I recently wrote for Harvard Business Review explaining this reality.

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

[From The Harvard Business Review, Feb. 25, 2016]

THE CLIMATE MOVEMENT NEEDS MORE CORPORATE LOBBYISTS

(By Sheldon Whitehouse)

Across corporate America, there is broad support for action on climate change. Leading businesses and executives vocally supported President Obama on the Paris Agreement. Many companies have committed themselves to getting onto a sustainable path, and many are pushing their commitment out through their supply chains. This is good, and it's important.

But it makes us in Congress feel a little left out. The corporate lobbying presence in Congress is immense. But in my experience, exactly zero of it is dedicated to lobbying for a good, bipartisan climate bill.

Dante wrote that above the Inferno was a sign: ''Abandon hope all ye who enter here.'' But there is hope in Congress. Many of my Republican colleagues are eager for some political support, to counter the fossil fuel industry's relentless onslaught.

Despite the statements emitted from oil companies' executive suites about taking climate change seriously and supporting a price on carbon, their lobbying presence in Congress is 100% opposed to any action. In particular, the American Petroleum Institute, the oil industry trade association, is an implacable foe. Given the industry's massive conflict of interest, there is every reason to believe they are playing a double game: trying to buy a little credibility with these public comments while using all their quiet lobbying muscle to crush any threat of bipartisan action on the carbon pricing they claim to espouse.

I am a sponsor of a Senate carbon fee bill, so I know this firsthand. I see their destructive handiwork all around me—and they have no corporate opposition.

Let me use the example of two good guys: Coca-Cola and PepsiCo. I believe they care about climate change. They have no conflict of interest like fossil fuel companies do. Both signed a public letter urging strong action on climate in Paris. Pepsi signed two major business climate action pledges, the Ceres BICEP Climate Declaration in the United States and the Prince of Wales's Corporate Leaders Group Trillion Tonne Communiqué in the UK.

Coca-Cola's website says it will reduce CO_2 emissions by 25% by ''making comprehensive carbon footprint reductions across its manufacturing processes, packaging formats, delivery fleet, refrigeration equipment, and ingredient sourcing.'' Coca-Cola says, ''We . . . encourag[e] progress in response to climate change.'' Indra Nooyi, chair and CEO of PepsiCo says: ''Combating climate change is absolutely critical to the future of our company, customers, consumers—and our world. I believe all of us need to take action now.''

And they are taking action. Their effort puts Coke and Pepsi at the forefront of corporate climate responsibility. But they lobby Congress through a trade association, the American Beverage Association, and through the business lobbying group, the U.S. Chamber of Commerce. The American Beverage Association sits on the board of the U.S. Chamber of Commerce and contributes a lot of money to it.

The American Beverage Association, as far as I can tell, has never lobbied on climate change. When the Association thought Congress might impose a soda tax to fund health care, they lobbied like crazy—nearly $30 million dollars' worth. They know how to lobby, when they want to. But on climate, I've never seen it.

Everyone in Congress knows that the U.S. Chamber of Commerce is dead set against Congress doing anything serious about climate change. The U.S. Chamber is very powerful, and its power in Congress is fully dedicated to stopping any serious climate legislation. We see their hostility everywhere.

The result is that Coke and Pepsi take great positions on climate change in their public materials and private actions, but here in Congress their lobbying agencies don't support their position.

No corporate lobbying force is exerted for good on climate change. Mars, maker of the iconic M&M, is going fully carbon neutral. Its climate performance is spectacular. No lobbying. WalMart, America's biggest retailer, is spending tens of millions of dollars to become sustainable. No lobbying. Apple and Google and Facebook are forward-looking, cutting-edge companies of the future, and they lead in sustainability. No lobbying.

The reasoning I am given is always the same. People fear retribution, so embedded is the fossil fuel industry in Congress. The result is the good guys abandoning the field to the worst climate actors in America: the fossil fuel industry and its array of front groups. They don't just lobby. The roughest of these, Americans for Prosperity, boasts loudly that it will spend $750 million in this election (it's already through $400 million and climbing) and that any effort to address climate change will put candidates in ''political peril,'' that they'll be ''at a severe disadvantage.'' Subtle like a brick.

My response is twofold.

Climate change is not just any other issue. It's so big an issue that the world's leaders just gathered in Paris to address it. It's so big an issue that it has its own page on most corporate websites. It's so big an issue that our former Pacific commander, Admiral Samuel J. Locklear, said it was the biggest national security threat we face in the Pacific Theater. To use his words, climate change ''is probably the most likely thing that is going to happen . . . that will cripple the security environment, probably more likely than the other scenarios we all often talk about.'' So it's big enough for corporations to treat it as more than just another issue in Congress.

Second, they can't hurt you if you organize. An antelope alone may fall to the hyenas, but the herd will protect itself. The fossil fuel industry can't punish Coke and Pepsi and WalMart and Apple and Google and Mars and all the other 100-plus companies who rallied publicly around a strong Paris agreement. You have to stand together.

Around Congress, the bullying menace of the fossil fuel industry is a constant. If the good guys cede the field to them, the result is predictable: members of Congress frozen in place, often against their better judgment. It doesn't have to be this way. I'm in Congress, and I'm writing here to say: we need you guys to show up.

Mr. WHITEHOUSE. Mr. President, it is time not just for us to wake up but for the good guys to show up. Fossil fuel folks for years outright denied climate change and happily funded their array of denial front groups. That failed the tests of truth and decency, but at least it was consistent. This new hypocrisy, to say one thing and do another, is playing with fire. First, it poses a legal risk. It is never good to say things you can't truthfully say under oath, which may be one reason we see such histrionics from the climate denial front groups about investigations where fossil fuel executives may have to tell the truth under oath. Second, it is a real reputation risk, especially among younger consumers who aren't going to love an industry that lies. It is hard to say that you are not lying when what you are saying and what you are doing are opposite.

It is time for the fossil fuel industry to end this new double game. Either put your money where your mouth is and start working with Congress to enact a price on carbon, as you say you wish, or go back to your climate denial and your creepy front groups and see how that works out for you, but saying one thing while you are doing the exact opposite is just not sustainable.

I yield the floor.

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

MAY 29, 2015.

Her Excellency, Ms. CHRISTIANA FIGUERES,
Executive Secretary of the UNFCCC,
Bonn, Germany.

His Excellency, Mr. LAURENT FABIUS President of COP21,
Paris, France.

DEAR EXCELLENCIES: Climate change is a critical challenge for our world. As major companies from the oil & gas sector, we recognize both the importance of the climate challenge and the importance of energy to human life and well-being. We acknowledge that the current trend of greenhouse gas emissions is in excess of what the Intergovernmental Panel on Climate Change (IPCC) says is needed to limit the temperature rise to no more than 2 degrees above pre-industrial levels. The challenge is how to meet greater energy demand with less CO_2. We stand ready to play our part.

Our companies are already taking a number of actions to help limit emissions, such as growing the share of gas in our production, making energy efficiency improvements in our operations and products, providing renewable energy, investing in carbon capture and storage, and exploring new low-carbon technologies and business models. These actions are a key part of our mission to provide the greatest number of people with access to sustainable and secure energy.

For us to do more, we need governments across the world to provide us with clear, stable, long-term, ambitious policy frameworks. This would reduce uncertainty and help stimulate investments in the right low carbon technologies and the right resources at the right pace.

We believe that a price on carbon should be a key element of these frameworks. If governments act to price carbon, this discourages high carbon options and encourages the most efficient ways of reducing emissions widely, including reduced demand for the most carbon intensive fossil fuels, greater energy efficiency, the use of natural gas in place of coal, increased investment in carbon capture and storage, renewable energy, smart buildings and grids, off-grid access to energy, cleaner cars and new mobility business models and behaviors.

Our companies are already exposed to a price on carbon emissions by participating in existing carbon markets and applying 'shadow' carbon prices in our own businesses to test whether investments will be viable in a world where carbon has a higher price.

Yet, whatever we do to implement carbon pricing ourselves will not be sufficient or commercially sustainable unless national governments introduce carbon pricing evenhandedly and eventually enable global linkage between national systems. Some economies have not yet taken this step, and this could create uncertainty about investment and disparities in the impact of policy on businesses.

Therefore, we call on governments, including at the UNFCCC negotiations in Paris and beyond—to:

Introduce carbon pricing systems where they do not yet exist at the national or regional levels.

Create an international framework that could eventually connect national systems.

To support progress towards these outcomes, our companies would like to open direct dialogue with the UN and willing governments. We have important areas of interest in and contributions to make to creating and implementing a workable approach to carbon pricing, including:

1. Experience. For more than a century we have provided energy to the world. We are global in reach, closely familiar with managing major projects and risks of many kinds, and well-versed in trading and logistics. As we are already users of carbon pricing systems across the world, exchange of information at international scale could help to identify the best solutions.

2. Motivation. We want to be a part of the solution and deliver energy to society sustainably for many decades to come. Like our counterparts in other industry sectors we will play a key role in implementing the measures and deploying the technologies that will lead to a lower carbon future. Low carbon business models and solutions are fragile until they reach critical size, but with linked carbon pricing systems worldwide, uncertainty would be reduced and such solutions will start to create value for business more rapidly.

3. Pragmatism. We believe our presence at the table could be helpful in designing an approach to carbon pricing that would be both practical and deliverable, as well as ambitious, efficient and effective.

4. A forum for discussion. Our companies and others have come together under the auspices of the World Economic Forum to form the Oil & Gas Climate Initiative, or are members of the International Emissions Trading Association, the World Bank or the UN Global Compact Carbon Pricing initiatives. We believe these forums may offer an appropriate ground for public-private dialogue on how to price carbon into energy.

Practically, we and our senior staff will seek to engage and share our companies' perspectives on the role of carbon pricing in several important settings:

In our meetings with Ministers and Government representatives.

As we attend and address conferences.

As we hold engagements with our investors.

As we conduct meetings with other stakeholders including partners, suppliers, academics and researchers.

As we hold meetings for management and staff within our businesses.

Pricing carbon obviously adds a cost to our production and our products—but carbon pricing policy frameworks will contribute to provide our businesses and their many stakeholders with a clear roadmap for future investment, a level playing field for all energy sources across geographies and a clear role in securing a more sustainable future.

We acknowledge the long-term challenge and appreciate that this will be transformative across the energy sector. Over many decades, our industry has been innovative and has been at the forefront of change. We are confident that we can build on our trajectory of innovation to meet the challenges of the future.

Each of us will copy this letter personally to key contacts among investors, governments, civil society and our staff.

Yours sincerely,

HELGE LUND,
BG Group.
BOB DUDLEY,
BP.
CLAUDIO DESCALZI,
Eni S.p.A.
BEN VAN BEURDEN,
Royal Dutch Shell.
ELDAR SAETRE,
Statoil ASA.
PATRICK POUYANNÉ,
Total S.A.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 7:15 p.m., adjourned until Wednesday, May 18, 2016, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 17, 2016:

OVERSEAS PRIVATE INVESTMENT CORPORATION

TODD A. FISHER, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2016.

DEVEN J. PAREKH, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2016.

AFRICAN DEVELOPMENT FOUNDATION

LINDA THOMAS–GREENFIELD, AN ASSISTANT SECRETARY OF STATE (AFRICAN AFFAIRS), TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR THE REMAINDER OF THE TERM EXPIRING SEPTEMBER 27, 2015.

LINDA THOMAS-GREENFIELD, AN ASSISTANT SECRETARY OF STATE (AFRICAN AFFAIRS), TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR A TERM EXPIRING SEPTEMBER 27, 2021.

JOHN W. LESLIE, JR., OF CONNECTICUT, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR A TERM EXPIRING SEPTEMBER 22, 2019.

LINDA I. ETIM, OF WISCONSIN, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR A TERM EXPIRING SEPTEMBER 22, 2021.

UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY

GEORGETTE MOSBACHER, OF NEW YORK, TO BE A MEMBER OF THE UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY FOR A TERM EXPIRING JULY 1, 2018.

DEPARTMENT OF DEFENSE

ERIC K. FANNING, OF THE DISTRICT OF COLUMBIA, TO BE SECRETARY OF THE ARMY.

DEPARTMENT OF STATE

ROBERT ANNAN RILEY III, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERATED STATES OF MICRONESIA.

KAREN BREVARD STEWART, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE MARSHALL ISLANDS.

MATTHEW JOHN MATTHEWS, OF OREGON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS UNITED STATES SENIOR OFFICIAL FOR THE ASIA-PACIFIC ECONOMIC COOPERATION (APEC) FORUM.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

MARCELA ESCOBARI, OF MASSACHUSETTS, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

ASIAN DEVELOPMENT BANK

SWATI A. DANDEKAR, OF IOWA, TO BE UNITED STATES DIRECTOR OF THE ASIAN DEVELOPMENT BANK, WITH THE RANK OF AMBASSADOR.

DEPARTMENT OF STATE

ADAM H. STERLING, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SLOVAK REPUBLIC.

KELLY KEIDERLING-FRANZ, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ORIENTAL REPUBLIC OF URUGUAY.

STEPHEN MICHAEL SCHWARTZ, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL REPUBLIC OF SOMALIA.

CHRISTINE ANN ELDER, OF KENTUCKY, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF LIBERIA.

ELIZABETH HOLZHALL RICHARD, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE LEBANESE REPUBLIC.

HOUSE OF REPRESENTATIVES—*Tuesday, May 17, 2016*

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 17, 2016.

I hereby appoint the Honorable JOHN J. DUNCAN, JR. to act as Speaker pro tempore on this day.

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

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Neiman, one of his secretaries.

MORNING-HOUR DEBATE

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

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

BIG GOVERNMENT: TSA'S FAILURES

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

Mr. POE of Texas. Mr. Speaker, early in 2015, the Department of Homeland Security removed the TSA Director and Administrator after it was revealed that banned items made it through screening in different parts of our airports throughout the United States.

This didn't happen once or twice, but it happened 67 times out of 70 tries. That is a 90 percent failure rate. Any business would be out of business if it failed 90 percent of the time to do what it is supposed to do.

We are not talking about selling goods and services. We are talking about security—American security. But TSA is a government agency, so, to me, accountability doesn't seem to be a priority.

After this fiasco in 2015, the Administrator was replaced with a new Administrator. I don't know that security is better or not—maybe it is—but we do know that the lines are longer and TSA efficiency is questionable.

To find that out, just go to any of our airports and try to travel. Travelers are faced with wait times in excess of 3 hours just to get through security. Flights are missed and flights are delayed because of the security chokepoint. It is ironic that people wait in line longer than it takes them to fly from point A to point B. Security lines should not take longer than the flight itself, but that is happening in our airports.

The TSA Director blames the passengers for the delays. So it is not TSA's fault; it is the flying public's fault for the long lines and delays?

The cost to American taxpayers for TSA is $7 billion a year. Are we safer, better off, and more secure because of this massive government bureaucracy? Americans need to answer that question.

TSA must also work on its treatment of passengers. I constantly hear in my congressional office from people who travel about the way they are treated by government employees at TSA when they try to go through security.

Now, I know a lot of TSA employees. Some of those in Houston are wonderful people. Yet some TSA employees are rude, demeaning, and disrespectful to the travelers. That has got to stop. There is no excuse for it. Flying has become torturous for some travelers because of TSA.

Homeland Security must figure out a better way to protect and serve the people, the flying public, without causing people to miss their flights. Maybe TSA should use trained dogs before and after the security points to help check for explosives—I am not sure the answer—but change the current model because it is not working.

This issue must be fixed, and the issue is not to blame the fliers. The issue is TSA needs to respond to this issue. There are airports all over the world that screen passengers. Maybe TSA could learn something from some of these other airports about efficiency and security. This problem must be fixed, and the answer is not to blame the Americans who travel and blame them for waiting in line for 3 hours to catch a plane that flies only 1 hour.

Airports should strongly consider moving to private screeners. The law allows this to happen, Mr. Speaker, but the law requires that, if an airport wants to use private screening companies, they must get the Department of Homeland Security's approval to use that screening company over TSA. That is an issue in itself. But the answer is not to continue having the same issues and problems that we now face.

People who travel a lot and travel rarely, when they talk about their traveling experience, one thing they seem to always mention is the way they have to go through screening and the way they are treated by TSA. Remember, a 90 percent failure rate is not acceptable.

The security must be better, and people must be treated better, because that is just the way it is.

SPECIAL IMMIGRANT VISA PROGRAM

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

Mr. BLUMENAUER. Mr. Speaker, for over the last decade, I have been working with a bipartisan group to deal with helping some of the foreign nationals in Afghanistan who helped Americans' mission be able to escape the tender mercies of the Taliban and others with long memories. These are men and women who helped us as guides, as translators, people who provided on-base security, construction workers, and truck drivers—a vast array of people who helped us with our vital mission. As we have scaled down and moved on, it has left these people vulnerable. We have example after example where the Taliban and al Qaeda have threatened them, have attacked their families, held them for ransom, tortured them, and, in some cases, killed them.

We have implemented a Special Immigrant Visa program that has enabled over 8,500 people to get to safety to protect themselves and their families. I have witnessed some of these tearful reunions where a guide returned, was able to escape to the United States, and united with the person, the soldier, whose life he saved. This happens time after time.

Unfortunately, the process is hopelessly tangled. It is slow, and it is bureaucratic. We have over 10,000 people still in the pipeline. Every year we struggle to be able to have sufficient visas authorized to be able to help thousands more who are at risk.

We have the National Defense Authorization Act that is coming forward that would pose another problem to help those who put their faith in us. This version would leave out all individuals who worked with the State Department and the USAID—critical parts of our mission in Afghanistan. It would leave off all the on-base staff who worked in direct support of the Department of Defense, people who did construction, firefighters, on-base security, maintenance, and administrative support, people whose services were vital and whose service to the United States is well known and who are at risk.

We are hopeful that as this bill comes to the floor that the House will be able to work with us to modify these unnecessary restrictions, to give more time to process and allow more people to come to safety.

We have a moral obligation to protect people who put their lives on the line to support Americans in these troubled areas. I would hope that we would, once again, be able to make necessary adjustments to be able to try and help more come to safety.

I have been working with my good friend ADAM KINZINGER, who represents some of the newer Members of the House who actually served in theater, who are committed to helping people whom they saw help us.

I would hope, as the process comes forward, we can consider amendments to be able to reduce some of these restrictions; and then I hope, as it works its way through the legislative process to the Senate that does not have anything in their version of the bill speaking to the Special Immigrant Visas, that we will be able to do our job to make sure that we are not having people at risk, their families threatened, and undermining the credibility of the United States.

Remember, around the world, foreign nationals help us with our missions; and if we send a message that we are not going to stick with them when the going gets tough, then they are going to be much less likely to help us wherever it is in these trouble spots. America will be more vulnerable as people who have already helped us are at risk. We can do better.

SUPPORTING OUR VETERANS

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

Mr. ZELDIN. Mr. Speaker, as a nation, supporting our veterans must always be one of our highest priorities. These brave men and women who willingly and selflessly put their lives on the line while defending our country deserve the highest quality of life and care once they return home.

According to the Suffolk County Veterans Service Agency, there are 83,254 veterans who live in my home county of Suffolk. With the highest population of veterans by county in New York State and one of the highest populations in the country, there is a significant need for increased care options for our veterans in Suffolk.

There are so many options of quality care for veterans, but too often their choices are limited. Quality care can also come at great expense.

In an effort to expand access to care for our veterans, I recently introduced bipartisan legislation in Congress, H.R. 2460, which would ensure that 70 percent or more service-connected disabled veterans are able to receive adult day health care, a daily program for disabled veterans who need extra assistance and special attention in their day-to-day lives. It comes at no cost to the veterans and their families because the program is defined as a reimbursable treatment option through the Department of Veterans Affairs. This legislation has strong bipartisan support in Congress, with over 45 cosponsors, including the entire Long Island congressional delegation. My bill would greatly expand this great option of care for veterans on Long Island and across the country.

Just last month, on April 20, 2016, the House Veterans' Affairs Committee hosted a hearing of the Subcommittee on Health regarding my bill, and on April 29, 2016, the Health Subcommittee held a markup and favorably forwarded my bill to the full committee for final consideration before being sent to the House floor for a vote.

Working with my colleagues in the House and various veterans service organizations, I will continue pushing to get this bill passed out of committee in earnest to allow this bill to come to the House floor this year.

While serving in the New York State Senate, I secured the funding necessary to create the PFC Joseph P. Dwyer Program, a peer-to-peer support program for veterans suffering from posttraumatic stress disorder and traumatic brain injury. PFC Dwyer, from Mount Sinai, New York, received nationwide recognition for a photograph that went viral showing him cradling a wounded Iraqi boy while his unit was fighting its way up to the capital city of Baghdad. Sadly, after returning home and struggling with PTSD, PFC Dwyer died in 2008. Created in his honor, the Dwyer Program was initially launched in the counties of Suffolk, Jefferson, Saratoga, and Rensselaer. Since 2013, the program has expanded to over a dozen counties across New York.

Earlier this year, I introduced bipartisan legislation in Congress, H.R. 4513, that will expand the Dwyer Program on a national level so that every veteran in the U.S. eventually has access to a peer-to-peer support group. This bill has strong bipartisan support, including the entire Long Island congressional delegation. I will continue working together with them and others in the fight to expand the Dwyer Program.

Additionally, on the east end of Long Island, working closely with the Peconic Bay Medical Center and VA, I secured an east end healthcare facility for veterans and their families at Peconic Bay's Manorville campus.

After so bravely serving our country, this facility provides an important new option for veterans, increasing access to care for those who live on Long Island's east end, while still allowing them to continue receiving other services and ongoing treatment at the VA hospital in Northport.

□ 1015

There is so much more that Congress can do to improve the quality of life for our veterans. I will continue working to ensure that my bills that previously passed the House are signed into law, including H.R. 1569, to protect the benefits of deceased veterans, and H.R. 1187, which would eliminate the loan limit that the VA can guarantee for a veteran.

Congress also must continue to reform the VA wherever it underserves a veteran. A recent series of USA Today articles reported that VA supervisors in multiple States instructed employees to falsify wait times. They must be held accountable. This is a slap in the face to our vets.

Just last year the House took a step forward by passing the VA Accountability Act of 2015, H.R. 1994, legislation that I cosponsored that would make important reforms to the VA system, which will provide the necessary resources and the flexibility the VA needs to hold poor-performing employees accountable.

While I believe that the VA has 99 percent of employees generally caring about the work they do and want to help veterans, we must always ensure that the other 1 percent of those who are not acting in the best interest of veterans are held accountable. Our veterans deserve only the highest quality of care at our VA facilities.

Fighting for our veterans who fought for us always has been and will always be one of my top priorities. I will continue my work in Congress to improve our veterans' quality of care in any way that I can.

RECOGNIZING KEY WEST FIRE DEPARTMENT

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

Mr. CURBELO of Florida. Mr. Speaker, I rise today to recognize the Key West Fire Department on their Class 1 Insurance Service Office rating, the

highest achievable rating that a fire department can attain.

They are 1 out of fewer than 200 departments in the Nation to receive this score, which is based off of a multitude of factors, including training, response time, and how well they are equipped.

This rating also helps by providing residents with the lowest fire insurance rates possible, something I am sure that all Key West residents appreciate.

I commend Fire Chief David Fraga and the entire Key West Fire Department on their diligent work and their devotion to keeping everyone in Key West safe. We are very fortunate to have a strong team of firefighters protecting us.

RECOGNIZING FLORIDA KEYS MARATHON AIRPORT

Mr. CURBELO of Florida. Mr. Speaker, I rise to congratulate the Florida Keys Marathon Airport for officially becoming an international airport on April 20, 2016.

For 8 years the staff has worked to attain this clarification. It comes as no surprise to me that they were able to achieve this feat. I commend the Florida Keys Marathon Airport on receiving this well-deserved designation. This airport will provide additional travel options for the families living in our community and the millions of tourists who visit south Florida every year.

Congratulations to Mayor Senmartin, Vice Mayor Kelly, council members Zieg, Coldiron, and Bartus, and city manager Chuck Lindsey and, also, former Mayor Ramsey and former city manager Mike Puto, all who worked very hard to make this a reality.

RECOGNIZING OFFICER MARIO GUTIERREZ

Mr. CURBELO of Florida. Mr. Speaker, I rise today to recognize Miami-Dade Police Department's own Officer Mario Gutierrez, who received the Medal of Valor, the highest decoration of honor given to public safety officers in the United States.

In 2013, Officer Gutierrez was on a routine call when he noticed an individual exhibiting strange behavior at a gas station near Miami International Airport. As Officer Gutierrez approached, the man attempted to light a gas pump on fire. In an attempt to disarm the assailant, who was holding a knife, Gutierrez received several stab wounds that nearly cost him his life.

Had the assailant been successful in causing a mass fire, many lives may have been lost on that day. Officer Gutierrez went above and beyond the call of duty to protect the members of our community. We thank him for his service, his selflessness, and his bravery in the face of danger.

Officer Gutierrez, thank you. You are a true hero.

RECOGNIZING MR. BRIAN REEDY

Mr. CURBELO of Florida. Mr. Speaker, I rise today to recognize Mr. Brian Reedy, a seventh grade visual arts teacher from Zelda Glazer Middle School in my south Florida congressional district.

In 2014, Mr. Reedy became the visual arts instructor at Zelda Glazer and, in only 2 years, has propelled the program to national recognition. Mr. Reedy has received numerous accolades for his work at Zelda Glazer, with his fellow teachers referring to the work of his students as magnet quality. His classroom, however, does not require an application to enter like many art magnet programs in south Florida. Any student can register.

Students have had their art pieces showcased from local shows in Miami all the way to the New York Scholastic Art Awards. What is even more impressive is that Mr. Reedy works with a wide range of talents, including those just getting started to people who have been painting for many years.

As a former Miami-Dade County School Board member, I always appreciate and support teachers who encourage our youth to explore their passions in life, and Mr. Reedy does just that. It is an honor to recognize Mr. Reedy for his great work at Zelda Glazer. I look forward to both his and his students' future successes.

HONORING NATIONAL POLICE WEEK

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

Mr. STEWART. Mr. Speaker, along with many of my colleagues, I rise today to honor National Police Week.

One of the favorite things that I get to do as a Member of Congress is to ride with police officers as they go about their duties, and from St. George to Salt Lake City I have had the opportunity to do this.

Sadly, many in our society, particularly among the press, have become highly critical of law enforcement officers. Now, I recognize that not all law enforcement officers are perfect. People make mistakes. We all do. But we can't let the mistakes of a few tarnish the name of such a noble and a brave profession.

Such criticism of police efforts doesn't come without a cost. It forces the officers to pull back, to become overly cautious, and to view every encounter that they may have through the prism of a lens of a media event.

What is the result of this? We now know that crime rates have been rising across the country. Interestingly and sadly, they are rising in some of the poorest communities, the communities that most need the help of an effective police force.

Now more than ever we need brave men and women who are willing to serve and to protect. As I have said, I have had the chance to go on several ride-alongs with several police departments. Again and again I have been impressed with their hard work, their professionalism, and their willingness to put themselves at risk to protect other people.

There is a great example of this. I am reminded of the heroic actions of Officer Hone, a police officer who in the last year saved two young girls in Salt Lake City. A disturbed man who had recently been released from prison and was on drugs broke into the home of two sisters, both of them college students. He began to viciously attack them. He took a knife and attempted to take their lives.

Fortunately, Officer Hone was in the area, heard the screams of these young girls, and just seconds before the intruder expected to take the life of one of them, this heroic officer quickly diffused the situation, literally saving her life.

Bree, the sister who was saved, said of this officer, ''He was so professional and calm. Right when we made eye contact, I knew I was safe. It's a miracle that he had so much composure. He was our angel.''

This is just one example of the thousands of courageous police officers we have in America. I am proud to live in a country where professionals are ready to put their lives at risk in order to serve and to protect members of their community.

Let us honor these police officers, their courage, their selflessness, and their dedication. Let us honor them not just this week, but, frankly, all year round for the sacrifices they make for us.

HONORING SALLY CLARK

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

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to honor Sally Clark, who was part of the class of 1963 at East High School in Des Moines, Iowa. I never knew her as Sally Clark because I knew her as Sally Davis, my mother.

I am very appreciative that the class of 1963 allowed my mom to be part of a reunion in July of 1993 because my mom never graduated with that class. Sally Clark dropped out of high school in 1962 and eventually finished her degree much later by getting her general equivalency diploma with the help of my sister, who was the reason she dropped out of high school in 1962.

In looking at the program from that reunion in 1993, the fondest memories my mom had of East High School were the friends she left behind. In 1977, she left not only friends behind, but she left family behind and moved our family to Taylorville, Illinois, where I grew up and where she inspired so many.

My mom passed away 17 years ago today. The reason I am here is because of the inspiration she was to me and to so many. I want to tell her what I couldn't tell her on Mother's Day: Your family is doing great. Your granddaughter, who you knew as a 2-year-old, just finished her freshman year of college. The grandsons you never met are doing fine as freshmen in high school. Mom, your whole family is doing well. As a matter of fact, you have a great-granddaughter now that shares your middle name. I am here on the House floor to fight to make sure that we work in a bipartisan way to end the scourge of the cancer that killed you and that has killed so many, young and old. We will never forget this fight and I will never forget that fight because of what you meant to me and to so many. Mom, I love you and I miss you every day. You are the reason that I get this privilege to be a Member of this great institution.

HONORING DR. FRANCES BARTLETT KINNE, PH.D.

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

Mr. CRENSHAW. Mr. Speaker, I rise today to honor the life work of Dr. Frances Bartlett Kinne, Ph.D. We in Jacksonville, Florida, will be celebrating 99 years with our friend, Dr. Fran Kinne, on May 22 of this year.

Dr. Kinne is first in Florida in many ways. In 1979, she became the first woman president of a Florida college, Jacksonville University, JU. Prior, in 1961, she became the founding dean of JU's College of Fine Arts, the first woman in Florida to hold such a position. In fact, it was her idea to form the college where she had been a humanities professor for several years.

She was the first woman elected as president of the International Council of Fine Arts, and not only the first woman in Florida's first rotary club, the Rotary Club of Jacksonville, but she later became the first woman president of that club. She also became the first woman member of a club in Jacksonville called the River Club. Again, the first woman member.

As you can tell, Dr. Fran Kinne was first in many ways and a role model to not only women in Jacksonville, Florida, but all across this great country. To those of us who know her well, she is also first in our hearts. A tireless advocate for education and young people, Fran Kinne always reminded us that life is not about us, life is about others.

She would tell her graduates each year to go out into the world and make the world a better place. One of those graduates, Tim Cost, is now the president of Jacksonville University.

So many of her students have made a difference not only in Florida, but all across this great land. Last year, at the age of 98, she became the Nation's oldest commencement speaker at a major college or university.

The wife of an army colonel, Fran spent years overseas following World War II. She was in Germany, she was in Japan, and she was in China. While her husband worked, so did Fran. She created postwar education programs for children in Japan, and she went to class with young German students who accepted her as the caring American that she was.

□ 1030

She numbered among her friends Bob Hope, Winston Churchill, Charlton Heston, Billy Graham, and Steve Forbes. Fran Kinne brought Bob Hope and Jack Benny together for their only joint appearance, and that was at Jacksonville University. She is listed in over 25 ''Who's Who'' and similar publications, and six facilities in Iowa and Florida are named in her honor. Her autobiography is aptly named ''Iowa Girl: The President Wears a Skirt.''

Never intending to live in Florida, Fran came here with her husband, and, thankfully, for those of us in Jacksonville, she never left. She was born in Iowa. She was educated at Drake University and graduated with a bachelor's and a master's in music education. She remains a member of the Board of Trustees at Drake University and is on the board of the Mayo Clinic in Florida. Since 1994, she has been the chancellor emeritus at Jacksonville University.

Her infectious enthusiasm for life and positive thinking goes on and on. I visited her the other day, and she reminded me: If you laugh 100 times a day, that is the same thing as 20 minutes of physical exercise. She would say: If you keep a positive attitude and if you smile a lot, that will add 10 years to your life. Fran and I have always been good buddies, and she has been a mentor to me just as she has been to thousands of her former students.

Mr. Speaker, I ask you and Members of this House to join me in celebrating the outstanding 99 years and counting of one of Florida's most outstanding citizens: my good buddy, Dr. Frances Bartlett Kinne.

CONGRATULATING DONNA EISENMAN ON HER RETIREMENT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I congratulate Donna Eisenman, who recently retired after 40 years in working for American Airlines' Washington desk.

Donna Eisenman began her career as a flight attendant with Trans World Airlines in 1969. A year later, she transitioned to American Airlines for a position as a reservations agent in Philadelphia. In a time before computers, Donna effortlessly sold airline tickets and helped customers with travel arrangements.

In 1972, Donna moved to Washington, D.C., to start the next phase of her career. Donna spent the next 10 years working at the City Ticket Office and at the ticket counter at Reagan National Airport. In 1982, she transitioned to the Schedule Airline Ticket Office, which served DOD customers in northern Virginia.

Donna's efforts were so successful that she was asked to open a different satellite office to assist Fort Belvoir travelers. Later, Donna was asked to reestablish a long-abandoned desk specifically designed to help government travelers. Donna accepted this challenge, and the American Airlines Washington desk was reborn.

For the next 28 years, Donna's unyielding commitment to customer service and her natural sales ability provided government and frequent travelers with the best experience in the industry. On March 25, Donna retired from American Airlines, and she is now spending time with her lovely family and is volunteering for the wildlife rescue causes that she champions.

I thank Donna for her service and dedication.

Congratulations, Donna. I wish you all the best in your much-deserved retirement.

HONORING LOURDES SOVEDIA

Ms. ROS-LEHTINEN. Mr. Speaker, it is with great pleasure that I recognize the outstanding career of Lourdes Sovedia. After 40 years of teaching, Lourdes will be retiring at the end of this school year.

Like me, Lourdes' family fled the oppressive Castro regime when she was just a young girl in order to seek freedom and refuge in this wonderful Nation, the United States. She worked hard at learning the language and the culture, and with inspiration from her mom, she dedicated her life to pursuing a career in education. After working her way through college, Lourdes made her American Dream a reality when she became a full-time teacher at Gesu Catholic School in downtown Miami. Throughout the years, Lourdes has taught at multiple schools and has earned many awards and deserved recognition.

As a former Florida certified teacher, I recognize Lourdes' dedication, and I thank her for all that she has done for the students in south Florida throughout her impressive career.

Congratulations to Lourdes.

RECOGNIZING JOSHUA WILLIAMS AND JOSHUA'S HEART FOUNDATION'S DECADE OF SERVICE

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to recognize teen philanthropist Joshua Williams of south Florida and

the foundation that wears his heart on its sleeve—Joshua's Heart Foundation.

In 10 years of service to underserved communities in south Florida, Jamaica, Africa, and India, Joshua's Heart Foundation has activated over 7,000 youths to collect and distribute food and personal items that have helped 600,000 families in need. With the help of his supportive mom, Claudia, Joshua began laying the foundation for Joshua's Heart's success when he was only 4½ years of age.

New JHF chapters are springing up all over the country, and I encourage everyone to check out the amazing work that Joshua's Heart Foundation is doing every day and to get involved in a charity or with a volunteer organization that represents your own vision for the world in which you would like to live.

Congratulations to Joshua's Heart Foundation for a decade of service.

CELEBRATING THE 75TH ANNIVERSARY OF AIR TRAFFIC CONTROL

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to commemorate the 75th anniversary of the air traffic control at Miami International Airport, which is an area that I am so proud to represent.

This upcoming Thursday, May 19, the Federal Aviation Administration and the Miami-Dade Aviation Department will celebrate this accomplishment and honor the men and women who keep our skies and our airports safe.

Working around the clock, the air traffic controllers direct aircraft and minimize potential troubles in the sky, like the ones that come from severe weather patterns. I am very proud to know so many of these diligent workers—individuals like Mitch Herrick, Jim Marinitti, Bill Kisseadoo, and many others—who, in their professionalism, keep order in the airspace and protect our public.

Mr. Speaker, rerouting aircraft to avoid congestion and minimize delays is not an easy task, especially at one of our Nation's busiest airports; but it is because of the controllers' dedication and commitment that we can feel safe in arriving at our destinations.

Congratulations to my friends—all of the air traffic controllers at Miami International Airport.

PORTER RANCH GAS LEAK

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

Mr. SHERMAN. Mr. Speaker, I rise to report to this Congress on the Porter Ranch gas leak, the largest methane leak in the history of our country.

It began last October 23, and it lasted for, roughly, 5 months. The amount of natural gas that escaped is measured in billions of cubic feet. Some 8,000 families were evacuated for months. Our family, because we live just about as close as anyone to the leaking well, chose not to evacuate but, rather, to rely on filtration systems and the fact that we spend much of our time in Washington.

So how should Congress respond?

We must say never again—not again in Porter Ranch, not again anywhere in this country—but it could happen again because this natural gas storage facility was the fifth largest in the country. That means there are four other areas that could have an even larger natural gas leak. There are no Federal regulations for the safe storage of natural gas, and State regulations are so minimal that they are incredibly minimal even in famously green California.

Currently, PHMSA, an agency of the Department of Transportation, acknowledges that it has the authority to write Federal regulations. They have decided to do so, and my hope is that they will have them this fall. This arises, in large part, because I had a chance to discuss this with the President of the United States back in January in front of about 80 or 100 of our colleagues, and he made a commitment that his administration would work to make sure this never happens again. Not only is PHMSA working on the regulations, but the OMB has assured me that they will act promptly on approving those regulations once they are finalized.

We in Congress are working on legislation that is designed to prod PHMSA into acting quickly, but it is important that we not pass legislation that actually narrows the existing statutory power or gives sentences in statutory provisions that could be used by the oil and gas industry to invalidate tough regulations.

That is why it is critical, for example, that any statute we pass, as the Transportation and Infrastructure Committee's product provides, states explicitly that we are not preempting higher, tougher State regulations and that the action taken in Congress will not make people less safe than their States would have them be.

Two issues confront SoCalGas, which is the utility that is responsible for this leak.

The first is that they are going to try to get consumers to pay for the cost of their negligence, using the phrase that they should pass through to consumers the ''reasonable cost'' of dealing with this disaster; so the consumers around Los Angeles should pay for the cost of providing relocation assistance to 8,000 families, many of whom have been out of their homes for 5 months and longer; the ''reasonable costs'' of plugging the leak should be passed through to consumers. The reasonable costs of repairing unreasonable negligence is never an ordinary and necessary expense to be passed through to consumers.

This leak resulted from SoCalGas' negligence. There was a subsurface safety valve on the well in question that was installed in the 1950s, that was removed by SoCalGas in the 1970s, and was never replaced. This well they used to inject and remove natural gas, not through the piping that was intended or the tubing that was intended for that purpose, but through the casing that was never intended for that purpose; and the pressure, which is the amount of gas crammed into the field, seems to be inconsistent with the age of the wells—some going back 60-years plus—that were being used to inject and withdraw the natural gas. The costs of this event must not be passed through to the consumers of Los Angeles.

Second, realizing they may have to bear the costs themselves, SoCalGas has decided to shortchange the residents who have evacuated. They have decided they don't want to pay for the required cleaning protocol that is necessary to make homes safe. That is in their release of just a couple of days ago. That is outrageous. The cleaning is necessary to make the homes safe. LA County Public Health says so, and SoCalGas should pay that cost, too.

CONGRESSIONAL ART COMPETITION

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. MOONEY) for 5 minutes.

Mr. MOONEY of West Virginia. Mr. Speaker, each spring, a nationwide high school visual arts competition is sponsored by the Congressional Institute and Members of the U.S. House of Representatives. Since the art competition was created in 1982, over 650,000 entries have been submitted.

The Congressional Art Competition is an opportunity to recognize and encourage the artistic talent of our Nation's bright and talented youth. The winner of this prestigious award in each congressional district will have his or her artwork hung on display for 1 year in the Cannon Tunnel of the U.S. Capitol.

I rise today to recognize the artistic ability of a young woman from the Second Congressional District in West Virginia—Kayla Barbazette from Capital High School in Charleston. Ms. Barbazette is the winner of the 2016 Second Congressional District of West Virginia's Congressional Art Competition.

Congratulations, Kayla.

Her entry, ''Human Water Basin,'' was chosen from dozens of outstanding entries this year.

□ 1045

The competition was open to all high school students in the Second Congressional District of West Virginia.

Kayla is pictured here receiving her first place prize with West Virginia

Cabinet Secretary Kay Goodwin of the Department of Education and the Arts.

I thank all of the impressive artists for allowing us to celebrate their talents. I wish them all the best in their future endeavors.

INDIANAPOLIS MOTOR SPEEDWAY

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

Mr. CARSON of Indiana. Mr. Speaker, it is with great pride that I rise today to pay tribute to a very special event that will take place later this month in my hometown of Indianapolis.

On May 29, the world's finest automobile racing teams will compete for the very prestigious Borg-Warner Trophy at the 100th running of the Indy 500.

Mr. Speaker, every Memorial Day weekend since 1911, with the exception of a few years during World War I and World War II, the Indianapolis Motor Speedway has been the site of the greatest spectacle in racing. Over the last century, Mr. Speaker, the Indianapolis 500 has become the most attended single-day sporting event on the planet Earth, with estimated crowds of over 400,000 people. Now, these fans add nearly $500 million to the central Indiana economy each year.

The race is also incredibly popular around the world, Mr. Speaker. With millions of fans around the world, they have been listening to the race on the Motor Speedway Radio Network and watching it on television.

Now, what very few people realize is that the Indy 500 has been a very important influence in the development of passenger automobiles. Rearview mirrors, four-wheel hydraulic brakes, color warning lights, and the first mandatory use of helmets can be traced back to the great Hoosier State in the city of Indianapolis at the Indy 500. Now part of the excitement of watching the race every year, Mr. Speaker, is seeing how these high-tech automobiles have evolved and wondering which technology we will see on our roads in the near future.

I stand here today as a very proud Hoosier who is proud of our State's long racing heritage. I ask my colleagues, Mr. Speaker, to join me and to join the rest of the Indiana delegation in recognizing all of those involved with the race over the last century, from the staff to the pit crews, to the drivers, and especially the fans who come out to the track each and every year. So congratulations to all the folks involved.

Ladies and gentlemen, start your engines.

RECESS

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

Accordingly (at 10 o'clock and 48 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

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

PRAYER

Rabbi Jay Weinstein, Young Israel of East Brunswick, East Brunswick, New Jersey, offered the following prayer:

Our God in heaven, please grant Your blessing upon our Nation's leaders, our President, Vice President, Members of Congress, and all our officers of government. Grant them courage and wisdom, sensitivity and compassion, as they respond to the needs of our diverse population. Allow them to bring to fruition the hopes and visions, dreams, and goals upon which this country was founded.

Merciful God, we express our deep gratitude for this magnificent country, a home built upon the values of peace, religious tolerance, and respect.

Protect our courageous military forces, who are spread throughout the world. Quickly return them to their family's warm embrace. Guard and shield the members of our country's police force, fire department, emergency personnel, and all those who risk their lives to protect us from harm.

Almighty God, who makes peace in Heaven, from this glorious House of Representatives, our seat of democracy, we ask that You bless our world with peace, safety, and prosperity, so we may fulfill our sacred responsibility of making the world a better place.

And let us respond amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Colorado (Mr. LAMBORN) come forward and lead the House in the Pledge of Allegiance.

Mr. LAMBORN led the Pledge of Allegiance as follows:

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

WELCOMING RABBI JAY WEINSTEIN

The SPEAKER. Without objection, the gentlewoman from Florida (Ms. GRAHAM) is recognized for 1 minute.

There was no objection.

Ms. GRAHAM. Mr. Speaker, today, I rise to thank Rabbi Jay Weinstein for delivering this morning's invocation.

Rabbi Weinstein is a native of Miami Beach, Florida. He received his ordination from Yeshiva University. He is now rabbi at Young Israel of East Brunswick, New Jersey, which serves more than 220 families.

I also want to recognize Rabbi Weinstein's parents, Stanley and Lenore, his wife, Sharon, and his four wonderful children, one of whom, Ora, is here with me on the floor today.

Mr. Speaker, I am proud to live in a Nation where we open our doors and our hearts to invite leaders of all different faiths to offer a blessing. I am very thankful to Rabbi Weinstein for offering such an incredibly meaningful prayer this morning.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

NATIONAL POLICE WEEK

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

Ms. STEFANIK. Mr. Speaker, in my district in the North Country of New York, brave law enforcement officers dedicate their careers and risk their lives each and every day to keep our communities safe.

We are grateful for the outstanding service from men and women like Sergeant Jay Cook of the New York State Police, whose courageous actions put an end to the manhunt for the killers who escaped Clinton Correctional Facility last year.

Sadly, far too many of these brave men and women have lost their lives in the line of duty. Each year communities across our Nation gather to honor in recognition of these heroes and tens of thousands of law enforcement officers descend on our Nation's capital to honor the fallen.

Mr. Speaker, in commemoration of National Police Week, I rise today to thank our law enforcement officers for their service and to honor the brave men and women who have paid the ultimate sacrifice.

NABISCO BAKERY

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

Mr. LIPINSKI. Mr. Speaker, I rise today on behalf of the hardworking men and women at the Nabisco Bakery on the southwest side of Chicago, once touted as the world's largest bakery.

These workers have faced daunting challenges in the past year as their plant was downsized and hundreds lost their jobs. Now they are working without a contract and face the prospect of losing their current pension plan.

For more than half a century, workers at this bakery have proudly made Oreos, Chips Ahoy, Ritz crackers, and other iconic products. Generations of families have been employed here and contributed to the local economy.

What is happening now is even more disappointing because taxpayers have previously provided $90 million to Nabisco in return for a commitment to expand and hire locally. The continued lack of a negotiated agreement reflects the plight of middle class Americans across the country, with workers facing eroding wages and benefits along with job insecurity.

Mr. Speaker, I urge Mondelez to do right by its employees, use its profits to reinvest in its American workforce, and grow good-paying jobs in Chicago and across the Nation.

PRESIDENT NOT CORRECT

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

Mr. WILSON of South Carolina. Mr. Speaker, over the weekend, Iran held another government-sponsored Holocaust cartoon contest in the capital of Tehran. Their denial of the mass slaughter endured by millions of men, women, and children during the Holocaust is yet another example of this theocratic regime's irrational and counterproductive conduct which hurts the citizens of Iran.

As he announced the dangerous Iran deal, the President claimed that it would help Iran become a more moderate regime, one that respects our allies. The President was not correct.

This is a nation that continually denies the genocide of the Holocaust, is a state sponsor of terrorism, tests missile development, and chants ''Death to America,'' ''Death to Israel.'' Sadly, the President continues to put faith in this dangerous regime.

I am grateful that, under the leadership of Chairman ED ROYCE on the House Committee on Foreign Affairs, we are putting forth legislation to deny Iran access to the U.S. dollar if they continue to promote terrorism to threaten American families with mass murder.

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

RECOGNIZING NAHLA KAYALI

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

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to recognize Nahla Kayali. She is the founder and the executive director of Access California Services.

Access, as we call it, is a nonprofit organization in my hometown of Anaheim, California, that serves the Arab American, refugee, and immigrant communities with culturally appropriate services, including English as a second language, health and human services, employment assistance, and citizenship resources.

In 1998, she opened a small office and had two clients the first month. She initially helped people sign up for the California Healthy Families program. With only a high school diploma, Nahla has now expanded Access California to serve over 11,000 Arab American, refugee, and other underserved community members in 16 different languages.

She works to foster a better understanding of the cultural needs of the Arab American community, and, quite honestly, she is a living example of what is the American Dream.

As we celebrated last month Arab American Heritage Month, I wanted to honor and recognize her accomplishments, the accomplishments of Nahla Kayali, and her continued work in supporting the Arab American communities and helping, in particular, refugees resettle and become contributing citizens and leaders in Orange County.

OFFICER DOUG BARNEY

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

Mrs. LOVE. Mr. Speaker, I rise to honor National Police Week. We owe a great deal of gratitude to the men and women who serve our communities by putting their lives on the line every day.

Utah has lost 139 police officers since 1853, most recently, Officer Doug Barney of Salt Lake County Unified Police Department. Officer Barney died in the line of duty on January 17.

Officer Barney was a dedicated 18-year veteran police officer, and loved every moment of his distinguished career. His kindness deeply touched the families and the community and sometimes even the people he arrested. He was known for his humor and compassion as well as his toughness.

Ten thousand people attended his funeral. The State of Utah is truly a kinder service-oriented place because of police officers like Doug Barney. I am honored to recognize all of them here in the House of Representatives.

NETWORKS IGNORE COURT BLOW TO OBAMACARE

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

Mr. SMITH of Texas. Mr. Speaker, recently a U.S. District Court judge ruled that the administration's subsidy funding scheme for ObamaCare was unconstitutional. This marked a major victory in citizens' efforts to stop the President's failed healthcare law. However, the ruling was ignored by all three major news networks, leaving many Americans in the dark on the latest development involving ObamaCare.

Last year it was revealed that ObamaCare created or hiked at least 13 different taxes. However, all three major networks also largely ignored this increased burden on taxpayers.

It is no wonder that only 6 percent of Americans trust the media to give them balanced news. Americans deserve all of the facts about the President's failed healthcare law. The liberal national media should not ignore important information just because it conflicts with their political agenda.

HONORING LAW ENFORCEMENT OFFICERS

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

Mrs. BROOKS of Indiana. Mr. Speaker, this week is National Police Week, a time to thank and remember those law enforcement officers who have paid the ultimate price, officers like Deputy Carl Koontz of the Howard County Sheriff's Department in Indiana.

Deputy Koontz was killed in March while serving a warrant well after his shift had ended. He, like so many members of our law enforcement community, showed dedication and commitment to his duties despite the risks.

As a former deputy mayor of Indianapolis and a former U.S. attorney, I have witnessed firsthand the challenges faced by our law enforcement officers and their remarkable families.

But, even more importantly, I saw again and again men and women in law enforcement display courage in the face of adversity, compassion in the face of hardship, and an unending commitment to serve the communities in which they live.

Today I salute the men and women in uniform who every day unfailingly honor the call to serve and protect. This week we must also renew our daily commitment to support our heroic men and women in blue. Our thanks and prayers are with them and their families this week and every week.

SOVEREIGNTY

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

Mr. LAMBORN. Mr. Speaker, national sovereignty is one of the most basic and fundamental principles of international law. Countries differ in their history, culture, aims, locations, and challenges. These factors work to shape the laws that govern that nation.

Without understanding and respecting these fundamental principles of sovereignty, nation-states would have their territorial integrity infringed upon, be subordinated to outside imposed actions, or come under threat from other hostile forces. That is why I cofounded the House Sovereignty Caucus here in Congress.

We must never forget that the supreme law of the land is the U.S. Constitution, Federal laws made pursuant to the Constitution and treaties made under the Constitution's authority. Upholding this supreme law is what makes America great.

Threats to U.S. sovereignty are being attempted every day. We must stay on guard against them, both from without and from within. We must uphold the supreme law of the land. If we divert from this law, we will lose our sovereignty and our freedom.

□ 1215

RECOGNIZING COACH JERRY CLAY

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

Mr. WESTERMAN. Mr. Speaker, I rise to recognize 43 years of service to young men in Garland County, Arkansas, by Coach Jerry Clay, whose 269 wins as head coach at Fountain Lake High School and Lake Hamilton High School are sixth all-time on the list of most wins in Arkansas high school football.

Good coaches have the ability to teach their players to win consistently on the field. Great coaches teach their players to be winners in life. Jerry Clay is a great coach. Not only has he coached 14 conference championships and had teams compete in six State championships—winning two—many young men he coached have gone on to excel in virtually all areas of society, from doctors, to businessmen, to true American heroes like SEAL Team 6 operator Adam Brown, whose life story was chronicled in the best-seller book, ''Fearless.''

I will forever be grateful for the investment Jerry Clay made in my life as my coach, and I wish him many happy years in retirement.

HONORING NATIONAL POLICE WEEK AND NATIONAL EMS WEEK

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

Mr. ZELDIN. Mr. Speaker, this is National Police Week and National EMS Week, which is when we pause to reflect and honor the service and sacrifice of the brave men and women who have lost their lives in the line of duty while serving to protect us. We also pay our respects to all who continue to serve us today. All lives matter. These men and women risk their lives for the safety and security of communities all throughout our country.

With the terrorist acts in Paris, Belgium, and around the world, we are constantly reminded of how dangerous this world can be. When these attacks occur, they are the ones who run head-on into the mayhem and chaos without fear to do everything in their power to save as many people as they can.

Unfortunately, today we are witnessing the shameful targeting of our first responders and police officers. Their authority is constantly being questioned, making an already difficult job even more dangerous. It seems we cannot go a day without hearing on the news that police officers have been shot or even killed in trying to do their jobs.

We must unite around our police officers and first responders and support them just as they support us each and every day.

TIME FOR COMPREHENSIVE IMMIGRATION REFORM

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

Mr. POLIS. Mr. Speaker, my friends, the time for immigration reform is now so as to increase our economic growth, creating good jobs for Americans; to reduce our budget deficit by over $200 billion; to improve our national security so we know who is here and what they are doing; to make sure that people who are here legally have the ability to get jobs and so that we have the ability to screen out people who are violating our laws; to restore the rule of law; to secure our border; to unite families so we don't tear American children from their immigrant parents.

For all of these reasons and more, it is time for this body to act. Only Congress can pass comprehensive immigration reform. Only Congress can enforce our laws. Only Congress can ensure that we grow our economy, meet the needs of our labor force, grow jobs for American families, and increase wages, all through comprehensive immigration reform.

I call upon my Republican and Democratic friends to stop waiting and to act and to take up comprehensive immigration reform now.

CENTRE COUNTY VOLUNTEER OF THE YEAR WINNER CHERYL JOHNSON

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise in honor of Cheryl Johnson, a resident of Centre County in Pennsylvania's Fifth Congressional District, who was recently named Centre County Volunteer of the Year by the county's Chamber of Business and Industry.

For more than 20 years, Cheryl has been the executive director of the Private Industry Council of the Central Corridor, or PICCC, a nonprofit organization which focuses on improving workplace effectiveness and preparing people for either first-time employment, making career changes, or returning to the workforce. It is estimated that PICCC and its staff impact more than 15,000 people annually in Bedford, Blair, and Centre Counties.

During her time with PICCC, Cheryl has dealt with challenges, including the county's transition from being a manufacturing economy to being one that is more service driven. As evidence to PICCC's success and the good work of other organizations, the county regularly has the lowest unemployment rate in Pennsylvania.

Cheryl's good work in Centre County extends beyond PICCC, to volunteer efforts with the United Way, Leadership Centre County, and the Juniata Valley Council Boy Scouts of America. She is an essential part of our community, and I congratulate her on earning this recognition which came as a result of her hard work.

PROVIDING FOR CONSIDERATION OF H.R. 4909, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

Mr. BYRNE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 732 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 732

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4909) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be

confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-51, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived.

SEC. 2. (a) No further amendment to the bill, as amended, shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution and amendments en bloc described in section 3 of this resolution.

(b) Each further amendment printed in part B of the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(c) All points of order against the further amendments printed in part B of the report of the Committee on Rules or amendments en bloc described in section 3 of this resolution are waived.

SEC. 3. It shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in part B of the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

SEC. 4. At the conclusion of consideration of the bill for amendment pursuant to this resolution, the Committee of the Whole shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

The SPEAKER pro tempore (Mr. RIBBLE). The gentleman from Alabama is recognized for 1 hour.

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

GENERAL LEAVE

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

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

There was no objection.

Mr. BYRNE. Mr. Speaker, House Resolution 732 provides for the consideration of H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017.

Mr. Speaker, this is the most important thing this House will do this year as it has been the most important thing this House has done for 54 straight years—setting the policy for defending the American people.

The resolution provides for a structured rule and makes in order 61 amendments. This is the first of the two rules the House will consider on the NDAA. The Committee on Rules is continuing to work through the over 375 submitted amendments, and it will be making more amendments in order at this afternoon's meeting.

As a member of the House Committee on Armed Services, which is the jurisdictional committee for this bill, I, like many others, have spent substantial time in working through this year's NDAA. A lot of work has gone into the bill to get us to this point, and I want to recognize the work of Chairman MAC THORNBERRY, of Ranking Member ADAM SMITH, and of each of the subcommittee chairmen and ranking members. We should also recognize the very capable Committee on Armed Services staff who has devoted so much time to this legislation.

This process, as in years past, has been truly bipartisan. The bill passed out of the committee by a vote of 60–2. It is my sincere hope that this bipartisan nature will continue here on the House floor as we consider the most important thing we will do all year. Providing for the common defense is the most important function of the Federal Government, and it is one we all take very seriously.

There are many different threats and challenges around the globe, and we and the servicemen and -women who protect us need to be ready for each of those threats; so you will be hearing a lot about readiness over the next couple of days as we consider this bill because just having a soldier or an airman or a sailor is not enough—they have to be ready to do the job that we assign to them. Readiness means that they have been trained appropriately, that they have the equipment they need, and that they have the support they need to carry out their vital role.

Look around the world as we sit here today: North Korea is threatening us with nuclear weapons. They say they have miniaturized the nuclear weapon. They have the missile technology not only to shoot it from land, but to launch it from submarines.

China, every day, is pushing out further and further with these artificial islands in the South China Sea, claiming, virtually, the entire South China Sea as theirs that they can control and against the claims of other countries in the region—a part of the world where over $5 trillion in trade moves to and fro, which is something that has a direct impact on the well-being of the American people.

Look at what is happening in Europe. Russia has taken the Crimea. They are involved in actions in the eastern part of Ukraine today. They threaten NATO allies—countries with which we have an Article V obligation to defend if any country attacks them—and Russia is threatening those countries today.

Then in the Middle East, as many of us know, we have a resurgent Iran. After the deal that the President struck with Iran last year, Iran now has access to tens of billions of dollars. As the major state supporter of terrorism in the world, they are using that money to fund terrorist groups like Hezbollah and Hamas, which cause so much havoc and destruction and death. We have this terrible situation in Syria, a continually bad situation in Iraq, failed states in Yemen and Libya.

Our military—our defense forces—are called upon to address all of those—to protect us, to protect the American people. That is why getting this bill right is so important. That is why taking it seriously is so important. Whether it is fighting terrorism in Iraq or in Afghanistan, deterring Russian aggression in Europe, or projecting force in the Pacific, our military has their hands full, and this bill is critical to ensuring that they are ready for what is coming to them and to us. Let us make sure we understand. Experts far beyond my background have said that the United States has never faced this level—this complexity—of threat to our national security since the end of World War II.

This bill is also an important oversight tool for Congress as we work to ensure accountability, efficiency, and effectiveness from our Nation's military. The NDAA authorizes spending at a level of $574 billion for national defense base requirements and an additional $36 billion for overseas contingency operations. This matches the total funding level of $610 billion that was requested by President Obama. These spending levels are needed to make critical investments that will begin to restore our military readiness.

It seems like every day a new and alarming report comes out about the dire situation our military is in: planes can't fly due to deferred repairs; troops aren't adequately trained; there is a lack of naval vessels in critical theaters. These stories have begun the sad reality for our military in recent years, and we are putting the lives of our servicemembers at risk.

□ 1230

To be clear, none of these are the fault of our servicemembers who continue to rise to the challenge and do

more with less. But we, as a Congress, have to fix this problem.

The NDAA will put us back on track by strengthening our commitment to our military men and women. It fully funds the 2.1 percent pay raise for our troops and restores funding for training and maintenance programs, while also helping rebuild crumbling facilities.

The bill is also reform oriented. You are going to hear a lot about reform over these next 2 days. It includes long-needed reforms to the acquisition process and the Uniform Code of Military Justice, as well as boosting healthcare programs to ensure high quality and access to care. All told, there are five components of reform in this bill.

I also want to briefly touch on a few issues up front that I know my colleagues will likely bring up. First, this rule self-executes an amendment by Chairman SESSIONS of the Rules Committee that would strike a provision of the bill relating to women and Selective Service.

This is an issue that the Armed Services Committee has not debated. No hearings have been held. It was added to the NDAA by an amendment in the dead of night. This rule removes that provision and allows Congress to properly study the issue.

Wherever you stand on the issue of including women in the draft, the American people should have the benefit of a full hearing, a full consideration of that issue. Jamming this thing into this bill and considering it without going through that is not right for the American people, whichever side they stand on. Making that the way this bill stands today is the right thing to do before we make a substantial change.

I also know the President has some concerns about the way this year's NDAA funds our military. The bill funds the overseas contingency operation until April 2017, when a new President will have time to assess the security situation, and then they could submit a supplemental budget request based on their priorities.

This is common for the first year of a new administration. Indeed, in 2008, then-Senator Barack Obama, then-Senator John Kerry, and then-Senator JOE BIDEN all supported a similar strategy. So I find it very odd that they now oppose that same strategy.

The bottom line is that this bill adequately funds our military while meeting critical needs for military readiness and supporting overseas operations. Let's not let politics get in the way here. There is enough political theater taking place in the Presidential election.

On this issue, this critical issue of national security, let's come together as Democrats and Republicans and show the American people that we can work together on behalf of our military and our national defense.

I urge my colleague to support House Resolution 732 and the underlying bill.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume. I thank the gentleman for yielding me the customary 30 minutes.

Mr. Speaker, I rise today in opposition to the rule providing for general debate on H.R. 4909, the NDAA, or National Defense Authorization Act for Fiscal Year 2017.

For 54 straight years, the United States Congress has come together in a bipartisan fashion to craft policies and recommendations for the United States Armed Forces and to put these into law. As has been indicated, of course, this is one of the most consequential and substantial items that we have. It is one of our responsibilities here in the United States Congress.

Personally, I have found objections to some of the policies in the bill. Of course, I commend the work of the men and women on the Armed Services Committee on this legislation. I am going to highlight some of the problems that exist and why many of us on both sides of the aisle will likely be opposing the legislation.

Many of my colleagues on the Armed Services Committee currently serve or have served in the Armed Forces. They are dedicated public servants, and they have worked hard on this bill. Of course, the bill includes the rest of us as well.

Over 375 amendments have been offered to improve this bill. The Rules Committee will be meeting this afternoon to determine how many of those we make in order, and I hope that the Rules Committee makes in order a great number of these amendments. Of course, the first step under this rule is to make a few dozen amendments in order, and we will continue that work in the Rules Committee shortly.

Mr. Speaker, for all the hard work that the Armed Services Committee has done, what we have before us this week is, unfortunately, an argument that needs to be resolved in the Budget Committee.

What we have is effectively an accounting trick that drives us deeper into debt and increases the budget deficit to pay for 1 year of increased defense spending. To this point, I object to having this budget debate even in the context of a defense bill.

But by disregarding the proper use of what is called the overseas contingency operations account and by flouting the Budget Control Act agreed upon by Republicans and Democrats, unfortunately, this Armed Services bill has been overtaken by a debate on the Federal budget.

What we have before us is a bill that will increase the deficit and increase the debt above and beyond the spending levels the Democrats and Republicans agreed to. The free-spending Republican Party continues to throw taxpayer dollar after taxpayer dollar.

Do they just intend to drive up the debt or do they intend to increase your taxes? When we increase our deficit, it means increased taxes. Effectively, this Republican bill is a tax increase on future American families, like my kids.

So this week we see a debate about the inability of the Republicans to pass a budget or adhere to a budget when they do agree to one.

If the debate over our armed services was not such a serious topic, I would say that this was a very clever, elaborate budget scheme. And it is clever. It is far too clever, more so than the traditional budget gimmicks that we have been presented with.

I am going to explain to you exactly what this tax-and-spend Republican plan is. The bill authorizes $540 billion in discretionary base budget authority that includes $523 billion for the DOD and $19.5 billion for the Department of Energy's defense work.

But since the United States has been embroiled in conflict abroad since 2001, several administrations have requested and Congress has always granted another pot of money known as the overseas contingency fund.

This year the bill provides $59 billion for what we call overseas contingency. Now, together with the $543 billion base, plus the $59 million in overseas contingency, that equals the President's budget request.

Now, as a reminder, the Republicans haven't actually produced a budget this year; so, it is hard to make a comparison. All we can do is compare it to the President's budget because there is no House budget and there is no Republican budget. We haven't even seen one to be able to act on it or have a debate.

Traditionally, we bring before the body several budgets and whichever one gets the most votes is the budget of the House. There are usually several budgets from the Democratic side, several budgets from the Republican side.

In years past, there have even been bipartisan budgets which I have been honored to support. This year, however, Republicans are not even allowing the House of Representatives to consider, no less pass, a budget.

So what the NDAA does is it takes this overseas contingency account, which many consider to be a slush fund for Pentagon operations, and it takes $18 billion of that to pay for base operations.

Some of that $18 billion goes to fund the Pentagon's unfunded priorities or what we might call their wish list or items that they couldn't fit into the agreed-upon budget control number of $543 billion.

So this busts through the deficit, increases the debt. It is a Republican plan to tax and spend, tax and spend, tax and spend, like they always do

through accounting tricks that they are doing right here in the defense budget.

So the Pentagon gets more of the big-ticket items they want. Taxpayers are left paying the bill to the detriment of our economy, to the detriment of job creation, so that our own kids have to pay future taxes, putting our Nation deeper and deeper in debt, which I should point out to my friends is a national security issue.

When we are economically beholden to other nations like China or Saudi Arabia, that is as great, if not greater, a national security threat than the one we combat with the tanks and Armed Forces that this bill seeks to authorize. So it is very important to take that into account.

If we look at what are the reasons that we defeated the Soviet Union during the cold war, they overinvested in their defense relative to their GDP, which effectively hurt their economy and made their economic model unsustainable because they were allocating too much to defense to try to keep up with where we were.

If we mortgage our future to the Chinese and Saudi Arabians, how are we increasing our security, Mr. Speaker? In fact, we are decreasing our security to fund current consumption for 1 year at the price of mortgaging our future to foreign adversaries.

By stealing $18 billion from the overseas contingency account, the NDAA guarantees that we run out of money for overseas operations sometime in April 2017. And, of course, this Congress would never let money run out for operations against ISIS and Afghanistan and elsewhere.

So, of course, when it comes down to it, this bill will come before Congress in April and Congress will make sure that we have the money we need to fight ISIS because they looted from this bill the money that was designed to fight ISIS to pay for items on the Pentagon's wish list. So that is what is happening here.

Rather than appropriating money to combat ISIS and Afghanistan and other countries for the full year, they are just doing it for a few months. They are taking some of that money, putting it into the base, mortgaging our future, putting burdens on taxpayers, and making us economically at risk of being dominated by the countries that we continue to borrow from.

Look, that is why the Secretary of Defense and that is why the President of the United States, the Commander in Chief, are completely against this way of budgeting. It is fiscally irresponsible.

As the ranking member of the Armed Services Committee testified at the Rules Committee yesterday, this old gimmick probably violates the bipartisan Budget Control Act. When you do that, that is where the budget debate gets going. Congress has set limits on how much we can spend on defense versus nondefense.

So when we run out of money next year under this NDAA plan, we are going to be forced to spend more. I mean, who before us is not going to spend the money we need to combat ISIS?

Of course Congress will spend more. This is a plan to set up Congress to spend more. Of course, Congress will spend more regardless of who controls Congress.

That is why budgets matter. That is why this arcane and esoteric gimmick in this bill matters. It is why we should have these debates in the Budget Committee. It is why this Congress should pass a budget. It is why we should let the national defense bill be about defense rather than mortgaging our future.

Look, if it wasn't enough to have this budget smoke-and-mirrors debate in the defense bill, this year's NDAA also has a debate about whether we should let taxpayer dollars subsidize discrimination and whether we should encourage corporate misconduct.

Mr. Speaker, I am not going to dwell long on the subsidization of discrimination and encouraging corporate misconduct, but I can't fathom why there would be a place in this bill about national defense for provisions that allow Federal contractors to discriminate against LGBT employees. That is unacceptable, bizarre, and contrary to meeting the security needs of our Nation.

Also included in this bill is an exemption from the President's Fair Pay and Safe Workplace Executive Order. The place to debate that is in another committee I serve on, the Education and the Workforce Committee, not the national defense bill. Those need to be removed.

Of course, this bill also strikes the Selective Service registration for women. The committee mark included women in Selective Service. Personally, I cosponsor a bill with Representative MIKE COFFMAN to eliminate Selective Service that would save money. And, of course, in my entire lifetime, there has not been a draft.

If we are going to have a Selective Service system, of course, it needs to include women. Women serve in every single combat role. It needs to include everybody so we can mobilize manpower and womanpower most effectively. But, unfortunately, that has been stripped out of this bill.

I believe we should take a hard look at doing away with Selective Service entirely. Of course, at the very least, we should include both men and women at the age of 18.

To move forward without any real debate on this issue and to strike that section without meaningful floor debate is bad policy, bad procedure. It is an offense to the committee which put it into the bill and yet another reason I plan on opposing the bill.

There are other pieces of this bill which I and many Democrats and Republicans object to. There is a lot of time to go into those, which I will do depending on how many speakers we have.

I reserve the balance of my time.

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

I was listening very carefully to my colleague, and I heard him talk about what is being proposed in this bill as being accounting tricks and cover. I am going to repeat again that what this bill is doing is exactly what then-Senator Obama, then-Senator Kerry, then-Senator BIDEN voted for in 2008.

There is nothing new here. We are going into another President, and we are giving that President an opportunity to take a look at the situation and come back to us and tell us what they want.

He said that this will drive up the deficit. It only drives up the deficit if we are not willing to work together to cut in other places because national defense is more important than anything else we do.

If we don't want to drive up the deficit—and I sure don't want to drive up the deficit—let's talk about some serious cuts to other parts of the budget that aren't nearly as important as national defense.

He called the overseas contingency account a slush fund. It is a fund directly requested by President Obama. It was requested by the President before him. It is something we have done for a while. It is adequately accounted for. There is plenty of oversight over it. So it is not a slush fund at all.

The gentleman from Colorado said that we should be careful about overinvesting as the Russians did relative to GDP. If you look at what the defense spending is as a percentage of the American GDP, for the last several years it has gone down. It is so much lower than it was even just a few years ago. In fact, we now know it is dangerously low because of what our adversaries—Russia, China, et cetera—are doing.

□ 1245

He talked about that this bill somehow encourages corporate misconduct. This bill has more reforms in it than we have seen in years that are going to require more and more people to toe the line, as they should when we are spending the taxpayers' money.

He said that there is something in this bill that might have something to do with LGBT discrimination. No, sir. Mr. Speaker, what is in this bill, what is going to be proposed for this bill, is something that gets to people's religious freedom. We don't treat religious freedom seriously enough in this body.

We act as if it is somehow now a secondary right. Well, it is a primary right. It has always been a primary right, and we should always stand up for it in this body.

Mr. Speaker, I yield 3 minutes to the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. Mr. Speaker, I thank my colleague from Alabama for his good work on this rule and on this bill.

I want to talk about the critical part of the bill and an amendment that was proposed and then withdrawn, and that has to do with Iran's heavy water production. The reason this amendment was withdrawn and won't be under consideration in the Committee on Rules for discussion later today is because it deserves to have stand-alone treatment. It is that important.

Heavy water is used to produce weapons-grade plutonium. Its distinctive properties make it a critical component in the production of nuclear weapons. Now, the nuclear deal that some of the Senators voted for—not by two-thirds by any means—forbids Iran from stockpiling more than 130 tons of heavy water during the initial years of the deal, and they will be allowed to produce 90 tons later. But they are required, under the deal, to redesign and rebuild their Arak facility to support its ''peaceful'' needs and research.

So Iran did agree to keep pace with international technological advancement trends and rely only on light water, not heavy water, for future nuclear power, yet they have been producing heavy water nevertheless.

The Wall Street Journal has exposed the proposed purchase of Iran's overproduced heavy water, stating that the administration is encouraging ''Tehran to stick to the nuclear agreement reached last year.''

So apparently the administration is seeking to entice others to purchase Iran's overproduced heavy water by making the first purchase. U.S. Energy Secretary Ernest Moniz said: ''That will be a statement to the world: 'You want to buy heavy water from Iran, you can buy heavy water from Iran. It's been done. Even the United States did it.' '' So we are enabling Iran to violate the terms of the deal, and we are going out and buying this, using taxpayer dollars nevertheless.

Now, if the Iranians cannot or simply will not keep the deal, we have to come up with a better deal, not bail them out of aspects of the deal that they don't want to comply with. So this proposed purchase by the administration violates the intention of the deal and the will of the American people. We can't let this administration or the speech writer Ben Rhodes or their fabricated echo chamber deceive us any longer.

By the way, this speech writer, Ben Rhodes, admitted in a New York Times article published just the other day that they took things they knew not to be true and misled the American people on purpose to get the deal passed.

We must not authorize funds to purchase heavy water from Iran. Because this issue is so important, I will work with leadership to make sure that we consider this later as stand-alone legislation.

Mr. POLIS. Mr. Speaker, I yield 1 minute to the gentlewoman from Massachusetts (Ms. TSONGAS).

Ms. TSONGAS. Mr. Speaker, I rise today to speak against this rule that repeals a provision that was added to the NDAA, the National Defense Authorization Act, after a bipartisan, recorded vote in committee which expands the Selective Service System to include women. That provision was in line with the Secretary of Defense's decision to eliminate the ban on women serving in direct ground combat positions and the recognition that women are much needed across all aspects of military capability.

This rule precludes Congress from having an open and transparent debate about this very important issue that impacts women's equality. If we want a full hearing, is there no better place than on the floor of this House? This rule would prevent that.

Gender equality is achieved when women and men enjoy the same rights, opportunities, and responsibilities across all sectors of society, including military service, and when the abilities, aspirations, and talents of women and men are equally valued. Including women in the draft is a step toward that equality.

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

Mr. POLIS. I yield an additional 30 seconds to the gentlewoman from Massachusetts.

Ms. TSONGAS. Mr. Speaker, this position is shared by both Army Chief of Staff Mark Milley and Marine Commandant Robert Neller.

I urge my colleagues to reject this rule that denies the current reality of military service, limits gender equality, ignores a bipartisan vote, and does not allow for an open and transparent debate on the floor of the House.

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

Mr. Speaker, I completely agree with my colleague who just spoke that, if we are going to do this, we should have a full debate on it. But we should also let the American people be heard.

Because of the way this happened in committee, there was no public hearing beforehand. There was no notice to the American people that this was going to be considered. So the most important people we need to hear from on this haven't been heard from, and they need to be heard from.

The way to do that is for us to announce that we are considering this; have full public hearings in committee; and then, after having full public hearings, the committee makes a decision and brings something to this floor for us to debate. But for us to bring up an issue of that magnitude without having gone through the process of letting the American people be truly heard here, that is not appropriate.

So while I understand exactly what my colleague just said—I was there for the committee meeting. I know that there was a vote on it. It was a vote after we had no debate in committee, no hearings, no opportunity for the American people to be heard—if we are going to take an issue like this and bring it to the floor of this House, we need to do all of that or we wouldn't be doing our job. So I respectfully disagree with her. I think the self-executing amendment by Chairman SESSIONS is appropriate, and I would urge my colleagues to support that.

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

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

Mr. Speaker, I would say in response to my friend that the committee did a lot of work through the night and voted on a number of issues that Members raised, and many of the items that they voted on were not subject to their own hearings. What we are seeing here is a failure of Speaker RYAN to follow through on his pledge for regular order.

What is regular order? There is a committee markup of the bill for good or bad. Sometimes the chairman has things in that bill he or she doesn't want. Other times it is exactly like they want it. That gets reported out to the Committee on Rules, and other Members have a chance to change it. If any Member of this body wanted to remove women from the Selective Service, which was in the HASC markup, they would simply offer an amendment to do so. That is the normal process. There would be debate and there would be a vote.

Instead of that process, there is a mysterious self-executing amendment in the rule itself; so the rule, itself, controverts the actual bill that the HASC reported out. It actually changes the very bill that the committee worked on without a vote, without debate, and that is the opposite of regular order, the opposite of the process that allows Members to fully debate and vet these issues.

This rule actually stifles the debate on this very issue that the HASC weighed in on. It is my understanding it is in the Senate bill, to include women in Selective Service as well. I think it will likely be in any conference report that comes out. But for whatever reason, rather than having the debate and vote on the floor, it is being hidden behind a procedural trick in a self-executing rule.

I yield 2½ minutes to the gentleman from Massachusetts (Mr. MOULTON) to discuss the bill and the rule.

Mr. MOULTON. Mr. Speaker, I rise today to speak on important provisions contained within the National Defense Authorization Act.

I have said many times that too little attention has been given to a long-term political strategy in our fight against ISIL. That is why I worked with colleagues from both sides of the aisle to include an amendment now contained in the bill that requires the administration to develop an integrated political and military strategy to defeat ISIS. Without this strategy, we risk repeating mistakes of the past.

We largely defeated al Qaeda in Iraq militarily in 2009 but failed to follow through on the root causes and ensure the success of Iraqi politics going forward. It created a political vacuum that ISIS grew into. We cannot afford to make that mistake again.

Second, we should all be able to agree that our military personnel and veterans deserve the best health care in the world. That is why I am proud to report the bill also contains provisions I worked on with several Members to address the increased rates of suicide in our military. Since 2012, suicide has been the leading cause of death in our military. In the past 3 years alone, the suicide rate has been nearly 50 percent greater than in the civilian population.

The Department of Defense needs to take an aggressive approach in solving this crisis. My amendment included in the bill would identify trends and instances of suicides and require better proactive and reactive mental health care for active personnel.

Finally, I want to call attention to the urgent need to continue the Special Immigrant Visa program for Afghans who worked for U.S. forces. A bipartisan amendment before the Committee on Rules now would remove the unfortunate narrowing of eligibility requirements included in the mark, which would prevent hundreds of Afghans whose lives are at risk because of their work for our country from even being considered for resettlement in the United States.

The narrowing of eligibility intentionally excludes hundreds of Afghans who worked for the U.S. State Department, USAID, and U.S. security contractors in a number of capacities, many of whom face well-documented death threats due to their work with our government, regardless of whether that was with frontline troops or on an American base. By narrowing eligibility, the program would erode the expectations of hundreds of Afghan staff whose lives remain in danger because of their work for the U.S. mission and also make it more difficult to hire and retain qualified Afghan staff who are essential to achieving our diplomatic and assistance goals. For that risk and sacrifice, the very least we can do is offer them a chance to stay alive, to keep living, rather than abandoning them to the same enemies they united with us to destroy.

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

Mr. Speaker, I appreciate my colleague from Massachusetts and all the points that he has made. Indeed, there were a number of bipartisan amendments that were added to the bill during that very long day and night that we spent considering it, which just points out the bipartisan nature of what we are doing here.

On the committee, we try to work together to find the right way forward for the defense of America. When colleagues on either side of the aisle offer something that is common sense and we think will work, we work together to make sure it gets in the bill, and that is what he just alluded to.

He also alluded to an amendment that he hopes will be added as a result of the Committee on Rules meeting this afternoon. We are going to be considering an awful lot of amendments this afternoon. There are over 60 amendments that we have made in order in this rule, bipartisan amendments, so this is a very strong effort on our part to make sure that this is a bipartisan bill; and as a bipartisan bill, it deserves bipartisan support.

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

Mr. POLIS. Mr. Speaker, it is particularly ironic that the gentleman is touting the bipartisan amendments. It is one of those bipartisan amendments that adds women in the Selective Service that is stripped out of the HASC bill, of the committee's bill right here in this rule, through a self-executing amendment.

So this rule, if it were to pass—and I hope it doesn't. I hope my colleagues on both sides of the aisle vote ''no.'' This rule undoes one of those very bipartisan amendments that the gentleman is touting.

I yield 2½ minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. Mr. Speaker, I thank the gentleman. I thank the Committee on Armed Services for the hard work they did to produce this bill. I am not going to support it.

The most important function that we have is to make certain that America is secure. Our defense authorization bill is a major component of that, but I believe this bill fails in some fundamental respects.

Number one, the budget is very large. We are approaching $700 billion. But throwing money at a problem does not solve a problem. What we are doing as we throw more money at a problem without making hard decisions is we generate and accept as inevitable an immense amount of inefficiency.

Number two, there is an overreliance on the OCO funding. First of all, OCO, off budget, should be debated, and it should be appropriated. It should be subject to all budget caps. But to then begin using it not just for overseas contingency operations but to actually invest in major weapons systems is a gross mistake that is just going to lead to a weaker budgeting system that is essential, in my view, to our national security.

□ 1300

Of that OCO funding, money would be used for weapon systems like the F/A–18E Super Hornet and the F–35. The $35 billion in the OCO authorization is for war requirements, including dollar amounts in the millions.

Now, the other issue with respect to OCO—and another failure in this bill—is we are once again continuing to have military operations—this country is at war—without having any debate on an Authorization for Use of Military Force. That should be part of it.

Third, we have significant issues in NATO. As the Speaker and my colleague, the chairman, know, NATO is absolutely essential to our defense. But the time for the United States to be bearing as big a burden for that defense has come to a conclusion.

We will bear the majority of the expense, but the commitment on our NATO allies is to reach 2 percent of their gross domestic product in defense spending. If our NATO allies are not doing that, we are asking the American taxpayer to do it. These are mature democracies. They have stable economies. It is about time that we asked for this to absolutely happen.

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

Mr. POLIS. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. WELCH. The real fundamental question for us is whether or not in this defense budget we are going to ask what are the fundamental strategic necessities of the United States to be in a strong posture to defend itself.

The approach of just throwing more money and maintaining weapons systems that our military is not even asking for, of blinking on the question of personnel review—all of these things are just postponed for another day. They need to be faced today.

So, Mr. Speaker, I thank the committee for its work, but I will not be supporting this bill.

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

Mr. Speaker, I appreciate the gentleman from Vermont. He and I and a group of Members of this body met recently with members of the German Bundestag and the Russian Duma to talk about these very issues, and it was a most enlightening trip for all of us. By the way, all of us went as American citizens, as Members of the United States Congress, not as Democrats or Republicans.

One of the most troubling things that we learned from that trip is that the

Russians continue to invest at a significantly higher level than we are in terms of their increases every year and their military activities. That is why they have been so successful in Ukraine, why they have been so successful recently in Syria. So this bill begins to turn back around so that we are investing properly.

If I thought that we were throwing money at the problem, if my colleagues on both sides of the aisle and the Armed Services Committee thought we were just throwing money at the problem, this bill would not have received a 60–2 vote in committee, I can tell you that.

The inefficiencies the gentleman talked about we are very concerned about. That is why there is so much reform in this bill. There are five different components that deal with reform. We can't expect American taxpayers to pay for any part of the government that is inefficient, including our military.

He brought up the Authorization for Use of Military Force. We had a big debate about this in committee, and I asked my staff: Why can't we consider an Authorization for Use of Military Force in our committee? I think we should.

I was told and we found out by reading the War Powers Act, a law passed by Congress in 1973, that, under that law, jurisdiction for the Authorization for Use of Military Force is vested in the Foreign Affairs Committee, not in the Armed Services Committee, so we could not consider that when it came before the committee.

And then, finally, as to his comments about NATO, I share a lot of his concerns. I think many of us do. There is nothing wrong and everything right with expecting our NATO allies to meet their 2 percent obligation. Most of them are not doing that.

I do believe the administration is working with them to get them to that point, but I don't think we should ever miss an opportunity to keep the heat on them to do that. Ultimately, the defense that we provide over in Europe through NATO is the defense of those countries.

So I think it is appropriate that the gentleman brought up that point. I hope the administration will continue to do that, and I hope that we will continue to back any effort that is taken by this administration or the next to do that.

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

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

Mr. Speaker, I want to take some time to highlight some of the terrible environmental provisions that run counter to our national security imperative to create a more sustainable society that are in this bill or that have been submitted as amendments to this bill.

For instance, there has been an amendment that would block implementation of the collaborative Federal land use plans and prevent listing of the sage-grouse under the Endangered Species Act for the next decade.

We have had extensive hearings in another committee I serve on, the Natural Resources Committee. This has nothing to do with defense. In fact, we hold up the collaborative Federal land use plan as an example of how to avoid listing this species and, yet, make sure that we can maintain a viable habitat.

I think it was a great success. I think it is ridiculous that we are talking about amending a national defense bill to undo something that we have had extensive hearings on in the Natural Resources Committee and is held up by all parties involved as a huge success.

In addition, there is going to be an amendment offered to sell off over 800,000 acres of the Desert National Wildlife Refuge in Nevada. It would be transferred to the Air Force, which has not requested a transfer. The Air Force has not requested this land for any military use; yet, there is a bill to impose the management of these lands on the Air Force.

It would represent a harmful public land sell-off precedent. It is important habitat for desert bighorn sheep, mule deer, mountain lions, and other wildlife.

As we mentioned, the Air Force has not requested the stewardship of these lands. Of course, it would put a costly new burden on the Air Force to the detriment of our national security.

In addition, there are two provisions already in the NDAA that will remove or block Federal endangered species protections for the American burrowing beetle and the lesser prairie chicken.

Again, I am happy to have those debates. But what on Earth do they have to do with national defense, and why are they in the committee bill?

Section 2866 would block ESA protections for the lesser prairie chicken for 6 years and then impose arbitrary restrictions on whether the Secretary of the Interior can relist the lesser prairie chicken, regardless of its biological status, even if there is only a handful left or it is nearing extinction.

Section 2866 would also immediately and permanently remove the burrowing beetle for protection under the Endangered Species Act and prevent it from receiving any protections in the future.

Our biodiversity is a source of strength. To somehow have a backdoor attempt—if you can't get these things through the proper regular order of the Natural Resources Committee, to somehow say that the burrowing beetle has something to do with national defense is a great stretch of our rules of germaneness that we have here in the body of this House.

More perilously, more dangerously, there is language in the House NDAA bill that is a repeal of section 526 of the Energy Independence and Security Act of 2007. The purpose of this law is to reduce the Department of Defense's dependence on oil from hostile regimes of the world.

So it is a disparate element of advanced lower carbon fuels to promote energy security. Repealing this provision is something the Department of Defense does not want. It would be unwise for our clean energy future.

So this bill actually detracts from the current language in the repeal of section 526. It reduces our energy security as a Nation, renders us to be more reliant on foreign powers for our oil, just as the budgetary tricks in this bill will force us to borrow more from China and Saudi Arabia to spend this year.

Finally, there is some damaging language about aquatic invasive species, which, of course, cost billions of dollars annually when we deal with the zebra mussels in lakes in Colorado, damaging shipping, damage to industrial and government facilities. Invasive species cause great irreversible damage to coastal and inland waters, including some in my district.

Once a nonnative species invades a lake or river, it is basically impossible to eliminate, as we know. S. 373, the Vessel Incidental Discharge Act, or VIDA, would discard the Clean Waters Act goal of stopping further invasive species and replace it with a law that would instead put ineffective standards for removing invasive species from ships' ballast water discharges that bear no relation to protection of water quality.

So, again, this bill will strip out very important measures that would prevent the dissemination of invasive species. Even in the lakes in my district, including in Grand County, we have had a devastating impact of the zebra mussel invasive species both on local habitat as well as directly on recreational ships and boaters.

There is not a direct military aspect to where we are, but, again, this applies to both military and shipping and is a great cost to the American economy when these invasive species threaten us.

Again, these are issues people may differ on. I am happy to have that debate. In fact, it is a little bit of déjà vu. I feel like I have had that debate on the Natural Resources Committee. We have debated many of these same things.

But instead of bills being reported out of that committee and coming to the floor, apparently, the NDAA is seen by some as a catchall to attack our environmental safeguards. That is wrong. That actually detracts from our national security. It makes us more reliant on foreign oil. It is the wrong direction for the bill, the wrong direction for national defense.

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

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

Mr. Speaker, I wish we didn't have to deal with environmental issues on the Armed Services Committee, but, unfortunately, we have military bases all across the United States where they are being limited in what they want to do, what they could potentially do, by other Federal agencies that are using their powers to tell our defense folks that they can't do things that are important to carrying out their military mission.

So I heard my colleague, and I know of his service on the Natural Resources Committee and the good work of that committee. But when you have those agencies beginning to impinge on our ability to deliver on national defense, I think that is under the jurisdiction of our committee. We have gotten waivers to be able to take these issues up from those committees, including the Natural Resources Committee.

Look, I am not saying the sage-grouse or the beetle is not important, but they are not more important than the defense of the United States of America. We have dealt with these issues in a responsible way. I hope and pray that the time will come when we won't ever have to talk about that in the Armed Services Committee again.

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

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

I still remain hard pressed to see how the burrowing beetle or the lesser prairie chicken are somehow a security issue that needs to be addressed in the National Defense Authorization Act.

Look, there are a number of other flaws with the bill. It greatly overfunds our nuclear weapons activities, which will cost taxpayers hundreds of billions over the next 10 years. I have offered an amendment to reduce this.

This is for a stockpile of weapons that could be greatly reduced and still maintain the capability of destroying the world many times over, however useful that capability may be.

I think it should be good enough that we have enough capability to destroy the world three or four times instead of seven times. God forbid, we don't have enough capabilities to destroy the entire world and wipe out life.

This bill does not include, as had been mentioned, an Authorization for Use of Military Force for our ongoing operations in Iraq, Syria, and elsewhere. Despite repeated calls to write an updated authorization, despite the belief of many Members on both sides of the aisle, the current war is illegal.

This Congress has taken zero meaningful action to date. We should change that or at least debate changing that this week.

As I said before, when you have a national security bill that mortgages our future, makes us more reliant on foreign oil, you wonder at what point you should stop calling it a national security bill and start calling it a national insecurity bill.

The vision that my constituents have, the vision that I have, for a safe and secure America is not one with bloated budget deficits and borrowing from China and Saudi Arabia. It is not one where we cut off our own renewable energies program so we can rely more on foreign oil. It is not one where we borrow more from our kids' future and mortgage them. That is not the secure America that we should seek as a United States Congress.

These are the kinds of questions that we should be debating in the defense bill. But instead of focusing on these real questions of how to improve our armed services and how to provide for the national defense, the general debate we will see under this rule will dedicate a large portion to debate on the budget and the looting of this overseas contingency fund, which Congress will have to come back and backfill in April, therefore mortgaging our future and increasing our national debt to fund.

Instead of actually passing a budget, this Congress is having a backdoor budget debate, debating it now. It is the wrong way to do things.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule that would shed light on the secret money in politics.

The DISCLOSE Act, authored by Mr. VAN HOLLEN, would require outside groups to disclose the source of the contributions they are using to fund their campaigns.

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

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

There was no objection.

Mr. POLIS. Mr. Speaker, I urge my colleagues to vote ''no'' and defeat the previous question. I urge my colleagues to vote ''no'' on the rule with the self-executing language which undoes the committee language, in violation of regular order. Vote ''no'' on the rule.

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

□ 1315

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

Mr. Speaker, I appreciate and respect the gentleman from Colorado and his earnestness and all of what he has said today; and I do agree with him that there are many things that we need to debate on this floor and that we will be debating on this floor over the next 2 days.

But let's make sure we don't lose sight of the central thing we are here to do, and that is to protect and defend the people of the United States.

Yes, there are going to be some extraneous issues, issues that we wish we didn't even have to talk about; but at the end of the day, we are going to come back to that central function, that most important function that we have, and that is defending the people of the United States.

Because of things that have happened before today, the readiness of our Armed Forces, the people we charge with the direct responsibility of defending us, the readiness has come down steadily. Planes can't fly. Armed vehicles can't drive. Weapons don't function. We don't have enough training for our troops.

So we have listened to all of the uniformed commanders that have come before our committee and heard the dire circumstances we face all across the national defense of this country, and this bill begins to turn that around.

It is not a big enough turnaround. We have got a lot of work to do to get back to where we need to be, but this begins that process of getting our Armed Forces ready in a way that is meaningful and responsible for them but also will create the actual effect of protecting the American people.

We have put into this bill very important reforms, reforms that we have been needing to look at for a long time, that will require our military to be more efficient, save taxpayer dollars, but also make them more effective in their jobs.

This bill does what we, as a House, are charged with doing, and that is setting responsible policy for defending the United States of America.

I hope that everyone, as we debate the amendments and the underlying bill over the next 2 days, will keep central in their mind that that is what this is all about and that we will strive to do this in a bipartisan fashion, as we have done on the Committee on Armed Services and as we have done on the Committee on Rules.

This needs to be a bipartisan bill. This needs to be a bipartisan vote. If we really care about this country, if we really care about those men and women in uniform, then it is important for us to understand that we have a bipartisan responsibility to make sure that we provide for them and provide for the defense of the American people.

Mr. Speaker, I urge my colleagues to support House Resolution 732 and the underlying bill.

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

AN AMENDMENT TO H. RES. 732 OFFERED BY MR. POLIS

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

SEC. 5. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House

resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 430) to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, and other entities, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the respective chairs and ranking minority members of the Committees on House Administration, the Judiciary, and Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 6. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 430.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

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

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

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

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

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

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

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

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

The yeas and nays were ordered.

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 4957. An act to designate the Federal building located at 99 New York Avenue, N.E., in the District of Columbia as the ''Aries Rios Federal Building''.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO BURMA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 114–135)

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

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Burma that was declared on May 20, 1997, is to continue in effect beyond May 20, 2016.

The Government of Burma has made significant progress across a number of important areas since 2011, including the release of over 1,300 political prisoners, a peaceful and competitive election, the signing of a Nationwide Ceasefire Agreement with eight ethnic armed groups, the discharge of hundreds of child soldiers from the military, steps to improve labor standards, and expanding political space for civil society to have a greater voice in shaping issues critical to Burma's future. In addition, Burma has become a signatory of the International Atomic Energy Agency's Additional Protocol and ratified the Biological Weapons Convention, significant steps towards supporting global non-proliferation. Despite these strides, the situation in the country continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States.

Concerns persist regarding continued obstacles to full civilian control of the government, the ongoing conflict and human rights abuses in the country, particularly in ethnic minority areas, and military trade with North Korea. In addition, Burma's security forces, operating with little oversight from the civilian government, often act with impunity. We are further concerned that prisoners remain detained and that police continue to arrest critics of the government for peacefully expressing their views. For this reason, I have determined that it is necessary to continue the national emergency with respect to Burma.

Despite this action, the United States remains committed to working with both the new government and the people of Burma to ensure that the democratic transition is irreversible.

BARACK OBAMA.

THE WHITE HOUSE, *May 17, 2016.*

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the

yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

ZIKA VECTOR CONTROL ACT

Mr. GIBBS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 897) to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 897

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Zika Vector Control Act''.

SEC. 2. USE OF AUTHORIZED PESTICIDES.

Section 3(f) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a(f)) is amended by adding at the end the following:

''(5) USE OF AUTHORIZED PESTICIDES.—

''(A) IN GENERAL.—Except as provided in section 402(s) of the Federal Water Pollution Control Act, the Administrator or a State may not require a permit under such Act for a discharge from a point source into navigable waters of a pesticide authorized for sale, distribution, or use under this Act, or the residue of such a pesticide, resulting from the application of such pesticide.

''(B) SUNSET.—This paragraph shall cease to be effective on September 30, 2018.''.

SEC. 3. DISCHARGES OF PESTICIDES.

Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

''(s) DISCHARGES OF PESTICIDES.—

''(1) NO PERMIT REQUIREMENT.—Except as provided in paragraph (2), a permit shall not be required by the Administrator or a State under this Act for a discharge from a point source into navigable waters of a pesticide authorized for sale, distribution, or use under the Federal Insecticide, Fungicide, and Rodenticide Act, or the residue of such a pesticide, resulting from the application of such pesticide.

''(2) EXCEPTIONS.—Paragraph (1) shall not apply to the following discharges of a pesticide or pesticide residue:

''(A) A discharge resulting from the application of a pesticide in violation of a provision of the Federal Insecticide, Fungicide, and Rodenticide Act that is relevant to protecting water quality, if—

''(i) the discharge would not have occurred but for the violation; or

''(ii) the amount of pesticide or pesticide residue in the discharge is greater than would have occurred without the violation.

''(B) Stormwater discharges subject to regulation under subsection (p).

''(C) The following discharges subject to regulation under this section:

''(i) Manufacturing or industrial effluent.

''(ii) Treatment works effluent.

''(iii) Discharges incidental to the normal operation of a vessel, including a discharge resulting from ballasting operations or vessel biofouling prevention.

''(3) SUNSET.—This subsection shall cease to be effective on September 30, 2018.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. GIBBS) and the gentleman from Oregon (Mr. DEFAZIO) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. GIBBS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 897.

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

There was no objection.

Mr. GIBBS. Mr. Speaker, I rise in strong support of H.R. 897, the Zika Vector Control Act.

This summer, it is evident that the Nation will have to contend with the outbreak of the known Zika virus. Like West Nile virus, it is spread to people primarily through the bite of an infected mosquito.

It has been a year since the first alerts of the Zika virus spreading to Brazil were issued. Since then, the virus has been spreading north, and with warmer months approaching, communities in the United States should be given the tools necessary to stop Zika.

Many States, counties, and municipalities rely on mosquito-spraying programs to protect public health, especially with the threats like Zika, which is particularly harmful to pregnant women.

But protecting communities from Zika and other mosquito-borne diseases has become difficult thanks to a burdensome and duplicative Federal regulation that requires more time and money to be spent on compliance rather than protecting the health and safety of the American people.

Congress cannot let this bureaucratic nonsense stand in the way of potentially preventing a public health crisis like the spread of the Zika virus.

For 60 years, before the Clean Water Act was passed, the Federal Insecticide, Fungicide, and Rodenticide Act, known as FIFRA, regulated the use of pesticides in the United States. Even after the Clean Water Act was implemented, the Environmental Protection Agency believed that FIFRA was the appropriate regulatory authority for pesticides.

It was only after the decision by the Sixth Circuit Court of Appeals in the case, National Cotton Council v. EPA, were permits under the Clean Water Act required for pesticide use. This case vacated a 2006 EPA rule that codified their longstanding interpretation that the application of a pesticide for its intended purposes, and in compliance with the requirements of FIFRA, is not a discharge of a pollutant under the Clean Water Act and, therefore, an NPDES permit is not required.

To put this in simple terms, the court's ruling cast aside Congress' intent in pesticide permits, and added another layer of bureaucracy for entities that work to protect the public health.

In vacating the rule, the Sixth Circuit Court simply reversed sensible agency interpretation, and instituted a new Federal policy by judicial decision.

In the process, the court undermined the traditional understanding of how the Clean Water Act interacts with other environmental statutes, and expanded the scope of the Clean Water Act regulation further into areas and activities not originally envisioned or intended by Congress, and against longstanding EPA interpretation.

As a result of this court decision, EPA has been required to develop and impose a new and expanded NPDES permitting process under the Clean Water Act to cover pesticide use.

EPA has estimated that approximately 365,000 pesticide users, including State agencies, cities, counties, and mosquito control districts, water districts, pesticide applicators, farmers, ranchers, forest managers, scientists, and even everyday citizens that perform some of the 5.6 million pesticide applications annually, are affected by the court's ruling. This substantially increases the number of entities subject to NPDES permitting.

With this ill-advised court decision, Federal and State agencies are expending vital funds to initiate and maintain Clean Water Act permitting programs governing pesticide applications, and a wide range of public and private pesticide users are now facing increased financial and administrative burdens in order to comply with the new unnecessary permitting process.

Despite what the fear mongers suggest, all this expense comes with no additional environmental protection.

NPDES compliance costs and fears of potentially ruinous litigation associated with NPDES requirements are forcing States, counties, mosquito control districts, and other pest control programs to reduce their operations and redirect resources in order to comply with the regulatory requirements.

We know that routine mosquito prevention programs have been reduced due to the NPDES requirements. Two anecdotal examples: In Orchard City, Colorado, the city council decided to abandon their aerial mosquito spraying due to the new NPDES permits. The Colorado Aerial Applicator Association, which was certified, completely discontinued all aquatic application services due to compliance of either the Colorado or NPDES permits.

In Utah, for the last 3 years, an Idaho-based NAA operator has been contracted with a homeowner association north of Salt Lake City for treatment of mosquitos. It was not uncommon for him to treat 17,000 acres in one night.

The NPDES permit makes it impossible for him to continue his services as he will be liable for noncompliance because the client/decisionmaker did not require any sort of paperwork other than to substantiate that his equipment was calibrated, thereby constituting noncompliance under that Federal permit system.

□ 1330

In 2012, this most likely increased the impact of the record-breaking outbreak of West Nile virus around the Nation.

In response to those West Nile outbreaks, many States and communities were forced to declare public health emergencies, but this was only after the outbreak of the West Nile virus. So what happens here when they have an outbreak, an epidemic of West Nile in their community, they can declare an emergency, and they don't have to get any permits. They can just go out and spray to attack the epidemic.

So let's do this right and do it under the permitting process, but let's have a process that works.

It is absolutely irresponsible to allow a public health crisis to get to this emergency stage, and then we have the ability to prevent it before removing a simple regulatory barrier.

H.R. 897 will enable communities to resume conducting routine preventive mosquito control programs without additional bureaucracy getting in the way.

H.R. 897 provides a limited exemption for pesticides regulated by FIFRA and used under its product label—which is, by the way, approved by the EPA. Keep in mind, the pesticides necessary to combat Zika and stop the spread of mosquitos are already appropriately regulated under FIFRA. The red tape and compliance costs of an additional NPDES permit make it more difficult for our applicator sprayers to stop the Zika virus.

FIFRA regulation includes human health and environmental safeguards when pesticides are approved, including the rules of label use of a pesticide. Adding an NPDES requirement is redundant and unnecessary.

H.R. 897 was drafted very narrowly to address only the Sixth Circuit Court's decision and gives State and local entities that spray to control mosquito populations the certainty and the ability needed to protect public health. This commonsense legislation even received technical assistance from the EPA to achieve that goal safely and effectively.

Well over 100 organizations representing a wide variety of public and private entities and thousands of stakeholders support a legislative resolution of this issue. Just to name a few, these organizes include: the American Mosquito Control Association, the National Association of State Departments of Agriculture, the National Water Resources Association, the American Farm Bureau Federation, the National Farmers Union, the Family Farm Alliance, the National Rural Electric Cooperative Association, CropLife America, the Biopesticide Industry Alliance, the Responsible Industry for a Sound Environment, the Agricultural Retailers Association, and the National Agricultural Aviation Association.

I want to thank Chairman SHUSTER for his leadership on the Transportation and Infrastructure Committee as well as Chairman CONAWAY of the Ag Committee and Ranking Member COLLIN PETERSON of the Agriculture Committee for their leadership on this important public health issue.

This is a responsible, commonsense bill that will help ensure public health officials aren't fighting Zika with their hands tied behind their back. Mr. Speaker, I urge all Members to support H.R. 897.

I reserve the balance of my time.

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

Well, Groundhog Day came a month earlier this Congress. That is how I described this bill 2 years ago, July, because this is the third time that we have considered this bill. Now, we must admit the rationale has changed. Just last week—last week—it was named the Zika Control Act. But before that, it was the Regulatory Burden Removal Act.

So the first time it was considered, it was H.R. 1749. That one, the 109th Congress defeated. That was for West Nile virus—whoops. Then H.R. 872, last Congress, Reducing the Regulation Burdens Act, at the request of the American Farm Bureau because of a huge burden; and now just renamed last week, we are going to try and game a very serious thing, which is the potential spread of Zika, for which the Republicans thus far have appropriated zero dollars to help the States—zero. Now we are going to pretend we are doing something here today about Zika. It is not about Zika.

Now, this is pretty darn personal for me because the reason we have this rule is because of a huge, massive fish kill in Oregon—a misapplication of pesticide, an aquatic pesticide, into an irrigation canal. We are talking about applications in or near water.

People drink water, fish swim in water, and other things are dependent upon water. We are talking about, no, we don't want to have the EPA watch the pesticide operators who are putting pesticides in or around water. They should not be allowed to do that.

Now, 92,000 steelhead died in Oregon, and that was essentially the beginning of this rule. Now they are saying this is horribly burdensome.

Well, first off, in my State, my one, little, isolated State, we have 825 miles of rivers that are showing a significant level of pesticides, 10,000 acres of lakes. Nationwide, it is hundreds of thousands of miles, tens of thousands of miles and hundreds of thousands of acres.

We haven't been testing for pesticide residues in water, in drinking water, until very recently. But now we don't want to do that anymore. We don't want people to know. Let's just stop, because this is a horrible burden.

Well, actually, not so much. This is controlled at two levels: the EPA and the States. Now, we just heard one anecdote about an aerial applicator in one State that just came up yesterday, unnamed, anecdotal, they suspended operations. Why? Who knows why? We don't know why. There are no facts behind it. But we should end the whole program nationwide because of one anecdote regarding one applicator who may have been misapplying it in Colorado. We don't know.

So the committee asked the EPA and the States, how many people have complained and have had their operations interrupted? Interesting answer: zero and zero. The 50 States say zero, except we now hear about an anecdote in Colorado, and the EPA says zero.

So now we are going to pretend this has something to do with Zika. This has nothing to do with Zika. It has to do with whether or not someone is going to misapply a pesticide that is going to get in your drinking water.

Now, we should become kind of sensitive about drinking water after what happened in Michigan, but, nah, we don't care. Get rid of those stinking regulators. Don't worry. No one would ever misapply a pesticide. It won't get in your drinking water and won't kill fish—even though it clearly did that in Oregon. So this is really a kind of transparent renaming and opportunistic approach to Zika.

How about considering a real bill to put some real money to partner with the States to deal with this? By the way, they can spray wherever they want because of a declared emergency, so it is automatically covered.

But we are going to pretend that somehow we are going to facilitate the spread of Zika if we don't wipe out the EPA's authority to keep pesticides out of our water. This has been defeated twice before. Even though it was creatively renamed in the last week, I would recommend that my colleagues oppose it yet again.

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

Mr. GIBBS. Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana (Mr. SCALISE), the majority whip.

Mr. SCALISE. Mr. Speaker, I rise in strong support of this Zika Vector Control Act and want to commend Congressman GIBBS for his leadership in bringing this forward as we work here in the House to combat Zika.

The House is doing a number of things this week. Number one, we are moving legislation to reprioritize money so that there will be a total of $1.2 billion of moneys allocated to combat Zika.

But, in addition, while we are fighting Zika and giving not only Federal, but local agencies the resources they need to combat this terrible disease from spreading, we know, and CDC has told us, that it is spread by mosquitos. Mosquitos are the agents that spread Zika.

So here we have got Congressman GIBBS identifying a problem where the EPA is making it harder to actually kill mosquitos.

I come from south Louisiana. We have a lot of mosquitos in south Louisiana, and we don't like them. We actually spray using federally approved pesticides to kill mosquitos where they breed. Where do they breed, Mr. Speaker? They breed by water. They breed by sources of water. So you have got federally approved sprays and pesticides that are used to go and kill the mosquitos so that they can't spread Zika, and yet the EPA comes in and has a rule that makes it harder and more expensive to actually go kill mosquitos.

All that Congressman GIBBS is saying is let's block that rule because local governments, by the way, still control this. It is our local governments, our parishes and counties, that are doing the spraying. They understand how to comply with their own local laws. They are not going to do anything to jeopardize groundwater, but what they want to do is kill mosquitos so that the mosquitos don't spread Zika to our constituents.

If you look, this legislation actually was passed. It actually was passed in 2011 when we were responding to West Nile. So the House did pass this legislation already, and it was good legislation then. In fact, it got a wide bipartisan vote. All of a sudden, some people want to politicize it. This isn't a political issue. This is about common sense.

Mr. Speaker, the EPA is just putting additional hurdles in place. It is not like they are saying don't spray these pesticides. They are just jacking up the costs. It is an EPA money grab that makes it more expensive and more difficult to actually go kill mosquitos.

So while we are debating whether or not to prioritize more money for Zika—which we are doing, by the way, $1.2 billion worth—shouldn't we make sure that the money can actually be used to effectively kill the mosquitos that spread Zika? If the EPA has got a rule that makes no sense and makes it harder to kill mosquitos, shouldn't we remove that rule and that barrier and allow and trust our local governments?

There are some people up here who think that Washington knows best, and if your local parish or county knows what they need to do to control the mosquito population in their parish or county, shouldn't they be able to do it? Or you don't trust them; you don't want to give them the ability to go kill mosquitos.

Well, I do trust our local governments, and I want to give them the tools that they need to actually go and kill mosquitos at the source where they breed, and that is near sources of water. It is not in a way that contaminates groundwater at all. In fact, EPA still gives these permits out, but it just costs a lot more money to go and kill the mosquitos. So let's remove that burden so we can kill more mosquitos and stop Zika from spreading.

Mr. Speaker, it is a really good, commonsense piece of legislation, and I urge its adoption.

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

Mr. Speaker, the horrible burden the gentleman is talking about is a notice of intent which says where and how something was applied. It is virtually cost free. You can use a standardized form. But it is just good to know where we are putting the pesticides and what pesticides are being used in case there are problems like the massive fish kill in Oregon, which we were able to trace back to one misapplication by one private company, not by the local county or any other public entity.

Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. Mr. Speaker, I do rise in strong opposition to H.R. 897, the Zika Vector Control Act.

The Clean Water Act in no way hinders, delays, or prevents the use of approved pesticides for pest control operations. In fact, the Clean Water Act permit provides a specific emergency provision to prevent outbreaks of disease, such as Zika.

Under the terms of the permit, pesticide applicators are automatically covered under the permit, and spraying may be performed immediately for any declared pest emergency situations. In most instances, sprayers are only required to notify EPA of the spraying operations 30 days after the beginning of the spraying operation.

As I have noted before on similar bills, I have remained concerned that this bill would mean that no Clean Water Act protections would be required for pesticide application to water bodies that are already impaired by pesticides.

Most pesticide applications in the U.S. are done in accordance with the Federal Insecticide, Fungicide, and Rodenticide Act, FIFRA, which requires proper labeling of pesticide products regarding usage. However, FIFRA labeling is no substitute for ensuring that we understand the volumes of pesticides that we seem to apply to our rivers, our lakes, and our streams on an annual basis.

According to a 2016 USGS report on pesticides, commonly used pesticides frequently are present in streams and groundwater at levels that exceed human health benchmarks and occur in many streams at levels that may affect aquatic life or fish-eating wildlife.

In the data that the States provide the EPA, more than 16,000 miles of rivers and streams, 1,380 bays and estuaries, and 370,000 acres of lakes in the United States are currently impaired or threatened by pesticides.

EPA suggests that these estimates may be low because many of these States do not test for or monitor all the different pesticides that are currently being used. I am very concerned about the effect these pesticides have on the health of our rivers, on our streams, and especially the drinking water supplies of all of our citizens, especially the most vulnerable, which are the young, the elderly, the poor and disenfranchised, who have no other protection.

I would also add that, if our true concern here is protecting the health of pregnant women in particular, we should focus on preventing pesticide application directly or indirectly to drinking water sources.

Mr. Speaker, I have here a Federal report on how pesticides in California are a leading cause of impairments to water quality.

Currently in California, there are over 4,500 miles of rivers and streams, 235,000 acres of lakes and reservoirs, and 829 square miles of bays and estuaries in my State that are impaired by pesticides.

□ 1345

This is a significant concern in my home State, where every drop of water needs to be conserved, reused, and cherished.

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

Mr. DEFAZIO. Mr. Speaker, I yield the gentlewoman an additional 1 minute.

Mrs. NAPOLITANO. We hear that pesticide application is already regulated under FIFRA and that the Clean Water Act review is not needed. I understand the concerns about duplication of effort and the need to minimize the impacts that regulations have on small business or business at large.

However, I am still very concerned that these pesticides are having a very significant impact on water quality and that we are creating this exemption from water quality protection requirements without considering the impacts to the waters that are already impaired with pesticides, as they are in California.

This, in turn, costs our ratepayers, our water users, hundreds of millions of dollars to filter these pollutants out of the water before it is potable. This is something I deal with on an ongoing

basis, as the ranking member of the Subcommittee on Water Resources and Environment.

We currently have aquifers that are contaminated by the continued use of pesticides and fertilizers. Millions of dollars have been spent on the 15-year-long cleanup effort of a Superfund site in my area that has pesticides as one of its contaminants.

We cannot and should not take away one of the only tools available to monitor for adverse impacts of pesticides in our rivers, streams, and reservoirs. Over the past 5 years, this tool has been reasonable.

I oppose this bill.

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

I want to respond a little bit to the gentlewoman from California's concerns about USGS studies. A lot of these studies are more than 10 years old and do not reflect the current status of pesticide conditions and pesticide regulation today.

Many of the detections were what we call legacy pollution stemming from many years ago. Many of the detections were of pesticides that have not been used in the United States for many years.

The vast majority of these detections that were in the more current studies have found very low concentrations, which were at levels well below what they consider human health benchmarks. For example, approximately 99 percent of monitored water wells and greater than 90 percent of the monitored stream sites were below human health benchmark levels.

Between 2002 and 2011—so before this court decision was in place—USGS only found one stream where human health benchmarks exceeded levels of danger. That is just one stream in the entire United States.

Because the USGS data is old, the data does not reflect improvements made by the EPA made to its pesticide regulatory program under FIFRA over the past 10 years. This program has become more rigorous than it was a decade or more ago.

The committee has also received testimony on how EPA uses its full regulatory authority under FIFRA to ensure that pesticides do not cause unreasonable adverse effects on human health and the environment, including our Nation's water resources.

In fact, EPA's pesticides and water programs both use the same risk assessment data, which helps to ensure that both programs are providing the same level of protection against risk.

Pesticide usage patterns have changed, technologies have become more sophisticated, and pesticides are much more carefully applied, in part driven by more elaborate label instructions and the high cost of pesticides.

Consequently, to argue that the USGS reports show that regulating the use of pesticides under the Clean Water Act is needed is nothing more than just a red herring.

To address the issue that my good friend from Oregon raises about the fish kill, NPDES permitting is really a permit to discharge. If an applicator misuses that pesticide under the label, under FIFRA, that is illegal. They broke the law.

So not fixing this court decision doesn't have any effect on the unfortunate situation that happened in Oregon with the fish kill. Nothing in the Clean Water Act will stop misapplication. It is already illegal under FIFRA. The person should be held accountable, prosecuted, and responsible for damages.

On the cost, there is more evidence out there of what is going on. The California vector control districts came out with a report that estimated the cost is $3 million to conduct the necessary administration for these permits. Just to conduct the administration, the $3 million in California, that money could be used in other ways to fight and control mosquitos.

Also, as another example, Benton County, Washington's, Mosquito Control District calculated that their compliance with the NPDES permit cost them $37,334. They spent over $37,334 doing paperwork to secure the Federal and State permits.

They spent this money updating maps to secure the permit. They spent this money on permit fees. They spent this money on software to help with the reporting requirements for the permit. They spent the money on lots of things associated with the permit, but they did not spend that money spraying for mosquitos.

Benton County estimates that, with that $37,334, they could have treated 2,593 acres of water where mosquitos breed or they could have paid for over 400 West Nile lab tests or they could have hired three seasonable workers. But Benton County got to spend their $37,334 to comply with a redundant Federal permit.

The National Agricultural Aviation Association, whose members perform over 17,000 public health and mosquito abatement applications every year, estimates that, for one of their members with two planes and five employees, compliance with the NPEDS permit requires one full-time employee and $40,000 annually for one full-time employee to comply with this additional permitting.

This permit is not simply ''the modest notification and monitoring requirements are providing valuable safeguards against over-application of pesticides'' that my colleague is claiming.

It is an incredibly heavy-handed, expensive, time-consuming process that takes dollars away from public health protection, putting it to more paperwork and putting more people at risk and the health of our communities at risk.

I reserve the balance of my time.

Mr. DEFAZIO. Mr. Speaker, may I inquire how much time remains on each side?

The SPEAKER pro tempore. The gentleman from Oregon has 10½ minutes remaining. The gentleman from Ohio has 4 minutes remaining.

Mr. DEFAZIO. Mr. Speaker, I yield 3 minutes to the gentlewoman from Maryland (Ms. EDWARDS).

Ms. EDWARDS. Mr. Speaker, I rise in strong opposition to the House consideration of the Reducing Regulatory Burdens Act that House Republicans have incorrectly and misleadingly renamed the Zika Vector Control Act.

In the 113th Congress, this exact legislation with a bill number of H.R. 935 failed under suspension of the rules 253–148. At the time, Republicans subsequently rescheduled it 2 days later under a closed rule to allow passage.

I was a Democratic manager of that bill under consideration in 2014. In fact, since my statement laid out a real substantive concern with the legislation, I include in the RECORD a copy of my remarks from that time.

Mr. Speaker, in the 112th Congress, the Republican leadership moved similar legislation under the guise that, unless Congress acted, the process for applying a pesticide would be so burdensome, that it would grind to a halt an array of agricultural and public health-related activities.

Some may say that this may be a bit of hyperbole to describe the impacts of the Environmental Protection Agency's (EPA) pesticide general permit.

However, if you were to compare the concern expressed before the agency's draft permit went into effect with the almost non-existent level of concern expressed after almost three years of implementation, you would likely question why we are here this evening debating this bill.

Contrary to the rhetoric, EPA and the States have successfully drafted and implemented a new pesticide general permit (PGP) for the last two-and-a-half years that adopted several common-sense precautionary measures to limit the contamination of local waters by pesticides. And they do so in a way that allows pesticide applicators to meet their vital public health, agricultural, and forestry-related activities in a cost-effective manner.

The sky has not fallen, farmers and forestry operators have had two successful growing seasons, and public health officials successfully address multiple threats of mosquito-borne illness, while at the same time complying with the sensible requirements of both the Clean Water Act and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

I say sensible because, as we should clearly understand, the intended focus of the Clean Water Act and FIFRA are very different.

FIFRA is intended to address the safety and effectiveness of pesticides on national scale, preventing unreasonable adverse effects on human health and the environment through uniform labels indicating approved uses and restrictions.

However, the Clean Water Act is focused on restoring and maintaining the integrity of the nation's waters, with a primary focus on the protection of local water quality.

It is simply incorrect to say that applying a FIFRA-approved pesticide in accordance with its labeling requirement is a surrogate for protecting local water quality. As any farmer knows, complying with FIFRA is as simple as applying a pesticide in accordance with its label—farmers do not need to look to the localized impact of that pesticide on local water quality.

So, why are groups ranging from the American Farm Bureau Federation to Crop Life America so adamantly opposed to this regulation?

One plausible answer is because these groups do not want to come out of the regulatory shadows that have allowed unknown individuals to discharge unknown pesticides in unknown quantities, with unknown mixtures, and at unknown locations.

I wonder how the American public would react to the fact that, for decades, pesticide sprayers could apply massive amounts of potentially-harmful materials, almost completely below the radar.

In fact, prior to the issuance of the pesticide general permit, the only hard evidence on pesticide usage in this country came from a voluntary sampling of the types and amounts of pesticides that were purchased from commercial dealers of pesticides.

No comprehensive information was required, or available, on the quantities, types, or location of pesticides applied in this country. Based on that practice, I guess we should not be surprised that, for decades, pesticides have been detected in the majority of our nation's surface and ground waters.

Which leads me to question how eliminating any reporting requirement on the use of pesticides is protective of human health and the environment?

All this would do is make it harder to locate the sources of pesticide contamination in our nation's rivers, lakes, and streams, and make accountability for these discharges more difficult. If this legislation were to pass, we would require more disclosure of those who manufacture pesticides, than those who actually release these dangerous chemicals into the real world.

During the debate on Monday, several speakers questioned the environmental and public health benefits of the Clean Water Act for the application of pesticides. However, many of these benefits are so obvious, it is not surprising they may have otherwise gone overlooked.

First, it is the Clean Water Act, and not FIFRA, that requires pesticide applicators to minimize pesticide discharges through the use of pesticide management measures, such as integrated pest management. I find it difficult to argue that using an appropriate amount of pesticides for certain applications would be a problem.

Second, it is the Clean Water Act, and not FIFRA, that requires pesticide applicators to monitor for and report any adverse incidents that result from spraying. I would think that monitoring for large fish or wildlife kills would be a mutually-agreed upon benefit.

Also, it is the Clean Water Act, and not FIFRA, that requires pesticide applicators to keep records on where and how many pesticides are being applied throughout the nation.

Again, if data is showing that a local waterbody is contaminated by pesticides, I would think the public would want to quickly identify the likely source of the pesticide that is causing the impairment.

Finally, and perhaps most important, I am unaware, despite repeated requests to both EPA and States, of any specific example where the current Clean Water Act requirements have prevented a pesticide applicator from performing their services. Despite claims to the contrary, the Clean Water Act has not significantly increased the compliance costs to states or individual pesticide sprayers, nor has it been used as a tool by outside groups or EPA to ban the use of pesticides.

So, let me summarize a few points.

One, the Clean Water Act does provide a valuable service in ensuring that an appropriate amount of pesticides are being applied at the appropriate times, and that pesticides are not having an adverse impacts on human health or the environment.

Two, to the best of my knowledge, the pesticide general permit has imposed no impediment on the ability of pesticide applicators to provide their valuable service to both agricultural and public health communities. In fact, most pesticide applications are automatically covered by the pesticide general permit, either by no action or by the filing of an electronic ''Notice of Intent.''

Three, Federal and state data make it clear that application of pesticides in compliance with FIFRA, alone, as was the case for many years, was insufficient to protect waterbodies throughout the nation from being contaminated by pesticides, so if we care about water quality, more needed to be done.

I can see no legitimate reason why we would want to allow any user of potentially-harmful chemicals to return to the regulatory shadows that existed prior to the issuance of the Clean Water Act pesticide general permit. It has caused no known regulatory, administrative, or significant financial burden, and has been implemented seamlessly across the country.

As was stated during the debate on Monday, this legislation is seeking to address a pretend problem that simply doesn't exist.

I urge a no vote on H.R. 935.

In this Congress, this legislation was marked up early last year in the Agriculture Committee as the Reducing Regulatory Burdens Act. The committee of primary jurisdiction, the House Transportation and Infrastructure Committee, has taken no action on the bill this time around; yet, here we are again on the House floor.

The Republican leadership has now changed the name of the bill to the Zika Vector Control Act. A new name and the inclusion of a sunset date in 2018 are the only differences from previous iterations of this bill.

H.R. 897 is the exact same legislation that pesticide manufacturers and other special interests have been pushing for the past several years. It would eliminate Clean Water Act safeguards that protect our waterways and communities from excessive pesticide pollution.

The pesticide general permit targeted in this legislation has been in place for nearly 5 years now, and alarmist predictions by pesticide manufacturers and others about the impacts of this permit have failed to bear any fruit.

In fact, in March 2015, before the House Transportation and Infrastructure Committee, Ken Kopocis, Deputy Assistant Administrator of the Office of Water at the Environmental Protection Agency, testified that:

''We have not been made aware of any issues associated with the pesticide general permit. Nobody has brought an instance to our attention where somebody has not been able to apply a pesticide in a timely manner . . . There have been no instances.''

Yet, here we are. Since then, all across the country, pesticide applicators—usually utilities managing their rights-of-way—are complying with the Clean Water Act permits to protect water quality. The public is getting information they need that we couldn't get before about what pesticides are being sprayed into what bodies of water.

Congress should not and must not respond to outdated sky-is-falling problems that history has shown has never occurred and weaken protections for the water our children drink.

In past Congresses, my colleagues on the other side of the aisle have chosen a public health emergency de jour as rationale to pass and enact this legislation into law. At one time, they cited, as they have again today, West Nile virus. The next time it was the western wildland fire suppression. Last Congress, it was the drought.

Now, in nothing less than a purely political move, Republicans are considering this bill on suspension, but this time under the guise of combating the spread of Zika.

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

Mr. DEFAZIO. Mr. Speaker, I yield the gentlewoman an additional 1 minute.

Ms. EDWARDS. Let us be clear. This bill has absolutely nothing to do with Zika or trying to stop the threat of the Zika virus. Despite claims made by my colleagues to the contrary, the permit already in effect allows spraying for Zika or other mosquito control programs.

H.R. 897 is simply another attack on the Clean Water Act as part of the Republican's anti-environmental, deregulatory agenda. I urge my colleagues to vote this legislation down.

And let's do something real to combat Zika. The President has asked for $1.9 billion in emergency funding because it is an emergency. It is a public

health threat. If we did that now, then we would be fulfilling our duties and responsibilities.

But this legislation today fulfills no responsibilities, gets in the way of protecting clean water, and does absolutely nothing to combat the Zika virus that, if you look at the map, is quickly spreading across this country.

Mr. GIBBS. Mr. Speaker, I include in the RECORD the following letters of support:

A letter from nearly 100 organizations supporting H.R. 897, including the National Association of State Departments of Agriculture, the National Farmers Union, Ohio Professional Applicators for Responsible Regulation, the Pesticide Policy Coalition, and the National Council of Farmer Cooperatives;

The American Mosquito Control Association;

National Pest Management Association;

Responsible Industry for a Sound Environment; and

American Farm Bureau.

MAY 17, 2016.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR MEMBER OF CONGRESS: The nearly one hundred undersigned organizations urge your support for HR 897, the Zika Vector Control Act, which the House will consider today under suspension of the rules.

Pesticide users, including those protecting public health from mosquito borne diseases, are now subjected to the court created requirement that lawful applications over, to or near 'waters of the U.S.' obtain a Clean Water Act (CWA) National Pollutant Discharge Elimination System (NPDES) permit from the Environmental Protection Agency (EPA) or delegated states. HR 897 would clarify that federal law does not require this redundant permit for already regulated pesticide applications.

Under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), all pesticides are reviewed and regulated for use with strict instructions on the EPA approved product label. A thorough review and accounting of impacts to water quality and aquatic species is included in every EPA review. Requiring water permits for pesticide applications is redundant and provides no additional environmental benefit.

Compliance with the NPDES water permit also imposes duplicative resource burdens on thousands of small businesses and farms, as well as the municipal, county, state and federal agencies responsible for protecting natural resources and public health. Further, and most menacing, the permit exposes all pesticide users—regardless of permit eligibility—to the liability of CWA-based citizen law suits.

In the 112th Congress, the same Reducing Regulatory Burdens Act—then HR 872—passed the House Committee on Agriculture and went on to pass the House of Representatives on suspension. In the 113th Congress, the legislation—then HR 935—passed the both the House Committees on Agriculture and Transportation & Infrastructure by voice vote, and again, the House of Representatives.

The water permit threatens the critical role pesticides play in protecting human health and the food supply from destructive and disease-carrying pests, and for managing invasive weeds to keep open waterways and shipping lanes, to maintain rights of way for transportation and power generation, and to prevent damage to forests and recreation areas. The time and money expended on redundant permit compliance drains public and private resources. All this for no measureable benefit to the environment. We urge you to remove this regulatory burden by voting ''YES'' on HR 897, the Zika Vector Control Act.

Sincerely,

Agribusiness Council of Indiana, Agribusiness & Water Council of Arizona Agricultural Alliance of North Carolina, Agricultural Council of Arkansas, Agricultural Retailers Association, Alabama Agribusiness Council, American Farm Bureau Federation, Alabama Farmers Federation, American Mosquito Control Association, American Soybean Association, American Hort, Aquatic Plant Management Society, Arkansas Forestry Association, Biopesticide Industry Alliance, California Association of Winegrape Growers, California Specialty Crops Council, Cape Cod Cranberry Growers Association, The Cranberry Institute, CropLife America, Council of Producers & Distributors of Agrotechnology.

Family Farm Alliance, Far West Agribusiness Association, Florida Farm Bureau Federation, Florida Fruit & Vegetable Association, Georgia Agribusiness Council, Golf Course Superintendents Association of America, Hawaii Cattlemen's Council, Hawaii Farm Bureau Federation, Idaho Grower Shippers Association, Idaho Potato Commission, Idaho Water Users Association, Illinois Farm Bureau, Illinois Fertilizer & Chemical Association, Kansas Agribusiness Retailers Association, Louisiana Cotton and Grain Association, Louisiana Farm Bureau Federation, Maine Potato Board, Michigan Agribusiness Association, Minnesota Agricultural Aircraft Association, Minnesota Crop Production Retailers.

Minnesota Pesticide Information & Education, Minor Crops Farmer Alliance, Missouri Agribusiness Association, Missouri Farm Bureau Federation, Montana Agricultural Business Association, National Agricultural Aviation Association, National Alliance of Forest Owners, National Alliance of Independent Crop Consultants, National Association of State Departments of Agriculture, National Association of Wheat Growers, National Corn Growers Association, National Cotton Council, National Council of Farmer Cooperatives, National Farmers Union, National Pest Management Association, National Potato Council, National Rural Electric Cooperative Association, National Water Resources Association, Nebraska Agri-Business Association, North Carolina Agricultural Consultants Association.

North Carolina Cotton Producers Association, North Central Weed Science Society, North Dakota Agricultural Association, Northeast Agribusiness and Feed Alliance, Northeastern Weed Science Society, Northern Plains Potato Growers Association, Northwest Horticultural Council, Ohio Professional Applicators for Responsible Regulation, Oregon Potato Commission, Oregonians for Food & Shelter, Pesticide Policy Coalition, Plains Cotton Growers, Inc., Professional Landcare Network, RISE (Responsible Industry for a Sound Environment), Rocky Mountain Agribusiness Association, SC Fertilizer Agrichemicals Association, South Dakota Agri-Business Association, South Texas Cotton and Grain Association, Southern Cotton Growers, Inc., Southern Crop Production Association.

Southern Rolling Plains Cotton Growers, Southern Weed Science Society, Sugar Cane League, Texas Ag Industries Association, Texas Vegetation Management Association, United Fresh Produce Association, U.S. Apple Association, USA Rice Federation, Virginia Agribusiness Council, Virginia Forestry Association, Washington Friends of Farm & Forests, Washington State Potato Commission, Weed Science Society of America, Western Growers, Western Plant Health Association, Western Society of Weed Science, Wild Blueberry Commission of Maine, Wisconsin Farm Bureau Federation, Wisconsin Potato and Vegetable Growers Association, Wisconsin State Cranberry Growers Association, Wyoming Ag Business Association, Wyoming Crop Improvement Association, Wyoming Wheat Growers Association.

THE AMERICAN MOSQUITO CONTROL ASSOCIATION,
Mount Laurel, NJ, May 16, 2016.

Hon. BOB GIBBS,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN GIBBS: The American Mosquito Control Association, in concert with mosquito control agencies, programs and regional associations throughout the United States, want to express our enthusiastic support for passage of HR 897 the Zika Vector Control Act clarifying the National Pollutant Discharge Elimination Systems (NPDES) permitting issue facing our public health agencies.

Each year, over one half million people die worldwide from mosquito-transmitted diseases. In the U.S. alone, the costs associated with the treatment of mosquito-borne illness run into the millions of dollars annually.

This amendment addresses a situation that has placed mosquito control activities under substantial legal jeopardy and requires ongoing diversion of taxpayer-supported resources away from their public health mission. Though the NPDES was originally designed to address point source emissions from major industrial polluters such as chemical plants, activist lawsuits have forced US Environmental Protection Agency (EPA) to require such permits even for the application of EPA registered pesticides, including insecticides used for mosquito control. These permits are mandated despite the fact that pesticides are already strictly regulated by the EPA under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA).

Currently, mosquito control programs are vulnerable to lawsuits for simple paperwork violations of the Clean Water Act (CWA) where fines may be up to $35,000 per day for activities that do not involve harm to the environment. In order to attempt to comply with this potential liability, these governmental agencies must divert scarce resources to CWA monitoring. In some cases, smaller applicators have simply chosen not to engage in vector control activities.

Requiring NPDES permits for the discharges of mosquito control products provides no additional environmental protections beyond those already listed on the pesticide label, yet the regulatory burdens are potentially depriving the general public of the economic and health benefits of mosquito control. This occurs at a time when many regions of the country have seen outbreaks of equine encephalitis, West Nile virus, dengue fever and the rapidly spreading

new threat of the Zika and chikungunya viruses.

This negative impact on the public health response and needless legal jeopardy requires legislative clarification that the intent of the CWA does not include duplicating FIFRA's responsibilities. HR 897 seeks to achieve that goal and we strongly encourage its passage via any legislative vehicle that enacts its clarifying language into law.

Thank you for your strong leadership on this important public health issue.

Adams County (WA) Mosquito Control District, American Mosquito Control Association, Associated Executives of Mosquito Control Work in New Jersey, Atlantic County Office of Mosquito Control, Baker Valley Vector Control District, Benton County (WA) Mosquito Control District, Columbia Drainage Vector Control District, Davis County (UT) Mosquito Abatement District, Delaware Mosquito Control Section, Florida Mosquito Control Association, Gem County (ID) Mosquito Abatement, Georgia Mosquito Control Association, Idaho Mosquito and Vector Control Association, Jackson County (OR) Vector Control District, Klamath Vector Control District, Louisiana Mosquito Control Association, Magna Mosquito Abatement District.

Manatee County (FL) Mosquito Control District, Matthew C. Ball, Multnomah County (OR) Vector Control Program, New Jersey Mosquito Control Association, North Carolina Mosquito & Vector Control Association, North Morrow Vector Control District, Northeast Mosquito Control Association, North Shore Mosquito Abatement District (Cook County, Illinois), Northwest Mosquito and Vector Control Association, Oregon Mosquito and Vector Control Association, Pennsylvania Vector Control Association, Philip D. Smith, Richmond County (GA) Mosquito Control District, South Salt Lake Valley Mosquito Abatement District, Salt Lake City Mosquito Abatement District, Texas Mosquito Control Association, Teton County (WY) Weed & Pest District, Union County (OR) Vector Control District, Washington County (OR) Mosquito Control.

Members of the Mosquito and Vector Control Association of California:

Alameda County MAD, Alameda County VCSD, Antelope Valley MVCD, Burney Basin MAD, Butte County MVCD, City of Alturas, City of Berkeley, City of Blythe, City of Moorpark/VC, Coachella Valley MVCD, Colusa MAD, Compton Creek MAD, Consolidated MAD, Contra Costa MVCD, County of El Dorado, Vector Control, Delano MAD, Delta VCD, Durham MAD, East Side MAD, Fresno MVCD, Fresno Westside MAD, Glenn County MVCD.

Greater LA County VCD, Imperial County Vector Control, June Lake Public Utility District, Kern MVCD, Kings MAD, Lake County VCD, Long Beach Vector Control Program, Los Angeles West Vector and Vector-borne Disease Control District, Madera County MVCD, Marin/Sonoma MVCD, Merced County MAD, Mosquito and Vector Management District of Santa Barbara County, Napa County MAD, Nevada County Community Development Agency, No. Salinas Valley MAD, Northwest MVCD, Orange County Mosquito and Vector Control District, Oroville MAD, Owens Valley MAP, Pasadena Public Health Department, Pine Grove MAD.

Placer MVCD, Riverside County, Dept. of Environmental Health VCP, Sacramento-Yolo MVCD, Saddle Creek Community Services District, San Benito County Agricultural Commission, San Bernardino County Mosquito and Vector Control Program, San Diego County Dept. of Environmental Health, Vector Control, San Francisco Public Health, Environmental Health Section, San Gabriel Valley MVCD, San Joaquin County MVCD, San Mateo County MVCD, Santa Clara County VCD, Santa Cruz County Mosquito Abatement/Vector Control, Shasta MVCD, Solano County MAD, South Fork Mosquito Abatement District, Sutter-Yuba MVCD, Tehama County MVCD, Tulare Mosquito Abatement District, Turlock MAD, Ventura County Environmental Health Division, West Side MVCD, West Valley MVCD,

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DEAR REPRESENTATIVE, I am writing to you today as a pest management professional requesting your support for H.R. 897, the Zika Vector Control Act. H.R. 897 is scheduled to be considered by the full House of Representatives tomorrow, May 17. H.R. 897 would suspend the need to obtain unnecessary and burdensome permits, allowing our industry to better protect you from the mosquitoes that transmit the Zika virus.

Zika is an emerging mosquito-borne virus that currently has no specific medical treatment or vaccine. Zika virus is spread through the bite of infected mosquitoes in the Aedes genus, the same mosquitoes that carry dengue fever and chikungunya. The Zika virus causes mild flu-like symptoms in about 20 percent of infected people, but the main concern among leading health organizations is centered on a possible link between the virus and microcephaly, a birth defect associated with underdevelopment of the head and brain, resulting in neurological and developmental problems. The World Health Organization (WHO) recently declared Zika virus a global health emergency.

Currently, pest management professionals who apply even small amounts of pesticides in and around lakes, rivers and streams to protect public health and prevent potential disease outbreaks are required to obtain an additional, redundant and burdensome National Pollutant Discharge Elimination System (NPDES) permit prior to application. Under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), all pesticides are reviewed and regulated for use with strict instructions on the U.S. Environmental Protection Agency (EPA) approved product label. A thorough review and accounting of impacts to water quality and aquatic species is included in every EPA review. Requiring water permits for pesticide applications is redundant and provides no additional environmental benefit.

Pest management professionals are on the front lines of protecting the public, using a variety of tools, including pesticides. Requiring pest management applicators to obtain an NPDES permit to prevent and react to potential disease outbreaks wastes valuable time against rapidly moving and potentially deadly pests. Water is the breeding ground for many pests.

The pest management industry strongly urges you temporarily remove this regulatory burden and help us protect people throughout your community from mosquitoes that transmit dangerous and deadly diseases, like Zika, by voting YES on H.R. 897, the Zika Vector Control Act.

Sincerely,

National Pest Management Association.

RESPONSIBLE INDUSTRY FOR A SOUND ENVIRONMENT,
Washington, DC, May 17, 2016.

Hon. BOB GIBBS,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE GIBBS: Thank you for re-introducing the H.R. 897. RISE (Responsible Industry for a Sound Environment) is a national not-for-profit trade association representing producers and suppliers of specialty pesticides including products used to control mosquitoes and invasive aquatic weeds.

For most of the past four decades, water quality concerns from pesticide applications were addressed within the registration process under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) rather than a Clean Water Act permitting program. Due to a 2009 decision of the 6th Circuit U.S. Court of Appeals, Clean Water Act National Pollution Discharge Elimination System Permits (NPDES) have been required since 2011 for aquatic pesticide applications. NPDES permits do not provide any identifiable additional environmental benefits, but add significant costs and paperwork requirements which make it more expensive to protect people from mosquitoes that can vector the Zika Virus, West Nile Virus, Dengue Fever and other viruses. Permits also make it more expensive to control invasive aquatic plants that over take our waterways and impede endangered species habitat.

H.R. 897 would clarify that duplicative NPDES permits are not needed for the application of EPA approved pesticides. The elimination of these permits will speed response to public health and other pest pressures, save resources for, states, municipalities, and communities. We support this legislation look forward to working with you and your colleagues to advance this legislation.

Sincerely,

AARON HOBBS,
President.

AMERICAN FARM BUREAU FEDERATION,
Washington, DC, May 16, 2016.

Hon. MEMBERS,
House of Representatives,
Washington, DC.

DEAR MEMBERS OF CONGRESS: Later this week, the House will vote on legislation that clarifies congressional intent regarding regulation of the use of pesticides for control of exotic diseases such as Zika virus and West Nile virus, as well as for other lawful uses in or near navigable waters. The American Farm Bureau Federation (AFBF) strongly supports the ''Zika Vector Control Act of 2016'' and urges all members of Congress to support this legislation.

AFBF represents rural areas nationwide that will be impacted by the spread of dangerous exotic diseases like Zika. The only control measure at this time is vector control. Our members are aware that local mosquito control districts face tight budgets and are concerned with the operational disruptions and increased costs associated with unnecessary and duplicative permitting requirements. Any disruption in vector control will expose a large portion of Farm Bureau members to mosquitos that may carry diseases like Zika and West Nile virus.

We urge all committee members to vote in favor of the ''Zika Vector Control Act of 2016.''

Thank you very much for your support.

Sincerely,

ZIPPY DUVALL,
President.

Mr. GIBBS. I reserve the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. MCDERMOTT).

Mr. MCDERMOTT. Mr. Speaker, I come down here to oppose this bill. I am not on the committee, but I was sitting in my office and it made me angry to hear people down here talking about H.R. 897.

You put out a title that says Zika Vector Control Act. That sounds like a good thing. People ought to be happy we are going to control the specter that is out there. But it is a lie.

This does nothing about Zika. It doesn't do anything with the research that the President has asked the money for. What it does simply is turn the applicators and the pesticide manufacturers loose on this country again.

I have been here long enough to remember all of the problems with the bird eggs that had soft shells and the birds were dying. All these animals were dying all over the place because of DDT and all of the things that happen with that kind of application freely in this society.

One of the things that you have to think about and what I would caution my congressional friends in the Republican Caucus of is that you ought to learn from history. Philadelphia was once full of malaria. Philadelphia was a malaria city. You kept the windows closed at night because you didn't want to get malaria.

Now, what we are seeing today because of global warming is that moving north from the equator are the organisms that create disease.

I heard somebody from Louisiana say: Oh, my God. We have got malaria. We have got all kinds of problems in Louisiana.

You are going to have them. You can find evidence everywhere that these organisms are there. But the answer is not to let there be unrestricted and uncontrolled application of pesticides.

That doesn't solve the problem because what it does is it creates another set of illnesses related to the effects of pesticides on human beings and on animals and on reproduction.

So what you are doing is you are saying: Well, if you spread this stuff out on the ground and all over the water and people are going to get in contact with that water, there is no question about it, directly or indirectly, and you are going to have the other diseases that come from this.

I won't give a whole long lecture on the effects of pesticides on people, but I will remind Members about something called Agent Orange.

□ 1400

Guys like me who were around during the Vietnam war saw that stuff being sprayed all over the trees. People said: Oh, that doesn't do anything. It is just that the leaves drop off.

Then we had an epidemic of physical illnesses that were secondary to Agent Orange. We told veterans for years: It is not a problem. It is not a problem. It was not that Agent Orange that got you.

Then we found out that, in fact, it was, and we have been paying and paying and paying.

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

Mr. DEFAZIO. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. MCDERMOTT. So this is one of those issues where you put it on cheap, but you are going to pay for it in the long term.

Now, some of you over there, clearly, don't care. As for the guy in Michigan who made the decision that they use that dirty river water and inflict that on the children of Flint and the lead poisoning and the lead effects on their heads, that is the kind of mentality we are dealing with with the people who run this bill every 2 years from the companies that make this stuff. It came in 2011, 2013, 2014, 2015. Here it is again this year. It will be back. This bill isn't done. They are going to keep trying to convince the American people that you can just spread chemicals everywhere, and it doesn't have effects on people, but it does. That is what environmental health is all about.

That is why this bill is a step backward to about 1950, when we didn't really know what pesticides did to people. Now we do. We are absolutely right in voting against this bill, and the President ought to veto it if it gets through. The Senate, as bad as they are, won't even let this bill through.

The SPEAKER pro tempore (Mr. COSTELLO of Pennsylvania). Members are reminded to direct their remarks to the Chair.

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

Boy, talk about fear mongering. Comparing responsible pesticide use in protecting the environment and in protecting human health to Agent Orange is just really over the top.

I do agree with one thing the previous gentleman spoke about, which is that we have to do more for Zika, and we are going to do more in the House this week. This is one tool in the toolbox to address this.

As for this bit about spraying pesticides uncontrollably all over the place, as a farmer, I have heard that all of my adult life, and it is really bizarre because pesticides cost a lot of money. It is really bizarre in this case because to use these pesticides, you have to be certified by the State and the EPA, and you have to be applying it by the label that the EPA has already approved. This goes through rigorous testing and regulation, so it is not uncontrollable. It is under FIFRA, which is the law the Congress set up many, many years ago to control this. This is not an uncontrolled application of pesticides that is contaminating our water bodies. As I said, the recent geological studies document that we are not contaminating our water bodies.

I will make this clear that this is not uncontrollable and that we have laws in place that are called FIFRA. If you break that law, you break the law, and you should be punished and held accountable.

I reserve the balance of my time.

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

The problem here is that FIFRA doesn't require recordkeeping. It is a label, and you are supposed to follow the label. There is an even more recent problem in Oregon—we talked about the fish kill earlier—which is the overflight spraying of an herbicide on forestlands, which was applied, and then it drifted into occupied areas and streams.

Now, without the EPA's requirement that you record and report, we wouldn't know that that had happened; but now we do, and the people who are complaining about health effects have some recourse since they know what was applied, when it was applied, and who applied it.

If we do away with that requirement and say, Oh, well, the States might still require something, well, they might not. Therefore, it would be: Are you going to follow the label or not? How are you going to find out if they followed the label? How are you going to find out whose plane that was? How are you going to find out what they sprayed?

You won't be able to. If you get an impaired body of water, we are now mapping things.

The EPA says: Wait a minute. Wait a minute. That body of water is already impaired with this particular herbicide or pesticide. We should limit more applications in that area.

No, we don't want to know about that. We don't want to know about that.

That is the bottom line here. We are talking about recordkeeping and reporting after the fact: What did you use? Where did you put it? So if someone is injured or if we find out their water supply is impaired, they can figure out how it happened, but not if we do away with this requirement, with this Groundhog Day bill.

Again, it was pest management, it was forest health, then it was reducing regulatory burdens; but now it has been reborn in the last week as Zika control because it is, as the gentlewoman from Maryland said, the cause du jour. It has nothing to do with Zika.

I was really pleased to see the majority whip say that they were going to put $1.2 billion into Zika because, as of the publishing of the appropriations bill, it was only $622 million, which is a third of what the President asked for;

so now they are up to 66 percent. That is great. I hope that is right because we haven't seen that in writing yet.

The bottom line is we need to partner with the States to deal with the threat of Zika just like we did with West Nile—none of which is going to be impaired by a little recordkeeping—so that we know where, how, what was applied so that citizens of the United States, private property owners, will have some recourse.

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

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

First of all, the gentleman from Oregon talked about the recordkeeping. There are additional burdensome records on this requirement, the MPDS, but a certified pesticide applicator under FIFRA has to keep records. They have to keep records on what they applied, how they applied it, when they applied it, what the wind speed was, and what the temperature was—all of that—so that there is a record there. I wanted to correct his information as he was inaccurate on that.

We talked about West Nile. In 2012, we had a crisis in this country of the West Nile epidemic. Dallas, Texas, had to declare an emergency. They probably weren't doing what they needed to do because of the MPDS permits. If they declare an emergency, they can spray without a permit.

That is why we put a sunset provision in this bill. On September 30, 2018, this bill sunsets. The reason we put that in there is to address this towards Zika. Zika will probably run its course. Hopefully, in 2 years, we will forget about it like we have done with Ebola. The problem is that we need to do everything we can to mitigate the problem in the interim. We saw last week there were 103 pregnant women in the United States who had the Zika virus. Today, I heard there were 113. That number is jumping up. It is going to jump up fast because we are in mosquito season. When these mothers start delivering those babies and when we have all kinds of problems, it is not going to be a pleasant experience; so we need to do everything we can. That 2-year sunset provision in there will really target and address this issue.

We need to give our States and local communities the tools they need, and we are going to do more this week. We are going to give them the resources, the dollars, they need; but we also have to make sure they can spend that money, like in the example I gave of the $37,000. Instead of spending it on administrative paperwork, they can spend it on killing the larvae and the mosquitos. It is easier to kill the mosquito population if you kill the larvae before they hatch. The risks are high, but we need to make sure we do this.

I reiterate that FIFRA is already in place to make sure that we don't have bad actors out there who are polluting our water bodies. If they do, they are going to be held accountable, and the EPA can step in and investigate those and do that. The EPA has all of the authority they need because they approve the label, they approve the pesticide certification, they approve the applicators. They can go back to every applicator and ask for their records. They can go into my local farm co-op and ask: When did you apply? What did you apply? What date did you apply? And all of those records are there for our regulators to see. They can do that.

All this bill does is fix the bad court decision that it has a regulatory burden. We need to support this bill and let our communities and our States do their jobs to protect the public health.

Mr. Speaker, I urge support of the bill, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise to speak in opposition to H.R. 897, the "Zika Vector Control Act," because this bill was not written with the intent to control Zika carrying mosquitoes, but rather to allow higher amounts of rodenticides, fungicides, and insecticides in water.

The title for H.R. 897, two days ago was the "Reducing Regulatory Burdens Act of 2015."

I am very interested in doing everything I can to address the threat of Zika Virus, but I am not supportive of tricks or misguided strategies to get legislation to the House floor in the name of Zika prevention that was conceived with no thought of the Zika Virus in mind.

As a senior member of the House Committee on Homeland Security, which has a core mission of emergency preparedness of state and local governments to be equipped to react to emergencies make me acutely aware of the potential for the Zika Virus to be a real challenge for state and local governments during the coming months.

I thank President Obama for his leadership in requesting $1.9 billion to address the threat of the Zika Virus.

The 18th Congressional District of Texas, which I represent has a tropical climate and very likely of having to confront the challenge of Zika Virus carrying mosquitoes before mosquito season ends in the Fall.

Houston, Texas, like many cities, towns, and parishes along the Gulf Coast, has a tropical climate hospitable to mosquitoes that carry the Zika Virus like parts of Central and South America, as well as the Caribbean.

For this reason, I am sympathetic to those members who have districts along the Gulf Coast.

These areas are known to have both types of the Zika Virus vectors: the Aedes Aegypti [A-up-ti] and the Asian Tiger Mosquito, which is why I held a meeting in Houston on March 10, 2016 about this evolving health threat.

I convened a meeting with Houston, Harris County and State officials at every level of responsibility to combat the Zika Virus to discuss preparations that would mitigate its.

The participants included Dr. Peter Hotez, Dean of the National School of Tropical Medicine and Professor of Pediatrics at Baylor College of Medicine and Dr. Dubboun, Director of the Harris County Public Health Environmental Services Mosquito Control Division who gave strong input on the critical need to address the threat on a multi-pronged approach.

Dr. Dubboun, Director of the Harris County Public Health Environmental Services Mosquito Control Division stressed that we cannot spray our way out of the Zika Virus threat.

He was particularly cautious about the over use of spraying because of its collateral threat to the environment and people.

We should not forget that Flint, Michigan was an example of short sighted thinking on the part of government decision makers, which resulted in the contamination of the city's water supply.

The participants in the meeting represented the senior persons at every, state and local agency with responsibility for Zika Virus response and they agreed we need plan to address the Zika Virus in the Houston and Harris County area that will include every aspect of the community.

The collective wisdom of these experts revealed that we should not let the fear of the Zika Virus control public policy.

Instead we should get in front of the problem then we can control the Zika Virus from its source—targeting mosquitoes.

The consequences of too much insecticide, rodenticides or fungicides in water are known—to kill aquatic life and cause real damage to the food chain upon which fish and larger sea life rely.

Along the Coast of the United States, many habitat restoration efforts are centered on the reduction of chemical run off from urban areas, not increasing insecticide pollutants in their waters.

The real fight against the Zika Virus will be bottled neighborhood by neighborhood and will rely upon the resources and expertise of local government working closely with State governments with supported of federal government agencies.

The consensus of the experts related to H.R. 897, the Zika Vector Control Act, is that we cannot rely heavily on spraying techniques to control Zika Virus carrying mosquitoes.

Yes, spraying can reduce the population of mosquitoes, but it cannot eliminate the threat and we can reach a point where the presence of chemical insecticides is in fact more harmful than helpful.

The Aedes Aegypti mosquito is the greatest threat to people has evolved to be near people.

These mosquitoes fly close to the ground, enter homes or stay nearby places where people live.

The spraying that this bill permits is on an industrial scale using products that are not found in a local grocery or home supply store.

The most important approach to control the spread of Zika Virus is poverty and the conditions that may exist in poor communities can be of greatest risk for the Zika Virus breeding habitats for vector mosquitoes.

It is the illegal dumping of tires; open ditches, torn screens, or no screens at all during the long hot days of summer that will unfortunately create a perfect storm for the spread of the virus.

Zika Virus Prevention Kits like those being distributed in Puerto Rico will be essential to

the fight against Zika Virus along the Gulf Coast.

These kits should include mosquito nets for beds.

Bed nets have proven to be essential in the battle to reduce malaria by providing protection and reducing the ability of biting insects to come in contact with people.

Mosquito netting has fine holes that are big enough to allow breezes to easily pass through, but small enough to keep mosquitoes and other biting insects out.

Bed nets that are not pre-treated with insecticide are effective and they can be treated with DEET products after purchase.

Mr. Speaker, there is no need to be alarmed, but we should be preparing to do what we can to prevent and mitigate the Zika Virus in communities around the nation.

We know that 33 states have one or both of the vector mosquitoes.

Dr. Peter Hotez said that we can anticipated that the Americas including the United States can expect 4 million the Zika Virus cases in the next four months and to date there are over a million cases in Brazil.

The most serious outcome the Zika Virus exposure is birth defects that can occur during pregnancy if the mother is exposed to the Zika Virus.

Infections of pregnant women can result in: still births; the rate of Microcephaly based on Zika Virus exposure far exceeds that number.

Microcephaly is brain underdevelopment either at birth or the brain failing to develop properly after birth, which can cause: difficulty walking; difficulty hearing; and difficulty with speech.

I call on my colleagues to pass the President's request for the $1.9 billion in emergency supplemental appropriations.

I urge my colleagues to reject H.R. 897, and support the President's request to fight the Zika Virus threat.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. GIBBS) that the House suspend the rules and pass the bill, H.R. 897, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 732;

Adopting House Resolution 732, if ordered;

Agreeing to the motion to instruct on S. 524; and

Suspending the rules and passing H.R. 897.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 4909, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 732) providing for consideration of the bill (H.R. 4909) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 239, nays 177, not voting 17, as follows:

[Roll No. 196]

YEAS—239

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

NAYS—177

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

NOT VOTING—17

Crawford	Hoyer	Richmond
Curbelo (FL)	Johnson, Sam	Roby
Farr	Larson (CT)	Takai
Fattah	Lewis	Titus
Herrera Beutler	Lieu, Ted	Whitfield
Hinojosa	Pelosi	

□ 1430

Ms. WILSON of Florida and Messrs. ASHFORD and BECERRA changed their vote from ''yea'' to ''nay.''

Mr. MEADOWS and Mrs. HARTZLER changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. HULTGREN). The question is on the resolution.

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 234, noes 181, not voting 18, as follows:

[Roll No. 197]

AYES—234

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

NOES—181

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

NOT VOTING—18

Amodei	Honda	Roby
Crawford	Hudson	Russell
Curbelo (FL)	Issa	Schrader
Fattah	Johnson, Sam	Takai
Herrera Beutler	Lewis	Titus
Hinojosa	Lieu, Ted	Whitfield

□ 1438

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO GO TO CONFERENCE ON S. 524, COMPREHENSIVE ADDICTION AND RECOVERY ACT OF 2016

MOTION TO INSTRUCT OFFERED BY MS. ESTY

The SPEAKER pro tempore (Mr. SIMPSON). The unfinished business is the vote on the motion to instruct on the bill (S. 524) to authorize the Attorney General and Secretary of Health and Human Services to award grants to address the national epidemics of prescription opioid abuse and heroin use, and to provide for the establishment of an inter-agency task force to review, modify, and update best practices for pain management and prescribing pain medication, and for other purposes, offered by the gentlewoman from Connecticut (Ms. ESTY) on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 182, nays 236, not voting 15, as follows:

[Roll No. 198]

YEAS—182

Adams	Cohen	Gallego
Aguilar	Connolly	Graham
Amodei	Cooper	Grayson
Ashford	Costa	Green, Al
Bass	Courtney	Green, Gene
Beatty	Crowley	Grijalva
Becerra	Cuellar	Gutiérrez
Bera	Cummings	Hahn
Beyer	Davis (CA)	Hastings
Bishop (GA)	Davis, Danny	Heck (WA)
Blumenauer	DeFazio	Higgins
Bonamici	DeGette	Himes
Boyle, Brendan F.	Delaney	Honda
	DeLauro	Hoyer
Brady (PA)	DelBene	Huffman
Brown (FL)	DeSaulnier	Israel
Brownley (CA)	Deutch	Jackson Lee
Bustos	Dingell	Jeffries
Butterfield	Doggett	Johnson (GA)
Capps	Doyle, Michael F.	Johnson, E. B.
Capuano		Kaptur
Cárdenas	Duckworth	Keating
Carney	Edwards	Kelly (IL)
Carson (IN)	Ellison	Kennedy
Cartwright	Ellmers (NC)	Kildee
Castor (FL)	Engel	Kilmer
Castro (TX)	Eshoo	Kind
Chu, Judy	Esty	Kirkpatrick
Cicilline	Farr	Kuster
Clark (MA)	Fitzpatrick	Langevin
Clarke (NY)	Foster	Larsen (WA)
Clay	Frankel (FL)	Larson (CT)
Cleaver	Fudge	Lawrence
Clyburn	Gabbard	Lee

Levin
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NAYS—236

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

NOT VOTING—15

Conyers
Crawford
Curbelo (FL)
Fattah
Garamendi
Herrera Beutler
Hinojosa
Johnson, Sam
Lewis
Lieu, Ted
Rangel
Roby
Takai
Titus
Whitfield

□ 1454

Mr. MULLIN changed his vote from ''yea'' to ''nay.''

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ZIKA VECTOR CONTROL ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 897) to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. GIBBS) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 262, nays 159, not voting 12, as follows:

[Roll No. 199]

YEAS—262

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

NAYS—159

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Capuano
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kirkpatrick
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin

Lipinski	Pallone	Sewell (AL)
Lofgren	Pascrell	Sherman
Lowenthal	Payne	Sires
Lowey	Pelosi	Slaughter
Lujan Grisham (NM)	Peters	Smith (WA)
Luján, Ben Ray (NM)	Pingree	Speier
Lynch	Pocan	Swalwell (CA)
Maloney, Carolyn	Polis	Takano
Matsui	Price (NC)	Thompson (CA)
McCollum	Quigley	Thompson (MS)
McDermott	Rangel	Tonko
McGovern	Rice (NY)	Torres
McNerney	Richmond	Tsongas
Meeks	Roybal-Allard	Van Hollen
Meng	Ruiz	Vargas
Moore	Ruppersberger	Veasey
Moulton	Rush	Velázquez
Murphy (FL)	Ryan (OH)	Visclosky
Nadler	Sánchez, Linda T.	Wasserman Schultz
Napolitano	Sanchez, Loretta	Waters, Maxine
Neal	Sarbanes	Watson Coleman
Norcross	Schakowsky	Wilson (FL)
O'Rourke	Schiff	Yarmuth
	Scott (VA)	
	Serrano	

NOT VOTING—12

Crawford	Hinojosa	Roby
Curbelo (FL)	Johnson, Sam	Takai
Fattah	Lewis	Titus
Herrera Beutler	Lieu, Ted	Whitfield

□ 1452

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

APPOINTMENT OF CONFEREES ON S. 524, COMPREHENSIVE ADDICTION AND RECOVERY ACT OF 2016

The SPEAKER pro tempore (Mr. JOYCE). Without objection, the Chair appoints the following conferees on S. 524:

For consideration of the Senate bill and the House amendments, and modifications committed to conference: Messrs. UPTON, PITTS, LANCE, GUTHRIE, KINZINGER of Illinois, BUCSHON, Mrs. BROOKS of Indiana, Messrs. GOODLATTE, SENSENBRENNER, SMITH of Texas, MARINO, COLLINS of Georgia, TROTT, BISHOP of Michigan, MCCARTHY, PALLONE, BEN RAY LUJÁN of New Mexico, SARBANES, GENE GREEN of Texas, CONYERS, Mses. JACKSON LEE, JUDY CHU of California, Mr. COHEN, Mses. ESTY, KUSTER, and Mr. COURTNEY.

From the Committee on Education and the Workforce, for consideration of title VII of the House amendment, and modifications committed to conference: Messrs. BARLETTA, CARTER of Georgia, and SCOTT of Virginia.

From the Committee on Veterans' Affairs, for consideration of title III of the House amendment, and modifications committed to conference: Mr. BILIRAKIS, Mrs. WALORSKI, and Mr. RUIZ.

From the Committee on Ways and Means, for consideration of sec. 705 of the Senate bill, and sec. 804 of the House amendment, and modifications committed to conference: Messrs. MEEHAN, DOLD, and MCDERMOTT.

There was no objection.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

GENERAL LEAVE

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 4909.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 732 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 4909.

The Chair appoints the gentleman from Idaho (Mr. SIMPSON) to preside over the Committee of the Whole.

□ 1455

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4909) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am honored to bring to the House today H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017.

The House Armed Services Committee reported it favorably 3 weeks ago by a vote of 60–2. The only way a vote like that is possible is that members are willing to work together for the best interests of the country.

I want to start by thanking my partner on this committee, Mr. SMITH, for his work, his insight, and his commitment to work together to try to do the right thing for our servicemembers and for the good of the Nation.

Now, I am sure that he does not agree with everything in this bill, nor do I. It is the product of difficult choices, of compromise, of input from many members of this body.

But, as a whole, I think this bill is good for the troops, good for the country, and is faithful to the constitutional responsibilities that we have on our shoulders to provide for the military of the United States and defend the country.

I want to thank all the members of the committee as well as the staff. We had a compressed schedule this year. At the same time, the country is facing national security challenges that are growing more complex and more dangerous and we are still dealing with the consequences of defense budget cuts.

Coupled with an ambitious reform agenda, all of those things meant that our job was not easy, but members on both sides of the aisle put in the hours, attended the briefings and hearings, and contributed to this product.

This bill was built from the ground up. We started with about 2,000 legislative provisions that were suggested by members of our committee. We then received many additional requests from members who are not on our committee through testimony, letters, and other forms of communication.

For example, some members of the Small Business Committee all came together with a package of proposals to help small businesses contribute to our defense efforts.

We had subcommittee markups and then a full committee markup that lasted about 16 hours and considered 248 amendments.

Now we have more than 370 amendments that have been filed with the Rules Committee, and many of them will be considered over the next 2 days on this floor.

Mr. Chairman, I think that is the epitome of a regular legislative process and is particularly appropriate for this bill because providing for the common defense is the first job, I believe, of the Federal Government.

I would add that servicemembers here and around the world deserve to know that we in this body are doing our job and that we support them and are actually trying to do our job, inspired by the courage and dedication and selfless sacrifice that they exhibit in doing their jobs.

I want to just highlight two primary thrusts of this bill in addition to fulfilling our constitutional responsibilities. Those thrusts are readiness and reform.

The term ''readiness'' is often used by the military. It is sometimes not understood by those who are not in the military. Readiness involves the preparation and support required to successfully accomplish what the political leadership asks the military to do.

□ 1500

It means having the right number of people for a mission, each of whom is fully trained, has appropriate equipment, and is able to carry out their mission.

Now, we have got severe readiness problems today in the United States military. We have pilots who are getting less than half the minimum number of training hours they are supposed to get in order to stay proficient in

their airplanes. We are cannibalizing some aircraft just to keep other aircraft flying.

We have significant shortages of people in key areas, such as pilots and aircraft mechanics.

I could go on with examples and statistics which point toward, unfortunately, the kind of hollow military that our country has seen in the past. Certainly there is a high level of frustration among many of our servicemembers.

Now, we do not fix all of those problems in this bill, but we start to turn them around. And to truly turn them around, it means not only providing more resources for operations and maintenance and training accounts, it means we have to deal with personnel accounts, and we have to deal with modernization accounts.

This bill authorizes spending at the same level as requested by the President, $610 billion, when you add it all together.

Now, personally, I would prefer a higher number, but last year we saw military funding used as a hostage to get more domestic funding. In fact, the President vetoed this bill once last year to force more domestic spending, the first time that has ever been done. Once an agreement was reached, he signed the exact same bill into law with the funding adjustments.

I think using the military as a hostage for domestic political leverage is deplorable, but I also want to avoid a repeat of that since President Obama is still in the White House. So we used the exact same number, the exact same top line as requested by the President.

Mr. Chairman, it would also be irresponsible for us to turn away and ignore the severe readiness problems that are coming to the fore, so this bill authorizes funding for several items that the President rejected in the budget proposal that he sent to us.

For example, it restores a full cost-of-living adjustment for our military. It prevents further cuts in the number of people serving. It begins to repair facilities. It adds funds for training and for maintenance, and it makes some progress on replacing outdated weapons systems.

So this bill provides full funding for the base requirements for the full year, as was agreed upon in last year's balanced budget agreement.

It then provides a bridge fund to pay for the overseas deployments for about half of the new fiscal year. That gives the new President, whoever he or she may be, the opportunity to look at the deployments that President Obama has begun, look at the funding that he has requested, make adjustments however they think it needs to be adjusted, and then come back to Congress with their conclusions.

Mr. Chairman, that is exactly the approach that was used the last time we transitioned between administrations. In June of 2008, this body, under Democratic leadership, did exactly what I have described with a bridge fund to get into 2009. We are following the same approach this year.

Now, this bill also contains major reforms. In fact, there are five major reform packages in it, all of which are the work of bipartisan work on the committee, and consultation with the Department of Defense.

Those areas, just briefly, are:

Acquisition reform to try to ensure that we are getting more value for the money we spend, and that we get modern technology into the hands of the warfighters faster.

Military health care to modernize the system, provide better care, and ensure that the emphasis is where it is supposed to be, and that is military health care for our warfighters.

Commissary reform to put domestic commissaries on a self-sustaining track while maintaining the benefit for our servicemembers, their families, and for retirees.

Organizational reform, including the changes to the 30-year old Goldwater-Nichols law, and replacing the Quadrennial Defense Review, the QDR, with something that is less costly and more useful.

Reform of the Uniform Code of Military Justice, long overdue and modernization spurred by a review that we required in this committee that was prompted by the sexual assault allegations of recent years.

So, Mr. Chairman, there is a lot here. There is a lot of substance, and there is a lot of reform, and it is all focused towards two goals. One is to support the men and women who volunteer to risk their lives to protect us. And secondly, to preserve and protect the national security of the United States of America in a very dangerous world.

I believe this bill deserves the support of all Members.

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

Mr. SMITH of Washington. Mr. Chairman, I yield myself 5 minutes.

I want to thank the chairman and all the staff members and members of the committee for their excellent work in pulling this bill together.

As always, I think it is a fine example of how the legislative process should work around here, and too often doesn't. We had a bill before committee. We had many, many hearings to discuss the issues around it. Then we had a long markup with amendments offered and debated, and we put together a bill in a bipartisan fashion that I think was done quite well.

I also agree with the chairman that there is a lot of good in this bill. There are a lot of efforts at reforming the way we do procurement and other things in the Department of Defense to try to get the most out of the money we spend.

More than anything, the good in this bill is that it continues to provide for the men and women of our services who are fighting for us and protecting our national security, and I think it does a very comprehensive job of that, and that is an important issue right now. I will also agree with the chairman that we face as complex a threat environment as we have probably faced, gosh, in the history of the country. We have certainly had great national security challenges throughout our history, but now they are coming at us from all directions.

Certainly, we have the asymmetric threat of terrorism from groups like al Qaeda and Daesh and all that goes with that.

We have a newly belligerent Russia that is creating problems in Eastern Europe and elsewhere. We have Iran, which continues to pose challenges to us in the Middle East and also elsewhere; North Korea, that is acting in a very belligerent manner; and China, that is expanding its territory by creating islands in the South China Sea and challenging the territorial integrity of other nations.

All of those things require us to be prepared and to have a robust national security policy. I think this bill does a good job of it.

Now, we are facing a reckoning, coming down the road here, in that all of those national security challenges that I just mentioned are going to be tough to meet under any budget.

One of the things that I would urge us to do is to work more closely with partners throughout the globe, as we have in some instances, to meet our national security challenges, because the sheer cost of them is going to be difficult. But on the whole, I think this bill does a good job of meeting our national security concerns.

There are just two problems that I do want to point out. Number one, we don't really make as many tough choices as we should make in this bill. The chairman has pointed out how this bill prioritizes readiness, and to some degree that is true; but this bill also still has $11 million less in money for readiness than the President's budget that was proposed because we support a wide range of other programs.

If you look over the course of the next 10 years at all of the programs that we are funding and planning on buying, and then you look at how much money we are likely to have, the two don't add up. We have to start making some difficult choices about what we are going to fund and what we are not going to fund.

Related to that is the second problem, the one the chairman alluded to, and that is the fact that while this budget sticks to the $610 billion number that was agreed to in the budget resolution last year, it takes $18 billion out of the overseas contingency operations fund and puts it into the base

budget, which means that 6 months into the fiscal year our troops in Afghanistan and Iraq and elsewhere will not have the money to support those overseas operations unless a supplemental is passed.

Now, the chairman is quite correct: this was done in 2008. But in 2008, we did not have the Budget Control Act. We did not have the complete unwillingness of this Congress to lift the Budget Control Act. I don't see that changing in the next 6 months.

Which brings us to the other issue, and that is the issue of ''holding the defense bill hostage for other spending priorities, for domestic spending priorities.''

Well, that is one way of looking at it. The other way of looking at is a budget is a series of choices that you have to make. And if we do spend an additional $18 billion on defense, over and above what the budget agreement of last year agreed to, then that money has got to come from somewhere.

Either, one, it adds to a $19 trillion debt that I think most people feel is too high and that we need to eventually get to the point of a balanced budget.

It requires new revenue which, of course, is—you know, I should be struck down by lightning in this Chamber for even mentioning the words ''new revenue.'' That is, apparently, verboten and not going to happen.

However much we may claim to support the men and women who served in our Armed Forces, we are not prepared to raise taxes for what they need to do.

Then you have got the domestic choices, and those domestic choices are not irrelevant. We have a crumbling infrastructure in this country that is way behind, massively unfunded.

We have other priorities. We have the Department of Homeland Security. We have Intel priorities. All of those priorities are shoved backwards if we take an additional $18 billion for defense.

So we are not holding defense hostage. We are arguing about what our budget priorities should be.

Should we go and take the $610 billion agreement we had for defense and effectively up it to $628 billion at the expense of all these other priorities, or shouldn't we? That is what we have to balance.

I will look forward to the debate. There are a lot of interesting amendments coming up. I am not sure at this point how I am going to vote on this bill. I think it is incredibly important. We need to get it done.

But those budget priorities are very real. And if we take an extra $18 billion for defense, that does shortchange other areas, given our unwillingness to raise revenue to pay for it.

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

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from California (Mr. MCCARTHY), the distinguished majority leader.

Mr. MCCARTHY. I thank the gentleman for yielding.

Mr. Chairman, I want to take one moment. Very seldom do we see a bill of this significance come to the floor in such a bipartisan manner. That takes leadership, it takes experience, and I want to thank the chairman for that. He knows that I trust his judgment, but more importantly, whenever we are talking about national security, he is the first one that I call. But I am not the only one who calls him: those around the world do as well.

I want to take a moment to thank the ranking member as well. The vote to come out of this committee was 60–2. That shows the leadership on both sides that when America looks at national security, they want Republicans and Democrats alike to work together.

Both of you have shown that leadership, and I want to congratulate you for that, bringing it to the floor in that manner.

Mr. Chairman, it is indisputable that our national security has declined under President Obama's watch. Terrorists are attacking us right here at home. Europe is under siege. And, yet, the President is more focused on closing Guantanamo Bay and releasing detainees than he is on the real threats to American security.

Afghanistan is increasingly unstable, and the Taliban and al Qaeda are gaining ground. Yet, President Obama remains committed to withdrawing our troops while constraining their ability to take the fight to the enemy.

These are just two examples, and I don't need to go through the whole list. Just look at the map of the world, and what do you see?

Allies that have been slighted, enemies that have been appeased, regions that have fallen into conflict and chaos.

The Obama administration is not the direct cause of every problem, but the President's inadequate responses, naive beliefs, and failures of leadership have put American interests at risk and made our country less safe.

Now, House Republicans have always been and remain committed to a strong American military, an active foreign policy, and continued American leadership in the world.

We must counter the terrorist threats forcefully. We must reaffirm and strengthen our strategic alliances, like NATO. We must engage and prevent, not retrench and respond.

This National Defense Authorization Act demonstrates our commitment by prioritizing funding to support more troops, better defenses, and better equipment.

Most importantly, this bill works to improve readiness, and ensures that our men and women are prepared to go into battle.

The President has fought this approach and has said he will veto this bill as it currently stands. That is despite a 2.1 percent pay raise for our troops, better resources for the warfighter, an aggressive stance against Russian expansion, and funding for Israel's missile defense.

□ 1515

This is the height of irresponsibility. With this bill, the House makes it clear that we intend to reinvigorate the Department of Defense, take care of our men and women in uniform, stand with our allies, and make every possible effort to defeat global extremism.

The President should share these goals and sign this bill.

Mr. SMITH of Washington. Mr. Chair, I yield 3 minutes to the gentlewoman from California (Ms. LORETTA SANCHEZ), the ranking member of the Tactical Air and Land Forces Subcommittee.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I thank Chairman THORNBERRY, Ranking Member SMITH, and all of our staff for tirelessly working on this very incredibly important bill. Also I would like to thank Mr. TURNER. For the past 4 years, he has been the chairman and I have been the ranking member of the Subcommittee for Tactical Air and Land Forces. It has been a pleasure.

The National Defense Authorization Act, of course, is a must-pass bill. We have passed it for the past 53 years, and I am really honored to have been part of it for the past 20.

The NDAA is the annual piece of law that puts the necessary resources and funding to ensure that our servicemembers are fully equipped and trained to defend our country here and abroad. All of our military systems—air, land, water, and space—are authorized by this legislation. It provides new opportunities for the Department of Defense to engage in innovative research and development to ensure that America has the most technologically advanced military. Of course, that also bleeds over into the civilian world with all of our new technologies.

The NDAA makes sure that servicemembers and their families are provided with the necessary support and resources as they sacrifice their lives to defend their country. Just last Friday, I had the opportunity to be in Erie, Pennsylvania, where our son was commissioned as a second lieutenant and officer into the U.S. Army artillery. So I am pretty excited to continue to support our military families because we are one.

This bill also provides provisions to support women in the military—making equipment that actually fits them, for example—and we put in language for parental leave for our servicemembers for up to 14 days.

It increases funding for nuclear nonproliferation, something which I am an

adamant supporter of, trying to eliminate nuclear threats for the future, for our grandchildren and their children.

It increases funding for K–12 STEM education because, again, we have to invest in our future, and the future of education is equal to our national security. The legislation also provides funding and resources to counterterrorism, including those threats from ISIL.

On our particular subcommittee, we included some significant oversight legislation. Everybody thinks about passing laws, but the reality is that one of the main things that we have to do as Members of Congress is to oversee what is really happening in programs and with the money of our taxpayers. So we included the F–35 Joint Strike Fighter's software oversight, the F–18 Super Hornet oxygen system, and a multiyear procurement authority for the Army's helicopters.

However, the successful passage of this important legislation is at risk because, first, it doesn't comply with the Republicans' Budget Control Act because it is $18 billion over the budget caps. Secondly, it includes a number of discriminatory provisions, such as language that would allow government contractors to discriminate against the LGBT community.

There are many things that we need to do to ensure that this bill can be, in a bipartisan way, passed by this House.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Virginia (Mr. FORBES), the chairman of the Subcommittee on Seapower and Projection Forces.

Mr. FORBES. Mr. Chairman, I rise in support of the National Defense Authorization Act for Fiscal Year 2017.

I want to first commend the leadership of Chairman THORNBERRY in bringing this bill to the floor. His leadership has been instrumental in tackling many of the tough issues this committee has had to address.

I am particularly impressed with the chairman's leadership to make sure that this Congress provides the required equipment and readiness that will begin to turn some disconcerting trend lines with our national security.

For example, Navy aviation has only 3 in 10 Navy jet aircraft that are fully mission capable; aircraft carriers are not available in sufficient quantities, and our Nation had a carrier gap of almost 3 months in Central Command last year; Navy ship deployments have increased almost 40 percent, and submarine demand continues to outpace availability, with the Navy projecting they will meet only 42 percent of the combatant commanders' demand, and this is before we reduce another 20 percent of our submarines by the end of the 2020s.

As to the Air Force, our B–1 fleet was pulled back from the Arabian Gulf this year because of engine maintenance issues and replaced with B–52s that are over 50 years old; and in the last 4 years, we have reduced our tactical airlift by 20 percent.

I think everyone would agree that these are disturbing trends. It is time we invest in these capabilities. This bill goes a long way to reversing this trajectory and authorizes funds to meet the 350-ship Navy that our Nation needs. I believe it is a national security imperative to arrest the decline of our projection forces.

Mr. Chairman, I urge my colleagues to support the National Defense Authorization Act for Fiscal Year 2017.

Mr. SMITH of Washington. Mr. Chairman, I yield 3 minutes to the gentleman from Rhode Island (Mr. LANGEVIN), the ranking member of the Emerging Threats and Capabilities Subcommittee.

Mr. LANGEVIN. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I want to thank Chairman THORNBERRY, Ranking Member SMITH, and my fellow colleagues on the committee this year for many important issues within the committee's jurisdiction which we found in this bill, on which I have been proud to work with my colleagues.

As ranking member of the Emerging Threats and Capabilities Subcommittee, I especially want to thank my subcommittee colleagues, particularly my colleague JOE WILSON, the chairman of the subcommittee. It has been a pleasure to work with him.

I also want to take this opportunity to recognize members of the staff who worked so hard on this bill, without whom we wouldn't be able to move legislation of this magnitude forward.

The legislation, Mr. Chairman, before us today continues to address critical priorities and programs at the strategic, operational, and tactical levels when it comes to emerging threats and capabilities.

In particular, I am pleased with many provisions relating to game-changing technologies, such as language addressing how to properly operationalize directed energy technologies, electromagnetic rail gun mount funding, electronic warfare capabilities, strategy requirements, and a point person within DOD for directed energy systems.

This legislation goes on also to prioritize the readiness of the Cyber Mission Force and fully supports U.S. Cyber Command while elevating this critical entity to its own combatant command. This effort enhances our superiority in the cyber domain, and I am glad the committee recognized the need to take this vital step.

I am also pleased with the approach we took toward enhancing capabilities and extending authorities to defeat nonstate actors like ISIL and al Qaeda.

I am also pleased with the continued support of our Special Operations Forces and their families who are under the responsibility of the subcommittee, and those forces which are always at the pointy tip of the spear.

Although this bill moves the ball forward on policies vital to our national defense, of course, it is far from perfect. We must continue to address funding issues in other areas of concern as we move forward in the process.

In closing, I want to thank all the members of our subcommittee, as well as the members of the full Armed Services Committee, for their support during this markup.

I again commend Chairman THORNBERRY and Ranking Member SMITH for their leadership. I look forward to our continuing to work together to craft a final product with the Senate that provides further support for our men and women in uniform, our military families, and further strengthens our national security.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from South Carolina (Mr. WILSON), the chairman of the Subcommittee on Emerging Threats and Capabilities.

Mr. WILSON of South Carolina. Mr. Chairman, I thank the gentleman for his efforts to promote peace through strength.

Mr. Chairman, I am grateful to support H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017, which I believe faithfully sets forth a path to recover and strengthen our military readiness.

As chairman of the Subcommittee on Emerging Threats and Capabilities of the House Armed Services Committee, I am particularly appreciative to oversee some of the most innovative aspects of the Department of Defense.

A few key areas of the subcommittee's contributions to this legislation are providing robust and resilient cyber capabilities and authorities to improve our cyber readiness and ensure resiliency for Department of Defense networks and weapons systems. We support innovative science and technology programs and authorities to meet future challenges. We fully resource and support our Special Operations Forces, who remain at war and globally postured, supporting our national security in the global war on terrorism. We extend vital counterterrorism authorities while improving congressional oversight in this very important area.

Again, I would like to thank Chairman MAC THORNBERRY for his steadfast leadership as well as the subcommittee ranking member, Mr. JIM LANGEVIN of Rhode Island, who has been an energetic partner on these issues with an extraordinary subcommittee staff.

Mr. Chairman, I urge my colleagues to support this bill and vote ''yes'' on H.R. 4909.

Mr. SMITH of Washington. Mr. Chairman, I yield 3 minutes to the gentlewoman from Guam (Ms. BORDALLO),

the ranking member of the Readiness Subcommittee.

Ms. BORDALLO. Mr. Chairman, I commend Chairman THORNBERRY, Ranking Member SMITH, and the committee staff who have worked many, many long nights on the FY17 National Defense Authorization Act. I worked with Mr. SMITH and members on the committee, particularly the Readiness chairman, Mr. ROB WITTMAN, to include a number of provisions that will improve our military readiness and continue to support the Asia-Pacific rebalance, allowing crucial infrastructure projects to move forward and requiring the Navy to report on land usage on Guam that will have positive impacts for our posture in this region.

The bill provides critical funding to the Long Range Strike Bomber program as well as adds additional funding to keep the fielding of the MQ–4 program on track.

I especially want to thank Ranking Member SMITH for working to get a provision mandating a review of distinguished Asian American and Pacific Islander veterans who may have been unjustly overlooked in the Medal of Honor consideration included in the chairman's mark. It is important that we appropriately recognize the contributions of our brave men and women in uniform.

While I am proud of these and other provisions, this bill is far from perfect. There are, once again, numerous damaging environmental provisions; and, more broadly, I am disappointed that the majority has again created a bill that circumvents budget caps, a maneuver that plays politics with our servicemembers in the field—particularly reckless in this environment.

I look forward to working with my colleagues on both sides of the aisle to address these and other concerns, and I hope common sense will prevail as this process continues.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Ohio (Mr. TURNER), the subcommittee chairman on Tactical Air and Land Forces.

Mr. TURNER. Mr. Chairman, I rise in support of the National Defense Authorization Act for Fiscal Year 2017.

As the chairman has indicated, the President has issued a veto threat on this bill claiming criticism that the bill uses overseas contingency operations funds for base requirements. This is a hypocritical attack by the President because the President, in his own bill, included $5 billion in overseas contingency operations funding to be used for base requirements as part of the President's budget for 2017.

The reality is that $5 billion is not enough to address the readiness crisis that is facing our military, and it does not ensure that our troops are ready to deploy and are fully prepared. The military, in fact, submitted $22 billion in unfunded requirements for fiscal year 2017 alone.

I want to thank Chairman THORNBERRY for his leadership as he begins the process of rebuilding our military and restoring readiness back into the future. As the chairman said, this bill came out of our committee, 60–2. It is the same bill that is going to come to this House floor.

I certainly hope we are not in the situation, as we were last year, where we had Democrats on the committee who actually voted for the bill in committee and then voted against the bill on the House floor. This is a bill that deserves passage. It deserves the support for our men and women in uniform.

In my subcommittee, the bill authorizes almost $6 billion in additional funds to address critical unfunded requirements, a benefit provided by the military services.

I want to also thank Chairman THORNBERRY, in this bill, for reversing the President's proposed cuts to our end strength, our numbers of those serving in the Army and the Marine Corps. He has incorporated the POSTURE Act, which was first introduced by Representative CHRIS GIBSON.

The bill also includes funds for the European Reassurance Initiative, which is incredibly important as we move to respond against Russian aggression.

Additionally, this bill calls for continued action to eradicate sexual assault in the military, and I appreciate the chairman's support for those provisions.

The bill provides greater transparency in the military criminal justice system, acknowledges the need for intensive treatment for male victims of sexual assault, and continues to address the critical issue of retaliation.

□ 1530

Before I conclude, I want to thank our subcommittee's ranking member, Ms. LORETTA SANCHEZ, for her support in completing the markup of this bill as well as that of other Members, and I want to thank LORETTA SANCHEZ for her long service on the Armed Services Committee.

I ask everyone to support this bill.

The CHAIR. The Chair would remind Members to refrain from engaging in personalities toward the President.

Mr. SMITH of Washington. Mr. Chairman, I yield 3 minutes to the gentleman from Connecticut (Mr. COURTNEY), the ranking member of the Seapower and Projection Forces Subcommittee.

Mr. COURTNEY. Mr. Chair, I enthusiastically support the seapower portion of the defense bill, which is a strong bipartisan boost to our security on, below, and above the seas.

The Seapower and Projection Forces Subcommittee worked hard this year examining the President's budget as well as the larger strategic maritime context that we are considering these programs in.

We have determined the following, that the demand for our naval fleet is higher than ever and so is the strain on the force. A casual review of the headlines explains why.

China's navy is militarizing the South China Sea, threatening good order and commerce on the world's seaways, completely in violation of international maritime law.

Russia's navy is recapitalizing its fleet, particularly its undersea fleet, and operating at a level not seen since the cold war.

These are just two examples of the up-tempo challenges that the Navy faces every single day. In this strategic context, the seapower portion of our bill builds on the work done by the Navy, the Obama administration, and this Congress to put us on a path to a 308-ship Navy within the next 5 years.

That is good, but it is clear we need to do more to ensure that we have the capability to keep pace with the growing and changing threats around the world. That is why this bill adds three new ships to the seven ships in the President's budget, a third littoral combat ship, funding to complete a third DDG–51 destroyer, and resources to add an additional amphibious ship.

Our bill also has another area of good bipartisan work. It is in the area of our undersea forces. Our bill not only sustains the two-a-year build rate of our advanced Virginia-class submarines, but also includes a measure that I pushed for to continue that build rate through the 2020s to provide the undersea capabilities our military leaders are pleading for.

Our bill also fully funds our Nation's top strategic priority, the Ohio replacement submarine. We also continue our bipartisan work to strengthen the National Sea-Based Deterrence Fund to support this critical program outside of the regular shipbuilding account.

We provide this fund with new authorities to save additional funds during the course of building the Ohio class program—perhaps as much as 10 percent on components like missile tubes—on top of the billions in savings that already existing authorities in the fund were shown to garner by the CRS and the Congressional Budget Office.

The bipartisan seapower mark is a down payment on the additional naval capabilities and capacity that we will need to keep pace with the fast-changing security challenges around the globe. I am confident that it will emerge in the final enactment of the 2017 NDAA.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama (Mr. ROGERS), the distinguished chairman of the Subcommittee on Strategic Forces.

Mr. ROGERS of Alabama. Mr. Chair, I would like to thank the distinguished chairman of the House Armed Services Committee for his leadership in bringing what I think is a very good NDAA bill to the floor. This is the 55th consecutive NDAA.

This is not an easy bill to manage. We have a critical set of funding challenges as the administration's budget submission for FY 2017 broke the deal negotiated in 2015 to achieve the Bipartisan Budget Act of 2015.

Because of this failure, we in Congress must exercise our constitutional duty to provide for the men and women in uniform and we must provide much-needed oversight of the Department of Defense and the Department of Energy.

This bill includes a number of key provisions that were authored by the Subcommittee on Strategic Forces that I lead, including:

Consolidating and strengthening the Air Force's organization regarding our nuclear command and control and missile warning systems;

It enhances the authority for the Department of Defense and, also, the Department of Energy to mitigate threats from unmanned aircraft at its most sensitive nuclear facilities;

It prohibits the DOE funding for Russia and for Secretary Kerry's unilateral disarmament initiative concerning retired U.S. nuclear warheads;

It tackles the significant and growing foreign counter space threat that our space systems are suffering by providing the necessary resources to build up our space security and defense capabilities and by ensuring the Department is organized properly and has the authorities it needs to maintain our space advantage long into the future;

It makes clear that replacement of the RD–180 in a reasoned, prudent timeline is the primary goal of the Department of Defense to maintain assured access to space while protecting the taxpayers and ending our reliance on Russian rocket engines;

It requires the Army to do a better job for its soldiers than delaying the procurement of a modern radar until 2028 at the earliest; and

Most significantly to me, in this bill we have recommended to the chairman a significant increase of over $400 million for the Missile Defense Agency, focusing on R&D, and full funding of the request of our allies in Israel, $600.7 million, for codevelopment and coproduction of Iron Dome, David's Sling, and Arrow 3.

I want to thank the chairman for his leadership, and I want to thank my good friend and colleague from Tennessee, Mr. JIM COOPER, for his support, counsel, and thoughtfulness. I couldn't ask for a better ranking member.

I urge support of the bill.

Mr. SMITH of Washington. Mr. Chairman, I yield 3 minutes to the gentleman from Tennessee (Mr. COOPER), the ranking member of the Strategic Forces Subcommittee.

Mr. COOPER. Mr. Chair, I thank the gentleman from Washington. I thank also the chairman of the full committee from Texas and my particular friend, the gentleman from Alabama (Mr. ROGERS).

All the members of the subcommittee contributed greatly to the final product. It is not to all of our liking, but we are making progress.

We agree on so many of the fundamental provisions having to do with national security. For example, I am thankful that our safe, secure, and effective nuclear deterrent is fully funded and we are also providing full support for our nuclear nonproliferation efforts as well as providing for nuclear cleanup. Those are all very important efforts.

The bill also provides a very robust missile defense, including not only protecting the homeland, but also our allies and partners, such as the $600 million for Israeli missile defense.

The mark fully funds national security space programs and makes some very important adjustments, including ensuring that we adequately support acquisition of satellite communication services.

There are a few provisions in the bill that I strongly oppose, such as restricting dismantlement of obsolete and unneeded nuclear weapons.

Also, I think it was a mistake to mandate a poorly-thought-out, unaffordable, and unrealistic missile defense policy, including plans for a space-based missile deterrent. I also plan to continue to oppose these provisions in conference.

I would like to reiterate my thanks to Chairman ROGERS, my friend from Alabama. It is a pleasure to work with him and our other subcommittee members.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. WITTMAN), the distinguished chairman of the Subcommittee on Readiness.

Mr. WITTMAN. Mr. Chairman, I would like to thank Chairman THORNBERRY, Ranking Member SMITH, and the ranking member on the Readiness Subcommittee, MADELEINE BORDALLO, for all of their efforts.

Chairman THORNBERRY over the last few months has highlighted the significant readiness challenges and budget choices we are facing. The reality is that these decisions we make here will affect the strength of our national security for years to come.

The American people are concerned. And why shouldn't they be? The readiness obstacles that we face force our military leaders to choose between providing adequate training and equipment for troops at home and supporting our men and women who are already fighting on the front lines.

We have heard verified media reports, for instance, that aircraft mechanics have taken drastic measures, even attempting to strip parts from museum pieces, to keep our fighters and bombers flying.

We have heard testimony from each of our service branches about how critical it is for us to address our military readiness shortfalls. What we have heard has been sobering, to say the least.

Today we are called to address these maintenance, sustainment, and readiness issues. That is our constitutional duty. I believe that this bill will move us toward that end goal of restoring full-spectrum readiness.

This bill, for example, prohibits the Department from implementing another round of base realignment and closure in the absence of an accurate end strength assessment and it streamlines the Department of Defense's civilian hiring practices so that critical manpower capability gaps can be filled.

Most importantly, this bill also includes more than $5 billion in additional funds for, among other things, ship and aircraft depot maintenance, aviation training and readiness, and long-neglected facility sustainment, restoration, and modernization accounts.

Our military, an overruling force for good, is supported by the finest men and women in the world. They deserve our support in return.

At the same time, I would like to note that these recommendations don't fully alleviate my concerns about our readiness shortfalls. Here in Washington we need to make sure that we fully understand what is at stake and how the choices we make affect those who serve and sacrifice on our behalf.

We have to continue to focus on restoring readiness in the years to come and make sure that we properly man, train, and equip our forces so that they can meet the challenges on the horizon with the confidence and superiority we have come to expect.

I ask the Members of the House to support this National Defense Authorization Act and vote ''yes'' on H.R. 4909.

Mr. SMITH of Washington. Mr. Chairman, may I inquire as to how much time each side has remaining?

The CHAIR. The gentleman from Washington has 13½ minutes remaining. The gentleman from Texas has 11 minutes remaining.

Mr. SMITH of Washington. Mr. Chairman, I yield 4 minutes to the gentlewoman from California (Mrs. DAVIS), ranking member of the Military Personnel Subcommittee.

Mrs. DAVIS of California. Mr. Chairman, I want to thank Dr. HECK and the committee staff for working in a bipartisan manner to develop this bill and particularly recognize Chairman THORNBERRY and Ranking Member

SMITH for their leadership during this process.

The bill includes many provisions that will provide the military services flexibility to recruit and retain members of our Armed Forces and to continue our commitment to taking care of military families.

One provision that we have expands parental leave for military members to 14 days as well as expanding adoption leave for dual military couples to 36 days to be split between them.

It also requires DOD to study flexible maternity and paternity leave sharing for all of our dual military couples.

This bill includes reforms that will put the commissary on a sustainable path while protecting the benefit for our servicemembers, retirees, and their families. It also begins to reform and modernize the military healthcare system.

Although we would all agree it is not perfect, this bill is long needed to start ensuring that our servicemembers, retirees, and their families continue to receive the best health care in the world through efficient and economical means.

Important issues were addressed in this bill. I support many of the reforms and all of the hard work that went into them. However, I am extremely concerned with how this bill is funded.

I applaud Chairman THORNBERRY's desire to increase funds for end strength, modernization, and the operations and maintenance accounts. But the $18 billion required comes from the Overseas Contingency Fund and cuts short resources required for our troops in harm's way.

This will require the next Congress to pass a supplemental before May, and that assumes current operations don't increase over the next year. What programs do we cut midyear to find that level of funding?

This gimmick creates a hollow force. It will require the military services to hedge their bets that the funding to maintain the increased end strength authorized will be available in fiscal year 2018 when sequestration hits.

The world we know is very dangerous in many places, and the pace of combat operations will most likely not diminish in the near future.

In light of these dangers, I do not disagree that the Army may need more soldiers. But the Army has not provided us with the requested number, nor have they told Congress how they would create the appropriate force structure to use these additional soldiers.

Lastly, this NDAA passed out of committee continued to expand on Congress' efforts to increase opportunities for women to serve our Nation by requiring women to register for the Selective Service. This was only possible because the Department of Defense, after several years of intense review, opened the last remaining combat arms positions to women earlier this year.

Unfortunately, the rule for the NDAA strikes the provision without debate. I understand that we are not always going to be in agreement, and that is why we debate and vote issues on the House floor. But to resort to gimmicks to hide debate is unconscionable. This is a national issue that Congress must debate and vote on.

I certainly look forward, Mr. Chair, to continuing to work with the chairman and the rest of the committee to ensure we resource our military services in a responsible manner so that we can face the challenges of today and tomorrow.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the gentlewoman from Missouri (Mrs. HARTZLER), the chair of the Subcommittee on Oversight and Investigations.

Mrs. HARTZLER. Mr. Chair, I rise today in support of our national defense. There are some stark realities we must face in today's world of increased and emerging threats from around the globe combined with decreased military readiness from arbitrary and reckless cuts to our national defense.

In the face of these challenges, we have a choice: either continue to let our military capabilities wither as our adversaries grow stronger or we can recognize that ever-changing global landscape and make sure our troops are prepared with the resources and training they need to keep Americans safe against today's threats and tomorrow's.

The latter, Mr. Chair, is what this defense authorization does. From addressing the strike fighter shortfall with 14 additional F–18s that the Navy needs, to providing for maintenance of equipment and facilities so that museum aircraft do not have to be cannibalized for spare parts, to fully funding our troops' pay raise, which they have rightly earned, we have listened to the services and our commanders.

□ 1545

They know what they need to do their jobs, to keep us safe, and to retain their people, and we have acted on their priorities.

This bill also addresses shortfalls in training and provides for the modernization of critical national security programs. It makes sure soldiers are prepared at all of our bases, including at the Army's Maneuver Support Center of Excellence at Fort Leonard Wood, in my district. It ensures aircraft like the B–2 at Whiteman Air Force Base can continue to project power and the spirit of America around the globe.

Mr. Chair, this authorization takes care of our troops, ensures the safety of the American people, and fulfills our constitutional obligation to provide for the common defense.

I commend Chairman THORNBERRY, my House Armed Services colleagues, and the HASC staff for all of their hard work and leadership.

I urge my colleagues to vote ''yes'' on this responsible authorization.

Mr. SMITH of Washington. Mr. Chair, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chair, I yield 2 minutes to the distinguished gentleman from Nevada (Mr. HECK), the chairman of the Subcommittee on Military Personnel, who is both a doctor and a general in the Reserves.

Mr. HECK of Nevada. Mr. Chair, I rise in strong support of H.R. 4909, the National Defense Authorization Act of 2017.

This bill contains significant policy and funding initiatives that continue our commitment to maintain military personnel and family readiness and address important issues for our troops.

To that end, this bill:

Establishes a fully funded pay raise for all of our servicemembers. After 3 years of executive action that has provided lower-than-by-law calculated pay raises, it is time we give our troops and their families the pay increase they deserve;

Stops the reductions in the active end-strengths of the Armed Forces, thereby increasing readiness while reducing the stress and strain on the force and their families;

Reforms the Military Health System to ensure the system can sustain trained and ready healthcare providers to support the readiness of the force and provide a quality healthcare benefit valued by its beneficiaries;

It also modernizes the Uniform Code of Military Justice to improve the system's efficiency and transparency while also enhancing victims' rights. This includes establishing several new offenses, including an offense prohibiting retaliation and prohibiting inappropriate relationships between military recruits or trainees and a person in a position of special trust;

Reforms the commissary system in a way that preserves this important benefit while also improving the system so it remains an excellent value for the shoppers and a good value for the taxpayer;

Includes an increase in parental adoptive leave for dual military couples in recognition of the importance of bonding time between parents and their newly adopted children.

In conclusion, I thank the ranking member, Mrs. DAVIS of California, and her staff for their contributions to the mark and support in this very bipartisan process. We were joined by an active and informed and dedicated group of subcommittee members, and their recommendations and priorities are clearly reflected in this bill. Additionally, I appreciate the dedication and hard work of the subcommittee staff.

I urge my colleagues to support our military men and women and their families and to support this bill.

Mr. SMITH of Washington. Mr. Chair, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chair, I yield 2 minutes to the gentleman from Oklahoma (Mr. BRIDENSTINE), who is a member of the committee and who also continues to be active in the Air National Guard.

Mr. BRIDENSTINE. I thank the chairman.

Mr. Chair, this defense authorization makes a huge down payment on the readiness of our forces.

As a combat veteran, I have participated in the inter-deployment training cycles that are getting ready to deploy. I have seen the force regeneration process. I have seen it during good times, and I have seen it during bad times.

Personally, as a Navy reservist, most recently, I saw a very steep decline in readiness when my squadron got eliminated. The VAW–77, the Nightwolves, got completely eliminated when I was a Navy reservist. We busted about $2 billion worth of cocaine every year on the high seas. Now that cocaine comes into the country, and $2 billion worth of cash funds transnational criminal organizations in northern Mexico and in Central and South America. That is what happens when we have defense cuts the way we have had recently.

In fact, I will tell you that our remaining forces still face significant shortfalls and disruptions to time-tested training and deployment cycles. The OPTEMPO back home is almost more intense than an overseas deployment, but the resources are simply not available. Pilots are flying the bare minimum flight hours to stay qualified, and our maintainers and our depots can't keep up. As a warfighter, I can attest that this will break our force.

The important thing about this bill, this defense authorization—and, Mr. Chairman, it is why I am so grateful for your leadership and the bipartisan support that we had from the ranking member, Mr. SMITH—is it makes a huge down payment on the readiness that is required to make sure that the force we have remaining is not hollow, which is critically important to the national security of this country.

I urge my colleagues to support this bill.

Mr. SMITH of Washington. Mr. Chair, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chair, I yield 1 minute to the distinguished gentlewoman from New York (Ms. STEFANIK), the vice chairman of the Subcommittee on Readiness.

Ms. STEFANIK. Mr. Chair, I am proud of the bipartisan work of the House Committee on Armed Services on the FY17 National Defense Authorization Act.

This legislation takes important steps to strengthen our defense capabilities, and it gives our Armed Forces the resources they need to keep us safe. Importantly, this bill works to stop the funding gaps that are harming our military's readiness, and it includes a much-deserved pay raise for our troops.

This bill contains an important initiative to ensure our land forces will not be depleted as well as including some of my own initiatives—the creation of a DOD social media cell to counter radical online recruitment and maintain the edge in a 21st century battlefield. It also includes the development of joint directed energy capabilities between the United States and Israel.

I am proud to support this legislation, which passed in committee by a bipartisan vote of 60–2, and I urge my colleagues to vote in favor of this vital bill on the floor.

The CHAIR. The gentleman from Washington has 10 minutes remaining, and the gentleman from Texas has 4 minutes remaining.

Mr. SMITH of Washington. Mr. Chair, I yield myself the balance of my time.

I want to reiterate some of the points that were made during the debate in the beginning of how important this bill is.

We do have many national security needs. I know you see the size of the Department of Defense's budget, and there are certainly ways we can save money. I think we have done that with acquisition reform and with some of the other reforms that are contained in this bill.

It is also important to understand the threats that we face in the world—the continuing threat of terrorism and the continuing threats from nations like Russia, Iran, North Korea, and China. We need to be prepared to counter those threats if we are going to have a peaceful and stable world.

Nonetheless, I think we still have the budget problem that I alluded to earlier, and that is that we do not have the money that we would like to have. It is not just for defense; it is for a lot of domestic priorities as well. In the way this bill is set up, it creates the possibility that we will take an additional $18 billion for defense.

How does that balance against our other priorities?

We have to figure out how to make our budget balance and meet the priorities domestically while also meeting the national security priorities because our infrastructure is critical to our national security as well. We have to remain strong economically as a country.

In addition to that, it is not just the Department of Defense that provides for our security. There is the Department of Homeland Security, certainly, in the intelligence budget; the Department of Treasury; the Department of Justice. A lot of pieces to that puzzle are necessary, and they all get shortchanged if we don't take into account their needs as well.

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

Mr. THORNBERRY. Mr. Chair, I yield myself the balance of my time.

As usual, I largely agree with many of the comments made by Mr. SMITH. I think he is exactly right when he discusses the many complex, dangerous threats that face the United States at this point. I think he is also right that we all have to put the Federal budget—but especially the military budget—on a more stable, predictable footing. I absolutely agree with him on those points.

At the same time, we have an immediate need, one in which lives are at stake. Mr. Chair, let me just offer the fact that the Air Force is currently short 4,000 maintainers and more than 700 pilots.

Another fact: in fiscal year 2015, the Navy had a backlog of 11 planes in depot. In fiscal year 2017, they are going to have 278 planes backlogged in the Navy depots. Less than one-third of the Army is now ready to meet the requirements of the defense strategic guidance.

We can't just turn away and say: Oh, we don't like this budget approach, so we are willing to live with all of those problems.

We have to deal with them. That is what this bill tries to do.

Mr. Chair, by the way, if we take away the $18 billion that we try to put to readiness issues, then a lot of the things that the Members have asked for go away.

I have before me, for example, a letter that has been signed by a number of House and Senate Members who ask for new Black Hawks this year. The fact is the President did not request any Black Hawks in his budget request. Currently, too many of our military folks are flying Black Hawks that were made in 1979. They can't get the parts for them. They can't even fly them in a lot of the circumstances because of the restrictions on these helicopters. So we look to the Army's unfunded requirements' list of the things they would like to have had that were stripped out by the administration, and we put into this bill 36 new Black Hawks. That is the way you deal with a lot of these readiness problems, is you replace the 1979 helicopter with a 2016 helicopter. We do that in this bill, but if we take away the approach that we have here to meet the readiness requirements, all of those Black Hawks go away.

I also have letters from Members who ask for the third littoral combat ship. We were only able to do that because of the $18 billion. I have a letter signed by a number of Members to increase the U.S.-Israeli cooperative missile defense. Again, if our approach is not used, which some people on the other side are critical of, that funding goes away. It doesn't just come out of the air.

Mr. Chair, my point is we have an immediate problem. This bill tries to

deal with the immediate problem that is affecting the men and women who serve our country today. Is it perfect? Of course not, but I have yet to hear of a better alternative that meets these needs and can pass the House.

Mr. Chair, just to reiterate, the other point is this is exactly the same approach that was used in the last administration. It is curious to me that some people who wanted to give President Obama a chance of a fresh look of the deployments which he found when he came into office now want to deny the same possibility for the next President, whoever he or she may be. We take exactly the approach that was used under Speaker PELOSI and Majority Leader HARRY REID in 2008, and we apply it to the next transition. I think that is what makes sense because that is what enables us to deal today with the readiness problems that threaten our military. I hope all Members will support this bill.

I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chair, I ask that the following exchange of letters be submitted on H.R. 4909:

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,
Washington, DC, April 28, 2016.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN THORNBERRY: I write concerning H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017, as amended. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

However, in order to expedite this legislation for Floor consideration, the Committee will forgo action on this bill. This, of course, is conditional on our mutual understanding that forgoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. I request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest into the committee report on H.R. 4909 and into the Congressional Record during consideration of the measure on the House floor.

Sincerely,

BILL SHUSTER,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 3, 2016.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017. I agree that the Committee on Transportation and Infrastructure has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Transportation and Infrastructure is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, April 28, 2016.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. THORNBERRY: I am writing to you concerning the jurisdictional interest of the Committee on Oversight and Government Reform in matters being considered in H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017.

Our committee recognizes the importance of H.R. 4909 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over the bill, I do not intend to request a sequential referral. This, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forego a sequential referral waives, reduces, or otherwise affects the jurisdiction of the Committee on Oversight and Government Reform, and that a copy of this letter and your response acknowledging our jurisdictional interest will be included in the Committee Report and as part of the Congressional Record during consideration of this bill by the House.

The Committee on Oversight and Government Reform also asks that you support our request to be conferees on the provisions over which we have jurisdiction during any House-Senate conference.

Thank you for your consideration in this matter.

Sincerely,

JASON CHAFFETZ,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, May 3, 2016.

Hon. JASON CHAFFETZ,
Chairman, Committee on Oversight and Government Reform, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017. I agree that the Committee on Oversight and Government Reform has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Oversight and Government Reform is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,
Washington, DC, April 28, 2016.

HON. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 4909, the ''National Defense Authorization Act for Fiscal Year 2017,'' which your Committee ordered reported on April 28, 2016.

H.R. 4909 contains provisions within the Committee on Science, Space, and Technology's Rule X jurisdiction. As a result of your having consulted with the Committee and in order to expedite this bill for floor consideration, the Committee on Science, Space, and Technology will forego action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

LAMAR SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, May 3, 2016.

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

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017. I agree that the Committee on Science, Space, and Technology has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Science, Space, and Technology is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SMALL BUSINESS,
Washington, DC, April 28, 2016.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN THORNBERRY: I am writing to you concerning the bill H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017. There are certain provisions in the legislation which fall within the jurisdiction of the Committee on Small Business pursuant to Rule X(q) of the House of Representatives.

In the interest of permitting the Committee on Armed Services to proceed expeditiously to floor consideration of this important bill, I am willing to waive the right of the Committee on Small Business to sequential referral. I do so with the understanding

that by waiving consideration of the bill, the Committee on Small Business does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X(q) jurisdiction, including future bills that the Committee on Armed Services will consider.

I request that you urge the Speaker to appoint members of this Committee to any conference committee which is named to consider such provisions. Please place this letter into the committee report on H.R. 4909 and into the Congressional Record during consideration of the measure on the House floor.

Thank you for the cooperative spirit in which you have worked regarding this issue and others between our respective committees. If you have any questions, please contact Jan Oliver, Chief Counsel to the Committee.

Sincerely,

STEVE CHABOT,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 3, 2016.

Hon. STEVE CHABOT,
Chairman, Committee on Small Business, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017. I agree that the Committee on Small Business has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Small Business is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

Ms. JACKSON LEE. Mr. Chair, I rise to speak on House consideration of the National Defense Authorization Act for Fiscal Year 2017.

I thank Chairman THORNBERRY and Ranking Member SMITH and the Armed Services Committee for their work on the National Defense Authorization Act for Fiscal Year 2015.

As a senior member of the House Committee on Homeland Security, I take our role in Congress as stewards of our nation's security seriously.

I offer my thanks and appreciation to the men and women of the armed services who place themselves in harm's way each day for the safety and security of our nation's people.

The National Defense Authorization Act's purpose is to address the threats our nation must deal with not just today, but into the future. This makes our work vital to our national interest and it should reflect our strong commitment to ensure that the men and women of our Armed Services receive the benefits and support that they deserve for their faithful service.

This is the 54th consecutive National Defense Authorization Act, which speaks to the long term commitment of the Congress and successive Administrations to provide for National Defense.

This bill encompasses a number of initiatives designed to confront the military challenges posed by violent extremism, terrorists engaging in ground wars, making more efficient the work of protecting America, addresses the medical health needs of men and women in the armed services, and extends economic and education opportunity to small minority and women owned businesses.

We do live in a dangerous world, where threats are not always easily identifiable, and our enemies are not bound by borders.

Boko Haram, ISIL, and Al Shabaab remind us of how fragile our nation's security could be without a well trained and equipped military.

I appreciate the House Armed Services Committee's continued support of our national defense and support a number of provisions in H.R. 1735, the National Defense Authorization Act for Fiscal Year (FY) 2016, such as authorities that support ongoing operations.

The Administration also appreciates much of the work of the committee, but is expressing strong objections because the bill: Redirects $18 billion in funding intended for use in defeating ISIL to base budget programs; Extends operations at Guantanamo Bay, Cuba; Increases costs of the TRICARE administration; Prohibits the retiring or inactivation of Ticonderoga-Class cruisers or dock landing ships; Reduces by $250 million the Counterterrorism Partnership Fund; Bars the administration from making sure that companies that break United States labor laws are not rewarded; Prohibition on the use of funds for Countering Weapons of Mass Production; and Eliminates for the Department of Defense's Joint Urgent Operational Needs Fund.

Although the Administration points out areas of agreement with the Committee, the Administration strongly objects to several provisions in the bill.

The opportunity to amend the bill will offer an opportunity to address these and other Administration concerns that will improve the bill.

Congress should authorize sufficient funding for our military's priorities, and avoid using the Overseas Contingency Operations (OCO) funding in ways that leaders of both parties over the years have made clear is inappropriate.

The final bill considered by the Congress should adopt many of the needed force structure and weapons system reforms that have been identified by military leaders and experts.

As written the President's senior advisors would recommend that he veto this bill.

It is my hope that the Rules Committee will make in order a number of perfecting amendments for consideration under the Rule for H.R. 4909.

I have amendments that have been offered for consideration of H.R. 4909.

Let me discuss briefly the amendments I offered that were adopted by the House and included in the final version of the bill.

Jackson Lee Amendment Number 1 calls for increased collaboration with NIH to combat Triple Negative Breast Cancer.

Jackson Lee Amendment Number 2 provides authorization for $2.5 million increase in funding to combat post-traumatic stress disorder (PTSD).

Jackson Lee Amendment Number 3 condemns the actions of Boko Haram and urges the Commander-in-Chief to ensure accountability for crimes against humanity committed by Boko Haram against the Nigerian people.

Jackson Lee Amendment Number 4 authorizes the Secretary of Defense to work with local security partners in facilitating the provision of security at civilian nuclear research centers in educational institutions to ascertain that nuclear weapons do not end up in the hands of terrorists, in promotion of the United States' and its allies' security interests.

Jackson Lee Amendment Number 5 authorizes the Secretary of Defense to work with local and international security partners, innovators, law enforcement, and other civil society organizations in the provision of technical assistance for the creation, facilitation and implementation of a technological app designed to enable the location, protection and tracking of missing persons, refugees, returnees and internally displaced persons.

Jackson Lee Amendment Number 6 directs Secretary of the Navy to submit report to Congress on the feasibility of applying desalinization technologies to provide drought relief in areas impacted by sharp declines in water availability for both military as well as civilian purposes.

Jackson Lee Amendment Number 7 authorizes the Secretary of Defense to provide technical assistance to local and international security partners in the provision of security and protection for activists and civil society organizations advocating for and promoting freedom of religion, education, press expression and personal expression.

Jackson Lee Amendment Number 8 directs Secretary of Defense to conduct study and submit to Congress report regarding the awarding of secret and top secret security clearances to better understand the process for awarding clearances in effective and fair.

Jackson Lee Amendment Number 9 requires outreach for small business concerns owned and controlled by women and minorities required before conversation of certain functions to contractor performance.

Jackson Lee Amendment Number 10 expresses the sense of Congress regarding the importance of increasing the effectiveness of the Northern Command (''NORTHCOM'') in fulfilling its critical mission of protecting the U.S. homeland in event of war and to provide support to local, state, and federal authorities in times of national emergency.

Jackson Lee Amendment Number 11 requires the Government Accountability Office to include in its annual report to Congress a list of the most common grounds for sustaining protests related to bids for contracts.

Jackson Lee Amendment Number 12 directs the Secretary of Defense to report to Congress on the Department's ability to support the rapid development, production and deployment of vaccines or treatments of emerging tropical diseases, like the Zika and Ebola viruses, to protect the men and women of the armed forces and their families.

We must continue to direct our efforts as a body to ensure that our troops remain the best equipped and prepared military force in the world. They are not just soldiers they are sons and daughters, husbands and wives, brothers and sisters—they are some of the people we represent as members of Congress.

Support of our men and women in uniform is a sacred obligation of Congress both to those who are at risk on battle fields and serving as the guard against threats around the

world, but they are also those who have returned home from war.

I look forward to the inclusion of the Jackson Lee Amendments and others that will improve the underlying bill.

Mr. RUPPERSBERGER. Mr. Chair, I rise in support of the provision contained in the National Defense Authorization Act for Fiscal Year 2017 to upgrade the U.S. Cyber Command to a unified combatant command.

The United States Cyber Command, which is located in my district at Fort Meade, Maryland, has been tasked with one of the greatest challenges of our times. Every day, its cyber warriors are protecting us from our enemies plotting to compromise our military networks and critical infrastructure. Recently, they were given their first wartime assignment in the fight against ISIS.

The demand for cyber warfare capabilities has been so high that CYBERCOM teams that are not even officially operational yet are contributing to the mission, according to its chief, Admiral Mike Rogers. That need is only going to increase and we must give it the power and resources it needs to better protect our country.

Elevating CYBERCOM as a Unified Combatant Command recognizes the fact that cyberspace is the battlefield of the 21st Century. Warfare is not just on land, at sea, or in the skies and space—but in cyberspace. Just as our special operations command is able to quickly and deftly perform some of our toughest covert missions, it only makes sense to have a command that can respond nimbly to cyber threats and organize our offensive and defensive efforts.

I agree wholeheartedly with Admiral Rogers, who has said this designation would allow his Command to be faster with better mission outcomes. We must not forget that the other half of his responsibility, the National Security Agency, already enjoys an excellent and essential working relationship with CYBERCOM. We must ensure that any reorganization strengthens this relationship.

I am proud to represent both agencies in Congress and am confident Maryland and the Second District is amply prepared to assist with the infrastructure needs that accompany any growth.

Mr. THORNBERRY. Mr. Chair, I ask that the following exchange of letters be submitted on H.R. 4909:

COMMITTEE ON NATURAL RESOURCES,
HOUSE OF REPRESENTATIVES,
Washington, DC, 29 April 2016.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017. That bill, as ordered reported, contains provisions within the Rule X jurisdiction of the Natural Resources Committee, including those affecting public lands, the National Oceanic and Atmospheric Administration Corps, the Endangered Species Act, and historic preservation.

In the interest of permitting you to proceed expeditiously to floor consideration of this very important bill, I waive this committee's right to a sequential referral. I do so with the understanding that the Natural Resources Committee does not waive any future jurisdictional claim over the subject matter contained in the bill which fall within its Rule X jurisdiction. I also request that you urge the Speaker to name members of the Natural Resources committee to any conference committee to consider such provisions.

Please place this letter into the committee report on H.R. 4909 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you and your staff have worked regarding this matter and others between our respective committees, and congratulations on this significant achievement.

Sincerely,

ROB BISHOP,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 3, 2016.

Hon. ROB BISHOP,
Chairman, Committee on Natural Resources, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017. I agree that the Committee on Natural Resources has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Natural Resources is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

COMMITTEE ON AGRICULTURE,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 29, 2016.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. THORNBERRY: I am writing concerning H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017.

This legislation contains provisions within the Committee on Agriculture's Rule X jurisdiction. As a result of your having consulted with the Committee and in order to expedite this bill for floor consideration, the Committee on Agriculture will forego action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Agriculture with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Committee Report and in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

K. MICHAEL CONAWAY,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 3, 2016.

Hon. MICHAEL CONAWAY,
Chairman, Committee on Agriculture, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017. I agree that the Committee on Agriculture has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Agriculture is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

COMMITTEE ON WAYS AND MEANS
HOUSE OF REPRESENTATIVES,
Washington, DC, April 29, 2016.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN THORNBERRY: I am writing to you concerning H.R. 4909, the ''National Defense Authorization Act for Fiscal Year 2017.'' This legislation contains provisions that fall within the Rule X jurisdiction of the Committee on Ways and Means.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive my committee's right to sequential referral. I do so with the understanding that by waiving formal consideration of the bill, the Committee on Ways and Means does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of my committee to any conference committee that is convened to consider such provisions.

Please include this letter and your response confirming our understanding in the committee report on H.R. 4909, and in the Congressional Record during consideration of the measure on the House floor.

Sincerely,

KEVIN BRADY,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 3, 2016.

Hon. KEVIN BRADY,
Chairman, Committee on Ways and Means, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017. I agree that the Committee on Ways and Means has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Ways and Means is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

COMMITTEE ON ENERGY AND COMMERCE HOUSE OF REPRESENTATIVES,
Washington, DC, May 3, 2016.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, Washington, DC.

DEAR CHAIRMAN THORNBERRY: I write to confirm our mutual understanding regarding

H.R. 4909, the ''National Defense Authorization Act for Fiscal Year 2017.'' While the legislation does contain provisions within the jurisdiction of the Committee on Energy and Commerce, the Committee will not request a sequential referral so that it can proceed expeditiously to the House floor for consideration.

The Committee takes this action with the understanding that its jurisdictional interests over this and similar legislation are in no way diminished or altered, and that the Committee will be appropriately consulted and involved as such legislation moves forward. The Committee also reserves the right to seek appointment to any House-Senate conference on such legislation and requests your support when such a request is made.

Finally, I would appreciate a response to this letter confirming this understanding and ask that a copy of our exchange of letters be included in the Congressional Record during consideration of H.R. 4909 on the House floor.

Sincerely,

FRED UPTON,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 3, 2016.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017. I agree that the Committee on Energy and Commerce has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Energy and Commerce is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chair, this week the House considers the National Defense Authorization Act, and I rise to recognize the Armed Services Committee for its actions to expand paid parental leave for thousands of service members.

On the heels of Secretary Carter's expansion of paid maternity leave to 12 weeks, this bill will increase parental leave to 14 days and also grant paid leave for adoptive parents.

This is real progress, but we cannot leave out the more than 2.5 million non-military federal employees who still lack any paid parental leave.

As the Pentagon recognizes, the lack of paid leave for new parents threatens the government's ability to recruit and retain a talented, productive workforce.

I am encouraged by the DOD's updated family leave policy, and hope that we can work in Congress to guarantee this essential workplace right for all federal employees.

Mr. THORNBERRY. Mr. Chair, I ask that the following exchange of letters be submitted on H.R. 4909:

COMMITTEE ON VETERANS' AFFAIRS,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 2, 2016.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. THORNBERRY: I write to confirm our mutual understanding regarding H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017. This legislation contains subject matter within the jurisdiction of the House Committee on Veterans' Affairs. However, in order to expedite floor consideration of this important legislation, the committee waives consideration of the bill.

The House Committee on Veterans' Affairs takes this action only with the understanding that the committee's jurisdictional interests over this and similar legislation are in no way diminished or altered.

The committee also reserves the right to seek appointment to any House-Senate conference on this legislation and requests your support if such a request is made. Finally, I would appreciate your including this letter in the Congressional Record during consideration of H.R. 4909 on the House Floor. Thank you for your attention to these matters.

Sincerely,

JEFF MILLER,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 3, 2016.

Hon. JEFF MILLER,
Chairman, Committee on Veterans' Affairs, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017. I agree that the Committee on Veterans' Affairs has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Veterans' Affairs is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, April 29, 2016.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, House Armed Services Committee, Washington, DC.

DEAR MR. CHAIRMAN: I write to confirm our mutual understanding regarding H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017, which contains substantial matter that falls within the Rule X legislative jurisdiction of the Foreign Affairs Committee. I appreciate the cooperation that allowed us to work out mutually agreeable text on numerous matters prior to your markup.

Based on that cooperation and our associated understandings, the Foreign Affairs Committee will not seek a sequential referral or object to floor consideration of the bill text approved at your Committee markup. This decision in no way diminishes or alters the jurisdictional interests of the Foreign Affairs Committee in this bill, any subsequent amendments, or similar legislation. I request your support for the appointment of House Foreign Affairs conferees during any House-Senate conference on this legislation.

Finally, I respectfully request that you include this letter and your response in your committee report on the bill and in the Congressional Record during consideration of H.R. 4909 on the House floor.

Sincerely,

EDWARD R. ROYCE
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 3, 2016.

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017. I agree that the Committee on Foreign Affairs has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Foreign Affairs is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

PERMANENT SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES,
May 2, 2016.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN THORNBERRY: I write to you concerning H.R. 4909, National Defense Authorization Act for Fiscal Year 2017, which contains provisions within the Rule X jurisdiction of the Permanent Select Committee on Intelligence (''the Committee''). The Committee recognizes the need for proceeding expeditiously to floor consideration of this important bill. Therefore, I do not intend to request a sequential referral.

This waiver is conditional on our mutual understanding that my decision to forego Committee consideration of this legislation does not diminish or otherwise affect any future claim over the matters in the bill which fall within the Committee's jurisdiction, and that a copy of this letter and your response acknowledging the Committee's jurisdictional interest will be placed into the committee report on H.R. 4909 and into the Congressional Record during consideration of this measure on the House floor.

I also intend to seek appointment of Committee members to any House-Senate conference on this legislation and request your support if such a request is made. Thank you for the cooperative spirit in which you have worked regarding this and other matters between our respective committees.

Sincerely,

DEVIN NUNES,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 3, 2016.

Hon. DEVIN NUNES,
Chairman, Permanent Select Committee on Intelligence, House of Representatives, U.S. Capitol Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017.

I agree that the Permanent Select Committee on Intelligence has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Permanent Select Committee on Intelligence is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

Mr. VAN HOLLEN. Mr. Chair, I rise today in opposition to H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017, because it fails to support our troops serving overseas. The House Armed Services Committee reported a bill that uses a budget gimmick to circumvent funding caps Congress passed into law on a bipartisan basis, and by doing so it not only undermines the budget process, it puts our troops at risk. The bill cuts $18 billion from what our military commanders say is needed to support our troops overseas, and shifts those funds into the base defense budget to purchase billions of dollars of weapon systems the Defense Department did not even request. Consequently, the bill provides only enough funding for the troops deployed in Afghanistan and Iraq through April, 2017. This would then force Congress to pass an emergency supplemental to ensure that troops who are serving in harm's way have the resources they need for the remainder of the year. We shouldn't gamble with the troops we send off to battle. They deserve predictable support for the entire year as they execute their missions, particularly in view of the dangers they face.

Representative ELLISON offered an amendment to undo part of this gimmick. His amendment cuts $9.4 billion of Overseas Contingency Operations (OCO) funds the bill shifted to procurement for weapons DoD didn't ask for and puts it back into operations and maintenance, where DoD requested it for overseas operations. I supported the amendment because it puts the troops first. It gives them the certainty they need while they carry out their missions. It is also what our military commanders say they need. Unfortunately, that amendment did not pass.

As the Ranking Member of the House Budget Committee, I also have worked hard to defend the integrity of the budget process and to end the abuse of the OCO designation to circumvent budget caps. I offered a bipartisan amendment with Representative MULVANEY that attempts to help reduce this abuse in the future. The amendment codifies criteria developed by OMB to clarify when military spending should be designated as contingency operations. To provide the necessary resources for a strong military and vital domestic investments, it is imperative our budget process be transparent and deliberative. Using budget gimmicks perpetuates bad decisions, increases debt by obfuscating spending, and in this case, puts the troops at risk.

This NDAA once again abdicates Congressional responsibility to revise and update the 2001 Authorization for Use of Military Force (AUMF). The 2001 AUMF has been used to conduct a broad range of military operations across the world for the past fifteen years. Rather than act to narrowly target that authority to meet our current operational and national security requirements, Congress has continued to provide the Executive with a blank check to deploy American ground troops in many places in the Middle East and elsewhere around the globe. Representative LEE offered an amendment to force Congress to meet its constitutional obligations regarding its war powers. While I do not believe we should totally eliminate all authorities under the 2001 AUMF, I do believe we need to dramatically reduce its scope and end the grant of blank check authority to the Executive.

The NDAA should focus only on soldiers and their needs. However, Republicans have used it as a vehicle to insert inflammatory and non-germane amendments. It includes an amendment that reverses the President's Executive Order that prevents federal contractors from discriminating against LGBT employees. It removes environmental protections, impedes development of alternative fuel sources to decrease our dependence on foreign fuel, and it prevents the closure of the Guantanamo Bay detention facility.

I applaud certain measures such as the 2.1 percent pay raise for armed services, research to combat the opioid epidemic that is impacting our veterans, increased funding to combat veteran homelessness, and expanding the parental leave policy for active duty service members. I remain committed to fighting for these important issues but I cannot support the unacceptable budget gimmicks and policy riders in the underlying bill.

Mr. Chair, I vote nay.

Mr. THORNBERRY. Mr. Chair, I ask that the following exchange of letters be submitted on H.R. 4909:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, April 29, 2016.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN THORNBERRY: I write to confirm our mutual understanding regarding H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017. This legislation contains subject matter within the jurisdiction of the Committee on the Judiciary. However, in order to expedite floor consideration of this important legislation, the Committee waives consideration of the bill.

The Committee on the Judiciary takes this action only with the understanding that the Commission's jurisdictional interests over this and similar legislation are in no way diminished or altered. The Committee also reserves the right to seek appointment to any House-Senate conference on this legislation and requests your support if such a request is made.

Finally, I would appreciate your placing this letter in the committee report on H.R. 4909 and in the Congressional Record during consideration of H.R. 4909 on the House Floor. Thank you for your attention to these matters.

Sincerely,

BOB GOODLATTE,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 3, 2016.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017. I agreed that the Committee on the Judiciary has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agreed that by foregoing a sequential referral, the Committee on the Judiciary is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, April 29, 2016.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN THORNBERRY: I am writing to you concerning the jurisdictional interest of the Committee on Homeland Security in matters being considered by H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017.

I recognize the importance of H.R. 4909 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over the bill, I do not intend to request a sequential referral. This, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forego a sequential referral waives, reduces, or otherwise affects the jurisdiction of the Committee on Homeland Security, and that a copy of this letter and your response acknowledging our jurisdictional interest will be included in the Committee Report and as part of the Congressional Record during consideration of this bill by the House.

The Committee on Homeland Security also asks that you support our requests to be conferees on the provisions over which we have jurisdiction during any House-Senate conference on this or any related bill.

Thank you for your consideration in this matter.

Sincerely,

MICHAEL T. MCCAUL,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 3, 2016.

Hon. MICHAEL T. MCCAUL,
Chairman, Committee on Homeland Security, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017. I agree that the Committee on Homeland Security has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Homeland Security is not

waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

COMMITTEE ON EDUCATION AND THE WORKFORCE, HOUSE OF REPRESENTATIVES,
Washington, DC, April 29, 2016.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I write to confirm our mutual understanding with respect to H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017. Thank you for consulting with the Committee on Education and the Workforce with regard to H.R. 4909 on those matters within the Committee's jurisdiction.

In the interest of expediting the House's consideration of H.R. 4909, the Committee on Education and the Workforce will forgo further consideration of this bill. However, I do so only with the understanding this procedural route will not be construed to prejudice my Committee's jurisictional interest and prerogatives on this bill or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my Committee in the future.

I respectfully request your support for the appointment of outside conferees from the Committee on Education and the Workforce should this bill or a similar bill be considered in a conference with the Senate. I also request you include our exchange of letters on this matter in the Committee Report on H.R. 4909 and in the Congressional Record during consideration of this bill on the House Floor. Thank you for your attention to these matters.

Sincerely,

JOHN KLINE,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 3, 2016.

Hon. JOHN KLINE,
Chairman, Committee on Education and the Workforce, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017. I agree that the Committee on Education and the Workforce has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Education and the Workforce is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

Mr. PETERS. Mr. Chair, I oppose Sec. 1094 of this bill.

The language included in the underlying bill is dangerously vague, and allows contractors, or any entity that receives federal funds, to discriminate based on the faulty guise of religious exemption.

Since ''religious corporation'' is undefined by the bill or by courts, this provision applies too broadly.

Let's be clear—a ''religious corporation'' could range from a religious institution like a church to a corporation with a religious CEO.

Therefore, any vaguely religious organization or corporation receiving federal funds could legally discriminate against LGBT Americans if they feel like hiring them violates their religious beliefs.

A corporation with a religious CEO could decide not to hire, or to fire, LGBT people. A religious university could fire employees with no religious job requirement, such as a scientist or custodial worker, simply because they are LGBT.

Tax-payer dollars should not be used to fund discrimination.

Last year, I offered an amendment to the Transportation Appropriations Bill that affirmed President Obama's executive order prohibiting federal contractors from discriminating based on sexual orientation and gender identity.

My amendment passed with a near supermajority, including 60 Republicans.

I believe all of my colleagues can agree on these two things—the federal government should not infringe on religious freedom, nor should we do business with groups that discriminate.

No American should be fired, denied a job or a place to live because of who they are or who they love.

I urge my colleagues to stand on the side of equality and against discrimination and oppose this provision.

Ms. MCCOLLUM. Mr. Chair, I rise in opposition to the National Defense Authorization Act for Fiscal Year 2017 (H.R. 4909)

Each year, the National Defense Authorization Act provides a framework for our armed forces in the fiscal year ahead. Crafting and considering this legislation is a serious matter, one that has earned strong bipartisan support in the past. This year, House Republicans have instead decided to intentionally violate last year's Bipartisan Budget Act and abdicate this Congress' solemn responsibility to sufficiently fund our troops.

H.R. 4909 takes $18 billion from Overseas Contingency Operations (OCO), the account that pays for our country's fight against ISIS and other important military efforts, in order to fund base budget items that the President and the Department of Defense have not requested. This funding shift breaks the spirit of the Bipartisan Budget Act reached last October and degrades our military's readiness. Furthermore, H.R. 4909 stops authorization for OCO funding next April, long before the fiscal year ends, and places our servicemen and -women squarely in the middle of a partisan budget fight just months into the next president's term. This is reckless and irresponsible, and Congress owes it to our troops to authorize a full year of funding.

H.R. 4909 also includes several disturbing Republican ideological stances that I find highly objectionable. This legislation fails to uphold President Obama's protections for LGBT Americans who work for federal contractors and grantees and allows for discrimination against them. This outrageous partisan rider has absolutely no place in a bill that authorizes the funds necessary for our servicemen and -women to do the jobs they have bravely volunteered to do. Additionally, H.R. 4909 once again includes provisions that prevent President Obama from responsibly closing the prison at Guantanamo Bay, ensuring that the detention center will remain an extremist propaganda tool and a threat to our national security. Now that President Obama has put forward a plan to close the detention center responsibly, Congress should move immediately to enact it. The closure of this facility is long overdue.

House Republicans owe it to our servicemen and -women to put forward legislation free from partisan ideological riders and adequately funds them for a full fiscal year. Unfortunately, H.R. 4909 falls far short of this.

Mr. Speaker, I urge my colleagues to join me in opposing the National Defense Authorization Act for Fiscal Year 2017 (H.R. 4909).

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Armed Services, printed in the bill, an amendment in the nature of a substitute, consisting of the text of Rules Committee print 114–51, modified by the amendment printed in part A of House Report 114–569, shall be considered as adopted.

The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the 5-minute rule and shall be considered as read.

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

H.R. 4909

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Defense Authorization Act for Fiscal Year 2017''.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into five divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

(3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

(4) Division D—Funding Tables.

(5) Division E—Military Justice.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

In this Act, the term ''congressional defense committees'' has the meaning given that term in section 101(a)(16) of title 10, United States Code.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2017 for procurement for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4101.

Subtitle B—Army Programs

SEC. 111. MULTIYEAR PROCUREMENT AUTHORITY FOR AH–64E APACHE HELICOPTERS.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Army may enter into one or more multiyear contracts, beginning with the fiscal year 2017 program year, for the procurement of AH–64E Apache helicopters.

(b) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2017 is subject to the availability of appropriations for that purpose for such later fiscal year.

SEC. 112. MULTIYEAR PROCUREMENT AUTHORITY FOR UH–60M AND HH–60M BLACK HAWK HELICOPTERS.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Army may enter into one or more multiyear contracts, beginning with the fiscal year 2017 program year, for the procurement of UH–60M and HH–60M Black Hawk helicopters.

(b) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2017 is subject to the availability of appropriations for that purpose for such later fiscal year.

SEC. 113. ASSESSMENT OF CERTAIN CAPABILITIES OF THE DEPARTMENT OF THE ARMY.

(a) ASSESSMENT.—The Secretary of Defense, in consultation with the Secretary of the Army and the Chief of Staff of the Army, shall conduct an assessment of the following capabilities with respect to the Department of the Army:

(1) The capacity of AH–64 Apache-equipped attack reconnaissance battalions to meet future needs.

(2) Air defense artillery capacity and responsiveness, including—

(A) the capacity of short-range air defense artillery to address existing and emerging threats, including threats posed by unmanned aerial systems, cruise missiles, and manned aircraft; and

(B) the potential for commercial off-the-shelf solutions.

(3) Chemical, biological, radiological, and nuclear capabilities and modernization needs.

(4) Field artillery capabilities, including—

(A) modernization needs;

(B) munitions inventory shortfalls; and

(C) changes in doctrine and war plans consistent with the Memorandum of the Secretary of Defense dated June 19, 2008, regarding the Department of Defense policy on cluster munitions and unintended harm to civilians.

(5) Fuel distribution and water purification capacity and responsiveness.

(6) Watercraft and port-opening capabilities and responsiveness.

(7) Transportation capacity and responsiveness, particularly with respect to the transportation of fuel, water, and cargo.

(8) Military police capacity.

(9) Tactical mobility and tactical wheeled vehicle capacity, including heavy equipment prime movers.

(b) REPORT.—Not later than April 1, 2017, the Secretary of Defense shall submit to the congressional defense committees a report containing—

(1) the assessment conducted under subsection (a);

(2) recommendations for reducing or eliminating shortfalls in responsiveness and capacity with respect to each of the capabilities described in such subsection; and

(3) an estimate of the costs of implementing such recommendations.

(c) FORM.—The report under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

Subtitle C—Navy Programs

SEC. 121. PROCUREMENT AUTHORITY FOR AIRCRAFT CARRIER PROGRAMS.

(a) PROCUREMENT AUTHORITY IN SUPPORT OF CONSTRUCTION OF FORD CLASS AIRCRAFT CARRIERS.—

(1) AUTHORITY FOR ECONOMIC ORDER QUANTITY.—The Secretary of the Navy may procure materiel and equipment in support of the construction of the Ford class aircraft carriers designated CVN–80 and CVN–81 in economic order quantities when cost savings are achievable.

(2) LIABILITY.—Any contract entered into under paragraph (1) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose, and that total liability to the Government for termination of any contract entered into shall be limited to the total amount of funding obligated at time of termination.

(b) REFUELING AND COMPLEX OVERHAUL OF NIMITZ CLASS AIRCRAFT CARRIERS.—

(1) IN GENERAL.—The Secretary of the Navy may carry out the nuclear refueling and complex overhaul of each of the following Nimitz class aircraft carriers:

(A) U.S.S. George Washington (CVN–73).

(B) U.S.S. John C. Stennis (CVN–74).

(C) U.S.S. Harry S. Truman (CVN–75).

(D) U.S.S. Ronald Reagan (CVN–76).

(E) U.S.S. George H.W. Bush (CVN–77).

(2) USE OF INCREMENTAL FUNDING.—With respect to any contract entered into under paragraph (1) for the nuclear refueling and complex overhaul of a Nimitz class aircraft carrier, the Secretary may use incremental funding for a period not to exceed six years after advance procurement funds for such nuclear refueling and complex overhaul effort are first obligated.

(3) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—Any contract entered into under paragraph (1) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2017 is subject to the availability of appropriations for that purpose for that later fiscal year.

SEC. 122. SENSE OF CONGRESS ON AIRCRAFT CARRIER PROCUREMENT SCHEDULES.

(a) FINDINGS.—Congress finds the following:

(1) In a report submitted to Congress on March 17, 2015, the Secretary of the Navy indicated the Department of the Navy has a requirement of 11 aircraft carriers.

(2) In the Congressional Budget Office report titled ''An Analysis of the Navy's Fiscal Year 2016 Shipbuilding Plan'', the Office stated as follows: ''To prevent the carrier force from declining to 10 ships in the 2040s, 1 short of its inventory goal of 11, the Navy could accelerate purchases after 2018 to 1 every four years, rather than 1 every five years''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the plan of the Department of the Navy to schedule the procurement of one aircraft carrier every five years will reduce the overall aircraft carrier inventory to 10 aircraft carriers, a level insufficient to meet peacetime and war plan requirements; and

(2) to accommodate the required aircraft carrier force structure, the Department of the Navy should—

(A) begin to program construction for the Ford class aircraft carrier designated CVN–81 in fiscal year 2022; and

(B) program the required advance procurement activities to accommodate the construction of such carrier.

SEC. 123. DESIGN AND CONSTRUCTION OF LHA REPLACEMENT SHIP DESIGNATED LHA 8.

(a) IN GENERAL.—The Secretary of the Navy may enter into a contract, beginning with the fiscal year 2017 program year, for the design and construction of the LHA Replacement ship designated LHA 8 using amounts authorized to be appropriated for the Department of Defense for Shipbuilding and Conversion, Navy.

(b) USE OF INCREMENTAL FUNDING.—With respect to the contract entered into under subsection (a), the Secretary may use incremental funding to make payments under the contract.

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—The contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under such contract for any fiscal year after fiscal year 2017 is subject to the availability of appropriations for that purpose for such fiscal year.

SEC. 124. DESIGN AND CONSTRUCTION OF REPLACEMENT DOCK LANDING SHIP DESIGNATED LX(R) OR AMPHIBIOUS TRANSPORT DOCK DESIGNATED LPD–29.

(a) IN GENERAL.—The Secretary of the Navy may enter into a contract, beginning with the fiscal year 2017 program year, for the design and construction of the replacement dock landing ship designated LX(R) or the amphibious transport dock designated LPD–29 using amounts authorized to be appropriated for the Department of Defense for Shipbuilding and Conversion, Navy.

(b) USE OF INCREMENTAL FUNDING.—With respect to the contract entered into under subsection (a), the Secretary may use incremental funding to make payments under the contract.

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—The contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under such contract for any fiscal year after fiscal year 2017 is subject to the availability of appropriations for that purpose for such fiscal year.

SEC. 125. SHIP TO SHORE CONNECTOR PROGRAM.

(a) CONTRACT AUTHORITY.—Notwithstanding section 2306b of title 10, United States Code, the Secretary of the Navy may enter into a contract to procure up to 45 Ship to Shore Connector craft.

(b) LIABILITY.—Any contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose, and that the total liability to the Government for termination of any contract entered into shall be limited to the total amount of funding obligated at time of termination.

SEC. 126. LIMITATION ON AVAILABILITY OF FUNDS FOR LITTORAL COMBAT SHIP OR SUCCESSOR FRIGATE.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Navy shall be used to select only a single contractor for the construction of the Littoral Combat Ship or any successor frigate class ship program until the Secretary of the Navy certifies to the congressional defense committees that such selection of a single contractor will be conducted—

(1) using competitive procedures; and

(2) for the limited purpose of awarding a contract for—

(A) an engineering change proposal for a frigate class ship; or

(B) the construction of a frigate class ship.

Subtitle D—Air Force Programs

SEC. 131. ELIMINATION OF ANNUAL REPORT ON AIRCRAFT INVENTORY.

Section 231a of title 10, United States Code, is amended—

(1) by striking subsection (e); and

(2) by redesignating subsection (f) as subsection (e).

SEC. 132. REPEAL OF REQUIREMENT TO PRESERVE CERTAIN RETIRED C–5 AIRCRAFT.

Section 141 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1659) is amended by striking subsection (d).

SEC. 133. REPEAL OF REQUIREMENT TO PRESERVE CERTAIN RETIRED F–117 AIRCRAFT.

Section 136 of the National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2114) is amended by striking subsection (b).

SEC. 134. PROHIBITION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF A–10 AIRCRAFT.

(a) PROHIBITION ON AVAILABILITY OF FUNDS FOR RETIREMENT.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Air Force may be obligated or expended to retire, prepare to retire, or place in storage or on backup aircraft inventory status any A–10 aircraft.

(b) ADDITIONAL LIMITATION ON RETIREMENT.—In addition to the prohibition in subsection (a), the Secretary of the Air Force may not retire, prepare to retire, or place in storage or on backup aircraft inventory status any A–10 aircraft until a period of 90 days has elapsed following the date on which the Secretary submits

to the congressional defense committees the report under subsection (e)(2).

(c) PROHIBITION ON SIGNIFICANT REDUCTIONS IN MANNING LEVELS.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Air Force may be obligated or expended to make significant reductions to manning levels with respect to any A–10 aircraft squadrons or divisions.

(d) MINIMUM INVENTORY REQUIREMENT.—The Secretary of the Air Force shall ensure the Air Force maintains a minimum of 171 A–10 aircraft designated as primary mission aircraft inventory until a period of 90 days has elapsed following the date on which the Secretary submits to the congressional defense committees the report under subsection (e)(2).

(e) REPORTS REQUIRED.—

(1) The Director of Operational Test and Evaluation shall submit to the congressional defense committees a report that includes—

(A) the results and findings of the initial operational test and evaluation of the F–35 aircraft program; and

(B) a comparison test and evaluation that examines the capabilities of the F–35A and A–10C aircraft in conducting close air support, combat search and rescue, and forward air controller airborne missions.

(2) Not later than 180 days after the date of the submission of the report under paragraph (1), the Secretary of the Air Force shall submit to the congressional defense committees a report that includes—

(A) the views of the Secretary with respect to the results of the initial operational test and evaluation of the F–35 aircraft program as summarized in the report under paragraph (1), including any issues or concerns of the Secretary with respect to such results;

(B) a plan for addressing any deficiencies and carrying out any corrective actions identified in such report; and

(C) short-term and long-term strategies for preserving the capability of the Air Force to conduct close air support, combat search and rescue, and forward air controller airborne missions.

(f) SPECIAL RULE.—

(1) Subject to paragraph (2), the Secretary of the Air Force may carry out the transition of the A–10 unit at Fort Wayne Air National Guard Base, Indiana, to an F–16 unit as described by the Secretary in the Force Structure Actions map submitted in support of the budget of the President for fiscal year 2017 (as submitted to Congress under section 1105(a) of title 31, United States Code).

(2) Subsections (a) through (e) shall apply with respect to any A–10 aircraft affected by the transition described in paragraph (1).

SEC. 135. PROHIBITION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF JOINT SURVEILLANCE TARGET ATTACK RADAR SYSTEM AIRCRAFT.

(a) PROHIBITION.—Except as provided by subsection (b) and in addition to the prohibition under section 144 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 758) none of the funds authorized to be appropriated or otherwise made available for fiscal year 2018 for the Air Force may be obligated or expended to retire, or prepare to retire, any Joint Surveillance Target Attack Radar System aircraft.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to individual Joint Surveillance Target Attack Radar System aircraft that the Secretary of the Air Force determines, on a case-by-case basis, to be non-operational because of mishaps, other damage, or being uneconomical to repair.

Subtitle E—Defense-wide, Joint, and Multiservice Matters

SEC. 141. TERMINATION OF QUARTERLY REPORTING ON USE OF COMBAT MISSION REQUIREMENTS FUNDS.

Section 123(a)(1) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4158; 10 U.S.C. 167 note.) is amended by inserting ''ending on or before September 30, 2018'' after ''each fiscal quarter''.

SEC. 142. FIRE SUPPRESSANT AND FUEL CONTAINMENT STANDARDS FOR CERTAIN VEHICLES.

(a) GUIDANCE REQUIRED.—

(1) The Secretary of the Army shall issue guidance regarding fire suppressant and fuel containment standards for covered vehicles of the Army.

(2) The Secretary of the Navy shall issue guidance regarding fire suppressant and fuel containment standards for covered vehicles of the Marine Corps.

(b) ELEMENTS.—The guidance regarding fire suppressant and fuel containment standards issued pursuant to subsection (a) shall—

(1) meet the survivability requirements applicable to each class of covered vehicles;

(2) include standards for vehicle armor, vehicle fire suppression systems, and fuel containment technologies in covered vehicles; and

(3) balance cost, survivability, and mobility.

(c) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army and the Secretary of the Navy shall each submit to the congressional defense committees a report that includes—

(1) the policy guidance established pursuant to subsection (a), set forth separately for each class of covered vehicle; and

(2) any other information the Secretaries determine to be appropriate.

(d) COVERED VEHICLES.—In this section, the term ''covered vehicles'' means ground vehicles acquired on or after October 1, 2018, under a major defense acquisition program (as such term is defined in section 2430 of title 10, United States Code), including light tactical vehicles, medium tactical vehicles, heavy tactical vehicles, and ground combat vehicles.

SEC. 143. REPORT ON DEPARTMENT OF DEFENSE MUNITIONS STRATEGY FOR THE COMBATANT COMMANDS.

(a) REPORT REQUIRED.—Not later than April 1, 2017, the Secretary of Defense shall submit to the congressional defense committees a report on the munitions strategy for the combatant commands, including an identification of munitions requirements, an assessment of munitions gaps and shortfalls, and necessary munitions investments. Such strategy shall cover the 10-year period beginning with 2016.

(b) ELEMENTS.—The report on munitions strategy required by subsection (a) shall include the following:

(1) An identification of current and projected munitions requirements, by class or type.

(2) An assessment of munitions gaps and shortfalls, including a census of current munitions capabilities and programs, not including ammunition.

(3) A description of current and planned munitions programs, including with respect to procurement; research, development, test, and evaluation; and deployment activities.

(4) Schedules, estimated costs, and budget plans for current and planned munitions programs.

(5) Identification of opportunities and limitations within the associated industrial base.

(6) Identification and evaluation of technology needs and applicable emerging technologies.

(7) An assessment of how current and planned munitions programs, and promising technologies, may affect existing operational concepts and capabilities of the military departments or lead to new operational concepts and capabilities.

(8) An assessment of programs and capabilities by other countries to counter the munitions programs and capabilities of the Armed Forces, not including with respect to ammunition, and how such assessment affects the munitions strategy of each military department.

(9) An assessment of how munitions capability and capacity may be affected by changes consistent with the Memorandum of the Secretary of Defense dated June 19, 2008, regarding the Department of Defense policy on cluster munitions and unintended harm to civilians.

(10) Any other matters the Secretary determines appropriate.

(c) FORM.—The report under subsection (a) may be submitted in classified or unclassified form.

SEC. 144. COMPTROLLER GENERAL REVIEW OF F–35 LIGHTNING II AIRCRAFT SUSTAINMENT SUPPORT.

(a) REVIEW.—Not later than September 30, 2017, the Comptroller General of the United States shall submit to the congressional defense committees a report on the sustainment support structure for the F–35 Lightning II aircraft program.

(b) ELEMENTS.—The review under subsection (a) shall include, with respect to the F–35 Lightning II aircraft program, the following:

(1) The status of the sustainment support strategy for the program, including goals for personnel training, required infrastructure, and fleet readiness.

(2) Approaches, including performance-based logistics, considered in developing the sustainment support strategy for the program.

(3) Other information regarding sustainment and logistics support for the program that the Comptroller General determines to be of critical importance to the long-term viability of the program.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2017 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4201.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. LABORATORY QUALITY ENHANCEMENT PROGRAM.

(a) IN GENERAL.—The Secretary of Defense, acting through the Assistant Secretary of Defense for Research and Engineering, shall carry out a Program to be known as the ''Laboratory Quality Enhancement Program'' under which the Secretary shall establish the panels described in subsection (b) and direct such panels—

(1) to review and make recommendations to the Secretary with respect to—

(A) existing policies and practices affecting the science and technology reinvention laboratories to improve the research output of such laboratories; and

(B) new initiatives proposed by the science and technology reinvention laboratories;

(2) to support implementation of current and future initiatives affecting the science and technology reinvention laboratories; and

(3) to conduct assessments or data analysis on such other issues as the Secretary determines to be appropriate.

(b) PANELS.—The panels described in this subsection are:

(1) A panel on personnel, workforce development, and talent management.

(2) A panel on facilities and infrastructure.
(3) A panel on research strategy, technology transfer, and industry partnerships.
(4) A panel on oversight, administrative, and regulatory processes.
(c) COMPOSITION OF PANELS.—
(1) Each panel described in subsection (b) shall be composed of not less than 4 members.
(2) Each panel described in paragraphs (1) through (3) of subsection (b) shall be composed of subject matter and technical management experts from—
(A) laboratories and research centers of the Army, Navy and Air Force;
(B) appropriate Defense Agencies;
(C) the Office of the Assistant Secretary of Defense for Research and Engineering; and
(D) such other entities of the Department of Defense as the Secretary determines to be appropriate.
(3) The panel described in subsection (b)(4) shall be composed of—
(A) the Director of the Army Research Laboratory;
(B) the Director of the Air Force Research Laboratory;
(C) the Director of the Naval Research Laboratory; and
(D) such other members as the Secretary determines to be appropriate.
(d) GOVERNANCE OF PANELS.—
(1) The chairperson of each panel shall be selected by its members.
(2) The panel described in subsection (b)(4) shall—
(A) oversee the activities of the panels described in paragraphs (1) through (3) of subsection (b);
(B) determine the subject matter to be considered by the panels; and
(C) provide the recommendations of the panels to the Secretary.
(e) PERSONNEL DEMONSTRATION PROJECT AUTHORITY.—Section 342(b) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2721) (as amended by section 1114(a)(2)(C) of the National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398; 114 Stat. 1654A–315)) is amended by adding at the end the following new paragraph:
''(4) In carrying out this subsection, the Secretary shall act through the Assistant Secretary of Defense for Research and Engineering.''.
(f) SCIENCE AND TECHNOLOGY REINVENTION LABORATORY DEFINED.—In this section, the term ''science and technology reinvention laboratory'' means a science and technology reinvention laboratory designated under section 1105 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note).

SEC. 212. MECHANISMS TO PROVIDE FUNDS FOR DEFENSE LABORATORIES FOR RESEARCH AND DEVELOPMENT OF TECHNOLOGIES FOR MILITARY MISSIONS.

Section 219 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 2358 note), as most recently amended by section 262 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66), is amended—
(1) in subsection (a)(1), by striking ''not more than''; and
(2) by amending subsection (d) to read as follows:
''(d) SPECIAL RULE.—For purposes of this section, a federally funded research and development center shall be considered a defense laboratory if the center is sponsored by the Department of Defense.''.

SEC. 213. NOTIFICATION REQUIREMENT FOR CERTAIN RAPID PROTOTYPING, EXPERIMENTATION, AND DEMONSTRATION ACTIVITIES.

(a) NOTICE REQUIRED.—The Secretary of the Navy shall not initiate a covered activity until a period of 10 business days has elapsed following the date on which the Secretary submits to the congressional defense committees the notice described in subsection (b) with respect to such activity.
(b) ELEMENTS OF NOTICE.—The notice described in this subsection is a written notice of the intention of the Secretary to initiate a covered activity. Each such notice shall include the following:
(1) A description of the activity.
(2) Estimated costs and funding sources for the activity, including a description of any cost-sharing or in-kind support arrangements with other participants.
(3) A description of any transition agreement, including the identity of any partner organization that may receive the results of the covered activity under such an agreement.
(4) Identification of major milestones and the anticipated date of completion of the activity.
(c) COVERED ACTIVITY.—In this section, the term ''covered activity'' means a rapid prototyping, experimentation, or demonstration activity carried out under program element 0603382N.
(d) SUNSET.—The requirements of this section shall terminate 5 years after the date of the enactment of this Act.

SEC. 214. IMPROVED BIOSAFETY FOR HANDLING OF SELECT AGENTS AND TOXINS.

(a) QUALITY CONTROL AND QUALITY ASSURANCE PROGRAM.—The Secretary of Defense, acting through the executive agent for the biological select agent and toxin biosafety program of the Department of Defense, shall carry out a program to implement certain quality control and quality assurance measures at each covered facility.
(b) QUALITY CONTROL AND QUALITY ASSURANCE MEASURES.—Subject to subsection (c), the quality control and quality assurance measures implemented at each covered facility under subsection (a) shall include the following:
(1) Designation of an external manager to oversee quality assurance and quality control.
(2) Environmental sampling and inspection.
(3) Production procedures that prohibit operations where live biological select agents and toxins are used in the same laboratory where viability testing is conducted.
(4) Production procedures that prohibit work on multiple organisms or multiple strains of one organism within the same biosafety cabinet.
(5) A video surveillance program that uses video monitoring as a tool to improve laboratory practices in accordance with regulatory requirements.
(6) Formal, recurring data reviews of production in an effort to identify data trends and nonconformance issues before such issues affect end products.
(7) Validated protocols for production processes to ensure that process deviations are adequately vetted prior to implementation.
(8) Maintenance and calibration procedures and schedules for all tools, equipment, and irradiators.
(c) WAIVER.—In carrying out the program under subsection (a), the Secretary may waive any of the quality control and quality assurance measures required under subsection (b) in the interest of national defense.
(d) STUDY AND REPORT REQUIRED.—
(1) The Secretary of Defense shall carry out a study to evaluate—
(A) the feasibility of consolidating covered facilities within a unified command to minimize risk;
(B) opportunities to partner with industry for the production of biological select agents and toxins and related services in lieu of maintaining such capabilities within the Department of the Army; and
(C) whether operations under the biological select agent and toxin production program should be transferred to another government or commercial laboratory that may be better suited to execute production for non-Department of Defense customers.
(2) Not later than February 1, 2017, the Secretary shall submit to the congressional defense committees a report on the results of the study under paragraph (1).
(e) COMPTROLLER GENERAL REVIEW.—Not later than September 1, 2017, the Comptroller General of the United States shall submit to the congressional defense committees a report that includes the following:
(1) A review of—
(A) the actions taken by the Department of Defense to address the findings and recommendations of the report of the Department of the Army titled ''Individual and Institutional Accountability for the Shipment of Viable Bacillus Anthracis from Dugway Proving Grounds'', dated December 15, 2015, including any actions taken to address the culture of complacency in the biological select agent and toxin production program identified in such report; and
(B) the progress of the Secretary in carrying out the program under subsection (a).
(2) An analysis of the study and report under subsection (d).
(f) DEFINITIONS.—In this section:
(1) The term ''covered facility'' means any facility of the Department of Defense that produces biological select agents and toxins.
(2) The term ''biological select agent and toxin'' means any agent or toxin identified under—
(A) section 331.3 of title 7, Code of Federal Regulations;
(B) section 121.3 or section 121.4 of title 9, Code of Federal Regulations; or
(C) section 73.3 or section 73.4 of title 42, Code of Federal Regulations.

SEC. 215. MODERNIZATION OF SECURITY CLEARANCE INFORMATION TECHNOLOGY ARCHITECTURE.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the Director of National Intelligence and the Director of the Office of Personnel Management, shall develop and implement an information technology system (in this section referred to as the ''System'') to—
(1) modernize and sustain the security clearance information architecture of the National Background Investigations Bureau and the Department of Defense;
(2) support decision-making processes for the evaluation and granting of personnel security clearances;
(3) improve cyber security capabilities with respect to sensitive security clearance data and processes;
(4) reduce the complexity and cost of the security clearance process;
(5) provide information to managers on the financial and administrative costs of the security clearance process;
(6) strengthen the ties between counterintelligence and personnel security communities; and
(7) improve system standardization in the security clearance process.
(b) GUIDANCE REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Director of National Intelligence and the Director of the Office of Personnel Management, shall issue guidance establishing the respective roles, responsibilities, and obligations of the Secretary and Directors with respect to the development and implementation of the System.
(c) ELEMENTS OF SYSTEM.—In developing the System under subsection (a), the Secretary shall—
(1) conduct a review of security clearance business processes and, to the extent practicable, modify such processes to maximize compatibility with the security clearance information technology architecture to minimize the need for customization of the System;

(2) conduct business process mapping (as such term is defined in section 2222(i) of title 10, United States Code) of the business processes described in paragraph (1);

(3) use spiral development and incremental acquisition practices to rapidly deploy the System, including through the use of prototyping and open architecture principles;

(4) establish a process to identify and limit interfaces with legacy systems and to limit customization of any commercial information technology tools used;

(5) establish automated processes for measuring the performance goals of the System; and

(6) incorporate capabilities for the continuous monitoring of network security and the mitigation of insider threats to the System.

(d) COMPLETION DATE.—The Secretary shall complete the development and implementation of the System by not later than September 30, 2019.

(e) BRIEFING.—Beginning on December 1, 2016, and on a quarterly basis thereafter until the completion date of the System under subsection (d), the Secretary of Defense shall provide a briefing to the Committees on Armed Services of the Senate and House of Representatives (and other appropriate congressional committees on request) on the progress of the Secretary in developing and implementing the System.

(f) REVIEW OF APPLICABLE LAWS.—The Secretary shall review laws, regulations, and executive orders relating to the maintenance of personnel security clearance information by the Federal Government. Not later than 90 days after the date of the enactment of this Act, the Secretary shall provide to the Committees on Armed Services of the Senate and House of Representatives (and other appropriate congressional committees on request) a briefing that includes—

(1) the results of the review; and

(2) recommendations, if any, for consolidating and clarifying laws, regulations, and executive orders relating to the maintenance of personnel security clearance information by the Federal Government.

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

(1) the Select Committee on Intelligence, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(2) the Permanent Select Committee on Intelligence, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.

SEC. 216. PROHIBITION ON AVAILABILITY OF FUNDS FOR COUNTERING WEAPONS OF MASS DESTRUCTION SYSTEM CONSTELLATION.

(a) PROHIBITIONS.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the countering weapons of mass destruction situational awareness information system commonly known as ''Constellation'' may be obligated or expended for research, development, or prototyping for such system.

(b) REVIEW.—The Chief Information Officer of the Department of Defense, in consultation with the Director of the Defense Information Systems Agency, shall review the requirements and program plan for research, development, and prototyping for the Constellation system.

(c) REPORT REQUIRED.—Not later than February 1, 2017, the Chief Information Officer of the Department of Defense, in consultation with the Director of the Defense Information Systems Agency, shall submit to the congressional defense committees a report on the review under subsection (b). Such report shall include the following, with respect to the Constellation system:

(1) A review of the major software components of the system and an explanation of the requirements of the Department of Defense with respect to each such component.

(2) Identification of elements and applications of the system that cannot be implemented using the existing technical infrastructure and tools of the Department of Defense or the infrastructure and tools in development.

(3) A description of major developmental milestones and decision points for additional prototypes needed to establish the full capabilities of the system, including a timeline and detailed metrics and criteria for each such milestone and decision point.

(4) An overview of a security plan to achieve an accredited cross-domain solution system, including security milestones and proposed security architecture to mitigate both insider and outsider threats.

(5) Identification of the planned categories of end-users of the system, linked to organizations, mission requirements, and concept of operations, the expected total number of end-users, and the associated permissions granted to such users.

(6) A cost estimate for the full life-cycle cost to complete the Constellation system.

SEC. 217. LIMITATION ON AVAILABILITY OF FUNDS FOR DEFENSE INNOVATION UNIT EXPERIMENTAL.

(a) LIMITATION.—Of the funds specified in subsection (c), not more than 80 percent may beobligated or expended until the date on which the Secretary of Defense submits to the congressional defense committees the report under subsection (b).

(b) REPORT REQUIRED.—The Secretary of Defense shall submit to the congressional defense committees a report on the Defense Innovation Unit Experimental. Such report shall include the following:

(1) The charter and mission statement of the Unit.

(2) A description of—

(A) the governance structure of the Unit;

(B) the metrics used to measure the effectiveness of the Unit;

(C) the process for coordinating and deconflicting the activities of the Unit with similar activities of the military departments, Defense Agencies, and other departments and agencies of the Federal Government, including activities carried out by In-Q-Tel, the Defense Advanced Research Projects Agency, and Department of Defense laboratories;

(D) the direct staffing requirements of the Unit, including a description of the desired skills and expertise of such staff;

(E) the number of civilian and military personnel provided by the military departments and Defense Agencies to support the Unit;

(F) any planned expansion to new sites, the metrics used to identify such sites, and an explanation of how such expansion will provide access to innovations of nontraditional defense contractors (as such term is defined in section 2302 of title 10, United States Code) that are not otherwise accessible;

(G) how compliance with Department of Defense requirements could affect the ability of such nontraditional defense contractors to market products and obtain funding; and

(H) how to treat intellectual property that has been developed with little or no government funding.

(3) Any other information the Secretary determines to be appropriate.

(c) FUNDS SPECIFIED.—The funds specified in this subsection are as follows:

(1) Funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for operation and maintenance, Defense-wide, for the Defense Innovation Unit Experimental.

(2) Funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for research, development, test, and evaluation, Defense-wide, for the Defense Innovation Unit Experimental.

SEC. 218. LIMITATION ON AVAILABILITY OF FUNDS FOR TACTICAL COMBAT TRAINING SYSTEM INCREMENT II.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Tactical Combat Training System Increment II of the Navy, not more than 80 percent may be obligated or expended until the Secretary of the Navy and the Secretary of the Air Force submit to the congressional defense committees the report required by section 235 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 780).

SEC. 219. RESTRUCTURING OF THE DISTRIBUTED COMMON GROUND SYSTEM OF THE ARMY.

(a) IN GENERAL.—Not later than April 1, 2017, the Secretary of the Army shall restructure versions of the distributed common ground system of the Army after Increment 1—

(1) by discontinuing development of any component of the system for which there is commercial software that is capable of fulfilling at least 80 percent of the system requirements applicable to such component; and

(2) by conducting a review of the acquisition strategy of the program to ensure that procurement of commercial software is the preferred method of meeting program requirements.

(b) LIMITATION.—The Secretary of the Army shall not award any contract for the development of any capability for the distributed common ground system of the Army if such a capability is available for purchase on the commercial market, except for minor capabilities that are incidental to and necessary for the proper functioning of a major component of the system.

SEC. 220. DESIGNATION OF DEPARTMENT OF DEFENSE SENIOR OFFICIAL WITH PRINCIPAL RESPONSIBILITY FOR DIRECTED ENERGY WEAPONS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) designate a senior official already serving within the Department of Defense as the official with principal responsibility for the development and demonstration of directed energy weapons for the Department; and

(2) set forth the responsibilities of that senior official with respect to such programs.

Subtitle C—Reports and Other Matters

SEC. 231. STRATEGY FOR ASSURED ACCESS TO TRUSTED MICROELECTRONICS.

(a) STRATEGY.—The Secretary of Defense shall develop a strategy to ensure that the Department of Defense has assured access to trusted microelectronics by not later than September 30, 2020.

(b) ELEMENTS.—The strategy under subsection (a) shall include the following:

(1) Definitions of the various levels of trust required by classes of Department of Defense systems.

(2) Means of classifying systems of the Department of Defense based on the level of trust such systems are required to maintain with respect to microelectronics.

(3) Means by which trust in microelectronics can be assured.

(4) Means to increase the supplier base for assured microelectronics to ensure multiple supply pathways.

(5) An assessment of the microelectronics needs of the Department of Defense in future years, including the need for trusted, radiation-hardened microelectronics.

(6) An assessment of the microelectronic needs of the Department of Defense that may not be fulfilled by entities outside the Department of Defense.

(7) The resources required to assure access to trusted microelectronics, including infrastructure and investments in science and technology.

(c) SUBMISSION.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees the strategy developed under subsection (a). The strategy shall be submitted in unclassified form, but may include a classified annex.

(d) DIRECTIVE REQUIRED.—Not later than September 30, 2020, the Secretary of Defense shall issue a directive for the Department of Defense describing how Department of Defense entities may access assured and trusted microelectronics supply chains for Department of Defense systems.

(e) CERTIFICATION.—Not later than September 30, 2020, the Secretary of the Defense shall certify to the congressional defense committees that—

(1) the strategy developed under subsection (a) has been implemented; and

(2) the Department of Defense has an assured means for accessing a sufficient supply of trusted microelectronics, as required by the strategy developed under subsection (a).

(f) DEFINITION.—In this section, the terms ''trust'' and ''trusted'' refer, with respect to microelectronics, to the ability of the Department of Defense to have confidence that the microelectronics function as intended and are free of exploitable vulnerabilities, either intentionally or unintentionally designed or inserted as part of the system at any time during its life cycle.

SEC. 232. PILOT PROGRAM ON EVALUATION OF COMMERCIAL INFORMATION TECHNOLOGY.

(a) PILOT PROGRAM.—The Director of the Defense Information Systems Agency shall carry out a pilot program to evaluate commercially available information technology tools to better understand the potential impact of such tools on networks and computing environments of the Department of Defense.

(b) ACTIVITIES.—Activities under the pilot program may include the following:

(1) Prototyping, experimentation, operational demonstration, military user assessments, and other means of obtaining quantitative and qualitative feedback on the commercial information technology products.

(2) Engagement with the commercial information technology industry to—

(A) forecast military requirements and technology needs; and

(B) support the development of market strategies and program requirements before finalizing acquisition decisions and strategies.

(3) Assessment of novel or innovative commercial technology for use by the Department of Defense.

(4) Assessment of novel or innovative contracting mechanisms to speed delivery of capabilities to the Armed Forces.

(5) Solicitation of operational user input to shape future information technology requirements of the Department of Defense.

(c) LIMITATION ON AVAILABILITY OF FUNDS.—Of the amounts authorized to be appropriated for research, development, test, and evaluation, Defense-wide, for each of fiscal years 2017 through 2022, not more than $15,000,000 may be expended on the pilot program in any such fiscal year.

SEC. 233. PILOT PROGRAM FOR THE ENHANCEMENT OF THE LABORATORIES AND TEST AND EVALUATION CENTERS OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Assistant Secretaries shall jointly carry out a pilot program to demonstrate methods for the more effective development of research, development, test, and evaluation functions.

(b) SELECTION AND PRIORITY.—The Assistant Secretaries shall jointly select not more than one laboratory and one test and evaluation center from each of the military services to participate in the pilot program under subsection (a).

(c) PARTICIPATION IN PROGRAM.—

(1) IN GENERAL.—Subject to paragraph (2), the director of a laboratory or test and evaluation center selected under subsection (b) shall propose and implement alternative and innovative methods of rapid project delivery, support, experimentation, prototyping, and partnership with universities and private sector entities to—

(A) generate greater value and efficiencies in research and development activities per dollar of cost; and

(B) enable more rapid deployment of warfighter capabilities.

(2) IMPLEMENTATION.—The director shall implement each method proposed under paragraph (1) unless such method is disapproved by the Assistant Secretary concerned.

(d) WAIVER AUTHORITY FOR DEMONSTRATION AND IMPLEMENTATION.—Until the termination of the pilot program under subsection (f), the director of a laboratory or test and evaluation center selected under subsection (b) may waive any restriction or departmental instruction that would affect the implementation of a method proposed under subsection (c), unless such implementation would be prohibited by Federal law.

(e) MINIMUM PARTICIPATION REQUIREMENT.—Each laboratory or test and evaluation center selected under subsection (b) shall participate in the pilot program under subsection (a) for a period of not fewer than six years beginning not later than 180 days after the date of the enactment of this Act.

(f) TERMINATION.—The pilot program under subsection (a) shall terminate on the date determined appropriate by the Secretary of Defense that is on or after the end of the six-year period described in subsection (e).

(g) ASSISTANT SECRETARY DEFINED.—In this section, the term ''Assistant Secretary'' means—

(1) the Assistant Secretary of the Air Force for Acquisition, with respect to a working capital fund institution of the Air Force;

(2) the Assistant Secretary of the Army for Acquisition, Technology, and Logistics, with respect to a working capital fund institution of the Army; and

(3) the Assistant Secretary of the Navy for Research, Development, and Acquisition, with respect to a working capital fund institution of the Navy.

SEC. 234. PILOT PROGRAM ON MODERNIZATION OF ELECTROMAGNETIC SPECTRUM WARFARE SYSTEMS AND ELECTRONIC WARFARE SYSTEMS.

(a) PILOT PROGRAM.—

(1) IN GENERAL.—The Secretary of Defense may carry out a pilot program on the modernization of electromagnetic spectrum warfare systems and electronic warfare systems.

(2) SELECTION.—If the Secretary carries out the pilot program under paragraph (1), the Electronic Warfare Executive Committee shall select from the list described in section 237(b)(4) a total of five electromagnetic spectrum warfare systems and electronic warfare systems across at least two military departments that are currently in sustainment for modernization under the pilot program.

(b) DEFINITIONS.—In this section:

(1) The term ''electromagnetic spectrum warfare'' means electronic warfare that encompasses military communications and sensing operations that occur in the electromagnetic operational domain.

(2) The term ''electronic warfare'' means military action involving the use of electromagnetic and directed energy to control the electromagnetic spectrum or to attack the enemy.

SEC. 235. INDEPENDENT REVIEW OF F/A–18 PHYSIOLOGICAL EPISODES AND CORRECTIVE ACTIONS.

(a) INDEPENDENT REVIEW REQUIRED.—The Secretary of the Navy shall conduct an independent review of the plans, programs, and research of the Department of the Navy with respect to—

(1) physiological events affecting aircrew of the F/A–18 Hornet and the F/A–18 Super Hornet aircraft during the covered period; and

(2) the efforts of the Navy and Marine Corps to prevent and mitigate the affects of such physiological events.

(b) CONDUCT OF REVIEW.—In conducting the review under subsection (a), the Secretary of the Navy shall—

(1) designate an appropriate senior official in the Office of the Secretary of the Navy to oversee the review; and

(2) consult experts from outside the Department of Defense in appropriate technical and medical fields.

(c) REVIEW ELEMENTS.—The review under subsection (a) shall include an evaluation of—

(1) any data of the Department of the Navy relating to the increased frequency of physiological events affecting aircrew of the F/A–18 Hornet and the F/A–18 Super Hornet aircraft during the covered period;

(2) aircraft mishaps potentially related to such physiological events;

(3) the cost and effectiveness of all material, operational, maintenance, and other measures carried out by the Department of the Navy to mitigate such physiological events during the covered period;

(4) material, operational, maintenance, or other measures that may reduce the rate of such physiological events in the future; and

(5) the performance of—

(A) the onboard oxygen generation system in the F/A–18 Super Hornet;

(B) the overall environmental control system in the F/A–18 Hornet and F/A–18 Super Hornet; and

(C) other relevant subsystems of the F/A–18 Hornet and F/A–18 Super Hornet, as determined by the Secretary.

(d) REPORT REQUIRED.—Not later than December 1, 2017, the Secretary of Navy shall submit to the congressional defense committees a report that includes the results of the review under subsection (a).

(e) COVERED PERIOD.—In this section, the term ''covered period'' means the period beginning on January 1, 2009, and ending on the date of the submission of the report under subsection (d).

SEC. 236. STUDY ON HELICOPTER CRASH PREVENTION AND MITIGATION TECHNOLOGY.

(a) STUDY REQUIRED.—The Secretary of Defense shall seek to enter into a contract with a federally funded research and development center to conduct a study on technologies with the potential to prevent and mitigate helicopter crashes.

(b) ELEMENTS.—The study required under subsection (a) shall include the following:

(1) Identification of technologies with the potential—

(A) to prevent helicopter crashes (such as collision avoidance technologies and battle space and terrain situational awareness technologies); and

(B) to improve survivability among individuals involved in such crashes (such as adaptive flight control technologies and improved energy absorbing technologies).

(2) A cost-benefit analysis of each technology identified under paragraph (1) that takes into account the cost of developing and deploying the technology compared to the potential of the technology to prevent casualties or injuries.

(3) A list that ranks the technologies identified under paragraph (1) based on—

(A) the results of the cost-benefit analysis under paragraph (2); and

(B) the readiness level of each technology.

(4) An analysis of helicopter crashes that—

(A) compares the casualty rates of cockpit occupants to the casualty rates of occupants of cargo compartments and troop seats; and

(B) identifies the root causes of the casualties described in subparagraph (A).

(c) BRIEFING.—Not later than one year after the date of the enactment of this Act, the Secretary shall provide to the Committees on Armed Services of the Senate and House of Representatives (and other congressional defense committees on request) a briefing that includes—

(1) the results of the study required under subsection (a); and

(2) the list described in subsection (b)(3).

SEC. 237. REPORT ON ELECTRONIC WARFARE CAPABILITIES.

(a) REPORT REQUIRED.—Not later than April 1, 2017, the Under Secretary of Defense for Acquisition, Technology, and Logistics, acting through the Electronic Warfare Executive Committee, shall submit to the congressional defense committees a report on the electronic warfare capabilities of the Department of Defense.

(b) ELEMENTS.—The report under subsection (a) shall include the following:

(1) A strategy for advancing and accelerating research, development, test, and evaluation, and fielding, of electronic warfare capabilities to meet current and projected requirements, including recommendations for streamlining acquisition processes with respect to such capabilities.

(2) A methodology for synchronizing and overseeing electronic warfare strategies, operational concepts, and programs across the Department of Defense, including electronic warfare programs that support or enable cyber operations.

(3) The training and operational support required for fielding and sustaining current and planned investments in electronic warfare capabilities.

(4) A comprehensive list of investments of the Department of Defense in electronic warfare capabilities, including the capabilities to be developed, procured, or sustained in—

(A) the budget of the President for fiscal year 2018 submitted to Congress under section 1105(a) of title 31, United States Code; and

(B) the future-years defense program submitted to Congress under section 221 of title 10, United States Code, for that fiscal year.

(5) Progress on increasing innovative electromagnetic spectrum warfighting methods and operational concepts that provide advantages within the electromagnetic spectrum operational domain.

(6) Specific attributes needed in future electronic warfare capabilities, such as networking, adaptability, agility, multifunctionality, and miniaturization, and progress toward incorporating such attributes in new electronic warfare systems.

(7) Capability gaps with respect to asymmetric and near-peer adversaries identified pursuant to a capability gap assessment.

(8) A joint strategy on achieving near real-time system adaption to rapidly advancing modern digital electronics.

(9) Any other information the Secretary determines to be appropriate.

(c) FORM.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2017 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4301.

Subtitle B—Energy and Environment

SEC. 311. RULE OF CONSTRUCTION REGARDING ALTERNATIVE FUEL PROCUREMENT REQUIREMENT.

Section 526 of the Energy Independence and Security Act of 2007 (Public Law 110–140; 42 U.S.C. 17142) is amended by adding at the end the following: ''This provision shall not be construed as a constraint on any conventional or unconventional fuel procurement necessary for military operations, including for test and certification purposes.''

Subtitle C—Logistics and Sustainment

SEC. 321. PILOT PROGRAM FOR INCLUSION OF CERTAIN INDUSTRIAL PLANTS IN THE ARMAMENT RETOOLING AND MANUFACTURING SUPPORT INITIATIVE.

During the five-year period beginning on the date of the enactment of this Act, the Secretary of Defense shall treat a Government-owned, contractor-operated industrial plant of the Department of the Army as an eligible facility under section 4551(2) of title 10, United States Code.

SEC. 322. PRIVATE SECTOR PORT LOADING ASSESSMENT.

(a) ASSESSMENTS REQUIRED.—During the period beginning on the date of the enactment of this Act and ending on the date of the final briefing under subsection (d), the Secretary of the Navy shall conduct quarterly assessments of Naval ship maintenance and loading activities carried out by private sector entities at each covered port.

(b) ELEMENTS OF ASSESSMENTS.—Each assessment under subsection (a) shall include, with respect to each covered port, the following:

(1) Resources per day, including daily ship availabilities and the workforce available to carry out maintenance and loading activities, for the fiscal year preceding the quarter covered by the assessment through the end of such quarter.

(2) Projected resources per day, including daily ship availabilities and the workforce available to carry out maintenance and loading activities, through the end of the second fiscal year beginning after the quarter covered by the assessment.

(3) A description of the methods by which the Secretary communicates projected workloads to private sector entities engaged in ship maintenance activities and ship loading activities.

(4) A description of any processes that have been implemented to allow for timely feedback from private sector entities engaged in ship maintenance activities and ship loading activities.

(c) SENSE OF CONGRESS.—It is the Sense of Congress that the Secretary should implement measures to minimize workload fluctuations at covered ports to stabilize the private sector workforce and reduce the cost of maintenance availabilities.

(d) BRIEFINGS REQUIRED.—Not later than October 1, 2016, and on a quarterly basis thereafter until September 30, 2021, the Secretary shall provide to the Committees on Armed Services of the Senate and House of Representatives (and other congressional defense committees on request)—

(1) a briefing on the results of the assessments conducted under subsection (a); and

(2) a chart depicting the information described in paragraphs (1) and (2) of subsection (b) with respect to each covered port.

(e) COVERED PORTS.—In this section, the term ''covered ports'' means port facilities used by the Department of Defense in each of the following locations:

(1) Mayport, Florida.

(2) Norfolk, Virginia.

(4) Pearl Harbor, Hawaii.

(3) Puget Sound, Washington.

(5) San Diego, California.

SEC. 323. LIMITATION ON AVAILABILITY OF FUNDS FOR DEFENSE CONTRACT MANAGEMENT AGENCY.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the operation of the Defense Contract Management Agency, not more than 90 percent may be obligated or expended in fiscal year 2017 until the Director of the agency provides to the congressional defense committees the briefing under subsection (b).

(b) BRIEFING.—The Director of the Defense Contract Management Agency shall provide to the Committees on Armed Services of the Senate and House of Representatives (and other congressional defense committees on request) a briefing that includes the following:

(1) A plan describing how the agency will foster the adoption, implementation, and verification of item-unique identification standards for tangible personal property across the Department of Defense and the defense industrial base (as prescribed under Department of Defense Instruction 8320.04).

(2) A description of the policies, procedures, staff training, and equipment needed to—

(A) ensure contract compliance with item-unique identification standards for all items that require unique item-level traceability at any time in their life cycle;

(B) support counterfeit material risk reduction; and

(C) provide for the systematic assessment and accuracy of item-unique identification marks.

Subtitle D—Reports

SEC. 331. MODIFICATION OF ANNUAL DEPARTMENT OF DEFENSE ENERGY MANAGEMENT REPORTS.

(a) MODIFICATION OF ANNUAL REPORT RELATED TO INSTALLATIONS ENERGY MANAGEMENT.—Subsection (a) of section 2925 of title 10, United States Code, is amended to read as follows:

''(a) ANNUAL REPORT RELATED TO INSTALLATIONS ENERGY MANAGEMENT.—Not later than 120 days after the end of each fiscal year ending before January 31, 2021, the Secretary of Defense shall submit to the congressional defense committees an installation energy report detailing the fulfillment during that fiscal year of the energy performance goals for the Department of Defense under section 2911 of this title. Each report shall contain the following:

''(1) The energy performance goals for the Department of Defense with respect to transportation systems, support systems, utilities, and infrastructure and facilities for the fiscal year covered by the report and the next 5, 10, and 20 fiscal years, including any changes to such energy performance goals since the submission of the previous report under this section.

''(2) A master plan for the achievement of the energy performance goals of the Department of Defense, as such goals are set forth in any laws, regulations, executive orders, or Department of Defense policies, including—

''(A) a separate plan for each military department and Defense Agency;

''(B) a standard for the measurement of energy consumed by transportation systems, support systems, utilities, and facilities and infrastructure, applied consistently across the military departments;

''(C) a methodology for measuring reductions in energy consumption that accounts for changes—

''(i) in the sizes of fleets; and

''(ii) in the number and overall square footage of facility plants;

''(D) standards to track annual progress in meeting energy performance goals;

''(E) a description of any requirements and proposed investments relating to energy performance goals included in the materials submitted in support of the budget of the President (as submitted to Congress under section 1105(a) of title 31) for the fiscal year covered by the report; and

''(F) a description of any energy savings resulting from the implementation of the master plan or any other energy performance measures.

''(3) A table listing all energy projects financed through third party financing mechanisms (including energy savings performance contracts, enhanced use leases, utility energy service contracts, utility privatization agreements, and other contractual mechanisms), including—

''(A) the duration of each such mechanism, an estimate of the financial obligation incurred through the duration of each such mechanism, whether the project incorporates energy security into its design, and the estimated payback period for each such mechanism; and

''(B) any renewable energy certificates relating to the project, including the purchasing authority for the certificates, the price of the certificates, and whether the certificates were bundled or unbundled.

''(4) A description of the types and quantities of energy consumed by the Department of Defense and by members of the armed forces and civilian personnel residing or working on military installations during the fiscal year covered by the report, including a breakdown of energy consumption by—

''(A) user group;

''(B) the type of energy consumed, including the quantities of any renewable energy consumed that was produced or procured by the Department of Defense; and

''(C) the cost of the energy consumed.

''(5) A description of the types and amount of financial incentives received under section 2913 of this title during the preceding fiscal year and the appropriation account or accounts to which the incentives were credited.

''(6) A description and estimate of the progress made by the military departments in meeting the certification requirements for sustainable green-building standards in construction and major renovations as required by section 433 of the Energy Independence and Security Act of 2007 (Public Law 110–140; 121 Stat. 1612).

''(7) Details of utility outages at military installations, including the total number and locations of outages, the financial impact of the outages, and measures taken to mitigate outages in the future at the affected locations and across the Department of Defense.

''(8) A description of any other issues and strategies the Secretary determines relevant to a comprehensive and renewable energy policy.''.

(b) MODIFICATION OF ANNUAL REPORT RELATED TO OPERATIONAL ENERGY.—Subsection (b) of section 2925 of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''138c of this title'' and inserting ''2926(b) of this title''; and

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

''(H) The comments and recommendations of the Assistant Secretary under section 2926(c) of this title, including the certification required under paragraph (3) of such section.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply with respect to reports required to be submitted under section 2925 of title 10, United States Code, after such date.

SEC. 332. REPORT ON EQUIPMENT PURCHASED FROM FOREIGN ENTITIES AND AUTHORITY TO ADJUST ARMY ARSENAL LABOR RATES.

(a) REPORT REQUIRED.—Not later than 30 days after the date on which the budget of the President for fiscal year 2018 is submitted to Congress pursuant to section 1105 of title 31, Unites States Code, the Secretary of Defense shall submit to the congressional defense committees a report on the equipment, weapons, weapons systems, components, subcomponents, and end-items purchased from foreign entities that identifies those items which could be manufactured in the military arsenals of the United States or the military depots of the United States to meet the goals of this section or section 2464 of title 10, United States Code, as well as a plan for moving that workload into such arsenals or depots.

(b) ELEMENTS.—The report under subsection (a) shall include each of the following:

(1) A list of items identified in the report required under section 333 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 792) and a list of any items purchased from foreign manufacturers after the date of the submission of such report that are—

(A) described in section 8302(a)(1) of title 41, United States Code, and purchased from a foreign manufacturer by reason of an exception under section 8302(a)(2)(A) or section 8302(a)(2)(B) of such title;

(B) described in section 2533b(a)(1) of title 10, United States Code, and purchased from a foreign manufacturer by reason of an exception under section 2533b(b); and

(C) described in section 2534(a) of such title and purchased from a foreign manufacturer by reason of a waiver exercised under paragraph (1), (2), (4), or (5) of section 2534(d) of such title.

(2) An assessment of the skills required to manufacture the items described in paragraph (1) and a comparison of those skills with skills required to meet the critical capabilities identified in the report of the Army to Congress on Critical Manufacturing Capabilities and Capacities, dated August 2013, and the core logistics capabilities identified by each military service pursuant to section 2464 of title 10, United States Code, as of the date of the enactment of this Act.

(3) An identification of the tooling, equipment, and facilities upgrades necessary for a military arsenal or depot to manufacture items described in paragraph (1).

(4) An identification of items described in paragraph (1) most appropriate for transfer to military arsenals or depots to meet the goals of this section or the requirements of section 2464 of title 10, United States Code.

(5) An explanation of the rationale for continuing to sole-source the manufacturing of items described in paragraph (1) from a foreign source rather than a military arsenal, depot, or other organic facility.

(6) Such other information the Secretary determines to be appropriate.

(c) AUTHORITY TO ADJUST LABOR RATES TO REFLECT WORK PRODUCTION.—

(1) IN GENERAL.—Not later than March 1, 2017, the Secretary of Defense shall establish a two-year pilot program for the purpose of permitting the Army arsenals to adjust periodically, throughout the year, their labor rates charged to customers based upon changes in workload and other factors.

(2) BRIEFING.—Not later than May 1, 2019, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing that assesses—

(A) each Army arsenal's changes in labor rates throughout the previous year;

(B) the ability of each arsenal to meet the costs of their working-capital funds; and

(C) the effect on arsenal workloads of labor rate changes.

Subtitle E—Other Matters

SEC. 341. EXPLOSIVE ORDNANCE DISPOSAL CORPS.

Section 3063 of title 10, United States Code, is amended—

(1) in paragraph (12), by striking ''and'' at the end;

(2) by redesignating paragraph (13) as paragraph (14); and

(3) by inserting after paragraph (12) the following new paragraph (13):

''(13) Explosive Ordnance Disposal Corps; and''.

SEC. 342. EXPLOSIVE ORDNANCE DISPOSAL PROGRAM.

(a) IN GENERAL.—Chapter 136 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2283. Explosive ordnance disposal program

''(a) IN GENERAL.—The Secretary of Defense shall carry out a program to be known as the 'Explosive Ordnance Disposal Program' (in this section referred to as the 'Program') under which the Secretary shall ensure close and continuous coordination between the military departments on matters relating to explosive ordnance disposal.

''(b) ROLES, RESPONSIBILITIES, AND AUTHORITIES.—In carrying out the Program under subsection (a)—

''(1) the Secretary of Defense shall—

''(A) assign responsibility for the coordination and integration of explosive ordnance disposal to a single office or entity in the Office of the Secretary of Defense;

''(B) designate the Secretary of the Navy, or a designee of the Secretary's choice, as the executive agent for the Department of Defense to coordinate and integrate research, development, test, and evaluation activities and procurement activities of the military departments with respect to explosive ordnance disposal; and

''(C) exercise oversight over explosive ordnance disposal through the Defense Acquisition Board process; and

''(2) the Secretary of each military department shall assess the needs of the military department concerned with respect to explosive ordnance disposal and may carry out research, development, test, and evaluation activities and procurement activities to address such needs.

''(c) ANNUAL BUDGET JUSTIFICATION DOCUMENTS.— (1) The Secretary of Defense shall submit to Congress, as a part of the defense budget materials for each fiscal year after fiscal year 2017, a consolidated budget justification display, in classified and unclassified form, that covers all activities of Department of Defense relating to the Program.

''(2) The budget display under paragraph (1) for a fiscal year shall include a single program element for each of the following:

''(A) Research, development, test, and evaluation.

''(B) Procurement.

''(C) Military construction.

''(d) MANAGEMENT REVIEW.—(1) The Secretary of Defense, acting through the Office of the Secretary of Defense assigned responsibility for the coordination and integration of explosive ordnance disposal under subsection (b)(1)(A), shall conduct a review of the management structure of the Program, including—

''(A) research, development, test, and evaluation;

''(B) procurement;

''(C) doctrine development;

''(D) policy;

''(E) training;

''(F) development of requirements;

''(G) readiness; and

''(H) risk assessment.

''(2) Not later than May 1, 2018, the Secretary shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing that includes—

''(A) the results of the review described in paragraph (1); and

''(B) a description of any measures undertaken to improve joint coordination and oversight of the Program and ensure a coherent and effective approach to its management.

''(e) DEFINITIONS.—In this section:

''(1) The term 'explosive ordnance' means any munition containing explosives, nuclear fission or fusion materials, or biological or chemical agents, including—

''(A) bombs and warheads;

''(B) guided and ballistic missiles;

''(C) artillery, mortar, rocket, and small arms munitions;

''(D) mines, torpedoes, and depth charges;

''(E) demolition charges;

''(F) pyrotechnics;

''(G) clusters and dispensers;

''(H) cartridge and propellant actuated devices;

''(I) electro-explosive devices; and

''(J) clandestine and improvised explosive devices.

''(2) The term 'disposal' means, with respect to explosive ordnance, the detection, identification, field evaluation, defeat, disablement, or rendering safe, recovery and exploitation, and final disposition of the ordnance.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2283. Explosive ordnance disposal program.''.

SEC. 343. EXPANSION OF DEFINITION OF STRUCTURES INTERFERING WITH AIR COMMERCE AND NATIONAL DEFENSE.

(a) NOTICE.—Section 44718(a) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking ''and'' at the end;

(2) in paragraph (2), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(3) the interests of national security, as determined by the Secretary of Defense.''.

(b) STUDIES.—Section 44718(b) of title 49, United States Code, is amended to read as follows:

''(b) STUDIES.—

''(1) IN GENERAL.—Under regulations prescribed by the Secretary, if the Secretary decides that constructing or altering a structure may result in an obstruction of the navigable airspace, an interference with air navigation facilities and equipment or the navigable airspace, or, after consultation with the Secretary of Defense, an unacceptable risk to the national security of the United States, the Secretary shall conduct an aeronautical study to decide the extent of such impacts on the safe and efficient use of the airspace, facilities, or equipment. In conducting the study, the Secretary shall—

''(A) consider factors relevant to the efficient and effective use of the navigable airspace, including—

''(i) the impact on arrival, departure, and en route procedures for aircraft operating under visual flight rules;

''(ii) the impact on arrival, departure, and en route procedures for aircraft operating under instrument flight rules;

''(iii) the impact on existing public-use airports and aeronautical facilities;

''(iv) the impact on planned public-use airports and aeronautical facilities;

''(v) the cumulative impact resulting from the proposed construction or alteration of a structure when combined with the impact of other existing or proposed structures; and

''(vi) other factors relevant to the efficient and effective use of navigable airspace; and

''(B) include the finding made by the Secretary of Defense under subsection (f).

''(2) REPORT.—On completing the study, the Secretary shall issue a report disclosing the extent of the—

''(A) adverse impact on the safe and efficient use of the navigable airspace that the Secretary finds will result from constructing or altering the structure; and

''(B) unacceptable risk to the national security of the United States, as determined by the Secretary of Defense under subsection (f).''.

(c) NATIONAL SECURITY FINDING; DEFINITION.—Section 44718 of title 49, United States Code, is amended by adding at the end the following:

''(f) NATIONAL SECURITY FINDING.—As part of an aeronautical study conducted under subsection (b), the Secretary of Defense shall—

''(1) make a finding on whether the construction, alteration, establishment, or expansion of a structure or sanitary landfill included in the study would result in an unacceptable risk to the national security of the United States; and

''(2) transmit the finding to the Secretary of Transportation for inclusion in the report required under subsection (b)(2).

''(g) UNACCEPTABLE RISK TO NATIONAL SECURITY OF UNITED STATES DEFINED.—In this section, the term 'unacceptable risk to the national security of the United States' has the meaning given the term in section 211.3 of title 32, Code of Federal Regulations, as in effect on January 6, 2014.''.

(d) CONFORMING AMENDMENTS.—

(1) SECTION HEADING.—Section 44718 of title 49, United States Code, is amended in the section heading by inserting ''**or national security**'' after ''**air commerce**''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 447 of title 49, United States Code, is amended by striking the item relating to section 44718 and inserting the following:

''44718. Structures interfering with air commerce or national security.''.

SEC. 344. DEVELOPMENT OF PERSONAL PROTECTIVE EQUIPMENT FOR FEMALE MARINES AND SOLDIERS.

The Secretary of the Navy and the Commandant of the Marine Corps shall work in coordination with the Secretary of the Army to develop, not later than April 1, 2017, a joint acquisition strategy to provide more effective personal protective equipment and organizational clothing and equipment to meet the specific and unique requirements for female Marines and soldiers.

SEC. 345. STUDY ON SPACE-AVAILABLE TRAVEL SYSTEM OF THE DEPARTMENT OF DEFENSE.

(a) STUDY REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with a federally funded research and development center to conduct an independent study on the space-available travel system of the Department of Defense.

(b) REPORT REQUIRED.—Not later than 180 days after entering into a contract with a federally funded research and development center under subsection (a), the Secretary shall submit to the congressional defense committees a report summarizing the results of the study conducted under such subsection.

(c) ELEMENTS.—The report under subsection (b) shall include, with respect to the space-available travel system, the following:

(1) A determination of—

(A) the capacity of the system as of the date of the enactment of this Act;

(B) the projected capacity of the system for the 10-year period following such date of enactment; and

(C) the projected number of reserve retirees, active duty retirees, and dependents of such retirees that will exist by the end of such 10-year period.

(2) Estimates of system capacity based the projections described in paragraph (1).

(3) A discussion of the efficiency of the system and data regarding the use of available space with respect to each category of passengers eligible for space-available travel under existing regulations.

(4) A description of the effect on system capacity if eligibility for space-available travel is extended to—

(A) drilling reserve component personnel and dependents of such personnel on international flights;

(B) dependents of reserve component retirees who are less than 60 years of age;

(C) retirees who are less than 60 years of age on international flights; and

(D) drilling reserve component personnel traveling to drilling locations.

(5) A discussion of logistical and management problems, including congestion at terminals, waiting times, lodging availability, and personal hardships experienced by travelers.

(6) An evaluation of the cost of the system and whether space-available travel is and can remain cost-neutral.

(7) An evaluation of the feasibility of expanding the categories of passengers eligible for space-available travel to include—

(A) in the case of overseas travel, retired members of an active or reserve component, including retired members of reserve components, who, but for being under the eligibility age applicable to the member under section 12731 of title 10, United States Code, would be eligible for retired pay under chapter 1223 of such title; and

(B) unremarried widows and widowers of active or reserve component members of the Armed Forces.

(8) Such other factors relating to the efficiency and cost of the system as the Secretary determines to be appropriate.

(d) ADDITIONAL RESPONSIBILITIES.—In addition to carrying out subsections (a) through (c), the Secretary of Defense shall—

(1) analyze the methods used to prioritize among the categories of individuals eligible for space-available travel and make recommendations for—

(A) re-ordering the priority of such categories; and

(B) adding additional categories of eligible individuals; and

(2) collect data on travelers who request but do not obtain available travel spaces under the space-available travel system.

SEC. 346. SUPPLY OF SPECIALTY MOTORS FROM CERTAIN MANUFACTURERS.

To ensure that an adequate, competitive supply of custom designed motors is available to the Department of Defense, particularly to meet its replacement motor requirements for older equipment, and to protect small businesses that supply such motors to the Department of Defense, the requirements of section 431.25 of title 10, Code of Federal Regulations, shall not be enforced against manufacturers of specialty motors, whether characterized by the Department as special purpose or definite purpose motors, provided that such manufacturers qualify as small businesses and provided further that such manufacturers do not also manufacture general purpose motors and provided further that such manufacturers were in the business of manufacturing such motors on June 1, 2016.

SEC. 347. LIMITATION ON USE OF CERTAIN FUNDS UNTIL ESTABLISHMENT AND IMPLEMENTATION OF REQUIRED PROCESS BY WHICH MEMBERS OF THE ARMED FORCES MAY CARRY APPROPRIATE FIREARMS ON MILITARY INSTALLATIONS.

Of the amounts authorized to be appropriated for Operation and Maintenance, Defense-Wide, for the Office of the Under Secretary of Defense for Policy, for fiscal year 2017, not more than 85 percent of such amounts may be obligated or expended until the Secretary of Defense establishes and implements the process by which members of the Armed Forces may carry an appropriate firearm on a military installation, as required by section 526 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 813; 10 U.S.C. 2672 note).

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

The Armed Forces are authorized strengths for active duty personnel as of September 30, 2017, as follows:

(1) The Army, 480,000.

(2) The Navy, 324,615.

(3) The Marine Corps, 185,000.

(4) The Air Force, 321,000.

SEC. 402. REVISIONS IN PERMANENT ACTIVE DUTY END STRENGTH MINIMUM LEVELS.

Section 691(b) of title 10, United States Code, is amended by striking paragraphs (1) through (4) and inserting the following new paragraphs:

''(1) For the Army, 480,000.

''(2) For the Navy, 322,900.

''(3) For the Marine Corps, 185,000.

''(4) For the Air Force, 321,000.''.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2017, as follows:

(1) The Army National Guard of the United States, 350,000.

(2) The Army Reserve, 205,000.

(3) The Navy Reserve, 58,000.

(4) The Marine Corps Reserve, 38,500.

(5) The Air National Guard of the United States, 105,700.

(6) The Air Force Reserve, 69,000.

(7) The Coast Guard Reserve, 7,000.

(b) END STRENGTH REDUCTIONS.—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

(c) END STRENGTH INCREASES.—Whenever units or individual members of the Selected Reserve for any reserve component are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be increased proportionately by the total authorized strengths of such units and by the total number of such individual members.

SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2017, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

(1) The Army National Guard of the United States, 30,155.

(2) The Army Reserve, 16,261.

(3) The Navy Reserve, 9,955.

(4) The Marine Corps Reserve, 2,261.

(5) The Air National Guard of the United States, 14,764.

(6) The Air Force Reserve, 2,955.

SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).

The minimum number of military technicians (dual status) as of the last day of fiscal year 2017 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

(1) For the Army National Guard of the United States, 25,507.

(2) For the Army Reserve, 7,570.

(3) For the Air National Guard of the United States, 22,103.

(4) For the Air Force Reserve, 10,061.

SEC. 414. FISCAL YEAR 2017 LIMITATION ON NUMBER OF NON-DUAL STATUS TECHNICIANS.

(a) LIMITATIONS.—

(1) NATIONAL GUARD.—Within the limitation provided in section 10217(c)(2) of title 10, United States Code, the number of non-dual status technicians employed by the National Guard as of September 30, 2017, may not exceed the following:

(A) For the Army National Guard of the United States, 1,600.

(B) For the Air National Guard of the United States, 350.

(2) ARMY RESERVE.—The number of non-dual status technicians employed by the Army Reserve as of September 30, 2017, may not exceed 420.

(3) AIR FORCE RESERVE.—The number of non-dual status technicians employed by the Air Force Reserve as of September 30, 2017, may not exceed 90.

(b) NON-DUAL STATUS TECHNICIANS DEFINED.—In this section, the term ''non-dual status technician'' has the meaning given that term in section 10217(a) of title 10, United States Code.

SEC. 415. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.

During fiscal year 2017, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:

(1) The Army National Guard of the United States, 17,000.

(2) The Army Reserve, 13,000.

(3) The Navy Reserve, 6,200.

(4) The Marine Corps Reserve, 3,000.

(5) The Air National Guard of the United States, 16,000.

(6) The Air Force Reserve, 14,000.

SEC. 416. SENSE OF CONGRESS ON FULL-TIME SUPPORT FOR THE ARMY NATIONAL GUARD.

It is the sense of Congress that—

(1) an adequately supported, full-time support force consisting of active and reserve personnel and military technicians for the Army National Guard is essential to maintaining the readiness of the Army National Guard;

(2) the full-time support force for the Army National Guard is the primary mechanism through which the programs of the Army and the Department of Defense are delivered to all 350,000 soldiers of the Army National Guard;

(3) reductions in active and reserve personnel and military technicians since 2014, totaling 2401, have adversely impacted the readiness of the Army National Guard;

(4) the growth in the full-time support force for the Army National Guard since 2014 is due solely to validated requirements originating before September 11, 2001, and not war-time growth;

(5) funding for the full-time support force for the Army National Guard has never exceeded 72 percent of the validated requirement of the headquarters of the Department of the Army;

(6) the current size of the full-time support force for the Army National Guard is the minimum required to maintain foundational readiness requirements; and

(7) further reducing the size of the full-time support force for the Army National Guard will have adverse and long-lasting impacts on readiness.

Subtitle C—Authorization of Appropriations

SEC. 421. MILITARY PERSONNEL.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2017 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4401.

(b) CONSTRUCTION OF AUTHORIZATION.—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2017.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

SEC. 501. NUMBER OF MARINE CORPS GENERAL OFFICERS.

(a) DISTRIBUTION OF COMMISSIONED OFFICERS ON ACTIVE DUTY IN GENERAL OFFICER AND FLAG OFFICER GRADES.—Section 525(a)(4) of title 10, United States Code, is amended—

(1) in subparagraph (B), by striking ''15'' and inserting ''17''; and

(2) in subparagraph (C), by striking ''23'' and inserting ''22''.

(b) GENERAL AND FLAG OFFICERS ON ACTIVE DUTY.—Section 526(a)(4) of such title is amended by striking ''61'' and inserting ''62''.

(c) DEPUTY COMMANDANTS.—Section 5045 of such title is amended by striking ''six'' and inserting ''seven''.

SEC. 502. EQUAL CONSIDERATION OF OFFICERS FOR EARLY RETIREMENT OR DISCHARGE.

Section 638a of title 10, United States Code, is amended—

(1) in subsection (b), by adding at the end the following new paragraph:

''(4) Convening selection boards under section 611(b) of this title to consider for early retirement or discharge regular officers on the active-duty list in a grade below lieutenant colonel or commander—

''(A) who have served at least one year of active duty in the grade currently held; and

''(B) whose names are not on a list of officers recommended for promotion.'';

(2) by redesignating subsection (e) as subsection (f); and

(3) by inserting after subsection (d) the following new subsection (e):

''(e)(1) In the case of action under subsection (b)(4), the Secretary of the military department concerned shall specify the total number of officers described in that subsection that a selection board convened under section 611(b) of this title pursuant to the authority of that subsection may recommend for early retirement or discharge. Officers who are eligible, or are within

two years of becoming eligible, to be retired under any provision of law (other than by reason of eligibility pursuant to section 4403 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484)), if selected by the board, shall be retired or retained until becoming eligible to retire under sections 3911, 6323, or 8911 of this title, and those officers who are otherwise ineligible to retire under any provision of law shall, if selected by the board, be discharged.

''(2) In the case of action under subsection (b)(4), the Secretary of the military department concerned may submit to a selection board convened pursuant to that subsection—

''(A) the names of all eligible officers described in that subsection, whether or not they are eligible to be retired under any provision of law, in a particular grade and competitive category; or

''(B) the names of all eligible officers described in that subsection in a particular grade and competitive category, whether or not they are eligible to be retired under any provision of law, who are also in particular year groups, specialties, or retirement categories, or any combination thereof, with that competitive category.

''(3) The number of officers specified under paragraph (1) may not be more than 30 percent of the number of officers considered.

''(4) An officer who is recommended for discharge by a selection board convened pursuant to the authority of subsection (b)(4) and whose discharge is approved by the Secretary concerned shall be discharged on a date specified by the Secretary concerned.

''(5) Selection of officers for discharge under this subsection shall be based on the needs of the service.''.

SEC. 503. MODIFICATION OF AUTHORITY TO DROP FROM ROLLS A COMMISSIONED OFFICER.

Section 1161(b) of title 10, United States Code, is amended by inserting ''or the Secretary of Defense, or in the case of a commissioned officer of the Coast Guard, the Secretary of the department in which the Coast Guard is operating when it is not operating in the Navy,'' after ''President''.

Subtitle B—Reserve Component Management

SEC. 511. EXTENSION OF REMOVAL OF RESTRICTIONS ON THE TRANSFER OF OFFICERS BETWEEN THE ACTIVE AND INACTIVE NATIONAL GUARD.

Section 512 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 752; 32 U.S.C. prec. 301 note) is amended—

(1) in subsection (a) in the matter preceding paragraph (1), by striking ''December 31, 2016'' and inserting ''December 31, 2019''; and

(2) in subsection (b) in the matter preceding paragraph (1), by striking ''December 31, 2016'' and inserting ''December 31, 2019''.

SEC. 512. EXTENSION OF TEMPORARY AUTHORITY TO USE AIR FORCE RESERVE COMPONENT PERSONNEL TO PROVIDE TRAINING AND INSTRUCTION REGARDING PILOT TRAINING.

Section 514(a)(1) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 810) is amended by inserting ''and fiscal year 2017'' after ''During fiscal year 2016''.

SEC. 513. LIMITATIONS ON ORDERING SELECTED RESERVE TO ACTIVE DUTY FOR PREPLANNED MISSIONS IN SUPPORT OF THE COMBATANT COMMANDS.

Section 12304b(b) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''only'' in the matter preceding subparagraph (A);

(2) by redesignating paragraph (2) as paragraph (3); and

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

''(2) In lieu of paragraph (1), units may be ordered to active duty under this section if—

''(A) the manpower and associated costs of such active duty has been identified by the Secretary concerned as an emerging requirement in the year of execution; and

''(B) the Secretary concerned provides 30-day advance notification to the congressional defense committees that identifies the funds required to support the order, a description of the mission for which the units will be ordered to active duty, and the anticipated length of time of the order of such units to active duty on an involuntary basis.''.

SEC. 514. EXEMPTION OF MILITARY TECHNICIANS (DUAL STATUS) FROM CIVILIAN EMPLOYEE FURLOUGHS.

Section 10216(b)(3) of title 10, United States Code, is amended by inserting after ''reductions'' the following: ''(including temporary reductions by furlough or otherwise)''.

Subtitle C—General Service Authorities

SEC. 521. TECHNICAL CORRECTION TO ANNUAL AUTHORIZATION FOR PERSONNEL STRENGTHS.

Section 115 of title 10, United States Code, is amended—

(1) in subsection (b)(1)—

(A) in subparagraph (B), by striking ''502(f)(2)'' and inserting ''502(f)(1)(B)''; and

(B) in subparagraph (C), by striking ''502(f)(2)'' and inserting ''502(f)(1)(B)''; and

(2) in subsection (i)(7), by striking ''502(f)(1)'' and inserting ''502(f)(1)(A)''.

SEC. 522. ENTITLEMENT TO LEAVE FOR ADOPTION OF CHILD BY DUAL MILITARY COUPLES.

Section 701(i) of title 10, United States Code, is amended—

(1) in paragraph (1), by inserting ''except as provided in paragraph (3),'' after ''the Secretary of Defense,''; and

(2) in paragraph (3), by striking ''only one such member shall be allowed leave under this subsection'' and inserting ''one of the members shall be allowed up to 21 days of leave under this subsection and the other member shall be allowed up to 14 days of leave under this subsection''.

SEC. 523. REVISION OF DEPLOYABILITY RATING SYSTEM AND PLANNING REFORM.

(a) DEPLOYMENT PRIORITIZATION AND READINESS.—

(1) IN GENERAL.—Chapter 1003 of title 10, United States Code, is amended by inserting after section 10102 the following new section:

''§ 10102a. Deployment prioritization and readiness of army components

''(a) DEPLOYMENT PRIORITIZATION.—The Secretary of the Army shall maintain a system for identifying the priority of deployment for units of all components of the Army.

''(b) DEPLOYABILITY READINESS RATING.—The Secretary of the Army shall maintain a readiness rating system for units of all components of the Army that provides an accurate assessment of the deployability of a unit and those shortfalls of a unit that require the provision of additional resources. The system shall ensure—

''(1) that the personnel readiness rating of a unit reflects—

''(A) both the percentage of the overall personnel requirement of the unit that is manned and deployable and the fill and deployability rate for critical occupational specialties necessary for the unit to carry out its basic mission requirements; and

''(B) the number of personnel in the unit who are qualified in their primary military occupational specialty; and

''(2) that the equipment readiness assessment of a unit—

''(A) documents all equipment required for deployment;

''(B) reflects only that equipment that is directly possessed by the unit;

''(C) specifies the effect of substitute items; and

''(D) assesses the effect of missing components and sets on the readiness of major equipment items.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1003 of such title is amended by inserting after the item relating to section 10102 the following new item:

''10102a. Deployment prioritization and readiness of Army components.''.

(b) REPEAL OF SUPERSEDED PROVISIONS OF LAW.—Sections 1121 and 1135 of the Army National Guard Combat Readiness Reform Act of 1992 (title XI of Public Law 102-484; 10 U.S.C. 10105 note) are repealed.

SEC. 524. EXPANSION OF AUTHORITY TO EXECUTE CERTAIN MILITARY INSTRUMENTS.

(a) EXPANSION OF AUTHORITY TO EXECUTE MILITARY TESTAMENTARY INSTRUMENTS.—

(1) IN GENERAL.—Paragraph (2) of section 1044d(c) of title 10, United States Code, is amended to read as follows:

''(2) the execution of the instrument is notarized by—

''(A) a military legal assistance counsel;

''(B) a person who is authorized to act as a notary under section 1044a of this title who—

''(i) is not an attorney; and

''(ii) is supervised by a military legal assistance counsel; or

''(C) a State-licensed notary employed by a military department or the Coast Guard who is supervised by a military legal assistance counsel;''.

(2) CLARIFICATION.—Paragraph (3) of such section is amended by striking ''presiding attorney'' and inserting ''person notarizing the instrument in accordance with paragraph (2)''.

(b) EXPANSION OF AUTHORITY TO NOTARIZE DOCUMENTS TO CIVILIANS SERVING IN MILITARY LEGAL ASSISTANCE OFFICES.—

(1) IN GENERAL.—Subsection (b) of section 1044a of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(6) All civilian paralegals serving at military legal assistance offices, supervised by a military legal assistance counsel (as defined in section 1044d(g) of this title).''.

SEC. 525. TECHNICAL CORRECTION TO VOLUNTARY SEPARATION PAY AND BENEFITS.

Section 1175a(j) of title 10, United States Code, is amended—

(1) in paragraph (2)—

(A) by striking ''or 12304'' and inserting ''12304, 12304a, or 12304b''; and

(B) by striking ''502(f)(1)'' and inserting ''502(f)(1)(A)''; and

(2) in paragraph (3), by striking ''502(f)(2)'' and inserting ''502(f)(1)(B)''.

SEC. 526. ANNUAL NOTICE TO MEMBERS OF THE ARMED FORCES REGARDING CHILD CUSTODY PROTECTIONS GUARANTEED BY THE SERVICEMEMBERS CIVIL RELIEF ACT.

The Secretaries of each of the military departments shall ensure that each member of the Armed Forces with dependents receives annually, and prior to each deployment, notice of the child custody protections afforded to members of the Armed Forces under the Servicemembers Civil Relief Act (50 U.S.C. 3901 et seq.).

SEC. 527. PILOT PROGRAM ON CONSOLIDATED ARMY RECRUITING.

(a) PILOT PROGRAM.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall carry out a pilot program to consolidate the recruiting efforts of the

Regular Army, Army Reserve, and Army National Guard under which a recruiter in one of the components participating in the pilot program may recruit individuals to enlist in any of the components regardless of the funding source of the recruiting activity. Under the pilot program, the recruiter shall receive credit toward periodic enlistment goals for each enlistment regardless of the component in which the individual enlists.

(2) DURATION.—The Secretary shall carry out the pilot program for a period of not less than three years.

(b) REPORTS.—

(1) INTERIM REPORT.—

(A) IN GENERAL.—Not later than one year after the date on which the pilot program under subsection (a) commences, the Secretary shall submit to the Committee on Armed Services of the House of Representatives a report on the pilot program.

(B) ELEMENTS.—The report under subparagraph (A) shall include each of the following:

(i) An analysis of the effects that consolidated recruiting efforts has on the overall ability of recruiters to attract and place qualified candidates.

(ii) A determination of the extent to which consolidating recruiting efforts affects efficiency and recruiting costs.

(iii) An analysis of any challenges associated with a recruiter working to recruit individuals to enlist in a component in which the recruiter has not served.

(iv) An analysis of the satisfaction of recruiters and the component recruiting commands with the pilot program.

(2) FINAL REPORT.—Not later than 180 days after the date on which the pilot program under subsection (a) is completed, the Secretary shall submit to the committees specified in paragraph (1)(A) a final report on the pilot program. Such final report shall include any recommendations of the Secretary with respect to extending or making permanent the pilot program and a description of any related legislative actions that the Secretary considers appropriate.

SEC. 528. REPORT ON PURPOSE AND UTILITY OF REGISTRATION SYSTEM UNDER MILITARY SELECTIVE SERVICE ACT.

(a) REPORT REQUIRED.—Not later than July 1, 2017, the Secretary of Defense shall—

(1) submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the current and future need for a centralized registration system under the Military Selective Service Act (50 U.S.C. 3801 et seq.); and

(2) provide a briefing on the results of the report.

(b) ELEMENTS OF REPORT.—The report required by subsection (a) shall include the following:

(1) A detailed analysis of the current benefits derived, both directly and indirectly, from the Military Selective Service System, including—

(A) the extent to which mandatory registration benefits military recruiting;

(B) the extent to which a national registration capability serves as a deterrent to potential enemies of the United States; and

(C) the extent to which expanding registration to include women would impact these benefits.

(2) An analysis of the functions currently performed by the Selective Service System that would be assumed by the Department of Defense in the absence of a national registration capability.

(3) An analysis of the systems, manpower, and facilities that would be needed by the Department to physically mobilize inductees in the absence of the Selective Service System.

(4) An analysis of the feasibility and utility of eliminating the current focus on mass mobilization of primarily combat troops in favor of a system that focuses on mobilization of all military occupational specialities, and the extent to which such a change would impact the need for both male and female inductees.

(5) A detailed analysis of the Department's personnel needs in the event of an emergency requiring mass mobilization, including—

(A) a detailed timeline, along with the factors considered in arriving at this timeline, of when the Department would require—

(i) the first inductees to report for service;

(ii) the first 100,000 inductees to report for service; and

(iii) the first medical personnel to report for service; and

(B) an analysis of any additional critical skills that would be needed in the event of a national emergency, and a timeline for when the Department would require the first inductees to report for service.

(6) A list of the assumptions used by the Department when conducting its analysis in preparing the report.

(c) COMPTROLLER GENERAL REVIEW.—Not later than December 1, 2017, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a review of the procedures used by the Department of Defense in evaluating selective service requirements.

SEC. 529. PARENTAL LEAVE FOR MEMBERS OF THE ARMED FORCES.

(a) ADDITIONAL PARENTAL LEAVE AUTHORITY.—

(1) AVAILABILITY OF PARENTAL LEAVE.—Chapter 40 of title 10, United States Code, is amended by inserting after section 701 the following new section:

"§ 701a. Parental leave

"(a) LEAVE AUTHORIZED.—A member of the armed forces who is performing active service may be allowed leave under this section for each instance in which the member becomes a parent as a result of the member's spouse giving birth.

"(b) AMOUNT OF LEAVE.—Leave under this section shall be at least 14 days, under regulations prescribed under this section by the Secretary concerned.

"(c) DURATION OF AVAILABILITY OF LEAVE.—Leave under this section is lost as follows:

"(1) If not used within one year of the date of the birth giving rise to the leave.

"(2) If the member having the leave becomes entitled to leave under this section with respect to a different child.

"(3) If not used before separation from active service.

"(d) COORDINATION WITH OTHER LEAVE AUTHORITIES.—Leave under this section is in addition to any other leave and may not be deducted or charged against other leave authorized by this chapter.

"(e) REGULATIONS.—This section shall be carried out under regulations prescribed by the Secretary concerned. Regulations prescribed under this section by the Secretaries of the military departments shall be as uniform as practicable and shall be subject to approval by the Secretary of Defense.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 40 of title 10, United States Code, is amended by inserting after the item relating to section 701 the following new item:

"701a. Parental leave.".

(3) CONFORMING AMENDMENT.—Subsection (j) of section 701 of title 10, United States Code, is repealed.

(b) ADOPTIONS BY DUAL-SERVICE COUPLES.—Section 701(i) of title 10, United States Code, is amended by striking paragraph (3) and inserting the following new paragraph:

"(3) In the event that two members of the armed forces who are married to each other adopt a child in a qualifying child adoption, the two members shall be allowed a total of at least 36 days of leave under this subsection, to be shared between the two members. The Secretary concerned shall permit the transfer of such leave between the two members to accommodate individual family circumstances.".

(c) COVERAGE OF COMMISSIONED OFFICERS OF THE PUBLIC HEALTH SERVICE.—Section 221(a) of the Public Health Service Act (42 U.S.C. 213a(a)) is amended by adding at the end the following new paragraph:

"(19) Section 701(i) and 701a, Adoption Leave and Parental Leave.".

Subtitle D—Military Justice, Including Sexual Assault and Domestic Violence Prevention and Response

SEC. 541. EXPEDITED REPORTING OF CHILD ABUSE AND NEGLECT TO STATE CHILD PROTECTIVE SERVICES.

(a) REPORTING BY MILITARY AND CIVILIAN PERSONNEL OF THE DEPARTMENT OF DEFENSE.—Section 1787 of title 10, United States Code, is amended—

(1) by redesignating subsections (a) and (b) as subsections (c) and (d), respectively; and

(2) by inserting before subsection (c), as so redesignated, the following new subsections:

"(a) REPORTING BY MILITARY AND CIVILIAN PERSONNEL.—A member of the armed forces, civilian employee of the Department of Defense, or contractor employee working on a military installation who is mandated by Federal regulation or State law to report known or suspected instances of child abuse and neglect shall provide the report directly to State Child Protective Services or another appropriate State agency in addition to the member's or employee's chain of command or any designated Department point of contact.

"(b) TRAINING FOR MANDATED REPORTERS.—The Secretary of Defense shall ensure that individuals referred to in subsection (a) who are mandated by State law to report known or suspected instances of child abuse and neglect receive appropriate training, in accordance with State guidelines, intended to improve their—

"(1) ability to recognize evidence of child abuse and neglect; and

"(2) understanding of the mandatory reporting requirements imposed by law.".

(b) CONFORMING AND CLERICAL AMENDMENTS.—Section 1787 of title 10, United States Code, is further amended—

(1) in subsection (c), as redesignated by subsection (a)(1), by striking "IN GENERAL.—" and inserting "REPORTING BY STATES.—"; and

(2) in subsection (d), as redesignated by subsection (a)(1)—

(A) by striking "(d) DEFINITION.—In this section, the term" and inserting the following:

"(d) DEFINITIONS.—In this section:

"(1) The term"; and

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

"(2) The term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, Guam, the Virgin Islands, American Samoa, the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.".

SEC. 542. EXTENSION OF THE REQUIREMENT FOR ANNUAL REPORT REGARDING SEXUAL ASSAULTS AND COORDINATION WITH RELEASE OF FAMILY ADVOCACY REPORT.

Section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4433; 10 U.S.C. 1561 note) is amended—

(1) in subsection (a) by striking "March 1, 2017" and inserting "January 31, 2021"; and

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

''(g) COORDINATION OF RELEASE DATE BETWEEN ANNUAL REPORT REGARDING SEXUAL ASSAULTS AND FAMILY ADVOCACY REPORT.—The Secretary of Defense shall ensure that the report required under subsection (a) for a year is delivered to the Committees on Armed Services of the Senate and House of Representatives simultaneously with the Department of Defense Family Advocacy Report for that year required by section 543 of the National Defense Authorization Act for Fiscal Year 2017.''.

SEC. 543. REQUIREMENT FOR ANNUAL FAMILY ADVOCACY PROGRAM REPORT REGARDING CHILD ABUSE AND DOMESTIC VIOLENCE.

(a) ANNUAL REPORT ON CHILD ABUSE AND DOMESTIC VIOLENCE.—Not later than January 31, 2017, and annually thereafter through January 31, 2021, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on the child abuse and domestic abuse incident data from the Department of Defense Family Advocacy Program central registry of child abuse and domestic abuse incidents for the preceding calendar year.

(b) CONTENTS.—The report shall contain each of the following:

(1) The number of incidents reported during the year covered by the report involving—

(A) spouse physical or sexual abuse;

(B) intimate partner physical or sexual abuse;

(C) child physical or sexual abuse; and

(D) child or domestic abuse resulting in a fatality.

(2) An analysis of the number of such incidents that met the criteria for substantiation.

(3) An analysis of—

(A) the types of abuse reported;

(B) for cases involving children as the reported victims of the abuse, the ages of the abused children; and

(C) other relevant characteristics of the reported victims.

(4) An analysis of the military status, sex, and pay grade of the alleged perpetrator of the child or domestic abuse.

(5) An analysis of the effectiveness of the Family Advocacy Program.

(c) COORDINATION OF RELEASE DATE BETWEEN ANNUAL REPORT REGARDING SEXUAL ASSAULTS AND FAMILY ADVOCACY PROGRAM REPORT.—The Secretary of Defense shall ensure that the sexual assault report required under section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1561 note) is delivered to the Committees on Armed Services of the House of Representatives and the Senate simultaneously with the report required under this section.

SEC. 544. IMPROVED DEPARTMENT OF DEFENSE PREVENTION OF AND RESPONSE TO HAZING IN THE ARMED FORCES.

(a) ANTI-HAZING DATABASE.—The Secretary of Defense shall provide for the establishment and use of a comprehensive and consistent data-collection system for the collection of reports, including anonymous reports, of incidents of hazing involving a member of the Armed Forces. The Secretary shall issue department-wide guidance regarding the availability and use of the database, including information on protected classes, such as race and religion, who are often the victims of hazing.

(b) IMPROVED TRAINING.—The Secretary of each military department, in consultation with the Chief of Staff of each Armed Force under the jurisdiction of such Secretary, shall seek to improve training to assist members of the Armed Forces better recognize, prevent, and respond to hazing at all command levels.

(c) ANNUAL SURVEY.—The Secretary of each military department, in consultation with the Chief of Staff of each Armed Force under the jurisdiction of such Secretary, shall conduct an annual survey among members of each Armed Force under the jurisdiction of such Secretary to determine the following:

(1) The prevalence of hazing in the Armed Force.

(2) The effectiveness of training provided members of the Armed Force to recognize and prevent hazing.

(3) The extent to which members of the Armed Force report, including anonymously report, incidents of hazing.

(d) ANNUAL REPORTS ON HAZING.—

(1) REPORT REQUIRED.—Not later than January 31 of each year through January 31, 2021, the Secretary of each military department, in consultation with the Chief of Staff of each Armed Force under the jurisdiction of such Secretary, shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing a description of efforts during the previous year—

(A) to prevent and to respond to incidents of hazing involving members of the Armed Forces;

(B) to track and encourage reporting, including reporting anonymously, incidents of hazing in the Armed Force; and

(C) to ensure the consistent implementation of anti-hazing policies.

(2) ADDITIONAL ELEMENTS.—Each report required by this subsection also shall address the same elements originally addressed in the anti-hazing reports required by section 534 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1726).

SEC. 545. BURDENS OF PROOF APPLICABLE TO INVESTIGATIONS AND REVIEWS RELATED TO PROTECTED COMMUNICATIONS OF MEMBERS OF THE ARMED FORCES AND PROHIBITED RETALIATORY ACTIONS.

(a) BURDENS OF PROOF.—Section 1034 of title 10, United States Code, is amended—

(1) by redesignating subsections (i) and (j) as subsections (j) and (k), respectively; and

(2) by inserting after subsection (h) the following new subsection (i):

''(i) BURDENS OF PROOF.—The burdens of proof specified in section 1221(e) of title 5 shall apply in any investigation conducted by an Inspector General under subsection (c) or (d), any review performed by a board for the correction of military records under subsection (g), and any review conducted by the Secretary of Defense under subsection (h).''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date that is 30 days after the date of the enactment of this Act, and shall apply with respect to allegations pending or submitted under section 1034 of title 10, United States Code, on or after that date.

SEC. 546. IMPROVED INVESTIGATION OF ALLEGATIONS OF PROFESSIONAL RETALIATION.

Section 1034(c)(4) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(F) The Secretary concerned shall ensure that any individual investigating an allegation as described in paragraph (1) must have training in the definition and characteristics of retaliation. In addition, if the investigation involves alleged retaliation in response to a communication regarding a violation of a law or regulation prohibiting rape, sexual assault, or other sexual misconduct in violation of sections 920 through 920c of this title (articles 120 through 120c of the Uniform Code of Military Justice), the training shall include specific instruction regarding such violations.''.

Subtitle E—Member Education, Training, and Transition

SEC. 561. REVISION TO QUALITY ASSURANCE OF CERTIFICATION PROGRAMS AND STANDARDS.

Section 2015(c) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''is accredited by an accreditation body that'' and all that follows and inserting ''meets one of the requirements specified in paragraph (2).''; and

(2) by striking paragraph (2) and inserting the following new paragraph:

''(2) The requirements for a credentialing program specified in this paragraph are that the credentialing program—

''(A) is accredited by a nationally-recognized third-party personnel certification program accreditor;

''(B)(i) is sought or accepted by employers within the industry or sector involved as a recognized, preferred, or required credential for recruitment, screening, hiring, retention, or advancement purposes; and

''(ii) where appropriate, is endorsed by a nationally-recognized trade association or organization representing a significant part of the industry or sector;

''(C) grants licenses that are recognized by the Federal Government or a State government; or

''(D) meets credential standards of a Federal agency.''.

SEC. 562. ESTABLISHMENT OF ROTC CYBER INSTITUTES AT SENIOR MILITARY COLLEGES.

(a) IN GENERAL.—Chapter 103 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2111c. Senior military colleges: ROTC cyber institutes

''(a) PROGRAM AUTHORIZED.—The Secretary of Defense may establish cyber institutes at each of the senior military colleges for the purpose of accelerating the development of foundational expertise in critical cyber operational skills for future military and civilian leaders of the armed forces and the Department of Defense, including such leaders of the reserve components.

''(b) ELEMENTS.—Each cyber institute established under this section shall include each of the following:

''(1) Training for members of the program who possess cyber operational expertise from beginning through advanced skill levels, including instruction and practical experiences that lead to cyber certifications recognized in the field.

''(2) Training in targeted strategic foreign language proficiency designed to significantly enhance critical cyber operational capabilities and tailored to current and anticipated readiness requirements.

''(3) Training related to mathematical foundations of cryptography and cryptographic theory and practice designed to complement and reinforce cyber education along with the strategic language programs critical to cyber operations.

''(4) Training designed to expand the pool of qualified cyber instructors necessary to support cyber education in regional school systems.

''(c) PARTNERSHIPS WITH DEPARTMENT OF DEFENSE AND THE ARMED FORCES.—Any cyber institute established under this section may enter into a partnership with any active or reserve component of the armed forces or any agency of the Department of Defense to facilitate the development of critical cyber skills.

''(d) PARTNERSHIPS WITH OTHER SCHOOLS.—Any cyber institute established under this section may enter into a partnership with one or more local educational agencies to facilitate the development of critical cyber skills under the program among students attending the elementary and secondary schools of such agencies who may pursue a military career.

''(e) SENIOR MILITARY COLLEGES.—The senior military colleges are the senior military colleges in section 2111a(f) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2111c. Senior military colleges: ROTC cyber institutes.''.

SEC. 563. MILITARY-TO-MARINER TRANSITION.

(a) REPORT.— Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of the department in which the Coast Guard is operating shall jointly report to the Committee on Armed Services and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate on steps the Departments of Defense and Homeland Security have taken or intend to take to—

(1) maximize the extent to which United States armed forces service, training, and qualifications are creditable toward meeting the laws and regulations governing United States merchant mariner license, certification, and document laws and the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, including steps to enhance interdepartmental coordination; and

(2) to promote better awareness among armed forces personnel who serve in vessel operating positions of the requirements for post-service use of armed forces training, education, and practical experience in satisfaction of requirements for merchant mariner credentials under section 11.213 of title 46, Code of Federal Regulation, and the need to document such service in a manner suitable for post-service use.

(b) LIST OF TRAINING PROGRAMS.—The report under subsection (a) shall include a list of Army, Navy, and Coast Guard training programs open to Army, Navy, and Coast Guard vessel operators, respectively, that shows—

(1) which programs have been approved for credit toward merchant mariner credentials;

(2) which programs are under review for such approval;

(3) which programs are not relevant to the training needed for merchant mariner credentials; and

(4) which programs could become eligible for credit toward merchant mariner credentials with minor changes.

SEC. 564. EMPLOYMENT AUTHORITY FOR CIVILIAN FACULTY AT CERTAIN MILITARY DEPARTMENT SCHOOLS.

(a) ADDITION OF ARMY UNIVERSITY AND ADDITIONAL FACULTY.—

(1) IN GENERAL.—Section 4021 of title 10, United States Code, is amended—

(A) by striking subsection (a) and inserting the following new subsection:

''(a) AUTHORITY OF SECRETARY.—The Secretary of the Army may employ as many civilians as professors, instructors, lecturers, researchers, and administrative faculty at the Army War College, the United States Army Command and General Staff College, and the Army University as the Secretary considers necessary.''; and

(B) by striking subsection (c).

(2) CLERICAL AMENDMENT.—The heading of such section is amended to read as follows:

''§ 4021. Army War College, United States Army Command and General Staff College, and Army University: civilian faculty members''.

(b) NAVAL WAR COLLEGE AND MARINE CORPS UNIVERSITY.—Section 7478 of title 10, United States Code, is amended—

(1) by striking subsection (a) and inserting the following new subsection:

''(a) AUTHORITY OF SECRETARY.—The Secretary of the Navy may employ as many civilians as professors, instructors, lecturers, researchers, and administrative faculty at a school of the Naval War College or of the Marine Corps University as the Secretary considers necessary.''; and

(2) by striking subsection (c).

(c) AIR UNIVERSITY.—Section 9021 of title 10, United States Code, is amended—

(1) by striking subsection (a) and inserting the following new subsection:

''(a) AUTHORITY OF SECRETARY.—The Secretary of the Air Force may employ as many civilians as professors, instructors, lecturers, researchers, and administrative faculty at a school of the Air University as the Secretary considers necessary.''; and

(2) by striking subsection (c).

SEC. 565. REVISION OF NAME ON MILITARY SERVICE RECORD TO REFLECT CHANGE IN NAME OF A MEMBER OF THE ARMY, NAVY, AIR FORCE, OR MARINE CORPS, AFTER SEPARATION FROM THE ARMED FORCES.

(a) REVISION REQUIRED.—Section 1551 of title 10, United States Code, is amended—

(1) by inserting ''(a) SERVICE UNDER ASSUMED NAME.—'' before ''The Secretary''; and

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

''(b) EFFECT OF CHANGE IN NAME.—The Secretary of the military department concerned shall reissue a certificate of discharge or an order of acceptance of resignation in the new name of any person who, after separation from an armed force under the jurisdiction of that Secretary, legally changes the person's name to reflect the person's gender identity.''.

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 1551 of title 10, United States Code, is amended to read as follows:

''§ 1551. Correction of name after separation from service''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 79 of title 10, United States Code, is amended by striking the item relating to section 1551 and inserting the following new item:

''1551. Correction of name after separation from service.''.

SEC. 566. DIRECT EMPLOYMENT PILOT PROGRAM FOR MEMBERS OF THE NATIONAL GUARD AND RESERVE.

(a) PROGRAM AUTHORITY.—The Secretary of Defense may carry out a pilot program to enhance the efforts of the Department of Defense to provide job placement assistance and related employment services directly to members in the National Guard and Reserves.

(b) ADMINISTRATION.—The pilot program shall be offered to, and administered by, the adjutants general appointed under section 314 of title 32, United States Code.

(c) COST-SHARING REQUIREMENT.—As a condition on the provision of funds under this section to a State to support the operation of the pilot program in the State, the State must agree to contribute an amount, derived from non-Federal sources, equal to at least 30 percent of the funds provided by the Secretary of Defense under this section.

(d) DIRECT EMPLOYMENT PROGRAM MODEL.—The pilot program should follow a job placement program model that focuses on working one-on-one with a member of a reserve component to cost-effectively provide job placement services, including services such as identifying unemployed and under employed members, job matching services, resume editing, interview preparation, and post-employment follow up. Development of the pilot program should be informed by State direct employment programs for members of the reserve components, such as the programs conducted in California and South Carolina.

(e) EVALUATION.—The Secretary of Defense shall develop outcome measurements to evaluate the success of the pilot program.

(f) REPORTING REQUIREMENTS.—

(1) REPORT REQUIRED.—Not later than January 31, 2021, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report describing the results of the pilot program. The Secretary shall prepare the report in coordination with the Chief of the National Guard Bureau.

(2) ELEMENTS OF REPORT.—A report under paragraph (1) shall include the following:

(A) A description and assessment of the effectiveness and achievements of the pilot program, including the number of members of the reserve components hired and the cost-per-placement of participating members.

(B) An assessment of the impact of the pilot program and increased reserve component employment levels on the readiness of members of the reserve components.

(C) Any other matters considered appropriate by the Secretary.

(g) DURATION OF AUTHORITY.—

(1) IN GENERAL.—The authority to carry out the pilot program expires September 30, 2019.

(2) EXTENSION.—Upon the expiration of the authority under paragraph (1), the Secretary of Defense may extend the pilot program for not more than two additional fiscal years.

SEC. 567. PROHIBITION ON ESTABLISHMENT, MAINTENANCE, OR SUPPORT OF SENIOR RESERVE OFFICERS' TRAINING CORPS UNITS AT EDUCATIONAL INSTITUTIONS THAT DISPLAY CONFEDERATE BATTLE FLAG.

(a) PROHIBITION.—Section 2102 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e) PROHIBITION RELATED TO DISPLAY OF CONFEDERATE BATTLE FLAG.—(1) The Secretary of a military department may not establish, maintain, or support a unit of the program at any educational institution, including any senior military college specified in section 2111a of this title, that displays, in a location other than in a museum exhibit, the Confederate battle flag.

''(2)(A) Upon making a determination under paragraph (1) that an educational institution displays, in a location other than in a museum exhibit, the Confederate battle flag, the Secretary of the military department concerned shall terminate, in accordance with subparagraph (B), any unit of the program at that educational institution in existence as of the date of the determination.

''(B) The termination of a unit of the program at an educational institution pursuant to this paragraph shall take effect on the date on which—

''(i) each member of the program who, as of the date of the determination, is enrolled in the educational institution is no longer so enrolled; and

''(ii) each student who, as of the date of the determination, is enrolled in the educational institution but not yet a member of the program, is no longer so enrolled.

''(3) Not later than January 31, 2017, and each January 31 thereafter through January 31, 2021, the Secretary of Defense shall submit to the congressional defense committees a report—

''(A) identifying each unit of the program located at an educational institution that displays, in a location other than in a museum exhibit, the Confederate battle flag; and

''(B) describing the implementation of this subsection with respect to that educational institution.

''(4) In this subsection, the term 'Confederate battle flag' means the battle flag of the Army of

Northern Virginia, the battle flag of the Army of Tennessee, the battle flag of Forrest's Cavalry Corps, the Second Confederate Navy Jack, the Second Confederate Navy Ensign, or other flag with a like design.''.

(b) CONFORMING AMENDMENTS.—(1) Section 2102(d) of title 10, United States Code, is amended by striking ''The President'' and inserting ''Subject to subsection (e), the President''.

(2) Section 2111a of title 10, United States Code, is amended—

(A) in subsection (d), by striking ''The Secretary'' and inserting ''Except as provided in section 2102(e) of this title, the Secretary''; and

(B) in subsection (e)(1), by striking ''The Secretary'' and inserting ''Except in the case of a senior miliary college at which a unit of the program is terminated pursuant to section 2102(e) of this title, the Secretary''.

(c) EXCEPTION.—Section 2102 of title 10, United States Code, is further amended by adding at the end the following:

''(f) EXCEPTION.—The prohibition under subsection (e) shall not apply to an educational institution if the board of visitors of such institution has voted to take down the flag described in such subsection.''.

Subtitle F—Defense Dependents' Education and Military Family Readiness Matters

SEC. 571. CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the amount authorized to be appropriated for fiscal year 2017 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in division D, $30,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).

(b) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term ''local educational agency'' has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

SEC. 572. SUPPORT FOR PROGRAMS PROVIDING CAMP EXPERIENCE FOR CHILDREN OF MILITARY FAMILIES.

(a) IN GENERAL.—The Secretary of Defense may provide financial or non-monetary support to qualified nonprofit organizations in order to assist such organizations in carrying out programs to support the attendance at a camp or camp-like setting of children of military families who have experienced the death of a family member or other loved one or who have another family member living with a substance use disorder or post-traumatic stress disorder.

(b) APPLICATION FOR SUPPORT.—

(1) IN GENERAL.—Each organization seeking support pursuant to subsection (a) shall submit to the Secretary an application therefor containing such information as the Secretary shall specify for purposes of this section.

(2) CONTENTS.—Each application submitted under paragraph (1) shall include the following:

(A) A description of the program for which support is being sought, including the location of the setting or settings under the program, the duration of such setting or setting, any local partners participating in or contributing to the program, and the ratio of counselors, trained volunteers, or both to children at such setting or settings.

(B) An estimate of the number of children of military families to be supported using the support sought.

(C) A description of the type of activities that will be conducted using the support sought, including the manner in which activities are particularly supportive to children of military families described in subsection (a).

(D) A description of the outreach conducted or to be conducted by the organization to military families regarding the program.

(c) PREFERENCE IN APPROVAL OF APPLICATIONS.—The Secretary shall accord a preference in the approval of applications submitted pursuant to subsection (b) to applications submitted by organizations that—

(1) provide a traditional camp or camp-like environment setting that is hosted by an accredited service provider or facility;

(2) offer activities in that setting that—

(A) includes a continued care model;

(B) is tailored to the needs of children and uses recognized best practices;

(C) exhibits an adequate understanding and recognition of appropriate military culture and traditions; and

(D) places a focus on peer-to-peer support and activities;

(3) offers post-camp and continuing bereavement or addiction-prevention support, as applicable;

(4) offer support services for children and families; and

(5) provides for evaluations of the camp experience by children and their families after camp.

(d) USE OF SUPPORT.—Support provided by the Secretary to an organization pursuant to subsection (a) shall be used by the organization to support attendance at a camp or camp-like setting of children of military families described in subsection (a).

Subtitle G—Decorations and Awards

SEC. 581. REVIEW REGARDING AWARD OF MEDAL OF HONOR TO CERTAIN ASIAN AMERICAN AND NATIVE AMERICAN PACIFIC ISLANDER WAR VETERANS.

(a) REVIEW REQUIRED.—The Secretary of each military department shall review the service records of each Asian American and Native American Pacific Islander war veteran described in subsection (b) to determine whether that veteran should be awarded the Medal of Honor.

(b) COVERED VETERANS.— The Asian American and Native American Pacific Islander war veterans whose service records are to be reviewed under subsection (a) are the following:

(1) Any Asian American or Native American Pacific Islander war veteran who was awarded the Distinguished-Service Cross, the Navy Cross, or the Air Force Cross during the Korean War or the Vietnam War.

(2) Any other Asian American or Native American Pacific Islander war veteran whose name is submitted to the Secretary concerned for such purpose before the end of the one-year period beginning on the date of the enactment of this Act.

(c) CONSULTATIONS.—In carrying out the review under subsection (a), the Secretary of each military department shall consult with such veterans service organizations as the Secretary considers appropriate.

(d) RECOMMENDATIONS BASED ON REVIEW.—If the Secretary concerned determines, based upon the review under subsection (a) of the service records of any Asian American or Native American Pacific Islander war veteran, that the award of the Medal of Honor to that veteran is warranted, the Secretary shall submit to the President a recommendation that the President award the Medal of Honor to that veteran.

(e) AUTHORITY TO AWARD MEDAL OF HONOR.—A Medal of Honor may be awarded to an Asian American or Native American Pacific Islander war veteran in accordance with a recommendation of the Secretary concerned under subsection (d).

(f) CONGRESSIONAL NOTIFICATION.—No Medal of Honor may be awarded pursuant to subsection (e) until the Secretary of Defense submits to the Committee on Armed Services of the Senate and House of Representatives notice of the recommendations under subsection (d), including the name of each Asian American or Native American Pacific Islander war veteran recommended to be awarded a Medal of Honor and the rationale for such recommendation.

(g) WAIVER OF TIME LIMITATIONS.—An award of the Medal of Honor may be made under subsection (e) without regard to—

(1) section 3744, 6248, or 8744 of title 10, United States Code, as applicable; and

(2) any regulation or other administrative restriction on—

(A) the time for awarding the Medal of Honor; or

(B) the awarding of the Medal of Honor for service for which a Distinguished-Service Cross, Navy Cross, or Air Force Cross has been awarded.

(h) DEFINITION.—In this section the term ''Native American Pacific Islander'' means a Native Hawaiian or Native American Pacific Islander, as those terms are defined in section 815 of the Native American Programs Act of 1974 (42 U.S.C. 2992c).

SEC. 582. AUTHORIZATION FOR AWARD OF MEDALS FOR ACTS OF VALOR.

(a) AUTHORIZATION.—Notwithstanding the time limitations specified in sections 3744, 6248, 8744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the United States Armed Forces, the President may award a medal referred to in subsection (c) to a member or former member of the United States Armed Forces identified as warranting award of that medal pursuant to the review of valor award nominations for Operation Enduring Freedom, Operation Iraqi Freedom, Operation New Dawn, Operation Freedom's Sentinel, and Operation Inherent Resolve that was directed by the Secretary of Defense on January 7, 2016.

(b) AWARD OF MEDAL OF HONOR.—If, pursuant to the review referred to in subsection (a), the President decides to award to a member or former member of the Armed Forces the Medal of Honor, the medal may only be awarded after the Secretary of Defense submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a letter identifying the intended recipient of the Medal of Honor and the rationale for awarding the medal of honor to such intended recipient.

(c) MEDALS.—The medals referred to in this subsection are any of the following:

(1) The Medal of Honor under section 3741, 6241, or 8741 of title 10, United States Code;

(2) The Distinguished-Service Cross under section 3742 of title 10, United States Code.

(3) The Navy Cross under section 6242 of title 10, United States Code.

(4) The Air Force Cross under section 8742 of title 10, United States Code.

(5) The Silver Star under section 3746, 6244, or 8746 of title 10, United States Code.

(d) TERMINATION.—No medal may be awarded under this section after December 31, 2019.

SEC. 583. AUTHORIZATION FOR AWARD OF THE MEDAL OF HONOR TO GARY M. ROSE FOR ACTS OF VALOR DURING THE VIETNAM WAR.

(a) AUTHORIZATION.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President is authorized to award the Medal of Honor under section 3741 of such title to Gary M. Rose for the acts of valor described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of Gary M. Rose in Laos from September 11 through 14, 1970, during the Vietnam War while a member of the United States Army, Military Assistance Command Vietnam-Studies and Observation Group (MACVSOG).

SEC. 584. AUTHORIZATION FOR AWARD OF THE MEDAL OF HONOR TO CHARLES S. KETTLES FOR ACTS OF VALOR DURING THE VIETNAM WAR.

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may award the Medal of Honor under section 3741 of such title to Charles S. Kettles for the acts of valor during the Vietnam War described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of Charles S. Kettles during combat operations on May 15, 1967, while serving as Flight Commander, 176th Aviation Company, 14th Aviation Battalion, Task Force Oregon, Republic of Vietnam, for which he was previously awarded the Distinguished-Service Cross.

Subtitle H—Miscellaneous Reports and Other Matters

SEC. 591. BURIAL OF CREMATED REMAINS IN ARLINGTON NATIONAL CEMETERY OF CERTAIN PERSONS WHOSE SERVICE IS DEEMED TO BE ACTIVE SERVICE.

(a) IN GENERAL.—Section 2410 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(c)(1) The Secretary of the Army shall ensure that under such regulations as the Secretary may prescribe, the cremated remains of any person described in paragraph (2) are eligible for inurnment in Arlington National Cemetery with military honors in accordance with section 1491 of title 10.

''(2) A person described in this paragraph is a person whose service has been determined to be active duty service pursuant to section 401 of the GI Bill Improvement Act of 1977 (Public Law 95–202; 38 U.S.C. 106 note) as of the date of the enactment of this paragraph.''.

(b) APPLICABILITY.—

(1) IN GENERAL.—The amendment made by subsection (a) shall apply with respect to—

(A) the remains of a person that are not formally interred or inurned as of the date of the enactment of this Act; and

(B) a person who dies on or after the date of the enactment of this Act.

(2) FORMALLY INTERRED OR INURNED DEFINED.—In this subsection, the term ''formally interred or inurned'' means interred or inurned in a cemetery, crypt, mausoleum, columbarium, niche, or other similar formal location.

(c) REPORT ON CAPACITY OF ARLINGTON NATIONAL CEMETERY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the Committees on Veterans' Affairs and the Committees on Armed Services of the House of Representatives and the Senate a report on the interment and inurnment capacity of Arlington National Cemetery, including—

(1) the estimated date that the Secretary determines the cemetery will reach maximum interment and inurnment capacity; and

(2) in light of the unique and iconic meaning of the cemetery to the United States, recommendations for legislative actions and nonlegislative options that the Secretary determines necessary to ensure that the maximum interment and inurnment capacity of the cemetery is not reached until well into the future, including such actions and options with respect to—

(A) redefining eligibility criteria for interment and inurnment in the cemetery; and

(B) considerations for additional expansion opportunities beyond the current boundaries of the cemetery.

SEC. 592. REPRESENTATION FROM MEMBERS OF THE ARMED FORCES ON BOARDS, COUNCILS, AND COMMITTEES MAKING RECOMMENDATIONS RELATING TO MILITARY PERSONNEL ISSUES.

(a) IN GENERAL.—Chapter 7 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 190. Representation on boards, councils, and committees making recommendations relating to military personnel issues

''(a) REPRESENTATION REQUIRED.—Notwithstanding any other provision of law, any board, council, or committee established under this chapter that is responsible for making any recommendation relating to any military personnel issue affecting enlisted members of the armed forces shall include representation on the board, council, or committee from enlisted members of the armed forces or retired enlisted members of the armed forces.

''(b) MILITARY PERSONNEL ISSUES.—For purposes of this section, military personnel issues include issues relating to health care, retirement benefits, pay, direct and indirect compensation, and entitlements for members of the armed forces.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''190. Representation on boards, councils, and committees making recommendations relating to military personnel issues.''.

SEC. 593. BODY MASS INDEX TEST.

(a) REVIEW.—The Secretary of Defense shall review—

(1) the current body mass index test procedure used by the Armed Forces; and

(2) other methods to measure body fat with a more holistic health and wellness approach.

(b) ELEMENTS.—The review under subsection (a) shall—

(1) address nutrition counseling;

(2) determine the best methods to be used by the Armed Forces to assess body fat percentages; and

(3) improve the accuracy of body fat measurements.

SEC. 594. PRESEPARATION COUNSELING REGARDING OPTIONS FOR DONATING BRAIN TISSUE AT TIME OF DEATH FOR RESEARCH.

Section 1142(b)(11) of title 10, United States Code, is amended by inserting before the period at the end the following: '', and information concerning options available to the member for registering at or following separation to donate brain tissue at time of the member's death for research regarding traumatic brain injury and chronic traumatic encephalopathy''.

SEC. 595. RECOGNITION OF THE EXPANDED SERVICE OPPORTUNITIES AVAILABLE TO FEMALE MEMBERS OF THE ARMED FORCES AND THE LONG SERVICE OF WOMEN IN THE ARMED FORCES.

Congress—

(1) honors women who have served, and who are currently serving, as members of the Armed Forces;

(2) commends female members of the Armed Forces who have sacrificed their lives in defense of the United States;

(3) recognizes that female members of the Armed Forces are an integral and invaluable part of the Armed Forces;

(4) urges the Secretary of Defense to ensure that female members of the Armed Forces receive adequate, well-fitted equipment in order to ensure optimal safety and protection;

(5) urges the Secretary of Defense to ensure that female members of the Armed Forces have access to adequate health services that fully address their specific medical needs;

(6) encourages the Secretary of Defense to develop new initiatives focused on recruiting and retaining more women in the officer corps; and

(7) recognizes that the United States must continue to encourage and support female members of the Armed Forces as they fight for and defend the United States.

SEC. 596. SENSE OF CONGRESS REGARDING PLIGHT OF MALE VICTIMS OF MILITARY SEXUAL TRAUMA.

(a) FINDING.—Congress finds that the plight of male victims of military sexual trauma remains in the shadows due a lack of social awareness on the issue of male victimization.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should—

(1) enhance victims' access to intensive medical and mental health treatment for military sexual trauma treatment;

(2) look for opportunities to utilize male survivors of sexual assault as presenters during annual Sexual Assault Preventions and Response training; and

(3) ensure Department of Defense medical and mental health providers are adequately trained to meet the needs of male survivors of military sexual trauma.

SEC. 597. SENSE OF CONGRESS REGARDING SECTION 504 OF TITLE 10, UNITED STATES CODE, ON EXISTING AUTHORITY OF THE DEPARTMENT OF DEFENSE TO ENLIST INDIVIDUALS, NOT OTHERWISE ELIGIBLE FOR ENLISTMENT, WHOSE ENLISTMENT IS VITAL TO THE NATIONAL INTEREST.

It is the sense of Congress that a statute currently exists, specifically paragraph (2) of section 504(b) of title 10, United States Code, which states that ''the Secretary concerned may authorize the enlistment of a person not described in paragraph (1) [of that section] if the Secretary determines that such enlistment is vital to the national interest''.

SEC. 598. PROTECTION OF SECOND AMENDMENT RIGHTS OF MILITARY FAMILIES.

(a) SHORT TITLE.—This section may be cited as the ''Protect Our Military Families' 2nd Amendment Rights Act''.

(b) RESIDENCY OF SPOUSES OF MEMBERS OF THE ARMED FORCES TO BE DETERMINED ON THE SAME BASIS AS THE RESIDENCY OF SUCH MEMBERS FOR PURPOSES OF FEDERAL FIREARMS LAWS.—Section 921(b) of title 18, United States Code, is amended to read as follows:

''(b) For purposes of this chapter:

''(1) A member of the Armed Forces on active duty and the spouse of such a member are residents of the State in which the permanent duty station of the member is located.

''(2) The spouse of such a member may satisfy the identification document requirements of this chapter by presenting—

''(A) the military identification card issued to the spouse; and

''(B) the official Permanent Change of Station Orders annotating the spouse as being authorized for collocation, or an official letter from the commanding officer of the member verifying that the member and the spouse are collocated at the permanent duty station of the member.''.

(c) EFFECTIVE DATE.—The amendment made by subsection (b) shall apply to conduct engaged in after the 6-month period that begins with the date of the enactment of this Act.

SEC. 599. PILOT PROGRAM ON ADVANCED TECHNOLOGY FOR ALCOHOL ABUSE PREVENTION.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretaries of the military departments, shall establish a pilot program to demonstrate the feasibility of using portable, disposable alcohol

breathalyzers and a cloud based server platform to collect data and monitor the progress of alcohol abuse prevention programs through the use of digital applications.

(b) ELEMENTS.—In carrying out the pilot program under subsection (a), the Secretary shall—

(1) select at least three locations at which to carry out the program, including at least one military service initial training location;

(2) at each location selected under paragraph (1), include at least one active duty unit with no less than 300 personnel and one reserve unit with no less than 300 personnel; and

(3) offer participation in the pilot program on a voluntary basis.

(c) DURATION.—The pilot program under subsection (a) shall be operational for a minimum of 6 months and shall terminate not later than September 30, 2018.

(d) REPORTS REQUIRED.—The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives—

(1) not later than 120 days after the date of the implementation of the pilot program under subsection (a), a report on the implementation of the program; and

(2) not later than one year after the date of the implementation of the program, a report on the program, including findings and recommendations of the Secretary with respect to the benefits of using advanced technology as part of alcohol abuse prevention efforts within the military services.

(e) FUNDING.—The Secretary of Defense may carry out the pilot program under subsection (a) using amounts authorized to be appropriated for Alcohol Abuse Prevention Programs as specified in the funding tables in division D.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601. ANNUAL ADJUSTMENT OF MONTHLY BASIC PAY.

The adjustment in the rates of monthly basic pay required by subsection (a) of section 1009 of title 37, United States Code, to be made on January 1, 2017, shall take effect, notwithstanding any determination made by the President under subsection (e) of such section with respect to an alternative pay adjustment to be made on such date.

SEC. 602. EXTENSION OF AUTHORITY TO PROVIDE TEMPORARY INCREASE IN RATES OF BASIC ALLOWANCE FOR HOUSING UNDER CERTAIN CIRCUMSTANCES.

Section 403(b)(7)(E) of title 37, United States Code, is amended by striking ''December 31, 2016'' and inserting ''December 31, 2017''.

SEC. 603. PROHIBITION ON PER DIEM ALLOWANCE REDUCTIONS BASED ON THE DURATION OF TEMPORARY DUTY ASSIGNMENT OR CIVILIAN TRAVEL .

(a) MEMBERS.—Section 474(d)(3) of title 37, United States Code, is amended by adding at the end the following new sentence: ''The Secretary of a military department shall not alter the amount of the per diem allowance, or the maximum amount of reimbursement, for a locality based on the duration of the temporary duty assignment in the locality of a member of the armed forces under the jurisdiction of the Secretary.''.

(b) CIVILIAN EMPLOYEES.—Section 5702(a)(2) of title 5, United States Code, is amended by adding at the end the following new sentence: ''The Secretary of Defense shall not alter the amount of the per diem allowance, or the maximum amount of reimbursement, for a locality based on the duration of the travel in the locality of an employee of the Department.''.

(c) REPEAL OF POLICY AND REGULATIONS.—The policy, and any regulations issued pursuant to such policy, implemented by the Secretary of Defense on November 1, 2014, with respect to reductions in per diem allowances based on duration of temporary duty assignment or civilian travel shall have no force or effect.

Subtitle B—Bonuses and Special and Incentive Pays

SEC. 611. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2016'' and inserting ''December 31, 2017'':

(1) Section 308b(g), relating to Selected Reserve reenlistment bonus.

(2) Section 308c(i), relating to Selected Reserve affiliation or enlistment bonus.

(3) Section 308d(c), relating to special pay for enlisted members assigned to certain high-priority units.

(4) Section 308g(f)(2), relating to Ready Reserve enlistment bonus for persons without prior service.

(5) Section 308h(e), relating to Ready Reserve enlistment and reenlistment bonus for persons with prior service.

(6) Section 308i(f), relating to Selected Reserve enlistment and reenlistment bonus for persons with prior service.

(7) Section 478a(e), relating to reimbursement of travel expenses for inactive-duty training outside of normal commuting distance.

(8) Section 910(g), relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service.

SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR HEALTH CARE PROFESSIONALS.

(a) TITLE 10 AUTHORITIES.—The following sections of title 10, United States Code, are amended by striking ''December 31, 2016'' and inserting ''December 31, 2017'':

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(b) TITLE 37 AUTHORITIES.—The following sections of title 37, United States Code, are amended by striking ''December 31, 2016'' and inserting ''December 31, 2017'':

(1) Section 302c-1(f), relating to accession and retention bonuses for psychologists.

(2) Section 302d(a)(1), relating to accession bonus for registered nurses.

(3) Section 302e(a)(1), relating to incentive special pay for nurse anesthetists.

(4) Section 302g(e), relating to special pay for Selected Reserve health professionals in critically short wartime specialties.

(5) Section 302h(a)(1), relating to accession bonus for dental officers.

(6) Section 302j(a), relating to accession bonus for pharmacy officers.

(7) Section 302k(f), relating to accession bonus for medical officers in critically short wartime specialties.

(8) Section 302l(g), relating to accession bonus for dental specialist officers in critically short wartime specialties.

SEC. 613. ONE-YEAR EXTENSION OF SPECIAL PAY AND BONUS AUTHORITIES FOR NUCLEAR OFFICERS.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2016'' and inserting ''December 31, 2017'':

(1) Section 312(f), relating to special pay for nuclear-qualified officers extending period of active service.

(2) Section 312b(c), relating to nuclear career accession bonus.

(3) Section 312c(d), relating to nuclear career annual incentive bonus.

SEC. 614. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2016'' and inserting ''December 31, 2017'':

(1) Section 331(h), relating to general bonus authority for enlisted members.

(2) Section 332(g), relating to general bonus authority for officers.

(3) Section 333(i), relating to special bonus and incentive pay authorities for nuclear officers.

(4) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(5) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(6) Section 336(g), relating to contracting bonus for cadets and midshipmen enrolled in the Senior Reserve Officers' Training Corps.

(7) Section 351(h), relating to hazardous duty pay.

(8) Section 352(g), relating to assignment pay or special duty pay.

(9) Section 353(i), relating to skill incentive pay or proficiency bonus.

(10) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

SEC. 615. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF OTHER TITLE 37 BONUSES AND SPECIAL PAYS.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2016'' and inserting ''December 31, 2017'':

(1) Section 301b(a), relating to aviation officer retention bonus.

(2) Section 307a(g), relating to assignment incentive pay.

(3) Section 308(g), relating to reenlistment bonus for active members.

(4) Section 309(e), relating to enlistment bonus.

(5) Section 316a(g), relating to incentive pay for members of precommissioning programs pursuing foreign language proficiency.

(6) Section 324(g), relating to accession bonus for new officers in critical skills.

(7) Section 326(g), relating to incentive bonus for conversion to military occupational specialty to ease personnel shortage.

(8) Section 327(h), relating to incentive bonus for transfer between Armed Forces.

(9) Section 330(f), relating to accession bonus for officer candidates.

SEC. 616. INCREASE IN MAXIMUM AMOUNT OF AVIATION SPECIAL PAYS FOR FLYING DUTY.

Section 334(c)(1) of title 37, United States Code, is amended by striking subparagraphs (A) and (B) and inserting the following new subparagraphs:

''(A) aviation incentive pay under subsection (a) shall be paid at a monthly rate not to exceed $1,000 per month; and

''(B) an aviation bonus under subsection (b) may not exceed $60,000 for each 12-month period of obligated service agreed to under subsection (d).''.

SEC. 617. CONFORMING AMENDMENT TO CONSOLIDATION OF SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.

Section 332(c)(1)(B) of title 37, United States Code, is amended by striking ''$12,000'' and inserting ''$20,000''.

SEC. 618. TECHNICAL AND CLERICAL AMENDMENTS RELATING TO 2008 CONSOLIDATION OF CERTAIN SPECIAL PAY AUTHORITIES.

(a) FAMILY CARE PLANS.—Section 586 of the National Defense Authorization Act for Fiscal

Year 2008 (Public Law 110–181; 10 U.S.C. 991 note) is amended by inserting ''or 351'' after ''section 310''.

(b) DEPENDENTS' MEDICAL CARE.—Section 1079(g)(1) of title 10, United States Code, is amended by inserting ''or 351'' after ''section 310''.

(c) RETENTION ON ACTIVE DUTY DURING DISABILITY EVALUATION PROCESS.—Section 1218(d)(1) of title 10, United States Code, is amended by inserting ''or 351'' after ''section 310''.

(d) STORAGE SPACE.—Section 362(1) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 10 U.S.C. 2825 note) is amended by inserting '', or paragraph (1) or (3) of section 351(a),'' after ''section 310''.

(e) STUDENT ASSISTANCE PROGRAMS.—Sections 455(o)(3)(B) and 465(a)(2)(D) of the Higher Education Act of 1965 (20 U.S.C. 1087e(o)(3)(B), 1087ee(a)(2)(D)) are amended by inserting ''or paragraph (1) or (3) of section 351(a).'' after ''section 310''.

(f) ARMED FORCES RETIREMENT HOME.—Section 1512(a)(3)(A) of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 412(a)(3)(A)) is amended by inserting ''or 351'' after ''section 310''.

(g) VETERANS OF FOREIGN WARS MEMBERSHIP.—Section 230103(3) of title 36, United States Code, is amended by inserting ''or 351'' after ''section 310''.

(h) MILITARY PAY AND ALLOWANCES.—Title 37, United States Code, is amended—

(1) in section 212(a), by inserting '', or paragraph (1) or (3) of section 351(a),'' after ''section 310'';

(2) in section 402a(b)(3)(B), by inserting ''or 351'' after ''section 310'';

(3) in section 481a(a), by inserting ''or 351'' after ''section 310'';

(4) in section 907(d)(1)(H), by inserting ''or 351'' after ''section 310''; and

(5) in section 910(b)(2)(B), by inserting '', or paragraph (1) or (3) of section 351(a),'' after ''section 310''.

(i) EXCLUSIONS FROM INCOME FOR PURPOSE OF SUPPLEMENTAL SECURITY INCOME.—Section 1612(b)(20) of the Social Security Act (42 U.S.C. 1382a(b)(20)) is amended by inserting '', or paragraph (1) or (3) of section 351(a),'' after ''section 310''.

(j) EXCLUSIONS FROM INCOME FOR PURPOSE OF HEAD START PROGRAM.—Section 645(a)(3)(B)(i) of the Head Start Act (42 U.S.C. 9840(a)(3)(B)(i)) is amended by inserting ''or 351'' after ''section 310''.

(k) EXCLUSIONS FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES.—Section 112(c)(5)(B) of the Internal Revenue Code of 1986 is amended by inserting '', or paragraph (1) or (3) of section 351(a),'' after ''section 310''.

SEC. 619. COMBAT-RELATED SPECIAL COMPENSATION COORDINATING AMENDMENT.

Subparagraph (B) of section 1413a(b)(3) of title 10, United States Code, is amended by striking ''the amount equal to'' and all that follows through ''creditable service multiplied'' and inserting the following: ''the amount equal to the retired pay multiplier determined for the member under section 1409 of this title multiplied''.

Subtitle C—Disability, Retired Pay, and Survivor Benefits

SEC. 621. SEPARATION DETERMINATIONS FOR MEMBERS PARTICIPATING IN THRIFT SAVINGS PLAN.

The amendment to be made by section 632(c)(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 847) shall not take effect.

SEC. 622. CONTINUATION PAY FOR FULL THRIFT SAVINGS PLAN MEMBERS WHO HAVE COMPLETED 8 TO 12 YEARS OF SERVICE.

(a) CONTINUATION PAY.—Section 356 of title 37, United States Code, which shall take effect on January 1, 2018, pursuant to section 635 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 851), is amended—

*(1) in the heading, by striking ''**12 years**'' and inserting ''**8 to 12 years**'';*

(2) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

''(1) has completed not less than 8 and not more than 12 years of service in a uniformed service; and''; and

(B) in paragraph (2), by striking ''an additional 4 years'' and inserting ''not less than 3 additional years'';

(3) by amending subsection (b) to read as follows:

''(b) PAYMENT AMOUNT.—The Secretary concerned shall determine the payment amount under this section as a multiple of a full TSP member's monthly basic pay but shall not be less than 2.5 times the member's monthly basic pay. The maximum amount the Secretary concerned may pay the member under this section is—

''(1) in the case of a member of a regular component or in a reserve component if the member is performing active Guard and Reserve duty (as defined in section 101(d)(6) of title 10), 13 times the amount of the monthly basic pay payable to the member for the month during which the agreement under subsection (a)(2) is entered into; and

''(2) in the case of any member not covered by paragraph (1), 6 times the amount of monthly basic pay to which the member would be entitled for the month during which the agreement under subsection (a)(2) is entered into if the member were serving on active duty at the time the agreement is entered into.''; and

(4) by amending subsection (d) to read as follows:

''(d) TIMING OF PAYMENT.—The Secretary concerned shall pay continuation pay under subsection (a) to a full TSP member when the member has completed not less than 8 and not more than 12 years of service in a uniformed service.''.

(b) CLERICAL AMENDMENT.—The item relating to section 356 in the table of sections at the beginning of chapter 5 of title 37, United States Code, which shall take effect on January 1, 2018, pursuant to section 635 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 851), is amended by striking ''12 years'' and inserting ''8 to 12 years''.

SEC. 623. SPECIAL SURVIVOR INDEMNITY ALLOWANCE.

(a) PAYMENT AMOUNT PER FISCAL YEAR.—Paragraph (2)(I) of section 1450(m) of title 10, United States Code, is amended by striking ''fiscal year 2017'' and inserting ''each of fiscal years 2017 and 2018''.

(b) DURATION.—Paragraph (6) of such section is amended—

(1) by striking ''September 30, 2017'' and inserting ''September 30, 2018''; and

(2) by striking ''October 1, 2017'' both places it appears and inserting ''October 1, 2018''.

SEC. 624. EQUAL BENEFITS UNDER SURVIVOR BENEFIT PLAN FOR SURVIVORS OF RESERVE COMPONENT MEMBERS WHO DIE IN THE LINE OF DUTY DURING INACTIVE-DUTY TRAINING.

(a) TREATMENT OF INACTIVE-DUTY TRAINING IN SAME MANNER AS ACTIVE DUTY.—Section 1451(c)(1)(A) of title 10, United States Code, is amended—

(1) in clause (i)—

(A) by inserting ''or 1448(f)'' after ''section 1448(d)''; and

(B) by inserting ''or (iii)'' after ''clause (ii)''; and

(2) in clause (iii)—

(A) by striking ''section 1448(f) of this title'' and inserting ''section 1448(f)(1)(A) of this title by reason of the death of a member or former member not in line of duty''; and

(B) by striking ''active service'' and inserting ''service''.

(b) CONSISTENT TREATMENT OF DEPENDENT CHILDREN.—Paragraph (2) of section 1448(f) of title 10, United States Code, is amended to read as follows:

''(2) DEPENDENT CHILDREN ANNUITY.—

''(A) ANNUITY WHEN NO ELIGIBLE SURVIVING SPOUSE.—In the case of a person described in paragraph (1), the Secretary concerned shall pay an annuity under this subchapter to the dependent children of that person under section 1450(a)(2) of this title as applicable.

''(B) OPTIONAL ANNUITY WHEN THERE IS AN ELIGIBLE SURVIVING SPOUSE.—The Secretary may pay an annuity under this subchapter to the dependent children of a person described in paragraph (1) under section 1450(a)(3) of this title, if applicable, instead of paying an annuity to the surviving spouse under paragraph (1), if the Secretary concerned, in consultation with the surviving spouse, determines it appropriate to provide an annuity for the dependent children under this paragraph instead of an annuity for the surviving spouse under paragraph (1).''.

(c) DEEMED ELECTIONS.—Section 1448(f) of title 10, United States Code, is further amended by adding at the end the following new paragraph:

''(5) DEEMED ELECTION TO PROVIDE AN ANNUITY FOR DEPENDENT.—Paragraph (6) of subsection (d) shall apply in the case of a member described in paragraph (1) who dies after November 23, 2003, when no other annuity is payable on behalf of the member under this subchapter.''.

(d) AVAILABILITY OF SPECIAL SURVIVOR INDEMNITY ALLOWANCE.—Section 1450(m)(1)(B) of title 10, United States Code, is amended by inserting ''or (f)'' after ''subsection (d)''.

(e) APPLICATION OF AMENDMENTS.—

(1) PAYMENT.—No annuity benefit under subchapter II of chapter 73 of title 10, United States Code, shall accrue to any person by reason of the amendments made by this section for any period before the date of the enactment of this Act.

(2) ELECTIONS.—For any death that occurred before the date of the enactment of this Act with respect to which an annuity under such subchapter is being paid (or could be paid) to a surviving spouse, the Secretary concerned may, within six months of that date and in consultation with the surviving spouse, determine it appropriate to provide an annuity for the dependent children of the decedent under paragraph 1448(f)(2)(B) of title 10, as added by subsection (b)(1), instead of an annuity for the surviving spouse. Any such determination and resulting change in beneficiary shall be effective as of the first day of the first month following the date of the determination.

SEC. 625. USE OF MEMBER'S CURRENT PAY GRADE AND YEARS OF SERVICE, RATHER THAN FINAL RETIREMENT PAY GRADE AND YEARS OF SERVICE, IN A DIVISION OF PROPERTY INVOLVING DISPOSABLE RETIRED PAY.

(a) USE OF CURRENT PAY GRADE REQUIRED.—Section 1408(a)(4) of title 10, United States Code, is amended in the matter preceding subparagraph (A) by inserting after ''member is entitled'' the following: ''(to be determined using the member's pay grade and years of service at the time of the court order, rather than the member's pay grade and years of service at the time of retirement, unless the same)''.

(b) APPLICATION OF AMENDMENT.—The amendment made by subsection (a) shall apply with respect to any division of property as part of a final decree of divorce, dissolution, annulment, or legal separation involving a member of the Armed Forces to which section 1408 of title 10, United States Code, applies that becomes final after the date of the enactment of this Act.

Subtitle D—Commissary and Nonappropriated Fund Instrumentality Benefits and Operations

SEC. 631. PROTECTION AND ENHANCEMENT OF ACCESS TO AND SAVINGS AT COMMISSARIES AND EXCHANGES.

(a) OPTIMIZATION STRATEGY.—Section 2481(c) of title 10, United States Code, is amended by adding at the end the following paragraph:

''(3)(A) The Secretary of Defense shall develop and implement a comprehensive strategy to optimize management practices across the defense commissary system and the exchange system that reduce reliance of those systems on appropriated funding without reducing benefits to the patrons of those systems or the revenue generated by nonappropriated fund entities or instrumentalities of the Department of Defense for the morale, welfare, and recreation of members of the armed forces.

''(B) The Secretary shall ensure that savings generated due to such optimization practices are shared by the defense commissary system and the exchange system through contracts or agreements that appropriately reflect the participation of the systems in the development and implementation of such practices.

''(C) If the Secretary determines that the reduced reliance on appropriated funding pursuant to subparagraph (A) is insufficient to maintain the benefits to the patrons of the defense commissary system, and if the Secretary converts the defense commissary system to a nonappropriated fund entity or instrumentality pursuant to paragraph (1) of section 2484(j) of this title, the Secretary shall transfer appropriated funds pursuant to paragraph (2) of such section to ensure the maintenance of such benefits.

''(4) On not less than a quarterly basis, the Secretary shall provide to the congressional defense committees a briefing on the defense commissary system, including—

''(A) an assessment of the savings the system provides patrons;

''(B) the status of implementing section 2484(i) of this title;

''(C) the status of implementing section 2484(j), including whether the system requires any appropriated funds pursuant to paragraph (2) of such section;

''(D) the status of carrying out a program for such system to sell private label merchandise; and

''(E) any other matters the Secretary considers appropriate.''.

(b) AUTHORIZATION TO SUPPLEMENT APPROPRIATIONS THROUGH BUSINESS OPTIMIZATION.—Section 2483(c) of such title is amended by adding at the end the following new sentence: ''Such appropriated amounts may also be supplemented with additional funds derived from improved management practices implemented pursuant to sections 2481(c)(3) and 2487(c) of this title and the variable pricing program implemented pursuant to section 2484(i) of this title.''.

(c) VARIABLE PRICING PILOT PROGRAM.—Section 2484 of such title is amended by adding at the end the following new subsections:

''(i) VARIABLE PRICING PROGRAM.—(1) Notwithstanding subsection (e), and subject to subsection (k), the Secretary may establish a variable pricing program pursuant to which prices may be established in response to market conditions and customer demand, in accordance with the requirements of this subsection. Notwithstanding the amount of the uniform surcharge assessed in subsection (d), the Secretary may provide for an alternative surcharge of not more than five percent of sales proceeds under such variable pricing program to be made available for the purposes specified in subsection (h).

''(2) Subject to subsection (k), before establishing a variable pricing program under this subsection, the Secretary shall establish the following:

''(A) Specific, measurable benchmarks for success in the provision of high quality grocery merchandise, discount savings to patrons, and levels of customer satisfaction while achieving savings for the Department of Defense.

''(B) A baseline of overall savings to patrons achieved by commissary stores prior to the initiation of the variable pricing program, based on a comparison of prices charged by those stores on a regional basis with prices charged by relevant local competitors for a representative market basket of goods.

''(3) The Secretary shall ensure that the defense commissary system implements the variable pricing program by conducting price comparisons using the methodology established for paragraph (2)(B) and adjusting pricing as necessary to ensure that pricing in the variable pricing program achieves overall savings to patrons that are consistent with the baseline savings established for the relevant region pursuant to such paragraph.

''(j) CONVERSION TO NONAPPROPRIATED FUND ENTITY OR INSTRUMENTALITY.—(1) Subject to subsection (k), if the Secretary determines that the variable pricing program has met the benchmarks for success established pursuant to paragraph (2)(A) of subsection (i) and the savings requirements established pursuant to paragraph (3) of such subsection over a period of at least six months, the Secretary may convert the defense commissary system to a nonappropriated fund entity or instrumentality, with operating expenses financed in whole or in part by receipts from the sale of products and the sale of services. Upon such conversion, appropriated funds shall be transferred to the defense commissary system only in accordance with paragraph (2) or section 2491 of this title. The requirements of section 2483 shall not apply to the defense commissary system operating as a nonappropriated fund entity or instrumentality.

''(2) If the Secretary determines that the defense commissary system operating as a nonappropriated fund entity or instrumentality is likely to incur a loss in any fiscal year as a result of compliance with the savings requirement established in subsection (i), the Secretary shall authorize a transfer of appropriated funds available for such purpose to the commissary system in an amount sufficient to offset the anticipated loss. Any funds so transferred shall be considered to be nonappropriated funds for such purpose.

''(3)(A) The Secretary of Defense may identify positions of employees in the defense commissary system who are paid with appropriated funds whose status may be converted to the status of an employee of a nonappropriated fund entity or instrumentality.

''(B) The status and conversion of employees in a position identified by the Secretary under subparagraph (A) shall be addressed as provided in section 2491(c) for employees in morale, welfare, and recreation programs, including with respect to requiring the consent of such employee to be so converted.

''(C) No individual who is an employee of the defense commissary system as of the date of the enactment of this subsection shall suffer any loss of or decrease in pay as a result of a conversion made under this paragraph.

''(k) OVERSIGHT REQUIRED TO ENSURE CONTINUED BENEFIT TO PATRONS.—(1) With respect to each action described in paragraph (2), the Secretary may not carry out such action until—

''(A) the Secretary provides to the congressional defense committees a briefing on such action, including a justification for such action; and

''(B) a period of 30 days has elapsed following such briefing.

''(2) The actions described in this paragraph are the following:

''(A) Establishing the representative market basket of goods pursuant to subsection (i)(2)(B).

''(B) Establishing the variable pricing program under subsection (i)(1).

''(C) Converting the defense commissary system to a nonappropriated fund entity or instrumentality under subsection (j)(1).''.

(d) ESTABLISHMENT OF COMMON BUSINESS PRACTICES.—Section 2487 of such title is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) COMMON BUSINESS PRACTICES.—(1) Notwithstanding subsections (a) and (b), the Secretary of Defense may establish common business processes, practices, and systems—

''(A) to exploit synergies between the defense commissary system and the exchange system; and

''(B) to optimize the operations of the defense retail systems as a whole and the benefits provided by the commissaries and exchanges.

''(2) The Secretary may authorize the defense commissary system and the exchange system to enter into contracts or other agreements—

''(A) for products and services that are shared by the defense commissary system and the exchange system; and

''(B) for the acquisition of supplies, resale goods, and services on behalf of both the defense commissary system and the exchange system.

''(3) For the purpose of a contract or agreement authorized under paragraph (2), the Secretary may—

''(A) use funds appropriated pursuant to section 2483 of this title to reimburse a nonappropriated fund entity or instrumentality for the portion of the cost of a contract or agreement entered by the nonappropriated fund entity or instrumentality that is attributable to the defense commissary system; and

''(B) authorize the defense commissary system to accept reimbursement from a nonappropriated fund entity or instrumentality for the portion of the cost of a contract or agreement entered by the defense commissary system that is attributable to the nonappropriated fund entity or instrumentality.''.

(e) AUTHORITY FOR EXPERT COMMERCIAL ADVICE.—Section 2485 of such title is amended by adding at the end the following new subsection:

''(h) EXPERT COMMERCIAL ADVICE.—The Secretary of Defense may enter into a contract with an entity to obtain expert commercial advice, commercial assistance, or other similar services not otherwise carried out by the Defense Commissary Agency, to implement section 2481(c), subsections (i) and (j) of section 2484, and section 2487(c) of this title.''.

(f) CLARIFICATION OF REFERENCES TO ''THE EXCHANGE SYSTEM''.—Section 2481(a) of title 10, United States Code, is amended by adding at the end the following new sentence: ''Any reference in this chapter to 'the exchange system' shall be treated as referring to each separate administrative entity within the Department of Defense through which the Secretary of Defense has implemented the requirement under this subsection for a world-wide system of exchange stores.''.

(g) OPERATION OF DEFENSE COMMISSARY SYSTEM AS A NONAPPROPRIATED FUND ENTITY.—In the event that the defense commissary system is

converted to a nonappropriated fund entity or instrumentality as authorized by section 2484(j)(1) of title 10, United States Code, as added by subsection (c) of this section, the Secretary may—

(1) provide for the transfer of commissary assets, including inventory and available funds, to the nonappropriated fund entity or instrumentality; and

(2) ensure that revenues accruing to the defense commissary system are appropriately credited to the nonappropriated fund entity or instrumentality.

(h) CONFORMING CHANGE.—Section 2643(b) of such title is amended by adding at the end the following new sentence: ''Such appropriated funds may be supplemented with additional funds derived from improved management practices implemented pursuant to sections 2481(c)(3) and 2487(c) of this title.''.

Subtitle E—Travel and Transportation Allowances and Other Matters

SEC. 641. MAXIMUM REIMBURSEMENT AMOUNT FOR TRAVEL EXPENSES OF MEMBERS OF THE RESERVES ATTENDING INACTIVE DUTY TRAINING OUTSIDE OF NORMAL COMMUTING DISTANCES.

Section 478a(c) of title 37, United States Code, is amended—

(1) by striking ''The amount'' and inserting the following: ''(1) Except as provided by paragraph (2), the amount''; and

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

''(2) The Secretary concerned may authorize, on a case-by-case basis, a higher reimbursement amount for a member under subsection (a) when the member—

''(A) resides—

''(i) in the same State as the training location; and

''(ii) outside of an urbanized area with a population of 50,000 or more, as determined by the Bureau of the Census; and

''(B) is required to commute to a training location—

''(i) using an aircraft or boat on account of limited or nonexistent vehicular routes to the training location or other geographical challenges; or

''(ii) from a permanent residence located more than 75 miles from the training location.''.

SEC. 642. STATUTE OF LIMITATIONS ON DEPARTMENT OF DEFENSE RECOVERY OF AMOUNTS OWED TO THE UNITED STATES BY MEMBERS OF THE UNIFORMED SERVICES, INCLUDING RETIRED AND FORMER MEMBERS.

Section 1007(c)(3) of title 37, United States Code, is amended by adding at the end the following new subparagraphs:

''(C)(i) In accordance with clause (ii), if the indebtedness of a member of the uniformed services to the United States occurs, through no fault of the member, as a result of the overpayment of pay or allowances to the member or upon the settlement of the member's accounts, the Secretary concerned may not recover the indebtedness from the member, including a retired or former member, using deductions from the pay of the member, deductions from retired or separation pay, or any other collection method unless recovery of the indebtedness commences before the end of the 10-year period beginning on the date on which the indebtedness was incurred.

''(ii) Clause (i) applies with respect to cases of indebtedness that incur on or after October 1, 2027.

''(D)(i) Not later than January 1 of each of years 2017 through 2027, the Director of the Defense Finance and Accounting Service shall review all cases occurring during the 10-year period prior to the date of the review of indebtedness of a member of the uniformed services, including a retired or former member, to the United States in which—

''(I) the recovery of the indebtedness commenced after the end of the 10-year period beginning on the date on which the indebtedness was incurred; or

''(II) the Director did not otherwise notify the member of such indebtedness during such 10-year period.

''(ii) The Director shall submit to the congressional defense committees and the Committees on Veterans' Affairs of the House of Representatives and the Senate each review conducted under clause (i), including the amounts owed to the United States by the members included in such review.''.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—Reform of TRICARE and Military Health System

SEC. 701. TRICARE PREFERRED AND OTHER TRICARE REFORM.

(a) ESTABLISHMENT.—

(1) TRICARE PREFERRED.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1074n the following new section:

''§ 1075. TRICARE Preferred

''(a) ESTABLISHMENT.—(1) Not later than January 1, 2018, the Secretary of Defense shall establish a self-managed, preferred-provider network option under the TRICARE program. Such option shall be known as 'TRICARE Preferred'.

''(2) The Secretary shall establish TRICARE Preferred in all areas. Under TRICARE Preferred, eligible beneficiaries will not have restrictions on the freedom of choice of the beneficiary with respect to health care providers.

''(b) ENROLLMENT ELIGIBILITY.—(1) The beneficiary categories for purposes of eligibility to enroll in TRICARE Preferred and cost sharing requirements applicable to such category are as follows:

''(A) An 'active-duty family member' category that consists of beneficiaries who are covered by section 1079 of this title (as dependents of active duty members).

''(B) A 'retired' category that consists of beneficiaries covered by subsection (c) of section 1086 of this title, other than Medicare-eligible beneficiaries described in subsection (d)(2) of such section.

''(C) A 'reserve and young adult' category that consists of beneficiaries who are covered by—

''(i) section 1076d of this title;

''(ii) section 1076e; or

''(iii) section 1110b.

''(2) A covered beneficiary who elects to participate in TRICARE Preferred shall enroll in such option under section 1099 of this title.

''(c) COST-SHARING REQUIREMENTS.—The cost sharing requirements under TRICARE Preferred are as follows:

''(1) With respect to beneficiaries in the active-duty family member category or the retired category by reason of being a member or former member of the uniformed services who originally enlists or is appointed in the uniformed services on or after January 1, 2018, or by reason of being a dependent of such a member, the cost sharing requirements shall be calculated pursuant to subsection (d)(1).

''(2)(A) Except as provided by subsection (e), with respect to beneficiaries described in subparagraph (B) in the active-duty family member category or the retired category, the cost sharing requirements shall be calculated as if the beneficiary were enrolled in TRICARE Extra or TRICARE Standard as if TRICARE Extra or TRICARE Standard, as the case may be, were still being carried out by the Secretary.

''(B) Beneficiaries described in this subparagraph are beneficiaries who are eligible to enroll in the TRICARE program by reason of being a member or former member of the uniformed services who originally enlists or is appointed in the uniformed services before January 1, 2018, or by reason of being a dependent of such a member.

''(3) With respect to beneficiaries in the reserve and young adult category, the cost sharing requirements shall be calculated pursuant to subsection (d)(1) as if the beneficiary were in the active-duty family member category or the retired category, as applicable, except that the premiums calculated pursuant to sections 1076d, 1076e, or 1110b of this title, as the case may be, shall apply instead of any enrollment fee required under this section.

''(d) COST-SHARING AMOUNTS FOR CERTAIN BENEFICIARIES.—(1) Beneficiaries described in subsection (c)(1) enrolled in TRICARE Preferred shall be subject to cost-sharing requirements in accordance with the amounts and percentages under the following table during calendar year 2018 and as such amounts are adjusted under paragraph (2) for subsequent years:

''TRICARE Preferred	*Active-Duty Family Member (Individual/Family)*	*Retired (Individual/Family)*
Annual Enrollment	*$300 / $600*	*$425 / $850*
Annual deductible	*$0*	*$0*
Annual catastrophic cap	*$1,000*	*$3,000*
Outpatient visit civilian network	*$15 primary care $25 specialty care*	*$25 primary care $40 specialty care*

"TRICARE Preferred	***Active-Duty Family Member (Individual/Family)***	***Retired (Individual/Family)***
	Out of network: 20%	*25% of out of network*
ER visit civilian network	*$40 network 20% out of network*	*$60 network*
Urgent care civilian network	*$20 network 20% out of network*	*$40 network 25% out of network*
Ambulatory surgery civilian network	*$40 network 20% out of network*	*$80 network 25% out of network*
Ambulance civilian network	*$15*	*$25*
Durable medical equipment civilian network	*10%*	*20%*
Inpatient visit civilian network	*$60 per network admission 20% out of network*	*$125 per admission network 25% out of net work*
Inpatient skilled nursing/rehab civilian	*$20 per day network $50 per day out of network*	*$50 per day network $300 per day or 20% of billed charges out of network*

''(2) Each dollar amount expressed as a fixed dollar amount in the table set forth in paragraph (1), and the amounts determined under subsection (e), shall be annually indexed to the amount by which retired pay is increased under section 1401a of this title, rounded to the next lower multiple of $1. The remaining amount above such multiple of $1 shall be carried over to, and accumulated with, the amount of the increase for the subsequent year or years and made when the aggregate amount of increases carried over under this clause for a year is $1 or more.

''(3) Enrollment fees, deductible amounts, and catastrophic caps under this section are on a calendar-year basis.

''(e) EXCEPTIONS TO CERTAIN COST-SHARING AMOUNTS FOR CERTAIN BENEFICIARIES ELIGIBLE PRIOR TO 2018.—(1) Subject to paragraph (3), and in accordance with subsection (d)(2), the Secretary shall establish an annual enrollment fee for beneficiaries described in subsection (c)(2)(B) in the retired category who enroll in TRICARE Preferred (other than such beneficiaries covered by paragraph (2)). Such enrollment fee shall be $100 for an individual and $200 for a family.

''(2) The enrollment fee established pursuant to paragraph (1) for beneficiaries described in subsection (c)(2)(B) in the retired category shall not apply with respect to the following beneficiaries:

''(A) Retired members and the family members of such members covered by paragraph (1) of section 1086(c) of this title by reason of being retired under chapter 61 of this title or being a dependent of such a member.

''(B) Survivors covered by paragraph (2) of such section 1086(c).

''(3) The Secretary may not establish an annual enrollment fee under paragraph (1) until 90 days has elapsed following the date on which the Comptroller General of the United States is required to submit the review under paragraph (4).

''(4) Not later than February 1, 2020, the Comptroller General of the United States shall submit to the Committees on Armed Services of the House of Representatives and the Senate a review of the following:

''(A) Whether health care coverage for covered beneficiaries has changed since the enactment of this section.

''(B) Whether covered beneficiaries are able to obtain appointments for health care according to the access standards established by the Secretary of Defense.

''(C) The percent of network providers that accept new patients under the TRICARE program.

''(D) The satisfaction of beneficiaries under TRICARE Preferred.

''(f) PUBLICATION OF MEASURES.—As part of the administration of TRICARE Prime and TRICARE Preferred, the Secretary shall publish on a publically available Internet website of the Department of Defense data on all measures required by section 711 of the National Defense Authorization Act for Fiscal Year 2017. The published measures shall be updated not less frequently than quarterly.

''(g) CONSTRUCTION.—Nothing in this section may be construed as affecting the availability of TRICARE Prime and TRICARE for Life.

''(h) DEFINITIONS.—In this section, terms 'active-duty family member category', 'retired category', and 'reserve and young adult category' mean the respective categories of TRICARE Preferred enrollment described in subsection (b).''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of title 10, United States Code, is amended by inserting after the item relating to section 1074n, the following new item:

''1075. TRICARE Preferred.''.

(b) TRICARE PRIME COST SHARING.—

(1) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1075, as added by subsection (a), the following new section:

''§ 1075a. TRICARE Prime: cost sharing

''(a) COST-SHARING REQUIREMENTS.—The cost sharing requirements under TRICARE Prime are as follows:

''(1) There are no cost-sharing requirements for beneficiaries who are covered by section 1074(a) of this title.

''(2) With respect to beneficiaries in the active-duty family member category or the retired category (as described in section 1075(b)(1) of this title) by reason of being a member or former member of the uniformed services who originally enlists or is appointed in the uniformed services on or after January 1, 2018, or by reason of being a dependent of such a member, the cost-sharing requirements shall be calculated pursuant to subsection (b)(1).

''(3)(A) With respect to beneficiaries described in subparagraph (B) in the active-duty family member category or the retired category (as described in section 1075(b)(1) of this title), the cost-sharing requirements shall be calculated in accordance with the other provisions of this chapter without regard to subsection (b).

''(B) Beneficiaries described in this subparagraph are beneficiaries who are eligible to enroll in the TRICARE program by reason of being a member or former member of the uniformed services who originally enlists or is appointed in the uniformed services before January 1, 2018, or by reason of being a dependent of such a member.

''(b) COST-SHARING AMOUNTS.—(1) Beneficiaries described in subsection (a)(2) enrolled in TRICARE Prime shall be subject to cost-sharing requirements in accordance with the amounts and percentages under the following table during calendar year 2018 and as such amounts are adjusted under paragraph (2) for subsequent years:

"TRICARE Prime	*Active-Duty Family Member (Individual/Family)*	*Retired (Individual/Family)*
Annual Enrollment	*$180 / $360*	*$325 / $650*
Annual deductible	*No*[1]	*No*[1]
Annual catastrophic cap	*$1,000*	*$3,000 per family*
Outpatient visit civilian network	*$0 with authorization*	*$20 primary care*
		$30 specialty care
ER visit civilian network	*$0*	*$50 network*
Urgent care civilian network	*$0*	*$30 network*
Ambulatory surgery civilian network	*$0 with authorization*	*$60 network with authorization*
Ambulance civilian network	*$0*	*$20*
Durable medical equipment civilian network	*$0 with authorization*	*20%*
Inpatient visit civilian network	*$0 with authorization*	*$100 network per admission with authorization*
Inpatient skilled nursing/rehab civilian	*$0 with authorization*	*$30 per day network with authorization*

1: Deductibles and cost-sharing does apply to TRICARE Prime beneficiaries that seek care in the civilian network care through the point-of-service option (without a referral). Annual deductible is $300 individual and $600 family. Cost-sharing for covered inpatient and outpatient services are 50% of the TRICARE allowable charges.

''(2) Each dollar amount expressed as a fixed dollar amount in the table set forth in paragraph (1) shall be annually indexed to the amount by which retired pay is increased under section 1401a of this title, rounded to the next lower multiple of $1. The remaining amount above such multiple of $1 shall be carried over to, and accumulated with, the amount of the increase for the subsequent year or years and made when the aggregate amount of increases carried over under this clause for a year is $1 or more.

''(3) Enrollment fees, deductible amounts, and catastrophic caps under this section are on a calendar-year basis.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of title 10, United States Code, is amended by inserting after the item relating to section 1075, as added by subsection (a), the following new item:

''1075a. TRICARE Prime: cost sharing.''.

(c) PORTABILITY.—Section 1073 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(c) PORTABILITY IN PROGRAM.—The Secretary of Defense shall ensure that the enrollment status of covered beneficiaries is portable between or among TRICARE program regions of the United States and that effective procedures are in place for automatic electronic transfer of information between or among contractors responsible for administration in such regions and prompt communication with such beneficiaries. Each covered beneficiary enrolled in TRICARE Prime who has relocated the beneficiary's primary residence to a new area in which enrollment in TRICARE Prime is available shall be able to obtain a new primary health care manager or provider within 10 days of the relocation and associated request for such manager or provider.''.

(d) TERMINATION OF TRICARE STANDARD AND TRICARE EXTRA.—Beginning on January 1, 2018, the Secretary of Defense may not carry out TRICARE Standard and TRICARE Extra under the TRICARE program. The Secretary shall ensure that any individual who is covered under TRICARE Standard or TRICARE Extra as of December 31, 2017, enrolls in TRICARE Prime, TRICARE Preferred, or TRICARE for Life, as the case may be, as of January 1, 2018, for the individual to continue coverage under the TRICARE program.

(e) IMPLEMENTATION PLAN.—

(1) IN GENERAL.—Not later than June 1, 2017, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate an implementation plan to improve access to health care for TRICARE beneficiaries pursuant to the amendments made by this section.

(2) ELEMENTS.—The plan under paragraph (1) shall—

(A) ensure that at least 85 percent of the beneficiary population under TRICARE Preferred is covered by the network by January 1, 2018;

(B) establish access standards for appointments for health care;

(C) establish mechanisms for monitoring compliance with access standards;

(D) establish health care provider-to-beneficiary ratios;

(E) monitor on a monthly basis complaints by beneficiaries with respect to network adequacy and the availability of health care providers;

(F) establish requirements for mechanisms to monitor the responses to complaints by beneficiaries;

(G) mechanisms to evaluate the quality metrics of the network providers established under section 711;

(H) any recommendations for legislative action the Secretary determines necessary to carry out the plan; and

(I) any other elements the Secretary determines appropriate.

(f) GAO REVIEWS.—

(1) IMPLEMENTATION PLAN.—Not later than December 1, 2017, the Comptroller General of the United States shall submit to the Committees on Armed Services of the House of Representatives and the Senate a review of the implementation plan of the Secretary under paragraph (1) of subsection (e), including an assessment of the adequacy of the plan in meeting the elements specified in paragraph (2) of such subsection.

(2) NETWORK.—Not later than September 1, 2017, the Comptroller General shall submit to the Committees on Armed Services of the House of Representatives and the Senate a review of the network established under TRICARE Extra, including the following:

(A) An identification of the percent of beneficiaries who are covered by the network.

(B) An assessment of the extent to which beneficiaries are able to obtain appointments under TRICARE extra.

(C) The percent of network providers under TRICARE Extra that accept new patients under the TRICARE program.

(D) An assessment of the satisfaction of beneficiaries under TRICARE Extra.

(g) DEFINITIONS.—In this section:

(1) The terms ''uniformed services'', ''covered beneficiary'', ''TRICARE Extra'', ''TRICARE for Life'', ''TRICARE Prime'', and ''TRICARE Standard'' have the meaning given those terms in section 1072 of title 10, United States Code, as amended by subsection (h).

(2) The term ''TRICARE Preferred'' means the self-managed, preferred-provider network option under the TRICARE program established by section 1075 of such title, as added by subsection (a).

(h) CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Title 10, United States Code, is amended as follows:

(A) Section 1072 is amended—

(i) by striking paragraph (7) and inserting the following:

''(7) The term 'TRICARE program' means the various programs carried out by the Secretary of Defense under this chapter and any other provision of law providing for the furnishing of medical and dental care and health benefits to members and former members of the uniformed services and their dependents, including the following health plan options:

''(A) TRICARE Prime.

''(B) TRICARE Preferred.

''(C) TRICARE for Life.''; and

(ii) by adding at the end the following new paragraphs:

''(11) The term 'TRICARE Extra' means the preferred provider option of the TRICARE program made available prior to January 1, 2018, under which TRICARE Standard beneficiaries may obtain discounts on cost-sharing as a result of using TRICARE network providers.

''(12) The term 'TRICARE Preferred' the self-managed, preferred-provider network option under the TRICARE program established by section 1075 of this title.

''(13) The term 'TRICARE for Life' means the Medicare wraparound coverage option of the TRICARE program made available to the beneficiary by reason of section 1086(d) of this title.

''(14) The term 'TRICARE Prime' means the managed care option of the TRICARE program.

''(15) The term 'TRICARE Standard' means the TRICARE program made available prior to January 1, 2018, covering—

''(A) medical care to which a dependent described in section 1076(a)(2) of this title is entitled; and

''(B) health benefits contracted for under the authority of section 1079(a) of this title and subject to the same rates and conditions as apply to persons covered under that section.''.

(B) Section 1076d is amended—

(i) in subsection (d)(1), by inserting after ''coverage.'' the following: ''Such premium shall apply instead of any enrollment fees required under section 1075 of this section.''; and

(ii) in subsection (f), by striking paragraph (2) and inserting the following new paragraph:

''(2) The term 'TRICARE Reserve Select' means the TRICARE Preferred self-managed, preferred-provider network option under section 1075 made available to beneficiaries by reason of this section and in accordance with subsection (d)(1).''; and

(iii) by striking ''TRICARE Standard'' each place it appears (including in the heading of such section) and inserting ''TRICARE Reserve Select''.

(C) Section 1076e is amended—

(i) in subsection (d)(1), by inserting after ''coverage.'' the following: ''Such premium shall apply instead of any enrollment fees required under section 1075 of this section.''; and

(ii) in subsection (f), by striking paragraph (2) and inserting the following new paragraph:

''(2) The term 'TRICARE Retired Reserve' means the TRICARE Preferred self-managed, preferred-provider network option under section 1075 made available to beneficiaries by reason of this section and in accordance with subsection (d)(1).'';

(iii) in subsection (b), by striking ''TRICARE Standard coverage at'' and inserting ''TRICARE coverage at''; and

(iv) by striking ''TRICARE Standard'' each place it appears (including in the heading of such section) and inserting ''TRICARE Retired Reserve''.

(D) Section 1079a is amended—

*(i) in the section heading, by striking ''**CHAMPUS**'' and inserting ''**TRICARE program**''; and*

(ii) by striking ''the Civilian Health and Medical Program of the Uniformed Services'' and inserting ''the TRICARE program''.

(E) Section 1099(c) is amended by striking paragraph (2) and inserting the following new paragraph:

''(2) A plan under the TRICARE program.''.

(F) Section 1110b(c)(1) is amended by inserting after ''(b).'' the following: ''Such premium shall apply instead of any enrollment fees required under section 1075 of this section.''.

(2) CLERICAL AMENDMENTS.—The table of sections at the beginning of chapter 55 of title 10, United States Code, is further amended—

(A) in the item relating to section 1076d, by striking ''TRICARE Standard'' and inserting ''TRICARE Reserve Select'';

(B) in the item relating to section 1076e, by striking ''TRICARE Standard'' and inserting ''TRICARE Retired Reserve''; and

(C) in the item relating to section 1079a, by striking ''CHAMPUS'' and inserting ''TRICARE program''.

(3) CONFORMING STYLE.—Any new language inserted or added to title 10, United States Code, by an amendment made by this subsection shall conform to the typeface and typestyle of the matter in which the language is so inserted or added.

(i) APPLICATION.—The amendments made by this section shall apply with respect to the provision of health care under the TRICARE program beginning on January 1, 2018.

SEC. 702. REFORM OF ADMINISTRATION OF THE DEFENSE HEALTH AGENCY AND MILITARY MEDICAL TREATMENT FACILITIES.

(a) ADMINISTRATION.—

(1) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1073b the following new section:

''§ 1073c. Administration of Defense Health Agency and military medical treatment facilities

''(a) ADMINISTRATION OF MILITARY MEDICAL TREATMENT FACILITIES.—(1) Beginning October 1, 2018, the Director of the Defense Health Agency shall be responsible for the administration of each military medical treatment facility, including with respect to—

''(A) budgetary matters;

''(B) information technology;

''(C) health care administration and management;

''(D) administrative policy and procedure; and

''(E) any other matters the Secretary of Defense determines appropriate.

''(2) The commander of each military medical treatment facility shall be responsible for—

''(A) ensuring the readiness of the members of the armed forces and civilian employees at such facility; and

''(B) furnishing the health care and medical treatment provided at such facility.

''(3) The Secretary of Defense shall establish within the Defense Health Agency a professional staff serving in senior executive service positions to carry out this subsection. The Secretary may carry out this paragraph by appointing the positions specified in subsections (b) and (c).

''(b) DHA ASSISTANT DIRECTOR.—(1) The Secretary of Defense may establish in the Defense Health Agency an Assistant Director for Health Care Administration. If so established, the Assistant Director shall—

''(A) be a career appointee within the senior executive service of the Department; and

''(B) report directly to the Director of the Defense Health Agency.

''(2) If established under paragraph (1), the Assistant Director shall be appointed from among individuals who have equivalent education and experience as a chief executive officer leading a large, civilian health care system.

''(3) If established under paragraph (1), the Assistant Director shall be responsible for the following:

''(A) Establishing priorities for health care administration and management.

''(B) Establishing policies and procedures for the provision of direct care at military medical treatment facilities.

''(C) Establishing priorities for budgeting matters with respect to the provision of direct care at military medical treatment facilities.

''(D) Establishing policies and procedures for clinic management and operations at military medical treatment facilities.

''(E) Establishing priorities for information technology at and between the military medical treatment facilities.

''(c) DHA DEPUTY ASSISTANT DIRECTORS.—(1)(A) The Secretary of Defense may establish in the Defense Health Agency a Deputy Assistant Director for Information Operations.

''(B) If established under subparagraph (A), the Deputy Assistant Director for Information Operations shall be responsible for management and execution of information technology operations at and between the military medical treatment facilities.

''(2)(A) The Secretary of Defense may establish in the Defense Health Agency a Deputy Assistant Director for Financial Operations.

''(B) If established under subparagraph (A), the Deputy Assistant Director for Financial Operations shall be responsible for the management and execution of budgeting matters and financial management with respect to the provision of direct care at military medical treatment facilities.

''(3)(A) The Secretary of Defense may establish in the Defense Health Agency a Deputy Assistant Director for Health Care Operations.

''(B) If established under subparagraph (A), the Deputy Assistant Director for Health Care Operations shall be responsible for the execution of health care administration and management in the military medical treatment facilities.

''(4)(A) The Secretary of Defense may establish in the Defense Health Agency a Deputy Assistant Director for Medical Affairs.

''(B) If established under subparagraph (A), the Deputy Assistant Director for Medical Affairs shall be responsible for the management and leadership of clinical quality and process improvement, patient safety, infection control, graduate medical education, clinical integration, utilization review, risk management, patient experience, and civilian physician recruiting.

''(5) Each Deputy Assistant Director appointed under paragraphs (1) through (4) shall—

''(A) be a career appointee within the senior executive service of the Department; and

''(B) report directly to the Assistant Director for Health Care Administration.

''(d) DHA DEPUTY DIRECTOR.—(1) In addition to the other duties of the Joint Staff Surgeon, the Joint Staff Surgeon shall serve as the Deputy Director for Combat Support of the Defense Health Agency.

''(2) The responsibilities of the Deputy Director shall include the following:

''(A) Ensuring that the Defense Health Agency meets the operational needs of the commanders of the combatant commands.

''(B) Coordinating with the military departments to ensure that the staffing at the military medical treatment facilities support readiness requirements for members of the armed forces and health care personnel.

''(C) Serving as the link between the commanders of the combatant commands and the Defense Health Agency.

''(e) APPOINTMENTS.—In carrying out subsection (a)(3), including with respect to establishing positions under subsections (b) and (c), the Secretary shall make appointments under such subsections—

''(1) by not later than October 1, 2018; and

''(2) by not increasing the number of full-time equivalent employees of the Defense Health Agency.

''(f) DEFINITIONS.—In this section:

''(1) The term 'career appointee' has the meaning given that term in section 3132(a)(4) of title 5.

''(2) The term 'Defense Health Agency' means the Defense Agency established pursuant to Department of Defense Directive 5136.13, or such successor Defense Agency.

''(3) The term 'senior executive service' has the meaning given that term in section 2101a of title 5.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1073b the following new item:

''1073c. Administration of Defense Health Agency and military medical treatment facilities.''.

(b) IMPLEMENTATION PLAN.—

(1) IN GENERAL.—The Secretary of Defense shall develop a plan to implement section 1073c of title 10, United States Code, as added by subsection (a).

(2) ELEMENTS.—The plan developed under paragraph (1) shall include the following:

(A) How the Secretary will carry out subsection (a) of such section 1073c.

(B) Efforts to minimize potentially duplicative activities carried out by the elements of the Defense Health Agency.

(C) Efforts to maximize efficiencies in the activities carried out by the Defense Health Agency.

(D) How the Secretary will implement such section 1073 in a manner that does not increase the number of full-time equivalent employees of the headquarters activities of the military health system as of the date of the enactment of this Act.

(c) REPORTS.—

(1) INTERIM REPORT.—Not later than March 1, 2017, the Secretary shall submit to the congressional defense committees a report containing—

(A) a preliminary draft of the plan developed under subsection (b)(1); and

(B) any recommendations for legislative actions the Secretary determines necessary to carry out the plan.

(2) FINAL REPORT.—Not later than March 1, 2018, the Secretary shall submit to the congressional defense committees a report containing the final version of the plan developed under subsection (b)(1).

(3) COMPTROLLER GENERAL REVIEWS.—

(A) The Comptroller General of the United States shall submit to the congressional defense committees—

(i) a review of the preliminary draft of the plan submitted under paragraph (1) by not later than September 1, 2017; and

(ii) a review of the final version of the plan submitted under paragraph (2) by not later than September 1, 2018.

(B) Each review of the plan conducted under paragraph (A) shall determine whether the Secretary has addressed the required elements for the plan under subsection (b)(2).

SEC. 703. MILITARY MEDICAL TREATMENT FACILITIES.

(a) ADMINISTRATION.—

(1) IN GENERAL.—Chapter 55 of title 10, United States Code, as amended by section 702, is further amended by inserting after section 1073c the following new section:

''§ 1073d. Military medical treatment facilities

''(a) IN GENERAL.—To support the medical readiness of the armed forces and the readiness of medical personnel, the Secretary of Defense, in consultation with the Secretaries of the military departments, shall maintain the military medical treatment facilities described in subsections (b), (c), and (d).

''(b) MEDICAL CENTERS.—(1) The Secretary of Defense shall maintain medical centers in areas with a large population of members of the armed forces and covered beneficiaries.

''(2) Medical centers shall serve as referral facilities for members and covered beneficiaries who require comprehensive health care services that support medical readiness.

''(3) Medical centers shall consist of the following:

''(4) Inpatient and outpatient tertiary care facilities that incorporate specialty and subspecialty care.

''(5) Graduate medical education programs.

''(6) Residency training programs.

''(7) Level one or level two trauma care capabilities.

''(c) HOSPITALS.—(1) The Secretary of Defense shall maintain hospitals in areas where civilian health care facilities are unable to support the health care needs of members of the armed forces and covered beneficiaries.

''(2) Hospitals shall provide—

''(A) inpatient and outpatient health services to maintain medical readiness; and

''(B) such other programs and functions as the Secretary determines appropriate.

''(3) Hospitals shall consist of inpatient and outpatient care facilities with limited specialty care that the Secretary determines—

''(A) is cost effective; or

''(B) is not available at civilian health care facilities in the area of the hospital.

''(d) AMBULATORY CARE CENTERS.—(1) The Secretary of Defense shall maintain ambulatory care centers in areas where civilian health care facilities are able to support the health care needs of members of the armed forces and covered beneficiaries.

''(2) Ambulatory care centers shall provide the outpatient health services required to maintain medical readiness, including with respect to partnerships established pursuant to section 707 of the National Defense Authorization Act for Fiscal Year 2017.

''(3) Ambulatory care centers shall consist of outpatient care facilities with limited specialty care that the Secretary determines—

''(A) is cost effective; or

''(B) is not available at civilian health care facilities in the area of the ambulatory care center.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter, as amended by section 702, is further amended by inserting after the item relating to section 1073c the following new item:

''1073d. Military medical treatment facilities.''.

(b) UPDATE OF STUDY.—

(1) IN GENERAL.—The Secretary of Defense, in collaboration with the Secretaries of the military departments, shall update the report described in paragraph (2) to address the restructuring or realignment of military medical treatment facilities pursuant to section 1073d of title 10, United States Code, as added by subsection (a), including with respect to any expansions or consolidations of such facilities.

(2) REPORT DESCRIBED.—The report described in this paragraph is the Military Health System Modernization Study dated May 29th, 2015, required by section 713(a)(2) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3414).

(3) SUBMISSION.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees the updated report under paragraph (1).

(c) IMPLEMENTATION PLAN.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees an implementation plan to restructure or realign the military medical treatment facilities pursuant to section 1073d of title 10, United States Code, as added by subsection (a).

(2) ELEMENTS.—The implementation plan under paragraph (1) shall include the following:

(A) With respect to each military medical treatment facility—

(i) whether the facility will be realigned or restructured under the plan;

(ii) whether the functions of such facility will be expanded or consolidated;

(iii) the costs of such realignment or restructuring;

(iv) a description of any changes to the military and civilian personnel assigned to such facility as of the date of the plan;

(v) a timeline for such realignment or restructuring; and

(vi) the justifications for such realignment or restructuring, including an assessment of the capacity of the civilian health care facilities located near such facility.

(B) A description of the relocation of the graduate medical education programs and the residency programs.

SEC. 704. ACCESS TO URGENT CARE UNDER TRICARE PROGRAM.

(a) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1077 the following new section:

''§ 1077a. Access to military medical treatment facilities and other facilities

''(a) URGENT CARE.—(1) Beginning not later than one year after the date of the enactment of this section, the Secretary of Defense shall ensure that military medical treatment facilities, at locations the Secretary determines appropriate, provide urgent care services for members of the armed forces and covered beneficiaries until 11:00 p.m each day.

''(2) With respect to areas in which a military medical treatment facility covered by paragraph (1) is not located, the Secretary shall ensure that members of the armed forces and covered beneficiaries may access urgent care clinics that are open during the hours specified in such paragraph through the health care provider network under the TRICARE program.

''(3) A covered beneficiary may access urgent care services without the need for preauthorization for such services.

''(4) The Secretary shall—

''(A) publish information about changes in access to urgent care under the TRICARE program—

''(i) on the primary publicly available Internet website of the Department; and

''(ii) on the primary publicly available website of each military treatment facility; and

''(B) ensure that such information is made available on the publically available Internet website of each current managed care contractor that has established a health care provider network under the TRICARE program.

''(b) NURSE ADVICE LINE.—The Secretary shall ensure that the nurse advice line of the Department directs covered beneficiaries seeking access to care to the source of the most appropriate level of health care required to treat the medical conditions of the beneficiaries, including urgent care services described in subsection (a).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1077 the following new item:

''1077a. Access to military medical treatment facilities and other facilities''.

SEC. 705. ACCESS TO PRIMARY CARE CLINICS AT MILITARY MEDICAL TREATMENT FACILITIES.

(a) IN GENERAL.—Section 1077a of title 10, United States Code, as added by section 704, is amended by adding at the end the following new subsection:

''(c) PRIMARY CARE CLINICS.—(1) The Secretary shall ensure that primary care clinics at military medical treatment facilities are available for members of the armed forces and covered beneficiaries between the hours determined appropriate under paragraph (2), including with respect to expanded hours described in subparagraph (B) of such paragraph.

''(2)(A) The Secretary shall determine the hours that each primary care clinic at a military medical treatment facility is available for members of the armed forces and covered beneficiaries based on—

''(i) the needs of the military treatment facility to meet the access standards under the TRICARE Prime program; and

''(ii) the primary care usage patterns of members and covered beneficiaries at such military medical treatment facility.

''(B) The primary care clinic hours at a military medical treatment facility determined under subparagraph (A) shall include expanded hours beyond regular business hours during weekdays and the weekend if the Secretary determines under such subparagraph that sufficient demand exists at the military medical treatment facility for such expanded primary care clinic hours.''.

(b) IMPLEMENTATION.—The Secretary of Defense shall implement subsection (c) of section 1077a of title 10, United States Code, as added by subsection (a), by not later than 180 days after the date of the enactment of this Act.

SEC. 706. INCENTIVES FOR VALUE-BASED HEALTH UNDER TRICARE PROGRAM.

(a) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1095g the following new section:

''§ 1095h. TRICARE program: value-based health care

''(a) IN GENERAL.—The Secretary of Defense may develop and implement value-based incentive programs as part of any contract awarded under this chapter for the provision of health care services to covered beneficiaries to encourage health care providers under the TRICARE program (including physicians, hospitals, and other persons and facilities involved in providing such health care services) to improve the following:

''(1) The quality of health care provided to covered beneficiaries under the TRICARE program.

''(2) The experience of covered beneficiaries in receiving health care under the TRICARE program.

''(3) The health of covered beneficiaries.

''(b) VALUE-BASED INCENTIVE PROGRAMS.—(1) In developing value-based incentive programs under subsection (a), the Secretary shall—

''(A) link payments to health care providers under the TRICARE program to improved performance with respect to quality, cost, and reducing the provision of inappropriate care;

''(B) consider the characteristics of the population of covered beneficiaries affected by the value-based incentive program;

''(C) consider how the value-based incentive program would affect the receipt of health care under the TRICARE program by such covered beneficiaries;

''(D) establish or maintain an assurance that such covered beneficiaries will have timely access to health care during the operation of the value-based incentive program;

''(E) ensure that such covered beneficiaries do not incur any additional costs by reason of the value-based incentive program; and

''(F) consider such other factors as the Secretary considers appropriate.

''(2) With respect to a value-based incentive program developed and implemented under subsection (a), the Secretary shall ensure that—

''(A) the size, scope, and duration of the value-based incentive program is reasonable in relation to the purpose of the value-based incentive program; and

''(B) the value-based incentive program relies on the core quality performance metrics pursuant to section 711 of the National Defense Authorization Act for Fiscal Year 2017.

''(c) USE OF EXISTING MODELS.—In developing a value-based incentive program under subsection (a), the Secretary may adapt a value-based incentive program conducted by a TRICARE managed care support contractor, the Centers for Medicare & Medicaid Services, or any other governmental or commercial health care program.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1095g the following new item:

''1095h. TRICARE program: value-based health care.''.

(c) BRIEFINGS.—

(1) PRIOR TO CERTAIN CONTRACT MODIFICATIONS.—Not later than 60 days before the date on which the Secretary of Defense modifies a contract awarded under chapter 55 of title 10, United States Code, to implement a value-based incentive program under section 1095h of such title, as added by subsection (a), the Secretary shall provide to the Committees on Armed Services of the House of Representatives and the Senate (and any other appropriate congressional committee upon request) a briefing on any implementation plan of the Secretary with respect to such a value-based incentive program.

(2) ANNUAL BRIEFING.—Not later than one year after the date of the enactment of this Act, and annually thereafter through 2022, the Secretary shall provide to the Committees on Armed Services of the House of Representatives and the Senate (and any other appropriate congressional committee upon request) a briefing on the quality performance metrics and expenditures relating to a value-based incentive program developed and implemented under section 1095h of title 10, United States Code, as added by subsection (a).

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

(A) the congressional defense committees; and

(B) the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 707. IMPROVEMENTS TO MILITARY-CIVILIAN PARTNERSHIPS TO INCREASE ACCESS TO HEALTH CARE AND READINESS.

(a) PARTNERSHIP AGREEMENTS.—Subsection (a) of section 1096 of title 10, United States Code, is amended to read as follows:

''(a) PARTNERSHIP AGREEMENTS.—The Secretary of Defense may enter into a partnership agreement between facilities of the uniformed services and local or regional health care systems if the Secretary determines that such an agreement would—

''(1) result in the delivery of health care to which covered beneficiaries are entitled under this chapter in a more effective, efficient, or economical manner; or

''(2) provide members of the armed forces with additional training opportunities to maintain readiness requirements.''.

(b) IN GENERAL.—Such section 1096 is further amended—

(1) by redesignating subsections (c) and (d) as subsections (f) and (g), respectively; and

(2) by inserting after subsection (b) the following new subsections:

''(c) CRITERIA.—In entering into an agreement under subsection (a) between a facility of the uniformed services and a local or regional health care system, the Secretary shall—

''(1) identify and analyze—

''(A) the health care delivery options provided by the local or regional health care system; and

''(B) the health care services provided by the facility;

''(2) assess—

''(A) how such agreement affects the delivery of health care at the facility and the readiness of the members of the uniformed services;

''(B) the viability of the agreement with respect to succeeding on a long-term basis in the local community of the facility; and

''(C) the cost efficiency and effectiveness of the agreement; and

''(3) consult with—

''(A) the Secretary concerned;

''(B) representatives from such facility, including the leadership of the installation at which the facility is located, the leadership of the facility, and covered beneficiaries at such installation;

''(C) the TRICARE managed care support contractor with responsibility for such facility;

''(D) officials of the Federal, State, and local governments, as appropriate; and

''(E) representatives from the local or regional health care system.

''(d) LOCAL CONSORTIUM.—The Secretary shall ensure that an agreement entered into under subsection (a) between a facility of the uniformed services and a local or regional health care system is developed by a consortium representing the community of the facility and such health care system.

''(e) BIENNIAL EVALUATION.—The Secretary of Defense shall evaluate each agreement entered into under subsection (a) on a biennial basis to—

''(1) assess whether the agreement provides increased access to health care for covered beneficiaries;

''(2) assess the training opportunities to maintain readiness requirements provided pursuant to such agreement; and

''(3) determine whether such agreement should continue.''.

(c) REMOVAL OF REIMBURSEMENT LIMIT FOR LICENSING FEES.—Subsection (g) of such section 1096, as redesignated by subsection (a), is amended by striking ''up to $500 of''.

SEC. 708. JOINT TRAUMA SYSTEM.

(a) PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate an implementation plan to establish a Joint Trauma System within the Defense Health Agency that promotes improved trauma care to members of the Armed Forces and other individuals who are eligible to be treated for trauma at a military medical treatment facility.

(2) IMPLEMENTATION.—The Secretary shall implement the plan under paragraph (1) after a 90-day period has elapsed following the date on which the Comptroller General of the United States is required to submit to the Committees on Armed Services of the House of Representatives and the Senate the review under subsection (c). In implementing such plan, the Secretary shall take into account any recommendation made by the Comptroller General under such review.

(b) ELEMENTS.—The Joint Trauma System described in subsection (a)(1) shall include the following elements:

(1) Serve as the reference body for all trauma care provided across the military health system.

(2) Establish standards of care for trauma services provided at military medical treatment facilities.

(3) Coordinate the translation of research from the centers of excellence of the Department of Defense into standards of clinical trauma care.

(4) Coordinate the incorporation of lessons learned from the trauma education and training partnerships pursuant to section 709 into clinical practice.

(c) REVIEW.—Not later than 120 days after the date on which the Secretary submits to the Committees on Armed Services of the House of Representatives and the Senate the implementation plan under subsection (a)(1), the Comptroller General of the United States shall submit to such committees a review of such plan to determine if each element under subsection (b) is included in such plan.

(d) REVIEW OF MILITARY TRAUMA SYSTEM.—In establishing a Joint Trauma System, the Secretary of Defense may seek to enter into an agreement with a non-governmental entity with subject matter experts to—

(1) conduct a system-wide review of the military trauma system; and

(2) make publicly available a report containing such review and recommendations to establish a comprehensive trauma system for the Armed Forces.

SEC. 709. JOINT TRAUMA EDUCATION AND TRAINING DIRECTORATE.

(a) ESTABLISHMENT.—The Secretary of Defense shall establish a Joint Trauma Education and Training Directorate (in this section referred to as the ''Directorate'') to ensure that the traumatologists of the Armed Forces maintain readiness and are able to be rapidly deployed for future armed conflicts. The Secretary shall carry out this section in collaboration with the Secretaries of the military departments.

(b) DUTIES.—The duties of the Directorate are as follows:

(1) To enter into and coordinate the partnerships under subsection (c).

(2) To establish the goals of such partnerships necessary for trauma combat casualty care teams led by traumatologists to maintain professional competency in trauma care.

(3) To establish metrics for measuring the performance of such partnerships in achieving such goals.

(4) To develop methods of data collection and analysis for carrying out paragraph (3).

(5) To communicate and coordinate lessons learned from such partnerships with the Joint Trauma System established under section 708.

(c) PARTNERSHIPS.—

(1) IN GENERAL.—The Secretary shall enter into partnerships with civilian academic medical centers and large metropolitan teaching hospitals that have level I civilian trauma centers.

(2) TRAUMA COMBAT CASUALTY CARE TEAMS.—Under the partnerships entered into with civilian academic medical centers and large metropolitan teaching hospitals under paragraph (1), trauma combat casualty care teams of the Armed Forces led by traumatologists of the Armed Forces shall embed within the trauma centers of the medical centers and hospitals on an enduring basis.

(3) SELECTION.—The Secretary shall select civilian academic medical centers and large metropolitan teaching hospitals to enter into partnerships under paragraph (1) based on patient volume, acuity, and other factors the Secretary determines necessary to ensure that the traumatologists of the Armed Forces and the associated clinical support teams have adequate and continuous exposure to critically injured patients.

(4) CONSIDERATION.—In entering into partnerships under paragraph (1), the Secretary may consider the experiences and lessons learned by the military departments that have entered into memoranda of understanding with civilian medical centers for trauma care.

(d) ANALYSIS.—The Secretary of Defense shall conduct an analysis to determine the number of traumatologists of the Armed Forces, by specialty, that must be maintained within the Department of Defense to meet the requirements of the combatant commands.

(e) IMPLEMENTATION PLAN.—Not later than July 1, 2017, the Secretary shall submit to the Committees on Armed Services of the House of Representatives and the Senate an implementation plan for establishing the Joint Trauma Education and Training Directorate under subsection (a) and entering into partnerships under subsection (c).

(f) LEVEL I CIVILIAN TRAUMA CENTER DEFINED.—In this section, the term ''level I civilian trauma center'' means a comprehensive regional resource that is a tertiary care facility central to the trauma system and is capable of providing total care for every aspect of injury from prevention through rehabilitation.

SEC. 710. IMPROVEMENTS TO ACCESS TO HEALTH CARE IN MILITARY MEDICAL TREATMENT FACILITIES.

(a) FIRST CALL RESOLUTION.—

(1) IN GENERAL.—The Secretary of Defense shall implement standard processes to ensure that, in the case of a beneficiary contacting a military medical treatment facility over the telephone for, at a minimum, scheduling an appointment, requesting a prescription drug refill, and other matters determined appropriate by the Secretary, the needs of the beneficiary are met during the first such telephone call.

(2) METRICS.—The Secretary shall—

(A) develop metrics, collect data, and evaluate the performance of the processes implemented under paragraph (1); and

(B) carry out satisfaction surveys to monitor the satisfaction of beneficiaries with such processes, including with respect to the satisfaction regarding access to appointments and patient care.

(b) APPOINTMENT SCHEDULING.—

(1) IN GENERAL.—The Secretary shall implement standard processes to schedule beneficiaries for appointments at military medical treatment facilities.

(2) ELEMENTS.—The standard processes implemented under paragraph (1) shall include the following:

(A) Requiring clinics at military medical treatment facilities to allow a beneficiary to schedule an appointment for wellness visits or follow-up appointments during the six-month or longer period beginning on the date of the request for the appointment.

(B) A process to remind a beneficiary of future appointments in a manner that the beneficiary prefers, which may include sending postcards to the beneficiary prior to appointments and making reminder telephone calls, emails, or cellular text messages to the beneficiary at specified intervals prior to appointments.

(c) APPOINTMENT SUPPLY AND DEMAND.—

(1) PRODUCTIVITY.—The Secretary shall implement standards for the productivity of health care providers at military medical treatment facilities. In developing such standards, the Secretary shall consider civilian benchmarks for measuring the productivity of health care providers, the optimal number of appointments (patient contact hours) required to maintain access according to the standards developed by the Secretary, and readiness requirements.

(2) MANAGING USE OF FACE-TO-FACE APPOINTMENTS.—The Secretary shall implement strategies for managing the use of face-to-face appointments at military medical treatment facilities. Such strategies may include—

(A) maximizing the use of telehealth and virtual appointments for beneficiaries at the discretion of the health care provider and the beneficiary;

(B) the implementation of remote patient monitoring of chronic conditions to improve outcomes and reduce the number of follow-up appointments for beneficiaries; and

(C) maximizing the use of secure messaging between health care providers and beneficiaries to improve the access of beneficiaries to health care and reduce the number of visits for health care needs.

(d) IMPLEMENTATION.—The Secretary shall implement subsections (a), (b), and (c) by not later than February 1, 2017.

(e) BRIEFING.—Not later than March 1, 2017, the Secretary shall provide the Committees on Armed Services of the House of Representatives and the Senate a briefing on the implementation of subsections (a), (b), and (c).

(f) BENEFICIARIES DEFINED.—In this section, the term ''beneficiaries'' means members of the Armed Forces and covered beneficiaries (as defined in section 1072(5) of title 10, United States Code).

SEC. 711. ADOPTION OF CORE QUALITY PERFORMANCE METRICS.

(a) ADOPTION.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall adopt the core quality

performance metrics agreed upon by the Core Quality Measures Collaborative for use by the military health system and in contracts awarded to carry out the TRICARE program.

(2) CORE MEASURES.—The core quality performance metrics described in paragraph (1) shall include the following sets:

(A) Accountable care organizations, patient centered medical homes and primary care.

(B) Cardiology.

(C) Gastroenterology.

(D) HIV and hepatitis C.

(E) Medical oncology.

(F) Obstetrics and gynecology.

(G) Orthopedics.

(b) DEFINITIONS.—In this section:

(1) The term ''Core Quality Measures Collaborative'' means the collaboration between the Centers for Medicare & Medicaid Services, major health insurance companies, national physician organizations, and other entities to reach consensus on core performance measures reported by health care providers.

(2) The term ''TRICARE program'' has the meaning given that term in section 1072 of title 10, United States Code.

SEC. 712. STUDY ON IMPROVING CONTINUITY OF HEALTH CARE COVERAGE FOR RESERVE COMPONENTS.

(a) STUDY.—The Secretary of Defense shall conduct a study of options for providing health care coverage that improves the continuity of health care provided to current and former members of the Selected Reserve of the Ready Reserve who are not—

(1) serving on active duty;

(2) eligible for the Transitional Assistance Management Program under section 1145 of title 10, United States Code; or

(3) eligible for the Federal Employees Health Benefit Program under chapter 89 of title 5.

(b) ELEMENTS.—The study under subsection (a) shall address the following:

(1) Whether to allow current and former members of the Selected Reserve to participate in the Federal Employees Health Benefit Program under chapter 89 of title 5.

(2) Whether to pay a stipend to current and former members to continue coverage in a health plan obtained by the member.

(3) Whether to allow current and former members to participate in the TRICARE program under section 1076d of title 10, United States Code.

(4) Whether to allow members of the National Guard assigned to Homeland Response Force Units mobilized for a State emergency pursuant to chapter 9 of title 32, United States Code, to remain eligible for the TRICARE program.

(5) Any other options for providing health care coverage to current and former members of the Selected Reserve the Secretary considers appropriate.

(c) CONSULTATION.—In carrying out the study under subsection (a), the Secretary shall consult with, and obtain the opinions of, current and former members of the Selected Reserve, including the leadership of the Selected Reserve.

(d) SUBMISSION.—

(1) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the study under subsection (a).

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

(A) A description of the health care coverage options addressed by the Secretary under subsection (b).

(B) Identification of such health care coverage option that the Secretary recommends as the best option.

(C) The justifications for such recommended best option.

(D) The number and proportion of the current and former members of the Selected Reserve projected to participate in such recommended best option.

(E) A determination of the appropriate cost sharing for such recommended best option with respect to the percentage contribution as a monthly premium for current members of the Selected Reserve.

(F) An estimate of the cost of implementing such recommended best option.

(G) Any legislative language required to implement such recommended best option.

Subtitle B—Other Health Care Benefits

SEC. 721. PROVISION OF HEARING AIDS TO DEPENDENTS OF RETIRED MEMBERS.

Section 1077 of title 10, United States Code, is amended—

(1) in subsection (a)(16), by striking ''A hearing aid'' and inserting ''Except as provided by subsection (g), a hearing aid''; and

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

''(g) In addition to the authority to provide a hearing aid under subsection (a)(16), hearing aids may be sold under this section to dependents of former members of the uniformed services at cost to the United States.''.

SEC. 722. EXTENDED TRICARE PROGRAM COVERAGE FOR CERTAIN MEMBERS OF THE NATIONAL GUARD AND DEPENDENTS DURING CERTAIN DISASTER RESPONSE DUTY.

(a) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1076e the following new section:

''§ 1076f. TRICARE program: extension of coverage for certain members of the National Guard and dependents during certain disaster response duty

''(a) EXTENDED COVERAGE.—During a period in which a member of the National Guard is performing disaster response duty, the member shall be treated as being on active duty for a period of more than 30 days for purposes of the eligibility of the member and dependents of the member for health care benefits under the TRICARE program if such period immediately follows a period in which the member served on full-time National Guard duty under section 502(f) of title 32, including pursuant to chapter 9 of such title, unless the Governor of the State (or, with respect to the District of Columbia, the mayor of the District of Columbia) determines that such extended eligibility is not in the best interest of the member or the State.

''(b) CONTRIBUTION BY STATE.—(1) The Secretary may charge a State for the costs of providing coverage under the TRICARE program to members of the National Guard of the State and the dependents of the members pursuant to subsection (a). Such charges shall be paid from the funds of the State or from any other non-Federal funds.

''(2) Any amounts received by the Secretary under paragraph (1) shall be credited to the appropriation available for the Defense Health Program Account under section 1100 of this title, shall be merged with sums in such Account that are available for the fiscal year in which collected, and shall be available under subsection (b) of such section, including to carry out subsection (a) of this section.

''(c) DEFINITIONS.—In this section:

''(1) The term 'disaster response duty' means duty performed by a member of the National Guard in State status pursuant to an emergency declaration by the Governor of the State (or, with respect to the District of Columbia, the mayor of the District of Columbia) in response to a disaster or in preparation for an imminent disaster.

''(2) The term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1076e the following new item:

''1076f. TRICARE program: extension of coverage for certain members of the National Guard and dependents during certain disaster response duty.''.

Subtitle C—Health Care Administration

SEC. 731. PROSPECTIVE PAYMENT OF FUNDS NECESSARY TO PROVIDE MEDICAL CARE FOR THE COAST GUARD.

(a) IN GENERAL.—Chapter 13 of title 14, United States Code, is amended by adding at the end the following:

''§ 519. Prospective payment of funds necessary to provide medical care

''(a) PROSPECTIVE PAYMENT REQUIRED.—In lieu of the reimbursement required under section 1085 of title 10, the Secretary of Homeland Security shall make a prospective payment to the Secretary of Defense of an amount that represents the actuarial valuation of treatment or care—

''(1) that the Department of Defense shall provide to members of the Coast Guard, former members of the Coast Guard, and dependents of such members and former members (other than former members and dependents of former members who are a Medicare-eligible beneficiary or for whom the payment for treatment or care is made from the Medicare-Eligible Retiree Health Care Fund) at facilities under the jurisdiction of the Department of Defense or a military department; and

''(2) for which a reimbursement would otherwise be made under section 1085.

''(b) AMOUNT.—The amount of the prospective payment under subsection (a) shall be—

''(1) in the case of treatment or care to be provided to members of the Coast Guard and their dependents, derived from amounts appropriated for the operating expenses of the Coast Guard;

''(2) in the case of treatment or care to be provided former members of the Coast Guard and their dependents, derived from amounts appropriated for retired pay;

''(3) determined under procedures established by the Secretary of Defense;

''(4) paid during the fiscal year in which treatment or care is provided; and

''(5) subject to adjustment or reconciliation as the Secretaries determine appropriate during or promptly after such fiscal year in cases in which the prospective payment is determined excessive or insufficient based on the services actually provided.

''(c) NO PROSPECTIVE PAYMENT WHEN SERVICE IN NAVY.—No prospective payment shall be made under this section for any period during which the Coast Guard operates as a service in the Navy.

''(d) RELATIONSHIP TO TRICARE.—This section shall not be construed to require a payment for, or the prospective payment of an amount that represents the value of, treatment or care provided under any TRICARE program.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 13 of title 14, United States Code, is amended by adding at the end the following:

''519. Prospective payment of funds necessary to provide medical care.''.

(c) REPEAL.—Section 217 of the Coast Guard Authorization Act of 2016 (Public Law 114–120), as amended by section 3504, and the item relating to that section in the table of contents in section 2 of such Act, are repealed.

Subtitle D—Reports and Other Matters

SEC. 741. MENTAL HEALTH RESOURCES FOR MEMBERS OF THE MILITARY SERVICES AT HIGH RISK OF SUICIDE.

(a) IN GENERAL.—The Secretary of Defense shall develop a methodology that identifies which members of the military services are at high risk of suicide.

(b) MENTAL HEALTH RESOURCES.—

(1) HIGH RISK MEMBERS OF THE MILITARY SERVICES.—The Secretary of Defense shall use the results under subsection (c) to—

(A) identify which units have a disproportionately high rate of suicide and suicide attempts; and

(B) provide additional preventative and treatment resources for mental health for members of the military services who were deployed with the units identified under subparagraph (A).

(2) PREVENTATIVE MENTAL HEALTH CARE.—The Secretary of Defense shall use the results under subsection (c) to—

(A) identify the circumstances of deployments associated with increased vulnerability to suicide, including the length of deployment, the region and area of deployment, and the nature and extent to which there was contact with enemy forces; and

(B) provide additional preventative mental health care to units who currently are, or will be, deployed under circumstances similar to those of subparagraph (A).

(c) METHODOLOGY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop a methodology to assess the rate of suicide and suicide attempts of members of the military services of units that have been deployed in support of a contingency operation after September 11, 2001.

(d) REPORTS.—Not later than September 30, 2017, the Secretary of Defense shall submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report on the activities carried out under this section and the effectiveness of such activities.

(e) RESTRICTION ON USE OF INFORMATION.—Information disclosed or obtained pursuant to the provisions of this section may be used by officers, employees, and contractors of the Department of Defense only for the purposes of, and to the extent necessary in, carrying out this section.

(f) MILITARY SERVICES DEFINED.—In this section, the term ''military services'' means the Army, Navy, Air Force, and the Marine Corps, including the reserve components thereof.

SEC. 742. RESEARCH OF CHRONIC TRAUMATIC ENCEPHALOPATHY.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for advanced development for research, development, test, and evaluation for the Defense Health Program, not more than $25,000,000 may be used to award grants to medical researchers and universities to support research into early detection of chronic traumatic encephalopathy.

SEC. 743. ACTIVE OSCILLATING NEGATIVE PRESSURE TREATMENT.

In furnishing health care and medical treatment to members of the Armed Forces who have incurred injuries from improvised explosive devices and other blast-related events, the Secretary of Defense shall consider using non-invasive technologies that increase blood flow to areas of reduced circulation, including through the use of active oscillating negative pressure treatment.

SEC. 744. LONG-TERM STUDY ON HEALTH OF HELICOPTER AND TILTROTOR PILOTS.

(a) STUDY REQUIRED.—The Secretary of Defense shall carry out a long-term study of career helicopter and tiltrotor pilots to assess potential links between the operation of helicopter and tiltrotor aircraft and acute and chronic medical conditions experienced by such pilots.

(b) ELEMENTS.—The study under subsection (a) shall include the following:

(1) A study of career helicopter and tiltrotor pilots compared to a control population that—

(A) takes into account the amount of time such pilots operated aircraft;

(B) examines the severity and rates of acute and chronic injuries experienced by such pilots; and

(C) determines whether such pilots experience a higher degree of acute and chronic medical conditions than the control population.

(2) If a higher degree of acute and chronic medical conditions is observed among such pilots, an explanation of—

(A) the specific causes of the conditions (such as whole body vibration, seat and cockpit ergonomics, landing loads, hard impacts, and pilot-worn gear); and

(B) any costs associated with treating the conditions if the causes are not mitigated.

(3) A review of relevant scientific literature and prior research.

(4) Such other information as the Secretary determines to be appropriate.

(c) DURATION.—The duration of the study under subsection (a) shall be not more than 2 years.

(d) BRIEFING.—Not later than June 6, 2017, the Secretary shall provide to the Committees on Armed Services of the Senate and House of Representatives (and other congressional defense committees on request) a briefing on the progress of the Secretary in carrying out the study under subsection (a).

SEC. 745. PILOT PROGRAM FOR PRESCRIPTION DRUG ACQUISITION COST PARITY IN THE TRICARE PHARMACY BENEFITS PROGRAM.

(a) AUTHORITY TO ESTABLISH PILOT PROGRAM.—The Secretary of Defense may conduct a pilot program to evaluate whether, in carrying out the TRICARE pharmacy benefits program under section 1074g of title 10, United States Code, extending additional discounts for prescription drugs filled at retail pharmacies will maintain or reduce prescription drug costs for the Department of Defense.

(b) ELEMENTS OF PILOT PROGRAM.—In carrying out the pilot program under subsection (a), the Secretary shall require that for prescription medications, including but not limited to non-generic maintenance medications, that are dispensed to retired TRICARE beneficiaries that are not Medicare eligible, through any TRICARE participating retail pharmacy, manufacturers shall pay rebates such that those medications are available to the Department at the lowest rate available. In addition to utilizing the authority under section 1074g(f) of title 10, United States Code, the Secretary shall have the authority to enter into a purchase blanket agreement with prescription drug manufactures for supplemental discounts for prescription drugs dispensed in the pilot to be paid in the form of manufactures rebates.

(c) CONSULTATION.—The Secretary shall develop the pilot program in consultation with—

(1) the Secretaries of the military departments, including Army, Navy and Air Force;

(2) the Chief, Pharmacy Operations Division, of the Defense Health Agency; and

(3) stakeholders, including TRICARE beneficiaries and retail pharmacies.

(d) DURATION OF PILOT PROGRAM.—If the Secretary carries out the pilot program under subsection (a), the Secretary shall commence such pilot program no later than October 1, 2017, and may terminate such program no later than September 30, 2018.

(e) REPORTS.—If the Secretary carries out the pilot program under subsection (a), the Secretary of Defense shall submit to the congressional defense committees, including the House and Senate Committees on Armed Services, reports on the pilot program as follows:

(1) Not later than 90 days after the date of the enactment of this Act, a report containing an implementation plan for the pilot program.

(2) Not later than 180 days after the date on which the pilot program commences, an interim report on the pilot program.

(3) Not later than 90 days after the date on which the pilot program terminates, a final report describing the results of the pilot program, including any recommendations of the Secretary to expand such program. The final report will include—

(A) an analysis of the changes in prescription drug costs for the Department related to the pilot program;

(B) an analysis of the impact on beneficiary access to prescription drugs;

(C) a survey of beneficiary satisfaction with the pilot program;

(D) a summary of any fraud and abuse activities related to the pilot and actions taken in response by the Department; and

(E) a comparison of immunization rates for beneficiaries participating in the pilot and those outside of the pilot.

SEC. 746. STUDY ON DISPLAY OF WAIT TIMES AT URGENT CARE CLINICS, PHARMACIES, AND EMERGENCY ROOMS OF MILITARY MEDICAL TREATMENT FACILITIES.

(a) STUDY.—

(1) IN GENERAL.—The Secretary of Defense shall conduct a study on the feasibility of placing in a conspicuous location at each urgent care clinic of a military medical treatment facility, pharmacy of such a facility, and emergency room of such a facility an electronic sign that displays the current average wait time for a patient to be seen by a qualified medical professional or to receive a filled prescription, as the case may be.

(2) DETERMINATION OF CERTAIN WAIT TIMES.—For purposes of conducting the study under paragraph (1) with respect to urgent care clinics and emergency rooms, the average wait time that would be displayed shall be—

(A) determined by calculating, for the four-hour period preceding the calculation, the average length of time beginning at the time of the arrival of a patient and ending at the time at which the patient is first seen by a doctor of medicine, a doctor of osteopathy, a physician assistant, or an advanced registered nurse practitioner; and

(B) updated every 30 minutes.

(b) REPORT.—Not later than March 1, 2017, the Secretary shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on the study conducted under subsection (a)(1), including the estimated costs for displaying the wait times as described in such subsection.

SEC. 747. REPORT ON FEASIBILITY OF INCLUDING ACUPUNCTURE AND CHIROPRACTIC SERVICES FOR RETIREES UNDER TRICARE PROGRAM.

Not later than November 1, 2016, the Secretary of Defense shall submit to the congressional defense committees a report on the feasibility of furnishing acupuncture services and chiropractic services under the TRICARE program to beneficiaries who are retired members of the uniformed services (not including any dependent of such a retired member).

SEC. 748. CLARIFICATION OF SUBMISSION OF REPORTS ON LONGITUDINAL STUDY ON TRAUMATIC BRAIN INJURY.

Section 1080 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1000; 10 U.S.C. 111 note) shall not apply to reports submitted by the Secretary

of Defense to Congress under section 721 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2294).

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Amendments to General Contracting Authorities, Procedures, and Limitations

SEC. 801. REVISION TO AUTHORITIES RELATING TO DEPARTMENT OF DEFENSE TEST RESOURCE MANAGEMENT CENTER.

Section 196 of title 10, United States Code, is amended—

(1) in subsection (c)(1)(B), by striking ''of the Major Range and Test Facility Base, including with respect to the expansion, divestment, consolidation, or curtailment of activities,'' and inserting the following: ''that comprise the Major Range and Test Facility Base and other facilities and resources used to support the acquisition programs of the Department of Defense'';

(2) in subsection (d)(2)(E)—

(A) by striking ''plans and business case analyses supporting any significant modification of'' and inserting ''implementation plans and analyses supporting any significant change to''; and

(B) by striking ''including with respect to the expansion, divestment, consolidation, or curtailment of activities'';

(3) in subsection (f)—

(A) in the subsection heading, by striking ''MODIFICATIONS'' and inserting ''CHANGES'';

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''modification of the test'' and all that follows through ''activities,'' and inserting ''change of the test and evaluation facilities and resources that comprise the Major Range and Test Facility Base and other facilities and resources used to support the acquisition programs of the Department of Defense'';

(ii) in subparagraph (A), by striking ''a business case analysis for such modification'' and inserting ''an implementation plan and analysis, including an analysis of cost considerations, that supports such a change''; and

(iii) in subparagraph (B), by striking ''analysis and approves such modification'' and inserts ''plan and analysis and approves such change''; and

(C) in paragraph (2), by striking ''business case'' and inserting ''implementation plan and''; and

(4) in subsection (i)—

(A) by striking ''In this section, the term'' and inserting ''In this section:

''(1) The term'';

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

''(2) The term 'significant change' means—

''(A) any action that will limit or preclude a test and evaluation capability from fully performing its intended purpose;

''(B) any action that affects the ability of the Department of Defense to conduct test and evaluation in a timely or cost-effective manner; or

''(C) any expansion or addition that develops a new significant test capability.''.

SEC. 802. AMENDMENTS TO RESTRICTIONS ON UNDEFINITIZED CONTRACTUAL ACTIONS.

(a) ALLOWABLE PROFIT.—Section 2326(e) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B);

(2) by inserting ''(1)'' before ''The head''; and

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

''(2) If a contractor submits a qualifying proposal to definitize an undefinitized contractual action and the contracting officer for such action definitized the contract after the end of the 180-day period beginning on the date on which the contractor submitted the qualifying proposal, the head of the agency concerned shall ensure that the profit allowed on the contract accurately reflects the cost risk of the contractor as it existed on the date the contractor submitted the qualifying proposal.''.

(b) FOREIGN MILITARY SALES.—Section 2326 of such title is further amended—

(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively;

(2) by inserting after subsection (e) the following new subsection (f):

''(f) FOREIGN MILITARY SALES.—A contracting officer of the Department of Defense may not enter into an undefinitized contractual action for a foreign military sale unless the contractual action provides for agreement upon contractual terms, specifications, and price by the end of the 180-day period beginning on the date on which the contractor submits a qualifying proposal to definitize such terms, specifications, and price. This subsection may be waived in the same manner as subsection (b) may be waived under subsection (b)(4).''.

(c) DEFINITIONS.—Subsection (h) of such section, as redesignated by subsection (b), is amended—

(1) in paragraph (1)—

(A) by striking subparagraph (A); and

(B) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (A), (B), and (C), respectively; and

(2) in paragraph (2), by striking ''complete and meaningful audits'' and all that follows through the period and inserting ''a meaningful audit of the information contained in the proposal.''.

SEC. 803. REVISION TO REQUIREMENTS RELATING TO INVENTORY METHOD FOR DEPARTMENT OF DEFENSE CONTRACTS FOR SERVICES.

(a) REVISION TO CURRENT REQUIREMENTS.—Section 2330a of title 10, United States Code, is amended—

(1) by striking subsections (c), (d), (f), and (g);

(2) by redesignating subsections (e), (h), (i), and (j) as subsections (d), (e), (f), and (g), respectively; and

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

''(c) INVENTORY.—(1) The Secretary of Defense shall implement a method for inventory of Department of Defense contracts for services. The method implemented under this subsection shall provide the capability to—

''(A) make appropriate comparisons of contractor and Government civilian full-time equivalent employees for the purpose of informing sourcing decisions and workforce planning in compliance with section 129a of this title;

''(B) distinguish between different types of services contracts, including contracts for labor or staff augmentation and other types of services contracts;

''(C) provide qualitative information such as the nature of the work performed, the place where the work is actually performed (on-site or off-site), and the entity for which the work is performed; and

''(D) identify the number of contractor employees, expressed as full-time equivalents for direct labor, using direct labor hours and associated cost data collected from contractors.

''(2) The Secretary shall ensure that the method implemented under this subsection is auditable at minimal cost.''.

(b) IMPLEMENTATION OF INVENTORY METHOD.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall implement a method for inventory of Department of Defense contracts for services, as required by subsection (c) of section 2330a, as amended by subsection (a). In implementing the method, the Secretary shall use methods and systems, including time-and-attendance systems, or combinations of methods and systems, in existence as of the date of the enactment of this Act, as determined appropriate by the Secretary.

(c) SUBMISSION TO CONGRESS.—Not later than the end of the third quarter of each fiscal year, through fiscal year 2021, the Secretary of Defense shall submit to Congress a summary of the inventory reporting activities performed by each military department, each combatant command, and each Defense Agency, during the preceding fiscal year pursuant to contracts for services (and pursuant to contracts for goods to the extent services are a significant component of performance as identified in a separate line item of a contract) for or on behalf of the Department of Defense.

(d) CONFORMING AMENDMENTS.—

(1) Section 2330a of title 10, United States Code, is further amended—

(A) in subsection (d), as redesignated by subsection (a)(2) of this section, by striking ''Within 90 days after the date on which an inventory is submitted under subsection (c),'' and inserting ''Not later than the end of each fiscal year,''; and

(B) in subsection (e), as so redesignated—

(i) by striking ''2014 and ending with 2016'' and inserting ''2017 and ending with 2018''; and

(ii) by striking ''subsections (e) and (f)'' and inserting ''subsection (c)''.

(2) Section 235(b) of such title is amended—

(A) by striking ''and separately'' and all the follows through ''amount requested'' and inserting ''and separately identify the amount requested and the number of full-time contractor employees (or the equivalent of full-time in the case of part-time contractor employees)'';

(B) by striking ''; and'' and inserting a period; and

(C) by striking paragraph (2).

SEC. 804. PROCUREMENT OF PERSONAL PROTECTIVE EQUIPMENT.

Section 884 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 948; 10 U.S.C. 2302 note) is amended—

(1) by inserting ''(a) REQUIREMENT.—'' before ''The Secretary of Defense'';

(2) by striking ''that is predominately'' and all that follows through ''price'' and inserting ''described in subsection (b)''; and

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

''(b) SOURCE SELECTION CRITERIA DESCRIBED.—For purposes of subsection (a), the source selection criteria described in this subsection are criteria—

''(1) that are predominately based on technical qualifications of the item and not predominately based on price;

''(2) that do not use reverse auction or lowest price technically acceptable contracting methods; and

''(3) that reflect a preference for best value source selection methods.''.

SEC. 805. REVISION TO EFFECTIVE DATE OF SENIOR EXECUTIVE BENCHMARK COMPENSATION FOR ALLOWABLE COST LIMITATIONS.

(a) REPEAL OF RETROACTIVE APPLICABILITY.—Section 803(c) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1485; 10 U.S.C. 2324 note) is amended by striking ''amendments made by'' and all that follows and inserting ''amendments made by this section shall apply with respect to costs of compensation incurred after January 1, 2012, under contracts entered into on or after December 31, 2011.''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall take effect as of December 31, 2011, and shall apply as if included in the National Defense Authorization Act for Fiscal Year 2012 as enacted.

SEC. 806. AMENDMENTS RELATED TO DETECTION AND AVOIDANCE OF COUNTERFEIT ELECTRONIC PARTS.

Section 818 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 2302 note) is amended—

(1) in paragraph (3) of subsection (c)—

(A) by striking the heading and inserting ''SUPPLIERS MEETING ANTICOUNTERFEITING REQUIREMENTS.—'';

(B) in subparagraph (A)(i), by striking ''trusted suppliers in accordance with regulations issued pursuant to subparagraph (C) or (D) who'' and inserting ''suppliers that meet anticounterfeiting requirements in accordance with regulations issued pursuant to subparagraph (C) or (D) and that'';

(C) in subparagraphs (A)(ii) and (A)(iii), by striking ''trusted suppliers'' each place it appears and inserting ''suppliers that meet anticounterfeiting requirements'';

(D) in subparagraph (C), by striking ''as trusted suppliers those'' and inserting ''suppliers'';

(E) in subparagraph (D) in the matter preceding clause (i), by striking ''trusted suppliers'' and inserting ''suppliers that meet anticounterfeiting requirements''; and

(F) in subparagraphs (D)(i) and (D)(iii), by striking ''trusted'' each place it appears; and

(2) in subsection (e)(2)(A)(v), by striking ''use of trusted suppliers'' and inserting ''the use of suppliers that meet applicable anticounterfeiting requirements''.

SEC. 807. AMENDMENTS TO SPECIAL EMERGENCY PROCUREMENT AUTHORITY.

Section 1903(a) of title 41, United States Code, is amended—

(1) by striking ''or'' at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting a semicolon; and

(3) by adding after paragraph (2) the following new paragraphs:

''(3) in support of a request from the Secretary of State or the Administrator of the United States Agency for International Development to facilitate the provision of international disaster assistance pursuant to chapter 9 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2292 et seq.); or

''(4) in support of an emergency or major disaster (as those terms are defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)).''.

SEC. 808. COMPLIANCE WITH DOMESTIC SOURCE REQUIREMENTS FOR FOOTWEAR FURNISHED TO ENLISTED MEMBERS OF THE ARMED FORCES UPON THEIR INITIAL ENTRY INTO THE ARMED FORCES.

Section 418 of title 37, United States Code, is amended by adding at the end the following new subsection:

''(d)(1) In the case of athletic footwear needed by members of the Army, Navy, Air Force, or Marine Corps upon their initial entry into the armed forces, the Secretary of Defense shall furnish such footwear directly to the members instead of providing a cash allowance to the members for the purchase of such footwear.

''(2) In procuring athletic footwear to comply with paragraph (1), the Secretary of Defense shall comply with the requirements of section 2533a of title 10, without regard to the applicability of any simplified acquisition threshold under chapter 137 of title 10 (or any other provision of law).

''(3) This subsection does not prohibit the provision of a cash allowance to a member described in paragraph (1) for the purchase of athletic footwear if such footwear—

''(A) is medically required to meet unique physiological needs of the member; and

''(B) cannot be met with athletic footwear that complies with the requirements of this subsection.''.

SEC. 809. REQUIREMENT FOR POLICIES AND STANDARD CHECKLIST IN PROCUREMENT OF SERVICES.

(a) REQUIREMENT.—Section 2330a of title 10, United States Code, as amended by section 803, is further amended by adding by adding at the end the following new subsection:

''(h) REQUEST FOR SERVICES CONTRACT APPROVAL.—(1) The Under Secretary of Defense for Personnel and Readiness shall—

''(A) ensure that Department of Defense Instruction 1100.22, Guidance for Manpower Mix, is modified to incorporate policies establishing a standard checklist to be completed ensuring the appropriate alignment of workload to the private sector prior to the issuance of a solicitation for any new contract for services or exercising an option under an existing contract for services, including services provided under a contract for goods; and

''(B) in coordination with the Under Secretary of Defense for Acquisition, Technology, and Logistics, ensure that such policies and checklist are incorporated by reference or otherwise into the Service Requirements Review Board processes established under Department of Defense Instruction 5000.74 and into the pre-solicitation requirements of the Defense Federal Acquisition Regulation Supplement.

''(2) Such checklist shall, at minimum, consolidate and address workforce management and sourcing considerations established under sections 129, 129a, 2461, and 2463 of this title as well as Office of Federal Procurement Policy Letter 11-01.''.

(b) ARMY MODEL.—In implementing section 2330a(g) of title 10, United States Code, as added by subsection (a), the Under Secretary of Defense for Personnel and Readiness shall model, to the maximum extent practicable, its policies and checklist on the policies and checklist relating to services contract approval established and in use by the Department of the Army (as set forth in the request for services contract approval form updated as of August 2012, or any successor form).

(c) DEADLINE.—The policies required under such section 2230a(g) of such title, as so added, shall be issued within one year after the date of the enactment of this Act.

SEC. 810. EXTENSION OF LIMITATION ON AGGREGATE ANNUAL AMOUNT AVAILABLE FOR CONTRACT SERVICES.

Section 808 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1489), as most recently amended by section 813 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3429) is further amended—

(1) in subsections (a) and (b), by striking ''or 2015'' and inserting ''2015, 2016, or 2017'';

(2) in subsection (c)(3), by striking ''and 2015'' and inserting ''2015, 2016, and 2017'';

(3) in subsection (d)(4), by striking ''or 2015'' and inserting ''2015, 2016, or 2017''; and

(4) in subsection (e), by striking ''2015'' and inserting ''2017''.

Subtitle B—Provisions Relating to Major Defense Acquisition Programs

SEC. 811. CHANGE IN DATE OF SUBMISSION TO CONGRESS OF SELECTED ACQUISITION REPORTS.

Section 2432(f) of title 10, United States Code, is amended by striking ''45'' the first place it occurs and inserting ''10''.

SEC. 812. AMENDMENTS RELATING TO INDEPENDENT COST ESTIMATION AND COST ANALYSIS.

(a) AMENDMENTS.—Section 2334 of title 10, United States Code, is amended—

(1) in subsection (a)(3), by striking ''selection of confidence levels'' both places it appears and inserting ''discussion of risk'';

(2) in subsection (a)(6)—

(A) by inserting ''or approve'' after ''conduct'';

(B) by striking ''major defense acquisition programs'' and all that follows through ''Authority—'' and inserting ''all major defense acquisition programs, major automated information system programs, and major subprograms—''; and

(C) in subparagraph (B), by striking ''or upon the request'' and all that follows through the semicolon at the end and inserting '', upon the request of the Under Secretary of Defense for Acquisition, Technology, and Logistics, or upon the request of the milestone decision authority;''

(3) by redesignating subsections (b), (c), (d), (e), and (f) as subsections (c), (d), (e), (f), and (h), respectively;

(4) by inserting after subsection (a) the following new subsection (b):

''(b) INDEPENDENT COST ESTIMATE REQUIRED BEFORE APPROVAL.—(1) A milestone decision authority may not approve the system development and demonstration, or production and deployment, of a major defense acquisition program, major automated information system program, or major subprogram unless an independent cost estimate of the full life-cycle cost of the program or subprogram has been conducted or approved by the Director of Cost Assessment and Program Evaluation and considered by the milestone decision authority.

''(2) The regulations governing the content and submission of independent cost estimates required by subsection (a) shall require that the independent cost estimate of the full life-cycle cost of a program or subprogram include—

''(A) all costs of development, procurement, military construction, operations and support, and trained manpower to operate, maintain, and support the program or subprogram upon full operational deployment, without regard to funding source or management control; and

''(B) an analysis to support decision making that identifies and evaluates alternative courses of action that may reduce cost, reduce risk, and result in more affordable programs.'';

(5) in subsection (d), as so redesignated, in paragraph (3), by striking ''confidence level'' and inserting ''discussion of risk'';

(6) in subsection (e), as so redesignated—

(A) by amending the subsection heading to read as follows: ''DISCUSSION OF RISK IN COST ESTIMATES.—'';

(B) by amending paragraph (1) to read as follows:

''(1) issue guidance requiring a discussion of risk, the potential impacts of risk on program costs, and approaches to mitigate risk in cost estimates for major defense acquisition programs, major automated information system programs, and major subprograms;'';

(C) in paragraph (2)—

(i) by striking ''such confidence level provides'' and inserting ''cost estimates provide''; and

(ii) by inserting ''or subprogram'' after ''the program''; and

(D) in paragraph (3), by striking ''disclosure required by paragraph (1)'' and inserting ''information required in the guidance under paragraph (1)''; and

(7) by inserting after subsection (f), as so redesignated, the following new subsection:

''(g) GUIDELINES AND COLLECTION OF COST DATA.—(1) The Director of Cost Assessment and Program Evaluation shall, in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics, develop policies, procedures, guidance, and a collection method to ensure that acquisition cost data are collected in a standardized format that facilitates cost estimation and comparison across acquisition programs.

''(2) The program manager and contracting officer for each major defense acquisition program, major automated information system program, and major subprogram, in consultation with the cost estimating component of the relevant military department or Defense Agency, shall ensure that cost data are collected in accordance with the requirements of paragraph (1) for any acquisition program in an amount greater than $100,000,000.

''(3) The requirement under paragraph (1) may be waived only by the Director of Cost Assessment and Program Evaluation.''.

(b) CONFORMING AMENDMENTS TO ADD SUBPROGRAMS.—Section 2334 of such title is further amended—

(1) in subsection (a)(2), by inserting ''or major subprogram'' before ''under chapter 144'';

(2) in paragraphs (3), (4), and (5) of subsection (a) and in subsection (c)(1) (as redesignated by subsection (a) of this section), by striking ''major defense acquisition programs and major automated information system programs'' and inserting ''major defense acquisition programs, major automated information system programs, and major subprograms'' each place it appears;

(3) in paragraphs (1) and (2) of subsection (d) (as so redesignated), and in subsection (f)(4) (as so redesignated), by striking ''major defense acquisition program or major automated information system program'' and inserting ''major defense acquisition program, major automated information system program, or major subprogram'' each place it appears;

(4) in subsection (d)(4) (as so redesignated), by inserting before the period ''or major subprogram'';

(5) in subsection (e)(3)(B) (as so redesignated), by inserting ''or major subprogram'' after ''major defense acquisition program''; and

(6) in subsection (f)(3) (as so redesignated), by striking ''major defense acquisition program and major automated information system program'' and inserting ''major defense acquisition program, major automated information system program, and major subprogram''.

(c) REPEAL.—Chapter 144 of such title is amended—

(1) by striking section 2434; and

(2) in the table of sections at the beginning of such chapter, by striking the item relating to such section.

SEC. 813. REVISIONS TO MILESTONE B DETERMINATIONS.

Section 2366b(a)(3) of title 10, United States Code, is amended—

(1) in subparagraph (B), by striking ''acquisition cost in'' and all that follows through the semicolon, and inserting ''life-cycle cost;''; and

(2) in subparagraph (D), by striking ''funding is'' and all that follows through ''made,'' and inserting ''funding is expected to be available to execute the product development and production plan for the program,''.

SEC. 814. REVIEW AND REPORT ON SUSTAINMENT PLANNING IN THE ACQUISITION PROCESS.

(a) REQUIREMENT FOR REVIEW.—The Secretary of Defense shall conduct a review of the extent to which sustainment matters are considered in decisions related to the requirements, acquisition, cost estimating, and programming and budgeting processes for major defense acquisition programs. The review shall include the following:

(1) A determination of whether information related to the operation and sustainment of major defense acquisition programs, including cost data, is available to inform decisions made during those processes.

(2) If such information exists, an evaluation of the completeness, timeliness, quality, and suitability of the information for aiding in decisions made during those processes.

(3) A determination of whether information related to the operation and sustainment of existing major weapon systems is used to forecast the operation and sustainment needs of major weapon systems proposed for or under development.

(4) A description of the potential benefits from improved completeness, timeliness, quality, and suitability of data on operation and support costs and increased consideration of such data.

(5) Recommendations for improving access to and consideration of operation and support cost data.

(6) An assessment of product support strategies for major weapon systems required by section 2337 of title 10, United States Code, or other similar life-cycle sustainment strategies, including an evaluation of—

(A) the stage at which such strategies are developed during the life of a major weapon system;

(B) the content and completeness of such strategies;

(C) the extent to which such strategies influence the planning for major defense acquisition programs; and

(D) the extent to which such strategies influence decisions related to the life-cycle management and product support of major weapon systems.

(7) An assessment of how effectively the military departments consider sustainment matters at key decision points for acquisition and life-cycle management in accordance with the requirements of sections 2431a, 2366a, 2366b, and 2337 of title 10, United States Code and section 832 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 2430 note).

(8) Recommendations for improving the consideration of sustainment during the requirements, acquisition, cost estimating, programming and budgeting processes.

(b) CONTRACT WITH INDEPENDENT ENTITY.—Not later than 30 days after the date of the enactment of this Act, the Secretary shall enter into a contract with an independent entity with appropriate expertise to conduct the review required by subsection (a). The contract also shall require the entity to provide to the Secretary a report on the findings of the entity.

(c) BRIEFING.—Not later than March 1, 2017, the Secretary shall provide a briefing to the Committees on Armed Services of the Senate and House of Representatives on the preliminary findings of the independent entity.

(d) SUBMISSION TO CONGRESS.—Not later than August 1, 2017, the Secretary shall submit to the congressional defense committees a copy of the report of the independent entity, along with comments on the report, proposed revisions or clarifications to laws related to life-cycle management or sustainment planning for major weapon systems, and a description of any actions the Secretary may take to revise or clarify regulations related to life-cycle management or sustainment planning for major weapon systems.

SEC. 815. REVISION TO DISTRIBUTION OF ANNUAL REPORT ON OPERATIONAL TEST AND EVALUATION.

Section 139(h) of title 10, United States Code, is amended—

(1) in paragraph (2)—

(A) by inserting ''the Secretaries of the military departments,'' after ''Logistics,''; and

(B) by striking ''10 days'' and all that follows through ''title 31'' and inserting ''January 31 of each year, through January 31, 2021''; and

(2) in paragraph (5), by inserting after ''Secretary'' the following: ''of Defense and the Secretaries of the military departments''.

Subtitle C—Provisions Relating to Commercial Items

SEC. 821. REVISION TO DEFINITION OF COMMERCIAL ITEM.

(a) IN GENERAL.—Section 103(8) of title 41, United States Code, is amended by striking ''to multiple State and local governments'' and inserting ''to State, local, or foreign governments''.

(b) EFFECT ON SECTION 2464.—Nothing in this section or the amendment made by this section shall affect the meaning of the term ''commercial item'' under section (a)(5) of section 2464 of title 10, United States Code, or any requirement under subsection (a)(3) or subsection (c) of such section.

SEC. 822. MARKET RESEARCH FOR DETERMINATION OF PRICE REASONABLENESS IN ACQUISITION OF COMMERCIAL ITEMS.

Section 2377 of title 10, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (e), and in that subsection by striking ''subsection (c)'' and inserting ''subsections (c) and (d)''; and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) MARKET RESEARCH FOR PRICE ANALYSIS.—The Secretary of Defense shall ensure that procurement officials in the Department of Defense conduct or obtain market research to support the determination of the reasonableness of price for commercial items contained in any bid or offer submitted in response to an agency solicitation. To the extent necessary to support such market research, the procurement official for the solicitation—

''(1) in the case of items acquired under section 2379 of this title, shall use information submitted under subsection (d) of that section; and

''(2) in the case of other items, may require the offeror to submit relevant information.''.

SEC. 823. VALUE ANALYSIS FOR THE DETERMINATION OF PRICE REASONABLENESS.

Subsection 2379(d) of title 10, United States Code, is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2) An offeror may submit information or analysis relating to the value of a commercial item to aid in the determination of the reasonableness of the price of such item. A contracting officer may consider such information or analysis in addition to the information submitted pursuant to paragraphs (1)(A) and (1)(B).''.

SEC. 824. CLARIFICATION OF REQUIREMENTS RELATING TO COMMERCIAL ITEM DETERMINATIONS.

Paragraphs (1) and (2) of section 2380 of title 10, United States Code, are amended to read as follows:

''(1) establish and maintain a centralized capability with necessary expertise and resources to provide assistance to the military departments and Defense Agencies in making commercial item determinations, conducting market research, and performing analysis of price reasonableness for the purposes of procurements by the Department of Defense; and

''(2) provide to officials of the Department of Defense access to previous Department of Defense commercial item determinations, market research, and analysis used to determine the reasonableness of price for the purposes of procurements by the Department of Defense.''.

SEC. 825. PILOT PROGRAM FOR AUTHORITY TO ACQUIRE INNOVATIVE COMMERCIAL ITEMS USING GENERAL SOLICITATION COMPETITIVE PROCEDURES.

(a) AUTHORITY.—The Secretary of Defense may carry out a pilot program, to be known as

a ''commercial solutions opening pilot program'', under which innovative commercial items may be acquired through a competitive selection of proposals resulting from a general solicitation and the peer review of such proposals.

(b) TREATMENT AS COMPETITIVE PROCEDURES.—Use of general solicitation competitive procedures for the pilot program under subsection (a) shall be considered to be use of competitive procedures for purposes of chapter 137 of title 10, United States Code.

(c) LIMITATIONS ON FUNDING.—

(1) LIMITATION ON INDIVIDUAL CONTRACT AMOUNT.—The Secretary may not enter into a contract under the pilot program for an amount in excess of $10,000,000.

(2) ANNUAL LIMITATION.—The total amount that may be obligated or expended under the pilot program for a fiscal year may not exceed $75,000,000.

(d) LIMITATION RELATING TO MAJOR DEFENSE ACQUISITION PROGRAM SYSTEMS.—The Secretary may not acquire innovative commercial items under the pilot program to replace a system under a major defense acquisition program in its entirety.

(e) GUIDANCE.—The Secretary shall issue guidance for the implementation of the pilot program under this section within the Department of Defense. Such guidance shall be issued in consultation with the Office of Management and Budget and shall be posted for access by the public.

(f) REPORTS REQUIRED.—

(1) IN GENERAL.—Not later than six months after the initiation of the pilot program, and every six months thereafter, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the activities the Department of Defense carried out under the pilot program.

(2) ELEMENTS OF REPORT.—The report under this subsection shall include the following:

(A) An assessment of the impact of the pilot program on competition.

(B) An assessment of the ability under the pilot program to attract proposals from nontraditional defense contractors (as defined in section 2302(9) of title 10, United States Code).

(C) A comparison of acquisition timelines for—

(i) procurements made using the pilot program; and

(ii) procurements made using other competitive procedures that do not use general solicitations.

(D) A recommendation on whether the authority for the pilot program should be made permanent.

(g) DEFINITION.—In this section, the term ''innovative'' means—

(1) any new technology, process, or method, able to be used to improve or replace existing information system applications, programs, or networks, or used to improve research and development of information technology advancements; or

(2) any new application of an existing technology, process, or method.

(h) TERMINATION.—The authority to enter into a contract under a pilot program under this section terminates on the date occurring five years after the date of the enactment of this Act.

Subtitle D—Other Matters

SEC. 831. REVIEW AND REPORT ON THE BID PROTEST PROCESS.

(a) REVIEW.—The Secretary of Defense shall conduct a review of the bid protest processes related to major defense acquisition programs. The review shall examine the extent to which—

(1) the incidence and duration of bid protests have increased or decreased during the previous decade;

(2) bid protests have delayed procurement of items or services;

(3) there are differences in the incidence and outcomes of bid protests filed by incumbent and non-incumbent contractors;

(4) protests filed by incumbent contractors result in extension of the period of performance of a contract, and whether there are benefits (monetary or non-monetary) to incumbent contractors under such circumstances; and

(5) there are alternative actions or authorities that could give the Government more flexibility in managing contracts if a bid protest is filed.

(b) CONTRACT WITH INDEPENDENT ENTITY.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with an independent entity with appropriate expertise to conduct the review required in subsection (a).

(c) BRIEFING.—Not later than March 1, 2017, the Secretary, or his designee, shall brief the Committees on Armed Services of the Senate and House of Representatives on interim findings of the independent entity.

(d) REPORT.—Not later than July 1, 2017, the Secretary shall submit to the congressional defense committees a report on the findings of the independent entity, along with a description of any actions that the Secretary proposes to address the findings of the independent entity.

SEC. 832. REVIEW AND REPORT ON INDEFINITE DELIVERY CONTRACTS.

(a) REPORT.—The Comptroller General of the United States shall deliver, not later than March 31, 2018, a report to Congress on the use by the Department of Defense of indefinite delivery contracts entered into during fiscal years 2015, 2016, and 2017.

(b) ELEMENTS.—The report under subsection (a) shall address, at a minimum, the following:

(1) A review of Department of Defense policies for using indefinite delivery contracts, including requirements for competition.

(2) The number and value of all indefinite delivery contracts entered into by the Department of Defense.

(3) An assessment of the number and value of indefinite delivery contracts entered into by the Department of Defense that included competition between multiple vendors.

(4) Selected case studies of indefinite delivery contracts, including an assessment of whether any such contracts may have limited future opportunities for competition for the services or items required.

(5) Recommendations for potential changes to current law or Department of Defense acquisition regulations to promote competition with respect to indefinite delivery contracts.

SEC. 833. REVIEW AND REPORT ON CONTRACTUAL FLOW-DOWN PROVISIONS.

(a) REVIEW REQUIRED.—The Secretary of Defense shall conduct a review of contractual flow-down provisions related to major defense acquisition programs. The review shall—

(1) identify the flow-down provisions that exist in the Federal Acquisition Regulation and the Defense Federal Acquisition Regulation Supplement;

(2) identify the flow-down provisions that are critical for national security;

(3) examine the extent to which clauses in contracts with the Department of Defense are being applied inappropriately in subcontracts under the contracts;

(4) assess the applicability of flow-down provisions for the purchase of commodity items that are acquired in bulk for multiple acquisition programs;

(5) determine the unnecessary costs or burdens, if any, of flow-down provisions on the supply chain; and

(6) determine the effect, if any, of flow-down provisions on the participation rate of small businesses and non-traditional defense contractors in defense procurements.

(b) CONTRACT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with an independent entity with appropriate expertise to conduct the review required by subsection (a).

(c) BRIEFING.—Not later than March 1, 2017, the Secretary, or his designee, shall brief the Committees on Armed Services of the Senate and the House of Representatives on interim findings of the independent entity as well as initial recommendations of the entity on how to modify or eliminate contractual flow-down requirements that the entity considers burdensome or unnecessary.

(d) REPORT.—Not later than August 1, 2017, the Secretary shall submit to the congressional defense committees a report on the findings of the independent entity, along with a description of any actions that the Secretary proposes to address the findings of the independent entity.

SEC. 834. REVIEW OF ANTI-COMPETITIVE SPECIFICATIONS IN INFORMATION TECHNOLOGY ACQUISITIONS.

(a) REVIEW REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall conduct a review of the policy, guidance, regulations, and training related to specifications included in information technology acquisitions to ensure current policies eliminate the unjustified use of potentially anti-competitive specifications. In conducting the review, the Under Secretary shall examine the use of brand names or proprietary specifications or standards in solicitations for procurements of goods and services, as well as the current acquisition training curriculum related to those areas.

(b) BRIEFING REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Under Secretary shall provide a briefing to the Committees on Armed Services of the Senate and House of Representatives on the results of the review required by subsection (a).

(c) ADDITIONAL GUIDANCE.—Not later than one year after the date of the enactment of this Act, the Under Secretary shall revise policies, guidance, and training to incorporate such recommendations as the Under Secretary considers appropriate from the review required by subsection (a).

SEC. 835. COAST GUARD MAJOR ACQUISITION PROGRAMS.

(a) FUNCTIONS OF CHIEF ACQUISITION OFFICER.—Section 56(c) of title 14, United States Code, is amended by striking ''and'' after the semicolon at the end of paragraph (8), striking the period at the end of paragraph (9) and inserting ''; and'', and adding at the end the following:

''(10)(A) keeping the Commandant informed of the progress of major acquisition programs (as that term is defined in section 581);

''(B) informing the Commandant on a continuing basis of any developments on such programs that may require new or revisited tradeoffs among cost, schedule, technical feasibility, and performance, including—

''(i) significant cost growth or schedule slippage; and

''(ii) requirements creep (as that term is defined in section 2547(c)(1) of title 10); and

''(C) ensuring that the views of the Commandant regarding such programs on cost, schedule, technical feasibility, and performance trade-offs are strongly considered by program managers and program executive officers in all phases of the acquisition process.''.

(b) CUSTOMER SERVICE MISSION OF DIRECTORATE.—

(1) IN GENERAL.—Chapter 15 of title 14, United States Code, is amended—

(A) in section 561(b)—

(i) in paragraph (1), by striking ''; and'' and inserting a semicolon;

(ii) in paragraph (2), by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(3) to meet the needs of customers of major acquisition programs in the most cost-effective manner practicable.'';

(B) in section 562, by repealing subsection (b) and redesignating subsections (c) through (g) as subsections (b) through (f), respectively;

(C) in section 563, by striking ''Not later than 180 days after the date of enactment of the Coast Guard Authorization Act of 2010, the Commandant shall commence implementation of'' and inserting ''The Commandant shall maintain'';

(D) by adding at the end of section 564 the following:

''(c) ACQUISITION OF UNMANNED AERIAL SYSTEMS.—

''(1) IN GENERAL.—The Commandant—

''(A) may not award a contract for design of an unmanned aerial system for use by the Coast Guard; and

''(B) may acquire an unmanned aerial system only—

''(i) if such a system has been acquired or has been used by the Department of Defense or the Department of Homeland Security, or a component thereof, before the date on which the Commandant acquires the system; and

''(ii) through an agreement with such department or component, unless the unmanned aerial system can be obtained at less cost through independent contract action.

''(2) LIMITATION ON APPLICATION.—The limitations of paragraph (1)(B) shall not apply to any small unmanned aerial system that consists of—

''(A) an unmanned aircraft weighing less than 55 pounds on takeoff, including all components and equipment on board or otherwise attached to the aircraft; and

''(B) associated elements (including communication links and the components that control such aircraft) that are required for the safe and efficient operation of such aircraft.'';

(E) in subchapter II, by adding at the end the following:

''§ 578. Role of Vice Commandant in major acquisition programs

''The Vice Commandant—

''(1) shall represent the customer of a major acquisition program with regard to trade-offs made among cost, schedule, technical feasibility, and performance with respect to such program; and.

''(2) shall advise the Commandant in decisions regarding the balancing of resources against priorities, and associated trade-offs referred to in paragraph (1), on behalf of the customer of a major acquisition program.

''§ 579. Extension of major acquisition program contracts

''(a) IN GENERAL.—Notwithstanding section 564(a)(2) of this title and section 2304 of title 10, and subject to subsections (b) and (c) of this section, the Secretary may acquire additional units procured under a Coast Guard major acquisition program contract, by extension of such contract without competition, if the Comptroller General of the United States determines that the costs that would be saved through award of a new contract in accordance with such sections would not exceed the costs of such an award.

''(b) LIMITATION ON NUMBER OF ADDITIONAL UNITS.—The number of additional units acquired under a contract extension under this section may not exceed the number of additional units for which such determination is made.

''(c) DETERMINATION OF COSTS UPON REQUEST.—The Comptroller General shall, at the request of the Secretary, determine for purposes of this section—

''(1) the costs that would be saved through award of a new major acquisition program contract in accordance with section 564(a)(2) for the acquisition of a number of additional units specified by the Secretary; and

''(2) the costs of such award, including the costs that would be incurred due to acquisition schedule delays and asset design changes associated with such award.

''(d) NUMBER OF EXTENSIONS.—A contract may be extended under this section more than once.''; and

(F) in section 581—

(i) by redesignating paragraphs (7) through (10) as paragraphs (9) through (12), respectively, and by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively;

(ii) by inserting after paragraph (2) the following:

''(3) CUSTOMER OF A MAJOR ACQUISITION PROGRAM.—The term 'customer of a major acquisition program' means the operating field unit of the Coast Guard that will field the system or systems acquired under a major acquisition program.''; and

(iii) by inserting after paragraph (7), as so redesignated, the following:

''(8) MAJOR ACQUISITION PROGRAM.—The term 'major acquisition program' means an ongoing acquisition undertaken by the Coast Guard with a life-cycle cost estimate greater than or equal to $300,000,000.''.

(2) CONFORMING AMENDMENT.—Section 569a of such title is amended by striking subsection (e).

(3) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is amended by adding at the end of the items relating to subchapter II the following:

''578. Role of Vice Commandant in major acquisition programs.

''579. Extension of major acquisition program contracts.''.

(c) REVIEW REQUIRED.—

(1) REQUIREMENT.—The Commandant of the Coast Guard shall conduct a review of—

(A) the authorities provided to the Commandant in chapter 15 of title 14, United States Code, and other relevant statutes and regulations related to Coast Guard acquisitions, including developing recommendations to ensure that the Commandant plays an appropriate role in the development of requirements, acquisition processes, and the associated budget practices;

(B) implementation of the strategy prepared in accordance with section 562(b)(2) of title 14, United States Code, as in effect before the enactment of the National Defense Authorization Act for Fiscal Year 2017; and

(C) acquisition policies, directives, and regulations of the Coast Guard to ensure such policies, directives, and regulations establish a customer-oriented acquisition system.

(2) REPORT.—Not later than March 1, 2017, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing, at a minimum, the following:

(A) The recommendations developed by the Commandant under paragraph (1) and other results of the review conducted under such paragraph.

(B) The actions the Commandant is taking, if any, within the Commandant's existing authority to implement such recommendations.

(3) MODIFICATION OF POLICIES, DIRECTIVES, AND REGULATIONS.—Not later than one year after the date of the enactment of this Act, the Commandant of the Coast Guard shall modify the acquisition policies, directives, and regulations of the Coast Guard as necessary to ensure the development and implementation of a customer-oriented acquisition system, pursuant to the review under paragraph (1)(C).

(d) ANALYSIS OF USING MULTIYEAR CONTRACTING.—

(1) IN GENERAL.—No later than one year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an analysis of the use of multiyear contracting, including procurement authority provided under section 2306b of title 10, United States Code, and authority similar to that granted to the Navy under section 121(b) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1648) and section 150 of the Continuing Appropriations Act, 2011 (Public Law 111–242; 124 Stat. 3519), to acquire any combination of at least five—

(A) Fast Response Cutters, beginning with hull 43; and

(B) Offshore Patrol Cutters, beginning with hull 5.

(2) CONTENTS.—The analysis under paragraph (1) shall include the costs and benefits of using multiyear contracting, the impact of multiyear contracting on delivery timelines, and whether the acquisitions examined would meet the tests for the use of multiyear procurement authorities.

SEC. 836. WAIVER OF CONGRESSIONAL NOTIFICATION FOR ACQUISITION OF TACTICAL MISSILES AND MUNITIONS GREATER THAN QUANTITY SPECIFIED IN LAW.

Section 2308(c) of title 10, United States Code, is amended—

(1) by inserting ''(1)'' before ''The head'';

(2) by inserting '', except as provided in paragraph (2),'' after ''but''; and

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

''(2) A notification is not required under paragraph (1) if the end item being acquired in a higher quantity is an end item under a tactical missile program or a munition program.''.

SEC. 837. CLOSEOUT OF OLD DEPARTMENT OF THE NAVY CONTRACTS.

(a) AUTHORITY.—Notwithstanding any other provision of law, the Secretary of the Navy may close out the contracts described in subsection (b) through the issuance of one or more modifications to such contracts without completing further reconciliation audits or corrective actions other than those described in this section. To accomplish closeout of such contracts—

(1) remaining contract balances may be offset with balances in other contract line items within a contract regardless of the year or type of appropriation obligated to fund each contract line item and regardless of whether the appropriations for such contract line items have closed; and

(2) remaining contract balances may be offset with balances on other contracts regardless of the year or type of appropriation obligated to fund each contract and regardless of whether the appropriations for such contract line item have closed.

(b) CONTRACTS COVERED.—The contracts covered by this section are a group of contracts that are with one contractor and identified by the Secretary, each one of which is a contract—

(1) to design, construct, repair, or support the construction or repair of Navy submarines that—

(A) was entered into between fiscal years 1974 and 1998; and

(B) has no further supply or services deliverables due under the terms and conditions of the contract;

(2) with respect to which the Secretary of the Navy has established the total final contract value; and

(3) with respect to which the Secretary of the Navy has determined that the final allowable cost may have a negative or positive unliquidated obligation balance for which it would be difficult to determine the year or type of appropriation because—

(A) the records for the contract have been destroyed or lost; or

(B) the records for the contract are available but the contracting officer, in collaboration with the certifying official, has determined that a discrepancy is of such a minimal value that the time and effort required to determine the cause of an out-of-balance condition is disproportionate to the amount of the discrepancy.

(c) CLOSEOUT.—The contracts described in subsection (b) may be closed out—

(1) upon receipt of $581,803 from the contractor, to be deposited into the Treasury as miscellaneous receipts; and

(2) without seeking further amounts from the contractor, and without payment to the contractor of any amounts that may be due under such contracts.

(d) ADJUSTMENT AND CLOSURE OF RECORDS.—After closeout of any contract described in subsection (b) using the authority of this section, the payment or accounting offices concerned may adjust and close any open finance and accounting records relating to the contract.

SEC. 838. REQUIREMENT THAT CERTAIN SHIP COMPONENTS BE MANUFACTURED IN THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

(a) ADDITIONAL PROCUREMENT LIMITATION.—Section 2534(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(6) COMPONENTS FOR AUXILIARY SHIPS.—Subject to subsection (k), the following components:

''(A) Auxiliary equipment, including pumps, for all shipboard services.

''(B) Propulsion system components, including engines, reduction gears, and propellers.

''(C) Shipboard cranes.

''(D) Spreaders for shipboard cranes.''.

(b) IMPLEMENTATION.—Such section is further amended by adding at the end the following new subsection:

''(k) IMPLEMENTATION OF AUXILIARY SHIP COMPONENT LIMITATION.—Subsection (a)(6) applies only with respect to contracts awarded by the Secretary of a military department for new construction of an auxiliary ship after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017 using funds available for National Defense Sealift Fund programs or Shipbuilding and Conversion, Navy.''.

SEC. 839. DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND DETERMINATION ADJUSTMENT.

Subsection (d)(2)(D) of section 1705 of title 10, United States Code, is amended by inserting after ''$400,000,000'' the following: ''except that, in the case of fiscal year 2017, the Secretary may reduce the amount to $0''.

SEC. 840. AMENDMENT TO PROHIBITION ON PERFORMANCE OF NON-DEFENSE AUDITS BY DEFENSE CONTRACT AUDIT AGENCY TO EXEMPT AUDITS FOR NATIONAL NUCLEAR SECURITY ADMINISTRATION.

Section 893(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; Stat. 952) is amended—

(1) in paragraph (1), by striking ''Effective'' and inserting ''Except as provided in paragraph (3), effective''; and

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

''(3) EXCEPTION.—In this subsection, the term 'non-Defense Agencies' does not include the National Nuclear Security Administration.''.

SEC. 841. SELECTION OF SERVICE PROVIDERS FOR AUDITING SERVICES AND AUDIT READINESS SERVICES.

The Department of Defense shall select service providers for auditing services and audit readiness services based on the best value to the Department, as determined by the resource sponsor for an auditing contract, rather than based on the lowest price technically acceptable service provider.

SEC. 842. MODIFICATIONS TO THE JUSTIFICATION AND APPROVAL PROCESS FOR CERTAIN SOLE-SOURCE CONTRACTS FOR SMALL BUSINESS CONCERNS.

(a) REPEAL OF SIMPLIFIED JUSTIFICATION AND APPROVAL PROCESS.—Section 811 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2405; 41 U.S.C. 3304 note) is repealed.

(b) REQUIREMENTS FOR JUSTIFICATION AND APPROVAL PROCESS.—

(1) DEFENSE PROCUREMENTS.—Section 2304(f)(2)(D)(ii) of title 10, United States Code, is amended by inserting ''only if such procurement is for property or services in an amount less than $20,000,000'' before the semicolon at the end.

(2) CIVILIAN PROCUREMENTS.—Section 3304(e)(4) of title 41, United States Code, is amended—

(A) in subparagraph (C), by striking ''or'' at the end;

(B) in subparagraph (D), by striking ''or section 8(a) of the Small Business Act (15 U.S.C. 637(a)).'' and inserting ''; or''; and

(C) by adding at the end the following new subparagraph:

''(E) the procurement is for property or services in an amount less than $20,000,000 and is conducted under section 8(a) of the Small Business Act (15 U.S.C. 637(a)).''.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Goldwater-Nichols Reform

SEC. 901. SENSE OF CONGRESS ON GOLDWATER-NICHOLS REFORM.

It is the sense of Congress that the following principles should be adhered to in any reform of the Goldwater-Nichols Department of Defense Reorganization Act of 1986:

(1) Civilian control of the military and the civilian chain of command must be preserved.

(2) The role of the Chairman of the Joint Chiefs of Staff in providing independent military advice, as the principal military advisor to the President and the Secretary of Defense, must be preserved.

(3) Any changes to the Goldwater-Nichols Act of 1986 should be rooted in a clear identification and understanding of the issues and the objectives and ramifications of any changes.

(4) Any changes to the Goldwater-Nichols Act of 1986 should enhance the capabilities of the United States Armed Forces.

(5) Each Geographical Unified Command has its own distinct area of emphasis and expertise, as well as requirements and responsibilities. Combining Northern Command and Southern Command, or combining European Command and Africa Command, would severely degrade mission effectiveness, but would provide only marginal increased efficiency. Additionally, consolidating Geographic Unified Commands would cause unacceptable risk to both global strategic influence as well as regional capability, and would exacerbate already significant capacity challenges.

(6) The emphasis on strategy and planning in the Goldwater-Nichols Act must be sustained.

(7) Complex security challenges will become increasingly transregional, multi-domain, and multi-functional.

(8) Therefore, the Department of Defense, including streamlined headquarters staffs, must be more agile and adaptive.

SEC. 902. REPEAL OF DEFENSE STRATEGY REVIEW.

(a) REPEAL.—Section 118 of title 10, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 2 of such title is amended by striking the item relating to section 118.

SEC. 903. COMMISSION ON THE NATIONAL DEFENSE STRATEGY FOR THE UNITED STATES.

(a) ESTABLISHMENT.—There is hereby established a commission to be known as the ''Commission on the National Defense Strategy for the United States''. The purpose of the commission is to examine and make recommendations with respect to national defense strategy for the United States.

(b) COMPOSITION.—

(1) MEMBERSHIP.—The commission shall be composed of 12 members appointed as follows:

(A) Three members appointed by the chair of the Committee on Armed Services of the House of Representatives.

(B) Three members appointed by the ranking minority member of the Committee on Armed Services of the House of Representatives.

(C) Three members appointed by the chair of the Committee on Armed Services of the Senate.

(D) Three members appointed by the ranking minority member of the Committee on Armed Services of the Senate.

(2) CHAIR; VICE CHAIR.—

(A) CHAIR.—The chair of the Committee on Armed Services of the House of Representative and the chair of the Committee on Armed Services of the Senate shall jointly designate one member of the commission to serve as chair of the commission.

(B) VICE CHAIR.—The ranking minority member of the Committee on Armed Services of the House of Representative and the ranking minority member of the Committee on Armed Services of the Senate shall jointly designate one member of the commission to serve as vice chair of the commission.

(3) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the commission. Any vacancy in the commission shall be filled in the same manner as the original appointment.

(c) DUTIES.—

(1) REVIEW.—The commission shall review the current national defense strategy of the United States, including the assumptions, missions, force posture and capabilities, and strategic and military risks associated with the strategy.

(2) ASSESSMENT AND RECOMMENDATIONS.—The commission shall conduct a comprehensive assessment of the strategic environment, the size and shape of the force, the readiness of the force, the posture and capabilities of the force, the allocation of resources, and strategic and military risks to provide recommendations on national defense strategy for the United States.

(d) COOPERATION FROM GOVERNMENT.—

(1) COOPERATION.—In carrying out its duties, the commission shall receive the full and timely cooperation of the Secretary of Defense in providing the commission with analysis, briefings, and other information necessary for the fulfillment of its responsibilities.

(2) LIAISON.—The Secretary of Defense shall designate at least one officer or employee of the Department of Defense to serve as a liaison officer between the Department and the commission.

(e) REPORT.—

(1) FINAL REPORT.—Not later than December 1, 2017, the commission shall submit to the President, the Secretary of Defense, the Committee on Armed Services of the House of Representatives, and the Committee on Armed Services of the Senate a report on the commission's findings, conclusions, and recommendations. The report shall address, but not be limited to, each of the following:

(A) The strategic environment, including security challenges, and the national security interests of the United States.

(B) The military missions for which the Department of Defense should prepare and the force planning construct.

(C) The roles and missions of the Armed Forces to carry out those missions and the roles and capabilities provided by other United States Government agencies and by allies and international partners.

(D) The force size and shape, posture and capabilities, readiness, infrastructure, organization, personnel, and other elements of the defense program necessary to support the strategy.

(E) The resources necessary to support the strategy, including budget recommendations.

(F) The strategic and military risks associated with the strategy, including the relationships and tradeoffs between missions, risks, and resources.

(2) INTERIM BRIEFING.—Not later than June 1, 2017, the commission shall provide to the Committee on Armed Services of the House of Representatives, and the Committee on Armed Services of the Senate a briefing on the status of its review and assessment, and include a discussion of any interim recommendations.

(f) FUNDING.— Of the amounts authorized to be appropriated or otherwise made available pursuant to this Act to the Department of Defense, $5,000,000 is available to fund the activities of the commission.

(g) TERMINATION.—The commission shall terminate 6 months after the date on which it submits the report required by subsection (e).

SEC. 904. REFORM OF DEFENSE STRATEGIC AND POLICY GUIDANCE.

Subsection (g) of section 113 of title 10, United States Code, is amended to read as follows:

''(g) DEFENSE STRATEGIC AND POLICY GUIDANCE.—

''(1) DEFENSE STRATEGIC GUIDANCE.—The Secretary of Defense, with the advice and assistance of the Chairman of the Joint Chiefs of Staff, shall provide every four years to the heads of the military departments, the unified and specified combatant commands, all other Defense Agencies and Department of Defense Field Activities, and any other elements of the Department of Defense named in paragraphs (1) to (10) of section 111(b) of this title, written strategic guidance expressing the national defense strategy of the United States. The strategic guidance shall—

''(A) support the most recent national security strategy report of the President under section 108 of the National Security Act of 1947 (50 U.S.C. 3043);

''(B) be a mechanism for—

''(i) setting priorities for sizing and shaping the force, guiding the development and sustainment of capabilities, allocating resources, and adjusting the organization of the Department of Defense to respond to changes in the strategic environment;

''(ii) monitoring, assessing, and holding accountable agencies within the Department of Defense for the development of policies and programs that support the national defense strategy;

''(iii) integrating and supporting other national and related interagency security policies and strategies with other Department of Defense guidance, plans, and activities; and

''(iv) communicating such national defense strategy to the American public, Congress, relevant United States Government agencies, and allies and international partners;

''(C) provide a comprehensive discussion of—

''(i) the assumed strategic environment, including security challenges, and the assumed or defined prioritized national security interests and objectives of the United States;

''(ii) the prioritized military missions for which the Department of Defense must prepare and the assumed force planning scenarios and constructs;

''(iii) the roles and missions of the armed forces to carry out those missions, and the assumed roles and capabilities provided by other United States Government agencies and by allies and international partners;

''(iv) the force size and shape, posture, capabilities, readiness, infrastructure, organization, personnel, and other elements of the defense program necessary to support the strategy;

''(v) the resources necessary to support the strategy, including an estimated budget plan; and

''(vi) the strategic and military risks associated with the strategy, including the relationships and tradeoffs between missions, risks, and resources; and

''(D) include any additional or alternative views of the Chairman of the Joint Chiefs of Staff, including any military assessment of risks associated with the defense strategy.

''(2) POLICY GUIDANCE ON DEVELOPMENT OF FORCES.—In implementing the guidance in paragraph (1), the Secretary of Defense, with the advice and assistance of the Chairman of the Joint Chiefs of Staff, shall provide annually to the heads of the military departments, the unified and specified combatant commands, all other Defense Agencies and Department of Defense Field Activities, and any other elements of the Department of Defense named in paragraphs (1) to (10) of section 111(b) of this title, written policy guidance for the preparation and review of the program recommendations and budget proposals of their respective components to guide the development of forces. Such guidance shall include—

''(A) the prioritized national security interests and objectives;

''(B) the prioritized military missions of the Department of Defense, including the assumed force planning scenarios and constructs;

''(C) the force size and shape, posture, capabilities, readiness, infrastructure, organization, personnel, and other elements of the defense program necessary to support the strategy;

''(D) the resource levels projected to be available for the period of time for which such recommendations and proposals are to be effective; and

''(E) a discussion of any changes in the defense strategy and assumptions underpinning the strategy, as required by paragraph (1).

''(3) POLICY GUIDANCE ON CONTINGENCY PLANNING.—In implementing the guidance in paragraph (1), the Secretary of Defense, with the approval of the President and after consultation with the Chairman of the Joint Chiefs of Staff, shall provide, every two years or more frequently as needed, to the Chairman written policy guidance for the preparation and review of contingency plans, including plans for providing support to civil authorities in an incident of national significance or a catastrophic incident, for homeland defense, and for military support to civil authorities. Such guidance shall include guidance on the employment of forces, including specific force levels and specific supporting resource levels projected to be available for the period of time for which such plans are to be effective.

''(4) SUBMISSION TO CONGRESS.—(A) Not later than February 15th in any calendar year in which any of the written guidance in paragraphs (1), (2), and (3) is required, the Secretary of Defense shall submit to the congressional defense committees a copy of such guidance developed under such paragraphs.

''(B) In addition, not later than February 15th in any calendar year in which the written guidance in paragraph (1) is required, the Secretary of Defense shall submit to the congressional defense committees a detailed summary of any classified aspects of the strategic guidance, including assumptions regarding the strategic environment; military missions; force planning scenarios and constructs; force size, shape, posture, capabilities, and readiness; and any additional or alternative views of the Chairman of the Joint Chiefs of Staff.''.

SEC. 905. REFORM OF THE NATIONAL MILITARY STRATEGY.

Paragraph (1) of section 153(b) of title 10, United States Code, is amended to read as follows:

''(1) NATIONAL MILITARY STRATEGY.—(A) The Chairman shall determine each even-numbered year whether to prepare a new National Military Strategy in accordance with this subparagraph or to update a strategy previously prepared in accordance with this subsection. The Chairman shall provide such National Military Strategy or update to the Secretary of Defense in time for transmittal to Congress pursuant to paragraph (3), including in time for inclusion of the report of the Secretary of Defense, if any, under paragraph (4).

''(B) Each National Military Strategy (or update) under this paragraph shall be based on a comprehensive review conducted by the Chairman in conjunction with the other members of the Joint Chiefs of Staff and the commanders of the unified and specified combatant commands. Each update shall address only those parts of the most recent National Military Strategy for which the Chairman determines, on the basis of this review, that a modification is needed.

''(C) Each National Military Strategy (or update) submitted under this paragraph shall describe how the military will support the objectives of the United States as articulated in—

''(i) the most recent National Security Strategy prescribed by the President pursuant to section 108 of the National Security Act of 1947 (50 U.S.C. 3043);

''(ii) the most recent annual report of the Secretary of Defense submitted to the President and Congress pursuant to section 113 of this title;

''(iii) the most recent defense strategic guidance provided by the Secretary of Defense pursuant to section 113 of this title; and

''(iv) any other national security or defense strategic guidance issued by the President or the Secretary of Defense.

''(D) At a minimum, each National Military Strategy (or update) submitted under this paragraph shall be a mechanism for—

''(i) developing military ends, ways, and means to support the objectives referred to in subparagraph (C);

''(ii) assessing strategic and military risks, and developing risk mitigation options;

''(iii) establishing a strategic framework for the development of operational and contingency plans;

''(iv) prioritizing joint force capabilities, capacities, and resources; and

''(v) establishing military guidance for the development of the joint force.''.

SEC. 906. MODIFICATION TO INDEPENDENT STUDY OF NATIONAL SECURITY STRATEGY FORMULATION PROCESS.

Section 1064(b)(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 989) is amended—

(1) in subparagraph (D), by inserting '', including Congress,'' after ''Federal Government''; and

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

''(E) The capabilities and limitations of the Department of Defense workforce responsible for conducting strategic planning, including recommendations for improving the workforce through training, education, and career management.''.

SEC. 907. TERM OF OFFICE FOR THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF.

(a) AMENDMENTS.—Section 152(a) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''a term of two years'' and all that follows through the end and inserting the following: ''a term of four years, beginning on October 1 of a year that is three years following a year evenly divisible by four. The limitation of this paragraph on the length of term does not apply in time of war.''; and

(2) in paragraph (3), by striking ''exceeds six years'' and all that follows through the end and inserting the following: ''exceeds eight years. The limitation of this paragraph does not apply in time of war.''.

(b) DELAYED EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2019.

SEC. 908. RESPONSIBILITIES OF THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF RELATING TO OPERATIONS.

Section 153(a) of title 10, United States Code, is amended—

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

(2) by inserting after paragraph (3) the following new paragraph (4):

''(4) ADVICE ON OPERATIONS.—Advising—

''(A) the President and the Secretary of Defense on ongoing military operations; and

''(B) the Secretary on the allocation and transfer of forces among geographic and functional combatant commands, as necessary, to address transregional, multi-domain, and multi-functional threats.''.

SEC. 909. ASSIGNED FORCES WITHIN THE CONTINENTAL UNITED STATES.

Section 162(a) of title 10, United States Code, is amended—

(1) in paragraph (2), by inserting after ''of this title'' the following: '', other forces within the continental United States that are directed by the Secretary of Defense to be assigned to a military department,''; and

(2) in paragraph (4), by inserting after ''unified combatant command'' the following: '', other than forces within the continental United States that are directed by the Secretary to be assigned to a military department,''.

SEC. 910. REDUCTION IN GENERAL OFFICER AND FLAG OFFICER GRADES AND POSITIONS.

(a) GRADE OF SERVICE OR FUNCTIONAL COMPONENT COMMANDER.—Section 164(e) of title 10, United States Code, is amended by adding after paragraph (4) the following new paragraph:

''(5) The grade of an officer serving as a commander of a service or functional component command under a commander of a combatant command shall be no higher than lieutenant general or vice admiral.''.

(b) DEFINITIONS.—Section 164 of such title is further amended by adding at the end the following new subsection:

''(h) DEFINITIONS.—For purposes of this section—

''(1) a service component command is subordinate to the commander of a unified command and consists of the service component commander and the service forces (such as individuals, units, detachments, and organizations, including the support forces), as assigned by the Secretary of Defense, that have been assigned to that combatant commander; and

''(2) a functional component command is a command normally, but not necessarily, composed of forces of two or more military departments which may be established across the range of military operations to perform particular operational missions that may be of short duration or may extend over a period of time.''.

(c) REDUCTION IN POSITIONS.—

(1) REDUCTION.—The Secretary of Defense shall reduce the total number of officers in the grade of general or admiral on active duty by five positions.

(2) REPORT.—The Secretary of Defense shall submit to the congressional defense committees a report on how the Department of Defense plans to implement the reductions required by paragraph (1), including how to balance and reduce the total number of general officers and flag officers in accordance with sections 525 and 526 of title 10, United States Code.

(d) TREATMENT OF CURRENT COMMANDERS.—An officer serving on the date of the enactment of this Act as a commander of a service or functional component command under a commander of a combatant command shall serve in that position until the appointment of another officer in accordance with the amendment made by subsection (a).

SEC. 911. ESTABLISHMENT OF UNIFIED COMBATANT COMMAND FOR CYBER OPERATIONS.

(a) ESTABLISHMENT OF CYBER COMMAND.—Chapter 6 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 169. Unified combatant command for cyber operations

''(a) ESTABLISHMENT.—With the advice and assistance of the Chairman of the Joint Chiefs of Staff, the President, through the Secretary of Defense, shall establish under section 161 of this title a unified combatant command for cyber operations forces (hereinafter in this section referred to as the 'cyber command'). The principal function of the command is to prepare cyber operations forces to carry out assigned missions.

''(b) ASSIGNMENT OF FORCES.—Unless otherwise directed by the Secretary of Defense, all active and reserve cyber operations forces of the armed forces stationed in the United States shall be assigned to the cyber command.

''(c) GRADE OF COMMANDER.—The commander of the cyber operations command shall hold the grade of general or, in the case of an officer of the Navy, admiral while serving in that position, without vacating his permanent grade. The commander of such command shall be appointed to that grade by the President, by and with the advice and consent of the Senate, for service in that position.

''(d) COMMAND OF ACTIVITY OR MISSION.—(1) Unless otherwise directed by the President or the Secretary of Defense, a cyber operations activity or mission shall be conducted in coordination with the command of the commander of the unified combatant command in whose geographic area the activity or mission is to be conducted.

''(2) The commander of the cyber command shall exercise command of a selected cyber operations mission if directed to do so by the President or the Secretary of Defense.

''(e) AUTHORITY OF COMBATANT COMMANDER.—(1) In addition to the authority prescribed in section 164(c) of this title, the commander of the cyber command shall be responsible for, and shall have the authority to conduct, all affairs of such command relating to cyber operations activities.

''(2) The commander of such command shall be responsible for, and shall have the authority to conduct, the following functions relating to cyber operations activities (whether or not relating to the cyber command):

''(A) Developing strategy, doctrine, and tactics.

''(B) Preparing and submitting to the Secretary of Defense program recommendations and budget proposals for cyber operations forces and for other forces assigned to the cyber command.

''(C) Exercising authority, direction, and control over the expenditure of funds—

''(i) for forces assigned directly to the cyber command; and

''(ii) for cyber operations forces assigned to unified combatant commands other than the cyber command, with respect to all matters covered by section 807 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 114–92; 129 Stat. 886; 10 U.S.C. 2224 note) and, with respect to a matter not covered by such section, to the extent directed by the Secretary of Defense.

''(D) Training assigned forces.

''(E) Conducting specialized courses of instruction for commissioned and noncommissioned officers.

''(F) Validating requirements.

''(G) Establishing priorities for requirements.

''(H) Ensuring the interoperability of equipment and forces.

''(I) Formulating and submitting requirements for intelligence support.

''(J) Monitoring the promotions, assignments, retention, training, and professional military education of cyber operations forces officers.

''(3) The commander of the cyber command shall be responsible for—

''(A) ensuring the combat readiness of forces assigned to the cyber command; and

''(B) monitoring the preparedness to carry out assigned missions of cyber forces assigned to unified combatant commands other than the cyber command.

''(C) The staff of the commander shall include an inspector general who shall conduct internal audits and inspections of purchasing and contracting actions through the cyber operations command and such other inspector general functions as may be assigned.

''(f) INTELLIGENCE AND SPECIAL ACTIVITIES.—This section does not constitute authority to conduct any activity which, if carried out as an intelligence activity by the Department of Defense, would require a notice to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''169. Unified combatant command for cyber operations.''.

SEC. 912. REVISION OF REQUIREMENTS RELATING TO LENGTH OF JOINT DUTY ASSIGNMENTS.

(a) MINIMUM LENGTH OF ASSIGNMENT.—Section 664(a) of title 10, United States Code, is amended by striking ''assignment—'' and paragraphs (1) and (2) and inserting '' assignment shall not be less than two years.''.

(b) REPEAL OF REQUIREMENTS RELATING TO INITIAL ASSIGNMENT OF CERTAIN OFFICERS AND AVERAGE TOUR LENGTHS.—Section 664 of title 10, United States Code, is amended by striking subsections (c) and (e).

(c) EXCLUSIONS FROM TOUR LENGTH.—Section 664(d) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking in subparagraph (D) and inserting the following new subparagraph:

''(D) a qualifying reassignment from a joint duty assignment as prescribed by the Secretary of Defense by regulation.'';

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

(d) FULL TOUR OF DUTY.—Section 664(f) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''prescribed in'' and inserting ''prescribed under'';

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

(3) by redesignating paragraphs (3) and (5) as paragraphs (2) and (3), respectively; and

(4) by redesignating paragraph (6) as paragraph (4), and in that paragraph, by striking ''', but not less than two years'''.

(e) CONSTRUCTIVE CREDIT.—Section 664(h) of title 10, United States Code, is amended—

(1) by striking ''(1) The Secretary of Defense may accord'' and inserting ''The Secretary of Defense may award''; and

(2) by striking paragraph (2).

(f) CLERICAL AND CONFORMING AMENDMENTS.—Section 664 of title 10, United States Code, is further amended—

(1) by redesignating subsections (d), (f), (g), and (h) as subsections (c), (d), (e), and (f), respectively;

(2) in subsection (c), as redesignated, by striking ''subsection (f)(3)'' and inserting ''subsection (d)(2)'';

(3) in subsection (d), as redesignated, by striking ''subsection (g)'' and inserting ''subsection (e)'';

(4) in subsection (e), as redesignated, by striking '' subsection (f)(3)'' and inserting '' subsection (d)(2)''; and

(5) in subsection (f), as redesignated, by striking ''paragraphs (1), (2), and (4) of subsection (f)'' and inserting ''subsection (d)(1)''.

SEC. 913. REVISION OF DEFINITIONS USED FOR JOINT OFFICER MANAGEMENT.

(a) DEFINITION OF JOINT MATTERS.—Paragraph (1) of section 668(a) of title 10, United States Code, is amended to read as follows:

''(1) In this chapter, the term 'joint matters' means matters related to any of the following:

''(A) The development or achievement of strategic objectives through the synchronization, coordination, and organization of integrated forces in operations conducted across domains, such as land, sea, or air, in space, or in the information environment, including matters relating to any of the following:

''(i) National military strategy.

''(ii) Strategic planning and contingency planning.

''(iii) Command and control, intelligence, fires, movement and maneuver, protection or sustainment of operations under unified command.

''(iv) National security planning with other departments and agencies of the United States.

''(v) Combined operations with military forces of allied nations.

''(B) Acquisition matters conducted by members of the armed forces and covered under chapter 87 of this title involved in developing, testing, contracting, producing, or fielding of multi-service programs or systems.

''(C) Other matters designated in regulation by the Secretary of Defense in consultation with the Chairman of the Joint Chiefs of Staff.''.

(b) DEFINITION OF INTEGRATED FORCES.—Section 668(a)(2) of title 10, United States Code, is amended in the matter preceding subparagraph (A)—

(1) by striking ''integrated military forces'' and inserting ''integrated forces''; and

(2) by striking ''the planning or execution (or both) of operations involving'' and inserting ''achieving unified action with''.

(c) DEFINITION OF JOINT DUTY ASSIGNMENT.—Section 668(b)(1) of title 10, United States Code, is amended by striking subparagraph (A) and inserting the following new subparagraph:

''(A) shall be limited to assignments in which—

''(i) the preponderance of the duties of the officer involve joint matters and

''(ii) the officer gains significant experience in joint matters; and''.

(d) REPEAL OF DEFINITION OF CRITICAL OCCUPATIONAL SPECIALITY.—Section 668 of title 10, United States Code, is amended by striking subsection (d).

SEC. 914. INDEPENDENT ASSESSMENT OF COMBATANT COMMAND STRUCTURE.

(a) ASSESSMENT REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with an independent entity with appropriate expertise to conduct an assessment on combatant command structure, and to provide recommendations for improving the overall effectiveness of combatant command structures.

(b) ELEMENTS.—The assessment shall include an examination of the following:

(1) The evolution of combatant command requirements and resources over the last 15 years of conflict.

(2) The organization, composition, and size of combatant commands.

(3) The resources of combatant commands, including the degree to which combatant commands are adequately resourced and the degree to which combatant command requirements for forces are met.

(4) The benefits, drawbacks, and resource implications of eliminating, consolidating, or altering the structure of combatant commands.

(5) A comparison of combatant command structures with alternative structures, including Joint Task Force or task-organized forces below the combatant command level.

(c) REPORT.—Not later than March 1, 2017, the Secretary of Defense shall submit to the congressional defense committees a report on the findings and recommendations of the independent entity.

Subtitle B—Other Matters

SEC. 921. MODIFICATIONS TO CORROSION REPORT.

(a) MODIFICATIONS TO REPORT TO CONGRESS.—Section 2228(e)(1) of title 10, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by inserting after ''2009'' the following: ''and ending with the budget submitted on or before January 31, 2021'';

(2) by amending subparagraph (B) to read as follows:

''(B) The estimated composite return on investment achieved by implementing the strategy, and documented in the assessments by the Department of Defense of completed corrosion projects and activities.'';

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

''(D) If the full amount of funding requirements is not requested in the budget, the reasons for not including the full amount and a description of the impact on readiness, logistics, and safety of not fully funding required corrosion prevention and mitigation activities''; and

(4) in subparagraph (F), by striking ''pilot''.

(b) REPORT TO DIRECTOR OF CORROSION POLICY AND OVERSIGHT.—Section 2228(e)(2) of such title is amended—

(1) by inserting ''(A)'' before ''Each report'';

(2) by striking ''a copy of'' and all that follows through the period and inserting ''a summary of the most recent report required by subparagraph (B)''; and

(3) by adding at the end the following new subparagraph:

''(B) Not later than December 31 of each year, through December 31, 2020, the corrosion control and prevention executive of a military department shall submit to the Director of Corrosion Policy and Oversight a report containing recommendations pertaining to the corrosion control and prevention program of the military department. Such report shall include recommendations for the funding levels necessary for the executive to carry out the duties of the executive under this section. The report required under this subparagraph shall—

''(i) provide a summary of key accomplishments, goals, and objectives of the corrosion control and prevention program of the military department; and

''(ii) include the performance measures used to ensure that the corrosion control and prevention program achieved the goals and objectives described in clause (i).''.

(c) CONFORMING REPEAL.—Section 903(b) of Public Law 110–417 (10 U.S.C. 2228 note) is amended by striking paragraph (5).

SEC. 922. AUTHORITY TO EMPLOY CIVILIAN FACULTY MEMBERS AT JOINT SPECIAL OPERATIONS UNIVERSITY.

Section 1595(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(5) The Joint Special Operations University.''.

SEC. 923. GUIDELINES FOR CONVERSION OF FUNCTIONS PERFORMED BY CIVILIAN OR CONTRACTOR PERSONNEL TO PERFORMANCE BY MILITARY PERSONNEL.

Section 129a of title 10, United States Code, is amended by adding at the end the following new subsection:

''(g) GUIDELINES FOR PERFORMANCE OF CERTAIN FUNCTIONS BY MILITARY PERSONNEL.—(1) Except as provided in paragraph (2), no functions performed by civilian personnel or contractors may be converted to performance by military personnel unless—

''(A) there is a direct link between the functions to be performed and a military occupational specialty; and

''(B) the conversion to performance by military personnel is cost effective, based on Department of Defense instruction 7041.04 (or any successor administrative regulation, directive, or policy).

''(2) Paragraph (1) shall not apply to the following functions:

''(A) Functions required by law or regulation to be performed by military personnel.

''(B) Functions related to—

''(i) missions involving operation risks and combatant status under the Law of War;

''(ii) specialized collective and individual training requiring military-unique knowledge and skills based on recent operational experience;

''(iii) independent advice to senior civilian leadership in the Department of Defense requiring military-unique knowledge and skills based on recent operational experience; and

''(iv) command and control arrangements under chapter 47 of this title (the Uniform Code of Military Justice).''.

SEC. 924. PUBLIC RELEASE BY INSPECTORS GENERAL OF REPORTS OF MISCONDUCT.

(a) RELEASE OF INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE ADMINISTRATIVE MISCONDUCT REPORTS.—Section 141 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(c) Within 60 days after issuing a final report, the Inspector General of the Department of Defense shall publicly release any reports of administrative investigations that confirm misconduct, including violations of Federal law and violations of policies of the Department of Defense, of members of the Senior Executive Service, individuals who are employed in positions of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations, or commissioned officers in the Armed Forces in pay grades O–6 promotable and above. In releasing the reports, the Inspector General shall ensure that information that would be protected under section 552 of title 5 (commonly known as the 'Freedom of Information Act'), section 552a of title 5 (commonly known as the 'Privacy Act of 1974'), or section 6103 of the Internal Revenue Code of 1986 is not disclosed.''.

(b) RELEASE OF INSPECTOR GENERAL OF THE ARMY ADMINISTRATIVE MISCONDUCT REPORTS.—Section 3020 of such title is amended by adding at the end the following new subsection:

''(f) Within 60 days after issuing a final report, the Inspector General of the Army shall

publicly release any reports of administrative investigations that confirm misconduct, including violations of Federal law and violations of policies of the Department of Defense, of members of the Senior Executive Service, individuals who are employed in positions of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations, or commissioned officers in the Armed Forces in pay grades O–6 promotable and above. In releasing the reports, the Inspector General shall ensure that information that would be protected under section 552 of title 5 (commonly known as the 'Freedom of Information Act'), section 552a of title 5 (commonly known as the 'Privacy Act of 1974'), or section 6103 of the Internal Revenue Code of 1986 is not disclosed.''.

(c) RELEASE OF NAVAL INSPECTOR GENERAL ADMINISTRATIVE MISCONDUCT REPORTS.—Section 5020 of such title is amended by adding at the end the following new subsection:

''(e) Within 60 days after issuing a final report, the Naval Inspector General shall publicly release any reports of administrative investigations that confirm misconduct, including violations of Federal law and violations of policies of the Department of Defense, of members of the Senior Executive Service, individuals who are employed in positions of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations, or commissioned officers in the Armed Forces in pay grades O–6 promotable and above. In releasing the reports, the Naval Inspector General shall ensure that information that would be protected under section 552 of title 5 (commonly known as the 'Freedom of Information Act'), section 552a of title 5 (commonly known as the 'Privacy Act of 1974'), or section 6103 of the Internal Revenue Code of 1986 is not disclosed.''.

(d) RELEASE OF INSPECTOR GENERAL OF THE AIR FORCE ADMINISTRATIVE MISCONDUCT REPORTS.—Section 8020 of such title is amended by adding at the end the following new subsection:

''(f) Within 60 days after issuing a final report, the Inspector General of the Air Force shall publicly release any reports of administrative investigations that confirm misconduct, including violations of Federal law and violations of policies of the Department of Defense, of members of the Senior Executive Service, individuals who are employed in positions of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations, or commissioned officers in the Armed Forces in pay grades O–6 promotable and above. In releasing the reports, the Inspector General shall ensure that information that would be protected under section 552 of title 5 (commonly known as the 'Freedom of Information Act'), section 552a of title 5 (commonly known as the 'Privacy Act of 1974'), or section 6103 of the Internal Revenue Code of 1986 is not disclosed.''.

SEC. 925. MODIFICATIONS TO REQUIREMENTS FOR ACCOUNTING FOR MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES LISTED AS MISSING.

(a) LIMITATION OF DEFENSE POW/MIA ACCOUNTING AGENCY TO MISSING PERSONS FROM PAST CONFLICTS.—Section 1501(a) of title 10, United States Code, is amended—

(1) in paragraph (1)(A), by inserting ''from past conflicts'' after ''matters relating to missing persons'';

(2) in paragraph (2)—

(A) by striking subparagraph (A);

(B) by redesignating subparagraphs (B), (C), (D), (E), and (F) as subparagraphs (A), (B), (C), (D), and (E), respectively; and

(C) by inserting ''from past conflicts'' after ''missing persons'' each place it appears;

(3) in paragraph (4)—

(A) by striking ''for personal recovery (including search, rescue, escape, and evasion) and''; and

(B) by inserting ''from past conflicts'' after ''missing persons''; and

(4) by striking paragraph (5).

(b) ACTION UPON DISCOVERY OR RECEIPT OF INFORMATION.—Section 1505(c) of such title is amended by striking ''designated Agency Director'' in paragraphs (1), (2), and (3) and inserting ''Secretary of Defense''.

(c) DEFINITION OF ''ACCOUNTED FOR''.—Section 1513(3)(B) of such title is amended by inserting ''to the extent practicable'' after ''are recovered''.

Subtitle C—Department of the Navy and Marine Corps

SEC. 931. REDESIGNATION OF THE DEPARTMENT OF THE NAVY AS THE DEPARTMENT OF THE NAVY AND MARINE CORPS.

(a) REDESIGNATION OF MILITARY DEPARTMENT.—The military department designated as the Department of the Navy is redesignated as the Department of the Navy and Marine Corps.

(b) REDESIGNATION OF SECRETARY AND OTHER STATUTORY OFFICES.—

(1) SECRETARY.—The position of the Secretary of the Navy is redesignated as the Secretary of the Navy and Marine Corps.

(2) OTHER STATUTORY OFFICES.—The positions of the Under Secretary of the Navy, the four Assistant Secretaries of the Navy, and the General Counsel of the Department of the Navy are redesignated as the Under Secretary of the Navy and Marine Corps, the Assistant Secretaries of the Navy and Marine Corps, and the General Counsel of the Department of the Navy and Marine Corps, respectively.

SEC. 932. CONFORMING AMENDMENTS TO TITLE 10, UNITED STATES CODE.

(a) DEFINITION OF ''MILITARY DEPARTMENT''.—Paragraph (8) of section 101(a) of title 10, United States Code, is amended to read as follows:

''(8) The term 'military department' means the Department of the Army, the Department of the Navy and Marine Corps, and the Department of the Air Force.''.

(b) ORGANIZATION OF DEPARTMENT.—The text of section 5011 of such title is amended to read as follows: ''The Department of the Navy and Marine Corps is separately organized under the Secretary of the Navy and Marine Corps.''.

(c) POSITION OF SECRETARY.—Section 5013(a)(1) of such title is amended by striking ''There is a Secretary of the Navy'' and inserting ''There is a Secretary of the Navy and Marine Corps''.

(d) CHAPTER HEADINGS.—

(1) The heading of chapter 503 of such title is amended to read as follows:

''CHAPTER 503—DEPARTMENT OF THE NAVY AND MARINE CORPS''.

(2) The heading of chapter 507 of such title is amended to read as follows:

''CHAPTER 507—COMPOSITION OF THE DEPARTMENT OF THE NAVY AND MARINE CORPS''.

(e) OTHER AMENDMENTS.—

(1) Title 10, United States Code, is amended by striking ''Department of the Navy'' and ''Secretary of the Navy'' each place they appear other than as specified in subsections (a), (b), (c), and (d) (including in section headings, subsection captions, tables of chapters, and tables of sections) and inserting ''Department of the Navy and Marine Corps'' and ''Secretary of the Navy and Marine Corps'', respectively, in each case with the matter inserted to be in the same typeface and typestyle as the matter stricken.

(2)(A) Sections 5013(f), 5014(b)(2), 5016(a), 5017(2), 5032(a), and 5042(a) of such title are amended by striking ''Assistant Secretaries of the Navy'' and inserting ''Assistant Secretaries of the Navy and Marine Corps''.

(B) The heading of section 5016 of such title, and the item relating to such section in the table of sections at the beginning of chapter 503 of such title, are each amended by inserting ''and Marine Corps'' after ''of the Navy'', with the matter inserted in each case to be in the same typeface and typestyle as the matter amended.

SEC. 933. OTHER PROVISIONS OF LAW AND OTHER REFERENCES.

(a) TITLE 37, UNITED STATES CODE.—Title 37, United States Code, is amended by striking ''Department of the Navy'' and ''Secretary of the Navy'' each place they appear and inserting ''Department of the Navy and Marine Corps'' and ''Secretary of the Navy and Marine Corps'', respectively.

(b) OTHER REFERENCES.—Any reference in any law other than in title 10 or title 37, United States Code, or in any regulation, document, record, or other paper of the United States, to the Department of the Navy shall be considered to be a reference to the Department of the Navy and Marine Corps. Any such reference to an office specified in section 2(b) shall be considered to be a reference to that officer as redesignated by that section.

SEC. 934. EFFECTIVE DATE.

This subtitle and the amendments made by this subtitle shall take effect on the first day of the first month beginning more than 60 days after the date of the enactment of this Act.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

SEC. 1001. GENERAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2017 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $5,000,000,000.

(3) EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(b) LIMITATIONS.—The authority provided by subsection (a) to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. REQUIREMENT TO TRANSFER FUNDS FROM DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND TO THE TREASURY.

(a) TRANSFER REQUIRED.—During fiscal year 2017, the Secretary of Defense shall transfer,

from amounts available in the Department of Defense Acquisition Workforce Development Fund from amounts credited to the Fund pursuant to section 1705(d)(2) of title 10, United States Code, $475,000,000 to the Secretary of the Treasury for deposit in the general fund of the Treasury.

(b) ADDITIONAL AUTHORITY.—The transfer authority provided by this section is in addition to any other transfer authority contained in this Act.

Subtitle B—Counter-Drug Activities

SEC. 1011. EXTENSION OF AUTHORITY TO PROVIDE ADDITIONAL SUPPORT FOR COUNTER-DRUG ACTIVITIES OF FOREIGN GOVERNMENTS.

Section 1033(a)(2) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1881), as most recently amended by section 1012 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 963), is further amended by striking ''September 30, 2017'' and inserting ''September 30, 2019''.

SEC. 1012. SECRETARY OF DEFENSE REVIEW OF CURRICULA AND PROGRAM STRUCTURES OF NATIONAL GUARD COUNTERDRUG SCHOOLS.

(a) IN GENERAL.—Section 901 of the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469; 32 U.S.C. 112 note) is amended—

(1) by redesignating subsections (e) through (g) as subsections (f) through (h), respectively; and

(2) by inserting after subsection (d) the following new subsection (e):

''(e) CURRICULUM REVIEW.—The Secretary of Defense may review and approve the curriculum and program structure of each school established under this section.''.

(b) TECHNICAL AMENDMENT.—Subsection (d)(1) of such section is amended by striking ''section 112(b) of that title 32'' and inserting ''section 112(b) of title 32''.

SEC. 1013. EXTENSION OF AUTHORITY TO SUPPORT UNIFIED COUNTERDRUG AND COUNTERTERRORISM CAMPAIGN IN COLOMBIA.

Section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2042), as most recently amended by section 1011(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 962), is further amended—

(1) in subsection (a), by striking ''2017'' and inserting ''2018''; and

(2) in subsection (c), by striking ''2017'' and inserting ''2018''.

Subtitle C—Naval Vessels and Shipyards

SEC. 1021. DEFINITION OF SHORT-TERM WORK WITH RESPECT TO OVERHAUL, REPAIR, OR MAINTENANCE OF NAVAL VESSELS.

Section 7299a(c)(4) of title 10, United States Code, is amended by striking ''six months'' and inserting ''10 months''.

SEC. 1022. WARRANTY REQUIREMENTS FOR SHIPBUILDING CONTRACTS.

(a) IN GENERAL.—Chapter 633 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 7318. Warranty requirements for shipbuilding contracts

''(a) REQUIREMENT.—A contracting officer for a contract for which funds are expended from the Shipbuilding and Conversion, Navy account shall require, as a condition of the contract, that the work performed under the contract is covered by a warranty for a period of at least one year.

''(b) WAIVER.—If the contracting officer for a contract covered by the requirement under subsection (a) determines that a limited liability of warranted work is in the best interest of the Government, the contracting officer may agree to limit the liability of the work performed under the contract to a level that the contracting officer determines is sufficient to protect the interests of the Government and in keeping with historical levels of warranted work on similar vessels.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''7318. Warranty requirements for shipbuilding contracts.''.

SEC. 1023. NATIONAL SEA-BASED DETERRENCE FUND.

(a) TRANSFER AUTHORITY.—Section 1022(b)(1) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3487), as amended by section 1022(b) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92), is further amended by striking ''or 2017'' and inserting ''2017, or 2018''.

(b) AUTHORITY FOR MULTIYEAR PROCUREMENT OF CRITICAL COMPONENTS TO SUPPORT CONTINUOUS PRODUCTION.—Section 2218a of title 10, United States Code, is amended—

(1) by redesignating subsections (i) and (j) as subsections (j) and (k), respectively; and

(2) by inserting after subsection (h) the following new subsection (i):

''(i) AUTHORITY FOR MULTIYEAR PROCUREMENT OF CRITICAL COMPONENTS TO SUPPORT CONTINUOUS PRODUCTION.—(1) To implement the continuous production of critical components, the Secretary of the Navy may use funds deposited in the Fund, in conjunction with funds appropriated for the procurement of other nuclear-powered vessels, to enter into one or more multiyear contracts (including economic ordering quantity contracts), for the procurement of critical contractor-furnished and Government-furnished components for national sea-based deterrence vessels. The authority under this subsection extends to the procurement of equivalent critical parts, components, systems, and subsystems common with and required for other nuclear-powered vessels.

''(2) Any contract entered into pursuant to paragraph (1) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose and that the total liability to the Government for the termination of the contract shall be limited to the total amount of funding obligated for the contract as of the date of the termination.''.

(c) DEFINITION OF NATIONAL SEA-BASED DETERRENCE VESSEL.—Subsection (k)(2) of such section, as redesignated by subsection (b), is amended—

(1) by striking ''any vessel'' and inserting ''any submersible vessel constructed or purchased after fiscal year 2016 that is''; and

(2) by inserting ''and'' before ''that carries''.

SEC. 1024. AVAILABILITY OF FUNDS FOR RETIREMENT OR INACTIVATION OF TICONDEROGA-CLASS CRUISERS OR DOCK LANDING SHIPS.

(a) LIMITATION ON RETIREMENT OR INACTIVATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2017 may be obligated or expended—

(1) to retire, prepare to retire, or inactivate a cruiser or dock landing ship; or

(2) to place in a modernization status more than six cruisers and one dock landing ship identified in section 1026(a)(2) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3490).

(b) HULL, MECHANICAL, AND ELECTRICAL MODERNIZATION.—Not more than 75 percent of the funds made available for the Office of the Secretary of Defense for fiscal year 2017 may be obligated until the Secretary of the Navy—

(1) enters into a contract for the modernization industrial period associated with four cruisers and one dock landing ship referred to in section 1026(a)(2) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3490); and

(2) enters into a contract for the procurement of combat systems upgrades associated with six such cruisers and one such dock landing ship.

SEC. 1025. RESTRICTIONS ON THE OVERHAUL AND REPAIR OF VESSELS IN FOREIGN SHIPYARDS.

(a) IN GENERAL.—Section 7310(b)(1) of title 10, United States Code, is amended—

(1) by striking ''In the case'' and inserting ''(A) Except as provided in subparagraph (B), in the case'';

(2) by striking ''during the 15-month'' and all that follows through ''United States)'';

(3) by inserting before the period at the end the following: '', other than in the case of voyage repairs''; and

(4) by adding at the end the following new subparagraph:

''(B) The Secretary of the Navy may waive the application of subparagraph (A) to a contract award if the Secretary determines that the waiver is essential to the national security interests of the United States.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the later of the following dates:

(1) The date of the enactment of the National Defense Authorization Act for Fiscal Year 2018.

(2) October 1, 2017.

Subtitle D—Counterterrorism

SEC. 1031. FREQUENCY OF COUNTERTERRORISM OPERATIONS BRIEFINGS.

(a) IN GENERAL.—Subsection (a) of section 485 of title 10, United States Code is amended by striking ''quarterly'' and inserting ''monthly''.

*(b) SECTION HEADING.—The section heading for such section is amended by striking ''**Quarterly**'' and inserting ''**Monthly**''.*

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 23 of such title is amended by striking the item relating to section 485 and inserting the following new item:

''485. Monthly counterterrorism operations briefings.''.

SEC. 1032. PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA TO THE UNITED STATES.

No amounts authorized to be appropriated or otherwise made available for the Department of Defense may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2017, to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions of Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 1033. PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) IN GENERAL.—No amounts authorized to be appropriated or otherwise made available to the Department of Defense may be used during the period beginning on the date of the enactment of this Act and ending on December 31,

2017, to construct or modify any facility in the United States, its territories, or possessions to house any individual detained at Guantanamo for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense unless authorized by Congress.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.—In this section, the term ''individual detained at Guantanamo'' has the meaning given that term in section 1034(f)(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 971; 10 U.S. C. 801 note).

SEC. 1034. PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE TO CERTAIN COUNTRIES OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

No amounts authorized to be appropriated or otherwise made available for the Department of Defense may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2017, to transfer, release, or assist in the transfer or release of any individual detained in the custody or under the control of the Department of Defense at United States Naval Station, Guantanamo Bay, Cuba, to the custody or control of any country, or any entity within such country, as follows:

(1) Libya.

(2) Somalia.

(3) Syria.

(4) Yemen.

SEC. 1035. PROHIBITION ON USE OF FUNDS FOR REALIGNMENT OF FORCES AT OR CLOSURE OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

No amounts authorized to be appropriated or otherwise made available for the Department of Defense for fiscal year 2017 may be used—

(1) to close or abandon United States Naval Station, Guantanamo Bay, Cuba;

(2) to relinquish control of Guantanamo Bay to the Republic of Cuba; or

(3) to implement a material modification to the Treaty Between the United States of America and Cuba signed at Washington, D.C. on May 29, 1934, that constructively closes United States Naval Station, Guantanamo Bay.

SEC. 1036. MODIFICATION OF CONGRESSIONAL NOTIFICATION OF SENSITIVE MILITARY OPERATIONS.

Section 130f of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in the first sentence, by inserting ''no later than 48 hours'' after ''under this title''; and

(B) in the second sentence, by inserting ''and the National Defense Authorization Act for Fiscal Year 2017'' before the period at the end; and

(2) by striking subsection (d) and inserting the following:

''(d) SENSITIVE MILITARY OPERATION DEFINED.—In this section, the term 'sensitive military operation' means an operation—

''(1) conducted by the United States armed forces outside the United States, whether conducted by the United States acting alone or cooperatively;

''(2) conducted pursuant to—

''(A) the Authorization for the Use of Military Force (Public Law 107–40; 50 U.S.C. 1541); or

''(B) any other authority except—

''(i) a declaration of war; or

''(ii) a specific statutory authorization for the use of force other than the authorization referred to in subparagraph (A);

''(3) conducted outside a theater of major hostilities; and

''(4) that is either—

''(A) a lethal operation;

''(B) a capture operation; or

''(C) an activity of self-defense, collective self defense, or in defense of a foreign partner during a cooperative operation.''.

SEC. 1037. COMPREHENSIVE STRATEGY FOR DETENTION OF CERTAIN INDIVIDUALS.

(a) IN GENERAL.—Not later than July 19, 2017, the Secretary of Defense shall, in consultation with the Attorney General and the Director of National Intelligence, submit to the appropriate congressional committees a report setting forth the details of a comprehensive strategy for the detention of current and future individuals captured and held pursuant to the Authorization for Use of Military Force (Public Law 107–40) pending the end of hostilities.

(b) COMPREHENSIVE STRATEGY.—The comprehensive detention strategy required by subsection (a) shall contain the following:

(1) A policy and plan applicable to individuals lawfully detained under the effective control of the United States.

(2) A description of how intelligence information is currently gathered from individuals captured in theaters of combat operation.

(3) A plan for the disposition of individuals captured in the future.

(4) A description of how the United States will acquire intelligence information in the future.

(5) A plan for the disposition of individuals held pursuant to the Authorization for Use of Military Force who are currently detained at the United States Naval Base, Guantanamo Bay, Cuba.

(c) FORM.—The comprehensive detention strategy required under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees;

(2) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate; and

(3) the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

Subtitle E—Miscellaneous Authorities and Limitations

SEC. 1041. EXPANDED AUTHORITY FOR TRANSPORTATION BY THE DEPARTMENT OF DEFENSE OF NON-DEPARTMENT OF DEFENSE PERSONNEL AND CARGO.

(a) TRANSPORTATION OF ALLIED AND CIVILIAN PERSONNEL AND CARGO.—Subsection (c) of section 2649 of title 10, United States Code, is amended—

(1) in the subsection heading, by striking ''PERSONNEL'' and inserting ''AND CIVILIAN PERSONNEL AND CARGO'';

(2) by striking ''Until January 6, 2016, when'' and inserting ''When''; and

(3) by striking ''allied forces or civilians'', and inserting ''allied and civilian personnel and cargo''.

(b) COMMERCIAL INSURANCE.—Such section is further amended by adding at the end the following new subsection:

''(d) COMMERCIAL INSURANCE.—The Secretary may enter into a contract or other arrangement with one or more commercial providers to make insurance products available to non-Department of Defense shippers using the Defense Transportation System to insure against the loss or damage of the shipper's cargo. Any such contract or arrangement shall provide that—

''(1) any insurance premium is collected by the commercial provider;

''(2) any claim for loss or damage is processed and paid by the commercial provider;

''(3) the commercial provider agrees to hold the United States harmless and waive any recourse against the United States for amounts paid to an insured as a result of a claim; and

''(4) the contract between the commercial provider and the insured shall contain a provision whereby the insured waives any claim against the United States for loss or damage that is within the scope of enumerated risks covered by the insurance product.''.

(c) CONFORMING CROSS-REFERENCE AMENDMENTS.—Subsection (b) of such section is amended by striking ''this section'' both places it appears and inserting ''subsection (a)''.

SEC. 1042. LIMITATION ON RETIREMENT, DEACTIVATION, OR DECOMMISSIONING OF MINE COUNTERMEASURES SHIPS.

Section 1090 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 111–92; 129 Stat. 1016) is amended by striking subsection (b) and inserting the following:

''(b) LIMITATION ON RETIREMENT OF MCM SHIPS.—

''(1) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for the Department of the Navy for fiscal year 2017 may be obligated or expended to retire, deactivate, decommission, to prepare to retire, deactivate, decommission, or to place in storage backup inventory or reduced operating status any MCM-1 class ship.

''(2) WAIVER AUTHORITY.—

''(A) IN GENERAL.—The Secretary of the Navy may waive the limitation under paragraph (1) with respect to any MCM-1 class ship if the Secretary provides to the congressional defense committees certification that the operational test and evaluation for replacement capabilities for the ship is complete and such capabilities are available in sufficient quantities to ensure sufficient mine countermeasures capacity is available to meet requirements as set forth in the Join Strategic Capabilities Plan, the campaign plans of the combatant commanders, and the Navy's Force Structure Assessment.

''(B) REPORT.—The first time the Secretary of the Navy exercises the waiver authority under subparagraph (A), the Secretary shall submit to the congressional defense committees a report that includes—

''(i) the recommendations of the Secretary regarding MCM force structure;

''(ii) the recommendations of the Secretary regarding how to ensure the operational effectiveness of the surface MCM force through 2025 based on current capabilities and capacity, replacement schedules, and service life extensions or retirement schedules;

''(iii) an assessment of the MCM vessels, including the decommissioned MCM-1 and MCM-2 ships and the potential of such ships for reserve operating status; and

''(iv) an assessment of the Littoral Combat Ship MCM mission package increment one performance against the initial operational test and evaluation criteria.''.

SEC. 1043. EXTENSION OF AUTHORITY OF SECRETARY OF TRANSPORTATION TO ISSUE NON-PREMIUM AVIATION INSURANCE.

Section 44310(b) of title 49, United States Code, is amended by striking ''December 31, 2018'' and inserting ''December 31, 2019''.

SEC. 1044. EVALUATION OF NAVY ALTERNATE COMBINATION COVER AND UNISEX COMBINATION COVER.

(a) MANDATORY POSSESSION OR WEAR DATE.—The Secretary of the Navy shall change the mandatory possession or wear date of the alternate combination cover or the unisex combination cover from October 31, 2016, to October 31, 2020.

(b) EVALUATION AND REPORT.—The Secretary of the Navy may not implement or enforce any change to Navy female service dress uniforms

until the Secretary submits to the Committees on Armed Services of the Senate and House of Representatives a report on the evaluation of the Navy female service dress uniforms. Such evaluation shall include each of the following:

(1) An identification of the operational need addressed by the alternate combination cover or the unisex combination cover.

(2) An assessment of the individual cost of service dress uniform items to members of the Armed Forces as a percentage of their monthly pay.

(3) The composition of each uniform item's wear test group.

(4) An identification of the costs to the Navy and to individual members of the Armed Forces for uniform changes identified in the Navy administrative message 236/15 dated October 9, 2015.

(5) The opinions of female members of the Navy active and reserve components.

SEC. 1045. DEPARTMENT OF DEFENSE PROTECTION OF NATIONAL SECURITY SPECTRUM.

(a) EVALUATION.—The Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall jointly evaluate—

(1) the statutory and regulatory options available to the Secretary and the Chairman to protect critical test and training capability in the event of spectrum auctions affecting frequencies used by the Department of Defense; and

(2) the utility, effect, and limitation, if any, of section 1062 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 767).

(b) SUBMISSION.—Not later than 90 days after the date of the enactment of this Act, the Secretary and the Chairman shall submit to the congressional defense committees the evaluation under subsection (a), including any recommendations of the Secretary and the Chairman for additional statutory or regulatory options that would enhance the ability of the Secretary and the Chairman to protect national security equities.

SEC. 1046. TRANSPORTATION ON MILITARY AIRCRAFT ON A SPACE-AVAILABLE BASIS FOR MEMBERS AND FORMER MEMBERS OF THE ARMED FORCES WITH DISABILITIES RATED AS TOTAL.

(a) AVAILABILITY OF TRANSPORTATION.—Section 2641b of title 10, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection (f):

''(f) SPECIAL PRIORITY FOR CERTAIN DISABLED VETERANS.—(1) The Secretary of Defense shall provide transportation on scheduled and unscheduled military flights within the continental United States and on scheduled overseas flights operated by the Air Mobility Command on a space-available basis for any member or former member of the armed forces with a disability rated as total on the same basis as such transportation is provided to members of the armed forces entitled to retired or retainer pay.

''(2) The transportation priority required by paragraph (1) for veterans described in such paragraph applies whether or not the Secretary establishes the travel program authorized by this section.

''(3) In this subsection, the term 'disability rated as total' has the meanings given that term in section 1414(e)(3) of this title.''.

(b) EFFECTIVE DATE.—Subsection (f) of section 2641b of title 10, United States Code, as added by subsection (a), shall take effect at the end of the 90-day period beginning on the date of the enactment of this Act.

SEC. 1047. NATIONAL GUARD FLYOVERS OF PUBLIC EVENTS.

(a) STATEMENT OF POLICY.—It shall be the policy of the Department of Defense that flyovers of public events in support of community relations activities may only be flown as part of an approved training mission at no additional expense to the Federal Government.

(b) NATIONAL GUARD FLYOVER APPROVAL PROCESS.—The Adjutant General of a State in which an Army National Guard or Air National Guard unit is based will be the approval authority for all Air National Guard and Army National Guard flyovers in that State, including any request for a flyover in any civilian domain at a nonaviation related event.

(c) FLYOVER RECORD MAINTENANCE; REPORT.—

(1) RECORD MAINTENANCE.—The Secretary of Defense shall keep and maintain records of flyover requests and approvals in a publicly accessible database that is updated annually.

(2) GAO REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report on flyovers and the process whereby flyover requests are made and evaluated, including—

(A) whether there is any cost to taxpayers associated with flyovers;

(B) whether there is any appreciable public relations or recruitment value that comes from flyovers; and

(C) the impact flyovers have to aviator training and readiness.

(d) FLYOVER DEFINED.—In this section, the term ''flyover'' means aviation support—

(1) in which a straight and level flight limited to one pass by a single military aircraft, or by a single formation of four or fewer military aircraft of the same type, from the same military department over a predetermined point on the ground at a specific time;

(2) that does not involve aerobatics or demonstrations; and

(3) uses bank angles of up to 90 degrees if required to improve the spectator visibility of the aircraft.

Subtitle F—Studies and Reports

SEC. 1061. TEMPORARY CONTINUATION OF CERTAIN DEPARTMENT OF DEFENSE REPORTING REQUIREMENTS.

(a) EXCEPTIONS TO REPORTS TERMINATION PROVISION.—Section 1080 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1000; 10 U.S.C. 111 note) does not apply to any report required to be submitted to Congress by the Department of Defense, or by any officer, official, component, or element of the Department, pursuant to a provision of law specified in this section, notwithstanding the enactment of the reporting requirement by an annual national defense authorization Act or the inclusion of the report in the list of reports prepared by the Secretary of Defense pursuant to subsection (c) of such section 1080.

(b) FINAL TERMINATION DATE FOR SUBMITTAL OF EXEMPTED REPORTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), each report required pursuant to a provision of law specified in this section that is still required to be submitted to Congress as of January 31, 2021, shall no longer be required to be submitted to Congress after that date.

(2) REPORTS EXEMPTED FROM TERMINATION.—The termination dates specified in paragraph (1) and section 1080 of the National Defense Authorization Act for Fiscal Year 2016 do not apply to the following:

(A) The submission of the reports on the National Military Strategy and Risk Assessment under section 153(b)(3) of title 10, United States Code.

(B) The submission of the future-years defense program (including associated annexes) under section 221 of title 10, United States Code.

(C) The submission of the future-years mission budget for the military programs of the Department of Defense under section 221 of such title.

(D) The submission of audits of contracting compliance by the Inspector General of the Department of Defense under section 1601(b) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2533a note)

(c) REPORTS REQUIRED BY TITLE 10, UNITED STATES CODE.—Subject to subsection (b), subsection (a) applies to reporting requirements contained in the following sections of title 10, United States Code:

(1) Section 127b(f), relating to a report on the administration of Department of Defense rewards program against international terrorism.

(2) Section 127d(d), relating to a report on provision of logistic support, supplies, and services to allied forces participating in combined operations.

(3) Section 139(h), relating to a report on operational test and evaluation activities of the Department of Defense, including the report component required by section 2399(g) on operational test and evaluation of defense acquisition programs.

(4) Section 139b(d), relating to a report on activities of the Deputy Assistant Secretary of Defense for Developmental Test and Evaluation.

(5) Sections 153(c), relating to a report on the requirements of the combatant commands.

(6) Section 179(f), relating to reports and assessments regarding nuclear stockpile and stockpile stewardship program.

(7) Section 196(d), relating to a report on the strategic plan reflecting the needs of the Department of Defense with respect to test and evaluation facilities and resources.

(8) Section 229, relating to submission of budget information regarding Department of Defense programs for combating terrorism.

(9) Section 231, relating to submission of naval vessel construction plan and related certification.

(10) Section 238, relating to submission of a budget justification display regarding cyber mission forces.

(11) Section 401(d), relating to a report on the provision of humanitarian and civic assistance in conjunction with military operations.

(12) Section 494(b), relating to a report on the nuclear weapons stockpile of the United States.

(13) Section 526(j), relating to a report on general officer and flag officer numbers.

(14) Section 981(c), relating to a report on enlisted aide numbers.

(15) Section 1557(e), relating to a report on any failure to achieve timeliness standard for disposition of applications before Corrections Boards.

(16) Section 2011(e), relating to a report on training of special operations forces with friendly foreign forces.

(17) Section 2166(i), relating to a report on the activities of the Western Hemisphere Institute for Security Cooperation.

(18) Section 2218(h), relating to submission of budget requests for the National Defense Sealift Fund.

(19) Section 2228(e), relating to a report on the long-term strategy and related matters regarding reducing corrosion and its effects on military equipment and infrastructure.

(20) Section 2229a, relating to a report on the status of materiel in the prepositioned stocks.

(21) Section 2249c(c), relating to a report on the administration of the Regional Defense Combating Terrorism Fellowship Program.

(22) Section 2275, relating to reports on major satellite acquisition programs, including report updates under subsection (f) of such section.

(23) Section 2276(e), relating to a report on the funds, services, and equipment accepted and

used in connection with commercial space launch cooperation.

(24) Section 2445b, relating to submission of budget justification documents regarding major automated information system programs and other major information technology investment programs.

(25) Section 2464(d), relating to a report on core depot-level maintenance and repair capabilities.

(26) Section 2466(d), relating to a report on expenditures for performance of depot-level maintenance and repair workloads.

(27) Section 2561(c), relating to a report on the use of humanitarian assistance for providing transportation of humanitarian relief and for other humanitarian purposes.

(28) Section 2684a(g), relating to a report on projects undertaken under agreements to limit encroachments and other constraints on military training, testing, and operations.

(29) Section 2687a, relating to reports on the status of overseas closures and realignments and master plans, expenditures from the Department of Defense Overseas Facility Investment Recovery Account, and agreement of settlement with host countries regarding the release of facility improvements made by the United States.

(30) Section 2711, relating to a report on defense environmental programs.

(31) Sections 2831(e) and 2884(b)(4), relating to reports on quarters for general or flag officers.

(32) Sections 2884(b) and (c), relating to reports on the Department of Defense Housing Funds, provision of a basic allowance for housing to members of the Armed Forces living in military privatized housing, plans for housing privatization activities, and the status of oversight and accountability measures for military housing privatization projects.

(33) Section 2912(d), relating to a statement of the energy cost savings available for obligation.

(34) Section 2925, relating to reports on Department of Defense energy management and operational energy.

(35) Section 4721(e), relating to submission of a budget request and related materials regarding Army National Military Cemeteries.

(36) Section 7310(c), relating to a report on repairs and maintenance performed on certain naval vessels in a foreign shipyard.

(37) Section 10541, relating to a report on equipment of the National Guard and other reserve components.

(38) Section 10543, relating to a component of the future-years defense program regarding National Guard and other reserve components equipment procurement and military construction funding and associated annexes and report.

(d) REPORTS REQUIRED BY NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2015.—Subject to subsection (b), subsection (a) applies to reporting requirements contained in the following sections of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291):

(1) Section 232(e) (10 U.S.C. 2358 note), relating to a report on the pilot program on assignment to the Defense Advanced Research Projects Agency of certain private sector personnel.

(2) Section 546(d) (10 U.S.C. 1561 note), relating to a report on activities of the Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces.

(3) Section 1003 (10 U.S.C. 221 note), relating to reporting of balances carried forward by the Department of Defense at the end of each fiscal year.

(4) Section 1026(d) (128 Stat. 3490), relating to a report on the status of the modernization of Ticonderoga-class cruisers and dock landing ships.

(5) Section 1055 (128 Stat. 3498), relating to a report on the Air Force response to the recommendations of the National Commission on the Structure of the Air Force.

(6) Section 1204(b) (10 U.S.C. 2249e note), relating to a report on administration of section 2249e of title 10, United States Code.

(7) Section 1205(e) (128 Stat. 3537), relating to a report on the assessment of programs carried out under section 2282(f) of title 10, United States Code.

(8) Section 1206(e) (10 U.S.C. 2282 note), relating to a report on the training of security forces and associated security ministries of foreign countries to promote respect for the rule of law and human rights.

(9) Section 1207(d) (10 U.S.C. 2342 note), relating to a report on loan of personnel protection and personnel survivability equipment to military forces of foreign nations.

(10) Section 1211 (128 Stat. 3544), relating to a report on programs carried out by the Department of Defense to provide training, equipment, or other assistance or reimbursement to foreign security forces.

(11) Section 1225 (128 Stat. 3550), relating to a report on enhancing security and stability in Afghanistan.

(12) Section 1245 (128 Stat. 3566), relating to a report on military and security developments involving the Russian Federation.

(13) Section 2821(a)(3) (10 U.S.C. 2687 note), relating to notice of any adjustment to the funding limitation on implementation of the Record of Decision for the relocation of Marine Corps forces to Guam.

(e) REPORTS REQUIRED BY NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014.—Subject to subsection (b), subsection (a) applies to reporting requirements contained in the following sections of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66):

(1) Section 704(e) (10 U.S.C. 1074 note), relating to a report on the pilot program on investigational treatment of members of the Armed Forces for traumatic brain injury and post-traumatic stress disorder.

(2) Sections 713(f), (g), and (h) (10 U.S.C. 1071 note), relating to providing a financial summary of efforts to develop interoperable electronic health records, updates on the progress of data sharing, and information on executive committee activities.

(f) REPORTS REQUIRED BY NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013.—Subject to subsection (b), subsection (a) applies to reporting requirements contained in the following sections of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239):

(1) Section 1009 (126 Stat. 1906), relating to a report on the use of funds in the Drug Interdiction and Counter-Drug Activities, Defense-wide account.

(2) Section 1023 (126 Stat. 1911), relating to a report on recidivism of individuals who have been detained at United States Naval Station, Guantanamo Bay, Cuba.

(g) REPORTS REQUIRED BY NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2011.—Subject to subsection (b), subsection (a) applies to reporting requirements contained in the following sections of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383):

(1) Section 123 (10 U.S.C. 167 note), relating to a report on use of combat mission requirements funds.

(2) Section 1631(d) (10 U.S.C. 1561 note), relating to a report on sexual assaults involving members of the Armed Forces and improvement to sexual assault prevention and response program.

(h) REPORTS REQUIRED BY NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2010.—Subject to subsection (b), subsection (a) applies to reporting requirements contained in the following sections of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84):

(1) Section 711(d) (10 U.S.C. 1071 note), relating to a report on the comprehensive policy on pain management by the Military Health Care System.

(2) Section 1003(b) (10 U.S.C. 2222 note), relating to a report on implementation by the Department of Defense of the Financial Improvement and Audit Readiness Plan.

(3) Section 1245 (123 Stat. 2542), relating to a report on military power of Iran.

(i) REPORTS REQUIRED BY OTHER LAWS.—Subject to subsection (b), subsection (a) applies to reporting requirements contained in the following provisions of law:

(1) Section 717(c) of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 10 U.S.C. 1073 note), relating to a report on TRICARE Program effectiveness.

(2) Section 1202 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 10 U.S.C. 113 note), relating to a report on military and security developments involving the People's Republic of China.

(3) Section 1208(f) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2086), relating to a report on the provision of support for special operations to combat terrorism.

(4) Section 1405(d) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 10 U.S.C. 801 note), relating to a report on any modification made to the procedures for status review of detainees outside the United States.

(5) Section 1017(e) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 10 U.S.C. 2631 note), relating to a report regarding overhaul, repair, and maintenance performed on certain vessels in the United States.

(6) Section 1034(d) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 309), relating to a report on the provision of support for non-Federal development and testing of material for chemical agent defense.

(7) Section 1236 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1641), relating to a report on military and security developments involving the Democratic People's Republic of Korea.

(8) Section 103A(b)(3) of the Sikes Act (16 U.S.C. 670c–1(b)(3)), relating to a report on the disposition of certain appropriated funds provided under cooperative and interagency agreements for land management on installations.

(9) Section 1511(h) of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 411(h)), relating to a report on the financial and other affairs of the Armed Forces Retirement Home.

(10) Section 901(f) of the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469; 32 U.S.C. 112 note), as added by section 1008 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239), relating to a report on the activities of the National Guard counterdrug schools.

(11) Section 14 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h–5), relating to a report on the requirements of the National Defense Stockpile.

(12) Sections 1412(i) and (j) of the National Defense Authorization Act, 1986 (50 U.S.C. 1521), as amended by section 1421 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383), relating to reports on destruction of existing stockpile of

lethal chemical agents and munitions, including implementation by the United States of its chemical weapons destruction obligations under the Chemical Weapons Convention.

(13) Section 1703 of the National Defense Authorization Act for Fiscal Year 1994 (50 U.S.C. 1523), relating to a report on chemical and biological warfare defense.

(14) Section 234 of the National Defense Authorization Act for Fiscal Year 1998 (50 U.S.C. 2367), relating to a report on acquisition of technology relating to weapons of mass destruction and their threat.

(15) Section 105A(b) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20308(b)), as added by section 586 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84), relating to a report on effectiveness of activities and utilization of certain procedures under Federal Voting Assistance Program.

(j) CONFORMING AMENDMENT.—Section 1080(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1000; 10 U.S.C. 111 note) is amended—

(1) by striking ''on the date that is two years after the date of the enactment of this Act'' and inserting ''November 25, 2017''; and

(2) by striking ''effective''.

SEC. 1062. MATTERS FOR INCLUSION IN REPORT ON DESIGNATION OF COUNTRIES FOR WHICH REWARDS MAY BE PAID UNDER DEPARTMENT OF DEFENSE REWARDS PROGRAM.

Section 127b(h) of title 10, United States Code, is amended—

(1) in paragraph (2), by inserting ''and justification'' after ''reason''; and

(2) by amending paragraph (3) to read as follows:

''(3) An estimate of the amount or value of the rewards to be paid as monetary payment or payment-in-kind under this section.''.

SEC. 1063. CONGRESSIONAL NOTIFICATION OF BIOLOGICAL SELECT AGENT AND TOXIN THEFT, LOSS, OR RELEASE INVOLVING THE DEPARTMENT OF DEFENSE.

(a) NOTIFICATION REQUIREMENT.—Not later than 15 days after notice of any theft, loss, or release of a biological select agent or toxin involving the Department of Defense is provided to the Centers for Disease Control and Prevention or the Animal and Plant Health Inspection Service, as specified by section 331.19 of part 7 of the Code of Federal Regulations, the Secretary of Defense shall provide to the congressional defense committees notice of such theft, loss, or release.

(b) ELEMENTS.—Notice of a theft, loss, or release of a biological select agent or toxin under subsection (a) shall include each of the following:

(1) The name of the agent or toxin and any identifying information, including the strain or other relevant characterization information.

(2) An estimate of the quantity of the agent or toxin stolen, lost, or released.

(3) The location or facility from which the theft, loss, or release occurred.

(4) In the case of a release, any hazards posed by the release and the number of individuals potentially exposed to the agent or toxin.

(5) Actions taken to respond to the theft, loss, or release.

SEC. 1064. REPORT ON SERVICE-PROVIDED SUPPORT TO UNITED STATES SPECIAL OPERATIONS FORCES.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a written report on common service support contributed from each of the military services toward special operations forces. Such report shall include—

(1) detailed information about the resources allocated by each military service for combat support, combat service support, and base operating support for special operations forces; and

(2) an assessment of the specific effects that future manpower and force structure changes are likely to have on the capability of each of the military services to provide common service support to special operations forces.

(b) ANNUAL UPDATES.—For each of fiscal years 2018 through 2020, the Secretary of Defense shall submit to the congressional defense committees an update to the report required under subsection (a).

(c) FORM OF REPORT.—The report required under subsection (a) and each update provided under subsection (b) shall be submitted in unclassified form, but may contain a classified annex.

SEC. 1065. REPORT ON CITIZEN SECURITY RESPONSIBILITIES IN THE NORTHERN TRIANGLE OF CENTRAL AMERICA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall jointly prepare and submit to the appropriate congressional committees a report on military units that have been assigned to policing or citizen security responsibilities in Guatemala, Honduras, and El Salvador.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include each of the following:

(1) The following information, as of the date of the enactment of this Act, with respect to military units assigned to policing or citizen security responsibilities in each of Guatemala, Honduras, and El Salvador:

(A) The proportion of individuals in each such country's military who participate in policing or citizen security activities relative to the total number of individuals in that country's military.

(B) Of the military units assigned to policing or citizen security responsibilities, the types of units conducting police activities.

(C) The role of the Department of Defense and the Department of State in training individuals for purposes of participation in such military units.

(D) The number of individuals who participated in such military units who received training by the Department of Defense, and the types of training they received.

(2) Any other information that the Secretary of Defense or the Secretary of State determines to be necessary to help better understand the relationships of the militaries of Guatemala, Honduras, and El Salvador to public security in such countries.

(3) A description of the plan of the United States to assist the militaries of Guatemala, Honduras, and El Salvador to carry out their responsibilities in a manner that adheres to democratic principles.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(d) PUBLIC AVAILABILITY.—The unclassified matter of the report required by subsection (a) shall be posted on a publicly available Internet website of the Department of Defense and a publicly available Internet website of the Department of State.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives and the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

SEC. 1066. REPORT ON COUNTERPROLIFERATION ACTIVITIES AND PROGRAMS.

(a) IN GENERAL.—The Secretary of Defense shall submit to the congressional defense committees a biennial report on the counterproliferation activities and programs of the Department of Defense. The Secretary shall submit the first such report by not later than May 1, 2017.

(b) MATTERS INCLUDED.—Each report required under subsection (a) shall include each of the following:

(1) A complete list and assessment of existing and proposed capabilities and technologies for support of United States nonproliferation policy and counterproliferation policy, with regard to—

(A) interdiction;
(B) elimination;
(C) threat reduction cooperation;
(D) passive defenses;
(E) security cooperation and partner activities;
(F) offensive operations;
(G) active defenses; and
(H) weapons of mass destruction consequence management.

(2) For the existing and proposed capabilities and technologies identified under paragraph (1), an identification of goals, a description of ongoing efforts, and recommendations for further enhancements.

(3) A complete description of requirements and priorities for the development and deployment of highly effective capabilities and technologies, including identifying areas for capability enhancement and deficiencies in existing capabilities and technologies.

(4) A comprehensive discussion of the near-term, mid-term, and long-term programmatic options for meeting requirements and eliminating deficiencies, including the annual funding requirements and completion dates established for each such option.

(5) An outline of interagency activities and initiatives.

(6) Any other matters the Secretary considers appropriate.

(c) FORMS OF REPORT.—Each report under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(d) TERMINATION OF REQUIREMENT.—No report shall be required to be submitted under this section after January 31, 2021.

SEC. 1067. INCLUSION OF BALLISTIC MISSILE DEFENSE INFORMATION IN ANNUAL REPORT ON REQUIREMENTS OF COMBATANT COMMANDS.

(a) IN GENERAL.—Paragraph (2)(A) of section 153(c) of title 10, United States Code, is amended by inserting before the period the following: '', including the integrated priorities list requirements for ballistic missile defense by the geographic combatant commands and the prioritized capabilities list for ballistic missile defense developed by the Commander of the United States Strategic Command''.

(b) REPORT DURATION.—Paragraph (1) of such section is amended by striking ''At or about'' and inserting ''During the period preceding January 31, 2021, at or about''.

SEC. 1068. REVIEWS BY DEPARTMENT OF DEFENSE CONCERNING NATIONAL SECURITY USE OF SPECTRUM.

(a) REVIEW AND REPORT TO THE CONGRESSIONAL DEFENSE COMMITTEES.—Not later than one year after the date of the enactment of this Act, and every two years thereafter until January 31, 2021, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall submit to the congressional defense committees a report containing the results of a comprehensive review conducted by the Secretary and the Chairman of all uses by the Department of Defense of spectrum. Such review shall include the use of spectrum in military plans, training, test, and in military capabilities that are in development or have been fielded for any known or potential impacts of sharing or repurposing of spectrum used or allocated to be used by the Department of Defense that may be reallocated or

shared pursuant to a spectrum auction, sharing arrangement, or other arrangement, or that is otherwise identified as part of the 10-year plan developed by the National Telecommunications and Information Administration, and whether there are known or possible mitigations in the event of reallocation or sharing that they recommend, including exclusion zones, equipment modifications, development or procurement of new technology, or any other mitigation they believe will protect Department of Defense use of such spectrum, including projected or estimated potential costs of the same, and whether such costs will be borne out of Defense of Defense total obligation authority.

(b) CERTIFICATION.—At the time of the submission of the report required under subsection (a), the Secretary and the Chairman shall both certify that they understand any potential impacts to Department of Defense use of spectrum that could result from a spectrum auction, reallocation, or sharing arrangement as of that date, and submit such certification to the congressional defense committees.

(c) REPORT OF NON-CONCURRENCE OR VETO.—The Secretary of Defense shall notify the congressional defense committees as to whether the Secretary has not concurred with or otherwise objected to the most recent version of the 10-year plan developed by the National Telecommunications and Information Administration not later than 30 days after the date of such non-concurrence or other objection.

(d) FUNDING WITHHELD.—The Secretary of Defense and the Chairman of the Joint Chiefs of Staff may not obligate more than 95 percent of the funding authorized to be appropriated to the Department of Defense for fiscal year 2017 for operation and maintenance for headquarters operations before the date that is 30 days after the date on which the report required by subsection (a) and the certification required under subsection (b) are submitted to the congressional defense committees.

SEC. 1069. ANNUAL REPORT ON PERSONNEL, TRAINING, AND EQUIPMENT REQUIREMENTS FOR THE NON-FEDERALIZED NATIONAL GUARD TO SUPPORT CIVILIAN AUTHORITIES IN PREVENTION AND RESPONSE TO DOMESTIC DISASTERS.

(a) ANNUAL REPORT REQUIRED.—Section 10504 of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''REPORT.—'' and inserting ''REPORT ON STATE OF THE NATIONAL GUARD.—(1)'';

(2) by striking ''(b) SUBMISSION OF REPORT TO CONGRESS.—'' and inserting ''(2)'';

(3) by striking ''annual report of the Chief of the National Guard Bureau'' and inserting ''annual report required by paragraph (1)''; and

(4) by adding at the end the following new subsection (b):

''(b) ANNUAL REPORT ON NON-FEDERALIZED SERVICE NATIONAL GUARD PERSONNEL, TRAINING, AND EQUIPMENT REQUIREMENTS.—(1) Not later than January 31 of each of calendar years 2017 through 2021, the Chief of the National Guard Bureau shall submit to the congressional defense committees and the officials specified in paragraph (5) a report setting forth the personnel, training, and equipment required by the National Guard during the next fiscal year to carry out its mission, while not Federalized, to provide prevention, protection mitigation, response, and recovery activities in support of civilian authorities in connection with natural and man-made disasters.

''(2) To determine the annual personnel, training, and equipment requirements of the National Guard referred to in paragraph (1), the Chief of the National Guard Bureau shall take into account, at a minimum, the following:

''(A) Core civilian capabilities gaps for the prevention, protection, mitigation, response, and recovery activities in connection with natural and man-made disasters, as collected by the Department of Homeland Security from the States.

''(B) Threat and hazard identifications and risk assessments of the Department of Defense, the Department of Homeland Security, and the States.

''(3) Personnel, training, and equipment requirements shall be collected from the States, validated by the Chief of the National Guard Bureau, and be categorized in the report required by paragraph (1) by each of the following:

''(A) Emergency support functions of the National Response Framework.

''(B) Federal Emergency Management Agency regions.

''(4) The annual report required by paragraph (1) shall be prepared in consultation with the chief executive of each State, other appropriate civilian authorities, and the Council of Governors.

''(5) In addition to the congressional defense committees, the annual report required by paragraph (1) shall be submitted to the following officials:

''(A) The Secretary of Defense.

''(B) The Secretary of Homeland Security.

''(C) The Council of Governors.

''(D) The Secretary of the Army.

''(E) The Secretary of the Air Force.

''(F) The Commander of the United States Northern Command.

''(G) The Commander of the United States Cyber Command.''.

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

''§ 10504. Chief of the National Guard Bureau: annual reports''.

(2) TABLE OF CONTENTS.—The table of sections at the beginning of chapter 1011 of title 10, United States Code, is amended by striking the item relating to section 10504 and inserting the following new section:

''10504. Chief of the National Guard Bureau: annual reports.''.

Subtitle G—Other Matters

SEC. 1081. TECHNICAL AND CLERICAL AMENDMENTS.

(a) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) Section 130h is amended by striking ''subsection (a) and (b)'' both places it appears and inserting ''subsections (a) and (b)''.

(2) Section 187(a)(2)(C) is amended by striking ''Acquisition, Logistics, and Technology'' and inserting ''Acquisition, Technology, and Logistics''.

(3) Section 196(c)(1)(A)(ii) is amended by striking ''section 139(i)'' and inserting ''section 139(j)''.

(4) Subsection (b)(1)(B) of section 1415, to be added by section 633(a)(1) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 848), is amended by adding a period at the end of clause (ii).

(5) Section 1705(g)(1) is amended by striking ''of of'' and inserting ''of''.

(6) Section 2222 is amended—

(A) in subsection (d)(1)(B), by inserting ''to'' before ''eliminate'';

(B) in subsection (g)(1)(E) by inserting ''the system'' before ''is in compliance''; and

(C) in subsection (i)(5), by striking ''PROGRAM'' in the heading.

(b) AMENDMENTS RELATED TO ELIMINATION OF TITLE 50 APPENDIX.—

(1) MILITARY SELECTIVE SERVICE ACT CITATION CHANGES.—

(A) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(i) Section 101(d)(6)(B)(v) is amended by striking ''(50 U.S.C. App. 460(b)(2))'' and inserting ''(50 U.S.C. 3809(b)(2))''.

(ii) Section 513(c) is amended—

(I) by striking ''(50 U.S.C. App. 451 et seq.)'' and inserting ''(50 U.S.C. 3801 et seq.)''; and

(II) by inserting ''(50 U.S.C. 3806(c)(2)(A))'' after ''of that Act''.

(iii) Section 523(b)(7) is amended by striking ''(50 U.S.C. App. 460(b)(2))'' and inserting ''(50 U.S.C. 3809(b)(2))''.

(iv) Section 651(a) is amended by striking ''(50 U.S.C. App. 456(d)(1))'' and inserting ''(50 U.S.C. 3806(d)(1))''.

(v) Section 671(c)(1) is amended by striking ''(50 U.S.C. App. 454(a))'' and inserting ''(50 U.S.C. 3803(a))''.

(vi) Section 1475(a)(5)(B) is amended by striking ''(50 U.S.C. App. 451 et seq.)'' and inserting ''(50 U.S.C. 3801 et seq.)''.

(vii) Section 12103 is amended—

(I) in subsections (b) and (d), by striking ''(50 U.S.C. App. 451 et seq.)'' both places it appears and inserting ''(50 U.S.C. 3801 et seq.)''; and

(II) in subsection (d), by striking ''section 6(c)(2)(A)(ii) and (iii) of such Act'' and inserting ''clauses (ii) and (iii) of section 6(c)(2)(A) of such Act (50 U.S.C. 3806(c)(2)(A))''.

(viii) Section 12104(a) is amended by striking ''(50 U.S.C. App. 451 et seq.)'' both places it appears and inserting ''(50 U.S.C. 3801 et seq.)''.

(ix) Section 12208(a) is amended by striking ''(50 U.S.C. App. 451 et seq.)'' both places it appears and inserting ''(50 U.S.C. 3801 et seq.)''.

(B) TITLE 37, UNITED STATES CODE.—Section 209(a)(1) of title 37, United States Code is amended by striking ''(50 U.S.C. App. 456(d)(1))'' and inserting ''(50 U.S.C. 3806(d)(1))''.

(2) SERVICEMEMBERS CIVIL RELIEF ACT CITATION CHANGES.—Title 10, United States Code, is amended as follows:

(A) Section 987 is amended—

(i) in subsection (e)(2), by inserting ''(50 U.S.C. 3901 et seq.)'' before the semicolon; and

(ii) in subsection (g), by striking ''(50 U.S.C. App. 527)'' and inserting ''(50 U.S.C. 3937)''.

(B) Section 1408(b)(1)(D) is amended by striking ''(50 U.S.C. App. 501 et seq.)'' and inserting ''(50 U.S.C. 3901 et seq.)''.

(3) EXPORT ADMINISTRATION ACT OF 1979 CITATION CHANGES.—Title 10, United States Code, is amended as follows:

(A) Section 130(a) is amended by striking ''(50 U.S.C. App. 2401–2420)'' and inserting ''(50 U.S.C. 4601 et seq.)''.

(B) Section 2249a(a)(1) is amended by striking ''(50 U.S.C. App. 2405(j)(1)(A))'' and inserting ''(50 U.S.C. 4605(j)(1)(A))''.

(C) Section 2327 is amended—

(i) in subsection (a), by striking ''(50 U.S.C. App. 2405(j)(1)(A))'' and inserting ''(50 U.S.C. 4605(j)(1)(A))''; and

(ii) in subsection (b)(2), by striking ''(50 U.S.C. App. 2405(j)(1)(A))'' and inserting ''(50 U.S.C. 4605(j)(1)(A))''.

(D) Section 2410i(a) is amended by striking ''(50 U.S.C. App. 2402(5)(A))'' and inserting ''(50 U.S.C. 4602(5)(A))''.

(E) Section 7430(e) is amended by striking ''(50 U.S.C. App. 2401 et seq.)'' and inserting ''(50 U.S.C. 4601 et seq.)''.

(4) DEFENSE PRODUCTION ACT OF 1950 CITATION CHANGES.—Title 10, United States Code, is amended as follows:

(A) Section 139c of title 10, United States Code, is amended—

(i) in subsection (b)—

(I) in paragraph (11), by striking ''(50 U.S.C. App. 2171)'' and inserting ''(50 U.S.C. 4567)''; and

(II) in paragraph (12)—

(aa) by striking ''(50 U.S.C. App. 2062(b))'' and inserting ''(50 U.S.C. 4502(b))''; and

(bb) by striking ''(50 U.S.C. App. 2061 et seq.)'' and inserting ''(50 U.S.C. 4501 et seq.)''; and

(ii) in subsection (c), by striking ''(50 U.S.C. App. 2170(k))'' and inserting ''(50 U.S.C. 4565(k))''.

(B) Section 2537(c) is amended by striking ''(50 U.S.C. App. 2170(a))'' and inserting ''(50 U.S.C. 4565(a))''.

(C) Section 9511(6) is amended by striking ''(50 U.S.C. App. 2071)'' and inserting ''(50 U.S.C. 4511)''.

(D) Section 9513(e) is amended by striking ''(50 U.S.C. App. 2071)'' and inserting ''(50 U.S.C. 4511)''.

(5) MERCHANT SHIP SALES ACT OF 1946 CITATION CHANGES.—Section 2218 of title 10, United States Code, is amended—

(A) in subsection (c)(1)(E), by striking ''(50 U.S.C. App. 1744)'' and inserting ''(50 U.S.C. 4405)''; and

(B) in subsection (k)(3)(B), by striking ''(50 U.S.C. App. 1744)'' and inserting ''(50 U.S.C. 4405)''.

(c) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016.—Effective as of November 25, 2015, and as if included therein as enacted, the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92) is amended as follows:

(1) Section 563(a) is amended by striking ''Section 5(c)(5)'' and inserting ''Section 5(c)(2)''.

(2) Section 883(a)(2) (129 Stat. 947) is amended by striking ''such chapter'' and inserting ''chapter 131 of such title''.

(3) Section 883 (129 Stat. 942) is amended by adding at the end the following new subsection:

''(f) CONFORMING AMENDMENTS.—

''(1) Effective on the effective date specified in subsection (a)(1) of section 901 of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3462; 10 U.S.C. 132a note), section 2222 of title 10, United States Code, is amended—

''(A) by striking 'Deputy Chief Management Officer of the Department of Defense' each place it appears in subsections (c)(2), (e)(1), (g)(2)(A), (g)(2)(B)(ii), and (i)(5)(B) and inserting 'Under Secretary of Defense for Business Management and Information'; and

''(B) by striking 'Deputy Chief Management Officer' in subsection (f)(1) and inserting 'Under Secretary of Defense for Business Management and Information'.

''(2) The second paragraph (3) of section 901(k) of such Act (Public Law 113–291; 128 Stat. 3468; 10 U.S.C. 2222 note) is repealed.''.

(4) Section 1079(a) is amended to read as follows:

''(a) ANNUAL REPORT ON PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.—Section 2374a of title 10, United States Code, is amended—

''(1) by striking subsection (f); and

''(2) by redesignating subsection (g) as subsection (f).''.

(5) Section 1086(f)(11)(A) is amended by striking ''Not later than\ one year'' and inserting ''Not later than one year''.

(d) COORDINATION WITH OTHER AMENDMENTS MADE BY THIS ACT.—For purposes of applying amendments made by provisions of this Act other than this section, the amendments made by this section shall be treated as having been enacted immediately before any such amendments by other provisions of this Act.

SEC. 1082. MODIFICATION TO SUPPORT FOR NON-FEDERAL DEVELOPMENT AND TESTING OF MATERIAL FOR CHEMICAL AGENT DEFENSE.

Section 1034 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) is amended—

(1) in subsection (d)—

(A) by striking ''report on the use of the authority under subsection (a)'' and all that follows and inserting ''report that includes—''

''(A) a description of—

''(i) each use of the authority under subsection (a); and

''(ii) for each such use, the specific material made available and to whom it was made available; and

''(B) a description of—

''(i) any instance in which the Department of Defense made available to a State, a unit of local government, or a private entity any biological select agent or toxin for the development or testing of any biodefense technology; and

''(ii) for each such instance, the specific material made available and to whom it was made available.''; and

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

''(3) The requirement to submit a report under paragraph (1) shall terminate on January 31, 2021.''; and

(2) in subsection (e), by striking ''this section'' and all that follows and inserting ''this section:''

''(1) The terms 'precursor', 'protective purposes', and 'toxic chemical' have the meanings given those terms in the convention referred to in subsection (c), in paragraph 2, paragraph 9(b), and paragraph 1, respectively, of article II of that convention.

''(2) The term 'biological select agent or toxin' means any agent or toxin identified under any of the following:

''(A) Section 331.3 of title 7, Code of Federal Regulations.

''(B) Section 121.3 or section 121.4 of title 9, Code of Federal Regulations.

''(C) Section 73.3 or section 73.4 of title 42, Code of Federal Regulations.''.

SEC. 1083. INCREASE IN MAXIMUM AMOUNT AVAILABLE FOR EQUIPMENT, SERVICES, AND SUPPLIES PROVIDED FOR HUMANITARIAN DEMINING ASSISTANCE.

Section 407(c)(3) of title 10, United States Code, is amended by striking ''$10,000,000'' and inserting ''$15,000,000''.

SEC. 1084. LIQUIDATION OF UNPAID CREDITS ACCRUED AS A RESULT OF TRANSACTIONS UNDER A CROSS-SERVICING AGREEMENT.

(a) LIQUIDATION OF UNPAID CREDITS.—Section 2345 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(c)(1) Any credits of the United States accrued as a result of the provision of logistic support, supplies, and services under the authority of this subchapter that remain unliquidated more than 18 months after the date of delivery of the logistic support, supplies, or services may, at the option of the Secretary of Defense, with the concurrence of the Secretary of State, be liquidated by offsetting the credits against any amount owed by the Department of Defense, pursuant to a transaction or transactions concluded under the authority of this subchapter, to the government or international organization to which the logistic support, supplies, or services were provided by the United States.

''(2) The amount of any credits offset pursuant to paragraph (1) shall be credited as specified in section 2346 of this title as if it were a receipt of the United States.''.

(b) EFFECTIVE DATE.—Subsection (c) of section 2345 of title 10, United States Code, as added by subsection (a), shall apply with respect to credits accrued by the United States that—

(1) were accrued prior to, and remain unpaid as of, the date of the enactment of this Act; or

(2) are accrued after the date of the enactment of this Act.

SEC. 1085. CLARIFICATION OF CONTRACTS COVERED BY AIRLIFT SERVICE PROVISION.

Section 9516 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(f) CONTRACT FOR AIRLIFT SERVICE DEFINED.—In this section, the term 'contract for airlift service' means—

''(1) a contract with the Department of Defense for airlift service;

''(2) any contract with the Department of Defense other than a contract described in paragraph (1), if transportation services are used in the performance of the contract; or

''(3) any subcontract (at any tier) under a contract described in paragraph (1) or (2) if the subcontract is for airlift service or if transportation services are used in the performance of the subcontract.''.

SEC. 1086. NATIONAL BIODEFENSE STRATEGY.

(a) STRATEGY AND IMPLEMENTATION PLAN REQUIRED.—The Secretary of Defense, the Secretary of Health and Human Services, the Secretary of Homeland Security, and the Secretary of Agriculture shall jointly develop a national biodefense strategy and associated implementation plan, which shall include a review and assessment of biodefense policies, practices, programs and initiatives. Such Secretaries shall review and, as appropriate, revise the strategy biennially.

(b) ELEMENTS.—The strategy and associated implementation plan required under subsection (a) shall include each of the following:

(1) An inventory and assessment of all existing strategies, plans, policies, laws, and interagency agreements related to biodefense, including prevention, deterrence, preparedness, detection, response, attribution, recovery, and mitigation.

(2) A description of the biological threats, including biological warfare, bioterrorism, naturally occurring infectious diseases, and accidental exposures.

(3) A description of the current programs, efforts, or activities of the United States Government with respect to preventing the acquisition, proliferation, and use of a biological weapon, preventing an accidental or naturally occurring biological outbreak, and mitigating the effects of a biological epidemic.

(4) A description of the roles and responsibilities of the Executive Agencies, including internal and external coordination procedures, in identifying and sharing information related to, warning of, and protection against, acts of terrorism using biological agents and weapons and accidental or naturally occurring biological outbreaks.

(5) An articulation of related or required interagency capabilities and whole-of-Government activities required to support the national biodefense strategy.

(6) Recommendations for strengthening and improving the current biodefense capabilities, authorities, and command structures of the United States Government.

(7) Recommendations for improving and formalizing interagency coordination and support mechanisms with respect to providing a robust national biodefense.

(8) Any other matters the Secretary of Defense, the Secretary of Health and Human Services, the Secretary of Homeland Security, and the Secretary of Agriculture determine necessary.

(c) SUBMITTAL TO CONGRESS.—Not later than 275 days after the date of the enactment of this Act, the Secretary of Defense, the Secretary of Health and Human Services, the Secretary of Homeland Security, and the Secretary of Agriculture shall submit to the appropriate congressional committees the strategy and associated implementation plan required by subsection (a). The strategy and implementation plan shall be submitted in unclassified form, but may include a classified annex.

(d) BRIEFINGS.—Not later than March 1, 2017, and annually thereafter until March 1, 2019, the

Secretary of Defense, the Secretary of Health and Human Services, the Secretary of Homeland Security, and the Secretary of Agriculture shall provide to the Committee on Armed Services of the House of Representatives, the Committee on Energy and Commerce of the House of Representatives, the Committee on Homeland Security of the House of Representatives, and the Committee on Agriculture of the House of Representatives a joint briefing on the strategy developed under subsection (a) and the status of the implementation of such strategy.

(e) GAO REVIEW.—Not later than 180 days after the date of the submittal of the strategy and implementation plan under subsection (c), the Comptroller General of the United States shall conduct a review of the strategy and implementation plan to analyze gaps and resources mapped against the requirements of the National Biodefense Strategy and existing United States biodefense policy documents.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

(3) The Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

(4) The Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

SEC. 1087. GLOBAL CULTURAL KNOWLEDGE NETWORK.

(a) PROGRAM AUTHORIZED.—The Secretary of the Army shall carry out a program to support the socio-cultural understanding needs of the Department of the Army, to be known as the Global Cultural Knowledge Network.

(b) GOALS.—The Global Cultural Knowledge Network shall support the following goals:

(1) Provide socio-cultural analysis support to any unit deployed, or preparing to deploy, to an exercise or operation in the assigned region of responsibility of the unit being supported.

(2) Make recommendations or support policy development to increase the social science expertise of military and civilian personnel of the Department of the Army.

(3) Provide reimbursable support to other military departments or Federal agencies if requested through an operational needs request process.

(c) ELEMENTS OF THE PROGRAM.—The Global Cultural Knowledge Network shall include the following elements:

(1) A center in the continental United States (referred to in this section as a ''reach-back center'') to support requests for information and analysis.

(2) Outreach to academic institutions and other Federal agencies involved in social science research to increase the network of resources for the reach-back center.

(3) Training with operational units during annual training exercises or during pre-deployment training.

(4) The training, contracting, and human resources capacity to rapidly respond to contingencies in which social science expertise is requested by operational commanders through an operational needs request process.

(d) DIRECTIVE REQUIRED.—The Secretary of the Army shall issue a directive within one year after the date of the enactment of this Act for the governance of the Global Cultural Knowledge Network, including oversight and process controls for auditing the activities of personnel of the Network, the employment of the Global Cultural Knowledge Network by operation forces, and processes for requesting support by operational Army units and other Department of Defense and Federal entities.

(e) PROHIBITION ON DEPLOYMENTS UNDER GLOBAL CULTURAL KNOWLEDGE NETWORK.—

(1) PROHIBITION.—The Secretary of the Army may not deploy social scientists in a conflict zone.

(2) WAIVER.—The Secretary of the Army may waive the prohibition in paragraph (1) if the Secretary submits, at least 10 days before the deployment, to the Committees on Armed Services of the House of Representatives and the Senate—

(A) notice of the waiver; and

(B) a certification that there is a compelling national security interest for the deployment or there will be a benefit to the safety and welfare of members of the Armed Forces from the deployment.

(3) ELEMENTS OF WAIVER NOTICE.—A waiver notice under this subsection also shall include the following:

(A) The operational unit, or units, requesting support, including the location or locations where the social scientists are to be deployed.

(B) The number of Global Cultural Knowledge Network personnel to be deployed and the anticipated duration of such deployments.

(C) The anticipated resource needs for such deployment.

SEC. 1088. MODIFICATION OF REQUIREMENTS RELATING TO MANAGEMENT OF MILITARY TECHNICIANS.

(a) CONVERSION OF CERTAIN MILITARY TECHNICIAN (DUAL STATUS) POSITIONS.—Subsection (a) of section 1053 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 981; 10 U.S.C. 10216 note) is amended—

(1) by striking paragraph (1) and inserting the following new paragraph (1):

''(1) IN GENERAL.—By not later than October 1, 2017, the Secretary of Defense shall convert not fewer than 20 percent of all military technician positions to positions filled by individuals who are employed under section 3101 of title 5, United States Code, or section 1601 of title 10, United States Code, or serving under section 328 of title 32, United States Code, and are not military technicians. The positions to be converted are described in paragraph (2).'';

(2) in paragraph (2), by striking ''in the report'' and all that follows and inserting ''by the Army Reserve, the Air Force Reserve, the National Guard Bureau, and the State adjutants general in the course of reviewing all military technician positions for purposes of implementing this section.''; and

(3) in paragraph (3), by striking ''may fill'' and inserting ''shall fill''.

(b) CONVERSION OF ARMY RESERVE, AIR FORCE RESERVE, AND NATIONAL GUARD NON-DUAL STATUS POSITIONS.—Subsection (e) of section 10217 of title 10, United States Code, is amended to read as follows:

''(e) CONVERSION OF POSITIONS.—(1) No individual may be newly hired or employed, or rehired or reemployed, as a non-dual status technician for purposes of this section after September 30, 2017.

''(2) On October 1, 2017, the Secretary of Defense shall convert all non-dual status technicians to positions filled by individuals who are employed under section 3101 of title 5 or section 1601 of this title and are not military technicians.

''(3) In the case of a position converted under paragraph (2) for which there is an incumbent employee on October 1, 2017, the Secretary shall fill that position, as converted, with the incumbent employee without regard to any requirement concerning competition or competitive hiring procedures.

''(4) Any individual newly hired or employed, or rehired or employed, to a position required to be filled by reason of paragraph (1) shall an individual employed in such position under section 3101 of title 5 or section 1601 of this title.''.

(c) REPORT ON CONVERSION OF MILITARY TECHNICIAN POSITIONS TO PERSONNEL PERFORMING ACTIVE GUARD AND RESERVE DUTY.—

(1) IN GENERAL.—Not later than March 1, 2017, the Secretary of Defense, shall in consultation with the Chief of the National Guard Bureau, submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the feasibility and advisability of converting any remaining military technicians (dual status) to personnel performing active Guard and Reserve duty under section 328 of title 32, United States Code, or other applicable provisions of law. The report shall include the following:

(A) An analysis of the fully-burdened costs of the conversion taking into account the new modernized military retirement system.

(B) An assessment of the ratio of members of the Armed Forces performing active Guard and Reserve duty and civilian employees of the Department of Defense under title 5, United States Code, required to best contribute to the readiness of the National Guard and the Reserves.

(2) ACTIVE GUARD AND RESERVE DUTY DEFINED.—In this subsection, the term ''active Guard and Reserve duty'' has the meaning given that term in section 101(d)(6) of title 10, United States Code.

SEC. 1089. SENSE OF CONGRESS REGARDING CONNECTICUT'S SUBMARINE CENTURY.

(a) FINDINGS.—Congress makes the following findings:

(1) On March 2, 1867, Congress enacted a naval appropriations Act that authorized the Secretary of the Navy to ''receive and accept a deed of gift, when offered by the State of Connecticut, of a tract of land with not less than one mile of shore front on the Thames River near New London, Connecticut, to be held by the United States for naval purposes''.

(2) The people of Connecticut and the towns and cities in the southeastern region of Connecticut subsequently gifted land to establish a military installation to fulfil the Nation's need for a naval facility on the Atlantic coast.

(3) On April 11, 1868, the Navy accepted the deed of gift of land from Connecticut to establish a naval yard and storage depot along the eastern shore of the Thames River in Groton, Connecticut;

(4) Between 1868 and 1912, the New London Navy Yard supported a diverse range of missions, including berthing inactive Civil War era ironclad warships and serving as a coaling station for refueling naval ships traveling in New England waters.

(5) Congress rejected the Navy's proposal to close New London Navy Yard in 1912, following an impassioned effort by Congressman Edwin W. Higgins, who stated that ''this action proposed is not only unjust but unreasonable and unsound as a military proposition''.

(6) The outbreak of World War I and the enemy use of submarines to sink allied military and civilian ships in the Atlantic sparked a new focus on developing submarine capabilities in the United States.

(7) October 18, 1915, marked the arrival at the New London Navy Yard of the submarines G–1, G–2, and G–4 under the care of the tender U.S.S. OZARK, soon followed by the arrival of submarines E–1, D–1, and D–3 under the care of the tender U.S.S. TONOPAH, and on November 1, 1915, the arrival of the first ship built as a submarine tender, the U.S.S. FULTON (AS–1).

(8) On June 21, 1916, Commander Yeates Stirling assumed the command of the newly designated Naval Submarine Base New London, the

New London Submarine Flotilla, and the Submarine School;

(9) In the 100 years since the arrival of the first submarines to the base, Naval Submarine Base New London has grown to occupy more than 680 acres along the east side of the Thames River, with more than 160 major facilities, 15 nuclear submarines, and more than 70 tenant commands and activities, including the Submarine Learning Center, Naval Submarine School, the Naval Submarine Medical Research Laboratory, the Naval Undersea Medical Institute, and the newly established Undersea Warfighting Development Center.

(10) In addition to being the site of the first submarine base in the United States, Connecticut was home to the foremost submarine manufacturers of the time, the Lake Torpedo Boat Company in Bridgeport and the Electric Boat Company in Groton, which later became General Dynamics Electric Boat.

(11) General Dynamics Electric Boat, its talented workforce, and its Connecticut-based and nationwide network of suppliers have delivered more than 200 submarines from its current location in Groton, Connecticut, including the first nuclear-powered submarine, the U.S.S. NAUTILUS (SSN 571), and nearly half of the nuclear submarines ever built by the United States.

(12) The Submarine Force Library and Museum, located adjacent to Naval Submarine Base New London in Groton, Connecticut, is the only submarine museum operated by the United States Navy and today serves as the primary repository for artifacts, documents, and photographs relating to the bold and courageous history of the Submarine Force and highlights as its core exhibit the Historic Ship NAUTILUS (SSN 571) following her retirement from service.

(13) Reflecting the close ties between Connecticut and the Navy that began with the gift of land that established the base, the State of Connecticut has set aside $40,000,000 in funding for critical infrastructure investments to support the mission of the base, including construction of a new dive locker building, expansion of the Submarine Learning Center, and modernization of energy infrastructure.

(14) On September 29, 2015, Connecticut Governor Dannel Malloy designated October 2015 through October 2016 as Connecticut's Submarine Century, a year-long observance that celebrates 100 years of submarine activity in Connecticut, including the Town of Groton's distinction as the Submarine Capital of the World, to coincide with the centennial anniversary of the establishment of Naval Submarine Base New London and the Naval Submarine School.

(15) Whereas Naval Submarine Base New London still proudly proclaims its motto of ''The First and Finest''.

(16) Congressman Higgins' statement before Congress in 1912 that ''Connecticut stands ready, as she always has, to bear her part of the burdens of the national defense'' remains true today.

(b) SENSE OF CONGRESS.—Congress—

(1) commends the longstanding dedication and contribution to the Navy and submarine force by the people of Connecticut, both through the initial deed of gift that established what would become Naval Submarine Base New London and through their ongoing commitment to support the mission of the base and the Navy personnel assigned to it;

(2) honors the submariners who have trained and served at Naval Submarine Base New London throughout its history in support of the Nation's security and undersea superiority;

(3) recognizes the contribution of the industry and workforce of Connecticut in designing, building, and sustaining the Navy's submarine fleet; and

(4) encourages the recognition of Connecticut's Submarine Century by Congress, the Navy, and the American people by honoring the contribution of the people of Connecticut to the defense of the United States and the important role of the submarine force in safeguarding the security of the United States for more than a century.

SEC. 1090. LNG PERMITTING CERTAINTY AND TRANSPARENCY.

(a) ACTION ON APPLICATIONS.—

(1) DECISION DEADLINE.—For proposals that must also obtain authorization from the Federal Energy Regulatory Commission or the United States Maritime Administration to site, construct, expand, or operate LNG export facilities, the Department of Energy shall issue a final decision on any application for the authorization to export natural gas under section 3 of the Natural Gas Act (15 U.S.C. 717b) not later than 30 days after the later of—

(A) the conclusion of the review to site, construct, expand, or operate the LNG facilities required by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(B) the date of enactment of this Act.

(2) CONCLUSION OF REVIEW.—For purposes of paragraph (1), review required by the National Environmental Policy Act of 1969 shall be considered concluded—

(A) for a project requiring an Environmental Impact Statement, 30 days after publication of a Final Environmental Impact Statement;

(B) for a project for which an Environmental Assessment has been prepared, 30 days after publication by the Department of Energy of a Finding of No Significant Impact; and

(C) upon a determination by the lead agency that an application is eligible for a categorical exclusion pursuant National Environmental Policy Act of 1969 implementing regulations.

(3) JUDICIAL ACTION.—(A) The United States Court of Appeals for the circuit in which the export facility will be located pursuant to an application described in paragraph (1) shall have original jurisdiction over any civil action for the review of—

(i) an order issued by the Department of Energy with respect to such application; or

(ii) the Department of Energy's failure to issue a final decision on such application.

(B) If the Court in a civil action described in subparagraph (A) finds that the Department of Energy has failed to issue a final decision on the application as required under paragraph (1), the Court shall order the Department of Energy to issue such final decision not later than 30 days after the Court's order.

(C) The Court shall set any civil action brought under this paragraph for expedited consideration and shall set the matter on the docket as soon as practical after the filing date of the initial pleading.

(b) PUBLIC DISCLOSURE OF EXPORT DESTINATIONS.—Section 3 of the Natural Gas Act (15 U.S.C. 717b) is amended by adding at the end the following:

''(g) PUBLIC DISCLOSURE OF LNG EXPORT DESTINATIONS.—As a condition for approval of any authorization to export LNG, the Secretary of Energy shall require the applicant to publicly disclose the specific destination or destinations of any such authorized LNG exports.''.

SEC. 1091. SENSE OF CONGRESS REGARDING THE REPORTING OF THE MV–22 MISHAP IN MARANA, ARIZONA, ON APRIL 8, 2000.

It is the sense of Congress that—

(1) in the report accompanying H.R. 1735 of the 114th Congress (House Report 114–102), the Committee on Armed Services of the House of Representatives encouraged the Secretary of Defense to ''publicly clarify the causes of the MV-22 mishap at Marana Northwest Regional Airport, Arizona, in a way consistent with the results of all investigations as soon as possible'';

(2) the Deputy Secretary of Defense Robert O. Work did an excellent job reviewing the investigations of such mishap and concluded that there was a misrepresentation of facts by the media which incorrectly identified pilot error as the cause of the mishap which the Deputy Secretary publicly made known in March 2016; and

(3) Congress is grateful for the successful conclusion to this tragic situation.

SEC. 1092. TRANSFER OF SURPLUS FIREARMS TO CORPORATION FOR THE PROMOTION OF RIFLE PRACTICE AND FIREARMS SAFETY.

(a) IN GENERAL.—Section 40728(h) of title 36, United States Code, is amended—

(1) by striking ''(1) Subject to paragraph (2), the Secretary may transfer'' and inserting ''The Secretary shall transfer'';

(2) by striking ''The Secretary shall determine a reasonable schedule for the transfer of such surplus pistols.''; and

(3) by striking paragraph (2).

(b) PILOT PROGRAM.—Section 1087 of National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1012) is amended—

(1) in subsection (b)(1)—

(A) by striking ''may'' each place it appears and inserting ''shall''; and

(B) by striking ''not more than 10,000''; and

(2) by striking subsection (c).

SEC. 1093. SENSE OF CONGRESS REGARDING THE IMPORTANCE OF PANAMA CITY, FLORIDA, TO THE HISTORY AND FUTURE OF THE ARMED FORCES.

(a) FINDINGS.—Congress makes the following findings:

(1) On December 6, 1941—one day before the attack on Pearl Harbor—the War Department established Tyndall Field as an Army Air Force gunnery school in Panama City, Florida.

(2) Tyndall Field was named in honor of native Floridian Lieutenant Francis B. Tyndall, who received the U.S. Air Force flying ace designation for his service in the First World War.

(3) Tyndall Field became an important center for aerial gunnery training during the Second World War, hosting training missions using aircraft including A–33, 0–47, AT-6, Martin B-26 Marauders, and B–17 bombers.

(4) On January 13, 1948, Tyndall Field became Tyndall Air Force Base and was an active site for air training and defense throughout the Cold War.

(5) Tyndall AFB is now home to the First Air Force as well as the 325th Fighter Wing Headquarters and their F–22 Raptors.

(6) The 325th Fighter Wing has been instrumental to national security at such crucial junctures as the Cuban Missile Crisis, throughout the Cold War, and more recently in intercepting unidentified aircraft and supporting anti-smuggling efforts.

(7) On July 20, 1945, the Navy Mine Countermeasure Station was established in Panama City.

(8) The Navy Mine Countermeasure Station developed into the Naval Support Activity Panama City (NSAPC), which has faithfully carried out its mission since its inception and continues to support the crucial efforts and important research of tenant command organizations such as the Naval Surface Warfare Center: Panama City Division (NSWC PCD) and the Navy Experimental Diving Unit (NEDU).

(9) Research performed at NSWC PCD has been integral to equipping the Navy with the personnel and technology necessary to maintaining its status as the world's greatest and most technologically advanced.

(10) NSWC PCD's newest facility, the Littoral Warfare Research Facility, is one of the Navy's major research, development, test, and evaluation laboratories and where standards for weapons integration on Littoral Combat Ships are often developed.

(11) NEDU is a global hub of research, development, and testing for undersea operations.

(12) During the Second World War, the Wainwright Shipyard in Panama City built over 100 vessels for the war effort and employed over 15,000 people.

(13) Panama City's shipbuilding legacy continues as home to one of today's most prolific domestic shipbuilders, Eastern Shipbuilding.

(14) The Department of Defense is the largest employer in Panama City, where many of the residents and their relatives have proudly served in the Armed Forces for generations.

(b) SENSE OF CONGRESS.—Congress—

(1) commends the longstanding dedication and contribution to the Armed Forces by the people of Panama City, both through the legacy of naval shipbuilding and through their ongoing commitment to support the mission of Panama City's military installations and the personnel assigned to them;

(2) honors the members of the Armed Forces who have trained and served at the several military installations in and around Panama City;

(3) recognizes the contribution of the industry and workforce of Panama City to naval shipbuilding; and

(4) encourages the recognition of the importance of Panama City to the history of the Armed Forces by Congress, the Air Force, the Navy, and the American people by honoring the contribution of the people of Panama City to the defense of the United States.

SEC. 1094. PROTECTIONS RELATING TO CIVIL RIGHTS AND DISABILITIES.

Any branch or agency of the Federal Government shall, with respect to any religious corporation, religious association, religious educational institution, or religious society that is a recipient of or offeror for a Federal Government contract, subcontract, grant, purchase order, or cooperative agreement, provide protections and exemptions consistent with sections 702(a) and 703(e)(2) of the Civil Rights Act of 1964 (42 U.S.C. 2000e-1(a) and 42 U.S.C. 2000e-2(e)(2)) and section 103(d) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12113(d)).

SEC. 1095. NONAPPLICABILITY OF CERTAIN EXECUTIVE ORDER TO DEPARTMENT OF DEFENSE AND NATIONAL NUCLEAR SECURITY ADMINISTRATION.

The provisions of Executive Order 13673 and any implementing rules or regulations shall not apply to the acquisition, contracting, contract administration, source selection, or any other activities of the Department of Defense or the National Nuclear Security Administration. The Secretary of Defense and the Administrator for Nuclear Security may not issue, or be required to comply with, any policy, guidance, or rules to carry out such executive order or otherwise implement any provision of such executive order or any related implementation rules or regulations.

SEC. 1096. DETERMINATION AND DISCLOSURE OF TRANSPORTATION COSTS INCURRED BY SECRETARY OF DEFENSE FOR CONGRESSIONAL TRIPS OUTSIDE THE UNITED STATES.

(a) DETERMINATION AND DISCLOSURE OF COSTS BY SECRETARY.—In the case of a trip taken by a Member, officer, or employee of the House of Representatives or Senate in carrying out official duties outside the United States for which the Department of Defense provides transportation, the Secretary of Defense shall—

(1) determine the cost of the transportation provided with respect to the Member, officer, or employee; and

(2) provide the Member, officer, or employee with a written statement of the cost not later than 10 days after completion of the trip involved.

(b) INCLUSION OF INFORMATION IN TRAVEL REPORTS.—Any Member, officer, or employee of the House of Representatives or Senate who takes a trip to which subsection (a) applies shall include the information contained in the written statement provided to the Member, officer, or employee under subsection (a)(2) with respect to the trip in any report that the Member, officer, or employee is required to file with respect to the trip under any provision of law and under any provision of the Rules of the House of Representatives or the Standing Rules of the Senate (as the case may be).

(c) EXCEPTIONS.—This section does not apply with respect to any trip the sole purpose of which is to visit one or more United States military installations or to visit United States military personnel in a war zone (or both).

(d) DEFINITIONS.—In this section:

(1) MEMBER.—The term ''Member'', with respect to the House of Representatives, includes a Delegate or Resident Commissioner to the Congress.

(2) UNITED STATES.—The term ''United States'' means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, and any other territory or possession of the United States.

(e) EFFECTIVE DATE.—This section shall apply with respect to trips taken on or after the date of the enactment of this Act, except that this section does not apply with respect to any trip which began prior to such date.

SEC. 1097. WAIVER OF CERTAIN POLYGRAPH EXAMINATION REQUIREMENTS.

The Secretary of Homeland Security, acting through the Commissioner of U.S. Customs and Border Protection, may waive the polygraph examination requirement under section 3 of the Anti-Border Corruption Act of 2010 (Public Law 111–376) for any applicant who—

(1) the Commissioner determines is suitable for employment;

(2) holds a current, active Top Secret clearance and is able to access sensitive compartmented information;

(3) has a current single scope background investigation;

(4) was not granted any waivers to obtain the clearance; and

(5) is a veteran (as such term is defined in section 2108 or 2109a of title 5, United States Code).

TITLE XI—CIVILIAN PERSONNEL MATTERS

SEC. 1101. TEMPORARY DIRECT HIRE AUTHORITY FOR DOMESTIC DEFENSE INDUSTRIAL BASE FACILITIES AND THE MAJOR RANGE AND TEST FACILITIES BASE.

(a) AUTHORITY.—During fiscal years 2017 and 2018, the Secretary of Defense may appoint, without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code, other than sections 3303 and 3328 of such title, qualified candidates to positions in the competitive service at any defense industrial base facility or the Major Range and Test Facilities Base.

(b) REPORT.—Not later than 60 days after the end of fiscal year 2018, the Secretary of Defense shall submit a report to the Committees on Armed Services of the House of Representatives and the Senate on the use of the authority provided under subsection (a). Such report shall include the total number of individuals appointed under such authority and the effectiveness of such authority in fulfilling the manpower needs of the defense industrial base facilities or the Major Range and Test Facilities Base.

(c) DEFINITION.—In this section, the term ''defense industrial base facility'' means any Department of Defense depot, arsenal, or shipyard located within the United States.

SEC. 1102. TEMPORARY PERSONNEL FLEXIBILITIES FOR DOMESTIC DEFENSE INDUSTRIAL BASE FACILITIES AND MAJOR RANGE AND TEST FACILITIES BASE CIVILIAN PERSONNEL.

(a) IN GENERAL.—Notwithstanding chapter 33 of title 5, United States Code, or any other provision of law relating to the examination, certification, and appointment of individuals in the competitive service, during fiscal years 2017 and 2018, an employee of a defense industrial base facility or the Major Range and Test Facilities Base serving under a time-limited appointment in the competitive service is eligible to compete for a permanent appointment in the competitive service at (A) any such facility, Base, or any other component of the Department of Defense when such facility, Base, or component (as the case may be) is accepting applications from individuals within the facility, Base, or component's workforce under merit promotion procedures, or (B) any agency when the agency is accepting applications from individuals outside its own workforce under merit promotion procedures of the applicable agency, if—

(1) the employee was appointed initially under open, competitive examination under subchapter I of chapter 33 of such title to the time-limited appointment;

(2) the employee has served under 1 or more time-limited appointments by a defense industrial base facility or the Major Range and Test Facilities Base for a period or periods totaling more than 24 months without a break of 2 or more years; and

(3) the employee's performance has been at an acceptable level of performance throughout the period or periods (as the case may be) referred to in paragraph (2).

(b) WAIVER OF AGE REQUIREMENT.—In determining the eligibility of a time-limited employee under this section to be examined for or appointed in the competitive service, the Office of Personnel Management or other examining agency shall waive requirements as to age, unless the requirement is essential to the performance of the duties of the position.

(c) STATUS.—An individual appointed under this section—

(1) becomes a career-conditional employee, unless the employee has otherwise completed the service requirements for career tenure; and

(2) acquires competitive status upon appointment.

(d) FORMER EMPLOYEES.—A former employee of a defense industrial base facility or the Major Range and Test Facilities Base who served under a time-limited appointment and who otherwise meets the requirements of this section shall be deemed a time-limited employee for purposes of this section if—

(1) such employee applies for a position covered by this section within the period of 2 years after the most recent date of separation; and

(2) such employee's most recent separation was for reasons other than misconduct or performance.

(e) DEFINITION.—In this section, the term ''defense industrial base facility'' means any Department of Defense depot, arsenal, or shipyard located within the United States.

SEC. 1103. ONE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIAN PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.

Paragraph (2) of section 1603(a) of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234; 120 Stat. 443), as added by section 1102 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4616) and as most recently amended by section 1102 of the National Defense Authorization Act

for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1022), is further amended by striking ''2017'' and inserting ''2018''.

SEC. 1104. ADVANCE PAYMENTS FOR EMPLOYEES RELOCATING WITHIN THE UNITED STATES AND ITS TERRITORIES.

(a) IN GENERAL.—Subsection (a) of section 5524a of title 5, United States Code, is amended—

(1) by striking ''(a) The head'' and inserting ''(a)(1) The head''; and

(2) by adding at the end the following:

''(2) The head of each agency may provide for the advance payment of basic pay, covering not more than 6 pay periods, to an employee who is assigned to a position in the agency that is located—

''(A) outside of the employee's commuting area; and

''(B) in the United States, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, or any territory or possession of the United States.''.

(b) CONFORMING AMENDMENTS.—Subsection (b) of such section is amended—

(1) in paragraph (1), by inserting ''or assigned'' after ''appointed''; and

(2) in paragraph (2)(B)—

(A) by inserting ''or assignment'' after ''appointment''; and

(B) by inserting ''or assigned'' after ''appointed''.

(c) CLERICAL AMENDMENTS.—

*(1) SECTION HEADING.—The heading of such section is amended by inserting ''**and employees relocating within the United States and its territories**'' after ''**appointees**''.*

(2) TABLE OF SECTIONS.—The item relating to such section in the table of sections of chapter 55 of such title is amended to read as follows:

''5524a. Advance payments for new appointees and employees relocating within the United States and its territories.''.

SEC. 1105. PERMANENT AUTHORITY FOR ALTERNATIVE PERSONNEL PROGRAM FOR SCIENTIFIC AND TECHNICAL PERSONNEL.

(a) PERMANENT AUTHORITY AND CODIFICATION.—Chapter 81 of title 10, United States Code, is amended by inserting after section 1589 a new section 1590 consisting of—

(1) a heading as follows:

''§ 1590. Alternative personnel program for scientific and technical personnel''; and

(2) a text consisting of the text of subsection (a), (b), (c), and (d) of section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 5 U.S.C. 3104 note).

(b) CONFORMING AMENDMENTS.—Section 1590 of title 10, United States Code, as added by subsection (a), is amended—

(1) in subsection (a)—

(A) by striking ''During the program period specified in subsection (e)(1), the'' and inserting ''The''; and

(B) by striking ''of experimental use of'' and inserting ''to use'';

(2) in subsection (b)—

(A) by striking '', United States Code,'' in paragraph (1); and

(B) by striking ''United States Code,'' in paragraph (2); and

(3) in subsection (d), by striking '', United States Code'' in paragraphs (2) and (3) each place it appears.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 81 of such title is amended by inserting after the item relating to section 1589 the following new item:

''1590. Alternative personnel program for scientific and technical personnel.''.

(d) CONFORMING REPEAL.—Section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 5 U.S.C. 3104 note) is repealed.

SEC. 1106. MODIFICATION TO INFORMATION TECHNOLOGY PERSONNEL EXCHANGE PROGRAM.

Section 1110 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 5 U.S.C. 3702 note) is amended—

*(1) in the section heading, by inserting ''**cyber and**'' before ''**information**'';*

(2) in subsections (a)(1)(A), (a)(1)(C), and (g)(2), by inserting ''cyber operations or'' before ''information'';

(3) in subsection (g)(1), by inserting ''to or'' before ''from''; and

(4) in subsection (h), by striking ''10'' and inserting ''50''.

SEC. 1107. TREATMENT OF CERTAIN LOCALITIES FOR CALCULATION OF PER DIEM ALLOWANCES.

(a) IN GENERAL.—Pursuant to section 5707 of title 5, United States Code, the Administrator of General Services shall prescribe such regulations as are necessary to provide that, with respect to per diem rates for Ohio, the locality described as Dayton/Fairborn and the locality described as Cincinnati are considered 1 locality for purposes of establishing per diem allowance or maximum amount of reimbursement under section 5702(a)(2) of such title.

(b) EFFECTIVE DATE.—The adjustment of the treatment of localities described under subsection (a) shall be effective on the same date as the application of the first recalculation of per diem allowances by the Administrator that occurs after the date of enactment of this Act.

SEC. 1108. ELIGIBILITY OF EMPLOYEES IN A TIME-LIMITED APPOINTMENT TO COMPETE FOR A PERMANENT APPOINTMENT AT ANY FEDERAL AGENCY.

Section 9602 of title 5, United States Code, is amended—

(1) in subsection (a) by striking ''any land management agency or any other agency (as defined in section 101 of title 31) under the internal merit promotion procedures of the applicable agency'' and inserting ''such land management agency when such agency is accepting applications from individuals within the agency's workforce under merit promotion procedures, or any agency, including a land management agency, when the agency is accepting applications from individuals outside its own workforce under the merit promotion procedures of the applicable agency''; and

(2) in subsection (d) by inserting ''of the agency from which the former employee was most recently separated'' after ''deemed a time-limited employee''.

SEC. 1109. LIMITATION ON ADMINISTRATIVE LEAVE.

(a) IN GENERAL.—Subchapter II of chapter 63 of title 5, United States Code, is amended by adding at the end the following:

''§ 6330. Limitation on administrative leave

''(a) IN GENERAL.—During any calendar year, an employee may not be placed on administrative leave, or any other paid non-duty status without charge to leave, for more than 14 total days for reasons relating to misconduct or performance. After an employee has been placed on administrative leave for 14 days, the employing agency shall return the employee to duty status, utilizing telework if available, and assign the employee to duties if such employee is not a threat to safety, the agency mission, or Government property.

''(b) EXTENDED ADMINISTRATIVE LEAVE.—

''(1) IN GENERAL.—If an agency finds that an employee is a threat to safety, the agency mission, or Government property and upon the expiration of the 14-day period described in subsection (a), an agency head may place the employee on extended administrative leave for additional periods of not more than 30 days each.

''(2) REPORT.—For any additional period of 30 days granted to the employee after the initial 30-day extension, the agency head shall submit to the Committee on Oversight and Government Reform in the House of Representatives, the agency's authorizing committees of jurisdiction of the House of Representatives and the Senate, and the Committee on Homeland Security and Governmental Affairs of the Senate a report, not later than 5 business days after granting the additional period, containing—

''(A) title, position, office or agency subcomponent, job series, pay grade, and salary of the employee on administrative leave;

''(B) a description of the work duties of the employee;

''(C) the reason the employee is on administrative leave;

''(D) an explanation as to why the employee is a threat to safety, the agency mission, or Government property;

''(E) an explanation as to why the employee is not able to telework or be reassigned to another position within the agency;

''(F) in the case of a pending related investigation of the employee—

''(i) the status of such investigation; and

''(ii) the certification described in subsection (c)(1); and

''(G) in the case of a completed related investigation of the employee—

''(i) the results of such investigation; and

''(ii) the reason that the employee remains on administrative leave.

''(c) EXTENSION PENDING RELATED INVESTIGATION.—

''(1) IN GENERAL.—If an employee is under a related investigation by an investigative entity at the time an additional period described under subsection (b)(2) is granted and, in the opinion of the investigative entity, additional time is needed to complete the investigation, such entity shall certify to the applicable agency that such additional time is needed and include in the certification an estimate of the length of such additional time.

''(2) LIMITATION.—The head of an agency may not grant an additional period of administrative leave described under subsection (b)(2) to an employee on or after the date that is 30 days after the completion of a related investigation by an investigative entity.

''(d) DEFINITIONS.—In this section, the following definitions apply:

''(1) INVESTIGATIVE ENTITY.—The term 'investigative entity' means an internal investigative unit of the agency granting administrative leave, the Office of Inspector General, the Office of the Attorney General, or the Office of Special Counsel.

''(2) RELATED INVESTIGATION.—The term 'related investigation' means an investigation that pertains to the underlying reasons an employee was placed on administrative leave.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall begin to apply 90 days after the date of enactment of this Act.

(c) RULES OF CONSTRUCTION.—Nothing in the amendment made by subsection (a) shall be construed to—

(1) supersede the provisions of chapter 75 of title 5, United States Code; or

(2) limit the number of days that an employee may be placed on administrative leave, or any other paid non-duty status without charge to leave, for reasons unrelated to misconduct or performance.

(d) CLERICAL AMENDMENT.—The table of sections for subchapter II of chapter 63 of title 5, United States Code, is amended by adding after the item relating to section 6329 the following new item:

''6330. Limitation on administrative leave.''.

SEC. 1110. RECORD OF INVESTIGATION OF PERSONNEL ACTION IN SEPARATED EMPLOYEE'S OFFICIAL PERSONNEL FILE.

(a) IN GENERAL.—Subchapter I of chapter 33 of title 5, United States Code, is amended by inserting after section 3321 the following:

''§ 3322. Voluntary separation before resolution of personnel investigation

''(a) With respect to any employee occupying a position in the competitive service or the excepted service who is the subject of a personnel investigation and resigns from Government employment prior to the resolution of such investigation, the head of the agency from which such employee so resigns shall, if an adverse finding was made with respect to such employee pursuant to such investigation, make a permanent notation in the employee's official personnel record file. The head shall make such notation not later than 40 days after the date of the resolution of such investigation.

''(b) Prior to making a permanent notation in an employee's official personnel record file under subsection (a), the head of the agency shall—

''(1) notify the employee in writing within 5 days of the resolution of the investigation and provide such employee a copy of the adverse finding and any supporting documentation;

''(2) provide the employee with a reasonable time, but not less than 30 days, to respond in writing and to furnish affidavits and other documentary evidence to show why the adverse finding was unfounded (a summary of which shall be included in any notation made to the employee's personnel file under subsection (d)); and

''(3) provide a written decision and the specific reasons therefore to the employee at the earliest practicable date.

''(c) An employee is entitled to appeal the decision of the head of the agency to make a permanent notation under subsection (a) to the Merit Systems Protection Board under section 7701.

''(d)(1) If an employee files an appeal with the Merit Systems Protection Board pursuant to subsection (c), the agency head shall make a notation in the employee's official personnel record file indicating that an appeal disputing the notation is pending not later than 2 weeks after the date on which such appeal was filed.

''(2) If the head of the agency is the prevailing party on appeal, not later than 2 weeks after the date that the Board issues the appeal decision, the head of the agency shall remove the notation made under paragraph (1) from the employee's official personnel record file.

''(3) If the employee is the prevailing party on appeal, not later than 2 weeks after the date that the Board issues the appeal decision, the head of the agency shall remove the notation made under paragraph (1) and the notation of an adverse finding made under subsection (a) from the employee's official personnel record file.

''(e) In this section, the term 'personnel investigation' includes—

''(1) an investigation by an Inspector General; and

''(2) an adverse personnel action as a result of performance, misconduct, or for such cause as will promote the efficiency of the service under chapter 43 or chapter 75.''.

(b) APPLICATION.—The amendment made by subsection (a) shall apply to any employee described in section 3322 of title 5, United States Code, (as added by such subsection) who leaves the service after the date of enactment of this Act.

(c) CLERICAL AMENDMENT.—The table of sections of subchapter I of chapter 33 of title 5, United States Code, is amended by inserting after the item relating to section 3321 the following:

''3322. Voluntary separation before resolution of personnel investigation.''.

SEC. 1111. REVIEW OF OFFICIAL PERSONNEL FILE OF FORMER FEDERAL EMPLOYEES BEFORE REHIRING.

(a) IN GENERAL.—Subchapter I of chapter 33 of title 5, United States Code, is amended by adding at the end the following:

''§ 3330e. Review of official personnel file of former Federal employees before rehiring

''(a) If a former Government employee is a candidate for a position within the competitive service or the excepted service, prior to making any determination with respect to the appointment or reinstatement of such employee to such position, the appointing authority shall review and consider the information relating to such employee's former period or periods of service in such employee's official personnel record file.

''(b) In subsection (a), the term 'former Government employee' means an individual whose most recent position with the Government prior to becoming a candidate as described under subsection (a) was within the competitive service or the excepted service.

''(c) The Office of Personnel Management shall prescribe regulations to carry out the purpose of this section.''.

(b) APPLICATION.—The amendment made by subsection (a) shall apply to any former Government employee (as described in section 3330e of title 5, United States Code, as added by such subsection) appointed or reinstated on or after the date that is 180 days after the date of enactment of this Act.

(c) CLERICAL AMENDMENT.—The table of sections of subchapter I of chapter 33 of title 5, United States Code, is amended by adding at the end the following:

''3330e. Review of official personnel file of former Federal employees before rehiring.''.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

SEC. 1201. ONE-YEAR EXTENSION OF LOGISTICAL SUPPORT FOR COALITION FORCES SUPPORTING CERTAIN UNITED STATES MILITARY OPERATIONS.

Section 1234 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 394), as most recently amended by section 1201 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1035), is further amended—

(1) in subsection (a), by striking ''fiscal year 2016'' and inserting ''fiscal year 2017'';

(2) in subsection (d), by striking ''during the period beginning on October 1, 2015, and ending on December 31, 2016'' and inserting ''during the period beginning on October 1, 2016, and ending on December 31, 2017''; and

(3) in subsection (e)(1), by striking ''December 31, 2016'' and inserting ''December 31, 2017''.

SEC. 1202. EXTENSION OF AUTHORITY FOR TRAINING OF GENERAL PURPOSE FORCES OF THE UNITED STATES ARMED FORCES WITH MILITARY AND OTHER SECURITY FORCES OF FRIENDLY FOREIGN COUNTRIES.

Section 1203(h) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 894; 10 U.S.C. 2011 note) is amended by striking ''September 30, 2017'' and inserting ''December 31, 2019''.

SEC. 1203. MODIFICATION AND EXTENSION OF AUTHORITY TO CONDUCT ACTIVITIES TO ENHANCE THE CAPABILITY OF FOREIGN COUNTRIES TO RESPOND TO INCIDENTS INVOLVING WEAPONS OF MASS DESTRUCTION.

(a) LIMITATION ON AVAILABILITY OF AUTHORITY FOR OTHER COUNTRIES.—Subsection (b) of section 1204 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 896; 10 U.S.C. 401 note) is amended by striking ''of the Secretary's intention'' and inserting ''not later than 48 hours after the Secretary makes a determination''.

(b) AVAILABILITY OF FUNDS.—Subsection (d)(1) of such section is amended to read as follows:

''(1) FUNDS AVAILABLE.—Of the funds authorized to be appropriated for the Department of Defense for Operation and Maintenance, Defense-wide, and available for the Defense Threat Reduction Agency for a fiscal year, not more than $20,000,000 may be made available for assistance under this section for such fiscal year.''.

(c) NOTICE TO CONGRESS ON CERTAIN ASSISTANCE.—Subsection (e) of such section, as amended by section 1202 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3530), is further amended—

(1) by striking ''If the amount'' and inserting ''If the Secretary of Defense determines that the amount'';

(2) by striking ''the Secretary of Defense shall notify'' and inserting ''the Secretary shall notify''; and

(3) by striking ''of that fact'' and inserting ''of such determination not later than 48 hours after making the determination''.

(d) EXPIRATION.—Subsection (h) of such section, as amended by section 1273 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1076), is further amended by striking ''September 30, 2019'' and inserting ''September 30, 2020''.

(e) EFFECTIVE DATE.—The amendments made by this section take effect on the date of the enactment of this Act and apply with respect to assistance authorized to be provided under subsection (a) of section 1204 of the National Defense Authorization Act for Fiscal Year 2014 on or after such date of enactment.

SEC. 1204. EXTENSION OF AUTHORITY FOR SUPPORT OF SPECIAL OPERATIONS TO COMBAT TERRORISM.

Subsection (h) of section 1208 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2086), as most recently amended by section 1208(b) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3541), is further amended by striking ''2017'' and inserting ''2020''.

SEC. 1205. MODIFICATION AND CODIFICATION OF REPORTING REQUIREMENTS RELATING TO SECURITY COOPERATION AUTHORITIES.

(a) ANNUAL REPORT REQUIRED.—Subsection (a) of section 1211 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3544) is amended—

(1) by striking ''BIENNIAL'' and all that follows through ''the Secretary of Defense'' and inserting ''ANNUAL REPORT REQUIRED.—Not later than January 31 of each year through January 31, 2021, the Secretary of Defense'';

(2) by striking ''congressional defense committees'' and inserting ''appropriate congressional committees'';

(3) by striking ''security assistance'' and inserting ''assistance''; and

(4) by striking ''the two fiscal years'' and inserting ''the fiscal year''.

(b) ELEMENTS OF REPORT.—Subsection (b) of such section is amended—

(1) in paragraph (1), by inserting '', duration,'' after ''purpose'';

(2) in paragraph (2), by striking ''The cost'' and inserting ''The cost and expenditures'';

(3) by adding at the end the following:

''(4) For each foreign country in which the training, equipment, or other assistance or reimbursement was provided, a description of the extent of participation, if any, by the military forces and security forces or other government organizations of such foreign country.

''(5) The number of members of the Armed Forces involved in providing such training, equipment, or assistance and a description of the military benefits for such members involved in providing such training, equipment or assistance.

''(6) A summary, by authority, of the activities carried out under each authority specified in subsection (c).''.

(c) MODIFICATION TO SPECIFIED AUTHORITIES.—Subsection (c) of such section is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) Sections 256, 263, 271, 272, 273, 281, 284, 285, 286, and 287.''.

(2) by striking paragraphs (4), (5), (7), and (11);

(3) by redesignating paragraphs (6), (8), (9), (10), and (12) through (17) as paragraphs (4) through (13), respectively;

(4) by adding at the end the following:

''(14) Section 401, relating to humanitarian and civic assistance provided in conjunction with military operations.

''(15) Section 1206 of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015 (128 Stat. 3538; 10 U.S.C. 2282 note), relating to authority to conduct human rights training of security forces and associated security ministries of foreign countries.

''(16) Section 1534 of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015 (128 Stat. 3616), relating to the Counterterrorism Partnerships Fund.

''(17) Section 1203 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 894; 10 U.S.C. 2011 note), relating to training of general purpose forces of the United States Armed Forces with military and other security forces of friendly foreign countries.''; and

(5) by striking ''of title 10, United States Code'' each place it appears.

(d) FORM.—Subsection (e) of such section is amended by adding ''that may also include other sensitive information'' after ''annex''.

(e) CODIFICATION OF SECTION 1211 OF FY 2015 NDAA.—

(1) CODIFICATION.—Chapter 11 of title 10, United States Code, as amended by section 1261 of this Act, is further amended by inserting after section 251 a new section 252 consisting of—

(A) a heading as follows:

''§ 252. Annual report on programs carried out by the Department of Defense to provide training, equipment, or other assistance or reimbursement to foreign security forces''; and

(B) a text consisting of the text of subsections (a) through (e) of section 1211 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3544), as amended by subsections (a) through (d) of this section.

(2) CONFORMING REPEAL.—Section 1211 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3544), as amended by subsections (a) through (d) of this section, is repealed.

(f) REPEAL OF OTHER REPORTING REQUIREMENTS.—

(1) ANNUAL REPORT ON HUMANITARIAN AND CIVIC ASSISTANCE ACTIVITIES.—Section 401 of title 10, United States Code, is amended—

(A) by striking subsection (d); and

(B) by redesignating subsection (e) as subsection (d).

(2) SEMI-ANNUAL REPORTS ON COUNTERTERRORISM PARTNERSHIPS FUND.—Section 1534 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3616) is amended—

(A) by striking subsection (g); and

(B) by redesignating subsection (h) as subsection (g).

(3) ANNUAL REPORT ON USE OF AUTHORITY TO TRAIN GENERAL PURPOSE FORCES OF THE UNITED STATES ARMED FORCES WITH MILITARY AND OTHER SECURITY FORCES OF FRIENDLY FOREIGN COUNTRIES.—Section 1203 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 894; 10 U.S.C. 2011 note) is amended—

(A) in subsection (a)(1), by striking ''subsection (f)'' and inserting ''subsection (e)'';

(B) by striking subsection (e); and

(C) by redesignating subsections (f), (g), and (h) as subsections (e), (f), and (g), respectively.

(4) ANNUAL REPORT ON USE OF AUTHORITY FOR NATIONAL GUARD STATE PARTNERSHIP PROGRAM.—Section 1205 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 897; 32 U.S.C. 107 note) is amended—

(A) by striking subsection (f); and

(B) by redesignating subsection (g), subsection (h), the second subsection (h), and subsection (i) as subsections (f), (g), (h), and (i), respectively.

SEC. 1206. INDEPENDENT ASSESSMENT OF DEPARTMENT OF DEFENSE SECURITY COOPERATION PROGRAMS.

(a) ASSESSMENT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall enter into an agreement with a federally funded research and development center, or another appropriate independent entity, with expertise in security cooperation to conduct an assessment of the Strategic Framework for Department of Defense Security Cooperation.

(2) ELEMENTS.—The assessment under paragraph (1) shall include the following:

(A) An assessment of each of the elements of the Strategic Framework for Department of Defense Security Cooperation, as directed by section 1202 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1036; 10 U.S.C. 113 note).

(B) An assessment of the extent to which security cooperation programs, individually and in combination, as identified in the Comptroller General Inventory of Department of Defense Security Cooperation Programs directed in the committee report (H. Rept. 114–102) accompanying the National Defense Authorization Act for Fiscal Year 2016, and any other relevant studies, contribute to the strategic goals, primary objectives, priorities, and desired end-states of Department of Defense security cooperation programs.

(C) Any other matters the entity that conducts the assessment considers appropriate.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than November 1, 2017, the Secretary of Defense shall submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report that includes the assessment under subsection (a) and any other matters the Secretary considers appropriate.

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

Subtitle B—Matters Relating to Afghanistan and Pakistan

SEC. 1211. EXTENSION AND MODIFICATION OF COMMANDERS' EMERGENCY RESPONSE PROGRAM.

(a) EXTENSION.—Section 1201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1619), as most recently amended by section 1211 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1042), is further amended—

(1) in subsection (a)—

(A) by striking ''During fiscal year 2016'' and inserting ''During the period beginning on October 1, 2016, and ending on December 31, 2017''; and

(B) by striking ''in such fiscal year'' and inserting ''in such period'';

(2) in subsection (b), by striking ''fiscal year 2016'' and inserting ''fiscal year 2017''; and

(3) in subsection (f), by striking ''in fiscal year 2016'' and inserting ''during the period beginning on October 1, 2016, and ending on December 31, 2017''.

(b) AUTHORITY FOR CERTAIN PAYMENTS TO REDRESS INJURY AND LOSS IN IRAQ.—

(1) IN GENERAL.—During the period beginning on October 1, 2016, and ending on December 31, 2017, amounts available pursuant to section 1201 of the National Defense Authorization Act for Fiscal Year 2012, as amended by this section, shall also be available for ex gratia payments for damage, personal injury, or death that is incident to combat operations of the Armed Forces in Iraq.

(2) NOTICE AND WAIT.—The authority in this subsection may not be used until 30 days after the date on which the Secretary of Defense submits to the congressional defense committees a report setting forth the following:

(A) The amount that will be used for payments pursuant to this subsection.

(B) The manner in which claims for payments shall be verified.

(C) The officers or officials who shall be authorized to approve claims for payments.

(D) The manner in which payments shall be made.

(3) LIMITATION ON AMOUNT AVAILABLE.—The total amount of payments made pursuant to this subsection during the period beginning on October 1, 2016, and ending on December 31, 2017, may not exceed $5,000,000.

(4) AUTHORITIES APPLICABLE TO PAYMENT.—Any payment made pursuant to this subsection shall be made in accordance with the authorities and limitations in section 8121 of the Department of Defense Appropriations Act, 2015 (division C of Public Law 113–235), other than subsection (h) of such section.

(5) CONSTRUCTION WITH RESTRICTION ON AMOUNT OF PAYMENTS.—For purposes of the application of subsection (e) of such section 1201, as so amended, to any payment pursuant to this subsection, such payment shall be deemed to be a project described by such subsection (e).

SEC. 1212. EXTENSION AND MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) EXTENSION.—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393), as most recently amended by section 1212 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1043), is further amended by striking ''fiscal year 2016'' and inserting ''the period beginning on October 1, 2016, and ending on December 31, 2017,''.

(b) LIMITATION ON AMOUNTS AVAILABLE.—Subsection (d)(1) of such section, as so amended, is further amended—

(1) in the second sentence, by striking ''during fiscal year 2016 may not exceed $1,160,000,000'' and inserting ''during the period beginning on October 1, 2016, and ending on December 31, 2017, may not exceed $1,100,000,000'' ; and

(2) in the third sentence, by striking ''fiscal year 2016'' and inserting ''the period beginning on October 1, 2016, and ending on December 31, 2017,''.

(c) EXTENSION OF NOTICE REQUIREMENT RELATING TO REIMBURSEMENT OF PAKISTAN FOR SUPPORT PROVIDED BY PAKISTAN.—Section 1232(b)(6) of the National Defense Authorization Act for Fiscal Year 2008 (122 Stat. 393), as most recently amended by section 1212(c) of the National Defense Authorization Act for Fiscal Year 2016 (129 Stat. 1043), is further amended by striking ''September 30, 2016'' and inserting ''December 31, 2017''.

(d) EXTENSION OF LIMITATION ON REIMBURSEMENT OF PAKISTAN PENDING CERTIFICATION ON PAKISTAN.—Section 1227(d)(1) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2001), as most recently amended by section 1212(d) of the National Defense Authorization Act for Fiscal Year 2016 (129 Stat. 1043), is further amended by striking ''for fiscal year 2016 or any prior fiscal year'' and inserting ''for any period prior to December 31, 2017''.

(e) ADDITIONAL LIMITATION ON REIMBURSEMENT OF PAKISTAN PENDING CERTIFICATION ON PAKISTAN.—Of the total amount of reimbursements and support authorized for Pakistan during the period beginning on October 1, 2016, and ending on December 31, 2017, pursuant to the third sentence of section 1233(d)(1) of the National Defense Authorization Act for Fiscal Year 2008 (as amended by subsection (b)(2)), $450,000,000 shall not be eligible for the waiver under section 1227(d)(2) of the National Defense Authorization Act for Fiscal Year 2013 (126 Stat. 2001) unless the Secretary of Defense certifies to the congressional defense committees that—

(1) Pakistan continues to conduct military operations in North Waziristan that are contributing to significantly disrupting the safe haven and freedom of movement of the Haqqani Network in Pakistan;

(2) Pakistan has taken steps to demonstrate its commitment to prevent the Haqqani Network from using North Waziristan as a safe haven; and

(3) the Government of Pakistan actively coordinates with the Government of Afghanistan to restrict the movement of militants, such as the Haqqani Network, along the Afghanistan-Pakistan border.

SEC. 1213. EXTENSION OF AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES PRODUCED IN COUNTRIES ALONG A MAJOR ROUTE OF SUPPLY TO AFGHANISTAN.

Section 801(f) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2399), as most recently amended by section 1214 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1045), is further amended by striking ''December 31, 2016'' and inserting ''December 31, 2017''.

SEC. 1214. EXTENSION OF AUTHORITY TO TRANSFER DEFENSE ARTICLES AND PROVIDE DEFENSE SERVICES TO THE MILITARY AND SECURITY FORCES OF AFGHANISTAN.

(a) EXTENSION.—Subsection (h) of section 1222 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1992), as most recently amended by section 1215 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1045), is further amended by striking ''December 31, 2016'' and inserting ''December 31, 2017''.

(b) QUARTERLY REPORTS.—Subsection (f)(1) of such section, as so amended, is further amended by striking ''March 31, 2017'' and inserting ''March 31, 2018''.

(c) EXCESS DEFENSE ARTICLES.—Subsection (i)(2) of such section, as so amended, is further amended by striking '',, 2015, and 2016'' each place it appears and inserting '', 2015, 2016, and 2017''.

SEC. 1215. SENSE OF CONGRESS ON UNITED STATES POLICY AND STRATEGY IN AFGHANISTAN.

(a) FINDINGS.—Congress finds the following:

(1) The United States continues to have vital national security interests in ensuring that Afghanistan is a stable, sovereign country.

(2) President Obama signed a Strategic Partnership Agreement and a Bilateral Security Agreement with the President of the Islamic Republic of Afghanistan, which commits the United States to the long-term security of, and defense cooperation with, the Government of Afghanistan and designates Afghanistan as a ''major non-NATO ally''.

(3) The unity government in Afghanistan, led by President Ghani and Chief Executive Abdullah, should be applauded for their continued leadership and commitment to Afghanistan's stability and security.

(4) Stability and security in Afghanistan reinforces stability and security in the region.

(5) The best long-term guarantor of stability and security in Afghanistan is a stable unity government and a capable Afghan National Defense and Security Forces (ANDSF).

(6) The President's current policy is to draw down from 9,800 to 5,500 United States troops by January 1, 2017. As the recent commander in Afghanistan, General John Campbell, testified to the Senate Armed Services Committee, ''the 5,500 [U.S. troops] plan was developed primarily around counterterrorism. There's very limited train-advise-and-assist...in those numbers. To continue to build on the Afghan Security Forces, the gaps and seams in aviation, logistics, intelligence...we'd have to make some adjustments to that number.''.

(7) The President's policy of limiting the number of United States troops that the commander can employ in Afghanistan is hindering the effectiveness of the United States mission therein.

(8) Further, at the current policy of 9,800 United States troops, the new commander of Operation Resolute Support in Afghanistan, General John ''Mick'' Nicholson, agreed in testimony with the Senate Armed Services Committee that the security situation in Afghanistan has been deteriorating rather than improving.

(9) General John Campbell also stated ''. . .Afghan shortfalls will persist beyond 2016. Capability gaps still exist in fixed and rotary-wing aviation, combined arms operations, intelligence collection and dissemination, and maintenance.''.

(10) General John Campbell further stated ''I have the authority to protect coalition members against any insurgents. . .to attack the Taliban just because they're Taliban, I do not have that authority.''.

(11) The Taliban have made territorial gains and are holding terrain in key geographic areas in Afghanistan, including in Helmand Province.

(12) The Taliban held the city of Kunduz, Afghanistan, which is the first time the Taliban have held a major city in Afghanistan in 14 years.

(13) The Haqqani Network, a designated foreign terrorist organization aligned with the Taliban, is the most lethal group on the battlefield in Afghanistan, and continues to provide safe haven to al-Qaeda.

(14) The Islamic State of Iraq and the Levant (ISIL) has established an affiliate in Afghanistan.

(15) Since the death of the Taliban's leader, Mullah Mohammad Omar, and the ascendance of Mullah Akhtar Mansoor and Saraj Haqqani, head of the Haqqani Network, to Taliban leadership, the Taliban have not engaged in political reconciliation negotiations with the Government of Afghanistan.

(16) The President has the statutory, legal authority to strike the Taliban and the Haqqani Network.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the President should authorize at least 9,800 United States troops to continue the train, advise, and assist and counterterrorism missions in Afghanistan after 2016;

(2) the President should provide the United States commander in Afghanistan with the authority to unilaterally strike the Taliban and the Haqqani Network;

(3) the President should provide additional resources to strike the Islamic State of Iraq and the Levant (ISIL) in Afghanistan;

(4) the President should provide the United States commander in Afghanistan the authority to conduct the train, advise, and assist mission below the corps level of the Afghan National Defense and Security Forces (ANDSF);

(5) the United States should provide United States Armed Forces lift and close air support to ANDSF units until the ANDSF has a fully capable, organic lift and close air support capability and capacity;

(6) the United States should provide monetary and advisory support for 352,000 ANDSF personnel and 30,000 Afghan Local Police, including intelligence, surveillance, and reconnaissance support, through 2018;

(7) it should continue to be a top priority to provide United States Armed Forces deployed to Afghanistan with necessary medical, force protection, and combat search and rescue support; and

(8) United States military personnel who are tasked with the mission of providing combat search and rescue support, casualty evacuation, and medical support should not be counted as part of any force management level limitation on the number of United States ground forces in Afghanistan.

SEC. 1216. SPECIAL IMMIGRANT STATUS FOR CERTAIN AFGHANS.

(a) ALIENS DESCRIBED.—Section 602(b)(2)(A)(ii)(I) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended to read as follows:

''(I)(aa) by, or on behalf of, the United States Government, in the case of an application for Chief of Mission approval submitted before May 31, 2016; or

''(bb) in the case of an application for Chief of Mission approval submitted on or after May 31, 2016, in a capacity that required the alien—

''(AA) to serve as an interpreter or translator for United States military personnel in Afghanistan while traveling off-base with such personnel; or

''(BB) to perform sensitive and trusted activities for United States military personnel stationed in Afghanistan; or''.

(b) NUMERICAL LIMITATIONS.—Clauses (i) and (ii) of section 602(b)(3)(F) of such Act are each amended by striking ''December 31, 2016;'' and inserting ''December 31, 2017;''.

(c) REPORT.—Section 602(b)(14) of such Act is amended—

(1) by striking ''Not later than 60 days after the date of the enactment of this paragraph,'' and inserting ''Not later than December 31, 2016, and annually thereafter through January 31, 2021,''; and

(2) in subparagraph (A)(i), by striking ''under this section;'' and inserting ''under subclause (I) or (II)(bb) of paragraph (2)(A)(ii);''.

Subtitle C—Matters Relating to Syria and Iraq

SEC. 1221. MODIFICATION AND EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE TO THE VETTED SYRIAN OPPOSITION.

(a) IN GENERAL.—Subsection (a) of section 1209 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3541) is amended by striking ''December 31, 2016'' and inserting ''December 31, 2017''.

(b) REPROGRAMMING REQUIREMENT.—Subsection (f) of such section, as amended by section 1225(e) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1055), is further amended—

(1) in paragraph (1), by striking ''December 31, 2016'' and inserting ''December 31, 2017''; and

(2) by adding at the end the following:

''(3) CERTIFICATION ACCOMPANYING REPROGRAMMING REQUESTS.—Each request under paragraph (1) shall include a certification of the Secretary of Defense that—

''(A) a required number and type of United States Armed Forces have been deployed to support the strategy for Syria required under section 1225(b) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1054) and to support a plan to retake and hold Raqqa, Syria; and

''(B) a required number and type of United States Armed Forces have been deployed to support the elements of the Syrian opposition and other Syrian groups and individuals that are to be trained and equipped under this section to ensure that such elements, groups, and individuals are able to defend themselves from attacks by the Islamic State of Iraq and the Levant (ISIL) and Government of Syria forces consistent with the purposes set forth in subsection (a).''.

SEC. 1222. MODIFICATION AND EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND THE LEVANT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it should be the policy of the United States to support, within the framework of the Iraqi Constitution, the Iraqi Kurdish Peshmerga, the Iraqi Security Forces, and Sunni tribal forces in the fight against the Islamic State of Iraq and the Levant;

(2) recognizing the important role of the Iraqi Kurdish Peshmerga within the military campaign against ISIL in Iraq, the United States should provide arms, training, and appropriate equipment directly to the Kurdistan Regional Government; and

(3) efforts should be made to ensure transparency and oversight mechanisms are in place for oversight of United States assistance to combat waste, fraud, and abuse.

(b) AUTHORITY.—Subsection (a) of section 1236 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3559) is amended by striking ''December 31, 2016'' and inserting ''December 31, 2017''.

(c) FUNDING.—Subsection (g) of such section, as amended by section 1223 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1049), is further amended—

(1) by striking the first sentence and inserting the following: ''Of the amounts authorized to be appropriated in the National Defense Authorization Act for Fiscal Year 2017 for Overseas Contingency Operations in title XV for fiscal year 2017, there are authorized to be appropriated $680,000,000 to carry out this section.''; and

(2) by striking the second sentence.

(d) SUBMISSION OF PLAN REQUIREMENT.—Subsection (k) of such section is amended to read as follows:

''(k) SUBMISSION OF PLAN REQUIREMENT.—Not more than 75 percent of the funds authorized to be appropriated under this section may be obligated or expended until not earlier than 15 days after the date on which the Secretary of Defense, in coordination with the Secretary of State, submits to the appropriate congressional committees a plan to re-take Mosul, Iraq from the Islamic State of Iraq and the Levant (ISIL) and to hold Mosul, Iraq.''.

(e) BRIEFING AND AUTHORITY TO ASSIST DIRECTLY CERTAIN COVERED GROUPS.—Subsection (l) of such section, as so amended, is further amended—

(1) in the subsection heading, by striking ''ASSESSMENT'' and inserting ''BRIEFING'';

(2) in paragraph (1)—

(A) in the paragraph heading, by striking ''ASSESSMENT'' and inserting ''BRIEFING'';

(B) in subparagraph (A)—

(i) by striking ''National Defense Authorization Act for Fiscal Year 2016'' and inserting ''National Defense Authorization Act for Fiscal Year 2017''; and

(ii) by striking ''submit to the appropriate congressional committees an assessment of'' and inserting ''provide to the appropriate congressional committees a briefing that includes an assessment of'';

(C) in subparagraph (C)—

(i) by striking ''submit to the appropriate congressional committees an update of'' and inserting ''provide to the appropriate congressional committees a briefing that includes an update of''; and

(ii) by striking ''the assessment is submitted'' and inserting ''the briefing is provided''; and

(D) by striking subparagraph (D);

(3) in paragraph (2)—

(A) in subparagraph (A)—

(i) by striking ''If the President'' and all that follows through ''the Secretary of Defense'' and inserting ''Of the funds authorized to be appropriated under this section, $50,000,000 shall be available to the Secretary of Defense'';

(ii) by striking ''is authorized'';

(iii) by striking ''assistance'' and inserting ''stipends and sustainment''; and

(iv) by adding at the end the following: ''Of the funds made available to carry out this subparagraph, not less than 33 percent shall be available for stipends and sustainment for the group described in subparagraph (D)(i).''.

(B) in subparagraph (C)—

(i) in the heading, by striking ''COST-SHARING'' and inserting ''SUBMISSION OF PLAN''; and

(ii) by striking ''cost-sharing'' and inserting ''submission of plan''; and

(C) in subparagraph (D) to read as follows:

''(D) COVERED GROUPS.—The groups described in this subparagraph are the following groups that are directly engaged in the campaign for Mosul, Iraq:

''(i) The Iraqi Kurdish Peshmerga.

''(ii) Sunni tribal security forces, or other local security forces, with a national security mission.''.

(f) PROHIBITION ON ASSISTANCE AND REPORT ON EQUIPMENT OR SUPPLIES TRANSFERRED TO OR ACQUIRED BY VIOLENT EXTREMIST ORGANIZATIONS.—

(1) PROHIBITION.—Assistance authorized under section 1236 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3559), as so amended, may not be provided to the Government of Iraq after the date that is 90 days after the date of the enactment of this Act unless the Secretary of Defense certifies to the appropriate congressional committees, after the date of the enactment of this Act, that the Government of Iraq has taken such actions as may be reasonably necessary to safeguard against such assistance being transferred to or acquired by violent extremist organizations.

(2) BRIEFING.—

(A) BRIEFING REQUIRED.—Not later than 30 days after the date on which the Secretary of Defense makes any determination that equipment or supplies provided pursuant to section 1236(a) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3559), as so amended, have been transferred to or acquired by a violent extremist organization, the Secretary shall provide to the appropriate congressional committees a briefing that contains a description of the determination of the Secretary and the transfer to or acquisition by the violent extremist organization.

(B) ELEMENTS.—Each briefing under paragraph (1) shall include, with respect to the transfer covered by the report, the following:

(i) An assessment of the type and quantity of equipment or supplies transferred to the violent extremist organization.

(ii) A description of the criteria used to determine that the organization is a violent extremist organization.

(iii) A description, if known, of how the equipment or supplies were transferred to or acquired by the violent extremist organization.

(iv) If the equipment or supplies are determined to remain under the current control of the violent extremist organization, a description of the organization, including its relationship, if any, to the security forces of the Government of Iraq.

(v) A description of the end use monitoring or other policies and procedures in place in order to prevent equipment or supplies to be transferred to or acquired by violent extremist organizations.

(3) DEFINITIONS.—In this subsection:

(A) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(i) the congressional defense committees; and

(ii) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(B) VIOLENT EXTREMIST ORGANIZATION.—The term ''violent extremist organization'' means an organization that—

(i) is a foreign terrorist organization designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) or is associated with a foreign terrorist organization; or

(ii) is known to be under the command and control of, or is associated with, the Government of Iran.

SEC. 1223. EXTENSION AND MODIFICATION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.

(a) EXTENSION OF AUTHORITY.—Subsection (f)(1) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1631; 10 U.S.C. 113 note), as most recently amended by section 1221 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1047), is further amended—

(1) by striking ''fiscal year 2016'' and inserting ''fiscal year 2017''; and

(2) by inserting '', Iraqi Border Police,'' after ''Iraqi Ministry of Defense''.

(b) AUTHORITY.—Subsection (a) of such section is amended by striking ''transition'' and inserting ''security''.

(c) AMOUNT AVAILABLE.—Such section, as so amended, is further amended—

(1) in subsection (c), by striking ''fiscal year 2016'' and inserting ''fiscal year 2017''; and

(2) in subsection (d), by striking ''fiscal year 2016'' and inserting ''fiscal year 2017''.

SEC. 1224. REPORT ON PREVENTION OF FUTURE TERRORIST ORGANIZATIONS IN IRAQ AND SYRIA.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that describes the political, economic, and security conditions in Iraq and Syria that would be necessary and sufficient to prevent the formation of future terrorist organizations in Iraq and Syria that may present a danger to the United States, its allies, and the stability of Iraq, Syria, and the rest of the Middle East region.

(b) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include the following:

(1) A detailed construct of the conditions that must be met for the Islamic State to be considered defeated and a successful conclusion to Operation Inherent Resolve achieved.

(2) A detailed explanation of the political, economic, and security conditions that would—

(A) provide reasonable confidence a new terrorist organization, including a successor to al Qaeda or Islamic State, or an unrelated organization, would not form in the region in the short and long term;

(B) decrease probability of terrorist attacks on the United States, its allies, and countries in the Middle East;

(C) eliminate safe havens for terrorist organizations in Syria and Iraq; and

(D) diminish refugee flows within and out of Iraq and Syria.

(3) A strategy for the United States and its allies and partners to facilitate those political, economic, and security conditions in the short and long term, including a description of—

(A) the posture, roles, and activities of the Department of Defense in Iraq and Syria and the region;

(B) the roles and responsibilities of United States' allies and regional partners; and

(C) the roles and responsibilities for other countries and groups in the region, including Kurds, Shia, and Sunni groups in Iraq and Syria, and Saudi Arabia and Iran.

(4) Any other matters the Secretary of Defense may determine to be appropriate.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex if necessary.

SEC. 1225. SEMIANNUAL REPORT ON INTEGRATION OF POLITICAL AND MILITARY STRATEGIES AGAINST ISIL.

(a) REPORTS REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense and the Secretary of State shall jointly submit to the appropriate committees of Congress, on a semiannual basis, a report on the political and military strategies to defeat the Islamic State in Iraq and the Levant.

(2) SUBMITTAL.— A report under paragraph (1) shall be submitted not later than June 15 each year, for the 6-month period ending on May 31 of such year, and not later than December 15 each year, for the 6-month period ending on November 30 of such year.

(3) FORM.—Each report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(b) MATTERS TO BE INCLUDED.—Each report required under subsection (a) shall include the following:

(1) Military strategy and objectives of the United States Department of Defense and coalition partners against the Islamic State in Iraq and the Levant (hereinafter in this section referred to as ''ISIL'');

(2) Political strategy and objectives of the United States Department of State and coalition partners to address the political roots underlying the growth of ISIL, including—

(A) a comprehensive political plan for achieving a transition plan, interim government, and free and fair internationally monitored elections after the end of the current government headed by Bashar al-Assad;

(B) a comprehensive political plan for Iraqi political reform and reconciliation between ethnic groups and political parties (including a plan for passage of national guard legislation, repeal of de-Baathification laws, and a plan for equitable petroleum revenue sharing with the Kurdistan Regional Government); and

(C) a critical assessment of the current size and structure of the Iraqi Security Forces (hereinafter in this section referred to as ''ISF'') including an assessment of—

(i) provincial and neighborhood militias and special counterterrorism units;

(ii) any changes in strength and mix of force structure within the ISF;

(iii) levels of recruitment, retention, and attrition within ISF forces; and

(iv) the operating budget of the ISF.

(c) REPORT BY COMPTROLLER GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a review of—

(1) the transparency and anti-fraud, internal controls and accounting, and other measures undertaken by the Government of Iraq for the ISF, including irregular forces, relating to cash transfers and other assistance provided through the Iraq Train and Equip Fund; and

(2) the financial management capacity and accountability of United States direct assistance with respect to all recipients of funding under the Iraq Train and Equip Fund.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.

(e) SUNSET.—The requirements under this section shall expire on the date that is three years after the date of the enactment of this Act.

Subtitle D—Matters Relating to the Russian Federation

SEC. 1231. LIMITATION ON USE OF FUNDS TO APPROVE OR OTHERWISE PERMIT APPROVAL OF CERTAIN REQUESTS BY RUSSIAN FEDERATION UNDER OPEN SKIES TREATY.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) COVERED STATE PARTY.—The term ''covered state party'' means a foreign country that—

(A) is a state party to the Open Skies Treaty; and

(B) is a United States ally.

(3) OBSERVATION AIRCRAFT, OBSERVATION FLIGHT, AND SENSOR.—The terms ''observation aircraft'', ''observation flight'', and ''sensor'' have the meanings given such terms in Article II of the Open Skies Treaty.

(4) OPEN SKIES TREATY.—The term ''Open Skies Treaty'' means the Treaty on Open Skies, done at Helsinki March 24, 1992, and entered into force January 1, 2002.

(b) LIMITATION.—None of the funds authorized to be appropriated or otherwise made available by this Act or any other Act for fiscal year 2017 or any subsequent fiscal year may be used to approve or otherwise permit the approval of a request by the Russian Federation to carry out an initial or exhibition observation flight or certification event of an observation aircraft on which is installed an upgraded sensor with infrared or synthetic aperture radar capability over the territory of the United States or over the territory of a covered state party under the Open Skies Treaty unless and until the Secretary of Defense, jointly with the Secretary of State, the Secretary of Energy, the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, the Director of National Intelligence, and the commander of U.S. Strategic Command and the Commander of U.S. Northern Command in the case of a flight over the territory of the United States and the Commander of U.S. European Command in the case of other flights, submits to the appropriate congressional committees the following:

(1) CERTIFICATION.—A certification that—

(A) the Russian Federation—

(i) is taking no action that is inconsistent with the terms of the Open Skies Treaty;

(ii) is not exceeding the imagery limits set forth in the Treaty; and

(iii) is allowing overflights by covered state parties over all of Moscow, Chechnya, Abkhazia, South Ossetia, and Kaliningrad without restriction and without inconsistency to requirements under the Open Skies Treaty; and

(B) covered state parties have been notified and briefed on concerns of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) regarding upgraded sensors used under the Open Skies Treaty.

(2) REPORT.—A report on the Open Skies Treaty that includes the following:

(A) The annual costs to the United States associated with countermeasures to combat potential abuses of Russian flights carried out under the Open Skies Treaty over European and United States territories with a sensor described in paragraph (1)(B).

(B) A plan to replace the Open Skies Treaty architecture with a more robust sharing of overhead commercial imagery, consistent with United States national security, with covered state parties, excluding the Russian Federation.

(C) An evaluation by the Director of National Intelligence of matters concerning how an observation flight described in subparagraph (A) could implicate intelligence activities of the Russian Federation in the United States and United States counterintelligence activities and vulnerabilities.

(D) An assessment of how such information is used by the Russian Federation, for what purpose, and how the information fits into the Russian Federation's overall collection posture.

(c) NOTICE.—

(1) IN GENERAL.—Not later than 14 days after the completion of an observation flight over the United States, the Secretary of Defense, jointly with the Secretary of Energy, the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, and the Director of National Intelligence, shall notify the appropriate congressional committees of such flight.

(2) CONTENTS.—Notice submitted for a flight pursuant to paragraph (1) shall include the following:

(A) A description of the flight path.

(B) An analysis of whether and the extent to which any United States critical infrastructure was the subject of image capture activities of such flight.

(C) An estimate for the mitigation costs imposed on the Department of Defense or other

United States Government agencies by such flight.

(D) An assessment of how such information is used by the Russian Federation, for what purpose, and how the information fits into the Russian Federation's overall collection posture.

(d) ADDITIONAL LIMITATION.—

(1) IN GENERAL.—Not more than 65 percent of the funds authorized to be appropriated or otherwise made available by this Act or any other Act for fiscal year 2017 year may be used to carry out any activities to implement the Open Skies Treaty until the requirements described in paragraph (2) are met.

(2) REQUIREMENTS DESCRIBED.—The requirements described in this paragraph are the following:

(A) The Director of National Intelligence and the Director of the National Geospatial-Intelligence Agency jointly submit to the appropriate congressional committees a report on the following:

(i) Whether it is possible, consistent with United States national security interests, to provide enhanced access to United States commercial imagery or other United States capabilities, consistent with the protection of sources and methods and United States national security, to covered state parties that is qualitatively similar to that derived by flights over the territory of the United States or over the territory of a covered state party under the Open Skies Treaty, on a more timely basis.

(ii) What the cost would be to provide enhanced access to such commercial imagery or other capabilities as compared to the current imagery sharing through the Open Skies Treaty.

(iii) Whether any new agreements would be needed to provide enhanced access to such commercial imagery or other capabilities and what would be required to obtain such agreements.

(iv) Whether transitioning to such commercial imagery or other capabilities from the current imagery sharing through the Open Skies Treaty would reduce opportunities by the Russian Federation to exceed imagery limits and reduce utility for Russian intelligence collection against the United States or covered state parties.

(v) How such commercial imagery or other capabilities would compare to the current imagery sharing through the Open Skies Treaty.

(B) The Secretary of State, in consultation with the Director of the National Geospatial Intelligence Agency and the Secretary of Defense, submits to the appropriate congressional committees an unclassified report that—

(i) details the costs for implementation of the Open Skies Treaty, including—

(I) mitigation costs relating to national security; and

(II) aircraft, sensors, and related overhead and treaty implementation costs for covered state parties; and

(ii) describes the impact on contributions by covered state parties and relationships among covered state parties in the context of the Open Skies Treaty, the North Atlantic Treaty Organization, and any other venues for United States partnership dialogue and activity.

SEC. 1232. MILITARY RESPONSE OPTIONS TO RUSSIAN FEDERATION VIOLATION OF INF TREATY.

(a) IN GENERAL.—An amount equal to $10,000,000 of the amount authorized to be appropriated or otherwise made available to the Department of Defense for fiscal year 2017 to provide support services to the Executive Office of the President shall be withheld from obligation or expenditure until the Secretary of Defense—

(1) submits to the appropriate congressional committees the plan for the development of military capabilities as described in paragraph (1) of section 1243(d) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1062); and

(2) carries out the development of capabilities pursuant to such plan in accordance with the requirements described in paragraph (3) of such section.

(b) DEFINITION.—In this section, the term ''appropriate congressional committees'' has the meaning given such term in section 1243(e) of the National Defense Authorization Act for Fiscal Year 2016.

SEC. 1233. LIMITATION ON MILITARY COOPERATION BETWEEN THE UNITED STATES AND THE RUSSIAN FEDERATION.

(a) LIMITATION.—None of the funds authorized to be appropriated for fiscal year 2017 for the Department of Defense may be used for any bilateral military-to-military cooperation between the Governments of the United States and the Russian Federation until the Secretary of Defense, in coordination with the Secretary of State, certifies to the appropriate congressional committees that—

(1) the Russian Federation has ceased its occupation of Ukrainian territory and its aggressive activities that threaten the sovereignty and territorial integrity of Ukraine and members of the North Atlantic Treaty Organization; and

(2) the Russian Federation is abiding by the terms of and taking steps in support of the Minsk Protocols regarding a ceasefire in eastern Ukraine.

(b) NONAPPLICABILITY.—The limitation in subsection (a) shall not apply to—

(1) any activities necessary to ensure the compliance of the United States with its obligations or the exercise of rights of the United States under any bilateral or multilateral arms control or nonproliferation agreement or any other treaty obligation of the United States; and

(2) any activities required to provide logistical or other support to the conduct of United States or North Atlantic Treaty Organization military operations in Afghanistan or the withdrawal from Afghanistan.

(c) WAIVER.—The Secretary of Defense may waive the limitation in subsection (a) if the Secretary of Defense, in coordination with the Secretary of State—

(1) determines that the waiver is in the national security interest of the United States; and

(2) submits to the appropriate congressional committees—

(A) a notification that the waiver is in the national security interest of the United States and a description of the national security interest covered by the waiver; and

(B) a report explaining why the Secretary of Defense cannot make the certification under subsection (a).

(d) EXCEPTION FOR CERTAIN MILITARY BASES.—The certification requirement specified in paragraph (1) of subsection (a) shall not apply to military bases of the Russian Federation in Ukraine's Crimean peninsula operating in accordance with its 1997 agreement on the Status and Conditions of the Black Sea Fleet Stationing on the Territory of Ukraine.

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

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1234. STATEMENT OF POLICY ON UNITED STATES EFFORTS IN EUROPE TO REASSURE UNITED STATES PARTNERS AND ALLIES AND DETER AGGRESSION BY THE GOVERNMENT OF THE RUSSIAN FEDERATION.

(a) FINDINGS.—Congress makes the following findings:

(1) The Russian Federation, under the leadership of President Vladimir Putin, continues to demonstrate its intent to expand its sphere of influence and limit Western influence both regionally and globally.

(2) In March 2016, at a House Armed Services Committee hearing discussing worldwide threats, Major General James Marrs, Director for Intelligence in the Joint Staff stated, ''principally, what we are seeing in Russia. . .is just a breadth of capabilities from strategic systems to anti access area denial to even, I would say, a growing adeptness at operating sort of just short of traditional military conflict that is posing a significant challenge in the future''.

(3) In July 2015, Chairman of the Joint Chiefs of Staff, General Joseph Dunford, testified to the Senate Armed Services Committee, that ''Russia presents the greatest threat to our national security''. In November 2015, Secretary of Defense, Ashton Carter, discussed the need for ''adapting our operational posture and contingency plans. . .to deter Russia's aggression''.

(4) In February 2016, the Rand Corporation released its report, ''Reinforcing Deterrence on NATO's Eastern Flank'', concluding that at a maximum it would take Russian forces approximately 60 hours to reach the capitals of Estonia and Latvia, exhibiting the challenge to North Atlantic Treaty Organization (NATO) member countries of successfully defending such territory with its current posture and capability.

(5) In February 2016, the Center for Strategic and International Studies released its report, ''Evaluating U.S. Army Force Posture in Europe'', calling for increased pre-positioned sets of United States military equipment, increased rotational forces and associated enablers, increased logistics capabilities, and increased investment in combating unconventional warfare methods in Europe.

(6) In February 2016, the National Commission on the Future of the Army released its findings and recommendations, which included Recommendation 14 calling for stationing an Armored Brigade Combat Team Forward in Europe and Recommendation 15 calling for the conversion of Army Europe Aviation Headquarters to a warfighting mission command.

(7) In the National Defense Authorization Act for Fiscal Year 2015 (Public Law 114–92) and the National Defense Authorization Act for Fiscal Year 2016 (Public Law 113–291), Congress authorized approximately $1,800,000,000 for the European Reassurance Initiative to reassure allies through expanded United States military presence in Europe through rotational deployments of United States troops, bilateral and multilateral exercises, improved infrastructure, increased pre-positioned United States military equipment, and building partnership capacity.

(8) The budget of the President for fiscal year 2017 submitted to Congress under section 1105(a) of title 31, United States Code, includes $3,420,000,000 for the European Reassurance Initiative to begin the transition from primarily reassuring United States partners and allies to deterring the Russian Federation.

(9) The request encompasses a large increase of conventional resources, including additional rotational deployments of United States troops and pre-positioning an Armored Brigade Combat Team's worth of equipment into Europe.

(10) The request also includes increased funding for unconventional warfare resources, including cyber and special operations forces, as well as for intelligence and indicators and warning.

(b) STATEMENT OF POLICY.—

(1) IN GENERAL.—It is the policy of the United States to reassure United States partners and allies in Europe and to work with United States partners and allies to deter aggression by the Government of the Russian Federation in order

to enhance regional and global security and stability.

(2) CONDUCT OF POLICY.—The policy described in paragraph (1) shall, among other things, be carried out through a comprehensive defense strategy and guidance to outline the future path of defense resources and capabilities in the European theater. Such strategy and guidance shall include—

(A) use and expansion of conventional methods, including increased United States presence, pre-positioning of United States military equipment, increased infrastructure, and building partnership capacity in Europe;

(B) emphasis on developing capabilities for countering unconventional methods of warfare, including cyber warfare, economic warfare, information operations, and intelligence operations; and

(C) encouraging security assistance and capabilities of partners and allies, including NATO member countries.

SEC. 1235. MODIFICATION OF UKRAINE SECURITY ASSISTANCE INITIATIVE.

(a) AUTHORITY TO PROVIDE ASSISTANCE.—Subsection (a) of section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1068) is amended—

(1) by striking ''Of the amounts'' and all that follows through ''the Secretary of Defense'' and inserting ''The Secretary of Defense''; and

(2) by inserting ''is authorized'' before ''to provide''.

(b) AVAILABILITY OF FUNDS.—Subsection (c) of such section is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively;

(3) in paragraph (1) (as so redesignated)—

(A) by striking ''paragraph (3)'' and inserting ''paragraph (2)''; and

(B) by striking ''pursuant to subsection (a)'' and inserting ''to carry out this section for a fiscal year''; and

(4) in paragraph (2) (as so redesignated)—

(A) by striking ''paragraph (2)'' and inserting ''paragraph (1)''; and

(B) by striking ''commencing on the date that is six months after the date of the enactment of this Act''.

SEC. 1236. PROHIBITION ON AVAILABILITY OF FUNDS RELATING TO SOVEREIGNTY OF THE RUSSIAN FEDERATION OVER CRIMEA.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Department of Defense may be obligated or expended to implement any activity that recognizes the sovereignty of the Russian Federation over Crimea.

(b) WAIVER.—The Secretary of Defense, with the concurrence of the Secretary of State, may waive the restriction on the obligation or expenditure of funds required by subsection (a) if the Secretary—

(1) determines that to do so is in the national security interest of the United States; and

(2) submits to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives a notification of the waiver at the time the waiver is invoked.

SEC. 1237. MODIFICATION AND EXTENSION OF REPORT ON MILITARY ASSISTANCE TO UKRAINE.

(a) FINDINGS.—Congress makes the following findings:

(1) Ukraine's border is 6,995 kilometers long, including 1,974 kilometers of controlled border with the Russian Federation, 195 kilometers of an administrative line with Crimea, and 409 kilometers of border in the east that is currently uncontrolled.

(2) Since the beginning of the Russian-Ukrainian conflict in 2014, 64 Ukrainian border guards have been killed and another 391 have been wounded.

(3) Implementation of the Minsk Agreement, signed in February 2015, requires the State Border Guard Service of Ukraine to reestablish border checkpoints in currently uncontrolled territory and to monitor the border to verify full implementation of the Agreement.

(4) Ukraine is developing engineering and technical systems to strengthen the controlled border between Ukraine and the Russian Federation, Ukrainian maritime borders, and areas adjacent to the uncontrolled territory and occupied Crimea.

(5) Russian unmanned aerial vehicles are being used to support Russian-backed separatist artillery fire against Ukrainian forces.

(6) Due to a lack of resources and equipment, Ukraine lacks an effective early warning network to warn of any new aggression on the border.

(7) Section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1068) calls for the United States to provide to Ukraine critical training and equipment to enhance the capabilities of the military and other security forces of Ukraine to defend against further aggression from the Russian Federation and Russian-backed separatists.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should continue to support the Government of Ukraine's efforts to provide and maintain security in Ukraine;

(2) the State Border Guard Service of Ukraine needs sufficient equipment and technical assistance to defend and monitor Ukraine's borders and to fully implement the Minsk Agreement; and

(3) the Department of Defense should continue its work with the Ukrainian military, Ukrainian National Guard, and Ukrainian State Border Guard Service to strengthen Ukraine's defenses and defend its borders against aggressive actions.

(c) MODIFICATION AND EXTENSION OF REPORT ON MILITARY ASSISTANCE TO UKRAINE.—

(1) CONGRESSIONAL COMMITTEES.—Subsection (b) of section 1275 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3591) is amended by inserting ''and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives'' after ''congressional defense committees''.

(2) ELEMENTS.—Subsection (c) of such section is amended by adding at the end the following:

''(8) A description of the extent to which the Department of Defense has provided security assistance to the Government of Ukraine for the purposes of protecting and monitoring the borders of Ukraine.''.

(3) EXTENSION.—Subsection (e) of such section, as amended by section 1250(g) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1070), is further amended by striking ''December 31, 2017'' and inserting ''December 31, 2019''.

SEC. 1238. ADDITIONAL MATTERS IN ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE RUSSIAN FEDERATION.

(a) ADDITIONAL MATTERS.—Subsection (b) of section 1245 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3566), as amended by section 1248(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1066), is further amended—

(1) by redesignating paragraph (18) as paragraph (19); and

(2) by inserting after paragraph (17) the following:

''(18) The current state of Russia's foreign military deployments, which shall include the following:

''(A) For each such deployment, the estimated number of forces, types of capabilities to include advanced weapons, length of deployment, and where possible identifying basing agreements.

''(B) The following information with respect to such deployments to be disaggregated on a country-by-country basis:

''(i) The number of Russian military personnel, including combat troops, military trainers, combat enabling capabilities and border security agents, deployed to the country with the consent of the national or local government. Such information should include the length of the basing arrangements and the strategic importance of the location.

''(ii) The number of such Russian military personnel deployed in areas where Russian forces entered the country by force or are otherwise deployed over the objections of the national or local government.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to reports submitted under section 1245 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 after that date.

Subtitle E—Other Matters

SEC. 1241. SENSE OF CONGRESS ON MALIGN ACTIVITIES OF THE GOVERNMENT OF IRAN.

(a) FINDINGS.—Congress finds that the Government of Iran continues to conduct provocative, malign activities in the region, including—

(1) the launch of the Shahab-3 medium-range ballistic missile and Qiam-1 short-range ballistic missiles;

(2) the intent to launch the Simorgh Space-Launch Vehicle (SLV) as stated by Lieutenant General Vincent Stewart in testimony to the House Armed Services Committee: ''Iran stated publicly it intends to launch the Simorgh (SLV), which would be capable of intercontinental ballistic missile (ICBM) range.'';

(3) the detention of United States service members, which the Secretary of Defense, Ashton Carter, described in testimony to the House Armed Services Committee as ''unprofessional'' and ''outrageous'';

(4) the support of foreign terrorist organizations designated by the Department of State, such as Lebanese Hezbollah and Kata'ib Hizbollah;

(5) the support of the Assad regime in Syria;

(6) the support of Shia militias in Iraq that have been directly responsible for the deaths of United States service members; and

(7) the support of the Houthi rebels in Yemen in contravention to the internationally-recognized, legitimate Government of Yemen.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Joint Comprehensive Plan of Action (JCPOA) does not address the totality of the malign activities of the Government of Iran, including ballistic missile launches, support for designated foreign terrorist organizations, or other proxies conducting malign activities in the region and globally;

(2) the United States should increase its efforts to counter the continued expansion of malign activities of the Government of Iran in the Middle East;

(3) the United States should ensure that it has robust, enduring military posture and capabilities forward deployed in the Arabian Gulf region to deter Iranian aggression and respond to Iranian aggression, if necessary; and

(4) the United States should strengthen ballistic missile defense capabilities and increase security assistance to United States partners and allies in the region.

SEC. 1242. MODIFICATION OF ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE PEOPLE'S REPUBLIC OF CHINA.

(a) ANNUAL REPORT.—Subsection (a) of section 1202 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 781; 10 U.S.C. 113 note) is amended by striking ''March 1 each year'' and inserting ''January 31 of each year through January 31, 2021''.

(b) MATTERS TO BE INCLUDED.—Subsection (b) of such section, as most recently amended by section 1252(a) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3571), is further amended by adding at the end the following:

''(21) A summary of the order of battle of the People's Liberation Army, including anti-ship ballistic missiles, theater ballistic missiles, and land attack cruise missile inventory.''.

(c) EFFECTIVE DATE.—The amendments made by this section take effect on the date of the enactment of this Act and apply with respect to reports required to be submitted under subsection (a) of section 1202 of the National Defense Authorization Act for Fiscal Year 2000 on or after that date.

SEC. 1243. SENSE OF CONGRESS ON TRILATERAL COOPERATION BETWEEN JAPAN, SOUTH KOREA, AND THE UNITED STATES.

(a) FINDINGS.—Congress finds the following:

(1) Japan and the Republic of Korea (South Korea) are both treaty allies and critically important security partners of the United States.

(2) Japan and South Korea confront a range of shared challenges to their national security and to stability in the Asia-Pacific region, including the multitude of threats posed by the Democratic People's Republic of Korea (North Korea).

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should continue to support trilateral cooperation with Japan and South Korea;

(2) the United States should continue to support defense cooperation between Japan and South Korea on the full range of issues related to North Korea and to other security challenges in the Asia-Pacific region; and

(3) the United States should seek to facilitate closer security cooperation with and between Japan and South Korea on—

(A) non-proliferation;

(B) cyber security;

(C) maritime security;

(D) security technology and capability development; and

(E) other areas of mutual security benefit.

SEC. 1244. SENSE OF CONGRESS ON COOPERATION BETWEEN SINGAPORE AND THE UNITED STATES.

(a) FINDINGS.—Congress finds the following:

(1) 2016 is the 50th year of relations between the United States and the Republic of Singapore.

(2) The United States and Singapore signed an enhanced defense cooperation agreement on December 7, 2015.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should continue to conduct bilateral cooperation and support the strategic partnership with Singapore to promote peace and stability in the Asia-Pacific region;

(2) the United States welcomes the signing of the enhanced Defense Cooperation Agreement with Singapore and should expand bilateral training and cooperation on security issues, including maritime security, cyber security, countering violent extremism, humanitarian assistance, and disaster relief;

(3) the United States should continue efforts with Singapore to address transnational issues and strengthen regional and multilateral institutions that promote security cooperation based on internationally accepted rules and norms; and

(4) the United States should improve joint interoperability and security collaboration with Singapore to enhance capabilities to maintain regional stability.

SEC. 1245. MONITORING AND EVALUATION OF OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID PROGRAMS OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Of the amounts authorized to be appropriated by this Act for Overseas Humanitarian, Disaster, and Civic Aid, the Secretary of Defense is authorized to use up to 5 percent of such amounts to conduct monitoring and evaluation of programs that are funded using such amounts during fiscal year 2017.

(b) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the appropriate congressional committees a briefing on mechanisms to evaluate the programs conducted pursuant to the authorities listed in subsection (a).

(c) DEFINITION.—In subsection (b), the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1246. ENHANCEMENT OF INTERAGENCY SUPPORT DURING CONTINGENCY OPERATIONS AND TRANSITION PERIODS.

(a) AUTHORITY.—The Secretary of Defense and the Secretary of State may enter into an agreement under which each Secretary may provide covered support, supplies, and services on a reimbursement basis, or by exchange of covered support, supplies, and services, to the other Secretary during a contingency operation and related transition period for up to two years following the end of such contingency operation.

(b) AGREEMENT.—An agreement entered into under this section shall be in writing and shall include the following terms:

(1) The price charged by a supplying agency shall be the direct costs that such agency incurred by providing the covered support, supplies, or services to the requesting agency under this section.

(2) Credits and liabilities of the agencies accrued as a result of acquisitions and transfers of covered support, supplies, and services under this section shall be liquidated not less often than once every 3 months by direct payment to the agency supplying such support, supplies, or services by the agency receiving such support, supplies, or services.

(3) Exchange entitlements accrued as a result of acquisitions and transfers of covered support, supplies, and services under this section shall be satisfied within 12 months after the date of the delivery of the covered support, supplies, or services. Exchange entitlements not so satisfied shall be immediately liquidated by direct payment to the agency supplying such covered support, supplies, or services.

(c) EFFECT OF OBLIGATION AND AVAILABILITY OF FUNDS.—An order placed by an agency pursuant to an agreement under this section is deemed to be an obligation in the same manner that a similar order placed under a contract with, or a contract for similar goods or services awarded to, a private contractor is an obligation. Appropriations remain available to pay an obligation to the servicing agency in the same manner as appropriations remain available to pay an obligation to a private contractor.

(d) DEFINITIONS.—In this section:

(1) COVERED SUPPORT, SUPPLIES, AND SERVICES.—The term ''covered support, supplies, and services'' means food, billeting, transportation (including airlift), petroleum, oils, lubricants, communications services, medical services, ammunition, base operations support, use of facilities, spare parts and components, repair and maintenance services, and calibration services.

(2) CONTINGENCY OPERATION.—The term ''contingency operation'' has the meaning given that term in section 101(a)(13) of title 10, United States Code.

(e) CREDITING OF RECEIPTS.—Any receipt as a result of an agreement entered into under this section shall be credited, at the option of the Secretary of Defense with respect to the Department of Defense and the Secretary of State with respect to the Department of State, to—

(1) the appropriation, fund, or account used in incurring the obligation; or

(2) an appropriate appropriation, fund, or account currently available for the purposes for which the expenditures were made.

(f) NOTIFICATION.—Not later than 30 days after the end of a fiscal year in which covered support, supplies, and services are provided or exchanged pursuant to an agreement under this section, the Secretary of Defense and the Secretary of State shall jointly submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a notification that contains a copy of such agreement and a description of such covered support, supplies, and services.

(g) SUNSET.—The authority to enter into an agreement under this section shall terminate at the close of December 31, 2018.

SEC. 1247. TWO-YEAR EXTENSION AND MODIFICATION OF AUTHORIZATION OF NON-CONVENTIONAL ASSISTED RECOVERY CAPABILITIES.

(a) EXTENSION OF AUTHORITY.—Subsection (h) of section 943 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4579), as most recently amended by section 1271 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1075), is further amended by striking ''2018'' and inserting ''2020''.

(b) MODIFICATION TO AUTHORIZED ACTIVITIES.—Subsection (c) of such section is amended by inserting '', or other individuals, as determined by the Secretary of Defense, with respect to already established non-conventional assisted recovery capabilities'' before the period at the end of the first sentence.

SEC. 1248. AUTHORITY TO DESTROY CERTAIN SPECIFIED WORLD WAR II-ERA UNITED STATES-ORIGIN CHEMICAL MUNITIONS LOCATED ON SAN JOSE ISLAND, REPUBLIC OF PANAMA.

(a) AUTHORITY.—

(1) IN GENERAL.—Subject to subsection (b), the Secretary of Defense may destroy the chemical munitions described in subsection (c).

(2) EX GRATIA ACTION.—The action authorized by this section is ''ex gratia'' on the part of the United States, as the term ''ex gratia'' is used in section 321 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 10 U.S.C. 2701 note).

(3) CONSULTATION BETWEEN SECRETARY OF DEFENSE AND SECRETARY OF STATE.—The Secretary of Defense and the Secretary of State shall consult and develop any arrangements with the Republic of Panama with respect to this section.

(b) CONDITIONS.—The Secretary of Defense may exercise the authority under subsection (a) only if the Republic of Panama has—

(1) revised the declaration of the Republic of Panama under the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction to indicate that the chemical munitions described in subsection (c) are ''old chemical weapons'' rather than ''abandoned chemical weapons''; and

(2) affirmed, in writing, that it understands (A) that the United States intends only to destroy the munitions described in subsections (c) and (d), and (B) that the United States is not legally obligated and does not intend to destroy any other munitions, munitions constituents, and associated debris that may be located on San Jose Island as a result of research, development, and testing activities conducted on San Jose Island during the period of 1943 through 1947.

(c) CHEMICAL MUNITIONS.—The chemical munitions described in this subsection are the eight United States-origin chemical munitions located on San Jose Island, Republic of Panama, that were identified in the 2002 Final Inspection Report of the Technical Secretariat of the Organization for the Prohibition of Chemical Weapons.

(d) LIMITED INCIDENTAL AUTHORITY TO DESTROY OTHER MUNITIONS.—In exercising the authority under subsection (a), the Secretary of Defense may destroy other munitions located on San Jose Island, Republic of Panama, but only to the extent essential and required to reach and destroy the chemical munitions described in subsection (c).

(e) SOURCE OF FUNDS.—Of the amounts authorized to be appropriated by this Act, the Secretary of Defense may use up to $30,000,000 from amounts made available for Chemical Agents and Munitions Destruction, Defense to carry out the authority in subsection (a).

(f) SUNSET.—The authority under subsection (a) shall terminate on the date that is three years after the date of the enactment of this Act.

SEC. 1249. STRATEGY FOR UNITED STATES DEFENSE INTERESTS IN AFRICA.

(a) REQUIRED REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that contains the strategy for United States defense interests in Africa.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall address the following:

(1) United States national security interests in Africa, including an assessment of threats to global and regional United States national security interests emanating from the continent.

(2) United States defense objectives in Africa.

(3) Courses of action to accomplish United States defense objectives in Africa, including those conducted in cooperation with other Federal agencies.

(4) Measures to improve coordination between United States Africa Command and other combatant commands to achieve unity of effort to counter threats that cross combatant command boundaries.

(5) Department of Defense capabilities and resources required to achieve defense objectives in Africa, and the mitigation plan to address any gaps in such capabilities or resources that affect the implementation of the strategy required by subsection (a).

(6) Security cooperation initiatives to advance defense objectives in Africa.

(7) Any other matters the Secretary of Defense determines to be appropriate.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex if necessary.

SEC. 1250. UNITED STATES-ISRAEL DIRECTED ENERGY COOPERATION.

(a) AUTHORITY TO ESTABLISH DIRECTED ENERGY CAPABILITIES PROGRAM WITH ISRAEL.—

(1) IN GENERAL.—The Secretary of Defense, upon the request of the Ministry of Defense of Israel, and with the concurrence of the Secretary of State, may carry out research, development, test, and evaluation activities, on a joint basis with Israel, to establish directed energy capabilities to detect and defeat ballistic missiles, cruise missiles, unmanned aerial vehicles, mortars, and improvised explosive devices that threaten the United States, deployed forces of the United States, or Israel. Any activities carried out pursuant to such authority shall be conducted in a manner that appropriately protects sensitive information and the national security interests of the United States and Israel.

(2) REPORT.—The activities described in paragraph (1) may be carried out after the Secretary of Defense submits to the appropriate committees of Congress a report setting forth the following:

(A) A memorandum of agreement between the United States and Israel regarding sharing of research and development costs for the capabilities described in paragraph (1), and any supporting documents.

(B) A certification that the memorandum of agreement—

(i) requires sharing of costs of projects, including in-kind support, between the United States and Israel;

(ii) establishes a framework to negotiate the rights to any intellectual property developed under the memorandum of agreement; and

(iii) requires the United States Government to receive semiannual reports on expenditure of funds, if any, by the Government of Israel, including a description of what the funds have been used for, when funds were expended, and an identification of entities that expended the funds.

(3) ANNUAL LIMITATION ON AMOUNT.—The amount of support provided under this subsection in any year may not exceed $25,000,000.

(b) LEAD AGENCY.—The Secretary of Defense shall designate the Missile Defense Agency as the appropriate research and development entity and as the lead agency of the Department of Defense in carrying out this section.

(c) SEMIANNUAL REPORTS.—The Secretary of Defense shall submit to the appropriate committees of Congress on a semiannual basis a report that contains a copy of the most recent semiannual report provided by the Government of Israel to the Department of Defense pursuant to subsection (a)(2)(B)(iii).

(d) SUNSET.—The authority in this section to carry out activities described in subsection (a) shall expire on December 31, 2018.

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Homeland Security, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1251. SENSE OF CONGRESS ON SUPPORT FOR ESTONIA, LATVIA, AND LITHUANIA.

(a) FINDINGS.—Congress finds the following:

(1) The Baltic States of Estonia, Latvia, and Lithuania are highly valued allies of the United States, and they have repeatedly demonstrated their commitment to advancing our mutual interests as well as those of the NATO Alliance.

(2) Operation Atlantic Resolve is a series of exercises and coordinating efforts demonstrating the United States' commitment to its European partners and allies, including the Baltic States of Estonia, Latvia, and Lithuania, with the shared goal of peace and stability in the region. Operation Atlantic Resolve strengthens communication and understanding, and is an important effort to deter Russian aggression in the region.

(3) Through Operation Atlantic Resolve, the European Reassurance Initiative undertakes exercises, training, and rotational presence necessary to reassure and integrate our allies, including the Baltic States, into a common defense framework.

(4) All three Baltic States contributed to the NATO-led International Security Assistance Force in Afghanistan, sending disproportionate numbers of troops and operating with few caveats. The Baltic States continue to engage in Operation Resolute Support in Afghanistan.

(b) SENSE OF CONGRESS.—Congress—

(1) reaffirms its support for the principle of collective defense in Article 5 of the North Atlantic Treaty for our NATO allies, including Estonia, Latvia, and Lithuania;

(2) supports the sovereignty, independence, territorial integrity, and inviolability of Estonia, Latvia, and Lithuania as well as their internationally recognized borders, and expresses concerns over increasingly aggressive military maneuvering by the Russian Federation near their borders and airspace;

(3) expresses concern over and condemns subversive and destabilizing activities by the Russian Federation within the Baltic States; and

(4) encourages the Administration to further enhance defense cooperation efforts with Estonia, Latvia, and Lithuania and supports the efforts of their Governments to provide for the defense of their people and sovereign territory.

SEC. 1252. SENSE OF CONGRESS ON SUPPORT FOR GEORGIA.

(a) FINDINGS.—Congress finds the following:

(1) Georgia is a valued friend of the United States and has repeatedly demonstrated its commitment to advancing the mutual interests of both countries, including the deployment of Georgian forces as part of the NATO-led International Security Assistance Force (ISAF) in Afghanistan and the Multi-National Force in Iraq.

(2) The European Reassurance Initiative builds the partnership capacity of Georgia so it can work more closely with the United States and NATO, as well as provide for its own defense.

(3) In addition to the European Reassurance Initiative, Georgia's participation in the NATO initiative Partnership for Peace is paramount to interoperability with the United States and NATO, and establishing a more peaceful environment in the region.

(4) Despite the losses suffered, as a NATO partner of ISAF, Georgia is engaged in the Resolute Support Mission in Afghanistan with the second largest contingent on the ground.

(b) SENSE OF CONGRESS.—Congress—

(1) reaffirms United States support for Georgia's sovereignty and territorial integrity within its internationally-recognized borders, and does not recognize the independence of the Abkhazia and South Ossetia regions currently occupied by the Russian Federation; and

(2) supports continued cooperation between the United States and Georgia and the efforts of the Government of Georgia to provide for the defense of its people and sovereign territory.

SEC. 1253. MODIFICATION OF ANNUAL REPORT ON MILITARY POWER OF IRAN.

(a) IN GENERAL.—Subsection (b)(3) of section 1245 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2542) is amended—

(1) by redesignating subparagraphs (E) through (G) as subparagraphs (G) through (I), respectively; and

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

''(E) an estimate of Iran's military cyber capabilities, including persons and entities operating on behalf of Iran, and any information on those persons or entities responsible for targeting United States critical infrastructure or United States persons or entities;

''(F) information on Iranian military and security organizations responsible for detaining members of the United States Armed Forces or interfering in United States military operations;''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on the date of the enactment of this Act and apply with respect to reports required to be submitted under section 1245 of the National Defense Authorization Act for Fiscal Year 2010 on or after such date of enactment.

SEC. 1254. SENSE OF CONGRESS ON SENIOR MILITARY EXCHANGES BETWEEN THE UNITED STATES AND TAIWAN.

(a) IN GENERAL.—It is the sense of Congress that the Secretary of Defense should conduct a program of senior military exchanges between the United States and Taiwan that have the objective of improving military-to-military relations and defense cooperation between the United States and Taiwan.

(b) ADMINISTRATION OF PROGRAM.—It is the sense of Congress that the program described in subsection (a)—

(1) should be conducted at least once each calendar year; and

(2) should be conducted in both the United States and Taiwan.

(c) DEFINITIONS.—In this section:

(1) SENIOR MILITARY EXCHANGE.—The term ''senior military exchange'' means an activity, exercise, professional education event, or observation opportunity in which senior military officers and senior defense officials participate.

(2) SENIOR MILITARY OFFICER.—The term ''senior military officer'' means a general or flag officer on active duty in the armed forces.

(3) SENIOR DEFENSE OFFICIAL.—The term ''senior defense official'', with respect to the Department of Defense, means a civilian official at the level of Assistant Secretary of Defense or above.

SEC. 1255. QUARTERLY REPORT ON FREEDOM OF NAVIGATION OPERATIONS.

(a) IN GENERAL.—Chapter 3 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 130i. Quarterly report on freedom of navigation operations

''(a) REPORT REQUIRED.—Not later than 30 days after the end of each fiscal quarter, the Secretary of Defense shall submit to the congressional defense committees a report on any excessive territorial claims of foreign countries that were challenged by freedom of navigation operations and flights carried out by the armed forces during such fiscal quarter.

''(b) ELEMENTS.—The report under subsection (a) shall include, with respect to each operation described in such subsection, the following:

''(1) The date of the operation.

''(2) The class of ship or type of aircraft that conducted the operation.

''(3) The geographic location of the operation.

''(4) Identification of the foreign country that made the excessive territorial claim challenged by the operation.

''(5) A description of the excessive territorial claim that was challenged by the operation.

''(c) SUNSET.—This section shall terminate on September 30, 2018.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 130h the following new item:

''130i. Quarterly report on freedom of navigation operations.''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on the date of the enactment of this Act and shall apply with respect to fiscal quarters beginning after such date.

Subtitle F—Codification and Consolidation of Department of Defense Security Cooperation Authorities

SEC. 1261. ENACTMENT OF NEW CHAPTER FOR DEPARTMENT OF DEFENSE SECURITY COOPERATION AUTHORITIES AND TRANSFER OF CERTAIN AUTHORITIES TO NEW CHAPTER.

(a) STATUTORY CODIFICATION.—Chapter 11 of part I of subtitle A of title 10, United States Code, is amended to read as follows:

''CHAPTER 11—SECURITY COOPERATION

''SUBCHAPTER I—GENERAL MATTERS

''Subchapter I—General Matters

''SEC. 251. DEFINITIONS.

''In this chapter:

''(1) The terms 'appropriate congressional committees' and 'appropriate committees of Congress' mean the following:

''(A) The congressional defense committees.

''(B) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

''(2) The term 'small-scale construction' means, with respect to a project, construction at a total cost not to exceed $750,000 for the project.

''Subchapter II—Military-to-Military Engagements

''Subchapter III—Training With Foreign Forces

''Subchapter IV—Support for Operations and Capacity Building

''Subchapter V—Educational and Training Activities

''Subchapter VI—Limitations on Use of Department of Defense Funds''.

(b) CODIFICATION OF SECTION 1207 OF FY 2010 NDAA.—

(1) CODIFICATION.—Chapter 11 of title 10, United States Code, as amended by subsection (a), is further amended by inserting after the heading of subchapter II a new section 256 consisting of—

(A) a heading as follows:

''§ 256. Authority for non-reciprocal exchanges of defense personnel between the United States and foreign countries''; and

(B) a text consisting of the text of section 1207 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 168 note).

(2) REPEAL OF REPORTING REQUIREMENT.—Section 256 of title 10, United States Code, as added by paragraph (1), is amended—

(A) by striking subsection (e); and

(B) by redesignating subsection (f) as subsection (e).

(3) CONFORMING REPEAL.—Section 1207 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 168 note) is repealed.

(c) TRANSFER OF SECTION 1051b.—Section 1051b of title 10, United States Code, is transferred to chapter 11 of such title, as amended by subsection (a), inserted after section 256, as inserted by subsection (b), and redesignated as section 257.

(d) TRANSFER OF SECTION 2010.—Section 2010 of title 10, United States Code, is transferred to chapter 11 of such title, as amended by subsection (a), inserted after the heading of subchapter III, and redesignated as section 263.

(e) TRANSFER OF SECTION 127d.—Section 127d of title 10, United States Code, is transferred to chapter 11 of such title, as amended by subsection (a), inserted after the heading of subchapter IV, and redesignated as section 271.

(f) TRANSFER OF SECTION 2282.—Section 2282 of title 10, United States Code, is transferred to chapter 11 of such title, as amended by subsection (a), inserted after section 271, as transferred and redesignated by subsection (e), and redesignated as section 272.

(g) CODIFICATION OF SECTION 1081 OF FY 2012 NDAA.—

(1) CODIFICATION.—Chapter 11 of title 10, United States Code, as amended by subsection (a), is amended by inserting after section 272, as transferred and redesignated by subsection (f), a new section 273 consisting of—

(A) a heading as follows:

''§ 273. Friendly foreign countries; international and regional organizations: defense institution capacity building''; and

(B) a text consisting of the text of subsections (a) through (d) of section 1081 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 168 note).

(2) EXTENSION OF AUTHORITY.—Subsection (c)(1) of section 273 of title 10, United States

Code, as added by paragraph (1), is amended by striking ''at the close of December 31, 2017'' and inserting ''on December 31, 2019''.

(3) CONFORMING REPEAL.—Section 1081 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 168 note) is repealed.

(h) TRANSFER OF SECTION 184 AND CODIFICATION OF RELATED PROVISIONS.—

(1) TRANSFER.—Section 184 of title 10, United States Code, is transferred to chapter 11 of title 10, United States Code, as amended by subsection (a), inserted after the heading of subchapter V, and redesignated as section 281.

(2) CODIFICATION OF REIMBURSEMENT-RELATED PROVISIONS.—Subsection (f)(3) of section 281 of title 10, United States Code, as transferred and redesignated by paragraph (1), is amended—

(A) by inserting ''(A)'' after ''(3)''; and

(B) by adding at the end the following new subparagraph:

''(B)(i) In fiscal years 2017 through 2019, the Secretary of Defense may, with the concurrence of the Secretary of State, waive reimbursement otherwise required under this subsection of the costs of activities of Regional Centers under this section for personnel of nongovernmental and international organizations who participate in activities of the Regional Centers that enhance cooperation of nongovernmental organizations and international organizations with United States forces if the Secretary of Defense determines that attendance of such personnel without reimbursement is in the national security interests of the United States.

''(ii) The amount of reimbursement that may be waived under clause (i) in any fiscal year may not exceed $1,000,000.''.

(3) CODIFICATION OF PROVISIONS RELATING TO SPECIFIC CENTERS.—Section 281 of title 10, United States Code, as transferred and redesignated by paragraph (1), is amended by adding at the end the following new subsections:

''(h) AUTHORITIES SPECIFIC TO MARSHALL CENTER.—(1) The Secretary of Defense may authorize participation by a European or Eurasian country in programs of the George C. Marshall European Center for Security Studies (in this subsection referred to as the 'Marshall Center') if the Secretary determines, after consultation with the Secretary of State, that such participation is in the national interest of the United States.

''(2)(A) In the case of any person invited to serve without compensation on the Marshall Center Board of Visitors, the Secretary of Defense may waive any requirement for financial disclosure that would otherwise apply to that person solely by reason of service on such Board.

''(B) A member of the Marshall Center Board of Visitors may not be required to register as an agent of a foreign government solely by reason of service as a member of the Board.

''(C) Notwithstanding section 219 of title 18, a non-United States citizen may serve on the Marshall Center Board of Visitors even though registered as a foreign agent.

''(3)(A) The Secretary of Defense may waive reimbursement of the costs of conferences, seminars, courses of instruction, or similar educational activities of the Marshall Center for military officers and civilian officials from states located in Europe or the territory of the former Soviet Union if the Secretary determines that attendance by such personnel without reimbursement is in the national security interest of the United States.

''(B) Costs for which reimbursement is waived pursuant to subparagraph (A) shall be paid from appropriations available for the Center.

''(i) AUTHORITIES SPECIFIC TO INOUYE CENTER.—(1) The Secretary of Defense may waive reimbursement of the cost of conferences, seminars, courses of instruction, or similar educational activities of the Daniel K. Inouye Asia-Pacific Center for Security Studies for military officers and civilian officials of foreign countries if the Secretary determines that attendance by such personnel, without reimbursement, is in the national security interest of the United States.

''(2) Costs for which reimbursement is waived pursuant to paragraph (1) shall be paid from appropriations available for the Center.''.

(4) CONFORMING REPEALS.—The following provisions of law are repealed:

(A) Section 941(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 184 note).

(B) Section 1065 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 10 U.S.C. 113 note).

(C) Section 1306 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 10 U.S.C. 113 note).

(D) Section 8073 of the Department of Defense Appropriations Act, 2003 (Public Law 107–248; 10 U.S.C. prec. 2161 note).

(i) TRANSFER OF SECTION 2166.—

(1) TRANSFER.—Section 2166 of title 10, United States Code, is transferred to chapter 11 of such title, as amended by subsection (a), inserted after section 281, as transferred, redesignated, and amended by subsection (h), and redesignated as section 282.

(2) STYLISTIC AMENDMENTS.—Section 282 of title 10, United States Code, as transferred and redesignated by paragraph (1), is amended by striking ''nations'' each place it appears in subsections (b) and (c) and inserting ''countries''.

(3) CROSS-REFERENCE.—Section 2612(a) of title 10, United States Code, is amended by striking ''section 2166(f)(4)'' and inserting ''section 282(f)(4)''.

(j) TRANSFER OF SECTION 2350M.—Section 2350m of title 10, United States Code, is transferred to chapter 11 of such title, as amended by subsection (a), inserted after section 282, as transferred and redesignated by subsection (i), and redesignated as section 283.

(k) TRANSFER OF SECTION 2249D.—

(1) TRANSFER.—Section 2249d of title 10, United States Code, is transferred to chapter 11 of such title, as amended by subsection (a), inserted after section 283, as transferred and redesignated by subsection (j), and redesignated as section 284.

(2) STYLISTIC AMENDMENTS.—Section 284 of title 10, United States Code, as transferred and redesignated by paragraph (1), is amended—

(A) by striking ''nations'' in subsections (a) and (d) and inserting ''countries''; and

(B) by striking subsection (g).

(l) CONSOLIDATION OF CHAPTER 905 AND SECTIONS 9381, 9382, AND 9383.—

(1) CONSOLIDATION.—Chapter 11 of title 10, United States Code, as amended by subsection (a), is further amended by inserting after section 284, as transferred and redesignated by subsection (k), the following new section:

''§ 285. Aviation leadership program

''(a) ESTABLISHMENT OF PROGRAM.—Under regulations prescribed by the Secretary of Defense, the Secretary of the Air Force may establish and maintain an Aviation Leadership Program to provide undergraduate pilot training and necessary related training to personnel of the air forces of friendly, developing foreign countries. Training under this section shall include language training and programs to promote better awareness and understanding of the democratic institutions and social framework of the United States.

''(b) SUPPLIES AND CLOTHING.—(1) The Secretary of the Air Force may, under such conditions as the Secretary may prescribe, provide to a person receiving training under this section—

''(A) transportation incident to the training;

''(B) supplies and equipment to be used during the training;

''(C) flight clothing and other special clothing required for the training; and

''(D) billeting, food, and health services.

''(2) The Secretary of the Air Force may authorize such expenditures from the appropriations of the Air Force as the Secretary considers necessary for the efficient and effective maintenance of the Program in accordance with this section.

''(c) ALLOWANCES.—The Secretary of the Air Force may pay to a person receiving training under this section a living allowance at a rate to be prescribed by the Secretary, taking into account the amount of living allowances authorized for a member of the armed forces under similar circumstances.''.

(2) CONFORMING REPEAL.—Chapter 905 of title 10, United States Code, is repealed.

(m) TRANSFER OF SECTION 9415.—Section 9415 of title 10, United States Code, is transferred to chapter 11 of such title, as amended by subsection (a), inserted after section 285, as added by subsection (l), and redesignated as section 286.

(n) CODIFICATION OF SECTION 1268 OF FY 2015 NDAA.—

(1) CODIFICATION.—Chapter 11 of title 10, United States Code, as amended by subsection (a), is further amended by inserting after section 286, as transferred and redesignated by subsection (m), a new section 287 consisting of—

(A) a heading as follows:

''§ 287. Inter-European Air Forces Academy''; and

(B) a text consisting of the text of section 1268 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 10 U.S.C. 9411 note).

(2) REPEAL OF REPORTING REQUIREMENT.—Section 287 of title 10, United States Code, as added by paragraph (1), is amended—

(A) by striking subsection (g); and

(B) by redesignating subsection (h) as subsection (g).

(3) CONFORMING REPEAL.—Section 1268 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 10 U.S.C. 9411 note) is repealed.

(o) TRANSFER OF SECTIONS 2249A AND 2249E.—

(1) TRANSFER.—Sections 2249a and 2249e of title 10, United States Code, are transferred to chapter 11 of such title, as amended by subsection (a), inserted after the heading of subchapter VI, and redesignated as sections 293 and 294, respectively.

(2) CONFORMING AMENDMENT.—Section 294 of title 10, United States Code, as transferred and redesignated by paragraph (1), is amended by striking subsection (f).

(3) CROSS-REFERENCE.—Section 1204(b) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3533; 10 U.S.C. 2249e note) is amended—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''section 2249e of title 10, United States Code (as added by subsection (a))'' and inserting ''section 294 of title 10, United States Code''; and

(ii) in subparagraphs (D) and (E), by striking ''section 2249e of title 10, United States Code (as so added)'' and inserting ''section 294 of such title''; and

(B) in paragraph (3), by striking ''subsection (f) of section 2249e of title 10, United States Code (as so added)'' and inserting ''section 251(1) of such title''.

(p) CLERICAL AMENDMENTS.—Title 10, United States Code, is amended as follows:

(1) The tables of chapters at the beginning of subtitle A, and at the beginning of part I of subtitle A, are amended by striking the item relating to chapter 11 and inserting the following new item:

''11. Security cooperation ..... 251''.

(2) The table of sections at the beginning of chapter 3 is amended by striking the item relating to section 127d.

(3) The table of sections at the beginning of chapter 7 is amended by striking the item relating to section 184.

(4) The table of sections at the beginning of chapter 53 is amended by striking the item relating to section 1051b.

(5) The table of sections at the beginning of chapter 101 is amended by striking the item relating to section 2010.

(6) The table of sections at the beginning of chapter 108 is amended by striking the item relating to section 2166.

(7) The table of sections at the beginning of subchapter I of chapter 134 is amended by striking the items relating to sections 2249a, 2249d, and 2249e.

(8) The table of sections at the beginning of chapter 136 is amended by striking the item relating to section 2282.

(9) The table of sections at the beginning of subchapter II of chapter 138 is amended by striking the item relating to section 2350m.

(10) The tables of chapters at the beginning of subtitle D, and at the beginning of part III of subtitle D, are amended by striking the item relating to chapter 905.

(11) The table of sections at the beginning of chapter 907 is amended by striking the item relating to section 9415.

TITLE XIII—COOPERATIVE THREAT REDUCTION

SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION FUNDS.

(a) FISCAL YEAR 2017 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.—In this title, the term ''fiscal year 2017 Cooperative Threat Reduction funds'' means the funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program established under section 1321 of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711).

(b) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program shall be available for obligation for fiscal years 2017, 2018, and 2019.

SEC. 1302. FUNDING ALLOCATIONS.

(a) IN GENERAL.—Of the $325,604,000 authorized to be appropriated to the Department of Defense for fiscal year 2017 in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program established under section 1321 of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711), the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination, $11,791,000.

(2) For chemical weapons destruction, $2,942,000.

(3) For global nuclear security, $16,899,000.

(4) For cooperative biological engagement, $213,984,000.

(5) For proliferation prevention, $50,709,000, of which—

(A) $4,000,000 may be obligated for purposes relating to nuclear nonproliferation assisted or caused by additive manufacture technology (commonly referred to as ''3D printing'');

(B) $4,000,000 may be obligated for monitoring the ''proliferation pathways'' under the Joint Comprehensive Plan of Action;

(C) $4, 000,000 may be obligated for enhancing law enforcement cooperation and intelligence sharing; and

(D) $4,000,000 may be obligated for the Proliferation Security Initiative under subtitle B of title XVIII of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 2911 et seq.).

(6) For threat reduction engagement, $2,000,000.

(7) For activities designated as Other Assessments/Administrative Costs, $27,279,000.

(b) MODIFICATIONS TO CERTAIN REQUIREMENTS.—The Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3701 et seq.) is amended as follows:

(1) Section 1321(g)(1) (50 U.S.C. 3711(g)(1)) is amended by striking ''15 days'' and inserting ''45 days''.

(2) Section 1322(b) (50 U.S.C. 3712(b)) is amended—

(A) by striking ''At the time at which'' and inserting ''Not later than 15 days before the date on which'';

(B) in paragraph (1), by striking ''; and'' and inserting a semicolon;

(C) in paragraph (2), by striking the period and inserting ''; and''; and

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

''(3) a discussion of—

''(A) whether authorities other than the authority under this section are available to the Secretaries to perform such project or activity to meet the threats or goals identified under subsection (a)(1); and

''(B) if such other authorities exist, why the Secretaries were not able to use such authorities for such project or activity.''.

(3) Section 1323(b)(3) (50 U.S.C. 3713(b)(3)) is amended by striking ''at the time at which'' and inserting ''not later than seven days before the date on which''.

(4) Section 1324 (50 U.S.C. 3714) is amended—

(A) in subsection (a)(1)(C), by striking ''15 days'' and inserting ''45 days''; and

(B) in subsection (b)(3), by striking ''15 days'' and inserting ''45 days''.

(c) JOINT COMPREHENSIVE PLAN OF ACTION DEFINED.—In this section, the term ''Joint Comprehensive Plan of Action'' means the Joint Comprehensive Plan of Action, signed at Vienna July 14, 2015, by Iran and by the People's Republic of China, France, Germany, the Russian Federation, the United Kingdom and the United States, with the High Representative of the European Union for Foreign Affairs and Security Policy, and all implementing materials and agreements related to the Joint Comprehensive Plan of Action, and transmitted by the President to Congress on July 19, 2015, pursuant to section 135(a) of the Atomic Energy Act of 1954, as amended by the Iran Nuclear Agreement Review Act of 2015 (Public Law 114–17; 129 Stat. 201).

SEC. 1303. LIMITATION ON AVAILABILITY OF FUNDS FOR COOPERATIVE THREAT REDUCTION IN PEOPLE'S REPUBLIC OF CHINA.

The Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3701 et seq.) is amended by inserting after section 1334 the following new section:

''SEC. 1335. LIMITATION ON AVAILABILITY OF FUNDS FOR COOPERATIVE THREAT REDUCTION ACTIVITIES IN PEOPLE'S REPUBLIC OF CHINA.

''(a) QUARTERLY INSTALLMENTS.—In carrying out activities under the Program in the People's Republic of China, the Secretary of Defense shall ensure that Cooperative Threat Reduction funds for such activities are obligated or expended in quarterly installments.

''(b) QUARTERLY CERTIFICATIONS.—

''(1) LIMITATION.—The Secretary of Defense may not obligate or expend any Cooperative Threat Reduction funds for activities in the People's Republic of China during a quarter unless the Secretary submits to the congressional defense committees and the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate the certification under paragraph (2) with respect to such quarter.

''(2) SUBMISSION.—On a quarterly basis, the Secretary shall submit to the committees specified in paragraph (1) a certification, made in concurrence with the Secretary of State, of the following:

''(A) China has taken material steps to—

''(i) disrupt the proliferation activities of Li Fangwei (also known as Karl Lee, or any other alias known by the United States); and

''(ii) arrest Li Fangwei pursuant the indictment charged in the United States District Court for the Southern District of New York on April 29, 2014.

''(B) China has not proliferated to any nonnuclear weapons state, or any nuclear weapons state in violation of the Treaty on the Non-Proliferation of Nuclear Weapons, any item that contributes to a ballistic missile or nuclear weapons delivery system.

''(3) COVERAGE.—The first notification made under paragraph (2) shall cover the preceding 12-month period before the date of such notification. Each subsequent notification shall cover the quarter preceding the date of such notification.''.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2017 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4501.

SEC. 1402. NATIONAL DEFENSE SEALIFT FUND.

Funds are hereby authorized to be appropriated for fiscal year 2017 for the National Defense Sealift Fund, as specified in the funding table in section 4501.

SEC. 1403. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2017 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

(b) USE.—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 1404. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2017 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.

SEC. 1405. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2017 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

SEC. 1406. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for fiscal year 2017 for the Defense Health Program, as specified in the funding table in section 4501, for use of the Armed Forces and other activities and agencies of the Department of Defense in providing for the health of eligible beneficiaries.

SEC. 1407. NATIONAL SEA-BASED DETERRENCE FUND.

Funds are hereby authorized to be appropriated for fiscal year 2017 for the National Sea-Based Deterrence Fund as specified in the funding table in section 4501.

Subtitle B—National Defense Stockpile

SEC. 1411. AUTHORITY TO DISPOSE OF CERTAIN MATERIALS FROM AND TO ACQUIRE ADDITIONAL MATERIALS FOR THE NATIONAL DEFENSE STOCKPILE.

(a) DISPOSAL AUTHORITY.—Pursuant to section 5(b) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98d(b)), the National Defense Stockpile Manager may dispose of the following materials contained in the National Defense Stockpile in the following quantities:

(1) 27 short tons of beryllium.

(2) 111,149 short tons of chromium, ferroalloy.

(3) 2,973 short tons of chromium metal.

(4) 8,380 troy ounces of platinum.

(5) 275,741 pounds of contained tungsten metal powder.

(6) 12,433,796 pounds of contained tungsten ores and concentrates.

(b) ACQUISITION AUTHORITY.—

(1) AUTHORITY.—Using funds available in the National Defense Stockpile Transaction Fund, the National Defense Stockpile Manager may acquire the following materials determined to be strategic and critical materials required to meet the defense, industrial, and essential civilian needs of the United States:

(A) High modulus and high strength carbon fibers.

(B) Tantalum.

(C) Germanium.

(D) Tungsten rhenium metal.

(E) Boron carbide powder.

(F) Europium.

(G) Silicon carbide fiber.

(2) AMOUNT OF AUTHORITY.—The National Defense Stockpile Manager may use up to $55,000,0000 in the National Defense Stockpile Transaction Fund for acquisition of the materials specified paragraph (1).

(3) FISCAL YEAR LIMITATION.—The authority under paragraph (1) is available for purchases during fiscal year 2017 through fiscal year 2021.

SEC. 1412. REVISIONS TO THE STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACT.

(a) MATERIALS CONSTITUTING THE NATIONAL DEFENSE STOCKPILE.—Section 4 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98c) is amended—

(1) in subsection (b), by striking ''required for'' and inserting ''suitable for transfer to or disposal through''; and

(2) in subsection (c)—

(A) by striking ''(1)'' and all that follows through ''(2)''; and

(B) by striking ''this subsection'' and inserting ''subsection (b)''.

(b) QUALIFICATION OF DOMESTIC SOURCES.—Section 15(a) of such Act (50 U.S.C. 98h- 6(a)) is amended—

(1) by striking ''and'' at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

''(3) by qualifying existing domestic facilities and domestically produced strategic and critical materials to meet the requirements of defense and essential civilian industries in times of national emergencies when existing domestic sources of supply are either insufficient or vulnerable to single points of failure; and

''(4) by contracting with domestic facilities to recycle strategic and critical materials, thereby increasing domestic supplies when those materials would otherwise be insufficient to support defense and essential civilian industries in times of national emergencies.''.

Subtitle C—Other Matters

SEC. 1421. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A. LOVELL HEALTH CARE CENTER, ILLINOIS.

(a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the funds authorized to be appropriated for section 506 and available for the Defense Health Program for operation and maintenance, $122,375,000 may be transferred by the Secretary of Defense to the Joint Department of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571). For purposes of subsection (a)(2) of such section 1704, any funds so transferred shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(b) USE OF TRANSFERRED FUNDS.—For the purposes of subsection (b) of such section 1704, facility operations for which funds transferred under subsection (a) may be used are operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility under an operational agreement covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500).

SEC. 1422. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2017 from the Armed Forces Retirement Home Trust Fund the sum of $64,300,000 for the operation of the Armed Forces Retirement Home.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Appropriations

SEC. 1501. PURPOSE AND TREATMENT OF CERTAIN AUTHORIZATIONS OF APPROPRIATIONS.

(a) PURPOSE.—The purpose of this subtitle is to authorize appropriations for the Department of Defense for fiscal year 2017 to provide additional funds—

(1) for overseas contingency operations being carried out by the Armed Forces; and

(2) pursuant to sections 1502, 1503, 1504, 1505, and 1507 for expenses, not otherwise provided for, for procurement, research, development, test, and evaluation, operation and maintenance, military personnel, and defense-wide drug interdiction and counter-drug activities, as specified in the funding tables in sections 4103, 4203, 4303, 4403, and 4503.

(b) SUPPORT OF BASE BUDGET REQUIREMENTS; TREATMENT.—Funds identified in subsection (a)(2) are being authorized to be appropriated in support of base budget requirements as requested by the President for fiscal year 2017 pursuant to section 1105(a) of title 31, United States Code. The Director of the Office of Management and Budget shall apportion the funds identified in such subsection to the Department of Defense without restriction, limitation, or constraint on the execution of such funds in support of base requirements, including any restriction, limitation, or constraint imposed by, or described in, the document entitled ''Criteria for War/Overseas Contingency Operations Funding Requests'' transmitted by the Director to the Department of Defense on September 9, 2010, or any successor or related guidance.

SEC. 1502. PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2017 for procurement accounts for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in—

(1) the funding table in section 4102; or

(2) the funding table in section 4103.

SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

Funds are hereby authorized to be appropriated for fiscal year 2017 for the use of the Department of Defense for research, development, test, and evaluation, as specified in—

(1) the funding table in section 4202; or

(2) the funding table in section 4203.

SEC. 1504. OPERATION AND MAINTENANCE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2017 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in—

(1) the funding table in section 4302, or

(2) the funding table in section 4303.

(b) PERIOD OF AVAILABILITY.—Amounts specified in the funding table in section 4302 shall remain available for obligation only until April 30, 2017, at a rate for operations as provided in the Department of Defense Appropriations Act, 2016 (division C of Public Law 114–113).

SEC. 1505. MILITARY PERSONNEL.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2017 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in—

(1) the funding table in section 4402; or

(2) the funding table in section 4403.

(b) PERIOD OF AVAILABILITY.—Amounts specified in the funding table in section 4402 shall remain available for obligation only until April 30, 2017, at a rate for operations as provided in the Department of Defense Appropriations Act, 2016 (division C of Public Law 114–113).

SEC. 1506. WORKING CAPITAL FUNDS.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2017 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4502.

(b) PERIOD OF AVAILABILITY.—Amounts specified in the funding table in section 4502 for providing capital for working capital and revolving funds shall remain available for obligation only until April 30, 2017, at a rate for operations as provided in the Department of Defense Appropriations Act, 2016 (division C of Public Law 114–113).

SEC. 1507. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2017 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in—

(1) the funding table in section 4502; or

(2) the funding table in section 4503.

SEC. 1508. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal

year 2017 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4502.

SEC. 1509. DEFENSE HEALTH PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2017 for expenses, not otherwise provided for, for the Defense Health Program, as specified in the funding table in section 4502.

(b) PERIOD OF AVAILABILITY.—Amounts specified in the funding table in section 4502 for the Defense Health Program shall remain available for obligation only until April 30, 2017, at a rate for operations as provided in the Department of Defense Appropriations Act, 2016 (division C of Public Law 114–113).

SEC. 1510. COUNTERTERRORISM PARTNERSHIPS FUND.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2017 for expenses, not otherwise provided for, for the Counterterrorism Partnerships Fund, as specified in the funding table in section 4502.

(b) DURATION OF AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available for obligation through September 30, 2018.

Subtitle B—Financial Matters

SEC. 1521. TREATMENT AS ADDITIONAL AUTHORIZATIONS.

The amounts authorized to be appropriated by this title are in addition to amounts otherwise authorized to be appropriated by this Act.

SEC. 1522. SPECIAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this title for fiscal year 2017 between any such authorizations for that fiscal year (or any subdivisions thereof).

(2) EFFECT OF TRANSFER.—Amounts of authorizations transferred under this subsection shall be merged with and be available for the same purposes as the authorization to which transferred.

(3) LIMITATIONS.—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed $4,500,000,000.

(4) EXCEPTION.—In the case of the authorizations of appropriations contained in sections 1502, 1503, 1504, 1505, and 1507 that are provided for the purpose specified in section 1501(a)(2), the transfer authority provided under section 1001, rather than the transfer authority provided by this subsection, shall apply to any transfer of amounts of such authorizations.

(b) TERMS AND CONDITIONS.—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1001.

(c) ADDITIONAL AUTHORITY.—The transfer authority provided by this section is in addition to the transfer authority provided under section 1001.

Subtitle C—Limitations, Reports, and Other Matters

SEC. 1531. AFGHANISTAN SECURITY FORCES FUND.

(a) IN GENERAL.—Funds available to the Department of Defense for the Afghanistan Security Forces Fund during the period beginning on the date of the enactment of this Act and ending on December 31, 2017, shall be subject to the conditions contained in subsections (b) through (f) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 428), as amended by section 1531(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4424).

(b) ALLOCATION OF FUNDS.—

(1) IN GENERAL.—Of the funds available to the Department of Defense for the Afghan Security Forces Fund for fiscal year 2017, it is the goal that $25,000,000 shall be used for—

(A) the recruitment, integration, retention, training, and treatment of women in the Afghan National Security Forces; and

(B) the recruitment, training, and contracting of female security personnel for future elections.

(2) TYPES OF PROGRAMS AND ACTIVITIES.—Such programs and activities may include—

(A) efforts to recruit women into the Afghan National Security Forces, including the special operations forces;

(B) programs and activities of the Afghan Ministry of Defense Directorate of Human Rights and Gender Integration and the Afghan Ministry of Interior Office of Human Rights, Gender and Child Rights;

(C) development and dissemination of gender and human rights educational and training materials and programs within the Afghan Ministry of Defense and the Afghan Ministry of Interior;

(D) efforts to address harassment and violence against women within the Afghan National Security Forces;

(E) improvements to infrastructure that address the requirements of women serving in the Afghan National Security Forces, including appropriate equipment for female security and police forces, and transportation for policewomen to their station;

(F) support for Afghanistan National Police Family Response Units; and

(G) security provisions for high-profile female police and army officers.

(c) REPORTING REQUIREMENT.—

(1) SEMI-ANNUAL REPORTS.—Not later than January 31 and July 31 of each year through January 31, 2021, the Secretary of Defense shall submit to the congressional defense committees a report summarizing the details of any obligation or transfer of funds from the Afghanistan Security Forces Fund during the preceding six-calendar month period.

(2) CONFORMING REPEALS.—(A) Section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 428), as amended by section 1531(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4424), is further amended by striking subsection (g).

(B) Section 1517 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2442) is amended by striking subsection (f).

SEC. 1532. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND.

(a) USE AND TRANSFER OF FUNDS.—Subsection 1532(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1091) is amended by striking ''fiscal year 2016'' and inserting ''fiscal years 2016 and 2017''.

(b) EXTENSION OF INTERDICTION OF IMPROVISED EXPLOSIVE DEVICE PRECURSOR CHEMICALS AUTHORITY.—Section 1532(c) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2057) is amended—

(1) in paragraph (1)—

(A) by striking ''for fiscal year 2013 and for fiscal year 2016,'' and inserting ''for fiscal years 2013, 2016, and 2017'';

(B) by inserting ''with the concurrence of the Secretary of State'' after ''may be available to the Secretary of Defense'';

(C) by striking ''of the Government of Pakistan'' and inserting ''of foreign governments''; and

(D) by striking ''from Pakistan to locations in Afghanistan'';

(2) in paragraph (2), by striking ''of the Government of Pakistan'' and inserting ''of foreign governments'';

(3) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by striking ''the congressional defense committees'' and inserting ''Congress''; and

(B) in subparagraph (B)—

(i) by striking ''the Government of Pakistan'' and inserting ''foreign governments''; and

(ii) by striking ''from Pakistan to locations in Afghanistan''; and

(4) in paragraph (4), as most recently amended by section 1532(b)(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1091), by striking ''December 31, 2016'' and inserting ''December 31, 2017''.

SEC. 1533. EXTENSION OF AUTHORITY TO USE JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND FOR TRAINING OF FOREIGN SECURITY FORCES TO DEFEAT IMPROVISED EXPLOSIVE DEVICES.

Section 1533(e) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1093) is amended by striking ''September 30, 2018'' and inserting ''September 30, 2020''.

TITLE XVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS

Subtitle A—Space Activities

SEC. 1601. ROCKET PROPULSION SYSTEM TO REPLACE RD–180.

(a) USE OF FUNDS.—Section 1604 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3623; 10 U.S.C. 2273 note), as amended by section 1606 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1099), is further amended by striking subsection (d) and inserting the following new subsections:

''(d) USE OF FUNDS UNDER DEVELOPMENT PROGRAM.—

''(1) DEVELOPMENT OF ROCKET PROPULSION SYSTEM.—The funds described in paragraph (2)—

''(A) may be obligated or expended for—

''(i) the development of the rocket propulsion system to replace non-allied space launch engines pursuant to subsection (a); and

''(ii) the necessary interfaces to, or integration of, the rocket propulsion system with an existing or new launch vehicle; and

''(B) may not be obligated or expended to develop or procure a launch vehicle, an upper stage, a strap-on motor, or related infrastructure.

''(2) FUNDS DESCRIBED.—The funds described in this paragraph are the following:

''(A) Funds authorized to be appropriated by the National Defense Authorization Act for Fiscal Year 2017 or otherwise made available for fiscal year 2017 or any fiscal year thereafter for the Department of Defense for the development of the rocket propulsion system under subsection (a).

''(B) Funds authorized to be appropriated by this Act or the National Defense Authorization Act for Fiscal Year 2016 or otherwise made available for fiscal years 2015 or 2016 for the Department of Defense for the development of the rocket propulsion system under subsection (a) that are unobligated as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017.

''(3) OTHER PURPOSES.—The Secretary may obligate or expend not more than 25 percent of the funds described in paragraph (2) in any fiscal year for activities not authorized by paragraph (1)(A), including for developing a launch

vehicle, an upper stage, a strap-on motor, or related infrastructure. The Secretary may exceed such limit in a fiscal year for such purposes if during such fiscal year—

''(A) the Secretary certifies to the appropriate congressional committees that, as of the date of the certification—

''(i) the development of the rocket propulsion system is being carried out pursuant to paragraph (1)(A) in a manner that ensures that the rocket propulsion system will meet each requirement under subsection (a)(2); and

''(ii) such obligation or expenditure will not negatively affect the development of the rocket propulsion system, including with respect to meeting such requirements; and

''(B) the reprogramming or transfer is carried out in accordance with established procedures for reprogramming or transfers, including with respect to presenting a request for a reprogramming of funds.

''(e) DEFINITIONS.—In this section:

''(1) The term 'appropriate congressional committees' means—

''(A) the congressional defense committees; and

''(B) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

''(2) The term 'rocket propulsion system' means, with respect to the development authorized by subsection (a), a main booster, first-stage rocket engine or motor. The term does not include a launch vehicle, an upper stage, a strap-on motor, or related infrastructure.''.

(b) RIGHTS TO INTELLECTUAL PROPERTY.—Subsection (a) of such section 1604 is amended by adding at the end the following new paragraph:

''(3) RIGHTS TO INTELLECTUAL PROPERTY.—In developing the system under paragraph (1), the Secretary shall acquire government purpose rights (or greater rights) in technical data, patents, and copyrights pertaining to such system. Such rights may be for the purpose of developing alternative sources of supply and manufacture in the event such alternative sources are necessary and in the best interest of the United States.''.

(c) LIMITATION.—Of the amounts authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Office of the Secretary of the Air Force, not more than 90 percent may be obligated or expended until the date on which the Secretary of the Air Force certifies to the congressional defense committees that the Secretary has carried out the rocket propulsion system program under section 1604 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3623; 10 U.S.C. 2273 note) during fiscal years 2015 and 2016 as described in subsection (d)(1) of such section, as added by subsection (a).

SEC. 1602. EXCEPTION TO THE PROHIBITION ON CONTRACTING WITH RUSSIAN SUPPLIERS OF ROCKET ENGINES FOR THE EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.

Section 1608 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3626; 10 U.S.C. 2271 note), as amended by section 1607 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1100), is further amended by striking subsection (c) and inserting the following new subsection:

''(c) EXCEPTION.—The prohibition in subsection (a) shall not apply to any of the following:

''(1) The placement of orders or the exercise of options under the contract numbered FA8811–13–C–0003 and awarded on December 18, 2013.

''(2) Contracts that are awarded for the procurement of property or services for space launch activities that include the use of a total of eighteen rocket engines designed or manufactured in the Russian Federation, in addition to Russian-designed or -manufactured engines to which paragraph (1) applies.''.

SEC. 1603. ANALYSIS OF ALTERNATIVES FOR WIDE-BAND COMMUNICATIONS.

Section 1611 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1103) is amended by striking subsection (b) and inserting the following new subsections:

''(b) SCOPE.—

''(1) STUDY GUIDANCE.—In conducting the analysis of alternatives under subsection (a), the Secretary shall develop study guidance that requires such analysis to include the full range of military and commercial satellite communications capabilities, acquisition processes, and service delivery models.

''(2) OTHER CONSIDERATIONS.—The Secretary shall ensure that—

''(A) any cost assessments of military or commercial satellite communications systems included in the analysis of alternatives conducted under subsection (a) include detailed full lifecycle costs, as applicable, including with respect to—

''(i) military personnel, military construction, military infrastructure operation, maintenance costs, and ground and user terminal impacts; and

''(ii) any other costs regarding military or commercial satellite communications systems the Secretary determines appropriate; and

''(B) such analysis identifies any considerations relating to the use of military versus commercial systems.

''(c) COMPTROLLER GENERAL REVIEW.—

''(1) SUBMISSION.—Upon completion of the analysis of alternatives conducted under subsection (a), the Secretary shall submit such analysis to the Comptroller General of the United States.

''(2) REVIEW.—Not later than 120 days after the date on which the Comptroller General receives the analysis of alternatives under paragraph (1), the Comptroller General shall submit to the congressional defense committees a review of the analysis.

''(3) MATTERS INCLUDED.—The review under paragraph (2) of the analysis of alternatives conducted under subsection (a) shall include the following:

''(A) Whether, and to what extent, the Secretary—

''(i) conducted such analysis using best practices;

''(ii) fully addressed the concerns of the acquisition, operational, and user communities; and

''(iii) complied with subsection (b).

''(B) A description of how the Secretary identified the requirements and assessed and addressed the cost, schedule, and risks posed for each alternative included in such analysis.

''(d) BRIEFINGS.—Not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, and semiannually thereafter until the date on which the analysis of alternatives conducted under subsection (a) is completed, the Secretary shall provide the Committees on Armed Services of the House of Representatives and the Senate (and any other congressional defense committee upon request) a briefing on such analysis.''.

SEC. 1604. MODIFICATION TO PILOT PROGRAM FOR ACQUISITION OF COMMERCIAL SATELLITE COMMUNICATION SERVICES.

Section 1605 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 10 U.S.C. 2208 note), as amended by section 1612 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1103), is further amended by adding at the end the following new subsection:

''(e) IMPLEMENTATION OF GOALS.—In developing and carrying out the pilot program under subsection (a)(1), by not later than September 30, 2017, the Secretary shall take actions to begin the implementation of each goal specified in subsection (b).''.

SEC. 1605. SPACE-BASED ENVIRONMENTAL MONITORING.

(a) ROLES OF DOD AND NOAA.—

(1) MECHANISMS.—The Secretary of Defense and the Director of the National Oceanic and Atmospheric Administration shall jointly establish mechanisms to collaborate and coordinate in defining the roles and responsibilities of the Department of Defense and the National Oceanic and Atmospheric Administration to—

(A) carry out space-based environmental monitoring; and

(B) plan for future non-governmental space-based environmental monitoring capabilities.

(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) may be construed to authorize a joint satellite program of the Department of Defense and the National Oceanic and Atmospheric Administration.

(b) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary and the Director shall jointly submit to the appropriate congressional committees a report on the mechanisms established under subsection (a)(1).

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

(1) the congressional defense committees;

(2) the Committee on Science, Space, and Technology of the House of Representatives; and

(3) the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 1606. PROHIBITION ON USE OF CERTAIN NON-ALLIED POSITIONING, NAVIGATION, AND TIMING SYSTEMS.

(a) PROHIBITION.—During the period beginning not later than 60 days after the date of the enactment of this Act and ending on September 30, 2018, the Secretary of Defense shall ensure that the Armed Forces and each element of the Department of Defense do not use a non-allied positioning, navigation, and timing system or service provided by such a system.

(b) WAIVER.—The Secretary may waive the prohibition in subsection (a) if—

(1) the Secretary determines that the waiver is—

(A) in the national security interest of the United States; and

(B) necessary to mitigate exigent operational concerns;

(2) the Secretary notifies, in writing, the appropriate congressional committees of such waiver; and

(3) a period of 30 days has elapsed following the date of such notification.

(c) ASSESSMENT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Director of National Intelligence shall jointly submit to the appropriate congressional committees an assessment of the risks to national security and to the operations and plans of the Department of Defense from using a non-allied positioning, navigation, and timing system or service provided by such a system. Such assessment shall—

(1) address risks regarding—

(A) espionage, counterintelligence, and targeting;

(B) the use of the Global Positioning System by allies and partners of the United States and others; and

(C) harmful interference to the Global Positioning System; and

(2) include any other matters the Secretary, the Chairman, and the Director determine appropriate.

(d) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the congressional defense committees; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(2) The term ''non-allied positioning, navigation, and timing system'' means any of the following systems:

(A) The Beidou system.

(B) The Glonass global navigation satellite system.

SEC. 1607. LIMITATION OF AVAILABILITY OF FUNDS FOR THE JOINT SPACE OPERATIONS CENTER MISSION SYSTEM.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for increment 3 of the Joint Space Operations Center Mission System, not more than 25 percent may be obligated or expended until the date on which the Secretary of the Air Force, in coordination with the Commander of the United States Strategic Command, submits to the congressional defense committees a report on such increment, including—

(1) an acquisition strategy for such increment;

(2) the requirements of such increment;

(3) the funding and schedule for such increment;

(4) the strategy for use of commercially available capabilities, as appropriate, relating to such increment to rapidly address warfighter requirements, including the market research and evaluation of such commercial capabilities; and

(5) the relationship of such increment with the other related activities and investments of the Department of Defense.

SEC. 1608. SPACE-BASED INFRARED SYSTEM AND ADVANCED EXTREMELY HIGH FREQUENCY PROGRAM.

(a) FINDINGS.—Congress finds the following:

(1) The recently completed analysis of alternatives for the space-based infrared system program identified the cost and capability trades of various alternatives, however the criteria and assessment for resilience and mission assurance was undefined.

(2) The analysis of alternatives for the advanced extremely high frequency program is ongoing.

(b) LIMITATION ON DEVELOPMENT AND ACQUISITION OF ALTERNATIVES.—

(1) LIMITATION.—Except as provided by paragraph (4), the Secretary of Defense may not develop or acquire an alternative to the space-based infrared system program of record or develop or acquire an alternative to the advanced extremely high frequency program of record until the date on which the Commander of the United States Strategic Command and the Director of the Space Security and Defense Program, in consultation with the Defense Intelligence Officer for Science and Technology of the Defense Intelligence Agency, jointly submit to the appropriate congressional committees the assessments described in paragraph (2) for the respective program.

(2) ASSESSMENT.—The assessments described in this paragraph are—

(A) an assessment of the resilience and mission assurance of each alternative to the space-based infrared system being considered by the Secretary of the Air Force; and

(B) an assessment of the resilience and mission assurance of each alternative to the advanced extremely high frequency program being considered by the Secretary of the Air Force.

(3) ELEMENTS.—An assessment described in paragraph (2) shall include, with respect to each alternative to the space-based infrared system program of record and each alternative to the advanced extremely high frequency program of record being considered by the Secretary of the Air Force, the following:

(A) The requirements for resilience and mission assurance.

(B) The criteria to measure such resilience and mission assurance.

(C) How the alternative affects—

(i) deterrence and full spectrum warfighting;

(ii) warfighter requirements and relative costs to include ground station and user terminals;

(iii) the potential order of battle of adversaries; and

(iv) the required capabilities of the broader space security and defense enterprise.

(4) EXCEPTION.—The limitation in paragraph (1) shall not apply to efforts to examine and develop technology insertion opportunities for the space-based infrared system program of record or the satellite communications programs of record.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) With respect to the submission of the assessment described in subparagraph (A) of subsection (b)(2), the—

(A) the congressional defense committees; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) With respect to the submission of the assessment described in subparagraph (B) of subsection (b)(2), the congressional defense committees.

SEC. 1609. PLANS ON TRANSFER OF ACQUISITION AND FUNDING AUTHORITY OF CERTAIN WEATHER MISSIONS TO NATIONAL RECONNAISSANCE OFFICE.

(a) LIMITATION.—

(1) IN GENERAL.—Of the funds authorized to be appropriated or otherwise made available for fiscal year 2017 for research, development, test, and evaluation, Air Force, for the weather satellite follow-on system, not more than 50 percent may be obligated or expended until the date on which the Secretary of the Air Force submits to the appropriate congressional committees the plan under paragraph (2).

(2) AIR FORCE PLAN.—The Secretary shall develop a plan for the Air Force to transfer, beginning with fiscal year 2018, the acquisition authority and the funding authority for covered space-based environmental monitoring missions from the Air Force to the National Reconnaissance Office, including a description of the amount of funds that would be necessary to be transferred from the Air Force to the National Reconnaissance Office during fiscal years 2018 through 2022 to carry out such plan.

(b) NRO PLAN.—

(1) IN GENERAL.—The Director of the National Reconnaissance Office shall develop a plan for the National Reconnaissance Office to address how to carry out covered space-based environmental monitoring missions. Such plan shall include—

(A) a description of the related national security requirements for such missions;

(B) a description of the appropriate manner to meet such requirements; and

(C) the amount of funds that would be necessary to be transferred from the Air Force to the National Reconnaissance Office during fiscal years 2018 through 2022 to carry out such plan.

(2) ACTIVITIES.—In developing the plan under paragraph (1), the Director may conduct pre-acquisition activities, including with respect to requests for information, analyses of alternatives, study contracts, modeling and simulation, and other activities the Director determines necessary to develop such plan.

(3) SUBMISSION.—Not later than the date on which the President submits to Congress the budget for fiscal year 2018 under section 1105(a) of title 31, United States Code, the Director shall submit to the appropriate congressional committees the plan under paragraph (1).

(c) INDEPENDENT COST ESTIMATE.—The Director of the Cost Assessment Improvement Group of the Office of the Director of National Intelligence, in coordination with the Director of Cost Assessment and Program Evaluation, shall certify to the appropriate congressional committees that the amounts of funds identified under subsections (a)(2) and (b)(1)(C) as being necessary to transfer are appropriate and include funding for positions and personnel to support program office costs.

(d) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the congressional defense committees;

(B) the Permanent Select Committee on Intelligence of the House of Representatives; and

(C) the Select Committee on Intelligence of the Senate.

(2) The term ''covered space-based environmental monitoring missions'' means the acquisition programs necessary to meet the national security requirements for cloud characterization and theater weather imagery.

SEC. 1610. PILOT PROGRAM ON COMMERCIAL WEATHER DATA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish a pilot program to assess the viability of commercial satellite weather data to support requirements of the Department of Defense.

(b) COMMERCIAL WEATHER DATA.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Secretary of Defense to carry out the pilot program under subsection (a), not more than $3,000,000 may be obligated or expended to carry out such pilot program by purchasing and evaluating commercial weather data that meets the standards and specifications set by the Department of Defense.

(c) DURATION.—The Secretary may carry out the pilot program under subsection (a) for a period not exceeding one year.

(d) BRIEFINGS.—

(1) INTERIM BRIEFING.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall provide a briefing to the Committees on Armed Services of the House of Representatives and the Senate (and to any other congressional defense committee upon request) demonstrating how the Secretary plans to implement the pilot program under subsection (a).

(2) FINAL BRIEFING.—Not later than 90 days after the pilot program under subsection (a) is completed, the Secretary shall provide a briefing to the Committees on Armed Services of the House of Representatives and the Senate (and to any other congressional defense committee upon request) on the utility, cost, and other considerations regarding the purchase of commercial satellite weather data to support the requirements of the Department of Defense.

SEC. 1611. ORGANIZATION AND MANAGEMENT OF NATIONAL SECURITY SPACE ACTIVITIES OF THE DEPARTMENT OF DEFENSE.

(a) FINDINGS.—Congress finds the following:

(1) National security space capabilities are a vital element of the national defense of the United States.

(2) The advantages of the United States in national security space are now threatened to an

unprecedented degree by growing and serious counterspace capabilities of potential foreign adversaries, and the space advantages of the United States must be protected.

(3) The Department of Defense has recognized the threat and has taken initial steps necessary to defend space, however the organization and management may not be strategically postured to fully address this changed domain of operations over the long term.

(4) The defense of space is currently a priority for the leaders of the Department, however the space mission is managed within competing priorities of each of the Armed Forces.

(5) Space elements provide critical capabilities to all of the Armed Forces in the joint fight, however the disparate activities throughout the Department have no single leader that is empowered to make decisions affecting the space forces of the Department.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, to modernize and fully address the growing threat to the national security space advantage of the United States, the Secretary of Defense must evaluate the range of options and take further action to strengthen the leadership, management, and organization of the national security space activities of the Department of Defense, including with respect to—

(1) unifying, integrating, and de-conflicting activities to provide for stronger prioritization, accountability, coherency, focus, strategy, and integration of the joint space program of the Department;

(2) streamlining decision-making, limiting unnecessary bureaucracy, and empowering the appropriate level of authority, while enabling effective oversight;

(3) maintaining the involvement of each of the Armed Forces and adapting the culture and improving the capabilities of the workforce to ensure the workforce has the appropriate training, experience, and tools to accomplish the mission; and

(4) reviewing authorities and preparing for a conflict that could extend to space.

(c) RECOMMENDATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Director of the Office of Management and Budget shall each separately submit to the appropriate congressional committees recommendations, in accordance with subsection (b), to strengthen the leadership, management, and organization of the Department of Defense with respect to the national security space activities of the Department.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SEC. 1612. REVIEW OF CHARTER OF OPERATIONALLY RESPONSIVE SPACE PROGRAM OFFICE.

(a) REVIEW.—The Secretary of Defense shall conduct a review of charter of the Operationally Responsive Space Program Office established by section 2273a of title 10, United States Code (in this section referred to as the ''Office'').

(b) ELEMENTS.—The review under subsection (a) shall include the following:

(1) A review of the key operationally responsive space needs with respect to the warfighter and with respect to national security.

(2) How the Office could fit into the broader resilience and space security strategy of the Department of Defense.

(3) An assessment of the potential of the Office to focus on the reconstitution capabilities with small satellites using low-cost launch vehicles and existing infrastructure.

(4) An assessment of the potential of the Office to leverage existing or planned commercial capabilities.

(5) A review of the necessary workforce specialties and acquisition authorities of the Office.

(6) A review of the funding profile of the Office.

(7) A review of the organizational placement and reporting structure of the Office.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report containing the review under subsection (a), including any recommendations for legislative actions based on such review.

SEC. 1613. BACKUP AND COMPLEMENTARY POSITIONING, NAVIGATION, AND TIMING CAPABILITIES OF GLOBAL POSITIONING SYSTEM.

(a) STUDY.—

(1) IN GENERAL.—The covered Secretaries shall jointly conduct a study to assess and identify the technology-neutral requirements to backup and complement the positioning, navigation, and timing capabilities of the Global Positioning System for national security and critical infrastructure.

(2) REPORT.—Not later than one year after the date of the enactment of this Act, the covered Secretaries shall submit to the appropriate congressional committees a report on the study under paragraph (1). Such report shall include—

(A) with respect to the Department of each covered Secretary, the identification of the respective requirements to backup and complement the positioning, navigation, and timing capabilities of the Global Positioning System for national security and critical infrastructure;

(B) an analysis of alternatives to meet such requirements, including, at a minimum—

(i) an analysis of the viability of a public-private partnership to establish a complementary positioning, navigation, and timing system; and

(ii) an analysis of the viability of service level agreements to operate a complementary positioning, navigation, and timing system; and

(C) a plan and estimated costs, schedule, and system level technical considerations, including end user equipment and integration considerations, to meet such requirements.

(b) SINGLE DESIGNATED OFFICIAL.—Each covered Secretary shall designate a single senior official of the Department of the Secretary to act as the primary representative of such Department for purposes of conducting the study under subsection (a)(1).

(c) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the congressional defense committees;

(B) the Committee on Science, Space, and Technology, the Committee on Transportation and Infrastructure, and the Committee on Homeland Security of the House of Representatives; and

(C) the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate.

(2) The term ''covered Secretaries'' means the Secretary of Defense, the Secretary of Transportation, and the Secretary of Homeland Security.

Subtitle B—Defense Intelligence and Intelligence-Related Activities

SEC. 1621. LIMITATION ON AVAILABILITY OF FUNDS FOR INTELLIGENCE MANAGEMENT.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for operation and maintenance, Defense-wide, for intelligence management, not more than 95 percent may be obligated or expended until the date on which the Under Secretary of Defense for Intelligence submits to the appropriate congressional committees the reports on counterintelligence activities described in any classified annex accompanying this Act.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1622. LIMITATIONS ON AVAILABILITY OF FUNDS FOR UNITED STATES CENTRAL COMMAND INTELLIGENCE FUSION CENTER.

(a) LIMITATIONS.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Intelligence Fusion Center of the United States Central Command—

(1) 25 percent may not be obligated or expended until—

(A) the Commander of the United States Central Command submits to the appropriate congressional committees the report under subsection (b); and

(B) a period of 15 days has elapsed following the date of such submission; and

(2) 25 percent may not be obligated or expended until—

(A) the Commander submits to such committees the report under subsection (c); and

(B) a period of 15 days has elapsed following the date of such submission.

(b) REPORT ON PROCEDURES.—The Commander shall submit to the appropriate congressional committees a report on the steps taken by the Commander to formalize and disseminate procedures for establishing, staffing, and operating the Intelligence Fusion Center of the United States Central Command.

(c) REPORT ON IG FINDINGS.—The Commander shall submit to the appropriate congressional committees a report on the steps taken by the Commander to address the findings of the final report of the Inspector General of the Department of Defense regarding the processing of intelligence information by the Intelligence Directorate of the United States Central Command.

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

(1) the congressional defense committees; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1623. LIMITATION ON AVAILABILITY OF FUNDS FOR JOINT INTELLIGENCE ANALYSIS COMPLEX.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for increased intelligence manpower positions for operation of the Joint Intelligence Analysis Complex at Royal Air Force Molesworth, United Kingdom, not more than 85 percent may be obligated or expended during fiscal year 2017 until the date on which the Secretary of Defense submits to the appropriate congressional committees the analysis under subsection (b)(1).

(b) ANALYSIS.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Director of National Intelligence, shall submit to the appropriate congressional committees a revised analysis of alternatives for the basing of a new Joint Intelligence Analysis Complex that is—

(A) based on the analysis of the operational requirements and costs of the United States; and

(B) informed by the findings of the report of the Comptroller General of the United States on the cost estimating and basing decision process of the Joint Intelligence Analysis Complex.

(2) REQUIREMENTS.—The analysis under paragraph (1) shall, at a minimum—

(A) be conducted in a manner that—

(i) uses best practices;

(ii) appropriately accounts for non-recurring and life cycle costs, including with respect to cost of living and projected growth in cost of living;

(iii) uses objective and measurable criteria for evaluating alternative locations against mission requirements; and

(iv) uses reasonable and verifiable assumptions;

(B) include the identification and assessments of—

(i) possible alternative locations for the Joint Intelligence Analysis Complex at existing military installations used by the United States; and

(ii) other possible cost-saving alternatives;

(C) evaluate alternative practices to minimize the number of support personnel required;

(D) evaluate alternatives to building a new facility, including modifying existing facilities and using prefabricated facilities; and

(E) evaluate the possibility of separating the European Command Intelligence Analytic Center, the Africa Command Intelligence Analytic Center, or the NATO Intelligence Fusion Center from the rest of the Joint Intelligence Analysis Complex at other viable locations.

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

(1) the congressional defense committees; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives.

Subtitle C—Cyberspace-Related Matters

SEC. 1631. SPECIAL EMERGENCY PROCUREMENT AUTHORITY TO FACILITATE THE DEFENSE AGAINST OR RECOVERY FROM A CYBER ATTACK.

Section 1903(a)(2) of title 41, United States Code, is amended by inserting ''cyber,'' before ''nuclear,''.

SEC. 1632. CHANGE IN NAME OF NATIONAL DEFENSE UNIVERSITY'S INFORMATION RESOURCES MANAGEMENT COLLEGE TO COLLEGE OF INFORMATION AND CYBERSPACE.

Section 2165(b)(5) of title 10, United States Code, is amended by striking ''Information Resources Management College'' and inserting ''College of Information and Cyberspace''.

SEC. 1633. REQUIREMENT TO ENTER INTO AGREEMENTS RELATING TO USE OF CYBER OPPOSITION FORCES.

(a) REQUIREMENT FOR AGREEMENTS.—Not later than September 30, 2017, the Secretary of Defense shall enter into an agreement with each combatant command relating to the use of cyber opposition forces. Each agreement shall require the command—

(1) to support a high state of mission readiness in the command through the use of one or more cyber opposition forces in continuous exercises and other training activities as considered appropriate by the commander of the command; and

(2) in conducting such exercises and training activities, meet the standard required under subsection (b).

(b) JOINT STANDARD FOR CYBER OPPOSITION FORCES.—Not later than March 31, 2017, the Secretary of Defense shall issue a joint training and certification standard for use by all cyber opposition forces within the Department of Defense.

(c) BRIEFING REQUIRED.—Not later than September 30, 2017, the Secretary of Defense shall provide to the congressional defense committees a briefing on—

(1) a list of each combatant command that has entered into an agreement required by subsection (a);

(2) with respect to each such agreement—

(A) special conditions in the agreement placed on any cyber opposition force used by the command;

(B) the process for making decisions about deconfliction and risk mitigation of cyber opposition force activities in continuous exercises and training;

(C) identification of cyber opposition forces trained and certified to operate at the joint standard, as issued under subsection (b);

(D) identification of the annual exercises that will include participation of the cyber opposition forces;

(E) identification of any shortfalls in resources that may prevent annual exercises using cyber opposition forces; and

(3) any other matters the Secretary of Defense considers appropriate.

SEC. 1634. LIMITATION ON AVAILABILITY OF FUNDS FOR CRYPTOGRAPHIC SYSTEMS AND KEY MANAGEMENT INFRASTRUCTURE.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for cryptographic systems and key management infrastructure, not more than 75 percent may be obligated or expended until the date on which the Secretary of Defense, in consultation with the Director of the National Security Agency, submits to the appropriate congressional committees a report on the integration of the cryptographic modernization and key management infrastructure programs of the military departments, including a description of how the military departments have implemented stronger leadership, increased integration, and reduced redundancy with respect to such modernization and programs.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Permanent Select Committee on Intelligence of the House of Representatives.

Subtitle D—Nuclear Forces

SEC. 1641. IMPROVEMENTS TO COUNCIL ON OVERSIGHT OF NATIONAL LEADERSHIP COMMAND, CONTROL, AND COMMUNICATIONS SYSTEM.

(a) RESPONSIBILITIES.—Subsection (d) of section 171a of title 10, United States Code, is amended—

(1) in paragraph (1), by inserting before the period the following: '', and including with respect to the integrated tactical warning and attack assessment systems, processes, and enablers, and continuity of the governmental functions of the Department of Defense''; and

(2) in paragraph (2)(C), by inserting before the period the following: ''(including space system architectures and associated user terminals and ground segments)''.

(b) ENSURING CAPABILITIES.—Such section is further amended—

(1) by redesignating subsection (i) as subsection (k); and

(2) by inserting after subsection (h) the following new subsections:

''(i) REPORTS ON SPACE ARCHITECTURE DEVELOPMENT.—(1) Not less than 90 days before each of the dates on which a system described in paragraph (2) achieves Milestone A or Milestone B approval, the Under Secretary of Defense for Acquisitions, Technology, and Logistics shall submit to the congressional defense committees a report prepared by the Council detailing the implications of any changes to the architecture of such a system with respect to the systems, capabilities, and programs covered under subsection (d).

''(2) A system described in this paragraph is any of the following:

''(A) Advanced extremely high frequency satellites.

''(B) The space-based infrared system.

''(C) The integrated tactical warning and attack assessment system and its command and control system.

''(D) The enhanced polar system.

''(3) In this subsection, the terms 'Milestone A approval' and 'Milestone B approval' have the meanings given such terms in section 2366(e) of this title.

''(j) NOTIFICATION OF REDUCTION OF CERTAIN WARNING TIME.—(1) None of the funds authorized to be appropriated or otherwise made available to the Department of Defense for any fiscal year may be used to change any command, control, and communications system described in subsection (d)(1) in a manner that reduces the warning time provided to the national leadership of the United States with respect to a warning of a strategic missile attack on the United States unless—

''(A) the Secretary of Defense notifies the congressional defense committees of such proposed change and reduction; and

''(B) a period of one year elapses following the date of such notification.

''(2) Not later than March 1, 2017, and each year thereafter, the Council shall determine whether the integrated tactical warning and attack assessment system and its command and control system have met all warfighter requirements for operational availability, survivability, and endurability. If the Council determines that such systems have not met such requirements, the Secretary of Defense and the Chairman shall jointly submit to the congressional defense committees—

''(A) an explanation for such negative determination;

''(B) a description of the mitigations that are in place or being put in place as a result of such negative determination; and

''(C) the plan of the Secretary and the Chairman to ensure that the Council is able to make a positive determination in the following year.''.

(d) REPORTING REQUIREMENTS.—Subsection (e) of such section is amended by striking ''At the same time'' and all that follows through ''title 31,'' and inserting the following: ''During the period preceding January 31, 2021, at the same time each year that the budget of the President is submitted to Congress pursuant to section 1105(a) of title 31, and from time to time after such period at the discretion of the Council,''.

SEC. 1642. TREATMENT OF CERTAIN SENSITIVE INFORMATION BY STATE AND LOCAL GOVERNMENTS.

(a) SPECIAL NUCLEAR MATERIAL.—Section 128 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d) Information that the Secretary prohibits to be disseminated pursuant to subsection (a) that is provided to a State or local government shall remain under the control of the Department of Defense, and a State or local law authorizing or requiring a State or local government to disclose such information shall not apply to such information.''.

(b) CRITICAL INFRASTRUCTURE SECURITY INFORMATION.—Section 130e of such title is amended—

(1) by redesignating subsection (c) as subsection (f) and moving such subsection, as so redesignated, to appear after subsection (e); and

(2) by striking subsection (b) and inserting the following new subsections:

''(b) DESIGNATION OF DEPARTMENT OF DEFENSE CRITICAL INFRASTRUCTURE SECURITY INFORMATION.—In addition to any other authority or requirement regarding protection from dissemination of information, the Secretary may designate information as being Department of

Defense critical infrastructure security information, including during the course of creating such information, to ensure that such information is not disseminated without authorization. Information so designated is subject to the determination process under subsection (a) to determine whether to exempt such information from disclosure described in such subsection.

''(c) INFORMATION PROVIDED TO STATE AND LOCAL GOVERNMENTS.—(1) Department of Defense critical infrastructure security information covered by a written determination under subsection (a) or designated under subsection (b) that is provided to a State or local government shall remain under the control of the Department of Defense.

''(2)(A) A State or local law authorizing or requiring a State or local government to disclose Department of Defense critical infrastructure security information that is covered by a written determination under subsection (a) shall not apply to such information.

''(B) If a person requests pursuant to a State or local law that a State or local government disclose information that is designated as Department of Defense critical infrastructure security information under subsection (b), the State or local government shall provide the Secretary an opportunity to carry out the determination process under subsection (a) to determine whether to exempt such information from disclosure pursuant to subparagraph (A).''.

(c) CONFORMING AMENDMENTS.—

*(1) SECTION 128.—Section 128 of such title is further amended in the section heading by striking ''**Physical**'' and inserting ''**Control and physical**''.*

(2) SECTION 130E.—Section 130e of such title is further amended—

*(A) by striking the section heading and inserting the following new section heading: ''**Control and protection of critical infrastructure security information**'';*

(B) in subsection (a), by striking the subsection heading and inserting the following new subsection heading; ''EXEMPTION FROM FREEDOM OF INFORMATION ACT.—'';

(C) in subsection (d), by striking the subsection heading and inserting the following new subsection heading: ''DELEGATION OF DETERMINATION AUTHORITY.—''; and

(D) in subsection (e), by striking the subsection heading and inserting the following new subsection heading: ''TRANSPARENCY OF DETERMINATIONS.—''.

(d) CLERICAL AMENDMENTS.—The table of sections at the beginning of chapter 3 of such title is amended—

(1) by striking the item relating to section 128 and inserting the following new item:

''128. Control and physical protection of special nuclear material: limitation on dissemination of unclassified information.''; and

(2) by striking the item relating to section 130e and inserting the following new item:

''130e. Control and protection of critical infrastructure security information.''.

SEC. 1643. PROCUREMENT AUTHORITY FOR CERTAIN PARTS OF INTERCONTINENTAL BALLISTIC MISSILE FUZES.

(a) AVAILABILITY OF FUNDS.—Notwithstanding section 1502(a) of title 31, United States Code, of the amount authorized to be appropriated for fiscal year 2017 by section 101 and available for Missile Procurement, Air Force, as specified in the funding table in section 4101, $17,095,000 shall be available for the procurement of covered parts pursuant to contracts entered into under section 1645(a) of the Carl Levin and Howard P. ''Buck'' Mckeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3651).

(b) COVERED PARTS DEFINED.—In this section, the term ''covered parts'' means commercially available off-the-shelf items as defined in section 104 of title 41, United States Code.

SEC. 1644. PROHIBITION ON AVAILABILITY OF FUNDS FOR MOBILE VARIANT OF GROUND-BASED STRATEGIC DETERRENT MISSILE.

None of the funds authorized to be appropriated by this Act or otherwise made available for any of fiscal years 2017 or 2018 may be obligated or expended to retain the option for, or develop, a mobile variant of the ground-based strategic deterrent missile.

SEC. 1645. LIMITATION ON AVAILABILITY OF FUNDS FOR EXTENSION OF NEW START TREATY.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 or any other fiscal year for the Department of Defense may be obligated or expended to extend the New START Treaty unless—

(1) the Chairman of the Joint Chiefs of Staff submits the report under subsection (b);

(2) the Director of National Intelligence submits the National Intelligence Estimate under subsection (c)(2); and

(3) a period of 180 days elapses following the submission of both the report and the National Intelligence Estimate.

(b) REPORT.—The Chairman of the Joint Chiefs of Staff shall submit to the appropriate congressional committees a report detailing the following:

(1) The impacts on the nuclear forces and force planning of the United States with respect to a State Party to the New START Treaty developing a capability to conduct a rapid reload of its ballistic missiles.

(2) Whether any State Party to the New START Treaty has significantly increased its upload capability with non-deployed nuclear warheads and the degree to which such developments impact crisis stability and the nuclear forces, force planning, use concepts, and deterrent strategy of the United States.

(3) The extent to which non-treaty-limited nuclear or strategic conventional systems pose a threat to the United States or the allies of the United States.

(4) The extent to which violations of arms control treaty and agreement obligations pose a risk to the national security of the United States and the allies of the United States, including the perpetuation of violations ongoing as of the date of the enactment of this Act, as well as potential further violations.

(5) The extent to which—

(A) the ''escalate-to-deescalate'' nuclear use doctrine of the Russian Federation is deterred under the current nuclear force structure, weapons capabilities, and declaratory policy of the United States; and

(B) deterring the implementation of such a doctrine has been integrated into the warplans of the United States.

(6) The status of the nuclear weapons, nuclear weapons infrastructure, and nuclear command and control modernization activities of the United States, and the impact such status has on plans to—

(A) implement the reduction of the nuclear weapons of the United States; or

(B) further reduce the numbers and types of such weapons.

(7) Whether, and if so, the reasons that, the New START Treaty, and the extension of the treaty as of the date of the report, is in the national security interests of the United States.

(c) NATIONAL INTELLIGENCE ESTIMATE.—

(1) PRODUCTION.—The Director of National Intelligence shall produce a National Intelligence Estimate on the following:

(A) The nuclear forces and doctrine of the Russian Federation.

(B) The nuclear weapons research and production capability of Russia.

(C) The compliance of Russia with respect to arms control obligations (including treaties, agreements, and other obligations).

(D) The doctrine of Russia with respect to targeting adversary critical infrastructure and the relationship between such doctrine and other Russian war planning, including, at a minimum, ''escalate-to-deescalate'' concepts.

(2) SUBMISSION.—The Director of National Intelligence shall submit. consistent with the protection of sources and methods, to the appropriate congressional committees the National Intelligence Estimate produced under paragraph (1).

(d) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the Committees on Armed Services of the House of Representatives and the Senate;

(B) the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate; and

(C) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(2) The term ''New START Treaty'' means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.

SEC. 1646. CONSOLIDATION OF NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS FUNCTIONS OF THE AIR FORCE.

(a) ROLE OF MAJOR COMMAND.—

(1) CONSOLIDATION.—Not later than March 31, 2017, the Secretary of the Air Force shall consolidate under a major command commanded by a single general officer the responsibility, authority, accountability, and resources for carrying out the nuclear command, control, and communications functions of the Air Force, including, at a minimum, with respect to the following:

(A) All terrestrial and aerial components of the nuclear command and control system that are survivable and endurable.

(B) All terrestrial and aerial components of the integrated tactical warning and attack assessment system that are survivable and endurable.

(2) OVERSIGHT AND BUDGET APPROVAL.—Not later than March 31, 2017, in addition to the responsibility, authority, accountability, and resources for carrying out the nuclear command, control, and communications functions of the Air Force provided to a commander of a major command under paragraph (1), the Secretary shall provide to the commander the responsibility, authority, accountability, and resources to—

(A) conduct oversight over all components of the nuclear command and control system and the integrated tactical warning and attack assessment system, regardless of the location or the endurability of such components; and

(B) approve or disapprove of any budgetary actions related to all components of the nuclear command and control system and the integrated tactical warning and attack assessment system, regardless of the location or the endurability of such components.

(b) REPORT.—Not later than January 15, 2017, the Secretary shall submit to the congressional defense committees a report on the plans and actions taken by the Secretary to carry out subsection (a), including any guidance, directives, and orders that have been or will be issued by the Secretary, the Chief of Staff of the Air Force, or other elements of the Air Force to carry out subsection (a).

SEC. 1647. REPORT ON RUSSIAN AND CHINESE POLITICAL AND MILITARY LEADERSHIP SURVIVABILITY, COMMAND AND CONTROL, AND CONTINUITY OF GOVERNMENT PROGRAMS AND ACTIVITIES.

(a) REPORT.—Not later than January 15, 2017, the Director of National Intelligence shall submit to the appropriate congressional committees, consistent with the protection of sources and methods, a report on the leadership survivability, command and control, and continuity of government programs and activities with respect to the People's Republic of China and the Russian Federation, respectively. The report shall include the following:

(1) The goals and objectives of such programs and activities of each respective country.

(2) An assessment of how such programs and activities fit into the political and military doctrine and strategy of each respective country.

(3) An assessment of the size and scope of such activities, including the location and description of above-ground and underground facilities important to the political and military leadership survivability, command and control, and continuity of government programs and activities of each respective country.

(4) An identification of which facilities various senior political and military leaders of each respective country are expected to operate out of during crisis and wartime.

(5) A technical assessment of the political and military means and methods for command and control in wartime of each respective country.

(6) An identification of key officials and organizations of each respective country involved in managing and operating such facilities, programs and activities, including the command structure for each organization involved in such programs and activities.

(7) An assessment of how senior leaders of each respective country measure the effectiveness of such programs and activities.

(8) An estimate of the annual cost of such programs and activities.

(9) An assessment of the degree of enhanced survivability such programs and activities can be expected to provide in various military scenarios ranging from limited conventional conflict to strategic nuclear employment.

(10) An assessment of the type and extent of foreign assistance, if any, in such programs and activities.

(11) An assessment of the status and the effectiveness of the intelligence collection of the United States on such programs and capabilities, and any gaps in such collection.

(12) Any other matters the Director determines appropriate.

(b) COUNCIL ASSESSMENT.—Not later than 90 days after the date on which the Director submits the report under subsection (a), the Council on Oversight of the National Leadership Command, Control, and Communications System established by section 171a of title 10, United States Code, shall submit to the appropriate congressional committees an assessment of how the command, control, and communications systems for the national leadership of the People's Republic of China and the Russian Federation, respectively, compare to such system of the United States.

(c) STRATCOM.—Together with the assessment submitted under subsection (b), the Commander of the United States Strategic Command shall submit to the appropriate congressional committees the views of the Commander on the report under subsection (a), including a detailed description for how the leadership survivability, command and control, and continuity of government programs and activities of the People's Republic of China and the Russian Federation, respectively, are considered in the plans and options under the responsibility of the Commander under the unified command plan.

(d) FORMS.—Each report or assessment submitted under this section may be submitted in unclassified form, but may include a classified annex.

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

(1) the congressional defense committees; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SEC. 1648. SENSE OF CONGRESS ON IMPORTANCE OF INDEPENDENT NUCLEAR DETERRENT OF UNITED KINGDOM.

It is the sense of Congress that—

(1) the United States believes that the independent nuclear deterrent and decision-making of the United Kingdom provides a crucial contribution to international stability, the North Atlantic Treaty Organization alliance, and the national security of the United States;

(2) nuclear deterrence is and will continue to be the highest priority mission of the Department of Defense and the United States benefits when the closest ally of the United States clearly and unequivocally sets similar priorities;

(3) the United States sees the nuclear deterrent of the United Kingdom as central to trans-Atlantic security and to the commitment of the United Kingdom to NATO to spend two percent of gross domestic product on defense;

(4) the commitment of the United Kingdom to maintain a continuous at-sea deterrence posture today and in the future complements the deterrent capabilities of the United States and provides a credible ''second center of decision making'' which ensures potential attackers cannot discount the solidarity of the mutual relationship of the United States and the United Kingdom;

(5) the United States Navy must execute the Ohio-class replacement submarine program on time and within budget, seeking efficiencies and cost savings wherever possible, to ensure that the program delivers a Common Missile Compartment, the Trident II (D5) Strategic Weapon System, and associated equipment and production capabilities, that support the successful development and deployment of the Vanguard-successor submarines of the United Kingdom; and

(6) the close technical collaboration, especially expert mutual scientific peer review, provides valuable resilience and cost effectiveness to the respective deterrence programs of the United States and the United Kingdom.

Subtitle E—Missile Defense Programs

SEC. 1651. EXTENSIONS OF PROHIBITIONS RELATING TO MISSILE DEFENSE INFORMATION AND SYSTEMS.

(a) PROHIBITION ON INTEGRATION OF CERTAIN MISSILE DEFENSE SYSTEMS.—

(1) IN GENERAL.—Section 130h of title 10, United States Code, is amended—

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

(B) by inserting after subsection (c) the following new subsection (d):

''(d) INTEGRATION.—None of the funds authorized to be appropriated or otherwise made available for any fiscal year for the Department of Defense may be obligated or expended to integrate a missile defense system of the Russian Federation or a missile defense system of the People's Republic of China into any missile defense system of the United States.''; and

*(C) by striking the section heading and inserting the following: ''**Prohibitions relating to missile defense information and systems**''.*

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 3 of title 10, United States Code, is amended by striking the item relating to section 130h and inserting the following new item:

''130h. Prohibitions relating to missile defense information and systems.''.

(3) CONFORMING REPEALS.—Sections 1672 and 1673 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1130) are repealed.

(b) EXTENSION OF SUNSET.—Section 130h(e) of title 10, United States Code, as redesignated by subsection (a)(1), is amended to read as follows:

''(e) SUNSET.—The prohibitions in subsections (a), (b), and (d) shall expire on January 1, 2027.''.

SEC. 1652. REVIEW OF THE MISSILE DEFEAT POLICY AND STRATEGY OF THE UNITED STATES.

(a) NEW REVIEW.—The Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall jointly conduct a new review of the missile defeat capability, policy, and strategy of the United States, with respect to—

(1) left- and right-of-launch ballistic missile defense for—

(A) both regional and homeland purposes; and

(B) the full range of active, passive, kinetic, and nonkinetic defense measures across the full spectrum of land-, air-, sea-, and space-based platforms;

(2) the integration of offensive and defensive forces for the defeat of ballistic missiles, including against weapons initially deployed on ballistic missiles, such as hypersonic glide vehicles; and

(3) cruise missile defense of the homeland.

(b) ELEMENTS.—The review under subsection (a) shall address the following:

(1) The missile defeat policy, strategy, and objectives of the United States in relation to the national security strategy of the United States and the military strategy of the United States.

(2) The role of deterrence in the missile defeat policy and strategy of the United States.

(3) The missile defeat posture, capability, and force structure of the United States.

(4) With respect to both the five- and ten-year periods beginning on the date of the review, the planned and desired end-state of the missile defeat programs of the United States, including regarding the integration and interoperability of such programs with the joint forces and the integration and interoperability of such programs with allies, and specific benchmarks, milestones, and key steps required to reach such end-states.

(5) The organization, discharge, and oversight of acquisition for the missile defeat programs of the United States.

(6) The roles and responsibilities of the Office of the Secretary of Defense, Defense Agencies, combatant commands, the Joint Chiefs of Staff, and the military departments in such programs and the process for ensuring accountability of each stakeholder.

(7) The process for determining requirements for missile defeat capabilities under such programs, including input from the joint military requirements process.

(8) The process for determining the force structure and inventory objectives for such programs.

(9) Standards for the military utility, operational effectiveness, suitability, and survivability of the missile defeat systems of the United States.

(10) The method in which resources for the missile defeat mission are planned, programmed, and budgeted within the Department of Defense.

(11) The near-term and long-term costs and cost effectiveness of such programs.

(12) The options for affecting the offense-defense cost curve.

(13) Accountability, transparency, and oversight with respect to such programs.

(14) The role of international cooperation on missile defeat in the missile defeat policy and

strategy of the United States and the plans, policies, and requirements for integration and interoperability of missile defeat capability with allies.

(15) Options for enhancing and making routine the codevelopment of missile defeat capabilities with allies of the United States in the near-term and far-term.

(16) Declaratory policy governing the employment of missile defeat capabilities and the military options and plans and employment options of such capabilities.

(17) The role of multi-mission defense and other assets of the United States, including space and terrestrial sensors and plans to achieve multi-mission capability in current, planned, and other future assets and acquisition programs.

(18) The indications and warning required to meet the missile defeat strategy and objectives of the United States described in paragraph (1) and the key enablers and programs to achieve such indications and warning.

(19) The impact of the mobility, countermeasures, and denial and deception capabilities of adversaries on the indications and warning described in paragraph (16) and the consequences of such impact for the missile defeat capability, objectives, and military options of the United States and the plans of the combatant commanders.

(20) Any other matters the Secretary determines relevant.

(c) REPORTS.—

(1) RESULTS.—Not later than January 31, 2018, the Secretary shall submit to the congressional defense committees a report setting forth the results of the review under subsection (a).

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(3) ANNUAL IMPLEMENTATION UPDATES.—During the five-year period beginning on the date of the submission of the report under paragraph (1), the Director of Cost Assessment and Program Evaluation shall submit to the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the congressional defense committees annual status updates detailing the progress of the Secretary in implementing the missile defeat strategy of the United States.

(4) THREAT REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate a report containing an unclassified summary, consistent with the protection of intelligence sources and methods, of—

(A) as of the date of the report, the ballistic and cruise missile threat to the United States, deployed forces of the United States, and friends and allies of the United States from short-, medium-, intermediate-, and long-range nuclear and non-nuclear ballistic and cruise missile threats; and

(B) an assessment of such threat in 2026.

(d) NOTIFICATION.—

(1) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 or any fiscal year thereafter for the Secretary of Defense may be obligated or expended to change the non-standard acquisition processes and responsibilities described in paragraph (2) until—

(A) the Secretary notifies the congressional defense committees of such proposed change; and

(B) a period of 180 days has elapsed following the date of such notification.

(2) NON-STANDARD ACQUISITION PROCESSES AND RESPONSIBILITIES DESCRIBED.—The non-standard acquisition processes and responsibilities described in this paragraph are such processes and responsibilities described in—

(A) the memorandum of the Secretary of Defense titled ''Missile Defense Program Direction'' signed on January 2, 2002; and

(B) Department of Defense Directive 5134.09, as in effect on the date of the enactment of this Act.

(e) DESIGNATION REQUIRED.—

(1) AUTHORITY.—Not later than March 31, 2018, the Secretary of Defense shall designate a military department or Defense Agency with acquisition authority with respect to—

(A) the capability to defend the homeland from cruise missiles; and

(B) left-of-launch ballistic missile defeat capability.

(2) VALIDATION.—In making such designation under paragraph (1), the Secretary shall include a description of the manner in which the military requirements for such capabilities will be validated.

SEC. 1653. IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM AND ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM CODEVELOPMENT AND COPRODUCTION.

(a) IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM.—

(1) AVAILABILITY OF FUNDS.—Of the funds authorized to be appropriated by section 101 for procurement, Defense-wide, and available for the Missile Defense Agency, not more than $62,000,000 may be provided to the Government of Israel to procure Tamir interceptors for the Iron Dome short-range rocket defense system, as specified in the funding table in division D, through coproduction of such interceptors in the United States by industry of the United States.

(2) CONDITIONS.—

(A) AGREEMENT.—Funds described in paragraph (1) for the Iron Dome short-range rocket defense program shall be available subject to the terms and conditions in the Agreement Between the Department of Defense of the United States of America and the Ministry of Defense of the State of Israel Concerning Iron Dome Defense System Procurement, signed on March 5, 2014, subject to an amended bilateral international agreement for coproduction for Tamir interceptors. In negotiations by the Missile Defense Agency and the Missile Defense Organization of the Government of Israel regarding such production, the goal of the United States is to maximize opportunities for coproduction of the Tamir interceptors described in paragraph (1) in the United States by industry of the United States.

(B) CERTIFICATION.—Not later than 30 days prior to the initial obligation of funds described in paragraph (1), the Director of the Missile Defense Agency and the Under Secretary of Defense for Acquisition, Technology, and Logistics shall jointly submit to the appropriate congressional committees—

(i) a certification that the bilateral international agreement specified in subparagraph (A) is being implemented as provided in such bilateral international agreement; and

(ii) an assessment detailing any risks relating to the implementation of such bilateral international agreement.

(b) COOPERATIVE MISSILE DEFENSE PROGRAM CODEVELOPMENT AND COPRODUCTION.—

(1) IN GENERAL.—Subject to paragraph (2), of the funds authorized to be appropriated for fiscal year 2017 for procurement, Defense-wide, and available for the Missile Defense Agency—

(A) not more than $150,000,000 may be provided to the Government of Israel to procure the David's Sling Weapon System, including for coproduction of parts and components in the United States by United States industry; and

(B) not more than $120,000,000 may be provided to the Government of Israel for the Arrow 3 Upper Tier Interceptor Program, including for coproduction of parts and components in the United States by United States industry.

(2) CERTIFICATION.—

(A) CRITERIA.—Except as provided by paragraph (3), the Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the appropriate congressional committees a certification that—

(i) the Government of Israel has demonstrated the successful completion of the knowledge points, technical milestones, and production readiness reviews required by the research, development, and technology agreements for the David's Sling Weapon System and the Arrow 3 Upper Tier Development Program, respectively;

(ii) funds specified in subparagraphs (A) and (B) of paragraph (1) will be provided on the basis of a one-for-one cash match made by Israel for such respective systems or in another matching amount that otherwise meets best efforts (as mutually agreed to by the United States and Israel);

(iii) the United States has entered into a bilateral international agreement with Israel that establishes, with respect to the use of such funds—

(I) in accordance with clause (iv), the terms of coproduction of parts and components of such respective systems on the basis of the greatest practicable coproduction of parts, components, and all-up rounds (if appropriate) by United States industry and minimizes nonrecurring engineering and facilitization expenses to the costs needed for coproduction;

(II) complete transparency on the requirement of Israel for the number of interceptors and batteries of such respective systems that will be procured, including with respect to the procurement plans, acquisition strategy, and funding profiles of Israel;

(III) technical milestones for coproduction of parts and components and procurement of such respective systems; and

(IV) joint approval processes for third-party sales of such respective systems and the components of such respective systems;

(iv) the level of coproduction described in clause (iii)(I) for the Arrow 3 and David's Sling Weapon System is not less than 50 percent; and

(v) such funds may not be obligated or expended to cover costs related to any delays, including delays with respect to exchanging technical data or specifications.

(B) NUMBER.—In carrying out subparagraph (A), the Under Secretary may submit—

(i) one certification covering both the David's Sling Weapon System and the Arrow 3 Upper Tier Interceptor Program; or

(ii) separate certifications for each such respective system.

(C) TIMING.—The Under Secretary shall submit to the congressional defense committees the certification under subparagraph (A) by not later than 60 days before the funds specified in paragraph (1) for the respective system covered by the certification are provided to the Government of Israel.

(3) WAIVER.—The Under Secretary may waive the certification required by paragraph (2) if the Under Secretary certifies to the appropriate congressional committees that the Under Secretary has received sufficient data from the Government of Israel to demonstrate—

(A) the funds specified in subparagraphs (A) and (B) of paragraph (1) are provided to Israel solely for funding the procurement of long-lead components in accordance with a production plan, including a funding profile detailing Israeli contributions for production, including long-lead production, of either David's Sling Weapon System or the Arrow 3 Upper Tier Interceptor Program;

(B) such long-lead components have successfully completed knowledge points, technical

milestones, and production readiness reviews; and

(C) the long-lead procurement will be conducted in a manner that maximizes coproduction in the United States without incurring additional nonrecurring engineering activity or cost.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

SEC. 1654. MAXIMIZING AEGIS ASHORE CAPABILITY.

(a) ANTI-AIR WARFARE CAPABILITY OF AEGIS ASHORE SITES.—

(1) EVALUATION.—The Secretary of Defense shall conduct a complete evaluation of the optimal anti-air warfare capability—

(A) for each current Aegis Ashore site by not later than 180 days after the date of the enactment of this Act; and

(B) as part of any future deployment by the United States of an Aegis Ashore site after the date of such enactment.

(2) ASSESSMENTS INCLUDED.—Each evaluation under paragraph (1) shall include an assessment of the potential deployment of enhanced sea sparrow missiles, standard missile block 2 missiles, standard missile block 6 missiles, or the SeaRAM missile system.

(3) CONSISTENCY WITH ANNEX.—The Secretary shall carry out this subsection consistent with any classified annex accompanying this Act.

(b) AEGIS ASHORE CAPABILITY EVALUATION.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall jointly submit to the congressional defense committees an evaluation of each of the following:

(1) The ballistic missile and air threat against the continental United States and the efficacy (including with respect to cost, ideal and optimal deployment locations, and potential deployment schedule) of deploying one or more Aegis Ashore sites and Aegis Ashore components for the ballistic and cruise missile defense of the continental United States.

(2) The ballistic missile and air threat against the Armed Forces on Guam and the efficacy (including with respect to cost and schedule) of deploying an Aegis Ashore site on Guam.

(c) AEGIS ASHORE SITE ON THE PACIFIC MISSILE RANGE FACILITY.—

(1) LIMITATION.—The Secretary of Defense may not reduce the manning levels or test capability, as such levels and capability existed on January 1, 2015, of the Aegis Ashore site at the Pacific Missile Range Facility in Hawaii, including by putting such site into a ''cold'' or ''stand by'' status.

(2) ENVIRONMENTAL IMPACT STATEMENT.—

(A) Not later than 60 days after the date on which the Director of the Missile Defense Agency submits to the congressional defense committees the report under section 1689(b)(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1144), the Director shall notify such committees on whether the preferred alternative for fielding a medium range ballistic missile defense sensor for the defense of Hawaii identified by such report would require an update to the environmental impact statement required for constructing the Aegis Ashore site at the Pacific Missile Range Facility.

(B) If the Director determines that an updated environmental impact statement, a new environmental impact statement, or another action is required or recommended pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. et seq.), the Director shall commence such action by not later than 60 days after the date on which the Director makes the notification under subparagraph (A).

(3) EVALUATION.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall jointly submit to the congressional defense committees an evaluation of the ballistic missile and air threat against Hawaii (including with respect to threats to the Armed Forces and installations located in Hawaii) and the efficacy (including with respect to cost and potential alternatives) of—

(A) making the Aegis Ashore site at the Pacific Missile Range Facility operational;

(B) deploying the preferred alternative for fielding a medium range ballistic missile defense sensor for the defense of Hawaii described in paragraph (2)(A); and

(C) any other alternative the Secretary and the Chairman determine appropriate.

(d) FORMS.—The evaluations submitted under subsections (b) and (c)(3) shall each be submitted in unclassified form, but may each include a classified annex.

SEC. 1655. TECHNICAL AUTHORITY FOR INTEGRATED AIR AND MISSILE DEFENSE ACTIVITIES AND PROGRAMS.

(a) AUTHORITY.—

(1) IN GENERAL.—The Director of the Missile Defense Agency is the technical authority of the Department of Defense for integrated air and missile defense activities and programs, including joint engineering and integration efforts for such activities and programs, including with respect to defining and controlling the interfaces of such activities and programs and the allocation of technical requirements for such activities and programs.

(2) DETAILEES.—

(A) In carrying out the technical authority under paragraph (1), the Director may seek to have staff detailed to the Missile Defense Agency from the Joint Functional Component Command for Integrated Missile Defense and the Joint Integrated Air and Missile Defense Organization in a number the Director determines necessary in accordance with subparagraph (B).

(B) In detailing staff under subparagraph (A) to carry out the technical authority under paragraph (1), the total number of staff, including detailees, of the Missile Defense Agency who carry out such authority may not exceed the number that is twice the number of such staff carrying out such authority as of January 1, 2016.

(b) ASSESSMENTS AND PLANS.—

(1) BIENNIAL SUBMISSION.—Not later than January 31, 2017, and biennially thereafter through 2021, the Director shall submit to the congressional defense committees an assessment of the state of integration and interoperability of the integrated air and missile defense capabilities of the Department of Defense.

(2) ELEMENTS.—Each assessment under paragraph (1) shall include the following:

(A) Identification of any gaps in the integration and interoperability of the integrated air and missile defense capabilities of the Department.

(B) A description of the options to improve such capabilities and remediate such gaps.

(C) A plan to carry out such improvements and remediations, including milestones and costs for such plan.

(3) FORM.—Each assessment under paragraph (1) shall be submitted in classified form unless the Director determines that submitting such assessment in unclassified form is useful and expedient.

SEC. 1656. DEVELOPMENT AND RESEARCH OF NON-TERRESTRIAL MISSILE DEFENSE LAYER.

(a) DEVELOPMENT.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Director of the Missile Defense Agency, with the support of federally funded research and development centers with subject matter expertise, shall commence the planning for concept definition, design, research, development, engineering evaluation, and test of a space-based ballistic missile intercept and defeat layer to the ballistic missile defense system that—

(A) shall provide defense options to ballistic missiles and re-entry vehicles, independent of adversary country size and threat trajectory; and

(B) may provide a boost-phase missile defense capability, as well as additional defensive options against direct ascent anti-satellite weapons, hypersonic boost glide vehicles, and maneuvering re-entry vehicles.

(2) ACTIVITIES.—The planning activities authorized under paragraph (1) shall include, at a minimum, the following:

(A) The initiation of formal steps for potential integration into the ballistic missile defense system architecture.

(B) Mature planning for early proof of concept component demonstrations.

(C) Draft operation concepts in the context of a multi-layer architecture.

(D) Identification of proof of concept vendor sources for demo components and subassemblies.

(E) The development of multi-year technology and risk reduction investment plan.

(F) The commencement of the development of a proof of concept master program phasing schedule.

(G) Identification of proof of concept long lead items.

(H) Initiation of requests for proposals from industry with significant commercial, civil, and national security space experience, including for space launch services.

(I) Mature options for an aggressive but low-risk acquisition strategy.

(b) SPACE TEST BED.—Not later than 60 days after the date of the enactment of this Act, the Director shall commence planning for research, development, test, and evaluation activities with respect to a space test bed for a missile interceptor capability.

(c) BUDGET SUBMISSIONS.—The Director shall submit with the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2018 a detailed budget and development plan, irrespective of planned budgetary total obligation authority, for the activities described in subsections (a) and (b), assuming initial demonstration, on-orbit, of such the capabilities described in such subsections by 2025.

SEC. 1657. HYPERSONIC BOOST GLIDE VEHICLE DEFENSE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall establish a program of record in the ballistic missile defense system to develop and field a defensive system to defeat hypersonic boost-glide and maneuvering ballistic missiles. Such defense system may be a new system, a modification of an existing system, or developed by integrating existing systems.

(2) CODEVELOPMENT.— In developing the program of record for the defensive system under paragraph (1), the Director shall consider opportunities for codevelopment, including through financial support, with allies and partners of the United States.

(b) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the headquarters operations of the Under Secretary of Defense for Policy and the headquarters operations of the Under Secretary of Defense for Acquisition, Technology, and Logistics, $25,000,000

may not be obligated or expended for each such headquarters operations until—

(1) the Director certifies to the congressional defense committees that the Director has established the program of record under paragraph (1) of subsection (a), including a discussion of—

(A) the options for codevelopment considered by the Director under paragraph (2) of such subsection;

(B) such options the Director has assessed; and

(C) such options the Director recommends be pursued in the program of record; and

(2) the Chairman of the Joint Chiefs of Staff submits to the congressional defense committees a report on the military capability or capabilities and capability gaps relating to the threat posed by hypersonic boost-glide and maneuvering ballistic missiles to the United States, the forces of the United States, and the allies of the United States; and

(3) a period of 30 days has elapsed following the date on which the congressional defense committees has received both the certification and the report.

(c) REPORT ON MTCR.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, with the concurrence of the Secretary of State, shall submit to the congressional defense committees and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the implications for the Missile Technology Control Regime regarding the development of a defensive system, including with respect to partnering with allies and partners of the United States, to counter hypersonic boost-glide and maneuvering ballistic missiles.

(d) PLAN.—Not later than 30 days after the date on which the budget of the President for fiscal year 2018 is submitted to Congress under section 1105 of title 31, Unites States Code, the Director shall submit to the congressional defense committees a plan to field the defensive system under paragraph (1) of subsection (a) by 2021, including—

(1) a schedule of required ground, flight, and intercept tests; and

(2) the estimated budget for such plan, including a budget with codevelopment described in paragraph (2) of such subsection and a budget without such codevelopment, required for each year beginning with fiscal year 2018.

SEC. 1658. LIMITATION ON AVAILABILITY OF FUNDS FOR PATRIOT LOWER TIER AIR AND MISSILE DEFENSE CAPABILITY OF THE ARMY.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Patriot lower tier air and missile defense capability of the Army, not more than 50 percent may be obligated or expended until each of the following occurs:

(1) The Director of the Missile Defense Agency certifies to the congressional defense committees that such capability, upon the completion of the modernization process addressed by the analysis of alternatives regarding such capability, will be fully interoperable with the ballistic missile defense system and other air and missile defense capabilities deployed and planned to be deployed by the United States.

(2) The Chairman of the Joint Chiefs of Staff certifies to the congressional defense committees that such capability, upon the completion of the modernization process addressed by the analysis of alternatives regarding such capability, will meet—

(A) the desired attributes for modularity sought by the geographic combatant commands; and

(B) the validated and objective warfighter requirements for air and missile defense capability.

(3) The Chief of Staff of the Army, in coordination with the Secretary of the Army, submits to the congressional defense committees—

(A) a determination as to whether the requirements of the lower tier air and missile defense program are appropriate for acquisition through the Army Rapid Capabilities Office, and if the determination is that such requirements are not so appropriate, an evaluation of why;

(B) the terms of the competition planned for the lower tier air and missile defense program to ensure fair competition for all competitors; and

(C) either—

(i) certification that—

(I) the requirements of the lower tier air and missile defense program can only be met through a multi-year development and acquisition program, rather than through more expedient modification of existing or demonstrated capabilities of the Department of Defense; and

(II) the lower tier air and missile defense acquisition program as designed as of the date of the certification will provide the most rapid deployment of a modernized capability to the warfighter at reasonable risk levels (as compared to systems with similar amounts of complexity and technological readiness); or

(ii) a revised acquisition strategy for the lower tier air and missile defense acquisition program, including a schedule to carry out such strategy.

(4) If the Chief of Staff of the Army submits the revised acquisition strategy under paragraph (3)(C)(ii), a period of 30 days has elapsed following the date of such submission.

SEC. 1659. LIMITATION ON AVAILABILITY OF FUNDS FOR CONVENTIONAL PROMPT GLOBAL STRIKE WEAPONS SYSTEM.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for research, development, test, and evaluation, Defense-wide, for the conventional prompt global strike weapons system, not more than 75 percent may be obligated or expended until the date on which the Chairman of the Joint Chiefs of Staff, in consultation with the Commander of the United States European Command, the Commander of the United States Pacific Command, and the Commander of the United States Strategic Command, submits to the congressional defense committees a report on—

(1) whether there are warfighter requirements or integrated priorities list submitted needs for a limited operational conventional prompt strike capability; and

(2) whether the program plan and schedule proposed by the program office in the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics supports such requirements and integrated priorities lists submissions.

SEC. 1660. PILOT PROGRAM ON LOSS OF UNCLASSIFIED, CONTROLLED TECHNICAL INFORMATION.

(a) PILOT PROGRAM.—Beginning not later than 90 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall carry out a pilot program to implement improvements to the data protection options in the programs of the Missile Defense Agency (including the contractors of the Agency), particularly with respect to unclassified, controlled technical information and controlled unclassified information.

(b) PRIORITY.—In carrying out the pilot program under subsection (a), the Director shall give priority to implementing data protection options that are used by the private sector and have been proven successful.

(c) DURATION.—The Director shall carry out the pilot program under subsection (a) for not more than a 5-year period.

(d) NOTIFICATION.—Not later than 30 days before the date on which the Director commences the pilot program under subsection (a), the Director shall notify the congressional defense committees, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Government Affairs of the Senate of—

(1) the data protection options that the Director is considering to implement under the pilot program and the potential costs of such options; and

(2) such option that is the preferred option of the Director.

(e) DATA PROTECTION OPTIONS.—In this section, the term ''data protection options'' means actions to improve processes, practices, and systems that relate to the safeguarding, hygiene, and data protection of information.

SEC. 1661. REVIEW OF MISSILE DEFENSE AGENCY BUDGET SUBMISSIONS FOR GROUND-BASED MIDCOURSE DEFENSE AND EVALUATION OF ALTERNATIVE GROUND-BASED INTERCEPTOR DEPLOYMENTS.

(a) BUDGET SUFFICIENCY.—

(1) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of Cost Assessment and Program Evaluation shall submit to the congressional defense committees a report on the ground-based midcourse defense system.

(2) ELEMENTS.—The report under paragraph (1) shall include an evaluation of each of the following:

(A) The modernization requirements for the ground-based midcourse system, including all command and control, ground systems, sensors and sensor interfaces, boosters and kill vehicles, and integration of known future systems and components.

(B) The obsolescence of such systems and components.

(C) The industrial base requirements relating to the ground-based midcourse system.

(D) The extent to which the estimated levels of annual funding included in the most recent budget and the future-years defense program submitted under section 221 of this title fully fund the requirements under clause (i).

(3) UPDATES.—Not later than 30 days after the date on which each budget is submitted through January 31, 2021, the Director shall submit to the congressional defense committees an update to the report under paragraph (1).

(4) CERTIFICATION.—Not later than 60 days after the date on which each budget is submitted through January 31, 2021, the Commander of the United States Northern Command shall certify to the congressional defense committees that the most recent defense budget materials include a sufficient level of funding for the ground-based midcourse defense system to modernize the system to remain paced ahead of the developing limited ballistic missile threat to the homeland, including from an accidental or unauthorized ballistic missile attack.

(b) EVALUATION OF TRANSPORTABLE GROUND-BASED INTERCEPTOR.—Not later than 180 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report on transportable ground-based interceptors. Such report shall detail the views of the Director regarding—

(1) the cost that is unconstrained by current projected budget levels for the Missile Defense Agency (including a detailed program development production and deployment cost and schedule for the earliest technically possible deployment), the associated manning, and the comparative cost (including as compared to developing a fixed ground-based interceptor site), technical readiness, and feasibility of a transportable ground-based interceptor as a means to deploy additional ground-based interceptors for the defense of the United States and the operational value of a transportable ground-based

interceptor for the defense of the homeland against a limited ballistic missile attack, including from accidental or unauthorized ballistic missile launch;

(2) the type and number of flight and or intercept tests that would be required to validate the capability and compatibility of a transportable ground-based interceptor in the ballistic missile defense system;

(3) the enabling capabilities, and the cost of such capabilities, to support such a system;

(4) any safety consideration of a transportable ground-based interceptor; and

(5) other matters that the Director determines pertinent to such a system.

(c) FORM.—The report submitted under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

(d) DEFINITIONS.—In this section, the terms ''budget'' and ''defense budget materials'' have the meanings given those terms in section 231 of title 10, United States Code.

SEC. 1662. DECLARATORY POLICY, CONCEPT OF OPERATIONS, AND EMPLOYMENT GUIDELINES FOR LEFT-OF-LAUNCH CAPABILITY.

Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall jointly submit to the congressional defense committees the following:

(1) Both the classified and unclassified declaratory policy of the United States regarding the use of the left-of-launch capability of the United States against potential targets and how the Secretary and the Chairman intend to ensure that such capability is a deterrent to attacks by adversaries.

(2) Both the classified and unclassified concept of operations for the use of such capability across and between the combatant commands.

(3) Both the classified and unclassified employment strategy, plans, and options for such capability.

SEC. 1663. PROCUREMENT OF MEDIUM-RANGE DISCRIMINATION RADAR TO IMPROVE HOMELAND MISSILE DEFENSE.

(a) The Director of the Missile Defense Agency shall issue a request for proposals for such radar by not later than October 1, 2017.

(b) The Director shall plan to procure a medium-range discrimination radar or equivalent sensor for a location the Director determines will improve homeland missile defense for the defense of Hawaii from the limited ballistic missile threat (including accidental or unauthorized launch) and plan for such radar to be fielded by not later than December 31, 2021.

SEC. 1664. SEMIANNUAL NOTIFICATIONS ON MISSILE DEFENSE TESTS AND COSTS.

(a) NOTIFICATIONS.—Not less than once every 180-day period beginning 90 days after the date of the enactment of this Act and ending on January 31, 2021, the Director of the Missile Defense Agency shall submit to the congressional defense committees a notification on—

(1) the outcome of each planned flight test, including intercept tests, occurring during the period covered by the notification; and

(2) flight tests, including intercept tests, planned to occur after the date of the notification.

(b) ELEMENTS.—Each notification shall include the following:

(1) With respect to each test described in subsection (a)(1)—

(A) the cost;

(B) any changes made to the scope or objectives of the test, or future tests, and an explanation for such changes;

(C) in the event of a failure of the test or a decision to delay or cancel the test—

(i) the reasons such test did not succeed or occur;

(ii) the funds expended on such attempted test; and

(iii) in the case of a test failure or cancelled test that is the result of contractor performance, the contractor liability, if appropriate, as compared to the cost of such test and potential retest; and

(D) the plan to conduct a retest, if necessary, and an estimate of the cost of such retest.

(2) With respect to each test described in subsection (a)(2)—

(A) any changes made to the scope of the test;

(B) whether the test was to occur earlier but was delayed; and

(C) an explanation for any such changes or delays.

(3) The status of any open failure review boards or any failure review boards completed during the period covered by the notification.

(c) FORM.—Each notification submitted under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1665. NATIONAL MISSILE DEFENSE POLICY.

(a) POLICY.—It is the policy of the United States to maintain and improve a robust layered missile defense system capable of defending the territory of the United States, allies, deployed forces, and capabilities against the developing and increasingly complex ballistic missile threat with funding subject to the annual authorization of appropriations and the annual appropriation of funds for National Missile Defense.

(b) CONFORMING REPEAL.—Section 2 of the National Missile Defense Act of 1999 (Public Law 106–38; 10 U.S.C. 2431 note) is repealed.

SEC. 1666. SENSE OF CONGRESS ON INITIAL OPERATING CAPABILITY OF PHASE 2 OF EUROPEAN PHASED ADAPTIVE APPROACH TO MISSILE DEFENSE.

(a) FINDINGS.—Congress finds the following:

(1) President Obama, during his announcement of the European Phased Adaptive Approach on September 17, 2009, stated, ''This approach is based on an assessment of the Iranian missile threat,'' and ''the best way to responsibly advance our security and the security of our allies is to deploy a missile defense system that best responds to the threats we face and that utilizes technology that is both proven and cost-effective.''.

(2) The 2010 Ballistic Missile Defense review stated that ''The [European] Phased Adaptive Approach utilizes existing and proven capabilities to meet current threats and then will improve upon these capabilities over time by integrating new technology.''.

(3) Secretary of Defense Leon Panetta, during a speech in Brussels on October 5, 2011, stated, ''The United States is fully committed to building a missile defense capability for the full coverage and protection of all our NATO European populations, their territory and their forces against the growing threat posed by ballistic missiles.''.

(4) Secretary of Defense Chuck Hagel, during a press conference on March 15, 2013, stated, ''The missile deployments the United States is making in phases one through three of the European Phased Adaptive Approach, including sites in Romania and Poland, will still be able to provide coverage of all European NATO territory as planned by 2018.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States is committed to the defense of deployed members of the Armed Forces of the United States and to the defense of the European allies of the Unites States by increasing the ballistic missile defense capability of the North Atlantic Treaty Organization (in this section referred to as ''NATO'');

(2) phase 2 of the European Phased Adaptive Approach will provide NATO with a substantial increase in ballistic missile defense capability since NATO declared Interim Ballistic Missile Defense Capability at the Chicago Summit in 2012, and such phase consists of—

(A) Aegis Ashore in Romania;

(B) four Aegis ballistic missile defense capable ships homeported at Rota, Spain; and

(C) a more capable SM–3 interceptor;

(3) NATO is moving forward with the modernization of the defense capabilities of NATO that is responsive to 21st century threats to the territory and populations of member states of NATO;

(4) the member states of NATO recognize the importance of this contribution, which sends a clear signal that NATO will not allow potential adversaries to threaten the use of ballistic missile strikes to coerce NATO or deter NATO from responding to aggression against the interests of NATO; and

(5) phase 2 of the European Phased Adaptive Approach is ready for 24-hour-a-day, seven-day-a-week operation, with proven military systems and command and control capability, and should be so declared at the July 2016 NATO Summit in Warsaw, Poland.

Subtitle F—Other Matters

SEC. 1671. PROTECTION OF CERTAIN FACILITIES AND ASSETS FROM UNMANNED AIRCRAFT.

(a) IN GENERAL.—Chapter 3 of title 10, United States Code, as amended by section 1255, is further amended by adding at the end the following new section:

''§ 130j. Protection of certain facilities and assets from unmanned aircraft

''(a) AUTHORITY.—The Secretary of Defense may take, and may authorize the armed forces to take, such actions described in subsection (b)(1) that are necessary to mitigate the threat of an unmanned aircraft system or unmanned aircraft that poses an imminent threat (as defined by the Secretary of Defense, in coordination with the Secretary of Transportation) to the safety or security of a covered facility or asset.

''(b) ACTIONS DESCRIBED.—(1) The actions described in this paragraph are the following:

''(A) Disrupt control of the unmanned aircraft system or unmanned aircraft.

''(B) Seize and exercise control of the unmanned aircraft system or unmanned aircraft.

''(C) Seize or otherwise confiscate the unmanned aircraft system or unmanned aircraft.

''(D) Use reasonable force to disable or destroy the unmanned aircraft system or unmanned aircraft.

''(2) The Secretary of Defense shall develop the actions described in paragraph (1) in coordination with the Secretary of Transportation, consistent with the protection of information regarding sensitive defense capabilities.

''(c) FORFEITURE.—(1) Any unmanned aircraft system or unmanned aircraft described in subsection (a) shall be subject to seizure and forfeiture to the United States.

''(2) The Secretary of Defense may prescribe regulations to establish reasonable exceptions to paragraph (1), including in cases where—

''(A) the operator of the unmanned aircraft system or unmanned aircraft obtained the control and possession of such system or aircraft illegally; or

''(B) the operator of the unmanned aircraft system or unmanned aircraft is an employee of a common carrier acting in manner described in subsection (a) without the knowledge of the common carrier.

''(d) REGULATIONS.—The Secretary of Defense and the Secretary of Transportation shall prescribe regulations and issue guidance in the respective areas of each Secretary to carry out this section.

''(e) DEFINITIONS.—In this section:

''(1) The term 'covered facility or asset' means any facility or asset that is—

''(A) identified by the Secretary of Defense for purposes of this section;

''(B) located in the United States (including the territories and possessions of the United States); and

''(C) relating to—

''(i) the nuclear deterrence mission of the Department of Defense, including with respect to nuclear command and control, integrated tactical warning and attack assessment, and continuity of government;

''(ii) the missile defense mission of the Department; or

''(iii) the national security space mission of the Department.

''(2) The terms 'unmanned aircraft' and 'unmanned aircraft system' have the meaning given those terms in section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 130i, as added by section 1255, the following new item:

''130j. Protection of certain facilities and assets from unmanned aircraft.''.

SEC. 1672. IMPROVEMENT OF COORDINATION BY DEPARTMENT OF DEFENSE OF ELECTROMAGNETIC SPECTRUM USAGE.

Not later than December 31, 2016, the Secretary of Defense shall submit to the congressional defense committees a report evaluating whether establishing an intra-departmental council in the Department of Defense on the use electromagnetic spectrum by the Department would improve coordination within the Department on—

(1) the use of such spectrum;

(2) the acquisition cycle with respect to such spectrum;

(3) training by the Armed Forces, including with respect to electronic and cyber warfare; and

(4) other purposes the Secretary considers useful.

TITLE XVII—DEPARTMENT OF DEFENSE ACQUISITION AGILITY

SEC. 1701. MODULAR OPEN SYSTEM APPROACH IN DEVELOPMENT OF MAJOR WEAPON SYSTEMS.

(a) IN GENERAL.—Part IV of subtitle A of title 10, United States Code, is amended by inserting after chapter 144A the following new chapter:

''CHAPTER 144B—WEAPON SYSTEMS DEVELOPMENT AND RELATED MATTERS

''SUBCHAPTER I—MODULAR OPEN SYSTEM APPROACH IN DEVELOPMENT OF WEAPON SYSTEMS

''§2446a. Requirement for modular open system approach in major defense acquisition programs; definitions

''(a) MODULAR OPEN SYSTEM APPROACH REQUIREMENT.—A major defense acquisition program initiated after January 1, 2019, shall be designed and developed, to the maximum extent practicable, with a modular open system approach to enable incremental development.

''(b) DEFINITIONS.—In this chapter:

''(1) The term 'modular open system approach' means, with respect to a major defense acquisition program, an integrated business and technical strategy that—

''(A) employs a modular design that uses major system interfaces between a major system platform and a major system component or between major system components;

''(B) is subjected to verification to ensure major system interfaces comply with, if available and suitable, widely supported and consensus-based standards;

''(C) uses a system architecture that allows severable major system components at the appropriate level to be incrementally added, removed, or replaced throughout the life cycle of a major system platform to afford opportunities for enhanced competition and innovation while yielding—

''(i) significant cost savings or avoidance;

''(ii) schedule reduction;

''(iii) opportunities for technical upgrades;

''(iv) increased interoperability; or

''(v) other benefits during the sustainment phase of a major weapon system; and

''(D) complies with the technical data rights set forth in section 2320 of this title.

''(2) The term 'major system platform' means the highest level structure of a major weapon system that is not physically mounted or installed onto a higher level structure and on which a major system component can be physically mounted or installed.

''(3) The term 'major system component'—

''(A) means a high level subsystem or assembly, including hardware, software, or an integrated assembly of both, that can be mounted or installed on a major system platform through well-defined major system interfaces; and

''(B) includes a subsystem or assembly that is likely to have additional capability requirements, is likely to change because of evolving technology or threat, is needed for interoperability, facilitates incremental deployment of capabilities, or is expected to be replaced by another major system component.

''(4) The term 'major system interface' means a shared boundary between a major system platform and a major system component or between major system components, defined by various physical, logical, and functional characteristics, such as electrical, mechanical, fluidic, optical, radio frequency, data, networking, or software elements.

''(5) The term 'program capability document' means, with respect to a major defense acquisition program, a document that specifies capability requirements for the program, such as a capability development document or a capability production document.

''(6) The terms 'program cost target' and 'fielding target' have the meanings provided in section 2448a(a) of this title.

''(7) The term 'major defense acquisition program' has the meaning provided in section 2430 of this title.

''(8) The term 'major weapon system' has the meaning provided in section 2379(f) of this title.

''§2446b. Requirement to address modular open system approach in program capabilities development and acquisition weapon system design

''(a) PROGRAM CAPABILITY DOCUMENT.—A program capability document for a major defense acquisition program shall identify and characterize—

''(1) the extent to which requirements for system performance are likely to evolve during the life cycle of the system because of evolving technology, threat, or interoperability needs; and

''(2) for requirements that are expected to evolve, the minimum acceptable capability that is necessary for initial operating capability of the major defense acquisition program.

''(b) ANALYSIS OF ALTERNATIVES.—The Director of Cost Assessment and Performance Evaluation, in formulating study guidance for analyses of alternatives for major defense acquisition programs and performing such analyses under section 139a(d)(4) of this title, shall ensure that any such analysis for a major defense acquisition program includes consideration of evolutionary acquisition, prototyping, and a modular open system approach.

''(c) ACQUISITION STRATEGY.—In the case of a major defense acquisition program that uses a modular open system approach, the acquisition strategy required under section 2431a of this title shall—

''(1) clearly describe the modular open system approach to be used for the program;

''(2) differentiate between the major system platform and major system components being developed under the program, as well as major system components developed outside the program that will be integrated into the major defense acquisition program;

''(3) clearly describe the evolution of major system components that are anticipated to be added, removed, or replaced in subsequent increments;

''(4) identify additional major system components that may be added later in the life cycle of the major system platform; and

''(5) clearly describe how intellectual property and related issues, such as technical data deliverables, that are necessary to support a modular open system approach, will be addressed.

''(d) REQUEST FOR PROPOSALS.—The milestone decision authority for a major defense acquisition program that uses a modular open system approach shall ensure that a request for proposals for the development or production phases of the program shall describe the modular open system approach and the minimum set of major system components that must be included in the design of the major defense acquisition program.

''(e) MILESTONE B.—A major defense acquisition program may not receive Milestone B approval under section 2366b of this title until the milestone decision authority determines in writing that—

''(1) in the case of a program that uses a modular open system approach—

''(A) the program incorporates clearly defined major system interfaces between the major system platform and major system components and between major system components;

''(B) such major system interfaces are consistent with the widely supported and consensus-based standards that exist at the time of the milestone decision, unless such standards are unavailable or unsuitable for particular major system interfaces; and

''(C) the Government has arranged to obtain appropriate and necessary intellectual property rights with respect to such major system interfaces upon completion of the development of the major system platform; or

''(2) in the case of a program that does not use a modular open system approach, that the use of a modular open system approach is not practicable.

''§2446c. Requirements relating to availability of major system interfaces and support for modular open system approach

''The Secretary of each military department shall—

''(1) coordinate with the other military departments, the defense agencies, defense and other private sector entities, national standards-setting organizations, and, when appropriate, with elements of the intelligence community with respect to the specification, identification, development, and maintenance of major system interfaces and standards for use in major system platforms, where practicable;

''(2) ensure that major system interfaces incorporate commercial standards and other widely supported consensus-based standards that are validated, published, and maintained by recognized standards organizations to the maximum extent practicable;

''(3) ensure that sufficient systems engineering and development expertise and resources are available to support the use of a modular open system approach in requirements development and acquisition program planning;

''(4) ensure that necessary planning, programming, and budgeting resources are provided to specify, identify, develop, and sustain the modular open system approach, associated major system interfaces, and any additional program activities necessary to sustain innovation and interoperability; and

''(5) ensure that adequate training in the use of a modular open system approach is provided to members of the requirements and acquisition workforce.

''§2446d. Requirement to include modular open system approach in Selected Acquisition Reports

''For each major defense acquisition program that receives Milestone B approval after January 1, 2019, a brief summary description of the key elements of the modular open system approach or, if a modular open system approach was not used, the rationale for not using such an approach, shall be submitted to the congressional defense committees with the first Selected Acquisition Report required under section 2432 of this title for the program.''.

(b) CLERICAL AMENDMENT.—The table of chapters for title 10, United States Code, is amended by adding after the item relating to chapter 144A the following new item:

''144B. Weapon Systems Development and Related Matters ..... 2446a''.

(c) CONFORMING AMENDMENT.—Section 2366b(a)(3) of such title is amended—

(1) by striking ''and'' at the end of subparagraph (K); and

(2) by inserting after subparagraph (L) the following new subparagraph:

''(M) the requirements of section 2446b(e) of this title are met; and''.

(d) EFFECTIVE DATE.—Subchapter I of chapter 144B of title 10, United States Code, as added by subsection (a), shall take effect on October 1, 2016.

SEC. 1702. DEVELOPMENT, PROTOTYPING, AND DEPLOYMENT OF WEAPON SYSTEM COMPONENTS OR TECHNOLOGY.

(a) IN GENERAL.—Chapter 144B of title 10, United States Code, as added by section 1701, is further amended by adding at the end the following new subchapter:

''SUBCHAPTER II—DEVELOPMENT, PROTOTYPING, AND DEPLOYMENT OF WEAPON SYSTEM COMPONENTS OR TECHNOLOGY

''Sec.

''§2447a. Technology development in the acquisition of major weapon systems

''Technology shall be developed in a major defense acquisition program that is initiated after January 1, 2019, only if the milestone decision authority for the program determines with a high degree of confidence that such development will not delay the fielding target of the program. If the milestone decision authority does not make such determination for a major system component being developed under the program, the milestone decision authority shall ensure that technology related to the major system component shall be sufficiently matured separate from the major defense acquisition program using the prototyping authorities of this section or other authorities, as appropriate.

''§2447b. Weapon system component or technology prototype projects: display of budget information

''(a) REQUIREMENTS FOR BUDGET DISPLAY.—In the defense budget materials for any fiscal year after fiscal year 2017, the Secretary of Defense shall, with respect to advanced component development and prototype activities (within the research, development, test, and evaluation budget), set forth the amounts requested for each of the following:

''(1) Acquisition programs of record.

''(2) Development, prototyping, and experimentation of weapon system components or other technologies separate from acquisition programs of record.

''(3) Other budget line items as determined by the Secretary of Defense.

''(b) ADDITIONAL REQUIREMENTS.—For purposes of subsection (a)(2), the amounts requested for development, prototyping, and experimentation of weapon system components or other technologies shall be—

''(1) structured into either capability, weapon system component, or technology portfolios that reflect the priority areas for prototype projects; and

''(2) justified with general descriptions of the types of capability areas and technologies being funded or expected to be funded during the fiscal year concerned.

''(c) DEFINITIONS.—In this section, the terms 'budget' and 'defense budget materials' have the meaning given those terms in section 234 of this title.

''§2447c. Weapon system component or technology prototype projects: oversight

''(a) ESTABLISHMENT.—The Secretary of each military department shall establish an oversight board or identify a similar group of senior advisors for managing prototype projects for weapon system components and other technologies and subsystems, including the use of funds for such projects, within the military department concerned.

''(b) MEMBERSHIP.—Each oversight board shall be comprised of senior officials with—

''(1) expertise in requirements; research, development, test, and evaluation; acquisition; or other relevant areas within the military department concerned;

''(2) awareness of technology development activities and opportunities in the Department of Defense, industry, and other sources; and

''(3) awareness of the component capability requirements of major weapon systems, including scheduling and fielding goals for such component capabilities.

''(c) FUNCTIONS.—The functions of each oversight board are as follows:

''(1) To issue a strategic plan every three years that prioritizes the capability and weapon system component portfolio areas for conducting prototype projects, based on assessments of high priority warfighter needs, capability gaps on existing major weapon systems, opportunities to incrementally integrate new components into major weapon systems, and technologies that are expected to be sufficiently mature to prototype within three years.

''(2) To annually recommend funding levels for weapon system component or technology development and prototype projects across capability or weapon system component portfolios.

''(3) To annually recommend to the service acquisition executive of the military department concerned specific weapon system component or technology development and prototype projects, subject to the requirements and limitations in section 2447d of this title.

''(4) To ensure projects are managed by experts within the Department of Defense who are knowledgeable in research, development, test, and evaluation and who are aware of opportunities for incremental deployment of component capabilities and other technologies to major weapon systems or directly to support warfighting capabilities.

''(5) To ensure projects are conducted in a manner that allows for appropriate experimentation and technology risk.

''(6) To ensure necessary technical, contracting, and financial management resources are available to support each project.

''(7) To submit to the congressional defense committees a semiannual notification that includes the following:

''(A) A description of each weapon system component or technology prototype project initiated during the preceding six months, including an explanation of each project and its required funding.

''(B) A description of the results achieved from weapon system component prototype and technology projects completed and tested during the preceding six months.

''§2447d. Requirements and limitations for weapon system component or technology prototype projects

''(a) LIMITATION ON PROTOTYPE PROJECT DURATION.—A prototype project shall be completed within three years of its initiation.

''(b) MERIT-BASED SELECTION PROCESS.—A prototype project shall be selected by the service acquisition executive of the military department concerned through a merit-based selection process that identifies the most promising and cost-effective prototypes that address a high priority warfighter need and are expected to be successfully demonstrated in a relevant environment.

''(c) TYPE OF TRANSACTION.—Prototype projects shall be funded through contracts, cooperative agreements, or other transactions.

''(d) FUNDING LIMIT.—(1) Each prototype project may not exceed a total amount of $10,000,000 (based on fiscal year 2017 constant dollars), unless—

''(A) the Secretary of the military department, or the Secretary's designee, approves a larger amount of funding for the project, not to exceed $50,000,000; and

''(B) the Secretary, or the Secretary's designee, submits to the congressional defense committees, within 30 days after approval of such funding for the project, a notification that includes—

''(i) a description of the project;

''(ii) expected funding for the project; and

''(iii) a statement of the anticipated outcome of the project.

''(2) The Secretary of Defense may adjust the amounts (and the base fiscal year) provided in paragraph (1) on the basis of Department of Defense escalation rates.

''§ 2447e. Mechanisms to speed deployment of successful weapon system component or technology prototypes

''(a) SELECTION OF RAPID FIELDING PROJECT FOR PRODUCTION.—A weapon system component or technology rapid fielding project may be selected by the service acquisition executive of the military department concerned for a follow-on production contract or other transaction without the use of competitive procedures, notwithstanding the requirements of section 2304 of this title, if—

''(1) a rapid fielding project addresses a high priority warfighter need;

''(2) competitive procedures were used for the selection of parties for participation in the rapid fielding project;

''(3) the participants in the project successfully completed the project provided for in the transaction; and

''(4) a prototype of the system to be procured in the rapid fielding project was demonstrated in a relevant environment.

''(b) SPECIAL TRANSFER AUTHORITY.—(1) The Secretary of a military department may transfer funds that remain available for obligation in procurement appropriation accounts of the military department to fund the low-rate initial production of the rapid fielding project until required funding for full-rate production can be submitted and approved through the regular budget process of the Department of Defense.

''(2) The funds transferred under this subsection to fund the low-rate initial production of a rapid fielding project shall be for a period not to exceed two years, the amount for such period may not exceed $50,000,000, and the special transfer authority provided in this subsection may not be used more than once to fund procurement of a particular new or upgraded system.

''(3) The special transfer authority provided in this subsection is in addition to any other transfer authority available to the Department of Defense.

''(c) NOTIFICATION TO CONGRESS.—Within 30 days after the service acquisition executive of a military department selects a weapon system component or technology rapid fielding project for a follow-on production contract or other transaction, the service acquisition executive shall notify the congressional defense committees of the selection and provide a brief description of the rapid fielding project.

''§ 2447f. Definition of weapon system component

''In this subchapter, the term 'weapon system component' has the meaning given the term 'major system component' in section 2446a of this title.''.

(b) EFFECTIVE DATE.—Subchapter II of chapter 144B of title 10, United States Code, as added by subsection (a), shall take effect on October 1, 2016.

SEC. 1703. COST, SCHEDULE, AND PERFORMANCE OF MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) IN GENERAL.—Chapter 144B of title 10, United States Code, as added by section 1701, is amended by adding at the end the following new subchapter:

''SUBCHAPTER III—COST, SCHEDULE, AND PERFORMANCE OF MAJOR DEFENSE ACQUISITION PROGRAMS

''Sec.

''§ 2448a. Program cost, fielding, and performance goals in planning major defense acquisition programs

''(a) PROGRAM COST AND FIELDING TARGETS.—(1) Before a major defense acquisition program receives Milestone A approval or is otherwise initiated prior to Milestone B, the Secretary of Defense shall ensure, by establishing the goals described in paragraph (2), that—

''(A) the program will be affordable;

''(B) program planning anticipates evolution of capabilities to meet changing threats, technology insertion, and interoperability; and

''(C) the program will be fielded when needed.

''(2) The goals described in this paragraph are goals for—

''(A) the program acquisition unit cost (referred to in this section as the 'program cost target');

''(B) the date for initial operational capability (referred to in this section as the 'fielding target'); and

''(C) technology maturation, prototyping, and a modular open system approach to evolve system capabilities and improve interoperability.

''(b) CONSIDERATIONS.—In establishing goals under subsection (a) for the program, the Secretary of Defense shall consider each of the following:

''(1) The capability needs and timeframe specified in the initial capabilities document, opportunities for evolution of capabilities, and minimum acceptable capability increments.

''(2) Resources available to fund the development, production, and life cycle of the program, using a reasonable estimate of future defense budgets.

''(3) The number of end items expected to be procured under the program.

''(4) Trade-offs among cost, schedule, technical risk, and performance objectives identified in the analysis of alternatives required under section 2366a of this title.

''(5) The independent cost estimate established pursuant to section 2334(a)(6) of this title.

''(6) The independent technical risk assessment conducted or approved under section 2448b of this title.

''(c) DELEGATION.—The responsibilities of the Secretary of Defense in subsection (a) may be delegated only to the Deputy Secretary of Defense or the Under Secretary of Defense for Acquisition, Technology, and Logistics.

''(d) DEFINITIONS.—In this section:

''(1) The term 'program acquisition unit cost' has the meaning provided in section 2432(a) of this title.

''(2) The term 'initial capabilities document' has the meaning provided in section 2366a(d)(2) of this title.

''§ 2448b. Independent technical risk assessments

''(a) IN GENERAL.—With respect to a major defense acquisition program, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall—

''(1) before any decision to grant Milestone A approval for the program pursuant to section 2366a of this title, identify critical technologies that need to be matured in the program; and

''(2) before any decision to grant Milestone B approval for the program pursuant to section 2366b of this title, any decision to enter into low-rate initial production or full-rate production, or at any other time considered appropriate by the Under Secretary, conduct or approve an independent technical risk assessment for the program, including the identification of any critical technologies that have not been successfully demonstrated in a relevant environment.

''(b) CATEGORIZATION OF TECHNICAL RISK LEVELS.—The Under Secretary shall issue guidance and a framework for categorizing the degree of technical risk in a major defense acquisition program.

''§ 2448c. Adherence to requirements and thresholds in major defense acquisition programs

''(a) CAPABILITIES DETERMINATION.—The Secretary of the military department concerned shall ensure that the program capability document supporting a Milestone B or subsequent milestone for a major defense acquisition program may not be submitted to the Joint Requirements Oversight Council for approval until the Chief of the armed force concerned determines in writing that the requirements in the document are necessary and realistic in relation to the program cost and fielding targets established under section 2448a(a) of this title.

''(b) COMPLIANCE WITH TARGETS BEFORE MILESTONE B APPROVAL.—A major defense acquisition program may not receive Milestone B approval until the milestone decision authority for the program determines in writing that the estimated program acquisition unit cost and the estimated date for initial operational capability for the baseline description for the program (established under section 2435) do not exceed the program cost and fielding targets established under section 2448a(a) of this title. If such estimated cost is higher than the program cost target or if such estimated date is later than the fielding target, the milestone decision authority may request that the Secretary of Defense increase the program cost target or delay the fielding target, as applicable.''.

(b) EFFECTIVE DATE.—Subchapter III of chapter 144B of title 10, United States Code, as added by subsection (a), shall apply with respect to major defense acquisition programs that reach Milestone A after October 1, 2016.

(c) MODIFICATION OF MILESTONE DECISION AUTHORITY.—Effective October 1, 2016, subsection (d) of section 2430 of title 10, United States Code, as added by section 825(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 907), is amended—

(1) in paragraph (2)(A), by inserting ''subject to paragraph (5),'' before ''the Secretary determines''; and

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

''(5) The authority of the Secretary of Defense to designate an alternative milestone decision authority for a program with respect to which the Secretary determines that the program is addressing a joint requirement, as set forth in paragraph (2)(A), shall apply only for a major defense acquisition program that reaches Milestone A after October 1, 2016, and before October 1, 2019.''.

SEC. 1704. TRANSPARENCY IN MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) REPORTS ON MILESTONE DECISION METRICS.—Subchapter III of chapter 144B of title 10, United States Code, as added by section 1703, is amended by adding at the end the following new section:

''§ 2448d. Reports on milestone decision metrics

''(a) REPORT ON MILESTONE A.—Not later than 15 days after granting Milestone A approval for a major defense acquisition program, the milestone decision authority for the program shall provide to the congressional defense committees and, in the case of intelligence or intelligence-related activities, the congressional intelligence committees a brief summary report that contains the following elements:

''(1) The program cost and fielding targets established by the Secretary of Defense under section 2448a(a) of this title.

''(2) The estimated cost and schedule for the program established by the military department concerned, including—

''(A) the dollar values estimated for the program acquisition unit cost and total life-cycle cost; and

''(B) the planned dates for each program milestone and initial operational capability.

''(3) The independent estimated cost for the program established pursuant to section 2334(a)(6) of this title, and any independent estimated schedule for the program, including—

''(A) the dollar values estimated for the program acquisition unit cost and total life-cycle cost; and

''(B) the planned dates for each program milestone and initial operational capability.

''(4) A summary of the technical risks associated with the program, as determined by the military department concerned, including identification of any critical technologies that need to be matured.

''(5) A summary of the independent technical risk assessment conducted or approved under section 2448b of this title, including identification of any critical technologies that need to be matured.

''(6) A summary of any sufficiency review conducted by the Director of Cost Assessment and Program Evaluation of the analysis of alternatives performed for the program (as referred to in section 2366a(b)(6) of this title).

''(7) Any other information the milestone decision authority considers relevant.

''(b) REPORT ON MILESTONE B.—Not later than 15 days after granting Milestone B approval for a major defense acquisition program, the milestone decision authority for the program shall provide to the congressional defense committees and, in the case of intelligence or intelligence-related activities, the congressional intelligence committees a brief summary report that contains the following elements:

''(1) The program cost and fielding targets established by the Secretary of Defense under section 2448a(a) of this title.

''(2) The estimated cost and schedule for the program established by the military department concerned, including—

''(A) the dollar values estimated for the program acquisition unit cost, average procurement unit cost, and total life-cycle cost; and

''(B) the planned dates for each program milestone, initial operational test and evaluation, and initial operational capability.

''(3) The independent estimated cost for the program established pursuant to section 2334(a)(6) of this title, and any independent estimated schedule for the program, including—

''(A) the dollar values estimated for the program acquisition unit cost, average procurement unit cost, and total life-cycle cost; and

''(B) the planned dates for each program milestone, initial operational test and evaluation, and initial operational capability.

''(4) A summary of the technical risks associated with the program, as determined by the military department concerned, including identification of any critical technologies that have not been successfully demonstrated in a relevant environment.

''(5) A summary of the independent technical risk assessment conducted or approved under section 2448b of this title, including identification of any critical technologies that have not been successfully demonstrated in a relevant environment.

''(6) A statement of whether a modular open system approach is being used for the program.

''(7) Any other information the milestone decision authority considers relevant.

''(c) REPORT ON MILESTONE C.—Not later than 15 days after granting Milestone C approval for a major defense acquisition program, the milestone decision authority for the program shall provide to the congressional defense committees and, in the case of intelligence or intelligence-related activities, the congressional intelligence committees a brief summary report that contains the following:

''(1) The estimated cost and schedule for the program established by the military department concerned, including—

''(A) the dollar values estimated for the program acquisition unit cost, average procurement unit cost, and total life-cycle cost; and

''(B) the planned dates for initial operational test and evaluation and initial operational capability.

''(2) The independent estimated cost for the program established pursuant to section 2334(a)(6) of this title, and any independent estimated schedule for the program, including—

''(A) the dollar values estimated for the program acquisition unit cost, average procurement unit cost, and total life-cycle cost; and

''(B) the planned dates for initial operational test and evaluation and initial operational capability.

''(3) A summary of any production, manufacturing, and fielding risks associated with the program.

''(d) ADDITIONAL INFORMATION.—At the request of any of the congressional defense committees or, in the case of intelligence or intelligence-related activities, the congressional intelligence committees, the milestone decision authority shall submit to the committee further information or underlying documentation for the information in a report submitted under subsection (a), (b), or (c), including the independent cost and schedule estimates and the independent technical risk assessments referred to in those subsections.

''(e) CONGRESSIONAL INTELLIGENCE COMMITTEES DEFINED.—In this section, the term 'congressional intelligence committees' has the meaning given that term in section 437(c) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

''2448d. Reports on milestone decision metrics.''.

SEC. 1705. AMENDMENTS RELATING TO TECHNICAL DATA RIGHTS.

(a) RIGHTS RELATING TO ITEM OR PROCESS DEVELOPED EXCLUSIVELY AT PRIVATE EXPENSE.—Subsection (a)(2)(C)(iii) of section 2320 of title 10, United States Code, is amended by inserting after ''or process data'' the following: '', including such data pertaining to a major system component''.

(b) RIGHTS RELATING TO INTERFACE OR MAJOR SYSTEM INTERFACE.—Subsection (a)(2) of section 2320 of such title is further amended—

(1) by redesignating subparagraphs (E), (F), and (G) as subparagraphs (F), (I), and (J), respectively;

(2) in subparagraph (B), by striking ''Except as provided in subparagraphs (C) and (D),'' and inserting ''Except as provided in subparagraphs (C), (D), and (E),'';

(3) in subparagraph (D)(i), by striking subclause (II) and inserting the following:

''(II) is a release, disclosure, or use of technical data pertaining to an interface between an item or process and other items or processes; or'';

(4) by inserting after subparagraph (D) the following new subparagraph (E):

''(E) Notwithstanding subparagraph (B), the United States shall have government purpose rights in technical data pertaining to a major system interface developed exclusively at private expense and used in a modular open system approach pursuant to section 2446a of this title.'';

(5) in subparagraph (F), as redesignated by paragraph (1), by striking ''In the case of'' and inserting ''Except as provided in subparagraphs (G) and (H), in the case of'';

(6) by inserting after subparagraph (F), as so redesignated, the following new subparagraphs (G) and (H):

''(G) Notwithstanding subparagraph (F), the United States shall have government purpose rights in technical data pertaining to an interface between an item or process and other items or processes that was developed in part with Federal funds and in part at private expense, except in any case in which the Secretary of Defense determines, on the basis of criteria established in the regulations, that negotiation of different rights in such technical data would be in the best interest of the United States.

''(H) Notwithstanding subparagraph (F), the United States shall have government purpose rights in technical data pertaining to a major system interface developed in part with Federal funds and in part at private expense and used in a modular open system approach pursuant to section 2446a of this title.''; and

(7) in subparagraph (J), as redesignated by paragraph (1), by striking ''provided under subparagraph (C) or (D),'' and inserting ''provided under subparagraph (C), (D), (E), or (H),''.

(c) AMENDMENT RELATING TO NEGOTIATED RIGHTS FOR ITEM OR PROCESS DEVELOPED WITH MIXED FUNDING.—Section (a)(2)(F) of section 2320 of such title, as redesignated by subsection (b)(1) of this section, is further amended by striking the period at the end of the first sentence in the matter preceding clause (i) and all that follows through ''establishment of any such negotiated rights shall'' and inserting ''and shall be based on negotiations between the United States and the contractor, except in any case in which the Secretary of Defense determines, on the basis of criteria established in the regulations, that negotiations would not be practicable. The establishment of such rights shall''.

(d) AMENDMENT RELATING TO DEFERRED ORDERING.—Subsection (b)(9) of section 2320 of such title is amended—

(1) by striking ''at any time'' and inserting '', until the date occurring six years after acceptance of the last item (other than technical data) under a contract or the date of contract termination, whichever is later,'';

(2) by striking ''or utilized in the performance of a contract'' and inserting ''in the performance of the contract''; and

(3) by striking clause (ii) of subparagraph (B) and inserting the following:

''(ii) is described in subparagraphs (D)(i)(II), (E), (G), and (H) of subsection (a)(2); and''.

(e) DEFINITIONS.—Section 2320 of such title is further amended—

(1) in subsection (f), by inserting ''COVERED GOVERNMENT SUPPORT CONTRACTOR DEFINED.—'' before ''In this section''; and

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

''(g) ADDITIONAL DEFINITIONS.—In this section, the terms 'major system component', 'major system interface', and 'modular open system approach' have the meanings provided in section 2446a of this title.''.

(f) AMENDMENTS TO ADD CERTAIN HEADINGS FOR READABILITY.—Section 2320(a) of such title is further amended—

(1) in subparagraph (A) of paragraph (2), by inserting after ''(A)'' the following: ''DEVELOPMENT EXCLUSIVELY WITH FEDERAL FUNDS.—'';

(2) in subparagraph (B) of such paragraph, by inserting after ''(B)'' the following: ''DEVELOPMENT EXCLUSIVELY AT PRIVATE EXPENSE.—''; and

(3) in subparagraph (F) of such paragraph, as redesignated by subsection (b) of this section, by inserting after ''(F)'' the following: ''DEVELOPMENT IN PART WITH FEDERAL FUNDS AND IN PART AT PRIVATE EXPENSE.—''.

TITLE XVIII—MATTERS RELATING TO SMALL BUSINESS PROCUREMENT

Subtitle A—Improving Transparency and Clarity for Small Businesses

SEC. 1801. PLAIN LANGUAGE REWRITE OF REQUIREMENTS FOR SMALL BUSINESS PROCUREMENTS.

Section 15(a) of the Small Business Act (15 U.S.C. 644(a)) is amended to read as follows:

''(a) SMALL BUSINESS PROCUREMENTS.—

''(1) IN GENERAL.—For purposes of this Act, small business concerns shall receive any award or contract if such award or contract is, in the determination of the Administrator and the contracting agency, in the interest of—

''(A) maintaining or mobilizing the full productive capacity of the United States;

''(B) war or national defense programs; or

''(C) assuring that a fair proportion of the total purchase and contracts for goods and services of the Government in each industry category (as described under paragraph (2)) are awarded to small business concerns.

''(2) INDUSTRY CATEGORY DEFINED.—

''(A) IN GENERAL.—In this subsection, the term 'industry category' means a discrete group of similar goods and services, as determined by the Administrator in accordance with the North American Industry Classification System codes used to establish small business size standards, except that the Administrator shall limit an industry category to a greater extent than provided under the North American Industry Classification codes if the Administrator receives evidence indicating that further segmentation of the industry category is warranted—

''(i) due to special capital equipment needs;

''(ii) due to special labor requirements;

''(iii) due to special geographic requirements, except as provided in subparagraph (B);

''(iv) due to unique Federal buying patterns or requirements; or

''(v) to recognize a new industry.

''(B) EXCEPTION FOR GEOGRAPHIC REQUIREMENTS.—The Administrator may not further segment an industry category based on geographic requirements unless—

''(i) the Government typically designates the geographic area where work for contracts for goods or services is to be performed;

''(ii) Government purchases comprise the major portion of the entire domestic market for such goods or services; and

''(iii) it is unreasonable to expect competition from business concerns located outside of the general geographic area due to the fixed location of facilities, high mobilization costs, or similar economic factors.

''(3) DETERMINATIONS WITH RESPECT TO AWARDS OR CONTRACTS.—Determinations made pursuant to paragraph (1) may be made for individual awards or contracts, any part of an award or contract or task order, or for classes of awards or contracts or task orders.

''(4) INCREASING PRIME CONTRACTING OPPORTUNITIES FOR SMALL BUSINESS CONCERNS.—

''(A) DESCRIPTION OF COVERED PROPOSED PROCUREMENTS.—The requirements of this paragraph shall apply to a proposed procurement that includes in its statement of work goods or services currently being supplied or performed by a small business concern and, as determined by the Administrator—

''(i) is in a quantity or of an estimated dollar value which makes the participation of a small business concern as a prime contractor unlikely;

''(ii) in the case of a proposed procurement for construction, if such proposed procurement seeks to bundle or consolidate discrete construction projects; or

''(iii) is a solicitation that involves an unnecessary or unjustified bundling of contract requirements.

''(B) NOTICE TO PROCUREMENT CENTER REPRESENTATIVES.—With respect to proposed procurements described in subparagraph (A), at least 30 days before issuing a solicitation and concurrent with other processing steps required before issuing the solicitation, the contracting agency shall provide a copy of the proposed procurement to the procurement center representative of the contracting agency (as described in subsection (l)) along with a statement explaining—

''(i) why the proposed procurement cannot be divided into reasonably small lots (not less than economic production runs) to permit offers on quantities less than the total requirement;

''(ii) why delivery schedules cannot be established on a realistic basis that will encourage the participation of small business concerns in a manner consistent with the actual requirements of the Government;

''(iii) why the proposed procurement cannot be offered to increase the likelihood of the participation of small business concerns;

''(iv) in the case of a proposed procurement for construction, why the proposed procurement cannot be offered as separate discrete projects; or

''(v) why the agency has determined that the bundling of contract requirements is necessary and justified.

''(C) ALTERNATIVES TO INCREASE PRIME CONTRACTING OPPORTUNITIES FOR SMALL BUSINESS CONCERNS.—If the procurement center representative believes that the proposed procurement will make the participation of small business concerns as prime contractors unlikely, the procurement center representative, within 15 days after receiving the statement described in subparagraph (B), shall recommend to the contracting agency alternative procurement methods for increasing prime contracting opportunities for small business concerns.

''(D) FAILURE TO AGREE ON AN ALTERNATIVE PROCUREMENT METHOD.—If the procurement center representative and the contracting agency fail to agree on an alternative procurement method, the Administrator shall submit the matter to the head of the appropriate department or agency for a determination.

''(5) CONTRACTS FOR SALE OF GOVERNMENT PROPERTY.—With respect to a contract for the sale of Government property, small business concerns shall receive any such contract if, in the determination of the Administrator and the disposal agency, the award of such contract is in the interest of assuring that a fair proportion of the total sales of Government property be made to small business concerns.

''(6) SALE OF ELECTRICAL POWER OR OTHER PROPERTY.—Nothing in this subsection shall be construed to change any preferences or priorities established by law with respect to the sale of electrical power or other property by the Federal Government.

''(7) COSTS EXCEEDING FAIR MARKET PRICE.—A contract may not be awarded under this subsection if the cost of the contract to the awarding agency exceeds a fair market price.''.

SEC. 1802. IMPROVING REPORTING ON SMALL BUSINESS GOALS.

(a) IN GENERAL.—Section 15(h)(2)(E) of the Small Business Act (15 U.S.C. 644(h)(2)(E)) is amended—

(1) in clause (i)—

(A) in subclause (III), by striking ''and'' at the end; and

(B) by adding at the end the following new subclauses:

''(V) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns for purposes of the initial contract; and

''(VI) that were awarded using a procurement method that restricted competition to small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, small business concerns owned and controlled by women, or a subset of any such concerns;'';

(2) in clause (ii)—

(A) in subclause (IV), by striking ''and'' at the end; and

(B) by adding at the end the following new subclauses:

''(VI) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned and controlled by service-disabled veterans for purposes of the initial contract; and

''(VII) that were awarded using a procurement method that restricted competition to qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, small business concerns owned and controlled by women, or a subset of any such concerns;'';

(3) in clause (iii)—

(A) in subclause (V), by striking ''and'' at the end; and

(B) by adding at the end the following new subclauses:

''(VII) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be qualified HUBZone small business concerns for purposes of the initial contract; and

''(VIII) that were awarded using a procurement method that restricted competition to small business concerns owned and controlled by service-disabled veterans, small business concerns owned and controlled by socially and economically disadvantaged individuals, small business concerns owned and controlled by women, or a subset of any such concerns;'';

(4) in clause (iv)—

(A) in subclause (V), by striking ''and'' at the end; and

(B) by adding at the end the following new subclauses:

''(VII) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned and controlled by socially and economically disadvantaged individuals for purposes of the initial contract; and

''(VIII) that were awarded using a procurement method that restricted competition to small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by women, or a subset of any such concerns;'';

(5) in clause (v)—

(A) in subclause (IV), by striking ''and'' at the end;

(B) in subclause (V), by inserting ''and'' at the end; and

(C) by adding at the end the following new subclause:

''(VI) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned by an Indian tribe other than an Alaska Native Corporation for purposes of the initial contract;'';

(6) in clause (vi)—

(A) in subclause (IV), by striking ''and'' at the end;

(B) in subclause (V), by inserting ''and'' at the end; and

(C) by adding at the end the following new subclause:

''(VI) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned by a Native Hawaiian Organization for purposes of the initial contract;'';

(7) in clause (vii)—

(A) in subclause (IV), by striking ''and'' at the end; and

(B) by adding at the end the following new subclause:

''(VI) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned by an Alaska Native Corporation for purposes of the initial contract; and''; and

(8) in clause (viii)—

(A) in subclause (VII), by striking ''and'' at the end;

(B) in subclause (VIII), by striking ''and'' at the end; and

(C) by adding at the end the following new subclauses:

''(IX) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned and controlled by women for purposes of the initial contract; and

''(X) that were awarded using a procurement method that restricted competition to small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, or a subset of any such concerns; and''.

(b) EFFECTIVE DATE.—The Administrator of the Small Business Administration shall be required to report on the information required by sections 15(h)(2)(E)(i)(V), 15(h)(2)(E)(ii)(VI), 15(h)(2)(E)(iii)(VII), 15(h)(2)(E)(iv)(VII), 15(h)(2)(E)(v)(VI), 15(h)(2)(E)(vi)(VI), 15(h)(2)(E)(vii)(VI), and 15(h)(2)(E)(viii)(IX) only beginning on the date that the Federal Procurement Data System, System for Award Management or any new or successor system is able to report such data.

SEC. 1803. TRANSPARENCY IN SMALL BUSINESS GOALS.

Section 15(h)(3) of the Small Business Act (15 U.S.C. 644(h)(3)) is amended to read as follows::

''(3) PROCUREMENT DATA.—

''(A) FEDERAL PROCUREMENT DATA SYSTEM.—

''(i) IN GENERAL.—To assist in the implementation of this section, the Administrator shall have access to information collected through the Federal Procurement Data System, Federal Subcontracting Reporting System, or any new or successor system.

''(ii) GSA REPORT.—On the date that the Administrator makes available the report required by paragraph (2), the Administrator of the General Services Administration shall submit a report to the President and Congress, and to make available on a public Web site, a report in the same form and manner, and including the same information, as the report under paragraph (2). Such report shall include all procurements made for the period covered by the report and may not exclude any contract awarded.

''(B) AGENCY PROCUREMENT DATA SOURCES.—To assist in the implementation of this section, the head of each contracting agency shall provide, upon request of the Administrator, procurement information collected through agency data collection sources in existence at the time of the request. Contracting agencies shall not be required to establish new data collection systems to provide such data.''.

SEC. 1804. UNIFORMITY IN PROCUREMENT TERMINOLOGY.

(a) IN GENERAL.—Section 15(j)(1) of the Small Business Act (15 U.S.C. 644(j)(1)) is amended by striking ''greater than $2,500 but not greater than $100,000'' and inserting ''greater than the micro-purchase threshold, but not greater than the simplified acquisition threshold''.

(b) TECHNICAL AMENDMENT.—Section 3(m) of the Small Business Act (15 U.S.C. 632(m)) is amended to read as follows:

''(m) DEFINITIONS PERTAINING TO CONTRACTING.—In this Act:

''(1) PRIME CONTRACT.—The term 'prime contract' has the meaning given such term in section 8701(4) of title 41, United States Code.

''(2) PRIME CONTRACTOR.—The term 'prime contractor' has the meaning given such term in section 8701(5) of title 41, United States Code.

''(3) SIMPLIFIED ACQUISITION THRESHOLD.—The term 'simplified acquisition threshold' has the meaning given such term in section 134 of title 41, United States Code.

''(4) MICRO-PURCHASE THRESHOLD.—The term 'micro-purchase threshold' has the meaning given such term in section 1902(a) of title 41, United States Code.

''(5) TOTAL PURCHASE AND CONTRACTS FOR PROPERTY AND SERVICES.—The term 'total purchases and contracts for property and services' shall mean total number and total dollar amount of contracts and orders for property and services.''.

Subtitle B—Clarifying the Roles of Small Business Advocates

SEC. 1811. SCOPE OF REVIEW BY PROCUREMENT CENTER REPRESENTATIVES.

Section 15(l) of the Small Business Act (15 U.S.C. 644(l)) is amended by adding at the end the following:

''(9) SCOPE OF REVIEW.—The Administrator—

''(A) may not limit the scope of review by the Procurement Center Representative for any solicitation of a contract or task order without regard to whether the contract or task order or part of the contract or task order is set aside for small business concerns, whether 1 or more contract or task order awards are reserved for small business concerns under a multiple award contract, or whether or not the solicitation would result in a bundled or consolidated contract (as defined in subsection (s)) or a bundled or consolidated task order; and

''(B) may, unless the contracting agency requests a review, limit the scope of review by the Procurement Center Representative for any solicitation of a contract or task order if such procurement is conducted pursuant to section 22 of the Foreign Military Sales Act (22 U.S.C. 2762), is a humanitarian operation as defined in section 401(e) of title 10, United States Code, or is for a contingency operation, as defined in section 101(a)(13) of title 10, United States Code.''.

SEC. 1812. RESPONSIBILITIES OF COMMERCIAL MARKET REPRESENTATIVES.

Section 4(h) of the Small Business Act (as added by section 865 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92)) is amended to read as follows:

''(h) COMMERCIAL MARKET REPRESENTATIVES.—

''(1) DUTIES.—The principal duties of a Commercial Market Representative employed by the Administrator and reporting to the senior official appointed by the Administrator with responsibilities under sections 8, 15, 31, and 36 (or the designee of such official) shall be to advance the policies established in section 8(d)(1) relating to subcontracting. Such duties shall include—

''(A) helping prime contractors to find small business concerns that are capable of performing subcontracts;

''(B) for contractors awarded contracts containing the clause described in section 8(d)(3), providing—

''(i) counseling on the contractor's responsibility to maximize subcontracting opportunities for small business concerns;

''(ii) instruction on methods and tools to identify potential subcontractors that are small business concerns; and

''(iii) assistance to increase awards to subcontractors that are small business concerns through visits, training, and reviews of past performance;

''(C) providing counseling on how a small business concern may promote its capacity to contractors awarded contracts containing the clause described in section 8(d)(3); and

''(D) conducting periodic reviews of contractors awarded contracts containing the clause described in section 8(d)(3) to assess compliance with subcontracting plans required under section 8(d)(6).

''(2) CERTIFICATION REQUIREMENTS.—

''(A) IN GENERAL.—Consistent with the requirements of subparagraph (B), a commercial market representative referred to in section 15(q)(3) shall have a Level I Federal Acquisition Certification in Contracting (or any successor certification) or the equivalent Department of Defense certification, except that a commercial market representative who was serving on or before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016 may continue to serve as a commercial market representative for a period of 5 years beginning on such date without such a certification.

''(B) DELAY OF CERTIFICATION REQUIREMENT.—

''(i) TIMING.—The certification described in subparagraph (A) is not required for any person serving as a commercial market representative until the date that is one calendar year after the date such person is appointed as a commercial market representative.

''(ii) APPLICATION.—The requirements of clause (i) shall be included in any initial job posting for the position of a commercial market representative and shall apply to any person appointed as a commercial market representative after November 25, 2015.''.

SEC. 1813. DUTIES OF THE OFFICE OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION.

Section 15(k) of the Small Business Act (15 U.S.C. 644(k)), as amended by section 870 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92), is amended—

(1) by striking ''section 8, 15 or 44'' and inserting ''section 8, 15, 31, 36, or 44'';

(2) by striking ''sections 8 and 15'' each place such term appears and inserting ''sections 8, 15, 31, 36, and 44'';

(3) in paragraph (10), by striking ''section 8(a)'' and inserting ''section 8, 15, 31, or 36'';

(4) in paragraph (17)(C), by striking the period at the end, and inserting ''; and'';

(5) by inserting after paragraph (17) the following new paragraph:

''(18) shall review summary data provided by purchase card issuers of purchases made by the agency greater than the micro-purchase threshold, and less than the simplified acquisition threshold to ensure that the purchases have been made in compliance with the provisions of this Act and have been properly recorded in the Federal Procurement Data System, if the method of payment is a purchase card issued by the Department of Defense pursuant to section 2784 of title 10, United States Code, or by the head of an executive agency pursuant to section 1909 of title 41, United States Code;''; and

(6) in paragraph (16)—

(A) in subparagraph (B), by striking ''and'' at the end; and

(B) by adding at the end the following new subparagraph:

''(D) any failure of the agency to comply with section 8, 15, 31, or 36;''.

SEC. 1814. IMPROVING CONTRACTOR COMPLIANCE.

(a) REQUIREMENTS FOR THE OFFICE OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION.—

Section 15(k) of the Small Business Act (15 U.S.C. 644(k)(8)), as amended by this Act, is further amended by inserting after paragraph (18) (as inserted by section 1813 of this Act) the following:

''(19) shall provide assistance to a small business concern awarded a contract or subcontract under this Act or under title 10 or title 41, United States Code, in finding resources for education and training on compliance with contracting regulations (including the Federal Acquisition Regulation) after award of such a contract or subcontract; and''.

(b) REQUIREMENTS UNDER THE MENTOR-PROTEGE PROGRAM OF THE DEPARTMENT OF DEFENSE.—Section 831(e)(1) of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 104 Stat. 1607; 10 U.S.C. 2302 note) is amended—

(1) in subparagraph (B), by striking ''and'' at the end;

(2) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(3) by inserting at the end the following new subparagraph:

''(D) the assistance the mentor firm will provide to the protege firm in understanding contract regulations of the Federal Government and the Department of Defense (including the Federal Acquisition Regulation and the Defense Federal Acquisition Regulation Supplement) after award of a subcontract under this section, if applicable.''.

(c) RESOURCES FOR SMALL BUSINESS CONCERNS.—Section 15 of the Small Business Act (15 U.S.C. 644) is amended by adding at the end the following new subsection:

''(t) POST-AWARD COMPLIANCE RESOURCES.—The Administrator shall provide to small business development centers and entities participating in the Procurement Technical Assistance Cooperative Agreement Program under chapter 142 of title 10, United States Code, and shall make available on the website of the Administration, a list of resources for small business concerns seeking education and assistance on compliance with contracting regulations (including the Federal Acquisition Regulation) after award of a contract or subcontract.''.

(d) REQUIREMENTS FOR PROCUREMENT CENTER REPRESENTATIVES.—Section 15(l)(2) of the Small Business Act (15 U.S.C. 644(l)(2)) is amended—

(1) by redesignating subparagraph (I) as subparagraph (J);

(2) in subparagraph (H), by striking ''and'' at the end; and

(3) by inserting after subparagraph (H) the following new subparagraph:

''(I) assist small business concerns with finding resources for education and training on compliance with contracting regulations (including the Federal Acquisition Regulation) after award of a contract or subcontract; and''.

(e) REQUIREMENTS UNDER THE MENTOR-PROTEGE PROGRAM OF THE SMALL BUSINESS ADMINISTRATION.—Section 45(b)(3) of the Small Business Act (15 U.S.C. 657r(b)(3)) is amended by adding at the end the following new subparagraph:

''(K) The extent to which assistance with compliance with the requirements of contracting with the Federal Government after award of a contract or subcontract under this section.''.

SEC. 1815. RESPONSIBILITIES OF BUSINESS OPPORTUNITY SPECIALISTS.

Section 4(g) of the Small Business Act (as added by section 865 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92)) is amended to read as follows:

''(g) BUSINESS OPPORTUNITY SPECIALISTS.—

''(1) DUTIES.—The exclusive duties of a Business Opportunity Specialist employed by the Administrator and reporting to the senior official appointed by the Administrator with responsibilities under sections 8, 15, 31, and 36 (or the designee of such official) shall be to implement sections 7, 8, and 45 and to complete other duties related to contracting programs under this Act. Such duties shall include—

''(A) with respect to small business concerns eligible to receive contracts and subcontracts pursuant to section 8(a)—

''(i) providing guidance, counseling, and referrals for assistance with technical, management, financial, or other matters that will improve the competitive viability of such concerns;

''(ii) identifying causes of success or failure of such concerns;

''(iii) providing comprehensive assessments of such concerns, including identifying the strengths and weaknesses of such concerns;

''(iv) monitoring and documenting compliance with the requirements of sections 7 and 8 and any regulations implementing those sections;

''(v) explaining the requirements of sections 7, 8, 15, 31, 36 and 45; and

''(vi) advising on compliance with contracting regulations (including the Federal Acquisition Regulation) after award of such a contract or subcontract;

''(B) reviewing and monitoring compliance with mentor-protege agreements under section 45;

''(C) representing the interests of the Administrator and small business concerns in the award, modification, and administration of contracts and subcontracts awarded pursuant to section 8(a); and

''(D) reporting fraud or abuse under section 7, 8, 15, 31, 36 or 45 or any regulations implementing such sections.

''(2) CERTIFICATION REQUIREMENTS.—

''(A) IN GENERAL.—Consistent with the requirements of subparagraph (B), a Business Opportunity Specialist described under section 7(j)(10)(D) shall have a Level I Federal Acquisition Certification in Contracting (or any successor certification) or the equivalent Department of Defense certification, except that a Business Opportunity Specialist who was serving on or before January 3, 2013, may continue to serve as a Business Opportunity Specialist for a period of 5 years beginning on such date without such a certification.

''(B) DELAY OF CERTIFICATION REQUIREMENT.—

''(i) TIMING.—The certification described in subparagraph (A) is not required for any person serving as a Business Opportunity Specialist until the date that is one calendar year after the date such person is appointed as a Business Opportunity Specialist.

''(ii) APPLICATION.—The requirements of clause (i) shall be included in any initial job posting for the position of a Business Opportunity Specialist and shall apply to any person appointed as a Business Opportunity Specialist after January 3, 2013''.

Subtitle C—Strengthening Opportunities for Competition in Subcontracting

SEC. 1821. GOOD FAITH IN SUBCONTRACTING.

(a) TRANSPARENCY IN SUBCONTRACTING GOALS.—Section 8(d)(9) of the Small Business Act (15 U.S.C. 637(d)(9)) is amended—

(1) by striking ''(9) The failure'' and inserting the following:

''(9) MATERIAL BREACH.—The failure'';

(2) in subparagraph (A), by striking ''or'' at the end;

(3) in subparagraph (B), by inserting ''or'' at the end;

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

''(C) assurances provided under paragraph (6)(E),''; and

(5) by moving the margins of subparagraphs (A) and (B), and the matter after subparagraph (C) (as inserted by paragraph (4)), 2 ems to the right.

(b) REVIEW OF SUBCONTRACTING PLANS.—Section 15(k) of the Small Business Act (15 U.S.C. 644(k)) is amended by inserting after paragraph (19) (as inserted by section 1814 of this Act) the following:

''(20) shall review all subcontracting plans required by section 8(d)(4) or 8(d)(5) to ensure that the plan provides maximum practicable opportunity for small business concerns to participate in the performance of the contract to which the plan applies.''.

(c) GOOD FAITH COMPLIANCE.—Not later than 270 days after the date of enactment of this title, the Administrator of the Small Business Administration shall provide examples of activities that would be considered a failure to make a good faith effort to comply with the requirements imposed on an entity (other than a small business concern as defined under section 3 of the Small Business Act (15 U.S.C. 632)) that is awarded a prime contract containing the clauses required under paragraph (4) or (5) of section 8(d) of the Small Business Act (15 U.S.C. 637(d)).

SEC. 1822. PILOT PROGRAM TO PROVIDE OPPORTUNITIES FOR QUALIFIED SUBCONTRACTORS TO OBTAIN PAST PERFORMANCE RATINGS.

Section 8(d) of the Small Business Act (15 U.S.C. 637(d)), as amended by this Act, is further amended by adding at the end the following new paragraph:

''(18) PILOT PROGRAM PROVIDING PAST PERFORMANCE RATINGS FOR OTHER SMALL BUSINESS SUBCONTRACTORS.—

''(A) ESTABLISHMENT.—The Administrator shall establish a pilot program for a small business concern without a past performance rating as a prime contractor performing as a first tier subcontractor for a covered contract (as defined in paragraph 13(A)) to request a past performance rating in the system used by the Federal Government to monitor or record contractor past performance.

''(B) APPLICATION.—A small business concern described in subparagraph (A) shall submit an application to the appropriate official for a past performance rating. Such application shall include written evidence of the past performance factors for which the small business concern seeks a rating and a suggested rating.

''(C) DETERMINATION.—The appropriate official shall submit the application from the small business concern to the Office of Small and Disadvantaged Business Utilization for the covered contract and to the prime contractor for review. The Office of Small and Disadvantaged Business Utilization and the prime contractor shall, not later than 30 days after receipt of the application, submit to the appropriate official a response regarding the application.

''(i) AGREEMENT ON RATING.—If the Office of Small and Disadvantaged Business Utilization and the prime contractor agree on a past performance rating, or if either the Office of Small and Disadvantaged Business Utilization or the prime contractor fail to respond and the responding individual agrees with the rating of the applicant small business concern, the appropriate official shall enter the agreed-upon past performance rating in the system described in subparagraph (A).

''(ii) DISAGREEMENT ON RATING.—If the Office of Small and Disadvantaged Business Utilization and the prime contractor fail to respond within 30 days or if they disagree about the rating, or if either the Office of Small and Disadvantaged Business Utilization or the prime contractor fail to respond and the responding individual disagrees with the rating of the applicant small business concern, the Office of Small and Disadvantaged Business Utilization or the prime contractor shall submit a notice contesting the application to the appropriate official. The appropriate official shall follow the requirements of subparagraph (D).

''(D) PROCEDURE FOR RATING.—Not later than 14 calendar days after receipt of a notice under subparagraph (C)(ii), the appropriate official shall submit such notice to the applicant small business concern. Such concern may submit comments, rebuttals, or additional information relating to the past performance of such concern not later 14 calendar days after receipt of such notice. The appropriate official shall enter into the system described in subparagraph (A) a rating that is neither favorable nor unfavorable along with the initial application from the small business concern, the responses of the Office of Small and Disadvantaged Business Utilization and the prime contractor, and any additional information provided by the small business concern. A copy of the information submitted shall be provided to the contracting officer (or designee of such officer) for the covered contract.

''(E) USE OF INFORMATION.—A small business subcontractor may use a past performance rating given under this paragraph to establish its past performance for a prime contract.

''(F) DURATION.—The pilot program established under this paragraph shall terminate 3 years after the date on which the first small business concern receives a past performance rating for performance as a first tier subcontractor.

''(G) REPORT.—The Comptroller General of the United States shall begin an assessment of the pilot program 1 year after the establishment of such program. Not later than 6 months after beginning such assessment, the Comptroller General shall submit a report to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives, which shall include—

''(i) the number of small business concerns that have received past performance ratings under the pilot program;

''(ii) the number of applications in which the contracting officer (or designee) or the prime contractor contested the application of the small business concern;

''(iii) any suggestions or recommendations the Comptroller General or the small business concerns participating in the program have to address disputes between the small business concern, the contracting officer (or designee), and the prime contractor on past performance ratings;

''(iv) the number of small business concerns awarded prime contracts after receiving a past performance rating under this pilot; and

''(v) any suggestions or recommendation the Comptroller General has to improve the operation of the pilot program.

''(H) APPROPRIATE OFFICIAL DEFINED.—In this paragraph, the term 'appropriate official' means a Commercial Market Representative or other individual designated by the senior official appointed by the Administrator with responsibilities under sections 8, 15, 31, and 36.''.

Subtitle D—Mentor-Protege Programs

SEC. 1831. AMENDMENTS TO THE MENTOR-PROTEGE PROGRAM OF THE DEPARTMENT OF DEFENSE.

Section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 104 Stat. 1607; 10 U.S.C. 2302 note) is amended—

(1) in subsection (d)—

(A) by amending paragraph (1) to read as follows:

''(1) prior to the approval of that agreement, the Administrator of the Small Business Administration had made no finding of affiliation between the mentor firm and the protege firm;'';

(B) by redesignating paragraph (2) as paragraph (3); and

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

''(2)(A) the Administrator of the Small Business Administration does not have a current finding of affiliation between the mentor firm and protege firm; or

''(B) the Secretary, after considering the regulations promulgated by the Administrator of the Small Business Administration regarding affiliation—

''(i) does not have reason to believe that the mentor firm affiliated with the protege firm; or

''(ii) has received a formal determination of no affiliation between the mentor firm and protege firm from the Administrator after having submitted a question of affiliation to the Administrator; and'';

(2) in subsection (n), by amending paragraph (9) to read as follows:

''(9) The term 'affiliation', with respect to a relationship between a mentor firm and a protege firm, means a relationship described under section 121.103 of title 13, Code of Federal Regulations (or any successor regulation).''; and

(3) in subsection (f)(6)—

(A) in subparagraph (B), by striking ''or'' at the end;

(B) in subparagraph (C), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(D) women's business centers described in section 29 of the Small Business Act (15 U.S.C. 656).''.

SEC. 1832. IMPROVING COOPERATION BETWEEN THE MENTOR-PROTEGE PROGRAMS OF THE SMALL BUSINESS ADMINISTRATION AND THE DEPARTMENT OF DEFENSE.

Section 45(b)(4) of the Small Business Act (15 U.S.C. 657r(b)(4)) is amended by striking subparagraph (A) and redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively.

Subtitle E—Women's Business Programs

SEC. 1841. OFFICE OF WOMEN'S BUSINESS OWNERSHIP.

Section 29(g) of the Small Business Act (15 U.S.C. 656(g)) is amended—

(1) in paragraph (2), by striking subparagraphs (B) and (C) and inserting the following:

''(B) RESPONSIBILITIES.—The responsibilities of the Assistant Administrator shall be to administer the programs and services of the Office of Women's Business Ownership.

''(C) DUTIES.—The Assistant Administrator shall perform the following functions with respect to the Office of Women's Business Ownership:

''(i) Recommend the annual administrative and program budgets of the Office and eligible entities receiving a grant under the Women's Business Center Program.

''(ii) Review the annual budgets submitted by each eligible entity receiving a grant under the Women's Business Center Program.

''(iii) Select applicants to receive grants to operate a women's business center after reviewing information required by this section, including the budget of each applicant.

''(iv) Collaborate with other Federal departments and agencies, State and local governments, not-for-profit organizations, and for-profit enterprises to maximize utilization of taxpayer dollars and reduce (or eliminate) any duplication among the programs overseen by the Office of Women's Business Ownership and those of other entities that provide similar services to women entrepreneurs.

''(v) Maintain a clearinghouse to provide for the dissemination and exchange of information between women's business centers.

''(vi) Serve as the vice chairperson of the Interagency Committee on Women's Business Enterprise and as the liaison for the National Women's Business Council.''; and

(2) by adding at the end the following:

''(3) MISSION.—The mission of the Office of Women's Business Ownership shall be to assist women entrepreneurs to start, grow, and compete in global markets by providing quality support with access to capital, access to markets, job creation, growth, and counseling by—

''(A) fostering participation of women entrepreneurs in the economy by overseeing a network of women's business centers throughout States and territories;

''(B) creating public-private partnerships to support women entrepreneurs and conduct outreach and education to startup and existing small business concerns owned and controlled by women; and

''(C) working with other programs overseen by the Administrator to ensure women are well-represented and being served and to identify gaps where participation by women could be increased.

''(4) ACCREDITATION PROGRAM.—

''(A) ESTABLISHMENT.—Not later than 270 days after the date of enactment of this paragraph, the Administrator shall establish standards for an accreditation program for accrediting eligible entities receiving a grant under this section.

''(B) TRANSITION PROVISION.—Before the date on which standards are established under subparagraph (A), the Administrator may not terminate a grant under this section absent evidence of fraud or other criminal misconduct by the recipient.

''(C) CONTRACTING AUTHORITY.—The Administrator may provide financial assistance, by contract or otherwise, to a relevant national women's business center representative association to provide assistance in establishing the standards required under subparagraph (A) or for carrying out an accreditation program pursuant to such standards.''.

SEC. 1842. WOMEN'S BUSINESS CENTER PROGRAM.

(a) DEFINITIONS.—Section 29(a) of the Small Business Act (15 U.S.C. 656(a)) is amended—

(1) by striking paragraph (4);

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(3) by inserting after paragraph (1) the following:

''(2) the term 'eligible entity' means—

''(A) an organization described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code;

''(B) a State, regional, or local economic development organization, so long as the organization certifies that grant funds received under this section will not be commingled with other funds;

''(C) an institution of higher education, unless such institution is currently receiving a grant under section 21;

''(D) a development, credit, or finance corporation chartered by a State, so long as the corporation certifies that grant funds received under this section will not be commingled with other funds; or

''(E) any combination of entities listed in subparagraphs (A) through (D);''; and

(4) by adding at the end the following:

''(5) the term 'women's business center' means the location at which counseling and training on the management, operations (including manufacturing, services, and retail), access to capital, international trade, Government procurement opportunities, and any other matter is needed to start, maintain, or expand a small business concern owned and controlled by women.''.

(b) AUTHORITY.—Section 29(b) of the Small Business Act (15 U.S.C. 656(b)) is amended—

(1) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively, and adjusting the margins accordingly;

(2) by striking ''The Administration'' and all that follows through ''5-year projects'' and inserting the following:

''(1) IN GENERAL.—There is established a Women's Business Center Program under which the Administrator may provide a grant to any eligible entity to operate one or more women's business centers'';

(3) by striking ''The projects shall'' and inserting the following:

''(2) USE OF FUNDS.—The women's business centers shall be designed to provide counseling and training that meets the needs of women, especially socially or economically disadvantaged women, and shall''; and

(4) by adding at the end the following:

''(3) AMOUNT OF GRANTS.—

''(A) IN GENERAL.—The amount of a grant provided under this subsection to an eligible entity per project year shall be not more than $185,000 (as such amount is annually adjusted by the Administrator to reflect the change in inflation).

''(B) ADDITIONAL GRANTS.—

''(i) IN GENERAL.—Notwithstanding subparagraph (A), with respect to an eligible entity that has received $185,000 in grants under this subsection in a project year, the Administrator may award an additional grant under this subsection of up to $65,000 during such project year if the Administrator determines that the eligible entity—

''(I) agrees to obtain, after its application has been approved and notice of award has been issued, cash contributions from non-Federal sources of 1 non-Federal dollar for each Federal dollar;

''(II) is in good standing with the Women's Business Center Program; and

''(III) has met performance goals for the previous project year, if applicable.

''(ii) LIMITATIONS.—The Administrator may only award additional grants under clause (i)—

''(I) during the 3rd and 4th quarters of the fiscal year; and

''(II) from unobligated amounts made available to the Administrator to carry out this section.

''(4) NOTICE AND COMMENT REQUIRED.—The Administrator may only make a change to the standards by which an eligible entity obtains or maintains grants under this section, the standards for accreditation, or any other requirement for the operation of a women's business center if the Administrator first provides notice and the opportunity for public comment, as set forth in section 553(b) of title 5, United States Code, without regard to any exceptions provided for under such section.''.

(c) CONDITIONS OF PARTICIPATION.—Section 29(c) of the Small Business Act (15 U.S.C. 656(c)) is amended—

(1) in paragraph (1)—

(A) by striking ''the recipient organization'' and inserting ''an eligible entity''; and

(B) by striking ''financial assistance'' and inserting ''a grant'';

(2) in paragraph (3)—

(A) by striking ''financial assistance authorized pursuant to this section may be made by grant, contract, or cooperative agreement and'' and inserting ''grants authorized pursuant to this section''; and

(B) in the second sentence, by striking ''a recipient organization'' and inserting ''an eligible entity'';

(3) in paragraph (4)—

(A) by striking ''recipient of assistance'' and inserting ''eligible entity'';

(B) by striking ''during any project, it shall not be eligible thereafter'' and inserting ''during any project for 2 consecutive years, the eligible entity shall not be eligible at any time after that 2-year period'';

(C) by striking ''such organization'' and inserting ''the eligible entity''; and

(D) by striking ''the recipient'' and inserting ''the eligible entity''; and

(4) by adding at end the following:

''(5) SEPARATION OF PROJECT AND FUNDS.—An eligible entity shall—

''(A) carry out a project under this section separately from other projects, if any, of the eligible entity; and

''(B) separately maintain and account for any grants under this section.

''(6) EXAMINATION OF ELIGIBLE ENTITIES.—

''(A) REQUIRED SITE VISIT.—Each applicant, prior to receiving a grant under this section, shall have a site visit by an employee of the Administration, in order to ensure that the applicant has sufficient resources to provide the services for which the grant is being provided.

''(B) ANNUAL REVIEW.—An employee of the Administration shall—

''(i) conduct an annual review of the compliance of each eligible entity receiving a grant under this section with the grant agreement, including a financial examination; and

''(ii) provide such review to the eligible entity as required under subsection (l).

''(7) REMEDIATION OF PROBLEMS.—

''(A) PLAN OF ACTION.—If a review of an eligible entity under paragraph (6)(B) identifies any problems, the eligible entity shall, within 45 calendar days of receiving such review, provide the Assistant Administrator with a plan of action, including specific milestones, for correcting such problems.

''(B) PLAN OF ACTION REVIEW BY THE ASSISTANT ADMINISTRATOR.—The Assistant Administrator shall review each plan of action submitted under subparagraph (A) within 30 calendar days of receiving such plan and—

''(i) if the Assistant Administrator determines that such plan will bring the eligible entity into compliance with all the terms of the grant agreement, approve such plan;

''(ii) if the Assistant Administrator determines that such plan is inadequate to remedy the problems identified in the annual review to which the plan of action relates, the Assistant Administrator shall set forth such reasons in writing and provide such determination to the eligible entity within 15 calendar days of such determination.

''(C) AMENDMENT TO PLAN OF ACTION.—An eligible entity receiving a determination under subparagraph (B)(ii) shall have 30 calendar days from the receipt of the determination to amend the plan of action to satisfy the problems identified by the Assistant Administrator and resubmit such plan to the Assistant Administrator.

''(D) AMENDED PLAN REVIEW BY THE ASSISTANT ADMINISTRATOR.—Within 15 calendar days of the receipt of an amended plan of action under subparagraph (C), the Assistant Administrator shall either approve or reject such plan and provide such approval or rejection in writing to the eligible entity.

''(E) APPEAL OF ASSISTANT ADMINISTRATOR DETERMINATION.—

''(i) IN GENERAL.—If the Assistant Administrator rejects an amended plan under subparagraph (D), the eligible entity shall have the opportunity to appeal such decision to the Administrator, who may delegate such appeal to an appropriate officer of the Administration.

''(ii) OPPORTUNITY FOR EXPLANATION.—Any appeal described under clause (i) shall provide an opportunity for the eligible entity to provide, in writing, an explanation of why the eligible entity's plan remedies the problems identified in the annual review.

''(iii) NOTICE OF DETERMINATION.—The determination of the appeal shall be provided to the eligible entity, in writing, within 15 calendar days from the eligible entity's filing of the appeal.

''(iv) EFFECT OF FAILURE TO ACT.—If the Administrator fails to act on an appeal made under this subparagraph within the 15 calendar day period specified under clause (iii), the eligible entity's amended plan of action submitted under subparagraph (C) shall be deemed to be approved.

''(8) TERMINATION OF GRANT.—

''(A) IN GENERAL.—The Administrator shall require that, if an eligible entity fails to comply with a plan of action approved by the Assistant Administrator under paragraph (7)(B)(i) or an amended plan of action approved by the Assistant Administrator under paragraph (7)(D) or approved on appeal under paragraph (7)(E), the Assistant Administrator shall terminate the grant provided to the eligible entity under this section.

''(B) APPEAL OF TERMINATION.—An eligible entity that has a grant terminated under subparagraph (A) shall have the opportunity to challenge the termination on the record and after an opportunity for a hearing.

''(C) FINAL AGENCY ACTION.—The determination made pursuant to subparagraph (B) shall be considered final agency action for the purposes of chapter 7, title 5, United States Code.''.

(d) SUBMISSION OF 5-YEAR PLAN.—Section 29(e) of the Small Business Act (15 U.S.C. 656(e)) is amended—

(1) by striking ''applicant organization'' and inserting ''eligible entity'';

(2) by striking ''a recipient organization'' and inserting ''an eligible entity'';

(3) by striking ''financial assistance'' and inserting ''grants''; and

(4) by striking ''site''.

(e) APPLICATIONS AND CRITERIA FOR INITIAL GRANT.—Subsection (f) of section 29 of the Small Business Act (15 U.S.C. 656) is amended to read as follows:

''(f) APPLICATIONS AND CRITERIA FOR INITIAL GRANT.—

''(1) APPLICATION.—Each eligible entity desiring a grant under subsection (b) shall submit to the Administrator an application that contains—

''(A) a certification that the eligible entity—

''(i) has designated an executive director or program manager, who may be compensated using grant funds under subsection (b) or other sources, to manage the women's business center for which a grant under subsection (b) is sought;

''(ii) meets the accounting and reporting requirements established by the Director of the Office of Management and Budget;

''(B) information demonstrating that the eligible entity has the ability and resources to meet the needs of the market to be served by the women's business center, including the ability to obtain the non-Federal contribution required under subsection (c);

''(C) information relating to the assistance to be provided by the women's business center in the area in which the women's business center is located;

''(D) information demonstrating the experience and effectiveness of the eligible entity in—

''(i) conducting the services described under subsection (a)(5);

''(ii) providing training and services to a representative number of women who are socially or economically disadvantaged; and

''(iii) working with resource partners of the Administration and other entities, such as universities; and

''(E) a 5-year plan that describes the ability of the eligible entity to provide the services described under subsection (a)(3), including to a representative number of women who are socially or economically disadvantaged.

''(2) REVIEW AND APPROVAL OF APPLICATIONS FOR INITIAL GRANTS.—

''(A) REVIEW AND SELECTION OF ELIGIBLE ENTITIES.—

''(i) IN GENERAL.—The Administrator shall review applications to determine whether the applicant can meet obligations to perform the activities required by a grant under this section, including—

''(I) the experience of the applicant in conducting activities required by this section;

''(II) the amount of time needed for the applicant to commence operations should it be awarded a grant;

''(III) the capacity of the applicant to meet the accreditation standards established by the Administrator in a timely manner;

''(IV) the ability of the applicant to sustain operations for more than 5 years (including its ability to obtain sufficient non-Federal funds for that period); and

''(V) the location of the women's business center and its proximity to other grant recipients under this section.

''(ii) SELECTION CRITERIA.—

''(I) GUIDANCE.—The Administrator shall issue guidance (after providing an opportunity for notice and comment) to specify the criteria for review and selection of applicants under this subsection.

''(II) MODIFICATIONS PROHIBITED AFTER ANNOUNCEMENT.—With respect to a public announcement of any opportunity to be awarded a grant under this section made by the Administrator pursuant to subsection (l)(1), the Administrator may not modify guidance issued pursuant to subclause (I) with respect to such opportunity unless required to do so by an Act of Congress or an order of a Federal court.

''(III) RULE OF CONSTRUCTION.—Nothing in this clause may be construed as prohibiting the Administrator from modifying the guidance issued pursuant to subclause (I) (after providing an opportunity for notice and comment) as such guidance applies to an opportunity to be awarded a grant under this section that the Administrator has not yet publicly announced pursuant to subsection (l)(1).

''(B) RECORD RETENTION.—

''(i) IN GENERAL.—The Administrator shall maintain a copy of each application submitted under this subsection for not less than 5 years.

''(ii) PAPERWORK REDUCTION.—The Administrator shall take steps to reduce, to the maximum extent practicable, the paperwork burden associated with carrying out clause (i).''.

(f) NOTIFICATION REQUIREMENTS UNDER THE WOMEN'S BUSINESS CENTER PROGRAM.—Section 29 of the Small Business Act (15 U.S.C. 656) is amended by inserting after subsection (k) the following:

''(l) NOTIFICATION REQUIREMENTS UNDER THE WOMEN'S BUSINESS CENTER PROGRAM.—The Administrator shall provide—

''(1) a public announcement of any opportunity to be awarded grants under this section, and such announcement shall include the standards by which such award will be made, including the guidance issued pursuant to subsection (f)(2)(A)(ii);

''(2) the opportunity for any applicant for a grant under this section that failed to obtain such a grant a debriefing with the Assistant Administrator to review the reasons for the applicant's failure; and

''(3) with respect to any site visit or evaluation of an eligible entity receiving a grant under this section that is carried out by an officer or employee of the Administration (other than the Inspector General), a copy of the site visit report or evaluation, as applicable, within 30 calendar days of the completion of such vision or evaluation.''.

(g) CONTINUED FUNDING FOR CENTERS.—Section 29(m) of the Small Business Act (15 U.S.C. 656(m)) is amended—

(1) by striking paragraph (3) and inserting the following:

''(3) APPLICATION AND APPROVAL FOR CONTINUATION GRANTS.—

''(A) SOLICITATION OF APPLICATIONS.—The Administrator shall solicit applications and award continuation grants under this subsection for the first fiscal year beginning after the date of enactment of this paragraph, and every third fiscal year thereafter.

''(B) CONTENTS OF APPLICATION.—Each eligible entity desiring a grant under this subsection shall submit to the Administrator an application that contains—

''(i) a certification that the applicant—

''(I) is an eligible entity;

''(II) has designated an executive director or program manager to manage the women's business center operated by the applicant; and

''(III) as a condition of receiving a grant under this subsection, agrees—

''(aa) to receive a site visit as part of the final selection process, at the discretion of the Administrator; and

''(bb) to remedy any problem identified pursuant to the site visit under item (aa);

''(ii) information demonstrating that the applicant has the ability and resources to meet the needs of the market to be served by the women's business center for which a grant under this subsection is sought, including the ability to obtain the non-Federal contribution required under paragraph (4)(C);

''(iii) information relating to assistance to be provided by the women's business center in the geographic area served by the women's business center for which a grant under this subsection is sought;

''(iv) information demonstrating that the applicant has worked with resource partners of the Administration and other entities;

''(v) a 3-year plan that describes the services provided by the women's business center for which a grant under this subsection is sought—

''(I) to serve women who are business owners or potential business owners by conducting training and counseling activities; and

''(II) to provide training and services to a representative number of women who are socially or economically disadvantaged; and

''(vi) any additional information that the Administrator may reasonably require.

''(C) REVIEW AND APPROVAL OF APPLICATIONS FOR GRANTS.—

''(i) IN GENERAL.—The Administrator—

''(I) shall review each application submitted under subparagraph (B), based on the information described in such subparagraph and the criteria set forth under clause (ii) of this subparagraph; and

''(II) as part of the final selection process, may, at the discretion of the Administrator, conduct a site visit to each women's business center for which a grant under this subsection is sought, in particular to evaluate the women's business center using the selection criteria described in clause (ii)(II).

''(ii) SELECTION CRITERIA.—

''(I) IN GENERAL.—The Administrator shall evaluate applicants for grants under this subsection in accordance with selection criteria that are—

''(aa) established before the date on which applicants are required to submit the applications;

''(bb) stated in terms of relative importance; and

''(cc) publicly available and stated in each solicitation for applications for grants under this subsection made by the Administrator.

''(II) REQUIRED CRITERIA.—The selection criteria for a grant under this subsection shall include—

''(aa) the total number of entrepreneurs served by the applicant;

''(bb) the total number of new startup companies assisted by the applicant;

''(cc) the percentage of clients of the applicant that are socially or economically disadvantaged;

''(dd) the percentage of individuals in the community served by the applicant who are socially or economically disadvantaged;

''(ee) the successful accreditation of the applicant under the accreditation program developed under subsection (g)(5); and

''(ff) any additional criteria that the Administrator may reasonably require.

''(iii) CONDITIONS FOR CONTINUED FUNDING.—In determining whether to make a grant under this subsection, the Administrator—

''(I) shall consider the results of the most recent evaluation of the women's business center for which a grant under this subsection is sought, and, to a lesser extent, previous evaluations; and

''(II) may withhold a grant under this subsection, if the Administrator determines that the applicant has failed to provide the information required to be provided under this paragraph, or the information provided by the applicant is inadequate.

''(D) NOTIFICATION.—Not later than 60 calendar days after the date of each deadline to submit applications under this paragraph, the Administrator shall approve or deny each submitted application and notify the applicant for each such application of the approval or denial.

''(E) RECORD RETENTION.—

''(i) IN GENERAL.—The Administrator shall maintain a copy of each application submitted under this paragraph for not less than 5 years.

''(ii) PAPERWORK REDUCTION.—The Administrator shall take steps to reduce, to the maximum extent practicable, the paperwork burden associated with carrying out clause (i).''; and

(2) by striking paragraph (5) and inserting the following:

''(5) AWARD TO PREVIOUS RECIPIENTS.—There shall be no limitation on the number of times the Administrator may award a grant to an applicant under this subsection.''.

(h) TECHNICAL AND CONFORMING AMENDMENTS.—Section 29 of the Small Business Act (15 U.S.C. 656) is amended—

(1) in subsection (h)(2), by striking ''to award a contract (as a sustainability grant) under subsection (l) or'';

(2) in subsection (j)(1), by striking ''The Administration'' and inserting ''Not later than November 1 of each year, the Administrator'';

(3) in subsection (k)—

(A) by striking paragraphs (1) and (4);

(B) by inserting before paragraph (2) the following:

''(1) IN GENERAL.—There are authorized to be appropriated to the Administration to carry out this section, to remain available until expended, $21,750,000 for each of fiscal years 2017 through 2020.''; and

(C) in paragraph (2), by striking subparagraph (B) and inserting the following:

''(B) EXCEPTIONS.—Of the amount made available under this subsection for a fiscal year, the following amounts shall be available for selection panel costs, costs associated with maintaining an accreditation program, and post-award conference costs:

''(i) For the first fiscal year beginning after the date of the enactment of this subparagraph, 2.65 percent.

''(ii) For the second fiscal year beginning after the date of the enactment of this subparagraph and each fiscal year thereafter through fiscal year 2020, 2.5 percent.''; and

(4) in subsection (m)—

(A) in paragraph (2), by striking ''subsection (b) or (l)'' and inserting ''this subsection or subsection (b)''; and

(B) in paragraph (4)(D), by striking ''or subsection (l)''.

(i) EFFECT ON EXISTING GRANTS.—

(1) TERMS AND CONDITIONS.—A nonprofit organization receiving a grant under section 29(m) of the Small Business Act (15 U.S.C. 656(m)), as in effect on the day before the date of enactment of this title, shall continue to receive the grant under the terms and conditions in effect for the grant on the day before the date of enactment of this title, except that the nonprofit organization may not apply for a continuation of the grant under section 29(m)(5) of the Small Business Act (15 U.S.C. 656(m)(5)), as in effect on the day before the date of enactment of this title.

(2) LENGTH OF CONTINUATION GRANT.—The Administrator of the Small Business Administration may award a grant under section 29(m) of the Small Business Act to a nonprofit organization receiving a grant under section 29(m) of the Small Business Act (15 U.S.C. 656(m)), as in effect on the day before the date of enactment of this title, for the period—

(A) beginning on the day after the last day of the grant agreement under such section 29(m); and

(B) ending at the end of the third fiscal year beginning after the date of enactment of this title.

SEC. 1843. MATCHING REQUIREMENTS UNDER WOMEN'S BUSINESS CENTER PROGRAM.

Section 29(c) of the Small Business Act (15 U.S.C. 656(c)), as amended by this Act, is amended—

(1) in paragraph (1), by striking ''As a condition'' and inserting ''Subject to paragraph (6), as a condition''; and

(2) by adding at the end the following:

''(9) WAIVER OF NON-FEDERAL SHARE.—

''(A) IN GENERAL.—Upon request by an eligible entity, and in accordance with this paragraph, the Administrator may waive, in whole or in part, the requirement to obtain non-Federal funds under this subsection for counseling and training activities of the eligible entity carried out using a grant under this section for a fiscal year. The Administrator may not waive the requirement for an eligible entity to obtain non-Federal funds under this paragraph for more than a total of 2 consecutive fiscal years.

''(B) CONSIDERATIONS.—In determining whether to waive the requirement to obtain non-Federal funds under this paragraph, the Administrator shall consider—

''(i) the economic conditions affecting the eligible entity;

''(ii) the impact a waiver under this paragraph would have on the credibility of the Women's Business Center Program under this section;

''(iii) the demonstrated ability of the eligible entity to raise non-Federal funds; and

''(iv) the performance of the eligible entity.

''(C) LIMITATION.—The Administrator may not waive the requirement to obtain non-Federal funds under this paragraph if granting the waiver would undermine the credibility of the Women's Business Center Program.

''(10) SOLICITATION.—Notwithstanding any other provision of law, eligible entity may—

''(A) solicit cash and in-kind contributions from private individuals and entities to be used to carry out the activities of the eligible entity under the project conducted under this section; and

''(B) use amounts made available by the Administrator under this section for the cost of such solicitation and management of the contributions received.

''(11) EXCESS NON-FEDERAL DOLLARS.—The amount of non-Federal dollars obtained by an eligible entity that is above the amount that is required to be obtained by the eligible entity under this subsection shall not be subject to the requirements of part 200 of title 2, Code of Federal Regulations, or any successor thereto, if such amount of non-Federal dollars—

''(A) is not used as matching funds for purposes of implementing the Women's Business Center Program; and

''(B) was not obtained using funds from the Women's Business Center Program.''.

Subtitle F—SCORE Program

SEC. 1851. SCORE REAUTHORIZATION.

Section 20 of the Small Business Act (15 U.S.C. 631 note) is amended—

(1) by redesignating subsection (j) as subsection (f); and

(2) by adding at the end the following:

''(g) SCORE PROGRAM.—There are authorized to be appropriated to the Administrator to carry out the SCORE program authorized by section 8(b)(1) such sums as are necessary for the Administrator to make grants or enter into cooperative agreements in a total amount that does not exceed $10,500,000 in each of fiscal years 2017 and 2018.''.

SEC. 1852. SCORE PROGRAM.

Section 8 of the Small Business Act (15 U.S.C. 637) is amended—

(1) in subsection (b)(1)(B), by striking ''a Service Corps of Retired Executives (SCORE)'' and inserting ''the SCORE program described in subsection (c)''; and

(2) by striking subsection (c) and inserting the following:

''(c) SCORE PROGRAM.—

''(1) DEFINITION.—In this subsection:

''(A) SCORE ASSOCIATION.—The term 'SCORE Association' means the Service Corps of Retired Executives Association or any successor or other organization who receives a grant from the Administrator to operate the SCORE program under paragraph (2)(A).

''(B) SCORE PROGRAM.—The term 'SCORE program' means the SCORE program authorized by subsection (b)(1)(B).

''(2) MANAGEMENT AND VOLUNTEERS.—

''(A) IN GENERAL.—The Administrator shall provide a grant to the SCORE Association to manage the SCORE program.

''(B) VOLUNTEERS.—A volunteer participating in the SCORE program shall—

''(i) based on the business experience and knowledge of the volunteer—

''(I) provide at no cost to individuals who own, or aspire to own, small business concerns personal counseling, mentoring, and coaching relating to the process of starting, expanding, managing, buying, and selling a business; and

''(II) facilitate low-cost education workshops for individuals who own, or aspire to own, small business concerns; and

''(ii) as appropriate, use tools, resources, and expertise of other organizations to carry out the SCORE program.

''(3) PLANS AND GOALS.—The Administrator, in consultation with the SCORE Association, shall ensure that the SCORE program and each chapter of the SCORE program develop and implement plans and goals to more effectively and efficiently provide services to individuals in rural areas, economically disadvantaged communities, and other traditionally underserved communities, including plans for electronic initiatives, web-based initiatives, chapter expansion, partnerships, and the development of new skills by volunteers participating in the SCORE program.

''(4) ANNUAL REPORT.—The SCORE Association shall submit to the Administrator an annual report that contains—

''(A) the number of individuals counseled or trained under the SCORE program;

''(B) the number of hours of counseling provided under the SCORE program; and

''(C) to the extent possible—

''(i) the number of small business concerns formed with assistance from the SCORE program;

''(ii) the number of small business concerns expanded with assistance from the SCORE program; and

''(iii) the number of jobs created with assistance from the SCORE program.

''(5) PRIVACY REQUIREMENTS.—

''(A) IN GENERAL.—Neither the Administrator nor the SCORE Association may disclose the name, address, or telephone number of any individual or small business concern receiving assistance from the SCORE Association without the consent of such individual or small business concern, unless—

''(i) the Administrator is ordered to make such a disclosure by a court in any civil or criminal enforcement action initiated by a Federal or State agency; or

''(ii) the Administrator determines such a disclosure to be necessary for the purpose of conducting a financial audit of the SCORE program, in which case disclosure shall be limited to the information necessary for the audit.

''(B) ADMINISTRATOR USE OF INFORMATION.—This paragraph shall not—

''(i) restrict the access of the Administrator to program activity data; or

''(ii) prevent the Administrator from using client information to conduct client surveys.

''(C) STANDARDS.—

''(i) IN GENERAL.—The Administrator shall, after the opportunity for notice and comment, establish standards for—

''(I) disclosures with respect to financial audits under subparagraph (A)(ii); and

''(II) conducting client surveys, including standards for oversight of the surveys and for dissemination and use of client information.

''(ii) MAXIMUM PRIVACY PROTECTION.—The standards issued under this subparagraph shall, to the extent practicable, provide for the maximum amount of privacy protection.''.

Subtitle G—Miscellaneous Provisions

SEC. 1861. IMPROVING EDUCATION ON SMALL BUSINESS REGULATIONS.

(a) REGULATORY CHANGES AND TRAINING MATERIALS.—Section 15 of the Small Business Act (15 U.S.C. 644), as amended by this Act, is further amended by adding at the end the following new subsection:

''(u) REGULATORY CHANGES AND TRAINING MATERIALS.—Not less than annually, the Administrator shall provide to the Defense Acquisition University (established under section 1746 of title 10, United States Code), the Federal Acquisition Institute (established under section 1201 of title 41, United States Code), the individual responsible for mandatory training and education of the acquisition workforce of each agency (described under section 1703(f)(1)(C) of title 41, United States Code), small business development centers, and entities participating in the Procurement Technical Assistance Cooperative Agreement Program under chapter 142 of title 10, United States Code—

''(1) a list of all changes made in the prior year to regulations promulgated—

''(A) by the Administrator that affect Federal acquisition; and

''(B) by the Federal Acquisition Council that implement changes to this Act; and

''(2) any materials the Administrator has developed to explain, train, or assist Federal agencies or departments or small business concerns to comply with the regulations specified in paragraph (1).''.

(b) TRAINING TO BE UPDATED.—Upon receipt of information from the Administrator of the Small Business Administration pursuant to section 15(u) of the Small Business Act, the Defense Acquisition University (as under section 1746 of title 10, United States Code) and the Federal Acquisition Institute (established under section 1201 of title 41, United States Code) shall periodically update the training provided to the acquisition workforce.

SEC. 1862. PROTECTING TASK ORDER COMPETITION.

Section 4106(f) of title 41, United States Code, is amended by striking paragraph (3).

SEC. 1863. IMPROVEMENTS TO SIZE STANDARDS FOR SMALL AGRICULTURAL PRODUCERS.

(a) AMENDMENT TO DEFINITION OF AGRICULTURAL ENTERPRISES.—Paragraph (1) of section 18(b) of the Small Business Act (15 U.S.C. 647(b)(1)) is amended by striking ''businesses'' and inserting ''small business concerns''.

(b) EQUAL TREATMENT OF SMALL FARMS.—Paragraph (1) of section 3(a) of the Small Business Act (15 U.S.C. 632(a)(1)) is amended by striking ''operation: Provided,'' and all that follows through the period at the end and inserting ''operation.''.

(c) UPDATED SIZE STANDARDS.—Size standards established under subsection (a) are subject to the rolling review procedures established under section 1344(a) of the Small Business Jobs Act of 2010 (15 U.S.C. 632 note).

SEC. 1864. UNIFORMITY IN SERVICE-DISABLED VETERAN DEFINITIONS.

(a) SMALL BUSINESS DEFINITION OF SMALL BUSINESS CONCERN CONSOLIDATED.—Section 3(q) of the Small Business Act (15 U.S.C. 632(q)) is amended—

(1) by amending paragraph (2) to read as follows:

''(2) SMALL BUSINESS CONCERN OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—The term 'small business concern owned and controlled by service-disabled veterans' means any of the following:

''(A) A small business concern—

''(i) not less than 51 percent of which is owned by one or more service-disabled veterans or, in the case of any publicly owned business, not less than 51 percent of the stock (not including any stock owned by an ESOP) of which is owned by one or more service-disabled veterans; and

''(ii) the management and daily business operations of which are controlled by one or more service-disabled veterans or, in the case of a veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran.

''(B) A small business concern—

''(i) not less than 51 percent of which is owned by one or more service-disabled veterans with a disability that is rated by the Secretary of Veterans Affairs as a permanent and total disability who are unable to manage the daily business operations of such concern; or

''(ii) in the case of a publicly owned business, not less than 51 percent of the stock (not including any stock owned by an ESOP) of which is owned by one or more such veterans.

''(C)(i) During the time period described in clause (ii), a small business concern that was a small business concern described in subparagraph (A) or (B) immediately prior to the death of a service-disabled veteran who was the owner of the concern, the death of whom causes the concern to be less than 51 percent owned by one or more service-disabled veterans, if—

''(I) the surviving spouse of the deceased veteran acquires such veteran's ownership interest in such concern;

''(II) such veteran had a service-connected disability (as defined in section 101(16) of title 38, United States Code) rated as 100 percent disabling under the laws administered by the Secretary of Veterans Affairs or such veteran died as a result of a service-connected disability; and

''(III) immediately prior to the death of such veteran, and during the period described in clause (ii), the small business concern is included in the database described in section 8127(f) of title 38, United States Code.

''(ii) The time period described in this clause is the time period beginning on the date of the veteran's death and ending on the earlier of—

''(I) the date on which the surviving spouse remarries;

''(II) the date on which the surviving spouse relinquishes an ownership interest in the small business concern; or

''(III) the date that is 10 years after the date of the death of the veteran.''; and

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

''(6) ESOP.—The term 'ESOP' has the meaning given the term 'employee stock ownership plan' in section 4975(e)(7) of the Internal Revenue Code of 1986 (26 U.S.C. 4975(e)(7)).

''(7) SURVIVING SPOUSE.—The term 'surviving spouse' has the meaning given such term in section 101(3) of title 38, United States Code.''.

(b) VETERANS AFFAIRS DEFINITION OF SMALL BUSINESS CONCERN CONSOLIDATED.—

(1) IN GENERAL.—Section 8127 of title 38, United States Code, is amended—

(A) by striking subsection (h) and redesignating subsections (i) through (l) as subsections (h) through (k), respectively; and

(B) in subsection (k), as so redesignated—

(i) by amending paragraph (2) to read as follows:

''(2) The term 'small business concern owned and controlled by veterans' has the meaning given that term under section 3(q)(3) of the Small Business Act (15 U.S.C. 632(q)(3)).''; and

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

''(3) The term 'small business concern owned and controlled by veterans with service-connected disabilities' has the meaning given the term 'small business concern owned and controlled by service-disabled veterans' under section 3(q)(2) of the Small Business Act (15 U.S.C. 632(q)(2)).''.

(2) CONFORMING AMENDMENTS.—Such section is further amended—

(A) in subsection (b), by inserting ''or a small business concern owned and controlled by veterans with service-connected disabilities'' after ''a small business concern owned and controlled by veterans'';

(B) in subsection (c), by inserting ''or a small business concern owned and controlled by veterans with service-connected disabilities'' after ''a small business concern owned and controlled by veterans'';

(C) in subsection (d) by inserting ''or small business concerns owned and controlled by veterans with service-connected disabilities'' after ''small business concerns owned and controlled by veterans'' both places it appears; and

(D) in subsection (f)(1), by inserting '', small business concerns owned and controlled by veterans with service-connected disabilities,'' after ''small business concerns owned and controlled by veterans''.

(c) TECHNICAL CORRECTION.—Section 8(d)(3) of the Small Business Act (15 U.S.C. 637(d)(3)), is amended by adding at the end the following new subparagraph:

''(H) In this contract, the term 'small business concern owned and controlled by service-disabled veterans' has the meaning given that term in section 3(q).''.

(d) REGULATIONS RELATING TO DATABASE OF THE SECRETARY OF VETERANS AFFAIRS.—

(1) REQUIREMENT TO USE CERTAIN SMALL BUSINESS ADMINISTRATION REGULATIONS.—Section 8127(f)(4) of title 38, United States Code, is amended by striking ''verified'' and inserting ''verified, using regulations issued by the Administrator of the Small Business Administration with respect to the status of the concern as a small business concern and the ownership and control of such concern,''.

(2) PROHIBITION ON SECRETARY OF VETERANS AFFAIRS ISSUING CERTAIN REGULATIONS.—Section 8127(f) of title 38, United States Code, is amended by adding at the end the following new paragraph:

''(7) The Secretary may not issue regulations related to the status of a concern as a small business concern and the ownership and control of such small business concern.''.

(e) DELAYED EFFECTIVE DATE.—The amendments made by subsections (a), (b), (c), and (d) shall take effect on the date on which the Administrator of the Small Business Administration and the Secretary of Veterans Affairs jointly issue regulations implementing such sections.

(f) APPEALS OF INCLUSION IN DATABASE.—

(1) IN GENERAL.—Section 8127(f) of title 38, United States Code, as amended by this Act, is further amended by adding at the end the following new paragraph:

''(8)(A) If the Secretary does not verify a concern for inclusion in the database under this subsection based on the status of the concern as a small business concern or the ownership or control of the concern, the concern may appeal the denial of verification to the Office of Hearings and Appeals of the Small Business Administration (as established under section 5(i) of the Small Business Act). The decision of the Office of Hearings and Appeals shall be considered a final agency action.

''(B)(i) If an interested party challenges the inclusion in the database of a small business concern owned and controlled by veterans or a small business concern owned and controlled by veterans with service-connected disabilities based on the status of the concern as a small business concern or the ownership or control of the concern, the challenge shall be heard by the Office of Hearings and Appeals of the Small Business Administration as described in subparagraph (A). The decision of the Office of Hearings and Appeals shall be considered final agency action.

''(ii) In this subparagraph, the term 'interested party' means—

''(I) the Secretary; and

''(II) in the case of a small business concern that is awarded a contract, the contracting officer of the Department or another small business concern that submitted an offer for the contract that was awarded to the small business concern that submitted an offer under clause (i).

''(C) For each fiscal year, the Secretary shall reimburse the Administrator of the Small Business Administration in an amount necessary to cover any cost incurred by the Office of Hearings and Appeals of the Small Business Administration for actions taken by the Office under this paragraph. The Administrator is authorized to accept such reimbursement. The amount of any such reimbursement shall be determined jointly by the Secretary and the Administrator and shall be provided from fees collected by the Secretary under multiple-award schedule contracts. Any disagreement about the amount shall be resolved by the Director of the Office of Management and Budget.''.

(2) EFFECTIVE DATE.—Paragraph (8) of subsection (f) of title 38, United States Code, as added by paragraph (1), shall apply with respect to a verification decision made by the Secretary of Veterans Affairs on or after the date of the enactment of this title.

SEC. 1865. REQUIRED REPORTS PERTAINING TO CAPITAL PLANNING AND INVESTMENT CONTROL.

The Administrator of the Small Business Administration shall submit to the Senate Committee on Small Business and Entrepreneurship and the Committee on Small Business of the House of Representatives the information described in section 11302(c)(3)(B)(ii) of title 40, United States Code, within 10 days of transmittal to the Director.

SEC. 1866. OFFICE OF HEARINGS AND APPEALS.

(a) CLARIFICATION AS TO JURISDICTION.—Section 5(i)(1)(B) of the Small Business Act (15 U.S.C. 634(i)(1)(B)) is amended to read as follows:

''(B) JURISDICTION.—

''(i) IN GENERAL.—Except as provided in clause (ii), the Office of Hearings and Appeals shall hear appeals of agency actions under or pursuant to this Act, the Small Business Investment Act of 1958 (15 U.S.C. 661 et seq.), title 13 of the Code of Federal Regulations, and such other matters as the Administrator may determine appropriate.

''(ii) EXCEPTION.—The Office of Hearings and Appeals shall not adjudicate disputes requiring a hearing on the record, except disputes pertaining to the small business programs described in this Act.''.

(b) NEW PROCEDURES FOR PETITIONS FOR RECONSIDERATION.—Section 3(a)(9) of the Small Business Act (15 U.S.C. 632(a)(9)) is amended by adding at the end the following:

''(E) PROCEDURES.—The Office of Hearings and Appeals shall begin accepting petitions for reconsideration described in subparagraph (A) upon the effective date of the procedures implementing this paragraph. Notwithstanding the provisions of subparagraph (B), petitions for reconsideration of size standards revised, modified, or established in a Federal Register final rule published between November 25, 2015 and the effective date of such procedures shall be considered timely if filed within 30 days of such effective date.''.

SEC. 1867. ISSUANCE OF GUIDANCE ON SMALL BUSINESS MATTERS.

Not later than 180 days after the date of enactment of this title, the Administrator of the Small Business Administration shall issue guidance pertaining to the amendments made by this Act to the Small Business Act by this title. The Administrator shall provide notice and opportunity for comment on such guidance for a period of not less than 60 days.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the ''Military Construction Authorization Act for Fiscal Year 2017''.

SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII and title XXIX for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2019; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2020.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2019; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2020 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

SEC. 2003. EFFECTIVE DATE.

Titles XXI through XXVII and title XXIX shall take effect on the later of—

(1) October 1, 2016; or

(2) the date of the enactment of this Act.

TITLE XXI—ARMY MILITARY CONSTRUCTION

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation	Amount
Alaska	Fort Wainwright	$47,000,000
California	Concord	$12,600,000
Colorado	Fort Carson	$13,100,000
Georgia	Fort Gordon	$129,600,000
	Fort Stewart	$14,800,000
Hawaii	Fort Shafter	$40,000,000
Missouri	Fort Leonard Wood	$6,900,000
Texas	Fort Hood	$7,600,000
Utah	Camp Williams	$7,400,000
Virginia	Fort Belvoir	$23,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out the military construction project for the installations or locations outside the United States, and in the amount, set forth in the following table:

Army: Outside the United States

Country	Installation	Amount
Cuba	Guantanamo Bay	$33,000,000
Germany	East Camp Grafenwoehr	$22,000,000
	Garmisch	$9,600,000
	Wiesbaden Army Airfield	$19,200,000

SEC. 2102. FAMILY HOUSING.

(a)CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Army: Family Housing

State/Country	Installation	Units	Amount
Korea	Camp Humphreys	Family Housing New Construction	$297,000,000
	Camp Walker	Family Housing New Construction	$54,554,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $2,618,000.

SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2016, for military construction, land acquisition, and military family housing functions of the Department of the Army as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2104. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2014 PROJECT.

In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 986) for Joint Base Lewis-McChord, Washington, for construction of an aircraft maintenance hangar at the installation, the Secretary of the Army may construct an aircraft washing apron.

SEC. 2105. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2118), the authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (126 Stat. 2119) and extended by section 2107 of the Military Construction Authorization Act for Fiscal Year 2016 (division B of Public Law 114–92; 129 Stat. 1148), shall remain in effect until October 1, 2017, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2018, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2013 Project Authorizations

State/Country	Installation or Location	Project	Amount
Kansas	Fort Riley	Unmanned Aerial Vehicle Complex	$12,200,000
Virginia	Fort Belvoir	Secure Admin/Operations Facility	$172,200,000
Italy	Camp Ederle	Barracks	$36,000,000
Japan	Sagami	Vehicle Maintenance Shop	$18,000,000

SEC. 2106. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2014 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 985), the authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (127 Stat. 986) shall remain in effect until October 1, 2017, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2018, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2014 Project Authorizations

State	Installation or Location	Project	Amount
Maryland	Fort Detrick	Entry Control Point	$2,500,000
Kwajalein Atoll	Kwajalein	Pier	$63,000,000
Japan	Kyotango City	Company Operations Complex	$33,000,000

TITLE XXII—NAVY MILITARY CONSTRUCTION

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or Location	Amount
Arizona	Yuma	$48,355,000
California	Coronado	$104,501,000
	Lemoore	$26,723,000
	Miramar	$193,600,000
	Seal Beach	$21,007,000
Florida	Eglin Air Force Base	$20,489,000
	Mayport	$66,000,000
	Pensacola	$53,000,000
Guam	Joint Region Marianas	$89,185,000
Hawaii	Barking Sands	$43,384,000
	Kaneohe Bay	$72,565,000
Maine	Kittery	$47,892,000
Maryland	Patuxent River	$40,576,000
Nevada	Fallon	$13,523,000
North Carolina	Camp Lejeune	$18,482,000
	Cherry Point Marine Corps Air Station	$12,515,000
South Carolina	Beaufort	$83,490,000
	Parris Island	$29,882,000
Washington	Bangor	$113,415,000
	Bremerton	$6,704,000
	Whidbey Island	$75,976,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installation or location outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Japan	Kadena Air Base	$26,489,000
	Sasebo	$16,420,000
Spain	Rota	$23,607,000
Worldwide Unspecified	Unspecified Worldwide Locations	$41,380,000

SEC. 2202. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Navy: Family Housing

Country	Installation	Units	Amount
Mariana Islands	Guam	Replace Andersen Housing PH 1	$78,815,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $4,149,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $11,047,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2016, for military construction, land acquisition, and military family housing functions of the Department of the Navy, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2014 PROJECT.

In the case of the authorization contained in the table in section 2201 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 989) for Pearl City, Hawaii, for construction of a water transmission line at that location, the Secretary of the Navy may construct a 591-meter (1,940-foot) long 16-inch diameter water transmission line as part of the network required to provide the main water supply to Joint Base Pearl Harbor-Hickam, Hawaii.

SEC. 2206. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2118), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (126 Stat. 2122) and extended by section 2206 of the Military Construction Authorization Act for Fiscal Year 2016 (division B of Public Law 114–92; 129 Stat. 1151), shall remain in effect until October 1, 2017, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2018, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Navy: Extension of 2013 Project Authorizations

State/Country	Installation or Location	Project	Amount
California	Camp Pendleton	Comm. Information Systems Ops Complex	$78,897,000
Greece	Souda Bay	Intermodal Access Road	$4,630,000
South Carolina	Beaufort	Recycling/Hazardous Waste Facility	$3,743,000
Worldwide Unspecified	Various Worldwide Locations	BAMS Operational Facilities	$34,048,000

SEC. 2207. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2014 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 985), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (127 Stat. 989), shall remain in effect until October 1, 2017, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2018, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Navy: Extension of 2014 Project Authorizations

State/Country	Installation or Location	Project	Amount
Hawaii	Kaneohe Bay	Aircraft Maintenance Hangar Upgrades	$31,820,000
	Pearl City	Water Transmission Line	$30,100,000
Maine	Bangor	NCTAMS VLF Commercial Power Connection	$13,800,000
Nevada	Fallon	Wastewater Treatment Plant	$11,334,000
Virginia	Quantico	Academic Instruction Facility TECOM Schools	$25,731,000
	Quantico	Fuller Road Improvements	$9,013,000

SEC. 2208. STATUS OF "NET NEGATIVE" POLICY REGARDING NAVY ACREAGE ON GUAM.

(a) REPORT ON STATUS.—

(1) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Secretary of the Navy shall submit a report to the congressional defense committees regarding the status of the implementation of the ''net negative'' policy regarding the total number of acres of the real property controlled by the Department of the Navy on Guam, as described in subsection (b).

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

(A) A description of the real property controlled by the Navy on Guam which the Navy has transferred to the control of Guam after January 20, 2011, or which the Navy plans to transfer to the control of Guam, as well as a description of the specific legal authority under which the Navy has transferred or will transfer each such property.

(B) The methodology and process the Navy will use to determine the total number of acres of real property that the Navy will transfer or has transferred to the control of Guam as part of the ''net negative'' policy, and the date on which the Navy will transfer or has transferred control of any such property.

(C) A description of the real property controlled by the Navy on Guam which the Navy plans to retain under its control and the reasons for retaining such property, including a detailed explanation of the reasons for retaining any such property which has not been developed or for which no development has been proposed under the current installation master plans for major military installations (as described in section 2864 of title 10, United States Code).

(3) EXCLUSION OF CERTAIN PROPERTY.—In preparing and submitting the report under this subsection, the Secretary may not take into account any real property which has been identified prior to January 20, 2011, as property to be transferred to the Government of Guam under the Guam Excess Lands Act (Public Law 103–339) or the Guam Land Use Plan (GLUP) 1977, or pursuant to base realignment and closure authorized under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), whether or not the Navy transferred control of any such property to Guam at any time.

(b) POLICY DESCRIBED.—The ''net negative'' policy described in this section is the policy of the Secretary of the Navy, as expressed in the statement released by Under Secretary of the Navy on January 20, 2011, that the relocation of Marines to Guam occurring during 2011 will not cause the total number of acres of real property controlled by the Navy on Guam upon the completion of such relocation to exceed the total number of acres of real property controlled by the Navy on Guam prior to such relocation.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
Alaska	Clear Air Force Station	$20,000,000
	Eielson Air Force Base	$213,300,000
	Joint Base Elmendorf-Richardson	$29,000,000
Arizona	Luke Air Force Base	$20,000,000
California	Edwards Air Force Base	$24,000,000
Colorado	Buckley Air Force Base	$13,500,000
Delaware	Dover Air Force Base	$39,000,000
Florida	Eglin Air Force Base	$88,600,000
	Patrick Air Force Base	$13,500,000
Georgia	Moody Air Force Base	$30,900,000
Guam	Joint Region Marianas	$80,658,000
Kansas	McConnell Air Force Base	$19,800,000
Louisiana	Barksdale Air Force Base	$21,000,000
Maryland	Joint Base Andrews	$66,500,000
Massachusetts	Hanscom Air Force Base	$30,965,000
Montana	Malmstrom Air Force Base	$14,600,000
Nevada	Nellis Air Force Base	$10,600,000
New Mexico	Cannon Air Force Base	$21,000,000
	Holloman Air Force Base	$10,600,000
	Kirtland Air Force Base	$7,300,000
Ohio	Wright-Patterson Air Force Base	$12,600,000
Oklahoma	Altus Air Force Base	$11,600,000
	Tinker Air Force Base	$43,000,000
South Carolina	Joint Base Charleston	$17,000,000
Texas	Joint Base San Antonio	$67,300,000
Utah	Hill Air Force Base	$44,500,000
Virginia	Joint Base Langley-Eustis	$59,200,000
Washington	Fairchild Air Force Base	$27,000,000
Wyoming	F.E. Warren Air Force Base	$5,550,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installation or location outside the United States, and in the amount, set forth in the following table:

Air Force: Outside the United States

Country	Installation or Location	Amount
Australia	Darwin	$30,400,000
Germany	Ramstein Air Base	$13,437,000
	Spangdahlem Air Base	$43,465,000
Japan	Kadena Air Base	$19,815,000
	Yokota Air Base	$32,020,000
Mariana Islands	Unspecified Location	$9,000,000
Turkey	Incirlik Air Base	$13,449,000
United Arab Emirates	Al Dhafra	$35,400,000
United Kingdom	Croughton RAF	$16,500,000

SEC. 2302. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $4,368,000.

SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military

family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $56,984,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2016, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2016 PROJECT.

In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2016 (division B of Public Law 114–92; 129 Stat. 1152) for Malmstrom Air Force Base, Montana, for construction of a Tactical Response Force Alert Facility at the installation, the Secretary of the Air Force may construct an emergency power generator system consistent with the Air Force's construction guidelines.

SEC. 2306. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2013 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2118), the authorization set forth in the table in subsection (b), as provided in section 2301 of that Act (126 Stat. 2126) and extended by section 2309 of the Military Construction Authorization Act for Fiscal Year 2016 (division B of Public Law 114–92; 129 Stat. 1155), shall remain in effect until October 1, 2017, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2018, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Air Force: Extension of 2013 Project Authorization

State/Country	Installation or Location	Project	Amount
Portugal	Lajes Field	Sanitary Sewer Lift/Pump Station	$2,000,000

SEC. 2307. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2014 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 985), the authorization set forth in the table in subsection (b), as provided in section 2301 of that Act (127 Stat. 992), shall remain in effect until October 1, 2017, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2018, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Air Force: Extension of 2014 Project Authorizations

Country	Installation or Location	Project	Amount
Worldwide Unspecified (Italy)	Aviano Air Base	Guardian Angel Operations Facility	$22,047,000

SEC. 2308. RESTRICTION ON ACQUISITION OF PROPERTY IN NORTHERN MARIANA ISLANDS.

The Secretary of the Air Force may not use any of the amounts authorized to be appropriated under section 2304 to acquire property or interests in property at an unspecified location in the Commonwealth of the Northern Mariana Islands, as specified in the funding table set forth in section 2301(b) and the funding table in section 4601, until the congressional defense committees have received from the Secretary a report providing the following information:

(1) The specific location of the property or interest in property to be acquired.

(2) The total cost, scope, and location of the military construction projects and the acquisition of property or interests in property required to support the Secretary's proposed divert activities and exercises in the Commonwealth of the Northern Mariana Islands.

(3) An analysis of any alternative locations that the Secretary considered acquiring, including other locations or interests within the Commonwealth of the Northern Mariana Islands or the Freely Associated States. For purposes of this paragraph, the term ''Freely Associated States'' means the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
Alaska	Clear Air Force Station	$155,000,000
	Fort Greely	$9,560,000
	Joint Base Elmendorf-Richardson	$4,900,000
Arizona	Fort Huachuca	$4,493,000
California	Coronado	$175,412,000
	Travis Air Force Base	$26,500,000
Delaware	Dover Air Force Base	$44,115,000
Florida	Patrick Air Force Base	$10,100,000
Georgia	Fort Benning	$4,820,000
	Fort Gordon	$25,000,000
Maine	Portsmouth	$27,100,000
Maryland	Bethesda Naval Hospital	$510,000,000
	Fort Meade	$38,000,000
North Carolina	Camp Lejeune	$31,000,000
	Fort Bragg	$86,593,000
South Carolina	Joint Base Charleston	$17,000,000
Texas	Red River Army Depot	$44,700,000
	Sheppard Air Force Base	$91,910,000
Virginia	Pentagon	$20,216,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Diego Garcia	Diego Garcia	$30,000,000
Germany	Kaiserslautern	$45,221,000
Japan	Ikakuni	$6,664,000
	Kadena Air Base	$161,224,000
	Yokota Air Base	$113,731,000
Kwajalein	Kwajalein Atoll	$85,500,000
United Kingdom	Royal Air Force Croughton	$71,424,000
	Royal Air Force Lakenheath	$13,500,000
Wake Island	Wake Island	$11,670,000

SEC. 2402. AUTHORIZED ENERGY CONSERVATION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, in the amount set forth in the table:

Energy Conservation Projects: Inside the United States

State	Installation or Location	Amount
California	Edwards Air Force Base	$8,400,000
	Naval Base San Diego	$4,230,000
	Fort Hunter Liggett	$5,400,000
Colorado	Fort Carson	$5,000,000
	Schriever Air Force Base	$3,295,000
Florida	SUBASE Kings Bay NAS Jacksonville	$3,230,000
Guam	NAVBASE Guam	$8,540,000
Hawaii	NSAH Wahiawa Kunia Oahu	$14,890,000
Ohio	Wright Patterson Air Force Base	$14,400,000
Utah	Dugway Proving Ground	$7,500,000
	Tooele Army Depot	$8,200,000
Various Locations	Various Locations	$28,088,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Energy Conservation Projects: Outside the United States

Country	Installation or Location	Amount
Cuba	Guantanamo Bay	$6,080,000
Diego Garcia	NSF Diego Garcia	$17,010,000
Japan	Kadena Air Base	$4,007,000
	Misawa Air Base	$5,315,000
Spain	Rota	$3,710,000
Various Locations	Various Locations	$2,705,000

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2016, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2404. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2014 PROJECT.

In the case of the authorization in the table in section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 996), for Royal Air Force Lakenheath, United Kingdom, for construction of a high school, the Secretary of Defense may construct a combined middle/high school.

SEC. 2405. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2118), the authorizations set forth in the table in subsection (b), as provided in section 2401 of that Act (126 Stat. 2127), as amended by section 2406(a) of the Military Construction Authorization Act for Fiscal Year 2016 (division B of Public Law 114–92; 129 Stat. 1160), shall remain in effect until October 1, 2017, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2018, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Defense Agencies: Extension of 2013 Project Authorizations

State/Country	Installation or Location	Project	Amount
Japan	Camp Zama	Renovate Zama High School	$13,273,000
Pennsylvania	New Cumberland	Replace Reservoir	$4,300,000

SEC. 2406. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2014 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 985), the authorizations set forth in the table in subsection (b), as provided in section 2401 of that Act (127 Stat. 995), shall remain in effect until October 1, 2017 or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2018, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Defense Agencies: Extension of 2014 Project Authorizations

State/Country	Installation or Location	Project	Amount
California	Brawley	SOF Desert Warfare Training Center	$23,095,000
Germany	Kaiserslautern	Replace Kaiserslautern Elementary School	$49,907,000
	Ramstein Air Base	Replace Ramstein High School	$98,762,000
Hawaii	Joint Base Pearl Harbor-Hickam	DISA Pacific Facility Upgrade	$2,615,000
Massachusetts	Hanscom Air Force Base	Replace Hanscom Primary School	$36,213,000
United Kindgom	RAF Lakenheath	Replace Lakenheath High School	$69,638,000
Virginia	MCB Quantico	Replace Quantico Middle/High School	$40,586,000
	Pentagon	PFPA Support Operations Center	$14,800,000
	Pentagon	Raven Rock Administrative Facility Upgrade	$32,000,000
	Pentagon	Boundary Channel Access Control Point	$6,700,000

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2016, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501 as specified in the funding table in section 4601.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Subtitle A—Project Authorizations and Authorization of Appropriations

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

Army National Guard

State	Location	Amount
Colorado	Fort Carson	$16,500,000
Hawaii	Hilo	$31,000,000
Iowa	Davenport	$23,000,000
Kansas	Fort Leavenworth	$29,000,000
New Hampshire	Hooksett	$11,000,000
	Rochester	$8,900,000
Oklahoma	Ardmore	$22,000,000
Pennsylvania	Fort Indiantown Gap	$20,000,000
	York	$9,300,000
Rhode Island	East Greenwich	$20,000,000
Utah	Camp Williams	$37,000,000
Wyoming	Camp Guernsey	$31,000,000
	Laramie	$21,000,000

SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

Army Reserve

State	Location	Amount
Arizona	Phoenix	$30,000,000
California	Barstow	$29,000,000
	Camp Parks	$19,000,000
	Fort Hunter Liggett	$21,500,000
Virginia	Dublin	$6,000,000
Washington	Joint Base Lewis-McChord	$27,500,000
Wisconsin	Fort McCoy	$11,400,000

SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps Reserve locations inside the United States, and in the amounts, set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Location	Amount
Louisiana	New Orleans	$11,207,000
New York	Brooklyn	$1,964,000
	Syracuse	$13,229,000
Texas	Galveston	$8,414,000

SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

Air National Guard

State	Location	Amount
Connecticut	Bradley IAP	$6,300,000
Florida	Jacksonville IAP	$9,000,000
Hawaii	Joint Base Pearl Harbor-Hickam	$11,000,000
Iowa	Sioux Gateway Airport	$12,600,000
Maryland	Joint Base Andrews	$5,000,000
Minnesota	Duluth IAP	$7,600,000
New Hampshire	Pease International Trade Port	$1,500,000
North Carolina	Charlotte/Douglas IAP	$50,600,000
Ohio	Toledo Express Airport	$6,000,000
South Carolina	McEntire ANGS	$8,400,000
Texas	Ellington Field	$4,500,000
Vermont	Burlington IAP	$4,500,000

SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air Force Reserve locations inside the United States, and in the amounts, set forth in the following table:

Air Force Reserve

State	Location	Amount
Guam	Anderson Air Force Base	$5,200,000
Massachusetts	Westover Air Reserve Base	$9,200,000
North Carolina	Seymour Johnson Air Force Base	$97,950,000
Pennsylvania	Pittsburgh IAP	$85,000,000
Utah	Hill Air Force Base	$3,050,000

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2016, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

Subtitle B—Other Matters

SEC. 2611. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2014 PROJECT.

In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 1001) for Bullville, New York, for construction of a new Army Reserve Center at that location, the Secretary of the Army may add to or alter the existing Army Reserve Center at Bullville, New York.

SEC. 2612. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2015 PROJECT.

In the case of the authorization contained in the table in section 2603 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3689) for Pittsburgh, Pennsylvania, for construction of a Reserve Training Center at that location, the Secretary of the Navy may acquire approximately 8.5 acres (370,260 square feet) of adjacent land, obtain necessary interest in land, and construct road improvements and associated supporting facilities to provide required access to the Reserve Training Center.

SEC. 2613. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2016 PROJECT.

In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2016 (division B of Public Law 114–92; 129 Stat. 1163) for MacDill Air Force Base, Florida, for construction of an Army Reserve Center/Aviation Support Facility at that location, the Secretary of the Army may relocate and construct replacement skeet and grenade launcher ranges necessary to clear the site for the new Army Reserve facilities.

SEC. 2614. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2013 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2118), the authorizations set forth in the table in subsection (b), as provided in section 2603 of that Act (126 Stat. 2135) and extended by section 2614 of the Military Construction Authorization Act for Fiscal Year 2016 (division B of Public Law 114-92; 129 Stat. 1166), shall remain in effect until October 1, 2017, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2018, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

National Guard and Reserve: Extension of 2013 Project Authorization

State	Installation or Location	Project	Amount
Iowa	Fort Des Moines	Joint Reserve Center	$19,162,000

SEC. 2615. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2014 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113-66; 127 Stat. 985), the authorizations set forth in the table in subsection (b), as provided in sections 2602, 2603, 2604, and 2605 of that Act (127 Stat. 1001, 1002), shall remain in effect until October 1, 2017, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2018, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

National Guard and Reserve: Extension of 2014 Project Authorizations

State	Installation or Location	Project	Amount
California	Camp Parks	Army Reserve Center	$17,500,000
	March Air Force Base	NOSC Moreno Valley Reserve Training Center	$11,086,000
Florida	Homestead ARB	Entry Control Complex	$9,800,000
Maryland	Fort Meade	175th Network Warfare Squadron Facility	$4,000,000
	Martin State Airport	Cyber/ISR Facility	$8,000,000
New York	Bullville	Army Reserve Center	$14,500,000

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2016, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account established by section 2906 of such Act (as amended by section 2711 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2140)), as specified in the funding table in section 4601.

SEC. 2702. PROHIBITION ON CONDUCTING ADDITIONAL BASE REALIGNMENT AND CLOSURE (BRAC) ROUND.

Nothing in this Act shall be construed to authorize an additional Base Realignment and Closure (BRAC) round. Nothing in the previous sentence shall be construed to affect the authority of the Secretary of Defense to comply with any requirement under law, or with any request of a congressional defense committee, to conduct an analysis, study, or report of the infrastructure needs of the Department of Defense, including the infrastructure inventory required to be prepared under section 2815(a)(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1175).

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing

SEC. 2801. MODIFICATION OF CRITERIA FOR TREATMENT OF LABORATORY REVITALIZATION PROJECTS AS MINOR MILITARY CONSTRUCTION PROJECTS.

(a) INCREASE IN THRESHOLD.—Section 2805(d) of title 10, United States Code, is amended by striking ''$4,000,000'' each place it appears in paragraph (1)(A), (1)(B), and (2) and inserting ''$6,000,000''.

(b) NOTICE REQUIREMENTS.—Section 2805(d) of such title is amended—

(1) by striking the second sentence of paragraph (2); and

(2) by amending paragraph (3) to read as follows:

''(3) If the Secretary concerned makes a decision to carry out an unspecified minor military construction project to which this subsection applies, the Secretary concerned shall notify in writing the appropriate committees of Congress of that decision, of the justification for the project, and of the estimated cost of the project. The project may then be carried out only after the end of the 21-day period beginning on the date the notification is received by the committees or, if earlier, the end of the 14-day period beginning on the date on which a copy of the notification is provided in an electronic medium pursuant to section 480 of this title.''.

(c) REPEAL OF SUNSET.—Section 2805(d) of such title is amended by striking paragraph (5).

SEC. 2802. CLASSIFICATION OF FACILITY CONVERSION PROJECTS AS REPAIR PROJECTS.

Subsection (e) of section 2811 of title 10, United States Code, is amended to read as follows:

''(e) REPAIR PROJECT DEFINED.—In this section, the term 'repair project' means a project—

''(1) to restore a real property facility, system, or component to such a condition that it may effectively be used for its designated functional purpose; or

''(2) to convert a real property facility, system, or component to a new functional purpose without increasing its external dimensions.''.

SEC. 2803. EXTENSION OF TEMPORARY, LIMITED AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS OUTSIDE THE UNITED STATES.

(a) EXTENSION OF AUTHORITY.—Subsection (h) of section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1723), as most recently amended by section 2802 of the Military Construction Authorization Act for Fiscal Year 2016 (division B of Public Law 114–92; 129 Stat. XXXX), is amended—

(1) in paragraph (1), by striking ''December 31, 2016'' and inserting ''December 31, 2017''; and

(2) in paragraph (2), by striking ''fiscal year 2017'' and inserting ''fiscal year 2018''.

(b) LIMITATION ON USE OF AUTHORITY.—Subsection (c)(1) of such section is amended—

(1) by striking ''October 1, 2015'' and inserting ''October 1, 2016'';

(2) by striking ''December 31, 2016'' and inserting ''December 31, 2017''; and

(3) by striking ''fiscal year 2017'' and inserting ''fiscal year 2018''.

SEC. 2804. EXTENSION OF TEMPORARY AUTHORITY FOR ACCEPTANCE AND USE OF CONTRIBUTIONS FOR CERTAIN CONSTRUCTION, MAINTENANCE, AND REPAIR PROJECTS MUTUALLY BENEFICIAL TO THE DEPARTMENT OF DEFENSE AND KUWAIT MILITARY FORCES.

Section 2804(f) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1171; 10 U.S.C. 2350j note) is amended by striking ''September 30, 2020'' and inserting ''September 30, 2025''.

SEC. 2805. NOTICE AND REPORTING REQUIREMENTS FOR ENERGY CONSERVATION CONSTRUCTION PROJECTS.

(a) CONTENTS OF NOTIFICATIONS.—

(1) CONTENTS.—Section 2914(b) of title 10, United States Code, is amended by striking the period at the end of the first sentence and inserting the following: '', and shall include in the notification the justification and current cost estimate for the project, the expected savings to investment ratio and simple payback estimates, and the project's measurement and validation plan and costs.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to notifications provided during fiscal year 2017 or any succeeding fiscal year.

(b) ANNUAL REPORT.—Section 2914 of such title is amended by adding at the end the following new subsection:

''(c) ANNUAL REPORT.—Not later than 90 days after the end of each fiscal year (beginning with fiscal year 2017), the Secretary of Defense shall submit to the appropriate committees of Congress a report on the status of the projects carried out under this section (including completed projects), and shall include in the report with respect to each such project the following information:

''(1) The title, location, and a brief description of the scope of work.

''(2) The original cost estimate and expected savings to investment ratio and simple payback estimates, and the original measurement and validation plan and costs.

''(3) The most recent cost estimate and expected savings to investment ratio and simple payback estimates, and the most recent version of the measurement and validation plan and costs.

''(4) Such other information as the Secretary considers appropriate.''.

SEC. 2806. ADDITIONAL ENTITIES ELIGIBLE FOR PARTICIPATION IN DEFENSE LABORATORY MODERNIZATION PILOT PROGRAM.

Section 2803(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1169; 10 U.S.C. 2358 note) is amended by adding by adding at the end the following:

''(4) A Department of Defense research, development, test, and evaluation facility that is not designated as a Science and Technology Reinvention Laboratory, but nonetheless is involved with developmental test and evaluation.''.

Subtitle B—Real Property and Facilities Administration

SEC. 2811. CONGRESSIONAL NOTIFICATION FOR IN-KIND CONTRIBUTIONS FOR OVERSEAS MILITARY CONSTRUCTION PROJECTS.

(a) NOTIFICATION REQUIREMENT.—Subsection (f) of section 2687a of title 10, United States Code, is amended to read as follows:

''(f) CONGRESSIONAL OVERSIGHT OF PAYMENT IN-KIND AND IN-KIND CONTRIBUTIONS FOR OVERSEAS PROJECTS.—(1) In the event the Secretary

of Defense accepts a military construction project to be built for Department of Defense personnel outside the United States as a payment-in-kind or an in-kind contribution required by a bilateral agreement with a host country, the Secretary of Defense shall submit to the congressional defense committees a written notification at least 30 days before the initiation date for any such military construction project.

''(2) A notification under paragraph (1) with respect to a proposed military construction project shall include the following:

''(A) The requirements for, and purpose and description of, the proposed project.

''(B) The cost of the proposed project.

''(C) The scope of the proposed project.

''(D) The schedule for the proposed project.

''(E) Such other details as the Secretary considers relevant.''.

(b) CONFORMING AMENDMENT.—Section 2802 of such title is amended by striking subsection (d).

(c) REPEAL.—Section 2803 of the Carl Levin and Howard ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3696) is repealed, and the provisions of law amended by subsections (a) and (b) of that section shall be restored as if such section had not been enacted into law.

SEC. 2812. PROHIBITION ON USE OF MILITARY INSTALLATIONS TO HOUSE UNACCOMPANIED ALIEN CHILDREN.

(a) PROHIBITION.—A military installation may not be used to house any unaccompanied alien child.

(b) DEFINITIONS.—In this section:

(1) The term ''military installation'' has the meaning given that term in section 2801(c)(4) of title 10, United States Code, but does not include an installation located outside of the United States.

(2) The term ''unaccompanied alien child'' has the meaning given such term in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2)).

SEC. 2813. ALLOTMENT OF SPACE AND PROVISION OF SERVICES TO WIC OFFICES OPERATING ON MILITARY INSTALLATIONS.

(a) ALLOTMENT OF SPACE AND PROVISION OF SERVICES AUTHORIZED.—Chapter 152 of title 10, United States Code, is amended by inserting after section 2566 the following new section:

''§ 2567. Space and services: provision to WIC offices

''(a) ALLOTMENT OF SPACE AND PROVISION OF SERVICES AUTHORIZED.—Upon application by a WIC office, the Secretary of a military department may allot space on a military installation under the jurisdiction of the Secretary to the WIC office without charge for rent or services if the Secretary determines that—

''(1) the WIC office provides or will provide services solely to members of the armed forces assigned to the installation, civilian employees of the Department of Defense employed at the installation, or dependents of such members or employees;

''(2) space is available on the installation;

''(3) operation of the WIC office will not hinder military mission requirements; and

''(4) the security situation at the installation permits the presence of a non-Federal entity on the installation.

''(b) DEFINITIONS.—In this section:

''(1) The term 'services' includes the provision of lighting, heating, cooling, and electricity.

''(2) The term 'WIC office' means a local agency (as defined in subsection (b)(6) of section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786)) that participates in the special supplemental nutrition program for women, infants, and children under such section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 152 of title 10, United States Code, is amended by inserting after the item relating to section 2566 the following new item:

''2567. Space and services: provision to WIC offices''.

SEC. 2814. SENSE OF CONGRESS REGARDING NEED TO CONSULT WITH STATE AND LOCAL OFFICIALS PRIOR TO ACQUISITIONS OF REAL PROPERTY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that, prior to acquiring real property in a State for use of the Department of Defense (including through purchase, lease, or any other arrangement), the Secretary of Defense or the Secretary of the military department concerned should consult with the chief executive of the State and representatives of units of local government with jurisdiction over the property, with the goal of resolving potential conflicts regarding the use of the property before such conflicts arise.

(b) STATE DEFINED.—In this section, the term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

SEC. 2815. SENSE OF CONGRESS REGARDING INCLUSION OF STORMWATER SYSTEMS AND COMPONENTS WITHIN THE MEANING OF "WASTEWATER SYSTEM" UNDER THE DEPARTMENT OF DEFENSE AUTHORITY FOR CONVEYANCE OF UTILITY SYSTEMS.

It is the sense of Congress that the reference to a system for the collection or treatment of wastewater in the definition of ''utility system'' in section 2688 of title 10, United States Code, which authorizes the Department of Defense to convey utility systems, includes stormwater systems and components.

SEC. 2816. ASSESSMENT OF PUBLIC SCHOOLS ON DEPARTMENT OF DEFENSE INSTALLATIONS.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that includes an update of the July 2011 assessment on the condition and capacity of elementary and secondary public schools on military installations, including consideration for—

(1) schools that have had changes in their condition or capacity since the original assessment; and

(2) schools that may have been inadvertently omitted from the original assessment.

Subtitle C—Provision Related to Asia-Pacific Military Realignment

SEC. 2821. LIMITED EXCEPTIONS TO RESTRICTION ON DEVELOPMENT OF PUBLIC INFRASTRUCTURE IN CONNECTION WITH REALIGNMENT OF MARINE CORPS FORCES IN ASIA-PACIFIC REGION.

(a) REVISION.—Notwithstanding section 2821(b) of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3701), the Secretary of Defense may proceed with a public infrastructure project on Guam which is described in subsection (b) if—

(1) the project was identified in the report prepared by the Secretary of Defense under section 2822(d)(2) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 1017); and

(2) amounts have been appropriated or made available to be expended by the Department of Defense for the project.

(b) PROJECTS DESCRIBED.—A project described in this subsection is any of the following:

(1) A project intended to improve water and wastewater systems.

(2) A project intended to improve curation of archeological and cultural artifacts.

(3) A project intended to improve the control and containment of public health threats.

(c) REPEAL OF SUPERSEDED LAW.—Section 2821 of the Military Construction Authorization Act for Fiscal Year 2016 (division B of Public Law 114–92; 129 Stat. 1177) is repealed.

Subtitle D—Land Conveyances

SEC. 2831. LAND CONVEYANCES, HIGH FREQUENCY ACTIVE AURORAL RESEARCH PROGRAM FACILITY AND ADJACENT PROPERTY, GAKONA, ALASKA.

(a) CONVEYANCES AUTHORIZED.—

(1) CONVEYANCE TO UNIVERSITY OF ALASKA.—The Secretary of the Air Force may convey to the University of Alaska (in this section referred to as the ''University'') all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 1,158 acres near the Gulkana Village, Alaska, which were purchased by the Secretary of the Air Force from Ahtna, Incorporated, in January 1989, contain a High Frequency Active Auroral Research Program facility, and comprise a portion of the property more particularly described in subsection (b), for the purpose of permitting the University to use the conveyed property for public purposes.

(2) CONVEYANCE TO ALASKA NATIVE CORPORATION.—The Secretary of the Air Force may convey to the Ahtna, Incorporated, (in this section referred to as ''Ahtna''), all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 4,259 acres near Gulkana Village, Alaska, which were purchased by the Secretary of the Air Force from Ahtna, Incorporated, in January 1989 and comprise the portion of the property more particularly described in subsection (b) that does not contain the High Frequency Active Auroral Research Program facility. The property to be conveyed under this paragraph does not include any of the property authorized for conveyance to the University under paragraph (1).

(b) PROPERTY DESCRIBED.—Subject to the property exclusions specified in subsection (c), the real property authorized for conveyance under subsection (a) consists of portions of sections within township 7 north, range 1 east; township 7 north, range 2 east; township 8 north, range 1 east; and township 8 north, range 2 east; Copper River Meridian, Chitina Recording District, Third Judicial District, State of Alaska, as follows:

(1) Township 7 north, range 1 east:

(A) Section 1.

(B) E½, S½NW¼, SW¼ of section 2.

(C) S½SE¼, NE¼SE¼ of section 3.

(D) E½ of section 10.

(E) Sections 11 and 12.

(F) That portion of N½, N½S½ of section 13, excluding all lands lying southerly and easterly of the Glenn Highway right-of-way.

(G) N½, N½S½ of section 14.

(H) NE¼, NE¼SE¼ of section 15.

(2) Township 7 north, range 2 east:

(A) W½ of section 6.

(B) NW¼ of section 7, and the portion of N½SW¼ and NW¼SE¼ of such section lying northerly of the Glenn Highway right-of-way.

(3) Township 8 north, range 1 east:

(A) SE¼SE¼ of section 35.

(B) E½, SW¼, SE¼NW¼ of section 36.

(4) Township 8 north, range 2 east:

(A) W½ of section 31.

(c) EXCLUSION OF CERTAIN PROPERTY.—The real property authorized for conveyance under subsection (a) may not include the following:

(1) Public easements reserved pursuant to section 17(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1616(b)), as described in the Warranty Deed from Ahtna, Incorporated, to the United States, dated March 1, 1990, recorded

in Book 31, pages 665 through 668 in the Chitina Recording District, Third Judicial District, Alaska.

(2) Easement for an existing trail as described in the such Warranty Deed from Ahtna, Incorporated, to the United States.

(3) The subsurface estate.

(d) CONSIDERATION.—

(1) CONVEYANCE TO UNIVERSITY.—As consideration for the conveyance of property under subsection (a)(1), the University shall provide the United States with consideration in an amount that is acceptable to the Secretary of the Air Force, whether in the form of cash payment, in-kind consideration, or a combination thereof.

(2) CONVEYANCE TO AHTNA.—As consideration for the conveyance of property under subsection (a)(2), Ahtna shall provide the United States with consideration in an amount that is acceptable to the Secretary, whether in the form of cash payment, in-kind consideration, a land exchange under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq), or a combination thereof.

(3) TREATMENT OF CASH CONSIDERATION RECEIVED.—Any cash payment received by the Secretary as consideration for a conveyance under subsection (a) shall be deposited in the special account in the Treasury established under subsection (b) of section 572 of title 40, United States Code, and shall be available in accordance with paragraph (5)(B) of such subsection.

(e) REVERSIONARY INTEREST.—If the Secretary of the Air Force determines at any time that the real property conveyed under subsection (a)(1) is not being used by the University in accordance with the purposes of the conveyance specified in such subsection, all right, title, and interest in and to the land, including any improvements thereto, shall revert, at the option of the Secretary, to and become the property of the United States, and the United States shall have the right of immediate entry onto such land. A determination by the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(f) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Air Force shall require the recipient of real property under this section to cover all costs to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance of that property, including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the recipient.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out a conveyance under this section shall be credited and made available to the Secretary as provided in section 2695(c) of title 10, United States Code.

(g) CONVEYANCE AGREEMENT.—The conveyance of property under this section shall be accomplished using a quit claim deed or other legal instrument and upon terms and conditions mutually satisfactory to the Secretary of the Air Force and the recipient of the property, including such additional terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2832. LAND CONVEYANCE, CAMPION AIR FORCE RADAR STATION, GALENA, ALASKA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, to the Town of Galena, Alaska (in this section referred to as the ''Town''), all right, title, and interest of the United States in and to public land, including improvements thereon, at the former Campion Air Force Station, Alaska, as further described in subsection (b), for the purpose of permitting the Town to use the conveyed property for public purposes. The conveyance under this subsection is subject to valid existing rights.

(b) DESCRIPTION OF PROPERTY.—The land to be conveyed under subsection (a) consists of up to approximately 1,300 acres of the remaining land withdrawn under Public Land Order No. 843 of June 24, 1952, and Public Land Order No. 1405 of April 4, 1957, for use by the Secretary of the Air Force as the former Campion Air Force Station. The portions of the former Air Force Station that are not authorized to be conveyed under subsection (a) are those portions that are subject to environmental land use restrictions or are currently undergoing environmental remediation by the Secretary of the Air Force.

(c) MAP AND LEGAL DESCRIPTION.—As soon as practicable after the date of enactment of this Act, the Secretary of the Air Force, in consultation with the Secretary of the Interior, shall finalize a map and the legal description of the land to be conveyed under subsection (a). The Secretary of the Air Force may correct any minor errors in the map or the legal description. The map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(d) REVERSIONARY INTEREST.—If the Secretary of the Air Force determines at any time that the land conveyed under subsection (a) is not being used in accordance with the purposes of the conveyance specified in such subsection, all right, title, and interest in and to the land, including any improvements thereto, shall revert, at the option of the Secretary, to and become the property of the United States, and the United States shall have the right of immediate entry onto such land. A determination by the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(e) CONVEYANCE AGREEMENT.—The conveyance of land under this section shall be accomplished using a quit claim deed or other legal instrument and upon terms and conditions mutually satisfactory to the Secretary of the Air Force, after consulting with the Secretary of the Interior, and the Town, including such additional terms and conditions as the Secretary of the Air Force, after consulting with the Secretary of the Interior, considers appropriate to protect the interests of the United States.

(f) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Air Force shall require the Town to cover all costs (except costs for environmental remediation of the property) to be incurred by the Secretary of the Air Force and by the Secretary of the Interior, or to reimburse the appropriate Secretary for such costs incurred by the Secretary, to carry out the conveyance under this section, including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the appropriate Secretary shall refund the excess amount to the Town.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary of the Air Force or by the Secretary of the Interior to carry out the conveyance under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the appropriate Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(g) SUPERSEDENCE OF PUBLIC LAND ORDERS.—Public Land Order Nos. 843 and 1405 are hereby superseded, but only insofar as the orders affect the lands conveyed to the Town under subsection (a).

SEC. 2833. EXCHANGE OF PROPERTY INTERESTS, SAN DIEGO UNIFIED PORT DISTRICT, CALIFORNIA.

(a) EXCHANGE OF PROPERTY INTERESTS AUTHORIZED.—

(1) INTERESTS TO BE CONVEYED.—The Secretary of the Navy (hereafter referred to as the ''Secretary'') may convey to the San Diego Unified Port District (hereafter referred to as the ''District'') all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon and, without limitation, any leasehold interests of the United States therein, consisting of approximately 0.33 acres and identified as Parcel No. 4 on District Drawing No. 018–107 (April 2013). This parcel contains 48 parking spaces central to the mission conducted on the site of the Navy's leasehold interest at 1220 Pacific Highway, San Diego, California.

(2) INTERESTS TO BE ACQUIRED.—In exchange for the property interests described in paragraph (1), the Secretary may accept from the District property interests of equal value and similar utility, as determined by the Secretary, located within immediate proximity to the property described in paragraph (1), that provide the rights to an equivalent number of parking spaces of equal value (subject to subsection (c)(1)).

(b) ENCUMBRANCES.—

(1) NO ACCEPTANCE OF PROPERTY WITH ENCUMBRANCES PRECLUDING USE AS PARKING SPACES.—In an exchange of property interests under subsection (a), the Secretary may not accept any property under subsection (a)(2) unless the property is free of encumbrances that would preclude the Department of the Navy from using the property for parking spaces, as determined under paragraph (2).

(2) DETERMINATION OF FREEDOM FROM ENCUMBRANCES.—For purposes of paragraph (1), a property shall be considered to be free of encumbrances that would preclude the Department of the Navy from using the property for parking spaces if—

(A) the District guarantees and certifies that the property is free of such encumbrances under its own authority to preclude the use of the property for parking spaces; and

(B) the District obtains guarantees and certifications from appropriate entities of the State and units of local government that the property is free of any such encumbrances that may be in place pursuant to the Tidelands Trust, the North Embarcadero Visionary Plan, the Downtown Community Plan, or any other law, regulation, plan or document.

(c) EQUALIZATION.—

(1) TRANSFER OF RIGHTS TO ADDITIONAL PARKING SPACES.—If the value of the property interests described in subsection (a)(1) is greater than the value of the property interests and rights to parking spaces described in subsection (a)(2), the values shall be equalized by the transfer to the Secretary of rights to additional parking spaces.

(2) NO AUTHORIZATION OF CASH EQUALIZATION PAYMENTS FROM SECRETARY.—If the value of the property interests and parking rights described in subsection (a)(2) are greater than the value of the property interests described in subsection (a)(1), the Secretary may not make a cash equalization payment to equalize the values.

(d) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary shall require the District to cover all costs to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the exchange of property interests under this section, including survey costs, costs related to environmental documentation, real estate due diligence such as appraisals and any other administrative costs related to the exchange of property interests. If amounts are collected from the District in advance of the Secretary incurring the actual costs and the amount collected exceeds the costs actually incurred by the Secretary to carry out the exchange of property interests, the Secretary shall refund the excess amount to the District.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the exchange of property interests. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property interests to be exchanged under this section shall be determined by surveys satisfactory to the Secretary.

(f) CONVEYANCE AGREEMENT.—The exchange of property interests under this section shall be accomplished using a lease, lease amendment, or other legal instrument and upon terms and conditions mutually satisfactory to the Secretary and the District, including such additional terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2834. RELEASE OF PROPERTY INTERESTS RETAINED IN CONNECTION WITH LAND CONVEYANCE, EGLIN AIR FORCE BASE, FLORIDA.

(a) RELEASE OF EXCEPTIONS, LIMITATIONS, AND CONDITIONS IN DEEDS.—With respect to approximately 126 acres of real property in Okaloosa County, Florida, more particularly described in subsection (b), which were conveyed by the United States to the Air Force Enlisted Mens' Widows and Dependents Home Foundation, Incorporated (''Air Force Enlisted Village''), the Secretary of the Air Force may release any and all exceptions, limitations, and conditions specified by the United States in the deeds conveying such real property.

(b) PROPERTY DESCRIBED.—The real property subject to subsection (a) was part of Eglin Air Force, Florida, and consists of all parcels conveyed in exchange for fair market value cash payment by the Air Force Enlisted Village pursuant to section 809(c) of the Military Construction Authorization Act, 1979 (Public Law 95–356; 92 Stat. 587), as amended by section 2826 of the Military Construction Authorization Act, 1989 (Public Law 100–456; 102 Stat. 2123) and section 2861 of the Military Construction Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2223).

(c) INSTRUMENT OF RELEASE AND DESCRIPTION OF PROPERTY.—The Secretary may execute and record in the appropriate office a deed of release, amended deed, or other appropriate instrument reflecting the release of exceptions, limitations, and conditions under subsection (a).

(d) PAYMENT OF ADMINISTRATIVE COSTS.—

(1) PAYMENT REQUIRED.—The Secretary may require the Air Force Enlisted Village to pay for any costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the release under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the release. If amounts paid to the Secretary in advance exceed the costs actually incurred by the Secretary to carry out the release, the Secretary shall refund the excess amount to the Air Force Enlisted Village.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the release under subsection (a) shall be credited and made available to the Secretary as provided in section 2695(c) of title 10, United States Code.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the release of exceptions, limitations, and conditions under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2835. LAND EXCHANGE, FORT HOOD, TEXAS.

(a) EXCHANGE AUTHORIZED.—The Secretary of the Army may convey to the City of Copperas Cove, Texas (in this section referred to as the ''City''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 437 acres at Fort Hood, Texas, for the purpose of permitting the City to improve arterial transportation routes in the vicinity of Fort Hood and to promote economic development in the area of the City and Fort Hood.

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the City shall convey to the Secretary of the Army all right, title, and interest of the City in and to one or more parcels of real property that are acceptable to the Secretary. The fair market value of the real property acquired by the Secretary under this subsection shall be at least equal to the fair market value of the real property conveyed under subsection (a), as determined by appraisals acceptable to the Secretary.

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be exchanged under this section shall be determined by surveys satisfactory to the Secretary of the Army.

(d) PAYMENT OF COSTS OF CONVEYANCES.—

(1) PAYMENT REQUIRED.—The Secretary of the Army shall require the City to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyances under this section, including survey costs related to the conveyances. If amounts are collected from the City in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyances, the Secretary shall refund the excess amount to the City.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the conveyances under this section shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyances. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(e) ADDITIONAL TERM AND CONDITIONS.—The Secretary of the Army may require such additional terms and conditions in connection with the conveyances under this section as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2836. LAND CONVEYANCE, P-36 WAREHOUSE, COLBERN UNITED STATES ARMY RESERVE CENTER, LAREDO, TEXAS.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army (in this section referred to as the ''Secretary'') may convey, without consideration, to the Laredo Community College (in this section referred to as the ''LCC'') all right, title, and interest of the United States in and to the approximately 725 sq. ft. Historic Building, P-36 Warehouse, including any improvements thereon, at Colbern United States Army Reserve Center, Laredo, TX, for the purposes of educational use and historic preservation.

(b) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary shall require the LCC to cover costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected from the LCC in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the LCC.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(d) REVERSIONARY INTEREST.—

(1) REVERSION.—If the Secretary determines at any time that the property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in subsection (a), all right, title, and interest in and to such property, including any improvements thereto, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such property. A determination by the Secretary under this paragraph shall be made on the record after an opportunity for a hearing.

(2) PAYMENT OF CONSIDERATION IN LIEU OF REVERSION.—In lieu of exercising the right of reversion retained under paragraph (1) with respect to the property conveyed under subsection (a), the Secretary may require the LCC to pay to the United States an amount equal to the fair market value of the property conveyed, as determined by the Secretary.

(3) TREATMENT OF CASH CONSIDERATION.—Any cash payment received by the United States under paragraph (2) shall be deposited in the special account in the Treasury established under subsection (b) of section 572 of title 40, United States Code, and shall be available in accordance with paragraph (5)(B) of such subsection.

(e) ADDITIONAL TERMS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

(f) COMPLIANCE WITH ENVIRONMENTAL LAWS.—Nothing in this section shall be construed to affect or limit the application of, or any obligation to comply with, any environmental law, including the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

SEC. 2837. LAND CONVEYANCE, ST. GEORGE NATIONAL GUARD ARMORY, ST. GEORGE, UTAH.

(a) LAND CONVEYANCE AUTHORIZED.—The Secretary of the Interior may convey, without consideration, to the State of Utah all right, title, and interest of the United States in and to a parcel of public land in St. George, Utah, comprising approximately 70 acres, as described in Public Land Order 6840 published in the Federal Register on March 29, 1991 (56 Fed. Reg. 13081), and containing the St. George National Guard Armory for the purpose of permitting the Utah National Guard to use the conveyed land for military purposes.

(b) TERMINATION OF PRIOR ADMINISTRATIVE ACTION.—The Public Land Order described in subsection (a), which provided for a 20-year withdrawal of the public land described in the Public Land Order, is withdrawn upon conveyance of the land under this section.

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under this section shall be determined by a survey satisfactory to the Secretary of the Interior.

(d) CONVEYANCE AGREEMENT.—The conveyance under this section shall be accomplished using a quit claim deed or other legal instrument and upon terms and conditions mutually satisfactory to the Secretary of the Interior and the State of Utah, including such additional terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2838. RELEASE OF RESTRICTIONS, RICHLAND INNOVATION CENTER, RICHLAND, WASHINGTON.

(a) RELEASE AUTHORIZED.—The Secretary of Transportation, acting through the Maritime Administrator and in consultation with the Administrator of General Services, may, upon receipt of full consideration as provided in subsection (b), release all remaining right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, in Richland, Washington, consisting as of the date of the enactment of this Act of approximately 71.5 acres and containing personal and real property, to the Port of Benton (hereafter in this section referred to as the ''Port'').

(b) CONSIDERATION.—

(1) CONSIDERATION REQUIRED.—As consideration for the release under subsection (a), the Port shall provide an amount that is acceptable to the Secretary of Transportation, whether by cash payment, in-kind consideration as described under paragraph (2), or a combination thereof, at such time as the Secretary may require. The Secretary may determine the level of acceptable consideration under this paragraph on the basis of the value of the restrictions released under subsection (a), but only if the value of such restrictions is determined without regard to any improvements made by the Port.

(2) IN-KIND CONSIDERATION.—In-kind consideration provided by the Port under paragraph (1) may include the acquisition, construction, provision, improvement, maintenance, repair, or restoration (including environmental restoration), or combination thereof, of any facility or infrastructure under the jurisdiction of any office of the Federal government.

(3) TREATMENT OF CONSIDERATION RECEIVED.—Consideration in the form of cash payment received by the Secretary under paragraph (1) shall be deposited in the separate fund in the Treasury described in section 572(a)(1) of title 40, United States Code.

(c) PAYMENT OF COST OF RELEASE.—

(1) PAYMENT REQUIRED.—The Secretary of Transportation shall require the Port to cover costs to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the release under subsection (a), including survey costs, costs for environmental documentation related to the release, and any other administrative costs related to the release. If amounts are collected from the Port in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the release, the Secretary shall refund the excess amount to the Port.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the release under subsection (a) or, if the period of availability of obligations for that appropriation has expired, to the appropriations of fund that is currently available to the Secretary for the same purpose. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property which is the subject of the release under subsection (a) shall be determined by a survey satisfactory to the Secretary of Transportation.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of Transportation may require such additional terms and conditions in connection with the release under subsection (a) as the Secretary, in consultation with the Administrator of General Services, considers appropriate to protect the interests of the United States.

Subtitle E—Military Land Withdrawals

SEC. 2841. BUREAU OF LAND MANAGEMENT WITHDRAWN MILITARY LANDS UNDER MILITARY LANDS WITHDRAWAL ACT OF 1999.

(a) ELIMINATION OF TERMINATION DATE AND AUTHORIZATION FOR TRANSFER OF ADMINISTRATIVE JURISDICTION.—Subsection (a) of section 3015 of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 892) is amended to read as follows:

''(a) PERMANENT WITHDRAWAL AND RESERVATION; EFFECT OF TRANSFER ON WITHDRAWAL.—The withdrawal and reservation of lands by section 3011 shall terminate only as follows:

''(1) Upon an election by the Secretary of the military department concerned to relinquish any or all of the land withdrawn and reserved by section 3011.

''(2) Upon a transfer by the Secretary of the Interior, under section 3016 and upon request by the Secretary of the military department concerned, of administrative jurisdiction over the land to the Secretary of the military department concerned. Such a transfer may consist of a portion of the land, in which case the termination of the withdrawal and reservation applies only with respect to the land so transferred.''.

(b) TRANSFER PROCESS AND MANAGEMENT AND USE OF LANDS.—The Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65) is further amended—

(1) by redesignating sections 3022 and 3023 as sections 3027 and 3028, respectively; and

(2) by striking sections 3016 through 3021 and inserting the following new sections:

''SEC. 3016. TRANSFER PROCESS.

''(a) TRANSFER AUTHORIZED.—The Secretary of the Interior shall, upon the request of the Secretary concerned, transfer to the Secretary concerned administrative jurisdiction over the land withdrawn and reserved by section 3011, or a portion of the land as the Secretary concerned may request.

''(b) VALID EXISTING RIGHTS.—The transfer of administrative jurisdiction under subsection (a) shall be subject to any valid existing rights.

''(c) TIME FOR CONVEYANCE.—The transfer of administrative jurisdiction under subsection (a) shall occur pursuant to a schedule agreed upon by the Secretary of the Interior and the Secretary concerned.

''(d) MAP AND LEGAL DESCRIPTION.—

''(1) PREPARATION AND PUBLICATION.—The Secretary of the Interior shall publish in the Federal Register a legal description of the public land to be transferred under subsection (a).

''(2) SUBMISSION TO CONGRESS.—The Secretary of the Interior shall file with the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives—

''(A) a copy of the legal description prepared under paragraph (1); and

''(B) the map referred to in subsection (a).

''(3) AVAILABILITY FOR PUBLIC INSPECTION.—Copies of the legal description and map filed under paragraph (2) shall be available for public inspection in the appropriate offices of—

''(A) the Bureau of Land Management;

''(B) the commanding officer of the installation; and

''(C) the Secretary concerned.

''(4) FORCE OF LAW.—The legal description and map filed under paragraph (2) shall have the same force and effect as if included in this Act, except that the Secretary of the Interior may correct clerical and typographical errors in the legal description or map.

''(5) REIMBURSEMENT OF COSTS.—Any transfer entered into pursuant to subsection (a) shall be made without reimbursement, except that the Secretary concerned shall reimburse the Secretary of the Interior for any costs incurred by the Secretary of the Interior to prepare the legal description and map under this subsection.

''SEC. 3017. ADMINISTRATION OF TRANSFERRED LAND.

''(a) TREATMENT AND USE OF TRANSFERRED LAND.—Upon the transfer of administrative jurisdiction of land under section 3016—

''(1) the land shall be treated as property (as defined in section 102(9) of title 40, United States Code) under the administrative jurisdiction of the Secretary concerned; and

''(2) the Secretary concerned shall administer the land for military purposes.

''(b) WITHDRAWAL OF MINERAL ESTATE.—Subject to valid existing rights, land for which the administrative jurisdiction is transferred under section 3016 is withdrawn from all forms of appropriation under the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws, for as long as the land is under the administrative jurisdiction of the Secretary concerned.

''(c) INTEGRATED NATURAL RESOURCES MANAGEMENT PLAN.—Not later than one year after the transfer of land under section 3016, the Secretary concerned, in cooperation with the Secretary of the Interior, shall prepare an integrated natural resources management plan pursuant to the Sikes Act (16 U.S.C. 670a et seq.) for the transferred land.

''(d) RELATION TO GENERAL PROVISIONS.—Sections 3018 through 3026 do not apply to lands transferred under section 3016 or to the management of such land.

''(e) TRANSFERS BETWEEN ARMED FORCES.—Nothing in this subtitle shall be construed as limiting the authority to transfer administrative jurisdiction over the land transferred under section 3016 to another armed force pursuant to section 2696 of title 10, United States Code, and the provisions of this section shall continue to apply to any such lands.

''SEC. 3018. GENERAL APPLICABILITY; DEFINITIONS.

''(a) APPLICABILITY.—Sections 3014 through 3028 apply to the lands withdrawn and reserved by section 3011 except—

''(1) to the B-16 Range referred to in section 3011(a)(3)(A), for which only section 3019 applies;

''(2) to the 'Shoal Site' referred to in section 3011(a)(3)(B), for which sections 3014 through 3028 apply only to the surface estate;

''(3) to the 'Pahute Mesa' area referred to in section 3011(b)(2); and

''(4) to the Desert National Wildlife Refuge referred to in section 3011(b)(5)—

''(A) except for section 3024(b); and

''(B) for which sections 3014 through 3028 shall only apply to the authorities and responsibilities of the Secretary of the Air Force under section 3011(b)(5).

''(b) RULES OF CONSTRUCTION.—Nothing in this subtitle assigns management of real property under the administrative jurisdiction of the Secretary concerned to the Secretary of the Interior.

''(c) DEFINITIONS.—In this subtitle:

''(1) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given the term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a).

''(2) MANAGE; MANAGEMENT.—

''(A) INCLUSIONS.—The terms 'manage' and 'management' include the authority to exercise jurisdiction, custody, and control over the lands withdrawn and reserved by section 3011.

''(B) EXCLUSIONS.—Such terms do not include authority for disposal of the lands withdrawn and reserved by section 3011.

''(3) SECRETARY CONCERNED.—The term 'Secretary concerned' has the meaning given the term in section 101(a) of title 10, United States Code.

''SEC. 3019. ACCESS RESTRICTIONS.

''(a) AUTHORITY TO IMPOSE RESTRICTIONS.—If the Secretary concerned determines that military operations, public safety, or national security require the closure to the public of any road, trail, or other portion of land withdrawn and reserved by section 3011, the Secretary may take such action as the Secretary determines to be necessary to implement and maintain the closure.

''(b) LIMITATION.—Any closure under subsection (a) shall be limited to the minimum area and duration that the Secretary concerned determines are required for the purposes of the closure.

''(c) CONSULTATION REQUIRED.—

''(1) IN GENERAL.—Subject to paragraph (3), before a closure is implemented under this section, the Secretary concerned shall consult with the Secretary of the Interior.

''(2) INDIAN TRIBE.—Subject to paragraph (3), if a closure proposed under this section may affect access to or use of sacred sites or resources considered to be important by an Indian tribe, the Secretary concerned shall consult, at the earliest practicable date, with the affected Indian tribe.

''(3) LIMITATION.—No consultation shall be required under paragraph (1) or (2)—

''(A) if the closure is provided for in an integrated natural resources management plan, an installation cultural resources management plan, or a land use management plan; or

''(B) in the case of an emergency, as determined by the Secretary concerned.

''(d) NOTICE.—Immediately preceding and during any closure implemented under subsection (a), the Secretary concerned shall post appropriate warning notices and take other appropriate actions to notify the public of the closure.

''SEC. 3020. CHANGES IN USE.

''(a) OTHER USES AUTHORIZED.—In addition to the purposes described in section 3011, the Secretary concerned may authorize the use of land withdrawn and reserved by section 3011 for defense-related purposes.

''(b) NOTICE TO SECRETARY OF THE INTERIOR.—

''(1) IN GENERAL.—The Secretary concerned shall promptly notify the Secretary of the Interior if the land withdrawn and reserved by section 3011 is used for additional defense-related purposes.

''(2) REQUIREMENTS.—A notification under paragraph (1) shall specify—

''(A) each additional use;

''(B) the planned duration of each additional use; and

''(C) the extent to which each additional use would require that additional or more stringent conditions or restrictions be imposed on otherwise-permitted nondefense-related uses of the withdrawn and reserved land or portions of withdrawn and reserved land.

''SEC. 3021. BRUSH AND RANGE FIRE PREVENTION AND SUPPRESSION.

''(a) REQUIRED ACTIVITIES.—Consistent with any applicable land management plan, the Secretary concerned shall take necessary precautions to prevent, and actions to suppress, brush and range fires occurring as a result of military activities on the land withdrawn and reserved by section 3011, including fires that occur on other land that spread from the withdrawn and reserved land.

''(b) COOPERATION OF SECRETARY OF THE INTERIOR.—

''(1) IN GENERAL.—At the request of the Secretary concerned, the Secretary of the Interior shall provide assistance in the suppression of fires under subsection (a). The Secretary concerned shall reimburse the Secretary of the Interior for the costs incurred by the Secretary of the Interior in providing such assistance.

''(2) TRANSFER OF FUNDS.—Notwithstanding section 2215 of title 10, United States Code, the Secretary concerned may transfer to the Secretary of the Interior, in advance, funds to be used to reimburse the costs of the Department of the Interior in providing assistance under this subsection.

''SEC. 3022. ONGOING DECONTAMINATION.

''(a) PROGRAM OF DECONTAMINATION REQUIRED.—During the period of a withdrawal and reservation of land by section 3011, the Secretary concerned shall maintain, to the extent funds are available to carry out this subsection, a program of decontamination of contamination caused by defense-related uses on the withdrawn land. The decontamination program shall be carried out consistent with applicable Federal and State law.

''(b) ANNUAL REPORT.—The Secretary of Defense shall include in the annual report required by section 2711 of title 10, United States Code, a description of decontamination activities conducted under subsection (a).

''SEC. 3023. WATER RIGHTS.

''(a) NO RESERVATION OF WATER RIGHTS.—Nothing in this subtitle—

''(1) establishes a reservation in favor of the United States with respect to any water or water right on the land withdrawn and reserved by section 3011; or

''(2) authorizes the appropriation of water on the land withdrawn and reserved by section 3011, except in accordance with applicable State law.

''(b) EFFECT ON PREVIOUSLY ACQUIRED OR RESERVED WATER RIGHTS.—

''(1) IN GENERAL.—Nothing in this section affects any water rights acquired or reserved by the United States before October 5, 1999, on the land withdrawn and reserved by section 3011.

''(2) AUTHORITY OF SECRETARY CONCERNED.—The Secretary concerned may exercise any water rights described in paragraph (1).

''SEC. 3024. HUNTING, FISHING, AND TRAPPING.

''(a) IN GENERAL.—Section 2671 of title 10, United States Code, shall apply to all hunting, fishing, and trapping on the land—

''(1) that is withdrawn and reserved by section 3011; and

''(2) for which management of the land has been assigned to the Secretary concerned.

''(b) DESERT NATIONAL WILDLIFE REFUGE.—Hunting, fishing, and trapping within the Desert National Wildlife Refuge shall be conducted in accordance with the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.), the Recreation Use of Wildlife Areas Act of 1969 (16 U.S.C. 460k et seq.), and other laws applicable to the National Wildlife Refuge System.

''SEC. 3025. RELINQUISHMENT.

''(a) NOTICE OF INTENTION TO RELINQUISH.—If, during the period of withdrawal and reservation made by section 3011, the Secretary concerned decides to relinquish any or all of the land withdrawn and reserved by section 3011, the Secretary concerned shall submit to the Secretary of the Interior notice of the intention to relinquish the land.

''(b) DETERMINATION OF CONTAMINATION.—The Secretary concerned shall include in the notice submitted under subsection (a) a written determination concerning whether and to what extent the land that is to be relinquished is contaminated with explosive materials or toxic or hazardous substances.

''(c) PUBLIC NOTICE.—The Secretary of the Interior shall publish in the Federal Register the notice of intention to relinquish the land under this section, including the determination concerning the contaminated state of the land.

''(d) DECONTAMINATION OF LAND TO BE RELINQUISHED.—

''(1) DECONTAMINATION REQUIRED.—The Secretary concerned shall decontaminate land subject to a notice of intention under subsection (a) to the extent that funds are appropriated for that purpose, if—

''(A) the land subject to the notice of intention is contaminated, as determined by the Secretary concerned; and

''(B) the Secretary of the Interior, in consultation with the Secretary concerned, determines that—

''(i) decontamination is practicable and economically feasible, after taking into consideration the potential future use and value of the contaminated land; and

''(ii) on decontamination of the land, the land could be opened to operation of some or all of the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws.

''(2) ALTERNATIVES TO RELINQUISHMENT.—The Secretary of the Interior shall not be required to accept the land proposed for relinquishment under subsection (a), if—

''(A) the Secretary of the Interior, after consultation with the Secretary concerned, determines that—

''(i) decontamination of the land is not practicable or economically feasible; or

''(ii) the land cannot be decontaminated sufficiently to be opened to operation of some or all of the public land laws; or

''(B) sufficient funds are not appropriated for the decontamination of the land.

''(3) STATUS OF CONTAMINATED LAND PROPOSED TO BE RELINQUISHED.—If, because of the contaminated state of the land, the Secretary of the Interior declines to accept land withdrawn and reserved by section 3011 that has been proposed for relinquishment—

''(A) the Secretary concerned shall take appropriate steps to warn the public of—

''(i) the contaminated state of the land; and

''(ii) any risks associated with entry onto the land;

''(B) the Secretary concerned shall submit to the Secretary of the Interior and Congress a report describing—

''(i) the status of the land; and

''(ii) any actions taken under this paragraph.

''(e) REVOCATION AUTHORITY.—

''(1) IN GENERAL.—If the Secretary of the Interior determines that it is in the public interest to

accept the land proposed for relinquishment under subsection (a), the Secretary of the Interior may order the revocation of a withdrawal and reservation made by section 3011.

''(2) REVOCATION ORDER.—To carry out a revocation under paragraph (1), the Secretary of the Interior shall publish in the Federal Register a revocation order that—

''(A) terminates the withdrawal and reservation;

''(B) constitutes official acceptance of the land by the Secretary of the Interior; and

''(C) specifies the date on which the land will be opened to the operation of some or all of the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws.

''(f) ACCEPTANCE BY SECRETARY OF THE INTERIOR.—

''(1) IN GENERAL.—Nothing in this section requires the Secretary of the Interior to accept the land proposed for relinquishment if the Secretary determines that the land is not suitable for return to the public domain.

''(2) NOTICE.—If the Secretary makes a determination that the land is not suitable for return to the public domain, the Secretary shall provide notice of the determination to Congress.

''SEC. 3026. EFFECT OF TERMINATION OF MILITARY USE.

''(a) NOTICE AND EFFECT.—Upon a determination by the Secretary concerned that there is no longer a military need for all or portions of the land for which administrative jurisdiction was transferred under section 3016, the Secretary concerned shall notify the Secretary of the Interior of such determination. Subject to subsections (b), (c), and (d), the Secretary concerned shall transfer administrative jurisdiction over the land subject to such a notice back to the administrative jurisdiction of the Secretary of the Interior.

''(b) CONTAMINATION.—Before transmitting a notice under subsection (a), the Secretary concerned shall prepare a written determination concerning whether and to what extent the land to be transferred is contaminated with explosive materials or toxic or hazardous substances. A copy of the determination shall be transmitted with the notice. Copies of the notice and the determination shall be published in the Federal Register.

''(c) DECONTAMINATION.—The Secretary concerned shall decontaminate any contaminated land that is the subject of a notice under subsection (a) if—

''(1) the Secretary of the Interior, in consultation with the Secretary concerned, determines that—

''(A) decontamination is practicable and economically feasible (taking into consideration the potential future use and value of the land); and

''(B) upon decontamination, the land could be opened to operation of some or all of the public land laws, including the mining laws; and

''(2) funds are appropriated for such decontamination.

''(d) NO REQUIRED ACCEPTANCE.—The Secretary of the Interior is not required to accept land proposed for transfer under subsection (a) if the Secretary of the Interior is unable to make the determinations under subsection (c)(1) or if Congress does not appropriate a sufficient amount of funds for the decontamination of the land.

''(e) ALTERNATIVE DISPOSAL.—If the Secretary of the Interior declines to accept land proposed for transfer under subsection (a), the Secretary concerned shall dispose of the land in accordance with property disposal procedures established by law.''.

(c) CONFORMING AND CLERICAL AMENDMENTS.—

(1) CONFORMING AMENDMENTS.—Section 3014 of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 890) is amended by striking subsections (b), (d), and (f).

(2) CLERICAL AMENDMENTS.—The table of sections at the beginning of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 885) is amended by striking the items relating to sections 3016 through 3023 and inserting the following new items:

''Sec. 3016. Transfer process.
''Sec. 3017. Administration of transferred land.
''Sec. 3018. General applicability; definitions.
''Sec. 3019. Access restrictions.
''Sec. 3020. Changes in use.
''Sec. 3021. Brush and range fire prevention and suppression.
''Sec. 3022. Ongoing decontamination.
''Sec. 3023. Water rights.
''Sec. 3024. Hunting, fishing, and trapping.
''Sec. 3025. Relinquishment.
''Sec. 3026. Effect of termination of military use.
''Sec. 3027. Use of mineral materials.
''Sec. 3028. Immunity of United States.''.

SEC. 2842. PERMANENT WITHDRAWAL OR TRANSFER OF ADMINISTRATIVE JURISDICTION OF PUBLIC LAND, NAVAL AIR WEAPONS STATION CHINA LAKE, CALIFORNIA.

Section 2979 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 1044) is amended by striking ''on March 31, 2039.'' and inserting the following: ''only as follows:

''(1) If the Secretary of the Navy makes an election to terminate the withdrawal and reservation of the public land.

''(2) If the Secretary of the Interior, upon request by the Secretary of the Navy, transfers administrative jurisdiction over the public land to the Secretary of the Navy. A transfer under this paragraph may consist of a portion of the land, in which case the termination of the withdrawal and reservation applies only with respect to the land so transferred.''.

Subtitle F—Military Memorials, Monuments, and Museums

SEC. 2851. CYBER CENTER FOR EDUCATION AND INNOVATION–HOME OF THE NATIONAL CRYPTOLOGIC MUSEUM.

(a) AUTHORITY TO ESTABLISH AND OPERATE CENTER.—Chapter 449 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 4781. Cyber Center for Education and Innovation–Home of the National Cryptologic Museum

''(a) ESTABLISHMENT.—The Secretary of Defense may establish at a publicly accessible location at Fort George G. Meade the 'Cyber Center for Education and Innovation–Home of the National Cryptologic Museum' (in this section referred to as the 'Center'). The Center may be used for the identification, curation, storage, and public viewing of materials relating to the activities of the National Security Agency, its predecessor or successor organizations, and the history of cryptology. The Center may contain meeting, conference, and classroom facilities that will be used to support such education, training, public outreach, and other purposes as the Secretary considers appropriate.

''(b) DESIGN, CONSTRUCTION, AND OPERATION.—The Secretary may enter into an agreement with the National Cryptologic Museum Foundation (in this section referred to as the 'Foundation'), a nonprofit organization, for the design, construction, and operation of the Center.

''(c) ACCEPTANCE AUTHORITY.—

''(1) ACCEPTANCE OF FACILITY.—If the Foundation constructs the Center pursuant to an agreement with the Foundation under subsection (b), upon satisfactory completion of the Center's construction or any phase thereof, as determined by the Secretary, and upon full satisfaction by the Foundation of any other obligations pursuant to such agreement, the Secretary may accept the Center (or any phase thereof) from the Foundation, and all right, title, and interest in the Center or such phase shall vest in the United States.

''(2) ACCEPTANCE OF SERVICES.—Notwithstanding section 1342 of title 31, the Secretary may accept services from the Foundation in connection with the design, construction, and operation of the Center. For purposes of this section and any other provision of law, employees or personnel of the Foundation shall not be considered to be employees of the United States.

''(d) FEES AND USER CHARGES.—

''(1) AUTHORITY TO ASSESS FEES AND USER CHARGES.—Under regulations prescribed by the Secretary, the Director may assess fees and user charges sufficient to cover the cost of the use of Center facilities and property, including rental, user, conference, and concession fees, except that the Director may not assess fees for general admission to the National Cryptologic Museum.

''(2) USE OF FUNDS.—Amounts received by the Director under paragraph (1) shall be deposited into the Fund established under subsection (e).

''(e) FUND.—

''(1) ESTABLISHMENT.—Upon the Secretary's acceptance of the Center under subsection (c)(1), there is established in the Treasury a fund to be known as the 'Cyber Center for Education and Innovation–Home of the National Cryptologic Museum Fund' (in this section referred to as the 'Fund').

''(2) CONTENTS.—The Fund shall consist of the following amounts:

''(A) Fees and user charges deposited by the Director under subsection (d).

''(B) Any other amounts received by the Director which are attributable to the operation of the Center.

''(C) Such amounts as may be appropriated under law.

''(3) USE OF FUND.—Amounts in the Fund shall be available to the Director for the benefit and operation of the Center, including the costs of operation and the acquisition of books, manuscripts, works of art, historical artifacts, drawings, plans, models, and condemned or obsolete combat materiel.

''(4) CONTINUING AVAILABILITY OF AMOUNTS.—Amounts in the Fund shall be available without fiscal year limitation.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''4781. Cyber Center for Education and Innovation–Home of the National Cryptologic Museum.''.

SEC. 2852. RENAMING SITE OF THE DAYTON AVIATION HERITAGE NATIONAL HISTORICAL PARK, OHIO.

Section 101(b)(5) of the Dayton Aviation Heritage Preservation Act of 1992 (16 U.S.C. 410ww(b)(5)) is amended by striking ''Aviation Center'' and inserting ''National Museum''.

SEC. 2853. SUPPORT FOR MILITARY SERVICE MEMORIALS AND MUSEUMS HIGHLIGHTING ROLE OF WOMEN IN THE MILITARY.

(a) AUTHORIZATION OF SUPPORT.—Subject to appropriation, the Secretary of Defense may provide financial support for military service memorials and museums in the acquisition, installation, and maintenance of exhibits, facilities, and programs that highlight the role of women in the military.

(b) AGREEMENT WITH NONPROFIT ORGANIZATIONS.—

(1) AUTHORIZATION OF AGREEMENT.—Subject to paragraph (2), the Secretary may carry out subsection (a) by entering into contracts with

nonprofit organizations under which such an organization shall carry out the activities described in such subsection.

(2) REPORT REQUIRED PRIOR TO AGREEMENT.—The Secretary may not enter into a contract under paragraph (1) until the congressional defense committees have received a report from the Secretary that describes how the use of such a contract will help educate and inform the public on the history and mission of the military, or support training and leadership development of military personnel, and is in the best interests of the Department of Defense.

SEC. 2854. PETERSBURG NATIONAL BATTLEFIELD BOUNDARY MODIFICATION.

(a) IN GENERAL.—The boundary of the Petersburg National Battlefield is modified to include the land and interests in land as generally depicted on the map titled ''Petersburg National Battlefield Proposed Boundary Expansion'', numbered 325/80,080, and dated March 2016. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(b) ACQUISITION OF PROPERTIES.—

(1) AUTHORITY.—The Secretary of the Interior (referred to in this section as the ''Secretary'') is authorized to acquire the land and interests in land, described in subsection (a), from willing sellers only, by donation, purchase with donated or appropriated funds, exchange, or transfer.

(2) NO USE OF CONDEMNATION.—The Secretary may not acquire by condemnation any land or interest in land under this Act or for the purposes of this Act.

(3) NO BUFFER ZONE CREATED.—Nothing in this Act, the acquisition of the land or an interest in land authorized under subsection (a), or the management plan for the Petersburg National Battlefield (including the acquired land) shall be construed to create buffer zones outside the Petersburg National Battlefield. That activities or uses can be seen, heard, or detected from the acquired land shall not preclude, limit, control, regulate, or determine the conduct or management of activities or uses outside of the Petersburg National Battlefield.

(4) WRITTEN CONSENT OF THE OWNER.—No non-Federal property may be included in the Petersburg National Battlefield without the written consent of the owner.

(5) TECHNICAL AMENDMENT.—Section 313(a) of the National Parks and Recreation Act of 1978 (Public Law 95–625; 92 Stat. 3479) is amended by striking ''twenty-one'' and inserting ''twenty-five''.

(c) ADMINISTRATION.—The Secretary shall administer any land or interests in land acquired under subsection (b) as part of the Petersburg National Battlefield in accordance with applicable laws and regulations.

(d) ADMINISTRATIVE JURISDICTION TRANSFER.—

(1) IN GENERAL.—There is transferred—

(A) from the Secretary to the Secretary of the Army administrative jurisdiction over the approximately 1.170-acre parcel of land depicted as ''Area to be transferred to Fort Lee Military Reservation'' on the map described in paragraph (2); and

(B) from the Secretary of the Army to the Secretary administrative jurisdiction over the approximately 1.171-acre parcel of land depicted as ''Area to be transferred to Petersburg National Battlefield'' on the map described in paragraph (2).

(2) MAP.—The land to be exchanged is depicted on the map titled ''Petersburg National Battlefield Proposed Transfer of Administrative Jurisdiction'', numbered 325/80,801A, dated March 2016. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(3) CONDITIONS OF TRANSFER.—The transfer of administrative jurisdiction under paragraph (1) shall be subject to the following conditions:

(A) NO REIMBURSEMENT OR CONSIDERATION.—The transfer shall occur without reimbursement or consideration.

(B) MANAGEMENT.—The land transferred to the Secretary under paragraph (1) shall be included within the boundary of the Petersburg National Battlefield and administered as part of that park in accordance with applicable laws and regulations, and the land transferred to the Secretary of the Army shall be excluded from the boundary of the Petersburg National Battlefield.

SEC. 2855. AMENDMENTS TO THE NATIONAL HISTORIC PRESERVATION ACT.

Section 101(a) of the National Historic Preservation Act (16 U.S.C. 470a(a)) is amended as follows:

(1) In paragraph (2)—

(A) in subparagraph (E), by striking ''; and'' and inserting a semicolon;

(B) in subparagraph (F), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(G) notifying the Committee on Natural Resources of the United States House of Representatives and the Committee on Energy and Natural Resources of the Senate if the property is owned by the Federal Government when the property is being considered for inclusion on the National Register, for designation as a National Historic Landmark, or for nomination to the World Heritage List.''.

(2) By redesignating paragraphs (7) and (8) as paragraphs (8) and (9), respectively.

(3) By inserting after paragraph (6) the following:

''(7) If the head of the agency managing any Federal property objects to such inclusion or designation for reasons of national security, such as any impact the inclusion or designation would have on use of the property for military training or readiness purposes, that Federal property shall be neither included on the National Register nor designated as a National Historic Landmark until the objection is withdrawn.''.

(4) By adding after paragraph (9) (as so redesignated by paragraph (2) of this section) the following:

''(10) The Secretary shall promulgate regulations to allow for expedited removal of Federal property listed on the National Register of Historic Places if the managing agency of that Federal property submits to the Secretary a written request to remove the Federal property from the National Register of Historic Places for reasons of national security, such as any impact the inclusion or designation would have on use of the property for military training or readiness purposes.''.

SEC. 2856. RECOGNITION OF THE NATIONAL MUSEUM OF WORLD WAR II AVIATION.

(a) FINDINGS.—Congress finds the following:

(1) World War II was one of the most important events in the history of the Nation, a time of moral clarity and common purpose that remains today as an inspiration to all people in the United States.

(2) The role of aviation was a critical factor in the success of winning World War II and defeating the enemies worldwide.

(3) The bravery, courage, dedication, and heroism of World War II aviators and support personnel was an important element in the winning of World War II.

(4) The National Museum of World War II Aviation in Colorado Springs, Colorado, exists to help preserve and promote an understanding of the role of aviation in winning World War II.

(5) The National Museum of World War II Aviation is dedicated to celebrating the spirit of the United States, recognizing the teamwork, collaboration, patriotism, and courage of the men and women who fought, as well as those on the homefront who mobilized and supported the national aviation effort.

(b) CONDITIONS ON RECOGNITION OF AMERICA'S NATIONAL WORLD WAR II AVIATION MUSEUM.—The Secretary of the Air Force, Secretary of the Navy, and Secretary of the Army shall—

(1) each provide a briefing to the Committees on Armed Services of the House of Representatives and the Senate evaluating the suitability of the museum for recognition as a national museum; and

(2) each certify to such Committees that the museum is suitable for such recognition.

(c) ELEMENTS OF CERTIFICATION.—The Secretary of the Air Force, Secretary of the Navy, and Secretary of the Army shall provide the certification under subsection (b)(2) only if each certifies that each of the following is correct:

(1) The museum possesses the infrastructure necessary to maintain and preserve military cultural resources.

(2) The museum is accredited.

(3) The museum prevents the private use of any item donated to the museum.

(4) The museum applies industry standards for the preservation of military cultural resources.

(5) The museum employs sufficient staff, trained to industry standards, to ensure the preservation of military cultural resources.

Subtitle G—Designations and Other Matters

SEC. 2861. DESIGNATION OF PORTION OF MOFFETT FEDERAL AIRFIELD, CALIFORNIA, AS MOFFETT AIR NATIONAL GUARD BASE.

(a) DESIGNATION.—The 111-acre cantonment area at Moffett Federal Airfield, California, utilized by the 129th Rescue Wing of the California Air National Guard shall be known and designated as ''Moffett Air National Guard Base''.

(b) REFERENCES.—Any reference in any law, regulation, map, document, paper, other record of the United States to the cantonment area at Moffett Federal Airfield described in subsection (a) shall be considered to be a reference to Moffett Air National Guard Base.

SEC. 2862. REDESIGNATION OF MIKE O'CALLAGHAN FEDERAL MEDICAL CENTER.

Section 2867 of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104-201; 110 Stat. 2806), as amended by section 8135(a) of the Department of Defense Appropriations Act, 1997 (section 101(b) of division A of the Omnibus Consolidated Appropriations Act, 1997 (Public Law 104-208; 110 Stat. 3009-118)), and as amended by section 2862 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1701) is further amended—

(1) by striking ''Mike O'Callaghan Federal Medical Center'' each place it appears and inserting ''Mike O'Callaghan Military Medical Center''; and

*(2) in the heading, by striking ''**MIKE O'CALLAGHAN**'' and all that follows and inserting ''**MIKE O'CALLAGHAN MILITARY MEDICAL CENTER.**''.*

SEC. 2863. TRANSFER OF CERTAIN ITEMS OF THE OMAR BRADLEY FOUNDATION TO THE DESCENDANTS OF GENERAL OMAR BRADLEY.

(a) TRANSFER AUTHORIZED.—The Omar Bradley Foundation, Pennsylvania, may transfer, without consideration, to the child of General of the Army Omar Nelson Bradley and his first wife Mary Elizabeth Quayle Bradley, namely Elizabeth Bradley, such items of the Omar Bradley estate under the control of the Foundation as the Secretary of the Army determines to be without historic value to the Army.

(b) TIME OF SUBMITTAL OF CLAIM FOR TRANSFER.—No item may be transferred under subsection (a) unless the claim for the transfer of such item is submitted to the Omar Bradley Foundation during the 180-day period beginning on the date of the enactment of this Act.

SEC. 2864. PROTECTION AND RECOVERY OF GREATER SAGE GROUSE.

(a) DEFINITIONS.—In this section:

(1) FEDERAL RESOURCE MANAGEMENT PLAN.—The term ''Federal resource management plan'' means—

(A) a land use plan prepared by the Bureau of Land Management for public lands pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712); or

(B) a land and resource management plan prepared by the Forest Service for National Forest System lands pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(2) GREATER SAGE GROUSE.—The term ''Greater Sage Grouse'' means a sage grouse of the species Centrocercus urophasianus.

(3) STATE MANAGEMENT PLAN.—The term ''State management plan'' means a State-approved plan for the protection and recovery of the Greater Sage Grouse.

(b) PURPOSE.—The purpose of this section is—

(1) to facilitate implementation of State management plans over a period of multiple, consecutive Greater Sage Grouse life cycles; and

(2) to demonstrate the efficacy of the State management plans for the protection and recovery of the Greater Sage Grouse.

(c) DELAY IN MAKING ENDANGERED SPECIES ACT OF 1973 FINDING.—

(1) DELAY REQUIRED.—In the case of any State with a State management plan, the Secretary of the Interior may not make a finding under clause (i), (ii), or (iii) of section 4(b)(3)(B) of the Endangered Species Act of 1973 (16 U.S.C. 1533(b)(3)(B)) with respect to the Greater Sage Grouse in that State before September 30, 2026.

(2) EFFECT ON OTHER LAWS.—The delay imposed by paragraph (1) is, and shall remain, effective without regard to any other statute, regulation, court order, legal settlement, or any other provision of law or in equity.

(3) EFFECT ON CONSERVATION STATUS.—Until the date specified in paragraph (1), the conservation status of the Greater Sage Grouse shall remain not warranted for listing under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(d) COORDINATION OF FEDERAL LAND MANAGEMENT AND STATE MANAGEMENT PLANS.—

(1) PROHIBITION ON WITHDRAWALS AND MODIFICATIONS OF FEDERAL RESOURCE MANAGEMENT PLANS.—In order to foster coordination between a State management plan and Federal resource management plans that affect the Greater Sage Grouse, upon notification by the Governor of a State with a State management plan, the Secretary of the Interior and the Secretary of Agriculture, as applicable, may not exercise authority under section 204 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1714) to make, modify, or extend any withdrawal, nor amend or otherwise modify any Federal resource management plan applicable to Federal land in the State, in a manner inconsistent with the State management plan for a period, to be specified by the Governor in the notification, of at least five years beginning on the date of the notification.

(2) RETROACTIVE EFFECT.—In the case of any State that provides notification under paragraph (1), if any withdrawal was made, modified, or extended or if any amendment or modification of a Federal resource management plan applicable to Federal lands in the State was issued during the three-year period preceding the date of the notification and the withdrawal, amendment, or modification altered management of the Greater Sage Grouse or its habitat, implementation and operation of the withdrawal, amendment, or modification shall be stayed to the extent that the withdrawal, amendment, or modification is inconsistent with the State management plan. The Federal resource management plan, as in effect immediately before the amendment or modification, shall apply instead with respect to management of the Greater Sage Grouse and its habitat, to the extent consistent with the State management plan.

(3) DETERMINATION OF INCONSISTENCY.—Any disagreement regarding whether a withdrawal, or an amendment or other modification of a Federal resource management plan, is inconsistent with a State management plan shall be resolved by the Governor of the affected State.

(e) RELATION TO NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—With regard to any major Federal action consistent with a State management plan, any findings, analyses, or conclusions regarding the Greater Sage Grouse or its habitat under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) shall not have a preclusive effect on the approval or implementation of the major Federal action in that State.

(f) REPORTING REQUIREMENT.—Not later than one year after the date of the enactment of this Act and annually thereafter through 2026, the Secretary of the Interior and the Secretary of Agriculture shall jointly submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report on the Secretaries' implementation and effectiveness of systems to monitor the status of Greater Sage Grouse on Federal lands under their jurisdiction.

(g) JUDICIAL REVIEW.—Notwithstanding any other provision of statute or regulation, the requirements and implementation of this section, including determinations made under subsection (d)(3), are not subject to judicial review.

SEC. 2865. IMPLEMENTATION OF LESSER PRAIRIE-CHICKEN RANGE-WIDE CONSERVATION PLAN AND OTHER CONSERVATION MEASURES.

(a) DEFINITIONS.—In this section:

(1) CANDIDATE CONSERVATION AGREEMENTS.—The terms ''Candidate Conservation Agreement'' and ''Candidate and Conservation Agreement With Assurances'' have the meaning given those terms in—

(A) the announcement of the Department of the Interior and the Department of Commerce entitled ''Announcement of Final Policy for Candidate Conservation Agreements with Assurances'' (64 Fed. Reg. 32726 (June 17, 1999)); and

(B) sections 17.22(d) and 17.32(d) of title 50, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(2) RANGE-WIDE PLAN.—The term ''Range-Wide Plan'' means the Lesser Prairie-Chicken Range-Wide Conservation Plan of the Western Association of Fish and Wildlife Agencies, as endorsed by the United States Fish and Wildlife Service on October 23, 2013, and published for comment on January 29, 2014 (79 Fed. Reg. 4652).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) PROHIBITION ON TREATMENT AS THREATENED OR ENDANGERED SPECIES.—

(1) IN GENERAL.—Notwithstanding any prior action by the Secretary, the lesser prairie-chicken shall not be treated as a threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) before December 31, 2022.

(2) PROHIBITION ON PROPOSAL.—Effective beginning on January 1, 2023, the lesser prairie-chicken may not be treated as a threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) unless the Secretary publishes a determination, based on the totality of the scientific evidence, that conservation (as that term is used in that Act) under the Range-Wide Plan and the agreements, programs, and efforts referred to in subsection (c) have not achieved the conservation goals established by the Range-Wide Plan.

(c) MONITORING OF PROGRESS OF CONSERVATION PROGRAMS.—The Secretary shall monitor and annually submit to Congress a report on progress in conservation of the lesser prairie-chicken under the Range-Wide Plan and all related—

(1) Candidate Conservation Agreements and Candidate and Conservation Agreements With Assurances;

(2) other Federal conservation programs administered by the United States Fish and Wildlife Service, the Bureau of Land Management, and the Department of Agriculture;

(3) State conservation programs; and

(4) private conservation efforts.

SEC. 2866. REMOVAL OF ENDANGERED SPECIES STATUS FOR AMERICAN BURYING BEETLE.

Notwithstanding the final rule of the United States Fish and Wildlife Service entitled ''Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the American Burying Beetle'' (54 Fed. Reg. 29652 (July 13, 1989)), the American burying beetle shall not be listed as a threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION

SEC. 2901. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of the Navy may acquire real property and carry out the military construction projects for the installations outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	*Installation*	*Amount*
Djibouti	*Camp Lemonier*	*$37,409,000*
Iceland	*Keflavik*	*$19,600,000*

SEC. 2902. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of the Air Force may acquire real property and carry out the military construction projects for the installations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

Country	Installation	Amount
Bulgaria	Graf Ignatievo	$13,400,000
Djibouti	Chabelley Airfield	$10,500,000
Estonia	Amari Air Base	$6,500,000
Germany	Spangdahlem Air Base	$18,700,000
Lithuania	Siauliai	$3,000,000
Poland	Powidz Air Base	$4,100,000
	Lask Air Base	$4,100,000
Romania	Campia Turzii	$18,500,000

SEC. 2903. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2016, for the military construction projects outside the United States authorized by this title as specified in the funding table in section 4602 and 4603.

TITLE XXX—UTAH TEST AND TRAINING RANGE ENCROACHMENT PREVENTION AND TEMPORARY CLOSURE AUTHORITIES

SEC. 3001. FINDINGS AND DEFINITIONS.

(a) FINDINGS.—Congress finds that—

(1) the testing and development of military weapons systems and the training of military forces are critical to ensuring the national security of the United States;

(2) the Utah Test and Training Range is a unique and irreplaceable national asset at the core of the test and training mission of the Department of Defense;

(3) continued access to the special use airspace and land that comprise the Utah Test and Training Range, under the terms and conditions described in this title is a national security priority;

(4) multiple use of, sustained yield activities on, and access to the BLM land are vital to the customs, culture, economy, ranching, grazing, and transportation interests of the counties in which the BLM land is situated; and

(5) the limited use by the military of the BLM land and airspace above the BLM land is vital to improving and maintaining the readiness of the Armed Forces.

(b) DEFINITIONS.—In this title:

(1) BLM LAND.—The term ''BLM land'' means the Bureau of Land Management land in the State comprising approximately 625,643 acres, as generally depicted on the map entitled ''Utah Test and Training Range Enhancement/West Desert Land Exchange'' and dated February 12, 2016.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(3) STATE.—The term ''State'' means the State of Utah.

(4) UTAH TEST AND TRAINING RANGE.—

(A) IN GENERAL.—The term ''Utah Test and Training Range'' means the portions of the military land and airspace operating area of the Utah Test and Training Area that are located in the State.

(B) INCLUSION.—The term ''Utah Test and Training Range'' includes the Dugway Proving Ground.

Subtitle A—Utah Test and Training Range

SEC. 3011. MANAGEMENT OF BLM LAND.

(a) MEMORANDUM OF AGREEMENT.—

(1) DRAFT.—

(A) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary and the Secretary of the Air Force shall complete a draft of the memorandum of agreement required under paragraph (2).

(B) PUBLIC COMMENT PERIOD.—During the 30-day period beginning on the date on which the draft memorandum of agreement is completed under subparagraph (A), there shall be an opportunity for public comment on the draft memorandum of agreement, including an opportunity for the Utah Test and Training Range Community Resource Group established under section 3013(a) to provide comments on the draft memorandum of agreement.

(2) REQUIREMENT; DEADLINE.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary and the Secretary of the Air Force shall enter into a memorandum of agreement that provides for the continued management of the BLM land by the Secretary, in a manner that provides for the limited use of the BLM land by the Secretary of the Air Force, consistent with this title.

(B) SIGNATURES REQUIRED.—The terms of the memorandum of agreement, including a temporary closure of the BLM land under the memorandum of agreement, may not be carried out until the date on which all parties to the memorandum of agreement have signed the memorandum of agreement.

(3) MANAGEMENT BY SECRETARY.—The memorandum of agreement under paragraph (2) shall provide that the Secretary (acting through the Director of the Bureau of Land Management) shall continue to manage the BLM land—

(A) as land described in section 6901(1)(B) of title 31, United States Code;

(B) for multiple use and sustained yield goals and activities as required under sections 102(a)(7) and 202(c)(1) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701(a)(7), 1712(c)(1)) and defined in section 103 of that Act (43 U.S.C. 1702), including all principal or major uses on Federal land recognized pursuant to the definition of the term in section 103 of that Act (43 U.S.C. 1702);

(C) in accordance with section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712); and

(D) subject to use by the Secretary of the Air Force provided under section 3012 for—

(i) the preservation of the Utah Test and Training Range against current and future encroachments that the Secretary of the Air Force finds to be incompatible with current and future test and training requirements;

(ii) the testing of—

(I) advanced weapon systems, including current weapons systems, 5th generation weapon systems, and future weapon systems; and

(II) the standoff distance for weapons;

(iii) the testing and evaluation of hypersonic weapons;

(iv) increased public safety for civilians accessing the BLM land; and

(v) other purposes relating to meeting national security needs.

(b) MAP.—The Secretary may correct any minor errors in the map.

(c) LAND USE PLANS.—Any land use plan in existence on the date of enactment of this Act that applies to the BLM land shall continue to apply to the BLM land.

(d) MAINTAIN CURRENT USES.—

(1) IN GENERAL.—Notwithstanding subsection (a)(3)(D), the memorandum of agreement entered into under subsection (a) and the land use plans described in subsection (c) shall not diminish any major or principle use that is recognized pursuant to section 103(l) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702(l)), except to the extent authorized in subsection (a).

(2) ACTIONS BY SECRETARY OF THE AIR FORCE.—The Secretary of the Air Force shall—

(A) if corrective action is necessary due to an action of the Air Force, as determined by the Secretary of the Air Force, render the BLM land safe for public use; and

(B) appropriately communicate the safety of the land to the Secretary once the BLM land is rendered safe for public use.

(e) GRAZING.—

(1) NEW GRAZING LEASES AND PERMITS.—

(A) IN GENERAL.—The Secretary shall issue and administer any new grazing lease or permit on the BLM land, in accordance with applicable law (including regulations) and other authorities applicable to livestock grazing on Bureau of Land Management land.

(B) NON-FEDERAL LAND LEVELS.—The Secretary (acting through the Director of the Bureau of Land Management) shall continue to issue and administer livestock grazing leases and permits on the non-Federal land described in section 3022(3), subject to the requirements described in subparagraphs (A) through (C) of paragraph (2).

(2) EXISTING GRAZING LEASES AND PERMITS.—Any livestock grazing lease or permit applicable to the BLM land that is in existence on the date of enactment of this Act shall continue in effect—

(A) at the number of permitted animal unit months authorized under current applicable land use plans;

(B) if range conditions permit, at levels greater than the level of active use; and

(C) subject to such reasonable increases and decreases of active use of animal unit months and other reasonable regulations, policies, and practices as the Secretary may consider appropriate based on rangeland conditions.

(f) MEMORANDUM OF UNDERSTANDING ON EMERGENCY ACCESS AND RESPONSE.—Nothing in this section precludes the continuation of the memorandum of understanding that is between the Department of the Interior and the Department of the Air Force with respect to emergency access and response, as in existence as of the date of enactment of this Act.

(g) WITHDRAWAL.—Subject to valid existing rights, the BLM land is withdrawn from all forms of appropriation under the public land

laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws.

(h) LIMITATION ON FUTURE RIGHTS-OF-WAY OR USE PERMITS.—The Secretary may not issue any new use permits or rights-of-way on the BLM land for any purposes that the Secretary of the Air Force determines to be incompatible with current or projected military requirements, with consideration given to the rangeland improvements under section 3015(h).

(i) GRAZING AND RANCHING.—Efforts described in this title to facilitate grazing and ranching on the BLM land and the non-Federal land described in section 3022(3) shall be considered to be compatible with mission requirements of the Utah Test and Training Range.

SEC. 3012. TEMPORARY CLOSURES.

(a) IN GENERAL.—If the Secretary of the Air Force determines that military operations (including operations relating to the fulfillment of the mission of the Utah Test and Training Range), public safety, or national security require the temporary closure to public use of any road, trail, or other portion of the BLM land, the Secretary of the Air Force may take such action as the Secretary of the Air Force determines necessary to carry out the temporary closure.

(b) LIMITATIONS.—Any temporary closure under subsection (a)—

(1) shall be limited to the minimum areas and periods during which the Secretary of the Air Force determines are required to carry out a closure under this section;

(2) shall not occur on a State or Federal holiday, unless notice is provided in accordance with subsection (c)(1)(B);

(3) shall not occur on a Friday, Saturday, or Sunday, unless notice is provided in accordance with subsection (c)(1)(B); and

(4)(A) if practicable, shall be for not longer than a 3-hour period per day;

(B) shall only be for longer than a 3-hour period per day—

(i) for mission essential reasons; and

(ii) as infrequently as practicable and in no case for more than 10 days per year; and

(C) shall in no case be for longer than a 6-hour period per day.

(c) NOTICE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary of the Air Force shall—

(A) keep appropriate warning notices posted before and during any temporary closure; and

(B) provide notice to the Secretary, public, and relevant stakeholders concerning the temporary closure—

(i) at least 30 days before the date on which the temporary closure goes into effect;

(ii) in the case of a closure during the period beginning on March 1 and ending on May 31, at least 60 days before the date on which the closure goes into effect; or

(iii) in the case of a closure described in paragraph (3) or (4) of subsection (b), at least 90 days before the date on which the closure goes into effect.

(2) SPECIAL NOTIFICATION PROCEDURES.—In each case for which a mission-unique security requirement does not allow for the notifications described in paragraph (1)(B), the Secretary of the Air Force shall work with the Secretary to achieve a mutually agreeable timeline for notification.

(d) MAXIMUM ANNUAL CLOSURES.—The total cumulative hours of temporary closures authorized under this section with respect to the BLM land shall not exceed 100 hours annually.

(e) PROHIBITION ON CERTAIN TEMPORARY CLOSURES.—The northernmost area identified as ''Newfoundland's'' on the map shall not be subject to any temporary closure between August 21 and February 28, in accordance with the lawful hunting methods and seasons of the State of Utah.

(f) EMERGENCY GROUND RESPONSE.—A temporary closure of a portion of the BLM land shall not affect the conduct of emergency response activities on the BLM land during the temporary closure.

(g) LAW ENFORCEMENT AND SECURITY.—The Secretary and the Secretary of the Air Force may enter into cooperative agreements with State and local law enforcement officials with respect to lawful procedures and protocols to be used in promoting public safety and operation security on or near the BLM land during noticed test and training periods.

(h) LIVESTOCK.—Livestock shall be allowed to remain on the BLM land during a temporary closure of the BLM land under this section.

SEC. 3013. COMMUNITY RESOURCE GROUP.

(a) ESTABLISHMENT.—Not later than 60 days after the date of enactment of this Act, there shall be established the Utah Test and Training Range Community Resource Group (referred to in this section as the ''Community Group'') to provide regular and continuing input to the Secretary and the Secretary of the Air Force on matters involving public access to, use of, and overall management of the BLM land.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Secretary (acting through the State Bureau of Land Management Office) shall appoint members to the Community Group, including—

(A) operational and land management personnel of the Air Force;

(B) 1 Indian representative, to be nominated by a majority vote conducted among the Indian tribes in the vicinity of the BLM land;

(C) not more than 2 county commissioners from each of Box Elder, Tooele, and Juab Counties, Utah;

(D) 2 representatives of off-road and highway use, hunting, and other recreational groups;

(E) 2 representatives of livestock grazers on any public land located within the BLM land;

(F) 1 representative of the Utah Department of Agriculture and Food; and

(G) not more than 3 representatives of State or Federal offices or agencies, or private groups, if the Secretary determines that such representatives would further the goals and objectives of the Community Group.

(2) CHAIRPERSON.—The members described in paragraph (1) shall elect from among the members of the Community Group—

(A) 1 member to serve as Chairperson of the Community Group; and

(B) 1 member to serve as Vice-Chairperson of the Community Group.

(c) CONDITIONS AND TERMS OF APPOINTMENT.—

(1) IN GENERAL.—Each member of the Community Group shall serve voluntarily and without remuneration.

(2) TERM OF APPOINTMENT.—

(A) IN GENERAL.—Each member of the Community Group shall be appointed for a term of 4 years.

(B) ORIGINAL MEMBERS.—Notwithstanding subparagraph (A), the Chairperson shall select ½ of the original members of the Community Group to serve for a term of 4 years and the ½ to serve for a term of 2 years to ensure the replacement of members shall be staggered from year to year.

(C) REAPPOINTMENT AND REPLACEMENT.—The Secretary may reappoint or replace a member of the Community Group appointed under subsection (b)(1), if—

(i) the term of the member has expired;

(ii) the member has retired; or

(iii) the position held by the member described in subparagraphs (A) through (G) of paragraph (1) has changed to the extent that the ability of the member to represent the group or entity that the member represents has been significantly affected.

(d) MEETINGS.—

(1) IN GENERAL.—The Community Group shall meet not less than once per year, and at such other frequencies as determined by five or more of the members of the Community Group.

(2) RESPONSIBILITIES OF COMMUNITY GROUP.—The Community Group shall be responsible for determining appropriate schedules for, details of, and actions for meetings of the Community Group.

(3) NOTICE.—The Chairperson shall provide notice to each member of the Community Group not less than 10 business days before the date of a scheduled meeting.

(4) EXEMPT FROM FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to meetings of the Community Group.

(e) COORDINATION WITH RECOMMENDATIONS OF COMMUNITY GROUP.—The Secretary and the Secretary of the Air Force, consistent with existing laws (including regulations), shall take under consideration recommendations from the Community Group.

(f) TERMINATION OF AUTHORITY.—The Community Group shall terminate on the date that is seven years after the date of enactment of this Act, unless the Secretary and the Community Group mutually elect to terminate the Community Group before that date.

(g) RENEWAL.—The Community Group may elect, by simple majority, to renew the term of the Community Group for an additional seven years, with the option to renew the term every seven years thereafter. Each renewal must occur upon or within 90 days before termination of the Community Group.

SEC. 3014. LIABILITY.

The United States (including all departments, agencies, officers, and employees of the United States) shall be held harmless and shall not be liable for any injury or damage to any individual or property suffered in the course of any mining, mineral, or geothermal activity, or any other authorized nondefense-related activity, conducted on the BLM land.

SEC. 3015. EFFECTS OF SUBTITLE.

(a) EFFECT ON WEAPON IMPACT AREA.—Nothing in this subtitle expands the boundaries of the weapon impact area of the Utah Test and Training Range.

(b) EFFECT ON SPECIAL USE AIRSPACE AND TRAINING ROUTES.—Nothing in this subtitle precludes—

(1) the designation of new units of special use airspace; or

(2) the expansion of existing units of special use airspace.

(c) EFFECT ON EXISTING RIGHTS AND AGREEMENTS.—

(1) KNOLLS SPECIAL RECREATION MANAGEMENT AREA; BLM COMMUNITY PITS CENTRAL GRAYBACK AND SOUTH GRAYBACK.—Except as provided in section 3012, nothing in this subtitle limits or alters any existing right or right of access to—

(A) the Knolls Special Recreation Management Area; or

(B)(i) the Bureau of Land Management Community Pits Central Grayback and South Grayback; and

(ii) any other county or community pit located within close proximity to the BLM land.

(2) NATIONAL HISTORIC TRAILS AND OTHER HISTORICAL LANDMARKS.—Except as provided in section 3012, nothing in this subtitle limits or alters any existing right or right of access to a component of the National Trails System or other Federal or State historic landmarks within the BLM land, including the California National Historic Trail, the Pony Express National Historic Trail, or the GAPA Launch Site and Blockhouse.

(3) CLOSURE OF INTERSTATE 80.—Nothing in this subtitle authorizes any additional authority

or right to the Secretary or the Secretary of the Air Force to temporarily close Interstate 80.

(4) EFFECT ON LIMITATION ON AMENDMENTS TO CERTAIN INDIVIDUAL RESOURCE MANAGEMENT PLANS.—Nothing in this subtitle affects the limitation established under section 2815(d) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 852).

(5) EFFECT ON MEMORANDUM OF UNDERSTANDING.—Nothing in this subtitle affects the memorandum of understanding entered into by the Air Force, the Bureau of Land Management, the Utah Department of Natural Resources, and the Utah Division of Wildlife Resources relating to the reestablishment of bighorn sheep in the Newfoundland Mountains and signed by the parties to the memorandum of understanding during the period beginning on January 24, 2000, and ending on February 4, 2000.

(6) EFFECT ON EXISTING MILITARY SPECIAL USE AIRSPACE AGREEMENT.—Nothing in this subtitle limits or alters the Military Operating Areas of Airspace Use Agreement between the Federal Aviation Administration and the Air Force in effect on the date of enactment of this Act.

(d) EFFECT ON WATER RIGHTS.—

(1) NO RESERVATION CREATED.—Nothing in this subtitle—

(A) establishes any reservation in favor of the United States with respect to any water or water right on the BLM land; or

(B) authorizes any appropriation of water on the BLM land, except in accordance with applicable State law.

(2) PREVIOUSLY ACQUIRED AND RESERVED WATER RIGHTS.—Nothing in this subtitle affects—

(A) any water right acquired or reserved by the United States before the date of enactment of this Act; or

(B) the authority of the Secretary or the Secretary of the Air Force, as applicable, to exercise any water right described in subparagraph (A).

(3) NO EFFECT ON MCCARRAN AMENDMENT.—Nothing in this subtitle diminishes, enhances, or otherwise affects in any way the rights, duties, and obligations of the United States, the State of Utah, the counties in which the BLM land is situated, and the residents and stakeholders in those counties under section 208 of the Act of July 10, 1952 (commonly known as the ''McCarran Amendment'') (43 U.S.C. 666).

(e) EFFECT ON FEDERALLY RECOGNIZED INDIAN TRIBES.—

(1) IN GENERAL.—Nothing in this subtitle alters any right reserved by treaty or Federal law for a federally recognized Indian tribe for tribal use.

(2) CONSULTATION.—The Secretary of the Air Force shall consult with any federally recognized Indian tribe in the vicinity of the BLM land before taking any action that will affect any tribal right or cultural resource protected by treaty or Federal law.

(f) EFFECT ON PAYMENTS IN LIEU OF TAXES.—

(1) ELIGIBILITY OF BLM LAND AND NON-FEDERAL LAND.—The BLM land and the non-Federal land described in section 3022(3) shall remain eligible as entitlement land under section 6901 of title 31, United States Code.

(2) NO PREJUDICE TO COUNTY PAYMENT IN LIEU OF TAXES RIGHTS.—Nothing in this subtitle diminishes, enhances, or otherwise affects any other right or entitlement of the counties in which the BLM land is situated to payments in lieu of taxes based on the BLM land, under section 6901 of title 31, United States Code.

(g) WILDLIFE GUZZLERS.—

(1) IN GENERAL.—The Bureau of Land Management and the Utah Division of Wildlife Resources shall continue the management of wildlife guzzlers in existence as of the date of enactment of this Act on the BLM land.

(2) NEW GUZZLERS.—Nothing in this subtitle prevents the Bureau of Land Management and the Utah Division of Wildlife Resources from entering into agreements for new wildlife guzzlers.

(3) ACQUIRED GUZZLERS.—The Secretary shall continue to manage existing wildlife guzzlers or wildlife improvements on the non-Federal land conveyed to the Secretary under section 3023(a) that were in existence on the day before the date of the conveyance.

(h) RANGELAND IMPROVEMENTS.—The Secretary shall continue to manage, in a manner that promotes and facilitates grazing—

(1) rangeland improvements on the BLM land that are in existence on the date of enactment of this Act; and

(2) rangeland improvements on the non-Federal land conveyed to the Secretary under section 3023(a) that were in existence on the day before the date of the conveyance.

(i) NEW RANGELAND IMPROVEMENTS.—Nothing in this subtitle prevents the Bureau of Land Management, the Utah Department of Agriculture or other State entity, or a Federal land permittee from entering into agreements for new rangeland improvements that promote and facilitate grazing.

(j) SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION.—The Bureau of Land Management shall maintain rangeland grazing improvements in existence as of the date of enactment of this Act on acquired land of the School and Institutional Trust Lands Administration.

Subtitle B—Land Exchange

SEC. 3021. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) the State owns approximately 68,057 acres of land and approximately 10,280 acres of mineral interests located within the Utah Test and Training Range in Box Elder, Tooele, and Juab Counties, Utah;

(2) the State owns approximately 2,353 acres of land and approximately 3,560 acres of mineral interests located wholly or partially within the Cedar Mountains Wilderness in Tooele County, Utah;

(3) the parcels of State land described in paragraphs (1) and (2)—

(A) were granted by Congress to the State pursuant to the Act of July 16, 1894 (28 Stat. 107, chapter 138), to be held in trust for the benefit of the public school system and other public institutions of the State; and

(B) are largely scattered in checkerboard fashion among Federal land;

(4) continued State ownership and development of State trust land within the Utah Test and Training Range and the Cedar Mountains Wilderness is incompatible with—

(A) the critical national defense uses of the Utah Test and Training Range; and

(B) the Federal management of the Cedar Mountains Wilderness; and

(5) it is in the public interest of the United States to acquire in a timely manner all State trust land within the Utah Test and Training Range and the Cedar Mountains Wilderness, in exchange for the conveyance of the Federal land to the State, in accordance with the terms and conditions described in this subtitle.

(b) PURPOSE.—It is the purpose of this subtitle to direct, facilitate, and expedite the exchange of certain Federal land and non-Federal land between the United States and the State.

SEC. 3022. DEFINITIONS.

In this subtitle:

(1) EXCHANGE MAP.—The term ''Exchange Map'' means the map prepared by the Bureau of Land Management entitled ''Utah Test and Training Range Enhancement/West Desert Land Exchange'' and dated February 12, 2016.

(2) FEDERAL LAND.—The term ''Federal land'' means the Bureau of Land Management land located in Box Elder, Millard, Juab, Tooele, and Beaver Counties, Utah, that is identified on the Exchange Map as ''BLM Lands Proposed for Transfer to State Trust Lands''.

(3) NON-FEDERAL LAND.—The term ''non-Federal land'' means the land owned by the State in Box Elder, Tooele, and Juab Counties, Utah, that is identified on the Exchange Map as—

(A) ''State Trust Land Proposed for Transfer to BLM''; and

(B) ''State Trust Minerals Proposed for Transfer to BLM''.

(4) STATE.—The term ''State'' means the State of Utah, acting through the School and Institutional Trust Lands Administration.

SEC. 3023. EXCHANGE OF FEDERAL LAND AND NON-FEDERAL LAND.

(a) IN GENERAL.—If the State offers to convey to the United States title to the non-Federal land, the Secretary shall—

(1) accept the offer; and

(2) on receipt of all right, title, and interest in and to the non-Federal land, convey to the State (or a designee) all right, title, and interest of the United States in and to the Federal land.

(b) VALID EXISTING RIGHTS.—The exchange authorized under subsection (a) shall be subject to valid existing rights.

(c) TITLE APPROVAL.—Title to the Federal land and non-Federal land to be exchanged under this section shall be in a format acceptable to the Secretary and the State.

(d) APPRAISALS.—

(1) IN GENERAL.—The value of the Federal land and the non-Federal land to be exchanged under this section shall be determined by appraisals conducted by one or more independent appraisers retained by the State, with the consent of the Secretary.

(2) APPLICABLE LAW.—The appraisals under paragraph (1) shall be conducted in accordance with nationally recognized appraisal standards, including, as appropriate, the Uniform Appraisal Standards for Federal Land Acquisitions.

(3) MINERAL LAND.—

(A) MINERAL REPORTS.—The appraisals under paragraph (1) shall take into account mineral and technical reports provided by the Secretary and the State in the evaluation of mineral deposits in the Federal land and non-Federal land.

(B) MINING CLAIMS.—An appraisal of any parcel of Federal land that is encumbered by a mining or millsite claim located under sections 2318 through 2352 of the Revised Statutes (commonly known as the ''Mining Law of 1872'') (30 U.S.C. 21 et seq.) shall take into account the encumbrance created by the claim for purposes of determining the value of the parcel of the Federal land.

(C) VALIDITY EXAMINATION.—Nothing in this subtitle requires the United States to conduct a mineral examination for any mining claim on the Federal land.

(4) APPROVAL.—The appraisals conducted under paragraph (1) shall be submitted to the Secretary and the State for approval.

(5) DISPUTE RESOLUTION.—If, by the date that is 90 days after the date of submission of an appraisal for review and approval under this subsection, the Secretary or the State do not agree to accept the findings of the appraisals with respect to one or more parcels of Federal land or non-Federal land, the dispute shall be resolved in accordance with section 206(d)(2) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(d)(2)).

(6) DURATION.—The appraisals conducted under paragraph (1) shall remain valid until the date of the completion of the exchange authorized under this subtitle.

(7) REIMBURSEMENT OF STATE COSTS.—The Secretary shall reimburse the State in an amount equal to 50 percent of the costs incurred

by the State in retaining independent appraisers under paragraph (1).

(e) CONVEYANCE OF TITLE.—The land exchange authorized under this subtitle shall be completed by the later of—

(1) the date that is 1 year after the date of final approval by the Secretary and the State of the appraisals conducted under subsection (d); and

(2) the date that is 1 year after the date of completion of the dispute resolution process authorized under subsection (d)(5).

(f) PUBLIC INSPECTION AND NOTICE.—

(1) PUBLIC INSPECTION.—At least 30 days before the date of conveyance of the Federal land and non-Federal land, all final appraisals and appraisal reviews for land to be exchanged under this section shall be available for public review at the office of the State Director of the Bureau of Land Management in the State of Utah.

(2) NOTICE.—The Secretary or the State, as applicable, shall publish in a newspaper of general circulation in Salt Lake County, Utah, a notice that the appraisals conducted under subsection (d) are available for public inspection.

(g) EQUAL VALUE EXCHANGE.—

(1) IN GENERAL.—The value of the Federal land and non-Federal land to be exchanged under this section—

(A) shall be equal; or

(B) shall be made equal in accordance with paragraph (2).

(2) EQUALIZATION.—

(A) SURPLUS OF FEDERAL LAND.—

(i) IN GENERAL.—If the value of the Federal land exceeds the value of the non-Federal land, the value of the Federal land and non-Federal land shall be equalized by the State conveying to the United States—

(I) State trust land parcel 1, as described in the assessment entitled ''Bureau of Land Management Environmental Assessment UT–100–06–EA'', numbered UTU–82090, and dated March 2008; or

(II) State trust land located within any of the wilderness areas or national conservation areas in Washington County, Utah, established under subtitle O of title I of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1075) that has an appraised value equal to the difference between—

(aa) the value of the Federal land; and

(bb) the value of the non-Federal land.

(ii) ORDER OF CONVEYANCES.—Any non-Federal land required to be conveyed to the United States under clause (i) shall be conveyed until the value of the Federal land and non-Federal land is equalized, in the following order:

(I) The State trust land parcel described in clause (i)(I).

(II) State trust land parcels located in the Red Cliffs National Conservation Area.

(III) State trust land parcels located in the Docs Pass Wilderness.

(IV) State trust land parcels located in the Beaver Dam Wash National Conservation Area.

(B) SURPLUS OF NON-FEDERAL LAND.—If the value of the non-Federal land exceeds the value of the Federal land, the value of the Federal land and the non-Federal land shall be equalized by the Secretary making a cash equalization payment to the State, in accordance with section 206(b) of the Federal Land Policy Management (43 U.S.C. 1716(b)).

(h) WITHDRAWAL OF FEDERAL LAND FROM MINERAL ENTRY PRIOR TO EXCHANGE.—Subject to valid existing rights, the Federal land to be conveyed to the State under this section is withdrawn from mineral location, entry, and patent under the mining laws pending conveyance of the Federal land to the State.

SEC. 3024. STATUS AND MANAGEMENT OF NON-FEDERAL LAND AFTER EXCHANGE.

(a) NON-FEDERAL LAND WITHIN UTAH TEST AND TRAINING RANGE.—On conveyance to the United States under this subtitle, the non-Federal land located within the Utah Test and Training Range shall be managed in accordance with the memorandum of agreement entered into under section 3011(a).

(b) NON-FEDERAL LAND WITHIN CEDAR MOUNTAINS WILDERNESS.—On conveyance to the United States under this subtitle, the non-Federal land located within the Cedar Mountains Wilderness shall, in accordance with section 206(c) of the Federal Land Policy Act of 1976 (43 U.S.C. 1716(c)), be added to, and administered as part of, the Cedar Mountains Wilderness.

SEC. 3025. HAZARDOUS MATERIALS.

(a) COSTS.—Except as provided in subsection (b), the costs of remedial actions relating to hazardous materials on land acquired under this subtitle shall be paid by those entities responsible for the costs under applicable law.

(b) REMEDIATION OF PRIOR TESTING AND TRAINING ACTIVITY.—The Department of Defense shall bear all costs of evaluation, management, and remediation caused by the previous testing of military weapons systems and the training of military forces on non-Federal land to be conveyed to the United States under this subtitle.

Subtitle C—Highway Rights-of-way

SEC. 3031. RECOGNITION AND TRANSFER OF CERTAIN HIGHWAY RIGHTS-OF-WAY.

(a) DEFINITIONS.—In this section:

(1) HIGHWAY RIGHT-OF-WAY.—The term ''highway right-of-way'' means a right-of-way across Federal land for all county roads in the Counties of Box Elder, Tooele, and Juab, in the State of Utah, according to official transportation map and centerline descriptions of each county in existence as of March 1, 2015.

(2) MAP.—The term ''official transportation map and centerline description'' means—

(A) the map entitled ''Official Transportation Map of Box Elder County, Utah'' and dated March 1, 2015, and accompanying centerline description of each road on file with the Clerk of Box Elder County as of March 1, 2015;

(B) the map entitled ''Official Transportation Map of Tooele County'' and dated March 1, 2015, and accompanying centerline description of each road on file with the Clerk of Tooele County as of March 1, 2015; and

(C) the map entitled ''Official Transportation Map of Juab County'' and dated March 1, 2015, and accompanying centerline description of each road on file with the Clerk of Juab County as of March 1, 2015.

(3) SECRETARY.—The term ''Secretary'' means—

(A) the Secretary of Agriculture, with respect to land administered by the Chief of the Forest Service; or

(B) the Secretary of the Interior, with respect to land administered by the Director of the Bureau of Land Management.

(b) RECOGNITION OF EXISTENCE AND VALIDITY OF RIGHTS-OF-WAY.—Congress recognizes the existence and validity of each of the highway rights-of-way identified on the official transportation maps and centerline descriptions.

(c) CONVEYANCE OF AN EASEMENT ACROSS FEDERAL LAND.—

(1) BOX ELDER COUNTY, UTAH.—The Secretary shall convey, without consideration, to Box Elder County, Utah, and the State of Utah as joint tenants with undivided interests, easements for motorized travel rights-of-way across Federal land for all highways shown and described in the official transportation map and centerline description of the county described in subsection (a)(2)(A).

(2) JUAB COUNTY, UTAH.—The Secretary shall convey, without consideration, to Juab County, Utah, and the State of Utah as joint tenants with undivided interests, easements for motorized travel rights-of-way across Federal land for all highways shown and described in the official transportation map and centerline description of the county described in subsection (a)(2)(B).

(3) TOOELE COUNTY, UTAH.—The Secretary shall convey, without consideration, to Tooele County, Utah, and the State of Utah as joint tenants with undivided interests, easements for motorized travel rights-of-way across Federal land for all highways shown and described in the official transportation map and centerline description of the county described in subsection (a)(2)(C).

(d) DESCRIPTION OF FEDERAL LAND SUBJECT TO EASEMENT.—

(1) IN GENERAL.—All easements under subsection (c) shall include—

(A) the current disturbed width of each subject highway as shown and described in the official transportation maps and centerline descriptions; and

(B) any additional acreage on either side of the disturbed width that the respective county transportation department determines is necessary for the efficient maintenance, repair, signage, administration, and use of the Federal land subject to the easement.

(2) DESCRIPTION.—

(A) IN GENERAL.—The exact acreage and legal description of the Federal land subject to the easements conveyed under subsection (c) shall be—

(i) as described in the centerline descriptions;

(ii) as referenced in the official transportation maps; and

(iii) as described and referenced according to the disturbed width of each highway as of the date of conveyance for travel purposes, plus any reasonable additional width as may be necessary for surface maintenance, repairs, and turnaround purposes.

(B) SURVEY NOT REQUIRED.—Notwithstanding any other provision of law, the conveyance of easements under subsection (c) shall be effective without a survey of the exact acreage and local description of the Federal land subject to the easements.

(e) RETENTION OF MAPS AND CENTERLINE DESCRIPTIONS.—The maps and centerline descriptions referred to in clauses (i) and (ii) of subsection (d)(2)(A) shall be on file in the appropriate office of the Secretary.

(f) EXCLUSION OF CERTAIN CLASS D ROADS FROM ROAD EASEMENT CONVEYANCES.—Notwithstanding the highway rights-of-way identified on the official transportation maps and centerline descriptions, this section does not apply to any class D road located within the boundaries of—

(1) Cedar Mountain Wilderness Area designated by section 384(a) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3217; 16 U.S.C. 1132 note); or

(2) any wilderness study area within Box Elder County, Tooele County, or Juab County, Utah, designated in law or by administrative action.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2017 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4701.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection

(a) that are available for carrying out plant projects, the Secretary of Energy may carry out new plant projects for the National Nuclear Security Administration as follows:

Project 17–D–630, Expand Electrical Distribution System, Lawrence Livermore National Laboratory, Livermore, California, $25,000,000.

Project 17–D–640, U1a Complex Enhancements Project, Nevada National Security Site, Mercury, Nevada, $11,500,000.

Project 17–D–911, BL Fire System Upgrade, Bettis Atomic Power Laboratory, West Mifflin, Pennsylvania, $1,400,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2017 for defense environmental cleanup activities in carrying out programs as specified in the funding table in section 4701.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out, for defense environmental cleanup activities, the following new plant project:

Project 17–D–401, Saltstone Disposal Unit #7, Savannah River Site, Aiken, South Carolina, $9,729,000.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2017 for other defense activities in carrying out programs as specified in the funding table in section 4701.

SEC. 3104. NUCLEAR ENERGY.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2017 for nuclear energy as specified in the funding table in section 4701.

Subtitle B—Program Authorizations, Restrictions, and Limitations

SEC. 3111. INDEPENDENT ACQUISITION PROJECT REVIEWS OF CAPITAL ASSETS ACQUISITION PROJECTS.

(a) IN GENERAL.—The Atomic Energy Defense Act (50 U.S.C. 2501 et seq.) is amended by inserting after section 4732 the following new section:

''SEC. 4733. INDEPENDENT ACQUISITION PROJECT REVIEWS OF CAPITAL ASSETS ACQUISITION PROJECTS.

''(a) REVIEWS.—The appropriate head shall ensure that an independent entity conducts reviews of each capital assets acquisition project as the project moves toward the approval of each of critical decision 0, critical decision 1, and critical decision 2 in the acquisition process.

''(b) PRE-CRITICAL DECISION 1 REVIEWS.—In addition to any other matters, with respect to each review of a capital assets acquisition project under subsection (a) that has not reached critical decision 1 approval in the acquisition process, such review shall include—

''(1) a review using best practices of the analysis of alternatives for the project; and

''(2) identification of any deficiencies in such analysis of alternatives for the appropriate head to address.

''(c) INDEPENDENT ENTITIES.—The appropriate head shall ensure that each review of a capital assets acquisition project under subsection (a) is conducted by an independent entity with the appropriate expertise with respect to the project and the stage in the acquisition process of the project.

''(d) DEFINITIONS.—In this section:

''(1) The term 'acquisition process' means the acquisition process for a project, as defined in Department of Energy Order 413.3B (relating to project management and project management for the acquisition of capital assets), or a successor order.

''(2) The term 'appropriate head' means—

''(A) the Administrator, with respect to capital assets acquisition projects of the Administration; and

''(B) the Assistant Secretary of Energy for Environmental Management, with respect to capital assets acquisition projects of the Office of Environmental Management.

''(3) The term 'capital assets acquisition project' means a project that—

''(A) the total project cost of which is more than $500,000,000; and

''(B) is covered by Department of Energy Order 413.3, or a successor order, for the acquisition of capital assets for atomic energy defense activities.''.

(b) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 4732 the following new item:

''Sec. 4733. Independent acquisition project reviews of capital assets acquisition projects.''.

SEC. 3112. RESEARCH AND DEVELOPMENT OF ADVANCED NAVAL NUCLEAR FUEL SYSTEM BASED ON LOW-ENRICHED URANIUM.

(a) PROHIBITION.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Department of Energy may be obligated or expended to plan or carry out research and development of an advanced naval nuclear fuel system based on low-enriched uranium.

(b) EXCEPTION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for defense nuclear nonproliferation, as specified in the funding table in division D, not more than $5,000,000 shall be made available to the Deputy Administrator for Naval Reactors for initial planning and early research and development of an advanced naval nuclear fuel system based on low-enriched uranium.

(c) BUDGET MATTERS.—Section 3118 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1196) is amended—

(1) by striking paragraph (2) of subsection (c) and inserting the following new paragraph:

''(2) BUDGET REQUESTS.—If the Secretaries determine under paragraph (1) that research and development of an advanced naval nuclear fuel system based on low-enriched uranium should continue, the Secretaries shall ensure that each budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2018 and each fiscal year thereafter in which such research and development is carried out includes in the budget line item for the 'Defense Nuclear Nonproliferation' account amounts necessary to carry out the conceptual plan under subsection (b).''; and

(2) in subsection (d), by striking ''for material management and minimization''.

SEC. 3113. DISPOSITION OF WEAPONS-USABLE PLUTONIUM.

(a) IN GENERAL.—Except as provided by subsection (c), using funds described in subsection (b), the Secretary of Energy shall carry out construction and project support activities relating to the MOX facility.

(b) FUNDS DESCRIBED.—The funds described in this subsection are the following:

(1) Funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the National Nuclear Security Administration for the MOX facility for construction and project support activities.

(2) Funds authorized to be appropriated for a fiscal year prior to fiscal year 2017 for the National Nuclear Security Administration for the MOX facility for construction and project support activities that are unobligated as of the date of the enactment of this Act.

(c) WAIVER.—The Secretary may waive the requirement in subsection (a) to carry out construction and project support activities relating to the MOX facility if—

(1) the Secretary submits to the congressional defense committees—

(A) an updated performance baseline for construction and project support activities relating to the MOX facility as required by section 3119(b) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1197);

(B) notification that the Secretary has sought to enter into consultations with any relevant State or government of a foreign country necessary to pursue an alternative option for carrying out the plutonium disposition program, including a comprehensive description of the status of such consultations and a detailed plan and schedule for concluding such consultations;

(C) the commitment of the Secretary to remove plutonium from South Carolina and ensure a sustainable future for the Savannah River Site; and

(D) either—

(i) notification that the prime contractor of the MOX facility has not submitted a proposal, during the three-month period following the date on which the Secretary requests such a proposal, for a fixed-price contract for completing construction and project support activities for the MOX facility; or

(ii) certification that such proposal is materially deficient or non-responsive, or that an alternative option for carrying out the plutonium disposition program exists and the total lifecycle cost of such alternative option would be less than approximately half of the estimated remaining total lifecycle cost of the mixed-oxide fuel program; and

(2) a period of 15 days has elapsed following the date of such submission.

(d) DEFINITIONS.—In this section:

(1) The term ''MOX facility'' means the mixed-oxide fuel fabrication facility at the Savannah River Site, Aiken, South Carolina.

(2) The term ''project support activities'' means activities that support the design, long-lead equipment procurement, and site preparation of the MOX facility.

SEC. 3114. DESIGN BASIS THREAT.

(a) UPDATE TO ORDER.—Not later than August 31, 2016, the Secretary of Energy shall update Department of Energy Order 470.3B relating to the design basis threat for protecting nuclear weapons, special nuclear material, and other critical assets in the custody of the Department of Energy.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)) should promulgate regular, biannual updates to the Nuclear Security Threat Capabilities Assessment to better inform nuclear security postures within the Department of Defense and the Department of Energy;

(2) the Department of Defense and the Department of Energy should closely, and in real-time, track and assess national, regional, and local threats to the defense nuclear facilities of the respective Departments; and

(3) the Department of Defense and the Department of Energy should regularly review assessments and other input provided by activities described in paragraphs (1) and (2) and adjust security postures accordingly.

SEC. 3115. PROHIBITION ON AVAILABILITY OF FUNDS FOR PROVISION OF CERTAIN ASSISTANCE TO RUSSIAN FEDERATION.

(a) PROHIBITION.—

(1) IN GENERAL.—None of the funds described in paragraph (2) may be obligated or expended

to enter into a contract with, or otherwise provide assistance to, the Russian Federation.

(2) FUNDS DESCRIBED.—The funds described in this paragraph are the following:

(A) Funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for atomic energy defense activities.

(B) Funds authorized to be appropriated or otherwise made available for a fiscal year prior to fiscal year 2017 for atomic energy defense activities that are unobligated as of the date of the enactment of this Act.

(b) WAIVER.—The Secretary of Energy, without delegation, may waive the prohibition in subsection (a)(1) only—

(1) to meet requirements the Secretary determines to be new and emergency in nature; and

(2) if—

(A) the Secretary submits to the appropriate congressional committees a report containing—

(i) a notification that such a waiver is in the national security interest of the United States;

(ii) justification for such a waiver, including an explanation of how meets the requirements under paragraph (1); and

(iii) a certification that there is no backlog of deferred maintenance with respect to physical security equipment and related infrastructure at each Department of Energy defense nuclear facility; and

(B) a period of 15 days elapses following the date on which the Secretary submits such report.

(c) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means the following:

(A) The congressional defense committees.

(B) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) The term ''Department of Energy defense nuclear facility'' has the meaning given that term in section 318 of the Atomic Energy Act of 1954 (42 U.S.C. 2286g).

SEC. 3116. LIMITATION ON AVAILABILITY OF FUNDS FOR FEDERAL SALARIES AND EXPENSES.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the National Nuclear Security Administration for defense-related Federal salaries and expenses, not more than 90 percent may be obligated or expended until the date on which the Secretary of Energy submits to the congressional defense committees and the congressional intelligence committees the following:

(1) The updated plan on the designing and building of prototypes of nuclear weapons that is required to be developed by not later than the same time as the budget of the President for fiscal year 2018 pursuant to paragraphs (2) and (3)(B) of section 4509(a) of the Atomic Energy Defense Act (50 U.S.C. 2660(a)(2)).

(2) A description of the determination of the Secretary under paragraph (4)(B) of such section with respect to the manner in which the designing and building of prototypes of nuclear weapons is carried out under such updated plan.

SEC. 3117. LIMITATION ON AVAILABILITY OF FUNDS FOR DEFENSE ENVIRONMENTAL CLEANUP PROGRAM DIRECTION.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for defense environmental cleanup for program direction, not more than 90 percent may be obligated or expended until the date on which the Secretary of Energy submits to Congress the future-years defense environmental cleanup plan required to be submitted during 2017 under section 4402A of the Atomic Energy Defense Act (50 U.S.C. 2582A).

SEC. 3118. LIMITATION ON AVAILABILITY OF FUNDS FOR ACCELERATION OF NUCLEAR WEAPONS DISMANTLEMENT.

(a) LIMITATION ON MAXIMUM AMOUNT FOR DISMANTLEMENT.—Of the funds authorized to be appropriated by this Act or otherwise made available for any of fiscal years 2017 through 2021 for the National Nuclear Security Administration, not more than $56,000,000 may be obligated or expended in each such fiscal year to carry out the nuclear weapons dismantlement and disposition activities of the Administration.

(b) LIMITATION ON ACCELERATION OF DISMANTLEMENT ACTIVITIES.—Except as provided by subsection (d), none of the funds authorized to be appropriated by this Act or otherwise made available for any of fiscal years 2017 through 2021 for the National Nuclear Security Administration may be obligated or expended to accelerate the nuclear weapons dismantlement activities of the Administration to a rate that exceeds the rate described in the Stockpile Stewardship and Management Plan schedule.

(c) LIMITATION ON DISMANTLEMENT OF CERTAIN CRUISE MISSILE WARHEADS.—Except as provided by subsection (d), none of the funds authorized to be appropriated by this Act or otherwise made available for any of fiscal years 2017 through 2021 for the National Nuclear Security Administration may be obligated or expended to dismantle or dispose a W84 nuclear weapon.

(d) EXCEPTION.—The limitations in subsection (b) and (c) shall not apply to the following:

(1) The dismantlement of a nuclear weapon not covered by the Stockpile Stewardship and Management Plan schedule if the Administrator for Nuclear Security certifies, in writing, to the congressional defense committees that—

(A) the components of the nuclear weapon are directly required for the purposes of a current life extension program; or

(B) such dismantlement is necessary to conduct maintenance or surveillance of the nuclear weapons stockpile or to ensure the safety or reliability of the nuclear weapons stockpile.

(2) The dismantlement of a nuclear weapon if the President certifies, in writing, to the congressional defense committees that—

(A) such dismantlement is being carried out pursuant to a nuclear arms reduction treaty or similar international agreement that requires such dismantlement; and

(B) such treaty or similar international agreement—

(i) has entered into force after the date of the enactment of this Act; and

(ii) was approved—

(I) with the advice and consent of the Senate pursuant to Article II, section 2, clause 2 of the Constitution after the date of the enactment of this Act; or

(II) by an Act of Congress, as described in section 303(b) of the Arms Control and Disarmament Act (22 U.S.C. 2573(b)).

(e) STOCKPILE STEWARDSHIP AND MANAGEMENT PLAN SCHEDULE DEFINED.—In this section, the term ''Stockpile Stewardship and Management Plan schedule'' means the schedule described in table 2–7 of the annex of the report titled ''Fiscal Year 2016 Stockpile Stewardship and Management Plan'' submitted in March 2015 by the Administrator for Nuclear Security to the congressional defense committees under section 4203(b)(2) of the Atomic Energy Defense Act (50 U.S.C. 2523(b)(2)).

SEC. 3119. ANNUAL CERTIFICATION OF SHIPMENTS TO WASTE ISOLATION PILOT PLANT.

(a) ANNUAL CERTIFICATION.—During the five-year period beginning on the date of the enactment of this Act, not later than February 1 of each year, the Secretary of Energy shall certify to the congressional defense committees the following, with respect to the year covered by the certification:

(1) The covered contractors have certified to the Administrator for Nuclear Security that the covered contractors are aware of the contents of each container shipped by the covered contractors to the Waste Isolation Pilot Plant, Carlsbad, New Mexico, in sufficient detail to ensure that the container is handled properly to prevent the release of radiation or contamination.

(2) The Administrator is aware of the contents of each container shipped by the Administrator or covered contractors to the Waste Isolation Pilot Plant, Carlsbad, New Mexico, in such sufficient detail.

(3) The Assistant Secretary of Energy for Environmental Management is aware of the contents of each container shipped from a clean-up site to the Waste Isolation Pilot Plant in such sufficient detail.

(b) COVERED CONTRACTORS DEFINED.—In this section, the term ''covered contractors'' means each management and operating contractor of a national security laboratory or nuclear weapons production facility (as such terms are defined in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501) that ships materials to the Waste Isolation Pilot Plant, Carlsbad, New Mexico.

Subtitle C—Plans and Reports

SEC. 3121. CLARIFICATION OF ANNUAL REPORT AND CERTIFICATION ON STATUS OF SECURITY OF ATOMIC ENERGY DEFENSE FACILITIES.

Section 4506(b)(1)(B) of the Atomic Energy Defense Act (50 U.S.C. 2657) is amended to read as follows:

''(B) written certification that such facilities are secure and that the security measures at such facilities meet the security standards and requirements of the Department of Energy.''.

SEC. 3122. ANNUAL REPORT ON SERVICE SUPPORT CONTRACTS OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.

Section 3241A(f) of the National Nuclear Security Administration Act (50 U.S.C. 2441a(f)) is amended by adding at the end the following new paragraph:

''(5) With respect to each contract identified under paragraph (2)—

''(A) the cost of the contract; and

''(B) identification of the program or program direction accounts that support the contract.''.

SEC. 3123. REPEAL OF CERTAIN REPORTING REQUIREMENTS.

(a) REPORTS ON PLAN TO PROTECT AGAINST INADVERTENT RELEASE OF RESTRICTED DATA AND FORMERLY RESTRICTED DATA.—Section 4522 of the Atomic Energy Defense Act (50 U.S.C. 2672) is amended—

(1) by striking subsection (e); and

(2) by redesignating subsection (f) as subsection (e).

(b) GAO REPORT ON PROGRAM ON SCIENTIFIC ENGAGEMENT FOR NONPROLIFERATION.—Section 3122 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 50 U.S.C. 2571 note), as amended by section 3125 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 1063), is further amended—

(1) in subsection (b)(1), by striking '', and to the Comptroller General of the United States,'';

(2) by striking subsection (e); and

(3) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

SEC. 3124. INDEPENDENT ASSESSMENT OF TECHNOLOGY DEVELOPMENT UNDER DEFENSE ENVIRONMENTAL CLEANUP PROGRAM.

(a) ASSESSMENT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Energy shall seek to enter into an agreement with the National Academy of Sciences to conduct an independent assessment

of the technology development efforts of the defense environmental cleanup program of the Department of Energy.

(b) ELEMENTS.—The assessment under subsection (a) shall include the following:

(1) A review of the technology development efforts of the defense environmental cleanup program of the Department of Energy, including an assessment of the process by which the Secretary identifies and chooses technologies to pursue under the program.

(2) A comprehensive review and assessment of technologies or alternative approaches to defense environmental cleanup efforts that could—

(A) reduce the long-term costs of such efforts;

(B) accelerate schedules for carrying out such efforts;

(C) mitigate uncertainties, vulnerabilities, or risks relating to such efforts; or

(D) otherwise significantly improve the defense environmental cleanup program.

(c) SUBMISSION.—Not later than September 30, 2017, the National Academy of Sciences shall submit to the congressional defense committees and the Secretary a report on the assessment under subsection (a).

SEC. 3125. UPDATED PLAN FOR VERIFICATION AND MONITORING OF PROLIFERATION OF NUCLEAR WEAPONS AND FISSILE MATERIAL.

(a) UPDATED PLAN.—

(1) TRANSMISSION.—Not later than 90 days after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a comprehensive and detailed update to the plan developed under section 3133(a) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3896) with respect to verification and monitoring relating to the potential proliferation of nuclear weapons, components of such weapons, and fissile material.

(2) FORM.—The updated plan under paragraph (1) shall be transmitted in unclassified form, but may include a classified annex.

(b) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Department of Defense for supporting the Executive Office of the President, $10,000,000 may not be obligated or expended until the date on which the President transmits to the appropriate congressional committees the updated plan under subsection (a)(1).

(c) BRIEFING.—Not later than 30 days after the date of the enactment of this Act, the President shall provide to the Committees on Armed Services of the House of Representatives and the Senate (and any other appropriate congressional committee upon request) an interim briefing on the updated plan under subsection (a)(1).

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(3) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(4) The Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

(5) The Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2017, $31,000,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

TITLE XXXIII—NUCLEAR ENERGY INNOVATION CAPABILITIES

SEC. 3301. SHORT TITLE.

This title may be cited as the ''Nuclear Energy Innovation Capabilities Act''.

SEC. 3302. NUCLEAR ENERGY.

Section 951 of the Energy Policy Act of 2005 (42 U.S.C. 16271) is amended to read as follows:

''SEC. 951. NUCLEAR ENERGY.

''(a) MISSION.—The Secretary shall conduct programs of civilian nuclear research, development, demonstration, and commercial application, including activities in this subtitle. Such programs shall take into consideration the following objectives:

''(1) Providing research infrastructure to promote scientific progress and enable users from academia, the National Laboratories, and the private sector to make scientific discoveries relevant for nuclear, chemical, and materials science engineering.

''(2) Maintaining National Laboratory and university nuclear energy research and development programs, including their infrastructure.

''(3) Providing the technical means to reduce the likelihood of nuclear weapons proliferation and increasing confidence margins for public safety of nuclear energy systems.

''(4) Reducing the environmental impact of nuclear energy related activities.

''(5) Supporting technology transfer from the National Laboratories to the private sector.

''(6) Enabling the private sector to partner with the National Laboratories to demonstrate novel reactor concepts for the purpose of resolving technical uncertainty associated with the aforementioned objectives in this subsection.

''(b) DEFINITIONS.—In this subtitle:

''(1) ADVANCED FISSION REACTOR.—The term 'advanced fission reactor' means a nuclear fission reactor with significant improvements over the most recent generation of nuclear reactors, which may include inherent safety features, lower waste yields, greater fuel utilization, superior reliability, resistance to proliferation, and increased thermal efficiency.

''(2) FAST NEUTRON.—The term 'fast neutron' means a neutron with kinetic energy above 100 kiloelectron volts.

''(3) NATIONAL LABORATORY.—The term 'National Laboratory' has the meaning given that term in paragraph (3) of section 2, except that with respect to subparagraphs (G), (H), and (N) of such paragraph, for purposes of this subtitle the term includes only the civilian activities thereof.

''(4) NEUTRON FLUX.—The term 'neutron flux' means the intensity of neutron radiation measured as a rate of flow of neutrons applied over an area.

''(5) NEUTRON SOURCE.—The term 'neutron source' means a research machine that provides neutron irradiation services for research on materials sciences and nuclear physics as well as testing of advanced materials, nuclear fuels, and other related components for reactor systems.''.

SEC. 3303. NUCLEAR ENERGY RESEARCH PROGRAMS.

Section 952 of the Energy Policy Act of 2005 (42 U.S.C. 16272) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

SEC. 3304. ADVANCED FUEL CYCLE INITIATIVE.

Section 953(a) of the Energy Policy Act of 2005 (42 U.S.C. 16273(a)) is amended by striking '', acting through the Director of the Office of Nuclear Energy, Science and Technology,''.

SEC. 3305. UNIVERSITY NUCLEAR SCIENCE AND ENGINEERING SUPPORT.

Section 954(d)(4) of the Energy Policy Act of 2005 (42 U.S.C. 16274(d)(4)) is amended by striking ''as part of a taking into consideration effort that emphasizes'' and inserting ''that emphasize''.

SEC. 3306. DEPARTMENT OF ENERGY CIVILIAN NUCLEAR INFRASTRUCTURE AND FACILITIES.

Section 955 of the Energy Policy Act of 2005 (42 U.S.C. 16275) is amended—

(1) by striking subsections (c) and (d); and

(2) by adding at the end the following:

''(c) VERSATILE NEUTRON SOURCE.—

''(1) MISSION NEED.—Not later than December 31, 2016, the Secretary shall determine the mission need for a versatile reactor-based fast neutron source, which shall operate as a national user facility. During this process, the Secretary shall consult with the private sector, universities, National Laboratories, and relevant Federal agencies to ensure that this user facility will meet the research needs of the largest possible majority of prospective users.

''(2) ESTABLISHMENT.—Upon the determination of mission need made under paragraph (1), the Secretary shall, as expeditiously as possible, provide to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a detailed plan for the establishment of the user facility.

''(3) FACILITY REQUIREMENTS.—

''(A) CAPABILITIES.—The Secretary shall ensure that this user facility will provide, at a minimum, the following capabilities:

''(i) Fast neutron spectrum irradiation capability.

''(ii) Capacity for upgrades to accommodate new or expanded research needs.

''(B) CONSIDERATIONS.—In carrying out the plan provided under paragraph (2), the Secretary shall consider the following:

''(i) Capabilities that support experimental high-temperature testing.

''(ii) Providing a source of fast neutrons at a neutron flux, higher than that at which current research facilities operate, sufficient to enable research for an optimal base of prospective users.

''(iii) Maximizing irradiation flexibility and irradiation volume to accommodate as many concurrent users as possible.

''(iv) Capabilities for irradiation with neutrons of a lower energy spectrum.

''(v) Multiple loops for fuels and materials testing in different coolants.

''(vi) Additional pre-irradiation and post-irradiation examination capabilities.

''(vii) Lifetime operating costs and lifecycle costs.

''(4) REPORTING PROGRESS.—The Department shall, in its annual budget requests, provide an explanation for any delay in its progress and otherwise make every effort to complete construction and approve the start of operations for this facility by December 31, 2025.

''(5) COORDINATION.—The Secretary shall leverage the best practices for management, construction, and operation of national user facilities from the Office of Science.''.

SEC. 3307. SECURITY OF NUCLEAR FACILITIES.

Section 956 of the Energy Policy Act of 2005 (42 U.S.C. 16276) is amended by striking '', acting through the Director of the Office of Nuclear Energy, Science and Technology,''.

SEC. 3308. HIGH-PERFORMANCE COMPUTATION AND SUPPORTIVE RESEARCH.

Section 957 of the Energy Policy Act of 2005 (42 U.S.C. 16277) is amended to read as follows:

"SEC. 957. HIGH-PERFORMANCE COMPUTATION AND SUPPORTIVE RESEARCH.

''(a) MODELING AND SIMULATION.—The Secretary shall carry out a program to enhance the Nation's capabilities to develop new reactor technologies through high-performance computation modeling and simulation techniques. This program shall coordinate with relevant Federal agencies through the National Strategic Computing Initiative created under Executive Order No. 13702 (July 29, 2015) while taking into account the following objectives:

''(1) Utilizing expertise from the private sector, universities, and National Laboratories to develop computational software and capabilities that prospective users may access to accelerate research and development of advanced fission reactor systems, nuclear fusion systems, and reactor systems for space exploration.

''(2) Developing computational tools to simulate and predict nuclear phenomena that may be validated through physical experimentation.

''(3) Increasing the utility of the Department's research infrastructure by coordinating with the Advanced Scientific Computing Research program within the Office of Science.

''(4) Leveraging experience from the Energy Innovation Hub for Modeling and Simulation.

''(5) Ensuring that new experimental and computational tools are accessible to relevant research communities.

''(b) SUPPORTIVE RESEARCH ACTIVITIES.—The Secretary shall consider support for additional research activities to maximize the utility of its research facilities, including physical processes to simulate degradation of materials and behavior of fuel forms and for validation of computational tools.''.

SEC. 3309. ENABLING NUCLEAR ENERGY INNOVATION.

Subtitle E of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16271 et seq.) is amended by adding at the end the following:

"SEC. 958. ENABLING NUCLEAR ENERGY INNOVATION.

''(a) NATIONAL REACTOR INNOVATION CENTER.—The Secretary shall carry out a program to enable the testing and demonstration of reactor concepts to be proposed and funded by the private sector. The Secretary shall leverage the technical expertise of relevant Federal agencies and National Laboratories in order to minimize the time required to enable construction and operation of privately funded experimental reactors at National Laboratories or other Department-owned sites. Such reactors shall operate to meet the following objectives:

''(1) Enabling physical validation of novel reactor concepts.

''(2) Resolving technical uncertainty and increasing practical knowledge relevant to safety, resilience, security, and functionality of first-of-a-kind reactor concepts.

''(3) General research and development to improve nascent technologies.

''(b) REPORTING REQUIREMENT.—Not later than 180 days after the date of enactment of the Nuclear Energy Innovation Capabilities Act, the Secretary, in consultation with the National Laboratories, relevant Federal agencies, and other stakeholders, shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report assessing the Department's capabilities to authorize, host, and oversee privately funded fusion and advanced fission experimental reactors as described under subsection (a). The report shall address the following:

''(1) The Department's oversight capabilities, including options to leverage expertise from the Nuclear Regulatory Commission and National Laboratories.

''(2) Potential sites capable of hosting activities described under subsection (a).

''(3) The efficacy of the Department's available contractual mechanisms to partner with the private sector and Federal agencies, including cooperative research and development agreements, strategic partnership projects, and agreements for commercializing technology.

''(4) Potential cost structures related to long-term projects, including physical security, distribution of liability, and other related costs.

''(5) Other challenges or considerations identified by the Secretary.''.

SEC. 3310. BUDGET PLAN.

(a) IN GENERAL.—Subtitle E of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16271 et seq.) is further amended by adding at the end the following:

"SEC. 959. BUDGET PLAN.

''Not later than 12 months after the date of enactment of the Nuclear Energy Innovation Capabilities Act, the Department shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate 2 alternative 10-year budget plans for civilian nuclear energy research and development by the Department. The first shall assume constant annual funding for 10 years at the appropriated level for the Department's civilian nuclear energy research and development for fiscal year 2016. The second shall be an unconstrained budget. The two plans shall include—

''(1) a prioritized list of the Department's programs, projects, and activities to best support the development of next generation nuclear energy technology;

''(2) realistic budget requirements for the Department to implement sections 955(c), 957, and 958 of this Act; and

''(3) the Department's justification for continuing or terminating existing civilian nuclear energy research and development programs.''.

(b) REPORT ON FUSION INNOVATION.—Not later than 6 months after the date of enactment of this title, the Secretary of the Department of Energy shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that will identify engineering designs for innovative fusion energy systems that have the potential to demonstrate net energy production not later than 15 years after the start of construction. In this report, the Secretary will identify budgetary requirements that would be necessary for the Department to carry out a fusion innovation initiative to accelerate research and development of these designs.

SEC. 3311. CONFORMING AMENDMENTS.

The table of contents for the Energy Policy Act of 2005 is amended by striking the item relating to section 957 and inserting the following:

''957. High-performance computation and supportive research.
''958. Enabling nuclear energy innovation.
''959. Budget plan.''.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.

(a) AMOUNT.—There are hereby authorized to be appropriated to the Secretary of Energy $14,950,000 for fiscal year 2017 for the purpose of carrying out activities under chapter 641 of title 10, United States Code, relating to the naval petroleum reserves.

(b) PERIOD OF AVAILABILITY.—Funds appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

TITLE XXXV—MARITIME ADMINISTRATION

SEC. 3501. AUTHORIZATION OF THE MARITIME ADMINISTRATION.

Funds are hereby authorized to be appropriated for fiscal year 2017, to be available without fiscal year limitation if so provided in appropriations Acts, for the use of the Department of Transportation for Maritime Administration programs associated with maintaining the United States merchant marine, as follows:

(1) For expenses necessary for operations of the United States Merchant Marine Academy, $99,902,000.

(2) For expenses necessary to support the State maritime academies, $29,550,000.

(3) For expenses necessary to support Maritime Administration operations and programs, $58,694,000.

(4) For expenses necessary to dispose of vessels in the National Defense Reserve Fleet, $20,000,000, to remain available until expended.

(5) For expenses to maintain and preserve a United States-flag merchant marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, $299,997,000.

SEC. 3502. AUTHORITY TO MAKE PRO RATA ANNUAL PAYMENTS UNDER OPERATING AGREEMENTS FOR VESSELS PARTICIPATING IN MARITIME SECURITY FLEET.

Section 53106(d) of title 46, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (2);

(2) by striking the period at the end of paragraph (3) and inserting ''; and''; and

(3) by adding at the end following:

''(4) may make a pro rata reduction in payment if sufficient funds have not been appropriated to pay the full annual payment authorized in subsection (a).''.

SEC. 3503. AUTHORITY TO EXTEND CERTAIN AGE RESTRICTIONS RELATING TO VESSELS IN THE MARITIME SECURITY FLEET.

(a) AUTHORITY.—

(1) IN GENERAL.—Section 53102 of title 46, United States Code, is amended by adding at the end the following:

''(g) AUTHORITY TO EXTEND MAXIMUM SERVICE AGE FOR VESSEL.—The Secretary of Defense, in conjunction with the Secretary of Transportation, may, for a particular participating fleet vessel, extend the maximum age restrictions under section 53101(5)(A)(ii) and section 53106(c)(3) for a period of up to 5 years if the Secretaries jointly determine that it is in the national interest to do so.''.

(2) CONFORMING AMENDMENT.—The heading of subsection (f) of such section is amended to read as follows: ''AUTHORITY TO WAIVE AGE RESTRICTION FOR ELIGIBILITY OF A VESSEL TO BE INCLUDED IN FLEET.—''.

(b) REPEAL OF REDUNDANT AGE LIMITATION.—Section 53106(c)(3) of such title is amended—

(1) in subparagraph (A), by striking ''or (C);'' and inserting ''; or'';

(2) in subparagraph (B), by striking ''; or'' and inserting a period; and

(3) by striking subparagraph (C).

SEC. 3504. CORRECTIONS TO PROVISIONS ENACTED BY COAST GUARD AUTHORIZATION ACTS.

(a) SHORT TITLE CORRECTION.—The Coast Guard Authorization Act of 2015 (Public Law 114–120) is amended by striking ''Coast Guard Authorization Act of 2015'' each place it appears (including in quoted material) and inserting ''Coast Guard Authorization Act of 2016''.

(b) TITLE 46, U.S.C..—

(1) Section 7510 of title 46, United States Code, is amended—

(A) in subsection (c)(1)(D), by striking ''engine'' and inserting ''engineer''; and

(B) in subsection (c)(9), by inserting a period after ''App'';

(2) Section 4503(f)(2) of title 46, United States Code, is amended by striking '', that'' and inserting '', then''.

(c) PROVISIONS RELATING TO THE PRIBILOF ISLANDS.—

(1) SHORT TITLE CORRECTION.—Section 521 of the Coast Guard Authorization Act of 2016 (Public Law 114–120), as amended by subsection (a), is further amended by striking ''2015'' and inserting ''2016''.

(2) CONFORMING AMENDMENT.—Section 105(e)(1) of the Pribilof Islands Transition Act (16 U.S.C. 1161 note; Public Law 106–562) is amended by striking ''2015'' and inserting ''2016''.

(3) TECHNICAL CORRECTION.—Section 522(b)(2) of the Coast Guard Authorization Act of 2016 (Public Law 114–120), as amended by subsection (a), is further amended by striking ''subsection (a)'' and inserting ''paragraph (1)''.

(d) TITLE 14, UNITED STATES CODE.—

(1) REDISTRIBUTION OF AUTHORIZATIONS OF APPROPRIATIONS.—Section 2702 of title 14, United States Code, is amended—

(A) in paragraph (1)(B), by striking ''$6,981,036,000'' and inserting ''$6,986,815,000''; and

(B) in paragraph (3)(B), by striking ''$140,016,000'' and inserting ''$134, 237,000''.

(2) CLERICAL AMENDMENT.—The analysis at the beginning of part III of title 14, United States Code, is amended by striking the period at the end of the item relating to chapter 29.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of Public Law 114–120.

SEC. 3505. STATUS OF NATIONAL DEFENSE RESERVE FLEET VESSELS.

Section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. 4405) is amended—

(1) in subsection (a), by adding at the end the following: ''Vessels in the National Defense Reserve Fleet, including vessels loaned to State Maritime Academies, shall be considered public vessels of the United States.''; and

(2) by adding at the end the following:

''(g) VESSEL STATUS.—A vessel in the National Defense Reserve Fleet determined by the Maritime Administration to be of insufficient value to remain in the National Defense Reserve Fleet shall remain a vessel within the meaning of that term in section 3 of title 1 and subject to the rights and responsibilities of a vessel under admiralty law at least until such time as the vessel is delivered to a dismantling facility or is disposed of otherwise from the National Defense Reserve Fleet.''.

SEC. 3506. NDRF NATIONAL SECURITY MULTI-MISSION VESSEL.

(a) IN GENERAL.—Subject to the availability of appropriations for fiscal year 2017 and each fiscal year thereafter, the Maritime Administrator shall seek to contract for construction of a national security multi-mission vessel for the National Defense Reserve Fleet for—

(1) use as a training vessel that can be provided to State maritime academies, under section 51504(b) of title 46, United States Code; and

(2) humanitarian assistance, disaster response, domestic and foreign emergency contingency operations, and other authorized uses of vessels of the National Defense Reserve Fleet.

(b) CONSTRUCTION AND DOCUMENTATION REQUIREMENTS.—A vessel constructed under this section shall—

(1) be constructed in a private United States shipyard;

(2) be constructed in accordance with designs approved by the Maritime Administrator; and

(3) meet—

(A) the safety requirements of the Coast Guard as a documented vessel; and

(B) the content standards of the Coast Guard to qualify the vessel for a coastwise endorsement as if such vessel were a privately owned and operated commercial vessel; and

(4) be documented under section 12103 of title 46, United States Code.

(c) DESIGN STANDARDS AND CONSTRUCTION PRACTICES.—Subject to subsection (b), construction of a vessel under this section shall use commercial design standards and commercial construction practices that are consistent with the best interests of the Federal Government.

(d) GENERAL AGENT REQUIREMENT.—The Maritime Administrator shall enter into a contract or other agreement with the Secretary of the Navy under which the Navy shall act as general agent for the Maritime Administration for purposes of construction of a vessel under this section.

(e) CONTRACTS WITH OTHER FEDERAL ENTITIES.—The Maritime Administrator may contract on a reimbursable basis with other Federal entities for goods and services in connection with this section and other associated future activities.

(f) CONTRACTORS.—Any contractor selected by the Maritime Administration through its general agent to construct the vessel under (a) shall be an entity established under the laws of the United States or of a State, commonwealth, or territory of the United States, that during the five-year period preceding the date of the enactment of this Act, either directly or through a subsidiary, completed the construction of a vessel in excess of 10,000 gross tons and documented under section 12103 of title 46, United States Code.

(g) REPEAL OF PLAN APPROVAL REQUIREMENT.—Section 109(j)(3) of title 49, United States Code, is repealed.

SEC. 3507. UNITED STATES MERCHANT MARINE ACADEMY.

(a) IN GENERAL.—Section 51301 of title 46, United States Code, is amended by adding at the end the following:

''(c) SUPERINTENDENT.—The immediate command of the United States Merchant Marine Academy shall be in the Superintendent of the Academy, subject to the direction of the Maritime Administrator under the general supervision of the Secretary of Transportation. The Secretary of Transportation shall appoint the Superintendent from the senior ranks of the United States merchant marine, maritime industry, or from the retired list of flag-rank Navy or Coast Guard officers who have significant afloat command experience. Due to the unique mission of the Academy, it is highly desirable that the Superintendent be a graduate of the Academy and have attained an unlimited merchant mariner officer's license.

''(d) COMMANDANT OF MIDSHIPMEN.—Subject to the direction of the Superintendent, the Commandant is the immediate commander of the Regiment of Midshipmen and is responsible for the instruction of all midshipmen in maritime professionalism, ethics, leadership, and military bearing necessary for future service as a licensed officer in the merchant marine and a commissioned officer in the uniformed services. The Commandant shall be appointed from the senior ranks of the United States merchant marine, maritime industry, or from the retired list of flag-rank Navy or Coast Guard officers who possess significant merchant marine experience. It is highly desirable that the Commandant have attained an unlimited merchant mariner officer's license and is a graduate of United States Merchant Marine Academy.''.

(b) LIMITATION ON APPLICATION.—The amendment made by subsection (a) shall not apply with respect to the individual serving on the date of the enactment of this Act as the Superintendent of the United States Merchant Marine Academy.

SEC. 3508. USE OF NATIONAL DEFENSE RESERVE FLEET SCRAPPING PROCEEDS.

Section 308704(a)(1)(C) of title 54, United States Code, is amended to read as follows:

''(C) The remainder shall be available to the Secretary to carry out the Program, as provided in subsection (b).''.

SEC. 3509. FLOATING DRY DOCKS.

Section 55122 of title 46, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

''(b) DRYDOCKS FOR CONSTRUCTION OF CERTAIN NAVAL VESSELS.—

''(1) IN GENERAL.—In the application of subsection (a)(1)(C) to a floating drydock used for the construction of naval vessels in a United States shipyard, 'December 19, 2017' shall be substituted for the date referred to in that subsection if the Secretary of the Navy determines that—

''(A) such a drydock is necessary for the timely completion of such construction; and

''(B)(i) such drydock is owned and operated by—

''(I) a shipyard located in the United States that is an eligible owner specified under section 12103(b); or

''(II) an affiliate of such a shipyard; or

''(ii) such drydock is—

''(I) notwithstanding subsection (a)(1)(B), owned by the State in which the shipyard is located or a political subdivision of that State; and

''(II) operated by a shipyard located in the United States that is an eligible owner specified under section 12103(b).

''(2) NOTICE TO CONGRESS.—No later than 30 days after making a determination under paragraph (1), the Secretary of the Navy shall notify the Committee on Armed Services and the Committee on Transportation and Infrastructure of House of Representatives and the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate of such a determinations.''.

TITLE XXXVI—BALLAST WATER

SEC. 3601. SHORT TITLE.

This title may be cited as the ''Vessel Incidental Discharge Act''.

SEC. 3602. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) AQUATIC NUISANCE SPECIES.—The term ''aquatic nuisance species'' means a nonindigenous species (including a pathogen) that threatens the diversity or abundance of native species or the ecological stability of navigable waters or commercial, agricultural, aquacultural, or recreational activities dependent on such waters.

(3) BALLAST WATER.—

(A) IN GENERAL.—The term ''ballast water'' means any water, including any sediment suspended in such water, taken aboard a vessel—

(i) to control trim, list, draught, stability, or stresses of the vessel; or

(ii) during the cleaning, maintenance, or other operation of a ballast water treatment technology of the vessel.

(B) EXCLUSIONS.—The term ''ballast water'' does not include any pollutant that is added to water described in subparagraph (A) that is not directly related to the operation of a properly functioning ballast water treatment technology under this title.

(4) BALLAST WATER PERFORMANCE STANDARD.—The term ''ballast water performance standard'' means the numerical ballast water discharge standard set forth in section 151.2030 of title 33, Code of Federal Regulations, or section 151.1511 of title 33, Code of Federal Regulations, as applicable, or a revised numerical ballast water performance standard established

under subsection (a)(1)(B), (b), or (c) of section 3604 of this title.

(5) BALLAST WATER TREATMENT TECHNOLOGY OR TREATMENT TECHNOLOGY.—The term ''ballast water treatment technology'' or ''treatment technology'' means any mechanical, physical, chemical, or biological process used, alone or in combination, to remove, render harmless, or avoid the uptake or discharge of, aquatic nuisance species within ballast water.

(6) BIOCIDE.—The term ''biocide'' means a substance or organism, including a virus or fungus, that is introduced into or produced by a ballast water treatment technology to reduce or eliminate aquatic nuisance species as part of the process used to comply with a ballast water performance standard under this title.

(7) DISCHARGE INCIDENTAL TO THE NORMAL OPERATION OF A VESSEL.—

(A) IN GENERAL.—The term ''discharge incidental to the normal operation of a vessel'' means—

(i) a discharge into navigable waters from a vessel of—

(I)(aa) ballast water, graywater, bilge water, cooling water, oil water separator effluent, antifouling hull coating leachate, boiler or economizer blowdown, byproducts from cathodic protection, controllable pitch propeller and thruster hydraulic fluid, distillation and reverse osmosis brine, elevator pit effluent, firemain system effluent, freshwater layup effluent, gas turbine wash water, motor gasoline and compensating effluent, refrigeration and air condensate effluent, seawater pumping biofouling prevention substances, boat engine wet exhaust, sonar dome effluent, exhaust gas scrubber washwater, or stern tube packing gland effluent; or

(bb) any other pollutant associated with the operation of a marine propulsion system, shipboard maneuvering system, habitability system, or installed major equipment, or from a protective, preservative, or absorptive application to the hull of a vessel;

(II) weather deck runoff, deck wash, aqueous film forming foam effluent, chain locker effluent, non-oily machinery wastewater, underwater ship husbandry effluent, welldeck effluent, or fish hold and fish hold cleaning effluent; or

(III) any effluent from a properly functioning marine engine; or

(ii) a discharge of a pollutant into navigable waters in connection with the testing, maintenance, or repair of a system, equipment, or engine described in subclause (I)(bb) or (III) of clause (i) whenever the vessel is waterborne.

(B) EXCLUSIONS.—The term ''discharge incidental to the normal operation of a vessel'' does not include—

(i) a discharge into navigable waters from a vessel of—

(I) rubbish, trash, garbage, incinerator ash, or other such material discharged overboard;

(II) oil or a hazardous substance, as those terms are defined in section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321);

(III) sewage, as defined in section 312(a)(6) of the Federal Water Pollution Control Act (33 U.S.C. 1322(a)(6)); or

(IV) graywater referred to in section 312(a)(6) of the Federal Water Pollution Control Act (33 U.S.C. 1322(a)(6));

(ii) an emission of an air pollutant resulting from the operation onboard a vessel of a vessel propulsion system, motor driven equipment, or incinerator; or

(iii) a discharge into navigable waters from a vessel when the vessel is operating in a capacity other than as a means of transportation on water.

(8) GEOGRAPHICALLY LIMITED AREA.—The term ''geographically limited area'' means an area—

(A) with a physical limitation, including limitation by physical size and limitation by authorized route, that prevents a vessel from operating outside the area, as determined by the Secretary; or

(B) that is ecologically homogeneous, as determined by the Secretary, in consultation with the heads of other Federal departments or agencies as the Secretary considers appropriate.

(9) MANUFACTURER.—The term ''manufacturer'' means a person engaged in the manufacture, assemblage, or importation of ballast water treatment technology.

(10) SECRETARY.—The term ''Secretary'' means the Secretary of the department in which the Coast Guard is operating.

(11) VESSEL.—The term ''vessel'' means every description of watercraft or other artificial contrivance used, or practically or otherwise capable of being used, as a means of transportation on water.

SEC. 3603. REGULATION AND ENFORCEMENT.

(a) IN GENERAL.—The Secretary, in consultation with the Administrator, shall establish and implement enforceable uniform national standards and requirements for the regulation of discharges incidental to the normal operation of a vessel. The standards and requirements shall—

(1) be based upon the best available technology economically achievable; and

(2) supersede any permitting requirement or prohibition on discharges incidental to the normal operation of a vessel under any other provision of law.

(b) ADMINISTRATION AND ENFORCEMENT.—The Secretary shall administer and enforce the uniform national standards and requirements under this title. Each State may enforce the uniform national standards and requirements under this title.

SEC. 3604. UNIFORM NATIONAL STANDARDS AND REQUIREMENTS FOR THE REGULATION OF DISCHARGES INCIDENTAL TO THE NORMAL OPERATION OF A VESSEL.

(a) REQUIREMENTS.—

(1) BALLAST WATER MANAGEMENT REQUIREMENTS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the requirements set forth in the final rule, Standards for Living Organisms in Ships' Ballast Water Discharged in U.S. Waters (77 Fed. Reg. 17254 (March 23, 2012), as corrected at 77 Fed. Reg. 33969 (June 8, 2012)), shall be the management requirements for a ballast water discharge incidental to the normal operation of a vessel until the Secretary revises the ballast water performance standard under subsection (b) or adopts a more stringent State standard under subparagraph (B) of this paragraph.

(B) ADOPTION OF MORE STRINGENT STATE STANDARD.—If the Secretary makes a determination in favor of a State petition under section 3609, the Secretary shall adopt the more stringent ballast water performance standard specified in the statute or regulation that is the subject of that State petition in lieu of the ballast water performance standard in the final rule described under subparagraph (A).

(2) INITIAL MANAGEMENT REQUIREMENTS FOR DISCHARGES OTHER THAN BALLAST WATER.—Not later than 2 years after the date of enactment of this Act, the Secretary, in consultation with the Administrator, shall issue a final rule establishing best management practices for discharges incidental to the normal operation of a vessel other than ballast water.

(b) REVISED BALLAST WATER PERFORMANCE STANDARD; 7–YEAR REVIEW.—

(1) IN GENERAL.—Subject to the feasibility review under paragraph (2), not later than January 1, 2022, the Secretary, in consultation with the Administrator, shall issue a final rule revising the ballast water performance standard under subsection (a)(1) so that a ballast water discharge incidental to the normal operation of a vessel will contain—

(A) less than 1 living organism per 10 cubic meters that is 50 or more micrometers in minimum dimension;

(B) less than 1 living organism per 10 milliliters that is less than 50 micrometers in minimum dimension and more than 10 micrometers in minimum dimension;

(C) concentrations of indicator microbes that are less than—

(i) 1 colony-forming unit of toxicogenic Vibrio cholera (serotypes O1 and O139) per 100 milliliters or less than 1 colony-forming unit of that microbe per gram of wet weight of zoological samples;

(ii) 126 colony-forming units of escherichia coli per 100 milliliters; and

(iii) 33 colony-forming units of intestinal enterococci per 100 milliliters; and

(D) concentrations of such additional indicator microbes and of viruses as may be specified in regulations issued by the Secretary, in consultation with the Administrator and such other Federal agencies as the Secretary and the Administrator consider appropriate.

(2) FEASIBILITY REVIEW.—

(A) IN GENERAL.—Not later than January 1, 2020, the Secretary, in consultation with the Administrator, shall complete a review to determine the feasibility of achieving the revised ballast water performance standard under paragraph (1).

(B) CRITERIA FOR REVIEW OF BALLAST WATER PERFORMANCE STANDARD.—In conducting a review under subparagraph (A), the Secretary shall consider whether revising the ballast water performance standard will result in a scientifically demonstrable and substantial reduction in the risk of introduction or establishment of aquatic nuisance species, taking into account—

(i) improvements in the scientific understanding of biological and ecological processes that lead to the introduction or establishment of aquatic nuisance species;

(ii) improvements in ballast water treatment technology, including—

(I) the capability of such treatment technology to achieve a revised ballast water performance standard;

(II) the effectiveness and reliability of such treatment technology in the shipboard environment;

(III) the compatibility of such treatment technology with the design and operation of a vessel by class, type, and size;

(IV) the commercial availability of such treatment technology; and

(V) the safety of such treatment technology;

(iii) improvements in the capabilities to detect, quantify, and assess the viability of aquatic nuisance species at the concentrations under consideration;

(iv) the impact of ballast water treatment technology on water quality; and

(v) the costs, cost-effectiveness, and impacts of—

(I) a revised ballast water performance standard, including the potential impacts on shipping, trade, and other uses of the aquatic environment; and

(II) maintaining the existing ballast water performance standard, including the potential impacts on water-related infrastructure, recreation, propagation of native fish, shellfish, and wildlife, and other uses of navigable waters.

(C) LOWER REVISED PERFORMANCE STANDARD.—

(i) IN GENERAL.—If the Secretary, in consultation with the Administrator, determines, on the basis of the feasibility review and after an opportunity for a public hearing, that no ballast water treatment technology can be certified under section 3605 to comply with the revised

ballast water performance standard under paragraph (1), the Secretary shall require the use of the treatment technology that achieves the performance levels of the best treatment technology available.

(ii) IMPLEMENTATION DEADLINE.—If the Secretary, in consultation with the Administrator, determines that the treatment technology under clause (i) cannot be implemented before the implementation deadline under paragraph (3) with respect to a class of vessels, the Secretary shall extend the implementation deadline for that class of vessels for not more than 36 months.

(iii) COMPLIANCE.—If the implementation deadline under paragraph (3) is extended, the Secretary shall recommend action to ensure compliance with the extended implementation deadline under clause (ii).

(D) HIGHER REVISED PERFORMANCE STANDARD.—

(i) IN GENERAL.—If the Secretary, in consultation with the Administrator, determines that ballast water treatment technology exists that exceeds the revised ballast water performance standard under paragraph (1) with respect to a class of vessels, the Secretary shall revise the ballast water performance standard for that class of vessels to incorporate the higher performance standard.

(ii) IMPLEMENTATION DEADLINE.—If the Secretary, in consultation with the Administrator, determines that the treatment technology under clause (i) can be implemented before the implementation deadline under paragraph (3) with respect to a class of vessels, the Secretary shall accelerate the implementation deadline for that class of vessels. If the implementation deadline under paragraph (3) is accelerated, the Secretary shall provide not less than 24 months notice before the accelerated deadline takes effect.

(3) IMPLEMENTATION DEADLINE.—The revised ballast water performance standard under paragraph (1) shall apply to a vessel beginning on the date of the first drydocking of the vessel on or after January 1, 2022, but not later than December 31, 2024.

(4) REVISED PERFORMANCE STANDARD COMPLIANCE DEADLINES.—

(A) IN GENERAL.—The Secretary may establish a compliance deadline for compliance by a vessel (or a class, type, or size of vessel) with a revised ballast water performance standard under this subsection.

(B) PROCESS FOR GRANTING EXTENSIONS.—In issuing regulations under this subsection, the Secretary shall establish a process for an owner or operator to submit a petition to the Secretary for an extension of a compliance deadline with respect to the vessel of the owner or operator.

(C) PERIOD OF EXTENSIONS.—An extension issued under subparagraph (B) may—

(i) apply for a period of not to exceed 18 months from the date of the applicable deadline under subparagraph (A); and

(ii) be renewable for an additional period of not to exceed 18 months.

(D) FACTORS.—In issuing a compliance deadline or reviewing a petition under this paragraph, the Secretary shall consider, with respect to the ability of an owner or operator to meet a compliance deadline, the following factors:

(i) Whether the treatment technology to be installed is available in sufficient quantities to meet the compliance deadline.

(ii) Whether there is sufficient shipyard or other installation facility capacity.

(iii) Whether there is sufficient availability of engineering and design resources.

(iv) Vessel characteristics, such as engine room size, layout, or a lack of installed piping.

(v) Electric power generating capacity aboard the vessel.

(vi) Safety of the vessel and crew.

(E) CONSIDERATION OF PETITIONS.—

(i) DETERMINATIONS.—The Secretary shall approve or deny a petition for an extension of a compliance deadline submitted by an owner or operator under this paragraph.

(ii) DEADLINE.—If the Secretary does not approve or deny a petition referred to in clause (i) on or before the last day of the 90-day period beginning on the date of submission of the petition, the petition shall be deemed approved.

(c) FUTURE REVISIONS OF VESSEL INCIDENTAL DISCHARGE STANDARDS; DECENNIAL REVIEWS.—

(1) REVISED BALLAST WATER PERFORMANCE STANDARDS.—The Secretary, in consultation with the Administrator, shall complete a review, 10 years after the issuance of a final rule under subsection (b) and every 10 years thereafter, to determine whether further revision of the ballast water performance standard would result in a scientifically demonstrable and substantial reduction in the risk of the introduction or establishment of aquatic nuisance species.

(2) REVISED STANDARDS FOR DISCHARGES OTHER THAN BALLAST WATER.—The Secretary, in consultation with the Administrator, may include in a decennial review under this subsection best management practices for discharges covered by subsection (a)(2). The Secretary shall initiate a rulemaking to revise 1 or more best management practices for such discharges after a decennial review if the Secretary, in consultation with the Administrator, determines that revising 1 or more of such practices would substantially reduce the impacts on navigable waters of discharges incidental to the normal operation of a vessel other than ballast water.

(3) CONSIDERATIONS.—In conducting a review under paragraph (1), the Secretary, the Administrator, and the heads of other appropriate Federal agencies as determined by the Secretary, shall consider the criteria under subsection (b)(2)(B).

(4) REVISION AFTER DECENNIAL REVIEW.—The Secretary shall initiate a rulemaking to revise the current ballast water performance standard after a decennial review if the Secretary, in consultation with the Administrator, determines that revising the current ballast water performance standard would result in a scientifically demonstrable and substantial reduction in the risk of the introduction or establishment of aquatic nuisance species.

SEC. 3605. TREATMENT TECHNOLOGY CERTIFICATION.

(a) CERTIFICATION REQUIRED.—Beginning 60 days after the date that the requirements for testing protocols are issued under subsection (i), no manufacturer of a ballast water treatment technology shall sell, offer for sale, or introduce or deliver for introduction into interstate commerce, or import into the United States for sale or resale, a ballast water treatment technology for a vessel unless the treatment technology has been certified under this section.

(b) CERTIFICATION PROCESS.—

(1) EVALUATION.—Upon application of a manufacturer, the Secretary shall evaluate a ballast water treatment technology with respect to—

(A) the effectiveness of the treatment technology in achieving the current ballast water performance standard when installed on a vessel (or a class, type, or size of vessel);

(B) the compatibility with vessel design and operations;

(C) the effect of the treatment technology on vessel safety;

(D) the impact on the environment;

(E) the cost effectiveness; and

(F) any other criteria the Secretary considers appropriate.

(2) APPROVAL.—If after an evaluation under paragraph (1) the Secretary determines that the treatment technology meets the criteria, the Secretary may certify the treatment technology for use on a vessel (or a class, type, or size of vessel).

(3) SUSPENSION AND REVOCATION.—The Secretary shall establish, by regulation, a process to suspend or revoke a certification issued under this section.

(c) CERTIFICATION CONDITIONS.—

(1) IMPOSITION OF CONDITIONS.—In certifying a ballast water treatment technology under this section, the Secretary, in consultation with the Administrator, may impose any condition on the subsequent installation, use, or maintenance of the treatment technology onboard a vessel as is necessary for—

(A) the safety of the vessel, the crew of the vessel, and any passengers aboard the vessel;

(B) the protection of the environment; or

(C) the effective operation of the treatment technology.

(2) FAILURE TO COMPLY.—The failure of an owner or operator to comply with a condition imposed under paragraph (1) shall be considered a violation of this section.

(d) PERIOD FOR USE OF INSTALLED TREATMENT EQUIPMENT.—Notwithstanding anything to the contrary in this title or any other provision of law, the Secretary shall allow a vessel on which a system is installed and operated to meet a ballast water performance standard under this title to continue to use that system, notwithstanding any revision of a ballast water performance standard occurring after the system is ordered or installed until the expiration of the service life of the system, as determined by the Secretary, so long as the system—

(1) is maintained in proper working condition; and

(2) is maintained and used in accordance with the manufacturer's specifications and any treatment technology certification conditions imposed by the Secretary under this section.

(e) CERTIFICATES OF TYPE APPROVAL FOR THE TREATMENT TECHNOLOGY.—

(1) ISSUANCE.—If the Secretary approves a ballast water treatment technology for certification under subsection (b), the Secretary shall issue a certificate of type approval for the treatment technology to the manufacturer in such form and manner as the Secretary determines appropriate.

(2) CERTIFICATION CONDITIONS.—A certificate of type approval issued under paragraph (1) shall specify each condition imposed by the Secretary under subsection (c).

(3) OWNERS AND OPERATORS.—A manufacturer that receives a certificate of type approval for the treatment technology under this subsection shall provide a copy of the certificate to each owner and operator of a vessel on which the treatment technology is installed.

(f) INSPECTIONS.—An owner or operator who receives a copy of a certificate under subsection (e)(3) shall retain a copy of the certificate onboard the vessel and make the copy of the certificate available for inspection at all times while the owner or operator is utilizing the treatment technology.

(g) BIOCIDES.—The Secretary may not approve a ballast water treatment technology under subsection (b) if—

(1) it uses a biocide or generates a biocide that is a pesticide, as defined in section 2 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136), unless the biocide is registered under that Act or the Secretary, in consultation with Administrator, has approved the use of the biocide in such treatment technology; or

(2) it uses or generates a biocide the discharge of which causes or contributes to a violation of a water quality standard under section 303 of the Federal Water Pollution Control Act (33 U.S.C. 1313).

(h) PROHIBITION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the use of a ballast water treatment

technology by an owner or operator of a vessel shall not satisfy the requirements of this title unless it has been approved by the Secretary under subsection (b).

(2) EXCEPTIONS.—

(A) COAST GUARD SHIPBOARD TECHNOLOGY EVALUATION PROGRAM.—An owner or operator may use a ballast water treatment technology that has not been certified by the Secretary to comply with the requirements of this section if the technology is being evaluated under the Coast Guard Shipboard Technology Evaluation Program.

(B) BALLAST WATER TREATMENT TECHNOLOGIES CERTIFIED BY FOREIGN ENTITIES.—An owner or operator may use a ballast water treatment technology that has not been certified by the Secretary to comply with the requirements of this section if the technology has been certified by a foreign entity and the certification demonstrates performance and safety of the treatment technology equivalent to the requirements of this section, as determined by the Secretary.

(i) TESTING PROTOCOLS.—Not later than 180 days after the date of enactment of this Act, the Administrator, in consultation with the Secretary, shall issue requirements for land-based and shipboard testing protocols or criteria for—

(1) certifying the performance of each ballast water treatment technology under this section; and

(2) certifying laboratories to evaluate such treatment technologies.

SEC. 3606. EXEMPTIONS.

(a) IN GENERAL.—No permit shall be required or prohibition enforced under any other provision of law for, nor shall any standards regarding a discharge incidental to the normal operation of a vessel under this title apply to—

(1) a discharge incidental to the normal operation of a vessel if the vessel is less than 79 feet in length and engaged in commercial service (as defined in section 2101(5) of title 46, United States Code);

(2) a discharge incidental to the normal operation of a vessel if the vessel is a fishing vessel, including a fish processing vessel and a fish tender vessel (as defined in section 2101 of title 46, United States Code);

(3) a discharge incidental to the normal operation of a vessel if the vessel is a recreational vessel (as defined in section 2101(25) of title 46, United States Code);

(4) the placement, release, or discharge of equipment, devices, or other material from a vessel for the sole purpose of conducting research on the aquatic environment or its natural resources in accordance with generally recognized scientific methods, principles, or techniques;

(5) any discharge into navigable waters from a vessel authorized by an on-scene coordinator in accordance with part 300 of title 40, Code of Federal Regulations, or part 153 of title 33, Code of Federal Regulations;

(6) any discharge into navigable waters from a vessel that is necessary to secure the safety of the vessel or human life, or to suppress a fire onboard the vessel or at a shoreside facility; or

(7) a vessel of the armed forces of a foreign nation when engaged in noncommercial service.

(b) BALLAST WATER DISCHARGES.—No permit shall be required or prohibition enforced under any other provision of law for, nor shall any ballast water performance standards under this title apply to—

(1) a ballast water discharge incidental to the normal operation of a vessel determined by the Secretary to—

(A) operate exclusively within a geographically limited area;

(B) take up and discharge ballast water exclusively within 1 Captain of the Port Zone established by the Coast Guard, unless the Secretary determines such discharge poses a substantial risk of introduction or establishment of an aquatic nuisance species;

(C) operate pursuant to a geographic restriction issued as a condition under section 3309 of title 46, United States Code, or an equivalent restriction issued by the country of registration of the vessel; or

(D) continuously take on and discharge ballast water in a flow-through system that does not introduce aquatic nuisance species into navigable waters;

(2) a ballast water discharge incidental to the normal operation of a vessel consisting entirely of water suitable for human consumption; or

(3) a ballast water discharge incidental to the normal operation of a vessel in an alternative compliance program established pursuant to section 3607.

(c) VESSELS WITH PERMANENT BALLAST WATER.—No permit shall be required or prohibition enforced under any other provision of law for, nor shall any ballast water performance standard under this title apply to, a vessel that carries all of its permanent ballast water in sealed tanks that are not subject to discharge.

(d) VESSELS OF THE ARMED FORCES.—Nothing in this title shall be construed to apply to the following vessels:

(1) A vessel owned or operated by the Department of Defense (other than a time-chartered or voyage-chartered vessel).

(2) A vessel of the Coast Guard, as designated by the Secretary of the department in which the Coast Guard is operating.

SEC. 3607. ALTERNATIVE COMPLIANCE PROGRAM.

(a) IN GENERAL.—The Secretary, in consultation with the Administrator, may promulgate regulations establishing 1 or more compliance programs as an alternative to ballast water management regulations issued under section 3604 for a vessel that—

(1) has a maximum ballast water capacity of less than 8 cubic meters;

(2) is less than 3 years from the end of the useful life of the vessel, as determined by the Secretary; or

(3) discharges ballast water into a facility for the reception of ballast water that meets standards promulgated by the Administrator, in consultation with the Secretary.

(b) PROMULGATION OF FACILITY STANDARDS.—Not later than 1 year after the date of enactment of this Act, the Administrator, in consultation with the Secretary, shall promulgate standards for—

(1) the reception of ballast water from a vessel into a reception facility; and

(2) the disposal or treatment of the ballast water under paragraph (1).

SEC. 3608. JUDICIAL REVIEW.

(a) IN GENERAL.—An interested person may file a petition for review of a final regulation promulgated under this title in the United States Court of Appeals for the District of Columbia Circuit.

(b) DEADLINE.—A petition shall be filed not later than 120 days after the date that notice of the promulgation appears in the Federal Register.

(c) EXCEPTION.—Notwithstanding subsection (b), a petition that is based solely on grounds that arise after the deadline to file a petition under subsection (b) has passed may be filed not later than 120 days after the date that the grounds first arise.

SEC. 3609. EFFECT ON STATE AUTHORITY.

(a) IN GENERAL.—No State or political subdivision thereof may adopt or enforce any statute or regulation of the State or political subdivision with respect to a discharge incidental to the normal operation of a vessel after the date of enactment of this Act.

(b) SAVINGS CLAUSE.—Notwithstanding subsection (a), a State or political subdivision thereof may enforce a statute or regulation of the State or political subdivision with respect to ballast water discharges incidental to the normal operation of a vessel that specifies a ballast water performance standard that is more stringent than the ballast water performance standard under section 3604(a)(1)(A) and is in effect on the date of enactment of this Act if the Secretary, after consultation with the Administrator and any other Federal department or agency the Secretary considers appropriate, makes a determination that—

(1) compliance with any performance standard specified in the statute or regulation can in fact be achieved and detected;

(2) the technology and systems necessary to comply with the statute or regulation are commercially available; and

(3) the statute or regulation is consistent with obligations under relevant international treaties or agreements to which the United States is a party.

(c) PETITION PROCESS.—

(1) SUBMISSION.—The Governor of a State seeking to enforce a statute or regulation under subsection (b) shall submit a petition requesting the Secretary to review the statute or regulation.

(2) CONTENTS; DEADLINE.—A petition shall—

(A) be accompanied by the scientific and technical information on which the petition is based; and

(B) be submitted to the Secretary not later than 90 days after the date of enactment of this Act.

(3) DETERMINATIONS.—The Secretary shall make a determination on a petition under this subsection not later than 90 days after the date that the petition is received.

SEC. 3610. APPLICATION WITH OTHER STATUTES.

Notwithstanding any other provision of law, this title shall be the exclusive statutory authority for regulation by the Federal Government of discharges incidental to the normal operation of a vessel to which this title applies. Except as provided under section 3604(a)(1)(A), any regulation in effect on the date immediately preceding the effective date of this Act relating to any permitting requirement for or prohibition on discharges incidental to the normal operation of a vessel to which this title applies shall be deemed to be a regulation issued pursuant to the authority of this title and shall remain in full force and effect unless or until superseded by new regulations issued hereunder.

DIVISION D—FUNDING TABLES

SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.

(a) IN GENERAL.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) MERIT-BASED DECISIONS.—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings

under section 1001 or section 1522 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) APPLICABILITY TO CLASSIFIED ANNEX.—This section applies to any classified annex that accompanies this Act.

(e) ORAL AND WRITTEN COMMUNICATIONS.—No oral or written communication concerning any amount specified in the funding tables in this division shall supersede the requirements of this section.

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
001	UTILITY F/W AIRCRAFT	57,529	57,529
003	MQ–1 UAV	55,388	84,988
	Ground Mounted Airspace Deconfliction Radar		[29,600]
	ROTARY		
006	AH–64 APACHE BLOCK IIIA REMAN	803,084	803,084
007	ADVANCE PROCUREMENT (CY)	185,160	185,160
008	UH–60 BLACKHAWK M MODEL (MYP)	755,146	755,146
009	ADVANCE PROCUREMENT (CY)	174,107	174,107
010	UH–60 BLACK HAWK A AND L MODELS	46,173	46,173
011	CH–47 HELICOPTER	556,257	556,257
012	ADVANCE PROCUREMENT (CY)	8,707	8,707
	MODIFICATION OF AIRCRAFT		
013	MQ–1 PAYLOAD (MIP)	43,735	43,735
015	MULTI SENSOR ABN RECON (MIP)	94,527	94,527
016	AH–64 MODS	137,883	137,883
017	CH–47 CARGO HELICOPTER MODS (MYP)	102,943	102,943
018	GRCS SEMA MODS (MIP)	4,055	4,055
019	ARL SEMA MODS (MIP)	6,793	6,793
020	EMARSS SEMA MODS (MIP)	13,197	13,197
021	UTILITY/CARGO AIRPLANE MODS	17,526	17,526
022	UTILITY HELICOPTER MODS	10,807	10,807
023	NETWORK AND MISSION PLAN	74,752	74,752
024	COMMS, NAV SURVEILLANCE	69,960	69,960
025	GATM ROLLUP	45,302	45,302
026	RQ–7 UAV MODS	71,169	71,169
027	UAS MODS	21,804	26,224
	Realign APS Unit Set Requirements from OCO		[4,420]
	GROUND SUPPORT AVIONICS		
028	AIRCRAFT SURVIVABILITY EQUIPMENT	67,377	67,377
029	SURVIVABILITY CM	9,565	9,565
030	CMWS	41,626	41,626
	OTHER SUPPORT		
032	AVIONICS SUPPORT EQUIPMENT	7,007	7,007
033	COMMON GROUND EQUIPMENT	48,234	48,234
034	AIRCREW INTEGRATED SYSTEMS	30,297	30,297
035	AIR TRAFFIC CONTROL	50,405	50,405
036	INDUSTRIAL FACILITIES	1,217	1,217
037	LAUNCHER, 2.75 ROCKET	3,055	3,055
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**3,614,787**	**3,648,807**
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
001	LOWER TIER AIR AND MISSILE DEFENSE (AMD)	126,470	126,470
002	MSE MISSILE	423,201	423,201
003	ADVANCE PROCUREMENT (CY)	19,319	19,319
	AIR-TO-SURFACE MISSILE SYSTEM		
004	HELLFIRE SYS SUMMARY	42,013	42,013
005	JOINT AIR-TO-GROUND MSLS (JAGM)	64,751	64,751
006	ADVANCE PROCUREMENT (CY)	37,100	37,100
	ANTI-TANK/ASSAULT MISSILE SYS		
007	JAVELIN (AAWS-M) SYSTEM SUMMARY	73,508	89,075
	Realign APS Unit Set Requirements from OCO		[15,567]
008	TOW 2 SYSTEM SUMMARY	64,922	145,574
	Realign APS Unit Set Requirements from OCO		[80,652]
009	ADVANCE PROCUREMENT (CY)	19,949	19,949
010	GUIDED MLRS ROCKET (GMLRS)	172,088	248,079
	Realign APS Unit Set Requirements from OCO		[75,991]
011	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	18,004	18,004
	MODIFICATIONS		
013	PATRIOT MODS	197,107	197,107
014	ATACMS MODS	150,043	150,043
015	GMLRS MOD	395	395
017	AVENGER MODS	33,606	33,606
018	ITAS/TOW MODS	383	383
019	MLRS MODS	34,704	34,704
020	HIMARS MODIFICATIONS	1,847	1,847
	SPARES AND REPAIR PARTS		
021	SPARES AND REPAIR PARTS	34,487	34,487
	SUPPORT EQUIPMENT & FACILITIES		
022	AIR DEFENSE TARGETS	4,915	4,915

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
024	PRODUCTION BASE SUPPORT	1,154	1,154
	TOTAL MISSILE PROCUREMENT, ARMY	**1,519,966**	**1,692,176**
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
001	STRYKER VEHICLE	71,680	71,680
	MODIFICATION OF TRACKED COMBAT VEHICLES		
002	STRYKER (MOD)	74,348	74,348
003	STRYKER UPGRADE	444,561	444,561
005	BRADLEY PROGRAM (MOD)	276,433	276,433
006	HOWITZER, MED SP FT 155MM M109A6 (MOD)	63,138	63,138
007	PALADIN INTEGRATED MANAGEMENT (PIM)	469,305	594,489
	Realign APS Unit Set Requirements from OCO		[125,184]
008	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	91,963	91,963
009	ASSAULT BRIDGE (MOD)	3,465	9,415
	Realign APS Unit Set Requirements from OCO		[5,950]
010	ASSAULT BREACHER VEHICLE	2,928	2,928
011	M88 FOV MODS	8,685	8,685
012	JOINT ASSAULT BRIDGE	64,752	64,752
013	M1 ABRAMS TANK (MOD)	480,166	480,166
014	ABRAMS UPGRADE PROGRAM		172,200
	Realign APS Unit Set Requirements from OCO		[172,200]
	WEAPONS & OTHER COMBAT VEHICLES		
016	INTEGRATED AIR BURST WEAPON SYSTEM FAMILY	9,764	9,764
017	MORTAR SYSTEMS	8,332	8,332
018	XM320 GRENADE LAUNCHER MODULE (GLM)	3,062	3,062
019	COMPACT SEMI-AUTOMATIC SNIPER SYSTEM	992	992
020	CARBINE	40,493	40,493
021	COMMON REMOTELY OPERATED WEAPONS STATION	25,164	25,164
	MOD OF WEAPONS AND OTHER COMBAT VEH		
022	MK–19 GRENADE MACHINE GUN MODS	4,959	4,959
023	M777 MODS	11,913	11,913
024	M4 CARBINE MODS	29,752	29,752
025	M2 50 CAL MACHINE GUN MODS	48,582	48,582
026	M249 SAW MACHINE GUN MODS	1,179	1,179
027	M240 MEDIUM MACHINE GUN MODS	1,784	1,784
028	SNIPER RIFLES MODIFICATIONS	971	971
029	M119 MODIFICATIONS	6,045	6,045
030	MORTAR MODIFICATION	12,118	12,118
031	MODIFICATIONS LESS THAN $5.0M (WOCV-WTCV)	3,157	3,157
	SUPPORT EQUIPMENT & FACILITIES		
032	ITEMS LESS THAN $5.0M (WOCV-WTCV)	2,331	2,331
035	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG)	3,155	3,155
036	BRADLEY PROGRAM		72,800
	Realign APS Unit Set Requirements from OCO		[72,800]
	TOTAL PROCUREMENT OF W&TCV, ARMY	**2,265,177**	**2,641,311**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
001	CTG, 5.56MM, ALL TYPES	40,296	40,296
002	CTG, 7.62MM, ALL TYPES	39,237	48,879
	Realign APS Unit Set Requirements from OCO		[9,642]
003	CTG, HANDGUN, ALL TYPES	5,193	5,193
004	CTG, .50 CAL, ALL TYPES	46,693	52,691
	Realign APS Unit Set Requirements from OCO		[5,998]
005	CTG, 20MM, ALL TYPES	7,000	8,077
	Realign APS Unit Set Requirements from OCO		[1,077]
006	CTG, 25MM, ALL TYPES	7,753	34,987
	Program reduction		[–1,300]
	Realign APS Unit Set Requirements from OCO		[28,534]
007	CTG, 30MM, ALL TYPES	47,000	47,000
008	CTG, 40MM, ALL TYPES	118,178	115,501
	Realign APS Unit Set Requirements from OCO		[7,423]
	Unobligated balances		[–10,100]
	MORTAR AMMUNITION		
009	60MM MORTAR, ALL TYPES	69,784	69,784
010	81MM MORTAR, ALL TYPES	36,125	38,802
	Realign APS Unit Set Requirements from OCO		[2,677]
011	120MM MORTAR, ALL TYPES	69,133	69,133
	TANK AMMUNITION		
012	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	120,668	129,667
	Realign APS Unit Set Requirements from OCO		[8,999]
	ARTILLERY AMMUNITION		
013	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	64,800	64,800
014	ARTILLERY PROJECTILE, 155MM, ALL TYPES	109,515	129,863
	Realign APS Unit Set Requirements from OCO		[20,348]
015	PROJ 155MM EXTENDED RANGE M982	39,200	39,340
	Realign APS Unit Set Requirements from OCO		[140]
016	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	70,881	95,536

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Line	Item	FY 2017 Request	House Authorized
	Realign APS Unit Set Requirements from OCO		*[24,655]*
	MINES		
017	*MINES & CLEARING CHARGES, ALL TYPES*		*16,866*
	Realign APS Unit Set Requirements from OCO		*[16,866]*
	NETWORKED MUNITIONS		
018	*SPIDER NETWORK MUNITIONS, ALL TYPES*		*10,353*
	Realign APS Unit Set Requirements from OCO		*[10,353]*
	ROCKETS		
019	*SHOULDER LAUNCHED MUNITIONS, ALL TYPES*	*38,000*	*101,210*
	Realign APS Unit Set Requirements from OCO		*[63,210]*
020	*ROCKET, HYDRA 70, ALL TYPES*	*87,213*	*87,213*
	OTHER AMMUNITION		
021	*CAD/PAD, ALL TYPES*	*4,914*	*4,914*
022	*DEMOLITION MUNITIONS, ALL TYPES*	*6,380*	*12,753*
	Realign APS Unit Set Requirements from OCO		*[6,373]*
023	*GRENADES, ALL TYPES*	*22,760*	*26,903*
	Realign APS Unit Set Requirements from OCO		*[4,143]*
024	*SIGNALS, ALL TYPES*	*10,666*	*12,518*
	Realign APS Unit Set Requirements from OCO		*[1,852]*
025	*SIMULATORS, ALL TYPES*	*7,412*	*7,412*
	MISCELLANEOUS		
026	*AMMO COMPONENTS, ALL TYPES*	*12,726*	*12,726*
027	*NON-LETHAL AMMUNITION, ALL TYPES*	*6,100*	*6,873*
	Realign APS Unit Set Requirements from OCO		*[773]*
028	*ITEMS LESS THAN $5 MILLION (AMMO)*	*10,006*	*10,006*
029	*AMMUNITION PECULIAR EQUIPMENT*	*17,275*	*13,575*
	Program reduction- excess carryover		*[–3,700]*
030	*FIRST DESTINATION TRANSPORTATION (AMMO)*	*14,951*	*14,951*
	PRODUCTION BASE SUPPORT		
032	*INDUSTRIAL FACILITIES*	*222,269*	*242,269*
	Program increase		*[20,000]*
033	*CONVENTIONAL MUNITIONS DEMILITARIZATION*	*157,383*	*157,383*
034	*ARMS INITIATIVE*	*3,646*	*3,646*
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	***1,513,157***	***1,731,120***
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
001	*TACTICAL TRAILERS/DOLLY SETS*	*3,733*	*3,733*
002	*SEMITRAILERS, FLATBED:*	*3,716*	*7,896*
	Realign APS Unit Set Requirements from OCO		*[4,180]*
003	*HI MOB MULTI-PURP WHLD VEH (HMMWV)*		*50,000*
	HMMWV M997A3 ambulance recapitalization for Active Component		*[50,000]*
004	*GROUND MOBILITY VEHICLES (GMV)*	*4,907*	*4,907*
006	*JOINT LIGHT TACTICAL VEHICLE*	*587,514*	*587,514*
007	*TRUCK, DUMP, 20T (CCE)*	*3,927*	*3,927*
008	*FAMILY OF MEDIUM TACTICAL VEH (FMTV)*	*53,293*	*200,769*
	Realign APS Unit Set Requirements from OCO		*[147,476]*
009	*FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP*	*7,460*	*7,460*
010	*FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)*	*39,564*	*45,686*
	Realign APS Unit Set Requirements from OCO		*[6,122]*
011	*PLS ESP*	*11,856*	*118,214*
	Realign APS Unit Set Requirements from OCO		*[106,358]*
012	*HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV*		*76,561*
	Realign APS Unit Set Requirements from OCO		*[76,561]*
013	*TACTICAL WHEELED VEHICLE PROTECTION KITS*	*49,751*	*76,870*
	Realign APS Unit Set Requirements from OCO		*[27,119]*
014	*MODIFICATION OF IN SVC EQUIP*	*64,000*	*57,456*
	Program reduction		*[–10,000]*
	Realign APS Unit Set Requirements from OCO		*[3,456]*
015	*MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS*	*10,611*	*10,611*
	NON-TACTICAL VEHICLES		
016	*HEAVY ARMORED SEDAN*	*394*	*394*
018	*NONTACTICAL VEHICLES, OTHER*	*1,755*	*1,755*
	COMM—JOINT COMMUNICATIONS		
019	*WIN-T—GROUND FORCES TACTICAL NETWORK*	*427,598*	*434,170*
	Realign APS Unit Set Requirements from OCO		*[6,572]*
020	*SIGNAL MODERNIZATION PROGRAM*	*58,250*	*58,250*
021	*JOINT INCIDENT SITE COMMUNICATIONS CAPABILITY*	*5,749*	*5,749*
022	*JCSE EQUIPMENT (USREDCOM)*	*5,068*	*5,068*
	COMM—SATELLITE COMMUNICATIONS		
023	*DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS*	*143,805*	*143,805*
024	*TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS*	*36,580*	*36,580*
025	*SHF TERM*	*1,985*	*25,985*
	Realign APS Unit Set Requirements from OCO		*[24,000]*
027	*SMART-T (SPACE)*	*9,165*	*9,165*
	COMM—C3 SYSTEM		
031	*ARMY GLOBAL CMD & CONTROL SYS (AGCCS)*	*2,530*	*2,530*
	COMM—COMBAT COMMUNICATIONS		
033	*HANDHELD MANPACK SMALL FORM FIT (HMS)*	*273,645*	*273,645*

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Line	Item	FY 2017 Request	House Authorized
034	MID-TIER NETWORKING VEHICULAR RADIO (MNVR)	25,017	25,017
035	RADIO TERMINAL SET, MIDS LVT(2)	12,326	12,326
037	TRACTOR DESK	2,034	2,034
038	TRACTOR RIDE	2,334	2,334
039	SPIDER APLA REMOTE CONTROL UNIT	1,985	1,985
040	SPIDER FAMILY OF NETWORKED MUNITIONS INCR	10,796	10,796
042	TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM	3,607	3,607
043	UNIFIED COMMAND SUITE	14,295	14,295
045	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	19,893	19,893
	COMM—INTELLIGENCE COMM		
047	CI AUTOMATION ARCHITECTURE	1,388	1,388
048	ARMY CA/MISO GPF EQUIPMENT	5,494	5,494
	INFORMATION SECURITY		
049	FAMILY OF BIOMETRICS	2,978	2,978
051	COMMUNICATIONS SECURITY (COMSEC)	131,356	133,284
	Realign APS Unit Set Requirements from OCO		[1,928]
052	DEFENSIVE CYBER OPERATIONS	15,132	15,132
	COMM—LONG HAUL COMMUNICATIONS		
053	BASE SUPPORT COMMUNICATIONS	27,452	27,452
	COMM—BASE COMMUNICATIONS		
054	INFORMATION SYSTEMS	122,055	122,055
055	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	4,286	4,286
056	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	131,794	131,794
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
059	JTT/CIBS-M	5,337	5,337
062	DCGS-A (MIP)	242,514	242,514
063	JOINT TACTICAL GROUND STATION (JTAGS)	4,417	4,417
064	TROJAN (MIP)	17,455	17,615
	Realign APS Unit Set Requirements from OCO		[160]
065	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	44,965	44,965
066	CI HUMINT AUTO REPRTING AND COLL(CHARCS)	7,658	7,658
067	CLOSE ACCESS TARGET RECONNAISSANCE (CATR)	7,970	7,970
068	MACHINE FOREIGN LANGUAGE TRANSLATION SYSTEM-M	545	545
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
070	LIGHTWEIGHT COUNTER MORTAR RADAR	74,038	99,930
	Realign APS Unit Set Requirements from OCO		[25,892]
071	EW PLANNING & MANAGEMENT TOOLS (EWPMT)	3,235	3,235
072	AIR VIGILANCE (AV)	733	733
074	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITIE	1,740	1,740
075	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	455	455
076	CI MODERNIZATION	176	176
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
077	SENTINEL MODS	40,171	40,171
078	NIGHT VISION DEVICES	163,029	163,029
079	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	15,885	15,885
080	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	48,427	52,697
	Realign APS Unit Set Requirements from OCO		[4,270]
081	FAMILY OF WEAPON SIGHTS (FWS)	55,536	55,536
082	ARTILLERY ACCURACY EQUIP	4,187	4,187
085	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	137,501	137,501
086	JOINT EFFECTS TARGETING SYSTEM (JETS)	50,726	50,726
087	MOD OF IN-SVC EQUIP (LLDR)	28,058	28,058
088	COMPUTER BALLISTICS: LHMBC XM32	5,924	5,924
089	MORTAR FIRE CONTROL SYSTEM	22,331	22,621
	Realign APS Unit Set Requirements from OCO		[290]
090	COUNTERFIRE RADARS	314,509	281,509
	Unit cost savings		[–33,000]
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
091	FIRE SUPPORT C2 FAMILY	8,660	8,660
092	AIR & MSL DEFENSE PLANNING & CONTROL SYS	54,376	124,334
	Realign APS Unit Set Requirements from OCO		[69,958]
093	IAMD BATTLE COMMAND SYSTEM	204,969	204,969
094	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	4,718	4,718
095	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	11,063	11,063
096	MANEUVER CONTROL SYSTEM (MCS)	151,318	151,318
097	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)	155,660	155,660
098	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP	4,214	4,214
099	RECONNAISSANCE AND SURVEYING INSTRUMENT SET	16,185	16,185
100	MOD OF IN-SVC EQUIPMENT (ENFIRE)	1,565	1,565
	ELECT EQUIP—AUTOMATION		
101	ARMY TRAINING MODERNIZATION	17,693	17,693
102	AUTOMATED DATA PROCESSING EQUIP	107,960	107,960
103	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM	6,416	6,416
104	HIGH PERF COMPUTING MOD PGM (HPCMP)	58,614	58,614
105	CONTRACT WRITING SYSTEM	986	986
106	RESERVE COMPONENT AUTOMATION SYS (RCAS)	23,828	23,828
	ELECT EQUIP—AUDIO VISUAL SYS (A/V)		
107	TACTICAL DIGITAL MEDIA	1,191	1,191
108	ITEMS LESS THAN $5M (SURVEYING EQUIPMENT)	1,995	2,091

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Line	Item	FY 2017 Request	House Authorized
	Realign APS Unit Set Requirements from OCO		*[96]*
	ELECT EQUIP—SUPPORT		
109	*PRODUCTION BASE SUPPORT (C-E)*	*403*	*403*
	CLASSIFIED PROGRAMS		
110A	*CLASSIFIED PROGRAMS*	*4,436*	*4,436*
	CHEMICAL DEFENSIVE EQUIPMENT		
111	*PROTECTIVE SYSTEMS*	*2,966*	*2,966*
112	*FAMILY OF NON-LETHAL EQUIPMENT (FNLE)*	*9,795*	*9,795*
114	*CBRN DEFENSE*	*17,922*	*19,763*
	Realign APS Unit Set Requirements from OCO		*[1,841]*
	BRIDGING EQUIPMENT		
115	*TACTICAL BRIDGING*	*13,553*	*39,553*
	Realign APS Unit Set Requirements from OCO		*[26,000]*
116	*TACTICAL BRIDGE, FLOAT-RIBBON*	*25,244*	*25,244*
117	*BRIDGE SUPPLEMENTAL SET*	*983*	*983*
118	*COMMON BRIDGE TRANSPORTER (CBT) RECAP*	*25,176*	*25,176*
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
119	*GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS)*	*39,350*	*39,350*
120	*AREA MINE DETECTION SYSTEM (AMDS)*	*10,500*	*10,500*
121	*HUSKY MOUNTED DETECTION SYSTEM (HMDS)*	*274*	*274*
122	*ROBOTIC COMBAT SUPPORT SYSTEM (RCSS)*	*2,951*	*2,951*
123	*EOD ROBOTICS SYSTEMS RECAPITALIZATION*	*1,949*	*1,949*
124	*ROBOTICS AND APPLIQUE SYSTEMS*	*5,203*	*5,471*
	Realign APS Unit Set Requirements from OCO		*[268]*
125	*EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)*	*5,570*	*5,570*
126	*REMOTE DEMOLITION SYSTEMS*	*6,238*	*6,238*
127	*< $5M, COUNTERMINE EQUIPMENT*	*836*	*836*
128	*FAMILY OF BOATS AND MOTORS*	*3,171*	*3,451*
	Realign APS Unit Set Requirements from OCO		*[280]*
	COMBAT SERVICE SUPPORT EQUIPMENT		
129	*HEATERS AND ECU'S*	*18,707*	*19,601*
	Realign APS Unit Set Requirements from OCO		*[894]*
130	*SOLDIER ENHANCEMENT*	*2,112*	*2,112*
131	*PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)*	*10,856*	*10,856*
132	*GROUND SOLDIER SYSTEM*	*32,419*	*32,419*
133	*MOBILE SOLDIER POWER*	*30,014*	*30,014*
135	*FIELD FEEDING EQUIPMENT*	*12,544*	*15,209*
	Realign APS Unit Set Requirements from OCO		*[2,665]*
136	*CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM*	*18,509*	*18,509*
137	*FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS*	*29,384*	*39,173*
	Realign APS Unit Set Requirements from OCO		*[9,789]*
138	*ITEMS LESS THAN $5M (ENG SPT)*		*300*
	Realign APS Unit Set Requirements from OCO		*[300]*
	PETROLEUM EQUIPMENT		
139	*QUALITY SURVEILLANCE EQUIPMENT*	*4,487*	*9,287*
	Realign APS Unit Set Requirements from OCO		*[4,800]*
140	*DISTRIBUTION SYSTEMS, PETROLEUM & WATER*	*42,656*	*63,476*
	Realign APS Unit Set Requirements from OCO		*[20,820]*
	MEDICAL EQUIPMENT		
141	*COMBAT SUPPORT MEDICAL*	*59,761*	*65,524*
	Realign APS Unit Set Requirements from OCO		*[5,763]*
	MAINTENANCE EQUIPMENT		
142	*MOBILE MAINTENANCE EQUIPMENT SYSTEMS*	*35,694*	*33,803*
	Program reduction		*[–3,500]*
	Realign APS Unit Set Requirements from OCO		*[1,609]*
143	*ITEMS LESS THAN $5.0M (MAINT EQ)*	*2,716*	*2,861*
	Realign APS Unit Set Requirements from OCO		*[145]*
	CONSTRUCTION EQUIPMENT		
144	*GRADER, ROAD MTZD, HVY, 6X4 (CCE)*	*1,742*	*4,789*
	Realign APS Unit Set Requirements from OCO		*[3,047]*
145	*SCRAPERS, EARTHMOVING*	*26,233*	*26,233*
147	*HYDRAULIC EXCAVATOR*	*1,123*	*1,123*
148	*TRACTOR, FULL TRACKED*		*4,426*
	Realign APS Unit Set Requirements from OCO		*[4,426]*
149	*ALL TERRAIN CRANES*	*65,285*	*65,285*
151	*HIGH MOBILITY ENGINEER EXCAVATOR (HMEE)*	*1,743*	*4,643*
	Realign APS Unit Set Requirements from OCO		*[2,900]*
152	*ENHANCED RAPID AIRFIELD CONSTRUCTION CAPAP*	*2,779*	*2,779*
154	*CONST EQUIP ESP*	*26,712*	*23,212*
	Program reduction		*[–3,500]*
155	*ITEMS LESS THAN $5.0M (CONST EQUIP)*	*6,649*	*6,745*
	Realign APS Unit Set Requirements from OCO		*[96]*
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
156	*ARMY WATERCRAFT ESP*	*21,860*	*16,860*
	Program reduction		*[–5,000]*
157	*ITEMS LESS THAN $5.0M (FLOAT/RAIL)*	*1,967*	*1,967*
	GENERATORS		
158	*GENERATORS AND ASSOCIATED EQUIP*	*113,266*	*125,727*
	Program decrease		*[–7,500]*

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Line	Item	FY 2017 Request	House Authorized
	Realign APS Unit Set Requirements from OCO		*[19,961]*
159	*TACTICAL ELECTRIC POWER RECAPITALIZATION*	*7,867*	*7,867*
	MATERIAL HANDLING EQUIPMENT		
160	*FAMILY OF FORKLIFTS*	*2,307*	*3,153*
	Realign APS Unit Set Requirements from OCO		*[846]*
	TRAINING EQUIPMENT		
161	*COMBAT TRAINING CENTERS SUPPORT*	*75,359*	*75,359*
162	*TRAINING DEVICES, NONSYSTEM*	*253,050*	*253,050*
163	*CLOSE COMBAT TACTICAL TRAINER*	*48,271*	*48,271*
164	*AVIATION COMBINED ARMS TACTICAL TRAINER*	*40,000*	*40,000*
165	*GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING*	*11,543*	*11,543*
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
166	*CALIBRATION SETS EQUIPMENT*	*4,963*	*4,963*
167	*INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)*	*29,781*	*29,781*
168	*TEST EQUIPMENT MODERNIZATION (TEMOD)*	*6,342*	*7,482*
	Realign APS Unit Set Requirements from OCO		*[1,140]*
	OTHER SUPPORT EQUIPMENT		
169	*M25 STABILIZED BINOCULAR*	*3,149*	*3,149*
170	*RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT*	*18,003*	*18,003*
171	*PHYSICAL SECURITY SYSTEMS (OPA3)*	*44,082*	*44,082*
172	*BASE LEVEL COMMON EQUIPMENT*	*2,168*	*2,168*
173	*MODIFICATION OF IN-SVC EQUIPMENT (OPA–3)*	*67,367*	*67,367*
174	*PRODUCTION BASE SUPPORT (OTH)*	*1,528*	*1,528*
175	*SPECIAL EQUIPMENT FOR USER TESTING*	*8,289*	*8,289*
177	*TRACTOR YARD*	*6,888*	*6,888*
	OPA2		
179	*INITIAL SPARES—C&E*	*27,243*	*27,243*
	TOTAL OTHER PROCUREMENT, ARMY	***5,873,949***	***6,473,477***
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
003	*JOINT STRIKE FIGHTER CV*	*890,650*	*890,650*
004	*ADVANCE PROCUREMENT (CY)*	*80,908*	*80,908*
005	*JSF STOVL*	*2,037,768*	*2,037,768*
006	*ADVANCE PROCUREMENT (CY)*	*233,648*	*233,648*
007	*CH–53K (HEAVY LIFT)*	*348,615*	*348,615*
008	*ADVANCE PROCUREMENT (CY)*	*88,365*	*88,365*
009	*V–22 (MEDIUM LIFT)*	*1,264,134*	*1,264,134*
010	*ADVANCE PROCUREMENT (CY)*	*19,674*	*19,674*
011	*H–1 UPGRADES (UH–1Y/AH–1Z)*	*759,778*	*759,778*
012	*ADVANCE PROCUREMENT (CY)*	*57,232*	*57,232*
014	*MH–60R (MYP)*	*61,177*	*26,177*
	Line shutdown costs—early to need		*[–35,000]*
016	*P–8A POSEIDON*	*1,940,238*	*1,940,238*
017	*ADVANCE PROCUREMENT (CY)*	*123,140*	*123,140*
018	*E–2D ADV HAWKEYE*	*916,483*	*916,483*
019	*ADVANCE PROCUREMENT (CY)*	*125,042*	*125,042*
	TRAINER AIRCRAFT		
020	*JPATS*	*5,849*	*5,849*
	OTHER AIRCRAFT		
021	*KC–130J*	*128,870*	*128,870*
022	*ADVANCE PROCUREMENT (CY)*	*24,848*	*24,848*
023	*MQ–4 TRITON*	*409,005*	*409,005*
024	*ADVANCE PROCUREMENT (CY)*	*55,652*	*55,652*
025	*MQ–8 UAV*	*72,435*	*72,435*
	MODIFICATION OF AIRCRAFT		
029	*AEA SYSTEMS*	*51,900*	*51,900*
030	*AV–8 SERIES*	*60,818*	*60,818*
031	*ADVERSARY*	*5,191*	*5,191*
032	*F–18 SERIES*	*1,023,492*	*986,192*
	Unobligated balances		*[–37,300]*
034	*H–53 SERIES*	*46,095*	*46,095*
035	*SH–60 SERIES*	*108,328*	*108,328*
036	*H–1 SERIES*	*46,333*	*46,333*
037	*EP–3 SERIES*	*14,681*	*14,681*
038	*P–3 SERIES*	*2,781*	*2,781*
039	*E–2 SERIES*	*32,949*	*32,949*
040	*TRAINER A/C SERIES*	*13,199*	*13,199*
041	*C–2A*	*19,066*	*19,066*
042	*C–130 SERIES*	*61,788*	*61,788*
043	*FEWSG*	*618*	*618*
044	*CARGO/TRANSPORT A/C SERIES*	*9,822*	*9,822*
045	*E–6 SERIES*	*222,077*	*222,077*
046	*EXECUTIVE HELICOPTERS SERIES*	*66,835*	*66,835*
047	*SPECIAL PROJECT AIRCRAFT*	*16,497*	*16,497*
048	*T–45 SERIES*	*114,887*	*114,887*
049	*POWER PLANT CHANGES*	*16,893*	*16,893*
050	*JPATS SERIES*	*17,401*	*17,401*
051	*COMMON ECM EQUIPMENT*	*143,773*	*143,773*

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
052	COMMON AVIONICS CHANGES	164,839	164,839
053	COMMON DEFENSIVE WEAPON SYSTEM	4,403	4,403
054	ID SYSTEMS	45,768	45,768
055	P–8 SERIES	18,836	18,836
056	MAGTF EW FOR AVIATION	5,676	5,676
057	MQ–8 SERIES	19,003	19,003
058	RQ–7 SERIES	3,534	3,534
059	V–22 (TILT/ROTOR ACFT) OSPREY	141,545	141,545
060	F–35 STOVL SERIES	34,928	34,928
061	F–35 CV SERIES	26,004	26,004
062	QRC	5,476	5,476
	AIRCRAFT SPARES AND REPAIR PARTS		
063	SPARES AND REPAIR PARTS	1,407,626	1,407,626
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
064	COMMON GROUND EQUIPMENT	390,103	390,103
065	AIRCRAFT INDUSTRIAL FACILITIES	23,194	23,194
066	WAR CONSUMABLES	40,613	40,613
067	OTHER PRODUCTION CHARGES	860	860
068	SPECIAL SUPPORT EQUIPMENT	36,282	36,282
069	FIRST DESTINATION TRANSPORTATION	1,523	1,523
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**14,109,148**	**14,036,848**
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
001	TRIDENT II MODS	1,103,086	1,103,086
	SUPPORT EQUIPMENT & FACILITIES		
002	MISSILE INDUSTRIAL FACILITIES	6,776	6,776
	STRATEGIC MISSILES		
003	TOMAHAWK	186,905	186,905
	TACTICAL MISSILES		
004	AMRAAM	204,697	204,697
005	SIDEWINDER	70,912	70,912
006	JSOW	2,232	2,232
007	STANDARD MISSILE	501,212	501,212
008	RAM	71,557	71,557
009	JOINT AIR GROUND MISSILE (JAGM)	26,200	26,200
012	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	3,316	3,316
013	AERIAL TARGETS	137,484	137,484
014	OTHER MISSILE SUPPORT	3,248	3,248
015	LRASM	29,643	29,643
	MODIFICATION OF MISSILES		
016	ESSM	52,935	52,935
018	HARM MODS	178,213	178,213
019	STANDARD MISSILES MODS	8,164	8,164
	SUPPORT EQUIPMENT & FACILITIES		
020	WEAPONS INDUSTRIAL FACILITIES	1,964	1,964
021	FLEET SATELLITE COMM FOLLOW-ON	36,723	36,723
	ORDNANCE SUPPORT EQUIPMENT		
022	ORDNANCE SUPPORT EQUIPMENT	59,096	59,096
	TORPEDOES AND RELATED EQUIP		
023	SSTD	5,910	5,910
024	MK–48 TORPEDO	44,537	44,537
025	ASW TARGETS	9,302	9,302
	MOD OF TORPEDOES AND RELATED EQUIP		
026	MK–54 TORPEDO MODS	98,092	98,092
027	MK–48 TORPEDO ADCAP MODS	46,139	46,139
028	QUICKSTRIKE MINE	1,236	1,236
	SUPPORT EQUIPMENT		
029	TORPEDO SUPPORT EQUIPMENT	60,061	60,061
030	ASW RANGE SUPPORT	3,706	3,706
	DESTINATION TRANSPORTATION		
031	FIRST DESTINATION TRANSPORTATION	3,804	3,804
	GUNS AND GUN MOUNTS		
032	SMALL ARMS AND WEAPONS	18,002	18,002
	MODIFICATION OF GUNS AND GUN MOUNTS		
033	CIWS MODS	50,900	50,900
034	COAST GUARD WEAPONS	25,295	25,295
035	GUN MOUNT MODS	77,003	77,003
036	LCS MODULE WEAPONS	2,776	2,776
038	AIRBORNE MINE NEUTRALIZATION SYSTEMS	15,753	15,753
	SPARES AND REPAIR PARTS		
040	SPARES AND REPAIR PARTS	62,383	62,383
	TOTAL WEAPONS PROCUREMENT, NAVY	**3,209,262**	**3,209,262**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	91,659	91,659
002	AIRBORNE ROCKETS, ALL TYPES	65,759	65,759
003	MACHINE GUN AMMUNITION	8,152	8,152

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
004	PRACTICE BOMBS	41,873	41,873
005	CARTRIDGES & CART ACTUATED DEVICES	54,002	54,002
006	AIR EXPENDABLE COUNTERMEASURES	57,034	57,034
007	JATOS	2,735	2,735
009	5 INCH/54 GUN AMMUNITION	19,220	19,220
010	INTERMEDIATE CALIBER GUN AMMUNITION	30,196	30,196
011	OTHER SHIP GUN AMMUNITION	39,009	39,009
012	SMALL ARMS & LANDING PARTY AMMO	46,727	46,727
013	PYROTECHNIC AND DEMOLITION	9,806	9,806
014	AMMUNITION LESS THAN $5 MILLION	2,900	2,900
	MARINE CORPS AMMUNITION		
015	SMALL ARMS AMMUNITION	27,958	27,958
017	40 MM, ALL TYPES	14,758	14,758
018	60MM, ALL TYPES	992	992
020	120MM, ALL TYPES	16,757	16,757
021	GRENADES, ALL TYPES	972	972
022	ROCKETS, ALL TYPES	14,186	14,186
023	ARTILLERY, ALL TYPES	68,656	68,656
024	DEMOLITION MUNITIONS, ALL TYPES	1,700	1,700
025	FUZE, ALL TYPES	26,088	26,088
027	AMMO MODERNIZATION	14,660	14,660
028	ITEMS LESS THAN $5 MILLION	8,569	8,569
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**664,368**	**664,368**
	SHIPBUILDING AND CONVERSION, NAVY		
	FLEET BALLISTIC MISSILE SHIPS		
001	OHIO REPLACEMENT SUBMARINE ADVANCE PROCUREMENT	773,138	0
	Transfer to Title XIV National Sea-Based Deterrence Fund		[–773,138]
	OTHER WARSHIPS		
002	CARRIER REPLACEMENT PROGRAM	1,291,783	1,291,783
003	ADVANCE PROCUREMENT (CY)	1,370,784	1,370,784
004	VIRGINIA CLASS SUBMARINE	3,187,985	3,187,985
005	ADVANCE PROCUREMENT (CY)	1,767,234	1,767,234
006	CVN REFUELING OVERHAULS	1,743,220	1,743,220
007	ADVANCE PROCUREMENT (CY)	248,599	248,599
008	DDG 1000	271,756	271,756
009	DDG–51	3,211,292	3,211,292
011	LITTORAL COMBAT SHIP	1,125,625	1,125,625
	AMPHIBIOUS SHIPS		
016	LHA REPLACEMENT	1,623,024	1,623,024
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
020	ADVANCE PROCUREMENT (CY)	73,079	73,079
022	MOORED TRAINING SHIP	624,527	624,527
025	OUTFITTING	666,158	666,158
026	SHIP TO SHORE CONNECTOR	128,067	128,067
027	SERVICE CRAFT	65,192	65,192
028	LCAC SLEP	1,774	1,774
029	YP CRAFT MAINTENANCE/ROH/SLEP	21,363	21,363
030	COMPLETION OF PY SHIPBUILDING PROGRAMS	160,274	160,274
	TOTAL SHIPBUILDING AND CONVERSION, NAVY	**18,354,874**	**17,581,736**
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
003	SURFACE POWER EQUIPMENT	15,514	15,514
004	HYBRID ELECTRIC DRIVE (HED)	40,132	40,132
	GENERATORS		
005	SURFACE COMBATANT HM&E	29,974	29,974
	NAVIGATION EQUIPMENT		
006	OTHER NAVIGATION EQUIPMENT	63,942	63,942
	OTHER SHIPBOARD EQUIPMENT		
008	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG	136,421	136,421
009	DDG MOD	367,766	367,766
010	FIREFIGHTING EQUIPMENT	14,743	14,743
011	COMMAND AND CONTROL SWITCHBOARD	2,140	2,140
012	LHA/LHD MIDLIFE	24,939	24,939
014	POLLUTION CONTROL EQUIPMENT	20,191	20,191
015	SUBMARINE SUPPORT EQUIPMENT	8,995	8,995
016	VIRGINIA CLASS SUPPORT EQUIPMENT	66,838	66,838
017	LCS CLASS SUPPORT EQUIPMENT	54,823	54,823
018	SUBMARINE BATTERIES	23,359	23,359
019	LPD CLASS SUPPORT EQUIPMENT	40,321	40,321
020	DDG 1000 CLASS SUPPORT EQUIPMENT	33,404	33,404
021	STRATEGIC PLATFORM SUPPORT EQUIP	15,836	15,836
022	DSSP EQUIPMENT	806	806
024	LCAC	3,090	3,090
025	UNDERWATER EOD PROGRAMS	24,350	24,350
026	ITEMS LESS THAN $5 MILLION	88,719	88,719
027	CHEMICAL WARFARE DETECTORS	2,873	2,873
028	SUBMARINE LIFE SUPPORT SYSTEM	6,043	6,043

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	REACTOR PLANT EQUIPMENT		
030	REACTOR COMPONENTS	342,158	342,158
	OCEAN ENGINEERING		
031	DIVING AND SALVAGE EQUIPMENT	8,973	8,973
	SMALL BOATS		
032	STANDARD BOATS	43,684	43,684
	PRODUCTION FACILITIES EQUIPMENT		
034	OPERATING FORCES IPE	75,421	75,421
	OTHER SHIP SUPPORT		
035	NUCLEAR ALTERATIONS	172,718	172,718
036	LCS COMMON MISSION MODULES EQUIPMENT	27,840	17,840
	RMMV program restructure		[–10,000]
037	LCS MCM MISSION MODULES	57,146	20,746
	RMMV program restructure		[–36,400]
038	LCS ASW MISSION MODULES	31,952	21,952
	Early to need		[–10,000]
039	LCS SUW MISSION MODULES	22,466	22,466
	LOGISTIC SUPPORT		
041	LSD MIDLIFE	10,813	10,813
	SHIP SONARS		
042	SPQ–9B RADAR	14,363	14,363
043	AN/SQQ–89 SURF ASW COMBAT SYSTEM	90,029	90,029
045	SSN ACOUSTIC EQUIPMENT	248,765	248,765
046	UNDERSEA WARFARE SUPPORT EQUIPMENT	7,163	7,163
	ASW ELECTRONIC EQUIPMENT		
048	SUBMARINE ACOUSTIC WARFARE SYSTEM	21,291	21,291
049	SSTD	6,893	6,893
050	FIXED SURVEILLANCE SYSTEM	145,701	145,701
051	SURTASS	36,136	36,136
	ELECTRONIC WARFARE EQUIPMENT		
053	AN/SLQ–32	274,892	274,892
	RECONNAISSANCE EQUIPMENT		
054	SHIPBOARD IW EXPLOIT	170,733	170,733
055	AUTOMATED IDENTIFICATION SYSTEM (AIS)	958	958
	OTHER SHIP ELECTRONIC EQUIPMENT		
057	COOPERATIVE ENGAGEMENT CAPABILITY	22,034	22,034
059	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	12,336	12,336
060	ATDLS	30,105	30,105
061	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	4,556	4,556
062	MINESWEEPING SYSTEM REPLACEMENT	56,675	56,675
063	SHALLOW WATER MCM	8,875	8,875
064	NAVSTAR GPS RECEIVERS (SPACE)	12,752	12,752
065	AMERICAN FORCES RADIO AND TV SERVICE	4,577	4,577
066	STRATEGIC PLATFORM SUPPORT EQUIP	8,972	8,972
	AVIATION ELECTRONIC EQUIPMENT		
069	ASHORE ATC EQUIPMENT	75,068	75,068
070	AFLOAT ATC EQUIPMENT	33,484	33,484
076	ID SYSTEMS	22,177	22,177
077	NAVAL MISSION PLANNING SYSTEMS	14,273	14,273
	OTHER SHORE ELECTRONIC EQUIPMENT		
080	TACTICAL/MOBILE C4I SYSTEMS	27,927	27,927
081	DCGS-N	12,676	12,676
082	CANES	212,030	212,030
083	RADIAC	8,092	8,092
084	CANES-INTELL	36,013	36,013
085	GPETE	6,428	6,428
087	INTEG COMBAT SYSTEM TEST FACILITY	8,376	8,376
088	EMI CONTROL INSTRUMENTATION	3,971	3,971
089	ITEMS LESS THAN $5 MILLION	58,721	58,721
	SHIPBOARD COMMUNICATIONS		
090	SHIPBOARD TACTICAL COMMUNICATIONS	17,366	17,366
091	SHIP COMMUNICATIONS AUTOMATION	102,479	102,479
092	COMMUNICATIONS ITEMS UNDER $5M	10,403	10,403
	SUBMARINE COMMUNICATIONS		
093	SUBMARINE BROADCAST SUPPORT	34,151	34,151
094	SUBMARINE COMMUNICATION EQUIPMENT	64,529	64,529
	SATELLITE COMMUNICATIONS		
095	SATELLITE COMMUNICATIONS SYSTEMS	14,414	14,414
096	NAVY MULTIBAND TERMINAL (NMT)	38,365	38,365
	SHORE COMMUNICATIONS		
097	JCS COMMUNICATIONS EQUIPMENT	4,156	4,156
	CRYPTOGRAPHIC EQUIPMENT		
099	INFO SYSTEMS SECURITY PROGRAM (ISSP)	85,694	85,694
100	MIO INTEL EXPLOITATION TEAM	920	920
	CRYPTOLOGIC EQUIPMENT		
101	CRYPTOLOGIC COMMUNICATIONS EQUIP	21,098	21,098
	OTHER ELECTRONIC SUPPORT		
102	COAST GUARD EQUIPMENT	32,291	32,291
	SONOBUOYS		

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(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
103	SONOBUOYS—ALL TYPES	162,588	162,588
	AIRCRAFT SUPPORT EQUIPMENT		
104	WEAPONS RANGE SUPPORT EQUIPMENT	58,116	58,116
105	AIRCRAFT SUPPORT EQUIPMENT	120,324	120,324
106	METEOROLOGICAL EQUIPMENT	29,253	29,253
107	DCRS/DPL	632	632
108	AIRBORNE MINE COUNTERMEASURES	29,097	29,097
109	AVIATION SUPPORT EQUIPMENT	39,099	39,099
	SHIP GUN SYSTEM EQUIPMENT		
110	SHIP GUN SYSTEMS EQUIPMENT	6,191	6,191
	SHIP MISSILE SYSTEMS EQUIPMENT		
111	SHIP MISSILE SUPPORT EQUIPMENT	320,446	310,946
	Program execution		[–9,500]
112	TOMAHAWK SUPPORT EQUIPMENT	71,046	71,046
	FBM SUPPORT EQUIPMENT		
113	STRATEGIC MISSILE SYSTEMS EQUIP	215,138	215,138
	ASW SUPPORT EQUIPMENT		
114	SSN COMBAT CONTROL SYSTEMS	130,715	130,715
115	ASW SUPPORT EQUIPMENT	26,431	26,431
	OTHER ORDNANCE SUPPORT EQUIPMENT		
116	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	11,821	11,821
117	ITEMS LESS THAN $5 MILLION	6,243	6,243
	OTHER EXPENDABLE ORDNANCE		
118	SUBMARINE TRAINING DEVICE MODS	48,020	48,020
120	SURFACE TRAINING EQUIPMENT	97,514	97,514
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
121	PASSENGER CARRYING VEHICLES	8,853	8,853
122	GENERAL PURPOSE TRUCKS	4,928	4,928
123	CONSTRUCTION & MAINTENANCE EQUIP	18,527	18,527
124	FIRE FIGHTING EQUIPMENT	13,569	13,569
125	TACTICAL VEHICLES	14,917	14,917
126	AMPHIBIOUS EQUIPMENT	7,676	7,676
127	POLLUTION CONTROL EQUIPMENT	2,321	2,321
128	ITEMS UNDER $5 MILLION	12,459	12,459
129	PHYSICAL SECURITY VEHICLES	1,095	1,095
	SUPPLY SUPPORT EQUIPMENT		
131	SUPPLY EQUIPMENT	16,023	16,023
133	FIRST DESTINATION TRANSPORTATION	5,115	5,115
134	SPECIAL PURPOSE SUPPLY SYSTEMS	295,471	295,471
	TRAINING DEVICES		
136	TRAINING AND EDUCATION EQUIPMENT	9,504	9,504
	COMMAND SUPPORT EQUIPMENT		
137	COMMAND SUPPORT EQUIPMENT	37,180	37,180
139	MEDICAL SUPPORT EQUIPMENT	4,128	4,128
141	NAVAL MIP SUPPORT EQUIPMENT	1,925	1,925
142	OPERATING FORCES SUPPORT EQUIPMENT	4,777	4,777
143	C4ISR EQUIPMENT	9,073	9,073
144	ENVIRONMENTAL SUPPORT EQUIPMENT	21,107	21,107
145	PHYSICAL SECURITY EQUIPMENT	100,906	100,906
146	ENTERPRISE INFORMATION TECHNOLOGY	67,544	67,544
	OTHER		
150	NEXT GENERATION ENTERPRISE SERVICE	98,216	98,216
	CLASSIFIED PROGRAMS		
150A	CLASSIFIED PROGRAMS	9,915	9,915
	SPARES AND REPAIR PARTS		
151	SPARES AND REPAIR PARTS	199,660	199,660
	TOTAL OTHER PROCUREMENT, NAVY	**6,338,861**	**6,272,961**
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
001	AAV7A1 PIP	73,785	73,785
002	LAV PIP	53,423	53,423
	ARTILLERY AND OTHER WEAPONS		
003	EXPEDITIONARY FIRE SUPPORT SYSTEM	3,360	3,360
004	155MM LIGHTWEIGHT TOWED HOWITZER	3,318	3,318
005	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	33,725	33,725
006	WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	8,181	8,181
	OTHER SUPPORT		
007	MODIFICATION KITS	15,250	15,250
	GUIDED MISSILES		
009	GROUND BASED AIR DEFENSE	9,170	9,170
010	JAVELIN	1,009	1,009
011	FOLLOW ON TO SMAW	24,666	24,666
012	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H)	17,080	17,080
	COMMAND AND CONTROL SYSTEMS		
015	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C	47,312	47,312
	REPAIR AND TEST EQUIPMENT		
016	REPAIR AND TEST EQUIPMENT	16,469	16,469
	COMMAND AND CONTROL SYSTEM (NON-TEL)		

SEC. 4101. PROCUREMENT
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Line	Item	FY 2017 Request	House Authorized
019	ITEMS UNDER $5 MILLION (COMM & ELEC)	7,433	7,433
020	AIR OPERATIONS C2 SYSTEMS	15,917	15,917
	RADAR + EQUIPMENT (NON-TEL)		
021	RADAR SYSTEMS	17,772	17,772
022	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	123,758	123,758
023	RQ–21 UAS	80,217	80,217
	INTELL/COMM EQUIPMENT (NON-TEL)		
024	GCSS-MC	1,089	1,089
025	FIRE SUPPORT SYSTEM	13,258	13,258
026	INTELLIGENCE SUPPORT EQUIPMENT	56,379	56,379
029	RQ–11 UAV	1,976	1,976
031	DCGS-MC	1,149	1,149
032	UAS PAYLOADS	2,971	2,971
	OTHER SUPPORT (NON-TEL)		
034	NEXT GENERATION ENTERPRISE NETWORK (NGEN)	76,302	76,302
035	COMMON COMPUTER RESOURCES	41,802	41,802
036	COMMAND POST SYSTEMS	90,924	90,924
037	RADIO SYSTEMS	43,714	43,714
038	COMM SWITCHING & CONTROL SYSTEMS	66,383	66,383
039	COMM & ELEC INFRASTRUCTURE SUPPORT	30,229	30,229
	CLASSIFIED PROGRAMS		
039A	CLASSIFIED PROGRAMS	2,738	2,738
	ADMINISTRATIVE VEHICLES		
041	COMMERCIAL CARGO VEHICLES	88,312	88,312
	TACTICAL VEHICLES		
043	MOTOR TRANSPORT MODIFICATIONS	13,292	13,292
045	JOINT LIGHT TACTICAL VEHICLE	113,230	113,230
046	FAMILY OF TACTICAL TRAILERS	2,691	2,691
	ENGINEER AND OTHER EQUIPMENT		
048	ENVIRONMENTAL CONTROL EQUIP ASSORT	18	18
050	TACTICAL FUEL SYSTEMS	78	78
051	POWER EQUIPMENT ASSORTED	17,973	17,973
052	AMPHIBIOUS SUPPORT EQUIPMENT	7,371	7,371
053	EOD SYSTEMS	14,021	14,021
	MATERIALS HANDLING EQUIPMENT		
054	PHYSICAL SECURITY EQUIPMENT	31,523	31,523
	GENERAL PROPERTY		
058	TRAINING DEVICES	33,658	33,658
060	FAMILY OF CONSTRUCTION EQUIPMENT	21,315	21,315
061	FAMILY OF INTERNALLY TRANSPORTABLE VEH (ITV)	9,654	9,654
	OTHER SUPPORT		
062	ITEMS LESS THAN $5 MILLION	6,026	6,026
	SPARES AND REPAIR PARTS		
064	SPARES AND REPAIR PARTS	22,848	22,848
	TOTAL PROCUREMENT, MARINE CORPS	**1,362,769**	**1,362,769**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	TACTICAL FORCES		
001	F–35	4,401,894	4,401,894
002	ADVANCE PROCUREMENT (CY)	404,500	404,500
	TACTICAL AIRLIFT		
003	KC–46A TANKER	2,884,591	2,884,591
	OTHER AIRLIFT		
004	C–130J	145,655	145,655
006	HC–130J	317,576	317,576
007	ADVANCE PROCUREMENT (CY)	20,000	20,000
008	MC–130J	548,358	548,358
009	ADVANCE PROCUREMENT (CY)	50,000	50,000
	HELICOPTERS		
010	UH–1N REPLACEMENT	18,337	18,337
	MISSION SUPPORT AIRCRAFT		
012	CIVIL AIR PATROL A/C	2,637	2,637
	OTHER AIRCRAFT		
013	TARGET DRONES	114,656	114,656
014	RQ–4	12,966	12,966
015	MQ–9	122,522	122,522
	STRATEGIC AIRCRAFT		
016	B–2A	46,729	46,729
017	B–1B	116,319	116,319
018	B–52	109,020	109,020
	TACTICAL AIRCRAFT		
020	A–10	1,289	1,289
021	F–15	105,685	105,685
022	F–16	97,331	97,331
023	F–22A	163,008	163,008
024	F–35 MODIFICATIONS	175,811	175,811
025	INCREMENT 3.2B	76,410	76,410
026	ADVANCE PROCUREMENT (CY)	2,000	2,000
	AIRLIFT AIRCRAFT		

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Line	Item	FY 2017 Request	House Authorized
027	C–5	24,192	24,192
029	C–17A	21,555	21,555
030	C–21	5,439	5,439
031	C–32A	35,235	35,235
032	C–37A	5,004	5,004
	TRAINER AIRCRAFT		
033	GLIDER MODS	394	394
034	T–6	12,765	12,765
035	T–1	25,073	25,073
036	T–38	45,090	45,090
	OTHER AIRCRAFT		
037	U–2 MODS	36,074	36,074
038	KC–10A (ATCA)	4,570	4,570
039	C–12	1,995	1,995
040	VC–25A MOD	102,670	102,670
041	C–40	13,984	13,984
042	C–130	9,168	81,668
	8–Bladed Propellers		[16,000]
	Electronic Propeller Control Systems		[13,500]
	In-flight Propeller Balancing System Certification		[1,500]
	T56 3.5 Engine Upgrade Kits		[41,500]
043	C–130J MODS	89,424	89,424
044	C–135	64,161	64,161
045	COMPASS CALL MODS	130,257	59,857
	Program restructure		[–70,400]
046	RC–135	211,438	211,438
047	E–3	82,786	82,786
048	E–4	53,348	53,348
049	E–8	6,244	6,244
050	AIRBORNE WARNING AND CONTROL SYSTEM	223,427	223,427
051	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	4,673	4,673
052	H–1	9,007	9,007
054	H–60	91,357	91,357
055	RQ–4 MODS	32,045	32,045
056	HC/MC–130 MODIFICATIONS	30,767	30,767
057	OTHER AIRCRAFT	33,886	33,886
059	MQ–9 MODS	141,929	141,929
060	CV–22 MODS	63,395	63,395
	AIRCRAFT SPARES AND REPAIR PARTS		
061	INITIAL SPARES/REPAIR PARTS	686,491	673,291
	Compass Call program restructure		[–13,200]
	COMMON SUPPORT EQUIPMENT		
062	AIRCRAFT REPLACEMENT SUPPORT EQUIP	121,935	121,935
	POST PRODUCTION SUPPORT		
063	B–2A	154	154
064	B–2A	43,330	43,330
065	B–52	28,125	28,125
066	C–17A	23,559	23,559
069	F–15	2,980	2,980
070	F–16	15,155	39,955
	Additional mission trainers		[24,800]
071	F–22A	48,505	48,505
074	RQ–4 POST PRODUCTION CHARGES	99	99
	INDUSTRIAL PREPAREDNESS		
075	INDUSTRIAL RESPONSIVENESS	14,126	14,126
	WAR CONSUMABLES		
076	WAR CONSUMABLES	120,036	120,036
	OTHER PRODUCTION CHARGES		
077	OTHER PRODUCTION CHARGES	1,252,824	1,252,824
	CLASSIFIED PROGRAMS		
077A	CLASSIFIED PROGRAMS	16,952	16,952
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**13,922,917**	**13,936,617**
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
001	MISSILE REPLACEMENT EQ-BALLISTIC	70,247	70,247
	TACTICAL		
002	JOINT AIR-SURFACE STANDOFF MISSILE	431,645	431,645
003	LRASM0	59,511	59,511
004	SIDEWINDER (AIM–9X)	127,438	127,438
005	AMRAAM	350,144	350,144
006	PREDATOR HELLFIRE MISSILE	33,955	33,955
007	SMALL DIAMETER BOMB	92,361	92,361
	INDUSTRIAL FACILITIES		
008	INDUSTR'L PREPAREDNS/POL PREVENTION	977	977
	CLASS IV		
009	ICBM FUZE MOD	17,095	17,095
010	MM III MODIFICATIONS	68,692	68,692
011	AGM–65D MAVERICK	282	282

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
013	AIR LAUNCH CRUISE MISSILE (ALCM)	21,762	21,762
014	SMALL DIAMETER BOMB	15,349	15,349
	MISSILE SPARES AND REPAIR PARTS		
015	INITIAL SPARES/REPAIR PARTS	81,607	81,607
	SPECIAL PROGRAMS		
030	SPECIAL UPDATE PROGRAMS	46,125	46,125
	CLASSIFIED PROGRAMS		
030A	CLASSIFIED PROGRAMS	1,009,431	1,009,431
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**2,426,621**	**2,426,621**
	SPACE PROCUREMENT, AIR FORCE		
	SPACE PROGRAMS		
001	ADVANCED EHF	645,569	645,569
002	AF SATELLITE COMM SYSTEM	42,375	42,375
003	COUNTERSPACE SYSTEMS	26,984	26,984
004	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	88,963	88,963
005	WIDEBAND GAPFILLER SATELLITES(SPACE)	86,272	116,272
	Pilot Program		[30,000]
006	GPS III SPACE SEGMENT	34,059	34,059
007	GLOBAL POSTIONING (SPACE)	2,169	2,169
008	SPACEBORNE EQUIP (COMSEC)	46,708	46,708
009	GLOBAL POSITIONING (SPACE)	13,171	10,271
	Excess to Need		[–2,900]
010	MILSATCOM	41,799	41,799
011	EVOLVED EXPENDABLE LAUNCH CAPABILITY	768,586	768,586
012	EVOLVED EXPENDABLE LAUNCH VEH(SPACE)	737,853	737,853
013	SBIR HIGH (SPACE)	362,504	362,504
014	NUDET DETECTION SYSTEM	4,395	4,395
015	SPACE MODS	8,642	8,642
016	SPACELIFT RANGE SYSTEM SPACE	123,088	123,088
	SSPARES		
017	INITIAL SPARES/REPAIR PARTS	22,606	22,606
	TOTAL SPACE PROCUREMENT, AIR FORCE	**3,055,743**	**3,082,843**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	18,734	18,734
	CARTRIDGES		
002	CARTRIDGES	220,237	220,237
	BOMBS		
003	PRACTICE BOMBS	97,106	97,106
004	GENERAL PURPOSE BOMBS	581,561	581,561
005	MASSIVE ORDNANCE PENETRATOR (MOP)	3,600	3,600
006	JOINT DIRECT ATTACK MUNITION	303,988	303,988
	OTHER ITEMS		
007	CAD/PAD	38,890	38,890
008	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	5,714	5,714
009	SPARES AND REPAIR PARTS	740	740
010	MODIFICATIONS	573	573
011	ITEMS LESS THAN $5 MILLION	5,156	5,156
	FLARES		
012	FLARES	134,709	134,709
	FUZES		
013	FUZES	229,252	229,252
	SMALL ARMS		
014	SMALL ARMS	37,459	37,459
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	**1,677,719**	**1,677,719**
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	14,437	14,437
	CARGO AND UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE	24,812	24,812
003	CAP VEHICLES	984	984
004	ITEMS LESS THAN $5 MILLION	11,191	11,191
	SPECIAL PURPOSE VEHICLES		
005	SECURITY AND TACTICAL VEHICLES	5,361	5,361
006	ITEMS LESS THAN $5 MILLION	4,623	4,623
	FIRE FIGHTING EQUIPMENT		
007	FIRE FIGHTING/CRASH RESCUE VEHICLES	12,451	7,451
	Program reduction		[–5,000]
	MATERIALS HANDLING EQUIPMENT		
008	ITEMS LESS THAN $5 MILLION	18,114	18,114
	BASE MAINTENANCE SUPPORT		
009	RUNWAY SNOW REMOV & CLEANING EQUIP	2,310	2,310
010	ITEMS LESS THAN $5 MILLION	46,868	46,868
	COMM SECURITY EQUIPMENT(COMSEC)		
012	COMSEC EQUIPMENT	72,359	72,359
	INTELLIGENCE PROGRAMS		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
014	INTELLIGENCE TRAINING EQUIPMENT	6,982	6,982
015	INTELLIGENCE COMM EQUIPMENT	30,504	30,504
	ELECTRONICS PROGRAMS		
016	AIR TRAFFIC CONTROL & LANDING SYS	55,803	55,803
017	NATIONAL AIRSPACE SYSTEM	2,673	2,673
018	BATTLE CONTROL SYSTEM—FIXED	5,677	5,677
019	THEATER AIR CONTROL SYS IMPROVEMENTS	1,163	1,163
020	WEATHER OBSERVATION FORECAST	21,667	21,667
021	STRATEGIC COMMAND AND CONTROL	39,803	39,803
022	CHEYENNE MOUNTAIN COMPLEX	24,618	24,618
023	MISSION PLANNING SYSTEMS	15,868	15,868
025	INTEGRATED STRAT PLAN & ANALY NETWORK (ISPAN)	9,331	9,331
	SPCL COMM-ELECTRONICS PROJECTS		
026	GENERAL INFORMATION TECHNOLOGY	41,779	41,779
027	AF GLOBAL COMMAND & CONTROL SYS	15,729	15,729
028	MOBILITY COMMAND AND CONTROL	9,814	9,814
029	AIR FORCE PHYSICAL SECURITY SYSTEM	99,460	99,460
030	COMBAT TRAINING RANGES	34,850	34,850
031	MINIMUM ESSENTIAL EMERGENCY COMM N	198,925	198,925
032	WIDE AREA SURVEILLANCE (WAS)	6,943	6,943
033	C3 COUNTERMEASURES	19,580	19,580
034	GCSS-AF FOS	1,743	1,743
036	THEATER BATTLE MGT C2 SYSTEM	9,659	9,659
037	AIR & SPACE OPERATIONS CTR-WPN SYS	15,474	15,474
038	AIR OPERATIONS CENTER (AOC) 10.2	30,623	30,623
	AIR FORCE COMMUNICATIONS		
039	INFORMATION TRANSPORT SYSTEMS	40,043	40,043
040	AFNET	146,897	146,897
041	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	5,182	5,182
042	USCENTCOM	13,418	13,418
	ORGANIZATION AND BASE		
052	TACTICAL C-E EQUIPMENT	109,836	109,836
053	RADIO EQUIPMENT	16,266	16,266
054	CCTV/AUDIOVISUAL EQUIPMENT	7,449	7,449
055	BASE COMM INFRASTRUCTURE	109,215	109,215
	MODIFICATIONS		
056	COMM ELECT MODS	65,700	65,700
	PERSONAL SAFETY & RESCUE EQUIP		
058	ITEMS LESS THAN $5 MILLION	54,416	54,416
	DEPOT PLANT+MTRLS HANDLING EQ		
059	MECHANIZED MATERIAL HANDLING EQUIP	7,344	7,344
	BASE SUPPORT EQUIPMENT		
060	BASE PROCURED EQUIPMENT	6,852	11,852
	Program increase		[5,000]
063	MOBILITY EQUIPMENT	8,146	8,146
064	ITEMS LESS THAN $5 MILLION	28,427	28,427
	SPECIAL SUPPORT PROJECTS		
066	DARP RC135	25,287	25,287
067	DCGS-AF	169,201	169,201
069	SPECIAL UPDATE PROGRAM	576,710	576,710
	CLASSIFIED PROGRAMS		
070A	CLASSIFIED PROGRAMS	15,119,705	15,119,705
	SPARES AND REPAIR PARTS		
072	SPARES AND REPAIR PARTS	15,784	15,784
	TOTAL OTHER PROCUREMENT, AIR FORCE	**17,438,056**	**17,438,056**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, WHS		
037	MAJOR EQUIPMENT, OSD	29,211	29,211
	MAJOR EQUIPMENT, NSA		
036	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	4,399	4,399
	MAJOR EQUIPMENT, WHS		
040	MAJOR EQUIPMENT, WHS	24,979	24,979
	MAJOR EQUIPMENT, DISA		
006	INFORMATION SYSTEMS SECURITY	21,347	21,347
007	TELEPORT PROGRAM	50,597	50,597
008	ITEMS LESS THAN $5 MILLION	10,420	10,420
009	NET CENTRIC ENTERPRISE SERVICES (NCES)	1,634	1,634
010	DEFENSE INFORMATION SYSTEM NETWORK	87,235	87,235
011	CYBER SECURITY INITIATIVE	4,528	4,528
012	WHITE HOUSE COMMUNICATION AGENCY	36,846	36,846
013	SENIOR LEADERSHIP ENTERPRISE	599,391	599,391
015	JOINT REGIONAL SECURITY STACKS (JRSS)	150,221	150,221
	MAJOR EQUIPMENT, DLA		
017	MAJOR EQUIPMENT	2,055	2,055
	MAJOR EQUIPMENT, DSS		
020	MAJOR EQUIPMENT	1,057	1,057
	MAJOR EQUIPMENT, DCAA		
001	ITEMS LESS THAN $5 MILLION	2,964	2,964

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	MAJOR EQUIPMENT, TJS		
038	MAJOR EQUIPMENT, TJS	7,988	7,988
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
023	THAAD	369,608	369,608
024	AEGIS BMD	463,801	528,801
	Increasing BMD capability for Aegis Ships		[65,000]
025	BMDS AN/TPY–2 RADARS	5,503	5,503
026	ARROW UPPER TIER		120,000
	Increase for Arrow 3 Coproduction subject to Title XVI		[120,000]
027	DAVID'S SLING		150,000
	Increase for DSWS Coproduction subject to Title XVI		[150,000]
028	AEGIS ASHORE PHASE III	57,493	82,493
	Classified adjustment		[25,000]
029	IRON DOME	42,000	62,000
	Increase for Coproduction of Iron Dome Tamir Interceptors subject to Title XVI		[20,000]
030	AEGIS BMD HARDWARE AND SOFTWARE	50,098	50,098
	MAJOR EQUIPMENT, DHRA		
003	PERSONNEL ADMINISTRATION	14,232	14,232
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
021	VEHICLES	200	200
022	OTHER MAJOR EQUIPMENT	6,437	6,437
	MAJOR EQUIPMENT, DODEA		
019	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	288	288
	MAJOR EQUIPMENT, DCMA		
002	MAJOR EQUIPMENT	92	92
	MAJOR EQUIPMENT, DMACT		
018	MAJOR EQUIPMENT	8,060	8,060
	CLASSIFIED PROGRAMS		
040A	CLASSIFIED PROGRAMS	568,864	568,864
	AVIATION PROGRAMS		
042	ROTARY WING UPGRADES AND SUSTAINMENT	150,396	168,996
	Program increase		[18,600]
043	UNMANNED ISR	21,190	21,190
045	NON-STANDARD AVIATION	4,905	4,905
046	U–28	3,970	3,970
047	MH–47 CHINOOK	25,022	25,022
049	CV–22 MODIFICATION	19,008	19,008
051	MQ–9 UNMANNED AERIAL VEHICLE	10,598	10,598
053	PRECISION STRIKE PACKAGE	213,122	213,122
054	AC/MC–130J	73,548	85,648
	A-kits for 105mm integration		[12,100]
055	C–130 MODIFICATIONS	32,970	32,970
	SHIPBUILDING		
056	UNDERWATER SYSTEMS	37,098	37,098
	AMMUNITION PROGRAMS		
057	ORDNANCE ITEMS <$5M	105,267	105,267
	OTHER PROCUREMENT PROGRAMS		
058	INTELLIGENCE SYSTEMS	79,963	79,963
059	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	13,432	13,432
060	OTHER ITEMS <$5M	66,436	66,436
061	COMBATANT CRAFT SYSTEMS	55,820	55,820
062	SPECIAL PROGRAMS	107,432	107,432
063	TACTICAL VEHICLES	67,849	67,849
064	WARRIOR SYSTEMS <$5M	245,781	245,781
065	COMBAT MISSION REQUIREMENTS	19,566	19,566
066	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	3,437	3,437
067	OPERATIONAL ENHANCEMENTS INTELLIGENCE	17,299	17,299
069	OPERATIONAL ENHANCEMENTS	219,945	219,945
	CBDP		
070	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	148,203	148,203
071	CB PROTECTION & HAZARD MITIGATION	161,113	161,113
	TOTAL PROCUREMENT, DEFENSE-WIDE	**4,524,918**	**4,935,618**
	JOINT URGENT OPERATIONAL NEEDS FUND		
	JOINT URGENT OPERATIONAL NEEDS FUND		
001	JOINT URGENT OPERATIONAL NEEDS FUND	99,300	0
	Program decrease		[–99,300]
	TOTAL JOINT URGENT OPERATIONAL NEEDS FUND	**99,300**	**0**
	NATIONAL GUARD AND RESERVE EQUIPMENT		
	UNDISTRIBUTED		
007	MISCELLANEOUS EQUIPMENT		250,000
	Program increase		[250,000]
	TOTAL NATIONAL GUARD AND RESERVE EQUIPMENT		**250,000**
	TOTAL PROCUREMENT	**101,971,592**	**103,062,309**

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	MODIFICATION OF AIRCRAFT		
015	MULTI SENSOR ABN RECON (MIP)	21,400	21,400
020	EMARSS SEMA MODS (MIP)	42,700	42,700
026	RQ–7 UAV MODS	1,775	1,775
027	UAS MODS	4,420	0
	Realign APS Unit Set Requirements to Base		[–4,420]
	GROUND SUPPORT AVIONICS		
030	CMWS	56,115	56,115
031	CIRCM	108,721	108,721
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**235,131**	**230,711**
	MISSILE PROCUREMENT, ARMY		
	AIR-TO-SURFACE MISSILE SYSTEM		
004	HELLFIRE SYS SUMMARY	305,830	305,830
	ANTI-TANK/ASSAULT MISSILE SYS		
007	JAVELIN (AAWS-M) SYSTEM SUMMARY	15,567	0
	Realign APS Unit Set Requirements to Base		[–15,567]
008	TOW 2 SYSTEM SUMMARY	80,652	0
	Realign APS Unit Set Requirements to Base		[–80,652]
010	GUIDED MLRS ROCKET (GMLRS)	75,991	0
	Realign APS Unit Set Requirements to Base		[–75,991]
012	LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS	4,777	4,777
	TOTAL MISSILE PROCUREMENT, ARMY	**482,817**	**310,607**
	PROCUREMENT OF W&TCV, ARMY		
	MODIFICATION OF TRACKED COMBAT VEHICLES		
007	PALADIN INTEGRATED MANAGEMENT (PIM)	125,184	0
	Realign APS Unit Set Requirements to Base		[–125,184]
009	ASSAULT BRIDGE (MOD)	5,950	0
	Realign APS Unit Set Requirements to Base		[–5,950]
014	ABRAMS UPGRADE PROGRAM		0
	Army requested realignment (ERI)		[172,200]
	Realign APS Unit Set Requirements to Base		[–172,200]
	WEAPONS & OTHER COMBAT VEHICLES		
017	MORTAR SYSTEMS	22,410	22,410
	SUPPORT EQUIPMENT & FACILITIES		
036	BRADLEY PROGRAM		0
	Army requested realignment (ERI)		[72,800]
	Realign APS Unit Set Requirements to Base		[–72,800]
	TOTAL PROCUREMENT OF W&TCV, ARMY	**153,544**	**22,410**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
002	CTG, 7.62MM, ALL TYPES	9,642	0
	Realign APS Unit Set Requirements to Base		[–9,642]
004	CTG, .50 CAL, ALL TYPES	6,607	609
	Realign APS Unit Set Requirements to Base		[–5,998]
005	CTG, 20MM, ALL TYPES	1,077	0
	Realign APS Unit Set Requirements to Base		[–1,077]
006	CTG, 25MM, ALL TYPES	28,534	0
	Realign APS Unit Set Requirements to Base		[–28,534]
007	CTG, 30MM, ALL TYPES	20,000	20,000
008	CTG, 40MM, ALL TYPES	7,423	0
	Realign APS Unit Set Requirements to Base		[–7,423]
	MORTAR AMMUNITION		
009	60MM MORTAR, ALL TYPES	10,000	10,000
010	81MM MORTAR, ALL TYPES	2,677	0
	Realign APS Unit Set Requirements to Base		[–2,677]
	TANK AMMUNITION		
012	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	8,999	0
	Realign APS Unit Set Requirements to Base		[–8,999]
	ARTILLERY AMMUNITION		
014	ARTILLERY PROJECTILE, 155MM, ALL TYPES	30,348	10,000
	Realign APS Unit Set Requirements to Base		[–20,348]
015	PROJ 155MM EXTENDED RANGE M982	140	0
	Realign APS Unit Set Requirements to Base		[–140]
016	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	29,655	5,000
	Realign APS Unit Set Requirements to Base		[–24,655]
	MINES		
017	MINES & CLEARING CHARGES, ALL TYPES	16,866	0
	Realign APS Unit Set Requirements to Base		[–16,866]
	NETWORKED MUNITIONS		
018	SPIDER NETWORK MUNITIONS, ALL TYPES	10,353	0
	Realign APS Unit Set Requirements to Base		[–10,353]
	ROCKETS		

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
019	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	63,210	0
	Realign APS Unit Set Requirements to Base		[–63,210]
020	ROCKET, HYDRA 70, ALL TYPES	42,851	42,851
	OTHER AMMUNITION		
022	DEMOLITION MUNITIONS, ALL TYPES	6,373	0
	Realign APS Unit Set Requirements to Base		[–6,373]
023	GRENADES, ALL TYPES	4,143	0
	Realign APS Unit Set Requirements to Base		[–4,143]
024	SIGNALS, ALL TYPES	1,852	0
	Realign APS Unit Set Requirements to Base		[–1,852]
	MISCELLANEOUS		
027	NON-LETHAL AMMUNITION, ALL TYPES	773	0
	Realign APS Unit Set Requirements to Base		[–773]
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	**301,523**	**88,460**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
002	SEMITRAILERS, FLATBED:	4,180	0
	Realign APS Unit Set Requirements to Base		[–4,180]
008	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	147,476	0
	Realign APS Unit Set Requirements to Base		[–147,476]
010	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	6,122	0
	Realign APS Unit Set Requirements to Base		[–6,122]
011	PLS ESP	106,358	0
	Realign APS Unit Set Requirements to Base		[–106,358]
012	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	203,766	127,205
	Realign APS Unit Set Requirements to Base		[–76,561]
013	TACTICAL WHEELED VEHICLE PROTECTION KITS	101,154	74,035
	Realign APS Unit Set Requirements to Base		[–27,119]
014	MODIFICATION OF IN SVC EQUIP	155,456	152,000
	Realign APS Unit Set Requirements to Base		[–3,456]
	COMM—JOINT COMMUNICATIONS		
019	WIN-T—GROUND FORCES TACTICAL NETWORK	9,572	3,000
	Realign APS Unit Set Requirements to Base		[–6,572]
	COMM—SATELLITE COMMUNICATIONS		
025	SHF TERM	24,000	0
	Realign APS Unit Set Requirements to Base		[–24,000]
	COMM—INTELLIGENCE COMM		
047	CI AUTOMATION ARCHITECTURE	1,550	1,550
	INFORMATION SECURITY		
051	COMMUNICATIONS SECURITY (COMSEC)	1,928	0
	Realign APS Unit Set Requirements to Base		[–1,928]
	COMM—BASE COMMUNICATIONS		
056	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	20,510	20,510
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
062	DCGS-A (MIP)	33,032	33,032
064	TROJAN (MIP)	3,305	3,145
	Realign APS Unit Set Requirements to Base		[–160]
066	CI HUMINT AUTO REPRTING AND COLL(CHARCS)	7,233	7,233
069	BIOMETRIC TACTICAL COLLECTION DEVICES (MIP)	5,670	5,670
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
070	LIGHTWEIGHT COUNTER MORTAR RADAR	25,892	0
	Realign APS Unit Set Requirements to Base		[–25,892]
074	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITIE	11,610	11,610
075	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	23,890	23,890
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
080	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	4,270	0
	Realign APS Unit Set Requirements to Base		[–4,270]
089	MORTAR FIRE CONTROL SYSTEM	2,572	2,282
	Realign APS Unit Set Requirements to Base		[–290]
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
092	AIR & MSL DEFENSE PLANNING & CONTROL SYS	69,958	0
	Realign APS Unit Set Requirements to Base		[–69,958]
	ELECT EQUIP—AUTOMATION		
102	AUTOMATED DATA PROCESSING EQUIP	9,900	9,900
	ELECT EQUIP—AUDIO VISUAL SYS (A/V)		
108	ITEMS LESS THAN $5M (SURVEYING EQUIPMENT)	96	0
	Realign APS Unit Set Requirements to Base		[–96]
	CHEMICAL DEFENSIVE EQUIPMENT		
114	CBRN DEFENSE	1,841	0
	Realign APS Unit Set Requirements to Base		[–1,841]
	BRIDGING EQUIPMENT		
115	TACTICAL BRIDGING	26,000	0
	Realign APS Unit Set Requirements to Base		[–26,000]
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
124	ROBOTICS AND APPLIQUE SYSTEMS	268	0
	Realign APS Unit Set Requirements to Base		[–268]
128	FAMILY OF BOATS AND MOTORS	280	0
	Realign APS Unit Set Requirements to Base		[–280]

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	COMBAT SERVICE SUPPORT EQUIPMENT		
129	HEATERS AND ECU'S	894	0
	Realign APS Unit Set Requirements to Base		[–894]
134	FORCE PROVIDER	53,800	53,800
135	FIELD FEEDING EQUIPMENT	2,665	0
	Realign APS Unit Set Requirements to Base		[–2,665]
136	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	2,400	2,400
137	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	9,789	0
	Realign APS Unit Set Requirements to Base		[–9,789]
138	ITEMS LESS THAN $5M (ENG SPT)	300	0
	Realign APS Unit Set Requirements to Base		[–300]
	PETROLEUM EQUIPMENT		
139	QUALITY SURVEILLANCE EQUIPMENT	4,800	0
	Realign APS Unit Set Requirements to Base		[–4,800]
140	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	78,240	57,420
	Realign APS Unit Set Requirements to Base		[–20,820]
	MEDICAL EQUIPMENT		
141	COMBAT SUPPORT MEDICAL	5,763	0
	Realign APS Unit Set Requirements to Base		[–5,763]
	MAINTENANCE EQUIPMENT		
142	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	1,609	0
	Realign APS Unit Set Requirements to Base		[–1,609]
143	ITEMS LESS THAN $5.0M (MAINT EQ)	145	0
	Realign APS Unit Set Requirements to Base		[–145]
	CONSTRUCTION EQUIPMENT		
144	GRADER, ROAD MTZD, HVY, 6X4 (CCE)	3,047	0
	Realign APS Unit Set Requirements to Base		[–3,047]
148	TRACTOR, FULL TRACKED	4,426	0
	Realign APS Unit Set Requirements to Base		[–4,426]
151	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE)	2,900	0
	Realign APS Unit Set Requirements to Base		[–2,900]
155	ITEMS LESS THAN $5.0M (CONST EQUIP)	96	0
	Realign APS Unit Set Requirements to Base		[–96]
	GENERATORS		
158	GENERATORS AND ASSOCIATED EQUIP	21,861	1,900
	Realign APS Unit Set Requirements to Base		[–19,961]
	MATERIAL HANDLING EQUIPMENT		
160	FAMILY OF FORKLIFTS	846	0
	Realign APS Unit Set Requirements to Base		[–846]
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
168	TEST EQUIPMENT MODERNIZATION (TEMOD)	1,140	0
	Realign APS Unit Set Requirements to Base		[–1,140]
	OTHER SUPPORT EQUIPMENT		
170	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	8,500	8,500
	TOTAL OTHER PROCUREMENT, ARMY	**1,211,110**	**599,082**
	JOINT IMPROVISED-THREAT DEFEAT FUND		
	NETWORK ATTACK		
001	RAPID ACQUISITION AND THREAT RESPONSE	232,200	207,200
	Program decrease		[–25,000]
	STAFF AND INFRASTRUCTURE		
002	MISSION ENABLERS	62,800	62,800
	TOTAL JOINT IMPROVISED-THREAT DEFEAT FUND	**295,000**	**270,000**
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
002	F/A–18E/F (FIGHTER) HORNET	184,912	184,912
	OTHER AIRCRAFT		
026	STUASL0 UAV	70,000	70,000
	MODIFICATION OF AIRCRAFT		
037	EP–3 SERIES	7,505	7,505
047	SPECIAL PROJECT AIRCRAFT	14,869	14,869
051	COMMON ECM EQUIPMENT	70,780	70,780
059	V–22 (TILT/ROTOR ACFT) OSPREY	8,740	8,740
	AIRCRAFT SPARES AND REPAIR PARTS		
063	SPARES AND REPAIR PARTS	1,500	1,500
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
065	AIRCRAFT INDUSTRIAL FACILITIES	524	524
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**358,830**	**358,830**
	WEAPONS PROCUREMENT, NAVY		
	TACTICAL MISSILES		
010	HELLFIRE	8,600	8,600
	TOTAL WEAPONS PROCUREMENT, NAVY	**8,600**	**8,600**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	40,366	40,366
002	AIRBORNE ROCKETS, ALL TYPES	8,860	8,860

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
006	AIR EXPENDABLE COUNTERMEASURES	7,060	7,060
013	PYROTECHNIC AND DEMOLITION	1,122	1,122
014	AMMUNITION LESS THAN $5 MILLION	3,495	3,495
	MARINE CORPS AMMUNITION		
015	SMALL ARMS AMMUNITION	1,205	1,205
017	40 MM, ALL TYPES	539	539
018	60MM, ALL TYPES	909	909
020	120MM, ALL TYPES	530	530
022	ROCKETS, ALL TYPES	469	469
023	ARTILLERY, ALL TYPES	1,196	1,196
024	DEMOLITION MUNITIONS, ALL TYPES	261	261
025	FUZE, ALL TYPES	217	217
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**66,229**	**66,229**
	OTHER PROCUREMENT, NAVY		
	OTHER SHORE ELECTRONIC EQUIPMENT		
081	DCGS-N	12,000	12,000
	OTHER ORDNANCE SUPPORT EQUIPMENT		
116	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	40,000	40,000
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
124	FIRE FIGHTING EQUIPMENT	630	630
	SUPPLY SUPPORT EQUIPMENT		
133	FIRST DESTINATION TRANSPORTATION	25	25
	COMMAND SUPPORT EQUIPMENT		
137	COMMAND SUPPORT EQUIPMENT	10,562	10,562
	CLASSIFIED PROGRAMS		
150A	CLASSIFIED PROGRAMS	1,660	1,660
	TOTAL OTHER PROCUREMENT, NAVY	**64,877**	**64,877**
	PROCUREMENT, MARINE CORPS		
	ARTILLERY AND OTHER WEAPONS		
006	WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	572	572
	GUIDED MISSILES		
010	JAVELIN	1,606	1,606
	OTHER SUPPORT (TEL)		
018	MODIFICATION KITS	2,600	2,600
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
019	ITEMS UNDER $5 MILLION (COMM & ELEC)	2,200	2,200
	INTELL/COMM EQUIPMENT (NON-TEL)		
026	INTELLIGENCE SUPPORT EQUIPMENT	20,981	20,981
029	RQ–11 UAV	3,817	3,817
	OTHER SUPPORT (NON-TEL)		
035	COMMON COMPUTER RESOURCES	2,600	2,600
037	RADIO SYSTEMS	9,563	9,563
	ENGINEER AND OTHER EQUIPMENT		
053	EOD SYSTEMS	75,000	75,000
	TOTAL PROCUREMENT, MARINE CORPS	**118,939**	**118,939**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	OTHER AIRLIFT		
004	C–130J	73,000	73,000
	OTHER AIRCRAFT		
015	MQ–9	273,600	273,600
	STRATEGIC AIRCRAFT		
019	LARGE AIRCRAFT INFRARED COUNTERMEASURES	135,801	135,801
	TACTICAL AIRCRAFT		
020	A–10	23,850	23,850
	OTHER AIRCRAFT		
047	E–3	6,600	6,600
056	HC/MC–130 MODIFICATIONS	13,550	13,550
057	OTHER AIRCRAFT	7,500	7,500
059	MQ–9 MODS	112,068	112,068
	AIRCRAFT SPARES AND REPAIR PARTS		
061	INITIAL SPARES/REPAIR PARTS	25,600	0
	Compass Call Program Restructure		[–25,600]
	OTHER PRODUCTION CHARGES		
077	OTHER PRODUCTION CHARGES	8,400	8,400
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**679,969**	**654,369**
	MISSILE PROCUREMENT, AIR FORCE		
	TACTICAL		
006	PREDATOR HELLFIRE MISSILE	145,125	145,125
	CLASS IV		
011	AGM–65D MAVERICK	9,720	9,720
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**154,845**	**154,845**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	CARTRIDGES		
002	CARTRIDGES	9,830	9,830

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	BOMBS		
004	GENERAL PURPOSE BOMBS	7,921	7,921
006	JOINT DIRECT ATTACK MUNITION	140,126	140,126
	FLARES		
012	FLARES	6,531	6,531
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	**164,408**	**164,408**
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	2,003	2,003
	CARGO AND UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE	9,066	9,066
004	ITEMS LESS THAN $5 MILLION	12,264	12,264
	SPECIAL PURPOSE VEHICLES		
006	ITEMS LESS THAN $5 MILLION	16,789	16,789
	FIRE FIGHTING EQUIPMENT		
007	FIRE FIGHTING/CRASH RESCUE VEHICLES	48,590	48,590
	MATERIALS HANDLING EQUIPMENT		
008	ITEMS LESS THAN $5 MILLION	2,366	2,366
	BASE MAINTENANCE SUPPORT		
009	RUNWAY SNOW REMOV & CLEANING EQUIP	6,468	6,468
010	ITEMS LESS THAN $5 MILLION	9,271	9,271
	ELECTRONICS PROGRAMS		
016	AIR TRAFFIC CONTROL & LANDING SYS	42,650	42,650
	SPCL COMM-ELECTRONICS PROJECTS		
029	AIR FORCE PHYSICAL SECURITY SYSTEM	7,500	7,500
033	C3 COUNTERMEASURES	620	620
	ORGANIZATION AND BASE		
052	TACTICAL C-E EQUIPMENT	8,100	8,100
	MODIFICATIONS		
056	COMM ELECT MODS	3,800	3,800
	BASE SUPPORT EQUIPMENT		
061	ENGINEERING AND EOD EQUIPMENT	53,900	53,900
	SPECIAL SUPPORT PROJECTS		
067	DCGS-AF	800	800
	CLASSIFIED PROGRAMS		
070A	CLASSIFIED PROGRAMS	3,472,094	3,472,094
	TOTAL OTHER PROCUREMENT, AIR FORCE	**3,696,281**	**3,696,281**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DISA		
007	TELEPORT PROGRAM	1,900	1,900
	CLASSIFIED PROGRAMS		
040A	CLASSIFIED PROGRAMS	32,482	32,482
	AVIATION PROGRAMS		
041	MC–12	5,000	5,000
043	UNMANNED ISR	11,880	11,880
046	U–28	38,283	38,283
	AMMUNITION PROGRAMS		
057	ORDNANCE ITEMS <$5M	52,504	52,504
	OTHER PROCUREMENT PROGRAMS		
058	INTELLIGENCE SYSTEMS	22,000	22,000
060	OTHER ITEMS <$5M	11,580	11,580
062	SPECIAL PROGRAMS	13,549	13,549
063	TACTICAL VEHICLES	3,200	3,200
069	OPERATIONAL ENHANCEMENTS	42,056	42,056
	TOTAL PROCUREMENT, DEFENSE-WIDE	**234,434**	**234,434**
	TOTAL PROCUREMENT	**8,226,537**	**7,043,082**

SEC. 4103. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.

SEC. 4103. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
003	MQ–1 UAV		95,100
	Army unfunded requirement		[95,100]
	ROTARY		
005	HELICOPTER, LIGHT UTILITY (LUH)		110,000
	Army unfunded requirement (ARI)		[110,000]
006	AH–64 APACHE BLOCK IIIA REMAN	78,040	268,040

SEC. 4103. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	Army unfunded requirement (ARI)		*[190,000]*
007	*ADVANCE PROCUREMENT (CY)*		*72,900*
	Army unfunded requirement (ARI)		*[72,900]*
008	*UH–60 BLACKHAWK M MODEL (MYP)*		*440,200*
	Army unfunded requirement (ARI)		*[440,200]*
	MODIFICATION OF AIRCRAFT		
017	*CH–47 CARGO HELICOPTER MODS (MYP)*		*102,000*
	Army unfunded requirement (ARI)		*[102,000]*
	GROUND SUPPORT AVIONICS		
028	*AIRCRAFT SURVIVABILITY EQUIPMENT*		*22,000*
	Army unfunded requirement-modernized warning system (ARI)		*[22,000]*
029	*SURVIVABILITY CM*		*28,000*
	Army unfunded requirement-assured PNT (ARI)		*[28,000]*
	TOTAL AIRCRAFT PROCUREMENT, ARMY	***78,040***	***1,138,240***
	MISSILE PROCUREMENT, ARMY		
	AIR-TO-SURFACE MISSILE SYSTEM		
004	*HELLFIRE SYS SUMMARY*	*150,000*	*150,000*
	ANTI-TANK/ASSAULT MISSILE SYS		
007	*JAVELIN (AAWS-M) SYSTEM SUMMARY*		*104,200*
	Army unfunded requirement		*[104,200]*
010	*GUIDED MLRS ROCKET (GMLRS)*		*76,000*
	Army unfunded requirement		*[76,000]*
	MODIFICATIONS		
014	*ATACMS MODS*		*15,900*
	Army unfunded requirement		*[15,900]*
	TOTAL MISSILE PROCUREMENT, ARMY	***150,000***	***346,100***
	PROCUREMENT OF W&TCV, ARMY		
	MODIFICATION OF TRACKED COMBAT VEHICLES		
008	*IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)*		*72,000*
	Army unfunded requirement		*[72,000]*
013	*M1 ABRAMS TANK (MOD)*		*140,000*
	Army unfunded requirement—Industrial base risk mitigation		*[60,000]*
	Army unfunded requirement—Vehicle APS		*[80,000]*
	UNDISTRIBUTED		
036A	*UNDISTRIBUTED*		*55,100*
	Additional funding to support increase in Army end strength		*[55,100]*
	TOTAL PROCUREMENT OF W&TCV, ARMY		***267,100***
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
001	*CTG, 5.56MM, ALL TYPES*		*4,000*
	Army unfunded requirement		*[4,000]*
002	*CTG, 7.62MM, ALL TYPES*		*14,000*
	Army unfunded requirement		*[14,000]*
003	*CTG, HANDGUN, ALL TYPES*		*9,000*
	Army unfunded requirement		*[9,000]*
004	*CTG, .50 CAL, ALL TYPES*		*21,000*
	Army unfunded requirement		*[21,000]*
005	*CTG, 20MM, ALL TYPES*		*14,000*
	Army unfunded requirement		*[14,000]*
007	*CTG, 30MM, ALL TYPES*		*8,200*
	Army unfunded requirement		*[8,200]*
	MORTAR AMMUNITION		
011	*120MM MORTAR, ALL TYPES*		*30,000*
	Army unfunded requirement		*[30,000]*
	TANK AMMUNITION		
012	*CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES*		*35,000*
	Army unfunded requirement		*[35,000]*
	ARTILLERY AMMUNITION		
015	*PROJ 155MM EXTENDED RANGE M982*		*23,500*
	Army unfunded requirement		*[23,500]*
016	*ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL*		*10,000*
	Army unfunded requirement		*[10,000]*
	ROCKETS		
019	*SHOULDER LAUNCHED MUNITIONS, ALL TYPES*		*30,000*
	Army unfunded requirement		*[30,000]*
020	*ROCKET, HYDRA 70, ALL TYPES*		*42,500*
	Army unfunded requirement		*[27,500]*
	Army unfunded requirement- guided hydra rockets		*[15,000]*
	UNDISTRIBUTED		
034A	*UNDISTRIBUTED*		*46,500*
	Additional funding to support increase in Army end strength		*[46,500]*
	TOTAL PROCUREMENT OF AMMUNITION, ARMY		***287,700***
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
008	*FAMILY OF MEDIUM TACTICAL VEH (FMTV)*	*152,000*	*152,000*

SEC. 4103. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	COMM—JOINT COMMUNICATIONS		
019	WIN-T—GROUND FORCES TACTICAL NETWORK		80,000
	BBA Restoration—2BCTs - Increment 2		[80,000]
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
080	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS		8,400
	Army unfunded requirement- CRAM Upgrades and MODS		[8,400]
	GENERATORS		
158	GENERATORS AND ASSOCIATED EQUIP	9,900	9,900
	UNDISTRIBUTED		
180	UNDISTRIBUTED		18,400
	Additional funding to support increase in Army end strength		[18,400]
	TOTAL OTHER PROCUREMENT, ARMY	**161,900**	**268,700**
	JOINT IMPROVISED-THREAT DEFEAT FUND		
	NETWORK ATTACK		
001	RAPID ACQUISITION AND THREAT RESPONSE	113,272	113,272
	TOTAL JOINT IMPROVISED-THREAT DEFEAT FUND	**113,272**	**113,272**
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
002	F/A–18E/F (FIGHTER) HORNET		1,400,000
	Navy unfunded requirement		[1,400,000]
003	JOINT STRIKE FIGHTER CV		540,000
	Marine Corps unfunded requirement		[270,000]
	Navy unfunded requirement		[270,000]
005	JSF STOVL		254,200
	Marine Corps unfunded requirement		[254,200]
009	V–22 (MEDIUM LIFT)		150,000
	Marine Corps unfunded requirement		[150,000]
011	H–1 UPGRADES (UH–1Y/AH–1Z)		57,000
	Marine Corps unfunded requirement- AH–1Zs		[57,000]
	AIRLIFT AIRCRAFT		
019A	C–40A		415,000
	Marine Corps unfunded requirement		[207,500]
	Navy unfunded requirement		[207,500]
	OTHER AIRCRAFT		
023	MQ–4 TRITON		95,000
	Additional system—ISR shortfalls		[95,000]
025	MQ–8 UAV		47,500
	Scope Increase		[47,500]
	MODIFICATION OF AIRCRAFT		
034	H–53 SERIES		16,100
	Accelerate readiness improvement		[2,800]
	Marine Corps unfunded requirement- degraded visual environment		[13,300]
035	SH–60 SERIES	3,000	3,000
036	H–1 SERIES	3,740	27,140
	Accelerate readiness improvement		[23,400]
051	COMMON ECM EQUIPMENT	27,460	27,460
059	V–22 (TILT/ROTOR ACFT) OSPREY		39,300
	Marine Corps unfunded requirement- SPMAGTF- C4 UUNS		[39,300]
	AIRCRAFT SPARES AND REPAIR PARTS		
063	SPARES AND REPAIR PARTS		140,300
	KC–130J spares		[36,000]
	Marine Corps unfunded requirement- F35 B spares		[91,000]
	Marine Corps unfunded requirement- F35 C spares		[13,300]
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**34,200**	**3,212,000**
	WEAPONS PROCUREMENT, NAVY		
	STRATEGIC MISSILES		
003	TOMAHAWK		76,000
	Scope Increase		[76,000]
	TACTICAL MISSILES		
005	SIDEWINDER		33,000
	Navy unfunded requirement		[33,000]
015A	LCS OVER-THE-HORIZON MISSILE		18,100
	Navy unfunded requirement		[18,100]
	TOTAL WEAPONS PROCUREMENT, NAVY		**127,100**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS		58,000
	Navy unfunded requirement—JDAM components		[58,000]
	MARINE CORPS AMMUNITION		
023	ARTILLERY, ALL TYPES		19,200
	Marine Corps unfunded requirement- GMLRS AW munitions		[19,200]
	TOTAL PROCUREMENT OF AMMO, NAVY & MC		**77,200**
	SHIPBUILDING AND CONVERSION, NAVY		
	OTHER WARSHIPS		

SEC. 4103. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
003	ADVANCE PROCUREMENT (CY)		263,000
	Advance Procurement for CVN–81		[263,000]
005	ADVANCE PROCUREMENT (CY)		85,000
	Long-lead Time Materiel Orders		[85,000]
009	DDG–51		433,000
	Scope Increase		[433,000]
011	LITTORAL COMBAT SHIP		384,700
	Scope Increase		[384,700]
	AMPHIBIOUS SHIPS		
012A	AMPHIBIOUS SHIP REPLACEMENT LX(R)		856,000
	Procurement of LX (R)		[856,000]
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
026	SHIP TO SHORE CONNECTOR		165,000
	Scope Increase		[165,000]
028	LCAC SLEP		80,300
	Scope Increase		[80,300]
	TOTAL SHIPBUILDING AND CONVERSION, NAVY		**2,267,000**
	OTHER PROCUREMENT, NAVY		
	OTHER SHIPBOARD EQUIPMENT		
009	DDG MOD		65,000
	Scope Increase		[65,000]
	SMALL BOATS		
032	STANDARD BOATS		20,000
	Program Acceleration		[20,000]
	OTHER SHIP SUPPORT		
039A	LCS LAUNCHER		24,900
	Navy unfunded requirement		[24,900]
	AIRCRAFT SUPPORT EQUIPMENT		
104	WEAPONS RANGE SUPPORT EQUIPMENT		9,000
	Navy unfunded requirement—Barking Sands Tactical Underwater Range		[9,000]
	OTHER ORDNANCE SUPPORT EQUIPMENT		
116	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	59,329	59,329
	TOTAL OTHER PROCUREMENT, NAVY	**59,329**	**178,229**
	PROCUREMENT, MARINE CORPS		
	ARTILLERY AND OTHER WEAPONS		
004	155MM LIGHTWEIGHT TOWED HOWITZER		14,000
	Marine Corps unfunded requirement- chrome tubes		[14,000]
	OTHER SUPPORT (NON-TEL)		
036	COMMAND POST SYSTEMS		40,800
	Marine Corps unfunded requirement- SPMAGTF—C4 UUNS		[40,800]
	TOTAL PROCUREMENT, MARINE CORPS		**54,800**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	TACTICAL FORCES		
001	F–35		690,500
	Air Force unfunded requirement		[690,500]
	OTHER AIRLIFT		
004	C–130J		271,500
	Scope Increase		[271,500]
	HELICOPTERS		
010	UUH–1N REPLACEMENT		80,000
	Program increase to address urgent need		[80,000]
	OTHER AIRCRAFT		
015	MQ–9	179,430	179,430
015A	EC–130H		103,000
	Scope increase		[103,000]
	TACTICAL AIRCRAFT		
020	A–10		218,500
	A–10 wing upgrades		[120,000]
	Air Force unfunded requirement- A–10 antijam GPS		[10,300]
	Air Force unfunded requirement- A–10 situation awareness upgrade kits		[23,200]
	Air Force unfunded requirement- ASE radar warning receiver upgrades		[65,000]
021	F–15		60,400
	Air Force unfunded requirement- ASE radar warning receiver upgrades		[60,400]
022	F–16		187,500
	Air Force unfunded requirement- antijam GPS		[5,000]
	Air Force unfunded requirement- missile warning system		[12,000]
	Air Force unfunded requirement- radar warning receiver upgrades		[170,500]
	OTHER AIRCRAFT		
049	E–8		17,500
	Additional 2 PME-DMS kits		[17,500]
054	H–60		70,700
	Air Force unfunded requirement- ASE radar warning receivers		[70,700]
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**179,430**	**1,879,030**
	MISSILE PROCUREMENT, AIR FORCE		
	TACTICAL		

SEC. 4103. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
007	SMALL DIAMETER BOMB	167,800	167,800
	CLASS IV		
011	AGM–65D MAVERICK	16,900	16,900
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**184,700**	**184,700**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	60,000	60,000
	BOMBS		
006	JOINT DIRECT ATTACK MUNITION	263,000	263,000
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	**323,000**	**323,000**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DISA		
007	TELEPORT PROGRAM	2,000	2,000
016	DEFENSE INFORMATION SYSTEMS NETWORK	2,000	2,000
	TOTAL PROCUREMENT, DEFENSE-WIDE	**4,000**	**4,000**
	TOTAL PROCUREMENT	**1,287,871**	**10,728,171**

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2017 Request	House Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		BASIC RESEARCH		
001	0601101A	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	12,381	12,381
002	0601102A	DEFENSE RESEARCH SCIENCES	253,116	253,116
003	0601103A	UNIVERSITY RESEARCH INITIATIVES	69,166	69,166
004	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	94,280	94,280
		SUBTOTAL BASIC RESEARCH	**428,943**	**428,943**
		APPLIED RESEARCH		
005	0602105A	MATERIALS TECHNOLOGY	31,533	31,533
006	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY	36,109	36,109
007	0602122A	TRACTOR HIP	6,995	6,995
008	0602211A	AVIATION TECHNOLOGY	65,914	65,914
009	0602270A	ELECTRONIC WARFARE TECHNOLOGY	25,466	25,466
010	0602303A	MISSILE TECHNOLOGY	44,313	44,313
011	0602307A	ADVANCED WEAPONS TECHNOLOGY	28,803	28,803
012	0602308A	ADVANCED CONCEPTS AND SIMULATION	27,688	27,688
013	0602601A	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	67,959	67,959
014	0602618A	BALLISTICS TECHNOLOGY	85,436	85,436
015	0602622A	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	3,923	3,923
016	0602623A	JOINT SERVICE SMALL ARMS PROGRAM	5,545	5,545
017	0602624A	WEAPONS AND MUNITIONS TECHNOLOGY	53,581	53,581
018	0602705A	ELECTRONICS AND ELECTRONIC DEVICES	56,322	56,322
019	0602709A	NIGHT VISION TECHNOLOGY	36,079	36,079
020	0602712A	COUNTERMINE SYSTEMS	26,497	26,497
021	0602716A	HUMAN FACTORS ENGINEERING TECHNOLOGY	23,671	23,671
022	0602720A	ENVIRONMENTAL QUALITY TECHNOLOGY	22,151	22,151
023	0602782A	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	37,803	37,803
024	0602783A	COMPUTER AND SOFTWARE TECHNOLOGY	13,811	13,811
025	0602784A	MILITARY ENGINEERING TECHNOLOGY	67,416	67,416
026	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	26,045	26,045
027	0602786A	WARFIGHTER TECHNOLOGY	37,403	42,403
		Program Increase		[5,000]
028	0602787A	MEDICAL TECHNOLOGY	77,111	77,111
		SUBTOTAL APPLIED RESEARCH	**907,574**	**912,574**
		ADVANCED TECHNOLOGY DEVELOPMENT		
029	0603001A	WARFIGHTER ADVANCED TECHNOLOGY	38,831	38,831
030	0603002A	MEDICAL ADVANCED TECHNOLOGY	68,365	68,365
031	0603003A	AVIATION ADVANCED TECHNOLOGY	94,280	94,280
032	0603004A	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	68,714	68,714
033	0603005A	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	122,132	122,132
034	0603006A	SPACE APPLICATION ADVANCED TECHNOLOGY	3,904	3,904
035	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	14,417	14,417
037	0603009A	TRACTOR HIKE	8,074	21,374
		See classified annex		[13,300]
038	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	18,969	18,969

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2017 Request	House Authorized
039	0603020A	TRACTOR ROSE	11,910	11,910
040	0603125A	COMBATING TERRORISM—TECHNOLOGY DEVELOPMENT	27,686	27,686
041	0603130A	TRACTOR NAIL	2,340	2,340
042	0603131A	TRACTOR EGGS	2,470	2,470
043	0603270A	ELECTRONIC WARFARE TECHNOLOGY	27,893	27,893
044	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY	52,190	52,190
045	0603322A	TRACTOR CAGE	11,107	11,107
046	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	177,190	179,190
		Program increase		[2,000]
047	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	17,451	17,451
048	0603607A	JOINT SERVICE SMALL ARMS PROGRAM	5,839	5,839
049	0603710A	NIGHT VISION ADVANCED TECHNOLOGY	44,468	44,468
050	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	11,137	11,137
051	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY	20,684	20,684
052	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY	44,239	44,239
053	0603794A	C3 ADVANCED TECHNOLOGY	35,775	35,775
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**930,065**	**945,365**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
054	0603305A	ARMY MISSLE DEFENSE SYSTEMS INTEGRATION	9,433	9,433
055	0603308A	ARMY SPACE SYSTEMS INTEGRATION	23,056	23,056
056	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	72,117	72,117
057	0603627A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV	28,244	28,244
058	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	40,096	40,096
059	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	10,506	10,506
060	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	15,730	15,730
061	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	10,321	10,321
062	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	7,785	7,785
063	0603790A	NATO RESEARCH AND DEVELOPMENT	2,300	2,300
064	0603801A	AVIATION—ADV DEV	10,014	10,014
065	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	20,834	20,834
066	0603807A	MEDICAL SYSTEMS—ADV DEV	33,503	41,003
		Program increase		[7,500]
067	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	31,120	31,120
068	0604100A	ANALYSIS OF ALTERNATIVES	6,608	6,608
069	0604114A	LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR	35,132	35,132
070	0604115A	TECHNOLOGY MATURATION INITIATIVES	70,047	70,047
071	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT)	83,279	83,279
073	0305251A	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	40,510	40,510
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**550,635**	**558,135**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
074	0604201A	AIRCRAFT AVIONICS	83,248	83,248
075	0604270A	ELECTRONIC WARFARE DEVELOPMENT	34,642	34,642
077	0604290A	MID-TIER NETWORKING VEHICULAR RADIO (MNVR)	12,172	12,172
078	0604321A	ALL SOURCE ANALYSIS SYSTEM	3,958	3,958
079	0604328A	TRACTOR CAGE	12,525	12,525
080	0604601A	INFANTRY SUPPORT WEAPONS	66,943	66,943
082	0604611A	JAVELIN	20,011	20,011
083	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	11,429	11,429
084	0604633A	AIR TRAFFIC CONTROL	3,421	3,421
085	0604641A	TACTICAL UNMANNED GROUND VEHICLE (TUGV)	39,282	39,282
086	0604642A	LIGHT TACTICAL WHEELED VEHICLES	494	494
087	0604645A	ARMORED SYSTEMS MODERNIZATION (ASM)—ENG DEV	9,678	9,678
088	0604710A	NIGHT VISION SYSTEMS—ENG DEV	84,519	84,519
089	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	2,054	2,054
090	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	30,774	30,774
091	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV	53,332	61,332
		Program increase- all digital radar technology for CRAM		[8,000]
092	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	17,887	17,887
093	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	8,813	8,813
094	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV	10,487	10,487
095	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	15,068	15,068
096	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	89,716	89,716
097	0604802A	WEAPONS AND MUNITIONS—ENG DEV	80,365	80,365
098	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	75,098	86,198
		Program Increase- next generation signature management		[11,100]
099	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV	4,245	4,245
100	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV	41,124	41,124
101	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	39,630	39,630
102	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	205,590	205,590
103	0604820A	RADAR DEVELOPMENT	15,983	15,983
104	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	6,805	6,805
105	0604823A	FIREFINDER	9,235	9,235
106	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	12,393	12,393
107	0604854A	ARTILLERY SYSTEMS—EMD	1,756	1,756
108	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	74,236	74,236
109	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	155,584	155,584
110	0605028A	ARMORED MULTI-PURPOSE VEHICLE (AMPV)	184,221	184,221

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2017 Request	House Authorized
111	0605029A	INTEGRATED GROUND SECURITY SURVEILLANCE RESPONSE CAPABILITY (IGSSR-C)	4,980	4,980
112	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	15,041	15,041
113	0605031A	JOINT TACTICAL NETWORK (JTN)	16,014	16,014
114	0605032A	TRACTOR TIRE	27,254	27,254
115	0605033A	GROUND-BASED OPERATIONAL SURVEILLANCE SYSTEM—EXPEDITIONARY (GBOSS-E)	5,032	5,032
116	0605034A	TACTICAL SECURITY SYSTEM (TSS)	2,904	2,904
117	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	96,977	96,977
118	0605036A	COMBATING WEAPONS OF MASS DESTRUCTION (CWMD)	2,089	2,089
119	0605041A	DEFENSIVE CYBER TOOL DEVELOPMENT	33,836	33,836
120	0605042A	TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER)	18,824	18,824
121	0605047A	CONTRACT WRITING SYSTEM	20,663	20,663
122	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	41,133	41,133
123	0605052A	INDIRECT FIRE PROTECTION CAPABILITY INC 2—BLOCK 1	83,995	83,995
125	0605380A	AMF JOINT TACTICAL RADIO SYSTEM (JTRS)	5,028	5,028
126	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	42,972	42,972
128	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	252,811	252,811
131	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	4,955	4,955
132	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	11,530	11,530
133	0605830A	AVIATION GROUND SUPPORT EQUIPMENT	2,142	2,142
134	0210609A	PALADIN INTEGRATED MANAGEMENT (PIM)	41,498	41,498
135	0303032A	TROJAN—RH12	4,273	4,273
136	0304270A	ELECTRONIC WARFARE DEVELOPMENT	14,425	14,425
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**2,265,094**	**2,284,194**
		RDT&E MANAGEMENT SUPPORT		
137	0604256A	THREAT SIMULATOR DEVELOPMENT	25,675	25,675
138	0604258A	TARGET SYSTEMS DEVELOPMENT	19,122	19,122
139	0604759A	MAJOR T&E INVESTMENT	84,777	84,777
140	0605103A	RAND ARROYO CENTER	20,658	20,658
141	0605301A	ARMY KWAJALEIN ATOLL	236,648	236,648
142	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	25,596	25,596
144	0605601A	ARMY TEST RANGES AND FACILITIES	293,748	293,748
145	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	52,404	52,404
146	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	38,571	38,571
147	0605606A	AIRCRAFT CERTIFICATION	4,665	4,665
148	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	6,925	6,925
149	0605706A	MATERIEL SYSTEMS ANALYSIS	21,677	21,677
150	0605709A	EXPLOITATION OF FOREIGN ITEMS	12,415	12,415
151	0605712A	SUPPORT OF OPERATIONAL TESTING	49,684	49,684
152	0605716A	ARMY EVALUATION CENTER	55,905	55,905
153	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG	7,959	7,959
154	0605801A	PROGRAMWIDE ACTIVITIES	51,822	51,822
155	0605803A	TECHNICAL INFORMATION ACTIVITIES	33,323	33,323
156	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	40,545	40,545
157	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	2,130	2,130
158	0605898A	MANAGEMENT HQ—R&D	49,885	49,885
159	0303260A	DEFENSE MILITARY DECEPTION INITIATIVE	2,000	2,000
		SUBTOTAL RDT&E MANAGEMENT SUPPORT	**1,136,134**	**1,136,134**
		OPERATIONAL SYSTEMS DEVELOPMENT		
161	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	9,663	9,663
162	0603813A	TRACTOR PULL	3,960	3,960
163	0605024A	ANTI-TAMPER TECHNOLOGY SUPPORT	3,638	3,638
164	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS	14,517	14,517
165	0607133A	TRACTOR SMOKE	4,479	4,479
166	0607134A	LONG RANGE PRECISION FIRES (LRPF)	39,275	39,275
167	0607135A	APACHE PRODUCT IMPROVEMENT PROGRAM	66,441	66,441
168	0607136A	BLACKHAWK PRODUCT IMPROVEMENT PROGRAM	46,765	46,765
169	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM	91,848	91,848
170	0607138A	FIXED WING PRODUCT IMPROVEMENT PROGRAM	796	796
171	0607139A	IMPROVED TURBINE ENGINE PROGRAM	126,105	126,105
172	0607140A	EMERGING TECHNOLOGIES FROM NIE	2,369	2,369
173	0607141A	LOGISTICS AUTOMATION	4,563	4,563
174	0607665A	FAMILY OF BIOMETRICS	12,098	12,098
175	0607865A	PATRIOT PRODUCT IMPROVEMENT	49,482	49,482
176	0202429A	AEROSTAT JOINT PROJECT—COCOM EXERCISE	45,482	2,482
		Program reduction		*[–43,000]*
178	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCS)	30,455	30,455
179	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	316,857	316,857
180	0203740A	MANEUVER CONTROL SYSTEM	4,031	4,031
181	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS	35,793	35,793
182	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	259	259
183	0203758A	DIGITIZATION	6,483	6,483
184	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	5,122	5,122
185	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	7,491	7,491
186	0203808A	TRACTOR CARD	20,333	20,333
188	0205410A	MATERIALS HANDLING EQUIPMENT	124	124
190	0205456A	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM	69,417	69,417

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2017 Request	House Authorized
191	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS)	22,044	22,044
192	0208053A	JOINT TACTICAL GROUND SYSTEM	12,649	12,649
194	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	11,619	11,619
195	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	38,280	38,280
196	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	27,223	27,223
197	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	18,815	18,815
198	0303150A	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	4,718	4,718
202	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	8,218	8,218
203	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS	11,799	11,799
204	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	32,284	32,284
205	0305219A	MQ–1C GRAY EAGLE UAS	13,470	13,470
206	0305232A	RQ–11 UAV	1,613	1,613
207	0305233A	RQ–7 UAV	4,597	4,597
209	0310349A	WIN-T INCREMENT 2—INITIAL NETWORKING	4,867	4,867
210	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	62,287	62,287
210A	9999999999	CLASSIFIED PROGRAMS	4,625	4,625
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**1,296,954**	**1,253,954**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	**7,515,399**	**7,519,299**
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
001	0601103N	UNIVERSITY RESEARCH INITIATIVES	101,714	121,714
		Program increase		[20,000]
002	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	18,508	18,508
003	0601153N	DEFENSE RESEARCH SCIENCES	422,748	422,748
		SUBTOTAL BASIC RESEARCH	**542,970**	**562,970**
		APPLIED RESEARCH		
004	0602114N	POWER PROJECTION APPLIED RESEARCH	41,371	41,371
005	0602123N	FORCE PROTECTION APPLIED RESEARCH	158,745	158,745
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	51,590	51,590
007	0602235N	COMMON PICTURE APPLIED RESEARCH	41,185	41,185
008	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	45,467	45,467
009	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	118,941	118,941
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	42,618	74,618
		Service Life Extension Program—AGOR		[32,000]
011	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,327	6,327
012	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	126,313	126,313
013	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	165,103	165,103
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	33,916	33,916
015	0602898N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR HEADQUARTERS	29,575	29,575
		SUBTOTAL APPLIED RESEARCH	**861,151**	**893,151**
		ADVANCED TECHNOLOGY DEVELOPMENT		
016	0603114N	POWER PROJECTION ADVANCED TECHNOLOGY	96,406	106,406
		Program increase for common mount		[10,000]
017	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	48,438	48,438
018	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	26,421	26,421
019	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	140,416	140,416
020	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	13,117	13,117
021	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT	249,092	249,092
022	0603680N	MANUFACTURING TECHNOLOGY PROGRAM	56,712	56,712
023	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	4,789	4,789
024	0603747N	UNDERSEA WARFARE ADVANCED TECHNOLOGY	25,880	25,880
025	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	60,550	65,550
		Program Increase		[5,000]
026	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	15,167	15,167
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**736,988**	**751,988**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
027	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	48,536	48,536
028	0603216N	AVIATION SURVIVABILITY	5,239	5,239
030	0603251N	AIRCRAFT SYSTEMS	1,519	1,519
031	0603254N	ASW SYSTEMS DEVELOPMENT	7,041	7,041
032	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	3,274	3,274
033	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	57,034	72,034
		Program Increase		[15,000]
034	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	165,775	165,775
035	0603506N	SURFACE SHIP TORPEDO DEFENSE	87,066	87,066
036	0603512N	CARRIER SYSTEMS DEVELOPMENT	7,605	7,605
037	0603525N	PILOT FISH	132,068	132,068
038	0603527N	RETRACT LARCH	14,546	14,546
039	0603536N	RETRACT JUNIPER	115,435	115,435
040	0603542N	RADIOLOGICAL CONTROL	702	702
041	0603553N	SURFACE ASW	1,081	1,081
042	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	100,565	100,565
043	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	8,782	8,782
044	0603563N	SHIP CONCEPT ADVANCED DESIGN	14,590	14,590

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Line	Program Element	Item	FY 2017 Request	House Authorized
045	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	15,805	15,805
046	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	453,313	453,313
047	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	36,655	36,655
048	0603576N	CHALK EAGLE	367,016	367,016
049	0603581N	LITTORAL COMBAT SHIP (LCS)	51,630	51,630
050	0603582N	COMBAT SYSTEM INTEGRATION	23,530	23,530
051	0603595N	OHIO REPLACEMENT	700,811	700,811
052	0603596N	LCS MISSION MODULES	160,058	129,158
		Program Restructure		[–30,900]
053	0603597N	AUTOMATED TEST AND ANALYSIS		8,000
		Program increase		[8,000]
054	0603599N	FRIGATE DEVELOPMENT	84,900	84,900
055	0603609N	CONVENTIONAL MUNITIONS	8,342	8,342
056	0603611M	MARINE CORPS ASSAULT VEHICLES	158,682	158,682
057	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	1,303	1,303
058	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	46,911	46,911
060	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	4,556	4,556
061	0603721N	ENVIRONMENTAL PROTECTION	20,343	20,343
062	0603724N	NAVY ENERGY PROGRAM	52,479	52,479
063	0603725N	FACILITIES IMPROVEMENT	5,458	5,458
064	0603734N	CHALK CORAL	245,860	245,860
065	0603739N	NAVY LOGISTIC PRODUCTIVITY	3,089	3,089
066	0603746N	RETRACT MAPLE	323,526	323,526
067	0603748N	LINK PLUMERIA	318,497	318,497
068	0603751N	RETRACT ELM	52,834	52,834
069	0603764N	LINK EVERGREEN	48,116	48,116
070	0603787N	SPECIAL PROCESSES	13,619	13,619
071	0603790N	NATO RESEARCH AND DEVELOPMENT	9,867	9,867
072	0603795N	LAND ATTACK TECHNOLOGY	6,015	6,015
073	0603851M	JOINT NON-LETHAL WEAPONS TESTING	27,904	27,904
074	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL	104,144	104,144
075	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	32,700	32,700
076	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80)	70,528	70,528
077	0604122N	REMOTE MINEHUNTING SYSTEM (RMS)	3,001	3,001
078	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)	34,920	34,920
080	0604292N	MH-XX	1,620	1,620
081	0604454N	LX (R)	6,354	6,354
082	0604536N	ADVANCED UNDERSEA PROTOTYPING	78,589	78,589
084	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	9,910	9,910
085	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT	23,971	23,971
086	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT	252,409	252,409
087	0605812M	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	23,197	23,197
088	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	9,110	9,110
089	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	437	437
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**4,662,867**	**4,654,967**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
090	0603208N	TRAINING SYSTEM AIRCRAFT	19,938	19,938
091	0604212N	OTHER HELO DEVELOPMENT	6,268	6,268
092	0604214N	AV–8B AIRCRAFT—ENG DEV	33,664	33,664
093	0604215N	STANDARDS DEVELOPMENT	1,300	1,300
094	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	5,275	5,275
095	0604218N	AIR/OCEAN EQUIPMENT ENGINEERING	3,875	3,875
096	0604221N	P–3 MODERNIZATION PROGRAM	1,909	1,909
097	0604230N	WARFARE SUPPORT SYSTEM	13,237	13,237
098	0604231N	TACTICAL COMMAND SYSTEM	36,323	36,323
099	0604234N	ADVANCED HAWKEYE	363,792	363,792
100	0604245N	H–1 UPGRADES	27,441	27,441
101	0604261N	ACOUSTIC SEARCH SENSORS	34,525	34,525
102	0604262N	V–22A	174,423	174,423
103	0604264N	AIR CREW SYSTEMS DEVELOPMENT	13,577	13,577
104	0604269N	EA–18	116,761	116,761
105	0604270N	ELECTRONIC WARFARE DEVELOPMENT	48,766	48,766
106	0604273N	EXECUTIVE HELO DEVELOPMENT	338,357	338,357
107	0604274N	NEXT GENERATION JAMMER (NGJ)	577,822	577,822
108	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	2,365	2,365
109	0604282N	NEXT GENERATION JAMMER (NGJ) INCREMENT II	52,065	52,065
110	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	282,764	282,764
111	0604311N	LPD–17 CLASS SYSTEMS INTEGRATION	580	580
112	0604329N	SMALL DIAMETER BOMB (SDB)	97,622	97,622
113	0604366N	STANDARD MISSILE IMPROVEMENTS	120,561	120,561
114	0604373N	AIRBORNE MCM	45,622	45,622
116	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING	25,750	25,750
118	0604501N	ADVANCED ABOVE WATER SENSORS	85,868	85,868
119	0604503N	SSN–688 AND TRIDENT MODERNIZATION	117,476	117,476
120	0604504N	AIR CONTROL	47,404	47,404
121	0604512N	SHIPBOARD AVIATION SYSTEMS	112,158	112,158
122	0604518N	COMBAT INFORMATION CENTER CONVERSION	6,283	6,283

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123	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM	144,395	144,395
124	0604558N	NEW DESIGN SSN	113,013	113,013
125	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	43,160	43,160
126	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	65,002	85,002
		CVN Design		[20,000]
127	0604574N	NAVY TACTICAL COMPUTER RESOURCES	3,098	3,098
128	0604580N	VIRGINIA PAYLOAD MODULE (VPM)	97,920	97,920
129	0604601N	MINE DEVELOPMENT	10,490	10,490
130	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	20,178	20,178
131	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	7,369	7,369
132	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	4,995	4,995
133	0604727N	JOINT STANDOFF WEAPON SYSTEMS	412	412
134	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	134,619	134,619
135	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	114,475	105,475
		Program Execution		[–9,000]
136	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	114,211	114,211
137	0604761N	INTELLIGENCE ENGINEERING	11,029	11,029
138	0604771N	MEDICAL DEVELOPMENT	9,220	9,220
139	0604777N	NAVIGATION/ID SYSTEM	42,723	42,723
140	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	531,426	531,426
141	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	528,716	528,716
142	0604810M	JOINT STRIKE FIGHTER FOLLOW ON DEVELOPMENT—MARINE CORPS	74,227	74,227
143	0604810N	JOINT STRIKE FIGHTER FOLLOW ON DEVELOPMENT—NAVY	63,387	63,387
144	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	4,856	4,856
145	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	97,066	97,066
146	0605024N	ANTI-TAMPER TECHNOLOGY SUPPORT	2,500	2,500
147	0605212N	CH–53K RDTE	404,810	404,810
148	0605215N	MISSION PLANNING	33,570	33,570
149	0605217N	COMMON AVIONICS	51,599	51,599
150	0605220N	SHIP TO SHORE CONNECTOR (SSC)	11,088	11,088
151	0605327N	T-AO (X)	1,095	1,095
152	0605414N	MQ-XX	89,000	77,000
		Excess Obligation		[–12,000]
153	0605450N	JOINT AIR-TO-GROUND MISSILE (JAGM)	17,880	17,880
154	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	59,126	59,126
155	0605504N	MULTI-MISSION MARITIME (MMA) INCREMENT III	182,220	182,220
156	0204202N	DDG–1000	45,642	45,642
159	0304231N	TACTICAL COMMAND SYSTEM—MIP	676	676
160	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS	36,747	36,747
161	0305124N	SPECIAL APPLICATIONS PROGRAM	35,002	35,002
162	0306250M	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	4,942	4,942
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**6,025,655**	**6,024,655**
		MANAGEMENT SUPPORT		
163	0604256N	THREAT SIMULATOR DEVELOPMENT	16,633	16,633
164	0604258N	TARGET SYSTEMS DEVELOPMENT	36,662	36,662
165	0604759N	MAJOR T&E INVESTMENT	42,109	42,109
166	0605126N	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	2,998	2,998
167	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	3,931	3,931
168	0605154N	CENTER FOR NAVAL ANALYSES	46,634	46,634
169	0605285N	NEXT GENERATION FIGHTER	1,200	1,200
171	0605804N	TECHNICAL INFORMATION SERVICES	903	903
172	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	87,077	87,077
173	0605856N	STRATEGIC TECHNICAL SUPPORT	3,597	3,597
174	0605861N	RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT	62,811	62,811
175	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	106,093	106,093
176	0605864N	TEST AND EVALUATION SUPPORT	349,146	349,146
177	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	18,160	18,160
178	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	9,658	9,658
179	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	6,500	6,500
180	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	22,247	22,247
181	0605898N	MANAGEMENT HQ—R&D	16,254	16,254
182	0606355N	WARFARE INNOVATION MANAGEMENT	21,123	21,123
		SUBTOTAL MANAGEMENT SUPPORT	**853,736**	**853,736**
		OPERATIONAL SYSTEMS DEVELOPMENT		
188	0607658N	COOPERATIVE ENGAGEMENT CAPABILITY (CEC)	84,501	84,501
189	0607700N	DEPLOYABLE JOINT COMMAND AND CONTROL	2,970	2,970
190	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	136,556	136,556
191	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	33,845	33,845
192	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	9,329	9,329
193	0101402N	NAVY STRATEGIC COMMUNICATIONS	17,218	17,218
195	0204136N	F/A–18 SQUADRONS	189,125	189,125
196	0204163N	FLEET TELECOMMUNICATIONS (TACTICAL)	48,225	48,225
197	0204228N	SURFACE SUPPORT	21,156	21,156
198	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	71,355	71,355
199	0204311N	INTEGRATED SURVEILLANCE SYSTEM	58,542	58,542
200	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT)	13,929	13,929
201	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	83,538	83,538

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202	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	38,593	38,593
203	0204574N	CRYPTOLOGIC DIRECT SUPPORT	1,122	1,122
204	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	99,998	99,998
205	0205601N	HARM IMPROVEMENT	48,635	48,635
206	0205604N	TACTICAL DATA LINKS	124,785	124,785
207	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	24,583	24,583
208	0205632N	MK–48 ADCAP	39,134	39,134
209	0205633N	AVIATION IMPROVEMENTS	120,861	120,861
210	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	101,786	101,786
211	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	82,159	82,159
212	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S)	11,850	11,850
213	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	47,877	47,877
214	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	13,194	13,194
215	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	17,171	17,171
216	0206629M	AMPHIBIOUS ASSAULT VEHICLE	38,020	38,020
217	0207161N	TACTICAL AIM MISSILES	56,285	56,285
218	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	40,350	40,350
219	0219902M	GLOBAL COMBAT SUPPORT SYSTEM—MARINE CORPS (GCSS-MC)	9,128	9,128
223	0303109N	SATELLITE COMMUNICATIONS (SPACE)	37,372	37,372
224	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES)	23,541	23,541
225	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	38,510	38,510
228	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	6,019	6,019
229	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	8,436	8,436
230	0305205N	UAS INTEGRATION AND INTEROPERABILITY	36,509	36,509
231	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	2,100	2,100
232	0305208N	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	44,571	44,571
233	0305220N	MQ–4C TRITON	111,729	111,729
234	0305231N	MQ–8 UAV	26,518	26,518
235	0305232M	RQ–11 UAV	418	418
236	0305233N	RQ–7 UAV	716	716
237	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	5,071	5,071
238	0305239M	RQ–21A	9,497	9,497
239	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	77,965	77,965
240	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP)	11,181	11,181
241	0305421N	RQ–4 MODERNIZATION	181,266	181,266
242	0308601N	MODELING AND SIMULATION SUPPORT	4,709	4,709
243	0702207N	DEPOT MAINTENANCE (NON-IF)	49,322	54,322
		MH–60 Fleet Mid-Life Upgrades		[5,000]
245	0708730N	MARITIME TECHNOLOGY (MARITECH)	3,204	3,204
245A	9999999999	CLASSIFIED PROGRAMS	1,228,460	1,228,460
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**3,592,934**	**3,597,934**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	**17,276,301**	**17,339,401**
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
001	0601102F	DEFENSE RESEARCH SCIENCES	340,812	340,812
002	0601103F	UNIVERSITY RESEARCH INITIATIVES	145,044	145,044
003	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	14,168	14,168
		SUBTOTAL BASIC RESEARCH	**500,024**	**500,024**
		APPLIED RESEARCH		
004	0602102F	MATERIALS	126,152	131,152
		Precision measuring tools		[5,000]
005	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	122,831	127,831
		Reusable Hypersonic vehicle structures development		[5,000]
006	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	111,647	116,647
		Human-Machine Teaming		[5,000]
007	0602203F	AEROSPACE PROPULSION	185,671	185,671
008	0602204F	AEROSPACE SENSORS	155,174	155,174
009	0602601F	SPACE TECHNOLOGY	117,915	117,915
010	0602602F	CONVENTIONAL MUNITIONS	109,649	109,649
011	0602605F	DIRECTED ENERGY TECHNOLOGY	127,163	127,163
012	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	161,650	161,650
013	0602890F	HIGH ENERGY LASER RESEARCH	42,300	42,300
		SUBTOTAL APPLIED RESEARCH	**1,260,152**	**1,275,152**
		ADVANCED TECHNOLOGY DEVELOPMENT		
014	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	35,137	45,137
		Metals Affordability Initiative		[10,000]
015	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	20,636	20,636
016	0603203F	ADVANCED AEROSPACE SENSORS	40,945	40,945
017	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	130,950	130,950
018	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	94,594	99,594
		Silicon Carbide for aerospace power application		[5,000]
019	0603270F	ELECTRONIC COMBAT TECHNOLOGY	58,250	58,250
020	0603401F	ADVANCED SPACECRAFT TECHNOLOGY	61,593	61,593
021	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	11,681	11,681
022	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT	26,492	26,492

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023	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	102,009	102,009
024	0603605F	ADVANCED WEAPONS TECHNOLOGY	39,064	39,064
025	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	46,344	46,344
026	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION	58,110	58,110
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**725,805**	**740,805**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
027	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	5,598	5,598
028	0603438F	SPACE CONTROL TECHNOLOGY	7,534	7,534
029	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	24,418	24,418
030	0603790F	NATO RESEARCH AND DEVELOPMENT	4,333	4,333
032	0603830F	SPACE SECURITY AND DEFENSE PROGRAM	32,399	32,399
033	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	108,663	108,663
035	0604015F	LONG RANGE STRIKE—BOMBER	1,358,309	1,358,309
036	0604257F	ADVANCED TECHNOLOGY AND SENSORS	34,818	34,818
037	0604317F	TECHNOLOGY TRANSFER	3,368	3,368
038	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM	74,308	74,308
039	0604422F	WEATHER SYSTEM FOLLOW-ON	118,953	113,953
		Transfer Cloud Characterization and Theater Weather Imagery to NRO		[–5,000]
040	0604425F	SPACE SITUATION AWARENESS SYSTEMS	9,901	9,901
041	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	25,890	25,890
042	0604857F	OPERATIONALLY RESPONSIVE SPACE	7,921	27,921
		Responsive Launch and Reconstitution		[20,000]
043	0604858F	TECH TRANSITION PROGRAM	347,304	347,304
044	0605230F	GROUND BASED STRATEGIC DETERRENT	113,919	113,919
046	0207110F	NEXT GENERATION AIR DOMINANCE	20,595	15,595
		Program reduction		[–5,000]
047	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR)	49,491	39,491
		Excess funding to need		[–10,000]
048	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	278,147	278,147
049	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA)	42,338	42,338
050	0306250F	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	158,002	158,002
051	0306415F	ENABLED CYBER ACTIVITIES	15,842	15,842
052	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM	5,782	5,782
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**2,847,833**	**2,847,833**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
054	0604270F	ELECTRONIC WARFARE DEVELOPMENT	12,476	12,476
055	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	82,380	82,380
056	0604287F	PHYSICAL SECURITY EQUIPMENT	8,458	8,458
057	0604329F	SMALL DIAMETER BOMB (SDB)—EMD	54,838	54,838
058	0604421F	COUNTERSPACE SYSTEMS	34,394	34,394
059	0604425F	SPACE SITUATION AWARENESS SYSTEMS	23,945	23,945
060	0604426F	SPACE FENCE	168,364	168,364
061	0604429F	AIRBORNE ELECTRONIC ATTACK	9,187	9,187
062	0604441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	181,966	181,966
063	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	20,312	20,312
064	0604604F	SUBMUNITIONS	2,503	2,503
065	0604617F	AGILE COMBAT SUPPORT	53,680	53,680
066	0604618F	JOINT DIRECT ATTACK MUNITION	9,901	9,901
067	0604706F	LIFE SUPPORT SYSTEMS	7,520	7,520
068	0604735F	COMBAT TRAINING RANGES	77,409	77,409
069	0604800F	F–35—EMD	450,467	450,467
070	0604853F	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)—EMD	296,572	100,000
		Launch System Investment (launch vehicle, upper stage, strap-on motor, or related infrastructure).		[100,000]
		Next Generation Launch System Investment		[–296,572]
070A	0604XXXF	ROCKET PROPULSION SYSTEM		220,000
		Rocket Propulsion System Replacement of RD–180		[220,000]
071	0604932F	LONG RANGE STANDOFF WEAPON	95,604	95,604
072	0604933F	ICBM FUZE MODERNIZATION	189,751	189,751
073	0605030F	JOINT TACTICAL NETWORK CENTER (JTNC)	1,131	1,131
074	0605213F	F–22 MODERNIZATION INCREMENT 3.2B	70,290	70,290
075	0605214F	GROUND ATTACK WEAPONS FUZE DEVELOPMENT	937	937
076	0605221F	KC–46	261,724	121,724
		Scope Reduction		[–140,000]
077	0605223F	ADVANCED PILOT TRAINING	12,377	12,377
078	0605229F	CSAR HH–60 RECAPITALIZATION	319,331	319,331
080	0605431F	ADVANCED EHF MILSATCOM (SPACE)	259,131	259,131
081	0605432F	POLAR MILSATCOM (SPACE)	50,815	50,815
082	0605433F	WIDEBAND GLOBAL SATCOM (SPACE)	41,632	41,632
083	0605458F	AIR & SPACE OPS CENTER 10.2 RDT&E	28,911	28,911
084	0605931F	B–2 DEFENSIVE MANAGEMENT SYSTEM	315,615	288,957
		Scope Reduction		[–26,658]
085	0101125F	NUCLEAR WEAPONS MODERNIZATION	137,909	137,909
086	0207171F	F–15 EPAWSS	256,669	256,669
087	0207701F	FULL COMBAT MISSION TRAINING	12,051	12,051
088	0305176F	COMBAT SURVIVOR EVADER LOCATOR	29,253	29,253
089	0307581F	JSTARS RECAP	128,019	128,019

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090	0401319F	PRESIDENTIAL AIRCRAFT REPLACEMENT (PAR)	351,220	351,220
091	0701212F	AUTOMATED TEST SYSTEMS	19,062	19,062
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**4,075,804**	**3,932,574**
		MANAGEMENT SUPPORT		
092	0604256F	THREAT SIMULATOR DEVELOPMENT	21,630	21,630
093	0604759F	MAJOR T&E INVESTMENT	66,385	66,385
094	0605101F	RAND PROJECT AIR FORCE	34,641	34,641
096	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	11,529	11,529
097	0605807F	TEST AND EVALUATION SUPPORT	661,417	661,417
098	0605860F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	11,198	11,198
099	0605864F	SPACE TEST PROGRAM (STP)	27,070	27,070
100	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT	134,111	134,111
101	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT	28,091	28,091
102	0606017F	REQUIREMENTS ANALYSIS AND MATURATION	29,100	29,100
103	0606116F	SPACE TEST AND TRAINING RANGE DEVELOPMENT	18,528	18,528
104	0606392F	SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE	176,666	176,666
105	0308602F	ENTEPRISE INFORMATION SERVICES (EIS)	4,410	4,410
106	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	14,613	14,613
107	0804731F	GENERAL SKILL TRAINING	1,404	1,404
109	1001004F	INTERNATIONAL ACTIVITIES	4,784	4,784
		SUBTOTAL MANAGEMENT SUPPORT	**1,245,577**	**1,245,577**
		OPERATIONAL SYSTEMS DEVELOPMENT		
110	0603423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT	393,268	393,268
111	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	15,427	15,427
112	0604445F	WIDE AREA SURVEILLANCE	46,695	46,695
115	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	10,368	10,368
116	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	31,952	31,952
117	0605117F	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION	42,960	42,960
118	0605278F	HC/MC–130 RECAP RDT&E	13,987	13,987
119	0101113F	B–52 SQUADRONS	78,267	78,267
120	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	453	453
121	0101126F	B–1B SQUADRONS	5,830	5,830
122	0101127F	B–2 SQUADRONS	152,458	152,458
123	0101213F	MINUTEMAN SQUADRONS	182,958	182,958
124	0101313F	STRAT WAR PLANNING SYSTEM—USSTRATCOM	39,148	39,148
126	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS	6,042	6,042
128	0102110F	UH–1N REPLACEMENT PROGRAM	14,116	14,116
129	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM	10,868	10,868
130	0105921F	SERVICE SUPPORT TO STRATCOM—SPACE ACTIVITIES	8,674	8,674
131	0205219F	MQ–9 UAV	151,373	200,373
		Auto take-off and landing capability		[35,000]
		Tactical Datalink Integration		[14,000]
133	0207131F	A–10 SQUADRONS	14,853	14,853
134	0207133F	F–16 SQUADRONS	132,795	132,795
135	0207134F	F–15E SQUADRONS	356,717	356,717
136	0207136F	MANNED DESTRUCTIVE SUPPRESSION	14,773	14,773
137	0207138F	F–22A SQUADRONS	387,564	387,564
138	0207142F	F–35 SQUADRONS	153,045	153,045
139	0207161F	TACTICAL AIM MISSILES	52,898	52,898
140	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	62,470	62,470
143	0207227F	COMBAT RESCUE—PARARESCUE	362	362
144	0207247F	AF TENCAP	28,413	31,613
		Restore FY16 level		[3,200]
145	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	649	649
146	0207253F	COMPASS CALL	13,723	50,823
		Program Restructure		[37,100]
147	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	109,859	109,859
148	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	30,002	30,002
149	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	37,621	37,621
150	0207412F	CONTROL AND REPORTING CENTER (CRC)	13,292	13,292
151	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	86,644	86,644
152	0207418F	TACTICAL AIRBORNE CONTROL SYSTEMS	2,442	2,442
154	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	10,911	15,911
		Geospatial software development		[5,000]
155	0207444F	TACTICAL AIR CONTROL PARTY-MOD	11,843	11,843
156	0207448F	C2ISR TACTICAL DATA LINK	1,515	1,515
157	0207452F	DCAPES	14,979	14,979
158	0207590F	SEEK EAGLE	25,308	25,308
159	0207601F	USAF MODELING AND SIMULATION	16,666	16,666
160	0207605F	WARGAMING AND SIMULATION CENTERS	4,245	4,245
161	0207697F	DISTRIBUTED TRAINING AND EXERCISES	3,886	3,886
162	0208006F	MISSION PLANNING SYSTEMS	71,785	71,785
164	0208087F	AF OFFENSIVE CYBERSPACE OPERATIONS	25,025	25,025
165	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	29,439	29,439
168	0301017F	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN)	3,470	3,470
169	0301112F	NUCLEAR PLANNING AND EXECUTION SYSTEM (NPES)	4,060	4,060
175	0301400F	SPACE SUPERIORITY INTELLIGENCE	13,880	13,880

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176	0302015F	E–4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	30,948	30,948
177	0303001F	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T)	42,378	42,378
178	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	47,471	47,471
179	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	46,388	46,388
180	0303141F	GLOBAL COMBAT SUPPORT SYSTEM	52	52
181	0303142F	GLOBAL FORCE MANAGEMENT—DATA INITIATIVE	2,099	2,099
184	0304260F	AIRBORNE SIGINT ENTERPRISE	90,762	90,762
187	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,354	4,354
188	0305110F	SATELLITE CONTROL NETWORK (SPACE)	15,624	15,624
189	0305111F	WEATHER SERVICE	19,974	22,974
		Commercial Weather Pilot Program		[3,000]
190	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS)	9,770	9,770
191	0305116F	AERIAL TARGETS	3,051	3,051
194	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	405	405
195	0305145F	ARMS CONTROL IMPLEMENTATION	4,844	4,844
196	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	339	339
199	0305173F	SPACE AND MISSILE TEST AND EVALUATION CENTER	3,989	3,989
200	0305174F	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT	3,070	3,070
201	0305179F	INTEGRATED BROADCAST SERVICE (IBS)	8,833	8,833
202	0305182F	SPACELIFT RANGE SYSTEM (SPACE)	11,867	11,867
203	0305202F	DRAGON U–2	37,217	37,217
205	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	3,841	18,841
		Wide area motion imagery		[15,000]
206	0305207F	MANNED RECONNAISSANCE SYSTEMS	20,975	20,975
207	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	18,902	18,902
208	0305220F	RQ–4 UAV	256,307	256,307
209	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	22,610	16,310
		Program reduction		[–6,300]
211	0305238F	NATO AGS	38,904	38,904
212	0305240F	SUPPORT TO DCGS ENTERPRISE	23,084	23,084
213	0305258F	ADVANCED EVALUATION PROGRAM	116,143	116,143
214	0305265F	GPS III SPACE SEGMENT	141,888	141,888
215	0305600F	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES	2,360	2,360
216	0305614F	JSPOC MISSION SYSTEM	72,889	72,889
217	0305881F	RAPID CYBER ACQUISITION	4,280	4,280
218	0305906F	NCMC—TW/AA SYSTEM	4,951	4,951
219	0305913F	NUDET DETECTION SYSTEM (SPACE)	21,093	21,093
220	0305940F	SPACE SITUATION AWARENESS OPERATIONS	35,002	35,002
222	0308699F	SHARED EARLY WARNING (SEW)	6,366	6,366
223	0401115F	C–130 AIRLIFT SQUADRON	15,599	15,599
224	0401119F	C–5 AIRLIFT SQUADRONS (IF)	66,146	66,146
225	0401130F	C–17 AIRCRAFT (IF)	12,430	12,430
226	0401132F	C–130J PROGRAM	16,776	16,776
227	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	5,166	5,166
229	0401314F	OPERATIONAL SUPPORT AIRLIFT	13,817	13,817
230	0401318F	CV–22	16,702	16,702
231	0408011F	SPECIAL TACTICS / COMBAT CONTROL	7,164	7,164
232	0702207F	DEPOT MAINTENANCE (NON-IF)	1,518	1,518
233	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	61,676	61,676
234	0708611F	SUPPORT SYSTEMS DEVELOPMENT	9,128	9,128
235	0804743F	OTHER FLIGHT TRAINING	1,653	1,653
236	0808716F	OTHER PERSONNEL ACTIVITIES	57	57
237	0901202F	JOINT PERSONNEL RECOVERY AGENCY	3,663	3,663
238	0901218F	CIVILIAN COMPENSATION PROGRAM	3,735	3,735
239	0901220F	PERSONNEL ADMINISTRATION	5,157	5,157
240	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	1,523	1,523
242	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	10,581	10,581
242A	9999999999	CLASSIFIED PROGRAMS	13,091,557	13,091,557
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**17,457,056**	**17,563,056**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	**28,112,251**	**28,105,021**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
001	0601000BR	DTRA BASIC RESEARCH INITIATIVE	35,436	35,436
002	0601101E	DEFENSE RESEARCH SCIENCES	362,297	352,297
		Program reduction		[–10,000]
003	0601110D8Z	BASIC RESEARCH INITIATIVES	36,654	36,654
004	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	57,791	57,791
005	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	69,345	79,345
		K–12 STEM program increase		[10,000]
006	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS	23,572	33,572
		Program increase		[10,000]
007	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	44,800	44,800
		SUBTOTAL BASIC RESEARCH	**629,895**	**639,895**
		APPLIED RESEARCH		
008	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	17,745	17,745
009	0602115E	BIOMEDICAL TECHNOLOGY	115,213	105,213

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		Program reduction		*[–10,000]*
010	0602230D8Z	*DEFENSE TECHNOLOGY INNOVATION*	*30,000*	*0*
		Program decrease		*[–30,000]*
011	0602234D8Z	*LINCOLN LABORATORY RESEARCH PROGRAM*	*48,269*	*48,269*
012	0602251D8Z	*APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES*	*42,206*	*42,206*
013	0602303E	*INFORMATION & COMMUNICATIONS TECHNOLOGY*	*353,635*	*348,635*
		Program reduction		*[–5,000]*
014	0602383E	*BIOLOGICAL WARFARE DEFENSE*	*21,250*	*21,250*
015	0602384BP	*CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM*	*188,715*	*188,715*
016	0602668D8Z	*CYBER SECURITY RESEARCH*	*12,183*	*12,183*
017	0602702E	*TACTICAL TECHNOLOGY*	*313,843*	*313,843*
018	0602715E	*MATERIALS AND BIOLOGICAL TECHNOLOGY*	*220,456*	*210,456*
		Program reduction		*[–10,000]*
019	0602716E	*ELECTRONICS TECHNOLOGY*	*221,911*	*221,911*
020	0602718BR	*WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES*	*154,857*	*154,857*
021	0602751D8Z	*SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH*	*8,420*	*8,420*
022	1160401BB	*SOF TECHNOLOGY DEVELOPMENT*	*37,820*	*37,820*
		SUBTOTAL APPLIED RESEARCH	***1,786,523***	***1,731,523***
		ADVANCED TECHNOLOGY DEVELOPMENT		
023	0603000D8Z	*JOINT MUNITIONS ADVANCED TECHNOLOGY*	*23,902*	*23,902*
025	0603122D8Z	*COMBATING TERRORISM TECHNOLOGY SUPPORT*	*73,002*	*100,002*
		Additional EOD equipment for Conventional Units		*[12,000]*
		Program increase for DOD CT and C-UAS		*[15,000]*
026	0603133D8Z	*FOREIGN COMPARATIVE TESTING*	*19,343*	*29,343*
		Anti-tunnel defense systems		*[10,000]*
027	0603160BR	*COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT*	*266,444*	*266,444*
028	0603176C	*ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT*	*17,880*	*17,880*
030	0603178C	*WEAPONS TECHNOLOGY*	*71,843*	*71,843*
031	0603179C	*ADVANCED C4ISR*	*3,626*	*3,626*
032	0603180C	*ADVANCED RESEARCH*	*23,433*	*23,433*
033	0603225D8Z	*JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT*	*17,256*	*17,256*
035	0603274C	*SPECIAL PROGRAM—MDA TECHNOLOGY*	*83,745*	*108,745*
		Classified Annex		*[25,000]*
036	0603286E	*ADVANCED AEROSPACE SYSTEMS*	*182,327*	*177,327*
		Program reduction		*[–5,000]*
037	0603287E	*SPACE PROGRAMS AND TECHNOLOGY*	*175,240*	*165,240*
		Program reduction		*[–10,000]*
038	0603288D8Z	*ANALYTIC ASSESSMENTS*	*12,048*	*12,048*
039	0603289D8Z	*ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS*	*57,020*	*57,020*
041	0603375D8Z	*TECHNOLOGY INNOVATION*	*39,923*	*19,923*
		Program decrease		*[–20,000]*
042	0603384BP	*CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT*	*127,941*	*127,941*
043	0603527D8Z	*RETRACT LARCH*	*181,977*	*181,977*
044	0603618D8Z	*JOINT ELECTRONIC ADVANCED TECHNOLOGY*	*22,030*	*22,030*
045	0603648D8Z	*JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS*	*148,184*	*158,184*
		Social Medial Analysis Cell		*[10,000]*
046	0603662D8Z	*NETWORKED COMMUNICATIONS CAPABILITIES*	*9,331*	*9,331*
047	0603680D8Z	*DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM*	*158,398*	*148,398*
		Program decrease		*[–10,000]*
048	0603680S	*MANUFACTURING TECHNOLOGY PROGRAM*	*31,259*	*31,259*
049	0603699D8Z	*EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT*	*49,895*	*49,895*
050	0603712S	*GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS*	*11,011*	*11,011*
052	0603716D8Z	*STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM*	*65,078*	*65,078*
053	0603720S	*MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT*	*97,826*	*97,826*
054	0603727D8Z	*JOINT WARFIGHTING PROGRAM*	*7,848*	*7,848*
055	0603739E	*ADVANCED ELECTRONICS TECHNOLOGIES*	*49,807*	*49,807*
056	0603760E	*COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS*	*155,081*	*155,081*
057	0603766E	*NETWORK-CENTRIC WARFARE TECHNOLOGY*	*428,894*	*428,894*
058	0603767E	*SENSOR TECHNOLOGY*	*241,288*	*241,288*
060	0603781D8Z	*SOFTWARE ENGINEERING INSTITUTE*	*14,264*	*14,264*
061	0603826D8Z	*QUICK REACTION SPECIAL PROJECTS*	*74,943*	*72,943*
		QRSP		*[–2,000]*
063	0603833D8Z	*ENGINEERING SCIENCE & TECHNOLOGY*	*17,659*	*17,659*
064	0603941D8Z	*TEST & EVALUATION SCIENCE & TECHNOLOGY*	*87,135*	*87,135*
065	0604055D8Z	*OPERATIONAL ENERGY CAPABILITY IMPROVEMENT*	*37,329*	*37,329*
066	0303310D8Z	*CWMD SYSTEMS*	*44,836*	*21,236*
		Constellation program reduction		*[–23,600]*
067	1160402BB	*SOF ADVANCED TECHNOLOGY DEVELOPMENT*	*61,620*	*61,620*
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	***3,190,666***	***3,192,066***
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
		ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES		
068	0603161D8Z	*NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P*	*28,498*	*28,498*
069	0603600D8Z	*WALKOFF*	*89,643*	*89,643*
071	0603821D8Z	*ACQUISITION ENTERPRISE DATA & INFORMATION SERVICES*	*2,136*	*2,136*
072	0603851D8Z	*ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM*	*52,491*	*52,491*
073	0603881C	*BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT*	*206,834*	*206,834*
074	0603882C	*BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT*	*862,080*	*862,080*

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075	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL	138,187	138,187
076	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	230,077	230,077
077	0603890C	BMD ENABLING PROGRAMS	401,594	401,594
078	0603891C	SPECIAL PROGRAMS—MDA	321,607	321,607
079	0603892C	AEGIS BMD	959,066	959,066
080	0603893C	SPACE TRACKING & SURVEILLANCE SYSTEM	32,129	32,129
081	0603895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	20,690	20,690
082	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	439,617	439,617
083	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	47,776	47,776
084	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC)	54,750	54,750
085	0603906C	REGARDING TRENCH	8,785	8,785
086	0603907C	SEA BASED X-BAND RADAR (SBX)	68,787	68,787
087	0603913C	ISRAELI COOPERATIVE PROGRAMS	103,835	293,835
		Directed Energy Cooperation through MDA		[25,000]
		Increase for Cooperative Development Programs subject to Title XVI		[165,000]
088	0603914C	BALLISTIC MISSILE DEFENSE TEST	293,441	293,441
089	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	563,576	563,576
090	0603920D8Z	HUMANITARIAN DEMINING	10,007	10,007
091	0603923D8Z	COALITION WARFARE	10,126	10,126
092	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,893	3,893
093	0604115C	TECHNOLOGY MATURATION INITIATIVES	90,266	105,266
		Directed Energy Acceleration—Low Power Laser Demonstrator - to reclaim schdule slippage		[15,000]
094	0604132D8Z	MISSILE DEFEAT PROJECT	45,000	45,000
095	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	844,870	804,870
		SCO		[–40,000]
097	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT	3,320	3,320
099	0604682D8Z	WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA)	4,000	4,000
102	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS.	23,642	23,642
104	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR)	162,012	162,012
105	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS	274,148	274,148
106	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST	63,444	63,444
107	0604878C	AEGIS BMD TEST	95,012	95,012
108	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST	83,250	83,250
109	0604880C	LAND-BASED SM–3 (LBSM3)	43,293	43,293
110	0604881C	AEGIS SM–3 BLOCK IIA CO-DEVELOPMENT	106,038	106,038
111	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST	56,481	56,481
112	0604894C	MULTI-OBJECT KILL VEHICLE	71,513	71,513
114	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	2,636	2,636
115	0305103C	CYBER SECURITY INITIATIVE	969	969
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES	**6,919,519**	**7,089,519**
115A	0604XXXD	WEATHER SYSTEM FOLLOW-ON		5,000
		Transfer Cloud Characterization and Theater Weather Imagery from USAF		[5,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		**170,000**
		SYSTEM DEVELOPMENT AND DEMONSTRATION		
116	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD	10,324	10,324
117	0604165D8Z	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	181,303	186,303
		Examination of Army land-attack and anti-ship capability		[5,000]
118	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD	266,231	266,231
119	0604764K	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)		15,000
		Commercial IT Eval Program		[15,000]
120	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	16,288	16,288
121	0605000BR	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES	4,568	4,568
122	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	11,505	11,505
123	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	1,658	1,658
124	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	2,920	2,920
126	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION	12,631	12,631
128	0605080S	DEFENSE AGENCY INTIATIVES (DAI)—FINANCIAL SYSTEM	26,657	26,657
129	0605090S	DEFENSE RETIRED AND ANNUITANT PAY SYSTEM (DRAS)	4,949	4,949
130	0605140D8Z	TRUSTED FOUNDRY	69,000	69,000
131	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES	9,881	9,881
132	0303141K	GLOBAL COMBAT SUPPORT SYSTEM	7,600	7,600
133	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM)	2,703	2,703
		SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION	**628,218**	**648,218**
		MANAGEMENT SUPPORT		
134	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	4,678	4,678
135	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	4,499	4,499
136	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP)	219,199	219,199
137	0604942D8Z	ASSESSMENTS AND EVALUATIONS	28,706	28,706
138	0605001E	MISSION SUPPORT	69,244	69,244
139	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	87,080	87,080
140	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	23,069	23,069
142	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO)	32,759	32,759
144	0605142D8Z	SYSTEMS ENGINEERING	32,429	32,429
145	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	3,797	3,797
146	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	5,302	5,302

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2017 Request	House Authorized
147	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	7,246	7,246
148	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	1,874	1,874
149	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	85,754	85,754
158	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER.	2,187	2,187
159	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	22,650	22,650
160	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	43,834	43,834
161	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION	22,240	22,240
162	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	19,541	23,541
		DASD(DT&E)		[4,000]
163	0605898E	MANAGEMENT HQ—R&D	4,759	4,759
164	0605998KA	MANAGEMENT HQ—DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	4,400	4,400
165	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	4,014	4,014
166	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	2,072	2,072
167	0204571J	JOINT STAFF ANALYTICAL SUPPORT	7,464	7,464
170	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	857	857
171	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO)	916	916
172	0305172K	COMBINED ADVANCED APPLICATIONS	15,336	15,336
173	0305193D8Z	CYBER INTELLIGENCE	18,523	18,523
175	0804767D8Z	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—MHA	34,384	34,384
176	0901598C	MANAGEMENT HQ—MDA	31,160	56,160
		Cyber Improvements Acceleration		[25,000]
179	0903235D8W	JOINT SERVICE PROVIDER (JSP)	827	827
180A	9999999999	CLASSIFIED PROGRAMS	56,799	56,799
		SUBTOTAL MANAGEMENT SUPPORT	**897,599**	**926,599**
		OPERATIONAL SYSTEM DEVELOPMENT		
181	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	4,241	4,241
182	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA.	1,424	1,424
183	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS)	287	287
184	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT	16,195	16,195
185	0607310D8Z	CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT	4,194	4,194
186	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS).	7,861	7,861
187	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT)	33,361	33,361
189	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS)	3,038	3,038
190	0208045K	C4I INTEROPERABILITY	57,501	57,501
192	0301144K	JOINT/ALLIED COALITION INFORMATION SHARING	5,935	5,935
196	0302016K	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	575	575
197	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	18,041	18,041
198	0303126K	LONG-HAUL COMMUNICATIONS—DCS	13,994	18,994
		Secure cellular communications for senior leaders		[5,000]
199	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	12,206	12,206
200	0303135G	PUBLIC KEY INFRASTRUCTURE (PKI)	34,314	34,314
201	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	36,602	36,602
202	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	8,876	8,876
203	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	159,068	161,068
		SHARKSEER Program Increase		[2,000]
204	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	24,438	24,438
205	0303153K	DEFENSE SPECTRUM ORGANIZATION	13,197	13,197
207	0303228K	JOINT INFORMATION ENVIRONMENT (JIE)	2,789	2,789
209	0303430K	FEDERAL INVESTIGATIVE SERVICES INFORMATION TECHNOLOGY	75,000	75,000
210	0303610K	TELEPORT PROGRAM	657	657
215	0305103K	CYBER SECURITY INITIATIVE	1,553	1,553
220	0305186D8Z	POLICY R&D PROGRAMS	6,204	4,204
		Program decrease		[–2,000]
221	0305199D8Z	NET CENTRICITY	17,971	17,971
223	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	5,415	5,415
226	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,030	3,030
229	0305327V	INSIDER THREAT	5,034	5,034
230	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,037	2,037
236	0307577D8Z	INTELLIGENCE MISSION DATA (IMD)	13,800	13,800
238	0708012S	PACIFIC DISASTER CENTERS	1,754	1,754
239	0708047S	DEFENSE PROPERTY ACCOUNTABILITY SYSTEM	2,154	2,154
240	0902298J	MANAGEMENT HQ—OJCS	826	826
241	1105219BB	MQ–9 UAV	17,804	17,804
244	1160403BB	AVIATION SYSTEMS	159,143	147,043
		AC–130 Precision Strike		[–12,100]
245	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT	7,958	7,958
246	1160408BB	OPERATIONAL ENHANCEMENTS	64,895	64,895
247	1160431BB	WARRIOR SYSTEMS	44,885	44,885
248	1160432BB	SPECIAL PROGRAMS	1,949	1,949
249	1160434BB	UNMANNED ISR	22,117	22,117
250	1160480BB	SOF TACTICAL VEHICLES	3,316	3,316
251	1160483BB	MARITIME SYSTEMS	54,577	54,577
252	1160489BB	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	3,841	3,841
253	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE	11,834	11,834
253A	9999999999	CLASSIFIED PROGRAMS	3,270,515	3,270,515

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2017 Request	House Authorized
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	**4,256,406**	**4,249,306**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	**18,308,826**	**18,477,126**
		OPERATIONAL TEST & EVAL, DEFENSE		
		MANAGEMENT SUPPORT		
001	0605118OTE	OPERATIONAL TEST AND EVALUATION	78,047	88,047
		DOT&E Cybersecurity Exercises		[10,000]
002	0605131OTE	LIVE FIRE TEST AND EVALUATION	48,316	48,316
003	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	52,631	52,631
		SUBTOTAL MANAGEMENT SUPPORT	**178,994**	**188,994**
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	**178,994**	**188,994**
		TOTAL RDT&E	**71,391,771**	**71,629,841**

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2017 Request	House Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
055	0603308A	ARMY SPACE SYSTEMS INTEGRATION	9,375	9,375
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**9,375**	**9,375**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
117	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	10,900	10,900
122	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	73,110	73,110
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**84,010**	**84,010**
		OPERATIONAL SYSTEMS DEVELOPMENT		
208	0307665A	BIOMETRICS ENABLED INTELLIGENCE	7,104	7,104
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**7,104**	**7,104**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	**100,489**	**100,489**
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
038	0603527N	RETRACT LARCH	3,907	3,907
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**3,907**	**3,907**
		OPERATIONAL SYSTEMS DEVELOPMENT		
245A	9999999999	CLASSIFIED PROGRAMS	36,426	36,426
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**36,426**	**36,426**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	**40,333**	**40,333**
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		SYSTEM DEVELOPMENT & DEMONSTRATION		
058	0604421F	COUNTERSPACE SYSTEMS	425	425
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**425**	**425**
		OPERATIONAL SYSTEMS DEVELOPMENT		
200	0305174F	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT	4,715	4,715
242A	9999999999	CLASSIFIED PROGRAMS	27,765	27,765
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**32,480**	**32,480**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	**32,905**	**32,905**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		OPERATIONAL SYSTEM DEVELOPMENT		
253A	9999999999	CLASSIFIED PROGRAMS	162,419	162,419
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	**162,419**	**162,419**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	**162,419**	**162,419**
		TOTAL RDT&E	**336,146**	**336,146**

SEC. 4203. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2017 Request	House Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		SYSTEM DEVELOPMENT & DEMONSTRATION		
090	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	33	33
122	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT		10,000
		Army unfunded requirement- modernized warning system		[10,000]
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**33**	**10,033**
		OPERATIONAL SYSTEMS DEVELOPMENT		
161	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM		16,000
		Army unfunded requirement- GMLRS M-code upgrade		[16,000]
166	0607134A	LONG RANGE PRECISION FIRES (LRPF)		27,700
		Army unfunded requirement		[27,700]
179	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS		10,000
		Army unfunded requirement- Vehicle APS		[10,000]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT		**53,700**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	**33**	**63,733**
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
078	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)	37,990	37,990
081	0604454N	LX (R)		19,000
		LX (R) Design		[19,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**37,990**	**56,990**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
102	0604262N	V–22A		11,400
		Accelerate Readiness Improvement- Swashplate actuator re-design		[11,400]
118	0604501N	ADVANCED ABOVE WATER SENSORS		20,000
		Aegis Radar Solid State Improvements		[20,000]
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION		**31,400**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	**37,990**	**88,390**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
		ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES		
074	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT		65,000
		Ground System Communications Modernization & Upgrades to Enable Full RKV Capabilities		[65,000]
076	0603884C	BALLISTIC MISSILE DEFENSE SENSORS		45,000
		Electronic Protection Acceleration for Sensors		[25,000]
		RFPs for Hawaii & East Coast Radars		[20,000]
077	0603890C	BMD ENABLING PROGRAMS		10,000
		Modeling and Simulation Improvements		[10,000]
079	0603892C	AEGIS BMD		10,000
		Aegis BMD Integration with AMDR		[10,000]
082	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.		30,000
		C2BMC Acceleration		[20,000]
		Post-Intercept Assessment Acceleration		[10,000]
088	0603914C	BALLISTIC MISSILE DEFENSE TEST		10,000
		Test Infrastructure		[10,000]
105	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS		75,000
		Modernized Booster Acceleration		[50,000]
		RKV risk reduction		[25,000]
112	0604894C	MULTI-OBJECT KILL VEHICLE		55,000
		MOKV Technology Maturation		[55,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES		**300,000**
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		**300,000**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW		**300,000**
		TOTAL RDT&E	**38,023**	**452,123**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	791,450	791,450
020	MODULAR SUPPORT BRIGADES	68,373	68,373
030	ECHELONS ABOVE BRIGADE	438,823	438,823
040	THEATER LEVEL ASSETS	660,258	660,258
050	LAND FORCES OPERATIONS SUPPORT	863,928	1,198,828
	Realign APS Unit Set Requirements from OCO		[334,900]
060	AVIATION ASSETS	1,360,597	1,360,597
070	FORCE READINESS OPERATIONS SUPPORT	3,086,443	3,094,443
	Additional cyber protection teams		[3,000]
	Public-private cyber training partnership		[5,000]
080	LAND FORCES SYSTEMS READINESS	439,488	439,488
090	LAND FORCES DEPOT MAINTENANCE	1,013,452	1,026,052
	Realign APS Unit Set Requirements from OCO		[12,600]
100	BASE OPERATIONS SUPPORT	7,816,343	7,831,343
	Realign APS Unit Set Requirements from OCO		[15,000]
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	2,234,546	2,234,546
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	452,105	452,105
130	COMBATANT COMMANDERS CORE OPERATIONS	155,658	155,658
170	COMBATANT COMMANDS DIRECT MISSION SUPPORT	441,143	441,143
	SUBTOTAL OPERATING FORCES	**19,822,607**	**20,193,107**
	MOBILIZATION		
180	STRATEGIC MOBILITY	336,329	336,329
190	ARMY PREPOSITIONED STOCKS	390,848	574,848
	Realign APS Unit Set Requirements from OCO		[184,000]
200	INDUSTRIAL PREPAREDNESS	7,401	7,401
	SUBTOTAL MOBILIZATION	**734,578**	**918,578**
	TRAINING AND RECRUITING		
210	OFFICER ACQUISITION	131,942	131,942
220	RECRUIT TRAINING	47,846	47,846
230	ONE STATION UNIT TRAINING	45,419	45,419
240	SENIOR RESERVE OFFICERS TRAINING CORPS	482,747	482,747
250	SPECIALIZED SKILL TRAINING	921,025	927,525
	Defense Foreign Language Program		[6,500]
260	FLIGHT TRAINING	902,845	902,845
270	PROFESSIONAL DEVELOPMENT EDUCATION	216,583	216,583
280	TRAINING SUPPORT	607,534	607,534
290	RECRUITING AND ADVERTISING	550,599	550,599
300	EXAMINING	187,263	187,263
310	OFF-DUTY AND VOLUNTARY EDUCATION	189,556	189,556
320	CIVILIAN EDUCATION AND TRAINING	182,835	182,835
330	JUNIOR RESERVE OFFICER TRAINING CORPS	171,167	171,167
	SUBTOTAL TRAINING AND RECRUITING	**4,637,361**	**4,643,861**
	ADMIN & SRVWIDE ACTIVITIES		
350	SERVICEWIDE TRANSPORTATION	230,739	350,739
	Realign APS Unit Set Requirements from OCO		[120,000]
360	CENTRAL SUPPLY ACTIVITIES	850,060	850,060
370	LOGISTIC SUPPORT ACTIVITIES	778,757	778,757
380	AMMUNITION MANAGEMENT	370,010	370,010
390	ADMINISTRATION	451,556	451,556
400	SERVICEWIDE COMMUNICATIONS	1,888,123	1,888,123
410	MANPOWER MANAGEMENT	276,403	276,403
420	OTHER PERSONNEL SUPPORT	369,443	369,443
430	OTHER SERVICE SUPPORT	1,096,074	1,096,074
440	ARMY CLAIMS ACTIVITIES	207,800	207,800
450	REAL ESTATE MANAGEMENT	240,641	240,641
460	FINANCIAL MANAGEMENT AND AUDIT READINESS	250,612	250,612
470	INTERNATIONAL MILITARY HEADQUARTERS	416,587	416,587
480	MISC. SUPPORT OF OTHER NATIONS	36,666	36,666
530	CLASSIFIED PROGRAMS	1,151,023	1,151,023
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**8,614,494**	**8,734,494**
	UNDISTRIBUTED		
540	UNDISTRIBUTED		–654,600
	Excessive standard price for fuel		[–56,100]
	Foreign Currency adjustments		[–229,900]
	Historical unobligated balances		[–376,300]
	Prohibition on Per Diem Allowance Reduction		[7,700]
	SUBTOTAL UNDISTRIBUTED		**–654,600**
	TOTAL OPERATION & MAINTENANCE, ARMY	**33,809,040**	**33,835,440**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
010	MODULAR SUPPORT BRIGADES	11,435	11,435

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
020	ECHELONS ABOVE BRIGADE	491,772	491,772
030	THEATER LEVEL ASSETS	116,163	116,163
040	LAND FORCES OPERATIONS SUPPORT	563,524	563,524
050	AVIATION ASSETS	91,162	91,162
060	FORCE READINESS OPERATIONS SUPPORT	347,459	347,659
	Defense Language Program		[200]
070	LAND FORCES SYSTEMS READINESS	101,926	101,926
080	LAND FORCES DEPOT MAINTENANCE	56,219	56,219
090	BASE OPERATIONS SUPPORT	573,843	573,843
100	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	214,955	214,955
110	MANAGEMENT AND OPERATIONAL HEADQUARTERS	37,620	37,620
	SUBTOTAL OPERATING FORCES	**2,606,078**	**2,606,278**
	ADMIN & SRVWD ACTIVITIES		
120	SERVICEWIDE TRANSPORTATION	11,027	11,027
130	ADMINISTRATION	16,749	16,749
140	SERVICEWIDE COMMUNICATIONS	17,825	17,825
150	MANPOWER MANAGEMENT	6,177	6,177
160	RECRUITING AND ADVERTISING	54,475	54,475
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**106,253**	**106,253**
	UNDISTRIBUTED		
180	UNDISTRIBUTED		–6,800
	Excessive standard price for fuel		[–6,800]
	SUBTOTAL UNDISTRIBUTED		**–6,800**
	TOTAL OPERATION & MAINTENANCE, ARMY RES	**2,712,331**	**2,705,731**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	708,251	708,251
020	MODULAR SUPPORT BRIGADES	197,251	197,251
030	ECHELONS ABOVE BRIGADE	792,271	792,271
040	THEATER LEVEL ASSETS	80,341	80,341
050	LAND FORCES OPERATIONS SUPPORT	37,138	37,138
060	AVIATION ASSETS	887,625	887,625
070	FORCE READINESS OPERATIONS SUPPORT	696,267	696,467
	Defense Language Program		[200]
080	LAND FORCES SYSTEMS READINESS	61,240	61,240
090	LAND FORCES DEPOT MAINTENANCE	219,948	219,948
100	BASE OPERATIONS SUPPORT	1,040,012	1,040,012
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	676,715	676,715
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	1,021,144	1,021,144
	SUBTOTAL OPERATING FORCES	**6,418,203**	**6,418,403**
	ADMIN & SRVWD ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION	6,396	6,396
140	ADMINISTRATION	68,528	71,052
	National Guard State Partnership Program		[2,524]
150	SERVICEWIDE COMMUNICATIONS	76,524	76,524
160	MANPOWER MANAGEMENT	7,712	7,712
170	OTHER PERSONNEL SUPPORT	245,046	245,046
180	REAL ESTATE MANAGEMENT	2,961	2,961
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**407,167**	**409,691**
	UNDISTRIBUTED		
190	UNDISTRIBUTED		–29,000
	Excessive standard price for fuel		[–29,000]
	SUBTOTAL UNDISTRIBUTED		**–29,000**
	TOTAL OPERATION & MAINTENANCE, ARNG	**6,825,370**	**6,799,094**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	4,094,765	4,094,765
020	FLEET AIR TRAINING	1,722,473	1,722,473
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	52,670	52,670
040	AIR OPERATIONS AND SAFETY SUPPORT	97,584	97,584
050	AIR SYSTEMS SUPPORT	446,733	446,733
060	AIRCRAFT DEPOT MAINTENANCE	1,007,681	1,007,681
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	38,248	38,248
080	AVIATION LOGISTICS	564,720	564,720
090	MISSION AND OTHER SHIP OPERATIONS	3,513,083	3,513,083
100	SHIP OPERATIONS SUPPORT & TRAINING	743,765	743,765
110	SHIP DEPOT MAINTENANCE	5,168,273	5,177,773
	Ship Repair Capability in the Western Pacific		[9,500]
120	SHIP DEPOT OPERATIONS SUPPORT	1,575,578	1,575,578
130	COMBAT COMMUNICATIONS	558,727	558,727
140	ELECTRONIC WARFARE	105,680	105,680

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
150	SPACE SYSTEMS AND SURVEILLANCE	180,406	180,406
160	WARFARE TACTICS	470,032	470,032
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	346,703	346,703
180	COMBAT SUPPORT FORCES	1,158,688	1,158,688
190	EQUIPMENT MAINTENANCE	113,692	113,692
200	DEPOT OPERATIONS SUPPORT	2,509	2,509
210	COMBATANT COMMANDERS CORE OPERATIONS	91,019	91,019
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	74,780	74,780
230	CRUISE MISSILE	106,030	106,030
240	FLEET BALLISTIC MISSILE	1,233,805	1,241,305
	Engineering and Technical Services, Project 934		[7,500]
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	163,025	163,025
260	WEAPONS MAINTENANCE	553,269	551,469
	Heavy Weight Torpedo Program Execution		[–1,500]
	Light Weight Torpedo Program Execution		[–300]
270	OTHER WEAPON SYSTEMS SUPPORT	350,010	350,010
280	ENTERPRISE INFORMATION	790,685	790,685
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	1,642,742	1,642,742
300	BASE OPERATING SUPPORT	4,206,136	4,206,136
	SUBTOTAL OPERATING FORCES	**31,173,511**	**31,188,711**
	MOBILIZATION		
310	SHIP PREPOSITIONING AND SURGE	893,517	893,517
320	READY RESERVE FORCE	274,524	274,524
330	AIRCRAFT ACTIVATIONS/INACTIVATIONS	6,727	6,727
340	SHIP ACTIVATIONS/INACTIVATIONS	288,154	288,154
350	EXPEDITIONARY HEALTH SERVICES SYSTEMS	95,720	95,720
360	INDUSTRIAL READINESS	2,109	2,109
370	COAST GUARD SUPPORT	21,114	21,114
	SUBTOTAL MOBILIZATION	**1,581,865**	**1,581,865**
	TRAINING AND RECRUITING		
380	OFFICER ACQUISITION	143,815	143,815
390	RECRUIT TRAINING	8,519	8,519
400	RESERVE OFFICERS TRAINING CORPS	143,445	143,445
410	SPECIALIZED SKILL TRAINING	699,214	699,214
420	FLIGHT TRAINING	5,310	5,310
430	PROFESSIONAL DEVELOPMENT EDUCATION	172,852	174,052
	Naval Sea Cadets		[1,200]
440	TRAINING SUPPORT	222,728	222,728
450	RECRUITING AND ADVERTISING	225,647	225,647
460	OFF-DUTY AND VOLUNTARY EDUCATION	130,569	130,569
470	CIVILIAN EDUCATION AND TRAINING	73,730	73,730
480	JUNIOR ROTC	50,400	50,400
	SUBTOTAL TRAINING AND RECRUITING	**1,876,229**	**1,877,429**
	ADMIN & SRVWD ACTIVITIES		
490	ADMINISTRATION	917,453	917,453
500	EXTERNAL RELATIONS	14,570	14,570
510	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	124,070	124,070
520	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	369,767	369,767
530	OTHER PERSONNEL SUPPORT	285,927	285,927
540	SERVICEWIDE COMMUNICATIONS	319,908	319,908
570	SERVICEWIDE TRANSPORTATION	171,659	171,659
590	PLANNING, ENGINEERING AND DESIGN	270,863	270,863
600	ACQUISITION AND PROGRAM MANAGEMENT	1,112,766	1,112,766
610	HULL, MECHANICAL AND ELECTRICAL SUPPORT	49,078	49,078
620	COMBAT/WEAPONS SYSTEMS	24,989	24,989
630	SPACE AND ELECTRONIC WARFARE SYSTEMS	72,966	72,966
640	NAVAL INVESTIGATIVE SERVICE	595,711	595,711
700	INTERNATIONAL HEADQUARTERS AND AGENCIES	4,809	4,809
730	CLASSIFIED PROGRAMS	517,440	517,440
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**4,851,976**	**4,851,976**
	UNDISTRIBUTED		
740	UNDISTRIBUTED		–585,600
	Excessive standard price for fuel		[–390,500]
	Foreign Currency adjustments		[–26,400]
	Historical unobligated balances		[–174,100]
	Prohibition on Per Diem Allowance Reduction		[5,400]
	SUBTOTAL UNDISTRIBUTED		**–585,600**
	TOTAL OPERATION & MAINTENANCE, NAVY	**39,483,581**	**38,914,381**
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	674,613	674,613
020	FIELD LOGISTICS	947,424	947,424
030	DEPOT MAINTENANCE	206,783	206,783

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
040	MARITIME PREPOSITIONING	85,276	85,276
050	SUSTAINMENT, RESTORATION & MODERNIZATION	632,673	632,673
060	BASE OPERATING SUPPORT	2,136,626	2,136,626
	SUBTOTAL OPERATING FORCES	**4,683,395**	**4,683,395**
	TRAINING AND RECRUITING		
070	RECRUIT TRAINING	15,946	15,946
080	OFFICER ACQUISITION	935	935
090	SPECIALIZED SKILL TRAINING	99,305	99,305
100	PROFESSIONAL DEVELOPMENT EDUCATION	45,495	45,995
	MOS-to-Degree Program		[500]
110	TRAINING SUPPORT	369,979	369,979
120	RECRUITING AND ADVERTISING	165,566	165,566
130	OFF-DUTY AND VOLUNTARY EDUCATION	35,133	35,133
140	JUNIOR ROTC	23,622	23,622
	SUBTOTAL TRAINING AND RECRUITING	**755,981**	**756,481**
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	34,534	34,534
160	ADMINISTRATION	355,932	355,932
180	ACQUISITION AND PROGRAM MANAGEMENT	76,896	76,896
200	CLASSIFIED PROGRAMS	47,520	47,520
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**514,882**	**514,882**
	UNDISTRIBUTED		
210	UNDISTRIBUTED		–37,700
	Excessive standard price for fuel		[–4,900]
	Foreign Currency adjustments		[–1,500]
	Historical unobligated balances		[–33,100]
	Prohibition on Per Diem Allowance Reduction		[1,800]
	SUBTOTAL UNDISTRIBUTED		**–37,700**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**5,954,258**	**5,917,058**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	526,190	526,190
020	INTERMEDIATE MAINTENANCE	6,714	6,714
030	AIRCRAFT DEPOT MAINTENANCE	86,209	86,209
040	AIRCRAFT DEPOT OPERATIONS SUPPORT	389	389
050	AVIATION LOGISTICS	10,189	10,189
070	SHIP OPERATIONS SUPPORT & TRAINING	560	560
090	COMBAT COMMUNICATIONS	13,173	13,173
100	COMBAT SUPPORT FORCES	109,053	109,053
120	ENTERPRISE INFORMATION	27,226	27,226
130	SUSTAINMENT, RESTORATION AND MODERNIZATION	27,571	27,571
140	BASE OPERATING SUPPORT	99,166	99,166
	SUBTOTAL OPERATING FORCES	**906,440**	**906,440**
	ADMIN & SRVWD ACTIVITIES		
150	ADMINISTRATION	1,351	1,351
160	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	13,251	13,251
170	SERVICEWIDE COMMUNICATIONS	3,445	3,445
180	ACQUISITION AND PROGRAM MANAGEMENT	3,169	3,169
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**21,216**	**21,216**
	UNDISTRIBUTED		
200	UNDISTRIBUTED		–26,600
	Excessive standard price for fuel		[–26,600]
	SUBTOTAL UNDISTRIBUTED		**–26,600**
	TOTAL OPERATION & MAINTENANCE, NAVY RES	**927,656**	**901,056**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	94,154	94,154
020	DEPOT MAINTENANCE	18,594	18,594
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	25,470	25,470
040	BASE OPERATING SUPPORT	111,550	111,550
	SUBTOTAL OPERATING FORCES	**249,768**	**249,768**
	ADMIN & SRVWD ACTIVITIES		
050	SERVICEWIDE TRANSPORTATION	902	902
060	ADMINISTRATION	11,130	11,130
070	RECRUITING AND ADVERTISING	8,833	8,833
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**20,865**	**20,865**
	UNDISTRIBUTED		
090	UNDISTRIBUTED		–800

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(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	Excessive standard price for fuel		*[–800]*
	SUBTOTAL UNDISTRIBUTED		***–800***
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	***270,633***	***269,833***
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	*PRIMARY COMBAT FORCES*	*3,294,124*	*3,294,124*
020	*COMBAT ENHANCEMENT FORCES*	*1,682,045*	*1,682,045*
030	*AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)*	*1,730,757*	*1,730,757*
040	*DEPOT MAINTENANCE*	*7,042,988*	*6,986,488*
	Compass Call Program Restructure		*[–56,500]*
050	*FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION*	*1,657,019*	*1,657,019*
060	*BASE SUPPORT*	*2,787,216*	*2,787,216*
070	*GLOBAL C3I AND EARLY WARNING*	*887,831*	*887,831*
080	*OTHER COMBAT OPS SPT PROGRAMS*	*1,070,178*	*1,070,178*
100	*LAUNCH FACILITIES*	*208,582*	*208,582*
110	*SPACE CONTROL SYSTEMS*	*362,250*	*362,250*
120	*COMBATANT COMMANDERS DIRECT MISSION SUPPORT*	*907,245*	*907,245*
130	*COMBATANT COMMANDERS CORE OPERATIONS*	*199,171*	*199,171*
135	*CLASSIFIED PROGRAMS*	*930,757*	*930,757*
	SUBTOTAL OPERATING FORCES	***22,760,163***	***22,703,663***
	MOBILIZATION		
140	*AIRLIFT OPERATIONS*	*1,703,059*	*1,703,059*
150	*MOBILIZATION PREPAREDNESS*	*138,899*	*138,899*
160	*DEPOT MAINTENANCE*	*1,553,439*	*1,553,439*
170	*FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION*	*258,328*	*258,328*
180	*BASE SUPPORT*	*722,756*	*722,756*
	SUBTOTAL MOBILIZATION	***4,376,481***	***4,376,481***
	TRAINING AND RECRUITING		
190	*OFFICER ACQUISITION*	*120,886*	*120,886*
200	*RECRUIT TRAINING*	*23,782*	*23,782*
210	*RESERVE OFFICERS TRAINING CORPS (ROTC)*	*77,692*	*77,692*
220	*FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION*	*236,254*	*236,254*
230	*BASE SUPPORT*	*819,915*	*819,915*
240	*SPECIALIZED SKILL TRAINING*	*387,446*	*387,446*
250	*FLIGHT TRAINING*	*725,134*	*725,134*
260	*PROFESSIONAL DEVELOPMENT EDUCATION*	*264,213*	*264,213*
270	*TRAINING SUPPORT*	*86,681*	*86,681*
280	*DEPOT MAINTENANCE*	*305,004*	*305,004*
290	*RECRUITING AND ADVERTISING*	*104,754*	*104,754*
300	*EXAMINING*	*3,944*	*3,944*
310	*OFF-DUTY AND VOLUNTARY EDUCATION*	*184,841*	*184,841*
320	*CIVILIAN EDUCATION AND TRAINING*	*173,583*	*173,583*
330	*JUNIOR ROTC*	*58,877*	*58,877*
	SUBTOTAL TRAINING AND RECRUITING	***3,573,006***	***3,573,006***
	ADMIN & SRVWD ACTIVITIES		
340	*LOGISTICS OPERATIONS*	*1,107,846*	*1,107,846*
350	*TECHNICAL SUPPORT ACTIVITIES*	*924,185*	*924,185*
360	*DEPOT MAINTENANCE*	*48,778*	*48,778*
370	*FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION*	*321,013*	*321,013*
380	*BASE SUPPORT*	*1,115,910*	*1,115,910*
390	*ADMINISTRATION*	*811,650*	*811,650*
400	*SERVICEWIDE COMMUNICATIONS*	*269,809*	*269,809*
410	*OTHER SERVICEWIDE ACTIVITIES*	*961,304*	*961,304*
420	*CIVIL AIR PATROL*	*25,735*	*30,500*
	Civil Air Patrol O&M Support		*[4,765]*
450	*INTERNATIONAL SUPPORT*	*90,573*	*90,573*
460	*CLASSIFIED PROGRAMS*	*1,131,603*	*1,131,603*
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	***6,808,406***	***6,813,171***
	UNDISTRIBUTED		
470	*UNDISTRIBUTED*		*–765,900*
	Excessive standard price for fuel		*[–368,000]*
	Foreign Currency adjustments		*[–116,700]*
	Historical unobligated balances		*[–288,000]*
	Prohibition on Per Diem Allowance Reduction		*[6,800]*
	SUBTOTAL UNDISTRIBUTED		***–765,900***
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	***37,518,056***	***36,700,421***
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
010	*PRIMARY COMBAT FORCES*	*1,707,882*	*1,707,882*
020	*MISSION SUPPORT OPERATIONS*	*230,016*	*230,016*
030	*DEPOT MAINTENANCE*	*541,743*	*541,743*

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(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	113,470	113,470
050	BASE SUPPORT	384,832	384,832
	SUBTOTAL OPERATING FORCES	**2,977,943**	**2,977,943**
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
060	ADMINISTRATION	54,939	54,939
070	RECRUITING AND ADVERTISING	14,754	14,754
080	MILITARY MANPOWER AND PERS MGMT (ARPC)	12,707	12,707
090	OTHER PERS SUPPORT (DISABILITY COMP)	7,210	7,210
100	AUDIOVISUAL	376	376
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	**89,986**	**89,986**
	UNDISTRIBUTED		
110	UNDISTRIBUTED		–59,700
	Excessive standard price for fuel		[–59,700]
	SUBTOTAL UNDISTRIBUTED		**–59,700**
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	**3,067,929**	**3,008,229**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
010	AIRCRAFT OPERATIONS	3,282,238	3,282,238
020	MISSION SUPPORT OPERATIONS	723,062	723,062
030	DEPOT MAINTENANCE	1,824,329	1,824,329
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	245,840	245,840
050	BASE SUPPORT	575,548	575,548
	SUBTOTAL OPERATING FORCES	**6,651,017**	**6,651,017**
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
060	ADMINISTRATION	23,715	26,239
	National Guard State Partnership Program		[2,524]
070	RECRUITING AND ADVERTISING	28,846	28,846
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	**52,561**	**55,085**
	UNDISTRIBUTED		
080	UNDISTRIBUTED		–117,700
	Excessive standard price for fuel		[–117,700]
	SUBTOTAL UNDISTRIBUTED		**–117,700**
	TOTAL OPERATION & MAINTENANCE, ANG	**6,703,578**	**6,588,402**
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	506,113	506,113
020	OFFICE OF THE SECRETARY OF DEFENSE	524,439	519,439
	Program decrease		[–5,000]
030	SPECIAL OPERATIONS COMMAND/OPERATING FORCES	4,898,159	4,898,159
	SUBTOTAL OPERATING FORCES	**5,928,711**	**5,923,711**
	TRAINING AND RECRUITING		
040	DEFENSE ACQUISITION UNIVERSITY	138,658	138,658
050	JOINT CHIEFS OF STAFF	85,701	85,701
070	SPECIAL OPERATIONS COMMAND/TRAINING AND RECRUITING	365,349	365,349
	SUBTOTAL TRAINING AND RECRUITING	**589,708**	**589,708**
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
080	CIVIL MILITARY PROGRAMS	160,480	180,480
	STARBASE		[20,000]
100	DEFENSE CONTRACT AUDIT AGENCY	630,925	630,925
110	DEFENSE CONTRACT MANAGEMENT AGENCY	1,356,380	1,356,380
120	DEFENSE HUMAN RESOURCES ACTIVITY	683,620	683,620
130	DEFENSE INFORMATION SYSTEMS AGENCY	1,439,891	1,439,891
150	DEFENSE LEGAL SERVICES AGENCY	24,984	24,984
160	DEFENSE LOGISTICS AGENCY	357,964	357,964
170	DEFENSE MEDIA ACTIVITY	223,422	213,422
	Program decrease		[–10,000]
180	DEFENSE PERSONNEL ACCOUNTING AGENCY	112,681	112,681
190	DEFENSE SECURITY COOPERATION AGENCY	496,754	496,754
200	DEFENSE SECURITY SERVICE	538,711	538,711
230	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	35,417	35,417
240	DEFENSE THREAT REDUCTION AGENCY	448,146	448,146
260	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,671,143	2,701,143
	Impact Aid		[30,000]
270	MISSILE DEFENSE AGENCY	446,975	446,975
290	OFFICE OF ECONOMIC ADJUSTMENT	155,399	155,399
300	OFFICE OF THE SECRETARY OF DEFENSE	1,481,643	1,406,713
	Alcohol Abuse Prevention Program		[1,000]
	BRAC 2017 Round Planning and Analyses		[–3,530]
	CWMD Sustainment: Constellation program reduction		[–3,800]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	Program decrease		*[–84,428]*
	Readiness environmental protection initiative		*[15,828]*
310	*SPECIAL OPERATIONS COMMAND/ADMIN & SVC-WIDE ACTIVITIES*	*89,429*	*70,829*
	SOCOM MH–60 Block Upgrades / MH–60M Replacement		*[–18,600]*
320	*WASHINGTON HEADQUARTERS SERVICES*	*629,874*	*619,874*
	Program decrease		*[–10,000]*
330	*CLASSIFIED PROGRAMS*	*14,069,333*	*14,071,333*
	Classified adjustment		*[2,000]*
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	***26,053,171***	***25,991,641***
	UNDISTRIBUTED		
340	*UNDISTRIBUTED*		*–293,900*
	Excessive standard price for fuel		*[–17,800]*
	Foreign Currency adjustments		*[–34,300]*
	Historical unobligated balances		*[–248,100]*
	Prohibition on Per Diem Allowance Reduction		*[6,300]*
	SUBTOTAL UNDISTRIBUTED		***–293,900***
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE	***32,571,590***	***32,211,160***
	MISCELLANEOUS APPROPRIATIONS		
010	*US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE*	*14,194*	*14,194*
020	*OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID*	*105,125*	*105,125*
030	*COOPERATIVE THREAT REDUCTION*	*325,604*	*325,604*
050	*ENVIRONMENTAL RESTORATION, ARMY*	*170,167*	*170,167*
060	*ENVIRONMENTAL RESTORATION, NAVY*	*281,762*	*281,762*
070	*ENVIRONMENTAL RESTORATION, AIR FORCE*	*371,521*	*371,521*
080	*ENVIRONMENTAL RESTORATION, DEFENSE*	*9,009*	*9,009*
090	*ENVIRONMENTAL RESTORATION FORMERLY USED SITES*	*197,084*	*197,084*
	SUBTOTAL MISCELLANEOUS APPROPRIATIONS	***1,474,466***	***1,474,466***
	TOTAL MISCELLANEOUS APPROPRIATIONS	***1,474,466***	***1,474,466***
	TOTAL OPERATION & MAINTENANCE	***171,318,488***	***169,325,271***

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	*MANEUVER UNITS*	*406,852*	*396,052*
	Army requested realignment (ERI)		*[–10,800]*
040	*THEATER LEVEL ASSETS*	*1,643,456*	*1,713,556*
	Operational support for deployed end strength of 9,800 in Afghanistan		*[70,100]*
050	*LAND FORCES OPERATIONS SUPPORT*	*556,066*	*156,366*
	Army requested realignment (ERI)		*[–132,000]*
	Operational support for deployed end strength of 9,800 in Afghanistan		*[67,200]*
	Realign APS Unit Set Requirements to Base		*[–334,900]*
060	*AVIATION ASSETS*	*58,620*	*90,120*
	Operational support for deployed end strength of 9,800 in Afghanistan		*[31,500]*
070	*FORCE READINESS OPERATIONS SUPPORT*	*1,502,845*	*1,676,345*
	Army requested realignment (ERI)		*[–2,000]*
	Operational support for deployed end strength of 9,800 in Afghanistan		*[175,500]*
080	*LAND FORCES SYSTEMS READINESS*	*348,174*	*358,174*
	Operational support for deployed end strength of 9,800 in Afghanistan		*[10,000]*
100	*BASE OPERATIONS SUPPORT*	*40,000*	*25,000*
	Realign APS Unit Set Requirements to Base		*[–15,000]*
140	*ADDITIONAL ACTIVITIES*	*5,979,678*	*7,060,278*
	Operational support for deployed end strength of 9,800 in Afghanistan		*[1,093,200]*
	Realign APS Unit Set Requirements to Base		*[–12,600]*
150	*COMMANDERS EMERGENCY RESPONSE PROGRAM*	*5,000*	*5,000*
160	*RESET*	*1,092,542*	*1,092,542*
170	*COMBATANT COMMANDS DIRECT MISSION SUPPORT*	*79,568*	*79,568*
	SUBTOTAL OPERATING FORCES	***11,712,801***	***12,653,001***
	MOBILIZATION		
190	*ARMY PREPOSITIONED STOCKS*	*350,200*	*130,000*
	Army requested realignment (ERI)		*[–220,200]*
	SUBTOTAL MOBILIZATION	***350,200***	***130,000***
	ADMIN & SRVWIDE ACTIVITIES		
350	*SERVICEWIDE TRANSPORTATION*	*540,400*	*559,500*

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	Army requested realignment (ERI)		*[120,000]*
	Operational support for deployed end strength of 9,800 in Afghanistan		*[203,100]*
	Realign APS Unit Set Requirements to Base		*[–304,000]*
380	*AMMUNITION MANAGEMENT*	*13,974*	*49,074*
	Operational support for deployed end strength of 9,800 in Afghanistan		*[35,100]*
420	*OTHER PERSONNEL SUPPORT*	*105,508*	*105,508*
450	*REAL ESTATE MANAGEMENT*	*165,678*	*263,178*
	Operational support for deployed end strength of 9,800 in Afghanistan		*[97,500]*
530	*CLASSIFIED PROGRAMS*	*835,551*	*849,851*
	Operational support for deployed end strength of 9,800 in Afghanistan		*[14,300]*
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	***1,661,111***	***1,827,111***
	UNDISTRIBUTED		
540	*UNDISTRIBUTED*		*–6,083,330*
	Excessive standard price for fuel		*[–138,600]*
	Historical unobligated balances		*[–188,500]*
	Prorated OCO allocation in support of base readiness requirements		*[–5,756,230]*
	SUBTOTAL UNDISTRIBUTED		***–6,083,330***
	TOTAL OPERATION & MAINTENANCE, ARMY	***13,724,112***	***8,526,782***
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
020	*ECHELONS ABOVE BRIGADE*	*6,252*	*9,252*
	Operational support for deployed end strength of 9,800 in Afghanistan		*[3,000]*
040	*LAND FORCES OPERATIONS SUPPORT*	*2,075*	*3,075*
	Operational support for deployed end strength of 9,800 in Afghanistan		*[1,000]*
060	*FORCE READINESS OPERATIONS SUPPORT*	*1,140*	*1,440*
	Operational support for deployed end strength of 9,800 in Afghanistan		*[300]*
090	*BASE OPERATIONS SUPPORT*	*14,653*	*15,153*
	Operational support for deployed end strength of 9,800 in Afghanistan		*[500]*
	SUBTOTAL OPERATING FORCES	***24,120***	***28,920***
	UNDISTRIBUTED		
180	*UNDISTRIBUTED*		*–11,394*
	Prorated OCO allocation in support of base readiness requirements		*[–11,394]*
	SUBTOTAL UNDISTRIBUTED		***–11,394***
	TOTAL OPERATION & MAINTENANCE, ARMY RES	***24,120***	***17,526***
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	*MANEUVER UNITS*	*10,564*	*16,564*
	Operational support for deployed end strength of 9,800 in Afghanistan		*[6,000]*
020	*MODULAR SUPPORT BRIGADES*	*748*	*748*
030	*ECHELONS ABOVE BRIGADE*	*5,751*	*7,451*
	Operational support for deployed end strength of 9,800 in Afghanistan		*[1,700]*
040	*THEATER LEVEL ASSETS*	*200*	*200*
060	*AVIATION ASSETS*	*27,183*	*30,983*
	Operational support for deployed end strength of 9,800 in Afghanistan		*[3,800]*
070	*FORCE READINESS OPERATIONS SUPPORT*	*2,741*	*2,741*
100	*BASE OPERATIONS SUPPORT*	*18,800*	*18,800*
120	*MANAGEMENT AND OPERATIONAL HEADQUARTERS*	*920*	*920*
	SUBTOTAL OPERATING FORCES	***66,907***	***78,407***
	UNDISTRIBUTED		
190	*UNDISTRIBUTED*		*–30,892*
	Prorated OCO allocation in support of base readiness requirements		*[–30,892]*
	SUBTOTAL UNDISTRIBUTED		***–30,892***
	TOTAL OPERATION & MAINTENANCE, ARNG	***66,907***	***47,515***
	AFGHANISTAN SECURITY FORCES FUND		
	MINISTRY OF DEFENSE		
010	*SUSTAINMENT*	*2,173,341*	*2,173,341*
020	*INFRASTRUCTURE*	*48,262*	*48,262*
030	*EQUIPMENT AND TRANSPORTATION*	*76,216*	*176,047*
	Maintain security forces at fiscal year 2016 levels		*[99,831]*
040	*TRAINING AND OPERATIONS*	*220,139*	*281,555*
	Maintain security forces at fiscal year 2016 levels		*[61,416]*
	SUBTOTAL MINISTRY OF DEFENSE	***2,517,958***	***2,679,205***
	MINISTRY OF INTERIOR		
050	*SUSTAINMENT*	*860,441*	*880,300*
	Maintain security forces at fiscal year 2016 levels		*[19,859]*
060	*INFRASTRUCTURE*	*20,837*	*20,837*
070	*EQUIPMENT AND TRANSPORTATION*	*8,153*	*116,573*
	Maintain security forces at fiscal year 2016 levels		*[108,420]*
080	*TRAINING AND OPERATIONS*	*41,326*	*65,342*

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	Maintain security forces at fiscal year 2016 levels		*[24,016]*
	SUBTOTAL MINISTRY OF INTERIOR	**930,757**	**1,083,052**
	UNDISTRIBUTED		
110	UNDISTRIBUTED		–1,482,289
	Prorated OCO allocation in support of base readiness requirements		*[–1,482,289]*
	SUBTOTAL UNDISTRIBUTED		**–1,482,289**
	TOTAL AFGHANISTAN SECURITY FORCES FUND	**3,448,715**	**2,279,968**
	IRAQ TRAIN AND EQUIP FUND		
	IRAQ TRAIN AND EQUIP FUND		
010	IRAQ TRAIN AND EQUIP FUND	630,000	680,000
	Support to Kurdish and Sunni tribal security forces for operations in Mosul, Iraq		*[50,000]*
	SUBTOTAL IRAQ TRAIN AND EQUIP FUND	**630,000**	**680,000**
	UNDISTRIBUTED		
020	UNDISTRIBUTED		–267,913
	Prorated OCO allocation in support of base readiness requirements		*[–267,913]*
	SUBTOTAL UNDISTRIBUTED		**–267,913**
	TOTAL IRAQ TRAIN AND EQUIP FUND	**630,000**	**412,087**
	SYRIA TRAIN AND EQUIP FUND		
	SYRIA TRAIN AND EQUIP FUND		
010	SYRIA TRAIN AND EQUIP FUND	250,000	250,000
	SUBTOTAL SYRIA TRAIN AND EQUIP FUND	**250,000**	**250,000**
	UNDISTRIBUTED		
020	UNDISTRIBUTED		–98,497
	Prorated OCO allocation in support of base readiness requirements		*[–98,497]*
	SUBTOTAL UNDISTRIBUTED		**–98,497**
	TOTAL SYRIA TRAIN AND EQUIP FUND	**250,000**	**151,503**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	360,621	360,621
040	AIR OPERATIONS AND SAFETY SUPPORT	4,603	4,603
050	AIR SYSTEMS SUPPORT	159,049	159,049
060	AIRCRAFT DEPOT MAINTENANCE	113,994	113,994
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	1,840	1,840
080	AVIATION LOGISTICS	35,529	35,529
090	MISSION AND OTHER SHIP OPERATIONS	1,073,080	1,073,080
100	SHIP OPERATIONS SUPPORT & TRAINING	17,306	17,306
110	SHIP DEPOT MAINTENANCE	2,128,431	2,128,431
130	COMBAT COMMUNICATIONS	21,257	21,257
160	WARFARE TACTICS	22,603	22,603
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	22,934	22,934
180	COMBAT SUPPORT FORCES	568,511	568,511
190	EQUIPMENT MAINTENANCE	11,358	11,358
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	61,000	61,000
260	WEAPONS MAINTENANCE	289,045	289,045
270	OTHER WEAPON SYSTEMS SUPPORT	8,000	8,000
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	7,819	7,819
300	BASE OPERATING SUPPORT	61,493	61,493
	SUBTOTAL OPERATING FORCES	**4,968,473**	**4,968,473**
	MOBILIZATION		
330	AIRCRAFT ACTIVATIONS/INACTIVATIONS	1,530	1,530
350	EXPEDITIONARY HEALTH SERVICES SYSTEMS	5,307	5,307
370	COAST GUARD SUPPORT	162,692	162,692
	SUBTOTAL MOBILIZATION	**169,529**	**169,529**
	TRAINING AND RECRUITING		
410	SPECIALIZED SKILL TRAINING	43,365	43,365
	SUBTOTAL TRAINING AND RECRUITING	**43,365**	**43,365**
	ADMIN & SRVWD ACTIVITIES		
490	ADMINISTRATION	3,764	3,764
500	EXTERNAL RELATIONS	515	515
520	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	5,409	5,409
530	OTHER PERSONNEL SUPPORT	1,578	1,578
570	SERVICEWIDE TRANSPORTATION	126,700	126,700
600	ACQUISITION AND PROGRAM MANAGEMENT	9,261	9,261
640	NAVAL INVESTIGATIVE SERVICE	1,501	1,501
730	CLASSIFIED PROGRAMS	15,780	15,780
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**164,508**	**164,508**

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	UNDISTRIBUTED		
740	UNDISTRIBUTED		–2,226,518
	Excessive standard price for fuel		[–120,300]
	Prorated OCO allocation in support of base readiness requirements		[–2,106,218]
	SUBTOTAL UNDISTRIBUTED		**–2,226,518**
	TOTAL OPERATION & MAINTENANCE, NAVY	**5,345,875**	**3,119,357**
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	403,489	469,789
	Operational support for deployed end strength of 9,800 in Afghanistan		[66,300]
020	FIELD LOGISTICS	266,094	266,094
030	DEPOT MAINTENANCE	147,000	147,000
060	BASE OPERATING SUPPORT	18,576	18,576
	SUBTOTAL OPERATING FORCES	**835,159**	**901,459**
	TRAINING AND RECRUITING		
110	TRAINING SUPPORT	31,750	31,750
	SUBTOTAL TRAINING AND RECRUITING	**31,750**	**31,750**
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	73,800	89,800
	Operational support for deployed end strength of 9,800 in Afghanistan		[16,000]
200	CLASSIFIED PROGRAMS	3,650	3,650
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**77,450**	**93,450**
	UNDISTRIBUTED		
210	UNDISTRIBUTED		–413,593
	Excessive standard price for fuel		[–9,100]
	Prorated OCO allocation in support of base readiness requirements		[–404,493]
	SUBTOTAL UNDISTRIBUTED		**–413,593**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**944,359**	**613,066**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
030	AIRCRAFT DEPOT MAINTENANCE	16,500	16,500
050	AVIATION LOGISTICS	2,522	2,522
100	COMBAT SUPPORT FORCES	7,243	7,243
	SUBTOTAL OPERATING FORCES	**26,265**	**26,265**
	UNDISTRIBUTED		
200	UNDISTRIBUTED		–10,448
	Excessive standard price for fuel		[–100]
	Prorated OCO allocation in support of base readiness requirements		[–10,348]
	SUBTOTAL UNDISTRIBUTED		**–10,448**
	TOTAL OPERATION & MAINTENANCE, NAVY RES	**26,265**	**15,817**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	2,500	2,500
040	BASE OPERATING SUPPORT	804	804
	SUBTOTAL OPERATING FORCES	**3,304**	**3,304**
	UNDISTRIBUTED		
090	UNDISTRIBUTED		–1,302
	Prorated OCO allocation in support of base readiness requirements		[–1,302]
	SUBTOTAL UNDISTRIBUTED		**–1,302**
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	**3,304**	**2,002**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,339,461	1,370,361
	Enahncing readiness levels of DCA aircraft		[10,000]
	Operational support for deployed end strength of 9,800 in Afghanistan		[20,900]
020	COMBAT ENHANCEMENT FORCES	1,096,021	1,116,921
	Operational support for deployed end strength of 9,800 in Afghanistan		[20,900]
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	152,278	152,278
040	DEPOT MAINTENANCE	1,061,506	1,087,106
	Compass Call Program Restructure		[25,600]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	56,700	56,700
060	BASE SUPPORT	941,714	941,714
070	GLOBAL C3I AND EARLY WARNING	30,219	30,219
080	OTHER COMBAT OPS SPT PROGRAMS	207,696	217,696
	Promoting additional DCA burden sharing		[5,000]
	Supporting DCA dispersal CONOP development		[5,000]

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
100	LAUNCH FACILITIES	869	869
110	SPACE CONTROL SYSTEMS	5,008	5,008
120	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	100,081	100,081
135	CLASSIFIED PROGRAMS	79,893	79,893
	SUBTOTAL OPERATING FORCES	**5,071,446**	**5,158,846**
	MOBILIZATION		
140	AIRLIFT OPERATIONS	2,774,729	2,872,429
	Operational support for deployed end strength of 9,800 in Afghanistan		[97,700]
150	MOBILIZATION PREPAREDNESS	108,163	108,163
160	DEPOT MAINTENANCE	891,102	891,102
180	BASE SUPPORT	3,686	3,686
	SUBTOTAL MOBILIZATION	**3,777,680**	**3,875,380**
	TRAINING AND RECRUITING		
230	BASE SUPPORT	52,740	52,740
240	SPECIALIZED SKILL TRAINING	4,500	4,500
	SUBTOTAL TRAINING AND RECRUITING	**57,240**	**57,240**
	ADMIN & SRVWD ACTIVITIES		
340	LOGISTICS OPERATIONS	86,716	86,716
380	BASE SUPPORT	59,133	59,133
400	SERVICEWIDE COMMUNICATIONS	165,348	165,348
410	OTHER SERVICEWIDE ACTIVITIES	141,883	141,883
450	INTERNATIONAL SUPPORT	61	61
460	CLASSIFIED PROGRAMS	15,323	15,323
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**468,464**	**468,464**
	UNDISTRIBUTED		
470	UNDISTRIBUTED		–3,868,111
	Excessive standard price for fuel		[–101,600]
	Prorated OCO allocation in support of base readiness requirements		[–3,766,511]
	SUBTOTAL UNDISTRIBUTED		**–3,868,111**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**9,374,830**	**5,691,819**
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
030	DEPOT MAINTENANCE	51,086	51,086
050	BASE SUPPORT	6,500	6,500
	SUBTOTAL OPERATING FORCES	**57,586**	**57,586**
	UNDISTRIBUTED		
110	UNDISTRIBUTED		–22,788
	Excessive standard price for fuel		[–100]
	Prorated OCO allocation in support of base readiness requirements		[–22,688]
	SUBTOTAL UNDISTRIBUTED		**–22,788**
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	**57,586**	**34,798**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
020	MISSION SUPPORT OPERATIONS	3,400	3,400
050	BASE SUPPORT	16,600	16,600
	SUBTOTAL OPERATING FORCES	**20,000**	**20,000**
	UNDISTRIBUTED		
080	UNDISTRIBUTED		–7,880
	Prorated OCO allocation in support of base readiness requirements		[–7,880]
	SUBTOTAL UNDISTRIBUTED		**–7,880**
	TOTAL OPERATION & MAINTENANCE, ANG	**20,000**	**12,120**
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF		10,000
	Enhancing exercise of DCA aircraft		[10,000]
030	SPECIAL OPERATIONS COMMAND/OPERATING FORCES	2,636,307	2,805,907
	Operational support for deployed end strength of 9,800 in Afghanistan		[169,600]
	SUBTOTAL OPERATING FORCES	**2,636,307**	**2,815,907**
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
100	DEFENSE CONTRACT AUDIT AGENCY	13,436	13,436
110	DEFENSE CONTRACT MANAGEMENT AGENCY	13,564	13,564
130	DEFENSE INFORMATION SYSTEMS AGENCY	32,879	32,879
150	DEFENSE LEGAL SERVICES AGENCY	111,986	111,986
170	DEFENSE MEDIA ACTIVITY	13,317	13,317
190	DEFENSE SECURITY COOPERATION AGENCY	1,412,000	1,412,000
260	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	67,000	67,000

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
300	OFFICE OF THE SECRETARY OF DEFENSE	31,106	31,106
320	WASHINGTON HEADQUARTERS SERVICES	3,137	3,137
330	CLASSIFIED PROGRAMS	1,609,397	1,610,397
	Operational support for deployed end strength of 9,800 in Afghanistan		[1,000]
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	**3,307,822**	**3,308,822**
	UNDISTRIBUTED		
340	UNDISTRIBUTED		–2,419,878
	Excessive standard price for fuel		[–6,800]
	Prorated OCO allocation in support of base readiness requirements		[–2,413,078]
	SUBTOTAL UNDISTRIBUTED		**–2,419,878**
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE	**5,944,129**	**3,704,851**
	TOTAL OPERATION & MAINTENANCE	**39,860,202**	**24,629,211**

SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.

SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	317,093	367,093
	Army unfunded requirement—Improve training from BN+ to BCT-		[50,000]
020	MODULAR SUPPORT BRIGADES	5,904	5,904
030	ECHELONS ABOVE BRIGADE	38,614	38,614
040	THEATER LEVEL ASSETS	8,361	8,361
050	LAND FORCES OPERATIONS SUPPORT	279,072	279,072
060	AVIATION ASSETS	106,424	206,924
	Army unfunded requirement—Meet air readiness targets		[68,000]
	Increase to support ARI—Eleventh CAB		[32,500]
070	FORCE READINESS OPERATIONS SUPPORT	253,533	253,533
090	LAND FORCES DEPOT MAINTENANCE	350,000	350,000
100	BASE OPERATIONS SUPPORT		22,100
	Increase to support ARI—Eleventh CAB		[22,100]
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION		922,000
	Increase Restoration & Modernization funding		[494,900]
	Restore Sustainment shortfalls		[427,100]
140	ADDITIONAL ACTIVITIES	11,200	11,200
	SUBTOTAL OPERATING FORCES	**1,370,201**	**2,464,801**
	TRAINING AND RECRUITING		
250	SPECIALIZED SKILL TRAINING	3,565	3,565
260	FLIGHT TRAINING		42,934
	Army unfunded requirement—Ensure AVN restructure initiative execution		[5,405]
	Army unfunded requirement—Increase student workload for additional warrant officers		[31,125]
	Army unfunded requirement—Train full ARPINT load of 990		[6,404]
270	PROFESSIONAL DEVELOPMENT EDUCATION	9,021	40,621
	Military Training and PME		[31,600]
280	TRAINING SUPPORT	2,434	2,434
290	RECRUITING AND ADVERTISING		356,500
	Recruiting and Advertising Add		[356,500]
320	CIVILIAN EDUCATION AND TRAINING	1,254	1,254
	SUBTOTAL TRAINING AND RECRUITING	**16,274**	**447,308**
	ADMIN & SRVWIDE ACTIVITIES		
350	SERVICEWIDE TRANSPORTATION	200,000	265,000
	Army unfunded requirement—Restore cricital shortfalls		[65,000]
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**200,000**	**265,000**
	UNDISTRIBUTED		
540	UNDISTRIBUTED		704,300
	Additional funding to support increase in Army end strength		[704,300]
	SUBTOTAL UNDISTRIBUTED		**704,300**
	TOTAL OPERATION & MAINTENANCE, ARMY	**1,586,475**	**3,881,409**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
010	MODULAR SUPPORT BRIGADES	708	708
020	ECHELONS ABOVE BRIGADE	8,570	28,570
	Army unfunded requirement—Improve training from PLT to CO proficiency		[20,000]
030	THEATER LEVEL ASSETS	375	375

SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
040	LAND FORCES OPERATIONS SUPPORT	13	13
050	AVIATION ASSETS	608	608
060	FORCE READINESS OPERATIONS SUPPORT	4,285	4,285
100	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION		97,500
	Increase Restoration & Modernization funding		[57,100]
	Restore Sustainment shortfalls		[40,400]
	SUBTOTAL OPERATING FORCES	**14,559**	**132,059**
	UNDISTRIBUTED		
180	UNDISTRIBUTED		103,400
	Additional funding to support increase in Army Reserve end strength		[103,400]
	SUBTOTAL UNDISTRIBUTED		**103,400**
	TOTAL OPERATION & MAINTENANCE, ARMY RES	**14,559**	**235,459**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	5,585	5,585
030	ECHELONS ABOVE BRIGADE	28,956	28,956
040	THEATER LEVEL ASSETS	10,272	10,272
060	AVIATION ASSETS	5,621	51,621
	Increase to support ARI		[46,000]
070	FORCE READINESS OPERATIONS SUPPORT	9,694	9,694
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION		121,000
	Increase Restoration & Modernization funding		[16,800]
	Restore Sustainment shortfalls		[104,200]
	SUBTOTAL OPERATING FORCES	**60,128**	**227,128**
	UNDISTRIBUTED		
190	UNDISTRIBUTED		159,100
	Additional funding to support increase in Army National Guard end strength		[159,100]
	SUBTOTAL UNDISTRIBUTED		**159,100**
	TOTAL OPERATION & MAINTENANCE, ARNG	**60,128**	**386,228**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	500,000	556,520
	Carrier Air Wing Restoration		[56,520]
020	FLEET AIR TRAINING		23,020
	Carrier Air Wing Restoration		[23,020]
050	AIR SYSTEMS SUPPORT		6,500
	Marine Corps unfunded requirement—accelerate readiness - H–1		[5,300]
	Marine Corps unfunded requirement—accelerate readiness - MV–22B		[1,200]
060	AIRCRAFT DEPOT MAINTENANCE		36,000
	Carrier Air Wing Restoration		[6,000]
	Navy unfunded requirement—Improve Afloat Readiness		[30,000]
080	AVIATION LOGISTICS		33,500
	Marine Corps unfunded requirement—accelerate readiness - KC–130J		[6,800]
	Marine Corps unfunded requirement—accelerate readiness - MV–22B		[10,700]
	Navy unfunded requirement—Improve Afloat Readiness		[16,000]
090	MISSION AND OTHER SHIP OPERATIONS		348,200
	Cruiser Modernization		[90,200]
	Navy unfunded requirement—Improve Afloat Readiness		[158,000]
	Navy unfunded requirement—Restore 3 CG Deployments		[41,000]
	Navy unfunded requirement—Reverse PONCE (LPD–15) Inactivation		[59,000]
100	SHIP OPERATIONS SUPPORT & TRAINING		19,700
	Navy unfunded requirement—Restore Fleet Training		[19,700]
110	SHIP DEPOT MAINTENANCE	775,000	1,084,100
	Cruiser Modernization		[71,100]
	Navy unfunded requirement—Ship Depot Wholeness		[238,000]
120	SHIP DEPOT OPERATIONS SUPPORT		79,000
	Navy unfunded requirement—Increase Alfoat Readiness		[79,000]
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	19,270	408,470
	Increase Restoration & Modernization funding		[113,600]
	Restore Sustainment shortfalls		[275,600]
300	BASE OPERATING SUPPORT	158,032	158,032
	SUBTOTAL OPERATING FORCES	**1,452,302**	**2,753,042**
	MOBILIZATION		
350	EXPEDITIONARY HEALTH SERVICES SYSTEMS	3,597	3,597
	SUBTOTAL MOBILIZATION	**3,597**	**3,597**
	ADMIN & SRVWD ACTIVITIES		
540	SERVICEWIDE COMMUNICATIONS	25,617	25,617
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**25,617**	**25,617**
	TOTAL OPERATION & MAINTENANCE, NAVY	**1,481,516**	**2,782,256**

SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	300,000	322,000
	Marine Corps unfunded requirement- enhanced combat helmets		[22,000]
020	FIELD LOGISTICS		21,450
	Marine Corps unfunded requirement- rifle combat optic modernization		[13,200]
	Marine Corps unfunded requirement- SPMAGTF—C4 UUNS		[8,250]
050	SUSTAINMENT, RESTORATION & MODERNIZATION		145,600
	Increase Restoration & Modernization funding		[31,400]
	Restore Sustainment shortfalls		[114,200]
	SUBTOTAL OPERATING FORCES	**300,000**	**489,050**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**300,000**	**489,050**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
030	AIRCRAFT DEPOT MAINTENANCE		4,000
	Navy unfunded requirement—Improve Afloat Readiness		[4,000]
070	SHIP OPERATIONS SUPPORT & TRAINING		300
	Navy unfunded requirement—Restore Fleet Training		[300]
130	SUSTAINMENT, RESTORATION AND MODERNIZATION		7,800
	Increase Restoration & Modernization funding		[2,100]
	Restore Sustainment shortfalls		[5,700]
	SUBTOTAL OPERATING FORCES		**12,100**
	TOTAL OPERATION & MAINTENANCE, NAVY RES		**12,100**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
030	SUSTAINMENT, RESTORATION AND MODERNIZATION		7,700
	Increase Restoration & Modernization funding		[4,300]
	Restore Sustainment shortfalls		[3,400]
	SUBTOTAL OPERATING FORCES		**7,700**
	TOTAL OPERATION & MAINTENANCE, MC RESERVE		**7,700**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
040	DEPOT MAINTENANCE	124,000	447,576
	Air Force unfunded requirement—Weapons System Sustainment		[323,576]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION		407,900
	Increase Restoration & Modernization funding		[142,900]
	Restore Sustainment shortfalls		[265,000]
070	GLOBAL C3I AND EARLY WARNING		40,000
	Air Force unfunded requirement—Ground Based Radars		[40,000]
	SUBTOTAL OPERATING FORCES	**124,000**	**895,476**
	MOBILIZATION		
160	DEPOT MAINTENANCE		66,424
	Air Force unfunded requirement—Weapons System Sustainment		[66,424]
170	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION		63,600
	Increase Restoration & Modernization funding		[22,300]
	Restore Sustainment shortfalls		[41,300]
	SUBTOTAL MOBILIZATION		**130,024**
	TRAINING AND RECRUITING		
220	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION		58,200
	Increase Restoration & Modernization funding		[20,400]
	Restore Sustainment shortfalls		[37,800]
	SUBTOTAL TRAINING AND RECRUITING		**58,200**
	ADMIN & SRVWD ACTIVITIES		
370	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION		79,000
	Increase Restoration & Modernization funding		[27,700]
	Restore Sustainment shortfalls		[51,300]
	SUBTOTAL ADMIN & SRVWD ACTIVITIES		**79,000**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**124,000**	**1,162,700**
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION		20,500
	Increase Restoration & Modernization funding		[7,100]
	Restore Sustainment shortfalls		[13,400]
	SUBTOTAL OPERATING FORCES		**20,500**
	TOTAL OPERATION & MAINTENANCE, AF RESERVE		**20,500**
	OPERATION & MAINTENANCE, ANG		

SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	OPERATING FORCES		
030	DEPOT MAINTENANCE		40,000
	Air Force unfunded requirement—Weapons System Sustainment		[40,000]
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION		64,500
	Increase Restoration & Modernization funding		[18,900]
	Restore Sustainment shortfalls		[45,600]
	SUBTOTAL OPERATING FORCES		**104,500**
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
070	RECRUITING AND ADVERTISING		67,000
	Air Force unfunded requirement		[67,000]
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		**67,000**
	TOTAL OPERATION & MAINTENANCE, ANG		**171,500**
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
030	SPECIAL OPERATIONS COMMAND/OPERATING FORCES	14,344	14,344
	SUBTOTAL OPERATING FORCES	**14,344**	**14,344**
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
130	DEFENSE INFORMATION SYSTEMS AGENCY	14,700	14,700
330	CLASSIFIED PROGRAMS	9,000	9,000
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	**23,700**	**23,700**
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE	**38,044**	**38,044**
	TOTAL OPERATION & MAINTENANCE	**3,604,722**	**9,186,946**

TITLE XLIV—MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL.

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

Item	FY 2017 Request	House Authorized
Military Personnel Appropriations	**128,902,332**	**128,482,914**
Foreign Currency adjustments		[–200,400]
Historical unobligated balances		[–248,700]
National Guard State Partnership Program, Air Force, Special Training		[841]
National Guard State Partnership Program, Army, Special Training		[841]
Prohibition on Per Diem Allowance Reduction		[28,000]
Medicare-Eligible Retiree Health Fund Contributions	**6,366,908**	**6,366,908**

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2017 Request	House Authorized
Military Personnel Appropriations	**3,499,293**	**2,199,572**
Maintain end strength of 9,800 in Afghanistan		[130,300]
Prorated OCO allocation in support of base readiness requirements		[–1,430,021]

SEC. 4403. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.

SEC. 4403. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.
(In Thousands of Dollars)

Item	FY 2017 Request	House Authorized
Military Personnel Appropriations	62,965	2,572,715
Fund active Air Force end strength to 321k		[145,000]
Fund active Army end strength to 480k		[1,123,500]
Fund active Marine Corps end strengthto 185k		[300,000]
Fund active Navy end strength		[65,300]
Fund Army National Guard end strength to 350k		[303,700]
Fund Army Reserves end strength to 205k		[166,650]

SEC. 4403. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.
(In Thousands of Dollars)

Item	FY 2017 Request	House Authorized
Marine Corps—Bonus Pay/PCS Resotral/Foreign Language Bonus		*[75,600]*
Military Personnel Pay Raise		*[330,000]*
Medicare-Eligible Retiree Health Fund Contributions		*49,900*
Increase associated with additional end strength		*[49,900]*

TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Item	FY 2017 Request	House Authorized
WORKING CAPITAL FUND, ARMY		
INDUSTRIAL OPERATIONS		
SUPPLY MANAGEMENT—ARMY	*56,469*	*56,469*
TOTAL WORKING CAPITAL FUND, ARMY	***56,469***	***56,469***
WORKING CAPITAL FUND, AIR FORCE		
FUEL COSTS		
SUPPLIES AND MATERIALS	*63,967*	*63,967*
TOTAL WORKING CAPITAL FUND, AIR FORCE	***63,967***	***63,967***
WORKING CAPITAL FUND, DEFENSE-WIDE		
ENERGY MANAGEMENT—DEF		
SUPPLY CHAIN MANAGEMENT—DEF	*37,132*	*37,132*
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	***37,132***	***37,132***
WORKING CAPITAL FUND, DECA		
WORKING CAPITAL FUND, DECA	*1,214,045*	*1,214,045*
TOTAL WORKING CAPITAL FUND, DECA	***1,214,045***	***1,214,045***
NATIONAL DEFENSE SEALIFT FUND		
POST DELIVERY AND OUTFITTING		
NATIONAL DEF SEALIFT VESSEL		*85,000*
National Security Multi-Mission Vehicle		*[85,000]*
TOTAL NATIONAL DEFENSE SEALIFT FUND		***85,000***
NATIONAL SEA-BASED DETERRENCE FUND		
DEVELOPMENT		*773,138*
Realignment of funds to the National Sea-Based Deterrence Fund		*[773,138]*
TOTAL NATIONAL SEA-BASED DETERRENCE FUND		***773,138***
CHEM AGENTS & MUNITIONS DESTRUCTION		
OPERATION & MAINTENANCE	*147,282*	*147,282*
RDT&E	*388,609*	*388,609*
PROCUREMENT	*15,132*	*15,132*
TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	***551,023***	***551,023***
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	*730,087*	*760,087*
SOUTHCOM Operational Support		*[30,000]*
DRUG DEMAND REDUCTION PROGRAM	*114,713*	*114,713*
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	***844,800***	***874,800***
OFFICE OF THE INSPECTOR GENERAL		
OPERATION AND MAINTENANCE	*318,882*	*318,882*
RDT&E	*3,153*	*3,153*
TOTAL OFFICE OF THE INSPECTOR GENERAL	***322,035***	***322,035***
DEFENSE HEALTH PROGRAM		
OPERATION & MAINTENANCE		
IN-HOUSE CARE	*9,240,160*	*9,240,160*
PRIVATE SECTOR CARE	*15,738,759*	*15,738,759*
CONSOLIDATED HEALTH SUPPORT	*2,367,759*	*2,367,759*
INFORMATION MANAGEMENT	*1,743,749*	*1,743,749*
MANAGEMENT ACTIVITIES	*311,380*	*311,380*
EDUCATION AND TRAINING	*743,231*	*743,231*
BASE OPERATIONS/COMMUNICATIONS	*2,086,352*	*2,086,352*
SUBTOTAL OPERATION & MAINTENANCE	***32,231,390***	***32,231,390***
RDT&E		
RESEARCH	*9,097*	*9,097*
EXPLORATRY DEVELOPMENT	*58,517*	*58,517*
ADVANCED DEVELOPMENT	*221,226*	*221,226*
DEMONSTRATION/VALIDATION	*96,602*	*96,602*

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Item	FY 2017 Request	House Authorized
ENGINEERING DEVELOPMENT	364,057	364,057
MANAGEMENT AND SUPPORT	58,410	58,410
CAPABILITIES ENHANCEMENT	14,998	14,998
SUBTOTAL RDT&E	**822,907**	**822,907**
PROCUREMENT		
INITIAL OUTFITTING	20,611	20,611
REPLACEMENT & MODERNIZATION	360,727	360,727
JOINT OPERATIONAL MEDICINE INFORMATION SYSTEM	2,413	2,413
DOD HEALTHCARE MANAGEMENT SYSTEM MODERNIZATION	29,468	29,468
SUBTOTAL PROCUREMENT	**413,219**	**413,219**
UNDISTRIBUTED		–419,500
Foreign Currency adjustments		[–20,400]
Historical unobligated balances		[–399,100]
SUBTOTAL UNDISTRIBUTED		**–419,500**
TOTAL DEFENSE HEALTH PROGRAM	**33,467,516**	**33,048,016**
TOTAL OTHER AUTHORIZATIONS	**36,556,987**	**37,025,625**

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2017 Request	House Authorized
WORKING CAPITAL FUND, ARMY		
INDUSTRIAL OPERATIONS		
SUPPLY MANAGEMENT—ARMY	46,833	46,833
UNDISTRIBUTED		–18,452
Reduction to sustain minimal readiness levels		[–18,452]
TOTAL WORKING CAPITAL FUND, ARMY	**46,833**	**28,381**
WORKING CAPITAL FUND, DEFENSE-WIDE		
SUPPLY CHAIN MANAGEMENT—DEF		
DEFENSE LOGISTICS AGENCY (DLA)	93,800	93,800
UNDISTRIBUTED		–36,956
Prorated OCO allocation in support of base readiness requirements		[–36,956]
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	**93,800**	**56,844**
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	191,533	191,533
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	**191,533**	**191,533**
OFFICE OF THE INSPECTOR GENERAL		
OPERATION AND MAINTENANCE	22,062	22,062
TOTAL OFFICE OF THE INSPECTOR GENERAL	**22,062**	**22,062**
DEFENSE HEALTH PROGRAM		
OPERATION & MAINTENANCE		
IN-HOUSE CARE	95,366	95,366
PRIVATE SECTOR CARE	233,073	233,073
CONSOLIDATED HEALTH SUPPORT	3,325	3,325
SUBTOTAL OPERATION & MAINTENANCE	**331,764**	**331,764**
UNDISTRIBUTED		
UNDISTRIBUTED		–130,711
Prorated OCO allocation in support of base readiness requirements		[–130,711]
SUBTOTAL UNDISTRIBUTED		**–130,711**
TOTAL DEFENSE HEALTH PROGRAM	**331,764**	**201,053**
UKRAINE SECURITY ASSISTANCE		
UKRAINE SECURITY ASSISTANCE		150,000
Program increase		[150,000]
TOTAL UKRAINE SECURITY ASSISTANCE		**150,000**
COUNTERTERRORISM PARTNERSHIPS FUND		
COUNTERTERRORISM PARTNERSHIPS FUND	1,000,000	750,000
Program decrease		[–250,000]
TOTAL COUNTERTERRORISM PARTNERSHIPS FUND	**1,000,000**	**750,000**
TOTAL OTHER AUTHORIZATIONS	**1,685,992**	**1,399,873**

SEC. 4503. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Item	FY 2017 Request	House Authorized
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	23,800	23,800
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	**23,800**	**23,800**
TOTAL OTHER AUTHORIZATIONS	**23,800**	**23,800**

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2017 Request	House Agreement
	Alaska			
Army	Fort Wainwright	Unmanned Aerial Vehicle Hangar	47,000	47,000
	California			
Army	Concord	Access Control Point	12,600	12,600
	Colorado			
Army	Fort Carson	Automated Infantry Platoon Battle Course	8,100	8,100
Army	Fort Carson	Unmanned Aerial Vehicle Hangar	5,000	5,000
	Georgia			
Army	Fort Gordon	Access Control Point	0	29,000
Army	Fort Gordon	Company Operations Facility	0	10,600
Army	Fort Gordon	CYBER Protection Team Ops Facility	90,000	90,000
Army	Fort Stewart	Automated Qualification/Training Range	14,800	14,800
	Germany			
Army	East Camp Grafenwoehr	Training Support Center	22,000	22,000
Army	Garmisch	Dining Facility	9,600	9,600
Army	Wiesbaden Army Airfield	Controlled Humidity Warehouse	16,500	16,500
Army	Wiesbaden Army Airfield	Hazardous Material Storage Building	2,700	2,700
	Guantanamo Bay, Cuba			
Army	Guantanamo Bay	Guantanamo Bay Naval Station Migration Complex	33,000	33,000
	Hawaii			
Army	Fort Shafter	Command and Control Facility, Incr 2	40,000	40,000
	Missouri			
Army	Fort Leonard Wood	Fire Station	0	6,900
	Texas			
Army	Fort Hood	Automated Infantry Platoon Battle Course	7,600	7,600
	Utah			
Army	Camp Williams	Live Fire Exercise Shoothouse	7,400	7,400
	Virginia			
Army	Fort Belvoir	Secure Admin/Operations Facility, Incr 2	64,000	64,000
Army	Fort Belvoir	Vehicle Maintenance Shop	0	23,000
	Worldwide Unspecified			
Army	Unspecified Worldwide Locations	Host Nation Support FY17	18,000	18,000
Army	Unspecified Worldwide Locations	Minor Construction FY17	25,000	25,000
Army	Unspecified Worldwide Locations	Planning and Design FY17	80,159	80,159
Military Construction, Army Total			**503,459**	**572,959**
	Arizona			
Navy	Yuma	VMX–22 Maintenance Hangar	48,355	48,355
	California			
Navy	Coronado	Coastal Campus Entry Control Point	13,044	13,044
Navy	Coronado	Coastal Campus Utilities Infrastructure	81,104	81,104
Navy	Coronado	Grace Hopper Data Center Power Upgrades	10,353	10,353
Navy	Lemoore	F–35C Engine Repair Facility	26,723	26,723
Navy	Miramar	Aircraft Maintenance Hangar, Incr 1	0	79,399
Navy	Miramar	Communications Complex & Infrastructure Upgrade	0	34,700
Navy	Miramar	F–35 Aircraft Parking Apron	0	40,000
Navy	San Diego	Energy Security Hospital Microgrid	6,183	0
Navy	Seal Beach	Missile Magazines	21,007	21,007
	Florida			
Navy	Eglin AFB	WMD Field Training Facilities	20,489	20,489
Navy	Mayport	Advanced Wastewater Treatment Plant	0	66,000
Navy	Pensacola	A-School Dormitory	0	53,000
	Guam			
Navy	Joint Region Marianas	Hardening of Guam POL Infrastructure	26,975	26,975
Navy	Joint Region Marianas	Power Upgrade—Harmon	62,210	62,210
	Hawaii			
Navy	Barking Sands	Upgrade Power Plant & Electrical Distrib Sys	43,384	43,384
Navy	Kaneohe Bay	Regimental Consolidated Comm/Elec Facility	72,565	72,565
	Japan			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2017 Request	House Agreement
Navy	Kadena AB	Aircraft Maintenance Complex	26,489	26,489
Navy	Sasebo	Shore Power (Juliet Pier)	16,420	16,420
	Maine			
Navy	Kittery	Unaccompanied Housing	17,773	17,773
Navy	Kittery	Utility Improvements for Nuclear Platforms	30,119	30,119
	Maryland			
Navy	Patuxent River	UCLASS RDT&E Hangar	40,576	40,576
	Nevada			
Navy	Fallon	Air Wing Simulator Facility	13,523	13,523
	North Carolina			
Navy	Camp Lejeune	Range Facilities Safety Improvements	18,482	18,482
Navy	Cherry Point	Central Heating Plant Conversion	12,515	12,515
	South Carolina			
Navy	Beaufort	Aircraft Maintenance Hangar	83,490	83,490
Navy	Parris Island	Recruit Reconditioning Center & Barracks	29,882	29,882
	Spain			
Navy	Rota	Communication Station	23,607	23,607
	Virginia			
Navy	Norfolk	Chambers Field Magazine Recap PH I	0	27,000
	Washington			
Navy	Bangor	SEAWOLF Class Service Pier	0	73,000
Navy	Bangor	Service Pier Electrical Upgrades	18,939	18,939
Navy	Bangor	Submarine Refit Maint Support Facility	21,476	21,476
Navy	Bremerton	Nuclear Repair Facility	6,704	6,704
Navy	Whidbey Island	EA–18G Maintenance Hangar	45,501	45,501
Navy	Whidbey Island	Triton Mission Control Facility	30,475	30,475
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	Planning and Design	88,230	88,230
Navy	Unspecified Worldwide Locations	Unspecified Minor Construction	29,790	29,790
Navy	Various Worldwide Locations	Triton Forward Operating Base Hangar	41,380	41,380
Military Construction, Navy Total			**1,027,763**	**1,394,679**
	Alaska			
AF	Clear AFS	Fire Station	20,000	20,000
AF	Eielson AFB	F–35A ADAL Field Training Detachment Fac	22,100	22,100
AF	Eielson AFB	F–35A Aircraft Weather Shelter (Sqd 2)	82,300	0
AF	Eielson AFB	F–35A Aircraft Weather Shelters (Sqd 1)	79,500	79,500
AF	Eielson AFB	F–35A Earth Covered Magazines	11,300	11,300
AF	Eielson AFB	F–35A Hangar/Propulsion MX/Dispatch	44,900	44,900
AF	Eielson AFB	F–35A Hangar/Squad Ops/AMU Sq #2	42,700	42,700
AF	Eielson AFB	F–35A Missile Maintenance Facility	12,800	12,800
AF	Joint Base Elmendorf-Richardson	Add/Alter AWACS Alert Hangar	29,000	29,000
	Arizona			
AF	Luke AFB	F–35A Squad Ops/Aircraft Maint Unit #5	20,000	20,000
	Australia			
AF	Darwin	APR—Aircraft MX Support Facility	1,800	1,800
AF	Darwin	APR—Expand Parking Apron	28,600	28,600
	California			
AF	Edwards AFB	Flightline Fire Station	24,000	24,000
	Colorado			
AF	Buckley AFB	Small Arms Range Complex	13,500	13,500
	Delaware			
AF	Dover AFB	Aircraft Maintenance Hangar	39,000	39,000
	Florida			
AF	Eglin AFB	Advanced Munitions Technology Complex	75,000	75,000
AF	Eglin AFB	Flightline Fire Station	13,600	13,600
AF	Patrick AFB	Fire/Crash Rescue Station	13,500	13,500
	Georgia			
AF	Moody AFB	Personnel Recovery 4-Bay Hangar/Helo Mx Unit	30,900	30,900
	Germany			
AF	Ramstein AB	37 AS Squadron Operations/Aircraft Maint Unit	13,437	13,437
AF	Spangdahlem AB	EIC—Site Development and Infrastructure	43,465	43,465
	Guam			
AF	Joint Region Marianas	APR—Munitions Storage Igloos, Ph 2	35,300	35,300
AF	Joint Region Marianas	APR—SATCOM C4I Facility	14,200	14,200
AF	Joint Region Marianas	Block 40 Maintenance Hangar	31,158	31,158
	Japan			
AF	Kadena AB	APR—Replace Munitions Structures	19,815	19,815
AF	Yokota AB	C–130J Corrosion Control Hangar	23,777	23,777
AF	Yokota AB	Construct Combat Arms Training & Maint Fac	8,243	8,243
	Kansas			
AF	McConnell AFB	Air Traffic Control Tower	11,200	11,200
AF	McConnell AFB	KC–46A ADAL Taxiway Delta	5,600	5,600
AF	McConnell AFB	KC–46A Alter Flight Simulator Bldgs	3,000	3,000
	Louisiana			
AF	Barksdale AFB	Consolidated Communication Facility	21,000	21,000
	Mariana Islands			
AF	Unspecified Location	APR—Land Acquisition	9,000	9,000

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Account	State/Country and Installation	Project Title	FY 2017 Request	House Agreement
	Maryland			
AF	Joint Base Andrews	21 Points Enclosed Firing Range	13,000	13,000
AF	Joint Base Andrews	Consolidated Communications Center	0	50,000
AF	Joint Base Andrews	PAR Relocate JADOC Satellite Site	3,500	3,500
	Massachusetts			
AF	Hanscom AFB	Construct Vandenberg Gate Complex	0	10,965
AF	Hanscom AFB	System Management Engineering Facility	20,000	20,000
	Montana			
AF	Malmstrom AFB	Missile Maintenance Facility	14,600	14,600
	Nevada			
AF	Nellis AFB	F–35A POL Fill Stand Addition	10,600	10,600
	New Mexico			
AF	Cannon AFB	North Fitness Center	21,000	21,000
AF	Holloman AFB	Hazardous Cargo Pad and Taxiway	10,600	10,600
AF	Kirtland AFB	Combat Rescue Helicopter (CRH) Simulator	7,300	7,300
	Ohio			
AF	Wright-Patterson AFB	Relocated Entry Control Facility 26A	12,600	12,600
	Oklahoma			
AF	Altus AFB	KC–46A FTU/FTC Simulator Facility Ph 2	11,600	11,600
AF	Tinker AFB	E–3G Mission and Flight Simulator Training Facility	0	26,000
AF	Tinker AFB	KC–46A Depot System Integration Laboratory	17,000	17,000
	South Carolina			
AF	Joint Base Charleston	Fire & Rescue Station	0	17,000
	Texas			
AF	Joint Base San Antonio	BMT Recruit Dormitory 6	67,300	67,300
	Turkey			
AF	Incirlik AB	Airfield Fire/Crash Rescue Station	13,449	13,449
	United Arab Emirates			
AF	Al Dhafra	Large Aircraft Maintenance Hangar	35,400	35,400
	United Kingdom			
AF	RAF Croughton	JIAC Consolidation—Ph 3	53,082	0
AF	RAF Croughton	Main Gate Complex	16,500	16,500
	Utah			
AF	Hill AFB	649 MUNS Munitions Storage Magazines	6,600	6,600
AF	Hill AFB	649 MUNS Precision Guided Missile MX Facility	8,700	8,700
AF	Hill AFB	649 MUNS Stamp/Maint & Inspection Facility	12,000	12,000
AF	Hill AFB	Composite Aircraft Antenna Calibration Fac	7,100	7,100
AF	Hill AFB	F–35A Munitions Maintenance Complex	10,100	10,100
	Virginia			
AF	Joint Base Langley-Eustis	Air Force Targeting Center	45,000	45,000
AF	Joint Base Langley-Eustis	Fuel System Maintenance Dock	14,200	14,200
	Washington			
AF	Fairchild AFB	Pipeline Dorm, USAF SERE School (150 RM)	27,000	27,000
	Worldwide Unspecified			
AF	Various Worldwide Locations	Planning & Design	143,582	163,582
AF	Various Worldwide Locations	Unspecified Minor Military Construction	30,000	63,082
	Wyoming			
AF	F. E. Warren AFB	Missile Transfer Facility Bldg 4331	5,550	5,550
	Military Construction, Air Force Total		**1,481,058**	**1,502,723**
	Alaska			
Def-Wide	Clear AFS	Long Range Discrim Radar Sys Complex Ph1, Incr 1	155,000	100,000
Def-Wide	Fort Greely	Missile Defense Complex Switchgear Facility	9,560	9,560
Def-Wide	Joint Base Elmendorf-Richardson	Construct Truck Offload Facility	4,900	4,900
	Arizona			
Def-Wide	Fort Huachuca	JITC Building 52110 Renovation	4,493	4,493
	California			
Def-Wide	Coronado	SOF Human Performance Training Center	15,578	15,578
Def-Wide	Coronado	SOF Seal Team Ops Facility	47,290	47,290
Def-Wide	Coronado	SOF Seal Team Ops Facility	47,290	47,290
Def-Wide	Coronado	SOF Special RECON Team ONE Operations Fac	20,949	20,949
Def-Wide	Coronado	SOF Training Detachment ONE Ops Facility	44,305	44,305
Def-Wide	Travis AFB	Replace Hydrant Fuel System	26,500	26,500
	Delaware			
Def-Wide	Dover AFB	Welch ES/Dover MS Replacement	44,115	44,115
	Diego Garcia			
Def-Wide	Diego Garcia	Improve Wharf Refueling Capability	30,000	30,000
	Florida			
Def-Wide	Patrick AFB	Replace Fuel Tanks	10,100	10,100
	Georgia			
Def-Wide	Fort Benning	SOF Tactical Unmanned Aerial Vehicle Hangar	4,820	4,820
Def-Wide	Fort Gordon	Medical Clinic Replacement	25,000	25,000
	Germany			
Def-Wide	Kaiserlautern AB	Sembach Elementary/Middle School Replacement	45,221	45,221
Def-Wide	Rhine Ordnance Barracks	Medical Center Replacement Incr 6	58,063	58,063
	Japan			
Def-Wide	Iwakuni	Construct Truck Offload & Loading Facilities	6,664	6,664
Def-Wide	Kadena AB	Kadena Elementary School Replacement	84,918	84,918

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Account	State/Country and Installation	Project Title	FY 2017 Request	House Agreement
Def-Wide	Kadena AB	Medical Materiel Warehouse	20,881	20,881
Def-Wide	Kadena AB	SOF Maintenance Hangar	42,823	42,823
Def-Wide	Kadena AB	SOF Simulator Facility (MC–130)	12,602	12,602
Def-Wide	Yokota AB	Airfield Apron	41,294	41,294
Def-Wide	Yokota AB	Hangar/AMU	39,466	39,466
Def-Wide	Yokota AB	Operations and Warehouse Facilities	26,710	26,710
Def-Wide	Yokota AB	Simulator Facility	6,261	6,261
	Kwajalein			
Def-Wide	Kwajalein Atoll	Replace Fuel Storage Tanks	85,500	85,500
	Maine			
Def-Wide	Kittery	Medical/Dental Clinic Replacement	27,100	27,100
	Maryland			
Def-Wide	Bethesda Naval Hospital	MEDCEN Addition/Alteration Incr 1	50,000	50,000
Def-Wide	Fort Meade	Access Control Facility	21,000	21,000
Def-Wide	Fort Meade	NSAW Campus Feeders Phase 3	17,000	17,000
Def-Wide	Fort Meade	NSAW Recapitalize Building #2 Incr 2	195,000	145,000
	Missouri			
Def-Wide	St. Louis	Land Acquisition-Next NGA West (N2W) Campus	801	0
	North Carolina			
Def-Wide	Camp Lejeune	Dental Clinic Replacement	31,000	31,000
Def-Wide	Fort Bragg	SOF Combat Medic Training Facility	10,905	10,905
Def-Wide	Fort Bragg	SOF Parachute Rigging Facility	21,420	21,420
Def-Wide	Fort Bragg	SOF Special Tactics Facility (PH3)	30,670	30,670
Def-Wide	Fort Bragg	SOF Tactical Equipment Maintenance Facility	23,598	23,598
	South Carolina			
Def-Wide	Joint Base Charleston	Construct Hydrant Fuel System	17,000	17,000
	Texas			
Def-Wide	Red River Army Depot	Construct Warehouse & Open Storage	44,700	44,700
Def-Wide	Sheppard AFB	Medical/Dental Clinic Replacement	91,910	91,910
	United Kingdom			
Def-Wide	RAF Croughton	Croughton Elem/Middle/High School Replacement	71,424	71,424
Def-Wide	RAF Lakenheath	Construct Hydrant Fuel System	13,500	13,500
	Virginia			
Def-Wide	Pentagon	Pentagon Metro Entrance Facility	12,111	12,111
Def-Wide	Pentagon	Upgrade IT Facilities Infrastructure—RRMC	8,105	8,105
	Wake Island			
Def-Wide	Wake Island	Test Support Facility	11,670	11,670
	Worldwide Unspecified			
Def-Wide	Unspecified Worldwide Locations	Contingency Construction	10,000	10,000
Def-Wide	Unspecified Worldwide Locations	ECIP Design	10,000	0
Def-Wide	Unspecified Worldwide Locations	Energy Conservation Investment Program	150,000	150,000
Def-Wide	Unspecified Worldwide Locations	Exercise Related Minor Construction	8,631	8,631
Def-Wide	Unspecified Worldwide Locations	Planning and Design, Defense Wide	13,450	23,450
Def-Wide	Unspecified Worldwide Locations	Planning and Design, DODEA	23,585	23,585
Def-Wide	Unspecified Worldwide Locations	Planning and Design, NGA	71,647	36,000
Def-Wide	Unspecified Worldwide Locations	Planning and Design, NSA	24,000	24,000
Def-Wide	Unspecified Worldwide Locations	Planning and Design, WHS	3,427	3,427
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction, DHA	8,500	8,500
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction, DODEA	3,000	3,000
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction, Defense Wide	3,000	3,000
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction, SOCOM	5,994	5,994
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor MILCON, NSA	3,913	3,913
Def-Wide	Unspecified Worldwide Locations	Worldwide Unspecified Minor Construction, MDA	2,414	2,414
Def-Wide	Various Worldwide Locations	Planning & Design, DLA	27,660	27,660
Def-Wide	Various Worldwide Locations	Planning and Design, SOCOM	27,653	27,653
	Worldwide Unspecified Locations			
Def-Wide	Unspecified Worldwide Locations	Planning & Design, MDA	0	15,000
	Military Construction, Defense-Wide Total		**2,056,091**	**1,929,643**
	Worldwide Unspecified			
NATO	NATO Security Investment Program	NATO Security Investment Program	177,932	177,932
	NATO Security Investment Program Total		**177,932**	**177,932**
	Colorado			
Army NG	Fort Carson	National Guard Readiness Center	0	16,500
	Hawaii			
Army NG	Hilo	Combined Support Maintenance Shop	31,000	31,000
	Iowa			
Army NG	Davenport	National Guard Readiness Center	23,000	23,000
	Kansas			
Army NG	Fort Leavenworth	National Guard Readiness Center	29,000	29,000
	New Hampshire			
Army NG	Hooksett	National Guard Vehicle Maintenance Shop	11,000	11,000
Army NG	Rochester	National Guard Vehicle Maintenance Shop	8,900	8,900
	Oklahoma			
Army NG	Ardmore	National Guard Readiness Center	22,000	22,000

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Account	State/Country and Installation	Project Title	FY 2017 Request	House Agreement
	Pennsylvania			
Army NG	Fort Indiantown Gap	Access Control Buildings	0	20,000
Army NG	York	National Guard Readiness Center	9,300	9,300
	Rhode Island			
Army NG	East Greenwich	National Guard/Reserve Center Building (JFHQ)	20,000	20,000
	Utah			
Army NG	Camp Williams	National Guard Readiness Center	37,000	37,000
	Worldwide Unspecified			
Army NG	Unspecified Worldwide Locations	Planning and Design	8,729	8,729
Army NG	Unspecified Worldwide Locations	Unspecified Minor Construction	12,001	12,001
	Wyoming			
Army NG	Camp Guernsey	General Instruction Building	0	31,000
Army NG	Laramie	National Guard Readiness Center	21,000	21,000
Military Construction, Army National Guard Total			**232,930**	**300,430**
	Arizona			
Army Res	Phoenix	Army Reserve Center	0	30,000
	California			
Army Res	Camp Parks	Transient Training Barracks	19,000	19,000
Army Res	Fort Hunter Liggett	Emergency Services Center	21,500	21,500
Army Res	Barstow	Equipment Concentration Site	0	29,000
	Virginia			
Army Res	Dublin	Organizational Maintenance Shop/AMSA	6,000	6,000
	Washington			
Army Res	Joint Base Lewis–McChord	Army Reserve Center	0	27,500
	Wisconsin			
Army Res	Fort McCoy	AT/MOB Dining Facility	11,400	11,400
	Worldwide Unspecified			
Army Res	Unspecified Worldwide Locations	Planning and Design	7,500	7,500
Army Res	Unspecified Worldwide Locations	Unspecified Minor Construction	2,830	2,830
Military Construction, Army Reserve Total			**68,230**	**154,730**
	Louisiana			
N/MC Res	New Orleans	Joint Reserve Intelligence Center	11,207	11,207
	New York			
N/MC Res	Brooklyn	Electric Feeder Ductbank	1,964	1,964
N/MC Res	Syracuse	Marine Corps Reserve Center	13,229	13,229
	Texas			
N/MC Res	Galveston	Reserve Center Annex	8,414	8,414
	Worldwide Unspecified			
N/MC Res	Unspecified Worldwide Locations	MCNR Planning & Design	3,783	3,783
Military Construction, Naval Reserve Total			**38,597**	**38,597**
	Connecticut			
Air NG	Bradley IAP	Construct Small Air Terminal	6,300	6,300
	Florida			
Air NG	Jacksonville IAP	Replace Fire Crash/Rescue Station	9,000	9,000
	Hawaii			
Air NG	Joint Base Pearl Harbor-Hickam	F–22 Composite Repair Facility	11,000	11,000
	Iowa			
Air NG	Sioux Gateway Airport	Construct Consolidated Support Functions	12,600	12,600
	Maryland			
Air NG	Joint Base Andrews	Munitions Load Crew Trng/Corrosion Cnrtl Facility	0	5,000
	Minnesota			
Air NG	Duluth IAP	Load Crew Training/Weapon Shops	7,600	7,600
	New Hampshire			
Air NG	Pease International Trade Port	KC–46A Install Fuselage Trainer Bldg 251	1,500	1,500
	North Carolina			
Air NG	Charlotte/Douglas IAP	C–17 Corrosion Control/Fuel Cell Hangar	29,600	29,600
Air NG	Charlotte/Douglas IAP	C–17 Type III Hydrant Refueling System	21,000	21,000
	Ohio			
Air NG	Toledo Express Airport	Indoor Small Arms Range	0	6,000
	South Carolina			
Air NG	McEntire ANGS	Replace Operations and Training Facility	8,400	8,400
	Texas			
Air NG	Ellington Field	Consolidate Crew Readiness Facility	4,500	4,500
	Vermont			
Air NG	Burlington IAP	F–35 Beddown 4-Bay Flight Simulator	4,500	4,500
	Worldwide Unspecified			
Air NG	Unspecified Worldwide Locations	Unspecified Minor Construction	17,495	29,495
Air NG	Various Worldwide Locations	Planning and Design	10,462	10,462
Military Construction, Air National Guard Total			**143,957**	**166,957**
	Guam			
AF Res	Andersen AFB	Reserve Medical Training Facility	0	5,200

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Account	State/Country and Installation	Project Title	FY 2017 Request	House Agreement
	Massachusetts			
AF Res	Westover ARB	Indoor Small Arms Range	0	9,200
	North Carolina			
AF Res	Seymour Johnson AFB	KC–46A ADAL Bldg for AGE/Fuselage Training	5,700	5,700
AF Res	Seymour Johnson AFB	KC–46A ADAL Squadron Operations Facilities	2,250	2,250
AF Res	Seymour Johnson AFB	KC–46A Two-Bay Corrosion/Fuel Cell Hangar	90,000	90,000
	Pennsylvania			
AF Res	Pittsburgh IAP	C–17 ADAL Fuel Hydrant System	22,800	22,800
AF Res	Pittsburgh IAP	C–17 Const/OverlayTaxiway and Apron	8,200	8,200
AF Res	Pittsburgh IAP	C–17 Construct Two-Bay Corrosion/Fuel Hangar	54,000	54,000
	Utah			
AF Res	Hill AFB	ADAL Life Support Facility	0	3,050
	Worldwide Unspecified			
AF Res	Unspecified Worldwide Locations	Planning & Design	4,500	4,500
AF Res	Unspecified Worldwide Locations	Unspecified Minor Construction	1,500	1,500
	Military Construction, Air Force Reserve Total		***188,950***	***206,400***
	Korea			
FH Con Army	Camp Humphreys	Family Housing New Construction, Incr 1	143,563	100,000
FH Con Army	Camp Walker	Family Housing New Construction	54,554	54,554
	Worldwide Unspecified			
FH Con Army	Unspecified Worldwide Locations	Planning & Design	2,618	2,618
	Family Housing Construction, Army Total		***200,735***	***157,172***
	Worldwide Unspecified			
FH Ops Army	Unspecified Worldwide Locations	Furnishings	10,178	10,178
FH Ops Army	Unspecified Worldwide Locations	Housing Privitization Support	19,146	19,146
FH Ops Army	Unspecified Worldwide Locations	Leasing	131,761	131,761
FH Ops Army	Unspecified Worldwide Locations	Maintenance	60,745	60,745
FH Ops Army	Unspecified Worldwide Locations	Management	40,344	40,344
FH Ops Army	Unspecified Worldwide Locations	Miscellaneous	400	400
FH Ops Army	Unspecified Worldwide Locations	Services	7,993	7,993
FH Ops Army	Unspecified Worldwide Locations	Utilities	55,428	55,428
	Family Housing Operation And Maintenance, Army Total		***325,995***	***325,995***
	Mariana Islands			
FH Con Navy	Guam	Replace Andersen Housing PH I	78,815	78,815
	Worldwide Unspecified			
FH Con Navy	Unspecified Worldwide Locations	Construction Improvements	11,047	11,047
FH Con Navy	Unspecified Worldwide Locations	Planning & Design	4,149	4,149
	Family Housing Construction, Navy And Marine Corps Total		***94,011***	***94,011***
	Worldwide Unspecified			
FH Ops Navy	Unspecified Worldwide Locations	Furnishings	17,457	17,457
FH Ops Navy	Unspecified Worldwide Locations	Housing Privatization Support	26,320	26,320
FH Ops Navy	Unspecified Worldwide Locations	Leasing	54,689	54,689
FH Ops Navy	Unspecified Worldwide Locations	Maintenance	81,254	81,254
FH Ops Navy	Unspecified Worldwide Locations	Management	51,291	51,291
FH Ops Navy	Unspecified Worldwide Locations	Miscellaneous	364	364
FH Ops Navy	Unspecified Worldwide Locations	Services	12,855	12,855
FH Ops Navy	Unspecified Worldwide Locations	Utilities	56,685	56,685
	Family Housing Operation And Maintenance, Navy And Marine Corps Total		***300,915***	***300,915***

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Account	State/Country and Installation	Project Title	FY 2017 Request	House Agreement
	Worldwide Unspecified			
FH Con AF	Unspecified Worldwide Locations	Construction Improvements	56,984	56,984
FH Con AF	Unspecified Worldwide Locations	Planning & Design	4,368	4,368
	Family Housing Construction, Air Force Total		**61,352**	**61,352**
	Worldwide Unspecified			
FH Ops AF	Unspecified Worldwide Locations	Furnishings	31,690	31,690
FH Ops AF	Unspecified Worldwide Locations	Housing Privatization Support	41,809	41,809
FH Ops AF	Unspecified Worldwide Locations	Leasing	20,530	20,530
FH Ops AF	Unspecified Worldwide Locations	Maintenance	85,469	85,469
FH Ops AF	Unspecified Worldwide Locations	Management	42,919	42,919
FH Ops AF	Unspecified Worldwide Locations	Miscellaneous	1,745	1,745
FH Ops AF	Unspecified Worldwide Locations	Services	13,026	13,026
FH Ops AF	Unspecified Worldwide Locations	Utilities	37,241	37,241
	Family Housing Operation And Maintenance, Air Force Total		**274,429**	**274,429**
	Worldwide Unspecified			
FH Ops DW	Unspecified Worldwide Locations	Furnishings	399	399
FH Ops DW	Unspecified Worldwide Locations	Furnishings	20	20
FH Ops DW	Unspecified Worldwide Locations	Furnishings	500	500
FH Ops DW	Unspecified Worldwide Locations	Leasing	11,044	11,044
FH Ops DW	Unspecified Worldwide Locations	Leasing	40,984	40,984
FH Ops DW	Unspecified Worldwide Locations	Maintenance	800	800
FH Ops DW	Unspecified Worldwide Locations	Maintenance	349	349
FH Ops DW	Unspecified Worldwide Locations	Management	388	388
FH Ops DW	Unspecified Worldwide Locations	Services	32	32
FH Ops DW	Unspecified Worldwide Locations	Utilities	174	174
FH Ops DW	Unspecified Worldwide Locations	Utilities	367	367
FH Ops DW	Unspecified Worldwide Locations	Utilities	4,100	4,100
	Family Housing Operation And Maintenance, Defense-Wide Total		**59,157**	**59,157**
	Worldwide Unspecified			
FHIF	Unspecified Worldwide Locations	Program Expenses	3,258	3,258
	DoD Family Housing Improvement Fund Total		**3,258**	**3,258**
	Worldwide Unspecified			
BRAC	Base Realignment & Closure, Army	Base Realignment and Closure	14,499	24,499
	Base Realignment and Closure—Army Total		**14,499**	**24,499**
	Worldwide Unspecified			
BRAC	Base Realignment & Closure, Navy	Base Realignment & Closure	110,606	125,606
BRAC	Unspecified Worldwide Locations	DON–100: Planning, Design and Management	4,604	4,604
BRAC	Unspecified Worldwide Locations	DON–101: Various Locations	10,461	10,461
BRAC	Unspecified Worldwide Locations	DON–138: NAS Brunswick, ME	557	557
BRAC	Unspecified Worldwide Locations	DON–157: MCSA Kansas City, MO	100	100
BRAC	Unspecified Worldwide Locations	DON–172: NWS Seal Beach, Concord, CA	4,648	4,648
BRAC	Unspecified Worldwide Locations	DON–84: JRB Willow Grove & Cambria Reg AP	3,397	3,397
	Base Realignment and Closure—Navy Total		**134,373**	**149,373**
	Worldwide Unspecified			
BRAC	Unspecified Worldwide Locations	DoD BRAC Activities—Air Force	56,365	56,365
	Base Realignment and Closure—Air Force Total		**56,365**	**56,365**
	Worldwide Unspecified			
PYS	Worldwide	Air Force	0	–29,300
PYS	Worldwide	Army	0	–25,000
PYS	Worldwide	Defense-Wide	0	–60,577
PYS	Worldwide	Navy	0	–87,699
PYS	Worldwide	HAP	0	–25,000
PYS	Worldwide	NSIP	0	–30,000
	Prior Year Savings Total		**0**	**–257,576**
	Total, Military Construction		**7,444,056**	**7,694,000**

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2017 Request	House Agreement
	Worldwide Unspecified			
Army	*Unspecified Worldwide Locations*	*ERI: Planning and Design*	*18,900*	*18,900*
	Military Construction, Army Total		***18,900***	***18,900***
	Iceland			
Navy	*Keflavik*	*ERI: P–8A Aircraft Rinse Rack*	*5,000*	*5,000*
Navy	*Keflavik*	*ERI: P–8A Hangar Upgrade*	*14,600*	*14,600*
	Worldwide Unspecified			
Navy	*Unspecified Worldwide Locations*	*ERI: Planning and Design*	*1,800*	*1,800*
	Military Construction, Navy Total		***21,400***	***21,400***
	Bulgaria			
AF	*Graf Ignatievo*	*ERI: Construct Sq Ops/Operational Alert Fac*	*3,800*	*3,800*
AF	*Graf Ignatievo*	*ERI: Fighter Ramp Extension*	*7,000*	*7,000*
AF	*Graf Ignatievo*	*ERI: Upgrade Munitions Storage Area*	*2,600*	*2,600*
	Djibouti			
AF	*Chabelley Airfield*	*OCO: Construct Chabelley Access Road*	*3,600*	*3,600*
AF	*Chabelley Airfield*	*OCO: Construct Parking Apron and Taxiway*	*6,900*	*6,900*
	Estonia			
AF	*Amari AB*	*ERI: Construct Bulk Fuel Storage*	*6,500*	*6,500*
	Germany			
AF	*Spangdahlem AB*	*ERI: Construct High Cap Trim Pad & Hush House*	*1,000*	*1,000*
AF	*Spangdahlem AB*	*ERI: F/A–22 Low Observable/Comp Repair Fac*	*12,000*	*12,000*
AF	*Spangdahlem AB*	*ERI: F/A–22 Upgrade Infrastructure/Comm/Util*	*1,600*	*1,600*
AF	*Spangdahlem AB*	*ERI: Upgrade Hardened Aircraft Shelters*	*2,700*	*2,700*
AF	*Spangdahlem AB*	*ERI: Upgrade Munitions Storage Doors*	*1,400*	*1,400*
	Lithuania			
AF	*Siauliai*	*ERI: Munitions Storage*	*3,000*	*3,000*
	Poland			
AF	*Lask AB*	*ERI: Construct Squadron Operations Facility*	*4,100*	*4,100*
AF	*Powidz AB*	*ERI: Construct Squadron Operations Facility*	*4,100*	*4,100*
	Romania			
AF	*Campia Turzii*	*ERI: Construct Munitions Storage Area*	*3,000*	*3,000*
AF	*Campia Turzii*	*ERI: Construct Squadron Operations Facility*	*3,400*	*3,400*
AF	*Campia Turzii*	*ERI: Construct Two-Bay Hangar*	*6,100*	*6,100*
AF	*Campia Turzii*	*ERI: Extend Parking Aprons*	*6,000*	*6,000*
	Worldwide Unspecified			
AF	*Unspecified Worldwide Locations*	*CTP: Planning and Design*	*9,000*	*8,551*
AF	*Unspecified Worldwide Locations*	*OCO: Planning and Design*	*940*	*940*
	Military Construction, Air Force Total		***88,740***	***88,291***
	Worldwide Unspecified			
Def-Wide	*Unspecified Worldwide Locations*	*ERI: Unspecified Minor Construction*	*5,000*	*5,000*
	Military Construction, Defense-Wide Total		***5,000***	***5,000***
	Total, Military Construction		***134,040***	***133,591***

SEC. 4603. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.

SEC. 4603. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2017 Request	House Agreement
	Djibouti			
Navy	*Camp Lemonier*	*OCO: Medical/Dental Facility*	*37,409*	*37,409*
	Worldwide Unspecified			
Navy	*Unspecified Worldwide Locations*	*Planning and Design*	*1,000*	*1,000*
	Military Construction, Navy Total		***38,409***	***38,409***
	Total, Military Construction		***38,409***	***38,409***

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2017 Request	House Authorized
Discretionary Summary By Appropriation		
Energy And Water Development, And Related Agencies		
Appropriation Summary:		
Energy Programs		
Nuclear Energy	151,876	136,616
Atomic Energy Defense Activities		
National nuclear security administration:		
Weapons activities	9,243,147	9,559,147
Defense nuclear nonproliferation	1,807,916	1,901,916
Naval reactors	1,420,120	1,420,120
Federal salaries and expenses	412,817	372,817
Total, National nuclear security administration	**12,884,000**	**13,254,000**
Environmental and other defense activities:		
Defense environmental cleanup	5,382,050	5,289,950
Other defense activities	791,552	800,552
Total, Environmental & other defense activities	**6,173,602**	**6,090,502**
Total, Atomic Energy Defense Activities	**19,057,602**	**19,344,502**
Total, Discretionary Funding	**19,209,478**	**19,481,118**
Nuclear Energy		
Idaho sitewide safeguards and security	129,303	129,303
Idaho operations and maintenance	7,313	7,313
Consent Based Siting	15,260	0
Denial of funds for defense-only repository		[–15,260]
Total, Nuclear Energy	**151,876**	**136,616**
Weapons Activities		
Directed stockpile work		
Life extension programs		
B61 Life extension program	616,079	616,079
W76 Life extension program	222,880	222,880
W88 Alt 370	281,129	281,129
W80–4 Life extension program	220,253	241,253
Mitigation of schedule risk		[21,000]
Total, Life extension programs	**1,340,341**	**1,361,341**
Stockpile systems		
B61 Stockpile systems	57,313	57,313
W76 Stockpile systems	38,604	38,604
W78 Stockpile systems	56,413	56,413
W80 Stockpile systems	64,631	64,631
B83 Stockpile systems	41,659	41,659
W87 Stockpile systems	81,982	81,982
W88 Stockpile systems	103,074	103,074
Total, Stockpile systems	**443,676**	**443,676**
Weapons dismantlement and disposition		
Operations and maintenance	68,984	54,984
Denial of dismantlement acceleration		[–14,000]
Stockpile services		
Production support	457,043	457,043
Research and development support	34,187	34,187
R&D certification and safety	156,481	202,481
Stockpile Responsiveness Program and technology maturation efforts		[46,000]
Management, technology, and production	251,978	251,978
Total, Stockpile services	**899,689**	**945,689**
Nuclear material commodities		
Uranium sustainment	20,988	20,988
Plutonium sustainment	184,970	190,970
Mitigation of schedule risk for meeting statutory pit production requirements		[6,000]
Tritium sustainment	109,787	109,787
Domestic uranium enrichment	50,000	50,000
Strategic materials sustainment	212,092	212,092
Total, Nuclear material commodities	**577,837**	**583,837**
Total, Directed stockpile work	**3,330,527**	**3,389,527**
Research, development, test and evaluation (RDT&E)		
Science		
Advanced certification	58,000	58,000
Primary assessment technologies	99,000	111,000
Support to Prototype Nuclear Weapons for Intelligence Estimates program		[12,000]
Dynamic materials properties	106,000	106,000
Advanced radiography	50,500	50,500
Secondary assessment technologies	76,000	76,000
Academic alliances and partnerships	52,484	52,484

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2017 Request	House Authorized
Total, Science	**441,984**	**453,984**
Engineering		
Enhanced surety	37,196	53,196
Stockpile Responsiveness Program and technology maturation efforts		[16,000]
Weapon systems engineering assessment technology	16,958	16,958
Nuclear survivability	43,105	47,105
Improve planning and coordination on strategic radiation-hardened microsystems		[4,000]
Enhanced surveillance	42,228	42,228
Total, Engineering	**139,487**	**159,487**
Inertial confinement fusion ignition and high yield		
Ignition	75,432	70,432
Program decrease		[–5,000]
Support of other stockpile programs	23,363	23,363
Diagnostics, cryogenics and experimental support	68,696	68,696
Pulsed power inertial confinement fusion	5,616	5,616
Joint program in high energy density laboratory plasmas	9,492	9,492
Facility operations and target production	340,360	336,360
Program decrease		[–4,000]
Total, Inertial confinement fusion and high yield	**522,959**	**513,959**
Advanced simulation and computing	663,184	656,184
Program decrease		[–7,000]
Advanced manufacturing		
Additive manufacturing	12,000	12,000
Component manufacturing development	46,583	77,583
Stockpile Responsiveness Program and technology maturation efforts		[31,000]
Processing technology development	28,522	28,522
Total, Advanced manufacturing	**87,105**	**118,105**
Total, RDT&E	**1,854,719**	**1,901,719**
Infrastructure and operations (formerly RTBF)		
Operating		
Operations of facilities		
Kansas City Plant	101,000	101,000
Lawrence Livermore National Laboratory	70,500	70,500
Los Alamos National Laboratory	196,500	196,500
Nevada Test Site	92,500	92,500
Pantex	55,000	55,000
Sandia National Laboratory	118,000	118,000
Savannah River Site	83,500	83,500
Y–12 National security complex	107,000	107,000
Total, Operations of facilities	**824,000**	**824,000**
Safety and environmental operations	110,000	110,000
Maintenance and repair of facilities	294,000	324,000
Address high-priority preventative maintenance		[30,000]
Recapitalization:		
Infrastructure and safety	554,643	674,643
Address high-priority deferred maintenance		[120,000]
Capability based investment	112,639	112,639
Total, Recapitalization	**667,282**	**787,282**
Construction:		
17–D–640, U1a Complex Enhancements Project, NNSS	11,500	11,500
17–D–630 Electrical Infrastructure Upgrades, LLNL	25,000	25,000
16–D–515 Albuquerque complex upgrades project	15,047	15,047
15–D–613 Emergency Operations Center, Y–12	2,000	2,000
15–D–302, TA–55 Reinvestment project, Phase 3, LANL	21,455	21,455
07–D–220–04 Transuranic liquid waste facility, LANL	17,053	17,053
06–D–141 PED/Construction, UPF Y–12, Oak Ridge, TN	575,000	575,000
04–D–125—04 RLUOB equipment installation	159,615	159,615
Total, Construction	**826,670**	**826,670**
Total, Infrastructure and operations	**2,721,952**	**2,871,952**
Secure transportation asset		
Operations and equipment	179,132	179,132
Program direction	103,600	103,600
Total, Secure transportation asset	**282,732**	**282,732**
Defense nuclear security		
Operations and maintenance	657,133	717,133
Support to physical security infrastructure recapitalization and CSTART		[60,000]
Construction:		
14–D–710 Device assembly facility argus installation project, NV	13,000	13,000

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2017 Request	House Authorized
Total, Defense nuclear security	**670,133**	**730,133**
Information technology and cybersecurity	*176,592*	*176,592*
Legacy contractor pensions	*248,492*	*248,492*
Rescission of prior year balances	*–42,000*	*–42,000*
Total, Weapons Activities	**9,243,147**	**9,559,147**
Defense Nuclear Nonproliferation		
Defense Nuclear Nonproliferation Programs		
Defense Nuclear Nonproliferation R&D		
Global material security	*337,108*	*332,108*
Program decrease		*[–5,000]*
Material management and minimization	*341,094*	*341,094*
Nonproliferation and arms control	*124,703*	*124,703*
Defense Nuclear Nonproliferation R&D	*393,922*	*417,922*
Acceleration of low-yield detection experiments		*[4,000]*
Nuclear detection technology and new challenges such as 3D printing		*[20,000]*
Low Enriched Uranium R&D for Naval Reactors	*0*	*5,000*
Low Enriched Uranium R&D for Naval Reactors		*[5,000]*
Nonproliferation Construction:		
99–D–143 Mixed Oxide (MOX) Fuel Fabrication Facility, SRS	*270,000*	*340,000*
Increase to support construction		*[70,000]*
Total, Nonproliferation construction	**270,000**	**340,000**
Total, Defense Nuclear Nonproliferation Programs	**1,466,827**	**1,560,827**
Legacy contractor pensions	*83,208*	*83,208*
Nuclear counterterrorism and incident response program	*271,881*	*271,881*
Rescission of prior year balances	*–14,000*	*–14,000*
Total, Defense Nuclear Nonproliferation	**1,807,916**	**1,901,916**
Naval Reactors		
Naval reactors operations and infrastructure	*449,682*	*449,682*
Naval reactors development	*437,338*	*437,338*
Ohio replacement reactor systems development	*213,700*	*213,700*
S8G Prototype refueling	*124,000*	*124,000*
Program direction	*47,100*	*47,100*
Construction:		
17–D–911, BL Fire System Upgrade	*1,400*	*1,400*
15–D–904 NRF Overpack Storage Expansion 3	*700*	*700*
15–D–902 KS Engineroom team trainer facility	*33,300*	*33,300*
14–D–901 Spent fuel handling recapitalization project, NRF	*100,000*	*100,000*
10-D–903, Security upgrades, KAPL	*12,900*	*12,900*
Total, Construction	**148,300**	**148,300**
Total, Naval Reactors	**1,420,120**	**1,420,120**
Federal Salaries And Expenses		
Program direction	*412,817*	*372,817*
Program decrease		*[–40,000]*
Total, Office Of The Administrator	**412,817**	**372,817**
Defense Environmental Cleanup		
Closure sites:		
Closure sites administration	*9,389*	*9,389*
Hanford site:		
River corridor and other cleanup operations	*69,755*	*114,755*
Acceleration of priority programs		*[45,000]*
Central plateau remediation	*620,869*	*628,869*
Acceleration of priority programs		*[8,000]*
Richland community and regulatory support	*14,701*	*14,701*
Construction:		
15–D–401 Containerized sludge removal annex, RL	*11,486*	*11,486*
Total, Hanford site	**716,811**	**769,811**
Idaho National Laboratory:		
Idaho cleanup and waste disposition	*359,088*	*359,088*
Idaho community and regulatory support	*3,000*	*3,000*
Total, Idaho National Laboratory	**362,088**	**362,088**
Los Alamos National Laboratory		
EMLA cleanup activities	*185,606*	*185,606*
EMLA community and regulatory support	*3,394*	*3,394*
Total, Los Alamos National Laboratory	**189,000**	**189,000**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2017 Request	House Authorized
NNSA sites		
Lawrence Livermore National Laboratory	*1,396*	*1,396*
Separations Process Research Unit	*3,685*	*3,685*
Nevada	*62,176*	*62,176*
Sandia National Laboratories	*4,130*	*4,130*
Total, NNSA sites and Nevada off-sites	**71,387**	**71,387**
Oak Ridge Reservation:		
OR Nuclear facility D & D		
OR Nuclear facility D & D	*93,851*	*93,851*
Construction:		
14–D–403 Outfall 200 Mercury Treatment Facility	*5,100*	*5,100*
Total, OR Nuclear facility D & D	**98,951**	**98,951**
U233 Disposition Program	*37,311*	*37,311*
OR cleanup and disposition	*54,557*	*54,557*
OR reservation community and regulatory support	*4,400*	*4,400*
Oak Ridge technology development	*3,000*	*3,000*
Total, Oak Ridge Reservation	**198,219**	**198,219**
Office of River Protection:		
Waste treatment and immobilization plant		
WTP operations	*3,000*	*3,000*
15–D–409 Low activity waste pretreatment system, ORP	*73,000*	*73,000*
01–D–416 A-D/ORP-0060 / Major construction	*690,000*	*690,000*
Total, Waste treatment and immobilization plant	**766,000**	**766,000**
Tank farm activities		
Rad liquid tank waste stabilization and disposition	*721,456*	*721,456*
Total, Tank farm activities	**721,456**	**721,456**
Total, Office of River protection	**1,487,456**	**1,487,456**
Savannah River sites:		
Nuclear Material Management	*311,062*	*311,062*
Environmental Cleanup	*152,504*	*152,504*
SR community and regulatory support	*11,249*	*11,249*
Radioactive liquid tank waste:		
Radioactive liquid tank waste stabilization and disposition	*645,332*	*645,332*
Construction:		
15–D–402—Saltstone Disposal Unit #6, SRS	*7,577*	*7,577*
17–D–401—Saltstone Disposal Unit #7	*9,729*	*9,729*
05–D–405 Salt waste processing facility, Savannah River Site	*160,000*	*160,000*
Total, Construction	**177,306**	**177,306**
Total, Radioactive liquid tank waste	**822,638**	**822,638**
Total, Savannah River site	**1,297,453**	**1,297,453**
Waste Isolation Pilot Plant		
Operations and maintenance	*257,188*	*257,188*
Construction:		
15–D–411 Safety significant confinement ventilation system, WIPP	*2,532*	*2,532*
15–D–412 Exhaust shaft, WIPP	*2,533*	*2,533*
Total, Construction	**5,065**	**5,065**
Total, Waste Isolation Pilot Plant	**262,253**	**262,253**
Program direction	*290,050*	*290,050*
Program support	*14,979*	*14,979*
Safeguards and Security	*255,973*	*255,973*
Technology development	*30,000*	*40,000*
NAS study on technology development, acceleration of priority efforts		*[10,000]*
Infrastructure recapitalization	*41,892*	*41,892*
Defense Uranium enrichment D&D	*155,100*	*0*
Ahead of need		*[–155,100]*
Subtotal, Defense environmental cleanup	**5,382,050**	**5,289,950**
Total, Defense Environmental Cleanup	**5,382,050**	**5,289,950**
Other Defense Activities		
Environment, health, safety and security		
Environment, health, safety and security	*130,693*	*130,693*
Program direction	*66,519*	*66,519*
Total, Environment, Health, safety and security	**197,212**	**197,212**
Independent enterprise assessments		
Independent enterprise assessments	*24,580*	*24,580*
Program direction	*51,893*	*51,893*
Total, Independent enterprise assessments	**76,473**	**76,473**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2017 Request	House Authorized
Specialized security activities	237,912	246,912
IT infrastructure and red teaming		[9,000]
Office of Legacy Management		
Legacy management	140,306	140,306
Program direction	14,014	14,014
Total, Office of Legacy Management	**154,320**	**154,320**
Defense-related activities		
Defense related administrative support		
Chief financial officer	23,642	23,642
Chief information officer	93,074	93,074
Project management oversight and assessments	3,000	3,000
Total, Defense related administrative support	**119,716**	**119,716**
Office of hearings and appeals	5,919	5,919
Subtotal, Other defense activities	**791,552**	**800,552**
Total, Other Defense Activities	**791,552**	**800,552**

DIVISION E—MILITARY JUSTICE

SEC. 6000. SHORT TITLE.

This division may be cited as the ''Military Justice Act of 2016''.

TITLE LX—GENERAL PROVISIONS

SEC. 6001. DEFINITIONS.

(a) DEFINITION OF MILITARY JUDGE.—Paragraph (10) of section 801 of title 10, United States Code (article 1 of the Uniform Code of Military Justice), is amended to read as follows:

''(10) The term 'military judge' means a judge advocate designated under section 826(c) of this title (article 26(c)) who is detailed under section 826(a) of this title (article 26(a)).''.

(b) DEFINITION OF JUDGE ADVOCATE.—Paragraph (13) of such section (article) is amended—

(1) in subparagraph (A), by striking ''the Army or the Navy'' and inserting ''the Army, the Navy, or the Air Force''; and

(2) in subparagraph (B), by striking ''the Air Force or''.

SEC. 6002. CLARIFICATION OF PERSONS SUBJECT TO UCMJ WHILE ON INACTIVE-DUTY TRAINING.

Paragraph (3) of section 802(a) of title 10, United States Code (article 2(a) of the Uniform Code of Military Justice), is amended to read as follows:

''(3)(A) While on inactive-duty training and during any of the periods specified in subparagraph (B)—

''(i) members of a reserve component; and

''(ii) members of the Army National Guard of the United States or the Air National Guard of the United States, but only when in Federal service.

''(B) The periods referred to in subparagraph (A) are the following:

''(i) Travel to and from the inactive-duty training site of the member, pursuant to orders or regulations.

''(ii) Intervals between consecutive periods of inactive-duty training on the same day, pursuant to orders or regulations.

''(iii) Intervals between inactive-duty training on consecutive days, pursuant to orders or regulations.''.

SEC. 6003. STAFF JUDGE ADVOCATE DISQUALIFICATION DUE TO PRIOR INVOLVEMENT IN CASE.

Subsection (c) of section 806 of title 10, United States Code (article 6 of the Uniform Code of Military Justice), is amended to read as follows:

''(c)(1) No person who, with respect to a case, serves in a capacity specified in paragraph (2) may later serve as a staff judge advocate or legal officer to any reviewing or convening authority upon the same case.

''(2) The capacities referred to in paragraph (1) are, with respect to the case involved, any of the following:

''(A) Preliminary hearing officer, court member, military judge, military magistrate, or appellate judge.

''(B) Counsel who have acted in the same case or appeared in any proceeding before a military judge, military magistrate, preliminary hearing officer, or appellate court.''.

SEC. 6004. CONFORMING AMENDMENT RELATING TO MILITARY MAGISTRATES.

The first sentence of section 806a(a) of title 10, United States Code (article 6a(a) of the Uniform Code of Military Justice), is amended by striking ''military judge'' and all that follows through the end of the sentence and inserting ''military appellate judge, military judge, or military magistrate to perform the duties of the position involved.''.

SEC. 6005. RIGHTS OF VICTIM.

(a) DESIGNATION OF REPRESENTATIVE.—Subsection (c) of section 806b of title 10, United States Code (article 6b of the Uniform Code of Military Justice), is amended in the first sentence by striking ''the military judge'' and all that follows through the end of the sentence and inserting the following: ''the legal guardians of the victim or the representatives of the victim's estate, family members, or any other person designated as suitable by the military judge, may assume the rights of the victim under this section.''.

(b) RULE OF CONSTRUCTION.—Subsection (d) of such section (article) is amended—

(1) by striking ''or'' at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting ''; or''; and

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

''(3) to impair the exercise of discretion under sections 830 and 834 of this title (articles 30 and 34).''.

(c) INTERVIEW OF VICTIM.—Such section (article) is amended by adding at the end the following new subsection:

''(f) COUNSEL FOR ACCUSED INTERVIEW OF VICTIM OF ALLEGED OFFENSE.—(1) Upon notice by counsel for the Government to counsel for the accused of the name of an alleged victim of an offense under this chapter who counsel for the Government intends to call as a witness at a proceeding under this chapter, counsel for the accused shall make any request to interview the victim through the Special Victim's Counsel or other counsel for the victim, if applicable.

''(2) If requested by an alleged victim who is subject to a request for interview under paragraph (1), any interview of the victim by counsel for the accused shall take place only in the presence of the counsel for the Government, a counsel for the victim, or, if applicable, a victim advocate.''.

TITLE LXI—APPREHENSION AND RESTRAINT

SEC. 6101. RESTRAINT OF PERSONS CHARGED.

Section 810 of title 10, United States Code (article 10 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 810. Art. 10. Restraint of person charged

''(a) IN GENERAL.—(1) Subject to paragraph (2), any person subject to this chapter who is charged with an offense under this chapter may be ordered into arrest or confinement as the circumstances require.

''(2) When a person subject to this chapter is charged only with an offense that is normally tried by summary court-martial, the person ordinarily shall not be ordered into confinement.

''(b) NOTIFICATION TO ACCUSED AND RELATED PROCEDURES.—(1) When a person subject to this chapter is ordered into arrest or confinement before trial, immediate steps shall be taken—

''(A) to inform the person of the specific offense of which the person is accused; and

''(B) to try the person or to dismiss the charges and release the person.

''(2) To facilitate compliance with paragraph (1), the President shall prescribe regulations setting forth procedures relating to referral for trial, including procedures for prompt forwarding of the charges and specifications and, if applicable, the preliminary hearing report submitted under section 832 of this title (article 32).''.

SEC. 6102. MODIFICATION OF PROHIBITION OF CONFINEMENT OF ARMED FORCES MEMBERS WITH ENEMY PRISONERS AND CERTAIN OTHERS.

Section 812 of title 10, United States Code (article 12 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 812. Art. 12. Prohibition of confinement of armed forces members with enemy prisoners and certain others

''No member of the armed forces may be placed in confinement in immediate association with—

''(1) enemy prisoners; or

''(2) other individuals—

''(A) who are detained under the law of war and are foreign nationals; and

''(B) who are not members of the armed forces.''.

TITLE LXII—NON-JUDICIAL PUNISHMENT

SEC. 6201. MODIFICATION OF CONFINEMENT AS NON-JUDICIAL PUNISHMENT.

Section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice), is amended—

(1) in subsection (b)—

(A) in paragraph (2)(A), by striking ''on bread and water or diminished rations''; and

(B) in the undesignated matter after paragraph (2), by striking ''on bread and water or diminished rations'' in the sentence beginning ''No two or more''; and

(2) in subsection (d), by striking ''on bread and water or diminished rations'' in paragraphs (2) and (3).

TITLE LXIII—COURT-MARTIAL JURISDICTION

SEC. 6301. COURTS-MARTIAL CLASSIFIED.

Section 816 of title 10, United States Code (article 16 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 816. Art 16. Courts-martial classified

''(a) IN GENERAL.—The three kinds of courts-martial in each of the armed forces are the following:

''(1) General courts-martial, as described in subsection (b).

''(2) Special courts-martial, as described in subsection (c).

''(3) Summary courts-martial, as described in subsection (d).

''(b) GENERAL COURTS-MARTIAL.—General courts-martial are of the following three types:

''(1) A general court-martial consisting of a military judge and eight members, subject to sections 825(d)(3) and 829 of this title (articles 25(d)(3) and 29).

''(2) In a capital case, a general court-martial consisting of a military judge and the number of members determined under section 825a of this title (article 25a), subject to sections 825(d)(3) and 829 of this title (articles 25(d)(3) and 29).

''(3) A general court-martial consisting of a military judge alone, if, before the court is assembled, the accused, knowing the identity of the military judge and after consultation with defense counsel, requests, orally on the record or in writing, a court composed of a military judge alone and the military judge approves the request.

''(c) SPECIAL COURTS-MARTIAL.—Special courts-martial are of the following two types:

''(1) A special court-martial, consisting of a military judge and four members, subject to sections 825(d)(3) and 829 of this title (articles 25(d)(3) and 29).

''(2) A special court-martial consisting of a military judge alone—

''(A) if the case is so referred by the convening authority, subject to section 819 of this title (article 19) and such limitations as the President may prescribe by regulation; or

''(B) if the case is referred under paragraph (1) and, before the court is assembled, the accused, knowing the identity of the military judge and after consultation with defense counsel, requests, orally on the record or in writing, a court composed of a military judge alone and the military judge approves the request.

''(d) SUMMARY COURT-MARTIAL.—A summary court-martial consists of one commissioned officer.''.

SEC. 6302. JURISDICTION OF GENERAL COURTS-MARTIAL.

Section 818 of title 10, United States Code (article 18 of the Uniform Code of Military Justice), is amended—

(1) in subsection (b), by striking ''section 816(1)(B) of this title (article 16(1)(B))'' and inserting ''section 816(b)(3) of this title (article 16(b)(3))''; and

(2) by striking subsection (c) and inserting the following:

''(c) Consistent with sections 819 and 820 of this title (articles 19 and 20), only general courts-martial have jurisdiction over the following offenses:

''(1) A violation of subsection (a) or (b) of section 920 of this title (article 120).

''(2) A violation of subsection (a) or (b) of section 920b of this title (article 120b).

''(3) An attempt to commit an offense specified in paragraph (1) or (2) that is punishable under section 880 of this title (article 80).''.

SEC. 6303. JURISDICTION OF SPECIAL COURTS-MARTIAL.

Section 819 of title 10, United States Code (article 19 of the Uniform Code of Military Justice), is amended—

(1) by striking ''Subject to'' in the first sentence and inserting the following:

''(a) IN GENERAL.—Subject to'';

(2) by striking ''A bad-conduct discharge'' and all that follows through the end; and

(3) by adding after subsection (a), as designated by paragraph (1), the following new subsections:

''(b) ADDITIONAL LIMITATION.—Neither a bad-conduct discharge, nor confinement for more than six months, nor forfeiture of pay for more than six months may be adjudged if charges and specifications are referred to a special court-martial consisting of a military judge alone under section 816(c)(2)(A) of this title (article 16(c)(2)(A)).

''(c) MILITARY MAGISTRATE.—If charges and specifications are referred to a special court-martial consisting of a military judge alone under section 816(c)(2)(A) of this title (article 16(c)(2)(A)), the military judge, with the consent of the parties, may designate a military magistrate to preside over the special court-martial.''.

SEC. 6304. SUMMARY COURT-MARTIAL AS NON-CRIMINAL FORUM.

Section 820 of title 10, United States Code (article 20 of the Uniform Code of Military Justice), is amended—

(1) by inserting ''(a) **IN GENERAL.**—'' before ''Subject to''; and

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

''(b) NON-CRIMINAL FORUM.—A summary court-martial is a non-criminal forum. A finding of guilty at a summary court-martial does not constitute a criminal conviction.''.

TITLE LXIV—COMPOSITION OF COURTS-MARTIAL

SEC. 6401. TECHNICAL AMENDMENT RELATING TO PERSONS AUTHORIZED TO CONVENE GENERAL COURTS-MARTIAL.

Section 822(a)(6) of title 10, United States Code (article 22(a)(6) of the Uniform Code of Military Justice), is amended by striking ''in chief''.

SEC. 6402. WHO MAY SERVE ON COURTS-MARTIAL; DETAIL OF MEMBERS.

(a) WHO MAY SERVE ON COURTS-MARTIAL.—Subsection (c) of section 825 of title 10, United States Code (article 25 of the Uniform Code of Military Justice), is amended to read as follows:

''(c)(1) Any enlisted member on active duty is eligible to serve on a general or special court-martial for the trial of any other enlisted member.

''(2) Before a court-martial with a military judge and members is assembled for trial, an enlisted member who is an accused may personally request, orally on the record or in writing, that—

''(A) the membership of the court-martial be comprised entirely of officers; or

''(B) enlisted members comprise at least one-third of the membership of the court-martial, regardless of whether enlisted members have been detailed to the court-martial.

''(3) Except as provided in paragraph (4), after such a request, the accused may not be tried by a general or special court-martial if the membership of the court-martial is inconsistent with the request.

''(4) If, because of physical conditions or military exigencies, a sufficient number of eligible officers or enlisted members, as the case may be, are not available to carry out paragraph (2), the trial may nevertheless be held. In that event, the convening authority shall make a detailed written statement of the reasons for nonavailability. The statement shall be appended to the record.''.

(b) DETAIL OF MEMBERS.—Subsection (d) of such section (article) is amended by adding at the end the following new paragraph:

''(3) The convening authority shall detail not less than the number of members necessary to impanel the court-martial under section 829 of this title (article 29).''.

SEC. 6403. NUMBER OF COURT-MARTIAL MEMBERS IN CAPITAL CASES.

Section 825a of title 10, United States Code (article 25a of the Uniform Code of Military Justice), is amended to read as follows:

''§ 825a. Art. 25a. Number of court-martial members in capital cases

''(a) IN GENERAL.—In a case in which the accused may be sentenced to death, the number of members shall be 12.

''(b) CASE NO LONGER CAPITAL.—Subject to section 829 of this title (article 29)—

''(1) if a case is referred for trial as a capital case and, before the members are impaneled, the accused may no longer be sentenced to death, the number of members shall be eight; and

''(2) if a case is referred for trial as a capital case and, after the members are impaneled, the accused may no longer be sentenced to death, the number of members shall remain 12.''.

SEC. 6404. DETAILING, QUALIFICATIONS, ETC. OF MILITARY JUDGES.

(a) SPECIAL COURTS-MARTIAL.—Subsection (a) of section 826 of title 10, United States Code (article 26 of the Uniform Code of Military Justice), is amended—

(1) in the first sentence, by inserting after ''each general'' the following: ''and special''; and

(2) by striking the second sentence.

(b) QUALIFICATIONS.—Subsection (b) of such section (article) is amended by striking ''qualified for duty'' and inserting ''qualified, by reason of education, training, experience, and judicial temperament, for duty''.

(c) DETAIL AND ASSIGNMENT.—Subsection (c) of such section (article) is amended to read as follows:

''(c)(1) In accordance with regulations prescribed under subsection (a), a military judge of a general or special court-martial shall be designated for detail by the Judge Advocate General of the armed force of which the military judge is a member.

''(2) Neither the convening authority nor any member of the staff of the convening authority shall prepare or review any report concerning the effectiveness, fitness, or efficiency of the military judge so detailed, which relates to the military judge's performance of duty as a military judge.

''(3) A commissioned officer who is certified to be qualified for duty as a military judge of a general court-martial—

''(A) may perform such duties only when the officer is assigned and directly responsible to the Judge Advocate General of the armed force of which the military judge is a member; and

''(B) may perform duties of a judicial or non-judicial nature other than those relating to the officer's primary duty as a military judge of a general court-martial when such duties are assigned to the officer by or with the approval of that Judge Advocate General.

''(4) In accordance with regulations prescribed by the President, assignments of military judges

under this section (article) shall be for appropriate minimum periods, subject to such exceptions as may be authorized in the regulations.''.

(d) DETAIL TO A DIFFERENT ARMED FORCE.—Such section (article) is further amended by adding at the end the following new subsection:

''(f) A military judge may be detailed under subsection (a) to a court-martial that is convened in a different armed force, when so permitted by the Judge Advocate General of the armed force of which the military judge is a member.''.

(e) CHIEF TRIAL JUDGES.—Such section (article), as amended by subsection (d), is further amended by adding at the end the following new subsection:

''(g) In accordance with regulations prescribed by the President, each Judge Advocate General shall designate a chief trial judge from among the members of the applicable trial judiciary.''.

SEC. 6405. QUALIFICATIONS OF TRIAL COUNSEL AND DEFENSE COUNSEL.

Section 827 of title 10, United States Code (article 27 of the Uniform Code of Military Justice), is amended—

(1) in the first sentence of paragraph (2) of subsection (a), by striking ''No person'' and all that follows through ''trial counsel,'' the first place it appears and inserting the following: ''No person who, with respect to a case, has served as a preliminary hearing officer, court member, military judge, military magistrate, or appellate judge, may later serve as trial counsel,'';

(2) in the first sentence of subsection (b), by striking ''Trial counsel or defense counsel'' and inserting ''Trial counsel, defense counsel, or assistant defense counsel''; and

(3) by striking subsection (c) and inserting the following new subsections:

''(c)(1) Defense counsel and assistant defense counsel detailed for a special court-martial shall have the qualifications set forth in subsection (b).

''(2) Trial counsel and assistant trial counsel detailed for a special court-martial and assistant trial counsel detailed for a general court-martial must be determined to be competent to perform such duties by the Judge Advocate General, under such rules as the President may prescribe.

''(d) To the greatest extent practicable, in any capital case, at least one defense counsel shall, as determined by the Judge Advocate General, be learned in the law applicable to such cases. If necessary, this counsel may be a civilian and, if so, may be compensated in accordance with regulations prescribed by the Secretary of Defense.''.

SEC. 6406. ASSEMBLY AND IMPANELING OF MEMBERS; DETAIL OF NEW MEMBERS AND MILITARY JUDGES.

Section 829 of title 10, United States Code (article 29 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 829. Art. 29. Assembly and impaneling of members; detail of new members and military judges

''(a) ASSEMBLY.—The military judge shall announce the assembly of a general or special court-martial with members. After such a court-martial is assembled, no member may be absent, unless the member is excused—

''(1) as a result of a challenge;

''(2) under subsection (b)(1)(B); or

''(3) by order of the military judge or the convening authority for disability or other good cause.

''(b) IMPANELING.—(1) Under rules prescribed by the President, the military judge of a general or special court-martial with members shall—

''(A) after determination of challenges, impanel the court-martial; and

''(B) excuse the members who, having been assembled, are not impaneled.

''(2) In a general court-martial, the military judge shall impanel—

''(A) 12 members in a capital case; and

''(B) eight members in a noncapital case.

''(3) In a special court-martial, the military judge shall impanel four members.

''(c) ALTERNATE MEMBERS.—In addition to members under subsection (b), the military judge shall impanel alternate members, if the convening authority authorizes alternate members.

''(d) DETAIL OF NEW MEMBERS.—(1) If, after members are impaneled, the membership of the court-martial is reduced to—

''(A) fewer than 12 members with respect to a general court-martial in a capital case;

''(B) fewer than six members with respect to a general court-martial in a noncapital case; or

''(C) fewer than four members with respect to a special court-martial;

the trial may not proceed unless the convening authority details new members and, from among the members so detailed, the military judge impanels new members sufficient in number to provide the membership specified in paragraph (2).

''(2) The membership referred to in paragraph (1) is as follows:

''(A) 12 members with respect to a general court-martial in a capital case.

''(B) At least six but not more than eight members with respect to a general court-martial in a noncapital case.

''(C) Four members with respect to a special court-martial.

''(e) DETAIL OF NEW MILITARY JUDGE.—If the military judge is unable to proceed with the trial because of disability or otherwise, a new military judge shall be detailed to the court-martial.

''(f) EVIDENCE.—(1) In the case of new members under subsection (d), the trial may proceed with the new members present after the evidence previously introduced is read or, in the case of audiotape, videotape, or similar recording, is played, in the presence of the new members, the military judge, the accused, and counsel for both sides.

''(2) In the case of a new military judge under subsection (e), the trial shall proceed as if no evidence had been introduced, unless the evidence previously introduced is read or, in the case of audiotape, videotape, or similar recording, is played, in the presence of the new military judge, the accused, and counsel for both sides.''.

SEC. 6407. MILITARY MAGISTRATES.

Subchapter V of chapter 47 of title 10, United States Code, is amended by inserting after section 826 (article 26 of the Uniform Code of Military Justice) the following new section (article):

''§ 826a. Art. 26a. Military magistrates

''(a) QUALIFICATIONS.—A military magistrate shall be a commissioned officer of the armed forces who—

''(1) is a member of the bar of a Federal court or a member of the bar of the highest court of a State; and

''(2) is certified to be qualified, by reason of education, training, experience, and judicial temperament, for duty as a military magistrate by the Judge Advocate General of the armed force of which the officer is a member.

''(b) DUTIES.—In accordance with regulations prescribed by the Secretary concerned, in addition to duties when designated under section 819 of this title (article 19), a military magistrate may be assigned to perform other duties of a nonjudicial nature.''.

TITLE LXV—PRE-TRIAL PROCEDURE

SEC. 6501. CHARGES AND SPECIFICATIONS.

Section 830 of title 10, United States Code (article 30 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 830. Art. 30. Charges and specifications

''(a) IN GENERAL.—Charges and specifications—

''(1) may be preferred only by a person subject to this chapter; and

''(2) shall be preferred by presentment in writing, signed under oath before a commissioned officer of the armed forces who is authorized to administer oaths.

''(b) REQUIRED CONTENT.—The writing under subsection (a) shall state that—

''(1) the signer has personal knowledge of, or has investigated, the matters set forth in the charges and specifications; and

''(2) the charges and specifications are true, to the best of the knowledge and belief of the signer.

''(c) DUTY OF PROPER AUTHORITY.—When charges and specifications are preferred under subsection (a), the proper authority shall, as soon as practicable—

''(1) inform the person accused of the charges and specifications; and

''(2) determine what disposition should be made of the charges and specifications in the interest of justice and discipline.''.

SEC. 6502. PRELIMINARY HEARING REQUIRED BEFORE REFERRAL TO GENERAL COURT-MARTIAL.

(a) IN GENERAL.—Section 832 of title 10, United States Code (article 32 of the Uniform Code of Military Justice), is amended by striking the section heading and subsections (a), (b), and (c), and inserting the following:

''§ 832. Art. 32. Preliminary hearing required before referral to general court-martial

''(a) IN GENERAL.—(1)(A) Except as provided in subparagraph (B), a preliminary hearing shall be held before referral of charges and specifications for trial by general court-martial. The preliminary hearing shall be conducted by an impartial hearing officer, detailed by the convening authority in accordance with subsection (b).

''(B) Under regulations prescribed by the President, a preliminary hearing need not be held if the accused submits a written waiver to the convening authority and the convening authority determines that a hearing is not required.

''(2) The issues for determination at a preliminary hearing are limited to the following:

''(A) Whether or not the specification alleges an offense under this chapter.

''(B) Whether or not there is probable cause to believe that the accused committed the offense charged.

''(C) Whether or not the convening authority has court-martial jurisdiction over the accused and over the offense.

''(D) A recommendation as to the disposition that should be made of the case.

''(b) HEARING OFFICER.—(1) A preliminary hearing under this section shall be conducted by an impartial hearing officer, who—

''(A) whenever practicable, shall be a judge advocate who is certified under section 827(b)(2) of this title (article 27(b)(2)); or

''(B) in exceptional circumstances, shall be an impartial hearing officer, who is not a judge advocate so certified.

''(2) In the case of a hearing officer under paragraph (1)(B), a judge advocate who is certified under section 827(b)(2) of this title (article 27(b)(2)) shall be available to provide legal advice to the hearing officer.

''(3) Whenever practicable, the hearing officer shall be equal in grade or senior in grade to military counsel who are detailed to represent the accused or the Government at the preliminary hearing.

''(c) REPORT TO CONVENING AUTHORITY.—After a preliminary hearing under this section, the hearing officer shall submit to the convening

authority a written report (accompanied by a recording of the preliminary hearing under subsection (e)) that includes the following:

''(1) For each specification, a statement of the reasoning and conclusions of the hearing officer with respect to determinations under subsection (a)(2), including a summary of relevant witness testimony and documentary evidence presented at the hearing and any observations of the hearing officer concerning the testimony of witnesses and the availability and admissibility of evidence at trial.

''(2) Recommendations for any necessary modifications to the form of the charges or specifications.

''(3) An analysis of any additional information submitted after the hearing by the parties or by a victim of an offense, that, under such rules as the President may prescribe, is relevant to disposition under sections 830 and 834 of this title (articles 30 and 34).

''(4) A statement of action taken on evidence adduced with respect to uncharged offenses, as described in subsection (f).''.

(b) SUNDRY AMENDMENTS.—Subsection (d) of such section (article) is amended—

(1) in paragraph (1), by striking ''subsection (a)'' in the first sentence and inserting ''this section'';

(2) in paragraph (2), by striking ''in defense'' and all that follows through the end and inserting ''that is relevant to the issues for determination under subsection (a)(2).'';

(3) in paragraph (3), by adding at the end the following new sentence: ''A declination under this paragraph shall not serve as the sole basis for ordering a deposition under section 849 of this title (article 49).''; and

(4) in paragraph (4), by striking ''the limited purposes of the hearing, as provided in subsection (a)(2).'' and inserting the following: ''determinations under subsection (a)(2).''.

(c) REFERENCE TO MCM.—Subsection (e) of such section (article) is amended by striking ''as prescribed by the Manual for Courts-Martial'' in the second sentence and inserting ''under such rules as the President may prescribe''.

(d) EFFECT OF VIOLATION.—Subsection (g) of such section (article) is amended by adding at the end the following new sentence: ''A defect in a report under subsection (c) is not a basis for relief if the report is in substantial compliance with that subsection.''.

SEC. 6503. DISPOSITION GUIDANCE.

Section 833 of title 10, United States Code (article 33 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 833. Art 33. Disposition guidance

''The President shall direct the Secretary of Defense to issue, in consultation with the Secretary of the department in which the Coast Guard is operating when it is not operating as a service in the Navy, non-binding guidance regarding factors that commanders, convening authorities, staff judge advocates, and judge advocates should take into account when exercising their duties with respect to disposition of charges and specifications in the interest of justice and discipline under sections 830 and 834 of this title (articles 30 and 34). Such guidance shall take into account, with appropriate consideration of military requirements, the principles contained in official guidance of the Attorney General to attorneys for the Government with respect to disposition of Federal criminal cases in accordance with the principle of fair and evenhanded administration of Federal criminal law.''.

SEC. 6504. ADVICE TO CONVENING AUTHORITY BEFORE REFERRAL FOR TRIAL.

Section 834 of title 10, United States Code (article 34 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 834. Art. 34. Advice to convening authority before referral for trial

''(a) GENERAL COURT-MARTIAL.—

''(1) STAFF JUDGE ADVOCATE ADVICE REQUIRED BEFORE REFERRAL.—Before referral of charges and specifications to a general court-martial for trial, the convening authority shall submit the matter to the staff judge advocate for advice, which the staff judge advocate shall provide to the convening authority in writing. The convening authority may not refer a specification under a charge to a general court-martial unless the staff judge advocate advises the convening authority in writing that—

''(A) the specification alleges an offense under this chapter;

''(B) there is probable cause to believe that the accused committed the offense charged; and

''(C) a court-martial would have jurisdiction over the accused and the offense.

''(2) STAFF JUDGE ADVOCATE RECOMMENDATION AS TO DISPOSITION.—Together with the written advice provided under paragraph (1), the staff judge advocate shall provide a written recommendation to the convening authority as to the disposition that should be made of the specification in the interest of justice and discipline.

''(3) STAFF JUDGE ADVOCATE ADVICE AND RECOMMENDATION TO ACCOMPANY REFERRAL.—When a convening authority makes a referral for trial by general court-martial, the written advice of the staff judge advocate under paragraph (1) and the written recommendation of the staff judge advocate under paragraph (2) with respect to each specification shall accompany the referral.

''(b) SPECIAL COURT-MARTIAL; CONVENING AUTHORITY CONSULTATION WITH JUDGE ADVOCATE.—Before referral of charges and specifications to a special court-martial for trial, the convening authority shall consult a judge advocate on relevant legal issues.

''(c) GENERAL AND SPECIAL COURTS-MARTIAL; CORRECTION OF CHARGES AND SPECIFICATIONS BEFORE REFERRAL.—Before referral for trial by general court-martial or special court-martial, changes may be made to charges and specifications—

''(1) to correct errors in form; and

''(2) when applicable, to conform to the substance of the evidence contained in a report under section 832(c) of this title (article 32(c)).

''(d) DEFINITION.—In this section, the term 'referral' means the order of a convening authority that charges and specifications against an accused be tried by a specified court-martial.''.

SEC. 6505. SERVICE OF CHARGES AND COMMENCEMENT OF TRIAL.

Section 835 of title 10, United States Code (article 35 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 835. Art. 35. Service of charges; commencement of trial

''(a) IN GENERAL.—Trial counsel detailed for a court-martial under section 827 of this title (article 27) shall cause to be served upon the accused a copy of the charges and specifications referred for trial.

''(b) COMMENCEMENT OF TRIAL.—(1) Subject to paragraphs (2) and (3), no trial or other proceeding of a general court-martial or a special court-martial (including any session under section 839(a) of this title (article 39(a)) may be held over the objection of the accused—

''(A) with respect to a general court-martial, from the time of service through the fifth day after the date of service; or

''(B) with respect to a special court-martial, from the time of service through the third day after the date of service.

''(2) An objection under paragraph (1) may be raised only at the first session of the trial or other proceeding and only if the first session occurs before the end of the applicable period under paragraph (1)(A) or (1)(B). If the first session occurs before the end of the applicable period, the military judge shall, at that session, inquire as to whether the defense objects under this subsection.

''(3) This subsection shall not apply in time of war.''.

TITLE LXVI—TRIAL PROCEDURE

SEC. 6601. DUTIES OF ASSISTANT DEFENSE COUNSEL.

Subsection (e) of section 838 of title 10, United States Code (article 38 of the Uniform Code of Military Justice), is amended by striking '', under the direction'' and all that follows through ''(article 27),''.

SEC. 6602. SESSIONS.

Section 839 of title 10, United States Code (article 39 of the Uniform Code of Military Justice), is amended—

(1) in subsection (a)—

(A) by redesignating paragraph (4) as paragraph (5); and

(B) by striking paragraph (3) and inserting the following new paragraphs:

''(3) holding the arraignment and receiving the pleas of the accused;

''(4) conducting a sentencing proceeding and sentencing the accused; and''; and

(2) in the second sentence of subsection (c), by striking '', in cases in which a military judge has been detailed to the court,''.

SEC. 6603. TECHNICAL AMENDMENT RELATING TO CONTINUANCES.

Section 840 of title 10, United States Code (article 40 of the Uniform Code of Military Justice), is amended by striking ''court-martial without a military judge'' and inserting ''summary court-martial''.

SEC. 6604. CONFORMING AMENDMENTS RELATING TO CHALLENGES.

Section 841 of title 10, United States Code (article 41 of the Uniform Code of Military Justice), is amended—

(1) in subsection (a)(1), by striking '', or, if none, the court,'' in the second sentence;

(2) in subsection (a)(2) by striking ''minimum'' in the first sentence; and

(3) in subsection (b)(2), by striking ''minimum''.

SEC. 6605. STATUTE OF LIMITATIONS.

(a) INCREASE IN PERIOD FOR CHILD ABUSE OFFENSES.—Subsection (b)(2)(A) of section 843 of title 10, United States Code (article 43 of the Uniform Code of Military Justice), is amended by striking ''five years'' and inserting ''ten years''.

(b) INCREASE IN PERIOD FOR FRAUDULENT ENLISTMENT OR APPOINTMENT OFFENSES.—Such section (article) is further amended by adding at the end the following new subsection:

''(h) FRAUDULENT ENLISTMENT OR APPOINTMENT.—A person charged with fraudulent enlistment or fraudulent appointment under section 904a(1) of this title (article 104a(1)) may be tried by court-martial if the sworn charges and specifications are received by an officer exercising summary court-martial jurisdiction with respect to that person, as follows:

''(1) In the case of an enlisted member, during the period of the enlistment or five years, whichever provides a longer period.

''(2) In the case of an officer, during the period of the appointment or five years, whichever provides a longer period.''.

(c) DNA EVIDENCE.—Such section (article), as amended by subsection (b), is further amended by adding at the end the following new subsection:

''(i) DNA EVIDENCE.—If DNA testing implicates an identified person in the commission of an offense punishable by confinement for more than one year, no statute of limitations that

would otherwise preclude prosecution of the offense shall preclude such prosecution until a period of time following the implication of the person by DNA testing has elapsed that is equal to the otherwise applicable limitation period.''.

(d) CONFORMING AMENDMENTS.—Such section (article) is further amended in subsection (b)(2)(B) by striking clauses (i) through (v) and inserting the following:

''(i) Any offense in violation of section 920, 920a, 920b, 920c, or 930 of this title (article 120, 120a, 120b, 120c, or 130), unless the offense is covered by subsection (a).

''(ii) Maiming in violation of section 928a of this title (article 128a).

''(iii) Aggravated assault, assault consummated by a battery, or assault with intent to commit specified offenses in violation of section 928 of this title (article 128).

''(iv) Kidnapping in violation of section 925 of this title (article 125).''.

(e) APPLICATION.—The amendments made by subsections (a), (b), (c), and (d) shall apply to the prosecution of any offense committed before, on, or after the date of the enactment of this subsection if the applicable limitation period has not yet expired.

SEC. 6606. FORMER JEOPARDY.

Subsection (c) of section 844 of title 10, United States Code (article 44 of the Uniform Code of Military Justice), is amended to read as follows:

''(c)(1) A court-martial with a military judge alone is a trial in the sense of this section (article) if, without fault of the accused—

''(A) after introduction of evidence; and

''(B) before announcement of findings under section 853 of this title (article 53);

the case is dismissed or terminated by the convening authority or on motion of the prosecution for failure of available evidence or witnesses.

''(2) A court-martial with a military judge and members is a trial in the sense of this section (article) if, without fault of the accused—

''(A) after the members, having taken an oath as members under section 842 of this title (article 42) and after completion of challenges under section 841 of this title (article 41), are impaneled; and

''(B) before announcement of findings under section 853 of this title (article 53);

the case is dismissed or terminated by the convening authority or on motion of the prosecution for failure of available evidence or witnesses.''.

SEC. 6607. PLEAS OF THE ACCUSED.

(a) PLEAS OF GUILTY.—Subsection (b) of section 845 of title 10, United States Code (article 45 of the Uniform Code of Military Justice), is amended—

(1) in the first sentence, by striking ''may be adjudged'' and inserting ''is mandatory''; and

(2) in the second sentence—

(A) by striking ''or by a court-martial without a military judge''; and

(B) by striking '', if permitted by regulations of the Secretary concerned,''.

(b) HARMLESS ERROR.—Such section (article) is further amended by adding at the end the following new subsection:

''(c) HARMLESS ERROR.—A variance from the requirements of this article is harmless error if the variance does not materially prejudice the substantial rights of the accused.''.

SEC. 6608. CONTEMPT.

(a) AUTHORITY TO PUNISH.—Subsection (a) of section 848 of title 10, United States Code (article 48 of the Uniform Code of Military Justice), is amended to read as follows:

''(a) AUTHORITY TO PUNISH.—(1) With respect to any proceeding under this chapter, a judicial officer specified in paragraph (2) may punish for contempt any person who—

''(A) uses any menacing word, sign, or gesture in the presence of the judicial officer during the proceeding;

''(B) disturbs the proceeding by any riot or disorder; or

''(C) willfully disobeys a lawful writ, process, order, rule, decree, or command issued with respect to the proceeding.

''(2) A judicial officer referred to in paragraph (1) is any of the following:

''(A) Any judge of the Court of Appeals for the Armed Forces and any judge of a Court of Criminal Appeals under section 866 of this title (article 66).

''(B) Any military judge detailed to a court-martial, a provost court, a military commission, or any other proceeding under this chapter.

''(C) Any military magistrate designated to preside under section 819 of this title (article 19).''.

(b) REVIEW.—Such section (article) is further amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) REVIEW.—A punishment under this section—

''(1) if imposed by a military judge or military magistrate, may be reviewed by the Court of Criminal Appeals in accordance with the uniform rules of procedure for the Courts of Criminal Appeals under section 866(g) of this title (article 66(g)); and

''(2) if imposed by a judge of the Court of Appeals for the Armed Forces or a judge of a Court of Criminal Appeals, shall constitute a judgment of the court, subject to review under the applicable provisions of section 867 or 867a of this title (article 67 or 67a).''.

(c) SECTION HEADING.—The heading for such section (article) is amended to read as follows:

''§ 848. Art. 48. Contempt''.

SEC. 6609. DEPOSITIONS.

Section 849 of title 10, United States Code (article 49 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 849. Art. 49. Depositions

''(a) IN GENERAL.—(1) Subject to paragraph (2), a convening authority or a military judge may order depositions at the request of any party.

''(2) A deposition may be ordered under paragraph (1) only if the requesting party demonstrates that, due to exceptional circumstances, it is in the interest of justice that the testimony of a prospective witness be preserved for use at a court-martial, military commission, court of inquiry, or other military court or board.

''(3) A party who requests a deposition under this section shall give to every other party reasonable written notice of the time and place for the deposition.

''(4) A deposition under this section shall be taken before, and authenticated by, an impartial officer, as follows:

''(A) Whenever practicable, by an impartial judge advocate certified under section 827(b) of this title (article 27(b)).

''(B) In exceptional circumstances, by an impartial military or civil officer authorized to administer oaths by (i) the laws of the United States or (ii) the laws of the place where the deposition is taken.

''(b) REPRESENTATION BY COUNSEL.—Representation of the parties with respect to a deposition shall be by counsel detailed in the same manner as trial counsel and defense counsel are detailed under section 827 of this title (article 27). In addition, the accused shall have the right to be represented by civilian or military counsel in the same manner as such counsel are provided for in section 838(b) of this title (article 38(b)).

''(c) ADMISSIBILITY AND USE AS EVIDENCE.—A deposition order under subsection (a) does not control the admissibility of the deposition in a court-martial or other proceeding under this chapter. Except as provided by subsection (d), a party may use all or part of a deposition as provided by the rules of evidence.

''(d) CAPITAL CASES.—Testimony by deposition may be presented in capital cases only by the defense.''.

SEC. 6610. ADMISSIBILITY OF SWORN TESTIMONY BY AUDIOTAPE OR VIDEOTAPE FROM RECORDS OF COURTS OF INQUIRY.

(a) IN GENERAL.—Section 850 of title 10, United States Code (article 50 of the Uniform Code of Military Justice), is amended by adding at the end the following new subsection:

''(d) AUDIOTAPE OR VIDEOTAPE.—Sworn testimony that—

''(1) is recorded by audiotape, videotape, or similar method; and

''(2) is contained in the duly authenticated record of proceedings of a court of inquiry;

is admissible before a court-martial, military commission, court of inquiry, or military board, to the same extent as sworn testimony may be read in evidence before any such body under subsection (a), (b), or (c).''.

(b) SECTION HEADING.—The heading for such section (article) is amended to read as follows:

''§ 850. Art. 50. Admissibility of sworn testimony from records of courts of inquiry''.

SEC. 6611. CONFORMING AMENDMENT RELATING TO DEFENSE OF LACK OF MENTAL RESPONSIBILITY.

Section 850a(c) of title 10, United States Code (article 50a(c) of the Uniform Code of Military Justice), is amended by striking '', or the president of a court-martial without a military judge,''.

SEC. 6612. VOTING AND RULINGS.

Section 851 of title 10, United States Code (article 51 of the Uniform Code of Military Justice), is amended—

(1) in subsection (a), by striking '', and by members of a court-martial without a military judge upon questions of challenge,'' in the first sentence;

(2) in subsection (b)—

(A) by striking ''and, except for questions of challenge, the president of a court-martial without a military judge'' in the first sentence; and

(B) by striking '', or by the president'' in the second sentence and all that follows through the end of the subsection and inserting ''is final and constitutes the ruling of the court, except that the military judge may change a ruling at any time during trial.''; and

(3) in subsection (c), by striking ''or the president of a court-martial without a military judge'' in the matter before paragraph (1).

SEC. 6613. VOTES REQUIRED FOR CONVICTION, SENTENCING, AND OTHER MATTERS.

Section 852 of title 10, United States Code (article 52 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 852. Art. 52. Votes required for conviction, sentencing, and other matters

''(a) IN GENERAL.—No person may be convicted of an offense in a general or special court-martial, other than—

''(1) after a plea of guilty under section 845(b) of this title (article 45(b));

''(2) by a military judge in a court-martial with a military judge alone, under section 816 of this title (article 16); or

''(3) in a court-martial with members under section 816 of this title (article 16), by the concurrence of at least three-fourths of the members present when the vote is taken.

''(b) LEVEL OF CONCURRENCE REQUIRED.—

''(1) IN GENERAL.—Except as provided in subsection (a) and in paragraph (2), all matters to be decided by members of a general or special court-martial shall be determined by a majority

vote, but a reconsideration of a finding of guilty or reconsideration of a sentence, with a view toward decreasing the sentence, may be made by any lesser vote which indicates that the reconsideration is not opposed by the number of votes required for that finding or sentence.

''(2) SENTENCING.—A sentence of death requires (A) a unanimous finding of guilty of an offense in this chapter expressly made punishable by death and (B) a unanimous determination by the members that the sentence for that offense shall include death. All other sentences imposed by members shall be determined by the concurrence of at least three-fourths of the members present when the vote is taken.''.

SEC. 6614. PLEA AGREEMENTS.

Subchapter VII of chapter 47 of title 10, United States Code, is amended by inserting after section 853 (article 53 of the Uniform Code of Military Justice) the following:

''§ 853a. Art. 53a. Plea agreements

''(a) IN GENERAL.—(1) At any time before the announcement of findings under section 853 of this title (article 53), the convening authority and the accused may enter into a plea agreement with respect to such matters as—

''(A) the manner in which the convening authority will dispose of one or more charges and specifications; and

''(B) limitations on the sentence that may be adjudged for one or more charges and specifications.

''(2) The military judge of a general or special court-martial may not participate in discussions between the parties concerning prospective terms and conditions of a plea agreement.

''(b) ACCEPTANCE OF PLEA AGREEMENT.—Subject to subsection (c), the military judge of a general or special court-martial shall accept a plea agreement submitted by the parties, except that the military judge may reject a plea agreement that proposes a sentence if the military judge determines that the proposed sentence is plainly unreasonable.

''(c) LIMITATION ON ACCEPTANCE OF PLEA AGREEMENTS.—The military judge of a general or special court-martial shall reject a plea agreement that—

''(1) contains a provision that has not been accepted by both parties;

''(2) contains a provision that is not understood by the accused; or

''(3) except as provided in subsection (d), contains a provision for a sentence that is less than the mandatory minimum sentence applicable to an offense referred to in section 856(b)(2) of this title (article 56(b)(2)).

''(d) LIMITED CONDITIONS FOR ACCEPTANCE OF PLEA AGREEMENT FOR SENTENCE BELOW MANDATORY MINIMUM FOR CERTAIN OFFENSES.—With respect to an offense referred to in section 856(b)(2) of this title (article 56(b)(2))—

''(1) the military judge may accept a plea agreement that provides for a sentence of bad conduct discharge; and

''(2) upon recommendation of the trial counsel, in exchange for substantial assistance by the accused in the investigation or prosecution of another person who has committed an offense, the military judge may accept a plea agreement that provides for a sentence that is less than the mandatory minimum sentence for the offense charged.

''(e) BINDING EFFECT OF PLEA AGREEMENT.—Upon acceptance by the military judge of a general or special court-martial, a plea agreement shall bind the parties and the military judge.''.

SEC. 6615. RECORD OF TRIAL.

Section 854 of title 10, United States Code (article 54 of the Uniform Code of Military Justice), is amended—

(1) by striking subsection (a) and inserting the following:

''(a) GENERAL AND SPECIAL COURTS-MARTIAL.—Each general or special court-martial shall keep a separate record of the proceedings in each case brought before it. The record shall be certified by a court-reporter, except that in the case of death, disability, or absence of a court reporter, the record shall be certified by an official selected as the President may prescribe by regulation.'';

(2) in subsection (b)—

(A) by striking ''(b) Each special and summary court-martial'' and inserting''(b) SUMMARY COURT-MARTIAL.—Each summary court-martial''; and

(B) by striking ''authenticated'' and inserting ''certified'';

(3) by striking subsection (c) and inserting the following:

''(c) CONTENTS OF RECORD.—(1) Except as provided in paragraph (2), the record shall contain such matters as the President may prescribe by regulation.

''(2) In accordance with regulations prescribed by the President, a complete record of proceedings and testimony shall be prepared in any case of a sentence of death, dismissal, discharge, confinement for more than six months, or forfeiture of pay for more than six months.'';

(4) in subsection (d)—

(A) by striking ''(d) A copy'' and inserting ''(d) EVIDENCE.—A copy''; and

(B) by striking ''authenticated'' and inserting ''certified''; and

(5) in subsection (e)—

(A) by striking ''involving a sexual assault or other offense covered by section 920 of this title (article 120)'' in the first sentence and inserting ''upon request,''; and

(B) by striking ''authenticated'' in the second sentence and inserting ''certified''.

TITLE LXVII—SENTENCES

SEC. 6701. SENTENCING.

(a) IN GENERAL.—Section 856 of title 10, United States Code (article 56 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 856. Art. 56. Sentencing

''(a) SENTENCE MAXIMUMS.—The punishment which a court-martial may direct for an offense may not exceed such limits as the President may prescribe for that offense.

''(b) SENTENCE MINIMUMS FOR CERTAIN OFFENSES.—(1) Except as provided in subsection (d) of section 853a of this title (article 53a), punishment for any offense specified in paragraph (2) shall include dismissal or dishonorable discharge, as applicable.

''(2) The offenses referred to in paragraph (1) are as follows:

''(A) Rape under subsection (a) of section 920 of this title (article 120).

''(B) Sexual assault under subsection (b) of such section (article).

''(C) Rape of a child under subsection (a) of section 920b of this title (article 120b).

''(D) Sexual assault of a child under subsection (b) of such section (article).

''(E) An attempt to commit an offense specified in subparagraph (A), (B), (C), or (D) that is punishable under section 880 of this title (article 80).

''(c) IMPOSITION OF SENTENCE.—

''(1) IN GENERAL.—In sentencing an accused under section 853 of this title (article 53), a court-martial shall impose punishment that is sufficient, but not greater than necessary, to promote justice and to maintain good order and discipline in the armed forces, taking into consideration—

''(A) the nature and circumstances of the offense and the history and characteristics of the accused;

''(B) the impact of the offense on—

''(i) the financial, social, psychological, or medical well-being of any victim of the offense; and

''(ii) the mission, discipline, or efficiency of the command of the accused and any victim of the offense;

''(C) the need for the sentence—

''(i) to reflect the seriousness of the offense;

''(ii) to promote respect for the law;

''(iii) to provide just punishment for the offense;

''(iv) to promote adequate deterrence of misconduct;

''(v) to protect others from further crimes by the accused;

''(vi) to rehabilitate the accused; and

''(vii) to provide, in appropriate cases, the opportunity for retraining and return to duty to meet the needs of the service; and

''(D) the sentences available under this chapter.

''(2) OFFENSE BASED SENTENCING IN GENERAL AND SPECIAL COURTS-MARTIAL.—In announcing the sentence under section 853 of this title (article 53) in a general or special court-martial, the court-martial shall, with respect to each offense of which the accused is found guilty, specify the term of confinement, if any, and the amount of the fine, if any. If the accused is sentenced to confinement for more than one offense, the court-martial shall specify whether the terms of confinement are to run consecutively or concurrently.

''(3) SENTENCE OF CONFINEMENT FOR LIFE WITHOUT ELIGIBILITY FOR PAROLE.—(A) If an offense is subject to a sentence of confinement for life, a court-martial may impose a sentence of confinement for life without eligibility for parole.

''(B) An accused who is sentenced to confinement for life without eligibility for parole shall be confined for the remainder of the accused's life unless—

''(i) the sentence is set aside or otherwise modified as a result of—

''(I) action taken by the convening authority or the Secretary concerned; or

''(II) any other action taken during post-trial procedure and review under any other provision of subchapter IX of this chapter;

''(ii) the sentence is set aside or otherwise modified as a result of action taken by a Court of Criminal Appeals, the Court of Appeals for the Armed Forces, or the Supreme Court; or

''(iii) the accused is pardoned.

''(d) APPEAL OF SENTENCE BY THE UNITED STATES.—(1) With the approval of the Judge Advocate General concerned, the Government may appeal a sentence to the Court of Criminal Appeals, on the grounds that—

''(A) the sentence violates the law; or

''(B) the sentence is plainly unreasonable.

''(2) An appeal under this subsection must be filed within 60 days after the date on which the judgment of a court-martial is entered into the record under section 860c of this title (article 60c).''.

(b) CONFORMING AMENDMENT.—Section 856a of title 10, United States Code (article 56a of the Uniform Code of Military Justice), is repealed.

SEC. 6701A. MINIMUM CONFINEMENT PERIOD REQUIRED FOR CONVICTION OF CERTAIN SEX-RELATED OFFENSES COMMITTED BY MEMBERS OF THE ARMED FORCES.

(a) MANDATORY PUNISHMENTS.—Subsection (b)(1) of section 856 of title 10, United States Code (article 56 of the Uniform Code of Military Justice), as amended by section 6701, is further amended by striking ''shall include dismissal or dishonorable discharge, as applicable.'' and inserting the following: ''shall include, at a minimum—

''(A) dismissal or dishonorable discharge, as applicable; and

''(B) confinement for two years.''.

(b) APPLICATION OF AMENDMENT.—Subparagraph (B) of paragraph (1) of section 856(b) of title 10, United States Code (article 56(b) of the Uniform Code of Military Justice), as added by subsection (a), shall apply to offenses specified in paragraph (2) of such section committed on or after the date that is 180 days after the date of the enactment of this Act.

SEC. 6702. EFFECTIVE DATE OF SENTENCES.

(a) IN GENERAL.—Section 857 of title 10, United States Code (article 57 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 857. Art. 57. Effective date of sentences

''(a) EXECUTION OF SENTENCES.—A court-martial sentence shall be executed and take effect as follows:

''(1) FORFEITURE AND REDUCTION.—A forfeiture of pay or allowances shall be applicable to pay and allowances accruing on and after the date on which the sentence takes effect. Any forfeiture of pay or allowances or reduction in grade that is included in a sentence of a court-martial takes effect on the earlier of—

''(A) the date that is 14 days after the date on which the sentence is adjudged; or

''(B) in the case of a summary court-martial, the date on which the sentence is approved by the convening authority.

''(2) CONFINEMENT.—Any period of confinement included in a sentence of a court-martial begins to run from the date the sentence is adjudged by the court-martial, but periods during which the sentence to confinement is suspended or deferred shall be excluded in computing the service of the term of confinement.

''(3) APPROVAL OF SENTENCE OF DEATH.—If the sentence of the court-martial extends to death, that part of the sentence providing for death may not be executed until approved by the President. In such a case, the President may commute, remit, or suspend the sentence, or any part thereof, as the President sees fit. That part of the sentence providing for death may not be suspended.

''(4) APPROVAL OF DISMISSAL.—If in the case of a commissioned officer, cadet, or midshipman, the sentence of a court-martial extends to dismissal, that part of the sentence providing for dismissal may not be executed until approved by the Secretary concerned or such Under Secretary or Assistant Secretary as may be designated by the Secretary concerned. In such a case, the Secretary, Under Secretary, or Assistant Secretary, as the case may be, may commute, remit, or suspend the sentence, or any part of the sentence, as the Secretary sees fit. In time of war or national emergency he may commute a sentence of dismissal to reduction to any enlisted grade. A person so reduced may be required to serve for the duration of the war or emergency and six months thereafter.

''(5) COMPLETION OF APPELLATE REVIEW.—If a sentence extends to death, dismissal, or a dishonorable or bad-conduct discharge, that part of the sentence extending to death, dismissal, or a dishonorable or bad-conduct discharge may be executed, in accordance with service regulations, after completion of appellate review (and, with respect to death or dismissal, approval under paragraph (3) or (4), as appropriate).

''(6) OTHER SENTENCES.—Except as otherwise provided in this subsection, a general or special court-martial sentence is effective upon entry of judgment and a summary court-martial sentence is effective when the convening authority acts on the sentence.

''(b) DEFERRAL OF SENTENCES.—(1) On application by an accused, the convening authority or, if the accused is no longer under his jurisdiction, the officer exercising general court-martial jurisdiction over the command to which the accused is currently assigned, may, in his or her sole discretion, defer the effective date of a sentence of confinement, reduction, or forfeiture. The deferment shall terminate upon entry of judgment or, in the case of a summary court-martial, when the convening authority acts on the sentence. The deferment may be rescinded at any time by the officer who granted it or, if the accused is no longer under his jurisdiction, by the officer exercising general court-martial jurisdiction over the command to which the accused is currently assigned.

''(2) In any case in which a court-martial sentences a person referred to in paragraph (3) to confinement, the convening authority may defer the service of the sentence to confinement, without the consent of that person, until after the person has been permanently released to the armed forces by a State or foreign country referred to in that paragraph.

''(3) Paragraph (2) applies to a person subject to this chapter who—

''(A) while in the custody of a State or foreign country is temporarily returned by that State or foreign country to the armed forces for trial by court-martial; and

''(B) after the court-martial, is returned to that State or foreign country under the authority of a mutual agreement or treaty, as the case may be.

''(4) In this subsection, the term 'State' includes the District of Columbia and any Commonwealth, territory, or possession of the United States.

''(5) In any case in which a court-martial sentences a person to confinement, but in which review of the case under section 867(a)(2) of this title (article 67(a)(2)) is pending, the Secretary concerned may defer further service of the sentence to confinement while that review is pending.

''(c) APPELLATE REVIEW.—(1) Appellate review is complete under this section when—

''(A) a review under section 865 of this title (article 65) is completed; or

''(B) a review under section 866 of this title (article 66) is completed by a Court of Criminal Appeals and—

''(i) the time for the accused to file a petition for review by the Court of Appeals for the Armed Forces has expired and the accused has not filed a timely petition for such review and the case is not otherwise under review by that Court;

''(ii) such a petition is rejected by the Court of Appeals for the Armed Forces; or

''(iii) review is completed in accordance with the judgment of the Court of Appeals for the Armed Forces and—

''(I) a petition for a writ of certiorari is not filed within the time limits prescribed by the Supreme Court;

''(II) such a petition is rejected by the Supreme Court; or

''(III) review is otherwise completed in accordance with the judgment of the Supreme Court.

''(2) The completion of appellate review shall constitute a final judgment as to the legality of the proceedings.''.

(b) CONFORMING AMENDMENTS.—(1) Subchapter VIII of chapter 47 of title 10, United States Code, is amended by striking section 857a (article 57a of the Uniform Code of Military Justice).

(2) Subchapter IX of chapter 47 of title 10, United States Code, is amended by striking section 871 (article 71 of the Uniform Code of Military Justice).

(3) The second sentence of subsection (a)(1) of section 858b of title 10, United States Code (article 58b of the Uniform Code of Military Justice), is amended by striking ''section 857(a) of this title (article 57(a))'' and inserting ''section 857 of this title (article 57)''.

SEC. 6703. SENTENCE OF REDUCTION IN ENLISTED GRADE.

Section 858a of title 10, United States Code (article 58a of the Uniform Code of Military Justice), is amended—

(1) in subsection (a)—

(A) by striking ''Unless otherwise provided in regulations to be prescribed by the Secretary concerned, a'' and inserting ''A'';

(B) by striking ''as approved by the convening authority'' and inserting ''as set forth in the judgment of the court-martial entered into the record under section 860c of this title (article 60c)''; and

(C) in the matter after paragraph (3), by striking ''of that approval'' and inserting ''on which the judgment is so entered''; and

(2) in subsection (b), by striking ''disapproved, or, as finally approved'' and inserting ''reduced, or, as finally affirmed''.

TITLE LXVIII—POST-TRIAL PROCEDURE AND REVIEW OF COURTS-MARTIAL

SEC. 6801. POST-TRIAL PROCESSING IN GENERAL AND SPECIAL COURTS-MARTIAL.

Section 860 of title 10, United States Code (article 60 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 860. Art. 60. Post-trial processing in general and special courts-martial

''(a) STATEMENT OF TRIAL RESULTS.—(1) The military judge of a general or special court-martial shall enter into the record of trial a document entitled 'Statement of Trial Results', which shall set forth—

''(A) each plea and finding;

''(B) the sentence, if any; and

''(C) such other information as the President may prescribe by regulation.

''(2) Copies of the Statement of Trial Results shall be provided promptly to the convening authority, the accused, and any victim of the offense.

''(b) POST-TRIAL MOTIONS.—In accordance with regulations prescribed by the President, the military judge in a general or special court-martial shall address all post-trial motions and other post-trial matters that—

''(1) may affect a plea, a finding, the sentence, the Statement of Trial Results, the record of trial, or any post-trial action by the convening authority; and

''(2) are subject to resolution by the military judge before entry of judgment.''.

SEC. 6802. LIMITED AUTHORITY TO ACT ON SENTENCE IN SPECIFIED POST-TRIAL CIRCUMSTANCES.

Subchapter IX of chapter 47 of title 10, United States Code, is amended by inserting after section 860 (article 60 of the Uniform Code of Military Justice), as amended by section 6801, the following new section (article):

''§ 860a. Art. 60a. Limited authority to act on sentence in specified post-trial circumstances

''(a) IN GENERAL.—(1) The convening authority of a general or special court-martial described in paragraph (2)—

''(A) may act on the sentence of the court-martial only as provided in subsection (b), (c), or (d); and

''(B) may not act on the findings of the court-martial.

''(2) The courts-martial referred to in paragraph (1) are the following:

''(A) A general or special court-martial in which the maximum sentence of confinement established under subsection (a) of section 856 of this title (article 56) for any offense of which the accused is found guilty is more than two years.

''(B) A general or special court-martial in which the total of the sentences of confinement imposed, running consecutively, is more than six months.

''(C) A general or special court-martial in which the sentence imposed includes a dismissal, dishonorable discharge, or bad-conduct discharge.

''(D) A general or special court-martial in which the accused is found guilty of a violation of subsection (a) or (b) of section 920 of this title (article 120), section 920b of this title (article 120b), or such other offense as the Secretary of Defense may specify by regulation.

''(3) Except as provided in subsection (d), the convening authority may act under this section only before entry of judgment.

''(4) Under regulations prescribed by the Secretary concerned, a commissioned officer commanding for the time being, a successor in command, or any person exercising general court-martial jurisdiction may act under this section in place of the convening authority.

''(b) REDUCTION, COMMUTATION, AND SUSPENSION OF SENTENCES GENERALLY.—(1) Except as provided in subsection (c) or (d), the convening authority may not reduce, commute, or suspend any of the following sentences:

''(A) A sentence of confinement, if the total period of confinement imposed for all offenses involved, running consecutively, is greater than six months.

''(B) A sentence of dismissal, dishonorable discharge, or bad-conduct discharge.

''(C) A sentence of death.

''(2) The convening authority may reduce, commute, or suspend any sentence not specified in paragraph (1).

''(c) SUSPENSION OF CERTAIN SENTENCES UPON RECOMMENDATION OF MILITARY JUDGE.—(1) Upon recommendation of the military judge, as included in the Statement of Trial Results, together with an explanation of the facts supporting the recommendation, the convening authority may suspend—

''(A) a sentence of confinement, in whole or in part; or

''(B) a sentence of dismissal, dishonorable discharge, or bad-conduct discharge.

''(2) The convening authority may not, under paragraph (1)—

''(A) suspend a mandatory minimum sentence; or

''(B) suspend a sentence to an extent in excess of the suspension recommended by the military judge.

''(d) REDUCTION OF SENTENCE FOR SUBSTANTIAL ASSISTANCE BY ACCUSED.—(1) Upon a recommendation by the trial counsel, if the accused, after sentencing and before entry of judgment, provides substantial assistance in the investigation or prosecution of another person, the convening authority may reduce, commute, or suspend a sentence, in whole or in part, including any mandatory minimum sentence.

''(2) Upon a recommendation by a trial counsel, designated in accordance with rules prescribed by the President, if the accused, after entry of judgment, provides substantial assistance in the investigation or prosecution of another person, a convening authority, designated under such regulations, may reduce, commute, or suspend a sentence, in whole or in part, including any mandatory minimum sentence.

''(3) In evaluating whether the accused has provided substantial assistance under this subsection, the convening authority may consider the presentence assistance of the accused.

''(e) SUBMISSIONS BY ACCUSED AND VICTIM.—(1) In accordance with rules prescribed by the President, in determining whether to act under this section, the convening authority shall consider matters submitted in writing by the accused or any victim of an offense. Such rules shall include—

''(A) procedures for notice of the opportunity to make such submissions;

''(B) the deadlines for such submissions; and

''(C) procedures for providing the accused and any victim of an offense with a copy of the recording of any open sessions of the court-martial and copies of, or access to, any admitted, unsealed exhibits.

''(2) The convening authority shall not consider under this section any submitted matters that relate to the character of a victim unless such matters were presented as evidence at trial and not excluded at trial.

''(f) DECISION OF CONVENING AUTHORITY.—(1) The decision of the convening authority under this section shall be forwarded to the military judge, with copies provided to the accused and to any victim of the offense.

''(2) If, under this section, the convening authority reduces, commutes, or suspends the sentence, the decision of the convening authority shall include a written explanation of the reasons for such action.

''(3) If, under subsection (d)(2), the convening authority reduces, commutes, or suspends the sentence, the decision of the convening authority shall be forwarded to the chief trial judge for appropriate modification of the entry of judgment, which shall be transmitted to the Judge Advocate General for appropriate action.''.

SEC. 6803. POST-TRIAL ACTIONS IN SUMMARY COURTS-MARTIAL AND CERTAIN GENERAL AND SPECIAL COURTS-MARTIAL.

Subchapter IX of chapter 47 of title 10, United States Code, is amended by inserting after section 860a (article 60a of the Uniform Code of Military Justice), as amended by section 6802, the following new section (article):

''§ 860b. Art. 60b. Post-trial actions in summary courts-martial and certain general and special courts-martial

''(a) IN GENERAL.—(1) In a court-martial not specified in subsection (a)(2) of section 860a of this title (article 60a), the convening authority may—

''(A) dismiss any charge or specification by setting aside the finding of guilty;

''(B) change a finding of guilty to a charge or specification to a finding of guilty to a lesser included offense;

''(C) disapprove the findings and the sentence and dismiss the charges and specifications;

''(D) disapprove the findings and the sentence and order a rehearing as to the findings and the sentence;

''(E) disapprove, commute, or suspend the sentence, in whole or in part; or

''(F) disapprove the sentence and order a rehearing as to the sentence.

''(2) In a summary court-martial, the convening authority shall approve the sentence or take other action on the sentence under paragraph (1).

''(3) Except as provided in paragraph (4), the convening authority may act under this section only before entry of judgment.

''(4) The convening authority may act under this section after entry of judgment in a general or special court-martial in the same manner as the convening authority may act under subsection (d)(2) of section 860a of this title (article 60a). Such action shall be forwarded to the chief trial judge, who shall ensure appropriate modification to the entry of judgment and shall transmit the entry of judgment to the Judge Advocate General for appropriate action.

''(5) Under regulations prescribed by the Secretary concerned, a commissioned officer commanding for the time being, a successor in command, or any person exercising general court-martial jurisdiction may act under this section in place of the convening authority.

''(b) LIMITATIONS ON REHEARINGS.—The convening authority may not order a rehearing under this section—

''(1) as to the findings, if there is insufficient evidence in the record to support the findings;

''(2) to reconsider a finding of not guilty of any specification or a ruling which amounts to a finding of not guilty; or

''(3) to reconsider a finding of not guilty of any charge, unless there has been a finding of guilty under a specification laid under that charge, which sufficiently alleges a violation of some article of this chapter.

''(c) SUBMISSIONS BY ACCUSED AND VICTIM.—In accordance with rules prescribed by the President, in determining whether to act under this section, the convening authority shall consider matters submitted in writing by the accused or any victim of the offense. Such rules shall include the matter required by subsection (e) of section 860a of this title (article 60a).

''(d) DECISION OF CONVENING AUTHORITY.—(1) In a general or special court-martial, the decision of the convening authority under this section shall be forwarded to the military judge, with copies provided to the accused and to any victim of the offense.

''(2) If the convening authority acts on the findings or the sentence under subsection (a)(1), the decision of the convening authority shall include a written explanation of the reasons for such action.''.

SEC. 6804. ENTRY OF JUDGMENT.

Subchapter IX of chapter 47 of title 10, United States Code, is amended by inserting after section 860b (article 60b of the Uniform Code of Military Justice), as added by section 903, the following new section (article):

''§ 860c. Art. 60c. Entry of judgment

''(a) ENTRY OF JUDGMENT OF GENERAL OR SPECIAL COURT-MARTIAL.—(1) In accordance with rules prescribed by the President, in a general or special court-martial, the military judge shall enter into the record of trial the judgment of the court. The judgment of the court shall consist of the following:

''(A) The Statement of Trial Results under section 860 of this title (article 60).

''(B) Any modifications of, or supplements to, the Statement of Trial Results by reason of—

''(i) any post-trial action by the convening authority; or

''(ii) any ruling, order, or other determination of the military judge that affects a plea, a finding, or the sentence.

''(2) Under rules prescribed by the President, the judgment under paragraph (1) shall be—

''(A) provided to the accused and to any victim of the offense; and

''(B) made available to the public.

''(b) SUMMARY COURT-MARTIAL JUDGMENT.—The findings and sentence of a summary court-martial, as modified by any post-trial action by the convening authority under section 860b of this title (article 60b), constitutes the judgment of the court-martial and shall be recorded and distributed under rules prescribed by the President.''.

SEC. 6805. WAIVER OF RIGHT TO APPEAL AND WITHDRAWAL OF APPEAL.

Section 861 of title 10, United States Code (article 61 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 861. Art. 61. Waiver of right to appeal; withdrawal of appeal

''(a) WAIVER OF RIGHT TO APPEAL.—After entry of judgment in a general or special court-martial, under procedures prescribed by the Secretary concerned, the accused may waive the right to appellate review in each case subject to such review under section 866 (article 66). Such a waiver shall be—

''(1) signed by the accused and by defense counsel; and

''(2) attached to the record of trial.

''(b) WITHDRAWAL OF APPEAL.—In a general or special court-martial, the accused may withdraw an appeal at any time.

''(c) DEATH PENALTY CASE EXCEPTION.—Notwithstanding subsections (a) and (b), an accused may not waive the right to appeal or withdraw an appeal with respect to a judgment that includes a sentence of death.

''(d) WAIVER OR WITHDRAWAL AS BAR.—A waiver or withdrawal under this section bars review under section 866 of this title (article 66).''.

SEC. 6806. APPEAL BY THE UNITED STATES.

Section 862 of title 10, United States Code (article 62 of the Uniform Code of Military Justice), is amended—

(1) in paragraph (1) of subsection (a)—

(A) in the matter before subparagraph (A), by striking ''court-martial'' and all that follows through the colon at the end and inserting ''general or special court-martial, the United States may appeal the following:''; and

(B) by adding at the end the following new subparagraph:

''(G) An order or ruling of the military judge entering a finding of not guilty with respect to a charge or specification following the return of a finding of guilty by the members.'';

(2) in paragraph (2) of subsection (a)—

(A) by striking ''(2)'' and inserting ''(2)(A)''; and

(B) by adding at the end the following new subparagraph:

''(B) An appeal of an order or ruling may not be taken when prohibited by section 844 of this title (article 44).''; and

(3) by adding at the end the following:

''(d) The United States may appeal a ruling or order of a military magistrate in the same manner as had the ruling or order been made by a military judge, except that the issue shall first be presented to the military judge who designated the military magistrate or to a military judge detailed to hear the issue.

''(e) The provisions of this article shall be liberally construed to effect its purposes.''.

SEC. 6807. REHEARINGS.

Section 863 of title 10, United States Code (article 63 of the Uniform Code of Military Justice), is amended—

(1) by inserting ''(a)'' before ''Each rehearing'';

(2) in the second sentence, by striking ''may be approved'' and inserting ''may be adjudged'';

(3) by striking the third sentence; and

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

''(b) If the sentence adjudged by the first court-martial was in accordance with a plea agreement under section 853a of this title (article 53a) and the accused at the rehearing does not comply with the agreement, or if a plea of guilty was entered for an offense at the first court-martial and a plea of not guilty was entered at the rehearing, the sentence as to those charges or specifications may include any punishment not in excess of that which could have been adjudged at the first court-martial.

''(c) If, after appeal by the Government under section 856(d) of this title (article 56(d)), the sentence adjudged is set aside and a rehearing on sentence is ordered by the Court of Criminal Appeals or Court of Appeals for the Armed Forces, the court-martial may impose any sentence that is in accordance with the order or ruling setting aside the adjudged sentence.''.

SEC. 6808. JUDGE ADVOCATE REVIEW OF FINDING OF GUILTY IN SUMMARY COURT-MARTIAL.

(a) IN GENERAL.—Subsection (a) of section 864 of title 10, United States Code (article 64 of the Uniform Code of Military Justice), is amended by striking the first two sentences and inserting the following:

''(a) IN GENERAL.—Under regulations prescribed by the Secretary concerned, each summary court-martial in which there is a finding of guilty shall be reviewed by a judge advocate. A judge advocate may not review a case under this subsection if the judge advocate has acted in the same case as an accuser, preliminary hearing officer, member of the court, military judge, or counsel or has otherwise acted on behalf of the prosecution or defense.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—(1) The heading for such section (article) is amended to read as follows:

''§ 864. Art. 64. Judge advocate review of finding of guilty in summary court-martial''.

(2) Subsection (b) of such section is amended—

(A) by striking ''(b) The record'' and inserting ''RECORD.—The record'';

(B) by inserting ''or'' at the end of paragraph (1);

(C) by striking paragraph (2); and

(D) by redesignating paragraph (3) as paragraph (2).

(3) Subsection (c)(3) of such section (article) is amended by striking ''section 869(b) of this title (article 69(b))'' and inserting ''section 869 of this title (article 69).''.

SEC. 6809. TRANSMITTAL AND REVIEW OF RECORDS.

Section 865 of title 10, United States Code (article 65 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 865. Art. 65. Transmittal and review of records

''(a) TRANSMITTAL OF RECORDS.—(1) If the judgment of a general or special court-martial entered under section 860c of this title (article 60c) includes a finding of guilty, the record shall be transmitted to the Judge Advocate General.

''(2) In all other cases, records of trial by court-martial and related documents shall be transmitted and disposed of as the Secretary concerned may prescribe by regulation.

''(b) REVIEW BY JUDGE ADVOCATE GENERAL.—

''(1) BY WHOM.—A review conducted under this subsection may be conducted by an attorney within the Office of the Judge Advocate General or another attorney designated under regulations prescribed by the Secretary concerned.

''(2) REVIEW OF CASES NOT ELIGIBLE FOR APPELLATE REVIEW BY A COURT OF CRIMINAL APPEALS.—

''(A) A review under subparagraph (B) shall be completed in each general and special court-martial that is not eligible for appellate review under paragraph (1) or (2) of section 866(b) of this title (article 66(b)).

''(B) A review referred to in subparagraph (A) shall include a written decision providing each of the following:

''(i) A conclusion as to whether the court had jurisdiction over the accused and the offense.

''(ii) A conclusion as to whether the charge and specification stated an offense.

''(iii) A conclusion as to whether the sentence was within the limits prescribed as a matter of law.

''(iv) A response to each allegation of error made in writing by the accused.

''(3) REVIEW WHEN APPELLATE REVIEW BY A COURT OF CRIMINAL APPEALS IS WAIVED OR WITHDRAWN.—

''(A) A review under subparagraph (B) shall be completed in each general and special court-martial if the accused waives the right to appellate review or withdraws appeal under section 861 of this title (article 61).

''(B) A review referred to in subparagraph (A) shall include a written decision limited to providing conclusions on the matters specified in clauses (i), (ii), and (iii) of paragraph (2)(B).

''(c) REMEDY.—(1) If after a review of a record under subsection (b), the attorney conducting the review believes corrective action may be required, the record shall be forwarded to the Judge Advocate General, who may set aside the findings or sentence, in whole or in part.

''(2) In setting aside findings or sentence, the Judge Advocate General may order a rehearing, except that a rehearing may not be ordered in violation of section 844 of this title (article 44).

''(3)(A) If the Judge Advocate General sets aside findings and sentence and does not order a rehearing, the Judge Advocate General shall dismiss the charges.

''(B) If the Judge Advocate General sets aside findings and orders a rehearing and the convening authority determines that a rehearing would be impractical, the convening authority shall dismiss the charges.''.

SEC. 6810. COURTS OF CRIMINAL APPEALS.

(a) APPELLATE MILITARY JUDGES.—Subsection (a) of section 866 of chapter 47 of title 10, United States Code (article 66 of the Uniform Code of Military Justice), is amended—

(1) in the second sentence, by striking ''subsection (f)'' and inserting ''subsection (g)'';

(2) in the fourth sentence, by inserting after ''highest court of a State'' the following: ''and must be certified by the Judge Advocate General as qualified, by reason of education, training, experience, and judicial temperament, for duty as an appellate military judge''; and

(3) by adding at the end the following new sentence: ''In accordance with regulations prescribed by the President, assignments of appellate military judges under this section (article) shall be for appropriate minimum periods, subject to such exceptions as may be authorized in the regulations.''.

(b) REVISION OF APPELLATE PROCEDURES.—Such section (article) is further amended—

(1) by redesignating subsections (e), (f), (g), and (h) as subsections (f), (g), (h), and (i), respectively; and

(2) by striking subsections (b), (c), and (d) and inserting the following new subsections:

''(b) REVIEW.—(1) The Judge Advocate General shall refer to a Court of Criminal Appeals the record in any of the following cases of trial by court-martial:

''(A) A case in which the judgment entered into the record under section 860c of this title (article 60c) includes a sentence of death, dismissal of a commissioned officer, cadet, or midshipman, dishonorable or bad-conduct discharge, or confinement for more than six months.

''(B) A case in which the Government previously filed an appeal under sections 856(d) or 862 of this title (articles 56(d) or 62).

''(C) A case in which the right to appellate review has not been waived or an appeal has not been withdrawn under section 861 of this title (article 61), except in the case of a sentence extending to death.

''(2) A Court of Criminal Appeals shall have jurisdiction to review the judgment of a court-martial, entered into the record under section 860c of this title (article 60c), in a case in which the accused filed an application for review with the Court under section 869(d)(1)(B) of this title (article 69(d)(1)(B)) and the application has been granted by the Court.

''(c) DUTIES.—(1) In a case referred to it, the Court of Criminal Appeals may act only with respect to the findings and sentence as entered into the record under section 860c of this title (article 60c). It may affirm only such findings of guilty, and the sentence or such part or amount of the sentence, as it finds correct in law and fact and determines, on the basis of the entire record, should be approved. In considering the record, it may weigh the evidence, judge the credibility of witnesses, and determine controverted questions of fact, recognizing that the trial court saw and heard the witnesses.

''(2) In any case before the Court of Criminal Appeals under paragraph (1) or (2) of subsection (b), the Court may provide appropriate relief if the accused demonstrates error or excessive

delay in the processing of the court-martial after the judgment was entered into the record under section 860c of this title (article 60c).

''(3) In review of a sentence to death or to life in prison without eligibility for parole determined by the members in a capital case under section 853 of this title (article 53), the Court of Criminal Appeals must consider whether the sentence is otherwise appropriate, under rules prescribed by the President.

''(4) If the Court of Criminal Appeals sets aside the findings and sentence, it may, except where the setting aside is based on lack of sufficient evidence in the record to support the findings, order a rehearing. If it sets aside the findings and sentence and does not order a rehearing, it shall order that the charges be dismissed.

''(d) CONSIDERATION OF APPEAL OF SENTENCE BY THE UNITED STATES.—(1) In considering a sentence on appeal, other than as provided in section 856(d) of this title (article 56(d)), the Court of Criminal Appeals may consider—

''(A) whether the sentence violates the law; and

''(B) whether the sentence is plainly unreasonable.

''(2) In an appeal under section 856(d) of this title (article 56(d)), the record on appeal shall consist of—

''(A) any portion of the record in the case that is designated as pertinent by either of the parties;

''(B) the information submitted during the sentencing proceeding; and

''(C) any information required by rule or order of the Court of Criminal Appeals.

''(e) LIMITS OF AUTHORITY.—(1)(A) If the Court of Criminal Appeals sets aside the findings, the Court—

''(i) may affirm any lesser included offense; and

''(ii) may, except when prohibited by section 844 of this title (article 44), order a rehearing.

''(B) If the Court of Criminal Appeals orders a rehearing on a charge and the convening authority finds a rehearing impracticable, the convening authority may dismiss the charge.

''(C) If the Court of Criminal Appeals sets aside the findings and does not order a rehearing, the Court shall order that the charges be dismissed.

''(2) If the Court of Criminal Appeals sets aside the sentence, the Court may—

''(A) modify the sentence to a lesser sentence; or

''(B) order a rehearing.

''(3) If the Court determines that additional proceedings are warranted, the Court may order a hearing as may be necessary to address a substantial issue, subject to such limitations as the Court may direct and under such regulations as the President may prescribe.''.

(c) ACTION WHEN REHEARING IMPRACTICABLE AFTER REHEARING ORDER.—Subsection (f) of such section (article), as redesignated by subsection (b)(1), is amended—

(1) in the first sentence, by striking ''convening authority'' and inserting ''appropriate authority''; and

(2) by striking the last sentence.

(d) ELIGIBILITY TO REVIEW THE RECORD.—Subsection (i) of such section (article), as redesignated by subsection (b)(1), is amended by striking ''an investigating officer'' and inserting ''an investigating or a preliminary hearing officer''.

(e) SECTION HEADING.—The heading for such section (article) is amended to read as follows:

''§ 866. Art. 66. Courts of Criminal Appeals''.

SEC. 6811. REVIEW BY COURT OF APPEALS FOR THE ARMED FORCES.

(a) JAG NOTIFICATION.—Subsection (a)(2) of section 867 of title 10, United States Code (article 67 of the Uniform Code of Military Justice), is amended by inserting after ''the Judge Advocate General'' the following: '', after appropriate notification to the other Judge Advocates General and to the Staff Judge Advocate to the Commandant of the Marine Corps,''.

(b) BASIS FOR REVIEW.—Subsection (c) of such section (article) is amended—

(1) by inserting ''(1)'' after ''(c)'';

(2) by designating the second sentence as paragraph (2);

(3) by designating the third sentence as paragraph (3);

(4) by designating the fourth sentence as paragraph (4); and

(5) in paragraph (1), as designated by paragraph (1) of this subsection, by striking ''only with respect to'' and all that follows through the end of the sentence and inserting the following:

''(1) ''only with respect to—

''(A) the findings and sentence set forth in the entry of judgment, as affirmed or set aside as incorrect in law by the Court of Criminal Appeals; or

''(B) a decision, judgment, or order by a military judge, as affirmed or set aside as incorrect in law by the Court of Criminal Appeals.''.

SEC. 6812. SUPREME COURT REVIEW.

The second sentence of subsection (a) of section 867a of title 10, United States Code (article 67a of the Uniform Code of Military Justice), is amended by inserting before ''Court of Appeals'' the following: ''United States''.

SEC. 6813. REVIEW BY JUDGE ADVOCATE GENERAL.

Section 869 of title 10, United States Code (article 69 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 869. Art. 69. Review by Judge Advocate General

''(a) IN GENERAL.—Upon application by the accused and subject to subsections (b), (c), and (d), the Judge Advocate General may modify or set aside, in whole or in part, the findings and sentence in a court-martial that is not reviewed under section 866 of this title (article 66).

''(b) TIMING.—To qualify for consideration, an application under subsection (a) must be submitted to the Judge Advocate General not later than one year after the date of completion of review under section 864 or 865 of this title (article 64 or 65), as the case may be. The Judge Advocate General may, for good cause shown, extend the period for submission of an application, but may not consider an application submitted more than three years after such completion date.

''(c) SCOPE.—(1)(A) In a case reviewed under section 864 or section 865(b) of this title (article 64 or 65(b)), the Judge Advocate General may set aside the findings or sentence, in whole or in part on the grounds of newly discovered evidence, fraud on the court, lack of jurisdiction over the accused or the offense, error prejudicial to the substantial rights of the accused, or the appropriateness of the sentence.

''(B) In setting aside findings or sentence, the Judge Advocate General may order a rehearing, except that a rehearing may not be ordered in violation of section 844 of this title (Article 44).

''(C) If the Judge Advocate General sets aside findings and sentence and does not order a rehearing, the Judge Advocate General shall dismiss the charges.

''(D) If the Judge Advocate General sets aside findings and orders a rehearing and the convening authority determines that a rehearing would be impractical, the convening authority shall dismiss the charges.

''(2) In a case reviewed under section 865(b) of this title (article 65(b)), review under this section is limited to the issue of whether the waiver or withdrawal of an appeal was invalid under the law. If the Judge Advocate General determines that the waiver or withdrawal of an appeal was invalid, the Judge Advocate General shall order appropriate corrective action under rules prescribed by the President.

''(d) COURT OF CRIMINAL APPEALS.—(1) A Court of Criminal Appeals may review the action taken by the Judge Advocate General under subsection (c)—

''(A) in a case sent to the Court of Criminal Appeals by order of the Judge Advocate General; or

''(B) in a case submitted to the Court of Criminal Appeals by the accused in an application for review.

''(2) The Court of Criminal Appeals may grant an application under paragraph (1)(B) only if—

''(A) the application demonstrates a substantial basis for concluding that the action on review under subsection (c) constituted prejudicial error; and

''(B) the application is filed not later than the earlier of—

''(i) 60 days after the date on which the accused is notified of the decision of the Judge Advocate General; or

''(ii) 60 days after the date on which a copy of the decision of the Judge Advocate General is deposited in the United States mails for delivery by first-class certified mail to the accused at an address provided by the accused or, if no such address has been provided by the accused, at the latest address listed for the accused in his official service record.

''(3) The submission of an application for review under this subsection does not constitute a proceeding before the Court of Criminal Appeals for purposes of section 870(c)(1) of this title (article 70(c)(1)).

''(e) Notwithstanding section 866 of this title (article 66), in any case reviewed by a Court of Criminal Appeals under subsection (d), the Court may take action only with respect to matters of law.''.

SEC. 6814. APPELLATE DEFENSE COUNSEL IN DEATH PENALTY CASES.

Section 870 of title 10, United States Code (article 70 of the Uniform Code of Military Justice), is amended by adding at the end the following new subsection:

''(f) To the greatest extent practicable, in any capital case, at least one defense counsel under subsection (c) shall, as determined by the Judge Advocate General, be learned in the law applicable to such cases. If necessary, this counsel may be a civilian and, if so, may be compensated in accordance with regulations prescribed by the Secretary of Defense.''.

SEC. 6815. AUTHORITY FOR HEARING ON VACATION OF SUSPENSION OF SENTENCE TO BE CONDUCTED BY QUALIFIED JUDGE ADVOCATE.

(a) IN GENERAL.—Subsection (a) of section 872 of title 10, United States Code (article 72) of the Uniform Code of Military Justice), is amended by inserting after the first sentence the following new sentence: ''The special court-martial convening authority may detail a judge advocate, who is certified under section 827(b) of this title (article 27(b)), to conduct the hearing.''.

(b) TECHNICAL AMENDMENTS.—Such section (article) is further amended—

(1) in the last sentence of subsection (a), by striking ''if he so desires'' and inserting ''if the probationer so desires''; and

(2) in the second sentence of subsection (b)—

(A) by striking ''If he'' and inserting ''If the officer exercising general court-martial jurisdiction''; and

(B) by striking ''section 871(c) of this title (article 71(c)).'' and inserting ''section 857 of this title (article 57)).''.

SEC. 6816. EXTENSION OF TIME FOR PETITION FOR NEW TRIAL.

The first sentence of section 873 of title 10, United States Code (article 73 of the Uniform

Code of Military Justice), is amended by striking ''two years after approval by the convening authority of a court-martial sentence,'' and inserting ''three years after the date of the entry of judgment under section 860c of this title (article 60c),''.

SEC. 6817. RESTORATION.

Section 875 of title 10, United States Code (article 75 of the Uniform Code of Military Justice), is amended by adding at the end the following new subsection:

''(d) The President shall prescribe regulations, with such limitations as the President considers appropriate, governing eligibility for pay and allowances for the period after the date on which an executed part of a court-martial sentence is set aside.''.

SEC. 6818. LEAVE REQUIREMENTS PENDING REVIEW OF CERTAIN COURT-MARTIAL CONVICTIONS.

Section 876a of title 10, United States Code (article 76a of the Uniform Code of Military Justice), is amended—

(1) in the first sentence, by striking '', as approved under section 860 of this title (article 60),''; and

(2) in the second sentence, by striking ''on which the sentence is approved under section 860 of this title (article 60)'' and inserting ''of the entry of judgment under section 860c of this title (article 60c)''.

TITLE LXIX—PUNITIVE ARTICLES

SEC. 6901. REORGANIZATION OF PUNITIVE ARTICLES.

Sections of subchapter X of chapter 47 of title 10, United States Code (articles of the Uniform Code of Military Justice), are transferred within subchapter X and redesignated as follows:

(1) ENLISTMENT AND SEPARATION.—Sections 883 and 884 (articles 83 and 84) are transferred so as to appear (in that order) after section 904 (article 104) and are redesignated as sections 904a and 904b (articles 104a and 104b), respectively.

(2) RESISTANCE, FLIGHT, BREACH OF ARREST, AND ESCAPE.—Section 895 (article 95) is transferred so as to appear after section 887 (article 87) and is redesignated as section 887a (article 87a).

(3) NONCOMPLIANCE WITH PROCEDURAL RULES.—Section 898 (article 98) is transferred so as to appear after section 931 (article 131) and is redesignated as section 931f (article 131f).

(4) CAPTURED OR ABANDONED PROPERTY.—Section 903 (article 103) is transferred so as to appear after section 908 (article 108) and is redesignated as section 908a (article 108a).

(5) AIDING THE ENEMY.—Section 904 (article 104) is redesignated as section 903b (article 103b).

(6) MISCONDUCT AS PRISONER.—Section 905 (article 105) is transferred so as to appear after section 897 (article 97) and is redesignated as section 898 (article 98).

(7) SPIES; ESPIONAGE.—Sections 906 and 906a (articles 106 and 106a) are transferred so as to appear (in that order) after section 902 (article 102) and are redesignated as sections 903 and 903a (articles 103 and 103a), respectively.

(8) MISBEHAVIOR OF SENTINEL.—Section 913 (article 113) is transferred so as to appear after section 894 (article 94) and is redesignated as section 895 (article 95).

(9) DRUNKEN OR RECKLESS OPERATION OF A VEHICLE, AIRCRAFT, OR VESSEL.—Section 911 (article 111) is transferred so as to appear after section 912a (article 912a) and is redesignated as section 913 (article 113).

(10) HOUSEBREAKING.—Section 930 (article 130) is redesignated as section 929a (article 129a).

(11) STALKING.—Section 920a (article 120a) is transferred so as to appear after section 929a (article 129a), as redesignated by paragraph (10), and is redesignated as section 930 (article 130).

(12) FORGERY.—Section 923 (article 123) is transferred so as to appear after section 904b (article 104b), as transferred and redesignated by paragraph (1), and is redesignated as section 905 (article 105).

(13) MAIMING.—Section 924 (article 124) is transferred so as to appear after section 928 (article 128) and is redesignated as section 928a (article 128a).

(14) FRAUDS AGAINST THE UNITED STATES.—Section 932 of (article 132) is transferred so as to appear after section 923a (article 123a) and is redesignated as section 924 (article 124).

SEC. 6902. CONVICTION OF OFFENSE CHARGED, LESSER INCLUDED OFFENSES, AND ATTEMPTS.

Section 879 of title 10, United States Code (article 79 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 879. Art. 79. Conviction of offense charged, lesser included offenses, and attempts

''(a) IN GENERAL.—An accused may be found guilty of any of the following:

''(1) The offense charged.

''(2) A lesser included offense.

''(3) An attempt to commit the offense charged.

''(4) An attempt to commit a lesser included offense, if the attempt is an offense in its own right.

''(b) DEFINITION.—In this section (article), the term 'lesser included offense' means—

''(1) an offense that is necessarily included in the offense charged; and

''(2) any lesser included offense so designated by regulation prescribed by the President.

''(c) REGULATORY AUTHORITY.—Any designation of a lesser included offense in a regulation referred to in subsection (b) shall be reasonably included in the greater offense.''.

SEC. 6903. SOLICITING COMMISSION OF OFFENSES.

Section 882 of title 10, United States Code (article 82 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 882. Art. 82. Soliciting commission of offenses

''(a) SOLICITING COMMISSION OF OFFENSES GENERALLY.—Any person subject to this chapter who solicits or advises another to commit an offense under this chapter (other than an offense specified in subsection (b)) shall be punished as a court-martial may direct.

''(b) SOLICITING DESERTION, MUTINY, SEDITION, OR MISBEHAVIOR BEFORE THE ENEMY.—Any person subject to this chapter who solicits or advises another to violate section 885 of this title (article 85), section 894 of this title (article 94), or section 899 of this title (article 99)—

''(1) if the offense solicited or advised is attempted or is committed, shall be punished with the punishment provided for the commission of the offense; and

''(2) if the offense solicited or advised is not attempted or committed, shall be punished as a court-martial may direct.''.

SEC. 6904. MALINGERING.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 882 (article 82 of the Uniform Code of Military Justice), as amended by section 6903, the following new section (article):

''§ 883. Art. 83. Malingering

''Any person subject to this chapter who, with the intent to avoid work, duty, or service—

''(1) feigns illness, physical disablement, mental lapse, or mental derangement; or

''(2) intentionally inflicts self-injury;

shall be punished as a court-martial may direct.''.

SEC. 6905. BREACH OF MEDICAL QUARANTINE.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 883 (article 83 of the Uniform Code of Military Justice), as added by section 6904, the following new section (article):

''§ 884. Art. 84. Breach of medical quarantine

''Any person subject to this chapter—

''(1) who is ordered into medical quarantine by a person authorized to issue such order; and

''(2) who, with knowledge of the quarantine and the limits of the quarantine, goes beyond those limits before being released from the quarantine by proper authority;

shall be punished as a court-martial may direct.''.

SEC. 6906. MISSING MOVEMENT; JUMPING FROM VESSEL.

Section 887 of title 10, United States Code (article 87 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 887. Art. 87. Missing movement; jumping from vessel

''(a) MISSING MOVEMENT.—Any person subject to this chapter who, through neglect or design, misses the movement of a ship, aircraft, or unit with which the person is required in the course of duty to move shall be punished as a court-martial may direct.

''(b) JUMPING FROM VESSEL INTO THE WATER.—Any person subject to this chapter who wrongfully and intentionally jumps into the water from a vessel in use by the armed forces shall be punished as a court-martial may direct.''.

SEC. 6907. OFFENSES AGAINST CORRECTIONAL CUSTODY AND RESTRICTION.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 887a (article 87a of the Uniform Code of Military Justice), as transferred and redesignated by section 6901(2), the following new section (article):

''§ 887b. Art. 87b. Offenses against correctional custody and restriction

''(a) ESCAPE FROM CORRECTIONAL CUSTODY.—Any person subject to this chapter—

''(1) who is placed in correctional custody by a person authorized to do so;

''(2) who, while in correctional custody, is under physical restraint; and

''(3) who escapes from the physical restraint before being released from the physical restraint by proper authority;

shall be punished as a court-martial may direct.

''(b) BREACH OF CORRECTIONAL CUSTODY.—Any person subject to this chapter—

''(1) who is placed in correctional custody by a person authorized to do so;

''(2) who, while in correctional custody, is under restraint other than physical restraint; and

''(3) who goes beyond the limits of the restraint before being released from the correctional custody or relieved of the restraint by proper authority;

shall be punished as a court-martial may direct.

''(c) BREACH OF RESTRICTION.—Any person subject to this chapter—

''(1) who is ordered to be restricted to certain limits by a person authorized to do so; and

''(2) who, with knowledge of the limits of the restriction, goes beyond those limits before being released by proper authority;

shall be punished as a court-martial may direct.''.

SEC. 6908. DISRESPECT TOWARD SUPERIOR COMMISSIONED OFFICER; ASSAULT OF SUPERIOR COMMISSIONED OFFICER.

Section 889 of title 10, United States Code (article 89 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 889. Art. 89. Disrespect toward superior commissioned officer; assault of superior commissioned officer

''(a) DISRESPECT.—Any person subject to this chapter who behaves with disrespect toward

that person's superior commissioned officer shall be punished as a court-martial may direct.

''(b) ASSAULT.—Any person subject to this chapter who strikes that person's superior commissioned officer or draws or lifts up any weapon or offers any violence against that officer while the officer is in the execution of the officer's office shall be punished—

''(1) if the offense is committed in time of war, by death or such other punishment as a court-martial may direct; and

''(2) if the offense is committed at any other time, by such punishment, other than death, as a court-martial may direct.''.

SEC. 6909. WILLFULLY DISOBEYING SUPERIOR COMMISSIONED OFFICER.

Section 890 of title 10, United States Code (article 90 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 890. Art. 90. Willfully disobeying superior commissioned officer

''Any person subject to this chapter who willfully disobeys a lawful command of that person's superior commissioned officer shall be punished—

''(1) if the offense is committed in time of war, by death or such other punishment as a court-martial may direct; and

''(2) if the offense is committed at any other time, by such punishment, other than death, as a court-martial may direct.''.

SEC. 6910. PROHIBITED ACTIVITIES WITH MILITARY RECRUIT OR TRAINEE BY PERSON IN POSITION OF SPECIAL TRUST.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 893 (article 93 of the Uniform Code of Military Justice), the following new section (article):

''§ 893a. Art. 93a. Prohibited activities with military recruit or trainee by person in position of special trust

''(a) ABUSE OF TRAINING LEADERSHIP POSITION.—Any person subject to this chapter—

''(1) who is an officer, a noncommissioned officer, or a petty officer;

''(2) who is in a training leadership position with respect to a specially protected junior member of the armed forces; and

''(3) who engages in prohibited sexual activity with such specially protected junior member of the armed forces;

shall be punished as a court-martial may direct.

''(b) ABUSE OF POSITION AS MILITARY RECRUITER.—Any person subject to this chapter—

''(1) who is a military recruiter and engages in prohibited sexual activity with an applicant for military service; or

''(2) who is a military recruiter and engages in prohibited sexual activity with a specially protected junior member of the armed forces who is enlisted under a delayed entry program;

shall be punished as a court-martial may direct.

''(c) CONSENT.—Consent is not a defense for any conduct at issue in a prosecution under this section (article).

''(d) DEFINITIONS.—In this section (article):

''(1) SPECIALLY PROTECTED JUNIOR MEMBER OF THE ARMED FORCES.—The term 'specially protected junior member of the armed forces' means—

''(A) a member of the armed forces who is assigned to, or is awaiting assignment to, basic training or other initial active duty for training, including a member who is enlisted under a delayed entry program;

''(B) a member of the armed forces who is a cadet, a midshipman, an officer candidate, or a student in any other officer qualification program; and

''(C) a member of the armed forces in any program that, by regulation prescribed by the Secretary concerned, is identified as a training program for initial career qualification.

''(2) TRAINING LEADERSHIP POSITION.—The term 'training leadership position' means, with respect to a specially protected junior member of the armed forces, any of the following:

''(A) Any drill instructor position or other leadership position in a basic training program, an officer candidate school, a reserve officers' training corps unit, a training program for entry into the armed forces, or any program that, by regulation prescribed by the Secretary concerned, is identified as a training program for initial career qualification.

''(B) Faculty and staff of the United States Military Academy, the United States Naval Academy, the United States Air Force Academy, and the United States Coast Guard Academy.

''(3) APPLICANT FOR MILITARY SERVICE.—The term 'applicant for military service' means a person who, under regulations prescribed by the Secretary concerned, is an applicant for original enlistment or appointment in the armed forces.

''(4) MILITARY RECRUITER.—The term 'military recruiter' means a person who, under regulations prescribed by the Secretary concerned, has the primary duty to recruit persons for military service.

''(5) PROHIBITED SEXUAL ACTIVITY.—The term 'prohibited sexual activity' means, as specified in regulations prescribed by the Secretary concerned, inappropriate physical intimacy under circumstances described in such regulations.''.

SEC. 6911. OFFENSES BY SENTINEL OR LOOKOUT.

Section 895 of title 10, United States Code (article 95 of the Uniform Code of Military Justice), as transferred and redesignated by section 6901(8), is amended to read as follows:

''§ 895. Art. 95. Offenses by sentinel or lookout

''(a) DRUNK OR SLEEPING ON POST, OR LEAVING POST BEFORE BEING RELIEVED.—Any sentinel or lookout who is drunk on post, who sleeps on post, or who leaves post before being regularly relieved, shall be punished—

''(1) if the offense is committed in time of war, by death or such other punishment as a court-martial may direct; and

''(2) if the offense is committed other than in time of war, by such punishment, other than death, as a court-martial may direct.

''(b) LOITERING OR WRONGFULLY SITTING ON POST.—Any sentinel or lookout who loiters or wrongfully sits down on post shall be punished as a court-martial may direct.''.

SEC. 6912. DISRESPECT TOWARD SENTINEL OR LOOKOUT.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 895 (article 95 of the Uniform Code of Military Justice), as amended by section 6911, the following new section (article):

''§ 895a. Art. 95a. Disrespect toward sentinel or lookout

''(a) DISRESPECTFUL LANGUAGE TOWARD SENTINEL OR LOOKOUT.—Any person subject to this chapter who, knowing that another person is a sentinel or lookout, uses wrongful and disrespectful language that is directed toward and within the hearing of the sentinel or lookout, who is in the execution of duties as a sentinel or lookout, shall be punished as a court-martial may direct.

''(b) DISRESPECTFUL BEHAVIOR TOWARD SENTINEL OR LOOKOUT.—Any person subject to this chapter who, knowing that another person is a sentinel or lookout, behaves in a wrongful and disrespectful manner that is directed toward and within the sight of the sentinel or lookout, who is in the execution of duties as a sentinel or lookout, shall be punished as a court-martial may direct.''.

SEC. 6913. RELEASE OF PRISONER WITHOUT AUTHORITY; DRINKING WITH PRISONER.

Section 896 of title 10, United States Code (article 96 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 896. Art. 96. Release of prisoner without authority; drinking with prisoner

''(a) RELEASE OF PRISONER WITHOUT AUTHORITY.—Any person subject to this chapter—

''(1) who, without authority to do so, releases a prisoner; or

''(2) who, through neglect or design, allows a prisoner to escape;

shall be punished as a court-martial may direct, whether or not the prisoner was committed in strict compliance with the law.

''(b) DRINKING WITH PRISONER.—Any person subject to this chapter who unlawfully drinks any alcoholic beverage with a prisoner shall be punished as a court-martial may direct.''.

SEC. 6914. PENALTY FOR ACTING AS A SPY.

Section 903 of title 10, United States Code (article 103 of the Uniform Code of Military Justice), as transferred and redesignated by section 6901(7), is amended by inserting before the period at the end of the first sentence the following: ''or such other punishment as a court-martial or a military commission may direct''.

SEC. 6915. PUBLIC RECORDS OFFENSES.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 903b (article 103b of the Uniform Code of Military Justice), as redesignated by section 6901(5), the following new section (article):

''§ 904. Art. 104. Public records offenses

''Any person subject to this chapter who, willfully and unlawfully—

''(1) alters, conceals, removes, mutilates, obliterates, or destroys a public record; or

''(2) takes a public record with the intent to alter, conceal, remove, mutilate, obliterate, or destroy the public record;

shall be punished as a court-martial may direct.''.

SEC. 6916. FALSE OR UNAUTHORIZED PASS OFFENSES.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 905 (article 105 of the Uniform Code of Military Justice), as transferred and redesignated by section 6901(12), the following new section (article):

''§ 905a. Art. 105a. False or unauthorized pass offenses

''(a) WRONGFUL MAKING, ALTERING, ETC.—Any person subject to this chapter who, wrongfully and falsely, makes, alters, counterfeits, or tampers with a military or official pass, permit, discharge certificate, or identification card shall be punished as a court-martial may direct.

''(b) WRONGFUL SALE, ETC.—Any person subject to this chapter who wrongfully sells, gives, lends, or disposes of a false or unauthorized military or official pass, permit, discharge certificate, or identification card, knowing that the pass, permit, discharge certificate, or identification card is false or unauthorized, shall be punished as a court-martial may direct.

''(c) WRONGFUL USE OR POSSESSION.—Any person subject to this chapter who wrongfully uses or possesses a false or unauthorized military or official pass, permit, discharge certificate, or identification card, knowing that the pass, permit, discharge certificate, or identification card is false or unauthorized, shall be punished as a court-martial may direct.''.

SEC. 6917. IMPERSONATION OFFENSES.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 905a (article 105a of the Uniform Code of Military Justice), as added by section 6916, the following new section (article):

''§ 906. Art. 106. Impersonation of officer, noncommissioned or petty officer, or agent or official

''(a) IN GENERAL.—Any person subject to this chapter who, wrongfully and willfully, impersonates—

''(1) an officer, a noncommissioned officer, or a petty officer;

''(2) an agent of superior authority of one of the armed forces; or

''(3) an official of a government;

shall be punished as a court-martial may direct.

''(b) IMPERSONATION WITH INTENT TO DEFRAUD.—Any person subject to this chapter who, wrongfully, willfully, and with intent to defraud, impersonates any person referred to in paragraph (1), (2), or (3) of subsection (a) shall be punished as a court-martial may direct.

''(c) IMPERSONATION OF GOVERNMENT OFFICIAL WITHOUT INTENT TO DEFRAUD.—Any person subject to this chapter who, wrongfully, willfully, and without intent to defraud, impersonates an official of a government by committing an act that exercises or asserts the authority of the office that the person claims to have shall be punished as a court-martial may direct.''.

SEC. 6918. INSIGNIA OFFENSES.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 906 (article 106 of the Uniform Code of Military Justice), as added by section 6917, the following new section (article):

''§ 906a. Art. 106a. Wearing unauthorized insignia, decoration, badge, ribbon, device, or lapel button

''Any person subject to this chapter—

''(1) who is not authorized to wear an insignia, decoration, badge, ribbon, device, or lapel button; and

''(2) who wrongfully wears such insignia, decoration, badge, ribbon, device, or lapel button upon the person's uniform or civilian clothing;

shall be punished as a court-martial may direct.''.

SEC. 6919. FALSE OFFICIAL STATEMENTS; FALSE SWEARING.

Section 907 of title 10, United States Code (article 107 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 907. Art. 107. False official statements; false swearing

''(a) FALSE OFFICIAL STATEMENTS.—Any person subject to this chapter who, with intent to deceive—

''(1) signs any false record, return, regulation, order, or other official document, knowing it to be false; or

''(2) makes any other false official statement knowing it to be false;

shall be punished as a court-martial may direct.

''(b) FALSE SWEARING.—Any person subject to this chapter—

''(1) who takes an oath that—

''(A) is administered in a matter in which such oath is required or authorized by law; and

''(B) is administered by a person with authority to do so; and

''(2) who, upon such oath, makes or subscribes to a statement;

if the statement is false and at the time of taking the oath, the person does not believe the statement to be true, shall be punished as a court-martial may direct.''.

SEC. 6920. PAROLE VIOLATION.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 907 (article 107 of the Uniform Code of Military Justice), as amended by section 6919, the following new section (article):

''§ 907a. Art. 107a. Parole violation

''Any person subject to this chapter—

''(1) who, having been a prisoner as the result of a court-martial conviction or other criminal proceeding, is on parole with conditions; and

''(2) who violates the conditions of parole;

shall be punished as a court-martial may direct.''.

SEC. 6921. WRONGFUL TAKING, OPENING, ETC. OF MAIL MATTER.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 909 (article 109 of the Uniform Code of Military Justice), the following new section (article):

''§ 909a. Art. 109a. Mail matter: wrongful taking, opening, etc.

''(a) TAKING.—Any person subject to this chapter who, with the intent to obstruct the correspondence of, or to pry into the business or secrets of, any person or organization, wrongfully takes mail matter before the mail matter is delivered to or received by the addressee shall be punished as a court-martial may direct.

''(b) OPENING, SECRETING, DESTROYING, STEALING.—Any person subject to this chapter who wrongfully opens, secretes, destroys, or steals mail matter before the mail matter is delivered to or received by the addressee shall be punished as a court-martial may direct.''.

SEC. 6922. IMPROPER HAZARDING OF VESSEL OR AIRCRAFT.

Section 910 of title 10, United States Code (article 110 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 910. Art. 110. Improper hazarding of vessel or aircraft

''(a) WILLFUL AND WRONGFUL HAZARDING.—Any person subject to this chapter who, willfully and wrongfully, hazards or suffers to be hazarded any vessel or aircraft of the armed forces shall be punished by death or such other punishment as a court-martial may direct.

''(b) NEGLIGENT HAZARDING.—Any person subject to this chapter who negligently hazards or suffers to be hazarded any vessel or aircraft of the armed forces shall be punished as a court-martial may direct.''.

SEC. 6923. LEAVING SCENE OF VEHICLE ACCIDENT.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 910 (article 110 of the Uniform Code of Military Justice), as amended by section 6922, the following new section (article):

''§ 911. Art. 111. Leaving scene of vehicle accident

''(a) DRIVER.—Any person subject to this chapter—

''(1) who is the driver of a vehicle that is involved in an accident that results in personal injury or property damage; and

''(2) who wrongfully leaves the scene of the accident—

''(A) without providing assistance to an injured person; or

''(B) without providing personal identification to others involved in the accident or to appropriate authorities;

shall be punished as a court-martial may direct.

''(b) SENIOR PASSENGER.—Any person subject to this chapter—

''(1) who is a passenger in a vehicle that is involved in an accident that results in personal injury or property damage;

''(2) who is the superior commissioned or noncommissioned officer of the driver of the vehicle or is the commander of the vehicle; and

''(3) who wrongfully and unlawfully orders, causes, or permits the driver to leave the scene of the accident—

''(A) without providing assistance to an injured person; or

''(B) without providing personal identification to others involved in the accident or to appropriate authorities;

shall be punished as a court-martial may direct.''.

SEC. 6924. DRUNKENNESS AND OTHER INCAPACITATION OFFENSES.

Section 912 of title 10, United States Code (article 112 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 912. Art. 112. Drunkenness and other incapacitation offenses

''(a) DRUNK ON DUTY.—Any person subject to this chapter who is drunk on duty shall be punished as a court-martial may direct.

''(b) INCAPACITATION FOR DUTY FROM DRUNKENNESS OR DRUG USE.—Any person subject to this chapter who, as a result of indulgence in any alcoholic beverage or any drug, is incapacitated for the proper performance of duty shall be punished as a court-martial may direct.

''(c) DRUNK PRISONER.—Any person subject to this chapter who is a prisoner and, while in such status, is drunk shall be punished as a court-martial may direct.''.

SEC. 6925. LOWER BLOOD ALCOHOL CONTENT LIMITS FOR CONVICTION OF DRUNKEN OR RECKLESS OPERATION OF VEHICLE, AIRCRAFT, OR VESSEL.

Subsection (b)(3) of section 913 of title 10, United States Code (article 113 of the Uniform Code of Military Justice), as transferred and redesignated by section 6901(9), is amended—

(1) by striking ''0.10 grams'' both places it appears and inserting ''0.08 grams''; and

(2) by adding at the end the following new sentence: ''The Secretary may by regulation prescribe limits that are lower than the limits specified in the preceding sentence, if such lower limits are based on scientific developments, as reflected in Federal law of general applicability.''.

SEC. 6926. ENDANGERMENT OFFENSES.

Section 914 of title 10, United States Code (article 114 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 914. Art. 114. Endangerment offenses

''(a) RECKLESS ENDANGERMENT.—Any person subject to this chapter who engages in conduct that—

''(1) is wrongful and reckless or is wanton; and

''(2) is likely to produce death or grievous bodily harm to another person;

shall be punished as a court-martial may direct.

''(b) DUELING.—Any person subject to this chapter—

''(1) who fights or promotes, or is concerned in or connives at fighting a duel; or

''(2) who, having knowledge of a challenge sent or about to be sent, fails to report the facts promptly to the proper authority;

shall be punished as a court-martial may direct.

''(c) FIREARM DISCHARGE, ENDANGERING HUMAN LIFE.—Any person subject to this chapter who, willfully and wrongly, discharges a firearm, under circumstances such as to endanger human life shall be punished as a court-martial may direct.

''(d) CARRYING CONCEALED WEAPON.—Any person subject to this chapter who unlawfully carries a dangerous weapon concealed on or about his person shall be punished as a court-martial may direct.''.

SEC. 6927. COMMUNICATING THREATS.

Section 915 of title 10, United States Code (article 115 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 915. Art. 115. Communicating threats

''(a) COMMUNICATING THREATS GENERALLY.—Any person subject to this chapter who wrongfully communicates a threat to injure the person, property, or reputation of another shall be punished as a court-martial may direct.

''(b) COMMUNICATING THREAT TO USE EXPLOSIVE, ETC.—Any person subject to this chapter who wrongfully communicates a threat to injure the person or property of another by use of (1) an explosive, (2) a weapon of mass destruction, (3) a biological or chemical agent, substance, or weapon, or (4) a hazardous material, shall be punished as a court-martial may direct.

''(c) COMMUNICATING FALSE THREAT CONCERNING USE OF EXPLOSIVE, ETC.—Any person

subject to this chapter who maliciously communicates a false threat concerning injury to the person or property of another by use of (1) an explosive, (2) a weapon of mass destruction, (3) a biological or chemical agent, substance, or weapon, or (4) a hazardous material, shall be punished as a court-martial may direct. As used in the preceding sentence, the term 'false threat' means a threat that, at the time the threat is communicated, is known to be false by the person communicating the threat.''.

SEC. 6928. TECHNICAL AMENDMENT RELATING TO MURDER.

Section 918(4) of title 10, United States Code (article 118(4) of the Uniform Code of Military Justice), is amended by striking ''forcible sodomy,''.

SEC. 6929. CHILD ENDANGERMENT.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 919a (article 119a of the Uniform Code of Military Justice), the following new section (article):

''§ 919b. Art. 119b. Child endangerment

''Any person subject to this chapter—

''(1) who has a duty for the care of a child under the age of 16 years; and

''(2) who, through design or culpable negligence, endangers the child's mental or physical health, safety, or welfare;

shall be punished as a court-martial may direct.''.

SEC. 6930. DEPOSIT OF OBSCENE MATTER IN THE MAIL.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 920 (article 120 of the Uniform Code of Military Justice), the following new section (article):

''§ 920a. Art. 120a. Mails: deposit of obscene matter

''Any person subject to this chapter who, wrongfully and knowingly, deposits obscene matter for mailing and delivery shall be punished as a court-martial may direct.''.

SEC. 6931. FRAUDULENT USE OF CREDIT CARDS, DEBIT CARDS, AND OTHER ACCESS DEVICES.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 921 (article 121 of the Uniform Code of Military Justice), the following new section (article):

''§ 921a. Art. 121a. Fraudulent use of credit cards, debit cards, and other access devices

''(a) IN GENERAL.—Any person subject to this chapter who, with intent to defraud, uses—

''(1) a stolen credit card, debit card, or other access device;

''(2) a revoked, cancelled, or otherwise invalid credit card, debit card, or other access device; or

''(3) a credit card, debit card, or other access device without the authorization of a person whose authorization is required for such use;

to obtain money, property, services, or anything else of value shall be punished as a court-martial may direct.

''(b) DEFINITION.—In this section (article), the term 'access device' has the meaning given that term in section 1029 of title 18.''.

SEC. 6932. FALSE PRETENSES TO OBTAIN SERVICES.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 921a (article 121a of the Uniform Code of Military Justice), as added by section 6931, the following new section (article):

''§ 921b. Art. 121b. False pretenses to obtain services

''Any person subject to this chapter who, with intent to defraud, knowingly uses false pretenses to obtain services shall be punished as a court-martial may direct.''.

SEC. 6933. ROBBERY.

Section 922 of title 10, United States Code (article 122 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 922. Art. 122. Robbery

''Any person subject to this chapter who takes anything of value from the person or in the presence of another, against his will, by means of force or violence or fear of immediate or future injury to his person or property or to the person or property of a relative or member of his family or of anyone in his company at the time of the robbery, is guilty of robbery and shall be punished as a court-martial may direct.''.

SEC. 6934. RECEIVING STOLEN PROPERTY.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 922 (article 122 of the Uniform Code of Military Justice), as amended by section 6933, the following new section (article):

''§ 922a. Art. 122a. Receiving stolen property

''Any person subject to this chapter who wrongfully receives, buys, or conceals stolen property, knowing the property to be stolen property, shall be punished as a court-martial may direct.''.

SEC. 6935. OFFENSES CONCERNING GOVERNMENT COMPUTERS.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 922a (article 122a of the Uniform Code of Military Justice), as added by section 6934, the following new section (article):

''§ 923. Art. 123. Offenses concerning government computers

''(a) IN GENERAL.—Any person subject to this chapter who—

''(1) knowingly accesses a Government computer, with an unauthorized purpose, and by doing so obtains classified information, with reason to believe such information could be used to the injury of the United States, or to the advantage of any foreign nation, and intentionally communicates, delivers, transmits, or causes to be communicated, delivered, or transmitted such information to any person not entitled to receive it;

''(2) intentionally accesses a Government computer, with an unauthorized purpose, and thereby obtains classified or other protected information from any such Government computer; or

''(3) knowingly causes the transmission of a program, information, code, or command, and as a result of such conduct, intentionally causes damage without authorization, to a Government computer;

shall be punished as a court-martial may direct.

''(b) DEFINITIONS.—In this section:

''(1) The term 'computer' has the meaning given that term in section 1030 of title 18.

''(2) The term 'Government computer' means a computer owned or operated by or on behalf of the United States Government.

''(3) The term 'damage' has the meaning given that term in section 1030 of title 18.''.

SEC. 6936. BRIBERY.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 924 (article 124 of the Uniform Code of Military Justice), as transferred and redesignated by section 6901(14), the following new section (article):

''§ 924a. Art. 124a. Bribery

''(a) ASKING, ACCEPTING, OR RECEIVING THING OF VALUE.—Any person subject to this chapter—

''(1) who occupies an official position or who has official duties; and

''(2) who wrongfully asks, accepts, or receives a thing of value with the intent to have the person's decision or action influenced with respect to an official matter in which the United States is interested;

shall be punished as a court-martial may direct.

''(b) PROMISING, OFFERING, OR GIVING THING OF VALUE.—Any person subject to this chapter who wrongfully promises, offers, or gives a thing of value to another person, who occupies an official position or who has official duties, with the intent to influence the decision or action of the other person with respect to an official matter in which the United States is interested, shall be punished as a court-martial may direct.''.

SEC. 6937. GRAFT.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 924a (article 124a of the Uniform Code of Military Justice), as added by section 6936, the following new section (article):

''§ 924b. Art. 124b. Graft

''(a) ASKING, ACCEPTING, OR RECEIVING THING OF VALUE.—Any person subject to this chapter—

''(1) who occupies an official position or who has official duties; and

''(2) who wrongfully asks, accepts, or receives a thing of value as compensation for or in recognition of services rendered or to be rendered by the person with respect to an official matter in which the United States is interested;

shall be punished as a court-martial may direct.

''(b) PROMISING, OFFERING, OR GIVING THING OF VALUE.—Any person subject to this chapter who wrongfully promises, offers, or gives a thing of value to another person, who occupies an official position or who has official duties, as compensation for or in recognition of services rendered or to be rendered by the other person with respect to an official matter in which the United States is interested, shall be punished as a court-martial may direct.''.

SEC. 6938. KIDNAPPING.

Section 925 of title 10, United States Code (article 125 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 925. Art. 125. Kidnapping

''Any person subject to this chapter who wrongfully—

''(1) seizes, confines, inveigles, decoys, or carries away another person; and

''(2) holds the other person against that person's will;

shall be punished as a court-martial may direct.''.

SEC. 6939. ARSON; BURNING PROPERTY WITH INTENT TO DEFRAUD.

Section 926 of title 10, United States Code (article 126 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 926. Art. 126. Arson; burning property with intent to defraud

''(a) AGGRAVATED ARSON.—Any person subject to this chapter who, willfully and maliciously, burns or sets on fire an inhabited dwelling, or any other structure, movable or immovable, wherein, to the knowledge of that person, there is at the time a human being, is guilty of aggravated arson and shall be punished as a court-martial may direct.

''(b) SIMPLE ARSON.—Any person subject to this chapter who, willfully and maliciously, burns or sets fire to the property of another is guilty of simple arson and shall be punished as a court-martial may direct.

''(c) BURNING PROPERTY WITH INTENT TO DEFRAUD.—Any person subject to this chapter who, willfully, maliciously, and with intent to defraud, burns or sets fire to any property shall be punished as a court-martial may direct.''.

SEC. 6940. ASSAULT.

Section 928 of title 10, United States Code (article 128 of the Uniform Code of Military Justice), is amended to read as follows:

"§ 928. Art. 128. Assault

''(a) ASSAULT.—Any person subject to this chapter who, unlawfully and with force or violence—

''(1) attempts to do bodily harm to another person;

''(2) offers to do bodily harm to another person; or

''(3) does bodily harm to another person;

is guilty of assault and shall be punished as a court-martial may direct.

''(b) AGGRAVATED ASSAULT.—Any person subject to this chapter—

''(1) who, with the intent to do bodily harm, offers to do bodily harm with a dangerous weapon; or

''(2) who, in committing an assault, inflicts substantial bodily harm, or grievous bodily harm on another person;

is guilty of aggravated assault and shall be punished as a court-martial may direct.

''(c) ASSAULT WITH INTENT TO COMMIT SPECIFIED OFFENSES.—

''(1) IN GENERAL.—Any person subject to this chapter who commits assault with intent to commit an offense specified in paragraph (2) shall be punished as a court-martial may direct.

''(2) OFFENSES SPECIFIED.—The offenses referred to in paragraph (1) are murder, voluntary manslaughter, rape, sexual assault, rape of a child, sexual assault of a child, robbery, arson, burglary, and kidnapping.''.

SEC. 6941. BURGLARY AND UNLAWFUL ENTRY.

Section 929 of title 10, United States Code (article 129 of the Uniform Code of Military Justice), and section 929a of such title (article 129a), as redesignated by section 6901(10), are amended to read as follows:

"§ 929. Art. 129. Burglary; unlawful entry

''(a) BURGLARY.—Any person subject to this chapter who, with intent to commit an offense under this chapter, breaks and enters the building or structure of another shall be punished as a court-martial may direct.

''(b) UNLAWFUL ENTRY.—Any person subject to this chapter who unlawfully enters—

''(1) the real property of another; or

''(2) the personal property of another which amounts to a structure usually used for habitation or storage;

shall be punished as a court-martial may direct.''.

SEC. 6942. STALKING.

Section 930 of title 10, United States Code (article 130 of the Uniform Code of Military Justice), as transferred and redesignated by section 6901(11), is amended to read as follows:

"§ 930. Art. 130. Stalking

''(a) IN GENERAL.—Any person subject to this chapter—

''(1) who wrongfully engages in a course of conduct directed at a specific person that would cause a reasonable person to fear death or bodily harm, including sexual assault, to himself or herself, to a member of his or her immediate family, or to his or her intimate partner;

''(2) who has knowledge, or should have knowledge, that the specific person will be placed in reasonable fear of death or bodily harm, including sexual assault, to himself or herself, to a member of his or her immediate family, or to his or her intimate partner; and

''(3) whose conduct induces reasonable fear in the specific person of death or bodily harm, including sexual assault, to himself or herself, to a member of his or her immediate family, or to his or her intimate partner;

is guilty of stalking and shall be punished as a court-martial may direct.

''(b) DEFINITIONS.—In this section:

''(1) The term 'conduct' means conduct of any kind, including use of surveillance, the mails, an interactive computer service, an electronic communication service, or an electronic communication system.

''(2) The term 'course of conduct' means—

''(A) a repeated maintenance of visual or physical proximity to a specific person;

''(B) a repeated conveyance of verbal threat, written threats, or threats implied by conduct, or a combination of such threats, directed at or toward a specific person; or

''(C) a pattern of conduct composed of repeated acts evidencing a continuity of purpose.

''(3) The term 'repeated', with respect to conduct, means two or more occasions of such conduct.

''(4) The term 'immediate family', in the case of a specific person, means—

''(A) that person's spouse, parent, brother or sister, child, or other person to whom he or she stands in loco parentis; or

''(B) any other person living in his or her household and related to him or her by blood or marriage.

''(5) The term 'intimate partner' in the case of a specific person, means—

''(A) a former spouse of the specific person, a person who shares a child in common with the specific person, or a person who cohabits with or has cohabited as a spouse with the specific person; or

''(B) a person who has been in a social relationship of a romantic or intimate nature with the specific person, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.''.

SEC. 6943. SUBORNATION OF PERJURY.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 931 (article 131 of the Uniform Code of Military Justice), the following new section (article):

"§ 931a. Art. 131a. Subornation of perjury

''(a) IN GENERAL.—Any person subject to this chapter who induces and procures another person—

''(1) to take an oath; and

''(2) to falsely testify, depose, or state upon such oath;

shall, if the conditions specified in subsection (b) are satisfied, be punished as a court-martial may direct.

''(b) CONDITIONS.—The conditions referred to in subsection (a) are the following:

''(1) The oath is administered with respect to a matter for which such oath is required or authorized by law.

''(2) The oath is administered by a person having authority to do so.

''(3) Upon the oath, the other person willfully makes or subscribes a statement.

''(4) The statement is material.

''(5) The statement is false.

''(6) When the statement is made or subscribed, the person subject to this chapter and the other person do not believe that the statement is true.''.

SEC. 6944. OBSTRUCTING JUSTICE.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 931a (article 131a of the Uniform Code of Military Justice), as added by section 6943, the following new section (article):

"§ 931b. Art. 131b. Obstructing justice

''Any person subject to this chapter who engages in conduct in the case of a certain person against whom the accused had reason to believe there were or would be criminal or disciplinary proceedings pending, with intent to influence, impede, or otherwise obstruct the due administration of justice shall be punished as a court-martial may direct.''.

SEC. 6945. MISPRISION OF SERIOUS OFFENSE.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 931b (article 131b of the Uniform Code of Military Justice), as added by section 6944, the following new section (article):

"§ 931c. Art. 131c. Misprision of serious offense

''Any person subject to this chapter—

''(1) who knows that another person has committed a serious offense; and

''(2) wrongfully conceals the commission of the offense and fails to make the commission of the offense known to civilian or military authorities as soon as possible;

shall be punished as a court-martial may direct.''.

SEC. 6946. WRONGFUL REFUSAL TO TESTIFY.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 931c (article 131c of the Uniform Code of Military Justice), as added by section 6945, the following new section (article):

"§ 931d. Art. 131d. Wrongful refusal to testify

''Any person subject to this chapter who, in the presence of a court-martial, a board of officers, a military commission, a court of inquiry, preliminary hearing, or an officer taking a deposition, of or for the United States, wrongfully refuses to qualify as a witness or to answer a question after having been directed to do so by the person presiding shall be punished as a court-martial may direct.''.

SEC. 6947. PREVENTION OF AUTHORIZED SEIZURE OF PROPERTY.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 931d (article 131d of the Uniform Code of Military Justice), as added by section 6946, the following new section (article):

"§ 931e. Art. 131e. Prevention of authorized seizure of property

''Any person subject to this chapter who, knowing that one or more persons authorized to make searches and seizures are seizing, are about to seize, or are endeavoring to seize property, destroys, removes, or otherwise disposes of the property with intent to prevent the seizure thereof shall be punished as a court-martial may direct.''.

SEC. 6948. WRONGFUL INTERFERENCE WITH ADVERSE ADMINISTRATIVE PROCEEDING.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 931f (article 131f of the Uniform Code of Military Justice), as transferred and redesignated by section 6901(3), the following new section (article):

"§ 931g. Art. 131g. Wrongful interference with adverse administrative proceeding

''Any person subject to this chapter who, having reason to believe that an adverse administrative proceeding is pending against any person subject to this chapter, wrongfully acts with the intent—

''(1) to influence, impede, or obstruct the conduct of the proceeding; or

''(2) otherwise to obstruct the due administration of justice;

shall be punished as a court-martial may direct.''.

SEC. 6949. RETALIATION.

Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 931g (article 131g of the Uniform Code of Military Justice), as added by section 6948, the following new section (article):

"§ 932. Art. 132. Retaliation

''Any person subject to this chapter who, with the intent to retaliate against any person for reporting or planning to report a criminal offense, or with the intent to discourage any person from reporting a criminal offense—

''(1) wrongfully takes or threatens to take an adverse personnel action against any person; or

''(2) wrongfully withholds or threatens to withhold a favorable personnel action with respect to any person;

shall be punished as a court-martial may direct.''.

SEC. 6950. EXTRATERRITORIAL APPLICATION OF CERTAIN OFFENSES.

Section 934 of title 10, United States Code (article 134 of the Uniform Code of Military Justice), is amended by adding at the end the following new sentence: ''As used in the preceding sentence, the term 'crimes and offenses not capital' includes any conduct engaged in outside the United States, as defined in section 5 of title 18, that would constitute a crime or offense not capital if the conduct had been engaged in within the special maritime and territorial jurisdiction of the United States, as defined in section 7 of title 18.''.

SEC. 6951. TABLE OF SECTIONS.

The table of sections at the beginning of subchapter X of chapter 47 of title 10, United States Code, is amended to read as follows:

''Sec. Art.
''877. 77. Principals.
''878. 78. Accessory after the fact.
''879. 79. Conviction of offense charged, lesser included offenses, and attempts.
''880. 80. Attempts.
''881. 81. Conspiracy.
''882. 82. Soliciting commission of offenses.
''883. 83. Malingering.
''884. 84. Breach of medical quarantine.
''885. 85. Desertion.
''886. 86. Absence without leave.
''887. 87. Missing movement; jumping from vessel.
''887a. 87a. Resistance, flight, breach of arrest, and escape.
''887b. 87b. Offenses against correctional custody and restriction.
''888. 88. Contempt toward officials.
''889. 89. Disrespect toward superior commissioned officer; assault of superior commissioned officer.
''890. 90. Willfully disobeying superior commissioned officer.
''891. 91. Insubordinate conduct toward warrant officer, noncommissioned officer, or petty officer.
''892. 92. Failure to obey order or regulation.
''893. 93. Cruelty and maltreatment.
''893a. 93a. Prohibited activities with military recruit or trainee by person in position of special trust.
''894. 94. Mutiny or sedition.
''895. 95. Offenses by sentinel or lookout.
''895a. 95a. Disrespect toward sentinel or lookout.
''896. 96. Release of prisoner without authority; drinking with prisoner.
''897. 97. Unlawful detention.
''898. 98. Misconduct as prisoner.
''899. 99. Misbehavior before the enemy.
''900. 100. Subordinate compelling surrender.
''901. 101. Improper use of countersign.
''902. 102. Forcing a safeguard.
''903. 103. Spies.
''903a. 103a. Espionage.
''903b. 103b. Aiding the enemy.
''904. 104. Public records offenses.
''904a. 104a. Fraudulent enlistment, appointment, or separation.
''904b. 104b. Unlawful enlistment, appointment, or separation.
''905. 105. Forgery.
''905a. 105a. False or unauthorized pass offenses.
''906. 106. Impersonation of officer, noncommissioned or petty officer, or agent of official.
''906a. 106a. Wearing unauthorized insignia, decoration, badge, ribbon, device, or lapel button.
''907. 107. False official statements; false swearing.
''907a. 107a. Parole violation.
''908. 108. Military property of United States—Loss, damage, destruction, or wrongful, disposition.
''908a. 108a. Captured or abandoned property.
''909. 109. Property other than military property of United States—Waste, spoilage, or destruction.
''909a 109a. Mail matter: wrongful taking, opening, etc.
''910. 110. Improper hazarding of vessel or aircraft.
''911. 111. Leaving scene of vehicle accident.
''912. 112. Drunkenness and other incapacitation offenses.
''912a. 112a. Wrongful use, possession, etc., of controlled substances.
''913. 113. Drunken or reckless operation of vehicle, aircraft, or vessel.
''914. 114. Endangerment offenses.
''915. 115. Communicating threats.
''916. 116. Riot or breach or peace.
''917. 117. Provoking speeches or gestures.
''918. 118. Murder.
''919. 119. Manslaughter.
''919a. 119a. Death or injury of an unborn child.
''919b. 119b. Child endangerment.
''920. 120. Rape and sexual assault generally.
''920a. 120a. Mails: deposit of obscene matter.
''920b. 120b. Rape and sexual assault of a child.
''920c. 120c. Other sexual misconduct.
''921. 121. Larceny and wrong appropriation.
''921a. 121a. Fraudulent use of credit cards, debit cards, and other access devices.
''921b. 121b. False pretenses to obtain services.
''922. 122. Robbery.
''922a. 122a. Receiving stolen property.
''923. 213. Offenses concerning Government computers.
''923a. 123a. Making, drawing, or uttering check, draft, or order without sufficient funds.
''924. 124. Frauds against the United States.
''924a. 124. Bribery.
''924b. 124b. Graft.
''925. 125. Kidnapping.
''926. 126. Arson; burning property with intent to defraud.
''927. 127. Extortion.
''928. 128. Assault.
''928a. 128a. Maiming.
''929. 129. Burglary; unlawful entry.
''930. 130 Stalking.
''931. 131. Perjury.
''931a. 131a. Subornation of perjury.
''931b. 131b. Obstruction justice.
''931c. 131c. Misprision of serious offense.
''931d. 131d. Wrongful refusal to testify.
''931e. 131e. Prevention of authorized seizure of property.
''931f. 131f. Noncompliance with procedural rules.
''931g. 131g. Wrongful interference with adverse administrative proceeding.
''932. 132. Retaliation.
''933. 133. Conduct unbecoming an officer and a gentleman.
''934. 134. General article.''.

TITLE LXX—MISCELLANEOUS PROVISIONS

SEC. 7001. TECHNICAL AMENDMENT RELATING TO COURTS OF INQUIRY.

Section 935(c) of title 10, United States Code (article 135(c) of the Uniform Code of Military Justice), is amended—

(1) by striking ''(c) Any person'' and inserting ''(c)(1) Any person'';

(2) by designating the second and third sentences as paragraphs (2) and (3), respectively; and

(3) in paragraph (2), as so designated, by striking ''subject to this chapter or employed by the Department of Defense'' and inserting ''who is (A) subject to this chapter, (B) employed by the Department of Defense, or (C) with respect to the Coast Guard, employed by the department in which the Coast Guard is operating when it is not operating as a service in the Navy, and''.

SEC. 7002. TECHNICAL AMENDMENT TO ARTICLE 136.

Section 936 of title 10, United States Code (article 136 of the Uniform Code of Military Justice), is amended by striking the last five words in the section heading.

SEC. 7003. ARTICLES OF UNIFORM CODE OF MILITARY JUSTICE TO BE EXPLAINED TO OFFICERS UPON COMMISSIONING.

Section 937 of title 10, United States Code (article 137 of the Uniform Code of Military Justice), is amended—

(1) in subsection (a), by striking ''(a)(1) The sections of this title (articles of the Uniform Code of Military Justice)'' and inserting ''(a) ENLISTED MEMBERS.—(1) The sections (articles) of this chapter (the Uniform Code of Military Justice)'';

(2) by striking subsection (b); and

(3) by inserting after subsection (a) the following new subsections:

''(b) OFFICERS.—(1) The sections (articles) of this chapter (the Uniform Code of Military Justice) specified in paragraph (2) shall be carefully explained to each officer at the time of (or within six months after)—

''(A) the initial entrance of the officer on active duty as an officer; or

''(B) the initial commissioning of the officer in a reserve component.

''(2) This subsection applies with respect to the sections (articles) specified in subsection (a)(3) and such other sections (articles) as the Secretary concerned may prescribe by regulation.

''(c) TRAINING FOR CERTAIN OFFICERS.—Under regulations prescribed by the Secretary concerned, officers with the authority to convene courts-martial or to impose non-judicial punishment shall receive periodic training regarding the purposes and administration of this chapter. Under regulations prescribed by the Secretary of Defense, officers assigned to duty in a combatant command, who have such authority, shall receive additional specialized training regarding the purposes and administration of this chapter.

''(d) AVAILABILITY AND MAINTENANCE OF TEXT.—The text of this chapter (the Uniform Code of Military Justice) and the text of the regulations prescribed by the President under this chapter shall be—

''(1) made available to a member on active duty or to a member of a reserve component, upon request by the member, for the member's personal examination; and

''(2) maintained by the Secretary of Defense in electronic formats that are updated periodically and made available on the Internet.''.

SEC. 7004. MILITARY JUSTICE CASE MANAGEMENT; DATA COLLECTION AND ACCESSIBILITY.

(a) IN GENERAL.—Subchapter XI of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by adding at the end the following new section (article):

''§ 940a. Art. 140a. Case management; data collection and accessibility

''The Secretary of Defense shall prescribe uniform standards and criteria for conduct of each of the following functions at all stages of the military justice system, including pretrial, trial, post-trial, and appellate processes, using, insofar as practicable, the best practices of Federal and State courts:

''(1) Collection and analysis of data concerning substantive offenses and procedural

matters in a manner that facilitates case management and decision making within the military justice system, and that enhances the quality of periodic reviews under section 946 of this title (article 146).

''(2) Case processing and management.

''(3) Timely, efficient, and accurate production and distribution of records of trial within the military justice system.

''(4) Facilitation of access to docket information, filings, and records, taking into consideration restrictions appropriate to judicial proceedings and military records.''.

(b) EFFECTIVE DATES.—(1) Not later than 2 years after the date of the enactment of this Act, the Secretary of Defense shall carry out section 940a of title 10, United States Code (article 140a of the Uniform Code of Military Justice), as added by subsection (a).

(2) Not later than 4 years after the date of the enactment of this Act, the standards and criteria under section 940a of title 10, United States Code (article 140a of the Uniform Code of Military Justice), as added by subsection (a), shall take effect.

TITLE LXXI—MILITARY JUSTICE REVIEW PANEL AND ANNUAL REPORTS

SEC. 7101. MILITARY JUSTICE REVIEW PANEL.

Section 946 of title 10, United States Code (article 146 of the Uniform Code of Military Justice), is amended to read as follows:

''§ 946. Art. 146. Military Justice Review Panel

''(a) ESTABLISHMENT.—The Secretary of Defense shall establish a panel to conduct independent periodic reviews and assessments of the operation of this chapter. The panel shall be known as the 'Military Justice Review Panel', in this section referred to as the 'Panel'.

''(b) MEMBERS.—(1) The Panel shall be composed of thirteen members.

''(2) Each of the following shall select one member of the Panel:

''(A) The Secretary of Defense (in consultation with the Secretary of the department in which the Coast Guard is operating when it is not operating as a service in the Navy).

''(B) The Attorney General.

''(C) The Judge Advocates General of the Army, Navy, Air Force, and Coast Guard, and the Staff Judge Advocate to the Commandant of the Marine Corps.

''(3) The Secretary of Defense shall select the remaining members of the Panel, taking into consideration recommendations made by each of the following:

''(A) The chairman and ranking minority member of the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

''(B) The Chief Justice of the United States.

''(C) The Chief Judge of the United States Court of Appeals for the Armed Forces.

''(c) QUALIFICATIONS OF MEMBERS.—The members of the Panel shall be appointed from among private United States citizens with expertise in criminal law, as well as appropriate and diverse experience in investigation, prosecution, defense, victim representation, or adjudication with respect to courts-martial, Federal civilian courts, or State courts.

''(d) CHAIR.—The Secretary of Defense shall select the chair of the Panel from among the members.

''(e) TERM; VACANCIES.—Each member shall be appointed for a term of eight years, and no member may serve more than one term. Any vacancy shall be filled in the same manner as the original appointment.

''(f) REVIEWS AND REPORTS.—

''(1) INITIAL REVIEW OF RECENT AMENDMENTS TO UCMJ.—During fiscal year 2020, the Panel shall conduct an initial review and assessment of the implementation of the amendments made to this chapter during the preceding five years. In conducting the initial review and assessment, the Panel may review such other aspects of the operation of this chapter as the Panel considers appropriate.

''(2) PERIODIC COMPREHENSIVE REVIEWS.—During fiscal year 2024 and every eight years thereafter, the Panel shall conduct a comprehensive review and assessment of the operation of this chapter.

''(3) PERIODIC INTERIM REVIEWS.—During fiscal year 2028 and every eight years thereafter, the Panel shall conduct an interim review and assessment of such other aspects of the operation of this chapter as the Panel considers appropriate. In addition, at the request of the Secretary of Defense, the Panel may, at any time, review and assess other specific matters relating to the operation of this chapter.

''(4) REPORTS.—Not later than December 31 of each year during which the Panel conducts a review and assessment under this subsection, the Panel shall submit a report on the results, including the Panel's findings and recommendations, through the Secretary of Defense to the Committees on Armed Services of the Senate and the House of Representatives.

''(g) HEARINGS.—The Panel may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Panel considers appropriate to carry out its duties under this section.

''(h) INFORMATION FROM FEDERAL AGENCIES.—Upon request of the chair of the Panel, a department or agency of the Federal Government shall provide information that the Panel considers necessary to carry out its duties under this section.

''(i) ADMINISTRATIVE MATTERS.—

''(1) MEMBERS TO SERVE WITHOUT PAY.—Members of the Panel shall serve without pay, but shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, while away from their homes or regular places of business in the performance of services for the Panel.

''(2) STAFFING AND RESOURCES.—The Secretary of Defense shall provide staffing and resources to support the Panel.

''(j) NO TERMINATION.—The authority of the Panel under this section does not terminate.''.

SEC. 7102. ANNUAL REPORTS.

Subchapter XII of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by adding at the end the following new section (article):

''§ 946a. Art. 146a. Annual reports

''(a) COURT OF APPEALS FOR THE ARMED FORCES.—Not later than December 31 of each year, the Court of Appeals for the Armed Forces shall submit a report that, with respect to the previous fiscal year, provides information on the number and status of pending cases and such other matters as the Court considers appropriate regarding the operation of this chapter.

''(b) SERVICE REPORTS.—Not later than December 31 of each year, the Judge Advocates General and the Staff Judge Advocate to the Commandant of the Marine Corps shall each submit a report, with respect to the preceding fiscal year, containing the following:

''(1) Data on the number and status of pending cases.

''(2) Information on the appellate review process, including—

''(A) information on compliance with processing time goals;

''(B) descriptions of the circumstances surrounding cases in which general or special court-martial convictions were (i) reversed because of command influence or denial of the right to speedy review or (ii) otherwise remitted because of loss of records of trial or other administrative deficiencies; and

''(C) an analysis of each case in which a provision of this chapter was held unconstitutional.

''(3)(A) An explanation of measures implemented by the armed force involved to ensure the ability of judge advocates—

''(i) to participate competently as trial counsel and defense counsel in cases under this chapter;

''(ii) to preside as military judges in cases under this chapter; and

''(iii) to perform the duties of Special Victims' Counsel, when so designated under section 1044e of this title.

''(B) The explanation under subparagraph (A) shall specifically identify the measures that focus on capital cases, national security cases, sexual assault cases, and proceedings of military commissions.

''(4) The independent views of each Judge Advocate General and of the Staff Judge Advocate to the Commandant of the Marine Corps as to the sufficiency of resources available within the respective armed forces, including total workforce, funding, training, and officer and enlisted grade structure, to capably perform military justice functions.

''(5) Such other matters regarding the operation of this chapter as may be appropriate.

''(c) SUBMISSION.—Each report under this section shall be submitted—

''(1) to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives; and

''(2) to the Secretary of Defense, the Secretaries of the military departments, and the Secretary of the department in which the Coast Guard is operating when it is not operating as a service in the Navy.''.

TITLE LXXII—CONFORMING AMENDMENTS AND EFFECTIVE DATES

SEC. 7201. AMENDMENTS TO UCMJ SUBCHAPTER TABLES OF SECTIONS.

The tables of sections for the specified subchapters of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), are amended as follows:

(1) The table of sections at the beginning of subchapter II is amended by striking the item relating to section 810 and inserting the following new item:

''810. 10. Restraint of persons charged.''.

(2) The table of sections at the beginning of subchapter II, as amended by paragraph (1), is amended by striking the item relating to section 812 and inserting the following new item:

''812. 12. Prohibition of confinement of armed forces members with enemy prisoners and certain others.''.

(3) The table of sections at the beginning of subchapter V is amended by striking the item relating to section 825a and inserting the following new item:

''825. 25a. Number of court-martial members in capital cases.''.

(4) The table of sections at the beginning of subchapter V, as amended by paragraph (3), is amended by inserting after the item relating to section 826 the following new item:

''826a. 26a. Military magistrates.''.

(5) The table of sections at the beginning of subchapter V, as amended by paragraphs (3) and (4), is amended by striking the item relating to section 829 and inserting the following new item:

''829. 29. Assembly and impaneling of members; detail of new members and military judges.''.

(6) The table of sections at the beginning of subchapter VI is amended by inserting after the item relating to section 830 the following new item:

''830. 30a. Proceedings conducted before referral.''.

(7) The table of sections at the beginning of subchapter VI, as amended by paragraph (6), is amended by striking the item relating to section 832 and inserting the following new item:

''832. 32. Preliminary hearing required before referral to general court-martial.''.

(8) The table of sections at the beginning of subchapter VI, as amended by paragraphs (6) and (7), is amended by striking the item relating to section 833 and inserting the following new item:

''833. 33. Disposition guidance.''.

(9) The table of sections at the beginning of subchapter VI, as amended by paragraphs (6), (7), and (8), is amended by striking the item relating to section 834 and inserting the following new item:

''834. 34. Advice to convening authority before referral for trial.''.

(10) The table of sections at the beginning of subchapter VI, as amended by paragraphs (6), (7), (8), and (9), is amended by striking the item relating to section 835 and inserting the following new item:

''835. 35. Service of charges; commencement of trial.''.

(11) The table of sections at the beginning of subchapter VII is amended by striking the item relating to section 847 and inserting the following new item:

''8470. 47. Refusal of person not subject to chapter to appear, testify, or produce evidence.''.

(12) The table of sections at the beginning of subchapter VII, as amended by paragraph (11), is amended by striking the item relating to section 848 and inserting the following new item:

''848. 48. Contempt.''.

(13) The table of sections at the beginning of subchapter VII, as amended by paragraphs (11) and (12), is amended by striking the item relating to section 850 and inserting the following new item:

''850. 50. Admissibility of sworn testimony from records of courts of inquiry.''.

(14) The table of sections at the beginning of subchapter VII, as amended by paragraphs (11), (12), and (13), is amended by striking the item relating to section 852 and inserting the following new item:

''852. 52. Votes required for conviction, sentencing, and other matters.''.

(15) The table of sections at the beginning of subchapter VII, as amended by paragraphs (11), (12), (13), and (14), is amended by striking the item relating to section 853 and inserting the following new item:

''853. 53. Findings and sentencing.''.

(16) The table of sections at the beginning of subchapter VIII is amended by striking the item relating to section 856 and inserting the following new item:

''856. 56. Sentencing.''.

(17) The table of sections at the beginning of subchapter VIII, as amended by paragraph (16), is amended by striking the items relating to section 856a and 857a.

(18) The table of sections at the beginning of subchapter IX is amended by striking the item relating to section 860 and inserting the following new item:

''860. 60. Post-trial processing in general and special courts-martial.''.

(19) The table of sections at the beginning of subchapter IX is amended by inserting after the item relating to section 860, as amended by paragraph (18), the following new items:

''860a. 60a. Limited authority to act on sentence in specified post-trial circumstances.

''860b. 60b. Post-trial actions in summary courts-martial and certain general and special courts-martial.

''860c. 60c. Entry of judgment.''.

(20) The table of sections at the beginning of subchapter IX, as amended by paragraphs (18) and (19), is amended by striking the item relating to section 861 and inserting the following new item:

''861. 61. Waiver of right to appeal; withdrawal of appeal.''.

(21) The table of sections at the beginning of subchapter IX, as amended by paragraphs (18), (19), and (20), is amended by striking the item relating to section 864 and inserting the following new item:

''864. 64. Judge advocate review of finding of guilty in summary court-martial.''.

(22) The table of sections at the beginning of subchapter IX, as amended by paragraphs (18), (19), (20), and (21), is amended by striking the item relating to section 865 and inserting the following new item:

''865. 65. Transmittal and review of records.''.

(23) The table of sections at the beginning of subchapter IX, as amended by paragraphs (18), (19), (20), (21), and (22), is amended by striking the item relating to section 866 and inserting the following new item:

''866. 66. Courts of Criminal Appeals.''.

(24) The table of sections at the beginning of subchapter IX, as amended by paragraphs (18), (19), (20), and (21), (22), and (23), is amended by striking the item relating to section 869 and inserting the following new item:

''869. 69. Review by Judge Advocate General.''.

(25) The table of sections at the beginning of subchapter IX, as amended by paragraphs (18), (19), (20), (21), (22), (23), and (24), is amended by striking the item relating to section 871 and inserting the following new item:

''871. 71. [Repealed.]''.

(26) The table of sections at the beginning of subchapter XI is amended by striking the item relating to section 936 and inserting the following new item:

''936. 136. Authority to administer oaths.''.

(27) The table of sections at the beginning of subchapter XI, as amended by paragraph (26), is amended by inserting after the item relating to section 940 the following new item:

''940a. 140a. Case management; data collection and accessibility.''.

(28) The table of sections at the beginning of subchapter XII is amended by striking the item relating to section 946 and inserting the following new items:

''946. 146. Military Justice Review Panel.

''946a. 146a. Annual reports.''.

SEC. 7202. EFFECTIVE DATES.

(a) Except as otherwise provided in this division, the amendments made by this division shall take effect on the first day of the first calendar month that begins two years after the date of the enactment of this Act.

(b) The amendments made by this division shall not apply to any case in which charges are referred to trial by court-martial before the effective date of such amendments. Proceedings in any such case shall be held in the same manner and with the same effect as if such amendments had not been enacted.

(c)(1)(A) The amendments made by title LX shall not apply to any offense committed before the effective date of such amendments.

(B) Nothing in subparagraph (A) shall be construed to invalidate the prosecution of any offense committed before the effective date of such amendments.

(2) The regulations prescribing the authorized punishments for any offense committed before the effective date of the amendments made by title LVIII shall apply the authorized punishments for the offense, as in effect at the time the offense is committed.

The CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part B of the report and amendments en bloc described in section 3 of House Resolution 732.

Each further amendment printed in part B of the report shall be considered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in part B of the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes, equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. THORNBERRY

The CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 114–569.

Mr. THORNBERRY. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 727, line 5, insert after ''may'' the following: '', as specified in advance by appropriations Acts,''.

The CHAIR. Pursuant to House Resolution 732, the gentleman from Texas (Mr. THORNBERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

□ 1600

Mr. THORNBERRY. Mr. Chair, I yield myself such time as I may consume.

I appreciate the opportunity to offer this amendment, which I do not believe is controversial.

Mr. Chairman, one of the many parts of this bill, on which Members on both sides of the aisle have contributed, is to try to improve our acquisition system, partly to get more value out of the taxpayer money that is spent and partly to try to get technology into the field, into the hands of our warfighters faster because technology evolves and the threats evolve so quickly.

Members on both sides of the aisle have contributed to that effort, and we have consulted with folks in the Pentagon and in industry to try to make improvements in this part of the bill.

This amendment is a technical amendment, which just deals with

some of those issues, to ensure that whatever process we set up here, obviously, the money has to be appropriated as well.

Mr. Chairman, I don't think it is controversial, but I want to reiterate that most of this bill is built from the ground up on a bipartisan basis, including each of the five major reform areas. I think acquisition reform is very important that we pursue, that we continue to try to improve the equipment and the weapons that we provide our personnel. That is what helps make them more ready to conduct the missions that the country asks them to conduct.

Mr. VEASEY. Will the gentleman yield?

Mr. THORNBERRY. I yield to the gentleman from Texas.

Mr. VEASEY. Mr. Chairman, I am not in opposition to the amendment.

Mr. THORNBERRY. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR (Mr. ROTHFUS). The question is on the amendment offered by the gentleman from Texas (Mr. THORNBERRY).

The amendment was agreed to.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MR. THORNBERRY

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 732, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendment Nos. 4, 5, 6, 7, 8, 9, 15, 17, 20, 21, 23, and 27 printed in part B of House Report 114–569, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 4 OFFERED BY MR. MCKINLEY OF WEST VIRGINIA

At the end of subtitle A of title III, add the following new section:

SEC. 3___. INCREASE IN FUNDING FOR CIVIL MILITARY PROGRAMS.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated for operation and maintenance, Defense-wide, as specified in the corresponding funding table in section 4301, for Civil Military Programs is hereby increased by $15,000,000 (to be used in support of the National Guard Youth Challenge Program).

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated for operation and maintenance, Defense-wide, as specified in the corresponding funding table in section 4301, for Operation and Maintenance, Defense-wide is hereby reduced by $15,000,000.

AMENDMENT NO. 5 OFFERED BY MR. GUTHRIE OF KENTUCKY

Page 81, insert after line 14 the following:

SEC. 312. PRODUCTION AND USE OF NATURAL GAS AT FORT KNOX.

(a) PRODUCTION AND USE OF NATURAL GAS AT FORT KNOX.—Chapter 449 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 4781. Natural gas: production, treatment, management, and use at Fort Knox, Kentucky

''(a) AUTHORITY.—(1) The Secretary of the Army may provide for the production, treatment, management, and use of natural gas located under Fort Knox, Kentucky, without regard to section 3 of the Mineral Leasing Act for Acquired Lands (30 U.S.C. 352).

''(2) The Secretary is authorized to enter into a contract with an appropriate entity to carry out paragraph (1).

''(b) LIMITATION ON USES.—Any natural gas produced under subsection (a) may be used only to support activities and operations at Fort Knox and may not be sold for use elsewhere.

''(c) OWNERSHIP OF FACILITIES.—The Secretary of the Army may take ownership of any gas production and treatment equipment and facilities and associated infrastructure from an entity with which the Secretary has entered into a contract under subsection (a) in accordance with the terms of the contract.

''(d) APPLICABILITY.—The authority of the Secretary of the Army under this section is effective as of August 2, 2007.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''4781. Natural gas: production, treatment, management, and use at Fort Knox, Kentucky.''.

AMENDMENT NO. 6 OFFERED BY MR. GALLEGO OF ARIZONA

At the end of subtitle C of title VII, add the following:

SEC. _____. REQUIREMENT TO REVIEW AND MONITOR PRESCRIBING PRACTICES AT MILITARY TREATMENT FACILITIES OF PHARMACEUTICAL AGENTS FOR TREATMENT OF POST-TRAUMATIC STRESS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) conduct a comprehensive review of the prescribing practices at military treatment facilities of pharmaceutical agents for the treatment of post-traumatic stress;

(2) implement a process or processes to monitor the prescribing practices at military treatment facilities of pharmaceutical agents that are discouraged from use under the VA/DOD Clinical Practice Guideline for Management of Post-Traumatic Stress; and

(3) implement a plan to address any deviations from such guideline in prescribing practices of pharmaceutical agents for management of post-traumatic stress at such facilities.

(b) PHARMACEUTICAL AGENT DEFINED.—In this section, the term ''pharmaceutical agent'' has the meaning given that term in section 1074g(g) of title 10, United States Code.

AMENDMENT NO. 7 OFFERED BY MR. GRAVES OF MISSOURI

At the end of title VIII, add the following new section:

SEC. 843. IMPROVEMENTS TO THE DESIGN-BUILD CONSTRUCTION PROCESS FOR DEFENSE CONTRACTS.

(a) IN GENERAL.—Section 2305a of title 10, United States Code, is amended—

(1) by amending subsection (b) to read as follows:

''(b) CRITERIA FOR USE.—

''(1) CONTRACTS WITH A VALUE OF AT LEAST $4,000,000.—Two-phase selection procedures shall be used for entering into a contract for the design and construction of a public building, facility, or work when a contracting officer determines that the contract has a value of $4,000,000 or greater.

''(2) CONTRACTS WITH A VALUE LESS THAN $4,000,000.—For projects that a contracting officer determines have a value of less than $4,000,000, the contracting officer shall make a determination whether two-phase selection procedures are appropriate for use for entering into a contract for the design and construction of a public building, facility, or work when—

''(A) the contracting officer anticipates that 3 or more offers will be received for the contract;

''(B) design work must be performed before an offeror can develop a price or cost proposal for the contract;

''(C) the offeror will incur a substantial amount of expense in preparing the offer; and

''(D) the contracting officer has considered information such as—

''(i) the extent to which the project requirements have been adequately defined;

''(ii) the time constraints for delivery of the project;

''(iii) the capability and experience of potential contractors;

''(iv) the suitability of the project for use of the two-phase selection procedures;

''(v) the capability of the agency to manage the two-phase selection process; and

''(vi) other criteria established by the agency.'';

(2) by striking the second sentence in subsection (d) and inserting the following: ''The maximum number specified in the solicitation shall not be greater than 5 unless the head of the contracting activity (or a designee of the head who is in a position not lower than the supervisor of the contracting officer) approves the contracting officer's justification with respect to an individual solicitation that a specified number greater than 5 is in the Federal Government's interest.''; and

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

''(g) ANNUAL REPORTS.—

''(1) IN GENERAL.—Not later than November 30 of each of the years 2016 through 2020, the Secretary of Defense shall submit to the Director of the Office of Management and Budget an annual report containing each instance in which the agency awarded a design-build contract pursuant to section 2305a of this title, during the preceding fiscal year in which—

''(A) more than 5 finalists were selected for phase-two requests for proposals; or

''(B) the contract was awarded without using two-phase selection procedures.

''(2) PUBLIC AVAILABILITY.—The Director of the Office of Management and Budget shall make available to the public, including on the Internet, the annual reports described in paragraph (1), and publish a notice of the availability of each report in the Federal Register.''.

(b) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—Not later than 270 days after November 30, 2020, the Comptroller General of the United States shall issue a report analyzing the compliance of the various Federal agencies with the requirements of subsection (g) of section 2305a of title 10, United States Code (as added by subsection (a)(3)).

AMENDMENT NO. 8 OFFERED BY MS. JACKSON LEE OF TEXAS

At the end of title VIII, add the following new section:

SEC. 843. ASSESSMENT OF OUTREACH FOR SMALL BUSINESS CONCERNS OWNED AND ONTROLLED BY WOMEN AND MINORITIES REQUIRED BEFORE CONVERSION OF CERTAIN FUNCTIONS TO CONTRACTOR PERFORMANCE.

No Department of Defense function that is performed by Department of Defense civilian employees and is tied to a certain military base may be converted to performance by a contractor until the Secretary of Defense conducts an assessment to determine if the Department of Defense has carried out sufficient outreach programs to assist small business concerns owned and controlled by women (as such term is defined in section 8(d)(3)(D) of the Small Business Act (15 U.S.C. 637(d)(3)(D))) and small business concerns owned and controlled by socially and economically disadvantaged individuals (as such term is defined in section 8(d)(3)(C) of the Small Business Act (15 U.S.C. 637(d)(3)(C))) that are located in the geographic area near the military base.

AMENDMENT NO. 9 OFFERED BY MS. JACKSON LEE OF TEXAS

At the end of title VIII (page 326, after line 4), insert the following:

SEC. 843. INCLUSION OF INFORMATION ON COMMON GROUNDS FOR SUSTAINING BID PROTESTS IN ANNUAL GOVERNMENT ACCOUNTABILITY OFFICE REPORTS TO CONGRESS.

The Comptroller General of the United States shall include in the annual report to Congress on the Government Accountability Office each year a list of the most common grounds for sustaining protests relating to bids for contracts during such year.

AMENDMENT NO. 15 OFFERED BY MR. HUNTER OF CALIFORNIA

Page 462, after line 13, insert the following:

SEC. 1098. USE OF TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL TO GAIN ACCESS AT DEPARTMENT OF DEFENSE INSTALLATIONS.

(a) ACCESS TO INSTALLATIONS FOR CREDENTIALED TRANSPORTATION WORKERS.—During the period that the Secretary is developing and fielding physical access standards, capabilities, processes, and electronic access control systems, the Secretary shall, to the maximum extent practicable, ensure that the Transportation Worker Identification Credential (TWIC) shall be accepted as a valid credential for unescorted access to Department of Defense installations by transportation workers.

(b) CREDENTIALED TRANSPORTATION WORKERS WITH SECRET CLEARANCE.—TWIC-carrying transportation workers who also have a current Secret Level Clearance issued by the Department of Defense shall be considered exempt from further vetting when seeking unescorted access at Department of Defense facilities. Access security personnel shall verify such person's security clearance in a timely manner and provide them with unescorted access to complete their freight service.

(c) REPORT ON CREDENTIALED PERSONS DENIED ACCESS TO DEPARTMENT OF DEFENSE INSTALLATIONS.—Not later than 90 days after the date of enactment of this Act, the Secretary of Defense shall begin documenting each instance when a credentialed transportation worker is denied unescorted access to a military facility in the Continental United States, Hawaii, Alaska, Guam, or Native American lands. The report shall include, but not be limited to, the reasons for such denial, and the amount of time the credentialed party denied entrance waited to obtain access. The report shall be submitted to the Armed Services Committees of the House and Senate no later than the first day of February of each year until complete fielding of Identity Management Enterprise Services Architecture and electronic access control systems are achieved.

AMENDMENT NO. 17 OFFERED BY MR. ROYCE OF CALIFORNIA

At the end of title X, add the following:

Subtitle H—United States Naval Station Guantanamo Bay Preservation Act

SEC. 10xx. SHORT TITLE.

This subtitle may be cited as the ''United States Naval Station Guantanamo Bay Preservation Act''.

SEC. 10xx. FINDINGS.

Congress makes the following findings:

(1) United States Naval Station, Guantanamo Bay, Cuba, has been a strategic military asset critical to the defense of the United States and the maintenance of regional security for more than a century.

(2) The United States continues to exercise control over the area of United States Naval Station, Guantanamo Bay, Cuba, pursuant to the Guantanamo Lease Agreements, which were initiated and concluded pursuant to an Act of Congress.

(3) Senior United States military leaders have consistently voiced strong support for maintaining United States Naval Station, Guantanamo Bay, Cuba, noting its strategic value for military basing and logistics, disaster relief, humanitarian work, terrorist detention, and counter-narcotics purposes.

(4) On February 29, 2016, Secretary of Defense Ashton B. Carter, discussing United States Naval Station, Guantanamo Bay, Cuba, stated that ''it's a strategic location, we've had it for a long time, it's important to us and we intend to hold onto it''.

(5) On March 12, 2015, Commander of United States Southern Command, General John Kelly, testified that the United States facilities at Naval Station Guantanamo Bay ''are indispensable to the Departments of Defense, Homeland Security, and State's operational and contingency plans. . . . As the only permanent U.S. military base in Latin America and the Caribbean, its location provides persistent U.S. presence and immediate access to the region, as well as supporting a layered defense to secure the air and maritime approaches to the United States''.

(6) In testimony before Congress in 2012, then-Commander of United States Southern Command, General Douglas Fraser, stated that ''the strategic capability provided by U.S. Naval Station Guantanamo Bay remains essential for executing national priorities throughout the Caribbean, Latin America, and South America''.

(7) Following a 1991 coup in Haiti that prompted a mass exodus of people by boat, United States Naval Station, Guantanamo Bay, Cuba, provided a location for temporary housing and the orderly adjudication of asylum claims outside of the continental United States.

(8) In 2010, United States Naval Station, Guantanamo Bay, Cuba, was a critical hub for the provision of humanitarian disaster relief following the devastating earthquakes in Haiti.

(9) The United States presence at United States Naval Station, Guantanamo Bay, Cuba, has its origins in Acts of Congress undertaken pursuant to the powers of Congress expressly enumerated in the Constitution of the United States.

(10) By joint resolution approved on April 20, 1898, Congress ''directed and empowered'' the President ''to use the entire land and naval forces of the United States'' as necessary to ensure that the Government of Spain ''relinquish its authority and government in the island of Cuba, and withdraw its land and naval forces from Cuba and Cuban waters''.

(11) Congress declared war against Spain on April 25, 1898, which lasted until December 10, 1898, when the United States and Spain signed the Treaty of Paris, in which Spain relinquished all claims of sovereignty over Cuba, and United States governance of Cuba was established.

(12) Nearly three years later, in the Act of March 2, 1901 (Chapter 803; 31 Stat. 898), Congress granted the President the authority to return ''the government and control of the island of Cuba to its people'' subject to several express conditions including, in article VII of the Act of March 2, 1901, the sale or lease by Cuba to the United States of lands necessary for naval stations.

(13) Pursuant to the authority granted by article VII of the Act of March 2, 1901, the United States negotiated the Guantanamo Lease Agreements, which specified the area of, and United States jurisdiction and control over, what became United States Naval Station, Guantanamo Bay, Cuba.

(14) On October 2, 1903, when approving the Lease to the United States by the Government of Cuba of Certain Areas of Land and Water for Naval or Coaling Stations, signed in Havana on July 2, 1903, President Theodore Roosevelt cited the Act of March 2, 1901, as providing his authority to do so: ''I, Theodore Roosevelt, President of the United States of America, having seen and considered the foregoing lease, do hereby approve the same, by virtue of the authority conferred by the seventh of the provisions defining the relations which are to exist between the United States and Cuba, contained in the Act of Congress approved March 2, 1901, entitled 'An Act making appropriation for the support of the Army for the fiscal year ending June 30, 1902.' ''.

(15) Obtaining United States naval station rights in Cuba was an express condition of the authority that Congress gave the President to return control and governance of Cuba to the people of Cuba. In exercising that authority and concluding the Guantanamo Lease Agreements, President Theodore Roosevelt recognized the source of that authority as the Act of March 2, 1901.

(16) The Treaty of Relations between the United States of America and the Republic of Cuba, signed at Washington, May 29, 1934, did not supersede, abrogate, or modify the Guantanamo Lease Agreements, but noted that the stipulations of those agreements ''shall continue in effect'' until the United States and Cuba agree to modify them.

(17) The Constitution of the United States expressly grants to Congress the power to provide for the common defense of the United States, the power to provide and maintain a Navy, and the power ''to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States''.

SEC. 10xx. PROHIBITION ON MODIFICATION, ABROGATION, OR OTHER RELATED ACTIONS WITH RESPECT TO UNITED STATES JURISDICTION AND CONTROL OVER UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, WITHOUT CONGRESSIONAL ACTION.

No action may be taken to modify, abrogate, or replace the stipulations, agreements, and commitments contained in the Guantanamo Lease Agreements, or to impair or abandon the jurisdiction and control of the United States over United States Naval

Station, Guantanamo Bay, Cuba, unless specifically authorized or otherwise provided by—

(1) a statute that is enacted on or after the date of the enactment of this Act;

(2) a treaty that is ratified with the advice and consent of the Senate on or after the date of the enactment of this Act; or

(3) a modification of the Treaty Between the United States of America and Cuba signed at Washington, DC, on May 29, 1934, that is ratified with the advice and consent of the Senate on or after the date of the enactment of this Act.

SEC. 10xx. GUANTANAMO LEASE AGREEMENTS DEFINED.

In this subtitle, the term ''Guantanamo Lease Agreements'' means—

(1) the Agreement Between the United States of America and the Republic of Cuba for the Lease to the United States of Lands in Cuba for coaling and naval stations, signed by the President of the United States on February 23, 1903; and

(2) the Lease to the United States by the Government of Cuba of Certain Areas of Land and Water for Naval or Coaling Stations, signed by the President of the United States on October 2, 1903.

AMENDMENT NO. 20 OFFERED BY MS. MOORE OF WISCONSIN

At the end of subtitle C of title XII, add the following:

SEC. 12xx. SENSE OF CONGRESS CONDEMNING CONTINUING ATTACKS ON MEDICAL FACILITIES IN SYRIA.

(a) FINDINGS.—Congress finds the following:

(1) Attacks intentionally targeting civilians, medical personnel, or medical facilities constitute grave violations of international humanitarian law.

(2) In Syria, schools, markets, and hospitals are routinely destroyed in attacks and medical providers routinely targeted for attacks.

(3) Physicians for Human Rights has documented at least 350 airstrikes against medical facilities and the deaths of over 700 medical personnel in Syria since 2011.

(4) So far in May 2016, there have been at least six attacks on medical facilities in the city of Aleppo alone in less than a week killing dozens, including the last pediatrician still working in Aleppo.

(5) These attacks seriously hinder access to medical care and are compounded by ongoing efforts by the Syrian regime to block or limit humanitarian aid to Syrians.

(6) Secretary of State John Kerry has condemned these attacks arguing, ''there is no justification for this horrific violence that targets civilians or medical facilities or first responders no matter who it is, whether it's a member of the opposition retaliating or the regime in its brutality against the civilians which has continued for five years.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Department of Defense and all other appropriate United States Government agencies should continue to strongly condemn and call for an immediate end to attacks on medical facilities and medical providers in Syria and work to ensure that doctors can do their job and provide care to the those in need;

(2) humanitarian crises in Syria and Iraq, exacerbated by targeted attacks on medical facilities, personnel, and schools, threaten the achievement of United States goals in the region, such as destroying and dismantling the Islamic State in Iraq and the Levant (ISIL) and peace and stability in the region, including Syria;

(3) the United States and international community should do more to support medical professionals and medical nonprofit organizations working in Syria, at great risk to their personal well-being, to treat the ill and infirm and ensure some level of medical care for Syrians; and

(4) the Department of Defense is strongly encouraged to support, where appropriate, other appropriate United States Government agencies and entities engaged in meeting urgent and increasing humanitarian and medical needs in Syria, especially in areas where medical facilities and providers have been targeted by the Syrian regime, ISIL, or Al-Qaeda.

AMENDMENT NO. 21 OFFERED BY MR. FORBES OF VIRGINIA

At the end of subtitle E of title XII, add the following:

SEC. 12xx. ANNUAL REPORT ON FOREIGN MILITARY SALES TO TAIWAN.

Section 36 of the Arms Export Control Act (22 U.S.C. 2776) is amended by adding at the end the following:

''(j) At the end of each fiscal year, the Secretary of Defense shall submit to the Committees on Armed Services and Foreign Relations of the Senate and the Committees on Armed Services and Foreign Affairs of the House of Representatives a report that lists each request received from Taiwan and each letter of offer to sell any defense articles or services under this Act to Taiwan during such fiscal year. The report shall be submitted in unclassified form, but may contain a classified annex.''.

AMENDMENT NO. 23 OFFERED BY MR. GRAVES OF MISSOURI

In the table of contents for bill, insert after the item pertaining to section 1867 the following:

Subtitle F—Small Business Development Centers Improvements

Sec. 1871. Short title.
Sec. 1872. Use of authorized entrepreneurial development programs.
Sec. 1873. Marketing of services.
Sec. 1874. Data collection.
Sec. 1875. Fees from private partnerships and cosponsorships.
Sec. 1876. Equity for small business development centers.
Sec. 1877. Confidentiality requirements.
Sec. 1878. Limitation on award of grants to small business development centers.

Page 832, insert after line 5 the following:

Subtitle F—Small Business Development Centers Improvements

SEC. 1871. SHORT TITLE.

This subtitle may be cited as the ''Small Business Development Centers Improvement Act of 2016''

SEC. 1872. USE OF AUTHORIZED ENTREPRENEURIAL DEVELOPMENT PROGRAMS.

The Small Business Act (15 U.S.C. 631 et seq.) is amended by adding at the end the following:

''SEC. 48. USE OF AUTHORIZED ENTREPRENEURIAL DEVELOPMENT PROGRAMS.

''(a) EXPANDED SUPPORT FOR ENTREPRENEURS.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Administrator shall only use the programs authorized in sections 7(j), 7(m), 8(a), 8(b)(1), 21, 22, 29, and 32 of this Act, and sections 358 and 389 of the Small Business Investment Act to deliver entrepreneurial development services, entrepreneurial education, support for the development and maintenance of clusters, or business training.

''(2) EXCEPTION.—This section shall not apply to services provided to assist small business concerns owned by an Indian tribe (as such term is defined in section 8(a)(13)).

''(b) ANNUAL REPORT.—Beginning on the first December 1 after the date of enactment of this subsection, the Administrator shall annually report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate on all entrepreneurial development activities undertaken in the current fiscal year. This report shall include—

''(1) a description and operating details for each program and activity;

''(2) operating circulars, manuals, and standard operating procedures for each program and activity;

''(3) a description of the process used to award grants under each program and activity;

''(4) a list of all awardees, contractors, and vendors (including organization name and location) and the amount of awards for the current fiscal year for each program and activity;

''(5) the amount of funding obligated for the current fiscal year for each program and activity; and

''(6) the names and titles for those individuals responsible for each program and activity.''.

SEC. 1873. MARKETING OF SERVICES.

Section 21 of the Small Business Act (15 U.S.C. 648) is amended by adding at the end the following:

''(o) NO PROHIBITION OF MARKETING OF SERVICES.—The Administrator shall not prohibit applicants receiving grants under this section from marketing and advertising their services to individuals and small business concerns.''.

SEC. 1874. DATA COLLECTION.

(a) IN GENERAL.—Section 21(a)(3)(A) of the Small Business Act (15 U.S.C. 648(a)(3)(A)) is amended—

(1) by striking ''as provided in this section and'' and inserting ''as provided in this section,''; and

(2) by inserting before the period at the end the following: '', and (iv) governing data collection activities related to applicants receiving grants under this section''.

(b) ANNUAL REPORT ON DATA COLLECTION.—Section 21 of the Small Business Act (15 U.S.C. 648), as amended by section 1873 of this Act, is further amended by adding at the end the following:

''(p) ANNUAL REPORT ON DATA COLLECTION.—The Administrator shall report annually to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate on any data collection activities related to the Small Business Development Center program.''.

(c) WORKING GROUP TO IMPROVE DATA COLLECTION.—

(1) ESTABLISHMENT AND STUDY.—The Administrator of the Small Business Administration shall establish a Data Collection Working Group consisting of members from entrepreneurial development grant recipients associations and organizations and Administration officials, to carry out a study to determine the best way to capture data collection and create or revise existing systems dedicated to data collection.

(2) REPORT.—Not later than the end of the 180-day period beginning on the date of the

enactment of this Act, the Data Collection Working Group shall issue a report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate containing the findings and determinations made in carrying out the study required under paragraph (1), including—

(A) recommendations for revising existing data collection practices; and

(B) a proposed plan for the Small Business Administration to implement such recommendations.

SEC. 1875. FEES FROM PRIVATE PARTNERSHIPS AND COSPONSORSHIPS.

Section 21(a)(3) of the Small Business Act (15 U.S.C. 648(a)(3)(C)), as amended by section 1874, is further amended by adding at the end the following:

''(D) FEES FROM PRIVATE PARTNERSHIPS AND COSPONSORSHIPS.—Participation in private partnerships and cosponsorships with the Administration shall not limit small business development centers from collecting fees or other income related to the operation of such private partnerships and cosponsorships.''.

SEC. 1876. EQUITY FOR SMALL BUSINESS DEVELOPMENT CENTERS.

Subclause (I) of section 21(a)(4)(C)(v) of the Small Business Act (15 U.S.C. 648(a)(4)(C)(v)) is amended to read as follows:

''(I) IN GENERAL.—Of the amounts made available in any fiscal year to carry out this section not more than $600,000 may be used by the Administration to pay expenses enumerated in subparagraphs (B) through (D) of section 20(a)(1).''.

SEC. 1877. CONFIDENTIALITY REQUIREMENTS.

Section 21(a)(7)(A) of the Small Business Act (15 U.S.C. 648(a)(7)(A)) is amended by inserting after ''under this section'' the following: ''to any State, local or Federal agency, or third party''.

SEC. 1878. LIMITATION ON AWARD OF GRANTS TO SMALL BUSINESS DEVELOPMENT CENTERS.

(a) IN GENERAL.—Section 21 of the Small Business Act (15 U.S.C. 648), as amended by section 1874, is further amended—

(1) in subsection (a)(1), by striking ''any women's business center operating pursuant to section 29,'';

(2) by adding at the end the following:

''(q) LIMITATION ON AWARD OF GRANTS.—Except for not-for-profit institutions of higher education, and notwithstanding any other provision of law, the Administrator may not award grants (including contracts and cooperative agreements) under this section to any entity other than those that received grants (including contracts and cooperative agreements) under this section prior to the date of the enactment of this subsection, and that seek to renew such grants (including contracts and cooperative agreements) after such date.''.

(b) RULE OF CONSTRUCTION.—The amendments made by this section may not be construed as prohibiting a women's business center from receiving a subgrant from an entity receiving a grant under section 21 of the Small Business Act (15 U.S.C. 648).

AMENDMENT NO. 27 OFFERED BY MS. ADAMS OF NORTH CAROLINA

In the table of contents for bill, insert after the item pertaining to section 1852 the following:

Sec. 1853. Online component.
Sec. 1854. Study and report on the future of the SCORE program.
Sec. 1855. Technical and conforming amendments.

Page 819, insert after line 2 the following:

SEC. 1853. ONLINE COMPONENT.

(a) IN GENERAL.—Section 8(c) of the Small Business Act (15 U.S.C. 637(c)), as amended by section 1852, is further amended by adding at the end the following:

''(6) ONLINE COMPONENT.—In carrying out this subsection, the SCORE Association shall make use of online counseling, including by developing and implementing webinars and an electronic mentoring platform to expand access to services provided under this subsection and to further support entrepreneurs.''.

(b) ONLINE COMPONENT REPORT.—

(1) IN GENERAL.—At the end of fiscal year 2018, the SCORE Association shall issue a report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate on the effectiveness of the online counseling and webinars required as part of the SCORE program, including—

(A) how the SCORE Association determines electronic mentoring and webinar needs, develops training for electronic mentoring, establishes webinar criteria curricula, and evaluates webinar and electronic mentoring results;

(B) describing the internal controls that are used and a summary of the topics covered by the webinars; and

(C) performance metrics, including the number of small business concerns counseled by, the number of small business concerns created by, the number of jobs created and retained by, and the funding amounts directed towards such online counseling and webinars.

(2) DEFINITIONS.—For purposes of this subsection, the terms ''SCORE Association'' and ''SCORE program'' have the meaning given those terms, respectively, under section 8(c)(1) of the Small Business Act (15 U.S.C. 637(c)(1)).

SEC. 1854. STUDY AND REPORT ON THE FUTURE ROLE OF THE SCORE PROGRAM.

(a) STUDY.—The SCORE Association shall carry out a study on the future role of the SCORE program and develop a strategic plan for how the SCORE program will evolve to meet the needs of small business concerns and potential future small business concerns over the course of the 5 years following the date of enactment of this Act, with markers and specific objectives for year 1, year 3, and year 5.

(b) REPORT.—Not later than the end of the 6-month period beginning on the date of the enactment of this Act, the SCORE Association shall issue a report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate containing—

(1) all findings and determination made in carrying out the study required under subsection (a);

(2) the strategic plan developed under subsection (a);

(3) an explanation of how the SCORE Association plans to achieve the strategic plan, assuming both stagnant and increased funding levels.

(c) DEFINITIONS.—For purposes of this section, the terms ''SCORE Association'' and ''SCORE program'' have the meaning given those terms, respectively, under section 8(c)(1) of the Small Business Act (15 U.S.C. 637(c)(1)).

SEC. 1855. TECHNICAL AND CONFORMING AMENDMENTS.

(a) SMALL BUSINESS ACT.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) in section 7(m)(3)(A)(i)(VIII) (15 U.S.C. 636(m)(3)(A)(i)(VIII)), by striking ''Service Corps of Retired Executives'' and inserting ''SCORE program''; and

(2) in section 22 (15 U.S.C. 649)—

(A) in subsection (b)—

(i) in paragraph (1), by striking ''Service Corps of Retired Executives'' and inserting ''SCORE program''; and

(ii) in paragraph (3), by striking ''Service Corps of Retired Executives'' and inserting ''SCORE program''; and

(B) in subsection (c)(12), by striking ''Service Corps of Retired Executives'' and inserting ''SCORE program''.

(b) OTHER LAWS.—

(1) Section 621 of the Children's Health Insurance Program Reauthorization Act of 2009 (15 U.S.C. 657p) is amended—

(A) in subsection (a), by striking paragraph (4) and inserting the following:

''(4) the term 'SCORE program' means the SCORE program authorized by section 8(b)(1)(B) of the Small Business Act (15 U.S.C. 637(b)(1)(B));''; and

(B) in subsection (b)(4)(A)(iv), by striking ''Service Corps of Retired Executives'' and inserting ''SCORE program''.

(2) Section 337(d)(2)(A) of the Energy Policy and Conservation Act (42 U.S.C. 6307(d)(2)(A)) is amended by striking ''Service Corps of Retired Executives (SCORE)'' and inserting ''SCORE program''.

Mr. THORNBERRY. Mr. Chair, I ask unanimous consent that amendment No. 7 in House Report 114–569 be modified by the form I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to Amendment No. 7 offered by Mr. Thornberry of Texas:

At the end of title VIII, add the following new section:

SEC. 843. BRIEFING ON DESIGN-BUILD CONSTRUCTION PROCESS FOR DEFENSE CONTRACTS.

Not later than February 1, 2017, the Secretary of Defense shall provide to the Committee on Armed Services of the House of Representatives a briefing on the use and implementation of the two-phase design-build selection procedures. The briefing shall address the following:

(1) How the Department of Defense continues to implement the updates to the Federal Acquisition Regulation that implemented the 2015 amendments to section 2305a, title 10, United States Code.

(2) A list of instances in which the Department awarded a design-build contract pursuant to section 2305a of title 10, United States Code, that had more than five finalists for phase-two requests for proposals during fiscal year 2016, and the list of design-build requests for proposals that used a one-step process.

(3) Any feedback the Department has received from industry.

(4) Any challenges to the implementation of the statute.

(5) Any additional criteria identified by the Secretary.

Mr. THORNBERRY (during the reading). Mr. Chairman, I ask unanimous consent that the reading of the modification be dispensed with.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. Is there objection to the original request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 732, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Texas (Mr. VEASEY) each will control 10 minutes.

The Chair recognizes the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. Mr. Chairman, these amendments have been worked out with the minority. I believe that they should be acceptable to all Members.

I reserve the balance of my time.

Mr. VEASEY. Mr. Chairman, I am not in opposition to the amendments. At this time, I am waiting for a speaker.

I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Georgia (Mr. JODY B. HICE).

Mr. JODY B. HICE of Georgia. Mr. Chairman, I rise in strong support of our national defense. We have a constitutional responsibility to provide for and maintain our military forces. And this legislation, H.R. 4909, prevents the President from reducing our troops' pay raises and, most importantly, provides our military with the resources they need to restore our readiness levels.

Today, as we all know, we are facing threats from all around the world, and many of our adversaries are using new technologies and methods that require our forces to be able to adapt and respond more quickly than ever before.

Our U.S. Cyber Command being unified and fully funded is a critical aspect of the whole picture, including Fort Gordon's Cyber Center of Excellence. It will enable our military to be better prepared to respond to the threats we are facing today.

Mr. Chairman, over the past several years, we have all been inundated with stories of the White House staffers who fall under the NSC umbrella, micromanaging both our foreign policy and our defense policy, even going so far as to circumvent or ignore senior officials altogether.

I am strongly supportive of Chairman THORNBERRY's amendment to reduce the size of the National Security Council. He is absolutely right that 400 people is not the makeup of an advisory committee; that is the size of another executive agency.

So I am in full support of H.R. 4909. I urge my colleagues to support that bill as well.

Mr. VEASEY. Mr. Chairman, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. GIBSON), a valued member of the House Committee on Armed Services.

Mr. GIBSON. Mr. Chairman, I rise in strong support of this bill. I thank the chairman and the ranking member. I think we have made significant progress in restoring readiness to our Armed Forces and also a marked progress in reform, which is very necessary to our national security going forward.

Mr. Chairman, I want to express my gratitude to the chairman and ranking member for including a bill that I drafted along with the help of so many others—Chairman TURNER, Representative WALZ of Minnesota—that stops the drawdown of our Armed Forces. So critically important for restoring deterrents, peace through strength, is that we not give pink slips to the 67,000-plus troops that were heading in that direction in the next 2 years. This committee working together in a bipartisan way stopped that drawdown, and I think that is critically important.

Related, I would say that the work that we are doing on the global response force, the GRF, is also critically important to deterrents. And I believe that ultimately it strengthens the hands of diplomats when we have the ability to strategically maneuver. I am appreciative of the resources and the oversight in this bill to strengthen the GRF.

Finally, let me say how much I really appreciate the pay raise to the troops. After 29 years in uniform, I can't adequately describe how much I appreciate the sacrifices and the service of our servicemen and -women. Giving them this pay raise, I think, was critically important.

I urge all my colleagues to support this bill.

Mr. VEASEY. Mr. Chairman, I yield 1 minute to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE. Mr. Chair, I thank the chairman and ranking member for their support.

My amendment would condemn the continuing attacks against and the intentional targeting of medical facilities and medical providers in Syria. I want to remind my colleagues that these facilities are entitled to protection under international law. Yet, we continue to hear about airstrikes in Syria targeting these hospitals and medical facilities. Just pick up the newspaper. In 1 week, six facilities in Aleppo were targeted.

Intentional attacks against hospitals, surgeons, nurses, and other healthcare workers is not a norm that we should accept.

Neither is the Syrian Government's blocking of humanitarian aid, including medical aid. Just last week, a U.N.-Red Cross aid convoy, including medical aid to a besieged Syrian city, was blocked by the Syrian Government. A former top U.N. humanitarian official tweeted his disgust that the aid had been blocked ''because it carried baby milk.''

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. VEASEY. Mr. Chairman, I yield 15 seconds to the gentlewoman from Wisconsin.

Ms. MOORE. Mr. Chair, I commend the courageous healthcare providers and nonprofit groups that are working in the midst of these attacks to provide health care to the millions under siege in Syria. Too many have died and too many more will die if we continue to be sorry.

Mr. THORNBERRY. Mr. Chair, I yield 2 minutes to the gentleman from Georgia (Mr. AUSTIN SCOTT), another valuable member of the House Armed Services Committee.

Mr. AUSTIN SCOTT of Georgia. Mr. Chair, the world has become an increasingly unstable place due to conflicts in the Middle East and provocations by Russia, China, and North Korea. In order to maintain our national security in this environment, we must ensure that the United States military remains the best trained and most well-equipped fighting force in the world.

My home State of Georgia plays an essential role in maintaining military readiness as we are the home to nine major military installations. As the only Republican from Georgia on the House Committee on Armed Services, it is an honor to serve as Georgia's primary voice in Congress on military issues.

My top priority is to offer effective representation of Robins Air Force Base and Moody Air Force Base, in addition to all of Georgia's military installations. That is why I am proud to support the House version of the National Defense Authorization Act for Fiscal Year 2017, which came out of the House Committee on Armed Services with a bipartisan vote of 60–2.

This legislation takes many important steps to rectify the damage to our military readiness done by President Obama's cuts to our defense budget over the last few years.

We have got some big wins for Georgia in this NDAA. We, again, fought to make sure that two of the Air Force's most valuable platforms stay in the air: the A–10 flown out of Moody Air Force Base and E–8C Joint Surveillance Target Attack Radar System, better known as JSTARS, flown out of Robins Air Force Base.

Both of these fleets are taking the fight to the enemy right now. The A–10 is currently engaged in the fight against ISIS in the Middle East and supporting our Special Forces by carrying out precision strikes against these terrorists.

Additionally, I am grateful that the committee adopted my amendment to delay retirement of the JSTARS through fiscal year 2018. This legislation also provides for the recapitalization of that fleet.

During the committee process, we moved to protect the C–130 depot workload. Robins is an efficient and effective depot center and has the potential to become the C–130 center of excellence for our country.

I believe the House version of the NDAA sets us on a course that sustains military readiness, makes appropriate investments for future threats, continues to reform the DOD's outdated acquisition strategy, and supports the significant contributions that Robins, Moody, and other Georgia military institutions make to our national defense.

I urge my colleagues to support our troops, get our military readiness back on track, and pass H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017.

Mr. VEASEY. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. GALLEGO).

Mr. GALLEGO. Mr. Chairman, today I rise on behalf of the estimated one in five veterans of the Iraq and Afghanistan wars who suffer with post-traumatic stress disorder, or PTSD.

The Department of Defense and the Veterans Health Administration have collaborated to develop clinical practice guidelines for PTSD. According to a GAO report earlier this year, the Veterans Health Administration currently monitors the prescribing of medications that are included in these guidelines, but DOD and the Army do not. This discrepancy could result in negative consequences for our men and women in uniform undergoing treatment in military medical facilities.

My amendment would require each branch of the armed services to monitor the prescribing practices of medications to treat symptoms of PTSD among servicemembers. By monitoring the prescribing practices, we can make sure our returning warfighters receive the proper treatment necessary to alleviate the symptoms of PTSD.

I urge my colleagues to support my amendment.

Mr. THORNBERRY. Mr. Chairman, I reserve the balance of my time.

Mr. VEASEY. Mr. Chairman, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

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Ms. JACKSON LEE. Mr. Chair, coming from the State of Texas, let me express my continued appreciation for the men and women of the United States military, so many of them living in our State, so many different bases, so many veterans living in our State as well, which has caused me to continue to support the men and women who are posted overseas, those who are here domestically as well on bases here in the United States, and, of course, our veterans.

As we move toward Memorial Day, it is important that we look holistically at our military and look at them as an entity that includes personnel. I want to take note of the fact that there is a 2.1 percent pay increase for military personnel and that this bill does update the Uniform Code of Military Justice to include new protections for victims of military sexual assaults.

I am concerned, however, that the bill shortchanges war funding for efforts against ISIS and redirects funds that should continue to be used for base budget projects toward nonwar-related base budget projects. Let me be clear that I think some of these projects are very important, but I would have wanted this legislation to deal with the fight against ISIS and not go into the contingency fund. As I indicated, I heard the debate and there was some suggestion that the President's budget went into the contingency fund, but in the way that it is done in this bill, it is larger than should be.

I also want to take note of the fact that I have concerns regarding an amendment in the bill, and I hope that we will be able to address it because this amendment allows any religious corporation, religious association, religious educational institution, or religious society that receives a Federal grant or grant to claim religious exemptions from antidiscrimination protections of LGBT individuals whom they may employ.

I believe in the First Amendment and the separation of church and State and, as well, religious freedom, but under the Federal funding where we as taxpayers have the responsibility not to discriminate against anyone, this goes against that duty, and it also undermines President Obama's landmark 2014 executive order banning all Federal contractors and grantees from discrimination on the basis of sexual orientation or gender identity. So I am hoping, Mr. Chairman, that we will have the opportunity to work through this legislation and to move forward in a way that embraces all Americans.

I do want to thank, however, Chairman THORNBERRY and Ranking Member SMITH and the Committee on Rules for making two of my amendments in order. They are in the en bloc No. 1 and No. 2.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. VEASEY. Mr. Chair, I yield an additional 1 minute to the gentlewoman from Texas.

Ms. JACKSON LEE. The amendments are amendment No. 8 and amendment No. 9.

Amendment No. 8 calls for outreach for small-business concerns owned and controlled by women and minorities prior to conversion of certain functions to contract upfront performance.

Amendment No. 9 requires the Government Accountability Office to include in its annual report to Congress a list of the most common grounds for sustaining protests relating to bids for contracts.

These are important amendments because they help to grow small businesses owned and controlled by women and minorities before conversation of certain functions of contractor performance. This amendment seeks to provide information to businesses that may have little experience in government contracting to make them aware of new opportunities.

Amendment No. 9 seeks a report to be provided to oversight committees to better understand the circumstances that impact when a company wins a Federal contract award that is challenged. These challenges often come from companies that are big, competing for the same contract, and little companies can't stand up. Successfully competing for a Federal contract can be difficult and costly, especially for new entrants into Federal contracting competition.

I would ask my colleagues to support the included amendments and look forward to us working through this bill on some of the issues of concern.

Mr. Chair, I thank Chairman THORNBERRY and Ranking Member ADAM SMITH and the Rules Committee for making in order and including in En Bloc Number 1 two of the amendments I have offered to "National Defense Authorization Act for Fiscal Year 2017."

The first of these amendments, Amendment Number 8 calls for outreach to small business concerns owned and controlled by women and minorities prior to conversion of certain functions to contractor performance.

The second amendment, Jackson Lee Amendment Number 9, requires the Government Accountability Office to include in its annual report to Congress a list of the most common grounds for sustaining protests relating to bids for contracts.

Amendment Number 8 will provide information to businesses that may have little experience in government contracting to make them aware of new opportunities to contract for business with the Department of Defense.

There are instances where it is prudent and appropriate for agencies to engage in sole source contracting.

This can occur if the work is highly specialized and only one source can meet the needs of a component or agency.

A sole source contract arrangement might arise because the work is only for a brief period of time.

However, these sole source contracting arrangements may over time be converted to a competitive bidding process.

The Jackson Lee amendment ensures that the Department of Defense make known to small and minority owned businesses when a sole source contract will be converted to a competitive bidding process.

Having more competition for government contracting is the goal.

Receiving notice that a new competitive bidding opportunity is coming does not mean that an award will be made to that business.

However, the more businesses who compete for Federal government business the better off the government and the economy will be.

Amendment Number 9 requires GAO to conduct a study and report to Congress on the successful challenges to competitive bid awards.

Challenges to federal contract awarded by competitive bidding often come from companies that were unsuccessful in winning the contract in the bidding process.

Successfully competing for a federal contract can be difficult and costly especially for new entrants into federal competitive contracting.

Challenges to federal contract awards, especially when the winner is a small business can make it difficult for these businesses to pursue opportunities they have won.

The amendment provides Congress relevant and useful information regarding how often challenges to a contract award are sustained and awards withdrawn, and upon which grounds.

I thank Chairman THORNBERRY and Ranking Member SMITH for including these amendments in the En Bloc Amendment Number 1, and I urge all Members to join me in voting for its adoption.

Mr. VEASEY. Mr. Chair, I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield back the balance of my time.

Mr. ROYCE. Mr. Chair, I rise in strong support of this amendment, the text of which was previously adopted and favorably reported by the Committee on Foreign Affairs as H.R. 4678.

This amendment focuses on asserting Congress's longstanding constitutional and legal authority to determine the future of the U.S. military base at Guantanamo, which senior military officers continue to view as ''indispensable'' to our national security and to our strategic and humanitarian operations in this Hemisphere.

For decades—and most recently during the President's trip to Havana—the Cuban regime has demanded the return of the base as a prerequisite to the normalization of relations with the United States.

This amendment lays out the legal and historical case why a President may not weaken U.S. ''jurisdiction and control'' over the base without affirmative Congressional action—either a new statute or a treaty concluded with Senate consent.

U.S. Naval Station Guantanamo Bay is not a typical basing situation, and U.S. control is not premised on a treaty. Its history is wholly unique and has its roots in Acts of Congress.

Cuba became an American protectorate after the U.S. prevailed in the Spanish-American War, which Congress had declared in 1898. In 1901, Congress rightly granted the President conditional authority to return control and governance of the island to the people of Cuba, subject to the express requirement of securing U.S. Naval basing rights there. In fact, the Administration stated that it did not have the power to return governance until that Congressional condition had been met.

When the President signed the 1903 Guantanamo Lease—the agreements under which the U.S. continues to exercise ''complete jurisdiction and control'' over the base—the President specifically cited the 1901 Act of Congress as providing his authority to do so.

The last Treaty of Relations between the U.S. and Cuba (in 1934) did not nullify, replace, or change the 1903 lease agreements, but noted that they ''shall continue in effect'' until the U.S. and Cuba agree to modify them.

This means that any executive attempt to impair the United States' ''jurisdiction and control'' over Naval Station Guantanamo Bay without congressional authority would illegally nullify the 1901 Act of Congress, and infringe on Congress's exercise of its express constitutional powers.

Some say giving up Guantanamo isn't in the cards. Why worry? The Assistant Secretary of State for Legislative Affairs has recently written, stating that ''the United States has no plans to alter any of the arrangements regarding the base.''

But saying that you ''have no plans'' to do something is not the same as saying that you will not do something. As we have seen in any number of prior situations—whether it be unfulfilled pledges of consultation with Congress prior to any Cuba policy change, or the 11th hour lifting of missile restrictions as part of the Iran nuclear deal—plans can change very quickly, for the worse, with no prior warning to Congress.

And we should be concerned about the next Administration's plans. This amendment is about protecting congressional prerogative during this Administration, and the next, and the next.

Congress needs to make clear its role in any decision to relinquish U.S. Naval Station Guantanamo Bay, which remains indispensable to our nation's defense, and our support for regional stability. This amendment does this, and deserves our support.

The Acting CHAIR. The question is on the amendments en bloc, as modified, offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments, as modified, were agreed to.

AMENDMENT NO. 2 OFFERED BY MR. WESTERMAN

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 114–569.

Mr. WESTERMAN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle B of title I, add the following new section:

SEC. 1___. FUNDING FOR SURFACE-TO-AIR MISSILE SYSTEM.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated for procurement, as specified in the corresponding funding table in section 4101, for missile procurement, Army, surface-to-air missile system, MSE missile (Line 002) is hereby increased by $82,400,000.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated for Department of Energy national security programs, as specified in the corresponding funding table in section 4701, for Defense Nuclear Nonproliferation, Defense Nuclear Nonproliferation Programs, Defense Nuclear Nonproliferation R&D, Material management and minimization is hereby reduced by $82,400,000.

The Acting CHAIR. Pursuant to House Resolution 732, the gentleman from Arkansas (Mr. WESTERMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arkansas.

Mr. WESTERMAN. Mr. Chairman, I yield myself such time as I may consume.

I rise in support of my amendment for a budget neutral increase in funding for Army surface-to-air missile systems. The Patriot Advanced Capability-3 Missile Segment Enhancement, or the MSE, is the next generation of the battle-proven PAC–3 interceptor for the Patriot air defense system. Along with its earlier generation PAC–3 interceptor, the Missile Segment Enhancement is the world's most capable air and missile defense missile.

PAC–3 missiles are high-velocity interceptors that destroy incoming targets with direct body-to-body impact. This hit-to-kill impact produces a tremendous amount of energy that defeats tactical ballistic missiles carrying weapons of mass destruction and/or submunition payloads, cruise missiles, unmanned aerial vehicles and aircraft.

The MSE missile provides a 50 percent improvement in altitude and 100 percent improvement in range over earlier PAC–3 interceptors and is required to address advance air and missile defense threats.

MSE capability is in great demand across the deployed force. In fact, the MSE missiles have been on the Army's unfunded request top priorities list. Additional missiles have been on the Army UFR the past 2 years and have been funded by Congress.

This amendment would allow approximately 20 new missiles to be purchased in fiscal year 2017, which would put the total at 105 missiles, which is still below the fiscal year 2015 and fiscal year 2016 levels. If we add these additional 20 missiles, the unit cost of the missiles would go down as well because of the quantity of scale in the program.

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

Mr. VEASEY. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. VEASEY. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Mr. Chair, yes, we would surely like to do what my colleague suggests. However, it does leave us rather vulnerable to terrorism, terrorism that would be carried out by those who might want to get their hands on highly enriched uranium or other elements to either make a bomb or to create a dirty bomb.

The money comes from a very, very important fund, a fund that the National Nuclear Security Administration uses to secure loose nukes and highly enriched uranium and other kinds of material that might be used in making a bomb. It would be wonderful if we could carry out what our colleague would like to do for the surface-to-air missiles. I mean, those are important. But don't take the money from this account.

This account is extremely important in preventing the proliferation of nuclear materials as well as how we need to convert those reactors around the world, including here in the United States, that are capable of producing plutonium and highly enriched uranium.

I don't have a problem with where the gentleman tends to augment the surface-to-air missile defense program or the air-to-surface program but, rather, from where he is taking, the account. I would suggest to the gentleman that we would be far better off finding a different place, one that has far less risk to us.

The terrorists are out there. They are looking to get their hands on this kind of fissile material, and they will be able to do so unless we use the money in this program from the National Nuclear Security Administration, atomic agency, to secure these sites and materials.

Mr. WESTERMAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Alabama (Mr. ROGERS).

Mr. ROGERS of Alabama. Mr. Chairman, I rise in support of the gentleman from Arkansas' amendment.

The Army included Patriot MSE procurement as number 12 on its fiscal year 2017 UFR list to ''mitigate critical shortfall in Army war reserve requirements.''

The ballistic missile threat from Russia, China, Pakistan, Iran, and North Korea is growing. We owe it to our men and women in uniform to give them the tools they need to defend themselves when we send them into harm's way.

I know that on the other side of the aisle they look at every dollar that goes to the defense nuclear nonproliferation budget as sacrosanct, but I know that the House Subcommittee on Energy and Water Development, and Related Agencies mark also has skepticism about whether this technology is ready for prime time.

As the chairman of the Subcommittee on Strategic Forces, I urge the support of this amendment offered by the gentleman from Arkansas.

Mr. VEASEY. Mr. Chairman, I yield 2 minutes to the gentleman from Nebraska (Mr. FORTENBERRY).

Mr. FORTENBERRY. Mr. Chair, Senator MARK KIRK, who used to be a Member of this body, told me a story a while back. He was a bomber pilot during the Bosnian war, and during that war he literally carried a map in his hands, and there was a red circle drawn around a particular point on that map, and it said, ''Do not bomb here.''

What was there? Loose nuclear materials, unsecured, that could have been a disaster had we inadvertently struck that target.

Loose nuclear materials are all around the world. We have a very specialized program here called the global material security initiative program that helps secure these materials, brings down the risk that they will get into the wrong hands, brings down the risk of a nuclear explosion—which is an absolutely critical national security priority—to as close to zero as possible. I know it is not the intention of the author of the amendment, my friend Mr. WESTERMAN, to undermine this program.

In fact, I support the underlying intent of enhancing the surface-to-air missile program, but this is the wrong place to take this money from. The Department of State, the Department of the Treasury, the Department of Defense, and the Department of Energy as well as other agencies are sharing in the multitasked effort to try to have a multipronged effect on reducing the probability of a nuclear weapons explosion, reducing the probability of nuclear materials getting into the wrong hands to, again, as close to zero as possible.

That is why, as we move forward in looking at how to enhance important programs like my friend has raised, we should look for it in the right places and not undermine a critical aspect of our national security.

I thank the gentleman from Texas for yielding.

Mr. WESTERMAN. Mr. Chairman, I would also like to commend the Material Management and Minimization program for the work that they have done, but as was stated before, the House Subcommittee on Energy and Water Development, and Related Agencies of the Committee on Appropriations said:

A significant portion of the highly enriched uranium minimization efforts going forward will involve multiyear research and development activities. To better align research and development-related activities with resident expertise for managing such activities within the Office of Defense Nuclear Nonproliferation, the recommendation shifts funding responsibility for the development of fuel for high-performance research reactors and for demonstrating and commercially deploying domestic-based technologies for the production of the medical isotope Mo-99 to defense nuclear proliferation research and development.

Mr. Chairman, I believe this is the appropriate place to offset the funding for these additional missiles. These missiles are critical to our Nation's defense.

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

Mr. VEASEY. Mr. Chairman, I yield 1 minute to the gentleman from Tennessee (Mr. COOPER).

Mr. COOPER. Mr. Chair, I think most of us are very interested in supporting the MSE portion of this. I just worry about the offset. It is very important that we make sure we do not raid the nonproliferation account in order to pay for what may be a very worthy priority.

You remember that Secretary of Defense Robert Gates didn't even allow an unfunded request to be transmitted to Congress. That removed a certain temptation from us. We all know there are a number of these requests, and some of them should be funded, but to raid the nuclear safety account—because that is basically what nonproliferation is—is a very dangerous precedent. I would urge the gentleman to reconsider.

We hope to work on this amendment in conference, but this is not a piggy bank we are raiding. This is not a slush fund. This is an account that could keep America safe from a nuclear attack. I would urge the gentleman, as he pursues his very worthy priorities, to not pursue an offset in this area.

I thank the gentleman. He is an excellent Member, but I think that we should all be very aware of the importance of the nonproliferation account.

□ 1630

Mr. WESTERMAN. Mr. Chairman, I would like to emphasize that, even with these additional 20 missiles, we will still be below the numbers for FY 2015 and FY 2016. This is an unfunded request and high priority for the Army, and I encourage a positive vote on this amendment.

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

Mr. VEASEY. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arkansas (Mr. WESTERMAN).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. GARAMENDI

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 114–569.

Mr. GARAMENDI. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title I, add the following new section:

SEC. 1___. FUNDING FOR LARGE AIRCRAFT INFRARED COUNTERMEASURES.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, there is authorized to be appropriated $17,930,000 for procurement, Air

Force, Large Aircraft Infrared Countermeasures.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated for research, development, test, and evaluation, as specified in the corresponding funding table in section 4201, for advanced component development & prototypes, Ground Based Strategic Deterrent (Line 044) is hereby reduced by $17,930,000.

The Acting CHAIR. Pursuant to House Resolution 732, the gentleman from California (Mr. GARAMENDI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Chairman, every day men and women from Travis Air Force Base fly the big C–17s and C–130s and other heavy, large aircraft into harm's way in Iraq, Afghanistan, and over and around Syria. Every day they are at risk. They are at risk from being shot down by a shoulder-fired missile.

There is a defense for this. It is called the Large Aircraft Infrared Countermeasures defense system. It is one of the unfunded requests that the Air Force has made of us. This amendment would fund at least part of that request and provide a higher level of safety to the men and women in the Air Force that fly these large aircraft into harm's way.

I don't think there is one of us here on the floor, in the House, or even in the Senate that would deny that flying these aircraft into the airfields of Afghanistan, even into Bagram, and certainly into Baghdad, is always safe. It is not.

There is a proliferation of these shoulder-fired MPADS, and they are increasingly available to the bad guys, who our men and women are trying to take out.

So we are looking here to move $17-plus million from an account that is not needed—at least, the money is not needed at this time—over to something that is desperately needed, a defensive system for our large Air Force aircraft, removing the money from the new Minuteman IV intercontinental ballistic missile program, which is not scheduled to be fielded until 12 years from now, and taking that just short of $18 million out of that account and moving it over so that our pilots and crew members can be safer.

We don't need that money for these new intercontinental ballistic missiles that are 12 years away. What we need is to protect our men and women today with Large Aircraft Infrared Countermeasures equipment. That is what this is all about.

It is pretty simple. It is a matter of choices: do we choose to protect our men and women today or augment a program that doesn't need the money, according to the GAO. I choose to protect our men and women today and not to fund a program that the GAO says doesn't need this $17.9 million.

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

Mr. ROGERS of Alabama. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Alabama. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chair, I strongly oppose the amendment, and so does the United States Air Force. The Air Force opposes the offset in this amendment, which would take $17.9 million from the Ground-Based Strategic Deterrent, also called GBSD, program.

I and the Air Force oppose the offset because the $17.9 million is already being used in a pending reprogramming action. Taking the money via this amendment would delay this program.

This is what the Air Force says about taking this money:

> Removing these funds . . . would be a double-take to the program, hindering the GBSD contractors' ability to fully fund their Technology Maturation and Risk Reduction phase contracts. This would prevent the winning contractors from appropriately ramping up their efforts . . . and result in a 5-month delay.

Furthermore, GAO does not support this reduction. The gentleman is basing his argument on GAO's initial draft budget fact sheet released over a month ago, which said that the $17 million offset may be available.

However, in its final GAO budget fact sheet released today, GAO says:

> The Air Force's Fiscal Year 2017 request for GBSD could be reduced by a total of $17.93 million—as long as the funds are not reprogrammed.

In their final fact sheet, GAO also said that the GBSD account for FY 2017 should only be reduced to offset the excess $17.93 million if the funds remain with the program and are not reprogrammed as currently planned.

So both the GAO and the Air Force oppose the offset in this amendment.

Furthermore, two successive Secretaries of Defense say that nuclear deterrence is DOD's most important mission.

Here is Secretary Hagel:

> Our nuclear deterrent plays a critical role in assuring U.S. national security, and it is DOD's highest priority mission. No other capability we have is more important.

And here is Secretary Carter:

> The nuclear mission is the bedrock of our security. It is what stands in the background and looms over every action this country takes on the world stage. It is the foundation for everything we do.

In short, GBSD is the future of one leg of the triad and must remain on schedule. According to the Air Force and GAO, this amendment delays that schedule. Let's be clear. This is an antinuclear disarmament amendment disguised as something else.

I urge my colleagues to vote ''no'' on the amendment.

I reserve the balance of my time.

Mr. GARAMENDI. Mr. Chair, this is most assuredly not a disarmament. We are scheduled to spend a trillion dollars on this kind of program. It is hardly a disarmament. We are talking about $17.9 million; yet, this nuclear security program is a trillion over the next 25 years. It is hardly a disarmament.

The reality is that this money is not needed now. This money is going to be reprogrammed by the Air Force to be spent next year—without our authority, but I suppose with summary programing authority—when we know that the Air Force has C–17s, C–130s, and other large aircraft that can be shot out of the sky now, not in 2028 and beyond, but now.

Are we unwilling to protect our airmen and -women that are on these airplanes? This is not disarmament. This is about protecting the men and women that are flying dangerous missions into Afghanistan, into Iraq, into other places where the terrorists do have MPADS and can shoot them out of the sky.

Don't give me that business that this has something to do with disarmament. This has to do with protecting the men and women that are flying our large aircraft and giving them the protection that they need.

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

Mr. ROGERS of Alabama. Mr. Chair, this is about disarmament.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. GARAMENDI).

The amendment was rejected.

AMENDMENT NO. 10 OFFERED BY MR. MCKINLEY

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part B of House Report 114–569.

Mr. MCKINLEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of title VIII the following new section:

SEC. 843. POLICY REGARDING SOLID ROCKET MOTORS USED IN TACTICAL MISSILES.

(a) POLICY.—The Secretary of Defense shall ensure that every tactical missile program of the Department of Defense that uses solid propellant as the primary propulsion system shall have at least two fully certified rocket motor suppliers in the event that one of the rocket motor suppliers is outside the national technology and industrial base (as defined in section 2500(1) of title 10, United States Code).

(b) WAIVER.—The Secretary may waive subsection (a) in the case of compelling national security reasons.

The Acting CHAIR. Pursuant to House Resolution 732, the gentleman from West Virginia (Mr. MCKINLEY)

and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. MCKINLEY. Mr. Chairman, this bipartisan amendment seeks to address the problem of America's declining defense industrial base.

Consider these facts. Since the 1980s, the number of American rocket motor companies has declined by 60 percent with only two companies remaining able to manufacture motors that propel our missiles.

The Department of Defense has already published seven reports going back to 2009 and all the way up to last year, all talking about specifically warning of the danger of this decline of our solid rocket motor industrial base. In these reports, they use terms like ''at risk,'' ''vulnerable,'' ''shrinking,'' ''atrophying,'' and ''fragile.''

Despite these reports, the Air Force has permitted outsourcing of rocket motors for tactical missiles to foreign companies without even giving other U.S. companies the opportunity to compete.

Mr. Chairman, this illustrates why so many Americans are frustrated with Washington. The DOD has identified a problem, but they haven't done anything about it since these reports have been surfacing.

This amendment will help correct the problem, strengthen the solid rocket motor industrial base, and possibly create American manufacturing jobs.

The amendment simply says that, if there is a foreign supplier for solid rocket motors on our missiles, the DOD must ensure there is a second supplier available. The second supplier can be domestic or it can be foreign.

Last year a similar provision passed in the House NDAA, but was removed in conference with the Senate. Since that time, we have modified this amendment to try to find a compromise that would be acceptable.

Now, the bottom line is: This is about an opportunity to strengthen America's industrial base and American jobs.

The question remains: Does Congress stand for American jobs or with continued foreign outsourcing and weakening our fragile manufacturing capacity?

Mr. Chairman, let's give our firms in America an opportunity to compete.

I would like to thank Chairman THORNBERRY for his support of this amendment and his staff for working with us as well as our bipartisan sponsors of this amendment.

I urge a ''yes'' vote on this amendment.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. Mr. Chair, I yield to the gentlewoman from Arizona (Ms. MCSALLY).

Ms. MCSALLY. Mr. Chair, I rise today in strong opposition to this proposed amendment. Although I have respect for my colleague and teammate, I have strong reservations and opposition to this amendment.

This amendment is a solution in search of a problem. It would delay critical missile capabilities to the warfighter and will be more costly to the taxpayer.

Only two tactical missile programs in production today use international motors, and both of them are made by our friend, Norway.

If enacted, prime contractors will have to pause production of critical tactical missiles and spend tens of millions in compliance costs to certify an alternative product that does not currently exist.

What is more, while we wait for the second company to develop a working product line, we will slow production of missiles needed by warfighters today.

The history for why past programs have used international motors is important to keep in mind. In 2011, after a history of success, the AMRAAM missile, which is a critical air-to-air missile—and, as a fighter pilot, I know a little bit about capabilities—that was built by a domestic company, but began to fail in cold weather.

Think about that. You are a fighter pilot. You have been called to engage with the enemy. You have got them in your sight.

□ 1645

You hit the pickle button and the missile fails on you; puts your life at risk and the risk of air superiority and our military capabilities and the military mission.

In that circumstance, the domestic company was unable to solve the problem, so we turned to a back-up company in Norway. Our NATO ally, Norway, stepped in to fill the production gap for the AMRAAM program, which produces missiles we sell to dozens of our partner nations to guarantee air superiority in any contingency.

Without our foreign partner, the AMRAAM program could have been shut down for up to 5 years. Instead, we turned around a 2-year production lag and put the missile program ahead of schedule.

If this amendment passes, it will put a dangerous pause on this critical air-to-air missile program, risking air superiority for us and our allies.

If the domestic producer, which will benefit from this amendment, wants its rocket motors back on the AMRAAM missile, they need to fix their quality issues and compete when the shortfalls are addressed instead of asking Congress to take up the slack with an earmark-like amendment like this one.

The amendment puts parochial interests above what is best for our fighter pilots, our warfighters, and our military readiness. That is not right, and we owe it to our troops to shoot it down.

In closing, the Department of Defense, the Navy and the Air Force have all expressed strong opposition to this amendment.

The Pentagon believes this language would require significant program investment and ultimately result in increased program costs that will be passed on to the taxpayer or come at the expense of other important defense spending and readiness, which we are trying to fix in this bill today. We simply cannot afford it.

Current law already provides the authority for the Department of Defense to address this issue. Mandating two vendors is merely a clever effort to essentially put an earmark for a specific defense company into this bill. This same amendment was debated last year, but it was dropped in conference. It will ultimately harm our warfighters in a time that we need to be giving them every advantage, ensuring the equipment that they have is reliable.

I strongly urge a ''no'' vote on this amendment.

Mr. SMITH of Washington. Mr. Chair, I reserve the balance of my time.

Mr. MCKINLEY. Mr. Chairman, how much time do I have?

The Acting CHAIR. The gentleman from West Virginia has 2¼ minutes remaining.

Mr. MCKINLEY. Mr. Chair, I yield myself such time as I may consume.

Let's try to clarify this. And I do appreciate the remarks of my colleague.

We are talking about a situation that when the performance specification was changed, there was a problem. I recognize that.

But the problem here, or the issue here is that the defense already was embarking on going overseas to find a supplier before there were any problems that had surfaced with this. This has been cleared. We understand that.

Now, let's go further with this. We are not talking about just an American firm. There are two, possibly there could be another one that could emerge, three or four. Remember, we used to have far more rocket motor manufacturers in America. We are down to two now.

Now, maybe there is going to be a foreign corporation, someone else that surfaces with this. We know there are others. But it just seems patently shortsighted for us in America, with all this purchasing power that we have, to limit ourselves to one supplier, one supplier.

So what we are saying is, fulfill the specifications, find out whether or not you can get another firm as qualified to be able to do this, whether it is foreign or domestic. But let's have competition. For the American public and our defense and our spending, I think it is a fiscally responsible thing to do to

try to find a way to be responsible in our dollars. So it may be an American firm. Quite frankly, I hope it is. And then we can stimulate our declining industrial defense base. But if it is someone else, at least we are going to find we have competition. And unless I am wrong, I always thought that the American way was finding competition to be able to compete with us.

This amendment gives us an opportunity. Since 2009, our government has come out with report after report after report after report that there is a problem. We need to address it.

But they have done nothing other than outsourcing this material. I think it is time that we take action, we allow an opportunity for a second firm to compete.

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

Mr. SMITH of Washington. Mr. Chairman, I yield back the balance of my time.

Ms. SINEMA. Mr. Chair, I join my colleagues in opposition to this amendment.

Like members on both sides of this debate, I strongly support strengthening our domestic industrial base. I also support efficiently using taxpayer dollars to ensure our military has the best systems and equipment.

While well intentioned, this amendment is overly broad and could have serious unintended consequences for taxpayers, for our military, and for our foreign policy.

My colleagues have discussed the cost and technical issues. I share these concerns about negatively disrupting the AMRAAM and potentially other tactical missile programs.

We should also consider the consequences this amendment may have for our ability to engage in cost sharing with our international allies and partners.

Cost sharing on a variety of platforms can drive competition, improve technologies available to our military, and lower costs for taxpayers. It also strengthens the partnerships we leverage to provide stability and security for the United States.

It is my understanding that a reasonable path forward exists to ensure we can build our domestic manufacturing base for solid rocket motors.

I encourage my colleagues to oppose this amendment so that we can advance a targeted solution to address the specific programmatic concerns of the sponsor, without imposing an overbroad mandate that disrupts all tactical missile programs.

Again, thank you Congresswoman MCSALLY and Ranking Member SMITH.

The Acting CHAIR. The question is on the amendment offered by the gentleman from West Virginia (Mr. MCKINLEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MCKINLEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from West Virginia will be postponed.

The Committee will rise informally.

The Speaker pro tempore (Mr. HOLDING) assumed the chair.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 2040. An act to deter terrorism, provide justice for victims, and for other purposes.

The SPEAKER pro tempore. The Committee will resume its sitting.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

The Committee resumed its sitting.

AMENDMENT NO. 11 OFFERED BY MR. THORNBERRY

The Acting CHAIR (Mr. ROTHFUS). It is now in order to consider amendment No. 11 printed in part B of House Report 114–569.

Mr. THORNBERRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle B of title IX, add the following new section:

SEC. 9___. REFORM OF NATIONAL SECURITY COUNCIL.

(a) FINDINGS.—Congress finds the following:

(1) The National Security Council has increasingly micromanaged military operations and centralized decisionmaking within the staff of the National Security Council. The size of the staff has contributed this problem.

(2) As stated by former Secretary of Defense Robert M. Gates, ''It was the operational micromanagement that drove me nuts of White House and [National Security Council] staffers calling senior commanders out in the field and asking them questions, second guessing commanders'', and by another former Secretary of Defense Leon Panetta, ''[B]ecause of that centralization of that authority at the White House, there are too few voices being heard in terms of the ability to make decisions and that includes members of the cabinet.''.

(3) Gates stated, ''You have 25 people working on a single military problem... They are going to be doing things they shouldn't be doing,'' and Panetta noted, ''The National Security Council has grown enormously, which means you have a lot more staff people running around at the White House on these foreign policy issues.''.

(4) Press reports indicate that National Security Council micromanagement has included selecting targets in ongoing military operations, specifying detailed parameters and limitations on military operations, and managing military planning and the execution of plans.

(5) As stated in section 101(a) of the National Security Act of 1947 (50 U.S.C. 3021(a)), the ''function of the Council shall be to advise the President with respect to the integration of domestic, foreign, and military policies relating to the national security so as to enable the military services and the other departments and agencies of the Government to cooperate more effectively in matters involving the national security''.

(6) As stated in the November 1961 staff reports and recommendations on ''Organizing for National Security'' submitted to the Committee on Government Operations of the Senate by the Subcommittee on National Policy Machinery, ''The Council is an interagency committee: It can inform, debate, review, adjust, and validate... The Council is not a decisionmaking body; it does not itself make policy. It serves only in an advisory capacity to the President, helping him arrive at decisions which he alone can make.''.

(7) As noted in the 1987 Report of the President's Special Review Board (commonly known as the ''Tower Commission Report''), ''As a general matter, the [National Security Council] staff should not engage in the implementation of policy or the conduct of operations. This compromises their oversight role and usurps the responsibilities of the departments and agencies.''.

(8) As noted in the ''Addendum on Structure and Process Analyses: Volume II – Executive Office of the President,'' accompanying the February 2001 U.S. Commission on National Security/21st Century (commonly known as the ''Hart-Rudman Commission''), ''[T]he degree to which the [National Security Council] gets involved in operational issues raises a question of congressional oversight. Today there is limited congressional oversight of the [National Security Council]... Assigning the [National Security Council] greater operational responsibility would likely result in calls for more congressional oversight and legislative control...''.

(9) According to analysis from the Brookings Institution's National Security Council Project, the size of the National Security Council staff from the early 1960s to the mid-1990s remained consistently under 60 personnel. Since then, it has grown significantly in size.

(10) As former National Security Advisor, Zbigniew Brzezinski, wrote in ''The NSC's Midlife Crisis'' in Foreign Policy, Winter 1987–1988, ''There is no magic number, but it would appear that for successful strategic planning and policy coordination 30-40 senior staff members are probably adequate. However, to ensure effective supervision over policy implementation as well, the size of the staff should be somewhat larger. An optimal figure for the senior staff probably would be about 50 senior staff members.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the function of the National Security Council, consistent with the National Security Act of 1947 (50 U.S.C. 3001 et seq.), is to advise the President as an independent honest broker on national security matters, to coordinate national security activities across departments and agencies, and to make recommendations to the President regarding national security objectives and policy, and the size of the staff of the National Security Council should be appropriately aligned to this function;

(2) the President is entitled to privacy in the Office of the President and to a confidential relationship with the National Security Advisor and the National Security Council; and

(3) however, a National Security Council, enabled by a large staff, that assumes a central policymaking or operational role is no longer advisory and should be publicly accountable to the American people through Senate confirmation of its leadership and the

activities of the Council subject to direct oversight by Congress.

(c) AMENDMENTS TO NATIONAL SECURITY ACT OF 1947.—Section 101 of the National Security Act of 1947 (50 U.S.C. 3021), is amended—

(1) in subsection (a)—

(A) in paragraph (5), by striking ''and'';

(B) in paragraph (6), by striking the period at the end and inserting ''; and''; and

(C) by adding after paragraph (6) the following new paragraph:

''(7) the Assistant to the President for National Security Affairs.'';

(2) in subsection (c), by striking ''shall receive compensation at the rate of $10,000 a year.'' and inserting ''shall report to, and be under the general supervision of, the Assistant to the President for National Security Affairs.'';

(3) by redesignating subsections (d) through (l) as subsections (e) through (m), respectively; and

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

''(d)(1)(A) Except as provided by subparagraph (B), the Assistant to the President for National Security Affairs shall be appointed by the President.

''(B) If the staff of the Council exceeds 100 covered employees at any point during a term of the President, and for the duration of such term (without regard to any changes to the number of such covered employees), the Assistant to the President for National Security Affairs shall be appointed by the President, by and with the advice and consent of the Senate.

''(2)(A) Beginning on the date on which the staff of the Council exceeds 100 covered employees, the person appointed as the Assistant under paragraph (1)(A), the person nominated by the President to be appointed the Assistant under paragraph (1)(B), or any other person designated by the President to serve as the Assistant in an acting capacity, may serve in an acting capacity for no longer than 210 days.

''(B) If the person nominated by the President to be appointed the Assistant under paragraph (1)(B) is rejected by the Senate, withdrawn, or returned to the President by the Senate, the President shall nominate another person and the person serving as the acting Assistant may continue to serve—

''(i) until the second nomination is confirmed; or

''(ii) for no more than 210 days after the second nomination is rejected, withdrawn, or returned.

''(3) The President shall notify Congress in writing not more than seven days after the date on which the staff of the Council exceeds 100 covered employees.

''(4) In this subsection, the term 'covered employees' means each of the following officers and employees (counted without regard to full-time equivalent basis):

''(A) Officers and employees occupying a position funded by the Executive Office of the President performing a function of the Council.

''(B) Officers, employees, and members of the Armed Forces from any department, agency, or independent establishment of the executive branch of the Government that are on detail to the Council performing a function of the Council.''.

(d) CONFORMING AMENDMENT.—Section 3(12) of the International Religious Freedom Act of 1998 (22 U.S.C. 6402(12)) is amended by striking ''section 101(i)'' and inserting ''section 101(l)''.

The Acting CHAIR. Pursuant to House Resolution 732, the gentleman from Texas (Mr. THORNBERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, this amendment goes to an issue that relates to the ability of Congress to do its job under the Constitution and the appropriate balance of powers because I think everybody agrees that a President ought to have advisers, and that there ought to be a zone, a protected zone for those advisers to offer advice to the President.

But the problem is when those advisers do more than advise, when they direct, and when they, in fact, get into the operational military chain of command, that is a problem.

What we have seen in recent years is a tremendous increase in the number of staff at the National Security Council. And what we have also seen is an astonishing increase in micromanagement and direction of military forces that come from these NSC staffers.

In effect, they insert themselves into the military chain of command and, yet, they are not confirmed by the Senate, nor is their supervisor, and they never have to come testify to us about the direction they give the military.

That is the reason that there has developed an imbalance in the balance of powers as constructed under the Constitution.

Every previous Secretary of Defense in the Obama administration has complained about this. Typical are the comments of Secretary Gates: It was the operational micromanagement that drove me nuts of the White House and national security staffers calling senior commanders out in the field second-guessing commanders.

Secretary Panetta and Secretary Hagel have said similar things, as has former Under Secretary Michele Flournoy.

So my amendment does not tell the President how many people he can have. He can have 10,000 if he wants, but if he goes above a certain number, they are not just advising, they are directing, and the National Security Adviser must then be confirmed by the Senate.

This will not affect President Obama. It is the next President. But the next President will have a choice. Do you have a relatively small or the historically average number of advisers? If you do more, you have to get confirmed by the Senate.

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

Mr. SMITH of Washington. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. Mr. Chair, I yield myself 2 minutes.

The problem is—just two quick points here—first of all, as we have discussed throughout the conversation about the Department of Defense authorization bill this year, the threat environment has grown much more complex, and the rise in the size of the national security staff is a reflection of that, of the various different challenges that are throughout the world.

They have tried to find expertise in all of these different areas, and limiting them to 100, at this point, given the responsibilities that they have, would basically take it all the way down to the point where the admin staff would be the most that they could put in place. They have needs for the number of people that they have.

Now, the second problem that Mr. THORNBERRY points out, I think, is a very legitimate problem. The thing is, whether you have 100 or 400, the President's NSC staff can do the same thing; they can not pay attention to the Department of Defense to the degree that they should. That has nothing to do with how many people there happen to be at the NSC. I agree with Mr. THORNBERRY that that has been a problem.

Certainly we would like Commanders in Chief to be more in touch with the Department of Defense and with the commanders in the field, and not be overridden by the NSC, but that is a problem that exists, regardless of the numbers or even what you call the President's staff.

So I think this amendment would significantly hamper the ability of the National Security Council to do the job that it was appointed or created to do, which is to keep the President advised of all the various different threats that are out there. And to give them the ability to do that, they are going to need more than 100 people.

So I will oppose this amendment.

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

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the gentleman from Utah (Mr. CHAFFETZ), the distinguished chairman of the Committee on Oversight and Government Reform.

Mr. CHAFFETZ. Mr. Chair, I stand in whole support of what Chairman THORNBERRY is proposing.

Section 101 of the National Security Act of 1947 says: ''The function of the Council shall be to advise the President . . .''

Obviously, we want the President to get the best advice possible, but, historically, the National Security Act designated—they had between 50 and 60 people between the 1960s and the mid 1990s. But now it has grown to hundreds of people. We are talking about literally 400 people, by some counts, and we have got an NSC that is now not necessarily accountable. I would like to see the Senate confirmation if it moves about 100.

What we see is the NSC is not only engaging in direction on the field, but

also engaging in public relations battles and doing things well outside, I think, the scope that was originally put forward.

Mr. Chairman, today we had a hearing. We had called Ben Rhodes to come testify to this hearing. But then, claiming executive privilege, Neil Eggleston, the General Counsel, said this person could not come.

Ben Rhodes goes and talks to the media, he talks to his echo chamber. Ben Rhodes will go out and do public speaking. He will do everything except come testify in front of Congress, and then hides behind this shield that does not allow for openness and transparency.

We want an NSC that helps make policy and direct operations and should be publicly accountable, if that is what they are going to be doing.

The President has a choice. Keep the NSC small and advisory to maintain the status quo. That is what it was originally intended to do, but it has gone far more than that. It has become a public relations machine. It has become something that is problematic at every level.

I think Chairman THORNBERRY is exactly right. I think all of our colleagues should support this amendment. It is the right thing to do, and I stand in whole support of it.

Mr. SMITH of Washington. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Chair, H.L. Mencken once said that for every human problem there is a solution that is simple, neat, and wrong.

I have a lot of sympathy for Mr. THORNBERRY's amendment and for what is behind it.

He talks about micromanagement. Micromanagement goes back to the very founding of the National Security Council. You think that Richard Nixon's Secretary of State and Secretary of Defense didn't think Henry Kissinger micromanaged when he was the National Security Adviser?

He surreptitiously altered the U.S. policy to China, on his own, with his staff at NSC.

There is a long tradition of micromanagement and interference, and I have no doubt that Mr. THORNBERRY is right. Every Secretary of Defense and every Secretary of State would have a similar complaint. Of course they would, and they might be right.

To elevate this job over 100 people, to Senate confirmation, actually aggravates the problem. Now you are going to codify the micromanagement. You are actually going to make this a policymaking apparatus, in direct competition with the very department you are trying to help, the Department of Defense and the Department of State. It is the wrong answer to the growing size of an NSC.

I don't remember Republican complaints about the growth of the NSC under the previous administration, and maybe we can work together in the future to try to make sure that we have a more manageable size.

I applaud, certainly, the fact that the current NSC administrator has reduced the NSC by 12 percent. I know we can do better. But I don't think this amendment is the way to do it, respectfully.

□ 1700

Mr. THORNBERRY. Mr. Chairman, I would inform the gentleman that I have no further speakers and am prepared to close on this side if the gentleman is.

Mr. SMITH of Washington. Mr. Chairman, I yield myself the balance of my time just to reiterate the argument.

The National Security Council was formed for the very specific purpose of allowing the President to have that type of confidential advisement where people could speak frankly and give the President the advice that he needs to make decisions on matters of national security. Regrettably, our national security environment has grown more complex.

I will point out that the current National Security Adviser has actually shrunk the size of the National Security Council since she took over. It was 411, and it is now down to 365. So they are making efforts to get that under control. But to shrink this to 100 and, as Mr. CONNOLLY pointed out, to make it subject to Senate confirmation would simply lock it in as a competing force to the very entities that the sponsor of this amendment would like to see have a greater voice, and therefore it would be counterproductive and would not achieve its goal even though, again, I certainly agree that there should be greater transparency.

I don't think there is a Member of Congress who has not complained at some point throughout the history about the lack of transparency between the White House and Congress on matters of national security. That battle will continue whether this amendment passes or not. I don't think this amendment will advance the interests of national security, and, therefore, I oppose it.

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

Mr. THORNBERRY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, this amendment does not require any President to do anything. There is a choice, and the choice that any President will face is, if you go above a certain number, then I think common sense tells us that these folks are doing more than advising; they are in operations.

As a matter of fact, the former Under Secretary of Defense for Policy in the Obama administration Pentagon, Ms. Flournoy, has testified that, as the staffs grow, they tend to get more into operational details and tactical kinds of oversight. Historically, when you have had smaller national security staffs—for example, the Scowcroft era—they had a very clear understanding of what their role was.

This is a matter of common sense. Absolutely, there are no guarantees. You might have one person who would try to direct; but, generally, the more people you have got, the more stuff they are going to try to micromanage.

So I don't prevent a President from doing anything with this amendment. I simply say that it is a choice. You can have 100 people or fewer and not go before the Senate. If you have more than that, you have got to get Senate confirmed like the Director of OMB is now. I think that is what makes sense. I hope Members will support the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. THORNBERRY).

The amendment was agreed to.

AMENDMENT NO. 12 OFFERED BY MR. NADLER

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in part B of House Report 114–569.

Mr. NADLER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike sections 1032 and 1033.

The Acting CHAIR. Pursuant to House Resolution 732, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment would strike sections 1032 and 1033 of the bill, which prohibit the use of funds to transfer detainees from Guantanamo Bay, Cuba, to the United States or to construct or expand any facility in the U.S. to house any individual currently detained at Guantanamo.

Simply put, the section is designed to prevent the closure of the detention facility at Guantanamo and to make it as difficult as possible to transfer detainees to a different facility. My amendment is intended to do the opposite and to finally bring to a close a shameful chapter of American history.

The President's Statement of Administration Policy says the following: ''The administration strongly objects to several provisions of the bill that relate to the detention facility at Guantanamo Bay, Cuba. As the administration has said many times before, operating this facility weakens our national security by draining resources, damaging our relationships with key allies and partners, and emboldening

violent extremists. In February, the administration submitted a comprehensive plan to safely and responsibly close the detention facility at Guantanamo Bay, Cuba, and to bring this chapter of our history to a close. Rather than taking steps to close the facility, this bill aims to extend its operation. Sections 1032 and 1033 would continue to prohibit the use of funds to transfer Guantanamo detainees to the United States or even to construct or modify any facility in the United States to house detainees. These restrictions would limit the ability of the executive branch to take the steps necessary to develop alternative locations for a detention facility, and from fulfilling its commitment to close the facility at Guantanamo.''

Mr. Chairman, it is truly astonishing that in 2016 the United States continues to hold people indefinitely who have not been charged, let alone convicted, of any crime and who, in some cases, have been judged not to pose any threat to the United States. By continuing to hold prisoners indefinitely without charging them and without trial is inconsistent with our professed support of liberty.

Now, I know some will say the detainees are dangerous terrorists, and some undoubtedly are. But some of them are not. They are merely people who were captured in some way but who have not been charged or judged as terrorists. Some of them are simply victims of the fact that the United States paid bounties to people in Afghanistan years ago to turn in people who they said were terrorists. The Hatfields turned in the McCoys because—why not? We were giving them a bounty of a few thousand dollars a head.

For the truly dangerous, we ought to prosecute them and, if convicted, punish them appropriately. We have, for those who need it, supermax prisons in the United States from which no one has ever escaped. There is no reason to spend so much money in Guantanamo and have this continuing shame on the reputation of the United States.

Speaking of money, GTMO is the world's most expensive prison by far. We are spending about $2.9 million annually per prisoner. It costs us less than $35,000 per prisoner to hold someone in a supermax facility in the United States. Frankly, they don't deserve the spending. We should be spending that money here in the United States, not on terrorists, but on teachers or maybe on defense. No one will argue that that money could not be spent better somewhere else.

Finally, Mr. Chairman, I include in the RECORD a letter signed by more than 30 retired generals urging the Congress to responsibly close the detention facility at Guantanamo. They quote President George Bush when he said that the facility had become a ''propaganda tool for our enemies.''

MARCH 1, 2016.

Senator JOHN MCCAIN,
Chairman, Senate Armed Services Committee, Russell Senate Building, Washington, DC.

Senator JACK REED,
Ranking Member, Senate Armed Service Committee, Russell Senate Building, Washington, DC.

Representative MAC THORNBERRY,
Chairman, House Armed Services Committee, Rayburn House Office Building, Washington, DC.

Representative ADAM SMITH,
Ranking Member, House Armed Services Committee, Rayburn House Office Building. Washington, DC.

DEAR CHAIRMEN AND RANKING MEMBERS: For over seven years we, a group of retired flag and general officers of the United States Armed Forces, have advocated the responsible closure of the detention facility at Guantanamo Bay. We have done this because it is what is best for our country. It is in our national security interests, and above all, it is about reestablishing who we are as a country.

Last week the administration presented its plan for closing the Guantanamo Bay detention facility. As the chairmen and ranking members of the House and Senate Armed Service Committees, yours is a solemn responsibility. We write to encourage you to use this plan as a foundation to come together and find a path to finally shutter the detention facility. This should not be a political issue. Former President George W. Bush determined that Guantanamo should be closed because, in his words, ''. . . the detention facility had become a propaganda tool for our enemies and a distraction for our allies. I worked to find a way to close the prison without compromising security.'' The current plan similarly seeks to achieve that objective, following the advice of our nation's top military, intelligence, and law enforcement leaders.

Closing Guantanamo will not be easy, but it is the right thing to do, and we call on you to work together to accomplish it. We take heart that our nation has elected people who will exercise their conscientious judgment, but who will not allow politics to obscure courage. Compromise for the common good is the true exercise of leadership and courage.

Sincerely,

General Charles Krulak, USMC (Ret); Vice Admiral Richard H. Carmona, USPHS (Ret.); Lieutenant General Robert G. Gard, Jr., USA (Ret.); Lieutenant General Richard L. Kelly, USMC (Ret.); Lieutenant General Charles Otstott, USA (Ret.); Lieutenant General Keith J. Stalder, USMC (Ret.); Major General Eugene Fox, USA (Ret.); Rear Admiral John D. Hutson, JAGC, USN (Ret.); Major General Michael R. Lehnert, USMC (Ret.); Major General Eric T. Olson, USA (Ret.); Major General Walter L. Stewart, Jr., USA (Ret.); Major General Margaret Woodward, USAF (Ret.); Brigadier General David M. Brahms, USMC (Ret.); Brigadier General James P. Cullen, USA (Ret.).

General David M. Maddox, USA (Ret.); Lieutenant General John Castellaw, USMC (Ret.); Vice Admiral Lee F. Gunn, USN (Ret.); Lieutenant General Claudia J. Kennedy, USA (Ret.); Lieutenant General Norman R. Seip, USAF (Ret.); Major General Paul D. Eaton, USA (Ret.); Rear Admiral Don Guter, JAGC, USN (Ret.); Major General Carl B. Jensen, USMC (Ret.); Major General William L. Nash, USA (Ret.); Major General Thomas J. Romig, USA (Ret.); Major General Antonio M. Taguba, USA (Ret.); Brigadier General John Adams, USA (Ret.); Brigadier General Stephen A. Cheney, USMC (Ret.); Brigadier General Evelyn P. Foote, USA (Ret.).

Brigadier General Alan K. Fry, USA (Ret.); Brigadier General David R. Irvine, USA (Ret.); Brigadier General Richard O'Meara, USA (Ret.); Brigadier General Daniel P. Woodward, USAF (Ret.); Brigadier General Leif H. Hendrickson, USMC (Ret.); Brigadier General John H. Johns, USA (Ret.); Brigadier General Murray G. Sagsveen, USA (Ret.); Brigadier General Stephen N. Xenakis, USA (Ret.).

Mr. NADLER. So, again, for all these reasons—it weakens our security, it drains our resources, it emboldens our enemies, and it is contrary to liberty and everything that we stand for—I urge my colleagues to support this amendment and to lift these restrictions on closing the detention facility at Guantanamo Bay. If people must be kept in prison, then they can be kept here a heck of a lot more cheaply and without subjecting us to the continued propaganda against Guantanamo.

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

Mr. THORNBERRY. Mr. Chairman, I rise in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the gentlewoman from Indiana (Mrs. WALORSKI), a distinguished member of the Armed Services Committee.

Mrs. WALORSKI. Mr. Chairman, I rise in strong opposition to the gentleman's amendment.

Mr. Chairman, I want to take particular issue with a point made by the gentleman from New York. He is saying we can't afford to keep Guantanamo open. I stand here today and declare to you that we can't afford to close it.

Let's look at the numbers. According to SOUTHCOM, which runs the detention facility, the annual operating cost is just over $100 million. However, according to this administration's own figures, the cost to renovate a facility in the United States is nearly half a billion dollars, not including the annual operating costs.

Mr. Chairman, what is the life of an American worth? Is the gentleman from New York willing to stand here and have that conversation? I don't think so.

This is a misguided amendment that would not make Americans safer. It is in the best interests of our national security to keep Guantanamo Bay open, and, as the numbers show, it is also in the best interests of the American taxpayer.

I just also want to respond to another quick comment over here where he talked about some of those people are just merely detained. I just want to remind us in this Chamber that these are the worst of the worst. These are the most hardened terrorists the world has

ever seen, and, more importantly, they have the blood of Americans on their hands and should be kept in a safe facility where they are.

Mr. Chairman, I urge my colleagues reject this amendment.

Mr. NADLER. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from New York has 1 minute remaining.

Mr. NADLER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, we have heard again the mantra from the other side: These people are the worst of the worst. They have American blood on their hands.

Some of them may, but many of them don't. They have not been tried. I don't know with what authority you say they are the worst of the worst; they have American blood on their hands. True of some, not of others.

What kind of system is it for the United States to simply take people, not try them, not accuse them, and hold them indefinitely because somebody says that they are the worst of the worst? On what authority and on what proof?

As for the funding, it costs between $3 million and $5 million—$2.9 million here in 2013, closer to $5 million now—per person per year. It costs $35,000 to hold someone in a supermax facility. I don't know why we have to build new supermax facilities, but if we do, we should. The point is it is incredibly expensive to keep them there for no reason.

Again, some of those people ought to be tried and sentenced to life imprisonment or whatever, some of them ought to be freed. Some of them have been judged not to be, have already been found not to be a danger to the United States. Simply repeating over and over again that they are all the worst of the worst, they all have American blood on their hands, when it is simply not true—some of them yes, some of them no—does not make the case.

I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Ohio (Mr. WENSTRUP) of the Armed Services Committee.

Mr. WENSTRUP. Mr. Chairman, I rise in opposition to the Nadler amendment because the amendment would allow detainees currently housed at Guantanamo to be transferred to the United States. Why? Why do you want to do that, to endanger our communities? That is what I ask, Mr. Chairman.

I served at Abu Ghraib prison in Iraq. We were attacked three, four times a week. Why? To try to release these prisoners. We have seen that our enemy is capable of planning and, in some instances, launching attacks within the United States.

Currently, this move is not allowed. We asked the President for details on a plan. It was said that it was comprehensive. It didn't say where they would be housed or what the housing would entail or how much it would cost the taxpayer. This was not a serious plan.

What we do need, however, is a consistent policy on how to deal with future terrorist detainees. I would agree with that. Guantanamo remains our best option right now. It is a safe and appropriate location to hold detainees. It is secure and distant from our homeland.

Guantanamo also provides humane conditions for the detainees. They have appropriate access to health care, the same as our troops have there. They have recreational activities, culture, and religious materials.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Kansas (Mr. POMPEO), who serves on the Permanent Select Committee on Intelligence.

Mr. POMPEO. Mr. Chairman, I rise in opposition to the Nadler amendment as well. These are, in fact, the worst of the worst. The detainees that remain now, well under 100, are not cooks and bottle washers, but serious men who meant to do serious harm to the United States.

I want to spend the time that I have talking about a particularly pernicious argument that has been made in favor of closing this facility. It is an argument that says that these men attacked America because of the existence of Guantanamo Bay. It is inaccurate, it is false, and the facts don't support that claim.

Indeed, we have evidence, 34 translated messages from al Qaeda, from terrorists, talking about the reasons for their attacks, and only 7 times was Guantanamo Bay ever mentioned. It was mentioned in each case as a glancing issue. Iraq, Afghanistan, and even the Crusades were mentioned hundreds of times, but Guantanamo Bay is not the reason that they attacked America.

I can tell you that we wrote a letter to the Director of National Intelligence, Mr. Clapper. He, too, confirmed that this is not a motivation for the attacks. We should remember that these attacks began well before the existence of Guantanamo Bay.

The fact that Guantanamo Bay acts as an agent to promote terrorism is false and must be rejected, as must this amendment.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Colorado (Mr. COFFMAN), who is a member of the House Armed Services Committee.

Mr. COFFMAN. Mr. Chairman, I rise today in strong opposition to this amendment. The Obama administration's efforts to close the prison at Guantanamo Bay are both irresponsible and dangerous.

A report from January of this year by the Office of the Director of National Intelligence indicates that the number of Guantanamo detainees released by the Obama administration and suspected of returning to the battlefield has doubled since the last recidivism report in 2015.

Those who remain in Guantanamo Bay are the worst of the worst; so it is safe to presume that, if released, an even higher percentage of them would remain a threat to our national security. These are not U.S. citizens. They are foreign, unlawful enemy combatants that have directly supported hostilities against the United States and our allies.

□ 1715

Mr. Chairman, I have and will continue to oppose any attempt to transfer these detainees to my home State of Colorado or to any other State. They must be kept at Guantanamo Bay.

The Acting CHAIR. The time of the gentleman has expired.

Mr. THORNBERRY. I yield the gentleman an additional 10 seconds.

Mr. COFFMAN. Congress has a responsibility to the American people to ensure that these unlawful enemy combatants are not brought to the United States. Mr. Chairman, these congressional restrictions must remain in place.

Mr. SMITH of Washington. Mr. Chairman, how much time does the other side have remaining?

The Acting CHAIR. The gentleman from Texas has 45 seconds remaining.

Mr. THORNBERRY. Mr. Chairman, I yield the balance of my time to the gentlewoman from Missouri (Mrs. HARTZLER), the chair of the Oversight and Investigations Subcommittee.

Mrs. HARTZLER. Mr. Chairman, it is reckless to propose this amendment. Not only does it allow them to come here on our own shores and live in our own neighborhoods, but the administration has estimated it would cost potentially $475 million just to move them here.

It also removes the prohibition that these detainees could be transferred to Somalia, Libya, and Syria. We do not want these terrorists released back onto the battlefield where they could kill our soldiers.

This is a reckless amendment. It needs to be defeated. We need to keep them at GTMO, use our taxpayer dollars wisely, and ensure the safety of our neighborhoods.

Mr. THORNBERRY. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. NADLER. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 13 OFFERED BY MRS. WALORSKI

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in part B of House Report 114–569.

Mrs. WALORSKI. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle E of title X, add the following:

SEC. 10___. APPLICATION OF THE FREEDOM OF INFORMATION ACT TO THE NATIONAL SECURITY COUNCIL.

(a) IN GENERAL.—Section 552(f)(1) of title 5, United States Code (commonly referred to as the Freedom of Information Act), is amended by inserting ''and the National Security Council'' after ''the Executive Office of the President''.

(b) EFFECTIVE DATE; APPLICATION.—

(1) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date on which the first Assistant to the President for National Security Affairs is appointed by the President, by and with the advice and consent of the Senate, pursuant to section 101(d)(1)(B) of the National Security Act of 1947 (50 U.S.C. 3021(d)(1)(B)), as added by title IX of this Act.

(2) APPLICATION.—The amendment made by subsection (a) shall apply with respect to any record created by the National Security Council on or after the date specified in paragraph (1).

The Acting CHAIR. Pursuant to House Resolution 732, the gentlewoman from Indiana (Mrs. WALORSKI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Indiana.

Mrs. WALORSKI. Mr. Chair, I yield myself such time as I may consume.

I rise today to offer an amendment which addresses both the incredibly important role played by the President's National Security Council, but also the concerning trend of consolidation of authority in the White House.

Over the past two administrations, the NSC has transformed from simply a coordination and advisory body to something else entirely.

We recently heard from President Obama's three former Secretaries of Defense—Gates, Panetta, and Hagel—each outlining the challenges they faced in trying to manage the Defense Department and combat operations in the face of a more intrusive NSC.

Most notably, Secretary Gates said: ''It was the operational micromanagement that drove me nuts of White House and NSC (National Security Council) staffers calling senior commanders in the field . . . second guessing commanders.''

The NSC was never intended to operate in this manner. It was intended to be an advisory body and interagency coordination center for the President. However, its size has exploded from roughly 100 staffers under President Clinton, to 200 under President Bush, and now 400 under President Obama.

Moving decisionmaking away from the departments undermines the authority of Secretaries and General officers who have been confirmed by the Senate and concentrates power with unelected, unconfirmed, and unaccountable bureaucrats who care more about optics and narratives.

This is best illustrated in the recent profile of Deputy National Security Advisor Ben Rhodes, who has a master's in creative writing and no practical experience in foreign policy.

Mr. Chairman, the National Security Council has moved far beyond its original advisory role to one in which NSC staffers make critical operational decisions.

My amendment simply restores accountability to this operational organization by requiring the NSC to participate in the Freedom of Information Act, or FOIA, upon coordination of the National Security Advisor by the Senate.

Bringing the NSC under FOIA is not without precedent. The NSC actually maintained a FOIA program and complied with requests under Presidents Ford, Carter, Reagan, Bush, and Clinton. However, a 1996 court case ruled that, since it was an advisory body, it did not need to participate.

The NSC is not simply an advisory body anymore. It is time to bring it back under FOIA and shine light on its activities.

This amendment fits well into Chairman THORNBERRY's broader NSC reform efforts. I thank him for making this a priority in this year's NDAA.

As the chairman outlined earlier, these provisions will make it clear to future administrations that the NSC cannot continue to just grow in size and mission without consequential oversight measures.

I yield 1 minute to the gentleman from Texas (Mr. THORNBERRY), the esteemed chairman of the House Armed Services Committee.

Mr. THORNBERRY. Mr. Chairman, I thank the gentlewoman for yielding.

Mr. Chairman, the gentlewoman makes the point very well that, at a certain point, you get enough people that the institution of the National Security Council staff takes on different characteristics.

When it has those different characteristics, then you have to comply with FOIA, then you have to be confirmed by the Senate, and then you have to be able to come before Congress and justify the decisions that you have made.

That is the point with both of our amendments, that there comes a point that basic nature changes and there are implications of that, including the one that is related to the gentlewoman's amendment.

I support her amendment, and I hope Members will support it.

Mrs. WALORSKI. Mr. Chairman, I thank the chairman for his strong support.

Mr. Chairman, I yield 1 minute to the gentleman from Montana (Mr. ZINKE), my friend and colleague on the Armed Services Committee.

Mr. ZINKE. Mr. Chairman, I rise today to support my colleague from Indiana's amendment.

The amendment is simply about restoring public accountability and transparency to the National Security Council.

As a former Deputy Commander of Special Operations in Iraq, I have personally seen what happens. Oftentimes, our rules of engagement that dictate how we fight are politicized and it diminishes our ability to fight. I have seen it. It is time to change.

If they move out of an advisory role to a role where they are commanding and interpreting commands, then we need FOIA. America deserves accountability. America deserves our ability to look at who is calling the shots and why.

This is not a hit on the administration. This is an American issue. When a role is advisory and comes from advisory to command, then that command needs to be held accountable. That is what we do.

Mrs. WALORSKI. Mr. Chair, I thank the gentleman from Montana.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. Mr. Chair, none of what has been said really changes under these amendments. What all this really is is an argument to get rid of the NSC, to say that this group of folks should not exist. As we argued before, the reason the National Security Council was created was to offer the President close and confidential advice.

Now, that National Security Council, as was pointed out by other people who have made arguments about this, has consistently been criticized by the other Departments, going all the way back, I imagine, to when the NSC was formed. Whether there is 100, 200, or 300 of them, that really doesn't change that basic conflict.

Do you believe the President needs these confidential advisers? If you do, then you should oppose these amendments. They should get rid of the NSC. If you are going to take away the advice and their ability to do that, then we should just have the DOD and the President shouldn't have these advisers.

But there is a reason the NSC was created in the first place, to give the President those close advisers. Further

restricting it in this manner effectively eliminates the NSC.

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

Mrs. WALORSKI. Mr. Chairman, this is absolutely not an amendment to get rid of the NSC. This just simply brings accountability and transparency into a very important agency, into a White House that has taken this to no longer just an advisory agency role on behalf of the American people who we serve.

I ask my colleagues to support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Indiana (Mrs. WALORSKI).

The amendment was agreed to.

AMENDMENTS EN BLOC NO. 2 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 732, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 2 consisting of amendment Nos. 19, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, and 38 printed in part B of House Report 114–569, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 19 OFFERED BY MR. CALVERT OF CALIFORNIA

At the end of title XI, add the following new section:

SEC. 1112. REPORT ON DEPARTMENT OF DEFENSE CIVILIAN WORKFORCE PERSONNEL AND CONTRACTORS.

(a) FINDINGS.—Congress finds the following:

(1) A large, disproportionate, and duplicative civilian work force coupled with bureaucratic, structural inefficiencies has detracted from the Pentagon's production of combat power and its ability to modernize.

(2) The recent uniformed military drawdown has not been accompanied by an equivalent reduction of either the civilian or contractor work force. Right sizing the civilian workforce must be statutory in number but implemented with executive discretion. Across-the-board cuts to the defense civilian workforce are not the answer.

(3) Spending on contract services is over 50 percent of all Department of Defense purchases even as the total defense budget has dropped. Expenditures in services contracting lack appropriate oversight, accountability, and scrutiny.

(b) REPORTS.—

(1) IN GENERAL.—The Secretary of Defense shall submit a preliminary report within 90 days after the date of the enactment of this Act, and a final report within 180 days after such date, to the congressional defense committees detailing the structure and number of the civilian workforce and contractors of the Department of Defense.

(2) CONTENTS.—Except as provided in paragraph (3), each report shall include the following for each of fiscal years 2017 through 2020, including a breakdown in location, job function, General Schedule (GS) level, and date of when the job was created for the following individuals:

(A) The total number of full time equivalent employees, including each of the following:

(i) The total number of Senior Executive Service employees and their assignments.

(ii) The total number of civilian employees of the Department of Defense within the military health care system.

(iii) The total number of civilian employees of the Department employed at depots, arsenals, and ammunition facilities.

(B) The total number of civilian contractors of the Department of Defense, including each of the following:

(i) The total number of civilian contractors for weapons acquisitions.

(ii) The total number of civilian contractors for services or labor for non-weapon systems acquisitions.

(iii) The total number of civilian contractors employed at depots, arsenals, and ammunition facilities.

(3) PRELIMINARY REPORT.—The preliminary report provided under this subsection—

(A) shall cover the contents described in paragraph (2) in as much detail as is ascertainable within 90 days after the date of the enactment of this Act; and

(B) shall include an explanation of any impediments to developing a complete and final report by 180 days after such date of enactment.

AMENDMENT NO. 28 OFFERED BY MR. COLLINS OF NEW YORK

At the end of subtitle B of title III, insert the following new section:

SEC. 3___. ALTERNATIVE TECHNOLOGIES FOR MUNITIONS DISPOSAL.

In carrying out the disposal of munitions in the stockpile of conventional ammunition awaiting demilitarization and disposal (commonly referred to as munitions in the ''B5A account'') the Secretary of the Army shall consider using cost-competitive technologies that minimize waste generation and air emissions as alternatives to disposal by open burning, open detonation, direct contact combustion, and incineration.

AMENDMENT NO. 29 OFFERED BY MR. RUSSELL OF OKLAHOMA

At the end of title III, add the following new section:

SEC. 3___. MOTOR CARRIER SAFETY PERFORMANCE AND SAFETY TECHNOLOGY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense, acting through the commander of the United States Transportation Command, should reassess the guidelines for the evaluation of motor carrier safety performance under the Transportation Protective Services program taking into consideration the Government Accountability Office report numbered GAO-16-82 and titled ''Defense Transportation; DoD Needs to Improve the Evaluation of Safety and Performance Information for Carriers Transporting Security-Sensitive Materials''.

(b) EVALUATION OF SAFETY TECHNOLOGY.—To avoid catastrophic accidents and exposure of material, the Secretary shall evaluate the need for proven safety technology in vehicles transporting Transportation Protective Services shipments, such as electronic logging devices, roll stability control, forward collision avoidance, lane departure warning systems, and speed limiters.

AMENDMENT NO. 30 OFFERED BY MR. COSTA OF CALIFORNIA

At the end of title III, add the following new section:

SEC. 3___. BRIEFING ON WELL-DRILLING CAPABILITIES OF ACTIVE DUTY AND RESERVE COMPONENTS.

(a) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives (and other congressional defense committees on request) a briefing on the well-drilling capabilities of the active and reserve components.

(b) ELEMENTS.—The briefing under subsection (a) shall include a description of—

(1) the training requirements of active and reserve units with well-drilling capabilities;

(2) the locations at which such units conduct training relating to well-drilling; and

(3) the cost and feasibility of rotating the training locations of such units to areas in the United States that are affected by drought conditions.

AMENDMENT NO. 31 OFFERED BY MR. MCKINLEY OF WEST VIRGINIA

At the end of subtitle B of title V (page 119, after line 18), add the following new section:

SEC. 515. ELECTRONIC TRACKING OF OPERATIONAL ACTIVE-DUTY SERVICE PERFORMED BY MEMBERS OF THE READY RESERVE OF THE ARMED FORCES.

The Secretary of Defense shall establish an electronic means by which members of the Ready Reserve of the Armed Forces can track their operational active-duty service performed after January 28, 2008, under section 12301(a), 12301(d), 12301(g), 12302, or 12304 of title 10, United States Code. The tour calculator shall specify early retirement credit authorized for each qualifying tour of active duty, as well as cumulative early reserve retirement credit authorized to date under section 12731(f) of such title.

AMENDMENT NO. 32 OFFERED BY MS. MENG OF NEW YORK

At the end of subtitle E of title V, add the following:

SEC. 568. REPORT ON COMPOSITION OF SERVICE ACADEMIES.

(a) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report on the demographic composition of service academies that includes—

(1) an analysis of—

(A) the demographic composition of each service academy's—

(i) recruits;

(ii) nominees;

(iii) applicants;

(iv) qualified applicants;

(v) admits;

(vi) enrollees;

(vii) graduates; and

(viii) graduate occupation placement;

(B) how such composition compares to the demographic composition of—

(i) the United States;

(ii) enlisted members of the Armed Forces;

(iii) officers of the Armed Forces; and

(iv) other institutions of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)); and

(C) the demographic composition of each quintile of academic ranking for each service academy's graduating class;

(2) a description of the considerations given to demographic composition in each service academy's—

(A) recruitment efforts (including funding decisions made to further such efforts);

(B) qualification decisions; and

(C) admissions decisions; and

(3) recommendations for best—

(A) recruitment practices;

(B) nominating practices;

(C) qualification decision practices; and

(D) admissions practices.

(b) DEFINITION.—In this section the term ''service academy'' means each of the following:

(1) The United States Military Academy.

(2) The United States Naval Academy.

(3) The United States Air Force Academy.

(4) The United States Coast Guard Academy.

(5) The United States Merchant Marine Academy.

(c) SCOPE OF REPORT.—The report required by this section shall examine each service academy class admitted following the date of enactment of section 543 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160).

AMENDMENT NO. 33 OFFERED BY MR. PALMER OF ALABAMA

At the end of subtitle G of title V (page 162, after line 20), add the following new section:

SEC. 585. AUTHORIZATION FOR AWARD OF DISTINGUISHED-SERVICE CROSS TO FIRST LIEUTENANT MELVIN M. SPRUIELL FOR ACTS OF VALOR DURING WORLD WAR II.

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the Secretary of the Army may award the Distinguished-Service Cross under section 3742 of such title to First Lieutenant Melvin M. Spruiell of the Army for the acts of valor during World War II described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of First Lieutenant Melvin M. Spruiell on June 10 and 11, 1944, as a member of the Army serving in France with the 377th Parachute Field Artillery, 101st Airborne Division.

AMENDMENT NO. 34 OFFERED BY MS. SEWELL OF ALABAMA

Page 143, line 3, add after the period the following: ''The cyber institute may place a special emphasis on entering into a partnership under this subsection with a local educational agency located in a rural, underserved, or underrepresented community.''.

AMENDMENT NO. 35 OFFERED BY MR. TAKANO OF CALIFORNIA

Page 150, after line 4, insert the following:

(C) A comparison of the pilot program to other programs conducted by the Department of Defense and Department of Veterans Affairs to provide unemployment and underemployment support to members of the reserve components and veterans.

Page 150, line 5, strike ''(C)'' and insert ''(D)''.

AMENDMENT NO. 36 OFFERED BY MR. GRAYSON OF FLORIDA

At the end of subtitle E of title V (page 153, after line 9), add the following new section:

SEC. 568. INCLUSION OF ALCOHOL, PRESCRIPTION DRUG, OPIOID, AND OTHER SUBSTANCE ABUSE COUNSELING AS PART OF REQUIRED PRESEPARATION COUNSELING.

Section 1142(b)(11) of title 10, United States Code, is amended by inserting before the period the following: ''and information concerning the availability of treatment options and resources to address substance abuse, including alcohol, prescription drug, and opioid abuse''.

AMENDMENT NO. 37 OFFERED BY MR. BOST OF ILLINOIS

At the end of subtitle F of title V insert the following:

SEC. _____. IMPACT AID.

Notwithstanding section 5(d) of the Every Student Succeeds Act (Public Law 114–95; 129 Stat. 1806), the amendment made by section 7004(1) of such Act (Public Law 114–95; 129 Stat. 2077)—

(1) for fiscal year 2016, shall—

(A) be applied as if amending section 8003(a)(5)(A) of the Elementary and Secondary Education Act of 1965, as in effect on the day before the date of enactment of the Every Student Succeeds Act (Public Law 114–95; 129 Stat. 1802); and

(B) be in effect with respect to appropriations for use under title VIII of the Elementary and Secondary Education Act of 1965, as in effect on the day before the date of enactment of the Every Student Succeeds Act; and

(2) for fiscal year 2017 and each succeeding fiscal year, shall be in effect with respect to appropriations for use under title VII of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (Public Law 114–95; 129 Stat. 1802).

AMENDMENT NO. 38 OFFERED BY MS. DEL BENE OF WASHINGTON

At the end of subtitle F of title V (page 156, after line 23), add the following new section:

SEC. 573. ELIMINATION OF TWO-YEAR ELIGIBILITY LIMITATION FOR NONCOMPETITIVE APPOINTMENT OF SPOUSES OF MEMBERS OF THE ARMED FORCES.

Section 3330d(c) of title 5, United States Code, is amended by adding at the end the following new paragraph:

''(3) NO TIME LIMITATION ON APPOINTMENT.—A relocating spouse of a member of the Armed Forces remains eligible for noncompetitive appointment under this section for the duration of the spouse's relocation to the permanent duty station of the member.''.

The Acting CHAIR. Pursuant to House Resolution 732, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Texas (Mr. O'ROURKE) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, each of these amendments have been coordinated with both sides of the aisle. I urge Members to support this en bloc package.

I reserve the balance of my time.

Mr. O'ROURKE. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Chairman, I thank the chairman for yielding me the time in today's debate.

Mr. Chairman, as part of the Department of Defense's Innovative Readiness Training, a mission that provides military training and resources and supports local communities throughout the country, there are four National Guard teams that are currently practicing the fine art of well drilling in the United States prior to deploying abroad. Clearly, we know in parts of the Middle East having the water resources available to support our troops is absolutely essential.

My amendment has the potential to help areas, though, in our country today as part of this training program. Regions throughout the country have experienced devastating droughts. Those in the area that I represent, the San Joaquin Valley of California, have experienced a loss of drinking water supplies as a result of these serious drought conditions they have had to face.

In California alone, there have literally been thousands and thousands and thousands of households that have been without access to drinking water.

The Acting CHAIR. The time of the gentleman has expired.

Mr. O'ROURKE. I yield the gentleman an additional 1 minute.

Mr. COSTA. Mr. Chair, I thank the gentleman.

This amendment would try to respond to those thousands of households that have lost their source of drinking water. This amendment would require the Department of Defense to provide a report to Congress on the well drilling capabilities of military units and the feasibility of rotating their training locations so that they can do their training in areas where the devastating droughts have impacted to the greatest degree, primarily in western States.

I think this is a commonsense amendment. I ask that it be adopted.

Mr. O'ROURKE. Mr. Chair, I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I urge adoption.

I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Chair, I rise to note my reservations about the characterization of civilian employees in the Calvert amendment to the Fiscal Year 2017 National Defense Authorization Act. Although I believe it is important that we have a good assessment of the number and location of our civilian and contractor personnel who work at the Department of Defense, I believe it is also important that we accurately reflect the critical role that our federal civilians play in ensuring the military readiness of our nation.

I have the distinct privilege of representing Hill Air Force Base in Ogden, Utah and serving on the House Armed Services Committee, Subcommittee on Readiness. As such, I have had a front row seat reviewing our nation's combat power and the role played by the civilian workforce in generating and supporting combat power. I can tell you that our civilian workforce does not detract from combat power, but serves as a force multiplier and as part of the backbone of military readiness. Without the men and women who serve at the Ogden Air Logistics Complex at Hill Air Force Base, as well as the other Air Logistics Complexes and military depots around the country in all of the services, we would have mission failure in any number of military aircraft on a daily basis, failing our warfighters, and costing lives. It is time that we stand up and salute our nation's federal civilians who work at the Department of Defense. Their work is valuable and their contributions are numerous.

I think we need to tread very carefully in asserting Congressional findings that would cast a wide-net of negative aspersions on thousands of defense civilians who directly support the war fighter, and often make substantial

sacrifices to do so. I am concerned that they are not unfairly pegged as being wasteful or superfluous to readiness. Yes, let's conduct oversight and study the defense civilian workforce, but let's hold off making such findings until after the facts are in and the defense committees have had adequate time to review and analyze the results. To do otherwise puts the cart before the horse, and is frankly unfair to thousands of my constituents who have suffered under this Administration's illegal decision to direct furloughs of working capital fund employees without pay. We cannot continue to treat our depot civilians in this manner without profound negative consequences to hard working families and ultimately to the warfighter.

Mr. COLE. Mr. Chair, I rise to express my concern with only certain aspects of the Calvert amendment that is included in part of the second en bloc of amendments to the Fiscal Year 2017 National Defense Authorization Act. I respect my colleague from California and his attempt to catalogue the numbers of civilians and contractors performing work for the Department of Defense; however, I object to the characterization of civilian employees and their role in the military structure.

I have the great privilege of representing the men and women who serve our nation at Tinker Air Force Base and Fort Sill. There is no finer group of people anywhere in the world. They are patriots. And they serve as the backbone of military readiness for the U.S. Air Force and for the United States military. Without the work performed at Tinker, located in Oklahoma City, many of our most complex aircraft simply would not be mission ready. The aircraft could not be flown and our nation's defense would be greatly degraded. Therefore, to find that our civilian workforce is disproportionate, duplicative and is detracting from combat power is incorrect. Civilian employees are essential to the operations and readiness of our military. We simply cannot do the mission without them.

I agree with the finding that across-the-board cuts to the defense civilian workforce are not the answer. However, it is important to note, that all areas of the workforce do not need additional cuts. For example, depots had already taken a greater percentage cut than the military and now we find ourselves in the unfortunate position that for military readiness purposes—for the absolute necessity of supporting our warfighters—we are in the position of requiring some of our Air Logistics Complexes to hire over 1,000 additional personnel per year for a 2 year period. In fact, this bill contains a provision which will provide direct hire authority so that the services can hire the people they need, quickly and efficiently. Sometimes in our zeal to limit or cut our civilians, we lose sight of the mission and make assumptions that are not rooted in fact.

Again, I want to commend and thank our outstanding civilian workforce and particularly those who live and work in the great State of Oklahoma for their skill and their dedication to the military mission. Their contributions to our great country should be acknowledged and commended.

Mr. CALVERT. Mr. Chair, Chairman MAC THORNBERRY, and Ranking Member ADAM SMITH, I rise in support of Rules Amendment Number 161 to H.R. 4909, the National Defense Authorization Act (NDAA) for Fiscal year 2017. However, I would first like to thank you for your thoughtful approach in writing this year's bill; it was not an easy task. The particular focus on end-force readiness restoration is to be commended; we cannot ask members of the armed forces to defend their country and democracy without adequately outfitting and training the soldier, unit and force. Additionally, I am pleased to see the NDAA's approach toward much needed acquisition reform, healthcare reform, Goldwater Nichols reform and more.

However, as we debate today it is incumbent on us as Members of Congress to continue the discussion about the right mix of active duty, civilian and contractors at the Department of Defense.

The recent uniformed military drawdown has not been accompanied by an equivalent reduction of either the civilian or contractor work force as in drawdowns in the past.

A large, disproportionate, and duplicative work force coupled with bureaucratic, structural inefficiencies has detracted from the Pentagon's production of combat power and its ability to modernize.

Right sizing the civilian workforce must be multifaceted, statutory in number, and implemented with executive discretion. Across the board cuts to the defense civilian workforce are not the answer.

Spending on contract services is over 50 percent of all Department of Defense purchases even as the total defense budget has dropped. Expenditures in service contracting lack appropriate oversight, accountability, and scrutiny.

However, no proper approach to addressing the civilian workforce may be accomplished without first understanding who these civilian workers are, where they are located, and what jobs they are performing. My amendment, Rules Committee Number 161, seeks a report by the Department of Defense on the total civilian workforce picture. In the past, reports have been requested but are fragmented in nature. The report I am requesting will require a projection from fiscal years 2017 through 2020 of Full Time Equivalent (FTE) and contractor employees broken down into several sub-categories including location, job function, General Schedule (GS) level, and date of when the job was created.

As we debate the Fiscal Year 2017 National Defense Authorization Act (NDAA), it is incumbent on us as Members of Congress to continue the discussion about the right mix of active duty, civilian and contractors at DoD.

Mr. BEYER. Mr. Chair, I rise to express my concern with certain aspects of the Calvert amendment that is included in part of the en bloc amendments to the Fiscal Year 2017 National Defense Authorization Act that we will pass by voice vote. My colleague from California has every right to attempt to catalogue the quantity of civilian and contractors within the Department of Defense. But I must object to his characterization of our civilian defense employees' roles.

I am lucky enough to represent nearly 80,000 federal employees, many of whom work at the Pentagon, Joint Base Myer-Henderson Hall, Fort Belvoir, or one of the myriad Department of Defense installations around Northern Virginia. This includes ground breaking work at the Defense Advanced Research Projects Agency, important work to keep us safe at Defense Threat Reduction Agency, and the jobs supplying our military with the tools it needs at the Defense Logistics Agency. Our nation, its people, and its defenses would not by possible without the dedicated work of these individuals.

Mr. CALVERT's effort to categorize these civilian defense employees as disproportionate or duplicative undermines the incredible work they do every day to keep our military running. The ability to produce combat power, modernize, and keep our troops healthy and safe are critical functions at the Department of Defense. Moreover, they are critical functions performed by highly intelligent, accomplished, and dedicated civilian employees.

Our civilian workforce has already weathered years of uncertain budgets, pay freezes, a government shutdown, and sequester furloughs. We should not further demean the important work they do with this amendment.

Ms. BORDALLO. Mr. Chair, I rise in opposition to the amendment to H.R. 4909, the Fiscal Year 2017 National Defense Authorization Act offered by Mr. CALVERT. This amendment requires the Department of Defense to report on the structure and size of its civilian and contractor workforce. This reporting requirement is a continuation of misguided assaults on the federal workforce which delivers capabilities needed to build back readiness and support operations. Furthermore, it adds an unneeded layer of bureaucracy with redundant reporting requirements. The information called for in this provision is already provided in eight separate statutes and this additional burden is unjustifiable.

Not only is the report duplicative and unnecessary, the ''findings'' section is littered with misinformation and subjective clauses. It is yet another transparent attempt to attack civilian and contracted personnel, who have borne a disproportionate share of the fiscal burden levied on the Department of Defense. The first ''finding'' states in no uncertain terms that the civilian workforce has reduced the Department's capabilities, a statement that is maliciously inaccurate. Civilian personnel provide a cost-effective workforce and contribute unique capabilities to our national security at home and abroad, particularly in key areas such as intelligence and cyber operations.

For these reasons I am strongly opposed, as is the Department of Defense, to the inclusion of the reporting requirement and hope to work with my colleagues in conference to address this biased and unnecessarily punitive amendment.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

AMENDMENT NO. 14 OFFERED BY MR. POE OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in part B of House Report 114–569.

Mr. POE of Texas. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 394, after line 5, insert the following:

SEC. 1048. REQUIREMENT RELATING TO TRANSFER OF EXCESS DEPARTMENT OF DEFENSE EQUIPMENT TO FEDERAL AND STATE AGENCIES.

Section 2576a of title 10, United States Code, is amended by adding at the end the following new subsection:

''(g) PREFERENCE FOR BORDER SECURITY PURPOSES.—(1) In transferring the personal property described in paragraph (2) under this section, the Secretary of Defense shall give preference to Federal and State agencies that agree to use the property primarily for the purpose of strengthening border security along the southern border of the United States.

''(2) The personal property described in this section is—

''(A) surveillance unmanned aerial vehicles, including the MQ-9 Reaper (also known as the 'Predator B') and the Aerostat radar system;

''(B) night-vision goggles; and

''(C) high mobility multi-purpose wheel vehicles (commonly known as 'humvees').''.

The Acting CHAIR. Pursuant to House Resolution 732, the gentleman from Texas (Mr. POE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. POE of Texas. Mr. Chairman, I ask unanimous consent that amendment No. 14 be modified in the manner that I have placed and filed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to Amendment No. 14 offered by Mr. Poe of Texas:

Page 394, after line 5, insert the following:

SEC. 1048. REQUIREMENT RELATING TO TRANSFER OF EXCESS DEPARTMENT OF DEFENSE EQUIPMENT TO FEDERAL AND STATE AGENCIES.

Section 2576a of title 10, United States Code, is amended by adding at the end the following new subsection:

''(g) PREFERENCE FOR BORDER SECURITY PURPOSES.—(1) In transferring the personal property described in paragraph (2) under this section, the Secretary of Defense may give first preference to the Department of Homeland Security and then to Federal and State agencies that agree to use the property primarily for the purpose of strengthening border security along the southern border of the United States.

''(2) The personal property described in this section is—

''(A) unmanned aerial vehicles;

''(B) the Aerostat radar system;

''(C) night-vision goggles; and

''(D) high mobility multi-purpose wheel vehicles (commonly known as 'humvees').''.

Mr. POE of Texas (during the reading). Mr. Chair, I ask unanimous consent that the modification be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. Is there objection to the original request of the gentleman from Texas?

There was no objection.

□ 1730

Mr. POE of Texas. I thank the chairman of the full committee.

Mr. Chair, this amendment is very similar to amendments that have been on this House floor before, presented by me and others, and is similar to an amendment that passed unanimously in the FY 2015 NDAA. It is called the SEND Act. It addresses the process of sending excess military equipment, which is not being used, to our border security folks to help them secure the border. That is the purpose of previous amendments and legislation that started all the way back in 2011.

One way that the Department of Defense helps the Border Patrol is through the transfer of equipment that it deems to be in excess to its needs. Under current law, the transfer of this excess equipment gives some preference to counterdrug, counterterrorism, and some border security activities.

This amendment simply takes that preference a step further, giving border security preference for a few specific pieces of equipment which are particularly useful for border security applications: unmanned surveillance vehicles, including aerostat blimps that are now being used, night vision goggles, and Humvees.

The Border Patrol, as we all know, is the first and last line of defense against criminal gangs that come into the United States. In my home State of Texas, I have been to the border numerous times, and we have the same issue that other border States have with the criminal drug cartels, which are involved in not only bringing drugs into the United States, but in trafficking humans for sex slavery, labor slavery, and other purposes.

After talking with them about many, many issues, we found out the situation on the border regarding equipment. A Texas ranger once told me that the drug cartels outman, outgun, out-finance, and out-equip the Border Patrol and those who are on the border who are trying to protect us from those criminal gangs that are coming into the United States.

One of the issues the last time I was down at the border 2 or 3 weeks ago was that the Border Patrol was actually excited about these aerostats that are being used. That is a blimp that they put up in the sky, and it helps in surveillance along the border. They need more of those on the border. Of course, this amendment does exactly that. It gives a preference to those specific items that are mentioned in the amendment for the Border Patrol to use for border security purposes.

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

Mr. O'ROURKE. Mr. Chair, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. O'ROURKE. Mr. Chair, I yield myself 3 minutes.

This amendment is a solution in search of a problem. In fact, I think it will exacerbate some of the security problems we already have.

As the gentleman knows, the border security agencies can already apply for this excess military equipment, but I ask those representatives who represent the people who live on the U.S. side of the U.S.-Mexico border—cities like San Diego, California; Nogales, Arizona; El Paso, Laredo, and Brownsville, Texas—whether they want UAVs, or unmanned aerial vehicles, which could also be MQ–9 Reapers, flying over their homes, their schools, their neighborhoods, prying into their backyards each and every day.

This is at a time when we are already spending $18 billion a year to secure our border with Mexico and when we are seeing less than zero migration from Mexico itself. In the year 2000, we had 1.6 million apprehensions. This last year, we didn't even reach 400,000 apprehensions.

Of any border of which we are told by the Director of the National Counterterrorism Center, by the Director of the FBI, by the Secretary of Homeland Security that there has never been nor is there now a terrorist, a terrorist organization, or a terrorist plot that is seeking to exploit the border with Mexico, what this does is further takes our eye off the ball where we have known risks and known threats to this country and to the homeland. It stokes fear and anxiety and, in some cases, hatred towards our neighbor to the south, towards those communities on the U.S. side of the U.S.-Mexico border—communities like my own El Paso, Texas, which happens to be the safest city in the United States today.

Mr. Chair, I urge my colleagues to vote against this amendment that does not solve any problems and, I argue, would make some of the security issues that we already have worse.

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

Mr. POE of Texas. Mr. Chair, the first thing is that this amendment does not include the MQ–9 Reaper that the gentleman mentioned. It does not make a preference for that. I also take exception to the ''hatred'' comment that was made here.

Look, the border security in the United States has issues. The Border Patrol says we need to help find those illegal gangs that are coming into the United States. This is not about the surveillance of Americans and spying on Americans. It is on the border.

I yield such time as he may consume to the gentleman from Texas (Mr. CUELLAR), who represents part of the Texas border, the city of Laredo.

Mr. CUELLAR. Mr. Chair, I do support Mr. POE's amendment.

With all due respect to my good friend, we do want to secure the border. We just want to do it in the right way.

While some people are talking about securing the border with a wall—a 14th century solution—I think if we use the aerostats, we can provide coverage and surveillance to make sure that we secure the border. In fact, in south Texas, including in my district, we have five of those aerostats right now. The communities support them. The Border Patrol certainly supports them. In fact, in appropriations, I am asking for five new aerostats so we can go ahead and secure the border. Each aerostat covers about 20 miles. So if you want to cover the border—1,954 miles of border—divided by 20, with about 97 or 98 aerostats, minus the 5 that we already have in place, we will secure the border in an electronic way.

This also helps us secure the border on the Mexico side. In talking to the Border Patrol, they have used some of that information because they can go 20 miles into Mexico, and already we have coordinated some of those activities with the Mexican law enforcement officials to stop those drug gangs before they come over to the U.S. You turn the camera 20 miles into Mexico, and with about 97 aerostats, we can secure the whole border.

Again, I support this amendment, and I thank the gentleman very much for yielding.

Mr. O'ROURKE. Mr. Chair, I inquire as to how much time remains on my side.

The Acting CHAIR. The gentleman from Texas (Mr. O'ROURKE) has 3 minutes remaining.

Mr. O'ROURKE. Mr. Chair, I yield 2 minutes to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. I thank the gentleman from Texas.

Mr. Chair, I rise in opposition to the Poe amendment.

This amendment would expand the military's authority under the 1033 program to flood our streets with surplus battle-ready military equipment straight from the battlefields of Iraq and Afghanistan.

Specifically, this amendment would allow the Defense Department to transfer equipment, such as the MQ–9 Reaper drone, to Federal and State law enforcement agencies. This is a cynical attack, cloaked in the name of border security on President Obama's executive order, that limits the proliferation of military equipment within the borders of America.

Typically, the 1033 program feeds more than $4.3 billion in surplus military grade weaponry, including armored vehicles and tanks, into the United States annually. Now we have Republicans looking to expand the type of weaponry that is distributed to law enforcement under the 1033 program to include military drones.

While border security should remain at the forefront of our political discourse, the use of Grim Reaper drones and other military equipment to track and hunt down human beings is not the answer. An increase in manpower, training and facilities, not MQ–9 Reapers, is the way that we should go about our efforts in protecting our borders without sacrificing our values of respect for basic human rights and dignity.

Moreover, allowing military equipment, such as predator drones, into America's airspace puts Americans at risk. Federal agencies have already lost hundreds of guns and grenade launchers that have been donated to police departments, and many of these weapons have shown up for sale on eBay or have been reported stolen. I don't want to see this happen with equipment, such as military drones, being doled out to border security.

Further, the militarization of our State and Federal border security agencies will make the border more volatile and not safe. Therefore, I rise in opposition, and I ask my colleagues to support me in my opposition.

Mr. POE of Texas. Mr. Chair, how much time remains on my side?

The Acting CHAIR. The gentleman from Texas (Mr. POE) has 30 seconds remaining.

Mr. POE of Texas. I reserve the balance of my time.

Mr. O'ROURKE. Mr. Chair, the gentleman from Texas says that the MQ–9 Reaper is not specifically addressed in this amendment. However, UAVs are—unmanned aerial vehicles—and the MQ–9 is one of them.

The point that I am trying to make is that we do not need to further militarize the border at a time when it is safer than it has ever been and when, in fact, U.S. cities on the U.S. side of the U.S.-Mexico border are far safer than the average city in the interior of this country. If we need to send surplus military equipment elsewhere, let it be prioritized based on need, based on known threat. When we send security resources where we don't have proven threats, we take them away from where we do. That makes this country less safe.

I urge my colleagues to vote against this amendment.

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

Mr. POE of Texas. Mr. Chair, I yield myself the balance of my time.

The government already has a plan to send excess equipment to law enforcement. What this bill does is prioritize that equipment to the Border Patrol. For those concerned about national spying that takes place in the United States, which they claim, they would support this because its priority is to the border. It is not to other agencies.

The gentleman from Laredo said it best. Mr. Chair, believe it or not, we cooperate with the Mexican Government, and they get information from us when we use those aerostats over the border, and they capture the bad guys before they come into the United States.

We need to support this amendment, prioritize it, and give them the equipment that they need.

And that is just the way it is.

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

The Acting CHAIR. The question is on the amendment, as modified, offered by the gentleman from Texas (Mr. POE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. POE of Texas. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment, as modified, offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 16 OFFERED BY MR. KELLY OF PENNSYLVANIA

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in part B of House Report 114–569.

Mr. KELLY of Pennsylvania. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 462, after line 13, insert the following:

SEC. _____. LIMITATION ON AVAILABILITY OF FUNDS FOR DESTRUCTION OF CERTAIN LANDMINES AND REPORT ON DEVELOPMENT OF REPLACEMENT ANTI-PERSONNEL LANDMINE MUNITIONS.

(a) LIMITATION.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Department of Defense may be obligated or expended for the destruction of anti-personnel landmine munitions before the date on which the Secretary of Defense submits the report required by subsection (c).

(b) EXCEPTION FOR SAFETY.—Subsection (a) shall not apply to any anti-personnel landmine munitions that the Secretary determines are unsafe or could pose a safety risk if not demilitarized or destroyed.

(c) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Congress a report that includes the following:

(A) An assessment of the current state of research into operational alternatives to anti-personnel landmines.

(B) Any other matter that the Secretary determines should be included in the report.

(2) FORM OF REPORT.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) ANTI-PERSONNEL LANDMINE MUNITIONS DEFINED.—In this section, the term ''anti-personnel landmine munitions'' includes anti-personnel landmines and sub-munitions as defined by the Convention on the Prohibition of the Use, Stockpiling, Production and

Transfer of Anti-Personnel Mines and on their Destruction, as determined by the Secretary.

The Acting CHAIR. Pursuant to House Resolution 732, the gentleman from Pennsylvania (Mr. KELLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. KELLY of Pennsylvania. Mr. Chair, I rise in strong support of amendment No. 16, to prohibit the use of funds to dismantle the U.S. stockpile of anti-personnel landmines, APLs, unless the Secretary of Defense submits a report to Congress on the operational alternatives to APLs.

Further, my amendment contains an exception for the destruction of APLs that would be unsafe to store. This amendment would effectively renew the ban that was passed by the full Congress and signed into law by the President in Public Law No. 114–92, the National Defense Authorization Act for Fiscal Year 2016.

Mr. Chair, our military commanders have spoken clearly regarding the value and the need for APLs. On March 6, 2014, the United States' highest ranking military officer, Martin Dempsey, the Chairman of the Joint Chiefs of Staff, called anti-personnel landmines an important tool in the arsenal of the United States.

□ 1745

When he was head of the U.S. European Command, General Wesley Clark agreed, saying that ''our field commanders count on APLs to protect the force, influence, maneuver, and shape the battle space, and mass combat power for decisive engagement.'' He also added that the need for APLs was increasing.

Furthermore, two major studies, one conducted by the National Research Council and the other by NATO, have concluded that APLs provide crucial tactical advantages on the battlefield.

Yet on September 29, 2014, President Obama announced that outside of the Korean Peninsula, the U.S. would not use APLs in order to ''underscore its commitment to the spirit and humanitarian aims of the Ottawa Convention.'' The President's actions were, by his own admission, taken to move the U.S. towards full compliance with a treaty, commonly known as the Ottawa Convention, to which the Senate has not given its advice and consent. Moreover, this was created by an NGO-led process that openly sought to ''push aside the central feature of state sovereignty.''

The process that created the treaty was bad. The treaty has not been approved by the Senate, not signed by the President, and our senior military officials state that it would deprive us of an important weapon. Yet the Obama administration seeks to move us forward in compliance with it.

The U.S. has taken action on APLs. We give more funding for APL clearance than any other nation in the world. We are party to amended Protocol II to the Convention on Certain Conventional Weapons, the CCW, which requires U.S. APLs to be designed to deactivate or self-destruct.

Our APLs meet those standards. U.S. APLs are not killing civilians. Like all weapons, APLs can be used rightly or wrongly. When used responsibly, as U.S. APLs are, they protect our forces, the forces of our allies, and civilians alike.

Landmine opponents, like the administration, state that the Ottawa Convention ''shows our leadership'' and that it is reducing the threat of landmines around the world. That is simply not true. Many IEDs, legally speaking, are APLs. From February 2015 to January 2016, the Pentagon's own Joint Improvised-Threat Defeat Agency recorded over 50,000 worldwide casualties as a result of IED attacks.

The Ottawa Convention isn't solving the landmine problem; it is simply disarming the good guys. In this environment, we need weapons that can protect camps, cities, roads, and bases from insurgent attack. Today, one of those weapons is the APL.

Unless we have an alternative to APLs that is equal to or better than APLs at keeping our troops safe, we should not, and dare not, get rid of our stockpile of APLs. The safety of our sons and daughters in uniform is of the utmost importance.

Mr. Chairman, I want to thank Chairman THORNBERRY and his staff for working with my office on this important issue.

I urge adoption of this amendment.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR (Mr. HULTGREN). The gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. Mr. Chair, I yield myself such time as I may consume.

I oppose this amendment because it restricts, the President restricts, the Department of Defense from taking actions that they feel are necessary in the best interest of the national security of our country by prohibiting their ability to get rid of the landmines that they wish to get rid of.

The problem with landmines and the reason there was such an international outcry is, after conflicts, they tend to be left in the areas of conflict; and throughout the world, many innocents have wound up being killed by these landmines that are left over. They are a weapon that can indiscriminately hit civilians.

I think the IED example is an excellent example of how pernicious these weapons are. They do attack, indiscriminately, civilians and military personnel alike.

What the President is attempting to do is to get us to the point we are in compliance with the treaty that was reached. It has not been confirmed by the Senate, that is true. But as Commander in Chief, the President has the authority to decide what weapons we should or should not have.

And it is important that they do maintain the exception of Korea, where we have the very specific threat from North Korea, to make sure that we preserve that option. Outside of that, the President and our commanders at the Department of Defense have determined that this option is not one that we need to provide for national security, and it is one that the international community has condemned.

We have had attempts—the Geneva Convention and others—at limiting the carnage given by warfare. One of the ways to limit that would be to limit the amount of landmines that are available. That is what the President is attempting to do. This amendment, I believe, would unfairly restrict him in his ability to do that. He has the ability, as Commander in Chief, to make those decisions in consultation with the DOD. This restricts him in a way that I do not support, and I urge this body to oppose the amendment.

I reserve the balance of my time.

Mr. KELLY of Pennsylvania. Mr. Chair, I respect the gentleman's opinion. I understand the President is the Commander in Chief, but I also understand that the APLs, the ones that we use, protect our forces, our friends, and our allies.

As far as the danger of them, we lead on landmine clearance, and we have lived up to all the international obligations we have accepted. The landmine ban treaty disarms us, not our enemies. Dismantling our APLs is not showing leadership. Instead, it would be the height of irresponsibility.

I know that sometimes in this House we get to the point where politics takes precedence over policy. If, at the end of the day, this House can't do everything possible to protect our daughters and sons in uniform and our allies and friends around the world—we are the most responsible user of APLs. We are doing more than anybody else to disarm IEDs.

The problem comes down to where does the United States stand. We need to stand, and we need to be resolute behind our Armed Forces. That is why I stand strong on this amendment.

Make sure the APLs stay in place.

I yield back the balance of my time.

Mr. SMITH of Washington. Mr. Chair, I yield myself the balance of my time to close.

We are going to make the responsible decisions about what is best to protect our Armed Forces, and I believe the President will do that. This restricts

him in one specific area that has not been shown—yes, we are the most responsible users of landmines, but that is not exactly a high bar to jump over. No matter how you use them, no matter where you use them—yes, we are trying to clear them, and I think that is great. But if we didn't put them out there in the first place, we wouldn't have to worry about, then, going in there and clearing them.

What has been determined by the Department of Defense and by the President is that there are other, better ways to protect our troops that do not unnecessarily endanger civilian populations. That is why the President is going down the path that he is going down. I think he is right to do it, and I think we should reject this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. KELLY).

The amendment was agreed to.

AMENDMENT NO. 18 OFFERED BY MRS. WALORSKI

The Acting CHAIR. It is now in order to consider amendment No. 18 printed in part B of House Report 114–569.

Mrs. WALORSKI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the appropriate place in title X, add the following:

SEC. 10___. REQUIREMENT FOR MEMORANDUM OF UNDERSTANDING REGARDING TRANSFER OF DETAINEES.

Section 1034(b) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 969; 10 U.S.C. 801 note) is amended—

(1) by striking ''and'' at the end of paragraph (3);

(2) by striking the period and inserting ''; and'' at the end of paragraph (4); and

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

''(5) the United States Government and the government of the foreign country have entered into a written memorandum of understanding regarding the transfer of the individual and such memorandum of understanding has previously been transmitted to the appropriate committees of Congress.''.

The Acting CHAIR. Pursuant to House Resolution 732, the gentlewoman from Indiana (Mrs. WALORSKI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Indiana.

Mrs. WALORSKI. Mr. Chairman, I yield myself such time as I may consume.

My amendment is very common sense. It is as simple in its concept as it is in requirements. My amendment simply increases the transparency and accountability surrounding transfers from Guantanamo Bay by requiring the U.S. and the foreign government receiving the detainee to sign a written memo of understanding outlining the terms of the transfer and to provide copies of that memo to Congress. These transfers are too significant and the stakes are too high for a simple handshake or verbal agreement.

As Paul Lewis, the President's own Special Envoy for Guantanamo Detention Closure, recently confirmed, detainees that were released have returned to the battlefield and killed Americans. The administration, itself, estimates the recidivism rate of detainees at nearly one out of three.

In my 4 years on the Armed Services Committee, I have consistently been disappointed by the lack of transparency surrounding these transfers. In its plan for closure of the Guantanamo Bay detention facility that was released in February, the administration insisted it received security assurances and humane treatment assurances from countries receiving detainees. This includes travel restrictions, monitoring, and information sharing. However, in December last year, reports began surfacing that a detainee who was released to Sudan in July 2012 was now in Yemen operating as a senior leader of al Qaeda in the Arabian Peninsula, AQAP.

Setting aside the fact that a dangerous terrorist was transferred to Sudan in the first place, a state sponsor of terrorism, I requested a classified briefing to find out exactly what type of assurances the administration received from the Sudanese Government that they would keep an eye on this detainee and what punitive measures they took against the Sudanese when it was discovered they let him out of their sight. Mr. Chairman, I came away from that briefing with more questions than answers.

That is why I am offering this amendment today. A written memo of understanding between the U.S. and the foreign country receiving the detainee will provide a greater degree of transparency and accountability than exists right now.

Mr. Chairman, one American casualty is too many. We must do more to ensure that every precaution is taken if and when individuals are transferred from GTMO. By providing this memo to the relevant oversight committees of this body, we take one more step toward real accountability for both the administration and for the foreign nation accepting these detainees.

I would like to thank the gentleman from Montana (Mr. ZINKE) for his cosponsorship. I would also like to commend the Senator from Arkansas (Mr. COTTON) for his work in offering this same requirement in the Senate bill.

I include in the RECORD the letters I sent to the administration requesting information on the transfer of detainees, which are the basis for this amendment.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 15, 2015.

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

DEAR PRESIDENT OBAMA: I write with grave concerns about statements you made regarding the detention facility at Guantánamo Bay, Cuba during a recent interview with Yahoo News. In particular, I was troubled by your comments on recidivism and on the process for selecting detainees for release.

In the interview, you said of released detainees re-entering the fight: ''Out of four-, five-, six-hundred people that get released . . . a handful of them are going to be embittered and still engaging in anti-US activities.'' However, the Director of National Intelligence identified 196 former detainees as either being confirmed or suspected of returning to the battlefield in its September 2015 Report on the Reengagement of Detainees Formerly Held at Guantánamo Bay, Cuba. That's a recidivism rate over 30 percent—this is hardly a handful.

At the heart of the issue, however, is not the rate of recidivism, but rather its intensity. One of the 196 is Ibrahim al-Qosi. He was released in July 2012 to his home country of Sudan, a country designated as a State Sponsor of Terrorism by the State Department. Since his release, he has become a senior leader of al Qaeda in the Arabian Peninsula (AQAP), which took credit for the attack on Charlie Hebdo in Paris in January 2015. A month later, Vincent Stewart, the Director of the Defense Intelligence Agency, testified before Congress that AQAP ''remains committed to attacking the West.'' We may disagree over what constitutes a handful, but we cannot underestimate the difference another set of hands can mean to these terrorist organizations.

The fact that al-Qosi was released to live in a US government-designated State Sponsor of Terrorism is troubling enough, but comments you made in the interview concerning the release vetting process prompts more questions than it answers. On that topic, you said:

''The judgment that we're continually making is: are there individuals [in Guantánamo] who are significantly more dangerous than the people who are already out there who are fighting? What do they add? Do they have special skills? Do they have special knowledge that ends up making them a significant threat to the United States?''

Accordingly, I would like to request a classified briefing on how the administration has been evaluating the remaining detainees for release. Specifically, I would like the briefing to address:

1. What criteria, quantifiable or otherwise, are used to determine if a detainee is more or less dangerous than those currently on the battlefield

2. The groups or specific individuals currently on the battlefield that detainees are being compared to in order to make those determinations

a. If the Islamic State in Iraq and Syria (ISIS) or its leaders are part of this set, please also detail how the weight given to the threat they pose has changed since January 2014

3. Flow the special skills and knowledge are defined and quantified

4. Any additional scrutiny given to detainees being released to State Sponsors of Terror

It is disturbing that your administration seems to continue underestimating the danger posed by former Guantánamo detainees

returning to the fight. One more terrorist on the battlefield is too many because one more terrorist can be all it takes to cause more death and destruction. I strongly urge you to reconsider such consistent downplaying of this threat and I look forward to your timely response.

Sincerely,

JACKIE WALORSKI,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 1, 2016.

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

DEAR PRESIDENT OBAMA: I am writing to follow up on a letter I sent on December 15, 2015 regarding your policy on the detention facility at Guantánamo Bay, Cuba and questions surrounding the problem of recidivism. I am extremely disappointed that, two-and-a-half months later, I have not received any response. I am also troubled by the lack of detail in your recent Plan for Closing the Guantánamo Bay Detention Facility released last week, which provided no clarity on the issues raised in the letter either.

Last week alone, Hamed Abderrahaman Ahmed, a former detainee that was transferred to Spain, was arrested on Tuesday, February 23 for recruiting fighters for the Islamic State in Iraq and Syria (ISIS). Two days later, Ibrahim al-Qosi, a former detainee that was transferred to Sudan, released a message on Thursday encouraging jihad in Somalia. He had also urged his followers to carry out attacks on New Years Eve celebrations, particularly in New York City and Paris. Recidivism is clearly a very real issue, but seems to be underestimated by your administration.

In my December 15 letter, I had specifically raised the case of Ibrahim al-Qosi who is now a senior leader of al Qaeda in the Arabian Peninsula (AQAP), which took credit for the attack on Charlie Hebdo in Paris in January 2015. He was also, curiously, transferred to a country that is designated as a State Sponsor of Terrorism by the U.S. State Department.

The recently-released Plan for Closing the Guantánamo Bay Detention Facility states that the U.S. government obtains security assurances and humane treatment assurances from a country before transferring a detainee. Among the security assurances are restrictions on travel, monitoring of the detainee, and periodic information sharing. However, al-Qosi is currently operating out of Yemen. Obviously, there was a breakdown in these security assurances.

Thus, I want to reiterate my request for a classified briefing that covers the questions raised in my December 15 letter, which I am enclosing. I would also like the briefing to address these additional questions:

1. Security assurances your administration received from the government of Sudan before the transfer of Ibrahim al-Qosi
2. The frequency and type of monitoring agreed to by the government of Sudan on Ibrahim al-Qosi and measures taken by the U.S. government to verify that this monitoring was taking place
3. The frequency and type of information shared by the government of Sudan on Ibrahim alQosi, his whereabouts, and his activities after his transfer
4. The date that the government of Sudan informed the U.S. government that Ibrahim alQosi was no longer in Sudan
5. Any punitive measures taken against the government of Sudan or members of the government in connection with its failure to live up to its commitments regarding the transfer of Ibrahim al-Qosi
6. Humane treatment assurances your administration received from the government of Sudan, whose head of state, Omar al-Bashir, has an arrest warrant pending with the International Criminal Court for war crimes and crimes against humanity, before the transfer of Ibrahim al-Qosi
7. Questions 1, 2, 3, and 6 as they pertain to the two other detainees your administration transferred to Sudan: Noor Uthman Muhammed and Ibrahim Othman Ibrahim Idris
8. Questions 4 and 5 as they pertain to Noor Uthman Muhammed and Ibrahim Othman Ibrahim Idris if they are no longer in Sudan
9. Any extra security and humane treatment assurances your administration seeks from countries that are on the U.S. State Department's list of State Sponsors of Terrorism
10. Any ongoing negotiations with the governments of Iran and Sudan regarding future transfer of Guantánamo detainees

Transferring Guantánamo detainees—known terrorists—to countries that are State Sponsors of Terrorism is an incredibly dangerous and misguided policy. No reasonable person should trust these governments to follow through on any promises they make to ensure detainees do not rejoin the battle. I strongly urge you not to complete any future transfers to these countries and I look forward to your timely response to my request for a briefing.

Sincerely,

JACKIE WALORSKI,
Member of Congress.

Mrs. WALORSKI. Mr. Chair, I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. Mr. Chair, I yield myself such time as I may consume.

There are 80 detainees left at Guantanamo. A number have been transferred. Of those 80, I could be wrong, but I believe it is somewhere in the neighborhood of 34 of them have been cleared for transfer, basically deemed not to be risks to the United States. Restricting their ability to be transferred simply drives up the cost of Guantanamo unnecessarily.

We have transferred a great many detainees out of Guantanamo. The statistics cited go all the way back to the Bush administration when, regrettably, we did let people go without proper vetting.

We, through this bill, in past years, have put a number of provisions in place that require national security certifications that the people being transferred are not a risk to the United States. That is already required. This simply makes it more difficult to do that for no good reason.

The recidivism in recent years has been drastically lower. It has been less than 10 percent, nowhere near the 33 percent figure cited. And the ones that are left to be transferred, like I said, are ones that have been determined not to be a risk.

Now, we take our time in transferring these people to make sure that we have a place to transfer them, that it is safe and secure, willing to accept them and all of that. There are already multiple provisions in law to try and make sure that we don't take any chances.

Unfortunately, when you release people, there are always risks; but detaining people forever without charge and after you have determined that they are not a risk is also a risk. Basically, it goes against the very values of the United States of America. We could just never release anyone from prison in the United States under these standards, under the fact that, well, they might commit another crime. And they might. So why don't we just lock them up forever?

We have a process, a very careful process, that has been worked out in a bipartisan fashion to determine who needs to be held and who can be released. Then, after we determine they can be released, even then, we go through a process of where they are released to and work with the host country and try to determine what the best and safest available alternative is. This piles on to the bureaucracy and makes it more difficult to do transfers that are in the best interest of the national security of our country.

I oppose the amendment for those reasons.

I reserve the balance of my time.

Mrs. WALORSKI. Mr. Chairman, I yield 1 minute to the gentleman from Montana (Mr. ZINKE), a cosponsor of this amendment.

Mr. ZINKE. Mr. Chair, well, how soon we forget why they are there. How soon we forget.

Why are they there? Go to New York and look at the names engraved of the ladder men, the commercial pilots, the innocent.

I did a lot to put them there. I don't remember reading Miranda rights or warrants. Yet some people want to bring them back to the United States under U.S. law where rules of evidence and Miranda rights would apply. Yet that is ignored.

Now we are asking for tighter controls overseas because one-third go back to the battlefield. Is it a risk we should incur? The answer is no. Why? Because what is left is the bottom. These are the guys that are not hanging around evil. These are the guys that are evil. They are absolutely evil, and we have seen it.

So putting more controls, more restrictions to protect American lives is what we must do in Congress. This is not a Democratic or Republican issue. This is an American issue.

□ 1800

Mr. SMITH of Washington. Mr. Chair, I yield myself the balance of my time.

I think that is the question: Why are they there? In the case of 26 of them,

they are there because mistakes were made in picking them up. This happened with many people at Guantanamo, particularly in the early days, and these people have been there for a long time, where we basically weren't taking any chances on whom we picked up. We threw out a wide net and brought people in.

Now, there are estimated to be 44 of the folks there who are the baddest of the bad, who we have direct connections to active terrorism, who we know are a threat to the United States of America, and I am not proposing whatsoever that we should release those.

But the question of why are they there is absolutely right, and it is not for the reasons that the previous gentleman stated in the cases of at least 26 of these inmates. They are there through a combination of mistakes, misidentification, misinformation, many different reasons why they were picked up, and the problem is, now: How do we transfer them out? How do we find a home country to send them to?

I totally agree, if you are talking about incredibly dangerous people who have done what the previous speaker said, we have got to keep those people to protect America, but that is not the case with some of the inmates at Guantanamo. That is why we have been working to return these inmates to countries where they can be safely returned.

It is not everybody at Guantanamo who falls into that category. That is the reason I oppose this amendment.

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

Mrs. WALORSKI. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentlewoman from Indiana has 1¼ minutes remaining.

Mrs. WALORSKI. Mr. Chairman, I guess in answer to the questions that have been asked here, again, back to the fact that I think this is a very commonsense amendment, this is talking about transparency and accountability.

How did a detainee go from Sudan to Yemen? Because the rules are too loose.

Let's just bring accountability and transparency into this issue so the American people can see and so there is some accountability in this country on where these people end up.

These are the worst of the worst. They have American blood on their hands. The ones we are talking about from this point forward continue to have unbelievable issues, unbelievably dangerous criminal attached to their title. I am just simply asking for accountability and transparency.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Indiana (Mrs. WALORSKI).

The amendment was agreed to.

AMENDMENTS EN BLOC NO. 3 OFFERED BY MR. THORNBERRY

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 732, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 3 consisting of amendment Nos. 22, 24, 39, 40, 41, 42, 43, 44, 45, 46, 47, 49, and 50 printed in part B of House Report No. 114–569, offered by Mr. THORNBERRY:

AMENDMENT NO. 22 OFFERED BY MR. TURNER OF OHIO

At the end of subtitle E of title XII, add the following:

SEC. 12xx. SENSE OF CONGRESS ON JULY 2016 NATO SUMMIT IN WARSAW, POLAND.

(a) FINDINGS.—Congress finds the following:

(1) The North Atlantic Treaty Organization (NATO) has been the cornerstone of transatlantic security cooperation and an enduring instrument for promoting stability in Europe and around the world for over 65 years.

(2) NATO currently faces a range of evolving security challenges, including Russian aggression in Eastern Europe, and instability and conflict in the Middle East and North Africa. In the face of these varied challenges, NATO must deter threats and, if necessary, defend NATO member states against adversaries.

(3) Since NATO's 2014 summit in Wales, NATO member states have made progress in implementing a Readiness Action Plan to enhance allied readiness and collective defense in response to Russian aggression. However, much work remains to be done.

(4) NATO's solidarity is strengthened by the bolstering of NATO's conventional and nuclear deterrence, increased defense spending by NATO member states, and continued enlargement of the Alliance.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) at the July 2016 NATO Summit in Warsaw, Poland and beyond, the United States should—

(A) welcome Montenegro's accession to NATO;

(B) continue to work with aspirant countries to prepare them for entry into NATO;

(C) continue supporting a Membership Action Plan (MAP) for Georgia;

(D) encourage the leaders of Macedonia and Greece to find a mutually agreeable solution to the name dispute between the two countries;

(E) seek a Dayton II agreement to resolve the constitutional issues of Bosnia and Herzegovina;

(F) work with the Republic of Kosovo to prepare the country for entrance into the Partnership for Peace (PfP) program;

(G) take a leading role in working with NATO member states to identify, through consensus, the current and future security threats facing the Alliance; and

(H) take a leading role to work with other NATO member states to ensure the alliance maintains the required capabilities, including the gains in interoperability from combat in Afghanistan, necessary to meet the security threats to the Alliance;

(2) in Warsaw, NATO member states should build upon the progress made since the 2014 Wales Summit, by committing additional resources to NATO's Readiness Action Plan and related measures to enhance allied readiness and deterrence;

(3) NATO member states should review defense spending to ensure sufficient funding is obligated to meet NATO responsibilities, including to allocate at least 2 percent of Gross Domestic Product (GDP) to defense spending, and to devote at least 20 percent of defense spending to defense modernization and new equipment;

(4) the United States should commit to maintaining a robust military presence in Europe as a means of promoting allied interoperability, providing visible assurance to NATO allies, and deterring Russian aggression in the region; and

(5) the United States reaffirms and remains committed to the policies enumerated by NATO member states in the Deterrence and Defense Posture Review, dated May 20, 2012, and the Wales Summit Declaration of September 2014, including the following statement: ''Deterrence, based on an appropriate mix of nuclear, conventional, and missile defence capabilities, remains a core element of our overall strategy.''.

AMENDMENT NO. 24 OFFERED BY MR. HANNA OF NEW YORK

In the table of contents for bill, insert after the item pertaining to section 1867 the following:

Sec. 1868. Role of small business development centers in cyber security and preparedness.
Sec. 1869. Additional cyber security assistance for small business development centers.
Sec. 1870. Cybersecurity outreach for small business development centers.
Sec. 1871. GAO study on small business cyber support services and small business development center cyber strategy.
Sec. 1872. Prohibition on additional funds.

Page 832, insert after line 5 the following:

SEC. 1868. ROLE OF SMALL BUSINESS DEVELOPMENT CENTERS IN CYBER SECURITY AND PREPAREDNESS.

Section 21 of the Small Business Act (15 U.S.C. 648) is amended—

(1) in subsection (a)(1), by striking ''and providing access to business analysts who can refer small business concerns to available experts:'' and inserting ''providing access to business analysts who can refer small business concerns to available experts; and, to the extent practicable, providing assistance in furtherance of the Small Business Development Center Cyber Strategy developed under section 1871(b) of the National Defense Authorization Act for Fiscal Year 2017:''; and

(2) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (E), by striking ''and'' at the end;

(ii) in subparagraph (F), by striking the period and inserting ''; and''; and

(iii) by adding at the end of the following:

''(G) access to cyber security specialists to counsel, assist, and inform small business concern clients, in furtherance of the Small Business Development Center Cyber Strategy developed under section .''.

SEC. 1869. ADDITIONAL CYBER SECURITY ASSISTANCE FOR SMALL BUSINESS DEVELOPMENT CENTERS.

Section 21(a) of the Small Business Act (15 U.S.C. 648(a)) is amended by adding at the end the following:

''(8) CYBER SECURITY ASSISTANCE.—The Department of Homeland Security, and any other Federal department or agency in coordination with the Department of Homeland Security, may provide assistance to

small business development centers, through the dissemination of cybersecurity risk information and other homeland security information, to help small business concerns in developing or enhancing cyber security infrastructure, cyber threat awareness, and cyber training programs for employees.''.

SEC. 1870. CYBERSECURITY OUTREACH FOR SMALL BUSINESS DEVELOPMENT CENTERS.

Section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148) is amended—

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

(2) by inserting after subsection (k) the following:

''(l) CYBERSECURITY OUTREACH.—

''(1) IN GENERAL.—The Secretary may provide assistance to small business development centers, through the dissemination of cybersecurity risk information and other homeland security information, to help small business concerns in developing or enhancing cyber security infrastructure, cyber threat awareness, and cyber training programs for employees.

''(2) DEFINITIONS.—For purposes of this subsection, the terms 'small business concern' and 'small business development center' have the meaning given such terms, respectively, under section 3 of the Small Business Act.''.

SEC. 1871. GAO STUDY ON SMALL BUSINESS CYBER SUPPORT SERVICES AND SMALL BUSINESS DEVELOPMENT CENTER CYBER STRATEGY.

(a) REVIEW OF CURRENT CYBER SECURITY RESOURCES.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a review of current cyber security resources at the Federal level aimed at assisting small business concerns with developing or enhancing cyber security infrastructure, cyber threat awareness, or cyber training programs for employees.

(2) CONTENT.—The review required under paragraph (1) shall include the following:

(A) An accounting and description of all Federal Government programs, projects, and activities that currently provide assistance to small business concerns in developing or enhancing cyber security infrastructure, cyber threat awareness, or cyber training programs for employees.

(B) An assessment of how widely utilized the resources described under subparagraph (A) are by small business concerns and a review of whether or not such resources are duplicative of other programs and structured in a manner that makes them accessible to and supportive of small business concerns.

(3) REPORT.—The Comptroller General shall issue a report to the Congress, the Small Business Administrator, the Secretary of Homeland Security, and any association recognized under section 21(a)(3)(A) of the Small Business Act containing all findings and determinations made in carrying out the review required under paragraph (1).

(b) SMALL BUSINESS DEVELOPMENT CENTER CYBER STRATEGY.—

(1) IN GENERAL.—Not later than 90 days after the issuance of the report under subsection (a)(3), the Small Business Administrator and the Secretary of Homeland Security shall work collaboratively to develop a Small Business Development Center Cyber Strategy.

(2) CONSULTATION.—In developing the strategy under this subsection, the Small Business Administrator and the Secretary of Homeland Security shall consult with entities representing the concerns of small business development centers, including any association recognized under section 21(a)(3)(A) of the Small Business Act.

(3) CONTENT.—The strategy required under paragraph (1) shall include, at minimum, the following:

(A) Plans for incorporating small business development centers (hereinafter in this section referred to as ''SBDCs'') into existing cyber programs to enhance services and streamline cyber assistance to small business concerns.

(B) To the extent practicable, methods for the provision of counsel and assistance to improve a small business concern's cyber security infrastructure, cyber threat awareness, and cyber training programs for employees, including—

(i) working to ensure individuals are aware of best practices in the areas of cyber security, cyber threat awareness, and cyber training;

(ii) working with individuals to develop cost-effective plans for implementing best practices in these areas;

(iii) entering into agreements, where practical, with Information Sharing and Analysis Centers or similar cyber information sharing entities to gain an awareness of actionable threat information that may be beneficial to small business concerns; and

(iv) providing referrals to area specialists when necessary.

(C) An analysis of—

(i) how Federal Government programs, projects, and activities identified by the Comptroller General in the report issued under subsection (a)(1) can be leveraged by SBDCs to improve access to high-quality cyber support for small business concerns;

(ii) additional resources SBDCs may need to effectively carry out their role; and

(iii) how SBDCs can leverage existing partnerships and develop new ones with Federal, State, and local government entities as well as private entities to improve the quality of cyber support services to small business concerns.

(4) DELIVERY OF STRATEGY.—Not later than 180 days after the issuance of the report under subsection (a)(3), the Small Business Development Center Cyber Strategy shall be issued to the Committees on Homeland Security and Small Business of the House of Representatives and the Committees on Homeland Security and Governmental Affairs and Small Business and Entrepreneurship of the Senate.

SEC. 1872. PROHIBITION ON ADDITIONAL FUNDS.

No additional funds are authorized to be appropriated to carry out sections 1868 through 1871 or the amendments made by such sections.

AMENDMENT NO. 39 OFFERED BY MR. BERA OF CALIFORNIA

At the end of subtitle H of title V, add the following new section:

SEC. ___. REPORT ON AVAILABILITY OF COLLEGE CREDIT FOR SKILLS ACQUIRED DURING MILITARY SERVICE.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretaries of Veterans Affairs, Education, and Labor, shall submit to Congress a report on the transfer of skills into equivalent college credits or technical certifications for members of the Armed Forces leaving the military. Such report shall describe each the following:

(1) Each skill that may be acquired during military service that is eligible for transfer into an equivalent college credit or technical certification.

(2) The academic level of the equivalent college credit or technical certification for which each such skill is eligible.

(3) Each academic institution that awards an equivalent college credit or technical certification for such skills, including—

(A) whether each such academic institution is public or private and whether such institution is for profit; and

(B) the number of veterans that applied to such academic institutions who were able to receive equivalent college credits or technical certifications in the last fiscal year, and the academic level of the credits or certifications.

(4) The number of members of the Armed Forces who left the military in the last fiscal year and the number of those individuals who met with an academic or technical training advisor as part of their participation in the Transition Assistance Program.

AMENDMENT NO. 40 OFFERED BY MR. MC GOVERN OF MASSACHUETTS

Page 173, after line 2, add the following new section:

SEC. 599A. ATOMIC VETERANS SERVICE MEDAL.

(a) SERVICE MEDAL REQUIRED.—The Secretary of Defense shall design and produce a military service medal, to be known as the ''Atomic Veterans Service Medal'', to honor retired and former members of the Armed Forces who are radiation-exposed veterans (as such term is defined in section 1112(c)(3) of title 38, United States Code).

(b) DISTRIBUTION OF MEDAL.—

(1) ISSUANCE TO RETIRED AND FORMER MEMBERS.—At the request of a radiation-exposed veteran, the Secretary of Defense shall issue the Atomic Veterans Service Medal to the veteran.

(2) ISSUANCE TO NEXT-OF-KIN.—In the case of a radiation-exposed veteran who is deceased, the Secretary may provide for issuance of the Atomic Veterans Service Medal to the next-of-kin of the person.

(3) APPLICATION.—The Secretary shall prepare and disseminate as appropriate an application by which radiation-exposed veterans and their next-of-kin may apply to receive the Atomic Veterans Service Medal.

AMENDMENT NO. 41 OFFERED BY MR. GRAYSON OF FLORIDA

Page 243, strike lines 14 and 15 and insert the following:

''chapter—

''(A) in a more effective, efficient, or economical manner; and

''(B) at a level of quality at least comparable to the quality of services beneficiaries would receive from a military medical treatment facility; or''

AMENDMENT NO. 42 OFFERED BY MR. CARTER OF TEXAS

At the end of subtitle C of title VII, add the following new section:

SEC. 7___. USE OF MEFLOQUINE FOR MALARIA.

(a) MEFLOQUINE.—In providing health care to members of the Armed Forces, the Secretary of Defense shall require—

(1) that the use of mefloquine for the prophylaxis of malaria be limited to members with intolerance or contraindications to other chemoprophylaxis;

(2) that mefloquine be prescribed by a licensed medical provider on an individual basis, and

(3) that members prescribed mefloquine for malaria prophylaxis be counseled by the medical provider about the potential side effects of the drug and be provided the Food and Drug Administration-required patient information handouts.

(b) PROCESS AND REVIEW.—

(1) PROCESS.—Not later than 180 days after the date of the enactment of this Act, in providing health care to members of the Armed Forces, the Secretary shall develop a standardized process to document the screening for contraindications and patient education, including a prior authorization form, to be used by all medical providers prescribing mefloquine for malaria prophylaxis.

(2) ANNUAL REVIEW.—The Secretary shall conduct an annual review of each mefloquine prescription at all military medical treatment facilities to evaluate the documentation of the assessment for contraindications, justification for not using other chemoprophylaxis, and patient education for the safe use of mefloquine and its side effects.

(c) ADVERSE HEALTH EFFECTS OF MEFLOQUINE.—The Secretary of Defense shall expand the missions of the Hearing Center of Excellence, the Vision Center of Excellence, the Defense Centers of Excellence for Psychological Health and Traumatic Brain Injury (including the Deployment Health Clinical Center), and the Center for Deployment Health Research to include, as appropriate, improving the clinical evaluation, diagnosis, management, and epidemiological study of adverse health effects among members of the Armed Forces following exposure to mefloquine.

AMENDMENT NO. 43 OFFERED BY MR. WILSON OF SOUTH CAROLINA

Section 825 is amended by inserting at the end of subsection (f) (page 304, after line 12) the following:

(3) TERMINATION OF REPORT REQUIREMENT.—The requirement to submit a report under this subsection shall terminate on the date occurring five years after the date of the enactment of this Act.

AMENDMENT NO. 44 OFFERED BY MR. WILSON OF SOUTH CAROLINA

At the end of title VIII, add the following new section:

SEC. 843. REVISION OF EFFECTIVE DATE FOR AMENDMENTS RELATING TO UNDER SECRETARY OF DEFENSE FOR BUSINESS MANAGEMENT AND INFORMATION.

Section 901(a)(1) of the Carl Levin and Howard P. ''Buck'' Mckeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3462; 10 U.S.C. 132a note) is amended by striking ''February 1, 2017'' and inserting ''February 1, 2018''.

AMENDMENT NO. 45 OFFERED BY MR. BEYER OF VIRGINIA

At the end of title VIII, add the following new section:

SEC. 843. PROMOTION OF VALUE-BASED DEFENSE PROCUREMENT.

(a) STATEMENT OF POLICY.—It shall be the policy of the Department of Defense to avoid using lowest price technically acceptable source selection criteria in inappropriate circumstances that potentially deny the Department the benefits of cost and technical tradeoffs in the source selection process.

(b) REQUIREMENT FOR SOLICITATIONS.—For new solicitations issued on or after the date that is 120 days after the date of the enactment of this Act, lowest price technically acceptable source selection criteria shall be used only in situations in which—

(1) the Department of Defense is able to comprehensively and clearly describe the minimum requirements expressed in term of performance objectives, measures, and standards that will be used to determine acceptability of offers;

(2) the Department would realize no, or minimal, value from a contract proposal exceeding the minimum technical or performance requirements set forth in the request for proposal;

(3) the proposed technical approaches will require no, or minimal, subjective judgment by the source selection authority as to the desirability of one offeror's proposal versus a competing proposal;

(4) a review of technical proposals of offerors other than the lowest bidder would result in no, or minimal, benefit to the Department; and

(5) the contracting officer has included a justification for the use of a lowest price technically acceptable evaluation methodology in the contract file, if the contract to be awarded is predominately for the acquisition of information technology services, systems engineering and technical assistance services, or other knowledge-based professional services.

(c) AVOIDANCE OF USE OF LOWEST PRICE TECHNICALLY ACCEPTABLE SOURCE SELECTION CRITERIA IN PROCUREMENTS OF INFORMATION TECHNOLOGY AND AUDITING.—To the maximum extent practicable, the use of lowest price technically acceptable source selection criteria shall be avoided when the procurement is predominately for the acquisition of information technology services, systems engineering and technical assistance services, audit or audit readiness services, or other knowledge-based professional services.

(d) REPORTING.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for 3 years, the Secretary of Defense shall submit to the congressional defense committees a report on the number of instances in which lowest-price technically acceptable source selection criteria is used, including an explanation of how the criteria was considered when making a determination to use lowest price technically acceptable source selection criteria.

AMENDMENT NO. 46 OFFERED BY MR. BURGESS OF TEXAS

At the end of subtitle A of title X (page 370, after line 17), insert the following new section:

SEC. 1003. REPORT ON AUDITABLE FINANCIAL STATEMENTS.

Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report ranking all military departments and Defense Agencies in order of how advanced they are in achieving auditable financial statements as required by law. The report should not include information otherwise available in other reports to Congress.

AMENDMENT NO. 47 OFFERED BY MR. TURNER OF OHIO

Add at the end of subtitle F of title X the following new section:

SEC. 10___. BRIEFING ON CRITERIA FOR DETERMINING LOCATIONS OF AIR FORCE INSTALLATION AND MISSION SUPPORT CENTER HEADQUARTERS.

(a) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall provide a briefing to the Committee on Armed Services of the House of Representatives on the Department of the Air Force's process and reasoning for using proximity to primary medium commercial hub airports as part of the mission criteria for the Air Force Installation and Mission Support Center headquarters strategic basing process.

(b) CONTENTS OF BRIEFING.—The briefing under subsection (a) will specifically address the rationale behind the distance categories used to allocate points under this mission criteria referred to in subsection (a), and shall provide references to any existing government guidance that supports use of these distance categories. In addition, the briefing shall include an analysis regarding the reasons why the Department did not consider commuting times as a more equitable way of determining proximity to commercial hub airports that would account for the impact of different traffic conditions across the candidate locations.

AMENDMENT NO. 49 OFFERED BY MS. FRANKEL OF FLORIDA

Page 462, after line 13, insert the following new section:

SEC. 1098. SENSE OF CONGRESS REGARDING AMERICAN VETERANS DISABLED FOR LIFE.

(a) FINDINGS.—Congress finds the following:

(1) There are at least 3,600,000 veterans currently living with service-connected disabilities.

(2) As a result of their service, many veterans are permanently disabled throughout their lives and in many cases must rely on the support of their families and friends when these visible and invisible burdens become too much to bear alone.

(3) October 5, which is the anniversary of the dedication of the American Veterans Disabled for Life Memorial, has been recognized as an appropriate day on which to honor American veterans disabled for life each year.

(b) SENSE OF CONGRESS.—Congress—

(1) expresses its appreciation to the men and women left permanently wounded, ill, or injured as a result of their service in the Armed Forces;

(2) supports the annual recognition of American veterans disabled for life each year; and

(3) encourages the American people to honor American veterans disabled for life each year with appropriate programs and activities.

AMENDMENT NO. 50 OFFERED BY MR. BEYER OF VIRGINIA

Page 462, after line 13, insert the following:

SEC. 1098. STUDY ON MILITARY HELICOPTER NOISE.

(a) IN GENERAL.—The Secretary of Defense, in coordination with the Administrator of the Federal Aviation Administration, shall—

(1) conduct a study on the effects of military helicopter noise on National Capital Region communities and individuals; and

(2) develop recommendations for the reduction of the effects of military helicopter noise on individuals, structures, and property values in the National Capital Region.

(b) FOCUS.—In conducting the study under subsection (a) , the Secretary and the Administrator shall focus on air traffic control, airspace design, airspace management, and types of aircraft, to address helicopter noise problems and shall take into account the needs of law enforcement, emergency, and military operations.

(c) CONSIDERATION OF VIEWS.—In conducting the study under subsection (a), the Secretary shall consider the views of representatives of—

(1) members of the Armed Forces;

(2) law enforcement agencies;

(3) community stakeholders, including residents and local government officials; and

(4) organizations with an interest in reducing military helicopter noise.

(d) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act,

the Secretary shall submit to Congress a report on the results of the study conducted under subsection (a).

(2) AVAILABILITY TO THE PUBLIC.—The Secretary shall make the report required under paragraph (1) publicly available.

The Acting CHAIR. Pursuant to House Resolution 732, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Texas (Mr. O'ROURKE) each will control 10 minutes.

The Chair recognizes the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. Mr. Chairman, each of these amendments in this en bloc package has been worked on both sides of the aisle. I believe this package deserves Members' support.

I reserve the balance of my time.

Mr. O'ROURKE. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. BEYER).

Mr. BEYER. Mr. Chair, I would like to thank the chairman from Texas for adding my amendment to this en bloc.

Mr. Chairman, my amendment today would require the Defense Department and FAA to study the impact of military helicopter noise in the national capital region and to develop recommendations to reduce the effect of noise on people and property.

The airspace around Washington, D.C., is more restricted and more highly congested than in any other part of the country. On average, 144 helicopter operations take place here every day, 75 percent of which are military, encompassing all types of military aircraft. One recent addition to our airspace is the V–22 Osprey, a hybrid helicopter and airplane with the width of an 8-story building. It has been deployed to war zones in Iraq and Afghanistan, rescue missions in Haiti and the San Juan Mountains, and now the peaceful communities of northern Virginia.

As most of my colleagues probably know, the Osprey can transition from a turboprop plane to a conventional helicopter, all while hovering at a low altitude. This noisy transition takes place directly over the Fairlington neighborhood in my district in Arlington, Virginia.

Mr. Chairman, the communities in my district are realistic about the noise helicopters generate and are sensitive to the operational needs of the military, but the routes and altitude caps dictated by the FAA follow best practices for public and private aircraft, not military aircraft designed for a conflict zone.

A total quieting of the skies in northern Virginia is not possible or even practical; but given the military's insistence on using such heavy, loud aircraft, it is only right that they work with the FAA to reexamine the existing route structure and offer some possible solutions.

I urge my fellow Members to support this amendment en bloc.

Mr. THORNBERRY. Mr. Chairman, I would inform the gentleman that I have no speakers on this amendment at this point, so I reserve the balance of my time.

Mr. O'ROURKE. Mr. Chairman, I have no speakers at this time.

I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. I thank the chairman for his graciousness.

Mr. Chair, I rise in favor of the McGovern-Pompeo amendment, which is part of this en bloc, to create a medal honoring the service of atomic veterans or their surviving family members.

Between 1945 and 1962, over 200,000 servicemembers conducted hundreds of nuclear weapons tests and were exposed to dangerous levels of radiation. Sworn to secrecy, they couldn't even tell their doctors.

Presidents Bill Clinton and George H. W. Bush recognized their service by providing specialized care and compensation, but this isn't enough.

Joe Mondello, a constituent of mine from Shrewsbury, Massachusetts, and other atomic veterans helped bring this issue to my attention. It is long past time to honor their service.

Last year, with the help of the chairman, in the DOD authorization bill we included this amendment, but then the Department of Defense insisted the Senate remove it. Their explanation? We don't have a medal and don't want to create one. Congress should find another way to honor these veterans. That is no excuse. In fact, that is insensitive, it is dismissive, and it is ungrateful. We should be appalled.

Tragically, many of these atomic veterans have already died without receiving recognition. They kept a code of silence that likely led to many of them passing away too soon. We must right this wrong. Support this amendment. I urge the Senate to do the same thing.

Mr. THORNBERRY. Mr. Chairman, I have no further speakers.

I urge adoption of the en bloc package.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC NO. 4 OFFERED BY MR. THORNBERRY

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 732, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 4 consisting of amendment Nos. 48, 51, 52, 53, 54, 55, 56, 57, 58, 59, and 61 printed in part B of House Report No. 114–569, offered by Mr. THORNBERRY:

AMENDMENT NO. 48 OFFERED BY MR. ZELDIN OF NEW YORK

Page 423, after line 3, insert the following:

SEC. 1070. REPORT ON TESTING AND INTEGRATION OF MINEHUNTING SONAR SYSTEMS TO IMPROVE LITTORAL COMBAT SHIP MINEHUNTING CAPABILITIES.

(a) REPORT TO CONGRESS.—Not later than April 1, 2018, the Secretary of the Navy shall submit to the congressional defense committees a report that contains the findings of an assessment of all operational minehunting Synthetic Aperture Sonar (hereinafter referred to as ''SAS'') technologies suitable to meet the requirements for use on the Littoral Combat Ship Mine Countermeasures Mission Package.

(b) ELEMENTS.—The report required by subsection (a) shall include—

(1) an explanation of the future acquisition strategy for the minehunting mission package;

(2) specific details regarding the capabilities of all in-production SAS systems available for integration into the Littoral Combat Ship Mine Countermeasure Mission Package;

(3) an assessment of key performance parameters for the Littoral Combat Ship Mine Countermeasures Mission Package with each of the assessed SAS technologies; and

(4) a review of the Department of the Navy's efforts to evaluate SAS technologies in operation with allied Navies for future use on the Littoral Combat Ship Mine Countermeasures Mission Package.

(c) SYSTEM TESTING.—The Secretary of the Navy is encouraged to perform at-sea testing and experimentation of sonar systems in order to provide data in support of the assessment required by subsection (a).

AMENDMENT NO. 51 OFFERED BY MR. TROTT OF MICHIGAN

At the end of subtitle C of title XII, add the following:

SEC. 12xx. UNITED NATIONS PROCESSING CENTER IN ERBIL, IRAQI KURDISTAN, TO ASSIST INTERNATIONALLY-DISPLACED COMMUNITIES.

The President shall instruct the United States Permanent Representative to the United Nations to use the voice and vote of the United States at the United Nations to seek the establishment of a United Nations processing center in Erbil, Iraqi Kurdistan, to assist internationally-displaced communities.

AMENDMENT NO. 52 OFFERED BY MR. VELA OF TEXAS

At the end of subtitle E of title XII, add the following:

SEC. 12xx. REPORT ON VIOLENCE AND CARTEL ACTIVITY IN MEXICO.

The Secretary of Defense shall submit to the congressional defense committees a report on violence and cartel activity in Mexico and the impact of such on United States national security.

AMENDMENT NO. 53 OFFERED BY MR. THORNBERRY OF TEXAS

At the end of subtitle E of title XII, add the following:

SEC. 12xx. UNITED STATES POLICY ON TAIWAN.

(a) FINDINGS.—Congress finds the following:

(1) For more than 50 years, the United States and Taiwan have had a unique and close relationship, which has supported the economic, cultural, and strategic advantage to both countries.

(2) The United States has vital security and strategic interests in the Taiwan Strait.

(3) The Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.) has been instrumental in maintaining peace, security, and

stability in the Taiwan Strait since its enactment in 1979.

(4) The Taiwan Relations Act states that it is the policy of the United States to provide Taiwan with arms of a defensive character and to maintain the capacity of the United States to defend against any forms of coercion that would jeopardize the security, or the social or economic system, of the people on Taiwan.

(b) STATEMENT OF POLICY.—The Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.) forms the cornerstone of United States policy and relations with Taiwan.

(c) REPORT.—

(1) IN GENERAL.—Not later than February 15, 2017, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate committees of Congress a report that contains a description of the steps the United States has taken, plans to take, and will take to provide Taiwan with arms of a defensive character in accordance with the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.).

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the congressional defense committees; and

(B) Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

AMENDMENT NO. 54 OFFERED BY MR. NOLAN OF MINNESOTA

At the end of section 1504, page 599, line 3, add the following new subsection:

(c) CONDITION ON USE OF FUNDS FOR SYRIA TRAIN AND EQUIP PROGRAMS.—Amounts authorized to be appropriated by this section for the Syria Train and Equip programs, as specified in the funding table in section 4302, may not be provided to any recipient that the Secretary of Defense has reported, pursuant to a quarterly progress report submitted pursuant to section 1209 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3541), as having misused provided training and equipment.

AMENDMENT NO. 55 OFFERED BY MR. AGUILAR OF CALIFORNIA

At the end of subtitle C of title XVI, add the following new section:

SEC. 16___. PILOT PROGRAMS ON DIRECT COMMISSIONS TO CYBER POSITIONS.

(a) AUTHORITY.—The Secretary of the Army and the Secretary of the Air Force shall each carry out a pilot program to improve the ability of the Army and the Air Force, respectively, to recruit cyber professionals.

(b) ELEMENTS.—Under the pilot program, the Secretaries shall each allow individuals who meet educational, physical, and other requirements determined appropriate by the Secretary to receive original appointments as commissioned officers in a cyber specialty.

(c) CONSULTATION.—In developing the pilot program, the Secretaries may consult with the Secretary of the Navy with respect to a similar program carried out by the Secretary of the Navy.

(d) SENSE OF CONGRESS.—It is the sense of Congress that Congress supports the direct commission of individuals trained in cyber specialties because the demand for skilled cyber personnel outstrips the supply of such personnel, and there is great competition for such personnel with private industry.

AMENDMENT NO. 56 OFFERED BY MR. DOLD OF ILLINOIS

In the table in section 2207(b) of division B (relating to the Extension of 2014 Project Authorizations for the Navy), insert after the projects relating to Hawaii a new item as follows:

Illinois	Great Lakes.	Unaccompanied Housing	$35,851,000

AMENDMENT NO. 57 OFFERED BY MS. JUDY CHU OF CALIFORNIA

Page 798, line 22, strike ''and''.

Page 799, strike the period and insert ''; and''.

Page 799, insert after line 2 the following:

(VI) the population density of the area to be served by the women's business center.

AMENDMENT NO. 58 OFFERED BY MR. PERLMUTTER OF COLORADO

Add at the end of subtitle D of title XXVIII the following:

SEC. 28___. MODIFICATION OF LAND CONVEYANCE, ROCKY MOUNTAIN ARSENAL NATIONAL WILDLIFE REFUGE.

Section 5(d)(1) of the Rocky Mountain Arsenal National Wildlife Refuge Act of 1992 (Public Law 102–402; 16 U.S.C. 668dd note) is amended by adding at the end the following new subparagraph:

''(C)(i) Notwithstanding clause (i) of subparagraph (A), the restriction attached to any deed to any real property designated for disposal under this section that prohibits the use of the property for residential or industrial purposes may be modified or removed if it is determined, through a risk assessment performed pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), that the property is protective for the proposed use.

''(ii) The Secretary of the Army shall not be responsible or liable for any of the following:

''(I) The cost of any risk assessment described in clause (i) or any actions taken in response to such risk assessment.

''(II) Any damages attributable to the use of property for residential or industrial purposes as the result of the modification or removal of a deed restriction pursuant to clause (i), or the costs of any actions taken in response to such damages.''.

AMENDMENT NO. 59 OFFERED BY MR. POMPEO OF KANSAS

Page 384, after line 15, insert the following:

SEC. 1038. DECLASSIFICATION OF INFORMATION ON PAST TERRORIST ACTIVITIES OF DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall—

(1) complete a declassification review of intelligence reports prepared by the National Counterterrorism Center prior to Periodic Review Board sessions or detainee transfers on the past terrorist activities of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, who were transferred or released from United States Naval Station, Guantanamo Bay; and

(2) make available to the public any information declassified as a result of the declassification review; and

(3) submit to the appropriate congressional committees, consistent with the protection of sources and methods, a report setting forth—

(A) the results of the declassification review; and

(B) if any information covered by the declassification review was not declassified pursuant to the review, a justification for the determination not to declassify such information.

(b) PAST TERRORIST ACTIVITIES.—For purposes of this section, the past terrorist activities of an individual shall include the terrorist activities conducted by the individual before the transfer of the individual to the detention facility at United States Naval Station, Guantanamo Bay, including, at a minimum, the following:

(1) The terrorist organization, if any, with which affiliated.

(2) The terrorist training, if any, received.

(3) The role in past terrorist attacks against the interests or allies of the United States.

(4) The direct responsibility, if any, for the death of citizens of the United States or members of the Armed Forces.

(5) Any admission of any matter specified in paragraphs (1) through (4).

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

(1) the congressional defense committees;

(2) the Committee on Foreign Affairs of the House of Representatives;

(3) the Committee on Foreign Relations of the Senate;

(4) the Permanent Committee on Intelligence of the House of Representatives; and

(5) the Select Committee on Intelligence of the Senate.

AMENDMENT NO. 61 OFFERED BY MS. MC SALLY OF ARIZONA

Page 384, after line 15, insert the following:

SEC. 1038. PROHIBITION ON ENFORCEMENT OF MILITARY COMMISSION RULINGS PREVENTING MEMBERS OF THE ARMED FORCES FROM CARRYING OUT OTHERWISE LAWFUL DUTIES BASED ON MEMBER GENDER.

(a) PROHIBITION.—No order, ruling, finding, or other determination of a military commission may be construed or implemented to prohibit or restrict a member of the Armed Forces from carrying out duties otherwise lawfully assigned to such member to the extent that the basis for such prohibition or restriction is the gender of such member.

(b) APPLICABILITY TO PRIOR ORDERS, ETC..—In the case of an order, ruling, finding, or other determination described in subsection (a) that was issued before the date of the enactment of this Act in a military commission and is still effective as of the date of the enactment of this Act, such order, ruling, finding, or determination shall be deemed to be vacated and null and void only to the extent of any prohibition or restriction on the duties of members of the Armed Forces that is based on the gender of members.

(c) MILITARY COMMISSION DEFINED.—In this section, the term ''military commission'' means a military commission established under chapter 47A of title 10, United States Code, and any military commission otherwise established or convened by law.

The Acting CHAIR. Pursuant to House Resolution 732, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Texas (Mr. O'ROURKE) each will control 10 minutes.

The Chair recognizes the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. Mr. Chairman, this additional en bloc package No. 4 consists of a number of amendments that have been worked with both sides of the aisle. I believe that this en bloc package deserves the support of all Members.

I reserve the balance of my time.

Mr. O'ROURKE. Mr. Chairman, at this time I do not have a speaker, so I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, there are a number of subjects that are covered in this en bloc package, and I think it exemplifies the work that goes into creating this defense authorization bill.

If you look at the size of the bill, it is very large. As a matter of fact, it is over 1,200 pages when you look at the legislation. Of course, one of the reasons this bill is so large this year is that it includes five major packages of reforms, including: acquisition reform, healthcare reform, commissary reform, organizational reform, and Uniform Code of Military Justice reform.

All of these things have been worked with Members on both sides of the aisle. I understand that not all Members may agree with every provision. I certainly don't. But the point is this bill supports the men and women who risk their lives to serve our country, so that is the time when all of us should put aside whatever differences we have with this provision or that or this approach or that and come together on what has been for 54 years, and continues to be this year, a bipartisan product.

For all of the amendments that are included in this en bloc package, I believe they deserve the support of the House. I hope they will be adopted.

I reserve the balance of my time.

Mr. O'ROURKE. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. JUDY CHU).

Ms. JUDY CHU of California. Mr. Chairman, the Small Business Administration's, or SBA's, Women's Business Centers, the WBCs, fill a critical gap in our economy.

Despite being more than 50 percent of the population, women own just 30 percent of all businesses, and the same obstacles that keep some from starting a business keep others from growing theirs.

By providing specialized resources, Women's Business Centers are designed to make sure women-owned businesses succeed. That is why it is imperative that female entrepreneurs are able to access these resources in a convenient way.

The reality is that in large, densely populated areas, the need for these centers is greater due to the higher concentration of women entrepreneurs. In fact, Los Angeles County was home to more women-owned businesses than any other county in the entire country in 2012, yet some women had to wait weeks or months or were forced to travel long distances in order to visit a WBC because the center closest to them was unable to meet the demand.

My amendment would address this reality by ensuring that the SBA considers the population density of the area to be serviced when reviewing and selecting eligible organizations for the Women's Business Center grants. We must continue to work to ensure that these centers are convenient and accessible for all women because, when women succeed, America succeeds.

I urge my colleagues to support this amendment.

Mr. THORNBERRY. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, among the amendments in this en bloc package is one by Mr. NOLAN of Minnesota that prohibits funding for the Syria Train and Equip programs to recipients that the Secretary of Defense has reported as having misused that training or equipment.

This amendment comes from a Democratic Member, but I think it is very important for all of us to do what we can to ensure that training and weapons provided to forces we are assisting in Syria not be misused, that they not get in the hands of terrorists. Just to take that one example, where I believe a good amendment has been accepted by both sides of the aisle, that helps ensure that the goals we all share—in this case, for the Syria Train and Equip program—are met. That is an example of the bipartisan nature of this bill.

Similarly, there is an amendment here by Mr. AGUILAR of California creating a pilot program to improve the ability to recruit cyber professionals, a new domain of warfare, an enormous challenge for the government to compete with Silicon Valley, the Austin-San Antonio corridor, and other places that are recruiting cyber professionals, but a good and valued step. Those are examples of the amendments in this en bloc package.

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

Mr. O'ROURKE. Mr. Chair, I have no other speakers on this amendment.

I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I urge adoption of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

□ 1815

AMENDMENT NO. 25 OFFERED BY MR. LARSEN OF WASHINGTON

The Acting CHAIR. It is now in order to consider amendment No. 25 printed in part B of House Report 114–569.

Mr. LARSEN of WASHINGTON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 995, line 2, strike ''to be new and emergency in nature'' and insert ''will significantly reduce the nuclear threat''.

Page 995, line 9, insert ''and'' after the semicolon.

Page 995, strike lines 13 through 17.

The Acting CHAIR. Pursuant to House Resolution 732, the gentleman from Washington (Mr. LARSEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. LARSEN of Washington. Mr. Chairman, this amendment aims to remedy a provision in the base text that could unnecessarily hamstring the vital work of preventing terrorists from obtaining nuclear material.

Section 3115 of the NDAA prohibits collaboration with Russia on atomic energy defense activities, but provides the Secretary of Energy with waiver authority.

However, the Secretary of Energy can only exercise the waiver if there is a new emergency and if we completely eliminate the backlog of physical security maintenance work at DOE defense nuclear sites in the U.S.

I stand with my colleagues in opposition to Russian aggression in Crimea, Ukraine, Syria, and threatening activity in the Baltics and elsewhere.

However, I believe that the terms of this waiver are wrong and would be, frankly, impossible to execute. If we give the Secretary of Energy a waiver, it should be achievable.

That is why my amendment improves the standard to a simple one: the Secretary must certify that this cooperation will significantly reduce the nuclear threat.

It is no secret that nuclear material in Russia is vulnerable to theft and smuggling. According to Harvard University's Managing the Atom project, Russian nuclear material is at risk from both insiders and outsiders. Nuclear material stolen in Russia does not have to remain in Russia and, therefore, could be a threat to the homeland.

Currently, we do not do any nuclear threat reduction work with Russia. If the opportunity presented itself and it was in the interest of national security, why not at least have that option?

So I encourage Members to support my amendment so our government can protect Americans from nuclear terrorism, regardless of where that material originates.

Mr. Chairman, I urge people to support this amendment.

I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I appreciate the points raised by the distinguished gentleman from Washington (Mr. LARSEN).

As a matter of fact, I remember very well that one of my early speeches on the floor of the House was on a motion to recommit—supporting a Democratic motion, actually—regarding our efforts to help the Russians get control of their nuclear material. That certainly has been an important priority.

It is also true that, since I was in the well in the mid-1990s on that, things have changed. What we see is Russia spending an incredible amount of money modernizing a variety of weapons systems, including their nuclear weapons. It includes submarines and bombers and a whole variety of things, but it includes new nuclear weapons.

Yet, on the other hand, we have enormous backlogs of deferred maintenance, we call it, in our nuclear infrastructure, in our nuclear weapons complex.

Deferred maintenance is a euphemism, Mr. Chairman, because even in my own district we have folks working in deplorable conditions. We are talking about engineers and others working in conditions that no one should have to work in because we have neglected our infrastructure throughout the nuclear complex.

So I think the purpose of the underlying provision is that we shouldn't spend money doing what Russia has the money to do for itself, especially when our own nuclear infrastructure is in such disrepair.

Now, there is a waiver provision. If there is something crucial, then, obviously, another arrangement can be made. But the basic premise is Russia has changed. They are behaving not only more aggressively, but modernizing their military. Meanwhile, we have neglected ours. It is time for us to catch up.

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

Mr. LARSEN of Washington. Mr. Chairman, I agree with the distinguished gentleman from Texas that Russia has changed. The threat of loose nuclear material has not changed. Nuclear material in Russia is far more vulnerable than in the United States, and stolen nuclear material anywhere is a threat to Americans.

Now, on a bipartisan basis, this committee has increased funding for domestic physical security improvements. However, at current funding levels, that backlog will exist for years.

If Congress is going to establish a waiver process, it should be an achievable one. Right now we do not do any of this work in Russia, but we have the opportunity to reduce the nuclear threat, and we should keep that option available. I would ask this body to support my amendment.

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

Mr. THORNBERRY. Mr. Chairman, again, I appreciate the importance that the gentleman places on securing nuclear material. I share his view. I still am very concerned, for example, that terrorists will obtain—and we know they would use—nuclear material if they have the opportunity.

The concern here is that we are doing things for Russians with American taxpayer dollars so they need not do it for themselves. In fact, what they do for themselves is build more capability that threatens us. We can't continue down that road.

I oppose the amendment, and I urge Members to do likewise.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. LARSEN).

The amendment was rejected.

AMENDMENT NO. 26 OFFERED BY MR. ROGERS OF ALABAMA

The Acting CHAIR. It is now in order to consider amendment No. 26 printed in part B of House Report 114–569.

Mr. ROGERS of Alabama. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle B of title XXXI, add the following new section:

SEC. 31___. LIMITATION ON AVAILABILITY OF FUNDS FOR THE DEPARTMENT OF ENERGY.

(a) LIMITATION.—Of the funds authorized to be appropriated or otherwise made available for fiscal year 2017 for the Department of Energy for the Office of the Secretary of Energy, not more than 50 percent may be obligated or expended until the date on which the Secretary submits to the appropriate congressional committees the report under subsection (b).

(b) REPORT.—Not later than 15 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees the full report, and any related materials, titled ''U.S. Nuclear Deterrence in the Coming Decades'', dated August 15, 2014.

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

(1) the congressional defense committees; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

The Acting CHAIR. Pursuant to House Resolution 732, the gentleman from Alabama (Mr. ROGERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. ROGERS of Alabama. Mr. Chairman, I offer a simple amendment to defend congressional prerogatives and ensure Congress is getting full information from the administration regarding one of our Nation's highest priority defense missions: nuclear deterrence.

Several years ago the Secretary of Energy tasked the Nation's nuclear weapons labs to produce a study on the future of nuclear deterrence. That study was finalized in August of 2014, almost 2 years ago.

The Secretary made a personal commitment to senior members of the Armed Services Committee that he would send over the report resulting from that study. Now, 2 years later, we still have not received that report.

This amendment will ensure DOE acts to fulfill the Secretary's commitment to provide this report to Congress, ensure Congress can conduct appropriate oversight and has visibility into matters as important as the future of nuclear deterrence, which the Secretary of Defense has called the Nation's highest priority defense mission, and it fences only a couple million dollars in administrative funds within the Office of the Secretary. This will be enough to ensure we receive this report and will not impact the DOE's mission at all.

I urge my colleagues to vote ''yes'' on this amendment.

I reserve the balance of my time.

Mr. COOPER. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. COOPER. Mr. Chair, I appreciate my friendship with the gentleman from Alabama, but I think this amendment goes way too far.

To fence half the funds of the Office of the Secretary of Energy is overkill. Secretary Moniz has done an excellent job. This is really a punishment, though, that will go to the next Secretary, a man who is not in any way responsible for this delay.

Has there been a delay? It is my information that the chairman of the full committee has had access to this report. Access to this report has been offered to the gentleman from Alabama and to myself.

Without having read the report, we do not know what issues of classification or bureaucracy are involved in this. But this is among the Nation's most precious and most classified secrets. To me, to use a sledgehammer like this against a good person and against that good person's successor, whoever that may be, is really a crude way to handle a breakdown in communications.

Surely there is a better way to solve this problem. His office is just down the street. We get along with him just fine. He has been fully communicative and extremely able in every aspect. But to have a delayed report merit a sanction like this is pretty extraordinary.

So I would urge my friend, the gentleman from Alabama, to reconsider and not have what I consider to be a staff-driven tiff escalate into something much greater than it should be.

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

Mr. ROGERS of Alabama. Mr. Chairman, I appreciate my friend's remarks, and I agree. I like Mr. Moniz. I think the Secretary is a fine man and he is trying to do the right thing.

I have had a conversation with the ranking member earlier today, but I haven't had a chance to follow up with him. I have been on the floor doing a lot.

The only problem I have with withdrawing the amendment is we need this report between now and the time we go to conference to take what is yielded from it and visit with the appropriators.

Just me reading the report with you in private would not give me the documentation to take what it says—what I believe it says—and produce some policy that will deal with what the report says is a threat to our country.

□ 1830

For that reason, I would like to urge my colleagues to vote for the amendment, and reassure my friend and the Secretary that if, in fact, the report is forthcoming, and we are going to have a few months between now and the time we go to conference, I will be happy, in conference, to ask that this provision be withdrawn.

I reserve the balance of my time.

Mr. COOPER. Mr. Chair, I thank the gentleman from Alabama. I would just urge that both he and other Members not use this in any way as a precedent. It is one thing to fence an appropriate amount of money over a worthy disagreement, but this is overkill in this case, at least in my opinion.

So we probably will not prevail on the vote, but we need to establish precedents that will work for the strongest possible defense for that country, and a minimum of bureaucratic conflict.

I yield back the balance of my time.

Mr. ROGERS of Alabama. Mr. Chairman, I thank my friend from Tennessee, and I urge my friends in the House to vote ''yes.''

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alabama (Mr. ROGERS).

The amendment was agreed to.

AMENDMENT NO. 60 OFFERED BY MR. ZINKE

The Acting CHAIR. It is now in order to consider amendment No. 60 printed in part B of House Report 114–569.

Mr. ZINKE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title XVI, add the following new section:

SEC. 16___. REQUESTS FOR FORCES TO MEET SECURITY REQUIREMENTS FOR LAND-BASED NUCLEAR FORCES.

(a) CERTIFICATION.—Not later than five days after the date of the enactment of this Act, the Chairman of the Joint Chiefs of Staff shall certify to the congressional defense committees that the Chairmans has approved any requests for forces, as of the date of the enactment of this Act, of a commander of a combatant command to meet the security requirements of land-based nuclear forces.

(b) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the travel and representational expenses of the Secretary of Defense, not more than 75 percent may be obligated or expended until the date on which the Secretary certifies to the congressional defense committees that there is a competitive acquisition process in place to ensure the fielding of a UH–1N replacement aircraft in fiscal year 2018.

Mr. ZINKE. Mr. Chairman, I ask unanimous consent that amendment No. 60 be modified by the form that I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to Amendment No. 60 offered by Mr. Zinke of Montana:

At the end of subtitle D of title XVI, add the following new section:

SEC. 16___. REQUESTS FOR FORCES TO MEET SECURITY REQUIREMENTS FOR LAND-BASED NUCLEAR FORCES.

(a) CERTIFICATION.—Not later than five days after the date of the enactment of this Act, the Chairman of the Joint Chiefs of Staff shall certify to the congressional defense committees that the Chairman has approved any requests for forces, as of the date of the enactment of this Act, of a commander of a combatant command to meet the security requirements of land-based nuclear forces.

(b) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the travel and representational expenses of the Under Secretary of Defense for Acquisition, Technology, and Logistics, not more than 75 percent may be obligated or expended until the date on which the Under Secretary certifies to the congressional defense committees that there is a competitive acquisition process in place to ensure that a UH–1N replacement aircraft is under contract in fiscal year 2018.

Mr. ZINKE (during the reading). Mr. Chairman, I ask unanimous consent that the reading be dispensed with.

The Acting CHAIR. Is there objection to the request of the gentleman from Montana?

There was no objection.

The Acting CHAIR. Is there objection to the original request of the gentleman from Montana?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 732, the gentleman from Montana (Mr. ZINKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Montana.

Mr. ZINKE. Mr. Chairman, I rise today to offer an amendment that will ensure that our servicemembers in the nuclear security forces have the ability to do their job.

Each and every day, these men and women are tasked with the protection of our nuclear weapons. This is not a mission that we can fail, and, thankfully, they have performed their mission successfully for over half a decade.

Unfortunately, despite the gravity and importance of this mission, these men and women must use Huey helicopters, UH–1s, that are in the Vietnam-era. They must be able to respond anywhere in a 32,000-square-mile area, larger than the State of Maine, while using these helicopters that are over 50 years old.

Air Force demonstrations performed at Minot Air Force Base have shown time and time again that critical security shortages exist using these Hueys, and they are problematic in mission success.

The Air Force and the Department of Defense have known this for over a decade but, unfortunately, have consistently kicked the can down the road.

My amendment ensures the replacement of the Huey aircraft is done now. The mission of protecting our forces is too important to delay yet again, and the Air Force and DOD, by their own tests, have proven its vulnerability.

This amendment ensures a full and open competition, but does not allow the Air Force to further delay replacement.

I reserve the balance of my time.

Mr. O'ROURKE. Mr. Chairman, I claim the time in opposition to the amendment, although I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. O'ROURKE. Mr. Chairman, I yield back the balance of my time.

Mr. ZINKE. Mr. Chairman, I yield to the gentleman from Arizona (Mr. SCHWEIKERT).

Mr. SCHWEIKERT. Mr. Chairman, we had a technical issue earlier, and we had reached out to my friend's office. I congratulate your staff. They understood the mechanical issue. It was a procurement timing. It has been taken care of with the amendment to the amendment, and so I want to make sure anyone that is listening, that the concerns that were being brought up from my office have been dealt with.

We now are fully in support of the gentleman's amendment.

Mr. ZINKE. Mr. Chairman, I yield to the gentleman from Alabama (Mr. ROGERS).

Mr. ROGERS of Alabama. I thank the gentleman for yielding.

Mr. Chairman, I rise in support of this amendment, and I am as frustrated as anybody that we are having to be here today.

Secretary Carter has often said, and I agree with him completely, that the nuclear deterrent priority is our number one national security mission. But, unfortunately, that rhetoric has not matched up with the decision on this

issue coming from the Secretary's office.

The UH–1N fleet that is used by the Air Force Security Forces for the ICBM field security consist of Vietnam-era helos.

The UH–1N program is a case study in a failed DOD acquisition process:

The first move to replace the helos was in 2004. The Joint Staff validated a military requirement in 2010;

The Air Force canceled the replacement program in 2011;

And the SecDef recently overruled the SecAF in conducting a sole source replacement program, proposing instead a competition in 2018.

Admiral Haney, Commander, USSTRATCOM, stated in February, 2016: ''Maintaining the security of our nuclear weapons requires a modern helicopter with sufficient capabilities to counter both today's and future threats. The UH–1N does not fully meet the current ICBM complex security requirements as outlined by DOD and USSTRATCOM.''

We have been warned, colleagues. Let me be clear. This is the security of nuclear weapons here at home. There is no higher priority. If we are going down the path of competition, that is fine; but we have no more time to waste.

I want to urge the gentleman's amendment be adopted.

Mr. ZINKE. Mr. Chairman, I would like to say thank you to everyone for working on this bill and doing slight amendments to ensure that we have a fair and open competition but yet not delay the problem.

I think we can all understand that we need to replace the Hueys. The Hueys are inaccurate. They have been inaccurate for a long time. The acquisition process yet again, as we have identified, is broke.

So I thank my colleagues from both sides of the aisle to place this in importance. Our nuclear weapon and our arsenal needs to be protected. We face an asymmetrical enemy, and ensuring that they are safe at all times is part of what this Congress should be doing.

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

Mr. DOLD. Mr. Chair, I rise today to highlight the importance of my amendment to extend the authorization of a Naval construction project located at Great Lakes Naval Station in Illinois for one year.

In 2013 the installation at Great Lakes reached out to request funds for the construction of a new unaccompanied housing building on the base for recently enlisted individuals. The current housing building is suffering from ongoing maintenance issues making the building unsuitable and inadequate.

Mr. Chair, this year's NDAA represents a renewed investment in our soldiers with a pay raise, increased access to health care, and a number of other positive steps to support our fighting men and women. My amendment represents another positive investment in our troops. These men and women deserve to be housed in good conditions. This amendment does not add any cost to the legislation, and simply extends the authorization of this already appropriated for construction project for Fiscal Year 2017.

The Acting CHAIR. The question is on the amendment, as modified, offered by the gentleman from Montana (Mr. ZINKE).

The amendment, as modified, was agreed to.

Mr. THORNBERRY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ZINKE) having assumed the chair, Mr. HULTGREN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4909) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, had come to no resolution thereon.

RECESS

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

Accordingly (at 6 o'clock and 39 minutes p.m.), the House stood in recess.

□ 2351

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLE) at 11 o'clock and 51 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 4909, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

Mr BYRNE, from the Committee on Rules, submitted a privileged report (Rept. No. 114–571) on the resolution (H. Res. 735) providing for further consideration of the bill (H.R. 4909) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4974, MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2017; PROVIDING FOR CONSIDERATION OF H.R. 5243, ZIKA RESPONSE APPROPRIATIONS ACT, 2016; AND FOR OTHER PURPOSES

Mr. BYRNE, from the Committee on Rules, submitted a privileged report (Rept. No. 114–572) on the resolution (H. Res. 736) providing for consideration of the bill (H.R. 4974) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2017, and for other purposes; providing for consideration of the bill (H.R. 5243) making appropriations for the fiscal year ending September 30, 2016, to strengthen public health activities in response to the Zika virus, and for other purposes; and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CURBELO of Florida (at the request of Mr. MCCARTHY) for today on account of attending a family event in his district.

Mr. LATTA (at the request of Mr. MCCARTHY) for Monday, May 16 on account of the passing of his father.

Ms. MAXINE WATERS of California (at the request of Ms. PELOSI) for Monday, May 16, 2016.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2040 An act. to deter terrorism, provide justice for victims, and for other purposes; to the Committee on the Judiciary.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 1523. An act to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes.

ADJOURNMENT

Mr. BYRNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 53 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, May 18, 2016, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5355. A letter from the Regulatory Review Group, Commodity Credit Corporation, Department of Agriculture, transmitting the Department's final rule — Farm Storage Facility Loan (FSFL) Program; Portable Storage Facilities and Reduced Down Payment for FSFL Microloans (RIN: 0560-AI35) received May 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

5356. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Investment and Deposit Activities — Bank Notes (RIN: 3133-AE55) received May 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5357. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Pass-Through Share Insurance for Interest on Lawyers Trust Accounts (RIN: 3133-AE49) received May 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5358. A letter from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Lifeline and Link Up Reform and Modernization [WC Docket No.: 11-42], Telecommunications Carriers Eligible for Universal Service Support [WC Docket No.: 09-197], and Connect America Fund [WC Docket No.: 10-90] received May 16, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5359. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Removal of Short Supply License Requirements on Exports of Crude Oil [Docket No.: 160302175-6175-01] (RIN: 0694-AG83) received May 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

5360. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; 2016 Recreational Fishing Seasons for Red Snapper in the Gulf of Mexico [Docket No.: 140818679-5356-02] (RIN: 0648-XE575) received May 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 3484. A bill to authorize the Secretary of Veterans Affairs to enter into certain leases at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California, and for other purposes, with an amendment (Rept. 114–570). Referred to the Committee of the Whole House on the state of the Union.

Mr. BYRNE: Committee on Rules. House Resolution 735. Resolution providing for further consideration of the bill (H.R. 4909) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense and military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes (Rept. 114–571). Referred to the House Calendar.

Mr. COLE: Committee on Rules. House Resolution 736. Resolution providing for consideration of the bill (H.R. 4974) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2017, and for other to purposes; providing for consideration of the bill (H.R. 5243) making appropriations for the fiscal year ending September 30, 2016, to strengthen public health activities in response to the Zika virus, and for other purposes; and for other purposes; (Rept. 114–572). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. COHEN (for himself, Mr. CHABOT, and Mr. NADLER):

H.R. 5258. A bill to require State and local law enforcement agencies to report arrests for offenses that involve driving under the influence to the National Crime Information Center as a condition of receiving the full amount that the State would otherwise receive under the Edward Byrne Memorial Justice Assistance Grant Program, and for other purposes; to the Committee on the Judiciary.

By Mr. ZINKE (for himself, Mrs. LUMMIS, Mr. MCKINLEY, Mr. TIPTON, Mr. GOSAR, Mr. CRAMER, Mr. WESTERMAN, and Mr. JOHNSON of Ohio):

H.R. 5259. A bill to direct the Secretary of the Interior to reestablish the Royalty Policy Committee in order to further a more consultative process with key Federal, State, tribal, environmental, and energy stakeholders, and for other purposes; to the Committee on Natural Resources.

By Mr. SCOTT of Virginia (for himself and Mr. CONYERS):

H.R. 5260. A bill to amend title VI of the Civil Rights Act of 1964 to restore the right to individual civil actions in cases involving disparate impact, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEVIN (for himself, Mr. VAN HOLLEN, Mr. RANGEL, Mr. MCDERMOTT, Mr. THOMPSON of California, Mr. PASCRELL, and Mr. DANNY K. DAVIS of Illinois):

H.R. 5261. A bill to amend the Internal Revenue Code of 1986 to prevent the avoidance of the rules related to investment of earnings in United States property through corporate expatriation or the use of corporate structures in which the common parent is a foreign corporation; to the Committee on Ways and Means.

By Mr. HUDSON (for himself and Mr. RUPPERSBERGER):

H.R. 5262. A bill to eliminate the sunset date for the Veterans Choice Program of the Department of Veterans Affairs, to expand eligibility for such program, and to extend certain operating hours for pharmacies and medical facilities of the Department, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. NOLAN (for himself, Mr. LOBIONDO, Mrs. CAPPS, and Mr. DEFAZIO):

H.R. 5263. A bill to require a study on women and lung cancer, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BRADY of Pennsylvania:

H.R. 5264. A bill to expand the uses of certain revolving funds of the Library of Congress and to clarify the authority of the Library of Congress to accept gifts and bequests; to the Committee on House Administration.

By Ms. CLARK of Massachusetts (for herself, Mr. GRAYSON, Ms. LEE, Ms. NORTON, Mr. SWALWELL of California, Mr. HASTINGS, Mr. DESAULNIER, and Mr. MCDERMOTT):

H.R. 5265. A bill to amend the Department of Education Organization Act and the Higher Education Act of 1965 to require publication of information relating to religious exemptions to the requirements of title IX of the Education Amendments of 1972, and for other purposes; to the Committee on Education and the Workforce.

By Mr. DESAULNIER (for himself and Mr. JONES):

H.R. 5266. A bill to amend title 10, United States Code, to ensure that information regarding the deduction of amounts of disability compensation by reason of voluntary separation pay is provided to members of the Armed Forces separating from the Armed Forces; to the Committee on Armed Services.

By Ms. FRANKEL of Florida (for herself and Mr. KEATING):

H.R. 5267. A bill to amend title XI of the Social Security Act to expand the permissive exclusion from Federal health programs to include certain individuals with prior interest in sanctioned entities and entities affiliated with sanctioned entities and to provide a criminal penalty for the illegal distribution of Medicare, Medicaid, or CHIP beneficiary identification or provider numbers, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCDERMOTT:

H.R. 5268. A bill to provide for improvements to the Welcome to Medicare package, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MOONEY of West Virginia:

H.R. 5269. A bill to amend title 18, United States Code, to criminalize knowingly destroying, without the written consent of each progenitor, a living human embryo created through the process of in vitro fertilization, and for other purposes; to the Committee on the Judiciary.

By Mr. RUSSELL:

H.R. 5270. A bill to abolish the Marine Mammal Commission and transfer its functions to the United States Fish and Wildlife

Service; to the Committee on Natural Resources.

By Mr. TURNER (for himself and Mr. ALLEN):

H.R. 5271. A bill to reauthorize chapter 40 of title 28, United States Code; to the Committee on the Judiciary.

By Mr. FARR:

H.J. Res. 94. A joint resolution conferring honorary citizenship of the United States on Staff Sergeant Laszlo Holovits, Jr; to the Committee on the Judiciary.

By Ms. NORTON:

H. Con. Res. 131. Concurrent resolution authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run; to the Committee on Transportation and Infrastructure.

By Mr. THOMPSON of California (for himself, Mr. HUNTER, Mr. MCCARTHY, Ms. PELOSI, Mr. SCALISE, Mr. HOYER, Mrs. MCMORRIS RODGERS, Mr. CLYBURN, Mr. BECERRA, Mr. CROWLEY, Mr. AGUILAR, Ms. BASS, Mr. BERA, Ms. BROWNLEY of California, Mr. CALVERT, Mrs. CAPPS, Mr. CÁRDENAS, Ms. JUDY CHU of California, Mr. COOK, Mr. COSTA, Mrs. DAVIS of California, Ms. DELBENE, Mr. DENHAM, Mr. DESAULNIER, Ms. ESHOO, Ms. ESTY, Mr. FARR, Mr. GARAMENDI, Ms. HAHN, Mr. HASTINGS, Mr. HONDA, Mr. HUFFMAN, Mr. KNIGHT, Mr. LAMALFA, Mr. LARSON of Connecticut, Ms. LEE, Mr. LEVIN, Mr. TED LIEU of California, Mr. LIPINSKI, Ms. LOFGREN, Mr. LOWENTHAL, Mr. BEN RAY LUJÁN of New Mexico, Ms. MATSUI, Mr. MCCLINTOCK, Mr. MCNERNEY, Mrs. NAPOLITANO, Mr. NUNES, Mr. PETERS, Mr. ROHRABACHER, Ms. ROYBAL-ALLARD, Mr. ROYCE, Mr. RUIZ, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SCHIFF, Mr. SHERMAN, Ms. SPEIER, Mr. SWALWELL of California, Mr. TAKAI, Mr. TAKANO, Mrs. TORRES, Mr. VALADAO, Mr. VARGAS, Mrs. MIMI WALTERS of California, and Ms. MAXINE WATERS of California):

H. Res. 734. A resolution recognizing and honoring the historical significance of the 40th anniversary of the Judgment of Paris, and the impact of the California victory at the 1976 Paris Tasting on the world of wine and the United States wine industry as a whole; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

221. The SPEAKER presented a memorial of the General Assembly of the State of Tennessee, relative to House Joint Resolution No. 291, urging Congress to reform federal requirements relative to high school graduation rates during the reauthorization of the Elementary and Secondary Education Act; which was referred to the Committee on Education and the Workforce.

222. Also, a memorial of the General Assembly of the State of Tennessee, relative to House Joint Resolution No. 528, affirming Tennessee's sovereignity under the Tenth Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the federal government by the Constitution of the United States; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. COHEN:

H.R. 5258.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. ZINKE:

H.R. 5259.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

By Mr. SCOTT of Virginia:

H.R. 5260.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. LEVIN:

H.R. 5261.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1 of the United States Constitution

By Mr. HUDSON:

H.R. 5262.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into executive the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. NOLAN:

H.R. 5263.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. BRADY of Pennsylvania:

H.R. 5264.

Congress has the power to enact this legislation pursuant to the following:

Article I.

By Ms. CLARK of Massachusetts:

H.R. 5265.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States

By Mr. DESAULNIER:

H.R. 5266.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Ms. FRANKEL of Florida:

H.R. 5267.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. MCDERMOTT:

H.R. 5268.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mr. MOONEY of West Virginia:

H.R. 5269.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution, wherin Congress is provided the power ''[t]o regulate Commerce with foreign nations, and among the several States, and with the Indian Tribes.''

By Mr. RUSSELL:

H.R. 5270.

Congress has the power to enact this legislation pursuant to the following:

Section 8, Clause 1 of the U.S. Constitution

By Mr. TURNER:

H.R. 5271.

Congress has the power to enact this legislation pursuant to the following:

The 14th Amendment, Section 5; Article I, Section 8, Clauses 3 and 18 of the Constitution of the United States.

By Mr. FARR:

H.J. Res. 94.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 4; to establish a uniform rule of naturalization.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 24: Mr. WELCH.

H.R. 123: Mr. TED LIEU of California.

H.R. 210: Mr. KELLY of Pennsylvania.

H.R. 303: Ms. BROWN of Florida.

H.R. 539: Mr. COFFMAN, Ms. CASTOR of Florida, Mr. WALZ, and Mr. MURPHY of Pennsylvania.

H.R. 540: Mr. BRADY of Pennsylvania.

H.R. 604: Mr. GROTHMAN.

H.R. 711: Mr. HUFFMAN and Mr. JOLLY.

H.R. 769: Mrs. NOEM.

H.R. 793: Mr. CUMMINGS.

H.R. 816: Mr. BARTON.

H.R. 864: Mr. NORCROSS.

H.R. 1221: Mr. DELANEY.

H.R. 1545: Mr. LONG.

H.R. 1726: Mrs. CAROLYN B. MALONEY of New York.

H.R. 2016: Ms. CLARKE of New York.

H.R. 2189: Mr. TED LIEU of California.

H.R. 2237: Mr. NOLAN.

H.R. 2254: Mr. NORCROSS.

H.R. 2274: Ms. KUSTER.

H.R. 2290: Mr. ROUZER.

H.R. 2315: Mr. WITTMAN and Mr. NUNES.

H.R. 2368: Mr. PRICE of North Carolina, Mr. DESAULNIER, and Mr. BEYER.

H.R. 2403: Mr. BRENDAN F. BOYLE of Pennsylvania and Mr. COLLINS of New York.

H.R. 2450: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. O'ROURKE, Ms. DELAURO, Mr. GALLEGO, and Mr. LANGEVIN.

H.R. 2513: Mr. WENSTRUP and Mr. GRAVES of Georgia.

H.R. 2657: Ms. PINGREE.

H.R. 2739: Mr. MURPHY of Pennsylvania and Mr. CONNOLLY.

H.R. 2799: Mr. FORTENBERRY.

H.R. 2903: Mr. POCAN.

H.R. 2976: Mr. NORCROSS.

H.R. 2980: Mr. ISRAEL.

H.R. 3060: Mr. NORCROSS.

H.R. 3119: Ms. BONAMICI, Mrs. RADEWAGEN, Mr. POLIS, and Mr. NORCROSS.

H.R. 3163: Mr. MCNERNEY.

H.R. 3180: Mr. TIPTON.

H.R. 3222: Mr. CRAWFORD.

H.R. 3235: Mr. NEAL and Mrs. COMSTOCK.

H.R. 3323: Mr. MURPHY of Pennsylvania.

H.R. 3365: Mrs. BEATTY.

H.R. 3516: Mr. BRIDENSTINE.

H.R. 3706: Mr. HUNTER.

H.R. 3720: Ms. SLAUGHTER.

H.R. 3799: Mr. JORDAN.

H.R. 3815: Mrs. COMSTOCK.

H.R. 3870: Ms. BROWNLEY of California and Mr. SMITH of Washington.

H.R. 3956: Mr. O'ROURKE.
H.R. 3989: Mr. YOUNG of Iowa.
H.R. 4019: Mrs. CAROLYN B. MALONEY of New York.
H.R. 4062: Mr. COSTELLO of Pennsylvania.
H.R. 4177: Mr. KILMER.
H.R. 4219: Mr. MARINO, Mr. GRAVES of Louisiana, and Mrs. MIMI WALTERS of California.
H.R. 4230: Ms. VELÁZQUEZ.
H.R. 4247: Ms. JENKINS of Kansas.
H.R. 4365: Mr. BEYER, Mr. RIGELL, Mr. BROOKS of Alabama, Mr. MARCHANT, and Mr. CONYERS.
H.R. 4499: Mr. TOM PRICE of Georgia.
H.R. 4500: Mr. MACARTHUR.
H.R. 4514: Mr. MCCAUL, Ms. ROS-LEHTINEN, Ms. MENG, Mr. VELA, Mrs. LOVE, Mr. WEBER of Texas, Mr. HUDSON, Mr. BRADY of Pennsylvania, Mr. YOUNG of Iowa, Mr. THORNBERRY, Mr. PAULSEN, and Mrs. NAPOLITANO.
H.R. 4532: Mr. BYRNE.
H.R. 4616: Mr. WENSTRUP.
H.R. 4622: Ms. STEFANIK.
H.R. 4653: Ms. PINGREE.
H.R. 4662: Mr. SMITH of New Jersey, Mrs. BEATTY, and Mr. BUTTERFIELD.
H.R. 4665: Mr. COFFMAN and Mr. TAKAI.
H.R. 4681: Mr. PETERS.
H.R. 4694: Mr. CUMMINGS.
H.R. 4715: Mr. TROTT.
H.R. 4730: Mr. ALLEN and Mr. CHABOT.
H.R. 4768: Mr. FINCHER, Mr. JORDAN, Mr. GOHMERT, and Mr. BARR.
H.R. 4773: Mrs. BLACK, Mr. COLE, Mr. EMMER of Minnesota, and Mr. MACARTHUR.
H.R. 4790: Ms. BONAMICI.
H.R. 4819: Mr. FORTENBERRY.
H.R. 4848: Mr. WENSTRUP.
H.R. 4894: Mr. ALLEN.
H.R. 4913: Mrs. LUMMIS.
H.R. 4938: Mr. REED, Mr. BARR, and Mr. PETERS.
H.R. 4946: Mr. CURBELO of Florida.
H.R. 4955: Mr. HINOJOSA.
H.R. 4979: Mr. JOHNSON of Ohio and Mr. TONKO.
H.R. 4991: Mrs. CAPPS.
H.R. 5007: Mr. MCGOVERN.
H.R. 5025: Mr. MCCAUL and Mr. BABIN.
H.R. 5044: Mr. CARTWRIGHT, Ms. LOFGREN, Mrs. TORRES, Mrs. CAPPS, Ms. Plaskett, Mr. NORCROSS, Mr. KILDEE, Ms. TSONGAS, Ms. LINDA T. SÁNCHEZ of California, and Mr. RICHMOND.
H.R. 5047: Mr. WITTMAN and Mr. KING of Iowa.
H.R. 5053: Mr. RIBBLE, Mr. HUELSKAMP, Mr. GOSAR, Mr. GRAVES of Georgia, Mrs. WAGNER, and Mrs. BLACK.
H.R. 5073: Mr. THOMPSON of Mississippi.
H.R. 5094: Ms. SLAUGHTER.
H.R. 5119: Mr. WEBER of Texas, Mr. ROUZER, and Mr. NUNES.
H.R. 5130: Mr. RYAN of Ohio, Ms. NORTON, Ms. SCHAKOWSKY, and Mr. POCAN.
H.R. 5166: Mr. RICE of South Carolina, Mrs. BLACKBURN, Mr. BUCHANAN, Mr. WITTMAN, and Mr. MARINO.
H.R. 5170: Ms. KUSTER, Mr. PASCRELL, Mr. QUIGLEY, and Mr. TIBERI.
H.R. 5171: Mr. KELLY of Pennsylvania.
H.R. 5177: Mr. MOULTON and Mr. LOWENTHAL.
H.R. 5183: Mr. RIBBLE, Mr. TONKO and Mr. GRAVES of Missouri.
H.R. 5188: Mr. RUSH.
H.R. 5199: Mr. MULVANEY.
H.R. 5210: Mr. GRAVES of Missouri, Mr. SMITH of Nebraska, Mr. BROOKS of Alabama, Mr. ROUZER, and Mr. JOHNSON of Ohio.
H.R. 5226: Mr. TURNER and Mr. GOSAR.
H.J. Res. 87: Mr. LUETKEMEYER, Mr. KNIGHT, Mr. JODY B. HICE of Georgia, Mr. BROOKS of Alabama, Mr. ROKITA, and Ms. STEFANIK.
H. Con. Res. 19: Mr. TIPTON.
H. Con. Res. 40: Ms. SCHAKOWSKY.
H. Con. Res. 89: Mr. CRAMER.
H. Con. Res. 128: Mr. MOONEY of West Virginia and Mr. ROE of Tennessee.
H. Con. Res. 129: Mr. GRIJALVA, Mr. POE of Texas, and Mrs. BEATTY.
H. Res. 14: Mr. THOMPSON of Pennsylvania, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BRAT, and Ms. CLARK of Massachusetts.
H. Res. 263: Ms. MENG and Mr. KEATING.
H. Res. 282: Mr. CLEAVER.
H. Res. 402: Mr. MCCAUL.
H. Res. 494: Mr. ROKITA.
H. Res. 650: Mr. BERA and Mr. COOK.
H. Res. 683: Mr. CICILLINE.
H. Res. 717: Mr. DESAULNIER, Mr. CRAMER, Mr. GUINTA, Mr. HANNA, and Mr. PITTS.
H. Res. 722: Mr. DESAULNIER.
H. Res. 729: Mr. VARGAS, Ms. SCHAKOWSKY, Ms. MENG, Mr. CURBELO of Florida, Mr. BILIRAKIS, Mr. JOYCE, Mr. BARR, Mr. CICILLINE, Miss RICE of New York, Mr. SHERMAN, Mrs. LOVE, Mr. ROYCE, Mr. PAULSEN, and Mrs. NAPOLITANO.

PETITIONS, ETC.

Under clause 3 of rule XII,

63. The SPEAKER presented a petition of National Council, Jr. Order United American Mechanics, relative to Resolution No. 6, imploring the members of the United States Congress to take action, immediately, to close our borders; which was referred to the Committee on the Judiciary.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4974

OFFERED BY: MR. BOST

AMENDMENT NO. 1: At the end of the bill (before the short title), add the following new section:

SEC. 417. None of the funds made available by this Act may be used to propose, plan for, or execute a new or additional Base Realignment and Closure (BRAC) round.

H.R. 4974

OFFERED BY: MR. RATCLIFFE

AMENDMENT NO. 2: At the end of the bill (before the short title), add the following:

SEC. ____. None of the funds made available by this Act may be used to propose, plan for, or execute a new or additional Base Realignment and Closure (BRAC) round.

H.R. 4974

OFFERED BY: MR. BLUMENAUER

AMENDMENT NO. 3: At the end of the bill (before the short title), add the following:

SEC. ____. None of the funds made available by this Act may be used to implement, administer, or enforce Veterans Health Administration directive 2011-004 (or directive of the same substance) with respect to the prohibition on ''VA providers from completing forms seeking recommendations or opinions regarding a Veteran's participation in a State marijuana program''.

EXTENSIONS OF REMARKS

RECOGNIZING CHIEF MASTER SERGEANT BRIAN L. ZATOR'S THIRTY-TWO YEARS OF SERVICE IN THE UNITED STATES AIR FORCE AND AIR FORCE RESERVE

HON. TIM MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. MURPHY of Pennsylvania. Mr. Speaker, I rise to recognize Citizen Airman Chief Master Sergeant Brian L. Zator upon the occasion of his retirement after 32 years of honorable service to our great Nation in the United States Air Force and Air Force Reserve.

Chief Zator was born on April 8, 1966, in Morgantown, West Virginia. He graduated from Saint Francis High School in Morgantown in 1984 and entered the Air Force in July that year. Upon graduation of Administration Management Specialist Course, he was assigned to the 62nd Air Base Group and then to the 446th Airlift Wing, McChord AFB, Washington, from 1984 to 1989, as an Administrative Specialist. In June 1989, he transitioned from the Air Force to the Air Force Reserve, joining the 911th Civil Engineer Squadron, Detachment Number 1, Morgantown, West Virginia as the Non-Commissioned Officer in charge (NCOIC), Management Assistant, of the Orderly Room. Then, in August 1991, he became an Air Reserve Technician, a dual hatted Citizen Airman, serving the Air Force Reserve Command as a Civil Servant during the week and again serving the Air Force Reserve Command as a member of the uniformed service during the weekends and whenever the nation called upon him with the 911th Airlift Wing, Civil Engineer Squadron, Pittsburgh International Airport, Air Reserve Station, Coraopolis, Pennsylvania. In 1995, he was promoted to the grade of Master Sergeant, taking on an active leadership role within the 911th Airlift Wing and within the Air Force Reserve Command. In 1997, he was selected as the winner of the Air Force Reserve Command Outstanding Civil Engineering Air Reserve Technician of the year award. That same year he was a member of the Air Force Reserve Command Outstanding Civil Engineering Squadron of the Year. In 1998, he alone was selected from thousands of his peers within the state, as the winner of the Air Force Association Outstanding Reservist Award for Pennsylvania.

In October 1999, he transitioned careers, both civilian and military, into the Financial Management career field. From October 1999 through October 2006, he was the Financial Management Superintendent as an Air Reserve Technician with the 911th Airlift Wing. In 2000, he again was promoted, this time to the grade of Senior Master Sergeant. Chief Zator was clearly being recognized by leadership within the Air Force Reserve Command for his abilities to assume additional responsibility and to lead within the 911th Airlift Wing. In 2001, he was again individually selected from thousands of his peers within the state as the winner of the Air Force Association Outstanding Reservist Award for Pennsylvania. In 2003, he was selected as the winner of the Air Force Reserve Command Financial Services Civilian of the Year award, and in 2004 he was selected as the winner of the 911th Airlift Wing Senior Noncommissioned Officer of the Year award. In 2005, he deployed to the 496th Air Base Group, Morón Air Base, Spain as a Deployed Paying Agent. That same year, and again in 2006, he was selected as the winner of the Air Force Reserve Command Financial Management Enlisted Superintendent of the Year award and the winner of the 2006, 911th Airlift Wing Civilian of the Year award. In 2006, he was promoted to the highest enlisted rank within the Air Force, Chief Master Sergeant. As a Chief Master Sergeant, one assumes responsibilities for all enlisted troops and serves as a guide and mentor for junior personnel, officer and enlisted, alike.

In November 2006 through January 2013, he served as the Chief of Financial Management for the 911th Airlift Wing. During that time, in 2007 and again in 2008, he was selected as the winner of the Air Force Reserve Command Comptroller Organization of the Year award, and in 2009, he was selected as the winner of the Air Force Reserve Command James E. Short Award for Outstanding Mentorship and Career Development. Then, in 2011, he was selected as the winner of the Air Force Reserve Command Financial Management Enlisted Superintendent of the Year and the winner of the 2011 Defense Finance and Accounting Service-Limestone's Partnership for Success Award. From January 2013 through September 2016, in Chief Zator's final military role within the Air Force Reserve, he was hand selected to be the Command Chief of the 911th Airlift Wing, Pittsburgh International Airport, Air Reserve Station, Coraopolis, Pennsylvania. During this time, Chief Zator served as the Wing Commanders' senior enlisted advisor on matters concerning troop welfare, effective utilization, and progress of the enlisted members of the 911th Airlift Wing. As an example of the work Chief Zator did on behalf of the 911th Airlift Wing, he went about forging partnerships with local educational institutions resulting in college level courses being taught at the 911th Airlift Wing. His vision came to fruition in January 2014, when the 911th Airlift Wing partnered with Robert Morris University and started teaching eight week General Education courses. These courses were part of the initiative to meet the forthcoming requirements for enlisted military personnel to have a Community College of the Air Force Associates Degree for consideration for promotion to Senior Master Sergeant and Chief Master Sergeant. Since this partnership, the 911th Airlift Wing has presented over 150 Community College of the Air Force Associate degrees to its members. The 911th Airlift Wing has gone from not being ranked in the top 25 percent of Community College of the Air Force Associates Degree graduates to being ranked Number 8 in 2014 to being ranked Number 2 in 2015 within the Air Force Reserve.

Mr. Speaker, on behalf of the United States Congress and a grateful Nation, I extend our deepest appreciation to Chief Master Sergeant Brian Zator for his many years of dedicated service. There is no question that the Air Force, Department of Defense, and the United States benefitted greatly from Chief Zator's visionary leadership, planning, and foresight, and we wish him and his wife, Lorie, and his son Nicolas, the very best.

TAMMY BANFIELD'S STORY

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. GUINTA. Mr. Speaker, on August 17th, 2015, Tammy Banfield was on her way out the door with her 2-year-old daughter when she heard a knock on the door that would change their lives forever. Brien, her partner and father to their daughter Kendal, was in the ICU. On August 23, 2015, he was pronounced dead at 38 years old. Brien was a hard worker, a brother, a friend, a partner, and most importantly the father to three amazing girls. He was someone who put others before himself and lent a helping hand whenever possible. Brien struggled with depression, anxiety and an addiction that started at the age of 8. Despite his problems, he always made time for his family. From singing the ABC's to their daughter to cooking her dinner and changing her diapers, Brien always put his family first. Kendal, to this day, still speaks lovingly of her father. Tammy wants no one else to go through her family's trouble and she has seen firsthand that it is possible to recover from addiction. Tammy has two brothers who were able to recover from the treatment and an ongoing, consistent support team. Each individual's support team looks different; for some it is groups like AA, NA and the up-and-coming HA, while others rely on family and friends who have recovered. None of these options are possible without the ability to first seek and receive comprehensive, quality treatment.

HONORING DR. PAUL MODRICH

HON. BEN RAY LUJÁN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, I rise today to recognize and congratulate Dr. Paul Modrich, who grew up in Raton, New Mexico and won the 2015 Nobel Prize in Chemistry with Tomas Lindahl and Aziz Sancar. Dr. Modrich was awarded the Nobel Prize for explaining and mapping how the human body repairs mistakes in DNA replication during cell division, which experts say will aid future research into the treatment of cancer and various illnesses associated with aging.

Dr. Modrich grew up in Raton, a town of less than 7,000 people in northern New Mexico, and graduated from Raton High School in 1964. From a young age, he frequently took on science projects with an inquisitive spirit that made it no surprise to family and friends when he decided to pursue a career as a scientist. After graduating, Dr. Modrich headed east to study biology at MIT, then moved to Stanford for his doctorate in biochemistry. He has spent most of his professional career at Duke University, where he became the James B. Duke Professor of Biochemistry in 1988.

Despite the geographic diversity of his endeavors, Dr. Modrich credits his childhood in Raton as a key inspiration for his career in science. ''There was huge biological diversity around me,'' he said. ''Within five miles, the ecology can change dramatically. It was very thought provoking.'' Raton is a special place where deep roots and a strong connection to the land are hallmarks of this community, and these qualities have left a lasting impact on Paul Modrich.

Dr. Modrich's accomplishments serve as a reminder that New Mexico is home to immense talent. His success stands as a testament to the virtues of hard work, determination, and curiosity, and provide an example that will encourage young people in New Mexico and across the country to follow their dreams and change the world. Dr. Modrich has shown that just because you are from a small town does not mean you can't go on to do big things. Again, congratulations to Dr. Modrich on his tremendous achievement. The people of Raton and New Mexico are proud of him.

RECOGNITION OF THE 10TH ANNIVERSARY OF MONTENEGRO'S INDEPENDENCE

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. LAMBORN. Mr. Speaker, I rise today to congratulate Montenegro on the tenth anniversary of their independence, which will occur on Saturday, May 21.

Ten years ago this week, voters in Montenegro went to the polls in a referendum which posed the question, ''Do you want Montenegro to be an independent state?'' When the dust settled in the evening of May 21, 2006, 55.5 percent of voters chose to peacefully dissolve the union with Serbia.

Shortly thereafter, all five members of the United Nations Security Council recognized the newest country in the world. In a region marked by bullets and bombs, this was the beginning of a praiseworthy chapter in regional and trans-Atlantic history.

In addition, I am very pleased that this proud nation is on a path to become the newest member of NATO. Its inclusion in NATO will strengthen regional and trans-Atlantic security, and sends a strong message of strength to friend and foe alike.

Given that countries much larger than Montenegro often dominate our foreign policy, it is easy to overlook the importance of ten years of U.S.-Montenegro relations.

U.S. government assistance to Montenegro has aimed to help the country advance toward Euro-Atlantic integration, increase its ability to fight organized crime and corruption, strengthen its civil society and democratic structures, and provide stability in the fragile Balkans.

Meanwhile, American business leaders likewise play a vital role. For example, the Stratex Group is the largest American investor in Montenegro. The CEO was one of the first Jewish families to flee the scourge of Soviet Communism settling in our great country. Today, his company is working alongside our Embassy and recently just hosted airmen from the Air War College. Only two places in Montenegro fly the American flag: the U.S. Embassy and the Stratex properties.

Beyond strengthening our formal diplomatic alliance, my colleagues here in Congress must endeavor to creatively promote business and cultural diplomacy—in Montenegro and around the world. We must encourage our diplomats to have a greater appreciation for American investments in emerging democracies.

I believe that with a full commitment to rule of law, transparency and an independent judiciary, Montenegro will achieve its stated goal of further attracting American investors and, in the process, strengthen the trans-Atlantic community.

With the focus of Congress, I am confident Montenegrin government leaders will fully commit to prioritizing these critical reforms and educating a new generation about conducting corruption-free business in the 21st century. As Chairman of the Montenegro Caucus, I will continue to support Montenegro, and I will continue to support a stable, secure Europe based on collective self-defense, free trade and economic freedom, the rule of law, and democracy.

PEOPLE LIE—NUMBERS DON'T

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Ms. SEWELL of Alabama. Mr. Speaker, today on this Restoration Tuesday, I rise to bring attention to the continued voter suppression affecting Americans around the country during this election year and the ongoing battle to protect the constitutional right to vote.

It has been said that new restrictive voting laws were made to prevent voter fraud, but there is little evidence showing a significant problem. It has been said that having certain photo IDs are a simple request for those seeking to vote, while thousands of Americans such as the elderly, college students and city-dwellers who use public transportation and others lack such newly required IDs. Much is done in the name of noble reasons, but often the truth lies not in words but in deeds and results. The truth is this—Americans want to vote, but these new suppressive state voting laws are making it especially difficult.

Here are some numbers: Seventeen states have introduced new voting procedures to be in place for the November election, more than half of which are being challenged in court. In all, over 30 states across the country have implemented new restrictive laws aimed at blocking the American people from the ballot box. After the Supreme Court decision in the Shelby case, the state of Alabama closed over 30 DMVs, the most common location to receive a photo ID. Strict voting ID laws in Texas could leave up to 600,000 voters without the proper ID. Also in 2008, Arizona had 400 voting polls. They went down to 200 voting polls in 2012 and now in 2016 they are down to 60.

Across the nation, voting polls have been shut down and voters have been shut out. New photo ID laws have been passed and eligible voters have been passed up. With so many new state laws that have made it harder for voters to get to the polls, we must take a hard look around and ask the question—why don't we want people to vote? Why make voting for eligible voters harder and not easier? Are these new laws really about preventing voter fraud? The leaders in Congress need to have answers to these questions. Suppression of the right to vote is especially un-democratic and ultimately un-American.

In the midst of this devastating blow to our democratic process, here are some numbers that we can be proud of: Virginia Governor Terry McAuliffe recently restored voting rights to about 200,000 individuals with a past felony conviction. On March 10th of this year, Maryland also restored the right to vote for an estimated 40,000 individuals with past felony convictions. It is encouraging to see examples of leaders who believe in our democracy and believe in the Constitutional right to have one's voice heard through their right to vote.

I don't have to remind anyone that this is an election year. But when I look around and see the ongoing suppression of the right to vote, I feel obligated to remind us all of what is at stake in this election. Every voice matters, every vote matters. Unfortunately, if eligible voters continue to be hindered by these new suppressive state laws; every voice will not be heard. Every potential vote will not be counted.

Voting rights need to be protected and eligible voters need proponents of the Constitution and the democratic process to fight for them—to fight for their rights. The suppression needs to stop, the oppression needs to stop, and the excuses need to stop. There is too much at stake this election year and Congress needs to stand up and do something about it now.

On this Restoration Tuesday, I give us all the charge to battle against the continued suppression of the American vote and stand strong by our principles of democracy, liberty, and justice for all.

Mr. Speaker, my Republican colleagues should join the 168 members of Congress and support H.R. 2867—the Voting Rights Advancement Act of 2015. Let's restore the Voting Rights Act of 1965. It is the right thing to do.

ANGELS OF ADDICTION

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. GUINTA. Mr. Speaker, Angels of Addiction is an organization created by Anne Marie Farley Zanfagna about a year after the death of her youngest daughter, Jacqueline Zanfagna. Jacqueline died of a heroin overdose on October 18, 2014. At the time of Jackie's death, her parents, Anne and Jim Zanfagna made the decision to be open with her cause of death, in hopes of raising awareness of heroin addiction.

After Jacqueline passed away, Anne Marie, an artist who works with oil paints, found she could not paint. When she finally began to paint again, she painted a vibrant, joyful portrait of Jackie which she worked on over the period of a couple of months. Anne felt that the time spent working on her painting of Jacqueline was time spent with her daughter. Anne brought her painting of Jackie to the heroin addiction support group that she and her husband attend every third Sunday of the month in Plaistow, NH. Everyone at the meeting loved her painting and she offered to paint a portrait for another family who also lost their daughter to a heroin overdose.

Anne Marie Zanfagna's portrait art raises awareness of the danger of heroin addiction. As heroin addiction has reached epidemic proportions in America, many families have lost children or loved ones to the addiction. Ultimately, Anne Marie plans to create a traveling art show of portraits of those who have succumbed to heroin addiction which she hopes to bring to the State House in New Hampshire and then across the nation, to the U.S. Capitol.

Long term goals for Angels of Addictions include raising money for a yearly scholarship in Jacqueline Zanfagna's name for an outstanding student who plans to work in addiction recovery and art therapy. Angels of Addictions also plans to support other local addiction resources including a sober house for heroin addictions.

THE MEDICARE BENEFICIARY ENROLLMENT IMPROVEMENT ACT

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. McDERMOTT. Mr. Speaker, I rise today to introduce the Medicare Beneficiary Enrollment Improvement Act. This bill provides newly-eligible Medicare beneficiaries with clearer, easier-to-understand information in their Welcome to Medicare package. This will help beneficiaries make better informed decisions regarding their options for receiving benefits through the Medicare program.

The decisions that newly-eligible beneficiaries make have consequences that can last a lifetime. For example, individuals who opt out of Part B coverage during their initial enrollment period must pay a lifetime premium penalty of 10 percent for each 12-month period in which they were not enrolled. By reforming the Welcome to Medicare package, this bill makes a small but important improvement that will provide beneficiaries with the information they need to fully understand their options.

IN HONOR OF THE 20TH ANNIVERSARY OF THE TAIPEI CHINESE CULTURE SUMMER CAMP

HON. PAUL A. GOSAR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. GOSAR. Mr. Speaker, I rise today to congratulate the Taipei Chinese Culture Summer Camp on its 20th anniversary.

The Taipei Chinese Culture Summer Camp, held in Phoenix, has been recognized for its outstanding performance time and time again. It was designated as an official Arizona Centennial Event, it has been recognized here in Congress, and it is a recipient of the Phoenix Mayor's Partnership Award.

Phoenix, Arizona and Taipei, Taiwan have enjoyed a Sister Cities Relationship for 37 years. The industrious people of Taipei share many things in common with Arizonans, including a strong work ethic, a peaceful nature, a love of nature and beauty, and amazing architecture.

The camp will take place June 13–17, 2016 and is open to students from all schools. This camp will promote Taiwanese and Chinese Culture, Folk Arts and Sports. In addition, it will educate our youth regarding the importance of cultural awareness and show the many similarities between our two cultures. The camp will also let children learn leadership and teamwork skills while also teaching an understanding of international issues and friendship among our nations. Perhaps most importantly for the children, it will be fun.

We recognize these achievements and encourage them to grow in the future. Again, it is my pleasure to congratulate the Taipei Chinese Summer Camp on its 20th anniversary.

HONORING JOSEPH ROBERT LEE SIGRIST

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Joseph Robert Lee Sigrist. Joe is a man who has exemplified the finest qualities of citizenship through his service in the United States Navy during the Second World War.

Joe enlisted in the Navy in 1943 where he performed vital maintenance on naval ships throughout California, Japan, and the Pacific until he completed his service in 1946. After the war, Joe continued his important work by attending the Colorado School of Mines. He worked as a machinist and tool and die maker before moving to St. Joseph, Missouri to work at Goetz Brewery. However, it could be said that one of his most notable accomplishments is his over 50 year marriage to his wife Phyllis.

Mr. Speaker, I proudly ask you to join me in commending Joseph Sigrist for his service to our country—a service that preserved the freedom of his fellow citizens and the future of the United States of America.

COURTNEY GRIFFIN'S STORY

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. GUINTA. Mr. Speaker, Courtney Griffin was an energetic child who always did well in her classes. Once she reached high school, her parents were amazed at her maturity and work ethic when she got her first job. In order to continue working her job, Courtney's parents allowed her to get a car to drive to and from work. Courtney's job required her to work late hours and she began hanging around the wrong people. She started coming home later and later, her grades fell and pills started going missing in their house. The older she got, the more times money and pills would go missing. Courtney was eventually accepted into the University of Hawaii, but her parents made her stay an extra year at home to prove she would not continue her behavior in college. Courtney began working for her father, handling all inventory duties for his business. She gradually saved up enough money to buy another car and got a boyfriend. But then Courtney's story took a turn for the worst and she began abusing heroin. She began disappearing for long periods of time and began stealing money from her father's company. Her parents tried to find her treatment, but all of the options were too expensive and their insurance company would not cover the bills. So they took Courtney to emergency rooms, hoping to get her admitted and treated. At every hospital she was released within an hour without any form of treatment. The local authorities told them that the only way to get Courtney help was to kick her out and cut her insurance so she could receive homeless benefits. Once her parents cut her off, Courtney moved in with her boyfriend's grandparents. Eventually, her boyfriend was arrested for violating parole and she was all on her own in a strange home with people she did not know. One night, she bought and used a dose of fentanyl that was 80 times stronger than she thought. That night, she drifted away and never woke up. In one day, Courtney's parents lost their child to an addiction that went untreated. Courtney's boyfriend overdosed in

the same house, in the same room, in the same bed just a short while later.

TRIBUTE TO ELIZABETH AND DALE WICHMAN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Elizabeth and Dale Wichman of Council Bluffs, Iowa, on the very special occasion of their 60th wedding anniversary. They were married on April 5, 1956, at Fort Lewis, Washington.

Elizabeth and Dale's lifelong commitment to each other and to their children, Michael, Susan, Sandra, and Julie, and their grandchildren and great-grandchildren truly embodies Iowa values. It is because of Iowans like you that I'm proud to represent our great state.

Mr. Speaker, I commend this great couple on their 60th year together, wishing them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion

PERSONAL EXPLANATION

HON. RANDY HULTGREN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. HULTGREN. Mr. Speaker, on roll call no. 194, I was unavoidably detained during the roll call vote. Had I been present, I would have voted ''Aye.''

PAYING TRIBUTE TO DR. EUGENE B. HABECKER FOR HIS 11 YEARS OF OUTSTANDING SERVICE AS PRESIDENT OF TAYLOR UNIVERSITY

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to honor Dr. Eugene Habecker on the occasion of his retirement. For the past eleven years Dr. Habecker has devoted his life to providing an exceptional educational experience to the students of Taylor University. The people of Indiana's Fifth Congressional District are forever grateful for Dr. Habecker's dedication to the education of our country's future leaders.

Dr. Habecker demonstrated a lifetime passion for education, including his own. Before becoming the 30th President of Taylor University in 2005, he received a number of degrees. He is a proud Taylor University alumnus, receiving his bachelor's degree from Taylor University in 1968. He then went on to earn a master's degree from Ball State University in 1969, Ph.D. from the University of Michigan in 1981, J.D. from Temple University in 1974, a certificate from Harvard University in 1986, and several honorary degrees from numerous colleges and universities.

After earning an impressive number of degrees, he continued pursuing his passion for education. He held executive leadership positions at several educational institutions including George Fox University in Newberg, OR and Eastern University in St. Davids, PA. He served as President of Huntington College in Huntington, IN from 1981–1991, and was President and CEO of the American Bible Society from 1991–2005 before he returned to his alma mater to serve as President of Taylor University.

Taylor University, located in Upland, IN, was founded in 1846, making it one of the oldest evangelical Christian colleges in America. Throughout his tenure as President of Taylor University, Dr. Habecker has been instrumental in ensuring that Taylor's strong history as a university continued to flourish and grow. Under his leadership, Taylor University has been ranked the number one Midwest University in the category ''Best Regional Colleges'' by US. News & World Report for nine years straight (2007 through 2016). He is also credited with raising $180 million for operating, endowment, and capital projects. The funds raised have gone to many projects that have enhanced student life such as campus beautification projects, construction of new living centers, major upgrades to athletic facilities, and the establishment of international centers and a highly successful study abroad program. He also brings a group of students to the National Prayer Breakfast in Washington, D.C. each year, recognizing the importance of young Christians participating in this historic annual breakfast designed to serve as a forum for political, social, and business leaders to create a dialogue and build relationships.

His wife, Marylou, who is also a 1968 graduate of Taylor, has been influential as well with her diverse and extensive work in campus ministries. Marylou and Dr. Habecker have a clear passion for education and love for Taylor University. The school is dedicated to living life together in a discipleship community, and Dr. Habecker and Marylou have been exceptional leaders in facilitating such an environment.

Due to his astounding leadership, Dr. Habecker was chosen to serve on several boards including the Christian Management Association, National Association of Evangelicals, and Council for Christian Colleges and Universities. Additionally, he was selected to serve on three international boards, most notably the United Bible Societies Global Board. Through his work with the United Bible Societies Global Board and through Taylor University, Dr. Habecker and Marylou have traveled extensively, both nationally and globally. The primary focus of their travels has been promoting and educating others on how to be a successful leader in Christian education.

Dr. Habecker's astonishing commitment to higher education in Indiana and success as a leader has not gone unnoticed. He was awarded the Christian Management Award from the Christian Management Association (1989), Distinguished Alumni Citation from Huntington College (1989), Life Enrichment Award from the Charles Drew University of Medicine and Science (1996), Layperson of the Year Award from the National Association of Evangelicals (1999), and finally, his own Taylor University selected him as the 1998 Distinguished Alumnus for Professional Achievement.

Dr. Habecker made a remarkable impression on the lives of his students, faculty, and the Taylor University community. He and Marylou have left a legacy of success at Taylor that will be built upon for decades to come. On behalf of Indiana's Fifth Congressional District, I'd like to congratulate Dr. Habecker on his noteworthy career and extend a huge thank you for all the wonderful contributions he has made to the Hoosier community. I wish the very best to Dr. Habecker, Marylou, their three children, and seven grandchildren as he enjoys a well-deserved retirement.

HONORING SARAH CONROY ON BEING ACCEPTED BY THE NATIONAL ACADEMY OF FUTURE PHYSICIANS AND MEDICAL SCIENTISTS AS A DELEGATE TO THE CONGRESS OF FUTURE MEDICAL LEADERS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. LONG. Mr. Speaker, I rise today to honor Sarah Conroy, of Ozark, Missouri, who has been accepted by the National Academy of Future Physicians and Medical Scientists as a delegate to the Congress of Future Medical Leaders.

The Congress of Future Medical Leaders is an honors-only program that is designed to motivate and direct the top students in the United States. It is specifically for students who aspire to be physicians or enter into the field of medical research, and helps to provide a path and mentorship for students to accomplish those dreams. It takes place at the University of Massachusetts over 3 days, and helps to spark meaningful dialogues and exchanges of ideas between future leaders in the medical field.

To be considered for acceptance as a delegate, applicants must be recommended by either a teacher or member of the Academy based on a proven track record of academic excellence. Students must have a minimum of a 3.5 GPA and represent all 50 states and Puerto Rico. It is an incredibly selective opportunity, and those students who qualify for selection have done so because of their hard work and diligence to their studies, not to mention their impressive intellect.

Mr. Speaker, Sarah Conroy, who attends Ozark High School, has shown a true passion for anatomy, biology and health science. Moreover, Sarah has excelled in her academics and will no doubt make Missouri proud as one of our delegates. I would like to extend my personal congratulations for her achievement, and on behalf of the 7th District of Missouri, I would like to thank her for representing our district.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes on Monday, May 16, 2016. Had I been present, I would have voted ''yea'' on roll call votes 194 and 195.

HONORING BOXING BEAR BREWING COMPANY

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to honor Boxing Bear Brewing on their victory at the 2016 World Beer Cup awards.

The Brewers Association hosts the World Beer Cup every two years, a competition which features over 200 judges for over 90 categories of beer. Large and small breweries throughout the globe enter this prestigious event.

I am honored to know that Albuquerque, New Mexico's very own Boxing Bear Brewing received the Gold in the Sweet Stout of Cream Stout category, for their Chocolate Milk Stout, out of a total of 63 entries from around the world.

Boxing Bear Brewing was founded along the sandy banks of the Rio Grande River in northwest Albuquerque. Since opening, they have expanded rapidly in New Mexico with an outstanding selection of beer. After their victory at the World Beer Cup, head brewer and coowner Justin Hamilton said, ''To win for a stout in a category with great breweries including Irish and American breweries just really solidified the fact that we have a presence not only locally, but nationally and now around the world.''

As a small locally owned manufacturing and service business Boxing Bear Brewing represents the prosperity of a burgeoning local craft beer industry in New Mexico. Boxing Bear Brewing is a testament to the contributions small businesses make to our country and communities and the idea that with hard work and dedication nothing is unattainable.

To this day lawyers, government officials, business leaders, political icons, artists and students continue to enjoy exquisite beers in Boxing Bear Brewing's friendly atmosphere. Mr. Speaker, I would like to take this moment to recognize Boxing Bear Brewing for their accomplishments in the 2016 World Beer Cup competition and commitment to our community at large. I am proud to know that we have a great business located in the First Congressional District of New Mexico.

TRIBUTE TO MARTY RIEKEN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Marty Rieken of Oakland, Iowa, as he ends his term as President of the Iowa Funeral Directors Association (IFDA).

Marty has a long history of service within the field. He graduated from the Worsham College of Mortuary Science and became an apprentice at the Sellergen Lindell DeMarce Funeral Home in Red Oak, Iowa. Shortly after leaving his apprenticeship, Marty was hired as the Funeral Director of the Kessler Funeral Home in Audubon, Iowa. After years of hard work and dedication Marty now owns the Rieken Vieth Funeral Home in Oakland, Iowa and the Duhn Funeral Home in Griswold, Iowa. In addition to helping Iowa's families through their times of need, he has also been an active member of and tireless advocate for the Iowa Funeral Directors Association.

Marty's service to the Iowa Funeral Directors Association (IFDA) began in 2010 as the District 4 Governor, and then became the Secretary-Treasurer in 2013. In 2014, Marty served as President-Elect and was installed as President in 2015. Under Marty's leadership, the IFDA has seen unprecedented development and growth. He also implemented the IFDA's five year strategic plan and his guidance to the IFDA Board of Governors has helped to promote and support funeral service excellence.

Mr. Speaker, I commend Marty for his dedication and honorable service to Iowa families and the IFDA. It is an honor to represent him in the United States Congress. I ask my colleagues in the United States House of Representatives to join me in congratulating Marty for his outstanding leadership and in wishing him nothing but continued success.

PERSONAL EXPLANATION

HON. RICHARD M. NOLAN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. NOLAN. Mr. Speaker, I was unavoidably detained for voting on Monday, May 16th. Had I been present and voting, I would have voted accordingly: Aye on Roll Call Vote Number 194 (Motion to Suspend the Rules and Pass H.R. 4743—National Cybersecurity Preparedness Consortium Act of 2016); and Aye on Roll Call Number 195 (Motion to Suspend the Rules and Pass H.R. 4407—Counterterrorism Advisory Board Act of 2016).

PRESIDENT OBAMA'S POLICIES HURT THE ECONOMY

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. SMITH of Texas. Mr. Speaker, in a recent interview President Obama claimed that unemployment and deficits were down and GDP was on the rise. Contrary to his claims, Americans know the facts and are well aware of his failed economic agenda.

Americans understand that the labor participation rate is at an historic low. Only 62 percent of Americans are employed or are seeking employment. One way to bring down unemployment is to create jobs. The other is to drive people out of the job market, which is what the president's policies have done.

Americans also realize that the national debt has nearly doubled under the Obama presidency and will exceed $20 trillion before he leaves office. This continued out-of-control spending has given us slow economic growth and stagnant wages.

American families know the facts about the president's failed economic policies.

REGARDING THE DUI REPORTING ACT

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. COHEN. Mr. Speaker, I rise today in support of the DUI Reporting Act, a bill I introduced today with my Judiciary Committee colleague STEVE CHABOT.

If enacted, it would plug a glaring hole in our nation's drunk driving laws that inadvertently enables repeat offenders to be tried as first time offenders.

Currently, when police make a drunk driving arrest, they don't always have access to information about all of the driver's previous arrests for driving under the influence.

The reason is because not all police report DUI arrests to the National Crime Information Center, or ''NCIC'' for short, which is the national crime database that is made instantly available to police right from their patrol cars.

The consequences of this lack of reporting can prove tragic. Just last year there was a terrible accident in northern Mississippi, just outside of my Congressional District. Two teenagers were killed when the car they were driving was struck by a drunk driver who had accrued seven DUI charges since 2008 and had been allowed to plead guilty five times to a first-offense DUI.

The reason, according to a local investigation, was that none of the driver's DUI history had been reported to the NCIC.

When the highway patrol ran his driving record in the national database, his past DUI convictions never showed up.

This is shameful. This information should be reported so police can access it and get drunk drivers off the road.

Our bill would make that happen, by creating a financial incentive for states to require DUI arrests to be reported to the NCIC.

This bipartisan bill will save lives, and I urge my colleagues to help pass it quickly.

HONORING RYAN DIRKSEN ON BEING ACCEPTED BY THE NATIONAL ACADEMY OF FUTURE PHYSICIANS AND MEDICAL SCIENTISTS AS A DELEGATE TO THE CONGRESS OF FUTURE MEDICAL LEADERS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. LONG. Mr. Speaker, I rise today to honor Ryan Dirksen, of Springfield, Missouri, who has been accepted by the National Academy of Future Physicians and Medical Scientists as a delegate to the Congress of Future Medical Leaders.

The Congress of Future Medical Leaders is an honors-only program that is designed to motivate and direct the top students in the United States. It is specifically for students who aspire to be physicians or enter into the field of medical research, and helps to provide a path and mentorship for students to accomplish those dreams. It takes place at the University of Massachusetts over 3 days, and helps to spark meaningful dialogues and exchanges of ideas between future leaders in the medical field.

To be considered for acceptance as a delegate, applicants must be recommended by either a teacher or member of the Academy based on a proven track record of academic excellence. Students must have a minimum of a 3.5 GPA and represent all 50 states and Puerto Rico. It is an incredibly selective opportunity, and those students who qualify for selection have done so because of their hard work and diligence to their studies, not to mention their impressive intellect.

Mr. Speaker, Ryan Dirksen, who attends Springfield Catholic High School, has shown a level of dedication and aptitude for the health sciences that will leave him well prepared to represent Missouri at this Congress. I would like to extend my personal congratulations for his achievement, and on behalf of the 7th District of Missouri, I would like to thank him for representing our district.

PERSONAL EXPLANATION

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed Roll Call vote numbers 194 and 195. Had I been present, I would have voted aye on both.

TRIBUTE TO PATTY AND ELVIN SHAFAR

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Patty and Elvin Shafar on the very special occasion of their 70th wedding anniversary.

Elvin and Patty were married on May 13, 1946 and made their home in Bedford, Iowa. Their lifelong commitment to each other embodies Iowa's values. As the years pass, may their marriage continue to grow even stronger and may they continue to love, cherish, and honor one another for many more years to come.

Mr. Speaker, I commend this lovely couple on their 70 years of life together and I heartily wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

PERSONAL EXPLANATION

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. SIMPSON. Mr. Speaker, on Monday, May 16, 2016, I was absent and missed the day's votes. Had I been present, I would have voted ''Yea,'' on both Roll Call No. 194 and Roll Call No. 195.

HONORING LA CUMBRE BREWING

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to honor La Cumbre Brewing on their outstanding accomplishment during the 2016 World Beer Cup awards.

The Brewers Association hosts the World Beer Cup every two years, a competition which features over 200 judges for over 90 categories of beer. Large and small breweries throughout the globe enter this prestigious event.

I am honored to know that Albuquerque, New Mexico's very own La Cumbre Brewing received the Gold in the International Style Lager category, for their High Plains Pils, out of a total of 103 entries from around the world. La Cumbre Brewing President and Master Brewer, Jeff Erway explained that his company has been working on the recipe for this exquisite beer for the past three years.

La Cumbre Brewing was founded in Albuquerque in 2010 by Jeff and Laura Erway. Initially, the company had only three, 15 barrel fermenters and five part time employees. However, in the past five years they have expanded rapidly throughout New Mexico and the country. Today annual production exceeds 11,000 barrels of beer and La Cumbre Brewing employs a team of 35 people.

As a small locally owned manufacturing and service business La Cumbre Brewing represents the prosperity of a burgeoning local craft beer industry in New Mexico. La Cumbre Brewing is a testament to the contributions small businesses make to our country and communities and the idea that with hard work and dedication nothing is unattainable.

To this day lawyers, government officials, business leaders, political icons, artists and students continue to enjoy exquisite beers in La Cumbre Brewing's friendly atmosphere. Mr. Speaker, I would like to take this moment to recognize La Cumbre Brewing for their accomplishments in the 2016 World Beer Cup competition and commitment to our community at large. I am proud to know that we have a great business located in the First Congressional District of New Mexico.

CELEBRATING THE RETIREMENT OF DONALD RAY HILL

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. CARTER of Texas. Mr. Speaker, I rise today to celebrate the retirement of Donald Ray Hill of Taylor, Texas. A pillar of this bustling community nestled in the heart of my congressional district, Don's extraordinary commitment to service to his beloved home town reflects the best values of Central Texas.

Some people live an entire lifetime and wonder if they have made a difference in the world. Don Hill doesn't have that problem. From his service in the Marine Corps to his role as Mayor of the City of Taylor to serving as Steward at Allen Chapel A.M.E. Church for over 37 years to countless other endeavors, Don has led a life of devotion to his community.

Don was of service to all citizens. He worked tirelessly to feed the hungry, take care of the aged, and educate the young. The efforts of involved citizens like Don bring a community together and make residents proud to call Taylor home.

Retirement is to be celebrated and enjoyed. It is not the end of a career, but rather the beginning of a new adventure. I heartily salute Don Hill's work and contributions to his community. I wish him all the best as he begins his richly deserved retirement.

HONORING JOHN CRUMPTON ON BEING ACCEPTED BY THE NATIONAL ACADEMY OF FUTURE PHYSICIANS AND MEDICAL SCIENTISTS AS A DELEGATE TO THE CONGRESS OF FUTURE MEDICAL LEADERS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. LONG. Mr. Speaker, I rise today to honor John Crumpton, of Branson, Missouri,

who has been accepted by the National Academy of Future Physicians and Medical Scientists as a delegate to the Congress of Future Medical Leaders.

The Congress of Future Medical Leaders is an honors-only program that is designed to motivate and direct the top students in the United States. It is specifically for students who aspire to be physicians or enter into the field of medical research, and helps to provide a path and mentorship for students to accomplish those dreams. It takes place at the University of Massachusetts over 3 days, and helps to spark meaningful dialogues and exchanges of ideas between future leaders in the medical field.

To be considered for acceptance as a delegate, applicants must be recommended by either a teacher or member of the Academy based on a proven track record of academic excellence. Students must have a minimum of a 3.5 GPA, and represent all 50 states and Puerto Rico. It is an incredibly selective opportunity, and those students who qualify for selection have done so because of their hard work and diligence to their studies, not to mention their impressive intellect.

Mr. Speaker, John Crumpton, who attends Branson High School, has shown a level of excellence in academics and passion for science that leaves me fully confident that he will represent Missouri well at this Congress. I would like to extend my personal congratulations for his achievement, and on behalf of the 7th District of Missouri, I would like to thank him for representing our district.

TRIBUTE TO TYRA PENTON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Tyra Penton, of Bedford, Iowa for being selected for the 2016 Upward Bound Math and Science Program Hall of Fame Award.

The Northwest Missouri State University TRiO program created this Hall of Fame award to honor outstanding TRiO participants and to showcase the array of students within TRiO Programs. The TRiO Programs are federally-funded programs dedicated to helping first generation, low-income students succeed in their precollege performance and ultimately in their higher education pursuits. Ms. Penton has shown the spirit, commitment and leadership necessary to be an outstanding award winner. She gives back to her community and maintains academic excellence. Tyra is the first recipient to be inducted into the Northwest TRiO Hall of Fame.

Mr. Speaker, the example set by Tyra demonstrates the rewards of harnessing one's talents and sharing them with the world. Her efforts embody the Iowa spirit and I am honored to represent her, and Iowans like her, in the United States Congress. I know that all of my colleagues in the United States House of Representatives will join me in congratulating Ms. Tyra Penton for her achievements and in wishing her nothing but continued success.

COMMEMORATING THE LIFE OF WILLIAM HARVEY PRITCHETT

HON. ROBERT HURT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. HURT of Virginia. Mr. Speaker, I submit these remarks to commemorate the life of William Harvey Pritchett of Pittsylvania County, Virginia, who passed away May 7, 2016 at age 88.

Mr. Pritchett was a man who believed in service to God, family, community and country. He was a faithful member of Bethel Baptist Church where he taught Sunday School and served as Sunday School Superintendent. Mr. Pritchett also served as a Deacon, a Trustee, Choir, and Chorus Member and in various other committee and leadership capacities both inside and outside of the church.

Mr. Pritchett, a native of Danville, graduated from Langston High School, attended Danville Community College, and earned his associate's degree in business from Christian Brothers College in Memphis, Tennessee. He also served our country for two years in the United States Army during World War II. Mr. Pritchett retired as a District Manager for Universal Life Insurance Company, where he worked for twenty five years.

Mr. Pritchett was the first African-American to serve on the Pittsylvania County Board of Supervisors and was a man who inspired many others to public service. He held the Banister District Supervisor seat for 20 years—first elected in 1991 and serving five terms before retiring in 2011. Mr. Pritchett also served six years as Vice Chairman and chaired the Board of Supervisors in 1996.

Mr. Pritchett was a strong advocate for education and establishing a local recreation department in Pittsylvania County; he served as president of the Dan River-Blairs Civic League, served on the Pittsylvania County Social Services board, served as the President of the Chief Elected Officials of the Workforce Investment Act, and Chaired the Dan River Business Development Center Board.

Mr. Pritchett is fondly remembered by all of his compatriots, including his successor, Pittsylvania County Board of Supervisors Chairman Jessie Barksdale, who stated, ''It was very obvious to me that Mr. Pritchett just had a passion to help other people [. . .] If not for Mr. Pritchett, I am positive I would not have run for office of any kind.''

On the occasion of the passing of William Harvey Pritchett, I ask that the Members of this House of Representatives join with me and the entire Pritchett family including his wife of 63 years, Lillie G. Pritchett, son Cedric Pritchett, brother Nelson Pritchett, and the community of Pittsylvania County, Virginia in honoring the memory of a great leader.

MONROE SHOCKS AND STRUTS 100TH ANNIVERSARY

HON. TIM WALBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. WALBERG. Mr. Speaker, I rise today in recognition of the 100th anniversary of Monroe Shocks and Struts—founded in Monroe, Michigan.

In 1916, a humble mechanic and inventor, August F. Meyer, established Brisk Blast Manufacturing Company as a solution to combat frequent flat tires.

Under the leadership of Mr. Meyer, Brisk Blast quickly became a leading producer of tire pumps.

Two years later, Mr. Meyer partnered with Charles McIntyre, and the growing enterprise became Monroe Auto Equipment Company. The business soon perfected the first self-oiled, single-barreled tire pump, which increased sales to over two million a year.

In 1926, the first Monroe shock eliminator was introduced and quickly became one of the best known shock absorbers in the world, used by the majority of American automobile makers through the 1950s.

The emergent company soon became a world leader, as Monroe expanded internationally to Europe in 1964, Japan, Australia, and Mexico in 1972, and South America in 1974. Monroe was then purchased by global manufacturer Tenneco Inc. in 1977 and developed into the leading supplier to North American, Asian and European vehicle manufacturers.

Today, Monroe has cemented itself as the global leader in ride control, having introduced products such as Sensa-Trac, Reflex, and the popular Quick-Strut units.

Most notably, the innovative company still engineers and manufactures its products in North America, maintaining its global leadership as a domestic manufacturer. By partnering with a talented and highly committed workforce, Monroe is the predominant brand of vehicle ''ride control'' products.

I offer my best wishes to my constituents and friends at Monroe Shocks and Struts as they continue to provide motorists across the globe with safety and control.

HONORING MARBLE BREWERY

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to honor Marble Brewery on their impressive showing during the 2016 World Beer Cup awards.

The Brewers Association hosts the World Beer Cup every two years, a competition which features over 200 judges for over 90 categories of beer. Large and small breweries throughout the globe enter this prestigious event.

Two years ago I had the privilege of honoring Marble Brewery for their first place finish out of 59 entries in the Kellerbier or

Zwickelbier category. I am honored to be able to recognize Marble Brewery again for winning Bronze in the same category at this year's competition. Indeed, Marble Brewery beat out 67 other entries from around the world with their outstanding pilsner.

Marble Brewery was founded in Albuquerque in 2008 by Tim Rice, Jeff Jinnett, and John Gozigian. Since opening, they have expanded rapidly in New Mexico with an exceptional selection of beer. Today Marble Brewery's beers are already staples in restaurants and bars throughout our state, as well as in Colorado, and parts of Arizona.

Marble Brewery is a manifestation of the power of local businesses to provide jobs and services to our community. Mr. Speaker, the First Congressional District of New Mexico is lucky to have such a wonderful and world class brewery in downtown Albuquerque. I wish Marble Brewery years of continued success and look forward to hearing about their future achievements.

PAYING TRIBUTE TO DANIEL F. EVANS, JR., FOR HIS 13 YEARS OF OUTSTANDING SERVICE AS PRESIDENT OF IU HEALTH

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to honor Dan Evans, Jr., on the occasion of his retirement. Since 2002, Dan has served as the President and CEO of IU Health. In his 13 years as the system's President and CEO, Dan has overseen the expansion of the IU Health system from three hospitals in downtown Indianapolis to a unified statewide health system of nearly 20 hospitals and health centers that treat more than 2.5 million patients a year. The people of Indiana's Fifth Congressional District are forever grateful for Dan's commitment and dedication to the health of all Hoosiers.

Dan has a long history of devoting his time to bettering the lives of Hoosiers. Before entering the healthcare field, he received his J.D. in 1976 from the Indiana University School of Law. After receiving his degree, Dan worked as an attorney for Baker & Daniels LLP, now known as FaegreBD, in Indianapolis. In November 2002, he started the beginning of an incredibly successful career as President of Indiana University Health. Since then, Dan has shown exceptional leadership and has played an integral role in transforming IU Health into the outstanding health system it is today.

Throughout his tenure leading IU Health, Dan was instrumental in ensuring the hospital's continued growth and success. IU Health has long been a strong hospital system, but under Dan's leadership IU Health has grown into one of the leading hospitals in the state and nation. IU Health has consistently been included in the notable U.S. News & World Report's annual ''Best Hospitals Ranking'' as the number one hospital in the state of Indiana. He made significant additions to IU Health including the opening of the world-class IU Health Melvin and Bren Simon Cancer Center, the IU Health Neuroscience Center, and the Riley Hospital for Children Simon Family Tower. He also played an active role in the recently announced plan for a regional academic health campus in Bloomington, which will focus on advanced research into producing innovative treatments. Additionally, he helped secure a $1 billion investment for a new adult academic health center in downtown Indianapolis.

Dan is well-known for his advocacy work at both the state and federal levels, taking time to speak with legislators about wellness programs, high-quality and accessible healthcare, the Healthy Indiana Plan, and the Graduate Medical Education program. His commitment to serving the healthcare needs of the low-income and underserved communities resulted in IU Health contributing more than $5.8 billion in community benefit and investment during his thirteen years at IU Health. He has also displayed continued dedication to his relationship with the United Methodist Church by facilitating the addition of United Methodist leaders to the hospital boards throughout the IU health system.

As a well-known leader in the healthcare sector, Dan has been selected to serve on a variety of prestigious community, academic, and healthcare related boards and committees, including the Indiana Health Information Exchange, the University HealthSystem Consortium, Central Indiana Corporate Partnership, the Indianapolis and Indiana Chambers of Commerce as well as the U.S. Chamber of Commerce. Additionally, he serves as chairman of the Indiana Hospital Association and is a member of the bars of Indiana, the Seventh Circuit, and the U.S. Supreme Court.

Dan's commitment to the highest standard of care and success as a leader has not gone unnoticed; he has received numerous accolades throughout his years in the healthcare industry. Most recently, Dan was awarded the 2015 Indiana Hospital Association's Distinguished Service Award for his exceptional leadership and devotion to his organization.

Dan leaves behind a strong legacy at IU Health and big shoes to fill. I am thrilled to hear he plans to remain active in the Indianapolis community and will have more time to partake in his favorite hobby, golf. On behalf of Indiana's Fifth Congressional District, I'd like to congratulate Dan on his remarkable career and extend a huge thank you for all of the wonderful contributions he has made to IU Health and the Hoosier community. I wish the very best to Dan, his wife, Marilyn, and their 4 children as he enjoys a well-deserved retirement.

HONORING WYATT BOWEN ON BEING ACCEPTED BY THE NATIONAL ACADEMY OF FUTURE PHYSICIANS AND MEDICAL SCIENTISTS AS A DELEGATE TO THE CONGRESS OF FUTURE MEDICAL LEADERS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. LONG. Mr. Speaker, I rise today to honor Wyatt Bowen, of Pierce City, Missouri, who has been accepted by the National Academy of Future Physicians and Medical Scientists as a delegate to the Congress of Future Medical Leaders.

The Congress of Future Medical Leaders is an honors-only program that is designed to motivate and direct the top students in the United States. It is specifically for students who aspire to be physicians or enter into the field of medical research, and helps to provide a path and mentorship for students to accomplish those dreams. It takes place at the University of Massachusetts over 3 days, and helps to spark meaningful dialogues and exchanges of ideas between future leaders in the medical field.

To be considered for acceptance as a delegate, applicants must be recommended by either a teacher or member of the Academy based on a proven track record of academic excellence. Students must have a minimum of a 3.5 GPA and represent all 50 states and Puerto Rico. It is an incredibly selective opportunity, and those students who qualify for selection have done so because of their hard work and diligence to their studies, not to mention their impressive intellect.

Mr. Speaker, Wyatt Bowen, who attends Pierce City High School, has dedicated himself to his studies and exhibited a passion for health and medical studies, and will soon be representing the future of the state of Missouri at this conference. I would like to extend my personal congratulations for his achievement, and on behalf of the 7th District of Missouri, I would like to thank him for his representation of our district.

TRIBUTE TO JOYCE AND HAROLD ROCHHOLZ

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Joyce and Harold Rochholz on the very special occasion of their 60th wedding anniversary.

Joyce and Harold were married on May 16, 1956, residing in Casey, Iowa. They are the proud parents of three children, Kathy, Kristy and Jeff. They also have eight grandchildren and seven great-grandchildren.

Harold and Joyce's lifelong commitment to each other and their family truly embodies Iowa's values. I salute this lovely couple on their 60 years of life together and I wish them many more. As the years pass, may their marriage continue to strengthen and may they continue to love, cherish, and honor one another. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

IN HONOR OF EASTER SEALS CAMP ASCCA'S 40TH ANNIVERSARY

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention to recognize the 40th Anniversary of the Easter Seals Camp ASCCA—Alabama's Special Camp for Children and Adults.

The mission of Camp ASCCA is to help eligible children and adults with disabilities and/or health impairments achieve equality, dignity and maximum independence through the camp experience including therapeutic recreation and education.

The camp provides a safe and supportive environment for its campers and encourages each of them to meet and overcome new challenges.

Camp ASCCA has been providing this camping and outdoor recreation experience since 1976 and is the only program of its kind in the great State of Alabama.

Mr. Speaker, please join me in recognizing the 40th Anniversary of Easter Seals Camp ASCCA and thanking them for their service to these deserving individuals.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $19,199,894,125,074.04. We've added $8,573,017,076,160.96 to our debt in 7 years. This is over $7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

PERSONAL EXPLANATION

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. SWALWELL of California. Mr. Speaker, I was unable to be present for votes taken yesterday, Monday, May 16, due to a family health emergency. Had I been present, I would have voted as follows:

Roll Call Vote Number 194 (Passage of H.R. 4743, the National Cybersecurity Preparedness Consortium Act of 2016): Yes.

Roll Call Vote Number 195 (Passage of H.R. 4407, the Counterterrorism Advisory Board Act of 2016): Yes.

TRIBUTE TO JOAN WASKE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mrs. Joan Waske for being named the Lady Star of the Year in Afton, Iowa.

Joan is an active mother, grandmother and community member. She plays the organ at St. Edward Catholic Church, volunteers at the Afton Care Center and participates with senior activities at the local community center. She also co-owned and managed a farm with her husband Joe, while raising eleven children. Joan cooked, sewed, wrote poetry and made certain that music was always in their home.

Mr. Speaker, Joan Waske is an Iowan who has served her family, her church and her community with dignity and determination. It is with great honor that I recognize her today. I ask that my colleagues in the U.S. House of Representatives join me in congratulating Joan Waske for this award and in wishing her continued health and happiness.

RECOGNIZING THE 2016 FINALISTS SELECTED IN THE 24TH CONGRESSIONAL DISTRICT OF TEXAS ART COMPETITION

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. MARCHANT. Mr. Speaker, I am privileged to recognize the following high school students from the 24th Congressional District of Texas who were selected as finalists from this year's entries in the Congressional Art Competition:

Lindsay Arnolds, ''Umbrella Summer''; Eunice Choe, ''Traditional''; Erin Crumpler, ''Birds of Coppell: Finch/Hawk/Robin''; Nicole Crumpler, ''Orchids/Frodo/Japanese Water Gardens''; Sabrina Del Rosario, ''Mr. Horn''; Paloma Diaz, ''Texas Born and Raised''; Kiana Fernandez, ''Somewhere Else in Blue''; Katie Gibbs, ''Pieces of My Heart''; Morgan Glover, ''Texas Skies''; Grant Gosser, ''America's Spirit''; Hannah Gosser, ''Grant Playing Pool''; Megha Goyal, ''Hope''; Hannah Javens, ''Let Them Drown''; Habesh Kisanga, ''Collisions''; Gabriel Ko, ''Matilda Taking Me around Dallas''; Ethan Lee, ''Still Life of Canteen and Lantern''; Mahir Morar, ''Drumlines/Slight of Hand''; Jeongho Park, ''The Bucking Horse''; Kate Sheedy, ''Nausea''; Morgan Sickman, ''Summer Spirit/Collage''; Kate Snow, ''Road Home''; Sarah Verheul, ''Sarah's Bike''; Alexandra Wilson, ''Two Tulips''; Katherine Yut, ''Poised for Flight/Independence Day''.

The art competition was represented by a variety of high schools in the 24th District, and I am honored at this time to acknowledge the participating schools and the students' art teachers:

Summer Neimann & Eric Horn, Carroll Senior High School; Holly Hendrix, Carrollton Christian Academy; Tamera Westervelt, Coppell High School; Kinzie Harvell, Colleyville Covenant Christian; Bob Thomas, Creekview High School; Kathryn Borum, The Highlands School; Beka Johnson, Parish Episcopal School; Brenda Robson, Prestonwood Christian Academy; Steve Ko, Steve Ko Art Studio; Beth Ritter-Perry, Townview Magnet School; Sue Traver, Trinity High School; Sharice Willliams, Uplift North Hills Preparatory.

Mr. Speaker, I ask all my distinguished colleagues to join me in congratulating these exceptional high school artists on becoming finalists in the 24th Congressional District of Texas Art Competition.

HONORING NEXUS BREWERY

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to honor Nexus Brewery on their triumph during the 2016 World Beer Cup awards.

The Brewers Association hosts the World Beer Cup every two years, a competition which features over 200 judges for over 90 categories of beer. Large and small breweries throughout the globe enter this prestigious event.

I am honored to know that Albuquerque, New Mexico's very own Nexus Brewery received the Gold in the Honey Beer category, for their Honey Chamomile Wheat, out of a total of 55 entries from around the world. Nexus head brewer, Kaylynn McNight explained, ''I'm also very proud of it because it's my own recipe. It's one of the first seasonal beers that I made here that turned into a house beer.''

As a small locally owned manufacturing and service business, Nexus Brewery represents the prosperity of a burgeoning local craft beer industry in New Mexico. Nexus Brewery is a testament to the contributions small businesses make to our country and communities and the idea that with hard work and dedication nothing is unattainable.

To this day lawyers, government officials, business leaders, political icons, artists and students continue to enjoy exquisite beers in Nexus' friendly atmosphere. Mr. Speaker, I would like to take this moment to recognize Nexus Brewery for their accomplishments in the 2016 World Beer Cup competition and commitment to our community at large. I am proud to know that we have a great business located in the First Congressional District of New Mexico.

TRIBUTE TO BARB AND LARRY RILEY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mr. and

Mrs. Larry and Barb Riley for being recognized with a Lifetime Leadership Award. They received this award as Main Street Iowa celebrated 30 years of commitment to downtown and commercial district revitalization.

Barb and Larry Riley received this award which recognized ''inspirational leadership and volunteers who have made significant contributions to the local Main Street Programs' mission.'' The Rileys work hard to make Greenfield, Iowa a great place to live and work. They volunteer with numerous organizations and with the school district as well as help with community clean-up programs.

Mr. Speaker, Barb and Larry Riley are Iowans who have served their community of Greenfield, Iowa. It is with great honor that I recognize them today. I ask that my colleagues in the U.S. House of Representatives join me in congratulating Barb and Larry Riley for receiving the Lifetime Leadership Award and wish them continued health and happiness.

PERSONAL EXPLANATION

HON. RANDY HULTGREN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. HULTGREN. Mr. Speaker, on roll call no. 195, I was unavoidably detained during the roll call vote. Had I been present, I would have voted ''Aye.''

RECOGNIZING E. ROBERT GOODKIND

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mrs. LOWEY. Mr. Speaker, today I rise to recognize my constituent and friend, E. Robert Goodkind, of Rye, New York, for his more than 60 years of service to the American Jewish community and in particular for his visionary leadership of the American Jewish Committee.

Mr. Goodkind grew up in Lawrence, New York and attended Woodmere Academy, where he developed an interest in government and international relations. As an undergraduate at Princeton University, Bob also nourished a commitment to Jewish values and the State of Israel. He graduated from Harvard Law School and led a successful career in private practice, crafting an expertise in corporate law, trusts and estates, and charitable organizations law.

After marrying Barbara, his devoted wife, and raising three children, Bob increased his involvement with Jewish civic and cultural life, by joining the American Jewish Committee, where he quickly assumed a leadership role in mobilizing action in support of human rights, promoting interfaith dialogue, and advancing universal standards of decency.

In the 1990's, Bob spearheaded the formation of the Jewish Foundation for Christian Rescuers, to provide financial support to aged and needy righteous gentiles, who had rescued Jews during the Holocaust.

From 2004 to 2007, Bob served as National President of the American Jewish Committee, during which time he traveled the world on behalf of the AJC, engaging with leaders and speaking out against human rights violations, intolerance, and injustice. He was also a passionate advocate for Israel in the halls of the United States Congress.

On both the local and national level, Bob has worked to strengthen mutual understanding and relations between Jews and African Americans, both of whose histories have been shaped by oppression and bigotry.

Throughout his life, Bob Goodkind has personified the core Jewish value of Tikkun Olam—the enduring charge to perfect the world.

Mr. Speaker, I urge my colleagues to join me today in honoring his exceptional life of devotion to the causes of humanity, brotherhood, and the American Jewish community

HONORING KELSIE ELLINGSWORTH ON BEING ACCEPTED BY THE NATIONAL ACADEMY OF FUTURE PHYSICIANS AND MEDICAL SCIENTISTS AS A DELEGATE TO THE CONGRESS OF FUTURE MEDICAL LEADERS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. LONG. Mr. Speaker, I rise today to honor Clever High School student Kelsie Ellingsworth, of Clever, Missouri, on her being accepted as a delegate to the Congress of Future Medical Leaders by the National Academy of Future Physicians and Medical Scientists.

The Congress of Future Medical Leaders is an honors-only program that is designed to motivate and direct the top students in the United States. Specifically, it's designed for students aspiring to become physicians or medical researchers, and provides a path and mentorship for students to accomplish their goals.

To be considered for acceptance as a delegate, applicants are either recommended by a teacher or member of the Academy based on a proven track record of academic excellence. Delegates represent all 50 states plus Puerto Rico, and must have a minimum 3.5 GPA. Students like Ellingsworth who qualify for this incredibly selective honor exemplify top-tier diligence and academic talent.

Mr. Speaker, Kelsie Ellingsworth has not only excelled in her academics, but has shown a passion for science and medicine that will serve her future aspirations well. I urge my colleagues to join me in congratulating her for this achievement. On behalf of Missouri's Seventh Congressional District, I wish Kelsie the best of luck in all her future endeavors.

TRIBUTE TO DEBBIE AND DALE MENNING

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Debbie and Dale Menning for being recognized with a Lifetime Leadership Award. They received this award as Main Street Iowa celebrated 30 years of commitment to downtown and commercial district revitalization.

Debbie and Dale Menning received this award which recognized ''inspirational leadership and volunteers who have made significant contributions to the local Main Street Programs' mission.'' The Mennings assisted with Guthrie Center, Iowa's initial application to become a Main Street community. They are heavily involved with Main Street Iowa committees and the work that is involved in making this Main Street Iowa community successful.

Mr. Speaker, Debbie and Dale Menning are Iowans who have served their community of Guthrie Center, Iowa. It is with great honor that I recognize them today. I ask that my colleagues in the U.S. House of Representatives join me in honoring the Mennings for receiving the Lifetime Leadership Award and wish them continued health and happiness.

HONORING ROBERT MAYERSOHN

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. DEUTCH. Mr. Speaker, I rise today to recognize Robert Mayersohn, who is being honored for receiving the ''Champion of Students'' award by Broward County Public Schools. This prestigious award is given to an outstanding individual who advocates for students on the occasion of Broward County Public Schools' 100th anniversary.

Mr. Mayersohn is a graduate of Syracuse University, and has a distinguished record of outstanding service to his community. He has protected the needs of students as an experienced education advocate, surrogate parent and guardian ad litem. Mr. Mayersohn is also a successful entrepreneur and small business owner. He has a long history of civic and community involvement. For nearly two decades, Mayersohn has fought on behalf of parents, teachers and students to improve the public schools of Broward County. He has served as the Chair of the Broward County School Parent ESE Advisory Council and is a current Executive Board Member of the Broward County Council of PTAs/PTSAs. His tireless work in support of local students is truly impressive and worthy of recognition.

Throughout his career in education and public service, Robert Mayersohn has shown himself to be an outstanding leader in his community. I am pleased to join the Broward County Public Schools in honoring Mr. Mayersohn for his ongoing commitment to excellence and distinguished service to our community.

HONORING SECOND STREET BREWING

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to honor Second Street Brewing on their tremendous success during the 2016 World Beer Cup awards.

The Brewers Association hosts the World Beer Cup every two years, a competition which features over 200 judges for over 90 categories of beer. Large and small breweries throughout the globe enter this prestigious event.

I am honored to know that Albuquerque, New Mexico's very own Second Street Brewing received the Silver in the Imperial India Pale Ale category, for their Trebuchet Imperial India Pale Ale, out of a total of 181 entries from around the world. Second Street President and Brewmaster, Rod Tweet, explained, ''It's well known that Imperial IPA is an extremely competitive category, and with 181 entries this year, it was the second largest in the contest. Our Brewing team is really proud of the award.''

Second Street Brewing was founded in 1996 and today brews 60 unique styles of ales and lagers. As a small locally owned manufacturing and service business Second Street Brewing represents the prosperity of a burgeoning local craft beer industry in New Mexico. Second Street Brewing is a testament to the contributions small businesses make to our country and communities and the idea that with hard work and dedication nothing is unattainable.

To this day lawyers, government officials, business leaders, political icons, artists and students continue to enjoy exquisite beers in Second Street's friendly atmosphere. Mr. Speaker, I would like to take this moment to recognize Second Street Brewing for their accomplishments in the 2016 World Beer Cup competition and commitment to our community at large. I am proud to know that we have a great business located in the First Congressional District of New Mexico.

PERSONAL EXPLANATION

HON. J. RANDY FORBES

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. FORBES. Mr. Speaker, due to the recent passing of my mother I was unable to cast my vote yesterday on two important pieces of legislation. Had I been in the chamber I would have voted YES on the Motion to Suspend the Rules and pass the National Cybersecurity Preparedness Consortium Act of 2016, H.R. 4743, and YES on the Motion to Suspend the Rules and pass the Counterterrorism Advisory Board Act of 2016, H.R. 4407.

CONGRATULATING THE MARION HIGH SCHOOL BOYS' BASKETBALL TEAM ON THEIR EIGHTH STATE CHAMPIONSHIP TITLE

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to congratulate the Marion High School Boys' Basketball team for winning the Indiana Boys' Basketball Class 3A State Championship. The Marion High School Giants, hailing from Marion in Grant County, defeated the Evansville Bosse Bulldogs in an historic game. This state title is a momentous win for the Giants, as it marks their 8th consecutive state championship title, which ties the record for most consecutive wins in Indiana boys' basketball history.

The Giants played in the spotlight of the IHSAA throughout this impressive season. Under the leadership of Head Coach James Blackmon, the team finished the season with a remarkable record of 23–7. Coach Blackmon, who is a Marion High School graduate and had an impressive basketball career himself, returned to Marion to coach the team in 2013. Coach Blackmon leads by example and inspires his players with his coaching and character. He works tirelessly to motivate, train, and push his team to dream big and reach their goals. As the daughter of a high school football coach, I understand the tireless dedication, time commitment, and personal sacrifices required to lead young athletes to victory, and I applaud Coach Blackmon's dedication to excellence.

While their 8th consecutive state title is momentous on its own, what the Giants basketball team accomplished during the state championship was even more extraordinary than that. The Giants broke records for highest combined 3-point field goal percentage, most points scored in a quarter, scoring 31 points in the 3rd quarter alone, and most points in a half, scoring 48 points total in the second half. In addition to the Giants' significant team accomplishments, individuals from the team were acknowledged for their outstanding contributions and accomplishments. Senior Reggie Jones tied the record for highest individual free-throw percentage, making 100 percent of his free throws during the state championship game. Reggie was also named the Chronicle-Tribune's Boys Basketball Player of the Year, selected to be one of Hoosier Basketball Magazine's Top 60 Senior Boys' Basketball Players, and was chosen for the IBCA/Subway Senior All-State Team. Additionally, Reggie, along with senior teammate Vijay Blackmon and junior Tim Leavell were selected to play on the All-NCC 1st team.

Throughout the years, the Giants have demonstrated incredible dedication to their sport—putting in countless hours on the court and the weight room. They have been supported by their committed parents, coaches, and trainers. High school sports are a special experience. They teach discipline, build character, and allow young men and women to have an experience they will remember for a lifetime. This team exemplifies the wonderful attributes that high school sports teach, and I am proud to represent such a hardworking and highly regarded group of young men and coaches.

On behalf of Indiana's 5th Congressional District, I'd like to extend huge congratulations to the Marion High School Boys' Basketball Team. I look forward to cheering the team on through another great season next year and send my best wishes as the Giants work toward breaking the record for most consecutive wins. Go Giants.

HONORING THE PERMIAN BASIN HONOR FLIGHT

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. CONAWAY. Mr. Speaker, I rise to recognize the 90 Veterans from West Texas who will be visiting our Washington D.C. this week, sponsored by the Permian Basin Honor Flight. On behalf of a grateful state and nation, we welcome these heroes to the nation's capital.

The Veterans on this Honor Flight are: Richard Galloway, Darrell Sanders, Clinton Adams, Mike Barber, Jerry Pinkston, SFC Aaron Hernandez, Dennis Sever, Jimmy L. Fine, Benny B. Fine, Alejos Rios Lara, Ira E. Wilson, Larry J. Monroe, Helen A. Bird, Jackie Lee Voss, Gary Clayton Collinsworth, Charles R. Sessions, Jimmy G. George, James R. Priest, Lowell D. Wade Jr., Horace L. Bowden, Margaret Voisel Forster, Larry K. Bagley, Donald E. Gorden Jr., Domingo Carrizales, James Miller, Paul W. Janssen, David P. Brockman, Robert L. Neff, James H. Silvers, Robert S. Thames, Bobbie R. Kerrigan, Rolland L. Rose, Gary W. Ward, Roscoe C. Haynes, Leonard C. Martinez, Donald R. Price, Luis R. Lopez, Gene A. Roberts, Melvin M. Longwell Jr., James H. Shaw, Ricky A. Warnick, Curtis D. McClain, Billie G. Mathis, James F. Kemper, Billie Ray Norman, Willard C. Walker, Jerome J. Engler, Stephen L. McConnell, Dock R. Clark, David H. Box, John W. Calhoun, Garland D. Pearce, Charles R. McMillian, Thomas E. Mindling, John Gutierez Alderete, David A. Dixon, Robert L. Kasper, Warren J. Lange, James V. Yakshaw, Tom D. Dodd, William E. Halfmann, Donald E. McClure, Johnny A. Wright, Robert C. Schlagal, Steven D. Rea, Juan Tarin, David Madrid, John M. Williams, Ronnie M. Nunley, Richard Cotte, Mark D. Kator, Jimmie K. Matthews, Milton R. Williamson, James L. White, Robert L. Teters, Steven W. Wagner, Roberto Martinez, Michael G. Roquemore, Mark E. Webb, Harry A. Spannaus, James W. Huston, Michael D. Jackson, Kenneth D. Carte, Michael W. Griffis, John R. Hayes, Edward Comacho, and Duane Janssen.

Mr. Speaker, I am humbled to have the opportunity to meet these brave men and women who exemplify the best of our country. Their sacrifice and commitment to the duty to our nation can never be fully repaid, and I hope that when they visit our nation's monuments in Washington D.C., the gratitude and respect we have for them will truly be reflected.

Mr. Speaker, please join me in thanking these veterans and their families for their exemplary dedication and service to this great

nation. I would also like to extend a special thank you to the local communities, all of the volunteers, and Mr. John West and Ms. Teresa Galloway for their extensive work in organizing this Honor Flight. This trip would not have been possible without all the financial and emotional support of the people who have put in so much hard work and personal time to make sure this trip could be possible.

HONORING COLONEL DOUGLAS J. SCHWARTZ

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. ROKITA. Mr. Speaker, I rise today to honor a great Hoosier and a highly decorated American Airman.

Colonel Douglas J. Schwartz of the United States Air Force, retired on May 14, 2016 from his post as Commander of the 434th Air Refueling Wing based at Grissom Air Reserve Base in Miami County, Indiana. The 434th Air Refueling Wing is the largest KC–135R Stratotanker unit in the Air Force Reserve Command.

Colonel Schwartz received his commission through Officer Training School in 1981 as a graduate from Purdue University, earning a Bachelor of Science degree in management. He began pilot training at Williams Air Force Base in Arizona, and was assigned to the 325th Bomb Squadron at Fairchild Air Force Base in Washington state. He transferred to the Air Force Reserve in 1992, where he flew KC–135R Stratotankers with the 72nd Air Refueling Squadron at Grissom Air Reserve Base. Prior to taking command at Grissom, Colonel Schwartz served as commander of the 927th Air Refueling Wing based at MacDill Air Force Base in Florida.

Colonel Schwartz has numerous command and leadership assignments at the squadron, wing and numbered air force level including assistant chief pilot, chief of standardization and evaluation, operations officer, flight commander, detachment commander, group commander, vice commander, director of staff and wing commander. He is a command pilot with more than 4,200 flying hours and has deployed in support of Operations Joint Endeavor, Iraqi Freedom and Enduring Freedom, amongst others.

I sincerely thank Colonel Schwartz for his amazing leadership at Grissom over the last two years and wish him many clear skies ahead.

TRIBUTE TO ELAINE AND VIRGIL HILDEBRAND

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Elaine and Virgil Hildebrand of Hancock, Iowa, on the very special occasion of their 70th wedding anniversary. They celebrated their anniversary on March 23, 2016. Virgil and Elaine reside on their farm in Hancock.

Virgil and Elaine's lifelong commitment to each other and their children, Bill, Janice, Joyce, and the late JoAnn truly embodies Iowa values. As they reflect on their 70th anniversary, I know it is filled with happy memories and continued hope for their future years together.

Mr. Speaker, I commend this great couple on their 70th year together and I wish them many more years of happiness. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

DR. JOHN THUSS

HON. MARK MEADOWS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. MEADOWS. Mr. Speaker, I rise today to recognize Dr. John Thuss of Caldwell County, North Carolina. On behalf of the people of Western North Carolina, I would like to thank Dr. Thuss for his dedication to the residents of Caldwell County and congratulate him on his retirement after so many years of service.

Over his 16 years of service as a Caldwell County Commissioner, Dr. Thuss presided over several critical projects vital to the economic, educational, and conservation interests of the people of Caldwell County. He was instrumental in the designation and preservation of Wilson Creek as a Wild and Scenic River and has demonstrated his commitment to expanding educational opportunities through his work establishing the Caldwell Early College High School and Caldwell Career Center Middle College. Dr. Thuss' concern for public education is further evidenced by his support for West Caldwell High School athletics and Communities in Schools, the nation's largest and most effective dropout prevention program. During his time on the Board of Directors of the Caldwell County Chamber of Commerce, Dr. Thuss has been a vocal supporter of local businesses and economic development throughout Caldwell County. He is a former member of the North Carolina Board of Health and a former member of the Human Resource Committee of the National Association of County Officials. After a year of service as an at-large member of the Board of Directors of the North Carolina Association of County Commissioners (NCACC), Dr. Thuss was honored as the NCACC's Outstanding Commissioner of the Year.

Dr. John Thuss is a model public servant whose work for his community has earned him respect and gratitude across Western North Carolina. I am proud to honor Dr. John Thuss for his long service to Caldwell County and sincerely express the gratitude and best wishes of the people of North Carolina as he enters retirement.

HONORING CANTEEN BREWHOUSE

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to honor Canteen Brewhouse on their achievement during the 2016 World Beer Cup awards.

The Brewers Association hosts the World Beer Cup every two years, a competition which features over 200 judges for over 90 categories of beer. Large and small breweries throughout the globe enter this prestigious event.

I am honored to know that Albuquerque, New Mexico's very own Canteen Brewhouse received the Silver in the Bohemian-Style Pilsner category, for their High Plains Pils, out of a total of 65 entries from around the world.

Canteen Brewhouse was founded in Albuquerque in 1994 as the Il Vincino Brewing Company. Over the past 20 years their beers have become staples in our state and have gone on to win over 140 local, national, and international awards. In 2014, Il Vincino Brewing Company updated its name to Canteen Brewhouse.

As a small locally owned manufacturing and service business Canteen Brewhouse represents the prosperity of a burgeoning local craft beer industry in New Mexico. Canteen Brewhouse is a testament to the contributions small businesses make to our country and communities and the idea that with hard work and dedication nothing is unattainable.

To this day lawyers, government officials, business leaders, political icons, artists and students continue to enjoy exquisite beers in Canteen Brewhouse's friendly atmosphere. Mr. Speaker, I would like to take this moment to recognize Canteen Brewhouse for their accomplishments in the 2016 World Beer Cup competition and commitment to our community at large. I am proud to know that we have a great business located in the First Congressional District of New Mexico.

HONORING NORMA HARRIS ON BEING ACCEPTED BY THE NATIONAL ACADEMY OF FUTURE PHYSICIANS AND MEDICAL SCIENTISTS AS A DELEGATE TO THE CONGRESS OF FUTURE MEDICAL LEADERS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. LONG. Mr. Speaker, I rise today to honor Neosho High School student Norma Harris on her being accepted as a delegate to the Congress of Future Medical Leaders by the National Academy of Future Physicians and Medical Scientists.

The Congress of Future Medical Leaders is an honors-only program that is designed to motivate and direct the top students in the United States. Specifically, it's designed for students aspiring to become physicians or

medical researchers, and provides a path and mentorship for students to accomplish their goals.

To be considered for acceptance as a delegate, applicants are either recommended by a teacher or member of the Academy based on a proven track record of academic excellence. Delegates represent all 50 states plus Puerto Rico, and must have a minimum 3.5 GPA. Students like Harris who qualify for this incredibly selective honor exemplify top-tier diligence and academic talent.

Mr. Speaker, as a perennial Honor Roll student at her high school, Norma Harris has displayed elite academic qualifications, which will undoubtedly serve her future aspirations well. I urge my colleagues to join me in congratulating her for this achievement. On behalf of Missouri's Seventh Congressional District, I wish Norma the best of luck in all her future endeavors.

IN HONOR OF LAVERNE JACKSON

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to congratulate Mrs. LaVerne Guice Chatmon Jackson of Columbus, Georgia on her 97th birthday on May 17, 2016. Mrs. Jackson has been an outstanding member of the community through her work as a nurse for 37 years and her service to numerous civic and charitable organizations.

LaVerne Guice was born in Birmingham, Alabama on May 17, 1919. She came from a large family of six children. Her father, Thomas Jefferson Guice, was a blacksmith for the Frisco railroad for many years and her mother, Minnie Waters Guice, was a teacher for over forty years.

In 1936, Mrs. Jackson graduated from Industrial High School (now A.H. Parker High School) in Birmingham, Alabama. She earned a degree from the Norwood School of Nursing, also located in Birmingham. Mrs. Jackson continued her education at the University of Chicago, the University of North Carolina at Chapel Hill, Miles College, and Tuskegee Institute (now University).

Mrs. Jackson's Christian faith has been important to her since a young age when she chose to become baptized at Sardis Baptist Church in Birmingham. When she married the late Warren Pete Chatmon, II, she became a member of Green Liberty Baptist Church, where she served on the Usher Board and in the Young Matrons, and sang in the choir.

Mrs. Jackson was able to touch many lives during her 37 years as a Public Health Nurse for the Jefferson County Department of Health in Birmingham. During those years, she worked in a variety of capacities, helping to heal people of all ages and from all walks of life. When she retired in 1984, she said, ''One could not have had a more rewarding career; to have the responsibility of promoting health and wellbeing is in itself rewarding for it has not only affected the present population but it will have an impact on future generations as well. You can be assured that I will continue to work in our community promoting health and wellbeing, for the nurse in me will never retire.''

In 1986, Mrs. Jackson, then a widow, decided to move to Columbus, Georgia to reunite with her childhood sweetheart, the late CW4 Lawton W. Jackson. Mrs. Jackson and her husband became active members of the First African Baptist Church in Columbus.

Mrs. Jackson quickly fell in love with her new city and volunteered much of her time to better the Columbus community. She served in the Metro Columbus Urban League, United Negro College Fund, American Heart Association, American Diabetes Association, March of Dimes, Lindsay Creek Association, Girl Scouts of America, Columbus Health Fair, and the Columbus Community Center. Mrs. Jackson also served the Fort Benning community as President, Vice President, and Chaplain of the Ladies Auxiliary of the Officer's Wives Club and the Chattahoochee Valley Chapter of the Retired Officers Association. Her giving spirit, concern for others, and contributions to the community led to Mrs. Jackson's induction into the Gracious Ladies of Georgia in 1995.

Mrs. Jackson is also a charter member of the Xi Chapter of Chi Eta Phi Sorority, Inc. An active member for more than fifty years, Mrs. Jackson has served as president of both the Birmingham and Columbus chapters. On the national level, she served as the Dean of Pledges and South East Regional Director.

Mrs. Jackson has lived a selfless and generous life, serving as a nurse and volunteer. She has been blessed with two children, Gwendolyn Chatmon Corrin and Warren Pete Chatmon, III; ten grandchildren; six great-grandchildren; and two great-great-grandchildren.

Mr. Speaker, I ask my colleagues to join me and my wife, Vivian, in extending our best wishes to LaVerne G. Jackson on her 97th birthday. As we celebrate another year of this outstanding citizen's life, we would do well to follow the example of her legacy of striving to improve the quality of life of others.

HONORING BOSQUE BREWING

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to honor Bosque Brewing on their achievement during the 2016 World Beer Cup awards.

The Brewers Association hosts the World Beer Cup every two years, a competition which features over 200 judges for over 90 categories of beer. Large and small breweries throughout the globe enter this prestigious event.

I am honored to know that Albuquerque, New Mexico's very own Bosque Brewing received the Bronze in the Australian or International-Style Pale Ale category, for their Riverwalker IPA, out of a total of 84 entries from around the world.

Bosque Brewing was founded in Albuquerque in October 2012. Since opening, they have expanded rapidly in New Mexico with an outstanding selection of beer. Although just four years old, Bosque Brewing's beers are already staples in restaurants and bars throughout our state.

As a small locally owned manufacturing and service business Bosque Brewing represents the prosperity of a burgeoning local craft beer industry in New Mexico. Not only is Bosque Brewery a thriving business in the heart of downtown Albuquerque, but they are an active and engaged partner in our local community. Each month Bosque Brewery designates an ''Adoption Brew'' and donates $1 from every sale to the ABBA fund, an organization that extends 0 percent interest loans to families aspiring to adopt domestically and internationally. Bosque Brewery is a testament to the contributions small businesses make to our country and communities and the idea that with hard work and dedication nothing is unattainable.

To this day lawyers, government officials, business leaders, political icons, artists and students continue to enjoy exquisite beers in Bosque's friendly atmosphere. Mr. Speaker, I would like to take this moment to recognize Bosque Brewery for their accomplishments in the 2016 World Beer Cup competition and commitment to our community at large. I am proud to know that we have a great business located in the First Congressional District of New Mexico.

TRIBUTE TO SHARON ANDERSON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Sharon Anderson of Adair, Iowa for being named the 2015 Adair Citizen of the Year.

Sharon was cited for her devotion to the community youth in Adair through her leadership in the children's Christmas programs. She is a dedicated volunteer with WACKO (We Are Christ's Kids on a Mission) organization, where they recently packaged meals for Outreach, Inc. Sharon also provides music at the Anita Nursing Home each week. The award ceremony was held at the Good Shepherd Lutheran Church in Adair where she was honored among family and friends.

Mr. Speaker, it is an honor to represent Sharon Anderson in the United States Congress. I invite my colleagues in the United States House of Representatives to join me in congratulating her on receiving this well-deserved award and wish her nothing but continued success.

COMMEMORATING 60TH ANNIVERSARY OF LANDMARK SUPREME COURT DECISION IN BROWN V. BOARD OF EDUCATION

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 17, 2016

Ms. JACKSON LEE. Mr. Speaker, I rise to commemorate the 62nd anniversary of the historic Supreme Court decision in Brown v. Board of Education, which overturned the doctrine of ''separate but equal'' that had been the law of the land since 1896 when the Supreme Court decided Plessy v. Ferguson.

In Brown v. Board of Education, the Supreme Court declared that separate public schools for black and white Americans were unconstitutional.

This unanimous decision sparked the movement toward desegregation of American institutions and paved the way for the civil rights movement.

On the anniversary of this landmark decision, it is appropriate that we pay tribute to our ancestors who endured and lived through those days of crisis and challenge so that we could enjoy the right to vote, the right to equal protection of the law, and to enjoy the blessings of liberties.

This historic case originated in Topeka, Kansas, and involved a black third-grader named Linda Brown, who had to walk one mile through a railroad switchyard to get to her black elementary school, even though a white elementary school was only seven blocks away.

Linda's father, Oliver Brown, tried to enroll her in the white elementary school, but the principal of the school refused.

Brown went to McKinley Burnett, the head of Topeka's branch of the National Association for the Advancement of Colored People (NAACP) and asked for help.

The NAACP persuaded other black parents to join in a complaint and in 1951 the NAACP sought an injunction that would forbid the segregation of Topeka's public schools.

The U.S. District Court for the District of Kansas heard Brown's case and refused to overrule the precedent of Plessy v. Ferguson which allowed separate but equal school systems for blacks and whites.

The case was taken to the Supreme Court on October 1, 1951 and set up one of the landmark cases in the history of the American justice system.

The argument of the great civil rights lawyer, Thurgood Marshall of the NAACP, and counsel for plaintiff Brown won the day.

On May 17, 1954, Chief Justice Earl Warren read the unanimous decision of the Supreme Court:

> We come then to the question presented: Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other ''tangible'' factors may be equal, deprive the children of the minority group of equal educational opportunities? We believe that it does. . . . We conclude that in the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal.

With those few words more than a century of racial discrimination and separation were dealt a great blow.

It is up to us to preserve the hard-won gains of those who led the fight and won the case of Brown v. Board of Education.

SENATE—*Wednesday, May 18, 2016*

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

PRAYER

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

Let us pray.

Eternal God, our hope and our salvation, we trust You to surround us with Your Divine favor. Your way is perfect. Give us the wisdom to follow Your guidance. Become for us a shield of salvation as we seek to do Your will. Lord, keep us from self-made cares as we continue to look to You, the Author and Finisher of our faith.

Today, support our lawmakers with Your grace. Give them faith to look beyond today's challenges and trials, knowing that nothing can separate them from Your love. Help them to demonstrate their gratitude to You with selfless service to those who need Your love and care.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

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

TRANSPORTATION AND VETERANS AFFAIRS APPROPRIATIONS BILLS

Mr. MCCONNELL. Mr. President, today we will continue working on two appropriations measures that responsibly fund American priorities. The first will invest in our transportation infrastructure and fund economic development efforts. The second will support our veterans, servicemembers, and their families.

These are good, bipartisan bills that prioritize funding for important programs. They are the result of the continuing leadership of Senators COLLINS and KIRK. I would encourage my colleagues to work together to continue moving these appropriations bills forward.

FILLING THE SUPREME COURT VACANCY

Mr. MCCONNELL. Now, on another matter, Mr. President, last week, the top Democrat on the Judiciary Committee said that some would like to do ''some sort of a pretend hearing'' on the President's Supreme Court nomination. He went on to dismiss the idea by noting that the Senate ''is not a pretend office.'' Apparently, he was overruled.

Later today, Democrats will have what he called a ''pretend hearing.'' Senate Democrats initially invited a witness who, at the beginning of the Bush administration, wrote this: ''The Senate should not act on any Supreme Court vacancies that might occur until after the next presidential election.'' He also wrote that this would be a ''responsible exercise of the Senate's constitutional power.'' Apparently, that witness is no longer available—interesting.

The would-be witness is Abner Mikva, a former Democratic Congressman, Federal judge, and White House Counsel. He wrote these words in the second year of President George W. Bush's first term. It was not, like the situation today, in the eighth year of a term-limited President.

Democrats certainly have a complicated history when it comes to their own words and the Supreme Court. They have the Schumer standard: Don't consider a President's nominee 1½ years before the end of his final term. They have the Biden rule: Don't consider a President's nominee before he has even finished his first term. Now they have the Mikva mandate: Don't consider a President's nominee from, basically, the moment he takes office.

It seems the more we hear from Democrats about the Supreme Court, the more we are reminded, by comparison, of how reasonable and commonsense the Republican position is today.

OBAMACARE

Mr. MCCONNELL. Now, on one final matter, Mr. President, that our colleagues will discuss further a little later today, a video recently surfaced that should concern all of us. It was three of President Obama's former speechwriters laughing it up. They were reminiscing about the time they apparently helped mislead the American people with a line that would one day become PolitiFact's ''Lie of the Year'': ''If you like your health care plan, you can keep it.''

They laughed and laughed. It was, evidently, pretty funny to them. It is no laughing matter, however, for the millions—millions—who have lost their plans. It is no laughing matter for the millions who continue to suffer under this partisan law, this partisan attack on the middle class.

Health care costs are now the No. 1 financial concern facing American families, according to a recent survey—No. 1—more than concerns about low wages, more even than concerns about losing a job.

Another survey found a clear majority of Americans disapproving of this partisan law. Yet another survey found that, of Americans who said Obamacare had impacted them, more reported it hurting rather than helping them.

If recent headlines are anything to go by, it is no wonder. Americans now face premium hikes of up to 30 percent in Oregon and 37 percent in Virginia. They face premium spikes as high as 43 percent in Iowa and 45 percent in New Hampshire. In Tennessee, the State's largest health insurer is planning additional rate hikes that are even higher than the 36.3 percent implemented just this past January.

Remember, this is the same law whose champions promised it would make health care more affordable for American families. But nearly half of all Americans reported increases in their insurance premiums, and more than a third reported increases in copays and deductibles in the past 2 years.

Consider this dad from Jackson, KY, who learned that his insurer would no longer offer his current plan as a result of ObamaCare. He said that the most inexpensive replacement plan would be an 80-percent increase over his current monthly premium. ''This ill-conceived health care reform,'' as he put it, ''is going to be the end of good-quality care for the whole nation unless it is repealed and replaced.'' That is from Jackson, KY.

Part of the reason insurers are seeking such dramatic premium rate increases is to help cover the losses they have experienced as a result of the unworkable policies of ObamaCare. Some are pulling out of the exchanges altogether. Several States and hundreds of counties now only have a single insurer to pick from in the ObamaCare exchanges—just one, no choices.

That is true in parts of Kentucky, too, and it is terrible for consumers. What if these sole insurers pull out of the exchanges? An administration official couldn't rule out that possibility, and it doesn't appear they have a serious plan to deal with it either. The administration hardly ever seems to have an ObamaCare answer that doesn't boil down to this: more money from taxpayers.

Look, this is not a law that is working. This is not a law that is fair. This is a partisan law that is a direct attack—a direct attack—on the middle class.

The Democratic leader recently said that Americans just need to ''get over it''—just get over it—''and accept the fact that ObamaCare is here to stay.'' ObamaCare, he says, is ''doing so much to change America forever.'' Maybe Democrats think the middle class should just get over double-digit premium increases. Maybe Democrats think it is funny that millions of Americans lost their plans because of ObamaCare.

Republicans think we should work toward better care instead. That is why we recently passed a bill to repeal ObamaCare and start over with real care. ObamaCare may be changing America, but this partisan law's attacks on the middle class do not have to go on forever, as the Democratic leader would like. We can give our country a new and better beginning.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

OBAMACARE

Mr. REID. Mr. President, my friend, the Republican leader, continues to complain about ObamaCare. This has been the mantra of the Republicans since it passed. But the true facts are these: ObamaCare has reduced the number of uninsured to the lowest rate since we have been keeping records in America. The uninsured are going down, not up. People are healthier now as a result of being able to go to the doctor or the hospital when they are hurt or sick.

Now, we talk about ObamaCare in a vacuum. What was going on before Obamacare? Insurance companies ravaged the American people. The people who were fortunate enough to have health care had to be aware that at any given time they could have their insurance canceled. If you were disabled, there was no insurance. But that isn't all. If you had a prior malady of some kind—if you had cancer, if you had diabetes—you couldn't get insurance—but not anymore. Under ObamaCare you cannot be denied insurance for any condition.

They used to charge women more than men—for no reason, except that some statistical analysis had taken place in some dark room by a guy with green eyeshades who determined that maybe, statistically, women cost a little more than men. They can't do that anymore.

I am always so stunned by this mantra: ''We have to replace it.'' With what? It has been 7 years. With what? The Republicans have come up with nothing.

So, in short, is ObamaCare perfect? Of course not. Could we improve it? Yes, we could. But it would be nice to have a little cooperation from the Republicans. They are unwilling to do anything other than complain.

FILLING THE SUPREME COURT VACANCY

Mr. REID. Mr. President, again the senior Senator from Kentucky complains about the fact that the most senior member of the Senate, the ranking member of the Judiciary Committee, Senator PAT LEAHY, is going to have a meeting today, and he has invited all the Judiciary Committee members to come—Democrats and Republicans. He has invited all Senators to come because he is going to have some witnesses testify about the importance of having a Supreme Court that is full of Justices—all nine. So that means full.

Republicans won't come to that hearing, meeting. Call it whatever you want. They won't be there. No, they are blocking that, obstructing that like they have everything else.

The American judiciary is in trouble, and that is why the ranking member of the Judiciary Committee is having this meeting today. To do its work, the U.S. Supreme Court needs nine Justices—not eight, not seven, but nine. But because of Senate Republicans' refusal to consider a senior judge on the DC Circuit—the second most influential court in the land—Merrick Garland, the Court is in trouble. The Court is short-staffed. The Court doesn't have enough people to do its work. People—we are talking about one person who has so much control over what goes on in the Supreme Court. But that person is not there.

In recent weeks, the Supreme Court has deadlocked on many important cases and questions before it. For example, the day before yesterday, the Justices punted on two more cases, remanding both to lower courts. These actions were a clear indication the Court was tied 4 to 4. Due to the wisdom of the people on that Court, they decided it would be better, since they could not write the decision, to send it back to the lower courts and see if they could help work out the problems.

Not having nine Justices is a serious problem. As was written yesterday in a New York Times editorial: ''Every day that passes without a ninth Justice undermines the Supreme Court's ability to function, and leaves millions of Americans waiting for justice or clarity as major legal questions are unresolved.''

Litigants take their cases to the Supreme Court in search of justice. It often takes years to get to that Court. They seek resolution. They seek clarity, but because of Republicans' unprecedented obstruction, Americans have gained neither. They are not getting clarity, they are not getting resolution, and they are not getting justice. The problem is only going to worsen, and that is the sad part of it. Already, the stalemate has created long-term issues for our Nation's highest Court.

This term, eight Justices on the Court have agreed to hear only 12 cases its next term, which begins in October through January 2017. If the Court continues to accept or, I should say, not accept cases at this glacial pace, the next term will have Justices hearing fewer cases than has been heard by that Court in more than seven decades, 70 years. It stands to reason that Chief Justice Roberts and his colleagues are calling cases according to their ability to hear and process them. A gridlocked Court can't accomplish the same work as a fully staffed Court. It is not the Supreme Court's fault. The blame belongs to Senate Republicans for their blocking Merrick Garland's nomination. For 7½ years, Senate Republicans have blocked anything President Obama has proposed. Who is behind this? Rightwing organizations led by the Koch brothers. They want to keep it just the way it is. They want to keep this Court so it can't do its job.

For 7½ years, Senate Republicans have blocked anything President Obama has proposed, including now a new Supreme Court Justice. Now, by preventing the Court from having nine Justices, Republicans are bringing gridlock in the legislative branch to the judicial branch. Previously, for the whole time Obama has been President, they were blocking what has gone on in the legislative branch. They have now broadened that to deadlock the Supreme Court. This is not acceptable. Justice delayed, we have heard, is justice denied, and that is certainly true. By bringing the Court to a standstill, Republicans are denying the justice all Americans deserve.

There is still time for my Republican colleagues to do the right thing—fill the Supreme Court vacancy—but to do that they must begin to process Garland's nomination. His questionnaire is here. It is filled out. It is done. I wonder how many Republicans have even looked at it. Has there been any? Shouldn't there be a hearing? The reason Republicans don't want a hearing is they know that a hearing, public in nature, would show the American people and the world what a good man Merrick Garland is, what a good lawyer he was, and what a good judge he has been, but they have to start processing this. Republicans seem to be refusing anything dealing with him. I think they should attend the meeting today on the Garland nomination organized by Judiciary Committee Democrats, calling on the finest people we can find

to tell us what is going on in the judiciary.

My friend the Republican leader brings up Abner Mikva. Abner Mikva hasn't served in Congress in 40 years. He was a lawyer for President Clinton. We have been through quite a bit since then, but he has nothing else to refer to so he talks about Abner Mikva, who was going to come, who is not going to come. Do you think part of it can be he is more than 90 years old? Republicans should attend today's hearing.

The Judiciary chair, Senator GRASSLEY, should proceed with committee hearings. The American people deserve a full and transparent accounting of Merrick Garland's record and qualifications. After a hearing, of course we should move his nomination for a vote on the Senate floor. Every day that passes without confirmation, without a ninth Justice to serve on the Supreme Court, is another lost day for the Federal judiciary and American justice. Republicans claim their obstruction of President Obama's Supreme Court nominee is to give the people a voice, but their actions are doing just the opposite. Republicans are denying the American people the justice they deserve.

For example, take the cases they referred back to the lower courts. They have already done it and litigants have waited years to get before the Supreme Court. Now, in effect, they have to start over. Republicans are denying the American people the justice they deserve—the justice we thought was guaranteed by the Constitution. So instead of silencing the Supreme Court and gridlocking our entire judicial system, Republicans should give the Court the ninth Justice it desperately needs.

Focus has been on the Supreme Court, and it should be, but Republicans are doing the same thing with trial court judges. The Federal judiciary has many districts that have declared judicial emergencies. They don't have enough judges to do their work. Republicans are in a state of—the only thing they know to do very well is to block things. We, the American people, know we need to do something about the judiciary. Republicans should do their job and give Merrick Garland a hearing and a vote.

Mr. President, my friend from South Dakota is here. I would ask the Chair, prior to the Senator being recognized, to tell us what the schedule is for today.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein, with the majority controlling the first half and the Democrats controlling the second half.

The Senator from South Dakota.

ZIKA VIRUS

Mr. THUNE. Mr. President, I would like to take a moment to discuss Congress's efforts to combat the Zika virus. Combating Zika is a public health priority, and it is important that this not be turned into a political issue. The administration and Congress need to work together to combat the virus by funding necessary programs, such as mosquito eradication efforts, before the threat escalates further. Congress has already acted to provide incentives for manufacturers to develop new medicines to prevent or to treat Zika. We have also approved the use of nearly $600 million to initiate a Zika response effort, including research into vaccines and treatments and improving mosquito control, because the best way to deal with any illness is to stop people from getting sick in the first place. We need to make controlling mosquitos a priority.

I introduced a measure to remove burdensome permitting restrictions on mosquito control efforts so we can immediately free up additional resources to keep the mosquito population in check. A vaccine to prevent the Zika virus isn't likely to be available until next year, at the earliest, which means our primary weapon in combating Zika right now is controlling mosquitoes so people don't get infected. For that reason, we need to prioritize mosquito control programs and provide immediate regulatory relief.

Aggressive mosquito abatement is the most timely step we can take to keep women and children safe. I am pleased my approach was included in the Cornyn amendment the Senate considered yesterday. I only wish it had prevailed. I am hopeful we can still work with both sides of the aisle to get timely regulatory relief for all impacted industries in the final Zika response package. I believe it is important that if we are going to beat this thing, we do it by eradicating mosquitoes and making it possible for those who are responsible and tasked with that responsibility to be able to do that.

OBAMACARE

Mr. THUNE. Mr. President, back when the President and Senate Democrats were lobbying for passage of ObamaCare, they made a number of promises. The one thing they promised over and over again was that the President's health care plan would lower costs.

''Bringing down costs of health insurance and making it more affordable is job one for this health care reform.'' That is a quote that was made by the then-Democratic majority whip on the floor in December of 2009. Families will save on their premiums, President Obama pledged that same month. The Affordable Care Act, Democrats made clear, was the solution to the health insurance challenges facing American families. Well, 6 years down the road it is clear the Affordable Care Act was no solution at all.

The President promised that health care reform would reduce premiums by $2,500 for the average family. Instead, the average family premium for employer-sponsored health insurance rose by $4,170 between 2009 and 2015. Forty-five percent of Americans report that their health insurance premium has increased over the past 2 years, and 35 percent report that their copays and deductibles have increased over the same period. The President promised that Americans who liked their insurance plan could keep it. Instead, the President's health care law pushed more than 4.7 million Americans off their health care plans.

Then there is the centerpiece of the President's health care law, the exchanges. The exchanges were supposed to offer accessible, affordable health care to those who had struggled to get insurance, but a lot of Americans are finding out the health care offered on the exchanges is neither affordable nor accessible. Last year countless consumers around the country faced massive rate hikes on their exchange plans. One constituent wrote to tell me that her plan would cost $1,600 a month for her, her husband, and their four children—$1,600 a month. That is more than $19,000 a year. A new car would be cheaper, and all signs point to consumers being set to face yet huge rate hikes again this year.

Investor's Business Daily recently reported that Oregon's largest insurer in the individual market is seeking an average rate increase of 29.6 percent for its exchange and nonexchange plans for 2017. Meanwhile, over the weekend the Chattanooga Times Free Press reported that Blue Cross exchange customers in Tennessee will face a ''major rate increase'' that may exceed the 36.3-percent rate increase exchange customers faced this January. The Associated Press recently reported that insurers are seeking rate hikes ranging from 9.4 percent to 37.1 percent on the exchanges in Virginia—a 37.1-percent increase.

Think about that. Let's say you have a family health insurance plan that costs $10,000 a year. A 37.1-percent increase would add more than $3,700 to the cost of your plan—$3,700—for just 1 year. That is a significant amount of money, and you could easily end up facing a similar rate hike the following year.

I could go on and on about ObamaCare. I could read from a steady

stream of news stories reporting on ObamaCare's many failures, from huge cost increases to bankrupt co-ops, to decreased access to doctors and hospitals. I could talk about the ways ObamaCare has hiked prescription drug costs or the challenges facing businesses, thanks to the Affordable Care Act's taxes and mandates. I could read stories from my constituents—constituents who have had to wrestle with the inefficient ObamaCare bureaucracy, constituents who lost their health plans as a result of ObamaCare, constituents who can't afford their ObamaCare insurance, but since I don't want to use up all my colleagues' time on the floor as well as my own, I will just say this: Three weeks ago, on April 27, Gallup published the results of a poll on the financial challenges facing American families. The headline of the article was this: ''Healthcare Costs Top U.S. Families' Financial Concerns.'' Let me repeat that. ''Healthcare Costs Top U.S. Families' Financial Concerns.''

If 6 years on from the passage of the Affordable Care Act health care costs top the list of American families' financial concerns, then the Affordable Care Act has failed, and it is time to repeal it. The Republican-led Senate has already passed legislation to repeal ObamaCare, but we need a President willing to work with us or significant support from Democrats in Congress if we want a repeal to become law. I hope we will see that kind of support in the near future.

The Affordable Care Act has been a disaster from the beginning, and it is time to lift the burdens the law has placed on Americans and replace this law with health care reform that will actually drive down costs for American families and consumers and increase access to care. That is what we should—and I hope we will—be focused on.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I come to the floor today to speak, as Senator THUNE has just spoken, about the disastrous health care results for patients of ObamaCare. You have to go no further than this Sunday's New York Times, the Sunday Review front page. It looks like a red cross tilted on its side with the headline ''Sorry, We Don't Take ObamaCare.''

The minority leader, HARRY REID, comes to the floor and talks about how wonderful it is. The President says: ''Forcefully defend and be proud.'' Of what? Of ''Sorry, we don't take ObamaCare''?

This is the New York Times, a newspaper whose editorial board has supported this health care law. They talk about the pains of the health care act frustrating patients.

It says:

Amy Moses and her circle of self-employed small-business owners were supporters of President Obama and the Affordable Care Act. They bought policies on the newly created New York State exchange.

We have two Democratic Senators from New York. Where are they to respond to what has happened to the people of their home State as a result of this law?

They bought insurance policies on the New York State exchange. What happened? Well, when they called doctors and hospitals in Manhattan to schedule an appointment, they were dismayed to be turned away—not once, it says, but again and again. It says ''We don't take ObamaCare'' is the umbrella term for the hundreds of plans offered through the President's signature health legislation.

This is the New York Times, about New York. It is a big city, a place where there should be plenty of doctors, plenty of opportunity.

Ms. Moses said:

Anyone who is on these plans knows it's a two-tiered system.

Is that what the President promised the American people—a two-tiered system? She is a successful entrepreneur in a two-tiered system. We are talking about a number of women in New York who are entrepreneurs and are very successful.

Anytime one of us needs a doctor, we send out an alert.

Is that what we are supposed to have? Anytime anybody needs a doctor, send out an alert? If you have a sore throat, send out an alert. That is what they need to do.

The alert they send out among this whole group in New York says: ''Does anyone have anyone on an exchange plan that does mammography or colonoscopy [who takes our insurance]?''

She said, ''It's really a problem.''

I could go on. This is what the President of the United States and the Democrats in this body, who shoved this bill down the throats of the American people, have found that they have created—a plan one in four Americans says has hurt them personally.

That is just one story in the news in one major newspaper, but it says a lot about the health care law in general.

We just heard from Senator THUNE. We know this health care law is a lot more expensive than the President ever promised. People all around the country remember the President saying that it will drive down health care premiums by $2,500 per family if it becomes law. Remember that? People all across the country remember it. It just hasn't happened. Costs have gone up, copays have gone up, and deductibles have gone up. People have lost their plans, lost their ability to see their doctor, can't go to the hospital they want, and can't get the care they need.

Insurance companies are cutting back on which doctors people can see, and they are cutting back on what drugs people can take. This health care law has made health care worse across the United States of America. We know that some insurance companies are dropping States entirely in terms of a place to do business, so millions of Americans are going to lose their insurance plan again next year.

Do you remember what the President said? ''If you like your plan, you can keep your plan.'' Well, not next year, not last year, not the year before that. Even the Kaiser Family Foundation, which studies these issues, says that there are more than 650 counties in which families will have only one choice for insurance next year.

I pulled up an article from the New York Times. That is not the only place there has been a similar article. This is Monday's paper, May 16, Wall Street Journal: ''Health insurers quit rural exchanges.'' They are abandoning rural areas all across the country—in my home State of Wyoming, but it is also happening everywhere. It is entire States—Alaska, Alabama, Wyoming. There is only one choice where people can buy ObamaCare insurance next year.

If you only have one choice, often you are put in a situation where you can take it or leave it. Not under Barack Obama. Oh, no. You must buy it. You have no choice, other than to pay an expensive penalty. That is what health care looks like now under HARRY REID and the Democrats and Barack Obama and the Senators on the Democratic side of the aisle who voted for this monstrosity. Take it or leave it. But you can't leave it because you must buy it.

What happens when there is no competition? What happens when the health care law adds thousands of pages of expensive mandates and costs continue to go up? Premiums have gone through the roof. These are the requested premium hikes for ObamaCare plans for next year: We have seen 33 percent requested in Virginia; Oregon, 32 percent; Iowa, 43 percent; New Hampshire, 45 percent for some families. People are finding out that their insurance premiums are now higher than their mortgage payment.

What do the Democrats say about all of this? Someone brought this up to Hillary Clinton at a campaign event in Virginia last week. A woman who owns a small business said: ''I have seen our health insurance for my own family go up $500 a month in just the last two years. We went from 400-something to 900-something [a month].''

What did Hillary Clinton have to say about this? What was her response? She said: ''What could possibly have raised your costs . . . that's what I don't understand.''

Is she serious? It is ObamaCare that raised her costs. Where has Hillary Clinton been the last 6 years that she

doesn't understand it? This was in Virginia. This small business owner—the woman who went to the townhall meeting and asked Hillary Clinton a question—may see her rates go up another 33 percent next year.

It is not just Hillary Clinton who is clueless. HARRY REID, the Democratic leader in the Senate, came to the floor last month and told the world that ObamaCare is ''working.'' Does HARRY REID not understand that millions of American are paying more for their health insurance and their health care than they did before ObamaCare? Many people are paying for insurance, but they can't get care, as we see from the New York Times story. Does Senator REID not understand that people are paying more for coverage and getting less care in return?

Does every Senator on the Democratic side of the aisle who voted for ObamaCare not understand how this outrageous law is hurting America and Americans and the people of this great country?

There was a new poll that came out last month that found that only 44 percent of Americans approve of the health care law but 54 percent disapprove of the law. I remember Senator SCHUMER of New York saying: After we pass it, it will get more popular. Still, 54 percent disapprove. That is the highest disapproval number in the last 2 years. In this poll, almost one in three Americans said that the health care law has had a negative effect on their family—their personal family; not that they know somebody but in their own family. Hillary Clinton doesn't seem to understand that. She said that she wants to expand ObamaCare. She wants more regulations, more restrictions, more of the terrible ideas that have driven up costs for American families.

There was another piece of news last week that shows one more way the health care law is failing. It turns out that the Obama administration has been making illegal payments—payments found by a judge to be illegal—to big insurance companies to help prop up this health care law. That is what the Federal court ruled last Thursday.

In 2014 the administration asked Congress to appropriate money to pay insurance companies above and beyond the subsidies they already get that the government pays for insurance premiums. It is called a cost-sharing subsidy. Congress—power of the purse—refused to appropriate the money.

Do you know what the administration did? The administration panicked. It knew that without more Washington spending, people would pay even more out of pocket for their health care costs, and that would make ObamaCare even more unpopular than it is today. In the panic, because they knew that if that happened, people would realize how expensive the law really is and the disaster it is turning into, and people would see that all the President's promises about reducing costs were nothing but fairy tales, the panicked Obama administration went ahead and handed over the money anyway without the authority of Congress. The total was about $7 billion over the last 2 years. That is how much additional taxpayer money the administration has given away so far to hide the fact that the health care law is an expensive failure.

The American people have had enough of this costly and collapsing health care law. They have had enough of losing their insurance, losing their doctors, losing access to the prescription drugs they need, and paying 20 or 30 percent more every year to get less coverage.

The Democrats can come to the floor and pretend that ObamaCare is working. The Democrats, like Hillary Clinton, don't understand what is going on. The American people know exactly what is going on. They want us to repeal ObamaCare and replace it with health care that actually works, that has fewer restrictions, more freedom—freedom for people to get the coverage that works for them and their families, not what President Obama says they have to have because he believes he knows what they need better than they do.

We need fewer mandates that drive up the cost for everyone and more options for patients to see the doctors they want and to get the medicine they need. That is what the American people want, and it is time for Democrats to show that they are listening to the people of America and that they understand, because up to this point, they have not been listening and they do not understand.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. GARDNER. Mr. President, I thank the Senator from Wyoming for his words. Obviously he is an expert on health care. He is somebody who spent his entire life treating patients and working to improve the health care of others in Wyoming and beyond. His expertise on this issue is particularly important as we debate the real-life ramifications of ObamaCare, the Affordable Care Act—the so-called Affordable Care Act.

I come to the floor today to talk about the broken promise of ObamaCare and the negative impacts this poorly planned law has had on my State of Colorado. In essence, what ObamaCare did was create a pay-to-play scheme—mandates and dictates of a law where you will pay higher premiums to abide by the law.

As ObamaCare continues on a downward trajectory, Americans are the ones who are bearing the brunt of its failures, particularly those who are living in rural America, in rural Colorado.

Month after month, headline after headline, Americans are no longer surprised when they hear of another ObamaCare disaster as they continue to foot the ever-increasing bill. There are fewer choices, less competition, and higher costs.

''If you like your health care plan, you can keep it.'' Do you remember those famous words? The President assured Americans time and time again not to worry. ''If you like your health care plan, you can keep it.'' He said it countless times. It was echoed by almost every Member in this body who supported ObamaCare.

Coloradans and millions of Americans around the country learned that this promise was far from the truth. In late 2013, roughly 335,000 small-group and individual policies in Colorado were canceled due to the requirements of ObamaCare, 335,000 Coloradans who witnessed through a letter in their mailbox—including a letter I received in my mailbox canceling my insurance because of ObamaCare. Those 335,000 people realized that ''if you like your plan, you can keep your plan'' was simply not true.

The cancelations in 2013 were just the very beginning. In 2014, a couple months later, the Colorado Division of Insurance canceled another 249,000 plans because these plans didn't meet the requirements of ObamaCare. When we talk about these plans being canceled because they didn't meet the requirements of ObamaCare, some people on the left, those who supported ObamaCare, would argue they must have been bad plans, bad insurance, or bad policies. But that presumes that the government knows what is best for everyone involved, that the government has a better idea of what their insurance ought to be, and that the government should take care of and think for people who chose these plans themselves individually. But 249,000 people, on top of the 335,000 people in January of 2014, had their insurance canceled.

Again, in 2015 the story continued with an additional 190,000 plans on the individual and small group markets being canceled. In total, according to the Congressional Research Service, over 750,000 health insurance plans in Colorado were canceled between 2013 and 2015. Three-quarters of a million people who were promised that ''if you like your health insurance plan, you can keep your plan'' had their plans canceled under the broken promise of ObamaCare. That is still not the end of it for Coloradans because Coloradans are still receiving cancellation notices. Within the last 2 months, two of the Nation's largest insurers, UnitedHealthcare and Humana, announced their intent to exit the individual marketplace. UnitedHealth Group's CEO cited that the marketplaces were a risky investment and

that UnitedHealth could not serve these exchanges on an ''effective and sustained basis.'' This decision will impact roughly 20,000 more Coloradans, and beneficiaries of these plans can expect cancellation notices in July.

The disappointment and frustration over a canceled plan that your family once enjoyed is made worse by the rising costs of the remaining plans, and that is what many Americans are faced with today. After losing 750,000 of them in Colorado—losing the health insurance plans they were promised they could keep—they looked at the second promise made under ObamaCare—that this will lower the cost of health care. Now they are met with the second broken promise—the broken promise of cost. They were told they would see reduced costs with ObamaCare. Yet the Colorado Division of Insurance found that individual insurance premiums for 2016 on the Western Slope of Colorado rose by an average of 25.8 percent. The Western Slope of Colorado had a nearly 26-percent rate increase. When people think of Colorado, that is often the part of Colorado they think of most. Denver is on the Front Range. The mountains have the ski communities. The rural communities have farming and agriculture. The mining communities and the oil and gas industries are on the Western Slope. These rural areas watched their health insurance premiums increase by 26 percent—premiums that were promised would be going down.

A woman who lives on the Western Slope was recently interviewed by the Denver Post. She said she saw her premium cost alone rise from $300 per month to $1,828 per month, or nearly $22,000 a year in increased costs. She says:

> It's actually like another mortgage payment. I have friends who are uninsured right now because they can't afford it. Insurance is hard up here.

The Western Slope of Colorado had two promises broken—the promise that if you liked your health care, you could keep it and that this would lower the cost of your health care. They had an increase of nearly 26 percent. If you live on the Western Slope of Colorado, you saw your increase go from a premium of $300 a month to over $1,800 per month—a $22,000 a year increase. This is incredible.

In 2014, a study found that nearly 150,000 Coloradans saw their insurance become 77 percent more expensive. Where is the promise of ObamaCare? Where are the people who supported the Affordable Care Act today defending this law, defending the promise, or explaining how these promises weren't broken? They are not here because they can't explain it. They know the promise was broken. They know that 750,000 people had their promises broken. In Colorado alone, there are people facing 26-percent and 77-percent increases. As we approach the new rates for 2017, it appears there will be no limit to the additional costs that Coloradans will have to bear as a result of this poorly conceived partisan law.

Marilyn Tavenner, president and CEO of America's Health Insurance Plans, or AHIP, served as a key Obama administration health official as Administrator of CMS. She has testified multiple times before committees of the House and Senate and has made warnings that the Affordable Care Act premium increases are coming. She predicted that the increases for open enrollment in 2017 will be higher than ever before. This is coming from a former administration official who helped run ObamaCare and was in the room during the discussions and the crafting of policies of ObamaCare.

In Colorado, insurers submitted their initial premium bids last Friday, May 13. We will soon know the rates that have been approved by the Colorado Department of Insurance in late September or early October, but it looks like Coloradans are in for yet another rude awakening. The people in Colorado have already had their health insurance plans canceled, and more are losing their policies in July of this year and trying to figure out how to make ends meet. If they are in a situation like the one I spoke of before—the example I used before—this person is going to have to figure out over the next year how they are going to basically create a $22,000 a year payment they didn't face before.

I was speaking to an executive with an insurance company who said they believe the rates they will be submitting for increases this year to their department of insurance commissioner will be between 60 and 70 percent. That is a 60- and 70-percent insurance rate increase under ObamaCare for the 2017 cycle. Premiums are expected to rise and many parts of the country are going to experience double-digit rate hikes. Plans are getting canceled, plans are getting more expensive, yet the ObamaCare mandates continue.

I believe what we need in this country is greater competition and greater choice. That is what President Obama promised in the marketplace, but data shows that because of unbearable bureaucratic hurdles, competition has actually decreased.

On Sunday, the Wall Street Journal published an article titled ''Insurance Options Dwindle in Some Rural Regions.'' I live in a very rural part of Colorado, on the Eastern Plains, as opposed to the Western Slope, which we spoke of before. I live in a town of about 3,000 people. The nearest big town is 60 miles away, and that town has 9,000 people. The article in the Wall Street Journal explains how rural areas have experienced the greatest decline in competition and how many rural counties will only have one insurance plan to choose from. I think most people understand that rural areas aren't exactly the wealthiest areas in the Nation. There are pockets of wealth, absolutely, as there are in most places, but by and large our rural communities represent some of the poorest and least economically driven counties in the country.

A Kaiser Family Foundation study found that over 650 counties across this country will have only 1 insurer on the exchanges to choose from during the open enrollment in 2017. This is a number which is up by 225 counties from 2016. Let me say that again. There are 650 counties across this country that will only have 1 choice when it comes to open enrollment. They will only have one plan to choose from under ObamaCare. This is the plan for competition that the Affordable Care Act was supposed to address. But instead of adding more insurers to the marketplace, it actually resulted in fewer insurers in the marketplace. We will see 225 additional counties down to 1 choice in 2017. These 650 counties are 70 percent rural, and these rural areas are fearful that the dwindling competition will create a monopoly and costs will continue to rise.

The President also insisted that the competition would increase through consumer-run co-ops. Over 80,000 Coloradans felt the impact of this broken promise when Colorado HealthOP was declared to be insolvent by the Colorado insurance commissioner and expeditiously liquidated.

To date, 12 of the 23 co-ops created by ObamaCare have been shut down. That is an additional 80,000 people in Colorado who had their insurance policies canceled because ObamaCare created a system that allowed insurance co-ops and companies to bank on a bailout. They were able to bank on a bailout and use that to create some aura of economic feasibility on their balance sheets. When the government couldn't provide any bailouts—because the government shouldn't be in the business of bailouts—the ObamaCare promises were shown for what they truly were—poor policy. Collectively the failed co-ops were loaned over $1 billion in taxpayer money to help get them off the ground. Now, with these failures, the taxpayers will never get their money paid back and tens of thousands of people lost their insurance.

Today, this Congress has shown a path forward. With each passing disaster of ObamaCare, it continues to become clearer how much of a failure this law is. Americans continue to demand real health care reform that will increase competition, reduce costs, and expand access to lifesaving care that improves the quality of their lives and, most importantly, will provide predictability and sustainability in the marketplace.

This crisis demands real leadership, and I continue to remain committed to

working with my colleagues on free-market solutions that will bring about real change that will actually uphold the promises that were made.

In Colorado, I heard from countless individuals who have been displaced from their plans, and it is time for Congress to stand up as well.

The Denver Post article that I referred to about the broken health care system in Colorado's Western Slope begins with a statement from Terri Newland of Glenwood Springs, CO. This is the headline: ''Colorado mountain residents struggle to pay for health insurance.'' The story starts like this: ''The new era of affordable health care bypassed Terri Newland.''

Millions of Americans have seen the Affordable Care Act's era of affordable health care bypass them, and this body's responsibility for that law can only be made up by repealing the law and putting in its place a bill that actually increases the quality of care and decreases the cost of care.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

UNITED STATES-CUBA RELATIONS

Mr. LEAHY. Mr. President, since December of 2014, when the United States and Cuba ended 54 years of diplomatic isolation that had accomplished nothing good for the people of Cuba or the United States, there has been an explosion of engagement between our two countries. The number of U.S. citizens traveling to Cuba has skyrocketed. Talks between both governments resulted in agreements to resume direct airline, ocean ferry, and mail service. There is expanded cooperation in a wide range of bilateral and regional issues. These are encouraging steps, but there is a long road ahead.

For more than half a century, whatever problems there were in Cuba the Cuban Government could blame on the United States because of our embargo. Some Members of the House and Senate have expressed disappointment, and criticized President Obama's opening to Cuba because the restoration of diplomatic relations has not quickly brought about dramatic changes in Cuba's repressive political system and did not reverse 54 years of history in 54 days.

Well, these Members of Congress are either naive or simply prefer to ignore the positive changes that are occurring and choose to ignore or dismiss the views of the overwhelming majority of Cubans and Americans who support the restoration of relations. They continue to defend a discredited policy of isolation that through all those decades, and Republican and Democratic administrations, failed to achieve any of its objectives.

As President Obama said, if you try something for 50 years and it doesn't work, it is time to try something else. In the past 15 months, although the naysayers will not publicly admit it, the Cuban people have a sense of hope about the future that has not existed since the time of the 1959 revolution. I know. I have seen and heard it on my trips there.

It is also important to recognize that the majority of Cubans alive today were born after the revolution. And just as Cuba's population has changed, so the world has changed.

Overwhelmingly, Cuba's younger generation has experienced enough of a paternalistic, Communist dictatorship and economic stagnation to know that is not what they want. It is no surprise that their reaction to President Obama's extraordinary speech in Havana was warmly and enthusiastically received by them, while several top Cuban officials, sensing the inspiring impact of the President's words, felt compelled to criticize our President. I was there for that visit. I saw the reaction of the Cuban people.

The raising of the American flag in Havana last August symbolized the beginning of a new era in U.S.-Cuban relations, but change was happening in Cuba well before then, and it is going to continue at its own pace. Ultimately, the Cuban people—not the United States—will determine that pace and what a post-Castro Cuba will look like.

My wife Marcelle and I stood there at our Embassy as the flag went up, and we heard the cheers of the Cuban people standing just outside the gates of the Embassy.

We can contribute to the process of change in positive ways. One way is through student exchanges. Last month, Vermont students from Burlington, Essex, Shelburne, and Bristol traveled to Cuba to participate in a week of Little League baseball games and cultural exchange. Marcelle and I went to Burlington to see them off. I cannot begin to describe thrill in their faces, the excitement they felt. We gave them an American flag to take with them. The Vermonters didn't speak much Spanish, and the Cubans spoke almost no English, but it didn't really matter. They had translators, and the game of baseball is a language across cultures.

Here is a picture of the Vermonters with the Cuban ball players holding the American flag that we gave them, the Cuban flag, and a Vermont flag. This was taken in Cuba. I love to take photographs. I wish I had been there to take that one. We know a picture is worth a thousand words. They show how just a few days of competing on a baseball diamond can help bridge a half-century divide between two countries and cultures. Anybody who has children—or grandchildren—who play baseball or Little League ball recognizes these smiles. We know what it means. They don't speak the same language, but they speak one language, which is the game of baseball.

The Vermonters voiced high praise for the Cuban players who won all the games, except the all-star game at the end when they shared players and were evenly matched.

But winning isn't everything. As the Vermont players recounted after returning home, it was not only a fun week of baseball, but one of the most rewarding parts of the trip was the time spent after the game getting to know the Cuban players, getting to know their families, and learning about life in Cuba.

This is actually the second baseball exchange involving Vermont and Cuban Little Leaguers, the first being in 2008 when a group from Vermont and New Hampshire played a series of games on the outskirts of Havana. One of those players said the team went to Cuba just to have fun: ''We are not here to win. If they hear about us, maybe other teams will want to do this or maybe even get a Cuban team to the United States to play.''

Lisa Brighenti in my office took this photograph. I think it says it all. You can't see their faces, but we know one is Cuban and one is American. These are kids playing a Little League game. And think of what this picture says to all of us.

Children don't care about the politics. They don't even care about the differences in language. They just care about the things that unite them.

I remember speaking with President Obama shortly after he became President and saying we had to change our policy toward Cuba. I told him there would be a memo saying he should hold tight, the Castros will be gone any day. I pointed out that same memo was sent to President Eisenhower and President Kennedy and President Johnson and President Nixon, and he said: I get your point.

Nothing changed during more than half a century when we tried to isolate Cuba. Now I think change will come.

Our governments remain far apart on key issues. A few Members of Congress continue to stubbornly obstruct efforts to end the embargo, but as every poll has shown in this country the American people—like these young Vermont athletes—are showing us a way forward by breaking down barriers on their own.

I am so proud of these young Vermonters. They know. They know what the future looks like. As for the rest of us, let's step toward the future with them.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Ms. COLLINS. Mr. President, what is the pending business?

The PRESIDING OFFICER. The Senate is in morning business, with time reserved for the Democrats.

Ms. COLLINS. Thank you, Mr. President.

I suggest the absence of a quorum

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2577, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Pending:

Collins amendment No. 3896, in the nature of a substitute.

McConnell (for Lee) amendment No. 3897 (to amendment No. 3896), to prohibit the use of funds to carry out a rule and notice of the Department of Housing and Urban Development.

McConnell (for Nelson/Rubio) amendment No. 3898 (to amendment No. 3896), making supplemental appropriations for fiscal year 2016 to respond to Zika virus.

McConnell (for Cornyn) modified amendment No. 3899 (to amendment No. 3896), making emergency supplemental appropriations for the fiscal year ending September 30, 2016.

McConnell (for Blunt) modified amendment No. 3900 (to amendment No. 3896), Zika response and preparedness.

Collins (for Blunt) amendment No. 3946 (to amendment No. 3900), to require the periodic submission of spending plan updates to the Committee on Appropriations.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I thought it would be useful for our colleagues if I gave a brief update on where we are. First of all, I think it is important to know that more than 70 Senators had input into the Transportation, Housing, and Urban Development and Related Agencies funding bill. I am sure if you added the number of Senators who weighed in on the VA-Military Construction bill, the number is even higher.

We worked very hard in the subcommittee process and the full committee process to incorporate suggestions from many of our colleagues to produce a bipartisan bill. The ranking member, my friend and colleague Senator JACK REED of Rhode Island, has been a tremendous leader in this effort. We have worked in a very transparent and collaborative manner to bring us where we are today.

Since we started the debate on this bill, we have had 17 amendments that have been adopted by unanimous consent on the two divisions of the bill. That has required a great deal of work, but I think it shows the good faith of both of the managers of the bill and the sponsors of these amendments that we were able to work together, compromise, negotiate, and get them adopted in three separate packages.

We are continuing that process. More and more amendments have been filed, and we are continuing to see how we can best accommodate the concerns that have been raised by our colleagues while keeping the essential principles of this bill and the desire to make sure we keep on track with the appropriations process.

I believe it is a great credit to the Senate, to the leaders, and to Senator MITCH MCCONNELL, who has made as a goal that we would report all of the appropriations bills, bring them to the floor, one by one, for full and open debate, the way it should be, and that we get our work done so we avoid the situation of either having a series of continuing resolutions—which lock in last year's priorities and lead to wasteful spending, which is not a good solution and ends up costing us more because agencies can't plan, they can't do their contracting activity—or having the other unfortunate outcome of bundling all 12 of the appropriations bills into one huge omnibus bill that is thousands of pages long and is very difficult for Members to know exactly what is in the bill.

That is not a good way to legislate. It is not in keeping with our responsibilities. I am proud the Appropriations Committee in this Chamber is doing its job and that the Republican leader set as the goal that we are starting the appropriations process earlier than ever before. The Energy and Water appropriations bill was passed earlier than any appropriations bill in literally decades. I would note that would not be possible without the cooperation we have had from our Democratic colleagues on the committee. We have worked as teams. That is the way the process should work. I could not have a better partner in that regard than Senator JACK REED.

We also had a very vigorous debate yesterday on the funding that is necessary to combat the very serious threat posed by the Zika virus. We know this virus causes very severe birth defects, in some cases, and has been linked to Guillain-Barre syndrome, which can lead to paralysis and even death. So this is a serious public health threat.

A couple of weeks ago, Senator JOHNNY ISAKSON and I went to the Centers for Disease Control and Prevention in Atlanta, GA. We were briefed on the threat posed by Zika, which is carried by a mosquito that is known as the cockroach in the mosquito world because it is so difficult to get rid of. It can reproduce in water in a container that is size of a bottle cap. We know Zika has already become an epidemic in Puerto Rico and that there are confirmed cases in nearly every State in the Union. That is because, even if you live in a far Northern State where the type of mosquito that causes Zika is not present, such as the State represented by the Presiding Officer, Zika is still a threat. People travel. We know it can be transmitted through sexual contact. That is why we are seeing Zika showing up in virtually every State. We need to get ahead of this epidemic. That is why we had three different approaches offered yesterday on the Senate floor. Cloture was successfully invoked on a bipartisan proposal offered by Senators BLUNT and MURRAY that provides more than $1 billion to counter effectively the threat of Zika.

The last thing we want is not to have acted against this serious public health threat and find that pregnant women, who are especially at risk, are going to be infected and, in some cases, have children who will have a lifetime of serious disabilities as a result of the impact of Zika. We are hearing more and more about the dangers of the Zika virus every day.

I have great confidence in the CDC, which is the major interface with our local and State public health agencies, to do an excellent job on prevention and education of providers and the public. They are also working on diagnostic tests so we can have a more rapid response to Zika. The National Institutes of Health is working on a vaccine which we hope will be available in another year, but in the meantime this truly is a public health emergency.

I believe the Senate deserves great credit for putting the Zika supplemental on our bill and providing adequate funding to do the job, to do the job that is necessary to counter this very serious threat.

We will have to proceed to a vote on the underlying Blunt-Murray amendment now that we have invoked cloture by 68 votes. I would note also that there is a 1 p.m. deadline today on filing first-degree amendments to the substitute bill. I also anticipate that this afternoon we will have a debate on Senator LEE's amendment, which has to do with a rule the Department of Housing and Urban Development has issued to implement provisions of the landmark 1968 Fair Housing Act.

In addition, Senator REED and Senator COCHRAN and I have offered an alternative amendment. At some point, we will have votes related both to the Collins-Reed-Cochran amendment and the Lee amendment. That is going to be a very important debate this afternoon on a very important policy that I believe helps to further the goals of the 1968 civil rights-era Fair Housing Act. That will be an important debate on this bill.

In the meantime, we are continuing to work with our colleagues on other amendments, as the Presiding Officer is well aware. I believe we are continuing to make progress. I thank my colleagues for coming to the floor, for working with us. That is the update I wanted to give my colleagues at this point.

The PRESIDING OFFICER. The Senator from Arkansas.

ARKANSANS OF THE WEEK

Mr. COTTON. Mr. President, I would like to honor all Arkansas law enforcement officers as this week's Arkansans of the Week. This week marks the 54th National Police Week. On Sunday, we marked National Peace Officers Memorial Day, a day set aside by President Kennedy in 1962 to honor those law enforcement officers who lost their lives in the line of duty.

Arkansas has over 7,000 law enforcement officers who protect our State every day. These men and women willingly put themselves in harm's way to ensure the safety of our residents, and maintain order in our State. National Police Week is also a time to remember and honor the nearly 300 Arkansans who have lost their lives in the line of duty as law enforcement officers. Their service and sacrifice is not forgotten, and Arkansas is safer because of their service.

There are many different types of law enforcement officers, but each plays an important and distinct role in our safety. There are officers, such as Chris Bunch of the Paragould Police Department, who protect Arkansas' students as a school resource officer, officers such as Jeff Prescott and Sergeant Greg Herron, who are retiring from the Rison Police Department after 30 and 20 years of service, respectively, and Corporal Kristi Bennett of the Texarkana Police Department, who serves as the public information and education officer. Kristi recently received the Silent Wilbur Award, which is given to an officer who shows leadership and works to motivate and move their community forward.

These are just a few of the long list of Arkansas law enforcement officers who serve our State, but there are many more where those names come from.

I know I join all Arkansans in extending our sincere thanks and appreciation to all Arkansas law enforcement officers, not only this week but every week.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

OBAMACARE

Mr. COATS. Mr. President, we are all too familiar with the famous promises President Obama made to sell the American people on his ObamaCare proposal, and yes, I said, ''sell.''

We now know from White House revelations made by former Members who work for the President that the White House has been actively engaged in selling their program, selling their proposals to the American people through some admittedly sophisticated ways in using social media to achieve a goal. Just recently, White House National Security Advisor Ben Rhodes did an interview and discussed openly how the White House manipulated the media and the American people to sell the administration's Iranian nuclear agreement.

With all the authority given to an American President, President Obama made this statement to sell ObamaCare to the American people—and I quote: ''No matter how we reform health care,'' the President said, ''We will keep this promise to the American people: If you like your doctor, you will be able to keep your doctor, period. If you like your health care plan, you'll be able to keep your health care plan, period.''

Why did the President add ''period'' to that statement? The statements are clear. If you like your doctor, you keep your doctor. If you like your health care plan, you keep your health care plan. When you add ''period,'' it basically says: Take my word for it. Count on it. It is a done deal. I am telling you, the American people, I am making you a promise—period. You can take this one to the bank.

I am not often a reader of the New York Times, but a recent headline in the paper caught my attention: ''Sorry, We Don't Take Obamacare.'' The article discusses the growing number of doctors and hospitals who are no longer accepting patients who are covered by ObamaCare insurance plans. So much for ''If you like your doctor, you will be able to keep your doctor, period.'' So much for that promise.

It is not just medical professionals who are saying no to ObamaCare. The largest health insurer, UnitedHealth Group, recently announced it will stop selling individual ObamaCare plans in Indiana next year because such plans simply are not profitable. It is pretty hard to run a business if you are not making a profit. If you are losing money, you can't pay the employees. You can't produce your product. UnitedHealthcare has said: We have lost so much money under this ObamaCare mandate that we are going to stop selling individual plans.

According to the Indianapolis Business Journal:

> In April, UnitedHealth said it would drop out of all but a ''handful'' of state exchanges where it sells individual Obamacare plans. It had said the exchange market was smaller and riskier than it had expected.

I think I heard a lot of the Republican Members on the floor basically saying what has been written and endorsed and imposed on the American people is something that simply doesn't make economic sense. There are going to be insurance companies that simply are not going to be able to not only survive on this basis but will not make any profit whatsoever. Obviously, with the case of UnitedHealthcare, they are dropping this because they simply cannot expose themselves to this kind of risk. It is said that they will lose $650 million on the plans this year alone, and UnitedHealthcare sold coverage in 34 States on the ObamaCare exchanges.

The UnitedHealthcare situation is not unique. According to the Indiana Business Journal, ''Roughly half of the health insurers selling plans on the Obamacare exchange in Indiana lost money on the business last year.''

So much for the President's promise: ''If you like your health care plan, you'll be able to keep your health care plan, period.'' So much for the President's promise.

Decreased access to providers is just one of many problems with ObamaCare. Another major problem is the rising cost of coverage for those who are on this plan. Oh, yes, there were other promises made by the President here also. You may recall the President promised that the annual health care costs would be cut by $2,500 per family if ObamaCare were enacted. As recently as 2012, we were told by the President that the health insurance premiums paid by small businesses and individuals will go down because of ObamaCare—another promise to the American people: Don't worry, folks. . . . Your costs are going to go down, not up.

Despite that promise that ObamaCare will cut costs and make coverage more affordable for families and small businesses, many Americans are experiencing higher premiums or paying outrageous deductibles when they purchase coverage through the ObamaCare exchanges.

I have been on this floor documenting literally hundreds, if not

thousands, of inputs to my office through phone calls, emails, and so forth, saying: Wait a minute. I just got a notice from my insurance company that my deductible is skyrocketing from $1,000 to $5,000 or to $7,500 or $9,000. I can't afford this kind of stuff. I thought we were promised this wouldn't happen. It is not just the deductibles, it is the copays.

All of a sudden, I walk in and a doctor's office says: Wait a second. You have to put down the cash copay here. My copays have just gone through the roof.

Premium increases have dramatically increased. The average premium for benchmark silver plans in the Federal exchange, the ObamaCare exchange, is rising by 7.5 percent this year.

In Indiana, premiums for policies on the ObamaCare marketplace have gone up by an average of 14.4 percent per year since ObamaCare was implemented, a total increase. Get this. We have had a total increase in premiums under ObamaCare in Indiana totaling 71.5 percent.

Tell the American people: You have my word, period. This isn't going to happen.

It happens, and what do we hear? What is this rhetoric we hear coming out of the White House? This is one of the most wonderful things that has ever happened.

In the campaign—I mean, those running for office from the President's party are simply saying: You have to elect us to preserve this wonderful ObamaCare health plan.

Is it any wonder the American people are turning out in record numbers to vote against this kind of thing?

These are just a few of the many broken promises and the many problems with the ObamaCare law. There are many other things I could get into, such as the failure of many State-run exchanges. Some States only have one exchange or no exchanges left. The rollout of the plan—which cost American taxpayers hundreds of millions of hard-earned tax dollars because this rollout was so botched nobody could get into the computers or even on the phone—the thing was rushed to meet a deadline, and they weren't prepared. It was hundreds of millions of dollars just to get it on board so people could begin to ask questions as to what they were mandated they had to do. So from increasing premiums and increased health care costs to failures to keep your doctor, to reduced access to doctors and hospitals, the bottom line is ObamaCare is not working for the American people.

Rather than making health care more affordable and successful, ObamaCare has actually driven up health care costs and a decreased choice of doctors for too many Americans and too many American businesses. It is long past time for repeal of the President's disastrous health care law. We need to replace it with more effective and clearly patient-centered solutions.

Despite numerous attempts by Republicans to repeal this fatally flawed legislation, all efforts have been rejected by the President and the White House, but we are approaching the time when the American people can express their response to these broken promises this administration has made in relation to ObamaCare.

Mr. President, with that, I yield the floor.

The PRESIDING OFFICER. The President pro tempore.

Mr. HATCH. Mr. President, I rise to speak once again about the rising cost of health care in the United States.

It has been a few months since I came to the floor to comment on the state of our health care system. Sadly, over that time period, we have seen little, if anything, in the way of good news. Indeed, while the United States has some of the best health care law in the world, recent headlines point to serious problems with how that system is working.

A little over 6 years ago, the Democrats on both sides of the Capitol and on both ends of Pennsylvania Avenue forced the so-called Affordable Care Act on the American people without any Republican votes or any serious attempt to get bipartisan consensus. The result was an attempt at overhaul of roughly one-sixth of the American economy crafted with the input and support of only one political party.

As I have said before, given its size and scope, the passage and signing of ObamaCare was probably the largest exercise of pure partnership in our Nation's history. Quite frankly, our country hasn't been the same since.

At the time the law was passed, Republicans made a number of predictions about the negative impact this law would have for people buying health insurance and for our economy overall. Six years later, many of those predictions have already come to pass, with many more on the way.

Still, looking back on it, I think we may have undersold our case at the time. I don't think any of us could have predicted just how detrimental the law would be, not only for the United States but on our Nation's public discourse and our government institutions. As a result of ObamaCare, the divide between Republicans and Democrats has gotten deeper, voters have become more cynical and distrusting of our government and our leaders, and the government itself has expanded its powers well beyond the authority granted in the statute.

At the time the law was passed, many of us issued warnings of what was to come, though much of that seemed to have been drowned out by the sounds of celebration emanating from the Capitol and the White House.

To quote some of my friends on the other side, passage of this law was a ''big bleeping deal'' because once the law was passed, the American people would finally get a chance to see what was in it. In the midst of all that self-adulation, many promises were made about what the law would do for individuals and families throughout the United States of America.

Chief among those many promises was a claim that as a result of in law, the cost of health care for the average American family would go down. That is what the American people were told in 2010. In 2016, the law has been implemented and in effect for 3 years. Despite those many promises, average health insurance premiums have gone up every single year. As insurers begin to make decisions about rates and availability for the 2017 plan year, we are looking at significantly higher premiums, double-digit increases in some places, for the fourth straight year.

Reports about these premium increases seem to be coming in on a daily basis. For example, in Virginia we know that among the five largest carriers in the State, premiums could go up anywhere from 9 percent to 37 percent, with a likely average of around 18 percent.

In Iowa, tens of thousands of people who buy their insurance from one major carrier will likely see increases in the neighborhood of 40 percent. In Oregon, the State's largest insurer in the individual market has requested a premium increase of nearly 30 percent. That number, 30 percent, is similar to the rate hikes requested by some of the largest insurers in Maryland as well.

I could go on and on. I am not just cherry-picking States, this is a trend. Unfortunately, it is having a real-world impact. People are concerned, and they have every right to be. According to a Gallup poll a few weeks back, health care costs are the No. 1 financial concern for families in the United States. People are more concerned about health care costs than they are about low wages, housing, education, or even debt. As premiums go up, I can imagine that the number of families concerned about health care costs will continue to go up as well.

In addition to higher premiums for 2017, we are also hearing many insurers will be opting to drop out of the exchange markets. For example, one of the country's largest insurers has, so far, decided to pull out of more than two dozen State exchanges due to mounting losses. This is the same company that currently offers plans in 34 different States but has said it will continue to do so only in a small number of States going forward.

In Utah, we recently saw the closing of an ObamaCare co-op that covered roughly 45,000 people, all of whom had

to find health insurance at the beginning of this year. Indeed, 12 of the 23 co-ops around the country have already closed, further reducing the number of health insurance options available to people throughout the country.

The Obama administration is trying to downplay these reports and convince people that a smaller number of insurers in various markets will not be a problem. But the impact should be obvious: When an insurer—let alone many insurers—drops out of a market, the patients and consumers in that market are left with fewer choices. And in any market, for any product, when consumers have reduced options, it generally leads to both lower quality and higher prices. That is definitely true in the health insurance market.

The question many are asking is, Why is this happening? Why are so many insurers raising premiums or choosing not to participate in the ObamaCare exchanges? The answer is relatively simple: ObamaCare is not working and can't work the way it was designed.

I think it would be helpful at this point to briefly review its timeline. From the time the law was first drafted, the Affordable Care Act included a number of insurance coverage mandates designed to dictate what insurance companies had to offer and what coverage patients would have to buy. Of course, imposing those kinds of requirements was bound to increase the cost of insurance across the board.

However, if you will recall, during the congressional debate over the law, the President and his supporters repeatedly claimed that because the law was going to require everyone to have health insurance, more young and healthy patients would be coerced into the insurance risk pools. According to their arguments, this shift in the market would more than compensate for the costs associated with the new insurance coverage mandates. In short, they claimed they could expand coverage requirements and keep premiums from going up.

Now, fast forward to 2013, which is when the exchanges went online. At that time, insurers entered the exchanges and set premium rates, presumably assuming the law would work as promised. As it turns out, that assumption was ill informed in many cases, and insurance companies across the board found they had priced their premiums too low. The expansion of younger, healthier, less risky market participants never came and, as a result, the industry suffered huge losses.

According to a report released last month by the Mercatus Center, in 2014 alone, insurers nationwide suffered more than $2 billion in losses for plans sold on the exchanges. This happened despite subsidies they received from the government to mitigate the risk of covering a mostly unknown population.

As we fast forward once again to the present day, we see that this situation has not corrected itself over the first 3 plan years under ObamaCare. In fact, it has only gotten worse. Premiums are going up, enrollment is lagging far behind the initial rosy estimates, and millions of the younger, healthier population of insured people the system needs to properly function are either opting to pay the fines for going without insurance, going undetected because they do not file tax returns, or staying on their parents insurance for as long as legally possible.

A recent Blue Cross Blue Shield report compared three separate groups among the carrier's membership. These groups were, No. 1, individual members newly enrolled in the ObamaCare exchanges; No. 2, members who had individual plans prior to the passage of ObamaCare; and No. 3, members currently enrolled in Blue Cross employer plans. According to the study, the people newly enrolled in insurance under ObamaCare are significantly less healthy and require significantly more services than the other two groups. The cost of care among that group is, not surprisingly, significantly more expensive.

That is remarkable. If we assume what is happening in this study is in any way reflective of what is happening nationwide, not only did the Affordable Care Act fail to create more favorable risk pools for insurers and patients sharing the costs, but the risk pools are, overall, more risky now than they were before.

While a number of complicated factors have likely contributed to this outcome, the major reason we are seeing this result is relatively simple: ObamaCare did little, if anything, to address health care costs. As a result, young and healthy people who are less in need of health insurance are making the calculation that it would be less costly for them to go uninsured and pay a fine than purchase insurance through an exchange. Indeed, in countless polls and surveys of still uninsured Americans, we have seen the biggest reason people refuse to buy health insurance is that it costs too much.

Under this status quo, insurers can stay afloat only in one of two ways: They can raise premiums, which makes their coverage even more costly, driving more young and healthy people out of the market, further depleting the risk pools, or they can exit unprofitable markets. Currently, we are seeing insurers do both, ensuring that the exchanges—and with them the entire system created by the Affordable Care Act—are becoming more unstable all the time.

Let's be clear: There is no solution to this problem that keeps the current system in place. There is no way to reset or rearrange the incentives under the current system. There is no minor tinkering that can fix these problems. It is not simply going to correct itself over time. Quite frankly, the system is damaged beyond repair. The only thing we can do to give options to patients and bring down costs is create a different system.

Some of us have put forward plans to do just that. I have a plan that I put forward with Senator BURR and Chairman UPTON over in the House. It is called the Patient CARE Act, which I have mentioned a number of times here on the floor. However, ours isn't the only solution out there. There are a number of ideas. We just need to get serious about addressing these issues. But that will not happen—that will not happen—so long as people refuse to acknowledge there is even a problem.

The supporters and authors of the Affordable Care Act have gotten pretty good over the years at mining the available data for favorable citations and moving the goalposts for what qualifies as ''success'' for this law in order to fool the American people. Fortunately, the people are not buying it.

Since the day the law passed, 90 percent of national polls show that more people oppose ObamaCare than support it. I don't see that changing as long as premiums keep going up and people are left with fewer and fewer options.

However, as always, I am an optimist. I believe we can make some progress here. I currently chair the Senate committee with jurisdiction over many of the most consequential elements of ObamaCare. Over the next few months, I plan to do something that the authors of ObamaCare never did—listen. I am going to take the time to engage with stakeholders from across the spectrum to get a clear sense of what needs to be done to bring down health care costs for American families and get skyrocketing premiums, deductibles, and out-of-pocket limits under control.

I plan to hear from experts, industry leaders, and advocacy groups to get their ideas in order to arrive at a workable solution. Then I am going to solicit the help of anyone in Congress—from either side of the aisle—who is willing to put in the necessary work to right this ship and craft meaningful legislation to address these problems.

As I said, the cost of health care is the No. 1 financial concern for American families. It is an issue that deserves the attention of everyone in this Chamber. Finding a solution will require not only that we acknowledge the failings of the system created by the Affordable Care Act but that we also work together to address these failings in a productive, less political way—in a bipartisan way, if you will.

Now, that is my focus when it comes to health care, Mr. President. I hope all of my colleagues will be willing to work with me on this effort.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The PRESIDING OFFICER. The Senator from Virginia.

AMENDMENT NO. 3897

Mr. KAINE. Mr. President, I rise to speak on Lee amendment No. 3897 that deals with the Federal Fair Housing Act, and I want to describe why many of my colleagues and I are opposed to the amendment. The amendment would eliminate the current affirmative furthering fair housing enforcement regulations promulgated by the Department of Housing and Urban Development. I want to go into that.

I will start with a personal story. Before I was in partisan elected politics, I was a civil rights lawyer in Richmond for 17 years. About two-thirds of my legal practice was fair housing cases. I will just tell you the story about my first client and two lessons I learned from my first client that bear upon this amendment.

I had barely hung my diploma on the wall in my office, where I was the junior person among 12 lawyers, when a client was referred to our firm. They did what is often the case; they sent it to the newest person. Somebody needed some help—pro bono assistance. This young woman's name was Loraine.

Loraine was almost exactly my age. I think I was 25 at the time, and she was the same age. I had just moved to a new city and had just gone out to find my apartment in that new city and started my first real job after school. She was kind of in the same place—just out of college, just starting a new job, just looking for an apartment.

Loraine had been at work one day and had read in the newspaper an ad for an apartment in a neighborhood she liked. So she called the landlord and said: Hey, I am really interested in your apartment. Is it still available? Yes, it is available. Could I come over on my lunch hour to take a look? Sure, come on over.

Well, about an hour later she went over to the apartment, and when she met the owner, the owner looked at her and said: Oh, I'm sorry, this place has just been rented.

This was in the fall of 1984.

Loraine drove back to her office and had this sinking suspicion that when the person saw she was African American, maybe that was why suddenly the available apartment turned into one that wasn't available. When she got back to the office, she asked a Caucasian colleague to make a call to the same owner and ask about the apartment. Within 20 minutes the colleague had made the call and asked: Hey, I'm calling about this apartment. Is it still available? The owner, who had just turned Loraine away, said: Sure, it's still available. When do you want to come over and see it?

That was the first lawsuit I drafted. I know I am speaking to a Presiding Officer who is an attorney and who has done the same thing. For the first client who was truly mine, the first pleading I drafted was a Federal fair housing action. With the testimony of the coworker, it was a slam-dunk case. We settled it shortly after we filed it. So in that sense, I don't have a big momentous trial story or anything to tell. Nevertheless, it made a huge impression on me as a brand-new attorney for two reasons. First, in hearing my client tell me the story, I understood more deeply than I ever had how important your home is, how important housing is. I think most of us feel that what is important in life is relationships—not things, not physical objects. But where you live is more like a part of your person than it is a physical thing.

As she described this experience, obviously, that was what made it so painful. But the thing that really stuck with me about this was this: She and I were so similar in many ways—about the same age, excited to be coming out to find a house, having a new job. But my experience—I found an apartment with no problem for my wife and me—was a positive one. But Loraine's experience of being turned away—and then having the sinking suspicion that she was turned away because of her skin color and then finding out that was the case—was a very negative and painful one. What really struck me, as I talked to her, was that the pain was not just the pain of something in the past tense. The pain was also the anticipation: What about the next time I look for a house? What about the next time? Am I going to be faced with this same differential treatment because of the color of my skin?

That first case I had suddenly made me the expert in Virginia on fair housing law—doing one case that was settled within a matter of weeks. So for the next 17 years, this was the heart of my legal practice—representing people who had been turned away from housing because of their race, disabilities—apartments, houses, mortgages, homeowner's insurance policies. I learned an awful lot when I did it.

One of the things I learned was what a superb piece of legislation the Federal Fair Housing Act of 1968 is. It was the last of the major pieces of civil rights legislation done in the 1960s. There was the 1964 act of public accommodations, employment discriminations, and the Voting Rights Act of 1965. In 1968, the Federal Fair Housing Act was really the last of those big pieces of Federal legislation. I am proud to say that even over the course of my legal career, from 1984 until I stopped practicing in early 2002, in Virginia and elsewhere there was significant improvement. The Federal Fair Housing Act really did open the doors so that people could live where they wanted to live and as their resources would allow them to live there. Yet, if we just looked at the statistics about residential segregation, in all 50 States, we would see that we still have more work to do. There are still barriers that people face, and some of them are just absolute, sharp, and clear barriers, and some of them are more subtle.

HUD was directed by GAO in 2010 to do a study because they had been encouraged as part of the Federal Fair Housing Act of 1968 to encourage affirmatively to advance the fair housing mission through agencies that are funded by HUD. The case that I described with Loraine was a private landlord, and that is not necessarily relevant to this topic except to underline how important the law is and how critical housing is. But there are circumstances in which HUD is giving funding to organizations.

I was a mayor, and my city had a housing authority. HUD funding went into the housing authority in my city, just like it goes into housing authorities all around the United States. I was a Governor, and Governors got CDBG funds that came from HUD. So whether it is to a city, county, State, or to a CDBG program that then gets allocated out—even to worthy and strong housing nonprofits—HUD was under a directive when it was funding organizations to make sure they were affirmatively advancing the commands of the Fair Housing Act of 1968. HUD was doing this sort of in fits and starts and in a little bit of an extemporaneous way. In 2010, the GAO said: You have an obligation to affirmatively further fair housing, but you are not exactly doing it the right way. Can you really look at guidance that you can give to your grantees?

Now, this was really important—that Federal grantees get this guidance and affirmatively further fair housing because it wasn't just the private landlords of the world that had done bad things in the housing industry. In fact, there had been a lot of policies of State and local governments, and even the Federal Government, that had cut against fair housing. There were zoning laws that cut against fair housing. There were Federal appraisal standards to get FHA loans that cut against fair housing, and there were other Federal policies that actually cut directly against the goal of allowing people to live where they wanted to live.

So that is the reason why these grantees that are receiving Federal money, are in a unique position to do something about it, and often are inheriting a history where in the past

they did the wrong things, need to be encouraged and given clear guidance about how to affirmatively further fair housing.

So to follow the GAO directive, HUD, under this administration—and I give Secretary Castro huge credit for getting this to the goal line—did the work to come up with clear guidance so that organizations that receive HUD funding know what it means to affirmatively encourage fair housing and so that it is not just a vague platitude or something you pay lip service to but you don't actually do it.

The rule announced by HUD is pretty straightforward. It doesn't mandate changes to local zoning laws. It doesn't require people to move. It doesn't end local control of community planning and development. It allows communities to determine what the best strategies are to comply with the Fair Housing Act. It provides local communities with data and tools that are needed to make fair housing decisions, including allowing local communities to add any relevant local or regional data so that people can understand the effects of their actions.

It does include protected classes in the statute in the larger community planning process. It prevents the use of Federal resources to discriminate against protected classes of individuals. It simplifies compliance with the Fair Housing Act, and this is really important because a lot of small communities don't have a phalanx of lawyers to pour through all the laws and regs. So simplified compliance guidelines are helpful. It does not require grantees to collect new data and data they are not already collecting, and it encourages engagement with the local community, including the real estate industry, residents, developers, and other organizations.

As somebody who was sitting on the other end of this as a mayor, and as somebody who was appointing members to a public housing agency in Richmond, I think this kind of guidance is actually very, very helpful. So I was heartened when the GAO directed HUD to do this work. HUD did a significant period of study and put out guidance under Secretary Castro's leadership. I think it is actually something that is helpful—not harmful—to those who are receiving HUD funds and should be using HUD funds to advance important goals, including the fair housing goals.

I know the Senator who is proposing the amendment—Lee amendment No. 3897. I know it is well-intentioned, and the intention might be to not put too many burdens and obligations on the shoulders of local planning officials or cities or counties. But as somebody who has been a mayor and been in that spot, guidance is helpful. I actually think this guidance gives clarity in an area where, before the guidance, there was some confusion. I think the guidance strikes the right balance.

I don't know exactly when this is going to be called for a vote. I gather soon. But I just wanted to take the floor and hearken back to the days before I ever knew I would be in politics and I was representing people who desperately needed to just be treated equally to everybody else when it came to their housing. This HUD regulation really furthers that goal in a positive way, and I think we should not eliminate it by accepting Lee amendment No. 3897. So, for that reason, I encourage my colleagues to oppose the amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I just want to thank the Senator from the Commonwealth of Virginia for an excellent statement. As he has indicated, he comes to this issue from the perspective of an attorney who is an expert in the Fair Housing Act, which, as he notes, is a landmark civil rights law. But he also brings a very important perspective of having been a mayor who was the recipient of Federal funds and who looked to HUD for guidance on how to make sure that, when community development block grant monies, for example, were given to local communities, the communities used them in ways that carried out the goals of the 1968 Fair Housing Act. It is very valuable that he has both the technical understanding of an attorney who has practiced in this very field for many years and also as a municipal official who had to live with the Federal rules.

The fact is, as he indicated, the Fair Housing Act regulation that came out last year is intended to give clarity to local officials who are the recipients of Federal funds.

I am very much opposed to the amendment offered by Senator LEE that would prohibit any funding for carrying out HUD's affirmatively furthering fair housing rules.

It is important to recognize that this rule didn't just come out of the blue. It is based on a specific requirement included in the Fair Housing Act of 1968, which mandates that HUD ensure that the recipients of Federal funds not only prevent outright blatant discrimination but also act to affirmatively further the fair housing goals of the act.

In fact, Congress has repeatedly reinforced this concept in the Housing and Community Development Act of 1974, the Cranston-Gonzalez National Affordable Housing Act, and the Quality Housing and Work Responsibility Act of 1998. All of those laws require HUD program recipients to affirmatively further fair housing. It is probably a phrase that most of us are not that aware of, and it does not come trippingly off of one's tongue. But it is an integral part of the 1968 civil rights law, the Fair Housing Act.

It is also important to remember that when we are discussing fair housing, we are not only talking about discrimination based on race but also discrimination based on disabilities, national origin, and even against families with children.

It is important to note that more than 50 percent of all reported complaints of housing discrimination are initiated by individuals with disabilities. That is one reason the Paralyzed Veterans of America organization has come out so strongly against the amendment that will be offered by Senator LEE.

In a letter issued by the Paralyzed Veterans of America, the organization notes:

> HUD's AFFH rule helps curb discrimination against people with disabilities, including veterans and the elderly. Each year, over 50% of all reported complaints of housing discrimination are initiated by people with disabilities.

The organization goes on to say:

> This alarming trend will continue and affects Americans returning from conflicts abroad with a disability and the growing percentage of elderly Americans with a disability. HUD's AFFH rule will help governments identify strategies and solutions to expand accessible and supportive housing choices for our veterans and elders with disabilities.

Mr. President, I ask unanimous consent that the letter from the Paralyzed Veterans of America be printed in the RECORD.

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

PARALYZED VETERANS OF AMERICA,
Washington, DC.

VOTE ''NO'' ON LEE ANTI-CIVIL RIGHTS AMENDMENT

Senator Mike Lee plans to introduce an amendment to the FY17 T-HUD/MilCon-VA appropriations bill which would prohibit HUD from implementing or enforcing its ''Affirmatively Furthering Fair Housing'' (AFFH) rule (FR–5173–P–01), keeping long-awaited guidance and data intended to help state and local governments connect housing and community development dollars to neighborhood opportunity. Any limitation or reversal of HUD's AFFH rule will stop our nation from ensuring that federal investments connect every neighborhood to good schools, well-paying jobs, public transportation options, and safe places for children to play and grow.

Senator Lee's amendment would halt implementation of the Fair Housing Act and throw our nation back into the pre-civil rights era. The Fair Housing Act of 1968 was intended to prohibit discrimination and dismantle historic segregation, which continues to limit the housing choices and opportunities of people of color, people with disabilities, families with children, and religious groups. To achieve this goal, the Fair Housing Act requires that recipients of federal housing and community development funding ''affirmatively further fair housing'' (AFFH).

HUD's AFFH Rule closes recommendations made by the GAO. In 2010 the GAO issued a

report recommending that HUD reform its process of implementing the AFFH provision of the Fair Housing Act and the guidance that it provides to grantees. HUD's rule implements the GAO's recommendations by providing state and local governments and PHAs with data about the demographics and housing needs of their communities as well as a framework that they can use to identify and address issues that contribute to isolation and economic inequality.

HUD's proposed rule emphasizes local control in the development and implementation of solutions to remove obstacles to opportunity. Once an analysis of the barriers to fair housing is complete, governments and PHAs have the power to decide for themselves which issues they and local stakeholders identify are important to prioritize and address. HUD leaves these choices to the discretion of local governments and PHAs.

HUD's AFFH rule helps curb discrimination against people with disabilities, including veterans and the elderly. Each year, over 50% of all reported complaints of housing discrimination are initiated by people with disabilities. This alarming trend will continue and affects Americans returning from conflicts abroad with a disability and the growing percentage of elderly Americans with a disability. HUD's AFFH rule will help governments identify strategies and solutions to expand accessible and supportive housing choices for our veterans and elders with disabilities.

Ms. COLLINS. So I think it is important, as we debate this issue today, that we recognize what is at stake. The Paralyzed Veterans of America organization was founded by a band of servicemembers who came home from World War II with spinal cord injuries. I think we should listen to their experience.

There are many other groups that have come out in opposition to Senator LEE's amendment. They include the Urban League. Those are big cities that receive a lot of Federal funds, but they are opposed to Senator LEE's amendment. The NAACP is opposed to the amendment. Disability groups have come out in opposition to the amendment.

There is another extremely important point that the Senator from Virginia made; that is, this rule, which has been criticized by some, is in direct response to GAO criticizing HUD for not doing a good job in carrying out this part of the 1968 Fair Housing Act. That is so important.

How many of us in this Chamber have repeatedly looked to GAO for advice on how we can improve how Federal programs work? Look to GAO. Look to its 2010 report, which is very critical of HUD. Surely, it is significant that when HUD issued the new regulations last year, the GAO said ''Fine'' and closed out its recommendations as being completed. That is significant.

This wasn't some wild scheme that was dreamed up by bureaucrats at HUD, as some have claimed. This was in response to a report from the Government Accountability Office. We talk about how we want more efficiency, better accountability. That is why we have the GAO. This rule that was directly adopted in response to the GAO's report surely is significant.

I see the Senator from Texas has arrived and wants to speak. I will be speaking more on this issue later today. Let me make one final point.

There are those who have claimed that somehow HUD is going to get involved in dictating the zoning rules and ordinances of local communities. I don't believe that is the case, but we are going to offer an amendment and have filed an amendment to make sure that is not the case.

The amendment that Senator REED, Senator COCHRAN, and I am offering specifically prohibits HUD from dictating in any way to any community what its zoning ordinances should be. If that is a possibility, we will foreclose it with our amendment.

I will be speaking further about this important issue later this afternoon, but I know there are many of my colleagues who are eager to speak, and I will yield the floor.

The PRESIDING OFFICER (Mr. DAINES). The majority whip.

Mr. CORNYN. Mr. President, I want to congratulate our friend, the Senator from Maine, for doing a tremendous job of managing this bill. It is never easy, given the fact that an individual Senator can slow down the process or insist on their rights, which I am not disparaging at all. There comes a time in every piece of legislation where it is important for us to make sure that we invoke our rights as Senators on behalf of the people we represent. I know it takes some patience and diligence, and I admire the diligence, patience, and professionalism of our colleague from Maine on what is always a challenging piece of work, which is trying to get an appropriations bill passed.

NATIONAL POLICE WEEK AND POLICE ACT

I wish to speak on a different topic. This is National Police Week. Earlier this week I had the chance to visit with a police officer by the name of Gregory Stevens of the Garland Police Department. For people who are not aware, Garland is a city northeast of Dallas, TX. Around this time last year, it was a site of an attempted terrorist attack. There was a display of some artwork of the prophet Muhammad that provoked a terrorist attack. Fortunately, Officer Stevens was the man in the right place at the right time when it happened.

Many of us remember that fateful day last May when two armed gunmen from Phoenix, AZ—clad in body armor with automatic weapons—pulled up to the conference center and opened fire. According to media reports, the attackers were inspired by ISIS, the Islamic State. This is a real problem because these folks, like the shooters in San Bernardino, hadn't actually traveled to Syria, although the San Bernardino couple had been in Saudi Arabia and had traveled overseas—if I am not mistaken. But these people were radicalized in place by the ideology of the Islamic State.

This is a big problem for the United States because, as the FBI director has commented, in every FBI field office in America, there are FBI investigations open on potential radicalization of people in place here in the United States. It doesn't take people traveling from the Middle East over here. It doesn't take people traveling from here, over there, and coming back. This is the third leg of the stool or the third prong of the threat, of people being radicalized in place.

Getting back to my story, Officer Stevens responded decisively. He was able to stop the two terrorists from hurting or killing hundreds of people inside the conference center and, thankfully, he left unscathed.

I asked him: What sort of weapon did you have to protect yourself against these two terrorists in body armor with automatic weapons?

He said: I had a .45-caliber Glock with a 14-shot clip. He said he had to do a tactical reload, but he never fired an additional shot after he reloaded his weapon. For those of us familiar with such things, that is the mark of a real professional—somebody who is very well trained and responds as well as you could hope for.

I know the people of the city of Garland and the folks in Texas are grateful to Officer Stevens for his quick response and his bravery. As I said, he saved potentially hundreds of lives and prevented injuries. I think it is appropriate during National Police Week for us to honor people like Officer Stevens by telling their stories.

On Monday, President Obama presented Officer Stevens the Medal of Valor, the highest honor given to a police officer. It is a fitting tribute to the heroic actions he exhibited that day.

During National Police Week, we should note that there are more than 900,000 law enforcement officers serving our country. After 9/11, we have come to talk about them as being first responders, but I am talking specifically about the law enforcement officers, not the broader category here during National Police Week. They are folks who get up every morning, kiss their families good-bye, go to work, put on a uniform, and put themselves in harm's way to protect our communities and our families.

Tragically, we know that not all of them make it home at the end of the day. Last year, the United States lost 124 law enforcement officials; 12 of those officers were from the State of Texas. All of them had their individual stories, but some left behind spouses and children. I have no doubt that all of them left behind loved ones and people who care deeply about them and a

community that, in their absence, misses them terribly.

I am particularly proud of the men and women in my State who serve in law enforcement—not just in Texas but across the country, including here at the Nation's Capitol. Our Capitol Police do a terrific job of keeping all of us safe and not just Members of Congress but, obviously, the hundreds of thousands of tourists who visit the Capitol on an annual basis.

All of the professional law enforcement officials have dedicated their lives to public safety, and we should honor them for it. There is no doubt that our Nation is a better place because of their hard work and dedication, and we all owe them a debt of gratitude.

In the Senate, we need to do everything we can do to help professional law enforcement officials learn how to do their jobs as effectively and as safely possible. One simple way we could do that is by making sure they have access to the very best and latest training techniques—active shooter training, for example.

I recall the situation at Fort Hood when MAJ Nidal Hasan killed 13 people and wounded many more. Two police officers in active shooter mode crashed the site, exposing themselves to danger and ultimately paralyzing Nidal Hasan. More importantly, they took him out of action and saved a lot of lives.

This training they had and they exhibited with such great effect on that day is what we need to give more of our law enforcement officials access to. That is why I am glad to join my colleague, the senior Senator from Vermont, in sponsoring a piece of legislation called the Police Act—a bill that passed out of the Judiciary Committee last week.

This is pretty straightforward and it is bipartisan, so it doesn't make a lot of news, but I do think it serves a useful purpose. It will allow the use of existing grant money for police training to be used for this active shooter training. I know some of that training occurs at Texas State University in San Marcos. I have been to that site and walked through some of the buildings they use for the training. It is a heart-thumping exercise to realize what law enforcement deals with when confronting an active shooter. It is really important training.

We have seen terrorist attacks and sudden acts of violence in communities across the country and, thankfully, we have people like Officer Stevens who helped avoid tragedy in Garland. But we should do everything we can to help equip our law enforcement officials with the training and tools they need in order to do their jobs as effectively as possible.

The Police Act would help in this effort, and it would help protect those who put their lives on the line on our behalf every day and support their efforts to guard the communities they serve. I look forward to passing this legislation soon. I can think of no better way to honor those who serve our country so well during National Police Week than to pass the Police Act, which will in some small way provide them access to the training they need in order to do their jobs better and help keep our communities safer.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. SULLIVAN. Mr. President, I have been coming to the Senate floor and talking about a very important issue for our country that we should be spending much more time focusing on, and that is the importance of growing our economy. With the exception of national defense, I believe there is no more important moral imperative for this body and the Federal Government to focus on than this issue, but unfortunately, as we have seen, the administration doesn't focus on it. They don't want to talk about the importance of growing the economy because the record they have of economic growth for Americans, particularly middle-class Americans, has been dismal.

I have been trying to get my colleagues on both sides of the aisle to focus on this chart over the last several weeks because this chart says a lot. If you look at the different records of different administrations, both Democratic and Republican, the Obama years have been a lost decade of economic growth. This red line shows 3 percent GDP growth. That is decent growth but not great. We can see that Reagan, Clinton, and Kennedy all had better numbers. This is the worst recovery over a 7-year period. That is a fact. They don't want to talk about it. We should talk about it a lot more.

I clearly think it is one of the most important things we should be doing in this body, and one way we can reignite the American dream and our economic growth, especially for the next generation—like for our pages—is to reduce burdensome and unnecessary regulations. Everybody agrees with that, including the Presiding Officer and all of my colleagues here. We need to reduce burdensome and unnecessary Federal regulations and build infrastructure for America. That is exactly what my amendment No. 3912 to the Transportation appropriations bill—which is so ably managed by my colleagues from Maine and Rhode Island—would do, and that is what I will talk about for a minute.

My amendment would give States and communities throughout this Nation the ability to expedite permitting for the maintenance, reconstruction, or construction of structurally deficient bridges. It is pretty simple. The amendment is very narrowly tailored. It says: If you are going to do maintenance, construction, or reconstruction on a bridge that is structurally deficient and the Federal Government won't be burdened, we will expedite the permitting by waiving many of the permitting requirements. That is it. It is very simple. As a matter of fact, this amendment only has two paragraphs.

It is a win-win for the country. Investing in our infrastructure will help boost our economy and economic growth, and importantly, it will keep American families safe. It is a commonsense approach that I am hoping my colleagues on both sides of the aisle will support.

Recently, President Obama was asked about the economy and our crumbling infrastructure. He talked about the need for infrastructure investment, which I completely agree with; however, he laid the blame for a lack of investment in infrastructure on Republicans, who he said were unwilling to spend on our infrastructure. Well, I think with the highway bill, the WRDA bill, and this appropriations bill, we are doing it. Again, it is very bipartisan. I don't think what the President said is true. We are certainly willing to invest in infrastructure, which is so important to our economy, but we need to do it wisely, and we need to make sure our taxpayer money does not go to unintended uses. In fact, I believe, as do many of my colleagues, that there is perhaps nothing more central to growing our economy and competing globally than sound infrastructure for America, but throwing money at projects that aren't ready for development because of the burdensome permitting and regulatory requirements that we often see from the Federal Government is not a sound use of taxpayer dollars.

A recent column in the Wall Street Journal points out that of the $800 billion of taxpayer money that was passed several years ago as part of the President's stimulus package, only $30 billion was spent on transportation infrastructure. That is remarkable. Out of the $800 billion, only $30 billion was spent on infrastructure. Why? One of the big reasons is because these infrastructure projects were not shovel-ready because of the onerous permitting requirements and environmental reviews.

Consider this: The average time for an environmental review for a major transportation project in the United States has increased to a staggering 8 years. In 2011, it took 8 years to get a transportation project approved in terms of Federal permitting, and that

is up from 3½ years in the year 2000. We have more than doubled the time in less than 7 years because of the Federal permitting requirements.

The average environmental impact statement was about 22 pages when NEPA, which requires EIS's—and that is important. When that bill initially passed, the average EIS was 22 pages. Today's highway projects often have EIS's that are well above 1,000 pages. On average, it takes over 5 years to permit a bridge in the United States. Nobody wants this.

As a matter of fact, former President Bill Clinton highlighted the need for reform in this area in a well-known Newsweek article. In 2011 he was on the front cover of Newsweek. His article talked about how to get Americans back to work. One of his top recommendations was to make sure that when we have infrastructure projects, the permitting requirements don't take forever. He said that we need to ''keep the full review process when there are real environmental concerns, but when there aren't, the federal government should be able to give a waiver to the states to speed up start times on construction projects.'' That was former President Bill Clinton's recommendation. Well, that is exactly what my amendment does. Again, if you are going to repair or build a bridge and keep it in the same capacity—a two-lane bridge stays a two-lane bridge, not a four-lane bridge—and in the same place and the same size, then the permitting process should be expedited.

Let me spend a few minutes on why this is so important for our economy and the safety of our citizens. I think most people in this body know our bridges are in poor condition. About 1 in 10 of America's roughly 607,000 bridges is termed and classified as ''structurally deficient.'' Let me repeat that in a different way. In the United States, there are more than 61,000 bridges in need of repair. The average age of our bridges is 42 years old. Americans cross these structurally deficient bridges 215 million times a day.

Here is a chart that shows where they are located. If you look here, this classifies different bridges. The red category shows the most bridges—over 25 percent—that are structurally deficient. The lighter red represents 20 to 25 percent, and the lightest shade of red represents 15 to 20 percent. As we can see, every State has structurally deficient bridges that Americans are crossing 215 million times a day.

Let me be clear. It is not just about the economy, where truckers and commerce are crossing these bridges every day; it is about the safety of our children when they ride on schoolbuses and parents when they come home from work. Every State in the Union is impacted by this.

Let me give a few quick examples of some structurally deficient bridges across the country.

This is the Magnolia Bridge in Seattle, WA. It was built in 1929. This bridge carries over 18,000 cars per day and has been declared structurally deficient.

The Greenfield Bridge in Pittsburgh, PA—Pennsylvania has the most structurally deficient bridges in the country, and this chart shows one of them. It was built in 1921. It carries almost 8,000 cars per day. In 2003 a 10-inch chunk of concrete went through a car windshield, injuring the driver. This structurally deficient bridge has been crumbling for decades.

I have one more example, which the Presiding Officer will find of significant interest. This is the Russell Street Bridge in Missoula, MN. Transportation for America rates the deck of the Russell Street Bridge a 4 out of 10 in terms of structural soundness. It was built in 1957 and carries over 22,000 cars a day.

I think we would all agree that we need to fix these 61,000 structurally deficient bridges. There is no doubt about it. I don't think there is any Member of this body or anyone in the Federal Government who would disagree about that, but what happens when we try to do that? In fact, the efforts, especially in the local communities, are strangled by bureaucratic redtape.

The Wall Street Journal recently had an article titled ''The Highway to Bureaucratic Hell,'' and it talked about this very issue of what happens when communities try to fix their structurally deficient bridges. They gave a number of examples, but I wanted to read one that impacts Americans in the New Jersey-New York area of the country. The Wall Street Journal article stated: Another illustration of what happens is the Bayonne Bridge that connects New Jersey to Staten Island and at 150 feet tall blocks large cargo ships. The Port Authority of New York and New Jersey plans to raise the bridge from 150 feet to 215 feet. They wanted to do that to allow cargo ships to go under it. They planned to keep the bridge the same size; they just wanted to raise it so they wouldn't have to spend over $3 billion to build a tunnel.

The article goes on to say that their reward for thinking rationally was that it took 6 months to have the lead agency identified for an environmental review—an environmental review that dragged on for more than 5 years and spanned 20,000 pages. That is not good for New Jersey, that is not good for New York, and that is not good for America.

Again, what my amendment would do would fix this issue. It is very narrowly tailored, and it would simply make sure that when we are trying to fix the 61,000 structurally deficient bridges in the United States, we can do it in an expedited manner, not in the way in which this Wall Street Journal article described—5 years and 20,000 pages.

This amendment is a win-win-win. It will help spur economic growth, help us with the safety of our citizens, and help our workers get back to work so we can do the maintenance and reconstruction on these bridges. Everybody here talks about regulatory reform and how we need it. Even the President, in his State of the Union speech, talked about the need to cut redtape in order to grow this economy. But we rarely act on it. We talk about it, but we don't act on it.

I encourage my colleagues on both sides of the aisle—my colleagues particularly from older States, where this amendment will help them more than the rest of the country—to vote on this amendment which will keep our families and kids safe, help grow our economy, and put workers back to work. It is a commonsense thing to do for our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

FILLING THE SUPREME COURT VACANCY

Ms. STABENOW. Mr. President, it has now been 62 days since Judge Garland's nomination—62 days. As we all know, our Founding Fathers entrusted all of us in the Senate with the role of providing advice and consent to the President of the United States in relation to his appointments to the Supreme Court. We have the option—in fact, I believe the responsibility—to meet with the nominee in person. We are responsible for holding hearings through the Senate Judiciary Committee. Based on his responses to questions, we then have the opportunity to vote yes or no on the nomination. But we don't have the responsibility of doing nothing. We have to proceed to consider the nomination.

Unfortunately, Senators in the majority are refusing to do that. They have said they will not hold hearings—no hearings, zero—on a nominee for the U.S. Supreme Court. And too many have refused to even meet with the nominee, and I believe it is a matter of respect to meet with the nominee, Judge Merrick Garland. This is our job in the Senate. This is their job—the job established for them—for us—by America's Founding Fathers. Unfortunately, the majority is refusing to do it.

I have talked with a lot of hard-working people in Michigan and, frankly, people around the country about what would happen if they decided to not do one of the most basic parts of their job; if they said: For the next year, I think I am just not going to do this major part of my job description. Usually, when I ask people about that, they laugh and say: Well, that is simple; I would be fired. That is the response of the majority of Americans.

If we go back in history and look at how long it usually takes for the Senate to process a President's Supreme Court nomination, we see how unprecedented these delays really are. If this

Republican-controlled Senate did its job as previous Senates have, then there would have been a hearing of the Judiciary Committee by April 27, which was 3 weeks ago—3 weeks ago—but that hasn't happened. The Judiciary Committee would have held a vote on May 12, but that vote never came, and there is no sign it is coming anytime soon, if at all, this year. Based on historical precedent, the Supreme Court nominee would then come to the floor for a vote on confirmation, up or down, yes or no, by Memorial Day. That is not going to happen either.

I urge my Republican colleagues to schedule a hearing so that the American people can hear directly from Judge Merrick Garland in a transparent and open way. Ask the tough questions. Talk about his almost 20 years on the circuit court bench and his role as chief judge. We should also talk about the fact that he was confirmed for that position overwhelmingly, on a bipartisan basis, by the U.S. Senate.

Because there is not a willingness to hold hearings, to debate, to discuss, to have a vote, I think that is why polls show that the majority of Americans support holding the hearings and a vote for Judge Garland and don't understand what is going on.

Meanwhile, the eight Justices of the Supreme Court have been unable to reach a final decision on two important cases, and I am sure there will be more. Those cases are Zubik v. Burwell and Spokeo v. Robbins. As a result, the law remains unsettled and is likely to remain unsettled for a year or more as to whether women who work for certain nonprofits will continue to have seamless access to contraceptive health care coverage. Given the gravity of the decision the Supreme Court must make, we can't afford to let it continue with less than the nine Justices who make up the Supreme Court.

This is supposed to be a separate branch of government that will place a check on the administration and on Congress, the third branch of government.

It is time that we get about the business of doing our job and for our Republican colleagues to say they are going to do their job and provide advice and consent on the nomination. Again, if there is not support for this nomination after rigorous debate, after hearings, after questions, after hearing from Judge Garland, then so be it. Then the President of the United States will have to come back with another nomination. But right now nothing is happening to reflect the fact that the third branch of government will be left ineffective, unable to fully function for probably a year, and it could be longer. That makes no sense.

It is time to do your job. It is time to do your job so that the U.S. Supreme Court can do its job on behalf of the American people.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. Mr. President, I rise today to discuss important legislation before the U.S. Senate this week—the combined Transportation, Housing and Urban Development, and Military Construction and Veterans Affairs appropriations bill.

As chairman of the Surface Transportation Subcommittee and an active member of the Committee on Environment and Public Works, I am pleased that this appropriations bill includes a number of critical transportation and infrastructure initiatives that I have advocated for during my time in the Senate. A safe, efficient, and reliable transportation system is crucial to the economic growth of our country.

Last year Congress passed a much needed 5-year highway bill known as the Fixing America's Surface Transportation Act, or the FAST Act. I was proud to work with my colleagues on this bipartisan legislation and usher in the first multiyear Transportation bill in over a decade.

The Transportation appropriations bill before the Senate fully funds the highway bill. Because of the FAST Act, Americans will benefit from increased investment in our Nation's transportation system. Rural and urban communities across Nebraska and our country will have new opportunities to secure funding for essential freight infrastructure projects. Meanwhile, a new national strategic freight program within the FAST Act will help our States and local communities prioritize freight traffic and increase safety. Through this program, States will be provided with the discretion to direct new funds to rural and urban freight corridors with higher commercial traffic.

As States work to develop their freight plans and designate corridors, stakeholders across all modes will have the opportunity to participate and provide valued feedback. First and last mile connectors for freight at airports, trucking facilities, and rail yards will also be eligible for increased investment under this national freight program.

Railroad infrastructure is also a pivotal component of our national transportation network. According to the Nebraska Department of Roads, my State hosts more than 3,000 at-grade rail crossings that will be eligible for Federal dollars. Additional funding is provided for railroad safety and research programs, including positive train control installation and resources to address highway-rail grade crossing safety.

I am also pleased that T-HUD advances key pipeline safety efforts, which I worked with my Commerce Committee colleagues, including the Presiding Officer, to include in the bipartisan SAFE PIPES Act. America's pipeline infrastructure transports vital energy resources to homes, businesses, schools, and commercial centers across our country. According to the Pipeline and Hazardous Materials Safety Administration, or PHMSA, more than 2.5 million miles of pipelines traverse the United States. Pipelines are often renowned as the safest way to transport crude oil and natural gas. Nevertheless, Congress must continue to increase safety on America's vast pipeline network. Our Nation's hazardous materials emergency responders and our firefighters are supported by T-HUD report language that encourages PHMSA to update important training curriculum programs.

The Surface Transportation Subcommittee has also been working on legislation to strengthen our Nation's maritime programs. For example, the Maritime Security Program is responsible for ensuring a fleet of U.S. merchant marine vessels stands ready and available to assist our Nation's military in times of war or national emergency, and I appreciate that T-HUD bolsters this very valuable program.

Furthermore, DOT and the U.S. Merchant Marine Academy will be compelled to provide more information to Congress on efforts to combat on-campus sexual assault. Addressing on-campus sexual assault is something I have been seeking to address as part of my bill, known as the Maritime Administration Enhancement Act of 2017. Through meaningful prevention and response efforts, we can provide a more secure experience for the Academy's men and women, many of whom will go on to serve our country.

America's aviation and aerospace system will benefit from increased resources without raising ticket fees on our Nation's passengers. The bill's report tasks the Federal Aviation Administration with evaluating and updating commercial airline onboard emergency medical kits, particularly for families traveling with young infants. This is something I fought for in the Senate FAA bill.

Full funding is provided for the Contract Tower Program, which allows smaller airports to contract with the private sector for air traffic control services. Airports across the country, such as the Central Nebraska Regional Airport in Grand Island, NE, will benefit greatly from this program.

T-HUD allocates critical funding for our Nation's multimodal transportation network, and I am pleased the bill advances many of my own key initiatives.

I would also like to address some of the important provisions included in the Military Construction and Veterans Affairs portion of the bill. We owe an enormous debt of gratitude to our veterans and we have a responsibility to help them in their time of

need. These men and women answered the call to serve our country and to defend our freedom. Some have deployed around the world, often into the heart of danger, to fight or provide humanitarian assistance. Many of these veterans return from service with both the visual and the unseen scars of battle.

These brave men and women deserve timely access to quality health care. Unfortunately, veterans living in rural States can be forced to travel great distances to receive the care they need. Through this legislation, the VA would be prevented from diminishing services at certain existing Veterans Health Administration medical facilities. It would also require the VA to take a more holistic approach to planning and executing realignment.

Throughout Nebraska, veterans are fortunate to receive quality care from dedicated VA medical providers. At the same time, the lack of modern infrastructure and outdated facilities are hindering efforts to provide the latest treatments and support. The VA must continue to explore innovative strategies to hasten updates and the completion of our new facilities.

Although this bill offers progress, we are not finished in our efforts to address problems at the VA. I will continue to do whatever I can to ensure that every veteran has access to the health care they need.

As I mentioned, the appropriations bill before us moves forward a number of significant national transportation priorities and enhances programs beneficial to America's veterans. I greatly appreciate the hard work of Senators COLLINS, KIRK, and their Appropriations subcommittee staffs on this critical bill. It will allocate much needed dollars to advance our Nation's transportation system and strengthen veterans programs.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I thank the Senator from Nebraska, Mrs. FISCHER, for her comments. She is such a leader on so many issues in the Senate. We work closely together on transportation issues, and she gave us very valuable input for the bill that is before us. So I acknowledge her help and assistance and guidance and thank her for her comments.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. MCCAIN. Mr. President, I ask unanimous consent that I be recognized to speak as in morning business.

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

OBAMACARE

Mr. MCCAIN. Mr. President, over the last few months, we have witnessed ObamaCare crumbling in my home State of Arizona. Several Obamacare-established co-ops collapsed, including Arizona's Meritus Mutual Health Partners, forcing nearly 63,000 Arizonans scrambling to find new coverage. Last month, UnitedHealth, the Nation's largest health insurer, announced it will exit the Arizona marketplace and leave about 45,000 Arizonans to find new coverage in 2017. Now, as a direct result of the President's failed law, health insurer Humana just announced it, too, will exit the marketplace in 2017 in my home State. All together, over half of Arizona's counties will be left with a single insurer, and another third will be left with just two. In turn, this will cause premiums to skyrocket even higher than last year. While Democrats continue to stand by a failed law, Arizona families are bearing the burden. This is unacceptable.

More than 6 years after ObamaCare was rammed through Congress without a single Republican vote—and I was on the floor on Christmas Eve morning as it was passed on a strict party-line vote—Democrats are still trying to spin their overhaul of America's health care system. We continue to hear from advocates of ObamaCare who make their claims that continue to leave me speechless, such as that insurance markets are stable and premiums are not rising quickly. Unfortunately, as is often the case with advocates of the President's disastrous law, these statements are largely devoid of reality.

ObamaCare's upheaval and disruption to our Nation's health care system is a direct result of the efforts of the White House and Democratic leadership to write this massive bill behind closed doors, with no input from this side of the aisle. The process was anything but bipartisan, as promised on the campaign trail by the then-Presidential candidate, Barack Obama. Instead of crafting health care reform that works for the American people, the administration cut deals with drug companies to get their support, ensuring they would see increased profits and consumers would face increased costs.

Democrats' partisan effort to write and pass ObamaCare without Republican participation flies in the face of how every other major reform in American history was enacted. I have worked with Democrats on many occasions to solve some of the country's most urgent problems. Never in my experience has one party attempted to increase the government's influence in one-sixth of the American economy over the unanimous opposition of the other party.

Unfortunately, Americans are now facing the consequences of this massive overhaul of our health care system. The biggest problem in our health care system, and Americans' most pressing concern, is out-of-control cost increases, but ObamaCare does nothing to address this issue. That is why we continue to see health care costs balloon, while health insurance becomes increasingly expensive and unaffordable for citizens and their employers.

Sadly, as we have seen in recent weeks, the situation is only getting worse. Just last month, a poll by Gallup found that Americans cite health care costs as the most important financial burden facing their families. They name health care costs ahead of other financial burdens, such as low wages, debt, and being able to afford college or a mortgage.

The American people are now experiencing firsthand exactly what Republicans have been warning about ever since ObamaCare was written: The law will ultimately do far more harm than good, and they have every right to question what the future holds. The fact is, the crumbling of ObamaCare should come as no surprise to anyone.

UnitedHealth—which will exit from all but a handful of States in the individual marketplace in 2017—lost $475 million on the ObamaCare exchanges in 2015 and is projected to lose $650 million on the exchanges in 2016. Its exit from ObamaCare exchanges will send an estimated 45,000 citizens of my State, Arizona, scrambling to find new coverage with even fewer options to choose from.

Humana's announcement that it will follow in UnitedHealth's footsteps by exiting Arizona's exchanges should also come as no surprise, given the fact that it continues to incur losses as a result of ObamaCare's onerous regulations. Humana and UnitedHealth's exit means fewer options, less competition, and most certainly higher costs for consumers. This is especially true after Blue Cross Blue Shield, the only remaining provider in several Arizona counties, increased premiums last year by 27 percent merely to recover the $185 million in losses it incurred in the ObamaCare marketplace between 2014 and 2015.

The health insurer has noted that continuing to suffer losses in the marketplace is unsustainable, meaning significant premium increases are on the horizon for 2017. All of this news of insurance companies exiting the marketplace and others increasing premiums is only the tip of the iceberg when it comes to the consequences of this disastrous law. Since ObamaCare became law, prescription drug costs have continued to skyrocket.

Instead of encouraging innovation and competition, ObamaCare places heavy taxes on manufacturers and prescription drug importers to the tune of $27 billion over 10 years. According to

Standard & Poor's, the cost of drugs on the individual insurance market jumped 50 percent in 2015. Just as some are forgoing a visit to the doctor because of higher out-of-pocket costs, we are starting to see more and more individuals with chronic conditions not getting their prescriptions filled because of the increasing cost of drugs.

The fact is, ObamaCare was a failure from the start and Americans are paying the price. The best thing government can do to expand access to health insurance is to institute reforms that will rein in costs and make health care more affordable. I have introduced legislation to replace ObamaCare with real reform that would expand quality access to health care without compromising individual liberty, competition, or innovation.

Regrettably, every Republican effort to meaningfully bring down the cost of health care has been met with rigid opposition by Democrats who are more concerned with protecting President Obama's legacy than making health care accessible and affordable. Every day that goes by, with my colleagues on the other side of the aisle continuing to dig in their heels, leads to another day that millions of Americans face higher health care costs, decreased quality of care, and fewer choices.

It is past time for the President of the United States and Democrats in Congress to answer to the thousands of citizens across my State and the Nation who have been let down time and again by this disastrous law.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

Mr. GRASSLEY. Mr. President, I come to the floor today to commend the leaders of the Senate Appropriations Committee for accepting transparency language that I requested be included in the fiscal year 2017 spending bill for the Department of Housing and Urban Development.

The good governance provision, which I championed after years of oversight work, will ensure greater accountability in public housing authorities' use of the Federal money that they receive in this annual appropriations bill.

For the last 6 years, I have raised concern about HUD's failure to conduct proper oversight of how local housing authorities use those Federal dollars. Specifically, my concerns relate to HUD's practice of allowing local housing authorities to spend hundreds of millions of Federal dollars each year with virtually no Housing and Urban Development oversight and no transparency to the public. We all have reason to be concerned about this lack of transparency because some local housing authorities rely on the Federal Government for up to 90 percent of their funding.

That is why I thank Senator COLLINS, Senator KIRK, and other members of the Transportation-HUD Appropriations Subcommittee for recognizing that Congress must insist on HUD's paying closer attention to the use of taxpayer dollars by housing authorities.

The good governance provision that the Transportation-HUD Appropriations Subcommittee included in this year's appropriations report ensures that in the future the housing money we appropriate for low-income families will retain its Federal designation even after it is transferred to the housing authorities.

I want to stress that this designation is no small matter. In other words, Federal money is going to be considered Federal money when it gets to the local housing authority, and no games can be played with it as are being played with it now.

U.S. taxpayers spend about $4.5 billion every year to help low-income Americans put a roof over their heads. We can be proud that we do so much for people in need. We should not let any of that money specifically for people of need be wasted or spent to feather the nests of local public housing authority bureaucrats.

I wish to take a few minutes to explain why the appropriations language that I championed and is in this legislation is so sorely needed. Some local housing authorities have devoted these limited funds, which are meant to help low-income people find affordable housing, to high salaries and even for perks for the people who run housing authorities around the country. I will just use three examples, but there are dozens of examples that can be given.

At the Atlanta Housing Authority, at least 22 employees earned between $150,000 and $303,000 per year.

The former executive director of the Raleigh Housing Authority in North Carolina received about $280,000 in salary and benefits plus 30 vacation days.

The executive director of the Tampa Housing Authority is paid over $214,000 per year, and the housing authority spends over $100,000 per year on travel and conferences.

After I called attention to these wasteful practices a few years ago, HUD limited the executive salary paid by local housing authorities. That is good news, right? Well, it didn't work out that way, even after the salaries were capped at level IV of the Executive Schedule pay scale, which today amounts to about $160,000 a year. As I say, it didn't turn out to be good news. Unfortunately, as it did turn out, this compensation cap had little impact in limiting housing authority salaries.

I will explain how this works. HUD provides over $350 million in operating fees annually to local housing authorities. Right now, these fees are considered income earned by the housing authorities for managing programs instead of considering them as what they are—grants given by the Federal Government. That is where the Federal money gets mixed up with local money and the Federal money isn't followed by HUD. That is why they get away with the waste of taxpayers' money.

Despite their source, when these fees reach housing authorities, they are no longer considered Federal funds. I say that a second time for emphasis. Once these funds lose Federal designation, housing authorities then can use the tax dollars as they see fit—and they do. Then, when they use it as they see fit, HUD is not required to conduct oversight of how the money is spent. Believe me; HUD hasn't done much oversight.

This means that many employees of housing authorities can continue to earn annual salaries well in excess of the $160,000 without technically violating the Federal salary cap. You can see the games that are being played to let these local housing people get these massive high salaries and fringe benefits and waste taxpayers' money that should be spent helping low-income people get safe housing. Sadly, these salaries exceed limits that were imposed by the Federal Government to ensure the money we appropriate goes to low-income families in the greatest need of our assistance.

After I began publicly voicing my complaints about this practice, the Office of Management and Budget in December 2013 issued a government-wide guidance that should have—should have—put a stop to it, but it didn't. But let me tell you what the guidance called for. So-called fees for service would then be designated as program income so the Federal funding would retain its Federal designation after it is transferred into housing authority business accounts. Making sure it kept its Federal designation meant it had to be subject to HUD oversight. HUD initially agreed to fully implement the OMB guidance, but they did not.

Later, the Department quietly—very quietly—requested a waiver that, if that waiver was granted, would have allowed housing authorities to sidestep the new OMB rule and then continue to avoid commonsense oversight because, with that waiver, the Federal dollars would not have Federal designation. They would be considered local money and could be spent any way people wanted to spend it.

I might never have learned of this HUD effort to get around this OMB rule but for the very good work of the HUD inspector general. After I learned

from the inspector general's staff that HUD was requesting a waiver of the OMB guidance, I sent a letter to OMB expressing my concerns. But as so often happens with bureaucrats in this town, I didn't hear from OMB until I attempted to include amendment language addressing the fee designation in the Transportation-HUD appropriations bill before Thanksgiving of last year, when the issue was on the floor of the Senate. As we all know, that bill was pulled from the floor. But neither the inspector general nor I were ready to give up, and that is why we are here today.

Just recently, I received good news that reinforces my belief that congressional oversight works. HUD has finally agreed to implement its inspector general's recommendations requiring that funding provided by the taxpayers to public housing authorities will keep its Federal designation. In other words, HUD will be responsible for making sure that Federal funding is used as intended, and that is very clear. It is why we have public housing—to provide safe, affordable housing for those in need and, consequently, then, not to use that Federal money to pay exorbitant executive salaries.

My concern now is the timeframe for implementation and ensuring that HUD does not request another waiver.

HUD expects the final rule to be completed by December 2017, more than 1½ years from now. That is a very long time to finalize regulations. I hope HUD isn't delaying the process in the hope that either the inspector general or this Senator will give up. I can assure you that will not happen. We need to ensure that this reform is implemented by including language in this appropriations bill to not just keep salaries in check but also to ensure that HUD exercises oversight authority over how these funds are used and that more money is actually used for the poor.

I hope HUD uses that oversight authority to combat waste, such as in the following three examples: The Housing Authority of the City of Los Angeles misused over $3.9 million in operating funds for salary, travel, bonuses, and legal settlements. The Stark Metropolitan Housing Authority in Canton, OH, misused $4 million in operating and capital funds to build a commercial development, and an additional $2 million was misused for salaries and benefits. The Hickory, NC, housing authority paid over $500,000 in operating funds to a maintenance company owned by the brother of a board member—a clear conflict of interest.

It is also vital that Congress be aware of any effort by HUD to once again avoid implementing this rule the way they tried to get around the OMB rule I just talked about. For that reason, the report language I requested requires HUD to notify both the House and Senate Appropriations Committees quarterly during fiscal year 2017 if they request any waiver from implementing these provisions.

I encourage my colleagues to support this effort to ensure that HUD implements these much needed changes and does its part to provide better oversight of our scarce Federal funding.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

POLICE ACT OF 2016

Mr. CORNYN. Mr. President, I am delighted to be here on the floor with the chairman of the Senate Judiciary Committee and the ranking member, our colleague from Vermont, whom I have worked with on so many issues, to ask unanimous consent to take up a bill that I talked about a little earlier this morning called the POLICE Act. This bill uses existing funding to support local law enforcement but specifically to make sure funding is available for active-shooter training.

For example, in San Marcos, TX, at Texas State University, they have trained 80,000 local law enforcement officials in active-shooter training. The time I remember most poignantly when this was put to good use and saved lives was at Fort Hood, TX, when MAJ Nidal Hasan stood up and killed I think about 13 people and then wounded about 30 more. There were two law enforcement officials who crashed the site, put themselves in harm's way, but thanks to the great training they had, they were able to disable Major Hasan before he was able to do any more damage. So this is very important training.

We want to make sure there are funds available—using existing funding streams but available for active-shooter training wherever it might be provided around the country.

Mr. President, as I mentioned earlier today, this week is National Police Week—a time to honor those men and women who have fallen in the line of duty.

One way we can better support our Nation's law enforcement officers is by helping them get the training they need to keep themselves and the communities they protect safe.

The POLICE Act is a bill that would do exactly that.

This bipartisan legislation would allow existing grant money available for police training to be used for active shooter training—a commonsense way to put these funds to good use in a way that does not and will not spend additional Federal money.

Right now, current law will not allow local police departments and first responders to use a substantial amount of grant funding through the Justice Department for this kind of critical training. Our bill would change that.

With all the threats they face every day on the job, we have an obligation to equip as many officers as possible with the skills and training they need to respond to an active shooter situation.

I would like to thank Senator LEAHY for working with me on this legislation. I also would like to thank Chairman GRASSLEY for his effort in getting this bill passed out of committee last week. I express my gratitude to Senator GRASSLEY and Senator LEAHY.

At this time, Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 464, S. 2840.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2840) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize COPS grantees to use grant funds for active shooter training, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. CORNYN. I ask unanimous consent that the bill be read a third time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

Mr. CORNYN. Mr. President, I know of no further debate on the matter.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 2840) was passed, as follows:

S. 2840

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Protecting Our Lives by Initiating COPS Expansion Act of 2016'' or the ''POLICE Act of 2016''.

SEC. 2. ADDITIONAL AUTHORIZED USE OF COPS FUNDS.

Section 1701(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(b)) is amended—

(1) in paragraph (16), by striking ''and'' at the end;

(2) by redesignating paragraph (17) as paragraph (18);

(3) by inserting after paragraph (16) the following:

''(17) to participate in nationally recognized active shooter training programs that offer senario-based, integrated response courses designed to counter active shooter threats or acts of terrorism against individuals or facilities; and''; and

(4) in paragraph (18), as redesignated, by striking ''(16)'' and inserting ''(17)''.

Mr. LEAHY. Mr. President, I move to reconsider the vote.

Mr. CORNYN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CORNYN. Mr. President, I had a chance to speak on this earlier. I would defer to my colleague, the chairman of

the Judiciary Committee, or Senator LEAHY from Vermont, my principal cosponsor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, this week is National Police Week, and many of us have paused to thank our Nation's law enforcement officers for their important work. But it is not enough for us to simply pay tribute to these men and women. We must also provide them with the training and the resources they need to remain safe while they protect our communities.

That is why I pushed for years to enact legislation to reauthorize the Bulletproof Vest Partnership Grant Program, which President Obama signed into law on Monday. I authored this legislation with Senator GRAHAM because every single law enforcement officer deserves to be protected by a lifesaving vest. Since its inception in 1998, this program has provided more than 1.2 million vests to more than 13,000 law enforcement agencies. The reauthorization signed into law this week ensures that hundreds of thousands more officers will be similarly protected. I have personally met with officers who were saved by vests purchased through this program. They will confirm that these vests are worth every penny.

Today the Senate passed the Protecting Our Lives by Initiating COPS Expansion Act, or the POLICE Act. This legislation will provide law enforcement officers with training to handle active shooter situations. The bill is supported by the Fraternal Order of Police, International Association of Chiefs of Police, National District Attorneys Association, Major County Sheriffs Association, and the Sergeants Benevolent Association. I was proud to join Senator CORNYN as the lead Democratic sponsor of this legislation.

I thank Senator CORNYN for this. We have worked together on many law enforcement things over the years, and I think both Senator CORNYN and I have tried to demonstrate that law enforcement should not be a partisan matter, and we have done this in a bipartisan fashion.

So many officers have heroically responded to active shooter situations. This week the President bestowed upon several officers the Medal of Valor for their response to active shooters, including three California officers who confronted a gunman during a rampage at a community college that left five people dead in 2013; a New York officer who arrested, at a crowded hospital, a gunman who already had killed another officer; and a New York sheriff's deputy who confronted and subdued a gunman who had wounded others and posed a threat to students at a nearby school.

But I think we cannot rely on heroism alone. Senator CORNYN mentioned the training that helped end an active-shooter incident in Texas. Unfortunately, active-shooter incidents have become all too common, occurring in shopping malls and schools, the workplace, anywhere people gather. No State is immune, including my own State of Vermont. All of our Nation's officers should receive training on how to handle such situations so they can respond effectively to protect the public and to protect themselves. The POLICE Act will help make such training available.

However, the burden of protecting the public from active shooters should not fall solely on the shoulders of our law enforcement officers. Congress must do more to prevent active shooter situations. That means preventing criminals and those who seek to cause harm from acquiring firearms in the first place. That is why the Senate should pass the Stop Illegal Trafficking in Firearms Act that I sponsored with Senator COLLINS, which would provide law enforcement the tools they need to investigate and deter straw purchasers and gun traffickers. Congress must not become so numb to tragedy after tragedy that we fail to fulfill our duty to legislate, even when the issue involves firearms.

As I said, Senator CORNYN and I have made it very clear that supporting our Nation's law enforcement officers in reducing gun violence is not a partisan issue. While we are making progress, much more remains to be done. I stand ready to work with anyone—Republican or Democrat—on commonsense ways to keep our law enforcement officers and communities safe.

I applaud the Senate for passing this, I urge the House to quickly pass it, and I know the President will sign it.

I yield the floor.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—Continued

The PRESIDING OFFICER. The Senator from Tennessee.

WIND TURBINES

Mr. ALEXANDER. Mr. President, in 1867, when the naturalist John Muir first walked into the Cumberland Mountains, he wrote: ''The scenery is far grander than any I ever before beheld. . . . Such an ocean of wooded, waving, swelling mountain beauty and grandeur is not to be described.'' In January, Apex Clean Energy announced that it would spoil that mountain beauty by building twenty-three 45-story wind turbines in Cumberland County.

I can still recall walking into Grassy Cove in Cumberland County one spectacular day in 1978 during my campaign for Governor. I had not seen a prettier site. Over the last few decades, pleasant weather and natural beauty have attracted thousands of retirees from Tennessee and across America to the Cumberland Plateau.

The proposed Crab Orchard Wind project would be built less than 10 miles from Cumberland Mountain State Park, where for half a century Tennesseans and tourists have camped, fished, and canoed alongside herons and belted kingfishers and around Byrd Lake. It will be less than 5 miles from the scenic Ozone Falls State Natural Area, where the 110-foot waterfall is so picturesque, it was filmed as scenery in the movie ''Jungle Book.''

So here are my 10 questions for the citizens of Cumberland County and the people of Tennessee:

How big are these wind turbines?

I have a picture somewhere; maybe it will show up in the next few minutes. Each one is over two times as tall as the skyboxes at the University of Tennessee football stadium, three times as tall as Ozone Falls, and taller than the Statute of Liberty. The blades on each one are as long as a football field. Their blinking lights can be seen for 20 miles. They are not your grandma's windmills.

Question No. 2: Will they disturb the neighborhood?

Here is what a New York Times review of the documentary ''Windfall'' said about New York residents debating such turbines:

> Turbines are huge . . . with blades weighing seven tons and spinning at 150 miles an hour. They can fall over or send parts flying; struck by lightning, say, they can catch fire . . . and can generate a disorienting strobe effect in sunlight. Giant flickering shadows can tarnish a sunset's glow on a landscape.

Question No. 3: How much electricity can the project produce?

A puny amount—71 megawatts. But that is only when the wind is blowing, which in Tennessee is only 18.4 percent of the time, according to the Energy Information Administration.

Question No. 4: Does TVA need this electricity?

The answer is no. Last year TVA said there is ''no immediate need for new base load plants after Watts Bar Unit 2 comes online.'' That is a nuclear reactor. And just last week TVA put up for sale its unfinished Bellefonte nuclear plant.

Question No. 5: Do we need wind power's carbon-free electricity to help with climate change?

No, we don't. Nuclear power is a more reliable option. Nuclear produces over 60 percent of our country's carbon-free electricity, which is available 92 percent of the time. Wind produces 15 percent of our country's carbon-free electricity, but the wind often blows at night when electricity is not needed.

Question No. 6: How many wind turbines would it take to equal one nuclear reactor?

To equal the production of the new Watts Bar reactor, you would have to

run three rows of these huge wind turbines along I–40 from Memphis to Knoxville. And don't forget the transmission lines. Four reactors, each occupying roughly 1 square mile, would equal the production of a row of 45-story wind turbines strung the entire length of the 2,178-mile Appalachian Trail from Georgia to Maine. Relying on wind power to produce electricity when nuclear reactors are available is the energy equivalent of going to war in sailboats when a nuclear navy is available.

Question No. 7: Can you easily store large amounts of wind power and use it later when you need it? The answer is no.

Question No. 8: So even if you build wind turbines, do you still need nuclear, coal, or gas plants for the 80 percent of the time when the wind isn't blowing in Tennessee? The answer is yes.

Question No. 9: Then why would anyone want to build wind power that TVA doesn't need?

Because billions of dollars of wasteful Federal taxpayer subsidies allow wind producers in some markets to give away wind power and still make a profit.

The 10th question: Who is going to guarantee that these giant wind turbines get taken down when they wear out in 20 years and after the subsidies go away?

Good question. The picture that was just put up—and I have another slide as well—is what Palm Springs, CA, looks like after it has been littered with these massive wind turbines. My question for the people of Tennessee is, Do you want Cumberland County and Tennessee to look like that? That is the question we need to ask ourselves.

Many communities where wind projects have been proposed have tried to stop them before they go up because once the wind turbines and new transmission lines are built, it is hard to take them down. For example, watch the documentary ''Windfall'' that I mentioned earlier.

In October, the residents of Irasburg, VT, voted 274 to 9 against a plan to install a pair of 500-foot turbines on a ridgeline visible from their neighborhood.

In New York, three counties opposed 500- to 600-foot wind turbines next to Lake Ontario. People in the town of Yates voted unanimously to oppose the project in order to ''preserve their rural landscape.'' Take a look, and you can see why.

In Kent County, MD, the same company that is trying to put turbines in Cumberland County—Apex Clean Energy—tried to put down twenty-five to thirty-five 500-foot turbines a quarter to a half mile apart across thousands of acres of farmland where the air serves as a route for migratory geese.

According to the Baltimore Sun, Stephen S. Hershey, Jr., a local State legislator, had introduced a bill that would give county officials the right to veto any large-scale wind project in their jurisdiction. Hershey said he put the bill in after learning that the turbines would be nearly 500 feet tall and spread across an area of thousands of acres. He called that a ''massive'' footprint ''in a relatively rural and bucolic area.''

William Pickrum, president of the Board of County Commissioners, wrote the Senate committee that the project ''will certainly have a negative effect'' on farming, boating, and tourism in the county and hurt property values. The legislation had the support of local conservation groups and of Washington College in Chestertown. The school's interim president, Jack S. Griswold, warned in a letter to school staff and supporters that the turbines would ''despoil this scenic landscape.''

I mentioned a little earlier how big these wind turbines are. These are not your grandma's windmills. I happen to know, even though the Presiding Officer is from North Carolina, he was born in Tennessee and knows a little bit about the football stadium in Knoxville.

This is one wind turbine, when placed in Neyland Stadium in Knoxville, which will hold 102,000 people. The turbine is over twice as tall as the skyboxes. Its blades go the whole length of the football field. Its blinking lights can be seen for 20 miles. These are not your grandma's windmills.

As a U.S. Senator, I voted to save our mountaintops from destructive mining techniques. I am just as eager to protect mountaintops from unsightly wind turbines. I have voted for Federal clean air legislation and supported TVA's plan to build carbon-free nuclear reactors, phase out its older, dirtier coal plants, and put pollution control equipment on the remaining coal plants. Already the air is cleaner and our view of the mountains is better.

I hope citizens of Cumberland County—and all Tennesseans—will say a loud ''no'' to the out-of-State wind producers that are encouraged by billions in wasteful taxpayer subsidies to destroy our mountains and make them look like that.

Some say tourists will come to see the giant turbines. They may—once. But do we really think tourists or most Tennesseans want to exchange a drive through the natural beauty of the Cumberland Mountains for a drive along 23 towers that are more than twice as tall as Neyland Stadium and whose flashing lights can be seen for 20 miles? If you do, just take another look at the photograph of what has happened in Palm Springs, CA.

If there is one thing Tennesseans agree on, it is the pride in the natural beauty of our State. There are few places more beautiful than Cumberland County. We should not allow anyone to destroy the environment of our State in the name of saving.

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

The PRESIDING OFFICER. The Senator from West Virginia.

OPIATE EPIDEMIC

Mr. MANCHIN. Mr. President, I rise, as I have for the past few weeks, to bring stories of the opiate crisis that we have throughout my State, the Presiding Officer's State of North Carolina, and all over this country.

This epidemic is something we have to face because it affects every person in America right now. There is not a person I know of and not anyone, I believe, in America who doesn't know somebody in their immediate family, extended family, or close friend who hasn't been affected by prescription drug abuse or illicit drug abuse.

I have been dealing with this since my days as Governor of the great State of West Virginia. As the Presiding Officer knows, it has ravaged my State. We have been hit harder than any other State in the country. Drug overdoses have soared by over 700 percent since 1999. Just last year alone, we lost over 600 West Virginians to opioids. These are legal prescription drugs that are made legally in the country by a legal manufacturer of pharmaceuticals. They are approved by the Food and Drug Administration, a Federal agency that is supposed to look out for our well-being. They are being prescribed by the most trusted person next to our family members, our doctors, and they are killing us.

Our State is not unique in that it has hit everybody. Fifty-one Americans are dying every day—every day. We have lost over 200,000 Americans. Two hundred thousand Americans have died since 1999. If we think about that in epidemic proportions—we are talking about Zika. We just put $1.1 billion toward Zika. We spent $500 million on Ebola. All of these horrible epidemics that can cause devastation in America, we will rise up and face. We haven't done a thing in this line. We need a serious culture change to get through the problem, and we need to change approval of opiate drugs. Basically, FDA does not need to be putting out these powerful drugs. We don't need them. Think about the United States of America. Less than 5 percent of the world's population lives in our great country. Yet we consume over 80 percent of the opiates produced in the world. How did we become the most addicted? How did we become so intolerant to pain that we have to have the most powerful drugs ever produced? We have to treat the way we look at this drug coming to the market.

Also, 10, 20 years ago, anybody who did drugs, if they committed a crime, we put them in jail. We have spent over $500 billion in the last two decades incarcerating people for nonviolent

crimes. They come out as bad as they went in. We haven't cured anything. We have to change. We are looking at sentencing guideline changes on nonviolent crime—nonsexual, nonviolent crime. Most addicts commit thievery. That is a theft. It is larceny. That is where they get their sentencing from. So they get sentenced, they get a criminal record, and they can't get a job. They are out of the market.

My State of West Virginia has the lowest workforce participation. Only three things take you out of the workforce if you are an adult: If you have an incarceration record, people will not hire you; if you have a lack of skill sets; if you are addicted, you can't pass a drug test—or a combination of those three.

Something is going on. We can't fill jobs. People are telling me how bad the economy is. Then I talk to the employers who say: We can't get people to pass a drug test. We can't get people into the marketplace. So it is something we have to do.

My office continues to get flooded. I get letters from all over the country now because I invite that. I want them. Let me read your letter. Let's put a face and let's put a family on it. It is not just a hardship, it is not just poverty, it is basically every walk of life in America. They are writing stories.

I want to read another story to you right now. This is Carolyn's story. This is the grandmother writing to me:

Dear Senator Manchin,

I am enclosing a copy of the letter I sent to ''The Journal'' in Martinsburg concerning the death of our son's step-daughter. She died of a heroin overdose.

I consider myself Devon's grandmother, and at my age words are my best weapon to fight the scourge that killed her.

Please, Senator, read my letter and then use it in any way you see fit in the fight for the passage of ''Jessie's Law.''

We have talked about Jessie's Law. The Presiding Officer has been helpful, and I appreciate it very much. It basically says: If you go to the hospital and you know your child or a loved one in your family is addicted and the child is trying to overcome the addiction, then the hospital has the responsibility to stamp on their record ''addiction'' so they will be watching how they discharge them and the type of opiates they give them. You can't reaffirm an addiction by giving more pills. So this is what we are fighting against.

She said:

Our granddaughter, Devon, that tall exuberant redhead who laughed her way into our hearts, is now a statistic. Several days ago our son called us to tell us that she had died the night before from a heroin over-dose.

It wasn't her first over-dose by far, but the other times someone had always managed to get her to the hospital. That last time the friend shooting up with her couldn't help. He died at her side. She still held the needle in her hand [that killed her].

It was that quick.

Devon started her drug journey with prescription opiates.

She had been injured, she had an ailment, and she had pain.

When those pills weren't enough anymore, heroin stepped in, and the downward spiral began.

Heroin steps in every time.

It isn't just the problem kids from poor neighborhoods who get hooked, you know.

Everybody thinks it is because of the economic downturn. That is a part of it but not all of it.

Our granddaughter came from a stable, affectionate upper-middle class home. Even though her parents tried their best to save her with countless sleepless nights, multiple trips to rehab, tough love and loving persuasion, that drug won the battle.

Now, we are not even allowed to grieve. We must also contend with the many forms of our anger; impatience with Devon for not being stronger, rage at those who sold her the drugs, frustration with the authorities for not doing more to stop the trafficking or establishing more treatment centers, and self-recrimination for maybe not doing enough. We also are trying to cope with the guilt of feeling relief that her hell has finally ended. There is nothing more we can do for her now, no more treatments that we can try.

Can you imagine living with that? You tried everything, and then, finally, when the end comes like that, you have a feeling of relief—and then you feel remorse for that. Can you imagine grandparents going through this?

Finally:

She's just gone. Just . . . gone . . .

People are now coming out. Before, people didn't want to tell me. They were afraid. They had a son or a daughter in rehab, and they felt that would be a scourge on their family. They didn't want to be embarrassed. So we never knew about it. It was a silent killer.

Then we saw young people—going through the obituaries, it doesn't give the cause of death, but we can pretty much figure it out.

People are now saying: If we don't come out of the closet and talk about it, we are not going to fix it. There is a lot that needs to be done.

I am going to read another story that has a happy ending. I am going to read Chelsea's story, which I have read before.

This is a young girl from Boone County, WV. This young girl had started using drugs when she was 12 years old—12 years old. Anything and everything that could happen to a human being—her dad was mayor of the town. He was mayor. She had gone through everything, hit bottom as far as bottom could be. The person she went through drug court and drug rehab with died, couldn't get out. She made it.

I am going to read hers now so we see a happy ending. Most of these stories are about the pain and heartache associated with opiate abuse, but Chelsea's story is a little different. In February, on the Senator floor, I read Chelsea Carter's powerful story on how she has overcome her opiate addiction, and today I am proud to say she just received her master's degree in social work from Concord University.

She said:

After being addicted to drugs since I was 12 years old [by a neighborhood friend], I decided to go back to school and teach others what I have been taught my whole life.

I received my bachelor's degree from West Virginia University in the Art of Psychology in May of 2013 and last Saturday May 7, 2016 I graduated with my Masters in Social Work from Concord University.

I am currently working on my Alcohol and Drug Counseling Licensure and also myself and seven other people are in the process of opening up a Sober Living home in Danville, West Virginia [her home area] called the Hero House.

They get no funding. They don't qualify for Medicaid, Medicare—nothing. What they are going to do is all going to be on love and kindness. Also, with the record she has now—because she has a felony record for grand larceny—it will be hard for her to get a job. We are taking a person now with a master's degree out of the workforce. It is unbelievable.

She said:

I currently work for Appalachian Health Services as an addiction therapist—

They went beyond that and hired her anyway. Most people will not.

—but my dream is to one day open my own inpatient treatment facility and help other people who are just like me.

A message I would like people to know is that recovery is possible, but you have to be willing to work at it.

It is a lot easier to go out on the streets and buy drugs instead of trying to change your life, but the one thing that recovery gives you that the drugs will never is your life back.

I am living proof that if you want something bad enough you can change.

We have to give them hope. We have to give them reasons. We have to give them the ability to get back in the mainstream. This is the best example of what can be done if we make investments, and the investments we make are investments in human capital in the United States of America and the spirit of America. This is what we are doing.

For the many stories I read that have such horrible endings, this has a happy ending, and it helps many people.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I thank the Senator from West Virginia. He has been a tiger on this issue, and I hope we will answer his call. The epidemic is no better in Connecticut, where most of our cities are on track to see a doubling of overdose deaths this year from last year, and last year was quadruple the number it was 3 or 4 years ago. I say thank you very much to my colleague from West Virginia.

AMENDMENT NO. 3897

Mr. President, I am on the floor today to talk about an amendment to

the pending bill. It is an issue that a lot of us thought was decided by this body decades ago; that is, the prohibition of discrimination in housing based on race, sex, religion, national origin, physical or mental disability, and family status. It is the Fair Housing Act.

In many ways, the Fair Housing Act was the culmination of the legislative fight for civil rights in the 1960s. It was the first effective Federal law guarding against discrimination in the sale and the rental of housing in the United States. For nearly 50 years, it has been employed to ensure that every American can choose where to live, free from discrimination and the immoral and unconstitutional consequences of residential segregation.

We have come a long way since the 1960s, but we are by no means all the way there. Today, discrimination is still a reality in housing markets across the country. In every single State, there are cases of landlords misrepresenting the availability of housing or outright refusing to sell or rent to certain protected individuals or groups of people. There are others who are given different terms and conditions on a mortgage or on a rental contract, based on their race, their gender, or their physical disability. I hear these stories even in my State of Connecticut, which is a pretty progressive State.

For instance, Crystal Carter was a homeless single mother living in Hartford, CT, with her five children, one of whom is developmentally disabled. This is what she said, in her own words:

For two years, my family had jumped between homeless shelters and staying with family and friends. I had searched for affordable housing for several hours a day, every day, and submitted dozens of applications. Then, I found out about an open waiting list for rental vouchers in a suburban area. I was excited at the chance to move to a safer area with better schools for my children. But when I called the suburban housing authority that managed the program, I was told I couldn't even have an application because I didn't already live in one of the approved nearby towns. I was also told that it was someplace I wouldn't want to live anyway and that I should be looking in Hartford or Bridgeport instead.

Johnnie Dailey is another victim of housing discrimination. Here is Johnnie's story:

In 2013, I was searching for a new home for my family, including my young niece and grandson. I found a single-family home that would have been perfect for my family. It was on a quiet street where my niece and grandson could play outside, and the rent was less than my current apartment. My real estate agent called the listing agent for the property and told her that I was very interested in renting the property and that I had a Section 8 voucher. The listing agent responded that the owner of the property, a Boston-based company, would not rent to me because they were not interested in accepting a Section 8 voucher. I was discriminated against and denied the opportunity to rent the property solely because I am someone who uses a Section 8 voucher to pay part of my rent. To this day, when I think about the discrimination I experienced, I feel upset and embarrassed.

Crystal's and Johnnie's stories are two of tens of thousands of stories from across the country that underscore the need for the Fair Housing Act. We have made progress, but we aren't done. While the Fair Housing Act rose out of the fight for civil rights for African Americans, we also need to remember today that over half of all reported complaints of housing discrimination are initiated by people with disabilities. There are veterans returning from Iraq and Afghanistan with debilitating injuries that have altered their lives completely. These individuals also include a growing number of elderly Americans who are living with disabilities.

As a Nation, we know we are stronger and better when we assure access and opportunity for all Americans, including the 57 million Americans who are living with disabilities today.

Unfortunately, civil rights laws are under attack today. It is not a position that is endorsed wholesale by the Republican Party, but there is a coordinated effort on the right to use every tool possible to strip civil rights protections from African Americans, Hispanics, the disabled, and the poor. We saw this in the successful campaign to get the Supreme Court to invalidate portions of the Voting Rights Act.

Now on the floor of the Senate, we are talking about an amendment that would gut the enforcement of the Fair Housing Act. This amendment, which is offered by my friend Senator LEE, would effectively stop the Department of Housing and Urban Development from being able to enforce the Fair Housing Act. The law would stay on the books, but the Department couldn't enforce some of the most important elements.

One of the elements, passed in the 1960s, is an affirmative requirement that States and cities take steps to remedy discrimination that exists in their community. The Fair Housing Act, which is a bedrock of our civil rights laws, has held for decades that it isn't enough to band discrimination based on race, disability, or gender. Local jurisdictions have to do something to make discrimination less likely for renters and home buyers. This isn't new; this has been on the books since the 1960s. But a few years ago, GAO discovered in a report that most localities weren't doing this; they were ignoring that aspect of the law. Appropriately, HUD clarified the obligations under this section of the Fair Housing Act so that cities and towns know exactly what they need to do to assess the scope of discrimination in their area and to better understand their obligations under the act to fix the problems.

Senator LEE's amendment would strip from HUD the ability to enforce this part of the law, and that is a shame. We can close our eyes, box our ears, and pretend discrimination doesn't exist, but if that is what my Republican friends want to do, it is a grievous mistake. We aren't in a postracial world. We don't live in a society where the disabled always get a fair shake. Discrimination exists, and the Federal Government, since the beginning of this Republic, has taken seriously its moral and constitutional responsibility to ensure that everyone living under the protection of this government gets an equal chance at success—no matter their race, their gender, their ability, or their disability.

I am dismayed that 50 years after the passage of the Civil Rights Act, the Voting Rights Act, and the Fair Housing Act, the fundamental civil rights that have been granted to every American still need to be continually shielded from attempts to dismantle them. Any limitation or reversal on HUD's ability to enforce the Fair Housing Act would for us, as a Senate, be to ignore the moral compass that has guided our Nation's commitment to civil rights over decades and decades of progress.

I am encouraged that Chairwoman COLLINS and Ranking Member REED both intend to oppose the Lee amendment. I urge all of my colleagues to do the same.

I yield the floor.

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

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

The bill clerk proceeded to call the roll.

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

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

Mr. NELSON. Mr. President, I am waiting on Senator REID, who will be coming here to make a motion with regard to the Zika crisis. While we have a moment, I want to set the table.

Can you imagine being a pregnant woman in the southern part of the United States this summer in a poor county that does not have the funds for mosquito control? That pregnant woman knows that if she gets bitten by the aegypti mosquito carrying the Zika virus, there is a good chance the virus is going to infect the baby in her womb and could have consequences, all of which we have seen in these very disturbing photos of children born with deformed heads.

As a matter of fact, the doctors in the Centers for Disease Control and Prevention tell us that the baby can be born with no abnormalities but the abnormalities appear later in the child's development after birth. Can you imagine being a pregnant woman in the southern part of the United States in a

poor county—a poor county such as counties in the State of the Presiding Officer—that doesn't have the funds for mosquito control? What about a rich county that has run out of funds budgeted for mosquito control?

If you are going to control the Zika virus, you either have to have a vaccine, which they are working on, or you have to be able to stop the mosquito from being able to reproduce. They are working on genetic alterations, but both of those take time. In the meantime, there is only one thing to do.

Mr. CORNYN. Will the Senator yield for a question?

Mr. NELSON. I want to finish my statement.

In the meantime, if you don't have a vaccine and you don't have the ability to stop the mosquito population, the particular strain that carries the virus, there is only one thing to do, and that is mosquito control. That is what local counties, cities, and States are begging us now, as was indicated by the letter that I introduced from Osceola County, which is right next to the county of Orlando, Orange County. It is a relatively well-off, affluent county, but they don't have any more mosquito control funds. As we go into this summer with the rains, that raises the concern that it doesn't have to be a pond with stagnant water; it can be a bottle cap that is filled with water where the mosquito lays her larvae and they hatch.

Yes, I will yield to the distinguished Senator from Texas.

Mr. CORNYN. Mr. President, I appreciate the Senator from Florida yielding for a question.

I wish to ask the question, Is the Senator aware that $580 million of unspent Ebola funds has been reprogrammed by the Obama administration as a down payment on dealing with this impending crisis?

Mr. NELSON. Indeed, this Senator is aware of that. Thank goodness there was this pot of money so that the administration could start this because we haven't been doing anything in Congress to produce the emergency appropriations. Thank goodness there was a pot of money they could borrow.

Did you know that there is Ebola that is erupting in Western Africa right now? Don't we have a responsibility to replenish that Ebola fund?

Mr. President, I said I was going to talk until Leader REID arrived. He is here, and I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, I have had a long, pleasant relationship with the senior Senator from Florida. We served in the House together. We have served in the Senate together. I have great admiration for him and his loving wife Grace, and I am happy to be on the floor with him today. People in Florida are so fortunate to have this good man representing them.

UNANIMOUS CONSENT REQUEST—H.R. 3038

Mr. President, look at this map behind me. There are two types of mosquitoes that carry this disease—this condition, this virus. We see this map here, which covers 39 States. It goes without saying that they are not subtropical States. They are not Florida. They are not Louisiana or southern Texas. They are places like Boulder, CO, and Las Vegas, NV. Are those States subtropical? No, I don't think so. We get 4 inches of rain a year. It goes up into Maine.

This is a serious issue which will affect 39 States. As the weather warms, the mosquitos will multiply and people will be bitten by these vicious little insects.

Mosquitos have been causing problems in the world for centuries, but never to anyone's knowledge has a mosquito caused the types of birth defects that are now happening with the Zika virus.

The virus was discovered in 1947 or 1948 in Uganda. In fact, ''Zika'' is the name of a forest there and means ''overgrown.'' Over the decades, something has happened and these mosquitos have become so dangerous.

This virus is a threat to people living in these areas, and it is as real as it gets. Right now, the focal point is on two places, but it is changing as we speak. The American citizens of Puerto Rico have been hammered. That poor territory of ours has had so many problems—all the money problems they are having, compounded by the fact that tourism is being damaged significantly as a result of this Zika virus.

It is not only the birth defects this virus causes, which are so repugnant and scary, but this virus also has the ability to create very serious problems with paralysis in human beings. It has happened, and there are already reported cases of that.

This is a ravaging problem. Puerto Rico now has almost 1,000 reported cases, which include at least 128 pregnant women and probably more. One citizen died in Puerto Rico as a direct result of the Zika virus. It is estimated that 20 percent of the Puerto Rican people—or 3½ million—will be infected with this virus. We are talking 700,000 American citizens.

As of May 11, there were 1,200 Zika cases on the mainland, and Senator NELSON has talked about that in detail—as well he should as a representative of that State. No State is on the frontlines of this ravaging problem more than the State of Florida. It is a nightmare, and who knows how long before this map becomes our national nightmare. No one is making this up. This is serious.

Somehow, the Republican-controlled Congress still hasn't sent a bill to the President's desk to provide emergency funding so we can fight this devastating virus.

If we were here talking about a national emergency—floods, fires, earthquakes, all of the many issues we often come to the floor to talk about—my friend from Texas is on the floor. How many times have we come to this floor to help the State of Texas? We have helped Texas so many times, and we were all glad to do it, to pass emergency supplemental bills to help the citizens of the State of Texas. There is no reason that I can understand why we don't have a piece of legislation on the floor just like we would if there were a flood, fire, or some other emergency in a State. But, no, we are going through a process that will never end in time to take care of the problem.

Under the present process we have, this emergency spending is part of the appropriations bill. Everyone knows that the House can't even get a budget. They can't do their appropriations bills. How are we going to take these issues to conference when the House can't even come up with a budget? I don't know how we can do it any sooner than sometime toward the end of this fiscal year, which is September or October. By then, the summer will be beginning to be gone, but the mosquitos and the devastation they have left will not be gone.

Experts tell us they need this money and they need it now. Yesterday I met with the President's Director of Management and Budget, Sean Donovan, and it is clear that they desperately need this money.

It sounds as if my friend from Texas is saying: We have the Ebola money; use that. They are still working on Ebola. What was the emergency we had here 2 years ago? It was Ebola. What did we do? We provided the money so they could do the research to alleviate the spread of this scourge, and they are doing that now. We are robbing Peter to pay Paul. That is actually what we are doing.

The $1.1 billion for Zika that we invoked cloture on yesterday is a band-aid. It is not enough. Congress isn't moving fast enough to give the researchers, doctors, and public health officials what they need to combat this virus.

Now the House is going to make it even worse by passing a bill for $622 million. What would you guess they are going to use to fund this money? Let's see. What could it be? Oh, maybe ObamaCare, which they have tried to defeat 67 times, and each time it ends up the same. Einstein's definition of insanity is doing the same thing over and over again and expecting a different result. That is what we have with the House Republicans, and I am sorry to say this, but it has spilled over here too. They haven't tried to eliminate it over here that many times but as many times as they could. They are going to come up with a bill to provide $622 million, which will come from a number of

resources, but it will principally be ObamaCare money. And $622 million is a fraction of what is needed. It is approximately 25 percent of what is really needed.

To say that the appropriations process is too slow is a gross understatement. We need to get this done now. I don't know when, if ever, these appropriations bills will be signed into law.

Dr. Anthony Fauci, Director of the National Institute of Allergy and Infectious Diseases, has been at the forefront of all of these dreaded problems we have had in recent decades. He was a leading advocate scientifically during the AIDS epidemic we had. Here is what he said: ''When you've got an emergency situation, you really need to get funding as quickly as possible.''

The time to act is now. This summer, when Zika is on the news every day, which it will be, Senators will regret that they did not act quickly to address this crisis.

I urge my colleagues to take care of this today and provide the $1.9 billion in emergency money, just as we have done with any other national emergency we have taken care of on this floor numerous times, and do it in a procedural way that will get the money to them the quickest.

Mr. President, at this time I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 157, H.R. 3038; that all after the enacting clause be stricken; that the Nelson substitute amendment to enhance a Federal response and preparedness with respect to the Zika virus, which is at the desk, be agreed to; that there be up to 1 hour of debate equally divided between the two leaders or their designees; that upon the use or yielding back of time, the bill, as amended, be read a third time and the Senate vote on passage of the bill, as amended, and there be no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CORNYN. Mr. President, reserving the right to object, our Democratic colleagues won't take yes for an answer. Yesterday the Murray-Blunt language, which now the Democratic leader calls a bandaid, actually obtained cloture, and I expect it will pass tomorrow as part of the underlying appropriations bill.

Mr. President, $1.1 billion on top of the $585 million that has already been reprogrammed from the Ebola fund to be used to combat the Zika virus is not a bandaid; it is a serious effort in a nonpartisan way to address a public health challenge.

As we can see from the map, Texas is right in the crosshairs. We are ground zero in the United States, along with Florida, Louisiana, and other Southern States where this mosquito is present. Thank goodness no mosquito-borne transmission has occurred yet. But I agree with my colleague from Florida. This is a serious matter, and we need to treat it seriously, but that is not what is happening now.

This is a bill that the Senate defeated cloture on yesterday, and this is an attempt to end run that defeat of a vote before the entire Senate. I am compelled to object.

The PRESIDING OFFICER. Objection is heard.

The Democratic leader.

Mr. REID. I don't know what my friend from Texas is going to tell the people from Texas this summer when there is no money available. We heard the Senator from Florida talk about the need for local governments to prepare for this virus. Some of this stuff is pretty straightforward.

How do you get rid of mosquitoes? You can't wish them away. They don't go away that way. We get rid of mosquitoes by mosquito control, and that takes money. Where does that money come from? It comes from local governments. That is why Florida is desperate for money, and they will be desperate for that money in Texas and everyplace else. Using the logic of my friend from Texas, don't worry about it. We will get you some money this fall. The money we voted on yesterday at the very earliest will not come until we wrap up our appropriations bills.

I remind everyone that the House is stuck. They can't do appropriations bills because they don't have a budget. They can't get people to agree to what they want to do. My friend PAUL RYAN has seen what John Boehner had to put up with all of those years before they ran him away from the Speakership, and he is having the same problem. This man who talked about budgeting—that was his key. He was the idea man. PAUL RYAN can't get a budget with his own Republicans in the House.

I think that my friend is saying: We got a downpayment. We took the money from Ebola. We will worry about Ebola later, and maybe we will borrow that money from someplace else to continue our research on Ebola.

Senator SCHUMER mentioned in a meeting we had a short time ago that the one thing he remembered about the last time Dr. Fauci came to our caucus and talked about this dread problem was that he said that the National Institutes of Health is very close to coming up with a vaccine for this. But we take this money—just like when we had sequestration, they were close to a flu vaccine, and that is gone. You have to do it when you can, and right now is an opportunity for us to do something to save the lives of people and especially these unborn infants.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I apologize to the Democratic leader. Apparently I wasn't able to communicate my point, which is that there is already $580 million available today to combat the Zika virus. Finally, the administration took the advice of those on this side of the aisle and said: Let's take the unused Ebola funds to fight it today while we have an orderly process by which we appropriate the money in a responsible way.

I think the Senator from Washington, Mrs. MURRAY, and Senator BLUNT, the chairman and ranking member of the appropriations subcommittee, have done a good job of winnowing down the $1.9 billion request to the $1.1 billion which I agree is the right figure. While we have some other differences, I think the Senate is acting in a responsible and bipartisan way, which is the only way things can actually get done around here.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, it wasn't because of the good graces of the Members of the Republican Senate that President Obama took the money from Ebola and put it into fighting the problems we have with Zika. The President asked for this money 3 months ago. They took that money out of desperation because they had no other place to go for the money. That money is not sitting there waiting to be spent; it has been spent.

They need money. They are out of money. There is no more robbing Peter to pay Paul. This is an emergency, and it should be handled now because under the process we have, the earliest there will be help for this will be this fall.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I thank the Chair.

UNANIMOUS CONSENT REQUEST—H.R. 3038

I have to say that I am really disappointed that Republicans once again rejected the administration's full emergency supplemental package.

It has been more than 3 months since President Obama first put forward a proposal to fight this Zika virus. He laid out what he thought he needed to respond to a crisis in a way that protected our families the best. His administration was here. They testified at hearing after hearing after hearing about the details of this proposal and made it clear that there was absolutely no reason for Congress to wait.

But, for months, our Republican leaders did nothing. They delayed. They came up with one excuse after another. They ignored the experts, ignored the scientists, and ignored the facts.

Some Republicans were saying that Zika wasn't something they were willing to give the administration a penny more for. Others said they would think about more money to fight Zika but only in return for partisan spending

cuts. And others spent more time thinking about how to get political cover rather than actually trying to address this enormous problem.

But many of us knew how important this was, and we were not going to give up. We kept the pressure on. We kept pushing to get serious about dealing with this emergency, and we made sure that the mothers and fathers across the country who are scared and who wanted their government to fight this horrific virus had a voice in this process.

So while it shouldn't have taken so long, I am glad that this week many of our Republican colleagues in the Senate did finally join us at the table to open up a path for an important step forward. This was a compromise proposal, and it certainly isn't what I would have written on my own.

For example, I want to note that throughout this process, I have made it clear that a top priority of mine is making sure that women do have access to reproductive health care in light of the impacts of this virus. So I was disappointed that the Republicans insisted on including unnecessary language that simply reiterates the preexisting ban on Federal funding for abortions.

But this bipartisan agreement that we voted on yesterday would support community health centers and other providers in making sure that women have access to contraception and other critical health care. It would help make sure that women in Zika-affected areas have the ability to plan their families and prevent these tragedies, like so many we have already seen, especially compared to the House legislation that includes no support for preventive health care or outreach for family planning. I believe these resources are extremely critical, and I am going to keep fighting to continue getting us to expand this to the full range of reproductive health care that women need.

We also didn't get the full amount we had hoped for in this compromise. Democrats still believe that Congress should give the President the full funding this administration has asked for and needs.

But I am glad that, with every Democrat and 23 Republicans willing to do the right thing, we are going to pass a $1.1 billion down payment on the President's proposal and do it as an emergency bill without offsets—the way it ought to be.

So I want to thank Senator BLUNT, who worked with me to get this done, as well as my colleagues on both sides of the aisle who voted for it. Our bipartisan agreement will provide direct investments with a Zika response in Puerto Rico. It will ramp up prevention and support services for pregnant women and invest in foreign aid for Latin America and the Caribbean. It will help accelerate development of a vaccine and backfill nearly $100 million in funding the administration was forced to reprogram due to the Republicans' refusal to act.

Our agreement would accelerate the administration's work and allow money to start flowing to address this crisis, even as we continue to ask for more as needed.

Unfortunately, now we know that House Republicans have gone in a very different direction. They released an underfunded, partisan—and, frankly, in my opinion—mean-spirited bill that would provide only $622 million, which is less than a third of what is needed for this emergency, without any funding for preventive health care or family planning or even outreach to those who are at risk of getting the Zika virus.

They are still insisting that funding for this public health emergency be fully offset and that the administration should siphon the money away from the critical Ebola response and from other essential activities in order to fund Zika efforts.

The choice between the Senate and the House Zika bills is a choice between acting to protect women and families and doing nothing at all. It is a choice between a bipartisan compromise that takes an important step forward to address this emergency and a partisan embarrassment that is intended to do nothing more than provide Members with political cover. That doesn't solve this emergency.

The partisan House bill is a nonstarter, but we do have a path forward. The Senate bill has the support of Democrats and Republicans. It can move through the House, it can be signed into law, and it can get resources moving quickly to tackle this emergency quickly.

So let's get this bill to the House as quickly as possible. Every Democrat and a little less than half of the Republicans supported the bill. Let's send it to the House right now and urge them to pass it as quickly as possible.

There is no reason to keep it attached to this bill we are on and allow House Republicans to get it and slow-walk it into the fall, as our leader suggested would happen. There is no reason this funding cannot be approved and signed into law next week in time for the summer and the peak of mosquito season, which the Senator from Florida knows is coming very rapidly.

It has the support of the Senate on its own. Let's send it to the House on its own. Women and families in this country have been looking to Congress for action on Zika for months, and we here in the Senate—and House Republicans—should not make them wait any longer.

So I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 157, H.R. 3038; that all after the enacting clause be stricken; that the Blunt-Murray substitute amendment to enhance the Federal response and preparedness with respect to the Zika virus be agreed to; that there be up to 1 hour of debate, equally divided between the two leaders or their designees; that upon the use or yielding back of time, the bill, as amended, be read a third time and the Senate vote on passage of the bill, as amended, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CORNYN. Mr. President, reserving the right to object, again, our colleagues won't take yes for an answer. The amendment of the Senator from Washington, along with Senator BLUNT, the chairman of the Appropriations subcommittee responsible for this, actually obtained cloture and will pass tomorrow—tomorrow—as part of this underlying appropriations bill, assuming that there are no other objections or that people want to finish that legislation. So I don't really understand why they continue to refuse to take yes for an answer.

I would say to my friend from Washington: Would the Senator modify her request to include my language at the desk, which has the exact same funding levels as the Blunt-Murray amendment but includes a pay-for using the prevention fund in the Affordable Care Act?

The PRESIDING OFFICER. Does the Senator from Washington so modify her request?

Mrs. MURRAY. Mr. President, reserving the right to object, let me just say that the spending bill that this has now been attached to may take months—into the fall or even into the winter months—before it is approved. The Zika virus isn't going to wait for the winter months. The mosquitoes are here now, and they will continue to move very rapidly across the country, as our leader has outlined before. So taking it out of this bill—it has now been approved by a number of Senators on a bipartisan basis—and moving it quickly to the House and getting it to the President's desk means they will have the resources as quickly as possible to deal with this and to begin to deal with this in a responsible way.

Secondly, let me just say that the request that the Senator from Texas has just broached means that we are going to have to fight over cuts—cuts to women, cuts to families, cuts to critical health care efforts in order to fight the Zika virus. That is objectionable. This is an emergency supplemental, as we agreed to yesterday, and it needs to move forward that way. So I object.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request?

The Senator from Texas.

Mr. CORNYN. Mr. President, I wish to respond briefly to my friend from Washington. The prevention fund that was created by the Affordable Care Act that is part of the President's signature health care bill has more than adequate money in it to pay for the research, the mosquito eradication, and the other services that are necessary. It is not depriving anyone of money that they otherwise would have coming.

What it does do is it alleviates the financial burden on future generations to actually pay the money back that we insist on spending without providing for adequate offsets. So increasing deficits is why the national debt has almost doubled under this President because of the reckless spending.

We are trying to do this in a responsible, bipartisan, and, indeed, I would say, nonpartisan sort of way, but apparently that is not acceptable to our friends on the other side.

The PRESIDING OFFICER. Does the Senator object?

Mr. CORNYN. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, I have listened attentively to the debate over the last 15 minutes about Zika, and it has been very entertaining to me. But it has also been interesting just to hear the numbers being thrown around. There is a series of numbers being thrown around as if it is an apples-to-apples comparison.

So let me try to break down a few things with an apples-to-apples comparison about Zika and the funding.

The President has asked for $1.9 billion for Zika. The Senate has now responded back to say: We will do the $500 million the President has already moved over from Ebola funding and add to it $1.1 billion to come up with about $1.6 billion—almost $1.7 billion—so about $200 million short, which is being declared as grossly inadequate. That is 0.2 short from what the President had asked for.

There is also being thrown around the House proposal, saying the House proposal is grossly inadequate to be able to cover what is being discussed there because it is a little over $600 million. The President wants $1.9 billion, and the House is offering $600 million. But what is not being stated is that what the Senate has done and what the President has asked for is $1.9 billion over 2 years. The House has said a little over $600 million this year and added to the Ebola funding that was already there—meaning $1.1 billion this year and then in our normal appropriations process to take it up again next year. It may be the same amount.

It has become very fascinating to me to hear some say: Well, they are cutting it in half, and it is insulting and it is all these things.

I think to myself: It is the same numbers. They are just cutting the times to be able to break it down into different numbers.

So all of these number games are very interesting, but they still don't drive at one essential thing. We do need to deal with Zika, but we also need to deal with Zika in a fiscally responsible way. The assumption that to deal with Zika means we have to throw the budget out and there is no way we can find $1 billion in a $4 trillion budget to cover Zika is laughable.

So what I propose is something very simple. Right now, the Department of State, HHS, and USAID have $86 billion in unobligated balances—right now. There is absolutely no reason $1 billion of that could not be moved to deal with Zika right now. It would be the exact same proposal that Senator MURRAY and Senator BLUNT have proposed but actually doing it with unobligated balances. There is absolutely no reason that wouldn't occur.

We know that $500 million had already been moved over from Ebola funding. That would be $1.6 billion moving over to help fight Zika.

The real issue to fighting Zika is three simple things. CDC is actually tracking the movements so we can stay attentive to it. The second thing is dealing with the mosquito population, which is aggressive spraying. The third thing is working on a vaccine. All three of those things we can do, and all three of those things have already begun. The research has already begun on the vaccine. The mosquito spraying has already begun, and working through the tracking and the movement of the disease has already started. The implication that nothing can start until this body acts is not true.

The administration, starting in January and February, came in and said: This is urgent. We need to be able to move funds, and we need to be able to have funds to do it.

Ironically, in January and February, they came and held hearings on that, but in March of this year—2 months ago—this same administration took half a billion dollars out of the economic support fund that Congress had allotted to them last December, which was earmarked especially for—get this—infectious diseases. So in March of this year, the administration took half a billion dollars out of the infectious diseases account for international infectious diseases and moved that over and gave it to the U.N. for the Green Climate Fund. Now they come to us, high and mighty, and say we need $1 billion, when the one-half billion dollars we already allotted that can be used right now along with the one-half billion from Ebola, equaling $1 billion, was already allotted by Congress—was already there—and could be in operation right now. They chose to reallocate to a different priority. So it disturbs me to hear the administration saying, ''Why aren't you doing anything about this,'' when we did last year, and then they spent that money on green climate funds rather than spending it on Zika—what it was allotted for—infectious disease control.

So here is my issue. We need to do both. We need to deal with Zika, and we need to do it in a fiscally responsible way, and we can. I understand the term ''emergency'' means one simple thing, spend more—spend more and add more debt because it is an emergency.

I don't think Americans believe that with a $4 trillion budget, we cannot cover $1 billion from previous accounts. In fact, if we want to be specific, the three accounts the Blunt-Murray amendment puts money into—they are putting $1.1 billion into a set of accounts. If we took those accounts alone, those accounts alone that they are adding $1 billion to already have $15 billion in unobligated balances in those accounts right now.

We can be efficient in what we do and still treat things seriously, and I think we should. I think it is fiscally responsible to not just say the Zika virus is moving quickly so we need to add more debt to our children to respond to it. I think we can take care of our debt and take care of Zika.

For anyone who would say it is unheard of to be able to move funds for an emergency like this, may I remind you in 2009, this same Obama administration facing the H1N1 virus moving around the world, asked for permission to move unobligated balances out of some of these same accounts to deal with the H1N1 virus. We are just saying, if it is OK for the H1N1 virus, why is it suddenly not allowable now dealing with Zika? This is not about Zika anymore; this is about breaking the budget caps.

We need to be responsible in our spending and responsible in how we deal with Zika. Both things can be done.

With that, Mr. President, I ask unanimous consent that the pending amendment be set aside so that I may offer my amendment No. 3955 to the Blunt amendment No. 3900.

The PRESIDING OFFICER. Is there objection?

The Senator from Florida.

Mr. NELSON. Mr. President, reserving the right to object, I like the Senator from Oklahoma. He is a great friend, and it pains me to reserve the right to object because I do consider him an excellent Senator.

However, the issue he raises in his unanimous consent request is to take the emergency funding of $1.1 billion out of the appropriations bill and replace that emergency funding by raiding a number of funds that would cut medical research and public health in order to address the Zika virus. What I am talking about is raiding money

from cancer research, children's immunizations, and the CDC's efforts to fight other infectious diseases that are already so important to the health and welfare of this country.

The Senator, whom I consider a friend and a good Senator, is from Oklahoma in the heart of the country. Oklahoma is covered with these two strains of mosquitoes, both of which carry the Zika virus. This one is the real culprit. This is the one that gets inside your house. This is the one that lurks in the dark corners of the house. This is the one that lays larvae in a rain-filled bottle cap that is sitting upside down.

I would say to the Senator from Oklahoma that this Senator has probably been bitten by more mosquitoes than any other Senator. There was a time when I was a kid that I was bitten so much that I was almost immune, but I do not want to be bitten by this critter carrying that Zika virus.

The truth is, if you have an earthquake in the State of Oklahoma, that is an emergency, and we are going to respond in kind. If the Senator from Texas has a hurricane coming into Galveston, that is an emergency, and we are going to respond. Likewise, this is an emergency. If you don't realize it now in May, the summer months are coming.

I want to make sure everybody understands why we need to get this separate from the appropriations bill that the Senator from Washington, Mrs. MURRAY, is talking about. In order to get an appropriations bill, we have to get an agreement with the House. The House just passed a bill for $622 million, and they are going to raid ObamaCare to pay for it. There is no way we are going to get an agreement that the President is going to sign going through that appropriations process. The summer is going to be long gone, and the aegypti is going to be biting all the more, sucking the blood of Americans, and therefore, while doing that, transmitting the virus into the bloodstream of Americans.

This Senator has already described the disastrous consequences for a pregnant woman. We ought to be petrified if they are in a county where either it is poor and they don't have the funds for mosquito control or it is a well-off county and it is not budgeted and they are not ready.

It pains me to have to clash with my friend, the Senator from Oklahoma. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, there is one clarification I would like to be able to make. This amendment I have proposed—and would still stand by—allows us to be able to continue what is going on with mosquito eradication right now. That doesn't stop. I would hate for anyone in this body to promise every American that if we give DC enough money, we will make sure they are never going to be bitten by a mosquito. I am not sure that is a promise we would ever want to make because we can't keep that promise, but the amendment I propose gives the administration the latitude to be able to select which accounts this money would come from. We are talking about $86 billion of options on multiple accounts from the State Department, USAID for international aid, and also HHS. That is not for medical research and not for children getting immunizations. There is enough money in those accounts.

I will repeat back the same thing I said before. This administration transferred one-half billion dollars just 2 months ago from the infectious diseases account, noting, apparently, that we didn't need money in the infectious diseases account and moved that money to the Green Climate Fund. So for the administration to say it is more important that the U.N. get green climate funds than dealing with the Zika virus is a different set of priorities than where we are in this Congress and a different set of priorities than we put into place in December of last year.

This is an issue this administration already has the authority to deal with. It doesn't have to come from cancer research. It can come from allocating accounts. But there is no reason to add debt to our children to also deal with mosquito eradication in the United States. We can do both, and we should do both.

I yield back.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. ISAKSON. Mr. President, I rise to address the subject before the Senate with regard to the HUD proposed rule, the Lee amendment, and the amendment proposed by the Senator from Maine, Ms. COLLINS. I do so as one who has 35 years of experience in the housing business affected by the Civil Rights Act, affected by the 1968 Fair Housing Act, and one who has a good deal of working knowledge about what that accomplished. What that accomplished was the end of prejudice against African Americans in the South and ethnic minorities in the Northeast and around the country to ensure that everybody had an equal opportunity—underline the word ''opportunity''—to have safe, affordable housing. That took place in 1968.

It has been a long time since 1968. Prejudice in America, although never eradicated, is almost gone. Housing access is almost universal, but there is one group of people in America who had very little access to housing because there is none available to them. We can identify them not by their name, not by their region but by their ZIP Codes. They are the neighborhoods of America that have contributed to the decline of many families and much hope and opportunity for individuals. Show me a school system or a school that is not performing, and I will show you rough neighborhoods. Show me an individual community that doesn't have the tax base it needs, and I will show you a community that doesn't have neighborhoods that are employed.

I want to bring to the attention of the Senate what I spoke on a year ago on this floor—a gentleman by the name of Thomas G. Cousins from Atlanta, GA, who founded Cousins Properties, the most successful developer in the history of Atlanta, GA; one of the leading developers in the United States of America and a man who gives back more than he ever takes.

He created the Cousins Foundation and set out in the early 1990s to find a way to address the problems of poverty, ignorance, and crime in inner-city neighborhoods. He bought something called East Lake Meadows. Some of you have watched the Fed-Ex Championship on TV and seen $10 million prizes won by professional golfers. That is on a golf course that 25 years ago had trees growing up in the fairway, dilapidated houses around it, and was described as Little Vietnam.

But it is an area that Tom Cousins changed by changing minds, by changing attitudes, and by talking about the things that could be done, rather than what could not be done. He knew that the best way to bring those people out of poverty was to provide them with a good education. So he came to the State Board of Education, which I chaired, and asked for a waiver to create the first charter school in the Atlanta, GA, public school system's history in East Lake.

He leased the school for $1 a year for 25 years and then built for that neighborhood its own elementary school, called Drew Elementary.

Twenty-five years ago, Drew Elementary was the poorest testing school in the State of Georgia. This year, it is one of the top 10 in the State of Georgia out of 1,400. He changed the minds and attitudes of people—not their race. But he changed their minds and their attitudes about opportunity and about hope. He went into the community of dilapidated houses, crack houses, and meth houses, and bought those houses up and raised housing prices. He fixed them up and began to create a market for those houses.

The kids that formed gangs on the streets became caddies at the new country club named East Lake Country

Club. They went to Georgia State University on Panther grants, granted to kids who are in need to get an education. Many of the kids in Atlanta, GA, who are getting MBAs today were educated in East Lake Meadows at Drew Elementary and had their job at the East Lake Country Club.

People do not associate golf courses, golf tournaments, and country clubs with areas of poverty and no housing, but East Lake is such a place. Because they built a blend of all types of housing—section 8 housing, rental housing, low- and moderate-income housing, midlevel housing, upper level housing, and shopping centers and the like—they took all of the things that the community did not have and then created a market for them to come.

They created a movement with Warren Buffett called Purpose Built Communities. Now, the HUD rule, which I have read, which is the issue of discussion today on the floor, is a rule that portends gathering more information to try and find ways we can end the lack of housing availability for certain Americans by bringing in data and trying to create new ways to do that.

Tom Cousins did it with private sector money. He did it in cooperation with the banking industry. He created an idea and a dream and an investment. He began to bring down the barriers of discrimination and a lack of hope and brought prosperity to a community that had not seen it—better educated kids, better developed communities, better schools, and the like.

I ask unanimous consent to have this article from the Wall Street Journal about Thomas G. Cousins and Purpose Built Communities printed in the RECORD.

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

[From the Wall Street Journal, Sept. 13, 2013]

THOMAS COUSINS: THE ATLANTA MODEL FOR REVIVING POOR NEIGHBORHOODS

(By Thomas G. Cousins)

America's greatest untapped resource isn't hidden in the ground but is sitting in plain sight: the human capital trapped in poor neighborhoods of concentrated poverty. The people living where crime and incarceration are rampant represent trillions of dollars in potential economic activity. Investing in their well-being can be a social and economic game-changer, but only if done in a way that produces results.

For a half-century, charities, nonprofits and local and federal governments have poured billions of dollars into addressing the problems plaguing these Americans. But each issue tends to be treated separately—as if there is no connection between a safe environment and a child's ability to learn, or high-school dropout rates and crime. This scattershot method hasn't worked. A better approach is to invest comprehensively in small, geographically defined neighborhoods.

That's what our East Lake Foundation has discovered, focusing on one corner of southeast Atlanta. Fifteen years ago, East Lake Meadows, a public-housing project with 1,400 residents, was a terrifying place to live. Nine out of 10 residents had been victims of a crime. Today it is a safe community of working, taxpaying families whose children excel in the classroom.

How did this happen to a place that police officers once wouldn't go without backup? We targeted a single neighborhood in 1993 and worked with community and city leaders on every major issue at the same time: mixed-income housing, a cradle-to-college education program, job readiness, and health and wellness opportunities.

The results are stunning. Violent crime is down more than 90%. Crime overall is down 73%—a level 50% better than the rest of Atlanta. Employment among families on welfare has increased to 70% from 13% in 1995. (The other 30% are elderly, disabled or in job training.)

The income of these publicly assisted families has more than quadrupled. In the surrounding area, home values have risen at 3.8 times the city average (to over $250,000 per home). A Wells Fargo bank, Publix grocery and Wal-Mart have moved in, and restaurants, shops and other services have returned.

The foundation started by focusing on housing. In 1996 and 1997, the Atlanta Housing Authority helped us secure temporary housing for the East Meadow occupants while AHA and the foundation rebuilt the place as Villages of East Lake. With city and federal government approval, we reserved half the units for families on welfare and the rest for those able to pay the market rate. This was key: A mixed-income community ensures that children are around role models—employed adults who take care of property and spend time with their children.

After negotiating with Atlanta Public Schools to secure the city's first public charter, we built Charles R. Drew School. The K–8 school, which opened in 2000, offered longer school days and an extended school year. It now serves 90% of the children in the East Lake neighborhood. Based on measures by the Georgia Department of Education, Drew is the top performing elementary school in the Atlanta school system.

The foundation also bought up surrounding residential and commercial properties, including the old East Lake golf course, once home to Grand Slam champion Bobby Jones. We restored the golf course, which created 179 jobs. Then came a smaller public course and a golf academy, where young people now learn the caddy trade and golf course agronomy. Today, East Lake Golf Club is the home of the annual PGA Tour Championship and final playoff for the FedExCup.

Thanks to private investors, such as Warren Buffett and Julian Robertson, we created Purpose Built Communities, which helps other neighborhoods adapt the East Lake model. The Meadows Community in Indianapolis and the Bayou District in New Orleans have achieved considerable gains by emulating the method in Atlanta.

Other organizations have slowly begun to adopt our approach. Habitat for Humanity, which once focused on putting up one house at a time, now partners with neighborhood associations, churches, business groups and the like to help lift up entire neighborhoods.

A better house by itself doesn't make children feel safe. East Lake's charter school alone doesn't make children eager to learn. But a decent place to live, a secure environment with adult role models, and a great school with specially trained teachers together produced change. Recently, a young woman whose life began in the old East Lake public housing project, where less than 30% of children graduated from high school, graduated summa cum laude from Georgia Tech. She's one of more than 300 Drew graduates since 2008 now heading to college.

On the national level, challenges like the ones we faced in southeast Atlanta are widespread and urgently need to be addressed. More than 25% of American children under age 3 live in poverty. Three million children drop out of school every year, rendering them ineligible for 90% of jobs. Only 59% of students graduate from high school in the 50 largest U.S. cities, and dropouts commit 75% of crimes.

These harsh realities make the way we choose to try to change them all the more important. Charities, foundations and government representatives are welcome to visit East Lake to check out this turnaround story. They won't need to bring backup.

Mr. ISAKSON. Now, the current amendment before us deals with the rule that is being promulgated by HUD dealing with the Civil Rights Act of 1968. But I want to caution everybody. It is not about discrimination because of prejudice. It is about discrimination because of lack of access. You read the testimony that went into a lot of the rule, and that is quite clear. There are a number of paralyzed veterans groups and handicapped groups that have sent letters against this amendment. Let me tell you why are they against it. They don't think anybody discriminates against them because they are handicapped. They just think they have no choice of housing because there is nothing that fits their wheelchairs or the walls in the bathroom are not reinforced or the kitchen countertops are too high.

What has happened in East Lake Meadows and in Atlanta, GA, where Purpose Built Communities set standards, is that 5 percent of all apartment buildings are built with convertible units. So up to 5 percent of the units can be converted to handicapped access: 36-inch doors, not 30-inch doors; wainscoting on the side walls in the bathroom that allow reinforcement rods to be put in and for handles to be put on the walls; kitchen countertops that can be lowered by 8 inches so that somebody in a wheelchair can work in their kitchen.

That is the type of access they want. Through the changes in code, in terms of construction code, and changes in attitude like Mr. Cousins did, we now have handicapped people that have access to affordable housing in Atlanta, GA, that is built to meet their specific needs. It is not discrimination of prejudice. It was discrimination of lack of opportunity.

The way I read the proposed rule, they are looking to take a chance to take advantage of things like Promise Built Communities and try and have private developers use Federal access to funds to create ways to create new housing that will have more accessibility and affordability for people in those type of situations.

Now, I understand that Senator COLLINS and Senator REED have an amendment they are going to offer, either as a side-by-side or as a part of the bill, which will clarify one important point: Nothing in here contains anything that portends to promulgate a rule or regulation or any zoning at a local land use authority by the Federal Government.

None of us ever wants the Federal Government to do that. But we have provided a lot of programs that have passed this Congress, this Senate, and this U.S. Government that promotes housing, such as section 8 housing, FHA housing, and VA housing. I can go on and on. We want to make sure that those finances that are available to finance purchases have houses to be purchased that meet the needs of all Americans, giving them a public accommodation and access that some of them never had before.

So with the amendment adopted by Senator COLLINS, I think you are protected against any nefarious activity that could ever be taken on by HUD, and you are doing a good thing for the State, a good thing for the United States, and a good thing for the Senate. I commend Senators REED and COLLINS on what they are doing.

I rise in support of the Collins-Reed amendment, and I will vote for it on the floor.

I yield the floor.

The PRESIDING OFFICER (Mr. TOOMEY). The Senator from Maine.

Ms. COLLINS. Mr. President, I just want to thank my friend and colleague from Georgia for his extremely eloquent and persuasive presentation. The example he gave us of the development in Georgia, done by Mr. Cousins, is precisely what the HUD rule is intended to promote. That is why it is called affirmatively advancing fair housing, affirmatively furthering fair housing.

With the amendment that Senator JACK REED, THAD COCHRAN, and I are going to be offering, we will make absolutely clear that it is not HUD's role to dictate or interfere with local zoning ordinances. But what we should embrace in this country is the goals of the 1968 Fair Housing Act. The Senator from Georgia, who knows more about housing than any Member of this Senate, has stated very clearly and very eloquently in the example that he has given us what the goals are of the 1968 Fair Housing Act and the regulation that was issued by HUD last year.

Again, I would note that the regulation issued last year came from a GAO report issued in 2010 that found that HUD was not doing a particularly good job in this area. So it was not something that was devised by some out-of-touch bureaucrat. It was directly the result of the GAO report. The kind of mixed development, which has transformed neighborhoods in Atlanta and throughout this country and given hope and opportunity to those who may feel they are in the shadows of society, is exactly the goal of this regulation and of that famous civil rights era law, the 1968 Fair Housing Act.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. RUBIO. Mr. President, I wish to talk about housing issues contained in the bill we are debating, and I want to talk specifically about a project in Florida that we became aware of in October. It is named Eureka Gardens. It is a low-income, affordable housing project that uses Section 8 funds to house people of lower income, as you are all aware of that program. It is run and owned by an organization called Global Ministries Foundation. It is run by a reverend, Richard Hamlet. It is organized as a 501(c)(3), the organization that owns this building. Mr. Hamlet, Reverend Hamlet, is the head of the organization.

If you look at the Web site for Global Ministries, there is a link that says: ''What We Do.'' If you go to that section of the Global Ministries Foundation Web site, this is what it says they do: ''Providing affordable housing across the United States and ministering to the physical, spiritual and emotional needs of our residents.'' That is what they state as their business purpose. I imagine that is what they needed to state because of their 501(c)(3) not-for-profit status. However, we have a quote from Reverend Hamlet, who has said that his involvement in housing is purely business-related. He said:

> This is a business. This isn't a church mission. These are business corporations that we set up, but we're no different from a real estate investment trust or a private equity group.

That is how he described his 501(c)(3), not-for-profit Global Ministries Foundation.

Global Ministries has over 40 properties in multiple States—Alabama, Florida, Indiana, Louisiana, North Carolina, New York, Tennessee, and Georgia. In all of these States, in all of these properties, they have over 5,000 units that qualify as assisted. In 19 locations across Florida, they have over 2,000 assisted units. This particular project in Jacksonville, FL, Eureka Gardens, has 396 assisted units.

This is the problem we found with some of these properties. In Eureka Gardens, in the last year, the property was found to be in horrifying condition. I have spoken of it on the floor before. I am talking about people living in a place where there was mold on the walls, where the appliances were 15 years old, where the apartments hadn't been painted in 13 years, where windows didn't open, where staircases were literally falling down, and where the city had to come in, evacuate people, and condemn the property.

Those were the conditions in Eureka Gardens. We got involved last October to get those remedied. So there was the thinking, well, maybe this is just one property. Maybe Global Ministries only has one property that is run this way but generally they are a good actor.

This is what we found: They have two properties—Warren and Tulane Apartments in Memphis, TN—that have such poor living companies as well that HUD pulled their Federal funding from the housing.

In Atlanta, we found that their Forest Cove property has been plagued by rodents and sewage. This is what news crews reported about their property in Atlanta. It said ''building, siding, and ceiling tiles peeling from many of the buildings. . . . Garbage and stagnant green water were feet from playing children.''

At Forest Cove, this is what a tenant said to news reporters:

> I'm homeless right now. I moved out to be homeless.

Because the conditions were so bad, the guy moved out of the property. In other words, he would rather be homeless than live in a Global Ministries Foundation property.

So we have two properties in Memphis, TN, we have a property in Atlanta, and then there is another property in Jacksonville that they own. The property is called Washington Heights. It also has been noted for violation. HUD's most recent review resulted in the property barely passing Federal inspections. And I will have more to say about Federal inspections in a moment.

At the Goodwill Village property in Memphis, one resident said that he thought the issue was snakes on the property—snakes on the property. He thought they were being caused because they were coming to ''eat the rats.''

At Goodwill Village, the same property, a resident had an issue with a gas leak. The resident's home had the sink torn out, her stove and hot water disconnected, and a hole put into her wall. Two months after all of that, no one had come by to fix it.

In Orlando, at the Windsor Cove Apartments owned by the Global Ministries Foundation, reporters saw holes in the walls where roaches and rodents came into the apartment. The same woman has a gap between her bathtub and the wall that lets water leak into the apartment below.

After issues with his properties were exposed, here is what Reverend Hamlet said: ''No one should have to live under these conditions.''

They are your properties. It is not just one property; there are multiple

properties across multiple States. I want to focus specifically on the one I visited last week in Jacksonville. It was an amazing experience. Forty-eight hours before we announce we are coming, nothing—literally nothing—is happening at this property. When we announce we are coming to visit the property, suddenly a bunch of contractors show up. They put up a banner welcoming the residents to all the great stuff they do there. Suddenly work crews are walking all over, fixing the place up. All of a sudden, because we are coming to visit, all these work crews mysteriously show up.

Eureka Gardens's problems have been going on for a long time, but they only became known in October of last year when a local television station and other local media began to highlight them.

My Jacksonville office staff toured Eureka Gardens in early 2015 and in October of 2015. I want to report what they found in that one building. As I said, we have now had reports about other buildings with similar conditions run by this Global Ministries 501(c)(3), but I want to share what my staff found when they visited Eureka Gardens. They saw crumbling stairs disguised with duct tape and covered with apparent black mold. When I am talking about the stairs, I mean the stairs that connect the first floor of the building with the second floor of the building, these metal stairs. They would just put duct tape over the areas where the stairs and the wall were cracking and almost falling. They just put duct tape on it. There was mold on these stairs; they spray-painted over it. My staff found faulty electrical wiring. Do you know what they did with the faulty electrical wiring? They covered it up with a garbage bag so no one could see it. They could smell the natural gas odor being sucked from an outdoor piping system into the air-conditioning units of residents, and they found all sorts of other health and safety issues.

At Eureka Gardens, when residents were asked about housing, one resident said, ''Dogs live better than this.'' In fact, there was a 4-year-old living in Eureka Gardens who was suffering from lead poisoning, which her mother has a right to believe she got in her Eureka Gardens apartment—an apartment, by the way, paid for with your taxpayer money. Section 8 housing is Federal taxpayer money going into the hands of these slumlords, and a child now has lead poisoning because of it.

In December of last year, HUD declared Eureka Gardens to be in default of the contract, and it set a February 24, 2016, deadline to meet requirements. In February, Eureka Gardens passed this inspection, but by March HUD had written to Eureka Gardens saying the Department ''does not believe the property would currently pass another REAC inspection.''

Last Friday I visited Eureka Gardens. I saw, for example, an apartment where the window did not open. I saw an apartment where the window did not open. The window had been cracked, and do you know how they fixed it? Somebody came and put a glob of glue where the window connects next to the pane, and if you tried to open the window, it wouldn't go up. That means if there was a fire in that house, the person sleeping in that room would not be able to get out of that window unless they break it. I saw that with my own eyes last week when I was there. I saw an apartment that hadn't been painted in 13 years. I saw a stove where the knobs were unrecognizable because they were covered with glue, basically, and grime. I saw a refrigerator that looked like it was from North Korea. It had to be 15 years old. There was all sorts of rust on the side and they just spray-painted over the rust.

As I said earlier, 48 hours before I visited, Global Ministries started to fix some of these cosmetic issues. By the way, that included putting up a piece of wood with exposed nails and calling it a door. This apartment has two exits—in the front and in the back. This lady gets home from work and she opens her back door. They have boarded up the door, and there are nails sticking through the wood. She has little children. The nails were the kind that if you ran into that door because you didn't know it was there, you would get a nail to the face, to the heart, to the gut.

So you would ask yourself, all right, you have these owners of all these units and they are getting this Federal money under this HUD contract. Where does all the money go? What are they doing with all this money they make? Well, you can look at their 990 tax forms, which are available for all 501(c)(3) organizations.

Let me tell you about the 2014 tax year, which is the most recent one that is available. In the year 2014, the Reverend Richard Hamlet paid himself $495,000 plus $40,000 in nontaxable benefits. Also in 2014, the Reverend Hamlet's family members were paid an additional $218,000.

By the way, he had previously failed to disclose his family members' compensation on tax forms, which is in violation of IRS rules that require CEOs to disclose the compensation of all family members who work for an organization.

The IRS reports also show that between 2011 and 2013, Global Ministries Foundation—the landlord that owns all of these units in all of these buildings that your taxpayer money is paying for—shifted $9 million away from its low-income housing not-for-profit to its religious affiliate. There is no one here who is a more strident proponent of private and public partnerships, of faith-based initiatives, but you have these building that are crumbling. You have these people living in these deplorable conditions. In addition to paying himself half a million dollars and his family another $218,000, they took $9 million, and instead of using it to fix these units, they transferred it to the other entity they had for religious purposes.

They don't seem to want to spend the money—including the taxpayer money—on making repairs, on making sure places like Eureka Gardens are liveable. Let me tell you what they do spend their money on. They spend their money on public relations specialists, because last week when I visited Eureka Gardens, they had a public relations firm on the premises counterspinning me with the media, saying things like: Oh, well, where has RUBIO been all this time? Well, this became available in October, and since October we have been involved in it.

So they have the money to hire a law firm. They have the money to hire a lobbying firm. They have the money to hire a public relations firm. They have the money to transfer $9 million from the not-for-profit sector into their religious uses. They have the money to pay themselves half a million dollars per year, plus $40,000 in nontaxable benefits, plus $200,000 for family members, but they don't have the money to fix these units—and not just in Florida but all across this country.

Let me tell you what this behavior is. Let me tell you what Global Ministries Foundation is. It is a slumlord. They are slumlords. There are people who are living in these deplorable conditions while your taxpayer money is going into their bank account, and they are laughing at us.

By the way, the other day, this minister—he has now put these properties up for sale. He told the press: This is such a profitable business. We have so many bidders who want these properties.

Well, No. 1, if it is such a profitable business, why are you organized as a 501(c)(3)? And No. 2, where is all the money? Where are all the profits? Why aren't they being invested?

I am all in favor of faith-based organizations being involved in the public and civic life of this country, but as an organization that was organized on the principles of caring for others, this is not caring for people. This, my friends, is the stealing of American taxpayer money, subjecting people to slum-like conditions, pocketing the money, living off the money, and transferring the money.

For the life of me, I don't know how they passed any inspections. I am not a building inspector. You don't have to be one to visit this building and know there is no inspection that building should ever pass.

I would just say that this is the most outrageous behavior I have seen in public housing, and now I am hearing that the same conditions exist in Orlando and in other buildings in Jacksonville. We know they exist in Memphis. In fact, they just lost their HUD contract in Memphis. A judge just issued a ruling against them yesterday on another issue in Memphis, TN.

As a result of these conditions and other issues, I have filed four amendments I wish to briefly talk about. The first is amendment No. 3918, which passed. What it does is it shortens the required response time for contract violations from 30 days to 15 days. Within the 30 days that they found that gas leak at Eureka Gardens, four people at Eureka Gardens were hospitalized due to gas leaks. So I am glad shortening the timeframe will be a part of it.

Another amendment we passed is one that basically asks HUD to determine the state of the assessments. Even the Secretary himself has told me it is time to revisit these assessments. If you look at this property, there is no way it should have ever passed any inspections. We need to fix the inspection process in HUD because there is no reason a property like this should pass any inspection.

The third amendment I filed, and that I hope we can pass, would give State and local governments more say when HUD renews contracts for owners who have violated previous contracts. In essence, the amendment would allow the Secretary to refuse to withdraw a notice of default if the Governor of the requisite State petitions HUD to do that.

Currently, the only trigger for the Secretary to withdraw a notice is a REAC score of 60 or above. If this amendment became law, if the property passed the inspection but the Governor of the State in which the property is located requests the Secretary to overturn the result, the Secretary would have the power to do so.

This impacts Eureka Gardens and these other places because flawed inspections led HUD to recertify properties that are not up to standard. The Jacksonville City Council has been engaged and Mayor Curry of Jacksonville is supporting this amendment. It would grant them the ability to seek the Governor's support in having a say over the properties.

The last amendment I filed is Rubio amendment No. 3986, and it is to make temporary relocation assistance available for residents in situations such as those I have just described. This amendment would make tenant protection vouchers available for tenants living in units where the owner has been declared in default of a HUD Housing Assistance Payments contract due to physical deficiencies, allowing the Secretary to consider granting tenant relocation vouchers sooner in the process.

The lack of temporary relocation assistance has kept these tenants trapped in Eureka Gardens. The inability to temporarily relocate resulted in tenants being hospitalized because of gas leaks and other difficult conditions. For example, a man had to sleep in his bathtub for a week at Eureka Gardens, and tenants could not cook because the heat was shut off for days at a time.

One of the things we hear from HUD is: Well, we can take away the contract, but then what happens to all these people? We don't want to do that, and slumlords like Reverend Hamlet and his group know they can get away with this as a result.

There is probably more to be done. I said publicly that I think the Justice Department should look into these people. I think the Justice Department should look into places such as this. I think the IRS should examine their tax status. I think people like this should never again be allowed to have a single HUD contract anywhere in America. This is unacceptable, and it is happening right under our noses.

Today it is Eureka Gardens, but I mentioned all those other States. In fact, I encourage my colleagues who live in the States of Alabama, Indiana, Louisiana, North Carolina, New York, and Georgia to look into the properties that Global Ministries Foundation operates in your States. If the trends continue, if the trends hold up, then I almost guarantee you are going to find slumlike conditions in your State the way they were found in my State and the way they were found in Tennessee.

I hope I can earn my colleagues' support in bringing these reforms as a part of the bill before us today.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business.

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

OVERTIME PAY

Mrs. MURRAY. Mr. President, I believe that real long-term economic growth is built from the middle out, not from the top down, and our government and our economy and our workplaces should work for all of our families, not just the wealthiest few.

Across the country today, millions of workers are working harder than ever without basic overtime protection. That is why I am very proud to come to the floor today to express my strong support for the new overtime rule to help millions of workers and families in our country.

Back in 1938, Congress recognized the need for overtime pay. Without overtime protection, corporations were able to exploit workers' time to increase their profits. So the Fair Labor Standards Act set up a standard 40-hour workweek. By law, when workers put in more than 40 hours, their employers had to compensate them fairly with time-and-a-half pay. But those protections have eroded over the past several decades.

In today's economy, many Americans feel as if they are working more and more for less and less pay, and in many cases, they are. Right now, if a salaried worker earns just a little more than $23,000 a year, he or she is not guaranteed time-and-a-half pay. That salary threshold is much too low. In fact, it is less than the poverty level for a family of four.

Workers should not have to earn poverty wages to get guaranteed overtime protection. It is clear that overtime rules in this country are severely out of date. Consider this: Back in the mid-1970s, 62 percent of salaried workers had guaranteed overtime pay. Today, just 7 percent of salaried workers have that protection. Big corporations use these outdated overtime rules to their advantage. They force their employees to work overtime without paying them the fair time-and-a-half pay. That might be good for a big corporation's profit, but it is a detriment to a working family's economic security.

Today, the Department of Labor has issued a final rule to raise the salary threshold from about $23,000 to just over $47,000 a year. That will restore protections for millions of Americans, and it is especially important, by the way, for a parent. Think about what it would mean for a working mom, who right now works overtime and doesn't get paid for it. By restoring this basic worker protection, she could finally work a 40-hour week and spend more time with her kids or, if her employer asks her to work more than 40 hours a week, she would have more money in her pocket to boost her family's economic security.

That is why this is so important for our struggling middle class. When workers put in more than 40 hours a week on the job, they should be paid fairly for it. That is the bottom line.

I have heard from some of my Republican colleagues who don't want to update these overtime rules. If you listen closely, it sounds as though they are trying to argue that businesses in this country can't operate unless they are able to exploit workers' time and refuse them overtime pay.

Well, Democrats fundamentally disagree. In fact, when workers have economic security, when they are able to make ends meet and succeed, businesses succeed, our economy succeeds. That virtuous cycle is part of what makes America great.

If Republicans want to take away these basic worker protections, they will have to answer to millions of hard-working Americans putting in overtime without receiving a dime of extra

pay. They can try, but I know that I and many others are going to be right here fighting back for the workers and families we represent—families like Meryle's from Bellingham, WA. She said that early in her career she worked low-wage jobs and oftentimes her overtime hours went unpaid.

When Meryle heard about the Obama administration updating overtime protections, she wrote in to comment on that new rule. She said those unpaid overtime hours hurt her pocketbook, but she said she lost more than money. She was working overtime without being paid fairly for it on top of missing out on important time with her daughter.

Boosting wages and expanding economic stability and security is good for our families, and it is good for our economy. By the way, that is exactly what we should be focused on here in Congress to help build our economy from the middle out, not the top down.

For workers who want fair pay for a day's work, for the parents—like Meryle—who have sacrificed family time for overtime and not seen a dime in extra pay, for families who are looking for some much needed economic security, I urge all of my colleagues to support restoring these important overtime protections.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

(The remarks of Mrs. GILLIBRAND and Mr. GRASSLEY pertaining to the introduction of S. 2944 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I wish to revisit my discussion with Senator DURBIN yesterday regarding my amendment No. 3925 to the Department of Veterans Affairs funding bill.

As I made clear yesterday, this is a commonsense amendment protecting constitutional rights. It is designed to make every effort to ensure that the Second Amendment rights of veterans are protected under the law. Yet the Democrats have objected. Because of that, our veterans will continue to not be protected by their Second Amendment constitutional rights.

Let me make myself very clear. Senator DURBIN said my amendment ''doesn't solve the problem.'' ''Doesn't solve the problem'' are his words. Well, the Department of Veterans Affairs is reporting names to the Department of Justice which are then placed on the national gun ban list, and the VA is doing so merely when a veteran is appointed a fiduciary—which does not mean he or she is dangerous. That is the problem.

As I explained yesterday, my amendment requires the VA to first determine that a veteran is a danger to self or others before reporting names. That simply solves the problem.

Senator DURBIN also said that under my amendment, ''mental health determinations would no longer count as prohibiting gun possession.'' As I stated yesterday, I do not want people who are known to be dangerous to own and possess firearms. My amendment makes that very clear.

Further, given that plain language, it is obvious that under my amendment, mental health determinations do count because some mental health problems equate to a very dangerous condition. Again, my amendment is centered on forcing the Federal Government to determine whether a veteran is a danger to self or others before revoking his or her constitutional rights to own a firearm.

Senator DURBIN said that ''tens of thousands of names currently in the NICS system''—the gun ban list—''would likely need to be purged, meaning these people could go out and buy guns.'' Now, that is not so. If anything, my amendment would require the Federal Government to look over the VA records sent to the gun ban list and verify that those persons on it are dangerous to themselves or others.

That doesn't have to be purging. Rather, the Federal Government would now have the burden of proving a veteran should not be able to exercise his or her fundamental Second Amendment rights. Since there is no purging, but rather dangerous persons will be identified via a constitutional process, it is not accurate to say that ''these people could go out and buy guns.'' Therefore, Senator DURBIN has not studied my amendment and its outcome. Really, the government should always provide constitutional due process before infringing on a fundamental constitutional right.

Senator DURBIN mentioned 174,000 names were supplied by the VA to the gun ban list and about 15,000 of them had serious mental illnesses. Actually, as of December 2015, the VA has supplied 260,381 names out of the 263,492 in the mental defective category. That happens to be 98.8 percent of the total number of people on the mental defective list that are there because of the VA and not because it has been determined their constitutional rights should be taken away.

Assuming Senator DURBIN is correct about the 15,000 who had a serious mental illness, that leaves about 245,000 who did not. Those are 245,000 people whose constitutional rights are being restricted without due process for no good reason. Not a single individual was determined to be dangerous before the VA submitted their name to this list so their constitutional rights could be violated.

My amendment, and my remarks last night, make clear that if a person is dangerous, they will not be able to possess a firearm. Therefore, Senator DURBIN's concern that my amendment will allow dangerous people to buy firearms is simply inaccurate.

Importantly, Senator DURBIN even admitted that not all the names reported to the VA are dangerous. Senator DURBIN said: ''I do not dispute what the Senator from Iowa suggested, that some of these veterans may be suffering from a mental illness not serious enough to disqualify them from owning a firearm, but certainly many of them do.''

Then, Senator DURBIN said: ''Let me just concede at the outset that reporting 174,000 names goes too far, but eliminating 174,000 names goes too far.'' I am glad that Senator DURBIN acknowledged that many of the names on the gun ban list supplied by the VA do not pose a danger and should be removed.

But again, my amendment is not about purging names from the list. I would be happy to take him up on his offer to work with him on that problem. Surely, we can agree that, going forward, the VA should start affording due process to veterans before they are stripped of their Second Amendment rights. If you really want a solution to this problem, stop objecting to this amendment.

As I stated yesterday, my amendment does three things. First, it makes the ''danger to self or others'' standard applicable to the VA. We all agree that dangerous persons must not own or possess firearms. Second, it shifts the burden of proof from the veteran and back to the Government where it belongs. Third, it fixes the constitutional due process issues by removing the hearing from the VA to the judicial system.

The last thing I will note is something on which I wholeheartedly agree with Senator DURBIN. Yesterday, he said: ''We need to find a reasonable way to identify those suffering from serious mental illness who would be a danger to themselves, their families or others, and to sort out those that don't fit in that category.''

As I have made clear, my amendment does exactly that. Why, then, are the Democrats refusing to fix this problem if they admit the problem exists? This is an outrage. We all know that veterans are being treated unfairly. My amendment fixes the problem, yet Democrats object.

What is dangerous is that Democrats are allowing veterans to be subjected to a process that casts their Second Amendment rights aside. All of this smells of hypocrisy. For months, the Democrats and their allies have been attacking me and the Republicans for not voting on the Supreme Court nominee. But the Democrats will not even allow a simple vote on protecting veterans' constitutional rights.

Can you imagine the chaos that would reign over this Chamber again if the Democrats were to take control

over the Senate? I will continue to stand firm in defense of our veteran population. I will continue to fight to protect their constitutional rights from offensive and oppressive government outreach.

Our veterans are a special group. They give life and limb for our safety so that we can sleep in peace at night. The iron fist of government must submit to the constitutional rights of veterans, and those constitutional rights have been taken away by the VA willy-nilly just because somebody needs a fiduciary—nothing to do with the competence of that veteran to not be able to buy a gun.

I yield the floor.

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

Mr. TOOMEY. Mr. President, I rise this afternoon to speak about amendment No. 4012. I want to thank my cosponsors—Senators SESSIONS, VITTER, COTTON, and INHOFE. This amendment addresses a very serious public safety threat; that is, the threat posed by sanctuary cities. This is a problem that is not a theoretical abstraction. It is a problem that some Americans know all too well—one father, in particular.

On July 1, 2015, Jim Steinle was walking arm in arm with his daughter Kate on a pier in San Francisco. A gunman opened fire and hit Kate. Within moments, she died in her father's arms. Her last words were: ''Help me, Dad.''

What is maddening about this is that the shooter should never have been on the pier in the first place. He was an illegal immigrant. He was here illegally. He had been convicted of seven felonies, and he had been deported five times. But it gets worse.

Just 3 months prior to his shooting and killing Kate Steinle, the San Francisco police had him in custody. Federal immigration officials knew that the San Francisco police had him in custody. They knew he was here illegally, in violation of multiple deportations—a violent criminal convicted on multiple occasions. They said: Hold him until we get somebody there to pick him up and deport him. But the police refused to hold him. Instead, they released the shooter into the public.

Why did they do that? Because San Francisco is a sanctuary city. That means that they are a city that specifically—and by law, within the city—forbids their police from cooperating with Federal immigration officials. Even when the police wants to cooperate, it is against the law in the city to do so.

The local police and President Obama's administration agree that, with respect to a dangerous person, the Federal and local law enforcement authorities ought to cooperate, but the local politicians—in San Francisco, in this case—have overridden that judgment. Instead, the police, who had every opportunity to prevent this man from being on the pier that night, released him, and he went on to kill Kate Steinle.

As a father of three young children, I can't even imagine the pain that family has gone through. Sadly, the Steinles are not alone. According to the Department of Homeland Security—our current administration's Department of Homeland Security—during an 8-month period that they examined last year alone, sanctuary city jurisdictions released over 8,000 illegal immigrants, and 1,800 of them were later arrested for criminal acts. It included two cities that released individuals who had been arrested for child sex abuse. In both cases, the individuals released sexually assaulted other children again.

In the wake of these tragedies, you would think that elected officials across America would end this practice of having these dangerous sanctuary city policies. Sadly, that is not the case.

In the biggest city in my State, Philadelphia, they have taken the opposite approach. In fact, they imposed one of the most extreme versions of sanctuary cities anywhere in America. Two weeks ago, President Obama's Secretary of Homeland Security visited Philadelphia for the specific purpose of trying to persuade the city government to make a tiny exception to their sanctuary city policy. He wanted to change the policy so that the Philadelphia police would be able to notify Federal immigration officials if they are about to release from their custody a person who has been convicted of a violent felony or convicted of a crime involving a gang or is a suspected terrorist. The mayor of Philadelphia refused.

Even under those circumstances, the police of Philadelphia are forbidden from cooperating and sharing the information with Federal immigration officials.

What are the kinds of consequences for this? Consider the case of Alberto Suarez. In 2010, Alberto Suarez kidnapped and raped a girl from Montgomery County, which is just outside of Philadelphia. He bragged to the girl that the police would never be able to catch him because he is here illegally. Five months later, he kidnapped a 22-year-old woman from a Philadelphia bus stop, and he raped her. He has been apprehended, he has plead guilty, and he is awaiting sentencing. But some day, he will be released. Under the current Philadelphia city policy of being a sanctuary city, the police cannot inform Federal immigration officials when they are releasing him. This is ridiculous.

Imagine that the Philadelphia police have in their custody an illegal immigrant whom the FBI suspects of plotting a terrorist attack. The Department of Homeland Security might very reasonably say to the police: Hold on to him until we can get an agent down there to take him into custody and ask him some questions because we suspect that he is involved with a terrorist plot. The Philadelphia police's response—not by their choice but by virtue of Philadelphia's being a sanctuary city—to the Federal official is this: Could you come back again after he has actually committed the terrorist attack and been convicted of it, and then we will see if we can help you?

This makes no sense at all. This is not partisan. This policy has been criticized by the former Philadelphia mayor, former Pennsylvania Governor, and Democrat Ed Rendell. It has been criticized by President Obama's Secretary of Homeland Security and Pennsylvania law enforcement officials across the political spectrum.

Let me be very, very clear. This is not principally about immigration. It is not about immigration at all. It is about violent and dangerous criminals. Everybody knows—I certainly know—that the vast majority of immigrants are never going to commit a violent crime. It isn't about them. It is about the fact that if you have any significant population—and, certainly, 11 million people are here illegally—some subset of that population will be violent criminals. We know that.

I have an amendment. It is modeled on a bill that the Senate voted on last October. It was supported by a bipartisan majority of Senators in that vote. It deals with this problem. First of all, there is an understandable reason why some communities have become sanctuary communities, and that is because a court decision has created a legal liability for the cities if they, at the request of the Department of Homeland Security, detain someone who later turns out to have been the wrong person. That legal liability has scared a number of communities. It is understandable.

This amendment changes that. It makes it clear that when the local police are in compliance with a Department of Homeland Security detainer request, the local police have the same authority as the Department of Homeland Security. If that person has been identified wrongly, then the liability still exists. If the person's civil rights have been violated, they can sue. But the liability is with the Department of Homeland Security, as it should be, and not against local law enforcement officials who are temporarily acting on behalf of the Department of Homeland Security.

Having corrected that problem, if this amendment passes, what we say is this: If you want to, nevertheless, be a sanctuary city and refuse to allow the local police to cooperate with Federal immigration officials, then we are going to withhold community development block grant funds from such a

community. As you know, these are the funds that have great discretion in the hands of local elected officials to spend on various projects.

The fact is that sanctuary cities impose a very real cost—a real cost for the Federal Government. The most important cost, by far, is the danger to society that it imposes. It is entirely reasonable for the Federal Government to withhold some of these grants in the event that a city chooses to inflict that cost on the rest of us.

This legislation is endorsed by the Federal Law Enforcement Officers Association, the National Sherriffs' Association, the National Association of Police Organizations, and the International Union of Police Associations, which is a division of the AFL–CIO. It is a simple, commonsense amendment, and it stands for the simple principle that the safety of the American people matters, and the life of Kate Steinle matters.

Right up front, I want to debunk some of the misinformation that is occasionally promulgated about this amendment. One is the idea that it would discourage people from coming forward and reporting crimes or reporting that they witnessed a crime or that they were a victim of crime, and that, therefore, it is a bad idea. The fact is that our legislation has been drafted in such a way that if a local community has a law that says that local law enforcement shall not inquire about the immigration status of a crime victim or witness, according to our legislation, that doesn't make you a sanctuary city. Any city would still be free to offer that protection to people so that they would not have to fear deportation for disclosing a crime.

The fact is that this amendment is germane, and it was timely filed. It satisfies all of the relevant rules. This is the right time, and this is the legislation to consider this. It is time to stop with this politically correct nonsense and being so worried that we can't offend anyone that we are going to risk the safety of our communities.

Mr. President, I ask unanimous consent that the pending amendment be set aside so I may offer my amendment No. 4012.

The PRESIDING OFFICER. Is there objection?

The Senator from Rhode Island.

Mr. REED. Mr. President, I reserve my right to object. The Senator from Pennsylvania has very thoughtfully pointed to significant issues with respect to immigration law and public safety, but I believe the remedy of cutting off CDBG funding is not the appropriate response to these very serious problems. Indeed, CDBG funding is available throughout the Nation to large communities and small communities, and in many cases it provides support for public safety projects, such as infrastructure that protects people, and on and on and on.

With all due respect to the Senator from Pennsylvania, I object to making the amendment pending at this time.

The PRESIDING OFFICER. Objection is heard.

The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, with all due respect to my friend and colleague from Rhode Island, I just have to say that this is exactly what Americans are so fed up with. There is a real problem out there with public safety, and they know it. This is a ridiculous and indefensible policy, but I am willing to have a debate about it. I did not ask for unanimous consent to have my amendment adopted. I asked unanimous consent to have it debated and have a vote. If a majority of Senators disagrees with me, then I don't know why they can't come down here and cast a vote and let us know. It is germane, it is in order, and it complies with all the rules.

The status quo means dangerous criminals are being released onto our streets. That is a fact.

I will tell you what is going on here. We have colleagues who are afraid to cast a vote. They are afraid of having to make a choice. They are afraid that if they vote with me to put pressure on cities to end sanctuary cities, it will offend some people, and they don't want to do that. If they vote against it, they know they are endangering their own constituents, and they don't want their constituents to know that. Rather than standing up and making a decision, what do they do? They say: Let's not allow the debate; let's not allow the amendment. This is exactly what the American people are so fed up with.

I am not giving up on this. This is a very important issue. We have a responsibility to be stewards of the money that we give these cities. I think the vast majority of Pennsylvanians, the people whom I represent, want me to be a steward who is looking after their safety, and the status quo doesn't do that. This amendment would solve a very important problem. It is outrageous that my colleagues on the other side of the aisle are afraid to have this debate, afraid to go on record, and afraid to let their constituents know whether they support sanctuary cities or not. We are not finished with this issue.

I yield the floor.

Mr. DURBIN. Mr. President, on Tuesday, Senator GRASSLEY came to the floor advocating for an amendment. His amendment dealt with access to guns for those who have been determined by the Department of Veterans Affairs to be mentally incompetent due to injury or disease.

Senator GRASSLEY's amendment was 10 lines long. It would simply cut off funds for the VA to ''treat'' any person who the VA has determined to be mentally incompetent under its current administrative process as a prohibited gun purchaser under Federal firearms laws.

On behalf of myself and other Senators, I objected to this amendment. I pointed out that Senator GRASSLEY's amendment would likely require purging the NICS background check database of thousands of records of people who have already been diagnosed with serious mental illness and referred to NICS by the VA.

As Senator GRASSLEY no doubt knows, current law requires a Federal agency that submits a record to NICS to notify the Attorney General if the basis upon which the record was submitted to NICS no longer applies. The Attorney General is then obligated to remove the record from NICS within thirty days.

If the Grassley amendment were to pass and prohibit the VA from continuing to ''treat'' a mentally incompetent person as a prohibited gun purchaser, then it casts into doubt the basis upon which tens of thousands of NICS mental health records were submitted.

So Senator GRASSLEY's amendment would likely purge those records from NICS. Tens of thousands of people with serious mental illnesses would become able to buy guns.

Senator GRASSLEY came to the floor earlier this afternoon to criticize my objection. He made two main points that I want to respond to.

First, he said that Democrats were being hypocritical for not allowing a vote on this issue.

Senator GRASSLEY must have only started paying attention to this issue recently. I can remember at least three votes we have had on the Senate floor on this issue.

In April 2013, when the Senate was under Democratic control, an amendment offered by Senator BURR that was very similar to Senator GRASSLEY's amendment was voted upon and failed to pass.

An alternative and more sensible proposal for addressing the issue of VA referrals to the NICS database was included in the Manchin-Toomey legislation which the Senate voted upon in April 2013 and again last December.

In contrast to the Burr and Grassley amendments, which specified no process for reviewing the thousands of VA mental health referrals that have already been made to NICS, the Manchin-Toomey amendment set up a notification, review, and appeal process. It wasn't perfect, but it was very credible process, and I voted for it.

That is how we should be approaching this issue, with thoughtful authorizing legislation, not 10-line appropriations riders that are airdropped in on the Senate floor.

Second, Senator GRASSLEY said that the VA has been depriving veterans of their constitutional rights willy-nilly.

I would urge Senator GRASSLEY to look at the actual process the VA undertakes.

In connection with an award of veterans benefits, the VA formally may determine as ''mentally incompetent'' a person who ''because of injury or disease lacks the mental capacity to contract or to manage his or her own affairs, including disbursement of funds without limitation.''

The types of mental disorders that qualify as ''injury or disease '' for this purpose are set forth in 38 C.F.R. 4.130 and include diseases such as schizophrenia, dementia, panic disorder, post-traumatic stress disorder, and bipolar disorders, among others. Such illness or disease must be responsible for a person's inability to manage his or her own affairs for a VA determination of incompetency.

Like all VA benefit determinations, incompetency determinations are governed by clearly defined procedures to ensure due process.

Where the VA becomes aware that a veteran may be unable to manage his or her affairs, an incompetency rating is proposed and the individual in question is provided with notice and the opportunity to submit evidence and appear before a VA hearing officer. Determinations are based on all evidence of record. Unless the medical evidence is clear, convincing, and leaves no doubt as to the person's incompetency, no determination is made. Reasonable doubt is resolved in favor of competency.

All VA determinations of incompetency may be appealed within the VA's administrative appeals process, which includes the opportunity to seek review by the Board of Veterans' Appeals. Final BVA decisions may be appealed to the independent United States Court of Appeals for Veterans Claims.

Here is the bottom line: All of us respect our veterans, but we know that gun access by those with serious mental illness increases the risk of suicide and violence, and the VA has identified tens of thousands of people with serious mental illness.

We can work on a reasonable process, like the Manchin-Toomey legislation proposed, to make sure that the VA is not submitting mental health records inappropriately, but simply invalidating all the records that the VA has supplied to the background check database is irresponsible and dangerous.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

COMPREHENSIVE ADDICTION AND RECOVERY BILL

Mr. PORTMAN. Mr. President, I come to the floor to talk about the heroin and prescription drug epidemic that is gripping my State and the country. I come to talk about the 200,000 people in Ohio who are addicted. I come to talk about the police officers during National Police Week who are doing their jobs to address this issue and why they need more help from us and how we should provide that to them.

This is the sixth time I have come to the floor since the Senate passed on March 10 the legislation called the Comprehensive Addiction and Recovery Act. It was voted on by a 94-to-1 vote in this Chamber, which is highly unusual. That never happens around here. It happened because in every single State people are seeing this addiction epidemic, overdose issue. We need to address it.

The House has been working on its own legislation. I have come here every single week we have been in session since we passed our legislation to urge the House to act. I come this week to thank the House for acting because on Friday of last week the House of Representatives passed legislation—again, a large bipartisan vote—18 different bills that were combined into one bill to deal with this opioid epidemic.

In some respects, it is very similar to the legislation we passed in the Senate. In other respects, it has additional provisions that I think are very helpful. In other respects, it doesn't pick up everything that is in the Senate legislation.

Our focus in the Senate would be to have a comprehensive approach, and I believe, by including some of the provisions in the House-passed version, we will come up with a more comprehensive approach, and that is what is needed. In fact, in the Senate we spent 3 months working with the House on companion legislation. We had a number of conferences here in Washington, DC—five different conferences to deal with this issue—and we came up with legislation that took best practices around the country and included them in the legislation to deal with a very real problem in our communities.

It has to be comprehensive. Yesterday I had the opportunity to speak with the Director of the Office of National Drug Control Policy, Michael Botticelli, as well as Dr. Kana Enomoto, who is the Acting Administrator of the Substance Abuse and Mental Health Services Administration. It was a hearing of the Homeland Security and Governmental Affairs Committee. We were talking about how to come up with the right response to this issue in so many different respects. The bottom line is, both of them strongly agree it has to be a comprehensive approach if we are going to make a difference, if we are going to begin to turn the tide and begin to save lives and get people back on track to deal with this level of drug addiction and overdose that is happening in our communities. We have to provide the resources, but we also have to ensure that the resources are wisely spent. In other words, we have to be sure we are spending the money on things that are going to be effective. I was grateful that both Director Botticelli and Dr. Enomoto said they would work with us to try to get this conference between the House and Senate done as quickly as possible. The House and Senate bills coming together is important so we can get it to the President and, more importantly, so we can get it to the communities to begin to help. They offered to continue to work with us going forward, and I appreciate that, and we will need them. Everybody needs to pull together on this.

It has been 67 days since the Senate acted. In those 67 days, if we assume that about 120 Americans are lost every day to drug overdoses, about 8,000 Americans have lost their lives through drug overdoses since the Senate passed this legislation on March 10. Think about that. That is what I call an epidemic.

Unfortunately, my State of Ohio has been particularly hard hit. The Centers for Disease Control and Prevention said that Ohio had the second most overdoses of any State in the Union, and the fifth highest overdose death rate. On average, we are losing about five Ohioans every day to overdoses. We lost 330 since the Senate passed the CARA legislation on March 10.

Unfortunately, since March 10 the headlines have continued to show that families are being torn apart, communities devastated. These headlines make it clear this is not slowing down. I talked to some experts on this in Ohio last week, and I asked: Tell me, are things getting better? Are we beginning to change the attitudes to turn the tide? The answer was, no, the hotline is lighting up more than ever, more people are coming for treatment, and there is more crime than ever related to this. Sadly, I do not believe, at least in my home State of Ohio, that we have begun to make the progress we have to make.

It is happening everywhere—in the cities, suburbs, and rural areas. Addiction is affecting everybody of every age no matter where you are from, no matter what neighborhood you live in. It knows no ZIP Code.

Just in the time since I spoke on the floor this last week, in the past week in Ohio, here are some things that have happened. In Northeast Ohio, in the city of Lorraine, police searched three different drug houses. This happened last Thursday. They arrested seven people possessing more than 120 grams of heroin. In Southwest Ohio, in a rural area in Brown County, a couple was arrested for possession of heroin. They have four children between the ages of 3 and 6. This happened last week. In the suburbs of Dayton, OH, this time in the suburbs, Harrison Township, police say a man was driving under the influence of heroin, veered into the wrong

lane and struck a vehicle head-on, killing an innocent woman and injuring her husband. More and more traffic accidents are being linked to addiction.

In Central Ohio, in the Columbus area, the city has now spent $144,000 last year alone on Narcan, which is a miracle drug that will be able to deal with overdoses and save people's lives. Paramedics in Columbus spent 10 percent of their entire budget just on Narcan last year, reversing over 100 overdoses. Paramedic Pete Bolen says that sometimes he takes up to four overdose calls per day. I have been to police stations and firehouses around Ohio, and they tell me they are responding to more overdoses than they are fires.

Dr. Eric Adkins of Ohio State's Wexner Medical Center says that their emergency room sees two to four overdose patients every day. Last year, Wexner spent $1.2 million treating overdose patients. That is one medical center in one city.

In Chillicothe, Assistant Fire Chief Jeffrey Creed says that overdose calls are on pace to double this year compared to last year. Again, they will tell you there are more overdoses than fires.

Rita Gunning of Grove City, OH, lost her daughter Sara, who was just 30 years old, to a heroin overdose. Last year, Sara was trying to fight an opioid addiction and managed to stay clean for 50 days, but she relapsed, and 3 days later she died of an overdose. Rita is now raising Sara's three children and trying to increase the availability of naloxone across Ohio. She is on a mission because she believes this miracle drug naloxone could have saved her daughter. She said: ''Maybe if they had it that night, they could have saved Sara's life.'' She shouldn't have to say that. By the way, making naloxone more available is one thing the legislation does that was passed in the Senate. We have to be sure the House and Senate legislation does that and also provides the training that goes along with it.

Our legislation also says that when they provide naloxone, or Narcan, they provide not only training with it but also information about where to get treatment because it is not enough to apply Narcan, we need to get these people into treatment so we don't have to apply Narcan again and again and again.

Karen Young of Columbus lost her daughter Kayla when she was just 22. She had surgery when she was 20, and she was prescribed pain pills, as many of us have after surgery. She became addicted to those pain pills, and like so many others, when the pills ran out, she switched to a less expensive and more accessible alternative—heroin. She went to rehab for about 7 weeks, but she relapsed, overdosed, and died—just like that. In the span of 2 years, she developed an addiction because she went in for surgery and she died from it. As Karen put it, ''her Dad will never get to walk down the aisle with Kayla.''

Unfortunately, that is true with so many thousands of people whose lives are cut short across Ohio and across the country. The stories are heart-wrenching. You hear about kids who go in to have their wisdom teeth pulled. They are given prescription pain pills. They get addicted to the pain pills. They then turn to heroin—or maybe not. Maybe they even die of an overdose from the pain pills themselves, which has happened.

This should not be happening. Overprescribing of pain medication is obviously one of the huge issues. Four out of five of the heroin addicts in Ohio started with prescription drugs. People need to know that. By the way, our legislation would allow people to know that through an awareness campaign about that very issue.

Unfortunately, these overdoses are just the tip of the iceberg in the sense that in addition to the 8,000 we have lost since March 10 in this country, there are hundreds of thousands more who are among the wounded. What do I mean by that? They have lost their jobs. They have been driven to theft or fraud to pay for their habit. They have gone to jail. They have broken relationships with loved ones because of an addiction.

I hear this time and again from recovering addicts saying: When I had this addiction, the drug was everything. It was everything. That is how my family broke up. That is how I lost my job. That is how I lost my self-respect.

I have seen the consequences first-hand. In Ohio on Monday, I visited a treatment center that was for women only. It is an extraordinary place, the only place in my hometown of Cincinnati where women can take their kids and get treatment, which has been very effective. I got the chance to meet with a number of women who are in recovery. Each had a heart-wrenching story to tell about how they got there. Each was absolutely committed to dealing with their addiction not only for their sakes but also for their baby's sake because these women were pregnant.

In the last 12 years in Ohio, there has been a 750-percent increase of babies born with addiction. This syndrome, babies born with addiction, requires babies to be taken through the same kind of rehab that adults are taken through, of course at different levels of treatment. It is a very sad situation. Many doctors and nurses, who are incredibly compassionate, tell me they don't know what the long-term consequences are.

At this treatment center called First Step Home, which is in my home town, they are doing impressive work. They are teaching women how to be better moms in addition to providing the treatment they need. They don't just get medication, they get a sense of home and security. Talking to these women and listening to their stories inspires me to make the Federal Government a better partner with First Step and other nonprofits around the country to ensure that we are, indeed, beginning to turn this tide.

Today and tomorrow, the Addiction Policy Forum, which is a coalition of advocacy groups, is leading a CARA Family Day on Capitol Hill here in Washington, DC. I will be joining them in that effort. I thank them for calling attention to this pressing issue and for their strong support of the Comprehensive Addiction and Recovery Act, CARA.

With this being National Police Week, I would also like to thank our police officers who are confronting this epidemic on the frontlines every single day. Police, other first responders, and medical personnel confront this epidemic more than anyone else. I have been told by prosecutors back home that in some counties in Ohio, more than 80 percent of the crime is directly related to this issue of heroin and prescription drug addiction. I am told that in some areas, nearly all of the thefts that are committed are done by those struggling with addiction to pay for their habit.

The Fraternal Order of Police has been incredibly helpful to us in this legislation. They contributed valuable advice and feedback during the 3 years we were crafting CARA. I am grateful for their help and for their endorsement of CARA, which was very important to getting such a strong vote on the floor of the House and Senate.

Police officers across Ohio have told me about the extent of the epidemic. They have told me about the need for the Federal Government to take action that is comprehensive.

Major Jay McDonald, who is the president of Ohio's Fraternal Order of Police has told me that ''heroin mixed with fentanyl is the most deadly drug cocktail I've witnessed in my entire career.'' I visited a place called Jody's House with him. It is a residential house for women in recovery in Marion, OH. Major McDonald told me that our response should include enforcement, prevention, and treatment. In other words, it has to be comprehensive. He is absolutely right.

Our police want CARA for a lot of reasons. For example, CARA would authorize new law enforcement task forces around the country to investigate trafficking in heroin, fentanyl, methamphetamines, and prescription drugs. Police know that these extra resources will help them to do their job. By the way, these task forces are not included in the House-passed legislation. We have to get that in conference

to ensure that we are helping our police officers who are out there on the frontlines.

Another reason I think the law enforcement community wants CARA passed is that they are using naloxone more and more every day. First responders used it 16,000 times in Ohio last year—16,000 times. CARA would increase access to naloxone. It would improve the training so that they could be more effective in administering this miracle drug in time to save a life.

It would also insist, again, as it is being administered, that the drug treatment programs in the community locally are made available—information available to people—so that we are not just seeing this revolving door. If we give our police the tools they need, they will be able to save even more lives and get more people into treatment.

Our police are also helping to take drugs off the street. Since 2014, DEA agents in Ohio, working with local police departments, have seized more than 171 kilograms of heroin. Federal agents have now arrested more than 70 drug traffickers or drug dealers in Ohio in the last year alone.

Sometimes the intervention of a police officer is exactly what it takes to get somebody into treatment. I have found that again and again. Two weeks ago, there was a heartbreaking story of a woman in the Miami Valley area—Dayton area—named Cheri, who said she was glad her son was in jail because ''I would rather have him sitting behind bars in jail than have to carry him out in a body bag.''

Two weeks ago in Wellington, OH, there was a town meeting held about the crisis. Nicole Walmsley told the story of how, after postpartum surgery at age 19, she was prescribed a prescription pain killer. She became addicted. She ended up being arrested 18 times and convicted of two felonies. ''I sold my morals; I sold my soul. Drugs became everything.''

After an overdose in Youngstown, she begged her probation officer to send her to jail. That is how bad it is. That is how difficult it is sometimes to find treatment. She asked the police officer and the judge to send her to prison because that is the best way to get good treatment, to be convicted of a felony. Even then, sometimes the best treatment is not available.

That is the status quo today. Unless and until we get a more comprehensive bill to the President and signed into law, this continues. Too many are going without treatment. Too many are afraid to come forward. Too many are treating this not as a disease that needs to be treated, which it is, but instead are concerned about the stigma.

We need to get people to come forward and come into treatment. But thanks to help from police, in the case of Nicole, as I mentioned, she did get treatment. For 3 years now, she has been living a clean and productive life and helping others do so too. Police across Ohio have been offering treatment to those struggling with addiction.

I am impressed with what is going on in Lucas County, Ohio, which is in the Toledo area. Sheriff Tharp has started a drug abuse response team that offers addiction counseling, free rides to treatment for those who need it, and followup visits for those who have overdosed. In talking to Sheriff Tharp and some of his deputies about this, they have made an incredible difference in people's lives.

In Lodi, OH, anyone can simply turn themselves in to the police, and they will get treatment with no questions asked. This is done using private donations entirely. This year they have already placed in rehabilitation 28 people who had no insurance and no income. The police there report that since they started the program, overdoses and property crimes have decreased considerably.

In Wellington and in Auglaize County, police make the same offer: Turn yourself in and get treatment. We will not ask any questions. We will get you the help you need. I am told this is also the case in Creston, OH, and Newark, OH. So locally, police departments are taking up this issue and dealing with it effectively. I salute them for that.

I also salute them for putting their lives on the line every day for all of us and for their compassionate care of those they run across who need this treatment. I know the statistics about drug abuse are heartbreaking. They can certainly be discouraging, including the relapse rates. But thanks in part to our police officers and good treatment providers around the country, such as those I visited on Monday, there are a lot of stories of hope, too, that encourage and inspire us. Many of those who are struggling have inspirational stories too.

In Colerain Township, near my hometown, police have started what is called a quick response team of police, paramedics, and addiction counselors. When they arrest someone or save them from an overdose, they get them into treatment—again, not just applying Narcan but getting them into treatment. Last summer, they found Damon Carroll, who was just 22 years old, on his bedroom floor after an overdose. They got him counseling and treatment. Damon is now living a clean and productive life working at a restaurant. You know who stops by his house and stops by the restaurant and makes sure he is okay? The police officers who found him. Thanks to our police, he is beating this. There is hope. They saved a life. They are helping this young man to live out his God-given potential.

I hope we can send comprehensive legislation to the White House as soon as possible because it is needed. It is urgent. It is an emergency. We have lost nearly 8,000 Americans since the Senate passed this Comprehensive Addiction Recovery Act. That is the status quo today. Again, that does not begin to tell the story of those who have not died because of an overdose but struggle with addiction every day.

Our police officers and those nonprofits I talked about, those treatment centers, those who are struggling with addiction—all of them deserve better. They deserve us to act. Again, we are not going to solve the problem here in Washington, DC, but we can be better partners with State and local governments, with these nonprofits, with these law enforcement officials around the country who are dealing with this issue every day. They deserve a better partner.

I yield the floor.

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

Mr. COATS. Mr. President, I was pleased to come over here early before I spoke and listen to my colleague from Ohio. We have the same issues in Indiana. I think probably the Presiding Officer's State and every State has serious opioid addiction issues, particularly with our young people. We cannot solve all of the problems here. We have passed a piece of legislation. Hopefully we can reconcile with the House shortly and put it on the President's desk. In a number of ways, that will provide the support for dealing with this problem.

It is a national issue, it is a State issue, it is a city issue, it is a smalltown issue, and it is a rural America issue. It is all hands on deck here. We are losing precious lives through this scourge of addiction that is sweeping through our country.

WASTEFUL SPENDING

Mr. President, today I am back, as I have been every week for now 43 weeks for the waste of the week. The ''Waste of the Week'' is where I highlight waste, fraud, and abuse in the Federal Government system that is using hard-earned taxpayer dollars that ought to be able to be used by the taxpayer to pay the mortgage, pay the bills at the end of the week, to put aside some money hopefully for the children's education as they grow, or for any number of needs out there.

We have the responsibility and the duty to be carefully managing the tax money that is assessed to our public. ''Waste of the Week'' has pointed out some significant examples, yet drop-in-the-bucket of expenditures that have not been successful, have not been used for the purpose they are supposed to be used, part of the waste, fraud, and abuse category of now nearly—well, nearing $200 billion. That is not small change.

This week, I am highlighting a Federal program that has a lousy track

record and over $7 billion in leftover money—funds Congress has appropriated for this program. Let me explain the program. In 2008, shortly after the economic recession began, Congress created something called the Home Affordable Modification Program; in short, HAMP. This is a new emergency program established to help homeowners facing financial distress to avoid foreclosure by reducing their monthly mortgage payments.

All this occurred at a time when our country truly was in distress—a serious recession. People were working less hours or no hours. Those who owned homes were finding it difficult if not impossible to pay the monthly mortgage payments.

So the HAMP program, which is a voluntary program for homeowners and mortgage lenders—if the two of them get together and agree to restructure their home loan payments, they can stay in their home, and it doesn't have to go through foreclosure. It is a sensible program at a time of real need. Lenders work through the Treasury Department to reduce those monthly mortgage payments to no higher than about one-third of the homeowners' income.

Historically, if you are telling your kids about buying a home or you are graduating from school and you want to buy a home, the solid advice has always been, don't commit yourself to more than 25 percent of the income you are earning to pay on your mortgage. You are going to need the rest of that money to pay the rest of your bills—all the utilities, food, transportation, buying a car, and so forth and so on. Well, this program said all the way up to a third. If you qualified on that, we would use 33 percent instead of 25 percent and restructure your mortgage so that you had a lower payment you had to make each month on that mortgage.

The Department of Treasury put this program in place. It was scheduled to expire at the end of 2012. In 2013, after the program had technically expired, an inspector general found that the number of participants who ended up redefaulting on their new modified mortgage was ''increasing at an alarming rate.''

What is this word ''redefaulting''? Look, if you don't pay your mortgage payments, you are in default. If you are in default long enough, the bank or the mortgage company that is holding your mortgage says: We are going to foreclosure and take your house back because you are not making payments. This program was designed to help people avoid that catastrophe.

Redefaulting is the process by which the person, having already agreed to—with the mortgage company and with the support of the Federal Government, the person agreed to a program to lower the payments so they could keep their house. They defaulted again, so the technical term is redefaulting, but it is two defaults. So if Joe Smith has problems and he gets with his lender, he gets a new program, but then down the line, he defaults again.

According to the inspector general, this became something that needed to be addressed because we simply cannot continue to proceed with this program with the taxpayers' dollars if the participants aren't doing their share.

Despite the poor performance, the administration unilaterally—and how many times have we seen this happen during the Obama administration?—bypassing Congress, they unilaterally extended the program beyond its December 2012 expiration date. Interestingly enough, even with this extension, the number of applicants steadily declined. People either couldn't meet the measures or they didn't need it. The economy was improving, and they didn't need to do this. According to the Treasury Department, the number of HAMP participants declined because there was a shrinking number of eligible mortgagees.

Given that the outcomes of those receiving help were largely subpar and the number of applicants was declining, you would think we would come to the conclusion that the program needed to be terminated. It was already extended past the deadline, but on the basis of what was happening with the program, essentially we should terminate that.

When HAMP was created, the goal was to help about 4 million homeowners. Unfortunately, as it turned out, the program ended with only 1.3 million homeowners making it through the trial phase and ultimately being accepted into the program. Of those people, about one-third ultimately redefaulted, costing taxpayers an additional $1.5 billion.

We had a broken program. What was left in the fund with the Treasury was $7 billion. Some people call these slush funds. This is money that has been appropriated, put into a program—not expended in the program but sits there. How many times have we heard about government agencies with excess taxpayer money saying: Don't give it back.

Now, of course, this is the Treasury. Sometimes we say: Give it back to the Treasury. This is the Treasury itself. Well, don't terminate this and give it back; we might want to use it for something else.

That is a classic way of describing how Washington often works. Spend all the money that is appropriated to you, or they will reduce the money they give you next year. I previously sat on the Appropriations Committee, and this is not a one-off proposition. Every year, we have to scrub through these agencies' expenditures, and we find that there is excessive spending at the end of the fiscal year so that they don't get a reduced amount of funds sent to them for the next fiscal year.

Think of the ways this money could be used if it was put back into the Treasury. No. 1, it could be used for essential Federal functions. Wouldn't NIH like to have $7 billion to be able to hopefully break through on a wonder drug that would address Alzheimer's or diabetes or something else? Wouldn't the Department of Defense want to have this money for the shortcomings they have had because of the drastic reduction in expenditures for our national defense and security? Wouldn't any number of Federal agencies that produce essential programs that have to be addressed financially want to use that money for the right purposes? Most important of all, wouldn't the taxpayer want to get that money back or not have it spent at all or use it? Wouldn't the Treasury want to use it to reduce our ever-deepening national defense? So there are a lot of uses for this money that is sloshing around in a trust fund—not a trust fund, but sloshing around in the fund held by the Treasury Department.

This is a waste because it is sitting there. It is going to be spent on something that it was not intended to be spent on. For that reason, it becomes the waste of the week. As the waste of the week, we add $7 billion to our ever-growing total of waste, fraud, and abuse, taking our total overall to $170 billion. This is not small change. We have people struggling in America to make ends meet. They live paycheck to paycheck. They want their hard-earned dollars that are taken from their paycheck used for the right purposes. If the money is not used for the right purposes, they don't want to send it; they want it back.

We have an accountability to the American people, the people we represent, to do the best we can to provide the most efficient, effective use of their tax dollars. If we can't provide that—this is just, as I said, a drop in the bucket. I could be standing here every day with a waste of the day. I could be standing here every hour with a waste of the hour. We have a responsibility to be accountable to the people whose money is taken by the Federal Government and used. They don't mind using it for the right things. Maybe a veterans program needs that $7 billion to treat more veterans better than the way they are treated now.

In any event, we add this, and we have $170-plus billion in documented waste, fraud, and abuse.

I will be back next week with the next version, and we will continue to expose funding that is unnecessary and is putting a real burden on our hard-earned tax dollars being paid to the Federal Government.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

IRAN'S INFLUENCE ON IRAQ AND SYRIA

Mr. COONS. Mr. President, I rise today to draw attention to the pernicious and malign impact that the Iranian Government and its intrusion into Iraq and Syria are having on regional security, on the condition of people in those two countries, and on the stability and future of that whole region.

Today, Iraq is riven by sectarian divides, confronted with the presence of barbaric ISIS terrorists in its north and west, and led by a tragically fragile government. Meanwhile, the oppression of the murderous regime of Bashar al-Assad in Syria has helped create a humanitarian crisis on the scale of nothing we have seen since the Second World War.

Iran claims that it wants to be a legitimate, contributing member of the international community, but despite those claims, Iran has played and continues to play a major role in fomenting instability in Iraq and Syria and in exacerbating security, political, and military crises in both countries.

Today, I wish to give just a brief overview of the tragedies of Iraq and Syria, explain Iran's destabilizing role in each country, and highlight a number of the steps I think the United States can take to counter Iran's dangerous influence.

Let's begin with where we are today in Iraq. In recent months, Iraqi and coalition forces have reduced the territorial presence of ISIS in Iraq by roughly 40 percent. Since taking office in 2014, Prime Minister Haydar al-Abadi has taken concrete steps to reduce corruption, to share power with Kurdish and Sunni leaders, and to form a competent, technocratic government that can deliver real results for the Iraqi people and reduce the many grievances that have forced Iraqis into the arms of extremists. Yet dangerous divides continue to paralyze the Abadi government, hindering Iraq's ability to fight ISIS and to defend against the terrorist attacks that have killed hundreds of people, 200 in the last week alone.

As coalition forces retake land previously captured by ISIS, ISIS appears to be bringing its savage and barbaric tactics to the capital city of Baghdad in brutal attacks in recent days and in other attempts to stoke sectarianism and to distract the Abadi government from its efforts to retake the major city of Mosul. Sectarian divisions among the Iraqi people and within the government itself make political reconciliation and a coherent national military campaign against ISIS even more difficult.

Syria, meanwhile, faces a nearly unimaginable humanitarian crisis. Since March of 2011, more than 400,000 Syrians have been killed and more than 1 million injured because the Assad regime has engaged in a murderous campaign against its own people in order to cling to power. Some estimates put the number of dead as high as half a million Syrians. Nearly 5 million Syrians have been forced out of their own country, with 6.5 million displaced internally and 13.5 million in need of humanitarian assistance. Even more tragically, a huge number of those Syrians have been unable to receive international aid or relief because the Assad regime blocks access to international aid organizations.

Rather than playing a constructive role in this tortured, difficult region, such as by contributing more meaningfully to the anti-ISIS fight or by moderating conflicting factions, Iran continues to prop up the Assad regime. In fact, without Iran's help, I believe Assad would have likely fallen or come to the table to negotiate peace by now. Instead, Iran continues to foment instability, sectarian violence, and support terrorism.

In Iraq, Iran continues to fund Shia militias who seek to capitalize upon and exacerbate tensions between Iraq's Sunni, Shia, and Kurdish populations. Iranian-backed Shia militias have pushed ISIS out of some areas, but rather than allowing Sunni civilians to peaceably return and rebuild, they have engaged in killings and human rights violations against the very Sunni communities they have just liberated from ISIS.

According to Human Rights Watch, in response to ISIS bombings in the Iraqi town of Muqdadiyah in January of 2016, Shia militias ''demolished Sunni homes, stores, and mosques'' and abducted and killed dozens of Sunni civilians. This is just one of many examples of atrocities committed by Iranian-backed Shia militias in recent months. These killings further raise tensions and drive more recruits to ISIS and other extremist groups.

In Syria, Iran has joined Russia in providing the aid that has kept the Assad regime in power, despite hundreds of thousands willing to fight against Assad and despite the coordinated effort of many countries.

Although Iran's Government denies the presence of its military forces in Syria, it is clear that in addition to financial support and weapons, Iran has sent thousands of its own troops to reinforce the murderous regime of Assad. One estimate puts the number of Iranian forces in Syria at 3,000, including 2,000 of the elite Quds Force, a select group of fighters from the Iranian Revolutionary Guard Corps, the hard-line group dedicated to preserving the reactionary Iranian Government. In total, more than 700 Iranians are believed to have been killed in Syria, directly contradicting Iran's claims that it is not involved in the conflict. In fact, Iraq recently doubled down on its support for Assad by sending soldiers from the regular Iranian army to join the IRGC troops on the ground in Syria. There are rumors that they are even mobilizing and deploying Afghans and others from the region to join militias in support of Assad.

Although it remains clear that a lasting resolution to the Syrian conflict will be impossible until Assad leaves power, Ali Akbar Velayati, a senior adviser to Iranian Supreme Leader Khamenei, said in a recent televised interview that ''the removal of Assad . . . is a redline for us.''

As long as Iran continues to increase its support—its military support, its financial support—for Assad, it will bear direct responsibility for the carnage in Syria, rising extremism on all sides of the conflict, and the humanitarian exodus from Syria that is causing massive suffering and destabilizing countries on three continents.

This behavior from Iran is a clear sign that the regime is not to be trusted, does not intend to comply with international norms, and deserves close scrutiny and constant pushback from the United States and our allies.

Briefly—noting another colleague who stands to speak soon—there are a number of steps the United States and our allies have to take in response. At the very least, to prevent Iran from obtaining the material necessary to advance its nuclear program, we must work with our allies to tightly enforce all four corners of the Joint Comprehensive Plan of Action, the nuclear agreement between Iran, the United States, and other world powers.

We must continue to work with our allies and their navies to interdict Iran's ongoing illegal weapons shipments to support the Houthis and other of their terrorist proxies in the region, not just in Yemen, but in Gaza, Bahrain, and Lebanon. Since February, U.S. forces and allied navies have, on at least three occasions, interdicted in international waters shipments of thousands of AK–47s, anti-tank missiles, grenade launchers, sniper rifles, and other weapons destined from Iran to the Houthi rebels in Yemen.

The United States must continue to maintain sanctions on Iran for its support for terrorism, its human rights violations, and its continued illegal ballistic missile tests. We must be willing to sanction both individuals and entities linked to the IRGC and Iran's continued and illegal ballistic missile program. In addition to punishing Iran for its dangerous and provocative behavior, these actions send a signal to Iran that the international national community will not tolerate its ongoing bad behavior.

We have to use diplomatic channels to urge countries such as Russia to not sell more dangerous arms to the Iranian regime—allegedly defensive arms that will simply further destabilize the regime—and to press Russia to allow

U.N. Security Council action in response to Iran's recent ballistic missile tests.

Finally, we have to continue to make smart investments in training, technology, and innovation, on which our military depends. America's ability to push back on Iran critically depends on maintaining a credible conventional military deterrent.

The United States must do everything we can to support our allies in the Middle East, in particular by strengthening our partnership with the State of Israel, by concluding a new 10-year memorandum of understanding that provides a reliable long-term and significantly enhanced pathway toward support. Senator GRAHAM and I, along with 81 of our colleagues, recently wrote a letter to the President urging the administration to support a stronger MOU to ensure Israel has the resources it needs to defend itself in this chaotic region.

In closing, in the years to come, I hope this body will be just as dedicated to enforcing the terms of the nuclear agreement with Iran and pushing back on Iran's continued dangerous behavior outside the parameters of the deal as we were in the months leading up to its consideration in this body. Iran continues to exercise a malign influence on Iraq, on Syria, and the region. It is our responsibility to use every tool we have to make it clear to Iran that we will contain its bad behavior and we will not tolerate its ongoing actions.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I rise to discuss my amendment with Senator BLUMENTHAL that would extend the Veterans Choice Card Program for 3 years and restore funding that was moved out of the program last year.

Our amendment is critically important. It extends the Veterans Choice Card Program so it does not expire prematurely next year. It restores funding removed from the program last year to pay for other VA programs, provides additional funding to stabilize the VA Choice Card Program for the next 3 years while Congress works on a long-term solution to reform veterans health care, and allows the Secretary of the VA to standardize and modernize the way it pays all the doctors, hospitals, and clinics participating in the many programs the VA offers to veterans to get the care they need in their communities.

I was very proud 2 years ago that Congress acted quickly to pass major VA reform legislation following the scandal in care that resulted in the deaths of hundreds of veterans waiting endlessly for care. We now know that what was originally uncovered in Phoenix, AZ, had been occurring throughout the country. Fortunately, we acted decisively, and in a bipartisan manner, by passing the Veterans Access, Choice, and Accountability Act in near-record time. That law provided extra emergency funding for the VA to hire doctors and nurses and to build more hospitals and clinics.

Perhaps the most important and the most promising piece of the legislation was the $10 billion emergency fund for the Veterans Choice Card Program. This program allows any veteran who has to wait more than 30 days for an appointment or lives more than 40 miles from a VA facility to visit a participating doctor in their community instead of continuing to wait for care with no options. After an extremely difficult start, the Veterans Choice Card Program is now authorizing more than 150,000 appointments for veterans care per month—over 6,000 per workday.

According to the VA, as of the end of March, nearly 1 million appointments for veterans had been scheduled under the Veterans Choice Card Program. Each of these appointments represents a veteran's appointment that would have otherwise been delayed potentially for months in the VA's scheduling system.

An extra advantage of the Choice Card is it also helps veterans who don't use it. By enabling some veterans to receive care in their community, the VA is able to free up its appointment backlog and accommodate veteran appointments sooner.

Over the last year, the number of participating doctors and medical professionals in the Veterans Choice Program in the western region has jumped from around 95,000 to nearly 160,000. The turnover rate is very low. More than 90 percent of all doctors are being paid within 30 days, and the great majority of doctors are choosing to stay in the Veterans Choice Card Program to treat our Nation's veterans.

Unfortunately, under current law, the Veterans Choice Card Program is scheduled to expire in the middle of next year. The Veterans Choice Card Program is capped at $10 billion in emergency spending and 3 years of operation, whichever is reached first.

I know Members on both sides of the aisle don't want to return to the status quo of never-ending wait times for appointments and poor care at the VA. Too many of our constituents have been harmed, too many lives devastated.

I remember standing on the Senate floor in 2014 and urging passage of the Veterans Access, Choice, and Accountability Act. At that time, we acknowledged the Veterans Choice Program was a first step toward fully reforming the VA. That law created a blue-ribbon Commission on Care that is still meeting and owes Congress recommendations this summer on long-term reform, but we need time for hearings, investigations, oversight and analysis of the Commission's report to get long-term reform right.

As the chairman and ranking member of the Veterans' Affairs Committee will attest, this is the dictionary definition of an emergency. While we cannot rush the reforms the VA health care system needs, we also cannot bring the Veterans Choice Program to a full stop. Too many veterans and VA hospitals depend on the Veterans Choice Program to provide care in a timely fashion.

I have heard from multiple Administrators and VA officials who have told me and my staff that they do not know what they will do if the Veterans Choice Card Program ends. I urge my colleagues to adopt this amendment and commit to continuing the hard work of enacting long-term reform to the VA health care system.

Mr. President, I ask unanimous consent to set aside the pending amendment in order to call up amendment No. 4039 with the changes that are at the desk.

The PRESIDING OFFICER. Is there objection?

The Senator from New York.

Mr. SCHUMER. Mr. President, reserving the right to object, JOHN MCCAIN is my good friend for whom I have ultimate respect. I was just informed of this amendment and was informed it would not enable—we have a real problem in Rochester, where they do not have enough VA services. They have to drive very far away to go to a big metropolitan area.

I am going to object, hoping I can talk to my friend from Arizona to see if we can work this out. So I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Arizona.

Mr. MCCAIN. Mr. President, I don't know what the credentials are of the Senator from New York as far as veterans are concerned, but I know this. I know that what the Senator from New York is stopping is 160,000 veterans—160,000 veterans—from participating in this program in the western part of the United States.

Mr. SCHUMER. If my colleague will yield. What I am simply asking for is not to block it but to sit and talk with him to see what exactly his amendment does and the effect it will have on Rochester.

I was just told of it. That is all I want to do. I don't know the details. I have great respect for my friend, but I have an obligation to the veterans in Rochester who have come to me about their problem, and so I want to talk to my colleague about it.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. BLUMENTHAL. Mr. President, I hope very strongly that my colleague and friend the Senator from New York and Senator MCCAIN will succeed in resolving this potential roadblock to amendment No. 4039, because I very fervently support it.

The amendment would extend the temporary Veterans Choice Program for an additional 3 years and provide funding to do so. The extension of this program is vital, and the current authorization is coming to an end. At this point, we lack a path forward on any of the proposals to overhaul the VA's care in the community program.

While the Veterans Choice Program has been far from perfect, requiring multiple legislative and administrative changes to make it function for veterans, extending it for an additional 3 years will allow us to address these necessary changes that Senators TESTER and BURR have provided in a bipartisan way in the committee earlier this year. I remain committed to working with them and with Chairman ISAKSON to make further changes to the program as well as continuing to improve access to care within the VA, which is the preferred choice for many veterans.

In addition to extending Choice, this amendment also would allow the VA to move closer to consolidating existing programs for care in the community, eliminating some of the bureaucratic hurdles to smooth contracting for the VA. I thank my colleague from Arizona Senator MCCAIN for championing this cause because this amendment will ensure that all veterans currently using Project ARCH to access care through the VA will be grandfathered into the Veterans Choice Program. This is important for some veterans in rural areas to maintain continuity in care. It is of great interest to our colleagues from Maine and Kansas and other States where these veterans live, primarily, but to all of us who care about veterans health care.

I urge my colleagues to support this amendment as well as to support The Veterans First Act, another bipartisan bill I was pleased to work on with Chairman ISAKSON to achieve—that bill makes additional changes to veterans health care to improve opioid therapy, access to chiropractic care, as well as ensuring strong accountability within the Department.

Again, I express my appreciation to my colleague and friend Senator MCCAIN and say that I look forward to working with him closely on this amendment, which would be helpful, in my view, to the Veterans Choice Program. Without this extension, the Veterans Choice Program would expire next year before Congress enacts long-term reform for veterans health. The stability provided by this extension and funding will help ensure maximum participation by doctors, hospitals, and clinics in the community who wish to treat our veterans.

This amendment is one I support, having worked with my colleague Senator MCCAIN on it, and I am very hopeful we can move forward with the support of this body.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I would tell Senator SCHUMER's staff that he may want to come back.

What Senator SCHUMER is asking for is a 25-year lease on a clinic in Rochester, NY, according to his staff.

I have been privy to examples of blocking the greater good because of a specific geographic area, but I have to say that I haven't seen anything quite like this one.

Mr. President, I suggest the absence of a quorum, and I will talk one more time with the Senator from New York.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. BLUNT. Mr. President, this is an important issue that is being discussed on the floor. I join Senator BLUMENTHAL certainly in my commitment to do whatever we can to extend more choice to veterans.

I believe there are less than a handful of issues in which the VA is, in all likelihood, the best provider. They should be better at post-traumatic stress than anything else. The VA should be better at IED-attack injuries. They should be better at prosthetics. There is no reason they should be the better place to have your heart valve replaced or your kidney cancer dealt with.

More choice for veterans is better for veterans, and will make the VA a better provider than the VA is today. So I am certainly supportive of that discussion.

Mr. President, Senator WARNER and I today have filed an amendment to the transportation bill, which is the part of this debate that deals with transportation. The BRIDGE Act creates new ways to help us fund our Nation's infrastructure.

Last year, Congress was finally able to come together to pass a bipartisan highway bill, the FAST Act. It took a while to get to the FAST Act. We had 37 short-term extensions of the highway bill from 2009 on, but we finally have a 5-year highway bill that provides certainty for the next 5 years. This is a chance when, at every level of government, we can now put extra tools in the toolbox, and we can involve the private sector in ways that it has not been involved as a funding partner. There are many things the private sector can do in partnership with the public sector.

Strengthening our overall infrastructure, especially our transportation network, is vital to boosting economic growth, to creating jobs, and to increasing competitiveness in Missouri, in Senator WARNER's State of Virginia, and across the Nation. Current infrastructure fails to meet our current needs, including our drinking water, highways and ports, and energy transmission.

In addition to all the things we see above ground, there are many things below ground that need to be dealt with. Part of the storm water system in the city of St. Louis was built while Abraham Lincoln was President. It is amazing how long wood will last if you keep it soaked in water for 152 years or so, but that is what a part of that system is all about. We are way short in infrastructure investments. Senator WARNER and I, for three Congresses now, have been trying to find the best way to add more ability to do more of the things that need to be done. We have a transportation system that is interconnected, with an extensive network of highways, roads, and bridges, and of freight and passenger railroads, urban and rural rail transit systems, airports, waterways, and pipelines. All of those things make us more competitive than we would be otherwise, and more competitive means better jobs. It means that people living paycheck to paycheck have an opportunity to have paycheck to paycheck plus savings. They have an opportunity to have paycheck to paycheck plus retirement. They have an opportunity to see those things happen that need to happen in their lives and for their families.

The transportation system links our country. It links urban and rural America. It serves as the backbone for interstate commerce, and it connects the United States to the rest of the world. Our economic competitiveness and our ability to export in the most competitive way is very dependent on our infrastructure.

The American energy revolution is directly related to the ability to access unconventional oil and gas. We have more new American energy than we ever dreamed possible. We can access that energy, but we don't have a way to transport the energy that we need to use it most efficiently.

The Greater Mississippi River Basin—the biggest contiguous piece of agricultural land in the world—is where the waterways of the country come together. These waterways allow us to be more competitive. They allow

farmers to easily ship their products to domestic and foreign markets. A modern transportation system will be key to remaining competitive with other grain producers elsewhere in the world. Brazil is a great example of a country whose ability to grow agricultural products has far outgrown its infrastructure. The ability to compete—the ability to get things to market, the ability to get things all over the world—is dramatically impacted by that.

The American Society of Civil Engineers continues to give the United States poor marks on our infrastructure and says that we need billions of dollars in investment over the next several years to bring it up to adequate conditions.

The BRIDGE Act is not a way for Federal taxpayers to become responsible for every local obligation but for States and communities, along with the Federal Government, to have new ways to do the things that need to be done. We can't continue to ignore the infrastructure needs of the country. We particularly can't continue to ignore the infrastructure needs of the country that we can't see.

We just saw appropriate attention in Flint, MI, to a problem that didn't meet the eye because it is underground. The gas lines, the water lines, the storm sewer lines all need attention. The capital markets and private sector investors have growing interest in being a part of meeting that great infrastructure need. The BRIDGE Act will incentivize private sector investment by establishing an independent infrastructure financing authority to provide loans and loan guarantees to critical infrastructure projects, including transportation, water, and energy infrastructure. It is a proposal like the ones we need to help close the gap that needs to be closed.

During this week—a week in which I am not sure how the planning worked here—we have the transportation bill on the floor during infrastructure week. I think we ought to give serious consideration not just to the infrastructure that we appropriate money for but the process and the tools we put in place so that the infrastructure needs of the country can be met.

I am certainly pleased to get to work with Senator WARNER on this project. We have had lots of input from people who understand the infrastructure needs of the country. I hope the Congress will look at this as one of the things that can be done to help meet those needs.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. MCCAIN. Mr. President, I ask unanimous consent to speak as in morning business.

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

Mr. MCCAIN. Mr. President, I thank Senator WARNER from Virginia and Senator SCHUMER from New York. They are committed to the veterans in their States and in this country.

I believe we have worked out an agreement to try to get the veterans the services they have earned and are not receiving at this time.

AMENDMENT NO. 4039 TO AMENDMENT NO. 3896

Mr. President, the usual calm and quiet conversation has led to a conclusion that now I can ask unanimous consent to set aside the pending amendment in order to call up amendment No. 4039.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from Arizona [Mr. MCCAIN] proposes an amendment numbered 4039 to amendment No. 3896.

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

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

The amendment is as follows:

(Purpose: To extend and expand eligibility for the Veterans Choice Program of the Department of Veterans Affairs and to establish consistent criteria and standards relating to the use of amounts under the Medical Community Care account of the Department of Veterans Affairs)

At the end of title II of division B, add the following:

EXTENSION AND EXPANSION OF VETERANS CHOICE PROGRAM

SEC. 251. (a) EXTENSION.—The Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended—

(1) in section 101(p)(2), by striking ''3 years'' and inserting ''6 years''; and

(2) in section 802(d)(1), by striking ''$10,000,000,000'' and inserting ''$17,500,000,000''.

(b) EXPANSION OF ELIGIBILITY.—Subsection (b)(2) of section 101 of such Act is amended—

(1) in subparagraph (C)(ii), by striking ''; or'' and inserting a semicolon;

(2) in subparagraph (D)(ii)(II)(dd), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following new subparagraph:

''(E) has received health services under the pilot program under section 403 of the Veterans' Mental Health and Other Care Improvements Act of 2008 (Public Law 110–387; 38 U.S.C. 1703 note) and resides in a location described in section (b)(2) of such section.''.

(c) CONFORMING AMENDMENTS.—(1) Subsection (g)(3) of such section is amended by striking ''or (D)'' and inserting ''(D), or (E)''.

(2) Subsection (q)(2)(A) of such section is amended—

(A) in clause (iii), by striking ''; and'' and inserting a semicolon;

(B) in clause (iv), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new clause:

''(v) eligible veterans described in subsection (b)(2)(E).''.

(d) EMERGENCY REQUIREMENT.—The amounts made available under the amendments made by subsection (a) are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)).

(e) QUARTERLY REPORT.—Not less frequently than quarterly until all amounts deposited in the Veterans Choice Fund under section 802 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) are exhausted, the Secretary shall submit to the Committee on Appropriations and the Committee on Veterans' Affairs of the Senate and the Committee on Appropriations and the Committee on Veterans' Affairs of the House of Representatives an update on the expenditures made from such Fund to carry out section 101 of such Act during the quarter covered by the report.

ESTABLISHMENT OF CRITERIA FOR PROVISION OF SERVICES UNDER MEDICAL COMMUNITY CARE ACCOUNT

SEC. 252. In using amounts made available in this title for the Medical Community Care account of the Department of Veterans Affairs, the Secretary of Veterans Affairs shall establish consistent criteria and standards—

(1) for purposes of determining eligibility of non-Department health care providers to provide health care under the laws administered by the Secretary, including standards relating to education, certification, licensure, training, and employment history; and

(2) for the reimbursement of such health care providers for care or services provided under the laws administered by the Secretary, which to the extent practicable shall—

(A) use rates for reimbursement that are not more than the rates paid by the United States to a provider of services (as defined in section 1861(u) of the Social Security Act (42 U.S.C. 1395x(u))) under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for the same care or services;

(B) incorporate the use of value-based reimbursement models to promote the provision of high-quality care to improve health outcomes and the experience of care for veterans; and

(C) be consistent with prompt payment standards required of Federal agencies under chapter 39 of title 31, United States Code.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I thank the Senator from Arizona for working with us on this very important issue of making sure that veterans in a number of our States are able to get quality care in a location that is convenient to them, and I appreciate his partnering with me and Senator SCHUMER and others on this issue.

Mr. President, I was going to rise earlier when the Senator from Missouri spoke to talk about the question around infrastructure investment. This is infrastructure investment week, and stakeholders from across the country are here to continue to raise the question that we need to do more to rebuild

our Nation's crumbling infrastructure. We all know that recently we passed a 5-year highway bill, and I supported it. The FAST Act—as it was called—was a good bill, but it included only modest increases in funding. Whether we look at our region's Metro or the Memorial Bridge that many of us travel on a regular basis or airports or water systems all over the country, it is clear that we need to look at additional ways to invest in our Nation's infrastructure.

Senator BLUNT and I have filed an amendment to the current Transportation appropriations bill that we had before us that would establish a National Infrastructure Financing Authority. The BRIDGE Act that is cosponsored by six Republicans and six Democrats is bringing about a new tool to make innovative ways to finance projects. I believe my friend, the Senator from Connecticut, is a supporter of this type of approach.

Our bipartisan BRIDGE Act creates a $10 billion government loan fund—a loan fund that will repay. It doesn't add a single dime to the Federal deficit. All experts say this modest initial investment ultimately could unlock up to $300 billion in private sector capital to invest in our Nation's infrastructure.

Let's be honest. We all know why we are here. The funding mechanisms that our transportation system relies on are simply unsustainable. We spend more money each year just in maintaining our highway trust fund and highway system than our highway trust fund brings in, yet our needs continue to grow.

The American Society of Civil Engineers recently gave the United States a D-plus grade on infrastructure. I don't know about my friend, the Senator from New York, but I am sure that he often preferred grades better than D-plus when he was a student.

If we look over recent times, this is not a Democrat or Republican issue; this is a problem that has been gnawing at this country for some time. There has been a 50-percent decrease in infrastructure investment as a percentage of our GDP since the 1970s. The United States spends less than 2 percent of our gross domestic product on infrastructure.

According to the American Society of Civil Engineers, underinvestment in our national infrastructure will cost each American family $3,400 a year. That is wasted time. That is a city in gridlock. That is not being able to get to work and not being able to be with one's family. The most significant gap, of course, is not only in water but, obviously, in transportation, where it has been estimated that an additional $1 trillion is needed across the network—including roads, bridges, rail—during the next decade. Again, I point to many of the Members in this body and so many of the folks who work for us simply traveling across the Memorial Bridge, one of our Nation's icons, which is basically in a crumbling state.

Meanwhile, if we look at nations around the world in terms of what they are doing—remember the United States is under 2 percent of GDP investment and infrastructure—Europe and India spend about 5 percent of their GDP on an annual basis in infrastructure. China spends nearly 9 percent. Australia already has a national infrastructure financing authority. China also has a national infrastructure funding authority that is building out national high-speed rail networks.

Think about it. For most of the 20th century, it was American infrastructure that led to America's economic dominance in the 20th century. Today, whether that is flying into our airports, looking at our rail system, or looking at our crumbling roads and systems, in many ways, America's infrastructure is a disgrace and actually retards economic growth.

As we tighten our belts at the State level—and I say that as a former Governor—and at the Federal level, we need to do everything we can to invest in infrastructure as a means of not only providing jobs but helping the flow of goods and people and services to stay competitive in the global economy.

Despite the recent passage of the so-called FAST Act, only 6 percent of infrastructure funding in the United States is from the private sector. With over $2.2 trillion sitting on private ledgers looking for a place to invest, that meager 6-percent figure, in terms of private sector investment in infrastructure, could be dramatically increased.

The BRIDGE Act, the bill I am working on with Senator BLUNT, establishes such an authority. It complements existing Federal programs scattered across several ages. It allows us to consolidate the expertise it takes to go against Wall Street in putting together infrastructure financing programs.

This new authority could provide an important new tool for State and local governments to partner with the private sector to invest in our Nation's infrastructure.

Let me be clear. Infrastructure financing alone isn't a silver bullet. If you finance, you have to pay those dollars back. But when we are looking at interest rates at record lows, failure to take advantage of accessing these private markets with interest rates at these low levels is the equivalent of political malfeasance. In terms of the BRIDGE Act, this program would complement existing programs such as TIFIA and WIFIA, which already provide good work.

My hope is that joining with Senator BLUNT and 12 of our colleagues—equal numbers of Democrats and Republicans—if not on this bill, we will act on the BRIDGE Act and provide this critically important needed infrastructure tool to our tool kit to make sure that our roads, bridges, airports, water and sewer systems are functioning and allow America to compete in the 21st century economy.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. SCHUMER. Mr. President, I will be very brief. A number of us have clinics that serve our veterans population. I have one in Rochester. The Senator from Virginia has one in Hampton Roads, and there are others on both sides of the aisle where there is a potential problem because of the way CBO scored it. We have agreed that, rather than piggyback on the McCain amendment, we would figure out a bipartisan way to solve this problem in the NDAA bill. I very much appreciate the commitment of my friend from Arizona to help us solve that problem.

I know we will have the complete cooperation of our ranking member, Senator REED, and I look forward to trying to solve the problem for the benefit of veterans throughout the country who don't get the services they need, and we can move forward at least in 17 areas where they will.

I yield the floor.

The PRESIDING OFFICER (Mr. TILLIS). The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, as the ranking member of the VA Committee, I want to join my colleague from New York, and having worked with Senator MCCAIN on this amendment, I am very pleased that the McCain-Blumenthal amendment has been made pending and that we have an agreement to authorize those VA leases that were requested over the last fiscal year when we turned to the National Defense Authorization Act.

I want to stress that these leases have been requested over the last several fiscal years, and this agreement embodies a situation that has to be addressed. I thank my colleague from Arizona for working with me on the amendment and now being so understanding on these requests, at least in committing to make sure that we address this very strongly felt need.

I also want to thank my colleague from Virginia for his work on this issue and for his work on the infrastructure spending measure that he has offered and that I have supported for years. I hope that we can get it done because the infrastructure of our Nation, as well as that of my State, requires that we commit the money as an investment. It is not funding. It is not spending. It is an investment in our future.

We can't have a 21st century economy unless we have a 21st century infrastructure—roads, bridges, rail, airports. I am pleased and proud to join him in this effort.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

AMENDMENT NO. 3897

Mr. LEE. Mr. President, in a piece of legislation of this size, this scope, and this magnitude, there is always much to praise. Unfortunately, from time to time there is much to criticize.

Specifically, I rise today to try to correct one major mistake in this bill. As currently written, it permits the Department of Housing and Urban Development to proceed to the implementation of its radical new regulation, the insultingly misnamed affirmatively furthering fair housing rule, or AFFH.

Proponents of AFFH, including President Obama, claim that AFFH fulfills the original purpose and promise of the Fair Housing Act of 1968. The truth is, HUD's new housing rule isn't the fulfillment but a betrayal of the Fair Housing Act of 1968. The purpose of the Fair Housing Act was to protect the God-given right of individuals and families, regardless of their skin color or their ethnicity, to buy and rent homes where they please. By contrast, the explicit purpose of HUD's new rule is to empower Federal bureaucrats to dictate where a community's low-income residents will live. This is not what progress looks like.

AFFH not only grants unprecedented new powers to HUD—powers that were not contemplated and have no legitimate basis in the Fair Housing Act of 1968—but it will ultimately hurt the very people it purports to help—public housing residents, especially African-American public housing residents who too often find themselves trapped in dysfunctional, broken neighborhoods.

To make matters worse, this new rule will end America's unique and uniquely successful commitment to localism and diversity and make neighborhood-level construction decisions subject to the whims of future Presidents. If this past year has not yet done enough to give you pause about handing over such power to the executive branch, then you are not paying close enough attention.

I am offering an amendment today, No. 3897, that would prohibit HUD from using Federal taxpayer money to carry out the affirmatively furthering fair housing rule. The House of Representatives has already passed this amendment twice and will likely do so again in the near future. We should follow the lead of the House of Representatives in this regard.

Here is how the rule works. AFFH requires cities and towns across the country to audit their own local housing policies under close supervision by HUD regulators who may have never lived anywhere near the city, town, or municipality in question. If any aspect of a community's housing and demographic patterns fails to meet HUD bureaucrats' expansive definition of ''fair housing,'' the local government must submit a plan to reorganize the community's housing practices according to the preferences and priorities set not by the community in question but by the bureaucrats—the bureaucrats in Washington, possibly hundreds or even thousands of miles away.

Critics of AFFH often say and I have said myself that this rule turns HUD into a sort of national zoning board with the power to unilaterally rewrite local zoning laws and land use regulations in every city and town in America. But that is not quite how the rule works, and that is why Senator COLLINS' amendment would not do anything to prevent the implementation of the very things we worry about with AFFH. In the 10 months since the rule was finalized, it has become clear that the mechanics of AFFH are much more underhanded and subversive than critics have often claimed. Under the new rule, HUD doesn't replace local housing authorities, it conscripts them into its service. This gets to the very heart of the difference between my amendment and the amendment offered by my distinguished colleague, the senior Senator from Maine, Ms. COLLINS.

The danger of AFFH is not that HUD will direct local governments and public housing authorities to make specific changes to their zoning policies; it will just threaten them by tying obedience to Federal community development block grants. Obedience to the commands of Federal regulators will be a conditional precedent of sorts to the ongoing receipt of Federal funds under the CDBG Program.

CDBG is a Federal grant program controlled by HUD, one that allocates some $3 billion per year to local governments to help them address a variety of community development needs, including providing adequate and affordable public housing for their community. Traditionally, local officials have been more or less free to use their CDBG funds according to their own community's unique needs and specific priorities, but under AFFH, HUD officials will withhold local government CDBG funds unless that local government adopts HUD's preferred housing policies.

Predictably, proponents of the rule claim this will be a collaborative process, with local government officials in the driver's seat while the bureaucrats at HUD merely provide support and guidance, but the 10-month track record of AFFH suggests that precisely the opposite will be true. In fact, I have already heard from the housing authority of Salt Lake County, predicting that the cost of complying with AFFH will stretch their already thin resources, add hundreds of hours of bureaucratic paperwork to their workloads, and eliminate their autonomy to determine the best ways to provide adequate, low-cost housing to their community.

The problem with HUD's new rule has nothing to do with the stated intentions behind it. In a press release announcing the finalization of AFFH, HUD Secretary Julian Castro said: ''Unfortunately, too many Americans find their dreams limited by where they come from, and a ZIP code should never determine a child's future.'' I completely agree. There is no disputing that the neighborhood in which a child grows up might affect his educational, social, and professional outcomes in the future. Nor is there any disagreement that far too many children today are raised in dysfunctional neighborhoods because it is the only place their parents can find affordable housing. The lack of affordable housing is not a new problem in America—just ask anyone who has ever had to pay rent in one of the major metropolitan areas controlled by the Democratic Party—but neither is the solution. The best way to make housing more affordable is to allow more housing to be built, and the best way to help low-income citizens find fair and affordable housing is to empower them to live in a neighborhood that meets their needs.

The history of Chicago is instructive here. In the 2000s, the Chicago city government demolished many of its public housing facilities without any kind of a plan to replace them. Those with the resources and wherewithal to choose where to live moved to places where housing was cheap and economic opportunity was plentiful, but the less fortunate were relocated to more remote, less prosperous towns, towns like Dubuque, IA, at the behest of—who else?—the U.S. Department of Housing and Urban Development.

In 2008 the city of Dubuque was struggling to meet the needs of its own public housing residents. Yet in stepped the U.S. Department of Housing and Urban Development declaring that the city's housing policies would fail to meet the agency's fair housing standards and that therefore the city would be ineligible to receive Federal funding from HUD unless the local government actively recruited Section 8 voucher holders from Chicago. Unwilling to lose access to Federal funding on which the city had come to rely, the small Iowa town acquiesced to HUD's demands—aggressive and unacceptable as they were. This imposed an enormous administrative burden on the city's resource-strapped housing agencies, but HUD's real victims were Chicago's public housing residents who were forcibly displaced to an unknown town 200 miles from the city they used to call home. Unless we pass this

amendment to defund the disastrously misguided AFFH rule, this is what the future of public housing in America will look like.

I urge my colleagues to join me in supporting this amendment and reaffirming that low-income families are not statistics to be managed by distant bureaucrats; they are human beings—our neighbors in need who deserve to be treated with dignity and respect.

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

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I listened very carefully to the presentation made by my colleague from Utah, Senator LEE, and I wish to respond to the concerns he raised. Indeed, if the picture he drew were accurate, I might be a supporter rather than an opponent of his amendment.

First, let me be clear that there is nothing in our bill that authorizes this rule. This rule was issued pursuant to HUD's normal regulatory authority in response to a report, which I will discuss in a moment, that was issued by the GAO, the Government Accountability Office.

The amendment offered by Senator LEE would prohibit funding for HUD's rule that is known as the affirmatively furthering fair housing rule. It was finalized in July of last year, but it is based on a requirement from the landmark civil rights-era law, the 1968 Fair Housing Act. That law mandates that HUD ensure that recipients of HUD funding not only prevent discrimination but also act to further the goals of fair housing that are outlined in this landmark law. In fact, repeatedly over the years, Congress has reinforced this goal. As recently as 1998, the Quality Housing and Work Responsibility Act required HUD program recipients to affirmatively further fair housing.

When we talk about fair housing, it is important that we remember we are talking about not only prohibiting discrimination based on race but also discrimination based on disabilities, ethnic origin, and even against families with children. In fact, in fiscal year 2015, 56 percent of all reported complaints of housing discrimination were initiated by people with disabilities, and that is why so many organizations that are representing our disabled citizens are so strongly opposed and concerned about Senator LEE's amendment.

For example, the Paralyzed Veterans of America, an organization that was founded by servicemembers who returned home after World War II with spinal cord injury, believes that HUD's rule will help curb discrimination against people with disabilities, including our veterans and our seniors. According to the Paralyzed Veterans of America, the alarming trend of more than 50 percent of complaints about housing discrimination being initiated by individuals with disabilities will affect Americans returning from conflicts abroad, as well as a growing percentage of our seniors who are suffering from or living with disabilities. The organization also believes that HUD's rule will help local governments identify strategies and solutions to expand accessible and supportive housing choices for our seniors and our veterans.

I wish everyone had heard Senator ISAKSON's eloquent speech on the floor this afternoon when he talked about a wonderful, inclusive mixed-income housing development in Atlanta that has included a charter school and a Y. The children's test scores have gone up and crime has decreased because of the model that was adopted for this particular development.

Earlier I mentioned that it is important to know that HUD issued this new rule in response to a specific 2010 GAO report.

Members in this Chamber are always looking to GAO for information, advice, and recommendations on how we can improve the effectiveness and the efficiency of Federal programs to make sure they are fulfilling the mandates we have written and to make sure they are serving the people they are intended to serve in the manner Congress intended.

GAO took a look at the fair housing requirements and particularly the requirement in the Fair Housing Act that recipients of HUD's grants were to affirmatively advance fair housing. It was very critical of the haphazard nature of HUD's oversight and the fact that communities didn't know whether they were in compliance. There was also a lack of tools, of community involvement, and of assessments to make sure those goals were being met.

Once HUD issued its final rule, the GAO was satisfied and closed out its recommendations. As the Presiding Officer is well aware, there are times when Federal agencies never implement GAO's recommendations, or take years to do so, and we in the Senate have to hammer the agencies over and over again on why they didn't implement GAO's recommendations. Well, in this case, HUD did so.

So not only was the origin of the rule the GAO report but also communities were seeking better tools and more guidance. Senator KAINE, a former mayor of Richmond and a former Governor of the Commonwealth of Virginia, was eloquent in describing the fact that he welcomed these rules because it was so hard when he was the mayor to know exactly how to accomplish the goal of affirmatively advancing fair housing. What exactly did that mean to HUD?

Indeed, there is an excellent article that appeared in The Hill today by the director of the PolicyLink Center for Infrastructure Equity and the co-director of the Promise Neighborhoods Institute that talked about the history of this rule. In particular—and I want to quote—the authors say:

> The opposition ignores the fact that the rule was developed in response to city- and state-level requests for better tools and improved guidance; that it involved significant input from local-level innovators and experimenters; and that it was piloted in 74 regions nationwide over five years in the Sustainable Communities Initiative through a tool called the fair housing and equity assessment.

It lists cities across the country, including Salt Lake City, ironically; Denver, St. Paul, and Dallas, which have all invested in affordable housing, in transit-oriented developments to ensure that residents would have access to affordable transit and housing choices, just as examples.

So the idea that this rule came out of thin air is just not accurate. It is based on a law that has been on the books for decades—a law that is a landmark civil rights-era law—the 1968 Fair Housing Act. It is based on a GAO report in 2010 which said HUD wasn't doing a good job. It is based on requests from States and communities for more tools and more guidance from HUD.

So this rule was not developed by our committee. It was not authorized by our committee. It comes from the 1968 law which, as I said, has been reaffirmed in at least three subsequent laws that this body has passed. It comes from a GAO report, and it involved a lot of input.

Now, according to Senator LEE, and we heard him speak about it today, he fears HUD is going to be turned into—I believe he called it a national zoning authority for every neighborhood, and Federal bureaucrats thousands of miles away in Washington will be in charge of our local communities.

First, let me say I do not believe that to be the case, and I believe it is a misreading of the guidance. However, I would never want that either. That is why, along with my colleagues Senator JACK REED and Senator THAD COCHRAN, we have introduced an amendment to ensure that HUD cannot do that, to prohibit HUD from being involved in local zoning decisions so the recipients of Federal dollars will continue to make their own local decisions to address the Federal requirements.

Because there has been so much misrepresentation about our amendment, let me read to my colleagues exactly what it says. It couldn't be more clear: None—none—of the funds made available by this act may be used by the Department of Housing and Urban Development to ''direct a grantee to undertake specific change to existing zoning laws as part of carrying out'' the final rule entitled ''affirmatively furthering fair housing.''

I don't know how the amendment could be any clearer than that. We have made sure the worst fear, the

worst scenario the sponsor of this amendment has conjured up, cannot occur if our amendment passes.

On the other hand, I want to point out what Senator LEE's amendment would do. It would prevent HUD from providing the necessary technical assistance, guidance, and help that localities have continuously asked HUD to provide to ensure that they don't get sued, that they are not susceptible to costly and unnecessary fair housing litigation brought by individuals or outside groups. They want HUD's help, but under the Lee amendment no funding could be used to give them that kind of help. I don't see how that makes sense. That is how broadly written his amendment is.

I want to correct something else that was said. Senator LEE talked about the enormous burden this rule will impose on the recipients of HUD funds. To be clear, the rule requires the recipients to complete the fair housing analysis only once every 5 years—once every 5 years—similar to all other HUD requirements in their consolidated plans. So that argument, in my judgment, also falls.

Let me say that we are all aware of concerns, despite the tremendous progress that has been made in this country, about the lack of progress in providing housing opportunities to all Americans. That is why in our bill we try to deal with homeless veterans—we do deal with homeless veterans. We put in $57 million for additional vouchers for homeless veterans, even though the administration wanted to eliminate that important program. We are continuing to work on that.

Finally, let me respond to a specific case that Senator LEE mentioned involving Chicago and Dubuque. To begin with, it is simply a mistake in a statement to say that Chicago residents were ''forced to relocate to Dubuque.'' That is just not accurate. It is true that this is a Federal voucher program and, as Republicans, we usually like vouchers because we want Americans to have choices about where they live. So the section 8 program, for example, which is a voucher-based program, doesn't say that you can only use it in Portland, ME, or Providence, RI, or Salt Lake City, UT, or Chicago, IL. It is a program that allows people to live where they want to live, but it is a program with a long waiting list in most cities. Nothing—also, despite what has been written—nothing in the rule requires that Dubuque be considered part of Chicago. That is not a statement that the sponsor of the amendment made today, but it is a statement that has been circulated by some outside groups and it is simply ridiculous. It is absolutely absurd.

The concerns raised with Dubuque are related to a settlement that the city reached with HUD in 2013, which was well before this rule was finalized. The agreement was the result of a compliance review under the Civil Rights Act—title VI of the Civil Rights Act of 1964—which prohibits discrimination based on race, color, or national origin in programs receiving assistance. Sadly, the city of Dubuque was found to not be in compliance with the Civil Rights Act because the city was purging and closing wait lists for the section 8 voucher program and creating residency requirements that are not allowed. Indeed, it is sad to say, in the letter of finding, HUD wrote: ''The City of Dubuque knew its actions would limit or deny the participation of African Americans in its Section 8 program.'' I would hope we could all agree—I am sure we could all agree—that is just wrong.

So the Dubuque case, rather than being an example of the bizarre consequences of this rule, as has been portrayed, is in fact yet another reminder that even in this day and age there continue to be some clear violations of the Fair Housing Act.

I hope my colleagues will join me in voting against Senator LEE's amendment. I am sure he is well-intentioned, but the effects of this amendment would be very harmful to the goals we all share of fair housing in America.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I rise to support my colleague, the chairman of the subcommittee, Senator COLLINS of Maine, in opposition to the amendment offered by the Senator from Utah. This amendment would prohibit HUD from implementing or enforcing its Affirmatively Furthering Fair Housing regulations.

I think it is important to remind everyone of the reasoning for and history behind these regulations. The Fair Housing Act of 1968 was enacted because banks, landlords, and developers were excluding people from buying or renting in certain neighborhoods based on race. Under the Fair Housing Act, communities are required to take steps to further fair housing in order to prevent discrimination and segregation.

I think we have come a long way since 1968, and I don't think anyone is arguing the premise, purpose, or beneficial aspects of the Fair Housing Act. The law is based on trying to ensure that Americans have fair access to housing, no matter their race, physical ability, family status, or religion.

People should be able to live according to their own choice and resources. I hope that we can all agree that people should not be turned away from a home or neighborhood because of their religion, family status, disability, or race. Frankly, that was the aspiration in 1968 and still, too often, remains an aspiration. HUD is trying to give local communities the tools and resources needed to live up to the legislative mandate that we imposed and continue to impose.

As the chairman said so well, these regulations don't emanate from some person in a room thinking a great thought. In 2010, the Government Accountability Office did an audit to assess compliance with the Fair Housing Act. That is the GAO's job. That office checks whether Federal agencies are doing what we—the Congress—tell them to do. GAO found that many HUD grantees did not analyze impediments to fair housing—that we were giving money to organizations throughout this country and that they were not even making attempts to analyze the impediments that existed to fair housing.

GAO also found that those organizations that did analyze impediments to fair housing often failed to establish any goals or objectives to address them. The organizations just found them and did not act. That is not what the Fair Housing Act requires.

GAO also found that HUD was unable to determine if a community was actually meeting its obligations under the Fair Housing Act. HUD simply did not know whether the requirements of the Fair Housing Act were being implemented at the local level.

HUD is often criticized for not effectively responding to GAO, but here they responded. HUD developed regulations that insist that grantees conduct a fair housing analysis and submit that assessment to HUD for review.

As a result of this proposed regulation, HUD went through a 2-year rulemaking process. This was not some whimsical spur-of-the-moment decision or press release to say: Let's do this.

The process was 2 years long, fully open to public hearing, comment and review, and susceptible to challenge in court if it did not measure up to the Administrative Procedure Act or the Fair Housing Act. This process has resulted in regulations that will actually carry out the intent of the Congress.

To reinforce and clarify what the chairman has said, these regulations do not change existing law and do not in any way dictate local zoning decisions. In fact, these regulations simplify the responsibility of grantees to comply with the Fair Housing Act because they give grantees the data and tools to help communities comply with the law.

These regulations do not require grantees to gather new data because HUD provides the data to them. To help communities comply with the Fair Housing Act, HUD is working closely with grantees, providing technical assistance, and holding training sessions across the country. This is a collaborative effort. It is an effort that does not dictate a national outcome. HUD is helping localities, working with their particular situation, to develop a

response to the legislative requirements that we have been emphatically insisting upon since 1968.

We are also working, as we should, to ensure that this process is continually evaluated by HUD, and streamlined and simplified—particularly, when it comes to dealing with small communities that cannot bear the administrative overhead that some larger cities might be able to bear. HUD is providing assistance to ensure that these grantees are complying with the Fair Housing Act.

We all understand—and this principle applies not just to HUD programs, but every program—that grantees have an obligation to use Federal resources responsibly and consistently with legal requirements. The Fair Housing Act requires that access to housing not be denied because of race, disability, or other protected category. This is what we should expect for all recipients of Federal support—that they follow the law.

This improved process, in my view, protects communities and ensures that they still have a choice of how they meet their obligations under the Fair Housing Act. There is nothing in these regulations that undermines the ability of a local community to determine these solutions, but these communities must recognize their responsibilities. Their solutions are ones that will be organic to the community—what works for them, given the objective of ensuring that there are no artificial impediments to access housing.

It is also important to note that, if HUD is prevented from implementing these regulations, there is no change to the obligations that these communities have under the Fair Housing Act. This law has been in place for 48 years. Those requirements will still remain in place and will not only be opportunities, but also obligations to take action in certain cases.

Senator KAINE was on the floor this morning stating that, as a young lawyer in Richmond, VA, he became an advocate for fair housing because people came to him with complaints, and he took those complaints to court. What we are trying to do, interestingly enough, is to avoid all of that by having a process where the impediments have been removed by a local solution.

The amendment that Senator LEE proposes would prevent HUD from satisfying these GAO recommendations to provide guidance, clarity, and support for these grantees. This amendment makes grantees liable for compliance without the tools and data needed to comply. Ironically, it probably puts grantees in a worse position.

So I join the chairman and urge all of my colleagues to reject this amendment.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BOOZMAN. Mr. President, I want to express my strong support for the 2017 Transportation and Housing and Urban Development appropriations bill. Senator COLLINS and Senator REED deserve tremendous credit for their leadership on this bipartisan bill.

Congress has the basic responsibility to determine how we spend hard-earned taxpayer dollars. It is a responsibility that my colleagues and I on the Appropriations Committee take very seriously. Debating and passing these annual bills provides accountability. It is an important part of setting priorities, making choices, and reducing waste.

Last week, the Senate passed an energy and water appropriations bill crafted by Senators ALEXANDER and FEINSTEIN. While I don't serve on their subcommittee, I was very proud to support their bill, and I congratulate them on moving forward and making the process work.

The 2017 Transportation and HUD appropriations bill is the latest example of the Senate's return to regular order. This process enables all Senators to play an active role in the legislative process and to address concerns that are important to their States. This bill is crafted with bipartisan support, and it helps to drive the growth of our Nation. Senators COLLINS and REED have put in a lot of work to prepare this bill for consideration, as have both of their staffs. The discretionary spending in this bill is within the budget caps, and it reflects a responsible approach. The bill strengthens our country's infrastructure and transportation system.

This week is recognized as Infrastructure Week, and I have heard from several Arkansans that this must remain a priority. Our citizens have opportunities, and our Nation is a powerful economic force, thanks in part to our roads and bridges, airports, waterways, and related structures. We need to maintain our roads because they provide a reliable way to move goods and services around the country and, with the rest of our infrastructure, to countries around the world. These investments lead to job creation and greatly benefit our economy.

The bill provides critical funding to modernize air traffic control. While our current system is second to none in safety, the FAA must accelerate its progress toward operating a more efficient system. A modern air traffic control system will be more convenient for travelers, it will save money, and it will clean the environment by reducing the amount of fuel used by aircraft. The bill provides critical funding to improve air traffic certification services. These improvements can help aircraft manufacturers, including those in Arkansas, that are fighting to win in a competitive global market.

The bill provides critical highway funding that is consistent with the long-term highway bill we passed last year under the leadership of Senators INHOFE and BOXER. I am pleased that this bill includes a provision I offered to empower the State to designate a portion of Highway 67 in Arkansas, from North Little Rock to Walnut Ridge, as ''Future I–57.'' Arkansas has invested hundreds of millions of dollars to build an interstate-quality road, and we are now calling it what it is. The presence of an official interstate highway is one of the initial key factors that developers consider when determining where to make major investments such as building new factories.

Community leaders along this stretch of road shared their excitement about the future designation. Buck Layne, executive director for the Searcy Regional Chamber of Commerce, says this will improve the transportation network and expand economic development opportunities.

Jon Chadwell, executive director for the Newport Economic Development Commission, says this will open up opportunities to Arkansas business and give companies an even greater access to national and global markets.

Walnut Ridge mayor Charles Snapp says this designation will open a lot of doors, and Walnut Ridge aldermen voted this week to support this designation.

Resolutions of support for the I–57 designation have been passed by the Newport Economic Development Commission, as well as the chambers of commerce in Bald Knob, Cabot, Jacksonville, Lawrence County, Newport, Sherwood, and Searcy. Other expressions of support will be received in communities throughout the central Arkansas and northeast Arkansas regions.

This designation is an important step to make Arkansas a better connected State that is open for business. This bill also sets high priorities and provides critical funding through programs like community development block grants. These programs work because they allow decisions to be made at the local community level.

I appreciate the efforts to make sure rural States like Arkansas are not left behind by housing and development programs.

I compliment the chair and ranking member on working to address Member priorities under these programs.

We are also jointly considering the Military Construction and Veterans Affairs bill. Senators KIRK and TESTER have worked very hard to put together a good package for the Senate to debate. Their bill funds the VA at record levels and invests in priorities such as veterans health care, benefit claims processing, the Board of Veterans' Appeals, and the VA inspector general, as well as prosthetic research. It includes funding for projects to ensure military readiness and improve the quality of life for our military families.

I grew up in a military family, and I have been honored to serve on the Veterans' Affairs Committee since my first day in the House of Representatives. The needs of veterans are very important to me, and I am proud to support the work that Senator KIRK and Senator TESTER have done to provide funding for 2017. These are funding and policy priorities for both sides of the aisle.

I encourage my colleagues to support this legislation because it creates an environment that helps grow our economy, reins in spending, and takes care of our veterans.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I would like to recognize the work of the chairman and ranking member on the Transportation, Housing and Urban Development Appropriations Subcommittee for their good work on this very important appropriations bill.

I recognize that, while we haven't had a multiple series of votes on amendments on this bill, I know the floor managers have been working aggressively to process amendments and make this appropriations bill—not only the T-HUD bill but also the MILCON bill—a good appropriations measure. So I thank my colleagues for their respective efforts, and I am pleased to see us processing appropriations bills here on the Senate floor.

AFFORDABLE CARE ACT

Mr. President, I wish to take a few minutes this evening to talk about the Affordable Care Act and some of the impacts that we are seeing in my State of Alaska. We referred to this as the ACA, the Affordable Care Act, but most of the folks, when I talk to them back home, call it the ''un-Affordable Care Act'' because we are not seeing how it is making health care insurance—any kind of care—more affordable.

Last year, nationally, we saw a dozen co-ops fail that were created by the ACA, which literally threw people into turmoil, leaving in question if they had any insurance at all.

UnitedHealth, one of the largest providers in the country, has been forced off the exchanges in numerous States.

Just last week we had the news back home that Moda Health was going to be withdrawing from the Alaska market in 2017. What that means is that we will be a State with only one option in the individual market next year. So what that means for the some 14,000 Alaskans who are currently on a Moda plan is that they are going to be forced to change insurers next year. But I guess it is an easy choice when you only have a choice of one on the individual market there.

Then, of course, just last week we saw signs that the administration's payments of the cost-share reduction were unconstitutional. So we can only assume that is going to further exacerbate problems.

This week in the Wall Street Journal, there was an article about the ever-shrinking market for rural areas. The article mentioned a small business owner in Kodiak, AK, a bookkeeper, who is worrying about what the price of premiums will be when you are left with only one option. She made this statement:

> It's going to be a monopoly, basically; ''here's the price, take it or leave it.''

That is what happens when you have just one.

As the market continues to fail in other States, we are seeing other States lose their options as well. Alabama and Wyoming are also now left with only one choice. More States may be facing this in the near future.

The Wall Street Journal article goes on to point out that the ''patchwork of coverage reflects continued instability in the individual market as companies shift their geographic footprints to avoid areas that have turned out to generate steep losses and focus on places that they believe that they can get their ACA business into the black.''

So what that means for States like Alaska that are very rural and that have some of the highest health care costs in the Nation: We are just not attractive enough to foster competition. At the end of the day, who suffers? It is the Alaskans. It is those who are seeking the care.

The administration says the market just needs to ''stabilize and evolve,'' but what about this bookkeeper in Kodiak? What about the educators out there? What about parents who are left wondering: What do we do in the meantime?

It used to be that the Federal Government broke up monopolies and worked to foster competition in order to benefit consumers, but now what we are seeing at least playing out in my State is, through bad law and failed policies, we see that same government creating de facto monopolies in the individual marketplace.

I find it deeply troubling that as these health insurance options continue to shrink, any hope of curbing the rapid increase of premium rates also disappears. We are constantly asked by our constituents: Are my premiums going to continue to increase? We are talking about monthly premiums in the State of Alaska amounting to $3,000 a month for a family. Think about that. That is not affordable in anybody's book. It is not beyond the realm of possibility given what we have already seen. Last year in Alaska, between Moda and Premera, the two that are covering on the individual market, the increases were over 30 percent, somewhere between 32 and 35 percent increases over the previous year.

I have been on the floor, and I have shared stories of hard-working Alaskans who are paying a couple of thousand dollars a month for the cheapest bronze plan that is available on the exchange. I have spoken about how the ACA has been called the single greatest threat to quality public education. The reason for that is our school districts are being faced with hundreds of thousands of dollars in fines under the Cadillac test when it is imposed. I have relayed stories from employers who are saying: I can't afford to expand my business. I won't expand my business because of the employer mandate—harming not only the businesses but the workers themselves.

The bottom line, and I hear it from all corners of the State, is that the ACA is not working for us in Alaska.

I had a group of Realtors from around the State visit me in my office here last week. One woman in the group said that she was paying $2,500 a month. She has a family of four. She has a $6,000 deductible for her coverage. She said: You know, it is really hard for us to keep making these payments every month. They don't qualify for the subsidy.

I talked to another young family from Eagle River who was forced to switch from Premera to Moda after the ACA passed because the premium increases were not sustainable, and even then, when they switched, they were paying $1,200 a month with a $10,000 deductible. So what happens when you have a deductible like that? You put off that health care.

But think about it. It just makes it so hard to run a business. It makes it so hard to pay for your day-to-day experiences.

Worse yet, for that family from Eagle River, they went from Premera to Moda because their premiums were too high. Now Moda is leaving, so they have to go back to the insurer that was too high before. This family is scrambling. What are they going do? How are they going to be able to afford insurance in the future?

As the costs continue to rise, these small businesses are wondering: How long do we keep our doors open if these costs continue at these rates?

In Anchorage, a couple who has Moda has been paying $2,500 a month, with a $10,000 deductible—an increase of $1,000 a month over their premiums for last year. Now they are going to be switching to the only company on the individual market in 2017. They are going to see yet another increase.

A woman in Anchorage whom we talked to has watched year after year as her rates increased from $500 a month to nearly $2,000 a month. She is basically holding her breath for what the 2017 premiums rates will hold. We don't know yet in Alaska. Because of the announcement from Moda, we are not sure what the increase will be coming from the other insurer.

More and more, I am hearing from folks who say that they feel it is just

cheaper to simply not buy insurance, to pay the tax penalty and then hope and pray that nobody in the family gets sick. Hoping to not get sick is not a health plan. As more and more Alaskans are dropping out, costs for those who stay in go up, driving more to drop out, and you have this death spiral within the system.

The deeper we get into life under the ACA, the deeper Alaskans fall into a hole. The ACA has failed the people of our State. This one-size-fits-all approach rarely works for a State as diverse as Alaska. It certainly has not worked in the realm of health insurance.

This is not the only place where we are seeing the law failing. There is more that needs to be done to make the Affordable Care Act work for rural parts of the country that have specialized needs thanks to higher medical costs, lack of access, and now fewer insurance options.

We in Congress need to take a serious look at the trends we have seen and work on solutions that will provide the flexibility that is needed for the States to make a difference when it comes to access to affordable care.

I have consistently supported full repeal of the ACA. I voted to do so on several occasions now. But I have also recognized that it was going to be difficult, if not impossible, in this administration to do so. But I have supported steps that will reduce the burdens of the ACA and I think work to address some of the most harmful provisions in the law. One example is full repeal of the Cadillac tax I just mentioned. The Cadillac tax will only worsen conditions in Alaska, with nearly 62 percent of customers who will be facing that tax if the Cadillac tax were to be implemented. Again, I repeat, in our State, not only are our health care costs so high, but our insurance costs are so high.

Whether you are in what would be considered a Cadillac plan because of the benefits or it is just because you are paying so much for it, it is assumed that those benefits are good. Sixty-two percent of the folks in Alaska would be impacted by this tax. It is a prime example of the ACA hurting small, rural States, because so many of us have more expensive health care due to the remoteness and due to our lower population size. Then those States are forced to take money away from things, like our school districts, where they are trying to put the money into public education, into other services, to pay for the cost. So our State suffers, boroughs suffer, our schools suffer, and our Alaskan families suffer.

As we look to the end of this administration and looking to next year, I would hope that we can seriously address the problem that the ACA has created for so many areas of our country.

For rural States like Alaska, the approach to health care needs to focus on more than forcing people to just buy insurance and, unfortunately, buy expensive insurance. We need to work to find solutions to these issues, whether it be through the creation of a nationwide insurance pool so that policies are not limited to one State, as they are currently. Right now, as I say, Alaska is not a very attractive market. We have small numbers. We have high costs. Who is going to come? How are we going to get a greater pool?

We need to look more critically at how we improve the cost of transparency of medical procedures. We need to look critically at these special enrollment periods and see if people are finding loopholes that allow them to game the system.

Expanding both health savings and flexible spending accounts will allow people to save what they think they should and make the choices for themselves instead of the government forcing things on individuals.

When we think about those areas where we can save money through not spending it in the first place—an ounce of prevention is worth a pound of cure—we should be incentivizing people to live healthier lifestyles in order to prevent and bring down the incidence of chronic disease. Type 2 diabetes—largely preventable through lifestyle changes—costs an estimated $176 billion a year. Obesity-related illnesses cost an estimated $190 billion a year. A recent study found that a 10-percent drop in smokers could save $63 billion in health care costs per year. It makes zero sense to be paying providers to treat these problems after they have arisen rather than trying to focus on the front end, paying for lifestyle changes and case management that would significantly reduce the cost of treating these diseases.

I have been working to find solutions that will help support Alaska's rural needs, especially those related to access and workforce development because if we can improve the overall access to treatment and options to medical providers, we then take steps to reduce the cost of medical procedures.

I have supported the Family Health Care Accessibility Act that will improve the care provided by community health centers by enabling them to utilize volunteer primary care providers. Community health centers—I think so many of us recognize the benefits and the crucial role they serve in meeting the needs of rural and underserved communities, allowing patients to receive local treatment instead of being forced to travel far from home for treatment.

Steps like these that help to improve access are just some of the ways I think we should be rethinking our approach to health care in the broader sense as we seek to alleviate the burdens that have been imposed by the ACA.

I have continued over several Congresses now to introduce the Medicare Patient Empowerment Act. This is legislation that would give patients the option to negotiate with their provider. Medicare would pay the typical fee the patient negotiates for the difference there, but we face a very unique situation in our State. Again, a one-size-fits-all prescription doesn't work for us. We have incredibly low reimbursement rates for Medicare in Alaska, so you have very few providers that will accept Medicare. When you are newly Medicare eligible or you come into the State, it is tough to find anybody who will see you.

If there is some flexibility to negotiate prices, what we are trying to do with this bill is cut through the red-tape, allow Medicare beneficiaries to benefit from increased access, and enable patients to have the relationships they have built with their physicians. We have a very fast-rising senior population in the State, and it is going to be increasingly important to make sure they have the option to seek the care they need.

I do not support compulsory health insurance but do believe individuals with preexisting conditions should receive care. As we discuss these important issues in the Senate, I continue to work to address—again—these issues that have presented themselves with implementation of the ACA. So working to a place where we fully repeal and replace the ACA is where we need to be.

There have been several Republican proposals that would not only replace this unworkable law but replace it with consumer-based reforms. Senator BURR of North Carolina, Senator HATCH of Utah, and Senator CASSIDY of Louisiana all have been working on important measures that take steps to get us to a place where what we are talking about is affordable health care, a reality that works for all Americans, whether you are in Alaska or you are in North Carolina.

Obviously, there is much work in front of us. Again, it is important to recognize the frustration so many are feeling as they are seeing their costs increase, their access going nowhere, and let them know we continue to work on these very difficult issues. Alaskans deserve it. Americans deserve it.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

MEMORIAL FOR FALLEN EDUCATORS

Mr. MORAN. Mr. President, I wish to speak for just a few moments about the Memorial for Fallen Educators in conjunction with the National Teachers Hall of Fame located on the campus of Emporia State University in Emporia, KS.

When someone asks the question, ''Other than your family, name a person who has made a difference in your life,'' the answer has never been my Senator, my Congressman. More often the response is a teacher. That answer speaks volumes about the influence of an educator on the lives of young people. Teachers fulfill a variety of roles by encouraging our children, instilling values, and challenging them. Too often we take this profession for granted, and the people who make education possible are teachers.

Each one of us remembers a teacher. We remember in the first grade or second grade when they helped us sound out the big words or guided our hands as we struggled to make out the shapes of letters.

We remember the middle school teacher or the gym teacher who taught us how to spike the volleyball or sink the winning hoop while playing in the playoffs. We remember the high school science teacher who helped us dissect frogs or build a box made of toothpicks that would protect the egg as it dropped from a two-story building.

Our teachers are our friends, our mentors, and our role models. The lessons they teach us stick with us for a long time after we have left their classrooms. Their jobs are never done, and educators know that often the last ringing bell of the afternoon, rather than signaling the end of their workday, begins the beginning of a new kind of work—grading homework, tutoring individual students, or prepping for the next day's lesson plan.

Educators work round-the-clock on behalf of the kids they instruct. They take on a job that requires more hours than there are in the day because they believe in their students and because they know how crucial their efforts are in seeing these students succeed. I believe we change the world one person at a time, and it happens in classrooms across Kansas and around the country every day.

Teachers often forfeit material gain for the thrill of seeing a student's eyes light up when they discover a new concept or grasp a new idea. Teachers have long understood they truly shape the world by their work, and their greatest product is an educated society.

Unfortunately, each day teachers walk into their classrooms they are also subject to threats of bullying or violence. Far too many educators have lost their lives in the line of their professional duty. Teachers have been killed at the hands of students, and many have been killed protecting their students from adults perpetrating violent acts.

To honor these slain teachers, the National Teachers Hall of Fame, under the leadership of the director, Carol Strickland, created the Memorial for Fallen Educators. The memorial, which was dedicated 2 years ago at Emporia State University, stands alongside the National Teachers Hall of Fame. I had the honor of visiting the site last September.

Already built and paid for, the memorial lists the names of educators across the country since 1764 who have lost their lives while working with students. It is owned and cared for by the National Teachers Hall of Fame and Emporia State University.

I introduced legislation last year that would designate the Memorial for Fallen Educators as a national memorial. The more than 100 fallen teachers whose names are etched in marble taught in schools across the country. As a nation, together we should recognize the incredible sacrifices they each made because of their dedication to educating young people—their dedication to caring, loving, and protecting young people.

This legislation has no cost to the taxpayer and private funds will be used to maintain the memorial. It simply brings the site—the only one in the United States dedicated to fallen educators—the national prestige it merits.

As the Senate considers the national memorials proposed for designation, I hope my colleagues will join me in supporting this worthy tribute to our fallen teachers. Anyone who has ever been inspired by an educator should visit the memorial and recognize and remember those honorable lives which have been lost.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENTS NOS. 3967, 3992, 4011, 4024, AND 4042 TO AMENDMENT NO. 3896

Ms. COLLINS. Mr. President, I ask unanimous consent that the following amendments be called up en bloc and reported by number: amendment No. 3967, submitted by Senator PAUL; amendment No. 3992, submitted by Senator JOHNSON; amendment No. 4011, submitted by Senator NELSON; amendment No. 4024, submitted by Senator ISAKSON; and amendment No. 4042, submitted by Senator WARNER.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendments en bloc by number.

The senior assistant legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS], for others, proposes amendments numbered 3967, 3992, 4011, 4024, and 4042 to amendment No. 3896.

The amendments are as follows:

AMENDMENT NO. 3967

(Purpose: To provide for the identification of certain high priority corridors on the National Highway System and to include and designate certain route segments on the Interstate System)

On page 41, strike lines 12 through 25 and insert the following:

''(89) United States Route 67 from Interstate 40 in North Little Rock, Arkansas, to United States Route 412.

''(90) The Edward T. Breathitt Parkway from Interstate 24 to Interstate 69.''.

(b) INCLUSION OF CERTAIN ROUTE SEGMENTS ON INTERSTATE SYSTEM.—Section 1105(e)(5)(A) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended in the first sentence by striking ''and subsection (c)(83)'' and inserting ''subsection (c)(83), subsection (c)(89), and subsection (c)(90)''.

(c) DESIGNATION.—Section 1105(e)(5)(C)(i) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended by adding at the end the following: ''The route referred to in subsection (c)(89) is designated as Interstate Route I–57. The route referred to in subsection (c)(90) is designated as Interstate Route I–169.''.

AMENDMENT NO. 3992

(Purpose: To ensure timely access for Inspectors General to records, documents, and other materials)

At the appropriate place in division A, insert the following:

SEC. ____. (a) None of the funds made available in this Act may be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.), or to prevent or impede that Inspector General's access to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to the Inspector General and expressly limits the Inspector General's right of access.

(b) A department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner.

(c) Each Inspector General shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the establishment over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.

AMENDMENT NO. 4011

(Purpose: To ensure the safety of properties covered under a housing assistance payment contract)

In division A, strike section 225 and insert the following:

SEC. 225. (a) Any entity receiving housing assistance payments shall maintain decent, safe, and sanitary conditions, as determined by the Secretary of Housing and Urban Development (in this section referred to as the ''Secretary''), and comply with any standards under applicable State or local laws, rules, ordinances, or regulations relating to the physical condition of any property covered under a housing assistance payment contract.

(b) The Secretary shall take action under subsection (c) when a multifamily housing project with a section 8 contract or contract for similar project-based assistance—

(1) receives a Uniform Physical Condition Standards (UPCS) score of 30 or less;

(2) fails to certify in writing to the Secretary within 3 days that all Exigent Health and Safety deficiencies identified by the inspector at the project have been corrected; or

(3) receives a UPCS score between 31 and 59 and has received consecutive scores of less than 60 on UPCS inspections.

Such requirements shall apply to insured and noninsured projects with assistance attached to the units under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), but do not apply to such units assisted under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to public housing units assisted with capital or operating funds under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g).

(c)(1) The Secretary shall notify the owner and provide an opportunity for response within 15 days after the results of the UPCS inspection are issued. If the violations remain, the Secretary shall develop a plan to bring the property into compliance within 30 days after the results of the UPCS inspection are issued and must provide the owner with a Notice of Default with a specified timetable, determined by the Secretary, for correcting all deficiencies. The Secretary must also provide a copy of the Notice of Default to the tenants, the local government, any mortgagees, and any contract administrator. If the owner's appeal results in a UPCS score of 60 or above, the Secretary may withdraw the Notice of Default.

(2) At the end of the time period for correcting all deficiencies specified in the Notice of Default, if the owner fails to fully correct such deficiencies, the Secretary may—

(A) require immediate replacement of project management with a management agent approved by the Secretary;

(B) impose civil money penalties, which shall be used solely for the purpose of supporting safe and sanitary conditions at applicable properties, as designated by the Secretary, with priority given to the tenants of the property affected by the penalty;

(C) abate the section 8 contract, including partial abatement, as determined by the Secretary, until all deficiencies have been corrected;

(D) pursue transfer of the project to an owner, approved by the Secretary under established procedures, which will be obligated to promptly make all required repairs and to accept renewal of the assistance contract as long as such renewal is offered;

(E) transfer the existing section 8 contract to another project or projects and owner or owners;

(F) pursue exclusionary sanctions, including suspensions or debarments from Federal programs;

(G) seek judicial appointment of a receiver to manage the property and cure all project deficiencies or seek a judicial order of specific performance requiring the owner to cure all project deficiencies;

(H) work with the owner, lender, or other related party to stabilize the property in an attempt to preserve the property through compliance, transfer of ownership, or an infusion of capital provided by a third-party that requires time to effectuate; or

(I) take any other regulatory or contractual remedies available as deemed necessary and appropriate by the Secretary.

(d) The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect, subject to the exercise of contractual abatement remedies to assist relocation of tenants for major threats to health and safety after written notice to and informed consent of the affected tenants and use of other remedies set forth above. To the extent the Secretary determines, in consultation with the tenants and the local government, that the property is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (''MAHRAA'') and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance.

(e) The Secretary shall report quarterly on all properties covered by this section that are assessed through the Real Estate Assessment Center and have UPCS physical inspection scores of less than 60 or have received an unsatisfactory management and occupancy review within the past 36 months. The report shall include—

(1) the enforcement actions being taken to address such conditions, including imposition of civil money penalties and termination of subsidies, and identify properties that have such conditions multiple times;

(2) actions that the Department of Housing and Urban Development is taking to protect tenants of such identified properties; and

(3) any administrative or legislative recommendations to further improve the living conditions at properties covered under a housing assistance payment contract.

AMENDMENT NO. 4024

(Purpose: To direct the Secretary of Transportation to issue a final rule requiring the use of speed limiting devices on heavy trucks not later than 6 months after the date of the enactment of this Act)

In division A, on page 49, between lines 6 and 7, insert the following:

SEC. 142. Not later than 6 months after the date of the enactment of this Act, the Secretary of Transportation shall issue a final rule requiring the use of speed limiting devices on trucks with a gross vehicle weight rating in excess of 26,000 pounds.

AMENDMENT NO. 4042

(Purpose: To provide additional funds for the National Park Service for certain projects)

On page 37, between lines 17 and 18, insert the following:

SEC. 122. (a) TRANSFER OF AMOUNTS.—

(1) STATE OF VIRGINIA.—

(A) IN GENERAL.—Of the total amount apportioned to the State of Virginia under section 104 of title 23, United States Code, for fiscal year 2017, the Secretary of Transportation shall, by the later of November 30, 2016, or 30 days after the enactment of this Act, transfer to the National Park Service—

(i) an amount equal to—

(I) $30,000,000; multiplied by

(II) the ratio that—

(aa) the amount apportioned to the State of Virginia under such section 104; bears to

(bb) the combined amount apportioned to the State of Virginia and the District of Columbia under such section 104; and

(ii) an amount of obligation limitation equal to the amount calculated under clause (i).

(B) SOURCE AND AMOUNT.—For purpose of the transfer under subparagraph (A), the State of Virginia shall select at the discretion of the State—

(i) the programs (among those for which funding is apportioned as described in that subparagraph) from which to transfer the amount specified in that subparagraph; and

(ii) the amount to transfer from each of those programs (equal in aggregate to the amount calculated under subparagraph (A)(i)).

(2) DISTRICT OF COLUMBIA.—

(A) IN GENERAL.—Of the total amount apportioned to the District of Columbia under section 104 of title 23, United States Code, for fiscal year 2017, the Secretary of Transportation shall, by the later of November 30, 2016, or 30 days after the enactment of this Act, transfer to the National Park Service—

(i) an amount equal to—

(I) $30,000,000; multiplied by

(II) the ratio that—

(aa) the amount apportioned to the District of Columbia under such section 104; bears to

(bb) the combined amount apportioned to the State of Virginia and the District of Columbia under such section 104; and

(ii) an amount of obligation limitation equal to the amount calculated under clause (i).

(B) SOURCE AND AMOUNT.—For purpose of the transfer under subparagraph (A), the District of Columbia shall select at the discretion of the District—

(i) the programs (among those for which funding is apportioned as described in that subparagraph) from which to transfer the amount specified in that subparagraph; and

(ii) the amount to transfer from each of those programs (equal in aggregate to the amount calculated under subparagraph (A)(i)).

(3) FEDERAL LANDS TRANSPORTATION PROGRAM.—Of the amounts otherwise made available to the National Park Service under section 203 of title 23, United States Code, not less than 10 percent shall be set aside for purposes of this section.

(b) ELIGIBILITY AND FEDERAL SHARE.—The amounts under subsection (a) shall be—

(1) available to the National Park Service only for projects that—

(A) are eligible under section 203 of title 23, United States Code;

(B) are located on bridges on the National Highway System that were originally constructed before 1945 and are in poor condition; and

(C) each have an estimated total project cost of not less than $150,000,000; and

(2) subject to the Federal share described in section 201(b)(7)(A) of title 23, United States Code.

(c) OTHER FUNDS AND OBLIGATION LIMITATION.—Any funds and obligation limitation transferred under subsection (a) shall be in addition to funds or obligation limitation otherwise made available to the National Park Service under sections 203 and 204 of title 23, United States Code.

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate now vote on these amendments en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. COLLINS. Mr. President, I know of no further debate on these amendments.

The PRESIDING OFFICER. Is there further debate?

If not, the question occurs on agreeing to the amendments en bloc.

The amendments (Nos. 3967, 3992, 4011, 4024, and 4042) were agreed to en bloc.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENTS NOS. 3997; 3998; 3933; 4030; 4008; 3920; 3969; 3935, AS MODIFIED; 4038; 4043; 3980; 3944; 3993; 3910; 4005; 4029; AND 4023 TO AMENDMENT NO. 3896

Ms. COLLINS. Mr. President, I ask unanimous consent that the following amendments be called up en bloc and reported by number: Kirk No. 3997; Tester No. 3998; Perdue No. 3933; Mikulski No. 4030; Daines No. 4008; Brown No. 3920; Inhofe No. 3969; Boxer No. 3935, as modified; Flake No. 4038; Manchin No. 4043; Flake No. 3980; Feinstein No. 3944; Johnson No. 3993; Klobuchar No. 3910; Heller No. 4005; Durbin No. 4029; and Sasse No. 4023.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendments by number.

The senior assistant legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS], for others, proposes amendments numbered 3997; 3998; 3933; 4030; 4008; 3920; 3969; 3935, as modified; 4038; 4043; 3980; 3944; 3993; 3910; 4005; 4029; and 4023 en bloc to amendment No. 3896.

The amendments are as follows:

AMENDMENT NO. 3997

(Purpose: To require the Secretary of Veterans Affairs to provide for the inspection of medical facilities of the Department of Veterans Affairs)

At the end of title II of division B, add the following:

SEC. 251. INSPECTION OF KITCHENS AND FOOD SERVICE AREAS AT MEDICAL FACILITIES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary of Veterans Affairs shall provide for the conduct of inspections of kitchens and food service areas at each medical facility of the Department of Veterans Affairs to ensure that the same standards for kitchens and food service areas at hospitals in the private sector are being met at kitchens and food service areas at medical facilities of the Department.

(b) AGREEMENT.—

(1) IN GENERAL.—The Secretary shall seek to enter into an agreement with the Joint Commission on Accreditation of Hospital Organizations under which the Joint Commission on Accreditation of Hospital Organizations conducts the inspections required under subsection (a).

(2) ALTERNATE ORGANIZATION.—If the Secretary is unable to enter into an agreement described in paragraph (1) with the Joint Commission on Accreditation of Hospital Organizations on terms acceptable to the Secretary, the Secretary shall seek to enter into such an agreement with another appropriate organization that—

(A) is not part of the Federal Government;

(B) operates as a not-for-profit entity; and

(C) has expertise and objectivity comparable to that of the Joint Commission on Accreditation of Hospital Organizations.

(c) REMEDIATION PLAN.—

(1) INITIAL FAILURE.—If a kitchen or food service area of a medical facility of the Department is determined pursuant to an inspection conducted under subsection (a) not to meet the standards for kitchens and food service areas in hospitals in the private sector, that medical facility fails the inspection and the Secretary shall—

(A) implement a remediation plan for that medical facility within 48 hours; and

(B) Conduct a second inspection under subsection (a) at that medical facility within 7 days of the failed inspection.

(2) SECOND FAILURE.—If a medical facility of the Department fails the second inspection conducted under paragraph (1)(B), the Secretary shall close the kitchen or food service area at that medical facility that did not meet the standards for kitchens and food service areas in hospitals in the private sector until remediation is completed and all kitchens and food service areas at that medical facility meet such standards.

(3) PROVISION OF FOOD.—If a kitchen or food service area is closed at a medical facility of the Department pursuant to paragraph (2), the Director of the Veterans Integrated Service Network in which the medical facility is located shall enter into a contract with a vendor approved by the General Services Administration to provide food at the medical facility.

(d) REPORTS.—

(1) QUARTERLY.—Not less frequently than quarterly, the Director of each Veterans Integrated Service Network shall submit to Congress a report on inspections conducted under this section during that quarter at medical facilities of the Department under the jurisdiction of that Director.

(2) SUBSEQUENT PERIOD.—A Director of a Veterans Integrated Service Network may submit to Congress the report described in paragraph (1) not less frequently than semiannually if the Director does not report any failed inspections for the one-year period preceding the submittal of the report.

SEC. 252. INSPECTION OF MOLD ISSUES AT MEDICAL FACILITIES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary of Veterans Affairs shall provide for the inspection of mold issues at medical facilities of the Department of Veterans Affairs.

(b) AGREEMENT.—

(1) IN GENERAL.—The Secretary shall seek to enter into an agreement with the Joint Commission on Accreditation of Hospital Organizations under which the Joint Commission on Accreditation of Hospital Organizations conducts the inspections required under subsection (a).

(2) ALTERNATE ORGANIZATION.—If the Secretary is unable to enter into an agreement described in paragraph (1) with the Joint Commission on Accreditation of Hospital Organizations on terms acceptable to the Secretary, the Secretary shall seek to enter into such an agreement with another appropriate organization that—

(A) is not part of the Federal Government;

(B) operates as a not-for-profit entity; and

(C) has expertise and objectivity comparable to that of the Joint Commission on Accreditation of Hospital Organizations.

(c) REMEDIATION PLAN.—If a medical facility of the Department is determined pursuant to an inspection conducted under subsection (a) to have a mold issue, the Secretary shall—

(1) implement a remediation plan for that medical facility within 48 hours; and

(2) Conduct a second inspection under subsection (a) at that medical facility within 90 days of the initial inspection.

(d) REPORTS.—

(1) QUARTERLY.—Not less frequently than quarterly, the Director of each Veterans Integrated Service Network shall submit to the Secretary of Veterans Affairs and Congress a report on inspections conducted under this section during that quarter at medical facilities of the Department under the jurisdiction of that Director.

(2) SUBSEQUENT PERIOD.—A Director of a Veterans Integrated Service Network may submit to Congress the report described in paragraph (1) not less frequently than semiannually if the Director does not report any mold issues for the one-year period preceding the submittal of the report.

AMENDMENT NO. 3998

(Purpose: To provide for coverage under the beneficiary travel program of the Department of Veterans Affairs of certain disabled veterans for travel in connection with certain special disabilities rehabilitation)

At the end of title II of division B, add the following:

SEC. 251. COVERAGE UNDER DEPARTMENT OF VETERANS AFFAIRS BENEFICIARY TRAVEL PROGRAM OF TRAVEL IN CONNECTION WITH CERTAIN SPECIAL DISABILITIES REHABILITATION.

(a) IN GENERAL.—Section 111(b)(1) of title 38, United States Code, is amended by adding at the end the following new subparagraph:

''(G) A veteran with vision impairment, a veteran with a spinal cord injury or disorder, or a veteran with double or multiple amputations whose travel is in connection with care provided through a special disabilities rehabilitation program of the Department (including programs provided by spinal cord injury centers, blind rehabilitation centers, and prosthetics rehabilitation centers) if such care is provided—

''(i) on an in-patient basis; or

''(ii) during a period in which the Secretary provides the veteran with temporary lodging at a facility of the Department to make such care more accessible to the veteran.''.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the beneficiary travel program under section 111 of title 38, United States Code, as amended by subsection (a), that includes the following:

(1) The cost of the program.

(2) The number of veterans served by the program.

(3) Such other matters as the Secretary considers appropriate.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the first day of the first fiscal year that begins after the date of the enactment of this Act.

AMENDMENT NO. 3933

(Purpose: To require a report on modernizing and replacing hangers of the Army's Combat Aviation Brigade)

At the appropriate place in division B, insert the following:

SEC. ____. Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army shall submit to Congress a report that includes—

(1) a detailed description of the age and condition of the aircraft maintenance hangars of the Army's Combat Aviation Brigade;

(2) an identification of the most deficient such hangers;

(3) a plan to modernize or replace such hangars; and

(4) a description of the resources required to modernize or replace such hangers.

AMENDMENT NO. 4030

(Purpose: To require the Secretary of Veterans Affairs to provide access to therapeutic listening devices to veterans struggling with mental health related problems, substance abuse, or traumatic brain injury)

On page 217, line 4 of Title 2 in Division B, strike the period and insert ''*: Provided further*, That the Secretary of Veterans Affairs shall provide access to therapeutic listening devices to veterans struggling with mental health related problems, substance abuse, or traumatic brain injury.''

AMENDMENT NO. 4008

(Purpose: To require a report on the use of defense access road funding to build alternate routes for military equipment traveling to missile launch facilities)

At the appropriate place in title I of division B, insert the following:

SEC. ____. Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense shall conduct a study and submit to Congress a report on the use of defense access road funding to build alternate routes for military equipment traveling to missile launch facilities, taking into consideration the location of local populations, security risks, safety, and impacts of weather.

AMENDMENT NO. 3920

(Purpose: To extend the requirement of the Secretary of Veterans Affairs to submit a report on the capacity of the Department of Veterans Affairs to provide for the specialized treatment and rehabilitative needs of disabled veterans)

At the end of title II of division B, add the following:

EXTENSION OF REQUIREMENT FOR REPORT ON CAPACITY OF DEPARTMENT OF VETERANS AFFAIRS TO PROVIDE FOR SPECIALIZED TREATMENT AND REHABILITATIVE NEEDS OF DISABLED VETERANS

SEC. 251. Section 1706(b)(5)(A) of title 38, United States Code, is amended, in the first sentence, by striking ''through 2008''.

AMENDMENT NO. 3969

(Purpose: To require that amounts be made available to Directors of Veterans Integrated Service Networks to assess, evaluate, and improve the health care delivery by and business operations of medical centers of the Department of Veterans Affairs)

At the end of title II of division B, add the following:

SEC. 251. From the amount made available in this title under the heading ''Medical Support and Compliance'', up to $18,000,000 shall be made available for Directors of Veterans Integrated Service Networks to contract with appropriate non-Department of Veterans Affairs entities to assess, evaluate, and improve the health care delivery by and business operations of medical centers of the Department under the jurisdiction of each such Director.

AMENDMENT NO. 3935, AS MODIFIED

(Purpose: To require the Secretary of Veterans Affairs to treat certain marriage and family therapists as qualified to serve as marriage and family therapists in the Department of Veterans Affairs)

At the end of title II of division B, add the following:

(a) Not later than 180 days after the enactment of this Act, the Secretary of Veterans Affairs shall begin an assessment of whether the hiring of marriage and family therapists trained at Commission on Accreditation for Marriage and Family Therapy Education accredited institutions is adversely impacting the ability of the Department of Veterans Affairs to hire marriage and family therapists.

(b) The assessment should also include what steps the Department of Veterans Affairs is taking to increase hiring of marriage and family therapists.

(c) Not later than one year after the enactment of this Act, the Secretary of Veterans Affairs shall submit the report to the House and Senate Veterans Affairs Committees.

AMENDMENT NO. 4038

(Purpose: To require the Secretary of Veterans Affairs to provide for the conduct by the Office of Inspector General of the Department of Veterans Affairs of an inspection or audit of the use of a grant to renovate a veteran's cemetery in Guam)

At the end of title II of division B, add the following:

SEC. 251. Not later than September 30, 2017, the Secretary of Veterans Affairs shall—

(1) provide for the conduct by the Office of Inspector General of the Department of Veterans Affairs of an inspection or audit of the use of Federal award GU1103 in the amount of $3,265,487 that was awarded in 2013 to renovate a veteran's cemetery in Guam under the Veterans Cemetery Grants Program of the Department of Veterans Affairs, including—

(A) an itemized accounting of the use of such award; or

(B) if no such itemized accounting is possible, an explanation of why any amounts in connection with such award are unaccounted for;

(2) submit to the Committee on Appropriations and the Committee on Veterans' Affairs of the Senate and the Committee on Appropriations and the Committee on Veterans' Affairs of the House of Representatives a report on the results on the inspection or audit conducted under paragraph (1); and

(3) publish the results on the inspection or audit conducted under paragraph (1) on a publicly available Internet website of the Department.

AMENDMENT NO. 4043

(Purpose: To authorize the Secretary of Veterans Affairs to use amounts appropriated under this Act for the Department of Veterans Affairs to improve the veteran-to-staff ratio for each program of rehabilitation conducted under chapter 31 of title 38, United States Code)

At the end of title II of division B, add the following:

SEC. 251. (a) The Secretary of Veterans Affairs may use amounts appropriated or otherwise made available in this title to ensure that the ratio of veterans to full-time employment equivalents within any program of rehabilitation conducted under chapter 31 of title 38, United States Code, does not exceed 125 veterans to one full-time employment equivalent.

(b) Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the programs of rehabilitation conducted under chapter 31 of title 38, United States Code, including—

(1) an assessment of the veteran-to-staff ratio for each such program; and

(2) recommendations for such action as the Secretary considers necessary to reduce the veteran-to-staff ratio for each such program.

AMENDMENT NO. 3980

(Purpose: To require the Secretary of Veterans Affairs to submit to Congress a plan on modernizing the system of the Veterans Health Administration for processing claims by non-Department of Veterans Affairs health care providers for reimbursement for health care provided to veterans under the laws administered by the Secretary)

At the end of title II of division B, add the following:

SEC. 251. Not later than September 30, 2017, the Secretary of Veterans Affairs shall submit to Congress a plan on modernizing the system of the Veterans Health Administration for processing claims by non-Department of Veterans Affairs health care providers for reimbursement for health care provided to veterans under the laws administered by the Secretary.

AMENDMENT NO. 3944

(Purpose: To authorize the Secretary of Veterans Affairs to carry out certain major medical facility projects for which appropriations are being made for fiscal year 2016)

At the end of title II of division B, add the following:

SEC. 251. AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY PROJECTS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) FINDINGS.—Congress finds the following:

(1) The Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2016, which was passed by the Senate on November 10, 2015, without a single vote cast against the bill, and the Consolidated Appropriations Act, 2016 include the following amounts to be appropriated to the Department of Veterans Affairs:

(A) $35,000,000 to make seismic corrections to Building 208 at the West Los Angeles Medical Center of the Department in Los Angeles, California, which, according to the Department, is a building that is designated as having an exceptionally high risk of sustaining substantial damage or collapsing during an earthquake.

(B) $158,000,000 to provide for the construction of a new research building, site work, and demolition at the San Francisco Veterans Affairs Medical Center.

(C) $161,000,000 to replace Building 133 with a new community living center at the Long Beach Veterans Affairs Medical Center, which, according to the Department, is a building that is designated as having an extremely high risk of sustaining major damage during an earthquake.

(D) $468,800,000 for construction projects that are critical to the Department for ensuring health care access and safety at medical facilities in Louisville, Kentucky, Jefferson Barracks in St. Louis, Missouri, Perry Point, Maryland, American Lake, Washington, Alameda, California, and Livermore, California.

(2) The Department is unable to obligate or expend the amounts described in paragraph (1), other than for construction design, because the Department lacks an explicit authorization by an Act of Congress pursuant to section 8104(a)(2) of title 38, United States Code, to carry out the major medical facility projects described in such paragraph.

(3) Among the major medical facility projects described in paragraph (1), three are critical seismic safety projects in California.

(4) Every day that the critical seismic safety projects described in paragraph (3) are delayed increases the risk of a life-threatening building failure in the case of a major seismic event.

(5) According to the United States Geological Survey—

(A) California has more than a 99 percent chance of experiencing an earthquake of magnitude 6.7 or greater in the next 30 years;

(B) even earthquakes of less severity than magnitude 6.7 can cause life threatening damage to seismically unsafe buildings; and

(C) in California, earthquakes of magnitude 6.0 or greater occur on average once every 1.2 years.

(6) On January 20, 2016, the Senate passed this legislation by unanimous consent as S. 2422, 114th Congress.

(b) AUTHORIZATION.—The Secretary of Veterans Affairs may carry out the following major medical facility projects, with each project to be carried out in an amount not to exceed the amount specified for that project:

(1) Seismic corrections to buildings, including retrofitting and replacement of high-risk buildings, in San Francisco, California, in an amount not to exceed $180,480,000.

(2) Seismic corrections to facilities, including facilities to support homeless veterans, at the medical center in West Los Angeles, California, in an amount not to exceed $105,500,000.

(3) Seismic corrections to the mental health and community living center in Long Beach, California, in an amount not to exceed $287,100,000.

(4) Construction of an outpatient clinic, administrative space, cemetery, and columbarium in Alameda, California, in an amount not to exceed $87,332,000.

(5) Realignment of medical facilities in Livermore, California, in an amount not to exceed $194,430,000.

(6) Construction of a medical center in Louisville, Kentucky, in an amount not to exceed $150,000,000.

(7) Construction of a replacement community living center in Perry Point, Maryland, in an amount not to exceed $92,700,000.

(8) Seismic corrections and other renovations to several buildings and construction of a specialty care building in American Lake, Washington, in an amount not to exceed $16,260,000.

(c) AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2016 or the year in which funds are appropriated for the Construction, Major Projects, account, $1,113,802,000 for the projects authorized in subsection (b).

(d) LIMITATION.—The projects authorized in subsection (b) may only be carried out using—

(1) funds appropriated for fiscal year 2016 pursuant to the authorization of appropriations in subsection (c);

(2) funds available for Construction, Major Projects, for a fiscal year before fiscal year 2016 that remain available for obligation;

(3) funds available for Construction, Major Projects, for a fiscal year after fiscal year 2016 that remain available for obligation;

(4) funds appropriated for Construction, Major Projects, for fiscal year 2016 for a category of activity not specific to a project;

(5) funds appropriated for Construction, Major Projects, for a fiscal year before fiscal year 2016 for a category of activity not specific to a project; and

(6) funds appropriated for Construction, Major Projects, for a fiscal year after fiscal year 2016 for a category of activity not specific to a project.

AMENDMENT NO. 3993

(Purpose: To ensure timely access for Inspectors General to records, documents, and other materials)

At the appropriate place in division B, insert the following:

SEC. ____. (a) None of the funds made available in this Act may be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.), or to prevent or impede that Inspector General's access to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to the Inspector General and expressly limits the Inspector General's right of access.

(b) A department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner.

(c) Each Inspector General shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the establishment over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.

AMENDMENT NO. 3910

(Purpose: To authorize the use of amounts for Medical Services to be used to furnish rehabilitative equipment and human-powered vehicles to certain disabled veterans)

On page 238, line 22, insert after ''equipment'' the following: ''(including rehabilitative equipment for veterans entitled to a prosthetic appliance under chapter 17 of title 38, United States Code, which may include recreational sports equipment that provides an adaption or accommodation for the veteran, regardless of whether such equipment is intentionally designed to be adaptive equipment, such as hand cycles, recumbent bicycles, medically adapted upright bicycles, and upright bicycles)''.

AMENDMENT NO. 4005

(Purpose: To require the Secretary of Veterans Affairs to submit to Congress a report on the progress of the Department of Veterans Affairs in completing the Rural Veterans Burial Initiative)

At the end of title II of division B, add the following:

SEC. 251. Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report that contains an update on the progress of the Department of Veterans Affairs in completing the Rural Veterans Burial Initiative and the expected timeline for completion of such initiative.

AMENDMENT NO. 4029

(Purpose: To make funds available to the Secretary of Veterans Affairs to hire Medical Center Directors and employees for other management and clinical positions with vacancies)

At the end of title II of division B, add the following:

SEC. 251. Of the funds made available in this title for fiscal year 2017 for medical support and compliance, not less than $21,000,000 shall be made available to the Secretary of Veterans Affairs to hire Medical Center Directors and employees for other management and clinical positions that are critical to the Department of Veterans Affairs in order to fill vacancies in such positions.

AMENDMENT NO. 4023

(Purpose: To protect congressional oversight of the executive branch by ensuring individuals may speak with Congress)

At the end of title II of division B, add the following:

SEC. 251. None of the funds appropriated or otherwise made available in this title may be used by the Secretary of Veterans Affairs to enter into an agreement related to resolving a dispute or claim with an individual that would restrict in any way the individual from speaking to members of Congress or their staff on any topic not otherwise prohibited from disclosure by Federal law.

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate now vote on these amendments en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. COLLINS. I know of no further debate on these amendments.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the amendments en bloc.

The amendments (Nos. 3997; 3998; 3933; 4030; 4008; 3920; 3969; 3935, as modified; 4038; 4043; 3980; 3944; 3993; 3910; 4005; 4029; and 4023) were agreed to en bloc.

Ms. COLLINS. Mr. President, I ask unanimous consent that notwithstanding rule XXII, at 11:15 a.m. on Thursday, May 19, all postcloture time be considered expired on the Blunt-Murray amendment No. 3900; further, that if cloture is invoked on the Collins substitute amendment No. 3896, the Cornyn amendment No. 3899 and the Nelson amendment No. 3898 be withdrawn; that it be in order for Senator COLLINS or her designee to call up amendment No. 3970, and that there be no second degrees in order to the Collins amendment No. 3970 or the Lee amendment No. 3897.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. COLLINS. For the information of all Senators, at 11:15 a.m. tomorrow, the Senate is expected to proceed to three rollcall votes: a motion to waive the budget with respect to the Blunt-Murray Zika amendment, adoption of the Blunt amendment, and cloture on the pending substitute. Senators should expect additional votes to complete action on the bill and any pending amendments during tomorrow's session of the Senate.

MORNING BUSINESS

CBO COST ESTIMATE—S. 329

Ms. MURKOWSKI. Mr. President, in compliance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate, the Committee on Energy and Natural Resources has obtained from the Congressional Budget Office an estimate of the costs of S. 329, Lower Farmington River and Salmon Brook Wild and Scenic River Act, as reported from the committee. The full estimate is available on CBO's Web site, www.cbo.gov.

Mr. President, I ask unanimous consent that the summary of the estimate be printed in the RECORD.

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

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 329—LOWER FARMINGTON RIVER AND SALMON BROOK WILD AND SCENIC RIVER ACT

(January 15, 2016)

S. 329 would designate segments of the Lower Farmington Rivers and Salmon Brook in Connecticut as components of the National Wild and Scenic Rivers System. Under the legislation, the National Park Service (NPS) would administer the river segments in partnership with an advisory committee composed of local representatives. Based on the cost of similar management partnerships in the region, CBO estimates that NPS would provide about $170,000 annually to the advisory committee to manage the river segments. Thus, CBO estimates that implementing the bill would cost about $1 million over the 2016–2020 period; such spending would be subject to the availability of appropriated funds.

Enacting S. 329 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting S. 329 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year period beginning in 2026.

S. 329 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Marin Burnett. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

CBO COST ESTIMATE—S. 556

Ms. MURKOWSKI. Mr. President, in compliance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate, the Committee on Energy and Natural Resources has obtained from the Congressional Budget Office an estimate of the costs of S. 556, Sportsmen's Act of 2015, as reported from the committee. The full estimate is available on CBO's Web site, www.cbo.gov.

Mr. President, I ask unanimous consent that the summary of the cost estimate be printed in the RECORD.

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

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 556—SPORTSMEN'S ACT OF 2015

(May 18, 2016)

Summary: S. 556 would amend existing laws and establish new laws related to the management of federal lands. It would authorize the sale of certain federal land and permit the proceeds from those sales to be spent. The bill also would establish a fund to carry out deferred maintenance projects on lands administered by the National Park Service (NPS) and would permanently authorize the transfer of funds to the Land and Water Conservation Fund (LWCF).

CBO estimates that enacting the bill would increase both direct spending and offsetting receipts (which are treated as reductions in direct spending) by $65 million and $80 million respectively over the 2017–2026 period; therefore, pay-as-you-go procedures apply. Enacting S. 556 would not affect revenues. Based on information from the affected agencies, CBO also estimates that implementing the legislation would cost $486 million over the 2017–2021 period, assuming appropriation of the amounts authorized to be deposited into the NPS Maintenance and Revitalization Fund.

CBO estimates that enacting S. 556 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

S. 556 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would benefit state, local, and tribal agencies by authorizing federal grants to support conservation, historic preservation, and recreational activities. Any costs would be incurred by those entities, including matching contributions, would be incurred voluntarily.

CBO COST ESTIMATE—S. 782

Ms. MURKOWSKI. Mr. President, in compliance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate, the Committee on Energy and Natural Resources has obtained from the Congressional Budget Office an estimate of the costs of S. 782, Grand Canyon Bison Management Act, as reported from the committee. The full estimate is available on CBO's Web site, www.cbo.gov.

Mr. President, I ask unanimous consent that the summary of the cost estimate be printed in the RECORD.

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

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 782—GRAND CANYON BISON MANAGEMENT ACT

(January 8, 2016)

S. 782 would require the National Park Service (NPS) to publish a management plan to humanely reduce the population of bison in the Grand Canyon National Park within 180 days of enactment of the legislation. Based on information provided by the NPS, CBO expects that publishing the management plan within that timeframe would require the agency to expedite its ongoing planning process and increase discretionary costs by an insignificant amount.

Enacting S. 782 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting S. 782 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year period beginning in 2026.

S. 782 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Marin Burnett. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

CBO COST ESTIMATE—S. 1592

Ms. MURKOWSKI. Mr. President, in compliance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate, the Committee on Energy and Natural Resources has obtained from the Congressional Budget Office an estimate of the costs of S. 1592, a bill to clarify the description of certain Federal land under the Northern Arizona Land Exchange and Verde River Basin Partnership Act of 2005 to include additional land in the Kaibab National Forest, as reported from the committee. The full estimate is available on CBO's Web site, www.cbo.gov.

Mr. President, I ask unanimous consent that the summary of the cost estimate be printed in the RECORD.

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

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 1592—A BILL TO CLARIFY THE DESCRIPTION OF CERTAIN FEDERAL LAND UNDER THE NORTHERN ARIZONA LAND EXCHANGE AND VERDE RIVER BASIN PARTNERSHIP ACT OF 2005 TO INCLUDE ADDITIONAL LAND IN THE KAIBAB NATIONAL FOREST

(December 22, 2015)

S. 1592 would amend current law to clarify that the Secretary of Agriculture is authorized to convey about 238 acres of federal land to a summer camp in Arizona. Under current law, the Secretary is authorized to convey 212 acres to the camp.

Based on information provided by the Forest Service, CBO estimates that implementing the legislation would not affect the federal budget. Because CBO expects that the acreage that could be conveyed under the bill would not generate any income over the next 10 years, enacting S. 1592 would not affect direct spending. Enacting the bill also would not affect revenues; therefore, pay-as-

you-go procedures do not apply. CBO estimates that enacting S. 1592 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year period beginning in 2026.

S. 1592 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). The bill would modify the terms of a land exchange between the federal government and a private business, which would have a small incidental effect on property taxes collected by the state and local governments in Arizona. That effect, however, would not result from an intergovernmental mandate as defined in UMRA.

The CBO staff contacts for this estimate are Jeff LaFave (for federal costs) and Jon Sperl (for intergovernmental mandates). The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

CBO COST ESTIMATE—S. 2069

Ms. MURKOWSKI. Mr. President, in compliance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate, the Committee on Energy and Natural Resources has obtained from the Congressional Budget Office an estimate of the costs of S. 2069, Mount Hood Cooper Spur Land Exchange Clarification Act, as reported from the committee. The full estimate is available on CBO's Web site, www.cbo.gov.

Mr. President, I ask unanimous consent that the summary of the estimate be printed in the RECORD.

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

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 2069—A BILL TO AMEND THE OMNIBUS PUBLIC LAND MANAGEMENT ACT OF 2009 TO MODIFY PROVISIONS RELATING TO CERTAIN LAND EXCHANGES IN THE MT. HOOD WILDERNESS IN THE STATE OF OREGON

(January 5, 2016)

S. 2069 would amend current law to modify the terms of a land exchange between the Forest Service and the Mt. Hood Meadows ski area in Oregon. The bill would reduce the amount of land the agency would be authorized to convey to the ski area from 120 acres to 107 acres. The bill also contains provisions aimed at expediting the exchange.

Based on information provided by the Forest Service, CBO estimates that implementing the legislation would not affect the federal budget. Because CBO expects that enacting the bill would not affect whether the exchange would occur or when it would take place, we estimate that enacting the bill would not affect direct spending. Enacting the bill also would not affect revenues. Therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting S. 2069 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year period beginning in 2026.

S. 2069 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

The CBO staff contact for this estimate is Jeff LaFave. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

FEDERAL MANAGEMENT OF PUBLIC LANDS AND RESOURCES

Mr. BARRASSO. Mr. President, I wish to speak about a column written by Ms. Karen Budd-Falen, a Wyoming attorney, entitled ''Major Regulatory Expansion of ESA Listing and Critical Habitat Designation.'' The article was published in the Wyoming Livestock Roundup on March 19, 2016.

Through a variety of rules, regulations, and seemingly innocuous proposals, agencies under this administration have gone outside their congressionally given authorities and willfully ignored the intent of the very statutes that authorize Federal management of public lands and resources.

In the article, Karen raises a series of concerns, concerns I share, about the United States Fish and Wildlife Service's calculated efforts to change key parts of the Endangered Species Act. Through a series of administrative revisions, the Service has substantially changed the way critical habitat is designated for species listed for protection under the act. Critical habitat, as Karen recognizes in her article, is ''. . . generally habitat upon which the species depends for survival. Importantly critical habitat can include both private and/or federal land and water.'' Karen outlines that, through piecemeal revisions, the Service has effectively removed all limitations of this definition.

No longer will the Service be limited to enact Federal policy on a precise area where a species lives. Now a Federal agency may implement any number of restrictions on a ''significant portion'' of the range a species may or may not inhabit, for an undetermined period of time. The Service has made it clear that even ''potential habitat'' can be controlled, even if it is unclear whether the species will ever use that area.

Karen also raises concerns about notification of private landowners, consideration of economic impacts, and the undeniable link between changes the Service has made and an increase in Federal permitting. The link between these changes and the intent of this administration is clear: any action taken on any land, no matter whether private or public, can now be considered under Federal jurisdiction if the Service so chooses. Not only is this arbitrary, but it is a clear case of Federal overreach.

In Wyoming, we know that the most successful habitat conservation efforts are conducted by people on the ground who have a vested interest in the health of wildlife and the landscape they inhabit. These people are local business owners, local landowners, ranchers, and State experts. These people understand both the needs of the landscape and the scope of appropriate conservation efforts, things that Washington officials seemingly fail to grasp or willfully ignore.

Unfortunately, the alarm that Karen has sounded is one of many currently deafening the American people. Karen has likened the Service's critical habitat reforms to the Environmental Protection Agency's controversial waters of the United States campaign. The comparison is apt. This administration has perpetuated a culture of Big Government by ignoring the biological, economic, and social realities of its irresponsible policies.

Federal actions such as this dilute the effectiveness of successful conservation efforts and create limitless uncertainty for private landowners. I urge my colleagues to continue to stand with rural Americans who must not bear the brunt of irresponsible Federal overreach.

Mr. President, I ask unanimous consent to have printed in the RECORD the article written by Karen Budd-Falen.

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

[From the Wyoming Livestock Roundup; Mar. 19, 2016]

MAJOR REGULATORY EXPANSION OF ESA LISTING AND CRITICAL HABITAT DESIGNATION

(By Karen Budd-Falen)

While private property owners were vehemently protesting the EPA's expansion of jurisdiction under the Clean Water Act, the U.S. Fish and Wildlife Service and National Oceanic and Atmospheric Administration Fisheries, collectively FWS, were bit-by-bit expanding the federal government's overreach on private property rights and federal grazing permits through the Endangered Species Act (ESA). This expansion is embodied in the release of four separate final rules and two final policies that the FWS admits will result in listing more species and expanding designated critical habitat.

To understand the expansiveness of the new policies and regulations, a short discussion of the previous regulations may help. Prior to the Obama changes, a species was listed as threatened or endangered based upon the ''best scientific and commercial data available.'' With regard to species that are potentially threatened or endangered ''throughout a significant portion of its range'' but not all of the species'' range, only those species within that ''significant portion of the range'' are listed not all species throughout the entire range.

Once the listing is completed, FWS is mandated to designate critical habitat. Critical habitat is generally habitat upon which the species depends for survival. Importantly critical habitat can include both private and/or federal land and water. Critical habitat is to be based upon the ''best scientific and commercial data available'' and is to include the ''primary constituent elements'' (PCEs) for the species. PCEs are the elements the species needs for breeding, feeding and sheltering. Final critical habitat designations are to be published with legal descriptions so private landowners would know whether their private property or water was within or outside designated boundaries. Critical habitat designations are also made with consideration of the economic impacts. Under the ESA, although the FWS cannot consider the economic impacts of listing a species, all other economic impacts are to be considered when designating critical habitat, and if the

economic impacts in an area are too great, the area could be excluded as critical habitat as long as the exclusion did not cause extinction of the species.

With regard to the critical habitat designation itself, critical habitat determinations are made in two stages. First, the FWS considers the currently occupied habitat and determines if that habitat (1) contains the PCEs for the species and (2) is sufficient for protection of the species. Second, the FWS looks at the unoccupied habitat for the species and makes the same determinations, i.e., (1) whether areas of unoccupied habitat contain the necessary PCEs and (2) if including this additional land or water as critical habitat was necessary for protection of the species. The FWS then considers whether the economic costs of including some of the areas are so high that the areas should be excluded from the critical habitat designation. In simplest terms, FWS would weigh or balance the benefits of designation of certain areas of critical habitat against the regulatory burdens and economic costs of designation and could exclude discreet areas from a critical habitat designation so long as exclusion did not cause species extinction. This was called the ''exclusion analysis.''

Starting with a new 2012 rule and extending to the 2015 rules and policy, those considerations have all changed, and in fact, FWS has admitted that the new rules will result in more land and water being included in critical habitat designations.

The first major change is the inclusion of ''the principals of conservation biology'' as part of the ''best scientific and commercial data available.'' Conservation biology was not created until the 1980s and has been described by some scientists as ''agenda-driven'' or ''goal-oriented'' biology.

Second, the new Obama policy has changed regarding a listing species ''throughout a significant portion of its range.'' Now, rather than listing species within the range where the problem lies, all species throughout the entire range will be listed as threatened or endangered.

Third, based upon the principals of conservation biology, including indirect or circumstantial information, critical habitat designations will be greatly expanded. Under the new regulations, FWS will initially consider designation of both occupied and unoccupied habitat, including habitat with potential PCEs. In other words, not only is FWS considering habitat that is or may be used by the species, FWS will consider habitat that may develop PCBs sometime in the future. There is no time limit on when such future development of PCEs will occur, or what types of events have to occur so that the habitat will develop PCEs. FWS will then look outside occupied and unoccupied habitat to decide if the habitat will develop PCEs in the future and should be designated as critical habitat now. FWS has determined that critical habitat can include temporary or periodic habitat, ephemeral habitat, potential habitat and migratory habitat, even if that habitat is currently unusable by the species.

Fourth, FWS has also determined that it will no longer publish the text or legal descriptions or GIS coordinates for critical habitat. Rather it will only publish maps of the critical habitat designation. Given the small size of the Federal Register, I do not think this will adequately notify landowners whether their private property is included or excluded from a critical habitat designation.

Fifth, FWS has significantly limited what economic impacts are considered as part of the critical habitat designation. According to a Tenth Circuit Court of Appeals decision, although the economic impacts are not to be considered as part of the listing process, once a species was listed, if FWS could not determine whether the economic impact came from listing or critical habitat, the cost should be included in the economic analysis. In other words, only those costs that were solely based on listing were excluded from the economic analysis. In contrast, the Ninth Circuit Court took the opposite view and determined that only economic costs that were solely attributable to critical habitat designations were to be included. Rather than requesting the U.S. Supreme Court make a consistent ruling among the courts, FWS simply recognized this circuit split for almost 15 years. However, on Aug. 28, 2013, FWS issued a final rule that determined that the Ninth Circuit Court was ''correct'' and regulatorily determined that only economic costs attributable solely to the critical habitat designation would be analyzed. This rule substantially reduces the determination of the cost of critical habitat designation because FWS can claim that almost all costs are based on the listing of the species because if not for the listing, there would be no need for critical habitat.

Sixth, FWS has determined that while completing the economic analysis is mandatory, the consideration of whether habitat should be excluded based on economic considerations is discretionary. In other words, under the new policy, FWS is no longer required to consider whether areas should be excluded from critical habitat designation based upon economic costs and burdens.

The problem with these new rules is what it means if private property or federal lands are designated as critical habitat or the designated habitat only has the potential to develop PCEs. Even if the species is not present in the designated critical habitat, a ''take'' of a species can occur through ''adverse modification of critical habitat.'' For private land, that may include stopping stream diversions because the water is needed in downstream critical habitat for a fish species or that haying practices, such as cutting of invasive species to protect hay fields, are stopped because it will prevent the area from developing PCEs in the future that may support a species. It could include stopping someone from putting on fertilizer or doing other crop management on a farm field because of a concern with runoff into downstream designated habitat. Designation of an area as critical habitat—even if that area does not contain PCEs now—will absolutely require more federal permitting, i.e. Section 7 consultation, for things like crop plans or conservation plans or anything else requiring a federal permit. In fact, one of the new regulations issued by Obama concludes that ''adverse modification of critical habitat'' can include ''alteration of the quantity or quality'' of habitat that precludes or ''significantly delays'' the capacity of the habitat to develop PCEs over time.

While the agriculture community raised a huge alarm over the waters of the U.S., FWS was quietly implementing these new rules, in a piecemeal manner, without a lot of fanfare. Honestly, I think these new habitat rules will have as great or greater impact on the private lands and federal land permits as does the Ditch Rule, and I would hope that the outcry from the agriculture community, private property advocates, and our Congressional delegations would be as great.

ADDITIONAL STATEMENTS

TRIBUTE TO JENNIFER WAITES

● Mr. DAINES. Mr. President, I wish to recognize Jennifer Waites, a 911 emergency dispatcher from Helena, MT, who was named the 2016 911 Dispatcher of the Year by the Montana Department of Public Health and Human Services. Waites has been with Helena's 911 center for the past 7 years, working the 3 a.m. to 11 p.m. shift as the ''first, first responder'' for the medical emergencies in Helena.

Many refer to Waites as a ''silent hero,'' going about her work day-in and day-out performing a wide variety of tasks that are largely completed under the radar. Whether it is responding to multiple calls at once or relaying information to responding units as efficiently as possible, she knows that serving the people who call in is her top priority and is what motivates her to carry out all tasks with timeliness and care.

Waites is humble enough to admit that her job could not be made possible without the joint efforts from the rest of her team. Waites said, ''Just knowing that you're here and you can make someone else's day a little bit better and get the help that they need is really beneficial for everyone involved.''

It is my honor to recognize Jennifer Waites today. And I thank you on behalf of Montana for your exceptional service and responsibility you have undertaken to the people in our great State.●

65TH ANNIVERSARY OF BUENO FOODS

● Mr. HEINRICH. Mr. President, today I wish to recognize the 65th anniversary of Bueno Foods, a New Mexico family-owned business and one of the Southwest's premier producers of New Mexican foods, including our State's iconic chile from Hatch, NM, and the surrounding Rio Grande Valley.

In 1946, when several brothers from the Baca family returned home from serving in World War II, they scraped together enough money to start a small grocery business. Although the business started off successfully, the Bacas soon learned how difficult it was for a small community market to compete with larger grocery store chains, so they decided to specialize, manufacturing corn and flour tortillas and traditional holiday favorites like tamales and posole. The Baca brothers also noticed that more households owned freezers, and they asked themselves around the family dinner table: Why don't we take our heritage and preserve it?

With this idea, Bueno Foods was born in 1951. Today Bueno Foods manufactures a full line of more than 150 authentic New Mexican and Mexican food

products and currently employs more than 250 employees.

I commend Buenos Foods for taking an active role in the community and contributing to organizations that serve some of our most vulnerable New Mexicans, including impoverished children, the homeless, and the hungry.

Bueno Foods is a strong partner with New Mexico's renowned chile pepper farmers. The chile industry in New Mexico, including both growers and processors, is an integral part of our agricultural and cultural heritage and New Mexico-grown chile peppers remain the most sought after. New Mexico is a leading producer of American-grown chile peppers, and I am pleased that our State's chile farmers and Bueno Foods have come together to protect authentic New Mexico-grown chile.

I congratulate Bueno Foods on 65 years of success as they work to keep our State's chile industry strong and produce the quality foods that can only be from New Mexico.●

300TH ANNIVERSARY OF STRATHAM, NEW HAMPSHIRE

● Mrs. SHAHEEN. Mr. President, the town of Stratham in New Hampshire is celebrating its 300th anniversary this year. Today Stratham is a classic New England community, proud of its family-friendly quality of life and looking forward to its annual town fair in June. The culmination of this year's fair will be the 300th anniversary dinner dance at Stratham Hill Park on June 25, celebrating the establishment of the township of Stratham in 1716.

Of course, the human history of what is now Stratham, located between the Great Bay and Exeter in southeastern New Hampshire, goes back many centuries prior to the arrival of the first English explorers and settlers. The land was originally inhabited by the Pennacook Tribe, Algonquian-speaking Native Americans, who were among the first to encounter European colonists in what is today New England.

In 1640, an Englishman named Thomas Wiggin established the first settlement in what was then called Squamscott Patent, and through the remainder of the 1600s, people continued to arrive in the settlement. By the early 1700s, residents petitioned George Vaughn, Lieutenant Governor of the Province of New Hampshire, to incorporate a new town. On March 20, 1716, he granted their request and ordered that ''Squamscott Patent land be a township by the name of Stratham, and that there be a meeting house built for public worship of God with all convenient speed.'' The town was given authority under King George I to elect selectmen, hold town meetings, collect taxes, build a meeting house and hire a ''learned and orthodox minister.'' At the initial gathering of town leaders, they appointed a committee of five to take care of building a meeting house, which would be used both for church services and meetings of the selectmen. Stratham Community Church now stands on the site of that original meeting house.

As a resident of the Seacoast, I regularly visit Stratham. It is hometown and headquarters to corporate giants Lindt chocolate and Timberland footwear, whose products include the Stratham Heights line of women's high-fashion boots. The town also takes pride in its smaller stores, cafes, and restaurants, places where people know your name and where the small businessowners are right there every day. But Stratham's greatest assets are its citizens, who are unfailingly gracious and friendly.

Of course, the big event in Stratham is its annual town fair, one of the oldest in the Granite State. The fair got its start in 1966, when Stratham held a giant party to celebrate its 250th anniversary. A half century later, that party has evolved into a sprawling fair that draws visitors from across southeastern New Hampshire, nearly tripling Stratham's usual population of 7,250. This year, as I said, the fair's gala dinner dance at Stratham Hill Park will be the culmination of the town's 300th anniversary celebrations.

Stratham's motto is ''inspired by the past, committed to the future.'' The town does indeed have a long and rich history, and it has entered the 21st century as a forward-thinking community with a vibrant economy. Even as Stratham grows, it has preserved its small town charm, hospitality, and lifestyle.

I congratulate all the folks in Stratham on this landmark 300th anniversary. I wish everyone a wonderful celebration in June.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

PRESIDENTIAL MESSAGE

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13303 OF MAY 22, 2003, WITH RESPECT TO THE STABILIZATION OF IRAQ—PM 49

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the stabilization of Iraq that was declared in Executive Order 13303 of May 22, 2003, is to continue in effect beyond May 22, 2016.

Obstacles to the orderly reconstruction of Iraq, the restoration and maintenance of peace and security in the country, and the development of political, administrative, and economic institutions in Iraq continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. Accordingly, I have determined that it is necessary to continue the national emergency with respect to the stabilization of Iraq.

BARACK OBAMA.

THE WHITE HOUSE, *May 18, 2016*.

MESSAGE FROM THE HOUSE

ENROLLED BILLS SIGNED

At 12:40 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 1492. An act to direct the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska.

S. 2143. An act to provide for the authority for the successors and assigns of the Starr-Camargo Bridge Company to maintain and operate a toll bridge across the Rio Grande near Rio Grande City, Texas, and for other purposes.

H.R. 4923. An act to establish a process for the submission and consideration of petitions for temporary duty suspensions and reductions, and for other purposes.

H.R. 4957. An act to designate the Federal building located at 99 New York Avenue,

N.E., in the District of Columbia as the ''Ariel Rios Federal Building''.

The enrolled bills were subsequently signed by the President pro tempore (Mr. HATCH).

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, May 18, 2016, she had presented to the President of the United States the following enrolled bills:

S. 1492. An act to direct the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska.

S. 1523. An act to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes.

S. 2143. An act to provide for the authority for the successors and assigns of the Starr-Camargo Bridge Company to maintain and operate a toll bridge across the Rio Grande near Rio Grande City, Texas, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MCCAIN, from the Committee on Armed Services, without amendment:

S. 2943. An original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes (Rept. No. 114–255).

By Mr. INHOFE, from the Committee on Environment and Public Works, with an amendment:

S. 1724. A bill to provide for environmental restoration activities and forest management activities in the Lake Tahoe Basin, and for other purposes (Rept. No. 114–256).

By Mr. COCHRAN, from the Committee on Appropriations:

Special Report entitled ''Further Revised Allocation to Subcommittees of Budget Totals For Fiscal Year 2017'' (Rept. No. 114–257).

By Mr. INHOFE, from the Committee on Environment and Public Works, without amendment:

H.R. 3114. A bill to provide funds to the Army Corps of Engineers to hire veterans and members of the Armed Forces to assist the Corps with curation and historic preservation activities, and for other purposes.

By Mr. INHOFE, from the Committee on Environment and Public Works, with amendments:

S. 2754. A bill to designate the Federal building and United States courthouse located at 300 Fannin Street in Shreveport, Louisiana, as the ''Tom Stagg Federal Building and United States Courthouse''.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. INHOFE for the Committee on Environment and Public Works.

*Jane Toshiko Nishida, of Maryland, to be an Assistant Administrator of the Environmental Protection Agency.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MCCAIN:

S. 2943. An original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; from the Committee on Armed Services; placed on the calendar.

By Mr. GRASSLEY (for himself and Mrs. GILLIBRAND):

S. 2944. A bill to require adequate reporting on the Public Safety Officers' Benefit program, and for other purposes; to the Committee on the Judiciary.

By Mrs. MURRAY (for herself, Mr. HATCH, Mr. KAINE, Mr. SCOTT, Mr. FRANKEN, and Ms. COLLINS):

S. 2945. A bill to promote effective registered apprenticeships, for skills, credentials, and employment, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BOOKER (for himself and Ms. MIKULSKI):

S. 2946. A bill to amend title 5, United States Code, to include certain Federal positions within the definition of law enforcement officer for retirement purposes, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BLUMENTHAL:

S. 2947. A bill to establish requirements regarding quality dates and safety dates in food labeling, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MURRAY (for herself, Mrs. SHAHEEN, Mrs. MCCASKILL, Mrs. GILLIBRAND, Ms. BALDWIN, Mrs. BOXER, Mr. BLUMENTHAL, Mr. BENNET, and Mr. WYDEN):

S. 2948. A bill to plan, develop, and make recommendations to increase access to sexual assault examinations for survivors by holding hospitals accountable and supporting the providers that serve them; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself, Mr. PORTMAN, Ms. STABENOW, and Mr. KIRK):

S. 2949. A bill to amend and reauthorize the Great Lakes Fish and Wildlife Restoration Act of 1990; to the Committee on Environment and Public Works.

By Mr. GARDNER (for himself and Mr. HATCH):

S. 2950. A bill to require the Administrator of the Environmental Protection Agency to receive, process, and pay certain claims relating to the Gold King Mine spill; to the Committee on the Judiciary.

By Ms. MURKOWSKI:

S. 2951. A bill to amend the Oil Pollution Act of 1990 to impose penalties and provide for the recovery of removal costs and damages in connection with certain discharges of oil from foreign offshore units, and for other purposes; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LEAHY (for himself, Mr. MCCONNELL, and Mr. MARKEY):

S. Res. 469. A resolution commemorating the 100th anniversary of the 1916 Easter Rising, a seminal moment in the journey of Ireland to independence; to the Committee on Foreign Relations.

By Mr. MORAN (for himself and Mr. MANCHIN):

S. Res. 470. A resolution recognizing the 100th anniversary of the Portland Cement Association, the national organization for the cement manufacturing and concrete industry; to the Committee on the Judiciary.

By Mr. INHOFE (for himself and Mrs. BOXER):

S. Res. 471. A resolution designating the week of May 15 through May 21, 2016, as ''National Public Works Week''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 366

At the request of Mr. TESTER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 366, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 461

At the request of Mr. CORNYN, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 461, a bill to provide for alternative financing arrangements for the provision of certain services and the construction and maintenance of infrastructure at land border ports of entry, and for other purposes.

S. 590

At the request of Mrs. MCCASKILL, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 590, a bill to amend the Higher Education Act of 1965 and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to combat campus sexual violence, and for other purposes.

S. 1082

At the request of Mr. RUBIO, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1082, a bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes.

S. 1139

At the request of Ms. KLOBUCHAR, the name of the Senator from Connecticut

(Mr. BLUMENTHAL) was added as a cosponsor of S. 1139, a bill to amend the Help America Vote Act of 2002 to require States to provide for same day registration.

S. 1176

At the request of Mr. UDALL, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1176, a bill to amend the Internal Revenue Code of 1986 to reform the system of public financing for Presidential elections, and for other purposes.

S. 1428

At the request of Mr. BARRASSO, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1428, a bill to amend the USEC Privatization Act to require the Secretary of Energy to issue a long-term Federal excess uranium inventory management plan, and for other purposes.

S. 1479

At the request of Mr. INHOFE, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1479, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify provisions relating to grants, and for other purposes.

S. 1883

At the request of Mr. REED, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1883, a bill to maximize discovery, and accelerate development and availability, of promising childhood cancer treatments, and for other purposes.

S. 1982

At the request of Mr. CARDIN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1982, a bill to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund the Wall of Remembrance.

S. 2100

At the request of Mr. SCHATZ, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2100, a bill to prohibit the sale or distribution of tobacco products to individuals under the age of 21.

S. 2279

At the request of Mr. MERKLEY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2279, a bill to require the Secretary of Veterans Affairs to carry out a program to increase efficiency in the recruitment and hiring by the Department of Veterans Affairs of health care workers that are undergoing separation from the Armed Forces, to create uniform credentialing standards for certain health care professionals of the Department, and for other purposes.

S. 2465

At the request of Mrs. GILLIBRAND, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2465, a bill to designate the facility of the United States Postal Service located at 15 Rochester Street in Bergen, New York, as the Barry G. Miller Post Office.

S. 2483

At the request of Mr. UDALL, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2483, a bill to prohibit States from carrying out more than one Congressional redistricting after a decennial census and apportionment, to require States to conduct such redistricting through independent commissions, and for other purposes.

S. 2531

At the request of Mr. KIRK, the names of the Senator from Utah (Mr. LEE), the Senator from Idaho (Mr. CRAPO) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 2531, a bill to authorize State and local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.

At the request of Ms. MURKOWSKI, her name was added as a cosponsor of S. 2531, supra.

S. 2551

At the request of Mr. CARDIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 2551, a bill to help prevent acts of genocide and mass atrocities, which threaten national and international security, by enhancing United States civilian capacities to prevent and mitigate such crises.

S. 2577

At the request of Mr. CORNYN, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 2577, a bill to protect crime victims' rights, to eliminate the substantial backlog of DNA and other forensic evidence samples to improve and expand the forensic science testing capacity of Federal, State, and local crime laboratories, to increase research and development of new testing technologies, to develop new training programs regarding the collection and use of forensic evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to support accreditation efforts of forensic science laboratories and medical examiner offices, to address training and equipment needs, to improve the performance of counsel in State capital cases, and for other purposes.

S. 2584

At the request of Mr. KIRK, the names of the Senator from Connecticut (Mr. MURPHY), the Senator from Maine (Ms. COLLINS) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 2584, a bill to promote and protect from discrimination living organ donors.

S. 2641

At the request of Mr. SCHUMER, the names of the Senator from Colorado (Mr. BENNET) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 2641, a bill to amend the Public Health Service Act, in relation to requiring adrenoleukodystrophy screening of newborns.

S. 2707

At the request of Mr. SCOTT, the names of the Senator from South Carolina (Mr. GRAHAM), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Iowa (Mr. GRASSLEY) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. 2707, a bill to require the Secretary of Labor to nullify the proposed rule regarding defining and delimiting the exemptions for executive, administrative, professional, outside sales, and computer employees, to require the Secretary of Labor to conduct a full and complete economic analysis with improved economic data on small businesses, nonprofit employers, Medicare or Medicaid dependent health care providers, and small governmental jurisdictions, and all other employers, and minimize the impact on such employers, before promulgating any substantially similar rule, and to provide a rule of construction regarding the salary threshold exemption under the Fair Labor Standards Act of 1938, and for other purposes.

S. 2725

At the request of Ms. AYOTTE, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 2725, a bill to impose sanctions with respect to the ballistic missile program of Iran, and for other purposes.

S. 2750

At the request of Mr. THUNE, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 2750, a bill to amend the Internal Revenue Code to extend and modify certain charitable tax provisions.

S. 2779

At the request of Mr. COONS, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2779, a bill to reauthorize the Hollings Manufacturing Extension Partnership, and for other purposes.

S. 2785

At the request of Mr. TESTER, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 2785, a bill to protect Native children and promote public safety in Indian country.

S. 2840

At the request of Mr. CORNYN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2840, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize COPS grantees to use grant funds for active shooter training, and for other purposes.

S. 2854

At the request of Mrs. MCCASKILL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2854, a bill to reauthorize the Emmett Till Unsolved Civil Rights Crime Act of 2007.

S. 2912

At the request of Mr. JOHNSON, the names of the Senator from Alaska (Ms. MURKOWSKI), the Senator from Georgia (Mr. PERDUE), the Senator from Utah (Mr. HATCH), the Senator from Missouri (Mr. BLUNT), the Senator from Arizona (Mr. FLAKE), the Senator from Georgia (Mr. ISAKSON), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Arizona (Mr. MCCAIN) were added as cosponsors of S. 2912, a bill to authorize the use of unapproved medical products by patients diagnosed with a terminal illness in accordance with State law, and for other purposes.

S. 2921

At the request of Mr. ISAKSON, the names of the Senator from Indiana (Mr. COATS) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 2921, a bill to amend title 38, United States Code, to improve the accountability of employees of the Department of Veterans Affairs, to improve health care and benefits for veterans, and for other purposes.

S. 2933

At the request of Ms. BALDWIN, the name of the Senator from Kansas (Mr. MORAN) was withdrawn as a cosponsor of S. 2933, a bill to prohibit certain health care providers from providing non-Department health care services to veterans, and for other purposes.

S. 2934

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2934, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale.

S. 2938

At the request of Mr. DAINES, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 2938, a bill to direct the Secretary of the Interior to reestablish the Royalty Policy Committee in order to further a more consultative process with key Federal, State, tribal, environmental, and energy stakeholders, and for other purposes.

S. 2941

At the request of Mrs. FEINSTEIN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 2941, a bill to require a study on women and lung cancer, and for other purposes.

S. CON. RES. 35

At the request of Mr. RUBIO, the names of the Senator from Wyoming (Mr. BARRASSO) and the Senator from New Hampshire (Ms. AYOTTE) were added as cosponsors of S. Con. Res. 35, a concurrent resolution expressing the sense of Congress that the United States should continue to exercise its veto in the United Nations Security Council on resolutions regarding the Israeli-Palestinian peace process.

S. RES. 459

At the request of Mrs. FEINSTEIN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. Res. 459, a resolution recognizing the importance of cancer research and the vital contributions of scientists, clinicians, cancer survivors, and other patient advocates across the United States who are dedicated to finding a cure for cancer, and designating May 2016, as ''National Cancer Research Month''.

S. RES. 466

At the request of Mr. GRASSLEY, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Maine (Mr. KING) were added as cosponsors of S. Res. 466, a resolution recognizing National Foster Care Month as an opportunity to raise awareness about the challenges of children in the foster-care system, and encouraging Congress to implement policy to improve the lives of children in the foster-care system.

AMENDMENT NO. 3923

At the request of Mr. BOOKER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of amendment No. 3923 intended to be proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 3925

At the request of Mr. GRASSLEY, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of amendment No. 3925 intended to be proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 3927

At the request of Mr. COONS, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of amendment No. 3927 intended to be proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 3933

At the request of Mr. PERDUE, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of amendment No. 3933 proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 3934

At the request of Mr. KING, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of amendment No. 3934 proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 3935

At the request of Mrs. BOXER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of amendment No. 3935 proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 3941

At the request of Mr. BOOKER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of amendment No. 3941 proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 3944

At the request of Mrs. FEINSTEIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of amendment No. 3944 proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 3948

At the request of Mr. HELLER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of amendment No. 3948 proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 3951

At the request of Mr. HELLER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of amendment No. 3951 intended to be proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 3957

At the request of Mr. LEE, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of amendment No. 3957 intended to be proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 3970

At the request of Mr. COCHRAN, his name was added as a cosponsor of amendment No. 3970 intended to be proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 3981

At the request of Mr. FLAKE, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of amendment No. 3981 intended to be proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 3998

At the request of Mr. TESTER, the names of the Senator from Ohio (Mr. BROWN), the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of amendment No. 3998 proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 4002

At the request of Mr. BLUMENTHAL, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of amendment No. 4002 intended to be proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRASSLEY (for himself and Mrs. GILLIBRAND):

S. 2944. A bill to require adequate reporting on the Public Safety Officers' Benefit program, and for other purposes; to the Committee on the Judiciary.

Mrs. GILLIBRAND. Mr. President, I rise to speak about a bill I am introducing along with Senator GRASSLEY called the Public Safety Officers' Benefits Improvement Act.

When our first responders make the decision to join a police department or a fire department or an EMT squad, they do so knowing they might encounter hazards on the job that threaten their lives or even end their lives. These men and women work in some of the highest pressure and most dangerous environments—shootouts, fires, natural disasters, terror attacks.

Think about your own communities back home. When disaster strikes, when there is an emergency, who shows up first, speeding to the scene and ready to help? It is our police officers, it is our firefighters, and it is our EMT workers. Our public safety officers know that death or serious injury is a real risk in their jobs, but they show up to work anyway, ready to help and willing to sacrifice, if that is what it takes to keep their communities safe.

When first responders die as a result of their work, we all have the responsibility to help take care of their surviving family members. In 1984, more than three decades ago, Congress did the right thing and created a program called the Public Safety Officers' Benefit Program to help these families.

Whenever a tragedy struck and a first responder was killed on the job or passed away because of their job, these grieving families could take a little bit of comfort in knowing they would have the financial support they needed with this program. They knew they would have help from this program, transitioning to a life without their loved one.

In recent years, the families applying to the program have faced confusing and inconsistent requirements. They have faced long delays in receiving compensation. Before, when a loved one died on the job, the family would get compensation from this program without any serious delay. But now the burden to claim these funds and then retrieve them has been placed on the families—the same families this program is supposed to be helping.

As a result, hundreds of families who are already grieving now have to dig through public records themselves. They have to endure an exhausting paper chase with no guidance. And they have to go far beyond a reasonable doubt to prove to the Justice Department that their loved one did, in fact, serve as a first responder and sacrificed his or her life for this job.

Last fall, USA Today reported that of the more than 900 cases they reviewed, the average wait for a decision by the program about compensation was more than 1 year. For some families, it was 2 years, and for some, the wait was 3 years. This even includes our first responders who worked at Ground Zero. Think about the unnecessary stress these delays have placed on our families who lost loved ones.

We know we must fix this program. We must fix this program. These families of our fallen public safety officers are not getting the compensation they deserve, that their loved ones have earned, in the timely manner they need.

This bill—Senator GRASSLEY's and mine—is a bipartisan bill that fixes this problem. The Public Safety Officers' Benefits Improvement Act would make this compensation program more transparent and more efficient, and it would make sure it works.

The bill would require the program to report publicly the status of every claim so that families can know if and why their compensation is being delayed. It would give weight to the findings and records of Federal agencies, State agencies, and local agencies about the cause of the public safety officer's death so that families don't have to reproduce records that already exist. And this bill would reduce the wait for our families to receive the compensation they deserve and desperately need.

I thank my colleague Senator GRASSLEY for his strong leadership and his amazing advocacy, and I urge all my colleagues here to support this bill. Let's fix the Public Safety Officers' Benefits Program. Let's take care of these families—the families of our public safety officers—and let's do the right thing.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I thank the Senator from New York for working together on this very important issue to get justice for some of our police officers and their families who have been burdened by too much redtape. She and I have worked together on so many things, and I appreciate this one as well.

In 1962, President John F. Kennedy signed a proclamation designating this week as National Police Week. As part of that tradition, tens of thousands of law enforcement officers have gathered in our Nation's Capital to honor those who have paid the ultimate sacrifice to the service of this Nation.

I rise to join these officers in thanking the men and women who have dedicated their lives to protecting our communities. We must never take their sacrifice for granted, and we need to appreciate that their surviving families have suffered real loss.

In recognition of this truth, Congress passed the Public Safety Officers' Benefits Act in 1976. The goal of the law was to provide death benefits to survivors of officers who die in the line of duty. Over the years, the law has been amended to provide disability and education benefits and to expand the pool of officers who are eligible for these benefits.

Looking at the 40-year history of this law, the overall intent of Congress is very clear: Families of fallen officers deserve a fair and timely consideration of their application for these benefits,

and the word ''timely'' is what isn't being carried out right now.

If we were in these officers' shoes, we would like to see an answer—either yes or no—not years of limbo and lingering uncertainty. Unfortunately, that is precisely what too many families have had to endure since at least 2003, all because bureaucrats in the Justice Department failed to do their job and do it on time.

Three weeks ago, I chaired a Judiciary Committee hearing to examine this problem on the lack of timeliness. What we found was troubling. The Justice Department has a goal of processing these claims within 1 year of filing. However, according to the most recent data, the Justice Department is failing to meet its own 1-year deadline in 61 percent of the 693 pending death benefit claims. Those are 423 families who have been waiting for more than 1 year. That rate is unacceptable for a program designed to support families of fallen officers.

Somehow, the delays have gone from bad to worse. The failure rate was 27 percent for claims that were filed between 2008 and 2013. So it is very difficult to understand how that could happen.

For 13 years and counting, since 2003, the delays have persisted despite a 2004 Attorney General memorandum, despite a 2007 Judiciary Committee hearing, and despite three independent audits recommending corrective action. Not surprisingly, there have been periodic improvements in timeliness whenever Congress or watchdogs shine light into these delays. However, these improvements have been very short-lived. For example, in 2007, the Justice Department more than doubled its monthly rate of processing claims in the first 2 months following a Judiciary Committee hearing. However, in the ensuing 5 years, the inspector general found not only significant delays but also a serious lack of documentation and data.

I began looking into this program last January after constituents informed me that families in Iowa waited more than 3 years to get a decision, but the Justice Department's response to my oversight letters confirmed that these delays persist on a nationwide scale. For instance, there are currently 175 pending death and disability claims that were filed on behalf of officers who lost their lives as a result of their September 11 response efforts. That is why I have written six letters to the Justice Department in the last 1½ years asking for status updates on all pending claims. Initially, after I sent my first letters, the number of pending claims went down at a steady pace. However, more recently the Justice Department has simply failed to respond to my letters.

At last month's Judiciary Committee hearing, a claimant from my State of Iowa testified about having waited 3½ years without an answer from the Justice Department, but just 2 days after that hearing, that claimant got a phone call from the Department saying the claim had been approved. What was the Justice Department doing for the past 3½ years on that claim? And what about the 692 other families who are waiting for a decision? Families of fallen officers and advocacy groups agree, transparency leads to accountability, and the Justice Department should be held accountable for its handling of these claims. So based on this 13-year record, I have concluded that the best way to ensure timeliness in these claims is to permanently increase the level of transparency surrounding this program.

Today the Senator from New York, just speaking, and I are introducing a bill that would do just that. It is called the Public Safety Officers' Benefits Improvement Act. This bill would require the Justice Department to post on its Web site weekly status updates for all pending claims. This way the public can evaluate how well the Department is performing under its goal of processing claims within the 1-year filing deadline they have. The Justice Department is already posting weekly statistics with respect to the September 11th Victims Compensation Fund, which is a similar program. So the Department should be able to do the same with respect to pending public safety officers' benefits claims by posting weekly statistics.

In addition, our bill would require the Justice Department to report to Congress other aggregate statistics regarding these claims at least twice a year, and the bill would make it easier for the Justice Department to process these claims in other ways; for example, by allowing the Department to rely on other Federal regulatory standards and to give substantial weight to findings of fact of State, local, and other Federal agencies.

In short, this is a simple bipartisan bill with narrowly tailored provisions. Each provision is targeted to specific problems that have been identified over the past 13 years by independent audits, by committee hearings, by advocacy groups, and, of course, as we would expect, by families of fallen officers who wonder what is going on at the Department of Justice.

So I thank Senator GILLIBRAND for working with me to develop this commonsense legislation. I urge my colleagues to stand with us in support of these officers and their families and help us get this bill done as our way of saying thank you to these men and women, particularly as we honor them in this particular season we call National Police Week.

By Mr. BOOKER (for himself and Ms. MIKULSKI):

S. 2946. A bill to amend title 5, United States Code, to include certain Federal positions within the definition of law enforcement officer for retirement purposes, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. BOOKER. Mr. President, today I wish to introduce the Law Enforcement Officers' Equity Act, a common sense bill that would fix a loophole in Federal law that denies many Federal law enforcement officers Federal benefits. This week, as our Nation pauses to honor the sacrifices and services of our men and women in law enforcement, I am glad to introduce legislation to accord them with the benefits they so deeply deserve.

This legislation has been introduced in past Congresses by my friend and colleague, Senator BARBARA MIKULSKI. I am grateful to her for allowing me to introduce this bill, and I am glad to have her support as an original cosponsor of this legislation.

Law enforcement officers have one of the toughest jobs in America. Twenty-four hours a day and 365 days a year, they work to keep our communities safe and uphold the rule of law. During my tenure as mayor of Newark, I spent countless hours with police officers patrolling the streets, and I saw firsthand how difficult and dangerous their jobs can be. These brave men and women apprehend violent criminals and arrest drug kingpins, which carries with it immense pressure and stress.

The legislation I am introducing today would fix a loophole in our Federal law. Due to the level of training required and greater danger present in their profession, Congress determined years ago that individuals in Federal law enforcement should receive higher salaries and enhanced retirement benefits compared to other Federal employees. Unfortunately, approximately 30,000 Federal law enforcement officers are classified in a way that precludes them for receiving the enhanced retirement benefits they deserve.

As a result of this loophole, certain officers who work for Federal agencies—such as the Department of Defense, Department of Veterans Affairs, U.S. Postal Service, U.S. Mint, National Institute of Health, and many more—receive lower pensions as compared to other law enforcement officers with similar duties and responsibilities. This problem must be fixed. Correcting this error is not only dictated by fairness, but it is a matter of public safety because of the value of recruiting and retaining experienced and highly trained law enforcement officers is immeasurable.

The Law Enforcement Officers' Equity Act would expand the definition of ''law enforcement office'' for retirement purposes to include all Federal law enforcement officers. The change would grant law enforcement officer

status to the follow individuals: employees who are authorized to carry a firearm and whose duties include the investigation and/or apprehension of suspected criminals; employees of the Internal Revenue Service whose duties are primarily the collection of delinquent taxes and securing delinquent returns; employees of the U.S Postal Inspection Service; and employees of the Department of Veterans Affairs who are Department police offices. These officers face the same risks and challenges as the men and women currently classified properly under Federal law as law enforcement officers, and they deserve the same benefits.

The Law Enforcement Officers' Equity Act would allow incumbent law enforcement officers' Federal service after the enactment of the act to be considered service performed as a law enforcement officer for retirement purposes.

This legislation has the support of numerous law enforcement groups, including the Fraternal Order of Police, Postal Police Officers Association, National Association of Police Officers, the Federal Law Enforcement Officers' Association, and the National Treasury Employees Union.

According to the Postal Police Officers Association, ''These officers face the same risks and challenges as their federal law enforcement colleagues who currently receive [law enforcement officer] retirement status. This bill will ensure that officers across the country, who put their lives on the line each and every day to protect us, earn the benefits that they deserve.''

And the National Association of Police Organizations has said, ''This bill will ensure that officers across the country, who put their lives on the line each and every day to protect us, earn the benefits that they deserve.''

Fundamental fairness demands that we close this loophole in Federal law and give all Federal law enforcement officers the retirement benefits they deserve. I ask my colleagues to support the Law Enforcement Officers' Equity Act, and I urge its speedy passage.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 469—COMMEMORATING THE 100TH ANNIVERSARY OF THE 1916 EASTER RISING, A SEMINAL MOMENT IN THE JOURNEY OF IRELAND TO INDEPENDENCE

Mr. LEAHY (for himself, Mr. MCCONNELL, and Mr. MARKEY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 469

Whereas the 100th anniversary of the 1916 Easter Rising has a particular resonance in the United States;

Whereas since the founding of the United States, Irish people and the millions of United States citizens of Irish descent have helped to shape the history of the United States;

Whereas, in the words of President John F. Kennedy, ''No people ever believed more deeply in the cause of Irish freedom than the people of the United States'';

Whereas 5 of the 7 signatories of the 1916 Proclamation of Independence spent periods of time in the United States that significantly influenced the thinking and actions of those signatories;

Whereas the United States is the only foreign country specifically mentioned in the 1916 Proclamation of Independence;

Whereas the contemporary ties between the United States and Ireland are of extraordinary depth and breadth;

Whereas continued United States engagement in the Northern Ireland peace process is vital to safeguarding the gains made since the Good Friday Agreement;

Whereas the 100th anniversary of the 1916 Easter Rising offers an opportunity for remembrance, reconciliation, and reimagining of the future;

Whereas, on May 17 and 18, 2016, the Taoiseach, the Prime Minister of Ireland, will visit Washington, D.C., for events commemorating the 100th anniversary of the 1916 Easter Rising; and

Whereas more than 200 other commemorative events will take place across the United States to mark the 100th anniversary of the 1916 Easter Rising: Now, therefore, be it

Resolved, That the Senate—

(1) recalls the special ties between Ireland and the United States, continually sustained and strengthened throughout the intertwined history of both countries;

(2) welcomes the program of commemorations in the United States marking the 100th anniversary of the 1916 Easter Rising of Ireland, including the events taking place in Washington, D.C.; and

(3) recognizes the importance of nurturing and renewing the unique relationship between the United States and Ireland, and the people of the United States and Ireland, into the future.

SENATE RESOLUTION 470—RECOGNIZING THE 100TH ANNIVERSARY OF THE PORTLAND CEMENT ASSOCIATION, THE NATIONAL ORGANIZATION FOR THE CEMENT MANUFACTURING AND CONCRETE INDUSTRY

Mr. MORAN (for himself and Mr. MANCHIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 470

Whereas the first concrete road in the United States was built in 1890, and a portion of the original pavement of that road is still in use as of May 2016;

Whereas, in 1916—

(1) the Portland Cement Association was established as the national organization for the cement manufacturing and concrete industry; and

(2) Congress passed the first Federal-aid highway legislation, setting in motion the development of a network of national highways;

Whereas, in 1921, the Portland Cement Association joined the Bureau of Public Roads and various State agencies to determine the best ways to design and build concrete roads, resulting in the Illinois Division of Highways Bates Test Road, a landmark project that established the most economical design for concrete pavements;

Whereas the Portland Cement Association participated in design and testing for the Hoover Dam, the Grand Coulee Dam, and many other concrete projects;

Whereas 60 percent of the 41,000-mile highway system authorized under the Federal-Aid Highway Act of 1956 (70 Stat. 374), which established the Highway Trust Fund, was constructed using concrete, based on research and performance data identifying the significance of using concrete throughout the interstate highway system;

Whereas due to new and increasing uses of concrete that required specialized research, the Portland Cement Association added 2 new laboratory facilities in 1958, a structural laboratory and a fire research center, which resulted in the development of more durable and economical buildings and improvements in fire safety for concrete structures and transportation facilities;

Whereas 2016 marks the 100th anniversary of the establishment of the Portland Cement Association; and

Whereas the Portland Cement Association advocates in support of sustainability, resiliency, economic growth, infrastructure investment, and overall innovation and excellence in construction throughout the United States: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 100th anniversary of the Portland Cement Association;

(2) commends the Portland Cement Association for its work and dedication to—

(A) the infrastructure of the United States; and

(B) innovative developments;

(3) recognizes the strong initiatives of the Portland Cement Association to improve the state of the cement industry; and

(4) recognizes the members of the Portland Cement Association and all cement manufacturers on the centennial celebration of the establishment of the Portland Cement Association.

SENATE RESOLUTION 471—DESIGNATING THE WEEK OF MAY 15 THROUGH MAY 21, 2016, AS ''NATIONAL PUBLIC WORKS WEEK''

Mr. INHOFE (for himself and Mrs. BOXER) submitted the following resolution; which was considered and agreed to:

S. RES. 471

Whereas public works infrastructure, facilities, and services are of vital importance to the health, safety, and well-being of the people of the United States;

Whereas the public works infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, including engineers and administrators, who represent State and local governments throughout the United States;

Whereas public works professionals design, build, operate, and maintain the transportation systems, water infrastructure, sewage and refuse disposal systems, public buildings, and other structures and facilities that are vital to the people and communities of the United States; and

Whereas understanding the role that public infrastructure plays in protecting the environment, improving public health and safety, contributing to economic vitality, and

enhancing the quality of life of every community of the United States is in the interest of the people of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 15 through May 21, 2016, as ''National Public Works Week'';

(2) recognizes and celebrates the important contributions that public works professionals make every day to improve—

(A) the public infrastructure of the United States; and

(B) the communities that public works professionals serve; and

(3) urges individuals and communities throughout the United States to join with representatives of the Federal Government and the American Public Works Association in activities and ceremonies that are designed—

(A) to pay tribute to the public works professionals of the United States; and

(B) to recognize the substantial contributions that public works professionals make to the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4005. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

SA 4006. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4007. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4008. Mr. DAINES (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 4009. Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4010. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4011. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 4012. Mr. TOOMEY (for himself, Mr. SESSIONS, Mr. VITTER, Mr. COTTON, and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4013. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4014. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4015. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4016. Ms. BALDWIN (for herself and Mr. JOHNSON) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4017. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4018. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4019. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4020. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4021. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4022. Ms. KLOBUCHAR (for herself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4023. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 4024. Mr. ISAKSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 4025. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4026. Ms. BALDWIN (for herself, Mr. MORAN, and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4027. Mr. WARNER (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4028. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4029. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 4030. Ms. MIKULSKI submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 4031. Mr. CARDIN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 4032. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table.

SA 4033. Mr. BLUMENTHAL (for himself and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4034. Mr. BLUMENTHAL (for himself and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4035. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577 , supra; which was ordered to lie on the table.

SA 4036. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4037. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4038. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 4039. Mr. MCCAIN (for himself, Mr. BLUMENTHAL, and Mr. BURR) submitted an

amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 4040. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4041. Mr. MENENDEZ (for himself, Mrs. SHAHEEN, and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4042. Mr. WARNER (for himself and Mr. KAINE) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 4043. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 4044. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4045. Mr. ROUNDS submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4046. Mr. PETERS submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4047. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4048. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4049. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4050. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4051. Mr. WARNER (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 4039 submitted by Mr. MCCAIN (for himself, Mr. BLUMENTHAL, and Mr. BURR) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4052. Mr. WARNER (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 4039 submitted by Mr. MCCAIN (for himself, Mr. BLUMENTHAL, and Mr. BURR) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4053. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4054. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4055. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4056. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4057. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4058. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4059. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4060. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4061. Ms. COLLINS submitted an amendment intended to be proposed to amendment SA 3897 proposed by Mr. MCCONNELL (for Mr. LEE (for himself, Mr. VITTER, Mr. COTTON, and Mr. SHELBY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4005. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the end of title II of division B, add the following:

SEC. 251. Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report that contains an update on the progress of the Department of Veterans Affairs in completing the Rural Veterans Burial Initiative and the expected timeline for completion of such initiative.

SA 4006. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. None of the funds made available in this Act shall be used to pay any bonus to an individual in a Senior Executive position (as defined in section 3132(a) of title 5, United States Code) in the Department of Veterans Affairs who is employed within Veterans Integrated Service Network 16.

SA 4007. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

In division A, on page 41, after line 25, add the following:

SEC. 127. (a) All of the unobligated balances of the amounts appropriated for fiscal year 2016 under the headings ''MULTILATERAL ASSISTANCE'' and ''BILATERAL ECONOMIC ASSISTANCE'' in titles III and V of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2016 (division K of Public Law 114–113), including funds designated by Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(ii)) are rescinded.

(b) In addition to the amount made available under the heading ''FEDERAL-AID HIGHWAYS''in this title, an amount equal to the amount rescinded pursuant to subsection (a) shall be made available for the implementation or execution of Federal-aid highway, bridge construction, and highway safety construction programs authorized under titles 23 and 49, United States Code.

SA 4008. Mr. DAINES (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the appropriate place in title I of division B, insert the following:

SEC. ____. Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense shall conduct a study and submit to Congress a report on the use of defense access road funding to build alternate routes for military equipment traveling to missile launch facilities, taking into consideration the location of local populations, security risks, safety, and impacts of weather.

SA 4009. Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 102, strike lines 3 through 16 and insert the following:
would otherwise receive: *Provided further*, That grant amounts not allocated to a recipient pursuant to the previous proviso shall be allocated under the need component of the formula proportionately among all other Indian tribes not subject to an adjustment under such proviso: *Provided further*, That the second proviso shall not apply to any Indian tribe that would otherwise receive a formula allocation of less than $8,000,000: *Provided further*, That to take effect, the 3 previous provisos do not

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SA 4010. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II in division B, add the following:

SEC. 251. None of the funds appropriated or otherwise made available in this title shall be used in a manner that would interfere with removal by the Secretary of Veterans Affairs of employees who have committed felony or misdemeanor offenses, regardless of whether the offense occurred while the employee was at work.

SA 4011. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

In division A, strike section 225 and insert the following:

SEC. 225. (a) Any entity receiving housing assistance payments shall maintain decent, safe, and sanitary conditions, as determined by the Secretary of Housing and Urban Development (in this section referred to as the ''Secretary''), and comply with any standards under applicable State or local laws, rules, ordinances, or regulations relating to the physical condition of any property covered under a housing assistance payment contract.

(b) The Secretary shall take action under subsection (c) when a multifamily housing project with a section 8 contract or contract for similar project-based assistance—

(1) receives a Uniform Physical Condition Standards (UPCS) score of 30 or less;

(2) fails to certify in writing to the Secretary within 3 days that all Exigent Health and Safety deficiencies identified by the inspector at the project have been corrected; or

(3) receives a UPCS score between 31 and 59 and has received consecutive scores of less than 60 on UPCS inspections.

Such requirements shall apply to insured and noninsured projects with assistance attached to the units under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), but do not apply to such units assisted under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to public housing units assisted with capital or operating funds under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g).

(c)(1) The Secretary shall notify the owner and provide an opportunity for response within 15 days after the results of the UPCS inspection are issued. If the violations remain, the Secretary shall develop a plan to bring the property into compliance within 30 days after the results of the UPCS inspection are issued and must provide the owner with a Notice of Default with a specified timetable, determined by the Secretary, for correcting all deficiencies. The Secretary must also provide a copy of the Notice of Default to the tenants, the local government, any mortgagees, and any contract administrator. If the owner's appeal results in a UPCS score of 60 or above, the Secretary may withdraw the Notice of Default.

(2) At the end of the time period for correcting all deficiencies specified in the Notice of Default, if the owner fails to fully correct such deficiencies, the Secretary may—

(A) require immediate replacement of project management with a management agent approved by the Secretary;

(B) impose civil money penalties, which shall be used solely for the purpose of supporting safe and sanitary conditions at applicable properties, as designated by the Secretary, with priority given to the tenants of the property affected by the penalty;

(C) abate the section 8 contract, including partial abatement, as determined by the Secretary, until all deficiencies have been corrected;

(D) pursue transfer of the project to an owner, approved by the Secretary under established procedures, which will be obligated to promptly make all required repairs and to accept renewal of the assistance contract as long as such renewal is offered;

(E) transfer the existing section 8 contract to another project or projects and owner or owners;

(F) pursue exclusionary sanctions, including suspensions or debarments from Federal programs;

(G) seek judicial appointment of a receiver to manage the property and cure all project deficiencies or seek a judicial order of specific performance requiring the owner to cure all project deficiencies;

(H) work with the owner, lender, or other related party to stabilize the property in an attempt to preserve the property through compliance, transfer of ownership, or an infusion of capital provided by a third-party that requires time to effectuate; or

(I) take any other regulatory or contractual remedies available as deemed necessary and appropriate by the Secretary.

(d) The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect, subject to the exercise of contractual abatement remedies to assist relocation of tenants for major threats to health and safety after written notice to and informed consent of the affected tenants and use of other remedies set forth above. To the extent the Secretary determines, in consultation with the tenants and the local government, that the property is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (''MAHRAA'') and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance.

(e) The Secretary shall report quarterly on all properties covered by this section that are assessed through the Real Estate Assessment Center and have UPCS physical inspection scores of less than 60 or have received an unsatisfactory management and occupancy review within the past 36 months. The report shall include—

(1) the enforcement actions being taken to address such conditions, including imposition of civil money penalties and termination of subsidies, and identify properties that have such conditions multiple times;

(2) actions that the Department of Housing and Urban Development is taking to protect tenants of such identified properties; and

(3) any administrative or legislative recommendations to further improve the living conditions at properties covered under a housing assistance payment contract.

SA 4012. Mr. TOOMEY (for himself, Mr. SESSIONS, Mr. VITTER, Mr. COTTON, and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

In division A, on page 108, line 7, strike the period at the end and insert the following:
: *Provided further*, That none of the funds made available under this heading may be obligated or expended for any State, or any political subdivision of a State—

(1) that has in effect a statute, ordinance, policy, or practice that prohibits or restricts any government entity or official—

(A) from sending, receiving, maintaining, or exchanging with any Federal, State, or local government entity information regarding the citizenship or immigration status (lawful or unlawful) of any individual other than an individual who comes forward as a victim or a witness to a criminal offense; or

(B) from complying with a request lawfully made by the Department of Homeland Security under section 236 or 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357) to comply with a detainer for, or notify about the release of, an individual other than an individual who comes forward as a victim or a witness to a criminal offense; or

(2) whose law enforcement officers and other employees, contractors, and agents are not certified by the Department of Homeland Security (whether under section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)) or other authority and whether through a memorandum of understanding, regulations, or otherwise) to be acting as agents of the Department of Homeland Security with all the authority available to employees of the Department of Homeland Security when they take actions to comply with a detainer issued by the Department of Homeland Security under section 236 or 287 of such Act.

SA 4013. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

CHAPTER 4—REVENUE PROVISIONS

ELIGIBILITY FOR CHILD TAX CREDIT

SEC. _____. (a) Subsection (e) of section 24 of the Internal Revenue Code of 1986 is amended to read as follows:

''(e) IDENTIFICATION REQUIREMENTS.—

''(1) IN GENERAL.—No credit shall be allowed under this section to any taxpayer unless—

''(A) such taxpayer includes the taxpayer's valid identification number on the return of tax for the taxable year, and

''(B) with respect to any qualifying child, the taxpayer includes the name and valid identification number of such qualifying child on such return of tax.

''(2) VALID IDENTIFICATION NUMBER.—

''(A) IN GENERAL.—For purposes of this subsection, the term 'valid identification number' means a social security number issued to an individual by the Social Security Administration. Such term shall not include a TIN issued by the Internal Revenue Service.

''(B) DATE OF ISSUANCE.—No credit shall be allowed under this section if the valid identifying number of the taxpayer was issued after the due date for filing the return for the taxable year.''.

(b) The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SA 4014. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ____. Notwithstanding any other provision of law or regulation, including section 41713 of title 49, United States Code, the State of Alaska or the State of Hawaii may enact or enforce a law, regulation, or other provision having the force and effect of law that regulates the price, route, or service of an air carrier that provides air ambulance service in that State.

SA 4015. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ____. (a) The Secretary of Housing and Urban Development shall require each public housing agency that administers public housing (as defined in section 3 of the United States Housing Act of 1937 (42 U.S.C. 1437a)) or housing assisted under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to remove and replace, in each dwelling unit in which a child under the age of 9 resides, window coverings with accessible cords exceeding 8 inches in length and window coverings with continuous loops or beads.

(b) The Secretary of Housing and Urban Development shall require public housing agencies to phase out window coverings with accessible cords exceeding 8 inches in length and window coverings with continuous loops or beads that do not contain a cord tension device that prohibits operation when not anchored to a wall from dwelling units in public housing (as defined in section 3 of the United States Housing Act of 1937 (42 U.S.C. 1437a)) and housing assisted under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) not later than 1 year after the date of enactment of this Act.

SA 4016. Ms. BALDWIN (for herself and Mr. JOHNSON) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I in division A, add the following:

SEC. _____. Section 127 of title 23, United States Code, is amended by adding at the end the following:

''(u) PILOT PROGRAM.—

''(1) DEFINITIONS.—In this subsection:

''(A) PILOT PROGRAM.—The term 'pilot program' means the pilot program established by paragraph (2).

''(B) STATE.—The term 'State' means the State of Wisconsin.

''(2) ESTABLISHMENT.—Notwithstanding subsection (a) the State may participate in a pilot program relating to certain exceptions to certain vehicle weight limitations applicable to the Interstate System in accordance with this subsection.

''(3) PROGRAM.—Under the pilot program, the State may authorize a vehicle with a maximum gross weight, including all enforcement tolerances, that exceeds the maximum gross weight otherwise applicable under subsection (a) to operate on Interstate System routes in the State, if—

''(A) the vehicle is equipped with at least 6 axles;

''(B) the weight of any single axle on the vehicle does not exceed 20,000 pounds, including enforcement tolerances;

''(C) the weight of any tandem axle on the vehicle does not exceed 34,000 pounds, including enforcement tolerances;

''(D) the weight of any group of 3 or more axles on the vehicle does not exceed 51,000 pounds, including enforcement tolerances;

''(E) the gross weight of the vehicle does not exceed 91,000 pounds, including enforcement tolerances; and

''(F) the vehicle complies with the bridge formula under subsection (a)(2).

''(4) SPECIAL RULES.—

''(A) OTHER EXCEPTIONS NOT AFFECTED.—This subsection shall not restrict—

''(i) a vehicle that may operate under any other provision of this section, or another Federal law; or

''(ii) the authority of the State with respect to a vehicle described in clause (i).

''(B) MEANS OF IMPLEMENTATION.—The State may implement this subsection by any means, including statute or rule of general applicability, by special permit, or otherwise.

''(5) REPORTING REQUIREMENTS.—

''(A) REPORT.—If the State participates in the pilot program, after the pilot program terminates in accordance with paragraph (10), the State shall submit to the Secretary a report that includes—

''(i) the number of fatalities that occurred in the State involving crashes on the Interstate System in the State of vehicles authorized to operate on that system under the pilot program;

''(ii) the estimated vehicle miles traveled by vehicles described in clause (i) on the Interstate System in the State; and

''(iii) the estimated gross vehicle weight and number of axles of vehicles described in clause (i) at the time of a crash described in clause (i).

''(B) PUBLIC AVAILABILITY.—The Secretary shall make all information required under subparagraph (A) available to the public.

''(6) TERMINATION AS TO ROUTE SEGMENT.—The Secretary may terminate the operation of vehicles authorized by the State under the pilot program on a specific Interstate System route segment if, after the effective date of a decision of the State to allow vehicles to operate under the pilot program, the Secretary determines that operation poses an unreasonable safety risk based on an engineering analysis of the route segment or an analysis of safety or other applicable data from the route segment.

''(7) WAIVER OF HIGHWAY FUNDING REDUCTION.—Notwithstanding subsection (a), the total amount of funds apportioned to the State under section 104(b)(1) for any period may not be reduced under subsection (a) if the State authorizes a vehicle described in paragraph (3) to operate on the Interstate

System in the State under the pilot program.

''(8) PRESERVING STATE AND LOCAL AUTHORITY REGARDING NON-INTERSTATE SYSTEM HIGHWAYS.—Subsection (b) shall not apply to motor vehicles operating on the Interstate System solely under the pilot program.

''(9) SAVINGS PROVISION.—The pilot program shall not affect the operation of any vehicle that, as of the date of enactment of this subsection, is permitted under Federal and State law to have a gross vehicle weight of greater than 91,000 pounds, including under subsections (f), (j), and (o).

''(10) TERMINATION.—The pilot program shall terminate on the date that is 1 year after the date of enactment of this subsection.''.

SA 4017. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. None of the funds made available in this title may be used to pay a bonus to an individual in a Senior Executive position (as defined in section 3132(a) of title 5, United States Code) or leadership position within the Office of Construction and Facilities Management of the Department of Veterans Affairs until the Secretary of Veterans Affairs submits to Congress a report detailing how the Department intends to reduce the designation of the Department by the Government Accountability Office as ''high-risk'' in Federal real property portfolios due to longstanding problems with excess and underutilized property and overreliance on leasing.

SA 4018. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. None of the funds made available in this title may be used to pay a bonus to an individual in a Senior Executive position (as defined in section 3132(a) of title 5, United States Code) or leadership position in the Department of Veterans Affairs until the Secretary of Veterans Affairs submits to Congress a report detailing a plan to address the report by the Government Accountability Office in 2012 concerning savings estimates by the Department that were flawed or lacked analytic support.

SA 4019. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. None of the funds made available in this title may be used to provide administrative leave to an employee of the Department of Veterans Affairs unless the immediate supervisor of the employee specifies that the administrative leave complies with the guidelines issued by the Office of Personnel Management with respect to administrative leave.

SA 4020. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. None of the funds made available in this title may be used for the procurement of artwork, including in new construction by the Department of Veterans Affairs, until the Secretary of Veterans Affairs notifies Congress that the appointment backlog for veterans seeking primary care appointments from the Department has been eliminated.

SA 4021. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. Funds made available in this Act for purposes of paying bonuses or relocation benefits to individuals in Senior Executive positions (as defined in section 3132(a) of title 5, United States Code) at the Department of Veterans Affairs shall be used, in lieu of paying such bonuses or benefits, to reduce the backlog of appeals of disability claims under the laws administered by the Secretary of Veterans Affairs.

SA 4022. Ms. KLOBUCHAR (for herself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. ESTABLISHMENT OF CENTER OF EXCELLENCE IN PREVENTION, DIAGNOSIS, MITIGATION, TREATMENT, AND REHABILITATION OF HEALTH CONDITIONS RELATING TO EXPOSURE TO BURN PITS AND OTHER ENVIRONMENTAL EXPOSURES.

(a) IN GENERAL.—Subchapter II of chapter 73 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 7330B. Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures

''(a) ESTABLISHMENT.—(1) The Secretary shall establish within the Department a center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures to carry out the responsibilities specified in subsection (d).

''(2) The Secretary shall establish the center of excellence under paragraph (1) through the use of—

''(A) the directives and policies of the Department in effect as of the date of the enactment of this section;

''(B) the recommendations of the Comptroller General of the United States and Inspector General of the Department in effect as of such date; and

''(C) guidance issued by the Secretary of Defense under section 313 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 1074 note).

''(b) SELECTION OF SITE.—In selecting the site for the center of excellence established under subsection (a), the Secretary shall consider entities that—

''(1) are equipped with the specialized equipment needed to study, diagnose, and treat health conditions relating to exposure to burn pits and other environmental exposures;

''(2) have a track record of publishing information relating to post-deployment health exposures among veterans who served in the Armed Forces in support of Operation Iraqi Freedom and Operation Enduring Freedom;

''(3) have developed animal models and in vitro models of dust immunology and lung injury consistent with the injuries of members of the Armed Forces who served in support of Operation Iraqi Freedom and Operation Enduring Freedom; and

''(4) have expertise in allergy and immunology, pulmonary diseases, and industrial and management engineering.

''(c) COLLABORATION.—The Secretary shall ensure that the center of excellence collaborates, to the maximum extent practicable, with the Secretary of Defense, institutions of higher education, and other appropriate public and private entities (including international entities) to carry out the responsibilities specified in subsection (d).

''(d) RESPONSIBILITIES.—The center of excellence shall have the following responsibilities:

''(1) To provide for the development, testing, and dissemination within the Department of best practices for the treatment of health conditions relating to exposure to burn pits and other environmental exposures.

''(2) To provide guidance for the health systems of the Department and the Department

of Defense in determining the personnel required to provide quality health care for members of the Armed Forces and veterans with health conditions relating to exposure to burn pits and other environmental exposures.

''(3) To establish, implement, and oversee a comprehensive program to train health professionals of the Department and the Department of Defense in the treatment of health conditions relating to exposure to burn pits and other environmental exposures.

''(4) To facilitate advancements in the study of the short-term and long-term effects of exposure to burn pits and other environmental exposures.

''(5) To disseminate within medical facilities of the Department best practices for training health professionals with respect to health conditions relating to exposure to burn pits and other environmental exposures.

''(6) To conduct basic science and translational research on health conditions relating to exposure to burn pits and other environmental exposures for the purposes of understanding the etiology of such conditions and developing preventive interventions and new treatments.

''(7) To provide medical treatment to all veterans identified as part of the open burn pit registry established under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

''(e) USE OF BURN PITS REGISTRY DATA.—In carrying out its responsibilities under subsection (d), the center shall have access to and make use of the data accumulated by the burn pits registry established under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

''(f) DEFINITIONS.—In this section:

''(1) The term 'burn pit' means an area of land located in Afghanistan or Iraq that—

''(A) is designated by the Secretary of Defense to be used for disposing solid waste by burning in the outdoor air; and

''(B) does not contain a commercially manufactured incinerator or other equipment specifically designed and manufactured for the burning of solid waste.

''(2) The term 'other environmental exposures' means exposure to environmental hazards, including burn pits, dust or sand, hazardous materials, and waste at any site in Afghanistan or Iraq that emits smoke containing pollutants present in the environment or smoke from fires or explosions.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $30,000,000 for each of the first five fiscal years beginning after the date of the enactment of this section.''.

(b) USE OF FUNDS.—In carrying out section 7330B of title 38, United States Code, as added by subsection (a), the Secretary of Veterans Affairs may use amounts appropriated or otherwise made available to the Department of Veterans Affairs for any other purpose.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 73 of such title is amended by inserting after the item relating to section 7330A the following new item:

''7330B. Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures.''.

SA 4023. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the end of title II of division B, add the following:

SEC. 251. None of the funds appropriated or otherwise made available in this title may be used by the Secretary of Veterans Affairs to enter into an agreement related to resolving a dispute or claim with an individual that would restrict in any way the individual from speaking to members of Congress or their staff on any topic not otherwise prohibited from disclosure by Federal law.

SA 4024. Mr. ISAKSON submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

In division A, on page 49, between lines 6 and 7, insert the following:

SEC. 142. Not later than 6 months after the date of the enactment of this Act, the Secretary of Transportation shall issue a final rule requiring the use of speed limiting devices on trucks with a gross vehicle weight rating in excess of 26,000 pounds.

SA 4025. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

DISCONTINUATION BY DEPARTMENT OF VETERANS AFFAIRS OF USE OF SOCIAL SECURITY ACCOUNT NUMBERS TO IDENTIFY VETERANS

SEC. 251. (a) Except as provided in subsection (b), the Secretary of Veterans Affairs, in consultation with the Secretary of Defense and the Secretary of Labor, shall discontinue using Social Security account numbers to identify individuals in all information systems of the Department of Veterans Affairs as follows:

(1) For all veterans submitting to the Secretary of Veterans Affairs new claims for benefits under laws administered by the Secretary, not later than two years after the date of the enactment of this Act.

(2) For all individuals not described in paragraph (1), not later than five years after the date of the enactment of this Act.

(b) The Secretary of Veterans Affairs may use a Social Security account number to identify an individual in an information system of the Department of Veterans Affairs if and only if the use of such number is required to obtain information the Secretary requires from an information system that is not under the jurisdiction of the Secretary.

SA 4026. Ms. BALDWIN (for herself, Mr. MORAN, and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. PREVENTION OF CERTAIN HEALTH CARE PROVIDERS FROM PROVIDING NON-DEPARTMENT HEALTH CARE SERVICES TO VETERANS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall deny or revoke the eligibility of a health care provider to provide non-Department health care services to veterans if the Secretary determines that—

(1) the health care provider was removed from employment with the Department of Veterans Affairs due to conduct that violated a policy of the Department relating to the delivery of safe and appropriate patient care;

(2) the health care provider violated the requirements of a medical license of the health care provider;

(3) the health care provider had a Department credential revoked and the Secretary determines that the grounds for such revocation impacts the ability of the health care provider to deliver safe and appropriate care; or

(4) the health care provider violated a law for which a term of imprisonment of more than one year may be imposed.

(b) PERMISSIVE ACTION.—The Secretary may deny, revoke, or suspend the eligibility of a health care provider to provide non-Department health care services if the Secretary has reasonable belief that such action is necessary to immediately protect the health, safety, or welfare of veterans and—

(1) the health care provider is under investigation by the medical licensing board of a State in which the health care provider is licensed or practices;

(2) the health care provider has entered into a settlement agreement for a disciplinary charge relating to the practice of medicine by the health care provider; or

(3) the Secretary otherwise determines that such action is appropriate under the circumstances.

(c) SUSPENSION.—The Secretary shall suspend the eligibility of a health care provider to provide non-Department health care services to veterans if the health care provider is suspended from serving as a health care provider of the Department.

(d) REPORT REQUIRED.—Not later than two years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the implementation by the Secretary of this section, including the following:

(1) The aggregate number of health care providers denied or suspended under this section from participation in providing non-Department health care services.

(2) An evaluation of any impact on access to care for patients or staffing shortages in

programs of the Department providing non-Department health care services.

(3) An explanation of the coordination of the Department with the medical licensing boards of States in implementing this section, the amount of involvement of such boards in such implementation, and efforts by the Department to address any concerns raised by such boards with respect to such implementation.

(4) Such recommendations as the Comptroller General considers appropriate regarding harmonizing eligibility criteria between health care providers of the Department and health care providers eligible to provide non-Department health care services.

(e) NON-DEPARTMENT HEALTH CARE SERVICES DEFINED.—In this section, the term ''non-Department health care services'' means—

(1) services provided under subchapter I of chapter 17 of title 38, United States Code, at non-Department facilities (as defined in section 1701 of such title);

(2) services provided under section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note);

(3) services purchased through the Medical Community Care account of the Department; or

(4) services purchased with amounts deposited in the Veterans Choice Fund under section 802 of the Veterans Access, Choice, and Accountability Act of 2014.

SA 4027. Mr. WARNER (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DIVISION ___—BUILDING AND RENEWING INFRASTRUCTURE FOR DEVELOPMENT AND GROWTH IN EMPLOYMENT

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Building and Renewing Infrastructure for Development and Growth in Employment Act'' or the ''BRIDGE Act''.

(b) TABLE OF CONTENTS.—The table of contents for this division is as follows:

SEC. 2. PURPOSE.

The purpose of this division is to facilitate investment in, and the long-term financing of, economically viable eligible infrastructure projects of regional or national significance that are in the public interest in a manner that complements existing Federal, State, local, and private funding sources for these projects and introduces a merit-based system for financing those projects, in order to mobilize significant private sector investment, create long-term jobs, and ensure United States competitiveness through a self-sustaining institution that limits the need for ongoing Federal funding.

SEC. 3. DEFINITIONS.

In this division:

(1) BLIND TRUST.—The term ''blind trust'' means a trust in which the beneficiary has no knowledge of the specific holdings and no rights over how those holdings are managed by the fiduciary of the trust prior to the dissolution of the trust.

(2) BOARD OF DIRECTORS.—The term ''Board of Directors'' means the Board of Directors of IFA.

(3) CHAIRPERSON.—The term ''Chairperson'' means the Chairperson of the Board of Directors of IFA.

(4) CHIEF EXECUTIVE OFFICER.—The term ''Chief Executive Officer'' means the chief executive officer of IFA, appointed under section 103.

(5) COST.—The term ''cost'' has the meaning given the term in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a).

(6) DIRECT LOAN.—The term ''direct loan'' has the meaning given the term in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a).

(7) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) an individual;

(B) a corporation;

(C) a partnership, including a public-private partnership;

(D) a joint venture;

(E) a trust;

(F) a State or any other governmental entity, including a political subdivision or any other instrumentality of a State; or

(G) a revolving fund.

(8) ELIGIBLE INFRASTRUCTURE PROJECT.—

(A) IN GENERAL.—The term ''eligible infrastructure project'' means the construction, consolidation, alteration, or repair of the following sectors:

(i) Intercity passenger or freight rail lines, intercity passenger rail facilities or equipment, and intercity freight rail facilities or equipment.

(ii) Intercity passenger bus facilities or equipment.

(iii) Public transportation facilities or equipment.

(iv) Highway facilities, including bridges and tunnels.

(v) Airports and air traffic control systems.

(vi) Port or marine terminal facilities, including approaches to marine terminal facilities or inland port facilities, and port or marine equipment, including fixed equipment to serve approaches to marine terminals or inland ports.

(vii) Transmission or distribution pipelines.

(viii) Inland waterways.

(ix) Intermodal facilities or equipment related to 2 or more of the sectors described in clauses (i) through (viii).

(x) Water treatment and solid waste disposal facilities.

(xi) Storm water management systems.

(xii) Dams and levees.

(xiii) Facilities or equipment for energy transmission, distribution or storage.

(B) AUTHORITY OF THE BOARD OF DIRECTORS TO MODIFY SECTORS.—The Board of Directors may make modifications, at the discretion of the Board, to any of the sectors described in subparagraph (A) by a vote of not fewer than 5 of the voting members of the Board of Directors.

(9) IFA.—The term ''IFA'' means the Infrastructure Financing Authority established under section 101.

(10) INVESTMENT-GRADE RATING.—The term ''investment-grade rating'' means a rating of BBB minus, Baa3, or higher assigned to an eligible infrastructure project by a ratings agency.

(11) LOAN GUARANTEE.—The term ''loan guarantee'' has the meaning given the term in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a).

(12) OTRA.—The term ''OTRA'' means the Office of Technical and Rural Assistance created pursuant to section 106.

(13) PUBLIC-PRIVATE PARTNERSHIP.—The term ''public-private partnership'' means any eligible entity—

(A)(i) that is undertaking the development of all or part of an eligible infrastructure project that will have a measurable public benefit, pursuant to requirements established in 1 or more contracts between the entity and a State or an instrumentality of a State; or

(ii) the activities of which, with respect to such an eligible infrastructure project, are subject to regulation by a State or any instrumentality of a State;

(B) that owns, leases, or operates or will own, lease, or operate, the project in whole or in part; and

(C) the participants in which include not fewer than 1 nongovernmental entity with significant investment and some control over the project or entity sponsoring the project vehicle.

(14) RATING AGENCY.—The term ''rating agency'' means a credit rating agency registered with the Securities and Exchange Commission as a nationally recognized statistical rating organization (as defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a))).

(15) REGIONAL INFRASTRUCTURE ACCELERATOR.—The term ''regional infrastructure accelerator'' means an organization created by public sector agencies through a multi-jurisdictional or multi-state agreement to provide technical assistance to local jurisdictions that will facilitate the implementation of innovative financing and procurement models to public infrastructure projects.

(16) RURAL INFRASTRUCTURE PROJECT.—The term ''rural infrastructure project''—

(A) has the same meaning given the term in section 601(15) of title 23, United States Code; and

(B) includes any eligible infrastructure project sector described in clauses (i) through (xvii) of paragraph (8)(A) located in any area other than a city with a population of more than 250,000 inhabitants within the city limits.

(17) SECRETARY.—The term ''Secretary'' means the Secretary of the Treasury or the designee of the Secretary of the Treasury.

(18) SENIOR MANAGEMENT.—The term ''senior management'' means the chief financial officer, chief risk officer, chief compliance officer, general counsel, chief lending officer, and chief operations officer of IFA, and such other officers as the Board of Directors may, by majority vote, add to senior management.

(19) STATE.—The term ''State'' means—

(A) each of the several States of the United States; and

(B) the District of Columbia.

TITLE I—INFRASTRUCTURE FINANCING AUTHORITY

SEC. 101. ESTABLISHMENT AND GENERAL AUTHORITY OF IFA.

(a) ESTABLISHMENT OF IFA.—The Infrastructure Financing Authority is established as a wholly owned Government corporation.

(b) GENERAL AUTHORITY OF IFA.—IFA shall—

(1) provide direct loans and loan guarantees to facilitate eligible infrastructure projects that are economically viable, in the public interest, and of regional or national significance; and

(2) carry out any other activities and duties authorized under this division.

(c) INCORPORATION.—

(1) IN GENERAL.—The Board of Directors first appointed shall be deemed the incorporator of IFA, and the incorporation shall be held to have been effected from the date of the first meeting of the Board of Directors.

(2) CORPORATE OFFICE.—IFA shall—

(A) maintain an office in Washington, DC; and

(B) for purposes of venue in civil actions, be considered to be a resident of Washington, DC.

(d) RESPONSIBILITY OF THE SECRETARY.—The Secretary shall take such action as may be necessary to assist in implementing IFA and in carrying out the purpose of this division.

(e) RULE OF CONSTRUCTION.—Chapter 91 of title 31, United States Code, does not apply to IFA, unless otherwise specifically provided in this division.

SEC. 102. VOTING MEMBERS OF THE BOARD OF DIRECTORS.

(a) VOTING MEMBERSHIP OF THE BOARD OF DIRECTORS.—

(1) IN GENERAL.—IFA shall have a Board of Directors consisting of 7 voting members appointed by the President, by and with the advice and consent of the Senate, not more than 4 of whom shall be from the same political party.

(2) CHAIRPERSON.—One of the voting members of the Board of Directors shall be designated by the President, by and with the advice and consent of the Senate, to serve as Chairperson of the Board of Directors.

(3) CONGRESSIONAL RECOMMENDATIONS.—Not later than 30 days after the date of enactment of this Act, the majority leader of the Senate, the minority leader of the Senate, the Speaker of the House of Representatives, and the minority leader of the House of Representatives shall each submit a recommendation to the President for appointment of a member of the Board of Directors, after consultation with the appropriate committees of Congress.

(4) SPECIAL CONSIDERATION OF RURAL INTERESTS AND GEOGRAPHIC DIVERSITY.—In making an appointment under this subsection, the President shall give consideration to the geographic areas of the United States in which the members of the Board of Directors live and work, particularly to ensure that the infrastructure priorities and concerns of each region of the country, including rural areas and small communities, are represented on the Board of Directors.

(b) VOTING RIGHTS.—Each voting member of the Board of Directors shall have an equal vote in all decisions of the Board of Directors.

(c) QUALIFICATIONS OF VOTING MEMBERS.—Each voting member of the Board of Directors shall—

(1) be a citizen of the United States; and

(2) have significant demonstrated expertise in—

(A) the management and administration of a financial institution relevant to the operation of IFA; or

(B) the financing, development, or operation of infrastructure projects, including in the evaluation and selection of eligible infrastructure projects based on the purposes, goals, and objectives of this division.

(d) TERMS.—

(1) IN GENERAL.—Except as otherwise provided in this division, each voting member of the Board of Directors shall be appointed for a term of 5 years.

(2) INITIAL STAGGERED TERMS.—Of the voting members first appointed to the Board of Directors—

(A) the initial Chairperson and 3 of the other voting members shall each be appointed for a term of 5 years; and

(B) the remaining 3 voting members shall each be appointed for a term of 2 years.

(3) DATE OF INITIAL NOMINATIONS.—The initial nominations for the appointment of all voting members of the Board of Directors shall be made not later than 60 days after the date of enactment of this Act.

(4) BEGINNING OF TERM.—The term of each of the initial voting members appointed under this section shall commence immediately upon the date of appointment, except that, for purposes of calculating the term limits specified in this subsection, the initial terms shall each be construed as beginning on January 22 of the year following the date of the initial appointment.

(5) VACANCIES.—

(A) IN GENERAL.—A vacancy in the position of a voting member of the Board of Directors shall be filled by the President, by and with the advice and consent of the Senate.

(B) TERM.—A member appointed to fill a vacancy on the Board of Directors occurring before the expiration of the term for which the predecessor was appointed shall be appointed only for the remainder of that term.

(e) MEETINGS.—

(1) OPEN TO THE PUBLIC; NOTICE.—Except as provided in paragraph (3), all meetings of the Board of Directors shall be—

(A) open to the public; and

(B) preceded by reasonable public notice.

(2) FREQUENCY.—The Board of Directors shall meet—

(A) not later than 60 days after the date on which all members of the Board of Directors are first appointed;

(B) at least quarterly after the date described in subparagraph (A); and

(C) at the call of the Chairperson or 3 voting members of the Board of Directors.

(3) EXCEPTION FOR CLOSED MEETINGS.—

(A) IN GENERAL.—The voting members of the Board of Directors may, by majority vote, close a meeting to the public if, during the meeting to be closed, there is likely to be disclosed proprietary or sensitive information regarding an eligible infrastructure project under consideration for assistance under this division.

(B) AVAILABILITY OF MINUTES.—The Board of Directors shall prepare minutes of any meeting that is closed to the public, which minutes shall be made available as soon as practicable, but not later than 1 year after the date of the closed meeting, with any necessary redactions to protect any proprietary or sensitive information.

(4) QUORUM.—For purposes of meetings of the Board of Directors, 5 voting members of the Board of Directors shall constitute a quorum.

(f) COMPENSATION OF MEMBERS.—Each voting member of the Board of Directors shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level III of the Executive Schedule under section 5314 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Board of Directors.

(g) CONFLICTS OF INTEREST.—A voting member of the Board of Directors may not participate in any review or decision affecting an eligible infrastructure project under consideration for assistance under this division, if the member has or is affiliated with an entity who has a financial interest in that project.

SEC. 103. CHIEF EXECUTIVE OFFICER.

(a) IN GENERAL.—The Chief Executive Officer shall—

(1) be a nonvoting member of the Board of Directors;

(2) be responsible for all activities of IFA; and

(3) support the Board of Directors in accordance with this division and as the Board of Directors determines to be necessary.

(b) APPOINTMENT AND TENURE OF THE CHIEF EXECUTIVE OFFICER.—

(1) IN GENERAL.—The President shall appoint the Chief Executive Officer, by and with the advice and consent of the Senate.

(2) TERM.—The Chief Executive Officer shall be appointed for a term of 6 years.

(3) VACANCIES.—

(A) IN GENERAL.—Any vacancy in the office of the Chief Executive Officer shall be filled by the President, by and with the advice and consent of the Senate.

(B) TERM.—The person appointed to fill a vacancy in the Chief Executive Officer position that occurs before the expiration of the term for which the predecessor was appointed shall be appointed only for the remainder of that term.

(c) QUALIFICATIONS.—The Chief Executive Officer—

(1) shall have significant expertise in management and administration of a financial institution, or significant expertise in the financing and development of infrastructure projects; and

(2) may not—

(A) hold any other public office;

(B) have any financial interest in an eligible infrastructure project then being considered by the Board of Directors, unless that interest is placed in a blind trust; or

(C) have any financial interest in an investment institution or its affiliates or any other entity seeking or likely to seek financial assistance for any eligible infrastructure

project from IFA, unless any such interest is placed in a blind trust for the tenure of the service of the Chief Executive Officer plus 2 additional years.

(d) RESPONSIBILITIES.—The Chief Executive Officer shall have such executive functions, powers, and duties as may be prescribed by this division, the bylaws of IFA, or the Board of Directors, including—

(1) responsibility for the development and implementation of the strategy of IFA, including—

(A) the development and submission to the Board of Directors of the annual business plans and budget;

(B) the development and submission to the Board of Directors of a long-term strategic plan; and

(C) the development, revision, and submission to the Board of Directors of internal policies; and

(2) responsibility for the management and oversight of the daily activities, decisions, operations, and personnel of IFA.

(e) COMPENSATION.—

(1) IN GENERAL.—Any compensation assessment or recommendation by the Chief Executive Officer under this section shall be without regard to the provisions of chapter 51 or subchapter III of chapter 53 of title 5, United States Code.

(2) CONSIDERATIONS.—The compensation assessment or recommendation required under this subsection shall take into account merit principles, where applicable, as well as the education, experience, level of responsibility, geographic differences, and retention and recruitment needs in determining compensation of personnel.

SEC. 104. POWERS AND DUTIES OF THE BOARD OF DIRECTORS.

The Board of Directors shall—

(1) as soon as practicable after the date on which all members are appointed, approve or disapprove senior management appointed by the Chief Executive Officer;

(2) not later than 180 days after the date on which all members are appointed—

(A) develop and approve the bylaws of IFA, including bylaws for the regulation of the affairs and conduct of the business of IFA, consistent with the purpose, goals, objectives, and policies set forth in this division;

(B) establish subcommittees, including an audit committee that is composed solely of members of the Board of Directors, other than the Chief Executive Officer;

(C) develop and approve, in consultation with senior management, a conflict-of-interest policy for the Board of Directors and for senior management;

(D) approve or disapprove internal policies that the Chief Executive Officer shall submit to the Board of Directors, including—

(i) policies regarding the loan application and approval process, including application procedures and project approval processes; and

(ii) operational guidelines; and

(E) approve or disapprove a 1-year business plan and budget for IFA;

(3) ensure that IFA is at all times operated in a manner that is consistent with this division, by—

(A) monitoring and assessing the effectiveness of IFA in achieving its strategic goals;

(B) reviewing and approving internal policies, annual business plans, annual budgets, and long-term strategies submitted by the Chief Executive Officer;

(C) reviewing and approving annual reports submitted by the Chief Executive Officer;

(D) engaging 1 or more external auditors, as set forth in this division; and

(E) reviewing and approving all changes to the organization of senior management;

(4) appoint and fix, by a vote of not less than 5 of the 7 voting members of the Board of Directors, and without regard to the provisions of chapter 51 or subchapter III of chapter 53 of title 5, United States Code, the compensation and adjustments to compensation of all IFA personnel, provided that in appointing and fixing any compensation or adjustments to compensation under this paragraph, the Board shall—

(A) consult with, and seek to maintain comparability with, other comparable Federal personnel, as the Board of Directors may determine to be appropriate;

(B) consult with the Office of Personnel Management; and

(C) carry out those duties consistent with merit principles, where applicable, as well as the education, experience, level of responsibility, geographic differences, comparability to private sector positions, and retention and recruitment needs in determining compensation of personnel;

(5) serve as the primary liaison for IFA in interactions with Congress, the Secretary of Transportation and other executive branch officials, and State and local governments, and to represent the interests of IFA in those interactions and others;

(6) approve by a vote of not less than 5 of the 7 voting members of the Board of Directors any changes to the bylaws or internal policies of IFA;

(7) have the authority and responsibility—

(A) to oversee entering into and carrying out such contracts, leases, cooperative agreements, or other transactions as are necessary to carry out this division;

(B) to approve of the acquisition, lease, pledge, exchange, and disposal of real and personal property by IFA and otherwise approve the exercise by IFA of all of the usual incidents of ownership of property, to the extent that the exercise of those powers is appropriate to and consistent with the purposes of IFA;

(C) to determine the character of, and the necessity for, the obligations and expenditures of IFA, and the manner in which the obligations and expenditures will be incurred, allowed, and paid, subject to this division and other Federal law specifically applicable to wholly owned Federal corporations;

(D) to execute, in accordance with applicable bylaws and regulations, appropriate instruments;

(E) to approve other forms of credit enhancement that IFA may provide to eligible projects, as long as the forms of credit enhancements are consistent with the purposes of this division and terms set forth in title II;

(F) to exercise all other lawful powers which are necessary or appropriate to carry out, and are consistent with, the purposes of IFA;

(G) to sue or be sued in the corporate capacity of IFA in any court of competent jurisdiction;

(H) to indemnify the members of the Board of Directors and officers of IFA for any liabilities arising out of the actions of the members and officers in that capacity, in accordance with, and subject to the limitations contained in this division;

(I) to review all financial assistance packages to all eligible infrastructure projects, as submitted by the Chief Executive Officer and to approve, postpone, or deny the same by majority vote;

(J) to review all restructuring proposals submitted by the Chief Executive Officer, including assignation, pledging, or disposal of the interest of IFA in a project, including payment or income from any interest owned or held by IFA, and to approve, postpone, or deny the same by majority vote;

(K) to enter into binding commitments, as specified in approved financial assistance packages;

(L) to determine whether—

(i) to obtain a lien on the assets of an eligible entity that receives assistance under this division; and

(ii) to subordinate a lien under clause (i) to any other lien securing project obligations; and

(M) to ensure a measurable public benefit in the selection of eligible infrastructure projects and to provide for reasonable public input in the selection of such projects;

(8) delegate to the Chief Executive Officer those duties that the Board of Directors determines to be appropriate, to better carry out the powers and purposes of the Board of Directors under this section; and

(9) to approve a maximum aggregate amount of principal exposure of IFA at any given time.

SEC. 105. SENIOR MANAGEMENT.

(a) IN GENERAL.—Senior management shall support the Chief Executive Officer in the discharge of the responsibilities of the Chief Executive Officer.

(b) APPOINTMENT OF SENIOR MANAGEMENT.—The Chief Executive Officer shall appoint such senior managers as are necessary to carry out the purposes of IFA, as approved by a majority vote of the voting members of the Board of Directors, including a chief compliance officer, general counsel, chief operating officer, chief lending officer, and other positions as determined to be appropriate by the Chief Executive Officer and the Board of Directors.

(c) TERM.—Each member of senior management shall serve at the pleasure of the Chief Executive Officer and the Board of Directors.

(d) REMOVAL OF SENIOR MANAGEMENT.—Any member of senior management may be removed—

(1) by a majority of the voting members of the Board of Directors at the request of the Chief Executive Officer; or

(2) by a vote of not fewer than 5 voting members of the Board of Directors.

(e) SENIOR MANAGEMENT.—

(1) IN GENERAL.—Each member of senior management shall report directly to the Chief Executive Officer, other than the chief risk officer, who shall report directly to the Board of Directors.

(2) CHIEF RISK OFFICER.—The chief risk officer shall be responsible for all functions of IFA relating to—

(A) the creation of financial, credit, and operational risk management guidelines and policies;

(B) the establishment of guidelines to ensure diversification of lending activities by region, infrastructure project type, and project size;

(C) the creation of conforming standards for infrastructure finance agreements;

(D) the monitoring of the financial, credit, and operational exposure of IFA; and

(E) risk management and mitigation actions, including by reporting those actions, or recommendations of actions to be taken, directly to the Board of Directors.

(f) CONFLICTS OF INTEREST.—No individual appointed to senior management may—

(1) hold any other public office;

(2) have any financial interest in an eligible infrastructure project then being considered by the Board of Directors, unless that interest is placed in a blind trust; or

(3) have any financial interest in an investment institution or its affiliates, IFA or its affiliates, or other entity then seeking or likely to seek financial assistance for any eligible infrastructure project from IFA, unless any such interest is placed in a blind trust during the term of service of that individual in a senior management position, and for a period of 2 years thereafter.

SEC. 106. OFFICE OF TECHNICAL AND RURAL ASSISTANCE.

(a) IN GENERAL.—The Chief Executive Officer shall create and manage, within IFA, the ''Office of Technical and Rural Assistance''.

(b) DUTIES.—The OTRA shall—

(1) in consultation with the Secretary of Transportation and the heads of other relevant Federal agencies, as determined by the Chief Executive Officer, provide technical assistance to State and local governments and parties in public-private partnerships in the development and financing of eligible infrastructure projects, including rural infrastructure projects;

(2) assist the entities described in paragraph (1) with coordinating loan and loan guarantee programs available through Federal agencies, including the Department of Transportation and other Federal agencies, as appropriate;

(3) work with the entities described in paragraph (1) to identify and develop a pipeline of projects suitable for financing through innovative project financing and performance based project delivery, including those projects with the potential for financing through IFA; and

(4) establish a regional infrastructure accelerator demonstration program to assist the entities described in paragraph (1) in developing improved infrastructure priorities and financing strategies, for the accelerated development of covered infrastructure projects, including those projects with the potential for financing through IFA.

(c) DESIGNATION OF REGIONAL INFRASTRUCTURE ACCELERATORS.—In carrying out the program established pursuant to subsection (b)(3), the OTRA is authorized to designate regional infrastructure accelerators that will—

(1) serve a defined geographic area; and

(2) act as a resource in such area to entities described in subsection (b)(1), in accordance with this subsection.

(d) APPLICATION PROCESS.—To be eligible for a designation under subsection (c), regional infrastructure accelerators shall submit a proposal to the OTRA at such time, in such form, and containing such information as the OTRA determines is appropriate.

(e) CONSIDERATIONS.—In evaluating proposals submitted pursuant to subsection (d), the OTRA shall consider—

(1) the need for geographic diversity among regional infrastructure accelerators; and

(2) promoting investment in covered infrastructure projects, which shall include a plan—

(A) to evaluate and promote innovative financing methods for local projects, including the use of IFA;

(B) to build capacity of governments to evaluate and structure projects involving the investment of private capital;

(C) to provide technical assistance and information on best practices with respect to financing such projects;

(D) to increase transparency with respect to infrastructure project analysis and utilizing innovative financing for public infrastructure projects;

(E) to deploy predevelopment capital programs designed to facilitate the creation of a pipeline of infrastructure projects available for investment;

(F) to bundle smaller-scale and rural projects into larger proposals that may be more attractive for investment; and

(G) to reduce transaction costs for public project sponsors.

(f) ANNUAL REPORT.—The OTRA shall submit an annual report to Congress that describes the findings and effectiveness of the infrastructure accelerator demonstration program.

SEC. 107. SPECIAL INSPECTOR GENERAL FOR IFA.

(a) IN GENERAL.—

(1) INITIAL PERIOD.—During the 5-year period beginning on the date of the enactment of this Act, the Inspector General of the Department of the Treasury shall serve as the Special Inspector General for IFA in addition to the existing duties of the Inspector General of the Department of the Treasury.

(2) OFFICE OF THE SPECIAL INSPECTOR GENERAL.—Beginning on the day that is 5 years after the date of the enactment of this Act, there is established the Office of the Special Inspector General for IFA.

(b) APPOINTMENT OF INSPECTOR GENERAL; REMOVAL.—

(1) HEAD OF OFFICE.—The head of the Office of the Special Inspector General for IFA shall be the Special Inspector General for IFA (referred to in this division as the ''Special Inspector General''), who shall be appointed by the President, by and with the advice and consent of the Senate.

(2) BASIS OF APPOINTMENT.—The appointment of the Special Inspector General shall be made on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations.

(3) TIMING OF NOMINATION.—The nomination of an individual as Special Inspector General shall be made as soon as practicable after the date of enactment of this Act.

(4) REMOVAL.—The Special Inspector General shall be removable from office in accordance with the provisions of section 3(b) of the Inspector General Act of 1978 (5 U.S.C. App.).

(5) RULE OF CONSTRUCTION.—For purposes of section 7324 of title 5, United States Code, the Special Inspector General shall not be considered an employee who determines policies to be pursued by the United States in the nationwide administration of Federal law.

(6) RATE OF PAY.—The annual rate of basic pay of the Special Inspector General shall be the annual rate of basic pay for an Inspector General under section 3(e) of the Inspector General Act of 1978 (5 U.S.C. App.).

(c) DUTIES.—The Special Inspector General shall—

(1) conduct, supervise, and coordinate audits and investigations of the business activities of IFA;

(2) establish, maintain, and oversee such systems, procedures, and controls as the Special Inspector General considers appropriate to discharge the duty under paragraph (1); and

(3) carry out any other duties and responsibilities of inspectors general under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) POWERS AND AUTHORITIES.—

(1) IN GENERAL.—In carrying out the duties specified in subsection (c), the Special Inspector General shall have the authorities provided in section 6 of the Inspector General Act of 1978 (5 U.S.C. App.).

(2) ADDITIONAL AUTHORITY.—The Special Inspector General shall carry out the duties specified in subsection (c)(1) in accordance with section 4(b)(1) of the Inspector General Act of 1978 (5 U.S.C. App.).

(e) PERSONNEL, FACILITIES, AND OTHER RESOURCES.—

(1) ADDITIONAL OFFICERS.—

(A) IN GENERAL.—The Special Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the duties of the Special Inspector General, subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates.

(B) EMPLOYMENT AND COMPENSATION.—The Special Inspector General may exercise the authorities of subsections (b) through (i) of section 3161 of title 5, United States Code (without regard to subsection (a) of that section).

(2) RETENTION OF SERVICES.—The Special Inspector General may obtain services as authorized by section 3109 of title 5, United States Code, at daily rates not to exceed the equivalent rate prescribed for grade GS–15 of the General Schedule by section 5332 of such title.

(3) ABILITY TO CONTRACT FOR AUDITS, STUDIES, AND OTHER SERVICES.—The Special Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, and make such payments as may be necessary to carry out the duties of the Special Inspector General.

(4) REQUEST FOR INFORMATION.—

(A) IN GENERAL.—Upon request of the Special Inspector General for information or assistance from any department, agency, or other entity of the Federal Government, the head of that entity shall, insofar as is practicable and not in contravention of any existing law, furnish the information or assistance to the Special Inspector General or an authorized designee.

(B) REFUSAL TO COMPLY.—If information or assistance requested by the Special Inspector General is, in the judgment of the Special Inspector General, unreasonably refused or not provided, the Special Inspector General shall report the circumstances to the Secretary, without delay.

(f) REPORTS.—

(1) ANNUAL REPORT.—Not later than 1 year after the date on which the Special Inspector General is confirmed, and every calendar year thereafter, the Special Inspector General shall submit to the President and appropriate committees of Congress a report summarizing the activities of the Special Inspector General during the previous 1-year period ending on the date of that report.

(2) PUBLIC DISCLOSURES.—Nothing in this subsection authorizes the public disclosure of information that is—

(A) specifically prohibited from disclosure by any other provision of law;

(B) specifically required by Executive order to be protected from disclosure in the interest of national defense or national security or in the conduct of foreign affairs; or

(C) a part of an ongoing criminal investigation.

SEC. 108. OTHER PERSONNEL.

(a) APPOINTMENT, REMOVAL, AND DEFINITION OF DUTIES.—Except as otherwise provided in the bylaws of IFA, the Chief Executive Officer, in consultation with the Board of Directors, shall appoint, remove, and define the duties of such qualified personnel as

are necessary to carry out the powers, duties, and purpose of IFA, other than senior management, who shall be appointed in accordance with section 105.

(b) COORDINATION IN IDENTIFYING QUALIFICATIONS AND EXPERTISE.—In appointing qualified personnel pursuant to subsection (a), the Chief Executive Officer shall coordinate with, and seek assistance from, the Secretary of Transportation in identifying the appropriate qualifications and expertise in infrastructure project finance.

SEC. 109. COMPLIANCE.

The provision of assistance by IFA pursuant to this division does not supersede any provision of State law or regulation otherwise applicable to an eligible infrastructure project.

TITLE II—TERMS AND LIMITATIONS ON DIRECT LOANS AND LOAN GUARANTEES

SEC. 201. ELIGIBILITY CRITERIA FOR ASSISTANCE FROM IFA AND TERMS AND LIMITATIONS OF LOANS.

(a) PUBLIC BENEFIT; FINANCEABILITY.—A project is not be eligible for financial assistance from IFA under this division if—

(1) the use or purpose of such project is private or such project does not create a public benefit, as determined by the Board of Directors; or

(2) the applicant is unable to demonstrate, to the satisfaction of the Board of Directors, a sufficient revenue stream to finance the loan that will be used to pay for such project.

(b) FINANCIAL CRITERIA.—If the project meets the requirements under subsection (a), an applicant for financial assistance under this division shall demonstrate, to the satisfaction of the Board of Directors, that—

(1) for public-private partnerships, the project has received contributed capital or commitments for contributed capital equal to not less than 10 percent of the total cost of the eligible infrastructure project for which assistance is being sought if such contributed capital includes—

(A) equity;

(B) deeply subordinate loans or other credit and debt instruments, which shall be junior to any IFA assistance provided for the project;

(C) appropriated funds or grants from governmental sources other than the Federal Government; or

(D) irrevocable private contributions of funds, grants, property (including rights-of-way), and other assets that directly reduce or offset project costs; and

(2) the eligible infrastructure project for which assistance is being sought—

(A) is not for the refinancing of an existing infrastructure project; and

(B) meets—

(i) any pertinent requirements set forth in this division;

(ii) any criteria established by the Board of Directors under subsection (c) or by the Chief Executive Officer in accordance with this division; and

(iii) the definition of an eligible infrastructure project.

(c) CONSIDERATIONS.—The criteria established by the Board of Directors under this subsection shall provide adequate consideration of—

(1) the economic, financial, technical, environmental, and public benefits and costs of each eligible infrastructure project under consideration for financial assistance under this division, prioritizing eligible infrastructure projects that—

(A) demonstrate a clear and measurable public benefit;

(B) offer value for money to taxpayers;

(C) contribute to regional or national economic growth;

(D) lead to long-term job creation; and

(E) mitigate environmental concerns;

(2) the means by which development of the eligible infrastructure project under consideration is being financed, including—

(A) the terms, conditions, and structure of the proposed financing;

(B) the creditworthiness and standing of the project sponsors, providers of equity, and cofinanciers;

(C) the financial assumptions and projections on which the eligible infrastructure project is based; and

(D) whether there is sufficient State or municipal political support for the successful completion of the eligible infrastructure project;

(3) the likelihood that the provision of assistance by IFA will cause the development to proceed more promptly and with lower costs for financing than would be the case without IFA assistance;

(4) the extent to which the provision of assistance by IFA maximizes the level of private investment in the eligible infrastructure project or supports a public-private partnership, while providing a significant public benefit;

(5) the extent to which the provision of assistance by IFA can mobilize the participation of other financing partners in the eligible infrastructure project;

(6) the technical and operational viability of the eligible infrastructure project;

(7) the proportion of financial assistance from IFA;

(8) the geographical location of the project, prioritizing geographical diversity of projects funded by IFA;

(9) the size of the project and the impact of the project on the resources of IFA; and

(10) the infrastructure sector of the project, prioritizing projects from more than 1 sector funded by IFA.

(d) APPLICATION.—

(1) IN GENERAL.—Any eligible entity seeking assistance from IFA under this division for an eligible infrastructure project shall submit an application to IFA at such time, in such manner, and containing such information as the Board of Directors or the Chief Executive Officer may require.

(2) REVIEW OF APPLICATIONS.—

(A) IN GENERAL.—IFA shall review applications for assistance under this division on an ongoing basis.

(B) PREPARATION.—The Chief Executive Officer, in cooperation with the senior management, shall prepare eligible infrastructure projects for review and approval by the Board of Directors.

(3) DEDICATED REVENUE SOURCES.—The Federal credit instrument shall be repayable, in whole or in part, from tolls, user fees, or other dedicated revenue sources derived from users or beneficiaries that also secure the eligible infrastructure project obligations.

(e) ELIGIBLE INFRASTRUCTURE PROJECT COSTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), to be eligible for assistance under this division, an eligible infrastructure project shall have project costs that are reasonably anticipated to equal or exceed $50,000,000.

(2) RURAL INFRASTRUCTURE PROJECTS.—To be eligible for assistance under this division a rural infrastructure project shall have project costs that are reasonably anticipated to equal or exceed $10,000,000.

(f) LOAN ELIGIBILITY AND MAXIMUM AMOUNTS.—

(1) IN GENERAL.—The amount of a direct loan or loan guarantee under this division shall not exceed the lesser of—

(A) 49 percent of the reasonably anticipated eligible infrastructure project costs; and

(B) the amount of the senior project obligations, if the direct loan or loan guarantee does not receive an investment grade rating.

(2) MAXIMUM ANNUAL LOAN AND LOAN GUARANTEE VOLUME.—The aggregate amount of direct loans and loan guarantees made by IFA shall not exceed—

(A) during the first 2 fiscal years of the operations of IFA, $10,000,000,000 per year;

(B) during fiscal years 3 through 9 of the operations of IFA, $20,000,000,000 per year; and

(C) during any fiscal year thereafter, $50,000,000,000.

SEC. 202. LOAN TERMS AND REPAYMENT.

(a) IN GENERAL.—A direct loan or loan guarantee under this division with respect to an eligible infrastructure project shall be on such terms, subject to such conditions, and contain such covenants, representations, warranties, and requirements (including requirements for audits) as the Chief Executive Officer determines appropriate.

(b) TERMS.—A direct loan or loan guarantee under this division—

(1) shall—

(A) be payable, in whole or in part, from tolls, user fees, or other dedicated revenue sources derived from users or beneficiaries; and

(B) include a rate covenant, coverage requirement, or similar security feature supporting the project obligations; and

(2) may be secured by a lien—

(A) on the assets of the obligor, including revenues described in paragraph (1); and

(B) which may be subordinated to any other lien securing project obligations.

(c) BASE INTEREST RATE.—The base interest rate on a direct loan under this division shall be not less than the yield on Treasury obligations of a similar maturity to the maturity of the direct loan on the date of execution of the loan agreement.

(d) RISK ASSESSMENT.—Before entering into an agreement for assistance under this division, the Chief Executive Officer, in consultation with the Director of the Office of Management and Budget and each rating agency providing a preliminary rating opinion letter under this section, shall determine an appropriate Federal credit subsidy amount for each direct loan and loan guarantee, taking into account that preliminary rating opinion letter, as well as any comparable market rates available for such a loan or loan guarantee, should any exist.

(e) CREDIT FEE.—

(1) IN GENERAL.—With respect to each agreement for assistance under this division, the Chief Executive Officer shall charge a credit fee to the recipient of that assistance to pay for, over time, all or a portion of the Federal credit subsidy determined under subsection (d), with the remainder paid by the account established for IFA.

(2) DIRECT LOANS.—In the case of a direct loan, the credit fee described in paragraph (1) shall be in addition to the base interest rate established under subsection (c).

(f) MATURITY DATE.—The final maturity date of a direct loan or loan guaranteed by IFA under this division shall be not later than 35 years after the date of substantial completion of the eligible infrastructure project, as determined by the Chief Executive Officer.

(g) PRELIMINARY RATING OPINION LETTER.—

(1) IN GENERAL.—The Chief Executive Officer shall require each applicant for assistance under this division to provide a preliminary rating opinion letter from at least 1 rating agency, indicating that the senior obligations of the eligible infrastructure project, which may be the Federal credit instrument, have the potential to achieve an investment-grade rating.

(2) RURAL INFRASTRUCTURE PROJECTS.—With respect to a rural infrastructure project, a rating agency opinion letter described in paragraph (1) shall not be required, except that the loan or loan guarantee shall receive an internal rating score, using methods similar to the rating agencies generated by IFA, measuring the proposed direct loan or loan guarantee against comparable direct loans or loan guarantees of similar credit quality in a similar sector.

(h) INVESTMENT-GRADE RATING REQUIREMENT.—

(1) LOANS AND LOAN GUARANTEES.—The execution of a direct loan or loan guarantee under this division shall be contingent on the senior obligations of the eligible infrastructure project receiving an investment-grade rating.

(2) RATING OF IFA OVERALL PORTFOLIO.—The average rating of the overall portfolio of IFA shall be not less than investment grade after 5 years of operation.

(i) TERMS AND REPAYMENT OF DIRECT LOANS.—

(1) SCHEDULE.—The Chief Executive Officer shall establish a repayment schedule for each direct loan under this division, based on the projected cash flow from eligible infrastructure project revenues and other repayment sources.

(2) COMMENCEMENT.—Scheduled loan repayments of principal or interest on a direct loan under this division shall commence not later than 5 years after the date of substantial completion of the eligible infrastructure project, as determined by the Chief Executive Officer of IFA.

(3) DEFERRED PAYMENTS OF DIRECT LOANS.—

(A) AUTHORIZATION.—If, at any time after the date of substantial completion of an eligible infrastructure project assisted under this division, the eligible infrastructure project is unable to generate sufficient revenues to pay the scheduled loan repayments of principal and interest on the direct loan under this division, the Chief Executive Officer may allow the obligor to add unpaid principal and interest to the outstanding balance of the direct loan, if the result would benefit the taxpayer.

(B) INTEREST.—Any payment deferred under subparagraph (A) shall—

(i) continue to accrue interest, in accordance with the terms of the obligation, until fully repaid; and

(ii) be scheduled to be amortized over the remaining term of the loan.

(C) CRITERIA.—

(i) IN GENERAL.—Any payment deferral under subparagraph (A) shall be contingent on the eligible infrastructure project meeting criteria established by the Board of Directors.

(ii) REPAYMENT STANDARDS.—The criteria established under clause (i) shall include standards for reasonable assurance of repayment.

(4) PREPAYMENT OF DIRECT LOANS.—

(A) USE OF EXCESS REVENUES.—Any excess revenues that remain after satisfying scheduled debt service requirements on the eligible infrastructure project obligations and direct loan and all deposit requirements under the terms of any trust agreement, bond resolution, or similar agreement securing project obligations under this division may be applied annually to prepay the direct loan, without penalty.

(B) USE OF PROCEEDS OF REFINANCING.—A direct loan under this division may be prepaid at any time, without penalty, from the proceeds of refinancing from non-Federal funding sources.

(j) LOAN GUARANTEES.—The terms of a loan guaranteed by IFA under this division shall be consistent with the terms set forth in this section for a direct loan, except that the rate on the guaranteed loan and any payment, prepayment, or refinancing features shall be negotiated between the obligor and the lender (as defined in section 601(a) of title 23, United States Code) with the consent of the Chief Executive Officer.

(k) COMPLIANCE WITH FEDERAL CREDIT REFORM ACT OF 1990.—

(1) IN GENERAL.—Except as provided in paragraph (2), direct loans and loan guarantees authorized by this division shall be subject to the provisions of the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

(2) EXCEPTION.—Section 504(b) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c(b)) shall not apply to a loan or loan guarantee under this division.

(l) POLICY OF CONGRESS.—It is the policy of Congress that IFA shall only make a direct loan or loan guarantee under this division if IFA determines that IFA is reasonably expected to recover the full amount of the direct loan or loan guarantee.

SEC. 203. ENVIRONMENTAL PERMITTING PROCESS IMPROVEMENTS.

(a) INTERAGENCY COORDINATION.—As soon as practicable after IFA approves financing for a proposed project under this title, the President shall convene a meeting of representatives of all relevant and appropriate permitting agencies—

(1) to establish or update a permitting timetable for the proposed project;

(2) to coordinate concurrent permitting reviews by all necessary agencies; and

(3) to coordinate with relevant State agencies and regional infrastructure development agencies to ensure—

(A) adequate participation; and

(B) the timely provision of necessary documentation to allow any State review to proceed without delay.

(b) GOAL.—The permitting timetable for each proposed project established pursuant to subsection (a)(1) shall ensure that the environmental review process is completed as soon as practicable.

(c) EARLIER.—The President may carry out the functions set forth in subsection (a) with respect to a proposed project before the IFA has approved financing for such project upon the request of the Chief Executive Officer.

(d) CONCURRENT REVIEWS.—Each agency, to the greatest extent permitted by law, shall—

(1) carry out the obligations of the agency under other applicable law concurrently, and in conjunction with other reviews being conducted by other participating agencies, including environmental reviews required under the National Environmental Policy Act (42 U.S.C. 4321 et seq.), unless such concurrent reviews would impair the ability of the agency to carry out its statutory obligations; and

(2) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure the completion of the environmental review process in a timely, coordinated, and environmentally responsible manner.

SEC. 204. COMPLIANCE AND ENFORCEMENT.

(a) CREDIT AGREEMENT.—Notwithstanding any other provision of law, each eligible entity that receives assistance under this division shall enter into a credit agreement that requires such entity to comply with all applicable policies and procedures of IFA, in addition to all other provisions of the loan agreement.

(b) APPLICABILITY OF FEDERAL LAWS.—Each eligible entity that receives assistance under this division shall provide written assurance, in such form and manner and containing such terms as are to be prescribed by IFA, that the eligible infrastructure project will be performed in compliance with the requirements of all Federal laws that would otherwise apply to similar projects to which the United States is a party, or financed in whole or in part from Federal funds or in accordance with guarantees of a Federal agency or financed from funds obtained by pledge of any contract of a Federal agency to make a loan, grant, or annual contribution (except where a different meaning is expressly indicated).

(c) IFA AUTHORITY ON NONCOMPLIANCE.—In any case in which an eligible entity that receives assistance under this division is materially out of compliance with the loan agreement, or any applicable policy or procedure of IFA, the Board of Directors may take action—

(1) to cancel unused loan amounts; or

(2) to accelerate the repayment terms of any outstanding obligation.

SEC. 205. AUDITS; REPORTS TO THE PRESIDENT AND CONGRESS.

(a) ACCOUNTING.—The books of account of IFA shall be—

(1) maintained in accordance with generally accepted accounting principles; and

(2) subject to an annual audit by independent public accountants of nationally recognized standing appointed by the Board of Directors.

(b) REPORTS.—

(1) BOARD OF DIRECTORS.—Not later than 90 days after the last day of each fiscal year, the Board of Directors shall submit to the President and Congress a complete and detailed report with respect to the preceding fiscal year, setting forth—

(A) a summary of the operations of IFA for that fiscal year;

(B) a schedule of the obligations of IFA and capital securities outstanding at the end of that fiscal year, with a statement of the amounts issued and redeemed or paid during that fiscal year;

(C) the status of eligible infrastructure projects receiving funding or other assistance pursuant to this division during that fiscal year, including—

(i) all nonperforming loans; and

(ii) disclosure of all entities with a development, ownership, or operational interest in those eligible infrastructure projects;

(D) a description of the successes and challenges encountered in lending to rural communities, including the role of the Office of Technical and Rural Assistance established under this division; and

(E) an assessment of the risks of the portfolio of IFA, which shall be prepared by an independent source.

(2) GAO.—Not later than 5 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct an evaluation of, and submit to the Committee on Commerce, Science, and Transportation of the Senate and to the Committees on Transportation and Infrastructure and Energy and Commerce of the

House of Representatives a report on the activities of IFA for the fiscal years covered by the report that includes—

(A) an assessment of the impact and benefits of each funded eligible infrastructure project, including a review of how effectively each eligible infrastructure project accomplished the goals prioritized by the eligible infrastructure project criteria of IFA; and

(B) an evaluation of the effectiveness of, and challenges facing, loan programs at the Department of Transportation and Department of Energy, and an analysis of the advisability of consolidating those programs within IFA.

(c) BOOKS AND RECORDS.—

(1) IN GENERAL.—IFA shall maintain adequate books and records to support the financial transactions of IFA, with a description of financial transactions and eligible infrastructure projects receiving funding, and the amount of funding for each project maintained on a publically accessible database.

(2) AUDITS BY THE SECRETARY AND GAO.—The books and records of IFA shall at all times be open to inspection by the Secretary, the Special Inspector General, and the Comptroller General of the United States.

SEC. 206. EFFECT ON OTHER LAWS.

Nothing in this division may be construed to affect or alter the responsibility of an eligible entity that receives assistance under this division to comply with applicable Federal and State laws (including regulations) relating to an eligible infrastructure project.

TITLE III—FUNDING OF IFA

SEC. 301. FEES.

The Chief Executive Officer shall establish fees with respect to loans and loan guarantees under this division that—

(1) are sufficient to cover all the administrative costs to the Federal Government for the operations of IFA;

(2) may be in the form of an application or transaction fee, or interest rate adjustment; and

(3) may be based on the risk premium associated with the loan or loan guarantee, taking into consideration—

(A) the price of Treasury obligations of a similar maturity;

(B) prevailing market conditions;

(C) the ability of the eligible infrastructure project to support the loan or loan guarantee; and

(D) the total amount of the loan or loan guarantee.

SEC. 302. SELF-SUFFICIENCY OF IFA.

The Chief Executive Officer shall, to the extent practicable, take actions consistent with this division to make IFA a self-sustaining entity, with administrative costs and Federal credit subsidy costs fully funded by fees and risk premiums on loans and loan guarantees.

SEC. 303. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to IFA to make direct loans and loan guarantees under this division $10,000,000,000, which shall remain available until expended.

(2) ADMINISTRATIVE COSTS.—Of the amounts appropriated pursuant to paragraph (1), the IFA may expend, for administrative costs, not more than—

(A) $25,000,000 for each of the fiscal years 2016 and 2017; and

(B) not more than $50,000,000 for fiscal year 2018.

(b) INTEREST.—The amounts made available to IFA pursuant to subsection (a) shall be placed in interest-bearing accounts.

(c) RURAL INFRASTRUCTURE PROJECTS.—Of the amounts made available to IFA under this section, not less than 5 percent shall be used to offset subsidy costs associated with rural infrastructure projects.

SEC. 304. CONTRACT AUTHORITY.

Notwithstanding any other provision of law, approval by the Board of Directors of a Federal credit instrument that uses funds made available under this division shall impose upon the United States a contractual obligation to fund the Federal credit investment.

SEC. 305. LIMITATION ON AUTHORITY.

IFA shall not have the authority to issue debt in its own name.

TITLE IV—TAX EXEMPTION REQUIREMENTS FOR STATE AND LOCAL BONDS

SEC. 401. NATIONAL LIMITATION ON AMOUNT OF TAX-EXEMPT FINANCING FOR FACILITIES.

Section 142(m)(2)(A) of the Internal Revenue Code of 1986 is amended by striking ''$15,000,000,000'' and inserting ''$16,000,000,000''.

TITLE V—BUDGETARY EFFECTS

SEC. 501. BUDGETARY EFFECTS.

The budgetary effects of this division, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this division, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SA 4028. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ____. Notwithstanding any other provision in this Act—

(1) the total amount made available on October 1, 2016 under the heading ''TENANT-BASED RENTAL ASSISTANCE'' under the heading ''PUBLIC AND INDIAN HOUSING'' under the heading ''DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'' shall be $15,740,696,000; and

(2) the amount made available for renewals of expiring section 8 tenant-based annual contributions contracts under the heading ''TENANT-BASED RENTAL ASSISTANCE'' under the heading ''PUBLIC AND INDIAN HOUSING'' under the heading ''DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'' shall be $17,664,000,000.

SA 4029. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the end of title II of division B, add the following:

SEC. 251. Of the funds made available in this title for fiscal year 2017 for medical support and compliance, not less than $21,000,000 shall be made available to the Secretary of Veterans Affairs to hire Medical Center Directors and employees for other management and clinical positions that are critical to the Department of Veterans Affairs in order to fill vacancies in such positions.

SA 4030. Ms. MIKULSKI submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

On page 217, line 4 of title 2 in division B, strike the period and insert '': *Provided further*, That the Secretary of Veterans Affairs shall provide access to therapeutic listening devices to veterans struggling with mental health related problems, substance abuse, or traumatic brain injury.''

SA 4031. Mr. CARDIN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle ____—Human Rights Sanctions

SEC. ____01. SHORT TITLE.

This subtitle may be cited as the ''Global Magnitsky Human Rights Accountability Act''.

SEC. ____02. DEFINITIONS.

In this subtitle:

(1) FOREIGN PERSON.—The term ''foreign person'' means a person that is not a United States person.

(2) PERSON.—The term ''person'' means an individual or entity.

(3) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

SEC. ____03. AUTHORIZATION OF IMPOSITION OF SANCTIONS.

(a) IN GENERAL.—The President may impose the sanctions described in subsection (b) with respect to any foreign person the President determines, based on credible evidence—

(1) is responsible for extrajudicial killings, torture, or other gross violations of internationally recognized human rights committed against individuals in any foreign country who seek—

(A) to expose illegal activity carried out by government officials; or

(B) to obtain, exercise, defend, or promote internationally recognized human rights and

freedoms, such as the freedoms of religion, expression, association, and assembly, and the rights to a fair trial and democratic elections;

(2) acted as an agent of or on behalf of a foreign person in a matter relating to an activity described in paragraph (1);

(3) is a government official, or a senior associate of such an official, that is responsible for, or complicit in, ordering, controlling, or otherwise directing, acts of significant corruption, including the expropriation of private or public assets for personal gain, corruption related to government contracts or the extraction of natural resources, bribery, or the facilitation or transfer of the proceeds of corruption to foreign jurisdictions; or

(4) has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, an activity described in paragraph (3).

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:

(1) INADMISSIBILITY TO UNITED STATES.—In the case of a foreign person who is an individual—

(A) ineligibility to receive a visa to enter the United States or to be admitted to the United States; or

(B) if the individual has been issued a visa or other documentation, revocation, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), of the visa or other documentation.

(2) BLOCKING OF PROPERTY.—

(A) IN GENERAL.—The blocking, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), of all transactions in all property and interests in property of a foreign person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) INAPPLICABILITY OF NATIONAL EMERGENCY REQUIREMENT.—The requirements of section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701) shall not apply for purposes of this section.

(C) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(i) IN GENERAL.—The authority to block and prohibit all transactions in all property and interests in property under subparagraph (A) shall not include the authority to impose sanctions on the importation of goods.

(ii) GOOD.—In this subparagraph, the term ''good'' has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. 4618) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

(c) CONSIDERATION OF CERTAIN INFORMATION IN IMPOSING SANCTIONS.—In determining whether to impose sanctions under subsection (a), the President shall consider—

(1) information provided by the chairperson and ranking member of each of the appropriate congressional committees; and

(2) credible information obtained by other countries and nongovernmental organizations that monitor violations of human rights.

(d) REQUESTS BY CHAIRPERSON AND RANKING MEMBER OF APPROPRIATE CONGRESSIONAL COMMITTEES.—Not later than 120 days after receiving a written request from the chairperson and ranking member of one of the appropriate congressional committees with respect to whether a foreign person has engaged in an activity described in subsection (a), the President shall—

(1) determine if that person has engaged in such an activity; and

(2) submit a report to the chairperson and ranking member of that committee with respect to that determination that includes—

(A) a statement of whether or not the President imposed or intends to impose sanctions with respect to the person; and

(B) if the President imposed or intends to impose sanctions, a description of those sanctions.

(e) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT AND LAW ENFORCEMENT OBJECTIVES.—Sanctions under subsection (b)(1) shall not apply to an individual if admitting the individual into the United States would further important law enforcement objectives or is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations of the United States.

(f) ENFORCEMENT OF BLOCKING OF PROPERTY.—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (b)(2) or any regulation, license, or order issued to carry out subsection (b)(2) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(g) TERMINATION OF SANCTIONS.—The President may terminate the application of sanctions under this section with respect to a person if the President determines and reports to the appropriate congressional committees not later than 15 days before the termination of the sanctions that—

(1) credible information exists that the person did not engage in the activity for which sanctions were imposed;

(2) the person has been prosecuted appropriately for the activity for which sanctions were imposed;

(3) the person has credibly demonstrated a significant change in behavior, has paid an appropriate consequence for the activity for which sanctions were imposed, and has credibly committed to not engage in an activity described in subsection (a) in the future; or

(4) the termination of the sanctions is in the vital national security interests of the United States.

(h) REGULATORY AUTHORITY.—The President shall issue such regulations, licenses, and orders as are necessary to carry out this section.

(i) IDENTIFICATION OF SANCTIONABLE FOREIGN PERSONS.—The Assistant Secretary of State for Democracy, Human Rights, and Labor, in consultation with the Assistant Secretary of State for Consular Affairs and other bureaus of the Department of State, as appropriate, is authorized to submit to the Secretary of State, for review and consideration, the names of foreign persons who may meet the criteria described in subsection (a).

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

(1) the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. ___04. REPORTS TO CONGRESS.

(a) IN GENERAL.—The President shall submit to the appropriate congressional committees, in accordance with subsection (b), a report that includes—

(1) a list of each foreign person with respect to which the President imposed sanctions pursuant to section ___03 during the year preceding the submission of the report;

(2) a description of the type of sanctions imposed with respect to each such person;

(3) the number of foreign persons with respect to which the President—

(A) imposed sanctions under section ___03(a) during that year; and

(B) terminated sanctions under section ___03(g) during that year;

(4) the dates on which such sanctions were imposed or terminated, as the case may be;

(5) the reasons for imposing or terminating such sanctions; and

(6) a description of the efforts of the President to encourage the governments of other countries to impose sanctions that are similar to the sanctions authorized by section ___03.

(b) DATES FOR SUBMISSION.—

(1) INITIAL REPORT.—The President shall submit the initial report under subsection (a) not later than 120 days after the date of the enactment of this Act.

(2) SUBSEQUENT REPORTS.—

(A) IN GENERAL.—The President shall submit a subsequent report under subsection (a) on December 10, or the first day thereafter on which both Houses of Congress are in session, of—

(i) the calendar year in which the initial report is submitted if the initial report is submitted before December 10 of that calendar year; and

(ii) each calendar year thereafter.

(B) CONGRESSIONAL STATEMENT.—Congress notes that December 10 of each calendar year has been recognized in the United States and internationally since 1950 as ''Human Rights Day''.

(c) FORM OF REPORT.—

(1) IN GENERAL.—Each report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(2) EXCEPTION.—The name of a foreign person to be included in the list required by subsection (a)(1) may be submitted in the classified annex authorized by paragraph (1) only if the President—

(A) determines that it is vital for the national security interests of the United States to do so;

(B) uses the annex in a manner consistent with congressional intent and the purposes of this subtitle; and

(C) not later than 15 days before submitting the name in a classified annex, provides to the appropriate congressional committees notice of, and a justification for, including the name in the classified annex despite any publicly available credible information indicating that the person engaged in an activity described in section ___03(a).

(d) PUBLIC AVAILABILITY.—

(1) IN GENERAL.—The unclassified portion of the report required by subsection (a) shall be made available to the public, including through publication in the Federal Register.

(2) NONAPPLICABILITY OF CONFIDENTIALITY REQUIREMENT WITH RESPECT TO VISA RECORDS.—The President shall publish the list required by subsection (a)(1) without regard to the requirements of section 222(f) of the Immigration and Nationality Act (8 U.S.C. 1202(f)) with respect to confidentiality

of records pertaining to the issuance or refusal of visas or permits to enter the United States.

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

(1) the Committee on Appropriations, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Committee on the Judiciary of the Senate; and

(2) the Committee on Appropriations, the Committee on Financial Services, the Committee on Foreign Affairs, and the Committee on the Judiciary of the House of Representatives.

SA 4032. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ____. (a) The Secretary of Housing and Urban Development shall require each public housing agency that administers public housing (as defined in section 3 of the United States Housing Act of 1937 (42 U.S.C. 1437a)) or housing assisted under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f)—

(1) to allow, in each unfurnished dwelling unit, residents to anchor furniture, televisions, and large appliances to the wall without incurring a penalty or obligation to repair the wall upon vacating the dwelling unit; and

(2) to securely anchor to the wall all provided clothing storage units covered by the Standard Safety Specification for Clothing Storage Units (ASTM F2057–14) or any successor standard, bookcases, televisions, and large appliances in each furnished dwelling unit in which a child under the age of 6 resides or is a frequent visitor.

(b) The Secretary of Housing and Urban Development shall require public housing agencies to securely anchor all provided clothing storage units covered by the Standard Safety Specification for Clothing Storage Units (ASTM F2057–14) or any successor standard, bookcases, televisions, and large appliances in furnished dwelling units in public housing (as defined in section 3 of the United States Housing Act of 1937 (42 U.S.C. 1437a)) and housing assisted under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) not later than 1 year after the date of enactment of this Act.

(c) The Secretary of Housing and Urban Development shall use such sums as are necessary to carry out this section.

SA 4033. Mr. BLUMENTHAL (for himself and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

In division A, on page 49, between lines 6 and 7, insert the following:

SEC. 142. (a) From amounts made available to the National Highway Traffic Safety Administration under this title, the Administrator of the National Highway Traffic Safety Administration shall use such sums as may be necessary—

(1) to modify the labeling and owner's manual information requirements under section 571.208 of title 49, Code of Federal Regulations, to require the owner's manual for any vehicle sold in the United States to include warning language similar to the following: ''If possible, children should be placed behind unoccupied front seats in a rear seating position, as appropriate based on the child's age and size. In rear end crashes, the backs of occupied front seats are prone to collapse under the weight of their occupants. If this occurs, the seat backs and their occupants can strike children in rear seats and cause severe or fatal injuries.''; and

(2) to modify the child restraint systems requirements under section 571.213 of title 49, Code of Federal Regulations, to require that the label on rear facing child seats depicted in Figure 10 of such section include the following statement: ''Place behind an unoccupied front seat whenever possible.''.

(b) Not later than 1 year after the date of the enactment of this Act, the Administrator of the National Highway Traffic Safety Administration shall—

(1) include data in the Crash Investigation Sampling System and the Fatality Analysis Reporting System regarding the presence, location, and consequences of seatback failure or seatback collapse caused by a vehicle crash; and

(2) determine whether local police crash investigators should include photographs of vehicles involved in crashes and the surrounding crash scene in the databases listed in paragraph (1) to provide the National Highway Traffic Safety Administration a better basis for selecting crashes for further investigation.

(c) The Administrator of the National Highway Traffic Safety Administration shall conduct a study to identify the structural adjustments that would be necessary to prevent a seatback from collapsing in a rear end crash based on the rear impact test procedure under section 571.301 of title 49, Code of Federal Regulations.

(d) Not later than 3 years after the date of the enactment of this Act, the Administrator of the National Highway Traffic Safety Administration shall issue a rule that updates section 571.207 of title 49, Code of Federal Regulations (or a successor regulation), relating to standards for motor vehicle seating systems based on the findings of the study conducted under subsection (c).

SA 4034. Mr. BLUMENTHAL (for himself and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ____. (a) Section 30120 of title 49, United States Code, is amended by adding at the end the following:

''(k) LIMITATION ON SALE OR LEASE OF USED PASSENGER MOTOR VEHICLES.—(1) A dealer may not sell or lease a used passenger motor vehicle until any defect or noncompliance determined under section 30118 with respect to the vehicle has been remedied.

''(2) Paragraph (1) shall not apply if—

''(A) the recall information regarding a used passenger motor vehicle was not accessible at the time of sale or lease using the means established by the Secretary under section 31301 of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30166 note); or

''(B) notification of the defect or noncompliance is required under section 30118(b), but enforcement of the order is set aside in a civil action to which 30121(d) applies.

''(3) Notwithstanding section 30102(a)(1), in this subsection—

''(A) the term 'dealer' means a person that has sold at least 10 motor vehicles to 1 or more consumers during the most recent 12-month period; and

''(B) the term 'used passenger motor vehicle' means a motor vehicle that has previously been purchased other than for resale.

''(4) By rule, the Secretary may exempt the auctioning of a used passenger motor vehicle from the requirements under paragraph (1) to the extent that the exemption does not harm public safety.''.

(b) This section shall take effect on that date that is 18 months after the date of the enactment of this Act.

SA 4035. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

EXTENSION OF VETERANS CHOICE PROGRAM

SEC. 251. (a) IN GENERAL.—The Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended—

(1) in section 101(p)(2), by striking ''3 years'' and inserting ''6 years''; and

(2) in section 802(d)(1), by striking ''$10,000,000,000'' and inserting ''$17,500,000,000''.

(b) RESCISSION OF CERTAIN UNOBLIGATED BALANCES.—All of the unobligated balances of the amounts appropriated for fiscal year 2016 under the headings ''OPERATING EXPENSES'' and ''MULTILATERAL ASSISTANCE'' in titles II and V of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2016 (division K of Public Law 114–113), including funds designated by Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(ii)) are rescinded.

SA 4036. Mr. FLAKE submitted an amendment intended to be proposed to

amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ____. The Federal Communications Commission shall extend the comment period for the proposed rule entitled ''Protecting the Privacy of Customers of Broadband and Other Telecommunications Services'' (81 Fed. Reg. 23359 (April 20, 2016)) by 60 days.

SA 4037. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

In the matter under the heading ''HOMELESS ASSISTANCE GRANTS'' under the heading ''COMMUNITY PLANNING AND DEVELOPMENT'' in title II of division A, insert before the period at the end the following: ''*Provided further*, That for purposes of this heading, the term 'recovery housing' means housing where the use of alcohol and the unlawful use of drugs by residents is prohibited, and where residents participate in programming that uses peer support to promote sobriety, health, and positive community involvement''.

SA 4038. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the end of title II of division B, add the following:

SEC. 251. Not later than September 30, 2017, the Secretary of Veterans Affairs shall—

(1) provide for the conduct by the Office of Inspector General of the Department of Veterans Affairs of an inspection or audit of the use of Federal award GU1103 in the amount of $3,265,487 that was awarded in 2013 to renovate a veteran's cemetery in Guam under the Veterans Cemetery Grants Program of the Department of Veterans Affairs, including—

(A) an itemized accounting of the use of such award; or

(B) if no such itemized accounting is possible, an explanation of why any amounts in connection with such award are unaccounted for;

(2) submit to the Committee on Appropriations and the Committee on Veterans' Affairs of the Senate and the Committee on Appropriations and the Committee on Veterans' Affairs of the House of Representatives a report on the results on the inspection or audit conducted under paragraph (1); and

(3) publish the results on the inspection or audit conducted under paragraph (1) on a publicly available Internet website of the Department.

SA 4039. Mr. MCCAIN (for himself, Mr. BLUMENTHAL, and Mr. BURR) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the end of title II of division B, add the following:

EXTENSION AND EXPANSION OF VETERANS CHOICE PROGRAM

SEC. 251. (a) EXTENSION.—The Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended—

(1) in section 101(p)(2), by striking ''3 years'' and inserting ''6 years''; and

(2) in section 802(d)(1), by striking ''$10,000,000,000'' and inserting ''$17,500,000,000''.

(b) EXPANSION OF ELIGIBILITY.—Subsection (b)(2) of section 101 of such Act is amended—

(1) in subparagraph (C)(ii), by striking ''; or'' and inserting a semicolon;

(2) in subparagraph (D)(ii)(II)(dd), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following new subparagraph:

''(E) has received health services under the pilot program under section 403 of the Veterans' Mental Health and Other Care Improvements Act of 2008 (Public Law 110–387; 38 U.S.C. 1703 note) and resides in a location described in section (b)(2) of such section.''.

(c) CONFORMING AMENDMENTS.—(1) Subsection (g)(3) of such section is amended by striking ''or (D)'' and inserting ''(D), or (E)''.

(2) Subsection (q)(2)(A) of such section is amended—

(A) in clause (iii), by striking ''; and'' and inserting a semicolon;

(B) in clause (iv), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new clause:

''(v) eligible veterans described in subsection (b)(2)(E).''.

(d) EMERGENCY REQUIREMENT.—The amounts made available under the amendments made by subsection (a) are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)).

(e) QUARTERLY REPORT.—Not less frequently than quarterly until all amounts deposited in the Veterans Choice Fund under section 802 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) are exhausted, the Secretary shall submit to the Committee on Appropriations and the Committee on Veterans' Affairs of the Senate and the Committee on Appropriations and the Committee on Veterans' Affairs of the House of Representatives an update on the expenditures made from such Fund to carry out section 101 of such Act during the quarter covered by the report.

ESTABLISHMENT OF CRITERIA FOR PROVISION OF SERVICES UNDER MEDICAL COMMUNITY CARE ACCOUNT

SEC. 252. In using amounts made available in this title for the Medical Community Care account of the Department of Veterans Affairs, the Secretary of Veterans Affairs shall establish consistent criteria and standards—

(1) for purposes of determining eligibility of non-Department health care providers to provide health care under the laws administered by the Secretary, including standards relating to education, certification, licensure, training, and employment history; and

(2) for the reimbursement of such health care providers for care or services provided under the laws administered by the Secretary, which to the extent practicable shall—

(A) use rates for reimbursement that are not more than the rates paid by the United States to a provider of services (as defined in section 1861(u) of the Social Security Act (42 U.S.C. 1395x(u))) under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for the same care or services;

(B) incorporate the use of value-based reimbursement models to promote the provision of high-quality care to improve health outcomes and the experience of care for veterans; and

(C) be consistent with prompt payment standards required of Federal agencies under chapter 39 of title 31, United States Code.

SA 4040. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ____. Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Administrator of the Federal Aviation Administration shall submit to Congress a report on the implementation of the policies contained in the update to the Community Involvement Manual of the Federal Aviation Administration required under the heading ''OPERATIONS'' under the heading ''FEDERAL AVIATION ADMINISTRATION'' in title I of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016 (division L of Public Law 114–113; 129 Stat. 2840).

SA 4041. Mr. MENENDEZ (for himself, Mrs. SHAHEEN, and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

CERTAIN SERVICE DEEMED TO BE ACTIVE MILITARY SERVICE

SEC. 251. (a) IN GENERAL.—For purposes of section 401(a)(1)(A) of the GI Bill Improvement Act of 1977 (38 U.S.C. 106 note), the Secretary of Defense is deemed to have determined that qualified service of an individual constituted active military service.

(b) DETERMINATION OF DISCHARGE STATUS.—The Secretary of Defense shall issue an honorable discharge under section 401(a)(1)(B) of the GI Bill Improvement Act of 1977 to each person whose qualified service warrants an honorable discharge. Such discharge shall be issued before the end of the one-year period beginning on the date of the enactment of this Act.

(c) PROHIBITION OF RETROACTIVE BENEFITS.—No benefits may be paid to any individual as a result of the enactment of this section for any period before the date of the enactment of this Act.

(d) QUALIFIED SERVICE DEFINED.—In this section, the term ''qualified service'' means service of an individual as a member of the organization known as the United States Cadet Nurse Corps during the period beginning on July 1, 1943, and ending on December 15, 1945.

SA 4042. Mr. WARNER (for himself and Mr. KAINE) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

On page 37, between lines 17 and 18, insert the following:

SEC. 122. (a) TRANSFER OF AMOUNTS.—

(1) STATE OF VIRGINIA.—

(A) IN GENERAL.—Of the total amount apportioned to the State of Virginia under section 104 of title 23, United States Code, for fiscal year 2017, the Secretary of Transportation shall, by the later of November 30, 2016, or 30 days after the enactment of this Act, transfer to the National Park Service—

(i) an amount equal to—

(I) $30,000,000; multiplied by

(II) the ratio that—

(aa) the amount apportioned to the State of Virginia under such section 104; bears to

(bb) the combined amount apportioned to the State of Virginia and the District of Columbia under such section 104; and

(ii) an amount of obligation limitation equal to the amount calculated under clause (i).

(B) SOURCE AND AMOUNT.—For purpose of the transfer under subparagraph (A), the State of Virginia shall select at the discretion of the State—

(i) the programs (among those for which funding is apportioned as described in that subparagraph) from which to transfer the amount specified in that subparagraph; and

(ii) the amount to transfer from each of those programs (equal in aggregate to the amount calculated under subparagraph (A)(i)).

(2) DISTRICT OF COLUMBIA.—

(A) IN GENERAL.—Of the total amount apportioned to the District of Columbia under section 104 of title 23, United States Code, for fiscal year 2017, the Secretary of Transportation shall, by the later of November 30, 2016, or 30 days after the enactment of this Act, transfer to the National Park Service—

(i) an amount equal to—

(I) $30,000,000; multiplied by

(II) the ratio that—

(aa) the amount apportioned to the District of Columbia under such section 104; bears to

(bb) the combined amount apportioned to the State of Virginia and the District of Columbia under such section 104; and

(ii) an amount of obligation limitation equal to the amount calculated under clause (i).

(B) SOURCE AND AMOUNT.—For purpose of the transfer under subparagraph (A), the District of Columbia shall select at the discretion of the District—

(i) the programs (among those for which funding is apportioned as described in that subparagraph) from which to transfer the amount specified in that subparagraph; and

(ii) the amount to transfer from each of those programs (equal in aggregate to the amount calculated under subparagraph (A)(i)).

(3) FEDERAL LANDS TRANSPORTATION PROGRAM.—Of the amounts otherwise made available to the National Park Service under section 203 of title 23, United States Code, not less than 10 percent shall be set aside for purposes of this section.

(b) ELIGIBILITY AND FEDERAL SHARE.—The amounts under subsection (a) shall be—

(1) available to the National Park Service only for projects that—

(A) are eligible under section 203 of title 23, United States Code;

(B) are located on bridges on the National Highway System that were originally constructed before 1945 and are in poor condition; and

(C) each have an estimated total project cost of not less than $150,000,000; and

(2) subject to the Federal share described in section 201(b)(7)(A) of title 23, United States Code.

(c) OTHER FUNDS AND OBLIGATION LIMITATION.—Any funds and obligation limitation transferred under subsection (a) shall be in addition to funds or obligation limitation otherwise made available to the National Park Service under sections 203 and 204 of title 23, United States Code.

SA 4043. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the end of title II of division B, add the following:

SEC. 251. (a) The Secretary of Veterans Affairs may use amounts appropriated or otherwise made available in this title to ensure that the ratio of veterans to full-time employment equivalents within any program of rehabilitation conducted under chapter 31 of title 38, United States Code, does not exceed 125 veterans to one full-time employment equivalent.

(b) Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the programs of rehabilitation conducted under chapter 31 of title 38, United States Code, including—

(1) an assessment of the veteran-to-staff ratio for each such program; and

(2) recommendations for such action as the Secretary considers necessary to reduce the veteran-to-staff ratio for each such program.

SA 4044. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 215, line 5, strike ''2018.'' and insert ''2018: *Provided further*, That, of the funds made available under this heading, not to exceed $100,000, shall be used to expand procedures related to any online consumer tool offered or supported by the Department of Veterans Affairs that provides information to veterans regarding specific postsecondary educational institutions, such as the GI Bill Comparison Tool or any successor or similar program, to ensure for each such institution an accounting of pending investigations and civil or criminal actions against the institution by Federal agencies and State attorneys general, to the extent such information is publicly available.''.

SA 4045. Mr. ROUNDS submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. ESTABLISHMENT OF GRANT PROGRAM TO IMPROVE MONITORING OF MENTAL HEALTH AND SUBSTANCE ABUSE TREATMENT PROGRAMS OF DEPARTMENT OF VETERANS AFFAIRS.

(a) ESTABLISHMENT.—Commencing not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish a grant program to improve the monitoring of mental health and substance abuse treatment programs of the Department of Veterans Affairs.

(b) GRANTS.—

(1) MAIN GRANT.—

(A) AWARD.—In carrying out subsection (a), the Secretary shall award grants to four protection and advocacy systems under which each protection and advocacy system shall carry out a demonstration project to investigate and monitor the care and treatment of veterans provided under chapter 17 of title 38, United States Code, for mental illness or substance abuse issues at medical facilities of the Department.

(B) MINIMUM AMOUNT.—Each grant awarded under subparagraph (A) to a protection and advocacy system shall be in an amount that is not less than $105,000 for each year that the protection and advocacy system carries out a demonstration project described in such subparagraph under the grant program.

(2) COLLABORATION GRANT.—

(A) AWARD.—During each year in which a protection and advocacy system carries out a demonstration project under paragraph (1)(A), the Secretary shall award a joint grant to a national organization with extensive knowledge of the protection and advocacy system and a veterans service organization in the amount of $80,000.

(B) COLLABORATION.—Each national organization and veterans service organization that is awarded a joint grant under subparagraph (A) shall use the amount of the grant to facilitate the collaboration between the national organization and the veterans service organization to—

(i) coordinate training and technical assistance for the protection and advocacy systems awarded grants under paragraph (1)(A); and

(ii) provide for data collection, reporting, and analysis in carrying out such paragraph.

(3) AUTHORITY.—In carrying out a demonstration project under paragraph (1)(A), a protection and advocacy system shall have the authorities specified in section 105(a) of the Protection and Advocacy for Individuals with Mental Illness Act (42 U.S.C. 10805(a)) with respect to medical facilities of the Department.

(c) SELECTION.—In selecting the four protection and advocacy systems to receive grants under subsection (b)(1)(A), the Secretary shall consider the following criteria:

(1) Whether the protection and advocacy system has demonstrated monitoring and investigation experience, along with knowledge of the issues facing veterans with disabilities.

(2) Whether the State in which the protection and advocacy system operates—

(A) has low aggregated scores in the domains of mental health, performance, and access as rated by the Strategic Analytics Improvement and Learning database system (commonly referred to as ''SAIL''); and

(B) to the extent practicable, is representative of both urban and rural States.

(d) REPORTS.—The Secretary shall ensure that each protection and advocacy system participating in the grant program submits to the Secretary reports developed by the protection and advocacy system relating to investigations or monitoring conducted pursuant to subsection (b)(1)(A). The Secretary shall designate an office of the Department of Veterans Affairs to receive each such report.

(e) DURATION; TERMINATION.—

(1) DURATION.—The Secretary shall carry out the grant program established under subsection (a) for a period of five years beginning on the date of commencement of the grant program.

(2) TERMINATION OF DEMONSTRATION PROJECTS.—The Secretary may terminate a demonstration project under subsection (b)(1)(A) before the end of the five-year period described in paragraph (1) if the Secretary determines there is good cause for such termination. If the Secretary carries out such a termination, the Secretary shall award grants under such subsection to a new protection and advocacy system for the remaining duration of the grant program.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out the grant program under subsection (a) $500,000 for each of fiscal years 2017 through 2021.

(g) TRANSFER OF FUNDS.—Of the funds made available to the Department of Defense in title I of division B of this Act for the Department of Defense Base Closure Account, $500,000 shall be transferred to the Secretary of Veterans Affairs to carry out this section in fiscal year 2017.

(h) DEFINITIONS.—In this section:

(1) The term ''protection and advocacy system'' has the meaning given the term ''eligible system'' in section 102(2) of the Protection and Advocacy for Individuals with Mental Illness Act (42 U.S.C. 10802(2)).

(2) The term ''State'' means each of the several States, territories, and possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

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

SA 4046. Mr. PETERS submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

In division A, on page 46, beginning on line 2, strike ''$160,075,000'' and all that follows through line 4, and insert the following: ''$163,075,000, of which $20,000,000 shall remain available through September 30, 2018: *Provided*, That not less than $9,600,000 of the amount provided under this heading shall be expended on vehicle electronics and emerging technology research for autonomous vehicles: *Provided further*, That the amount appropriated under this title for necessary expenses of the Office of the Secretary shall be reduced by $3,000,000.''.

SA 4047. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 15, line 25, strike ''airport'' and insert the following: ''airport: *Provided further*, That an amount not to exceed $2,000,000 shall be available for use to revise existing third class medical certification regulations such that a general aviation pilot is authorized to operate an aircraft authorized under Federal law to carry not more than 6 occupants and with a maximum certificated takeoff weight of not more than 6,000 pounds if the pilot has held a third class medical certificate issued by the Federal Aviation Administration in the preceding 10 years, has completed an online medical education course in the preceding 2 years, has received a medical examination by a State-licensed physician in the preceding 4 years, and is under the care and treatment of a physician as directed, as provided for in the report of the Committee on Commerce, Science, and Transportation of the Senate accompanying S. 571, 114th Congress (Senate Report 114–198)''.

SA 4048. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ___. (a) The Secretary of Transportation shall establish a program to evaluate unmanned aircraft system detection and mitigation technologies that—

(1) may be used by airports to locate and track unmanned aircraft systems and the operators of such systems;

(2) do not interfere with existing airport operations, navigation, or communications systems;

(3) cannot be disabled or overridden by the owner or operator of an unmanned aircraft system;

(4) do not rely on the compliance of the manufacturer, owner, or operator of an unmanned aircraft system.

(b) The Administrator of the Federal Aviation Administration shall—

(1) not later than 30 days after the date of the enactment of this Act, submit to Congress a report on the program required by subsection (a);

(2) establish pilot programs at not more than 3 airports to deploy and test the most promising technology identified in the report required by paragraph (1); and

(3) not later than 90 days after such date of enactment, submit to Congress a report that includes—

(A) the results of the pilot programs established under paragraph (2); and

(B) recommendations for national unmanned aircraft system detection and mitigation protocols at airports in the United States.

(c) Of amounts in the Airport and Airway Trust Fund established under section 9502 of the Internal Revenue Code of 1986, not more than $5,000,000 shall be available to carry out the pilot programs required by subsection (b)(2).

SA 4049. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ___. It is the sense of Congress that, during the pending summer travel season, the Transportation Security Administration should use all existing resources and technology to increase the efficiency of security screening at airports while preserving a high level of security, including by—

(1) redeploying behavior detection officers to staff the travel document checker position and putting the travel document checkers at screening checkpoints to perform screening functions;

(2) redeploying divest officers to screening checkpoints to perform screening functions

and accepting the voluntary assistance of airports or air carriers with queuing and encouraging passengers to properly divest;

(3) providing Federal security directors the ability to make local decisions about manpower resource allocation without having to consult with Transportation Security Administration headquarters;

(4) immediately disseminating to airports and Federal security directors the best practices developed during the optimization team visits;

(5) using passenger screening canines to their greatest benefit in terms of both volume and mitigating excessive screening checkpoint wait times;

(6) conducting local training of transportation security officers until after the busy summer travel season;

(7) ensuring predictable and consistent operating hours for the PreCheck program and immediately initiating a marketing blitz highlighting the program and its benefits in coordination with airports;

(8) reassigning all available administrative and regulatory personnel to support passenger and baggage screening operations;

(9) moving available part-time screeners to full-time for the summer; and

(10) adopting an online enrollment process for the PreCheck program.

SA 4050. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, line 6, insert ''*Provided further*, That the Secretary may provide section 8 rental assistance from amounts made available under this paragraph for units assisted under a project-based subsidy contract funded under the 'Project-Based Rental Assistance' heading under this title where the owner has received a Notice of Default and the units pose an imminent health and safety risk to residents: *Provided further*, That to the extent that the Secretary determines that such units are not feasible for continued rental assistance payments or transfer of the subsidy contract associated with such units to another project or projects and owner or owners, any remaining amounts associated with such units under such contract shall be recaptured and used to reimburse amounts used under this paragraph for rental assistance under the preceding proviso:'' before ''*Provided further*,''.

SA 4051. Mr. WARNER (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 4039 submitted by Mr. MCCAIN (for himself, Mr. BLUMENTHAL, and Mr. BURR) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY LEASES OF THE DEPARTMENT OF VETERANS AFFAIRS

SEC. 253. (a) IN GENERAL.—The Secretary of Veterans Affairs may carry out the following major medical facility leases at the locations specified and in an amount for each lease not to exceed the amount specified for such location (not including any estimated cancellation costs):

(1) For an outpatient clinic, Ann Arbor, Michigan, an amount not to exceed $17,093,000.

(2) For an outpatient mental health clinic, Birmingham, Alabama, an amount not to exceed $6,971,000.

(3) For an outpatient specialty clinic, Birmingham, Alabama, an amount not to exceed $10,479,000.

(4) For research space, Boston, Massachusetts, an amount not to exceed $5,497,000.

(5) For research space, Charleston, South Carolina, an amount not to exceed $6,581,000.

(6) For an outpatient clinic, Daytona Beach, Florida, an amount not to exceed $12,664,000.

(7) For Chief Business Office Purchased Care office space, Denver, Colorado, an amount not to exceed $17,215,000.

(8) For an outpatient clinic, Gainesville, Florida, an amount not to exceed $4,686,000.

(9) For an outpatient clinic, Hampton Roads, Virginia, an amount not to exceed $18,124,000.

(10) For research space, Mission Bay, California, an amount not to exceed $23,454,000.

(11) For an outpatient clinic, Missoula, Montana, an amount not to exceed $7,130,000.

(12) For an outpatient clinic, Northern Colorado, Colorado, an amount not to exceed $8,776,000.

(13) For an outpatient clinic, Ocala, Florida, an amount not to exceed $5,279,000.

(14) For an outpatient clinic, Oxnard, California, an amount not to exceed $6,297,000.

(15) For an outpatient clinic, Pike County, Georgia, an amount not to exceed $5,757,000.

(16) For an outpatient clinic, Portland, Maine, an amount not to exceed $6,846,000.

(17) For an outpatient clinic, Raleigh, North Carolina, an amount not to exceed $21,607,000.

(18) For an outpatient clinic, Santa Rosa, California, an amount not to exceed $6,498,000.

(19) For a replacement outpatient clinic, Corpus Christi, Texas, an amount not to exceed $7,452,000.

(20) For a replacement outpatient clinic, Jacksonville, Florida, an amount not to exceed $18,136,000.

(21) For a replacement outpatient clinic, Pontiac, Michigan, an amount not to exceed $4,532,000.

(22) For a replacement outpatient clinic, phase II, Rochester, New York, an amount not to exceed $6,901,000.

(23) For a replacement outpatient clinic, Tampa, Florida, an amount not to exceed $10,568,000.

(24) For a replacement outpatient clinic, Terre Haute, Indiana, an amount not to exceed $4,475,000.

(b) EMERGENCY REQUIREMENT.—The amounts made available under subsection (a) are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)).

SA 4052. Mr. WARNER (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 4039 submitted by Mr. MCCAIN (for himself, Mr. BLUMENTHAL, and Mr. BURR) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY LEASES OF THE DEPARTMENT OF VETERANS AFFAIRS

SEC. 253. (a) IN GENERAL.—The Secretary of Veterans Affairs may carry out the following major medical facility leases at the locations specified and in an amount for each lease not to exceed the amount specified for such location (not including any estimated cancellation costs):

(1) For an outpatient clinic, Ann Arbor, Michigan, an amount not to exceed $17,093,000.

(2) For an outpatient mental health clinic, Birmingham, Alabama, an amount not to exceed $6,971,000.

(3) For an outpatient specialty clinic, Birmingham, Alabama, an amount not to exceed $10,479,000.

(4) For research space, Boston, Massachusetts, an amount not to exceed $5,497,000.

(5) For research space, Charleston, South Carolina, an amount not to exceed $6,581,000.

(6) For an outpatient clinic, Daytona Beach, Florida, an amount not to exceed $12,664,000.

(7) For Chief Business Office Purchased Care office space, Denver, Colorado, an amount not to exceed $17,215,000.

(8) For an outpatient clinic, Gainesville, Florida, an amount not to exceed $4,686,000.

(9) For an outpatient clinic, Hampton Roads, Virginia, an amount not to exceed $18,124,000.

(10) For research space, Mission Bay, California, an amount not to exceed $23,454,000.

(11) For an outpatient clinic, Missoula, Montana, an amount not to exceed $7,130,000.

(12) For an outpatient clinic, Northern Colorado, Colorado, an amount not to exceed $8,776,000.

(13) For an outpatient clinic, Ocala, Florida, an amount not to exceed $5,279,000.

(14) For an outpatient clinic, Oxnard, California, an amount not to exceed $6,297,000.

(15) For an outpatient clinic, Pike County, Georgia, an amount not to exceed $5,757,000.

(16) For an outpatient clinic, Portland, Maine, an amount not to exceed $6,846,000.

(17) For an outpatient clinic, Raleigh, North Carolina, an amount not to exceed $21,607,000.

(18) For an outpatient clinic, Santa Rosa, California, an amount not to exceed $6,498,000.

(b) EMERGENCY REQUIREMENT.—The amounts made available under subsection (a) are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)).

SA 4053. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr.

REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

In division A, beginning on page 61, strike line 10 and all that follows through page 62, line 4.

SA 4054. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

In division A, beginning on page 56, strike line 10 and all that follows through page 57, line 12.

SA 4055. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

In division A, on page 56, strike lines 6 through 9.

SA 4056. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

In division A, beginning on page 51, strike line 14 and all that follows through page 53, line 3.

SA 4057. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

In division A, on page 27, strike lines 5 through 12 and insert the following:

Not to exceed $430,795,000, together with advances and reimbursements received by the Federal Highway Administration, shall be obligated for necessary expenses for administration and operation of the Federal Highway Administration.

SA 4058. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

In division A, beginning on page 10, strike line 16 and all that follows through page 11, line 16.

SA 4059. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

In division A, on page 28, line 9, strike the period at the end and insert the following: '': *Provided further*, That none of the funds made available under this heading may be used to carry out a project under section 133(h) of title 23, United States Code.''

SA 4060. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

In division A, beginning on page 4, strike line 10 and all that follows through page 6, line 18.

SA 4061. Ms. COLLINS submitted an amendment intended to be proposed to amendment SA 3897 proposed by Mr. MCCONNELL (for Mr. LEE (for himself, Mr. VITTER, Mr. COTTON, and Mr. SHELBY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC.____. None of the funds made available by this Act may be used by the Department of Housing and Urban Development to direct a grantee to undertake specific changes to existing zoning laws as part of carrying out the final rule entitled ''Affirmatively Furthering Fair Housing'' (80 Fed. Reg. 42272 (July 16, 2015)) or the notice entitled ''Affirmatively Furthering Fair Housing Assessment Tool'' (79 Fed. Reg. 57949 (September 26, 2014)).

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 18, 2016, at 10 a.m., in room SR–253 of the Russell Senate Office Building to conduct a hearing entitled ''The Telephone Consumer Protection Act at 25: Effects on Consumers and Business.''

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on May 18, 2016, at 9:30 a.m., in room SD–406 of the Dirksen Senate Office Building.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on May 18, 2016, at 10 a.m., in room SD–430 of the Dirksen Senate Office Building to conduct a hearing entitled ''ESSA Implementation: Perspectives from Education Stakeholders.''

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 18, 2016, at 10 a.m., to conduct a hearing entitled ''Assessing the Security of Critical Infrastructure: Threats, Vulnerabilities, and Solutions.''

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

COMMITTEE ON INDIAN AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on May 18, 2016, at 2:15 p.m., in room SD–628 of the Dirksen Senate Office Building.

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

COMMITTEE ON THE JUDICIARY

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized

to meet during the session of the Senate on May 18, 2016, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Nominations.''

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on May 18, 2016, at 2 p.m., in room SR–428A of the Russell Senate Office Building, to conduct a hearing entitled ''The Small Business Struggle Under Obamacare.''

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

SUBCOMMITTEE ON CRIME AND TERRORISM

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Crime and Terrorism be authorized to meet during the session of the Senate on May 18, 2016, at 3 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Ransomware: Understanding the Threat and Exploring Solutions.''

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

PRIVILEGES OF THE FLOOR

Mr. REED. Mr. President, I ask unanimous consent that Julia Tierney and Jane Bigham, two detailees with the Health, Education, Labor, and Pensions Committee, and Charcillea Schaefer, a military fellow in Senator MURRAY's personal office, be granted privileges of the floor for the duration of the 114th Congress.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Calendar Nos. 547 through 551 and all nominations on the Secretary's desk in the Foreign Service; that the nominations be confirmed en bloc, the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

IN THE COAST GUARD

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

To be captain

Jennifer K. Grzelak
Andrew R. Sheffield

The following named officers for appointment to the grade indicated in the United States Coast Guard under title 14, U.S.C., section 271(d):

To be rear admiral

Rear Adm. (lh) Meredith L. Austin
Rear Adm. (lh) Peter W. Gautier
Rear Adm. (lh) Michael J. Haycock
Rear Adm. (lh) James M. Heinz
Rear Adm. (lh) Kevin E. Lunday
Rear Adm. (lh) Todd A Sokalzuk
Rear Adm. (lh) Paul F. Thomas

The following named officers for appointment in the grade indicated in the United States Coast Guard as members of the Coast Guard permanent commissioned teaching staff under title 14, U.S.C., section 188:

To be lieutenant

Jonathan P. Tschudy
Matthew B. Williams

The following named officer for appointment as Vice Commandant in the United States Coast Guard and to the grade indicated under title 14, U.S.C., section 47:

To be admiral

Vice Adm. Charles D. Michel

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

To be vice admiral

Vice Adm. Charles W. Ray

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE FOREIGN SERVICE

PN230—4 FOREIGN SERVICE nomination of Victoria L Mitchell, which was received by the Senate and appeared in the Congressional Record of February 26, 2015.

PN1088 FOREIGN SERVICE nomination of Antonio J. Arroyave, which was received by the Senate and appeared in the Congressional Record of January 19, 2016.

PN1256 FOREIGN SERVICE nominations (146) beginning Rian Harker Harris, and ending Jennifer Marie Schuett, which nominations were received by the Senate and appeared in the Congressional Record of March 15, 2016.

PN1257 FOREIGN SERVICE nominations (173) beginning Melinda L. Crowley, and ending Julie Elizabeth Zinamon, which nominations were received by the Senate and appeared in the Congressional Record of March 15, 2016.

PN1371 FOREIGN SERVICE nominations (8) beginning Nathan Seifert, and ending Joshua Burke, which nominations were received by the Senate and appeared in the Congressional Record of April 14, 2016.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

NATIONAL PUBLIC WORKS WEEK

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 471, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 471) designating the week of May 15 through May 21, 2016, as ''National Public Works Week.''

There being no objection, the Senate proceeded to consider the resolution.

Ms. COLLINS. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 471) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

DANNIE A. CARR VETERANS OUTPATIENT CLINIC

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of H.R. 2814 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2814) to name the Department of Veterans Affairs community-based outpatient clinic in Sevierville, Tennessee, the Dannie A. Carr Veterans Outpatient Clinic.

There being no objection, the Senate proceeded to consider the bill.

Ms. COLLINS. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 2814) was ordered to a third reading, was read the third time, and passed.

ORDERS FOR THURSDAY, MAY 19, 2016

Ms. COLLINS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, May 19; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate then resume consideration of H.R. 2577, with the time until 11:15 a.m. equally divided between the managers or their designees.

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

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Ms. COLLINS. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 8:14 p.m., adjourned until Thursday, May 19, 2016, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

FRANCES MARIE TYDINGCO–GATEWOOD, OF GUAM, TO BE JUDGE FOR THE DISTRICT COURT OF GUAM FOR THE TERM OF TEN YEARS. (REAPPOINTMENT)

DEPARTMENT OF JUSTICE

CAROLE SCHWARTZ RENDON, OF OHIO, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF OHIO FOR THE TERM OF FOUR YEARS, VICE STEVEN M . DETTELBACH, RESIGNED.

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. DAVID G. BASSETT
BRIG. GEN. WILLARD M. BURLESON III
BRIG. GEN. CHRISTOPHER G. CAVOLI
BRIG. GEN. DAVID C. COBURN
BRIG. GEN. STEPHEN E. FARMEN
BRIG. GEN. BRYAN P. FENTON
BRIG. GEN. MALCOLM B. FROST
BRIG. GEN. PATRICIA A. FROST
BRIG. GEN. DOUGLAS M. GABRAM
BRIG. GEN. PETER A. GALLAGHER
BRIG. GEN. JOHN A. GEORGE
BRIG. GEN. RANDY A. GEORGE
BRIG. GEN. MICHAEL L. HOWARD
BRIG. GEN. SEAN M. JENKINS
BRIG. GEN. JOHN P. JOHNSON
BRIG. GEN. RICHARD G. KAISER
BRIG. GEN. JOHN S. KEM
BRIG. GEN. ROBERT L. MARION
BRIG. GEN. TIMOTHY P. MCGUIRE
BRIG. GEN. DENNIS S. MCKEAN
BRIG. GEN. TERRENCE J. MCKENRICK
BRIG. GEN. CHRISTOPHER P. MCPADDEN
BRIG. GEN. DANIEL G. MITCHELL
BRIG. GEN. FRANK M. MUTH
BRIG. GEN. ERIK C. PETERSON
BRIG. GEN. LEOPOLDO A. QUINTAS, JR.
BRIG. GEN. KURT J. RYAN
BRIG. GEN. MARK C. SCHWARTZ
BRIG. GEN. WILSON A. SHOFFNER, JR.
BRIG. GEN. KURT L. SONNTAG
BRIG. GEN. SCOTT A. SPELLMON
BRIG. GEN. RANDY S. TAYLOR
BRIG. GEN. ROBERT P. WALTERS, JR.
BRIG. GEN. ERIC J. WESLEY

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER ARTICLE II, SECTION 2, CLAUSE 2, OF THE UNITED STATES CONSTITUTION:

To be rear admiral (lower half)

CAPT. RONNY L. JACKSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

ADM. MICHELLE J. HOWARD

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ZACHARY P. AUGUSTINE
CHRISTOPHER JAMES BAKER
BRIAN V. BANAS
JEFFREY T. BILLER
OWEN B. BISHOP
MICHAEL P. CARRUTHERS
DAVID ANTHONY COGGIN, JR.
ANTHONY M. DAMIANI
ALLISON CHISOLM DANELS
MATTHEW E. DUNHAM
DARIN C. FAWCETT
CODY P. FOWLER
JOSHUA A. GOINS
ERICA L. HARRIS
ELIZABETH MARIE HERNANDEZ
RYAN D. HILTON
SHAROIHA P. K. JAMESON
RHEA ANN LAGANO
ERIN T. X. LAI
BRETT A. LANDRY
DUSTIN C. LANE
LARISSA N. LANIGAR
JAMES R. LISHER II
DANIEL C. MAMBER
SHELLY STOKES MCNULTY
BRADLEY A. MORRIS
NICOLE M. NAVIN
NINA R. PADALINO
KYLE A. PAYNE
GABRIEL DAVIS PEDRICK
JENNIFER E. POWELL
MICHAEL T. RAKOWSKI
DEREK A. ROWE
RENEE DIANE SALZMANN
DANIEL E. SCHOENI
NATHANIEL H. SEARS
LANCE R. SMITH
LEAH M. SPRECHER
MICHELLE MARIE SUBERLY
MATTHEW D. TALCOTT
MICHAEL L. TOOMER
DANIEL P. TULL
JOHN B. WARNOCK
PILAR G. WENNRICH
BRIAN A. YOUNG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

WILLIAM J. FECKE
FREDDIE E. JENKINS
CRAIG A. KEYES
MARK R. LAMEY
ZOYA L. LEE ZERKEL
WILLIAM P. MALLOY
ANN M. MCCAIN
DERRICK J. MCKERCHER
DAVID A. SCHLEVENSKY
GIGI A. SIMKO
JAMES S. SMITH
MARY E. STEWART
PAUL J. TOTH, JR.
JANET K. URBANSKI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

WALTER W. BEAN
DAVID LEWIS BUTTRICK
ALAN CHOUEST
RANDALL W. ERWIN
MICHAEL W. HUSFELT
SCOTT L. RUMMAGE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JENNIFER D. BANKSTON
BENJAMIN BERZINIS
JANET L. BLANCHARD
DENISE D. CARCAMO
ROBERT L. CHAPLIN, JR.
STEPHANIE CHIRICO
KRISTA L. CHRISTIANSON
JUVELYN T. CHUA
PENNY H. CUNNINGHAM
PATRICIA J. DALTON
RENAE R. DENELSBECK
MICHELLE D. DIMOFF
JON D. EARLES
MARION L. FOREMAN, JR.
SUZANNE M. GREEN
KRISTA D. GREY
JULIE L. HANSON
DALE E. HARRELL
JAMALE R. HART
LYNN M. HAY
JO ANN M. HENDERSON
DAVID P. HERNANDEZ
RONALD K. HODGEN
LONNIE W. HODGES
DAWNKIMBERLY Y. HOPKINS
STEPHANIE ISAACFRANCIS
JENNIFER LEA JAMISON GINES
AMANDA C. KRBEC
ANGELA M. LACEK
SCOTT A. LEBLANC
TAMARA A. LEITAKERMYERS
ROY L. LOUQUE
AMY F. MACIAS
LAURIE A. MIGLIORE
SANDRA R. NESTOR
SINA M. NICHOLS
DAVID S. NORWOOD
ADELEKE A. OYEMADE
MATTHEW L. PFEIFFER
NISA T. PISTONE
SUSAN P. RHEA
DWAYNE ROLNIAK
HEATHER N. ROSCISZEWSKI
SCOTT F. SANDERS
AMANDA L. SIANGCO
ERIKA T. SMITH
JAMES A. SMITH II
WANDA K. STAUFFER
SARAH E. STRANSKE
KIMBERLY NOVACK TRNKA
CLINTON K. WAHL
JAMES K. WEBB
WILLIAM F. WOLFE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MICHAEL CHRISTOPHER AHL
JOEL RYAN ANDREASON
JOHANNA K. BERNSTEIN
KEVIN MICHAEL BODEN
ROSS ANDREW BROWN
JASMINE NATASHA CANDELARIO
CAROLYN G. CARMODY
LINDSAY ANN COLLINS
ADAM JONES CUMBERWORTH
BENJAMIN HARRIS DEYOUNG
SETH WOODRUFF DILWORTH
SARAH MARTINO DINGIVAN
MICAH WAYNE ELGGREN
JANE A. ELZEFTAWY
JAMES PETER FERRELL
ANTONIO FORNASIER
DAVID LINDSTROM FOX
CASEY JOHN GROHER
KEVIN CHARLES HAKALA
PETER FITZGERALD HAVERN
VALYNCIA S. HILL
ANDREA MARIE HUNWICK
KENNETH JAMES HYLE III
BRETT AUSTIN JOHNSON
TIFFANY A. JOHNSON
ANDREW JOHN KASMAN
JOHN F. KNOX
DUSTIN B. KOUBA
CHRISTOPHER R. LANKS
DANIEL SOONGHYUN LEE
JOHNATHAN DAVID LEGG
MATTHEW PATRICK LYNCH
RACHEL SARA LYONS
CHRISTOPHER KIRK MANGELS
SEAN C. MCGARVEY
JARETT FREDRIC MERK
CHRISTINE L. MEYLING
JEREMY LEE MOONEY
ADAM GREGORY MUDGE
RYAN ADAM MUELLER
VY S. NGUYEN
TRENTON ALLEN NORMAN
PHILLIP NORMAN PADDEN
KYRA LINDSAY PALMER
DAYLE PAMELA PERCLE
NICHOLAS DAVID PETERSON
MICHAEL ADAM PIERSON
BRADLEY L. PORONSKY
DANKO PRINCIP
MICHAEL JOSEPH RAMING
SARA MARIE RATHGEBER
RYAN MARCUS REED
JOHN STEWART REID
LAUREN E. ROSENBLATT
JAZMINE ABADIA RUSSELL
AMANDA KAY SNIPES
STEVEN LUTHER SPENCER II
TAREN E. WELLMAN
EMILY MARIE WILSON
CRYSTAL LOUISE WONG
LISA MARIE WOTKOWICZ

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

TIMOTHY JAMES ANDERSON
JESSICA L. ANGELES
CHEICK A. BAH
NEIL ADAM BOOTS
RODNEY PAUL BOTTOMS
MICHAEL A. BOWER
LIZETH CAMERON
JAMIE TERRELL CLARK
MELODIE M. CROSS
PATRICK JAMES DAUGHERTY, JR.
AMANDA M. DAVIS
WENDY M. DUNLAP
BOYD H. FRITZSCHE
DANIEL J. GILARDI
NATHAN TRAVIS GREEN
TYLER A. GRUNEWALD
KATHERINE S. HASS
MARIE F. JOHN
MATTHEW B. KESTI
CANDACE F. LUCAS
MOLLY A. MATTHEWS NEU
RYAN C. MCCRAE

BENJAMIN E. MEIGHAN
MISTI NICHOLE NEILL
BRYANT C. NELSON
TAMARA A. OPALINSKI
JONATHAN D. PENTEL
JAMES N. PFOTENHAUER
JOHN MORRISON RABOLD
XIAO CHEN REN
NATHAN REYNOLDS
THOMAS S. SHADD
SHANE EUGENE SLADE
CHRISTOPHER E. STEWART
CORINNE M. STEWART
AMANDA T. TERRY
MARIO E. TORRES
CHRISTOPHER KENNETH WEBER
CHAD M. WHITSON
BENJAMIN J. WILSON
JUSTIN L. WOLTHUIZEN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

VICTORIA D. ABLES
KRISTEN A. ALBERT
LAWANDA M. AMATO
JORGE A. ARIZPE
LESLIE L. BALCAZAR
MONIQUE NATASHA BATTLE
SARA R. BITTIKER
RHETT A. BLUE
JAMES F. BOCCHICCHIO
BRENT HARRIS BURHITE
LYN L. CABIGAS
SAMANTHA K. CAMPBELL
STEPHANIE J. CAMPOS
REBEKAH J. CARLISLE
LEWIS J. CARVER, JR.
MIN CHOI
NELANETTE V. CLEMMONS
JASMINE D. COOK
DENISE R. COVERT
CARLA S. COX
ANNA M. DANZ
LISA M. DEEP
JILL A. DIXON
EDWARD S. EAST
JESSICA F. ELLIS
MICAH T. EMERSON
ADAM C. FALTERSACK
REBECCA A. FARMER
AMANDA M. FULMER
FALANA C. GIDEON
KELLEY E. GIVENS
JENNIFER L. GREEN
SHELLY S. HANSON
DION J. HATTRUP
MELISSA HENDRICKS
RANDALL S. HICKS
MATHEW B. HILL
RACHEL E. HODGE
CANDICE R. HOLBROOK
DIANA HORTON
LISA S. HOWARD
ANTHONY INTERRANTE III
SARA A. JANSCH
CAROL A. KELLY
BRIAN R. KENNEDY
BROOKE N. KIEFFER
LEIGH E. KIMMELL
EDWARD R. KISSAM
LEAH M. LIN
NINA M. LINNEHAN
JESSICA LINTON
SHEILA L. LLANDERAL
CHRISTINA FAYE LOVE
ROMMEL B. LUBANG
MATTHEW S. LUNDH
MICHELLE L. LUTTRELL
ANGELA D. MAASS
MARTI T. MACTAGGART
RAY P. MAMUAD
LEON MAPP, JR.
LINDSEY N. MARQUEZ
THERESA A. MAVITY
BRENDAN E. MCQUOWN
DANIELLE N. MERRITT
SHANA R. MILLER
CHANEL N. MITCHELL
JENNIFER LEIGH MITCHUM
PATRICK J. MOSER
PAUL R. PADILLA
ALEXANDRA D. PARKER
JASON W. PARKINSON
ANDREW J. PHILLIPS
JAMES B. PUTNAM
KIRSTAN J. PYLE
STEPHANIE J. RAPS
NICHOLAS PATRICK REEDER
CECILIA Y. RIOS
JAMILIA D. ROBINSON
ADRIAN C. RODRIGUEZ
CHAD T. SANDMANN
CHRISTINE C. SARGENT TROJAN
DOUGLAS J. SAVEY
DEBRA M. SIZEMORE
JACQUELYN P. SMITH
JENNIFER D. SMITH
KENNETH D. SMITH
DAWN M. SOUZA
FAIZ M. TAQI
SYDNE M. B. TOBIAS
PAIGE A. WARREN
DEBRA L. WHITT
LENA MARIE WILLIAMS COX
ALEXANDER C. WILSON
HEATH WILSON
DAWN M. WINTER
JESSICA L. WYCHE
NICHOLE M. YOUNG
ANN M. ZENOBIA
MATTHEW G. ZINN

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

DANIEL P. FISHER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

DARIN J. BLATT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

ZOLTAN L. KROMPECHER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JOHN D. WINGEART

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JANELLE V. KUTTER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

KEVIN T. REEVES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

SHAWN R. LYNCH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C. SECTIONS 624 AND 3064:

To be major

ANKITA B. PATEL

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

RITA A. KOSTECKE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

HELEN H. BRANDABUR

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

BARRY K. WILLIAMS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

MARSHALL H. SMITH

FOREIGN SERVICE

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR APPOINTMENT AS A FOREIGN SERVICE OFFICER, A CONSULAR OFFICER, AND A SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

AMANDA R. AHLERS, OF CALIFORNIA
ALEXIS J. ALEXANDER, OF TEXAS
MOSES AN, OF CALIFORNIA
ANDREW J. AYLWARD, OF CALIFORNIA
JAMES C. BENNETT, OF WISCONSIN
LITTANE D. BIEN-AIME, OF MASSACHUSETTS
KEONDRA S. BILLS, OF NEW YORK
RYAN P. BLANTON, OF TEXAS
JACKSON N. BLOOM, OF CALIFORNIA
PREN-TSILYA BOA-GUEHE, OF MARYLAND
PATRICK T. BRANCO, OF HAWAII
PAUL R. BULLARD, OF NEW YORK
AARON P. BURGE, OF FLORIDA
ALLISON S. BYBEE, OF ALASKA
VIRGIL W. CARSTENS, OF TEXAS
MARK R. CARTER, OF WASHINGTON
RYAN W. CASSELBERRY, OF FLORIDA
MARIYAM A. CEMENTWALA, OF CALIFORNIA
SHILIANG THOMAS CHEN, OF NEW YORK
KRISTOFER L. CLARK, OF FLORIDA
PAM S. COBB, OF THE DISTRICT OF COLUMBIA
PATRICK F. COLLINS, OF ILLINOIS
MARLO S. CROSS-DURRANT, OF MICHIGAN
DANIEL R. DEMING, OF TENNESSEE
KRISTIE J. DI LASCIO, OF FLORIDA
ANDREW J. DILBERT, OF FLORIDA
REBECCA A. DOFFING, OF MINNESOTA
ELISABETH F. EL-KHODARY, OF MARYLAND
JOHN V. FAZIO, OF ILLINOIS
NICOLE M. FINNEMANN, OF MICHIGAN
PAUL I. FISHBEIN, OF CALIFORNIA
KARINA G. GARCIA, OF CALIFORNIA
COURTNEY L. GATES, OF CALIFORNIA
JENNIFER L. GOLDSTEIN, OF CALIFORNIA
JOHN H. GRAY, OF CALIFORNIA
MARIANNA GRAYSON, OF TEXAS
NATHANIEL S.D. HAFT, OF MARYLAND
ALLYSON R. HAMILTON–MCINTIRE, OF KENTUCKY
MILES C. HANSEN, OF TEXAS
KAYLEA J. HAPPELL, OF NEW YORK
KIMBERLY R. HARMON, OF SOUTH CAROLINA
BYRON C. HARTMAN, OF VIRGINIA
COURTNEY W. HO, OF NEW JERSEY
NOAH B. HOGAN, OF INDIANA
DANIELA S. IONOVA–SWIDER, OF VIRGINIA
JOHN P. JENKS, OF VIRGINIA
LISA S. JEWELL, OF ILLINOIS
NILE J. JOHNSON, OF GEORGIA
DEREK R. KELLY, OF NEW YORK
YUKI KONDO–SHAH, OF ARIZONA
LAURIE A. KURIAKOSE, OF WISCONSIN
JESSIE M. KUYKENDALL, OF OKLAHOMA
FRANK A. LAVOIE, OF NEVADA
JAIME F. LEBLANC–HADLEY, OF TEXAS
ALEX V. LITICHEVSKY, OF NEW JERSEY
SUTTON A. MEAGHER, OF MISSOURI
CAMERON S. MILLARD, OF WASHINGTON
JARED R. MILTON, OF VIRGINIA
WILLIAM J. MISKELLY, OF INDIANA
EMMA M. NAGY, OF CALIFORNIA
CARLY S. NASEHI, OF FLORIDA
TOBIN H. NELSON, OF CALIFORNIA
KATHERINE A. NTIAMOAH, OF INDIANA
BENJAMIN J. OVERBY, OF TEXAS
RYAN L. PALSROK, OF NEW YORK
JANE JIHYE PARK, OF VIRGINIA
JULIANNE N. PARKER, OF FLORIDA
GREGORY M. PEARMAN, OF CALIFORNIA
RYAN E. PETERSON, OF VIRGINIA
KAKOLI RAY, OF VIRGINIA
MICHAEL C. RILEY, OF NORTH CAROLINA
VANESSA N. ROZIER, OF CONNECTICUT
AHMED A. SHAMA, OF NEW YORK
ANDREW T. SHEPARD, OF FLORIDA
NOOSHIN SOLTANI, OF TEXAS
ALESIA L. SOURINE, OF MICHIGAN
MAX J. STEINER, OF CALIFORNIA
REBECCA J. STEWART, OF THE DISTRICT OF COLUMBIA
ALEXANDRA J. TAYLOR, OF PENNSYLVANIA
MARKUS A. THOMI, OF NEW YORK
MATTHEW A. THOMPSON, OF WASHINGTON
LEAH M. THORSTENSON, OF TEXAS
ELIZABETH B. THRELKELD, OF OKLAHOMA
NICHOLAS JACKSON UNGER, OF CALIFORNIA
TODD W. UNTERSEHER, OF LOUISIANA
JENNIFER L. VAN WINKLE, OF IOWA
VANESSA L. VIDAL–SAMMOUD, OF CALIFORNIA
GEORGE B. WARD, OF MARYLAND
ANN MARIE WARMENHOVEN, OF FLORIDA
LEE V. WILBUR, OF SOUTH DAKOTA

CONFIRMATIONS

Executive nominations confirmed by the Senate May 18, 2016:

IN THE COAST GUARD

COAST GUARD NOMINATIONS BEGINNING WITH JENNIFER K. GRZELAK AND ENDING WITH ANDREW R. SHEFFIELD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 14, 2015.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C., SECTION 271(D):

To be rear admiral

REAR ADM. (LH) MEREDITH L. AUSTIN
REAR ADM. (LH) PETER W. GAUTIER
REAR ADM. (LH) MICHAEL J. HAYCOCK
REAR ADM. (LH) JAMES M. HEINZ
REAR ADM. (LH) KEVIN E. LUNDAY
REAR ADM. (LH) TODD A. SOKALZUK
REAR ADM. (LH) PAUL F. THOMAS

COAST GUARD NOMINATIONS BEGINNING WITH JONATHAN P. TSCHUDY AND ENDING WITH MATTHEW B. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE

SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 17, 2016.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE COMMANDANT IN THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 47:

To be admiral

VICE ADM. CHARLES D. MICHEL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS DEPUTY COMMANDANT FOR OPERATIONS, A POSITION OF IMPORTANCE AND RESPONSIBILITY IN THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 50:

To be vice admiral

VICE ADM. CHARLES W. RAY

FOREIGN SERVICE

FOREIGN SERVICE NOMINATION OF VICTORIA L. MITCHELL.

FOREIGN SERVICE NOMINATION OF ANTONIO J. ARROYAVE.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH RIAN HARKER HARRIS AND ENDING WITH JENNIFER MARIE SCHUETT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 15, 2016.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH MELINDA L. CROWLEY AND ENDING WITH JULIE ELIZABETH ZINAMON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 15, 2016.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH NATHAN SEIFERT AND ENDING WITH JOSHUA BURKE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 14, 2016.

HOUSE OF REPRESENTATIVES—*Wednesday, May 18, 2016*

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 18, 2016.

I hereby appoint the Honorable DANIEL WEBSTER, to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

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

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

VETERANS EQUAL ACCESS AMENDMENT

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

Mr. BLUMENAUER. Mr. Speaker, one of the great tragedies of our time is our failure to adequately deal with the needs of our veterans returning home from Iraq and Afghanistan. We sent over 2 million brave men and women to fight under very difficult circumstances, to say the very least. While I was convinced from the beginning that the war was a tremendous mistake, that is all the more reason that we should work to protect those veterans as they return home with wounds that are both visible and, in some cases, unseen.

It is no secret that these returning veterans have placed quite a strain on our VA facilities, which coincides with a national opioid epidemic. Prescription painkillers steal the lives of 78 Americans every day. Over 20,000 were killed last year, and it often leads to heroin addiction if their supply of opioid pills is interrupted.

As veterans with PTSD, chronic pain, and any number of ailments are looking for relief, lethal opioid overdoses among VA patients are almost twice the national average. We are doing something wrong. This is at a time when the overwhelming number of veterans say to me that marijuana has reduced PTSD symptoms and their dependency on addictive opioids. Yet the VA official policy prevents their doctors who know them best from talking to our veterans about this, even in States where it is legal.

In 24 States, the District of Columbia, and Guam, medical marijuana at the recommendation of a physician is legal. In those States, it is often used as an alternative to the addictive opioids to treat chronic pain. Fourteen States allow for medical marijuana to treat PTSD. Yet, veterans who are seeking relief from something that has proven to make a difference for many of their peers cannot get help from their VA doctor, even in States where medical marijuana is legal.

This is outrageous. It is time for us to acknowledge our debt to those veterans and allow their personal VA physician, the doctor who knows them best, to be able to consult with them about medical marijuana in accordance with State law.

My amendment doesn't authorize the possession or use of marijuana at VA facilities, but it would allow physicians to treat the whole patient and to give them their best advice. We should not force our veterans to go to another doctor and pay for the service out of their own pocket with somebody who doesn't know them as well as their own doctor.

I would strongly hope that my colleagues would vote in favor of the Veterans Equal Access amendment in the MILCON–VA bill coming forward today. These men and women who have done so much for us and come home seeking help in dealing with health and coping with their return deserve our best. Forcing the VA to turn a blind eye to a potential useful therapy—something that is perfectly legal in their State—is not just shortsighted; I think it is cruel and unfair.

I have listened to the many stories of veterans who have found that medical marijuana has made a huge difference in their return, recovery, and readjustment. Importantly, it doesn't subject them to the danger of being part of the opioid epidemic that has been visited upon our veterans.

We can help stop the tragedy of VA veterans dying of opioid overdoses at nearly twice the rate of the rest of the population by at least allowing their doctors to work with them, considering medical marijuana as an alternative therapy.

COMMENDING THE SERVICE OF LAW ENFORCEMENT OFFICERS

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to commend the service of law enforcement officers not only in Pennsylvania's Fifth Congressional District, but across Pennsylvania and the entire United States. As this week is National Police Week, it is especially important that we recognize the sacrifices of these men and women, especially those who have given their lives in the line of duty.

Over the weekend, as part of National Police Week, communities across the country observed Peace Officers Memorial Day. This observation was created in 1962 by President John F. Kennedy to pay special recognition to those law enforcement officers who have lost their lives while providing for the safety and the protection of others.

Last year, five police officers lost their lives in Pennsylvania: Officer Lloyd Reed in Westmoreland County, Patrolman John Wilding of Scranton, Lieutenant Eric Eslary of Westmoreland County, Detective Paul Koropal of Allegheny County, and Sergeant Robert Wilson III of Philadelphia. I know that I join my fellow members of the Pennsylvania House delegation in saying that their service to our Commonwealth will not be forgotten.

RECOGNIZING THE RETIREMENT OF VENANGO COUNTY CHIEF CLERK/COUNTY ADMINISTRATOR DENISE JONES

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize the service of Denise Jones, who is the chief clerk and county administrator for Venango County, located in Pennsylvania's Fifth Congressional District. After nearly 39 years of work for the county, Denise plans to retire next month.

She started in the 1970s with Venango County, and Denise has served in a number of different capacities. Those include as a human services planner, as an administrative assistant, as an employee relations manager, and then finally moving into the role of chief clerk and county administrator in 1993.

In addition to her service with the county, Denise serves on a number of

boards dedicated to her community, including as board chair of the Northwest Hospital Foundation, which is dedicated to providing high-quality health care for the residents of the Venango County area.

Mr. Speaker, I am always proud to talk about the local officials who are making a difference in their communities, dedicating their service to improving the lives of people in their communities. I know that Denise Jones is one of those people, and I wish her the best of luck in her retirement.

THE DUI REPORTING ACT

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

Mr. COHEN. Mr. Speaker, I rise today in support of the DUI Reporting Act, a bill which I filed yesterday with my Judiciary Committee colleague, STEVE CHABOT of Ohio. If enacted, this bill would plug a glaring hole in our Nation's drunk driving laws that enables repeat offenders to be tried as first-time offenders, and repeat offenders are the ones most likely to cause serious accidents and death.

Currently, when police make a driving-under-the-influence arrest, they don't always have access to information about all of the driver's previous DUI convictions or arrests. The reason is because not all agencies report DUI arrests and/or convictions to the National Crime Information Center, known as the NCIC. That is the national crime database that is made instantly available to police and law enforcement right in their patrol cars.

The consequences of this lack of reporting can prove tragic. Last year, there was an awful, awful accident, a crash in northern Mississippi just outside of my district. Two teenage girls, Maddie Kruse and Rachel Lynch, were headed out of Memphis on the way to a vacation. Their grandmother was driving the car. At about 6:30 in the morning, a man who had registered .17 at 6:30 in the morning hit their vehicle and killed Maddie and Rachel. This man had accrued seven DUI charges since 2008 but had been allowed to plead guilty five times to DUI first. He represented himself and had five first-offense DUI convictions. Mississippi didn't have a system and still doesn't have a system to require those reportages.

This story broke my heart and, I believe, the hearts of everybody in the Midsouth who read about it.

This was a drunk driver who should have been in jail serving time off the road or have received treatment. The reason he wasn't, according to local investigations, is because none of his DUI history had been reported to the NCIC and was not available to the highway patrolman. When that patrolman ran his driving record in the national database, his past DUI convictions never showed up because they weren't reported.

This is shameful in this day and age. This information should be reported so that law enforcement can get access to it and get drunk drivers off the road and save lives like Maddie's and Rachel's. Our bill would make that happen by creating a financial incentive for States to require DUI arrests and convictions to be reported to the NCIC and, therefore, available to law enforcement.

The bill is bipartisan. It has the support of people throughout the country; but in Memphis, Billy Bond, at the Prosecutor's Office, worked on this for a while and tried to get laws like this passed. We have had a good response from MADD.

This bill will save lives. Mr. Speaker, I urge my colleagues to pass it quickly.

NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY

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

Mr. BOST. Mr. Speaker, I rise today to bring attention to a matter of national security. Over the last several months, the National Geospatial-Intelligence Agency, or NGA, has been considering locations for its new Western headquarters. The agency, which collects and analyzes satellite maps in support of warfighters, has outgrown its current location in St. Louis.

With construction of the new NGA-West facility scheduled to begin next year, the question is: Where? There are two sites under consideration. One is in north St. Louis. The other is in St. Clair County, Illinois, next to Scott Air Force Base.

This site, which I have a chart of, is shovel ready. It is 182 acres of undeveloped land with room to expand. It is free of cost to the American taxpayers, with the county ready to hand over the deed to the NGA.

To help make their decision, the NGA enlisted the help of the Army Corps of Engineers to study the environmental impact. Unfortunately, we have found that the Army Corps of Engineers' Environmental Impact Statement is deeply flawed. The report is filled with errors, omissions, and underestimated risks. It is clear that the Army Corps did not provide an accurate accounting of the facts. The result is that the NGA announced plans last month to relocate to north St. Louis. Before that decision becomes final on June 2, I am here to set the record straight.

To the right of this chart, you will see St. Clair County, Illinois. This is the site under consideration by the NGA. However, the Army Corps of Engineers' report included data related to St. Clair County, Missouri, and St. Clair County, Michigan. One is 263 miles away from the actual site, and the other is 580 miles away from the actual site. The report also highlighted a river that isn't even in southern Illinois.

When alerted to these embarrassing errors, the Army Corps of Engineers failed to correct them. Considering that the NGA is a mapping agency, maybe they could teach the Army Corps of Engineers how to read one.

Now, let's look at the impact on mission security and public safety. Clearly, a DOD mapping agency would be a prime target for those who wish to do harm against this agency. This chart shows evacuation zones if either location were attacked by a car bomb.

□ 1015

You can see that St. Clair County has ample setback to protect local residents and the site itself. The north St. Louis site, obviously, does not.

We now know that security was a top criteria for placement of the new NGA. We know that force protection standards have traditionally led to co-locating with existing military installations. So why are the standards being ignored for this facility?

Let's look at the facts. We have already talked about the NGA belongs in St. Clair County. We have already talked about mission security. We talked about public safety, and we saw the difference in the blast zones.

St. Clair County is the right choice for taxpayers. The Army Corps claims the St. Clair County site would be 20 percent more expensive, but they haven't even completed studies of the north St. Louis site. St. Clair County is shovel-ready now. North St. Louis is not.

Every year that we delay this, it adds $40 million to the cost to this budget. St. Clair County has been proactive and transparent with the environmental studies. North St. Louis hasn't even conducted its full analysis. The north St. Louis site has significant unknowns, including reports of hazardous waste and potential contamination from cold war era testing. How can this decision be made without answers to these very serious and health-related questions?

In terms of recruiting the next generation, Scott Air Force Base attracts the best of the best. Thousands of millennials work at Scott Air Force Base, and many already have their security clearance. Finally, St. Clair County has the roadways, railways, and infrastructure to make NGA a success. North St. Louis will need to seize land through eminent domain and then create a network we already have in place.

Mr. Speaker, I believe the NGA is making a terrible mistake that could have serious consequences. They didn't have the correct data. Before this decision is made final, the people deserve

the truth. Not just the people of St. Clair County, not just the people of north St. Louis, but we, the United States citizens.

That is why I have called for a full investigation by the Inspector General's Office.

WATER AND DROUGHT IN CALIFORNIA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LORETTA SANCHEZ) for 5 minutes.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, this week, we recognize infrastructure week, where we highlight infrastructure development in our country and its importance to our districts.

Now, we might think that infrastructure isn't very important, but we depend on it in all aspects of our daily lives. Developed roads and bridges help to take our children to school or to take our kids to our national parks. Our bridges, dams, and water are the infrastructure that help to produce energy and provide us with clean drinking water. Broadband infrastructure ensures that everyone has access to learning and to information.

But, unfortunately, our infrastructure is deteriorating at an alarming rate. The American Society of Civil Engineers estimates that our crumbling infrastructure is costing each of us, each family, $3,400 a year of our disposable income. When we take into consideration the increasingly high cost of living, for example, in Orange County, California, where I live, then we see that our families are, once again, footing a bill, and yet we are not making the investment that we need. In fact, the United States spends significantly less of its GDP than most developing countries for our national infrastructure.

Unfortunately, this lack of investment is apparent throughout our country. We saw it in Flint, Michigan. When infrastructure fails to provide clean water, our communities suffer. In my home State of California, Porter Ranch, California, a massive gas leak released 100,000 tons of methane gas into the air. These failed pipelines reach back to the 1950s.

With respect to our roads, the Department of Transportation found that nearly 68 percent of California's roads are in poor or mediocre condition, and almost 30 percent of California's bridges have been recognized as structurally deficient.

As California enters its fourth year of a drought, we are seeing just how crucial water infrastructure dollars can be during times of turmoil.

So, Mr. Speaker, we have to look no further than my home district to see the positive effects of investing in infrastructure to help our communities. Since I was elected to the Congress almost 20 years ago, the very first project that I championed was building a large factory, the largest in the world, to reclaim our water, to recycle our water, and it is the world's largest advanced reclamation project. Today, that project has recycled nearly 188 billion gallons of water, and it really continues to be the flagship of water recycling.

I have also fought to bring high-speed rail to California and led sending a letter to President Obama urging investment in the project, which will bring increased commercial and leisure travel.

With respect to transit, I recently led a letter from the California delegation asking for $3.2 billion to fund the Capital Investment Grant Program, a program which funds projects all the way from northern to southern California. The Capital Investment Grants will help fund projects in my district, like the Orange County Streetcar, which increases transportation transit through my area so people get out of their cars, we protect the environment, and we move people more efficiently.

Mr. Speaker, this Congress needs to get its act together and invest in infrastructure.

WE NEED A PRO-GROWTH AGENDA TO RAISE WAGES

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

Mr. PERRY. Mr. Speaker, Wendy's, one of the world's largest fast-food chains, plans to replace human employees with automated self-service kiosks in many of its 6,500 restaurants around the country and around the world in an effort to counteract minimum wage hikes throughout the United States. I don't blame Wendy's at all. They can either react or they can close up their doors, and then no one will be working.

The economics on the issue are pretty clear. Wendy's is doing what they have to do to survive, and others will certainly follow suit. They will adapt, or they will be gone.

When the government unnecessarily and unilaterally increases the cost of labor and imposes it on the job creators, the jobs are probably going to be replaced through automation and technological advancement. This is nothing new. This technology is not new. Wendy's could have done this a long time ago if they just wanted to maximize their profits, as every single corporation in America seems to be accused of doing these days. But these are the job creators. These are the job makers. They have chosen now because they have no other choice.

Many people say that this is an artificial wage and that it actually discourages employment and distorts the market. Well, here is the proof. This is exactly what is happening. And don't blame Wendy's. They are trying to survive in a 2 percent economy.

Mr. Speaker, let's not lock out millions of people from their entry-level employment. I am a person who worked for less than minimum wage. One time I asked my boss at the time, I said: ''Do I make minimum wage?'' And he said: ''No, you are not worth it.'' I was just barely in high school. I didn't have much to offer, except a strong back and showing up on time with a good attitude, and he paid me for that, and I worked my way up.

The squeeze on the middle class is real. It is painful for tens of millions of anxiety-ridden Americans who don't know whether they are going to have a job, even though it might be their entry-level job. It might be the job that they could get in a 2 percent economy.

Some people say that we are just transferring the jobs to those who will build kiosks or robots. Well, I have got to tell you, folks, I suspect that those jobs are not minimum wage jobs, so that is not going to be of much help. And, oh, by the way, I suspect they won't be in your hometown where your Wendy's is. So if you have got a job there and it is going to be displaced or replaced with one building a kiosk, unless you are planning to move to where they are building that, that is not going to be of much solace or help to your family.

What this country needs is a pro-growth agenda to help raise everyone's wages to provide the opportunity for everyone to get started somewhere and then move up, just like I did, without hurting the people already struggling to get by. What we don't need is more liberal, wrong-headed, unilateral, ideological-driven government regulation that destroys our jobs and livelihoods.

GUN VIOLENCE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. SPEIER) for 5 minutes.

Ms. SPEIER. Mr. Speaker, since 1970, more Americans have died from domestic gun violence than in every war since the American Revolution. If all of the victims of gun violence since 1970 were put on a wall, like the Vietnam Veterans Memorial, it would contain 1.5 million names and stretch 2½ miles. That is 25 times as long as the actual Vietnam Veterans Memorial.

Congress is quick to offer moments of silence for some mass shootings, ignore most of them, and then proceed to do nothing else, except remain silent.

Each month that we are in session, I will read the names of every person killed in a mass shooting during the previous month. I have also created my own memorial wall in the hallway outside of my office.

Here are the stories of the victims killed in the 41 mass shootings in April of this year. There have been so many people this month affected by mass shootings that I don't have time to list the injured, just those who were killed. Here are those who were killed:

Anpha Nguyen, 31, and Jerry Nguyen, 24, were killed inside a restaurant owned by their uncle on April 1 in Albuquerque, New Mexico.

Jaime Wilson, 24, and Keiwuan Murray, 18, were killed on April 5 in St. Augustine, Florida. Jamie was holding her 2-month-old baby at the time.

Davon Jones, 17, was killed on April 14 in Orange, New Jersey.

Gino Nicolas, 24, and Tanya Monique Skeen, 46, were killed outside a house on April 16 in Orlando, Florida. Gino was the leader of the Orlando chapter of My Brother's Keeper, where he mentored at-risk youth.

An unidentified 27-year-old man was killed on a sidewalk on April 16 in Detroit, Michigan.

Edwin Laboy, 46, an unidentified man, and an unidentified woman, were killed on April 17 in Philadelphia, Pennsylvania.

Jaxmany Jazan Montes, 29, was killed inside a nightclub on April 17 in Edinburg, Texas. He is survived by his wife and two children.

Delhaun Jackson, 19, was killed in broad daylight on April 18 in Long Beach, California. Delhaun had a 1-year-old child, shown in this picture, and he was looking forward to his very first Father's Day.

Damond Dawson, 23, was killed while filming a music video in a park on April 19 in Chicago, Illinois.

Natalie Srinivasan, 35, and her children, Siena, 5, and MJ, 2, were killed by their husband and father on April 19 in Katy, Texas.

Jason Napoles, 18, was killed in a parked car with his friends on April 19 in Chicago, Illinois.

Eight family members were killed on April 22 in Piketon, Ohio. They were Christopher Rhoden, 40; his ex-wife Dana Rhoden, 37; their three children, Clarence Rhoden, 20; Hanna Rhoden, 19; and Chris Rhoden, Jr., 16. Also killed were Chris Sr.'s brother, Kenneth Rhoden, 44; their cousin, Gary Rhoden, 38; and Clarence's fiance, Hannah Gilley, 20.

Rheba Mae Dent, 85; Roosevelt Burns, 75; Keila Clark, 31; Shelly Williams, 62; and Lizzy Williams, 59, were killed on April 22 in Appling, Georgia. They were killed after the shooter's wife asked for a divorce.

Recco Cobb, 43; Jadarrion Spinks, 25; and Roderick Nelms, 32, were killed at a home on April 23 in Auburn, Alabama.

Angelo Barboza, 15, was killed on April 23 in Las Vegas, Nevada. Moments before, he had texted his mother saying he loved her and would see her soon.

□ 1030

Davon Barrett, 38, and Devin Hamb, 27, were killed on April 24, in Chicago. They were at a memorial service for Davon's brother, who died from gun violence in 2009.

Carolyn Ann Sanders, 59, her daughter, Marquita Hill, 32, and Kenneth Cornelious Loggins, 32, were killed by Marquita's ex on April 27 in Montgomery County, Mississippi.

Joanne Woods, 49, was killed on April 27 in Forestville, Maryland.

Leco Cole, 38, was killed in a house on April 27 in Baton Rouge, Louisiana.

Members, these were lives taken unnecessarily. May the dead rest in peace, the wounded recover quickly and completely, and the bereaved find comfort.

I urge my colleagues to stop being silent, and let's do something to stop the rampage.

THE FALSE PROMISES OF SOCIALISM

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

Mr. DUNCAN of Tennessee. Mr. Speaker, people all over the country are moving from the high tax States to the low tax States. This is great for my home State of Tennessee. Almost half the people I represent have moved from someplace else; but it is not great for the country as a whole, and we will face many problems in the future if the high tax States do not start lowering their taxes and start trying to keep more of their people at home.

New York in the 1970s had 43 Members of the House. Now it has 27 Members. After the 2010 Census, each Member was supposed to represent between 705,000 and 710,000 people. While, in the 1970s, congressional districts had much lower populations than now, if New York had had the average growth of most States, it would have had about 11 million more people than it now has.

Cities and States throughout the Northeast and the Midwest have been losing populations or have been having growth lower than in most other States for many years. Last year, a man from New Jersey told me his property taxes on a 2,800-square-foot house were $13,000. Plus, they had State income tax on top of that. I told him the taxes on a similar-sized house in east Tennessee would probably be between $2,000 and $2,500, and there would be no State income tax on top.

Almost every week, when I am home in Tennessee, someone tells me a story about how high the taxes are in the States they have moved from. Of course, it will be good for the young people of Tennessee if our legislators keep taxes low and if people would keep moving there, because many new jobs will be created.

An example of the problems, though, that high taxes have created in the States can be seen in Michigan's Flint water crisis. When taxes become too high, first, upper-income residents move out, then upper-middle, then, finally, middle-income. Then cities are left with a very low tax base. The pressures are greatest to pay the teachers, the policemen, and the firefighters first. The water infrastructure underground is out of sight, out of mind, and is often neglected. Flint has lost almost half of its population since the 1970s, as have many cities, large and small, throughout the high tax States of the Northeast and the Midwest. We are going to send a boatload of money to Flint because of all the publicity it has received, but we cannot do that for every city and county in all of the high tax States.

I read a few days ago that Galesburg, Illinois, leaders are telling citizens to drink only bottled water. It is not fair to my taxpayers in Tennessee, where we have acted in fiscally responsible ways and have kept our taxes low, to have to now bail out all of the cities and counties and even States that have acted in fiscally irresponsible ways. Of course, the problems these wasteful, irresponsible, high tax areas that keep driving people out will be seen not just with infrastructure, but all across the board—in education, in law enforcement, and in other areas. Puerto Rico is in big trouble now. Many people say Illinois is next.

I urge the high tax States all over the country to start drastically lowering their taxes. While this exodus of people from these States has been very good for States like Tennessee, it will not be good for the Nation as a whole in the long run if it continues. It should also serve as a lesson or as a warning that almost every city or State in this Nation and almost every country around the world that has had liberal, leftwing, big spending, high tax leadership is in serious financial trouble.

Every young person who seems to be attracted to the false promises of socialism should look at Cuba, where despite hundreds of miles of beautiful oceanfront property and a wealth of interior natural resources, the average salary is $24 a month. They should also look at Venezuela, which has more oil than Saudi Arabia has. Their economy is in shambles, and children are dying because they can't get food and medical treatment.

That is what socialism gives the people, Mr. Speaker.

THE STATE OF HOMELESSNESS IN AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. MAXINE WATERS) for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Speaker, I rise because I am deeply

concerned about the homelessness crisis that is plaguing our country.

Homelessness affects the very fabric of our communities, and it degrades the values upon which our country was built. Every American has the right to safe, decent, and affordable housing; but according to the latest estimates, nearly 600,000 Americans are currently homeless, over 83,000 of whom are chronically homeless and nearly 130,000 of whom are children who are under the age of 18, and these numbers are increasing in some of our major cities. Sadly, in my own hometown, in Los Angeles, homelessness increased by a staggering 20 percent between 2014 and 2015, and it continues to rise.

But this is not just about the numbers. When I visit our homeless neighbors on Skid Row in Los Angeles, I see how these Americans are facing chronic mental and physical problems that make it even harder to rehabilitate their lives. When I speak to families that are dealing with homelessness, I see the toll this housing insecurity is taking on their children, who can't concentrate in school because they are sleeping in cars at night.

There is a solution to this problem, Mr. Speaker. We just need the political will and resources. That is why earlier this year I introduced comprehensive legislation to provide the resources we need to truly end homelessness in America.

My bill, H.R. 4888, the Ending Homelessness Act of 2016, would provide over $13 billion over 5 years to strengthen programs and initiatives that will help us end homelessness in this country. The money will help to create approximately 410,000 units of housing to end homelessness for the estimated 407,000 homeless households in the country. This includes permanent supportive housing for the chronically homeless, for Section 8 Housing Choice Voucher units, and deeply affordable units through the National Housing Trust Fund.

My bill would also provide the resources to increase the number of outreach workers on the streets, working with homeless populations. Furthermore, my bill would provide technical assistance to help States and localities align their health and housing systems.

Mr. Speaker, the Department of Housing and Urban Development has reported that major progress toward ending homelessness in this country has virtually stalled without new funding. So there is a real need to invest in our Federal housing programs and to support our local service providers who are on the streets helping the homeless every day.

Passing H.R. 4888 would be an investment that would pay dividends in the long run. Research has shown that when we provide housing to chronically homeless individuals, the cost to the taxpayer is significantly less than if we allowed them to remain homeless. For example, Los Angeles County's Project 50 found that providing permanent supportive housing to 50 chronically homeless individuals saved the county close to $250,000 over 2 years. Similar results have been found in other major cities as well as in small cities and in rural areas alike.

But this isn't just about the cost or the savings, Mr. Speaker. It is about recognizing the crisis that we face as a Nation and having an honest conversation about what we really need to do to put an end to homelessness.

We are the richest country in the world, and every person should have access to safe, decent, and affordable housing. This should be a bipartisan issue. We must, all of us, Democrats and Republicans, work together to finally end homelessness in this country once and for all.

Mr. Speaker and Members, I will be on this floor every chance I get to force the real debate and the real conversation about this crisis that we are confronted with in America. We cannot continue to walk past homeless, helpless, mentally ill, physically ill homeless people on the streets and pretend we don't see them. They are there. It is unconscionable that we allow this homelessness to continue to grow and to be on our streets.

In Los Angeles, when you go to so-called Skid Row, we have people on the streets who are lined all the way up to the steps of City Hall.

Elected officials, ministers, community organizations, let's get together with our legislators, let's pass H.R. 4888, and stop the homelessness in America.

ECONOMIC, RETIREMENT, AND NATIONAL SECURITY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Tennessee (Mrs. BLACKBURN) for 5 minutes.

Mrs. BLACKBURN. Mr. Speaker, this morning, I want to discuss the issue of security with my colleagues—economic security, retirement security, and national security—three issues that probably right now in my conversations with constituents is what we hear the most about.

Let's look at the picture of economic security, or the lack thereof, that exists in our country and in our communities.

What I hear from my constituents is that the 5 percent unemployment rate is indeed misleading because over 90 million Americans have dropped out of the workforce. They are losing hope and are unemployed. The Obama malaise, as I have constituents who like to term it, has created a workforce participation rate of 62.8 percent. Now, I want you to think about that. Of the eligible adults who are ready for the workforce, 62.8 percent have a job and are able to work. That is the worst level since the Carter administration.

Our GDP is declining. Our economy grew at only half of a percent—half of a percent in the first quarter of 2016. That is lower than a 1.4 percent expansion in the previous period, according to the Bureau of Economic Analysis. President Obama had a chance to create 40,000 jobs, and he took a pass on it. He vetoed the Keystone pipeline so that he could cement his legacy and stature as a liberal icon.

The American people are tired of being broke; they are tired of work permits that go to illegal aliens; and they are tired of $19.2 trillion in Federal debt. We need to get the government off the backs and out of the pocketbooks of the American people. It is time to loosen regulations and lower taxes.

The issue of retirement security comes up so often in the conversations I have, especially with women, and it is important to note what is happening with Social Security and Medicare. The Social Security retirement trust fund is set to run out of money by the year 2034. That is not that far away. According to the Tax Foundation, under the current wage indexing formula, benefits are projected to climb by more than 150 percent, in real terms, over the next 75 years.

I have introduced H.R. 603, the Savings for Seniors Act, which establishes within the Federal Old-Age and Survivors Insurance Trust Fund a Social Security Surplus Protection Account to hold the Social Security surplus and prohibit it from being spent. Medicare has to be addressed as well. It is supposed to run out of money and be insolvent by 2030. We must make sure that seniors are secure, and we have to make certain that the money they have already paid into the system, they are able to receive.

On the national security front, President Obama's very, very timid foreign policy has emboldened our enemies from the rise of ISIS, to Russian aggression in Ukraine and in the Middle East, to the Chinese military expansion in the South China Sea. It has also left our allies asking: Where are you? You are not present as we try to address these issues.

What we have seen with President Obama, I think, is inexcusable. For example, when the evil blade of ISIS decapitated Steven Sotloff in 2014, President Obama was on the golf course minutes after telling the American people: We will be relentless, and we will be vigilant to see that justice is done. Or, as he also calls it, leading from behind.

□ 1045

Two other glaring issues we face are the Syrian refugee program and our southern border.

There is currently no way to vet Syrian refugees, and I think this President is delusional if he thinks there is. I have introduced H.R. 4218 to suspend refugee admissions until Congress passes a joint resolution approving the President's plan.

Meanwhile, our southern border is overrun again. Through the first 6 months of fiscal year 2016, which ended on March 31, border officials apprehended 27,754 unaccompanied children. That is just shy of the 28,579 number apprehended for all of 2014. Think about that comparison.

Mr. Speaker, we must provide economic, retirement, and national security for all Americans. We must rise to the occasion and make certain our Nation is secure.

The SPEAKER pro tempore. Members are reminded not to engage in personalities toward the President.

CALIFORNIA WATER LEGISLATION

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

Mr. COSTA. Mr. Speaker, I rise today to urge my colleagues to work together on behalf of the people of California to get water legislation passed that will help fix California's broken water system.

Yes, Californians have been divided historically for decades for a number of reasons on how to fix our broken water system, but that must change because we are living on borrowed time, and nothing has explained that more clearly than the last 4 years of drought conditions.

Yesterday, the U.S. Senate Committee on Energy and Natural Resources held a hearing on Senator DIANNE FEINSTEIN's water legislation, the California Long-Term Provisions for Water Supply and Short-Term Provisions for Emergency Drought Relief Act. This week, Congressman JOHN GARAMENDI introduced the House companion bill, legislation that I support as well.

The California Long-Term Provisions for Water Supply and Short-Term Provisions for Emergency Drought Relief Act would provide $1.3 billion in funding and support for desalinization, recycling efforts, and water storage projects like Temperance Flat and the expansion of San Luis Reservoir.

The bill would also direct State and Federal agencies to maximize water supplies during the short term, while not violating existing environmental laws that protect threatened and endangered species.

Additionally, the legislation includes language that would generate and provide for scientifically managed reservoir operations which would allow us to, for example, raise the spillway gates at New Exchequer Dam in Merced County, providing an additional 50,000 acre-feet of water storage for the Merced Irrigation District.

Finally, the bill would complement the ongoing efforts made by the recent passage of a State water bond that I supported—$2.7 billion for additional water storage in California.

In order to get California's water bill passed and signed into law, our Nation's Senators must understand that there is support for Senator DIANNE FEINSTEIN's legislation among California Representatives in the House. That is why I am a cosponsor of the House companion legislation, H.R. 5247.

Now, there is room for modifications and changes in Senator FEINSTEIN's legislation as well as the House bill, especially provisions that deal with short-term fixes that would provide more accountability on how California's water system is operated year to year. But if Congress is going to be able to provide some relief to the people of California, which is a template for Western States—and, I would say, the world—we must continue to move forward, and the passage of S. 2533 would undoubtedly be an important step in the right direction.

Once S. 2533 is passed out of the Senate, the House and the Senate will have the opportunity to go to conference to resolve the differences that exist in these water bills by each of the Chambers. That is the normal process under which we usually conduct business.

I have consistently fought to bring more water to our San Joaquin Valley, and that includes supporting the California water bill that the House passed last year, but we need to use all the water tools in our water toolbox to fix the entire State's water needs.

It is my hope that my colleagues will put aside their political differences which, for too long, have been a part of the problem and join me in supporting the California Long-Term Provisions for Water Supply and Short-Term Provisions for Emergency Drought Relief Act, because fixing California's water system is dependent upon it. If we don't pass this legislation and we don't work with Governor Brown in California, we cannot fix this broken water system.

So, finally, what is this about? It is about investing in our infrastructure. We are living off the investments our parents and our grandparents made a generation ago. This is Infrastructure Week. We ought to be talking about investing in our infrastructure, not only in California, but around the country.

What else is this about? It is about helping the environment because, notwithstanding the opposition to this legislation, the status quo is only resulting in further deterioration of the environment.

Finally, what else is this about? It is about the reliability of our water supply to maintain our farms. Maintaining our farms, after all, is a part of America's national security. We don't think about it that way, but having reliable, cost-effective food on America's dinner table every night is about our national security. So it is about the sustainability, therefore, of our food supply and our way of life.

If we are going to fix this, we have to come together. We have to work together. We have to get beyond our differences and beyond our talking points.

If Congress is going to get anything done, we, in California, on our water fixes, must come together.

BUILDING SAFETY MONTH

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

Mr. BARR. Mr. Speaker, I rise today to mark Building Safety Month, to recognize the importance of building safety, and to congratulate the leadership of the International Code Council that develops and publishes the model building safety and energy efficiency model codes used in the Commonwealth of Kentucky and across the country. Increasingly, these codes, developed in the United States, are being adopted in other nations as a model of safe construction.

Every year, there are sobering reminders about the key role that building codes can have. Foreign nations still experience catastrophic losses of life and property due to natural events and poor construction practices. These losses have been greatly reduced in this country thanks to the adoption of sound building practices.

Deadly fires, tornados, windstorms, floods, earthquakes, and other events remind us of the critical need for strong buildings. As Congress discusses the need for resilience and greater energy efficiency in our communities, we are reminded in May that key elements of resilience and energy efficiency are sound building and energy codes.

I want to congratulate the leaders of the ICC, which has sponsored Building Safety Month in May every year for over 30 years. The theme of this year's Building Safety Month, appropriately, is ''Driving Growth Through Innovation, Resilience, and Safety.''

The leadership board of the ICC, including my constituent, President Alex Olszowy, building inspection supervisor for the Lexington-Fayette Urban County Government in Kentucky, will join ICC's chief executive officer, Dominic Sims, in Washington next week to discuss the critical need to support the adoption and enforcement of current building codes to make sure Americans are safe at home, at work, at school, and at play.

On this occasion, I also want to highlight the good work of the Code Administrators Association of Kentucky, including president Jeff Camp and the other leaders of the Commonwealth's

ICC chapter, and to thank the thousands of men and women who work every day to make sure our buildings comply with building and fire codes. Their work, largely unseen and often unnoticed, is critical to keeping the American people safe.

The model building codes adopted by ICC members from all 50 States allow every community to share the advantage of adopting building codes that are adaptable to local conditions but, at the same time, incorporate the very latest research, materials, and building practices.

This is achieved through a public-private partnership, saving local jurisdictions from bearing the large expense of code revision, updating, and coordination. These model codes are produced through the cooperation of thousands of local U.S. code officials working with the building industry to produce codes that represent the consensus on what the minimum safety requirements are and should be for various building types, all without a dime of Federal taxpayer money.

I should mention that the Architect of the Capitol maintains the safety of this building and all House and Senate office buildings by following the requirements in the current International Building Code.

So congratulations and a heartfelt thanks to the hardworking members and leadership of the International Code Council during this Building Safety Month.

HOUSTON, TEXAS, FLOODING

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

Mr. AL GREEN of Texas. Mr. Speaker, this is a continuation of my mission of mercy, a mission that I gladly accept because a great American city has been declared a disaster area: a great American city with 2-plus million people, a great American city where we speak more than 100 different languages, a great American city where we appreciate diversity and we celebrate it. In fact, we have developed a symbiotic relationship, a symbiosis such that we can do together what we could never do apart. A great American city, Houston, Texas, within Harris County, has been declared a disaster area; and it has been declared a disaster area, Mr. Speaker, because of the flooding that takes place in Houston, Texas.

I asked that my staff prepare some intelligence for me to share so as to paint a picture of what this flooding is like in Houston, Texas.

In Houston, Texas, on the tax day flood—so-called because it was the last day to file for taxes this year—we had this tax day flood, and it has caused damages that will approximate $2 billion. The good news is that that is revised down because the estimate initially was that it would be more.

In Houston, Texas, over 100 neighborhoods experienced some flooding.

In Houston, Texas, a great American city, we had 240 billion—billion with a B—240 billion gallons of water. A billion is still 1,000 million. So we have had 2,000-million-plus gallons of water in Houston, Texas. And that was on one day. This is enough water to fill the Astrodome 750 times over.

In Houston, Texas, we had more than 1,200 high water rescues, people stranded, lives at risk in Houston, Texas, a major American city, a great American city declared a disaster area.

In Houston, Texas, there was 8.85 inches of rainfall—that broke the previous record from 1976—and, I might add, in some areas, 17 inches of water. That was all a part of the tax day floods. There were 121,000 people without power.

Mr. Speaker, this is significant, but it is also significant to note that this is not the first time. Within the last year, 12 months, we had the Memorial Day flood, with similar circumstances and $2 billion in damages.

Mr. Speaker, over the last 20 years, we have had at least one day of flooding in Houston, Texas, that has been called to the attention of the people in Washington, D.C., and I'm doing so now.

□ 1100

Mr. Speaker, as bad as these things are, all of these damages that I have called to our attention, there is something more significant, something more meaningful that is happening in Houston, Texas, and that is lives are being lost. In the tax day flood, we lost nine lives, Mr. Speaker—nine lives—people who left home going to work, assuming that they would drive their cars and return home.

Mr. Speaker, we have, in Houston, what are called flash floods. Even people who are judicious and prudent can sometimes find themselves in circumstances from which they cannot extricate themselves because of the way the water comes in so quickly—flash floods, nine lives lost, a great American city declared a disaster area.

Houston needs a lifeline. When you are drowning in water, you need a lifeline. Well, there is a lifeline. The lifeline is H.R. 5025, the 2016 Tax Day Floods Supplemental Funding Act. This is a supplemental funding bill, which means it is not an earmark. It is the kind of thing we do when we have emergencies to contend with. We have done this before when we have had the storms on the East Coast. We have done this before, when we had New Orleans, Louisiana, and Katrina. We have done it when we have had fires. We have done it when we have had the tornadic activities. This is reasonable. It is prudent. It is judicious. It is something we ought to do to rescue, to throw a lifeline to a great American city that has been declared a disaster area.

Well, the good news is, Mr. Speaker, we are recovering; but I hate to say, and I regret to say, I am reluctant to say, we are not out of the woods yet. We are not out of the woods yet, Mr. Speaker, because today there is an 80 percent chance of precipitation. Tomorrow, there is an 80 percent chance.

I beg that we support H.R. 5025 and extend a lifeline to Houston, Texas, a great American city.

RECESS

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

Accordingly (at 11 o'clock and 2 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DONOVAN) at noon.

PRAYER

Reverend Dr. Patricia Venegas, Without Spot or Wrinkle Ministries International, La Verne, California, offered the following prayer:

Heavenly Father, we come before Your throne room of grace today by unmerited favor. We thank You for this great Nation.

Our forefathers faced many trials and tribulations in their days. They relied on You as they sought Your guidance for America, knowing they could not do it without You.

Today, in this room, we humble ourselves before You and pause, asking You once again for Your guidance and perfect will for our Nation, as we pray Your kingdom come and Your will be done in America.

I also pray for every Representative in this room today, who shoulders the immense responsibility to make decisions for the people they represent, give each one wisdom, knowledge, understanding, and discernment on every decision they make. I pray You will bless them and their families for the sacrifice they make for the American people.

In Your holy name.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from California (Mr. BERA) come forward and lead the House in the Pledge of Allegiance.

Mr. BERA led the Pledge of Allegiance as follows:

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

WELCOMING REVEREND DR. PATRICIA VENEGAS

The SPEAKER pro tempore. Without objection, the gentlewoman from California (Mrs. NAPOLITANO) is recognized for 1 minute.

There was no objection.

Mrs. NAPOLITANO. Mr. Speaker, I am so pleased to welcome Dr. Patricia Venegas of Without Spot Or Wrinkle Ministries International. I thank her and her husband for coming from La Verne, one of my cities.

She started the church in 1998 with her husband, Reverend Benjamin Venegas, who is up in the gallery somewhere. From 1977 to the present, she serves as a chaplain to the Covina Police Department. She was ordained as a minister of the Gospel in December 2006.

She published one book, ''The Bride of Christ Without Spot Or Wrinkle.'' She develops and writes curricula for conferences and seminars.

Thanks for the work that you do, Reverend, to spread the Gospel throughout the San Gabriel Valley and beyond. May God bless you and God bless our country.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

NATIONAL POLICE WEEK

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

Mr. PITTENGER. Mr. Speaker, I rise today in honor of the incredibly brave men and women in blue who serve and protect our communities.

For example, Sergeant P.J. Wilson of the Charlotte-Mecklenburg Police Department is a third shift supervisor. He and his team work the wee hours of the morning to make sure that we can sleep in peace.

Officer K.S. Kodad works every weekend and most holidays because he knows that criminals don't always work business hours.

Officer Tim Purdy recently sat down in a school parking lot to calm and reassure a potentially suicidal autistic student.

Detective McKee recently helped solve a homicide from last summer, with all five suspects now in custody.

Mr. Speaker, these are just four of the thousands of police officers who should be recognized for their important work. Today and every day, we should take time to say thank you to the police officers we encounter in our communities.

RECOGNIZING DR. EPHRAIM WILLIAMS

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

Mr. BERA. Mr. Speaker, I rise today to recognize Dr. Ephraim Williams, Pastor of St. Paul Missionary Baptist Church in Sacramento. Pastor Williams has epitomized the importance of community and faith for the past 45 years.

This past Sunday, my wife and I had a chance to worship with Pastor Williams and his congregation.

He will be retiring this coming Sunday, but his legacy of service and leadership will live on through his congregation, which has grown from 100 worshippers to over 2,500.

Pastor Williams led the efforts to finance and build an edifice and family life center, which now serves the surrounding community. His church offers employment fairs, home buyer workshops, financial literacy courses, and much more to the community.

Pastor Williams also serves as a mentor and adviser to younger pastors and has helped develop the next generation of leaders in the faith community.

On behalf of the Sacramento community and the region, I thank him for his 45 years of work and service, which has made our community a much better place to live in.

Thank you, Pastor Williams.

CONGRATULATING 2016 GRADUATING CLASS OF ELITE YOUTH OUTREACH PROGRAM

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

Mr. LAHOOD. Mr. Speaker, I rise today to congratulate the 2016 graduating class of the ELITE Youth Outreach program.

ELITE is a wonderful program that teaches at-risk youth in our local communities in central Illinois on how to gain employment, communicate effectively, behave responsibly, and dress appropriately. The program was founded by Carl Cannon, a Peoria-born native who served his country as a military officer and drill instructor. Now he is dedicated to training and inspiring youth to overcome barriers to success, as he did himself.

In 2013, Carl Cannon received the FBI's Director's Community Leadership Award. This week, FBI Director James Comey will travel from Washington, D.C., to Peoria to address this year's ELITE graduating class.

I would like to commend Carl Cannon and his staff for their dedication to these students and recognize the transformative effect his program has had on youth in our Peoria area.

I would also like to thank FBI Director Comey for supporting this worthy program with his presence this week in Peoria.

Finally, I would like to congratulate the students who have completed this program. You should feel proud of your accomplishments. You have a community and national and local leaders who believe in you, and we support you.

INFRASTRUCTURE WEEK

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

Mr. HIGGINS. Mr. Speaker, I rise in support of infrastructure week, which is a joint effort by business and labor to highlight the dangerous conditions of America's roads and bridges.

There are currently 69,000 structurally deficient bridges in America. Every second of every day, seven cars drive on a bridge that is structurally deficient.

Congress said that we couldn't afford to rebuild the roads and bridges of America, so we only spent $50 billion a year in the last decade to rebuild America's roads and bridges—pathetically weak. We were told we couldn't afford it.

But American taxpayers spent $87 billion rebuilding the roads and bridges of Afghanistan. We spent $73 billion rebuilding the roads and bridges of Iraq—off budget and unpaid for.

Congress needs to get its priorities straight. We need to put American workers back to work and invest in our infrastructure to unleash the great potential of American businesses to grow the American economy.

CONGRATULATING PRAIRIE GROVE SCHOOL DISTRICT 46

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

Mr. HULTGREN. Mr. Speaker, I rise today to congratulate the Prairie Grove School District 46 in Crystal Lake, Illinois, for being selected as a finalist for the 2016 Secretary of Defense Freedom Award, the first ever from Illinois.

This is the Department of Defense's highest recognition given to employers for exceptional support of their National Guard and Reserve employees.

This year, more than 2,400 nominations were submitted by National

Guard and Reserve servicemembers. Prairie Grove is one of only nine public sector employer finalists.

Among servicemembers at the school district who support the nomination is Lieutenant Colonel Patty Klop, a Marine reservist, a physical education teacher, and a part-time teacher for students who have disabilities.

In her nomination, she speaks highly of District 46 when she says: ''It's been a real source of stability and comfort for me over the years. I've been on several deployments, and District 46 has always been there.''

Prairie Grove is invited to the Freedom Award ceremony this August at the Pentagon. I look forward to the school district representing Illinois well as an exceptional employer of servicemembers.

Congratulations, Prairie Grove.

HEAD START

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

Mr. CICILLINE. Mr. Speaker, I rise today to recognize the 51st anniversary of the creation of Head Start.

In my home State of Rhode Island, Head Start serves 2,500 children, including 100 homeless children and 500 children with special needs.

Head Start is proven and effective. Young people who participate in Head Start have increased graduation rates, are less likely to become pregnant as teens, have improved economic opportunities, and are less likely to be involved in crime.

Every dollar invested in Head Start saves up to $7 in future costs.

In the 20th century, the United States set the standard in education and had the highest graduation rates around the world. Today, we rank 12th in college graduation and 26th in access to preschool for 4-year-olds.

If we are serious about providing the next generation with the skills they need to be successful and to compete in a global economy, it is critical that we significantly increase our investments in Head Start.

Congratulations to Head Start on your 51st anniversary. Thank you for all that you do.

RECOGNIZING CHIEF OF POLICE CHARLES R. JONES

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

Mr. ROTHFUS. Mr. Speaker, I rise today to recognize Beaver Falls Chief of Police Charles R. Jones on his retirement after decades of outstanding service to his community and to our Nation.

After serving his country in the Air Force, which included time at the 911th Airlift Wing in Pittsburgh, Chief Jones embarked upon a career in law enforcement.

He is a graduate of both Municipal Police Officers' Training Academy and the Pennsylvania Deputy Sheriff's Training Program in Carlisle, Pennsylvania.

He started with the city of Beaver Falls Police Department in 1994, and by 2008, he was chief of police. In October of 2011, the Pittsburgh FBI field office chose Chief Jones to join with other U.S. and international law enforcement leaders at the FBI National Academy in Quantico, Virginia, for professional studies.

A recipient of numerous awards, a man of faith, and a true leader, I thank Chief Jones for his service. In thanking the chief, I would be remiss in not also recognizing his wife Regina, who has also been a great advocate for her community.

Although the chief is retiring, I fully expect he will continue his service to his community in multiple endeavors in the years to come.

HOUSE LEADERS NEED TO LEAD

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

Ms. ESTY. Mr. Speaker, I come to the floor with a simple message for the leaders of this House: Do your job.

The majority has refused to even vote on a budget—our most basic duty—and has failed to address over $3 trillion of needed infrastructure across the country.

This is National Infrastructure Week. Forty-one percent of the roads in my home State of Connecticut are rated in poor condition. Bad roads cost the average Connecticut driver over $660 per year in unnecessary repairs and expenses.

A great nation does not respond to crises with duct tape. A great nation does not tell 110 pregnant citizens with the Zika virus that they should make do with one-third of the necessary funding.

For our infrastructure, for Flint, for the Supreme Court, for Zika patients, and for gun violence victims, the call to the leaders of this body is clear: It is time to lead. Do your job.

□ 1215

THE IMPORTANCE OF SALVAGE TO FORESTRY

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

Mr. LAMALFA. Mr. Speaker, the Ninth Circuit Court is on a roll this week. First, they upheld gun rights in northern California. Now they have tossed out yet another frivolous lawsuit on salvage operations for forestry after a fire.

Operations in western Siskiyou County on what is known as the west side fire—a fire that occurred in the summer and fall of 2014—are now finally proceeding where the value of that wood can be still, perhaps, hopefully, salvaged almost a year and a half later. Though it is only a scant 4 percent that they are going after in this harvest project here, you would think with the number of frivolous lawsuits and wailing over the project that we were causing an environmental disaster; yet the disaster has already occurred with the devastating fire.

I am glad to see that the court ruled that some of the salvage operation can occur, because now the forest can actually recover. It can have an economic base to do so instead of merely coming out of the U.S. Treasury, and the people in the area can be employed in doing it in this forest fire recovery.

It will be a positive for the habitat, a positive for the spotted owl. This is what we need to do in the long term. Salvage is an important part of forestry after a fire and not reinventing the wheel every single time we need to do the salvage and have lawsuits over it.

IN MEMORY OF ERIC BRADLEY

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

Mr. LOWENTHAL. Mr. Speaker, like everyone who knew him, I was shocked and am still very saddened by the sudden passing of Eric Bradley.

Eric was so many things to so many people. He was a colleague, a friend, a mentor, a son, a husband, a father. For me, Eric was a dear friend who helped me in so many ways over the years, just as he helped so many others, but that was Eric. He gave of himself to everyone whom he met whether that be insight, advice, knowledge, or simple kindness. Behind all of his hard work, behind all of his efforts, there was a genuine passion for making life better for others.

Just like anyone who crossed his all too brief time with us, I am better for having known him. I will miss my friend.

100TH ANNIVERSARY OF THE EASTER RISING

(Mr. KING of New York asked and was given permission to address the House for 1 minute.)

Mr. KING of New York. Mr. Speaker, this year is the 100th anniversary of the Easter Rising in Dublin, Ireland, which was the seminal moment in the fight for Irish independence.

Since that time, the United States and Ireland have had an extremely close relationship in trade, business, and on so many other issues on which we work together, probably none more important than the Good Friday Agreement, which was achieved 18 years ago this year. It is working today, for, after centuries of fighting and strife, there is now a peace process in Northern Ireland which has succeeded, is succeeding, and is going forward.

I acknowledge this today, the 100th anniversary of the Easter Rising, and the Prime Minister of Ireland, Enda Kenny, is in Washington today to help us commemorate this.

GALESBURG FORGIVABLE LOANS

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

Mrs. BUSTOS. Mr. Speaker, I rise with great news about the city of Galesburg, Illinois.

About a month ago, I spoke on this floor, and I urged the city to apply for low-interest, federally funded loans through the Drinking Water State Revolving Loan Fund. Many officials expressed legitimate concerns about the impact that might have on their budgets, so I worked with the city as well as with the U.S. and the Illinois EPA to see if those loans could be forgiven.

Today I am so proud to announce that I have received assurances that up to $4 million in Federal funding will be forgiven. That will happen as soon as the city completes its application and receives formal approval.

Mr. Speaker, all communities face challenges. What separates the great ones from the rest is whether communities can come together and solve these challenges. We still have work to do to protect children from lead exposure, but Galesburg is a great city, and I am proud that we are taking this important step together.

VICTIMS OF GUN VIOLENCE

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

Mr. PETERS. Mr. Speaker, Cedar Bluff, Alabama, November 16, 2015:

Sylvia Duffy, 71 years old.
Clara Edwards, 68.
Pamela O'Shel, 48.

Tennessee Colony, Texas, November 15, 2015:

Carl Johnson, 77 years old.
Thomas Kamp, 46.
Nathan Kamp, 23.
Austin Kamp, 21.
Kade Johnson, 6.

Clarksburg, West Virginia, July 26, 2013:

Freddy Donald Swiger, 70 years old.
Fred Swiger, 47.
Todd Russell Amos, 29.
Christopher A. Hart, 26.

Springfield, Missouri, November 15, 2014:

Lewis Green, 44 years old.
Trevor Fantroy, 43.
Danielle Keyes, 29.
Christopher Freeman, 24.

Shreveport, Louisiana, May 5, 2016:

Tyrone Coley, 37 years old.
Randy Brown, 36.
Robert Baulkman, 30.
Joey Caldwell, 29.
Richard Baker, 29.

Platte, South Dakota, September 17, 2015:

Nicole Westerhuis, 41 years old.

RESTORE FUNDING TO THE OVERSEAS WAR ACCOUNT

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

Mr. GALLEGO. Mr. Speaker, the annual defense bill before the House today removes $18 billion from the overseas war account to fund activities that are not related to war. It is unfortunate that the Republican majority, which claims to be fiscally responsible, is raiding OCO in order to blow past bipartisan spending agreements. This budget gimmick would require an $18 billion supplemental next April—only halfway through the fiscal year—to restore overseas funding for America's troops.

This is no way to govern the Pentagon, and it is doing a disservice to our men and women in uniform by pushing for this. Defense Secretary Ash Carter has said that removing overseas funding during wartime is ''objectionable on the face of it.''

It is my hope and the hope of many others on the committee that funding for the overseas account will be restored on the House floor before the bill is voted on.

I urge my colleagues to oppose the defense bill until these funds are restored.

HEAD START'S 51ST ANNIVERSARY

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

Ms. LORETTA SANCHEZ of California. Mr. Speaker, today is the 51st anniversary of Head Start.

Fifty-one years ago, in 1965, President Lyndon Johnson announced the groundbreaking program. In that year, a shy little girl and the daughter of Mexican immigrants enrolled in Head Start, and it changed her life. That little girl was me.

In this Chamber, when we fiercely debate funding education, we are sometimes too removed from the reality of the everyday struggles that are facing America's children and just how wide that opportunity gap is.

Even though I stand before you here as a Congresswoman, I also stand before you as a child of Head Start. Universal, early childhood education is the best investment we can make to close that education gap. I know this because I am living proof of it. Head Start was not merely something that helped me; it has helped 32 million children and their parents to prepare for school. It has prepared them for life.

PROTECTING AND DEFENDING THE RIGHTS OF LGBT EMPLOYEES IN THE DEFENSE AUTHORIZATION BILL

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

Mr. ISRAEL. Mr. Speaker, today and this week we will debate the national defense authorization. This is part of our most fundamental obligation as Members of Congress, to protect and defend the Constitution of the United States of America.

However, there is a provision that is inserted into this bill that doesn't protect and defend—it discriminates. It is a provision in this bill that would effectively stop an executive order that says that Federal contractors cannot discriminate against employees because they happen to be LGBT. I want to say this again. In the defense authorization, House Republicans have inserted a provision to empower and enable the discrimination of LGBT employees. That is not protecting and defending. That is discrimination. That is divisive. It is disgusting.

Our job is to protect and defend the American people and not inject the defense budget with ideologies that are based on protecting a political base, Mr. Speaker. It is a disservice to our troops, and it is a disservice to our national security to inject such poisonous language into a defense budget that is meant to protect and defend the constitutional rights of the American people.

40TH ANNIVERSARY OF THE NATIONAL VOLUNTEER FIRE COUNCIL

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

Mr. PASCRELL. Mr. Speaker, as the chairman of the Congressional Fire Services Caucus, which is the largest caucus in the Congress, I rise in advance of the 40th anniversary of the establishment of the National Volunteer Fire Council on May 20 so as to recognize its hard work and dedication to protecting our communities. The brave men and women who volunteer their

time are professionals who put their lives on the line every day.

Founded in 1976, the NVFC came together in Chicago to provide a unified voice for volunteer firefighters across our Nation. With this guiding vision, the NVFC has grown its ranks to a board comprised of 49 State fire service associations and with a membership of nearly 20,000 individual and department members. Today, volunteers have a strong voice at the table when it comes to critical fire and emergency service issues thanks to the NVFC.

The organization has been there to meet the challenges that volunteers face and to address critical issues every day. From groundbreaking programs and innovative resources to legislative and regulatory advocacy, the NVFC continues to serve the volunteer in meaningful and significant ways. I look forward to continuing to work with them to advocate for our volunteers.

COMMEMORATING 100TH ANNIVERSARY OF THE 1916 EASTER RISING

Mr. KING of New York. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs be discharged from further consideration of the resolution (H. Res. 716) commemorating the 100th anniversary of the 1916 Easter Rising, a seminal moment in Ireland's journey to independence, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:

H. RES. 716

Whereas the 100th anniversary of the 1916 Easter Rising has a particular resonance in the United States;

Whereas, from the foundation of the United States, Irish people and the millions of United States citizens of Irish descent have helped to shape its history;

Whereas, in the words of President John F. Kennedy, ''No people ever believed more deeply in the cause of Irish freedom than the people of the United States'';

Whereas 5 of the 7 signatories of the 1916 Proclamation of Independence spent periods of time in the United States that significantly influenced their thinking and actions;

Whereas the United States is the only foreign country specifically mentioned in the Proclamation;

Whereas the contemporary ties between the United States and Ireland are of extraordinary depth and breadth;

Whereas continued United States engagement in the Northern Ireland peace process is vital to safeguarding the gains made since the Good Friday Agreement;

Whereas the 100th anniversary of the 1916 Easter Rising offers an opportunity for remembrance, reconciliation, and reimagining of the future;

Whereas, on the 17th and 18th of May 2016, the Taoiseach (Prime Minister of Ireland) will visit Washington, DC, for events commemorating the 100th anniversary of the 1916 Easter Rising; and

Whereas more than 200 other commemorative events will take place across the United States to mark the anniversary: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recalls the special ties between Ireland and the United States, continually sustained and strengthened throughout the intertwined history of both countries;

(2) welcomes the program of commemorations in the United States marking the 100th anniversary of Ireland's 1916 Rising, including the events taking place in Washington DC; and

(3) recognizes the importance of nurturing and renewing the unique relationship between the United States and Ireland and their peoples into the future.

AMENDMENT OFFERED BY MR. KING OF NEW YORK

Mr. KING of New York. Mr. Speaker, I have an amendment to the text at the desk.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Strike all after the resolving clause and insert the following:

That the House of Representatives—

(1) recalls the deep and abiding friendship between Ireland and the United States, sustained and strengthened by the ties between our peoples and our shared values;

(2) calls for the enhanced cooperation between the United States and Ireland in undertaking multi-lateral humanitarian missions and international peacekeeping operations; and

(3) supports efforts to continue to increase political, economic, scientific, educational, and cultural ties between the United States and Ireland, including ongoing work to consolidate peace and reconciliation in Northern Ireland.

Mr. KING of New York (during the reading). Mr. Speaker, I ask unanimous consent that the reading be dispensed with.

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

There was no objection.

The amendment was agreed to.

The resolution, as amended, was agreed to.

AMENDMENT TO THE PREAMBLE OFFERED BY MR. KING OF NEW YORK

Mr. KING of New York. Mr. Speaker, I have an amendment to the preamble at the desk.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Strike the preamble and insert the following:

Whereas the more than 35 million Americans of Irish descent strengthen the friendly relations between the United States and Ireland;

Whereas throughout our history Americans of Irish descent have made significant contributions to the United States and have helped to shape its history;

Whereas in April 1916, through the Easter Rising, an attempt was launched to secure Irish independence;

Whereas signatories to the 1916 Proclamation of the Irish Republic were influenced by the experience of the United States and therefore included the United States as the only foreign country specifically mentioned in the Proclamation;

Whereas the United States recognized and established diplomatic relations with the Irish Free State in 1923;

Whereas Ireland is a valued partner in international fora, including the United Nations, the NATO Partnership for Peace Program, the Organization for Security and Cooperation in Europe, the Organization for Economic Cooperation and Development, and the World Trade Organization;

Whereas the United States and Ireland continue to share deep and abiding ties across a host of areas, including economic, scientific, and educational cooperative efforts, and international development cooperation;

Whereas the United States and Ireland enjoy a thriving and mutually beneficial trade and investment relationship, with the United States being the largest exporter to Ireland of services, and the second largest exporter of goods;

Whereas the United States and Ireland enjoy broad scientific cooperative programs, to the benefit of the United States, Ireland, and Northern Ireland, facilitated by the United States-Ireland Research and Development Partnership, which prioritizes joint research in the areas of nanoscale science and engineering, sensor networks, telecommunications, energy and sustainability, and health;

Whereas the United States and Ireland support thriving bilateral educational exchange programs, which Ireland has promoted in recent years with the establishment of Student Ambassador programs, increasing scholarships, and being a contributor and Lead Signature Partner in the U.S. Generation Study Abroad Program;

Whereas the Governments of Ireland and the United Kingdom have worked closely, with the ongoing support of the United States, in promoting peace and reconciliation in Northern Ireland; and

Whereas the 100th anniversary of the 1916 Easter Rising offers an opportunity for recommitment to strengthening the relationship between the United States and Ireland for the benefit of future generations in both countries: Now, therefore, be it

Mr. KING of New York (during the reading). Mr. Speaker, I ask unanimous consent that the reading be dispensed with.

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

There was no objection.

The amendment to the preamble was agreed to.

The title of the resolution was amended so as to read: ''Recognizing the deep and abiding friendship between the United States and Ireland and recommending actions to further strengthen those ties.''.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 4974, MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2017; PROVIDING FOR CONSIDERATION OF H.R. 5243, ZIKA RESPONSE APPROPRIATIONS ACT, 2016; AND FOR OTHER PURPOSES

Mr. COLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 736 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 736

Resolved, That (a) at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4974) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2017, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. Clause 2(e) of rule XXI shall not apply during consideration of the bill. (b) During consideration of the bill for amendment—

(1) each amendment, other than amendments provided for in paragraph (2), shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent;

(2) no pro forma amendment shall be in order except that the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 10 pro forma amendments each at any point for the purpose of debate; and

(3) the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read.

(c) When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. (a) (a)

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 5243) making appropriations for the fiscal year ending September 30, 2016, to strengthen public health activities in response to the Zika virus, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. Clause 2(e) of rule XXI shall not apply during consideration of the bill. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

SEC. 3. Section 514 of H.R. 4974 shall be considered to be a spending reduction account for purposes of section 3(d) of House Resolution 5.

SEC. 4. During consideration of H.R. 4974 in the Committee of the Whole pursuant to this resolution, it shall not be in order to consider an amendment proposing both a decrease in an appropriation designated pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 and an increase in an appropriation not so designated, or vice versa.

SEC. 5. During consideration of H.R. 4974 pursuant to this resolution—

(a) section 310 of House Concurrent Resolution 125, as reported in the House, shall have force and effect in the Committee of the Whole; and

(b) section 3304 of Senate Concurrent Resolution 11 shall not apply.

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

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

□ 1230

GENERAL LEAVE

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

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

There was no objection.

Mr. COLE. Mr. Speaker, yesterday, the Rules Committee met and reported a rule for consideration of both H.R. 5243, the Zika Response Appropriations Act of 2016, and H.R. 4974, the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2017.

The rule provides for consideration of H.R. 5243 under a closed rule with an hour of debate equally divided and controlled by the chair and ranking member of the Committee on Appropriations, along with a motion to recommit.

In addition, the rule provides for an open rule for consideration of the MILCON-VA appropriations bill for FY 2017. It also provides for a motion to recommit on the MILCON-VA bill.

Finally, Mr. Speaker, the rule includes three budget provisions, which allow for the enforcement of the OCO firewall, allow for Members to deposit savings from their amendments in a spending reduction account, and provides limitations on advance appropriations consistent with the budget resolution.

Mr. Speaker, I am pleased to present H.R. 5243 to the House for its consideration. As I said in the Rules Committee yesterday, the debate over this legislation isn't about whether or not we provide resources for Zika, it is about whether or not we pay for it through our existing resources or just add it to the national debt. I am pleased that we have chosen the former course.

Mr. Speaker, H.R. 5243 provides an additional $622.1 million, for a total of over $1.2 billion to fight the Zika outbreak. H.R. 5243 provides additional money to the Centers for Disease Control for mosquito control and programs for prenatal care, delivery, and postpartum care. In addition, we provide the NIH with the resources needed to develop vaccines and diagnostic tests.

In addition, as opposed to the President's request, this legislation maintains important oversight restrictions on the use of these funds. Understandably, they must be used solely for Zika. The President's supplemental request, in addition to not being paid for, would allow the so-called emergency funds to be used for almost anything.

Importantly, Mr. Speaker, this legislation is fully offset by using leftover, unobligated Ebola funds and the unused Health and Human Services administrative funding. In addition, Mr. Speaker, this legislation reflects the emergency of this situation by making these funds available through the end of this fiscal year.

Yesterday, Chairman ROGERS told the Rules Committee that a standalone piece of legislation stands the best chance of becoming law. If we were to attach this measure as part of one of the fiscal year 2017 appropriations bills, as the Senate has done, there is no guarantee that it would be enacted swiftly. In my opinion, the best way to ensure its quick enactment is through standalone legislation, like H.R. 5243.

In addition to the Zika response appropriations bill, this rule allows for the consideration of the first appropriations bill considered by the House for FY 2017, the MILCON-VA appropriations bill.

I am pleased that the House is, once again, going through regular order and considering appropriations bills under an open process. As a member of the Appropriations Committee, I am always proud that we can bring these bills up under an open process where all Members have the opportunity to bring their ideas for an up-or-down vote by the entire House.

H.R. 4974 provides $73.5 billion in discretionary funding for the Veterans Administration, a 3-percent increase over FY16. In addition, it includes important oversight and good government provisions, like preventing the closure of Guantanamo Bay, prohibiting bonuses for all VA Senior Executive Service personnel, and increased oversight, like requiring large-scale construction projects to be managed by an outside

entity so that mistakes like the Denver VA health facility, now $1 billion over budget, will never be repeated.

I am encouraged by the hard work of Chairman ROGERS and Ranking Member LOWEY for their commitment to regular order and ensuring that the power of the purse is one that this House can continue to exercise. Both the Zika Response Appropriations Act and the FY 2017 MILCON-VA bill demonstrate our commitment to that end.

I urge support for the rule and the underlying legislation.

I reserve the balance of my time.

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

Mr. Speaker, I rise today to debate the rule for H.R. 4974, the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, and H.R. 5243, the Zika Response Appropriations Act.

There are many things to praise in the military construction and VA appropriations bill. This is the first of the FY17 appropriations bills to reach the floor, and I hope that we soon have the opportunity to vote on other important appropriations packages.

The legislation, as pointed out by my good friend, provides $81.6 billion in total discretionary funding for fiscal year 2017 to fund military construction projects and programs within the Department of Veterans Affairs. It provides funding to hire 242 new VA staff to help reduce the VA's backlog in processing claims, as well as important funding for mental health programs and suicide prevention outreach. Certain VA medical services, including long-term care for veterans and support services for caregivers, are also included in this bill, which increase health program funding by approximately 5 percent as compared to the last fiscal year.

As co-chair of the Congressional Homelessness Caucus, I also welcome the inclusion of the President's full fiscal year '17 request for veterans homelessness outreach programs in this legislation. We have made great progress in our work to end veteran homelessness, and these programs play a critical role in getting our veterans off the streets.

However, despite these points, the bill is not without criticism. The additional language that indiscriminately denies performance awards as well as the inclusion of other ideologically divisive provisions that are outside the scope of this legislation, to me, are problematic. Because of these provisions, the President has indicated that he will veto this legislation in its current form. So it is my hope that we can work together to present a final package that will be able to become law, providing the important funding that our military servicemen and -women, their spouses, and our veterans need and rightly deserve.

I now turn to debate the Republican majority's so-called response to Zika. Despite any hope I had that the generally bipartisan effort crafting the military construction and VA appropriations bill may perhaps signal that my friends in the majority are suddenly able to govern responsibly, I am beyond disappointed in the inadequate measure presented here today.

Nearly 3 months ago, the President requested Congress to provide $1.9 million to combat the spread of the Zika virus. This number was based on what our Nation's top experts and scientists at the National Institutes of Health, the Centers for Disease Control, and elsewhere believe is needed to meet the challenges of this impending public health emergency.

Dr. Anthony Fauci, Director of the National Institute of Allergy and Infectious Diseases at the National Institutes of Health, our national top expert on infectious diseases, has warned that if we don't provide funding at this level, and I quote him, ''that is going to have a very serious negative impact on our ability to get the job done.''

So, naturally, after these warnings and nearly 3 months after the administration's request, what have my friends in the Republican majority presented today? A bill with a funding level less than one-third of the amount our Nation's top doctors tell us is needed to win the fight against the Zika virus.

I fear that in trying to address the Zika virus, my Republican colleagues are many days late and many dollars short. This decision risks worsening an already severe crisis. As of May 11, the Centers for Disease Control reports the following: In the continental United States, there have been 503 reported travel-associated cases of Zika. In the United States territories, including Puerto Rico, American Samoa, and the United States Virgin Islands, there are 698 locally acquired vector-borne cases reported.

□ 1245

While these numbers may seem small, we must take into account that we are not even in the summer months, and mosquito season has not even started. Despite these troubling figures, if you want to learn what is most important to the majority and their response to this emergency, one need look no further than the summary of this bill prepared by the Committee on Appropriations Republicans. At the top of that summary, they noted for their Members that the funding was ''entirely offset.'' This statement was underlined, bolded, and italicized.

Mr. Speaker, we are facing a public health emergency, and apparently the most important thing to my friends on the other side isn't that we address this emergency head-on with adequate and robust emergency funding but, rather, that we make sure what little funding they are allocated doesn't cost new money to do so. I guess my Republican friends will be at ease in the face of this looming public health emergency knowing that their response to pay for it is ''offset.''

One would think that the duty to provide an appropriate level of funding to respond to a national health crisis would be enough to garner a ''yes'' vote from the Republican majority. Apparently not.

I represent one of the States that everyone agrees will be hardest hit by the Zika virus. Indeed, Florida already reported 106 travel-related cases. Twenty-two of the cases in Florida are from Palm Beach and Broward County, areas that I represent. When the summer months come and this emergency worsens, I don't think my constituents will be at ease knowing that at least the money Republicans approved of was an offset.

Later, Mrs. NITA LOWEY, the ranking member of the Committee on Appropriations, the subject matter for today, is going to make statements. I haven't had an opportunity to talk with her this morning, but yesterday in the Committee on Rules I asked her whether or not, when other emergencies have come up, it has been required that they be offset, and her response was that it was not.

She, like myself, has been here during a lot of emergencies that we must and, rightly, should address for the American citizenry. This happens to be one more, and here we are haggling about offset rather than addressing the seriousness of this public national health emergency.

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

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

I want to begin by agreeing with my friend in terms of the appropriations process itself. He is right to celebrate the appearance of one of the bills down here under an open rule, just as I am sure my friend is aware, the Committee on Appropriations, under Mr. ROGERS' and Mrs. LOWEY's able leadership, has actually produced a series of bills ready and lined up. So I have no doubt this is the first of many bills—I would hope all bills—that we eventually see on the floor that every Member has an opportunity to come down here and amend as they see fit.

I also want to appreciate what my friend had to say about the VA and military construction bill. I think he is absolutely correct. That is one of our very best subcommittees. Chairman DENT and Congressman BISHOP are chair and ranking member. They work together extremely well. While I know my friend has some concerns with specific provisions of that, again, this is a

process. As he knows, this is our opening process. We will see what happens. I think at the end of the day, that particular legislation will garner a great deal of bipartisan support, in part because of the very points my good friend made in talking about the bill.

Now let's move to Zika. Here, we obviously have a different point of view. Let me posit some things, Mr. Speaker, that perhaps those watching this debate and discussion aren't aware of.

First, $600 million has already been deployed for Zika. That was out of money set aside for both Ebola and other infectious diseases. That money, by the way, totaled over $5 billion originally. There is still close to $3 billion of it left. It was to be spent over several years.

So when the President made his request, the initial response from Chairman ROGERS was, spend this money now. Don't wait on Congress to act. You have got available resources. The administration eventually agreed with that point of view.

So to this point, nothing has been left undone because of money. Everything the Federal Government has wanted to do has been fully funded. And, indeed, in that fund, there is still well over $2 billion, so literally everything it plans to do in the timeframe it plans to do it can be done. So that is $600 million of the $1.9 billion immediately available.

This bill would provide another $622 million, which is actually more money than the administration plans to spend in this fiscal year. So they will have more than enough resources. In the bill, there is actually money included for the National Institutes of Health that will not be spent until next year as they work through the process of developing vaccines and diagnostics. So there is more than adequate funding here.

Finally, in the remainder of the year, when we get to the Labor-HHS bill and the foreign operations bill, we will put in literally hundreds of millions more money for fiscal year 2017. That $1.9 billion isn't to be used right now. It is to be used over a 2-year period, so you don't need all of it right now.

The key difference is not the amount of money. The key difference is, number one, this is offset. My friend is correct about that. It is paid for. Rather than saying we are going to just immediately add an additional $1.9 billion to the national debt, say: Look, we have money set aside; we have got money here we can offset through other unused funds, and we have got money in the regular appropriations process for next year.

All of this can and should be paid for. Frankly, it is not like a Hurricane Sandy or a Hurricane Katrina with massive damage, immediate response required. This is actually smaller, more manageable, and these are moneys spent over not a short period of time, but over a couple of years. So this is actually the prudent way to actually move forward on this money.

But again, the important thing to know is everything that has needed to be done has been done. There hasn't been anything delayed. Nothing has been set back. Frankly, what Mr. ROGERS offers us will actually speed money to the process.

The debate, here again, as I said in my opening remarks, isn't about Zika; it is about whether or not you want to pay for the response, and that requires some tough choices to be made. That means other things that aren't emergency might not get as much funding.

The administration, like anybody else, if they can have their cake and eat it too, is delighted to do so. The more prudent path is to actually pay for the emergency that you have if you can. If you can't, then you move to something bigger. But in this case, we have the ability to do that, and I think we ought to do it.

I would hope our friends work with us on this. We see that this is an emergency. We have provided money immediately. We are moving now, prudently, to provide additional money, more than is needed in the short term and, frankly, as the bills roll out, you will see that there will be additional money yet to come—money that, by the way, was not intended to be spent until next year anyway. So there is no reason to spend it all right now.

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

Mr. HASTINGS. Mr. Speaker, if we defeat the previous question, I am going to offer an amendment to the rule to bring up the Democratic alternative Zika bill that provides the administration with the $1.9 billion its top scientific and medical experts say is needed to mount a robust response to the Zika crisis without jeopardizing its ability to address other public health threats, like Ebola.

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

The SPEAKER pro tempore (Mr. POE of Texas). Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from New York (Mrs. LOWEY), the ranking member of the Committee on Appropriations and my good friend, to discuss our proposal.

Mrs. LOWEY. Mr. Speaker, the Republican Zika bill provides $622 million, about one-third of the $1.9 billion requested. The bill also steals more Ebola funding as an offset instead of replenishing what was already redirected to Zika. We don't offset spending to respond to emergencies, and we certainly don't steal from prior emergency response efforts still underway when a new emergency arises.

Let's just consider, my friends, recent history.

Emergency funding was provided to respond to both Ebola and H1N1. In last year's omnibus, Congress used emergency funding without offsets to pay for wildland fire suppression, mostly in the West. Congress also provided emergency funding to respond to two hurricanes and flooding in the Carolinas and Texas, again without offsets.

When those disasters struck, we didn't steal money from prior disaster response, like the emergency funding provided for hurricane damage in Louisiana, Mississippi, Alabama, and Florida; or storms in West Virginia; or tornadoes in Oklahoma and Kentucky. In fact, after the 2013 Oklahoma tornadoes, my friend, Chairman ROGERS, said: ''I don't think disasters of this type should be offset. We have an obligation to help these people.''

Now that the Zika public health emergency has ravaged Brazil, spread to Puerto Rico, and threatens an outbreak in the continental United States, suddenly Republicans insist on short-changing efforts to ensure the deadly Ebola virus doesn't reemerge to pay for Zika response. The money they would take from Ebola isn't nearly enough to prevent the spread of the deadly Zika virus that especially endangers pregnant women and children who could be born with very severe disabilities.

If the previous question is defeated, Mr. HASTINGS will amend the rule to offer my bill, H.R. 5044, as a substitute, providing the full $1.9 billion the administration requested without offsets to ensure an adequate response to Zika that doesn't rob our Ebola response. I urge my colleagues to vote ''no'' on the previous question.

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

Let me begin by thanking my good friend for her wonderful work on that committee. She has had the opportunity to serve on her subcommittee when she was a subcommittee chairman and now to work with her ranking member. There is no better person than NITA LOWEY on that committee.

However, we are going to disagree a little bit here. First of all, when you say the bill only provides a third, of course, you have already got a third. The first $600 million is the first third. That has already been deployed. It is being spent. This is the next third. The remaining third is money that will be spent—by the way, not this year, but next year—and it will be presented in the normal appropriations bills.

I happen to chair one of those committees, the so-called Labor-HHS Subcommittee, the Subcommittee on Labor, Health and Human Services, and Education. We will have hundreds of millions of dollars in that bill for

next year's Zika response. So to suggest that somebody is being shortchanged, the money is just being prudently laid out at an appropriate pace and paid for along the way. That is point number one.

Point number two, again, this isn't a debate about the disease. It was this committee and our chairman who immediately responded and said: You have extra money left.

Now, by the way, the Ebola money, if you go back and look at the legislation, is Ebola and other infectious diseases.

□ 1300

In other words, when Congress appropriated that, they knew they might be appropriating more than was needed for Ebola and there might be other crises to come up. So that money is being used exactly the way it is supposed to be used.

The Appropriations Committee has assured that both the CDC and the NIH and the administration that, should additional money be required—and there is still almost $2 million of Ebola money—and if you need more and you are going to spend it over the next several years, come back and we will sit down and we will work with you and get you the money.

So this suggestion that somehow the fight against Ebola has been sidelined or cut short or shortchanged, again, is simply not true.

My friends use a lot of rhetoric here, largely to hide the fact that while we have got plenty of available money both set aside in the normal appropriations process and certainly in this bill of Chairman ROGERS to pay for things, they just simply want to add it to the national debt. They don't want to use available resources. They don't want to operate within the normal Appropriations Committee, I guess because they want to spend that money someplace else.

To suggest that anybody is disingenuous or shortchanging either Zika or Ebola simply doesn't square with reality. It was Congress, after all—a Republican majority in the House and a Democratic majority in the Senate, but, frankly, a genuinely bipartisan effort—that voted the $5 billion-plus for Ebola in the first place.

Last year, the President asked for a billion-dollar increase at the National Institutes of Health. We gave him a $2 billion increase. I can't remember the precise number last year, but I do remember we appropriated more for the Centers for Disease Control and Prevention than the President requested.

So it is not as if these things are not a priority. I think they are a priority on both sides of the aisle. We have proven that by bringing appropriations bills to the floor beyond what the President requested. But we think the prudent thing to do is not just willynilly add $1.9 billion worth of debt on the American taxpayer, particularly when the money is at hand to pay for what we need right now and we have an appropriations bill coming up in June where the rest of it can be taken care of and we can actually monitor this thing.

On the Ebola crisis, we may well have appropriated more than we needed to. That is why we have the other infectious diseases. In fact, if you look at the administration's budget proposal, they actually were taking $40 million out of this same pot of money to spend on unrelated malaria suppression abroad.

I am not quarreling with that—that is fine—but it suggests, again, even the administration thought, ''Well, maybe there is more money than we need in here for Ebola, or we can count on Congress to come back,'' which, by the way, is true if they need more money.

This is all about trying to circumvent the appropriations process and trying to add debt when there are sufficient resources available. If there were not, then that would be another matter. I agree with my friends: the response is important. But in this case, because the response is spread out over 2 years, you have plenty of time. And this is a relatively modest amount of money. This isn't like an $80 billion expenditure that we had for Hurricane Sandy. We can do this in a thoughtful and prudent way and avoid the debt that is associated with emergency spending.

We want to continue to work with the administration. We have demonstrated in the past that we are willing to fund NIH and CDC above administration-recommended levels. We responded quickly during the Ebola emergency. We think this is the appropriate way to go.

The Senate is moving a vehicle, as we all know. At some point, if we pass this—and I think we will—we will sit down with our friends, and we will hammer out a common response. But, again, do remember that nothing is not being done for lack of money. Everything the administration has wanted to do to date, it has had the resources to do. And we will continue to make sure that it does.

At the end of the day, we think they ought to be paid for, since we have the ability to do that. And that is what we are trying to accomplish: keep debt off the back of the American taxpayer, if we possibly can. In this case, we can and we should.

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

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

Mr. Speaker, before yielding to my good friend from Texas, I include in the RECORD a letter from the White House over the signature of Shaun Donovan, the Director of the Office of Management and Budget, and Susan Rice, National Security Adviser, directed to the Speaker of the House, PAUL D. RYAN, on April 26, 2016.

THE WHITE HOUSE,
Washington, DC, April 26, 2016.

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

DEAR SPEAKER RYAN: As you are aware, on February 22, the Administration transmitted to Congress its formal request for $1.9 billion in emergency supplemental funding to address the public health threat posed by the Zika virus. Sixty-four days have passed since this initial request; yet still Congress has not acted.

Since the time the Administration transmitted its request, the public health threat posed by the Zika virus has increased. After careful review of existing evidence, scientists at the Centers for Disease Control and Prevention (CDC) concluded that the Zika virus is a cause of microcephaly and other severe fetal brain defects. The Zika virus has spread in Puerto Rico, American Samoa, the U.S. Virgin Islands and abroad. As of April 20, there were 891 confirmed Zika cases in the continental United States and U.S. territories, including 81 pregnant women with confirmed cases of Zika. Based on similar experiences with other diseases transmitted by the Aedes aegypti mosquito—believed to be the primary carrier of the Zika virus—scientists at the CDC expect there could be local transmission within the continental U.S. in the summer months. Updated estimate range maps show that these mosquitoes have been found in cities as far north as San Francisco, Kansas City and New York City.

In the absence of action from Congress to address the Zika virus, the Administration has taken concrete and aggressive steps to help keep America safe from this growing public health threat. The Administration is working closely with State and local governments to prepare for outbreaks in the continental United States and to respond to the current outbreak in Puerto Rico and other U.S. territories. We are expanding mosquito control surveillance and laboratory capacity; developing improved diagnostics as well as vaccines; supporting affected expectant mothers, and supporting other Zika response efforts in Puerto Rico, the U.S. territories, the continental United States, and abroad. These efforts are crucial, but they are costly and they fall well outside of current agency appropriations. To meet these immediate needs, the Administration conducted a careful examination of existing Ebola balances and identified $510 million to redirect towards Zika response activities. We have also redirected an additional $79 million from other activities. This reprogramming, while necessary, is not without cost. It is particularly painful at a time when state and local public health departments are already strained.

While this immediate infusion of resources is necessary to enable the Administration to take critical first steps in our response to the public health threat posed by Zika, it is insufficient. Without significant additional appropriations this summer, the Nation's efforts to comprehensively respond to the disease will be severely undermined. In particular, the Administration may need to suspend crucial activities, such as mosquito control and surveillance in the absence of emergency supplemental funding. State and local governments that manage mosquito control and response operations will not be

able to hire needed responders to engage in mosquito mitigation efforts. Additionally, the Administration's ability to move to the next phase of vaccine development, which requires multi-year commitments from the Government to encourage the private sector to prioritize Zika research and development, could be jeopardized. Without emergency supplemental funding, the development of faster and more accurate diagnostic tests also will be impeded. The Administration may not be able to conduct follow up of children born to pregnant women with Zika to better understand the range of Zika impacts, particularly those health effects that are not evident at birth. The supplemental request is also needed to replenish the amounts that we are now spending from our Ebola accounts to fund Zika-related activities. This will ensure we have sufficient contingency funds to address unanticipated needs related to both Zika and Ebola. As we have seen with both Ebola and Zika, there are still many unknowns about the science and scale of the outbreak and how it will impact mothers, babies, and health systems domestically and abroad.

The Administration is pleased to learn that there is bipartisan support for providing emergency funding to address the Zika crisis, but we remain concerned about the adequacy and speed of this response. To properly protect the American public, and in particular pregnant women and their newborns, Congress must fund the Administration's request of $1.9 billion and find a path forward to address this public health emergency immediately. The American people deserve action now. With the summer months fast approaching, we continue to believe that the Zika supplemental should not be considered as part of the regular appropriations process, as it relates to funding we must receive this year in order to most effectively prepare for and mitigate the impact of the virus.

We urge you to pass free-standing emergency supplemental funding legislation at the level requested by the Administration before Congress leaves town for the Memorial Day recess. We look forward to working with you to protect the safety and health of all Americans.

Sincerely,

SHAUN DONOVAN,
Director, The Office of Management and Budget.
SUSAN RICE,
National Security Advisor.

Mr. HASTINGS. Excerpting from that letter a portion of the first paragraph on the second page, let me read what is said, in partial response to my good friend from Oklahoma:

''Without significant additional appropriations this summer, the Nation's efforts to comprehensively respond to the disease will be severely undermined. In particular, the administration may need to suspend crucial activities, such as mosquito control and surveillance, in the absence of emergency supplemental funding.

''State and local governments that manage mosquito control and response operations will not be able to hire needed responders to engage in mosquito mitigation efforts. Additionally, the administration's ability to move to the next phase of vaccine development, which requires multiyear commitments from the government to encourage the private sector to prioritize Zika research and development, could be jeopardized.

''Without emergency supplemental funding, the development of faster and more accurate diagnostic tests also will be impeded. The administration may not be able to conduct followup of children born to pregnant women with Zika to better understand the range of Zika impacts, particularly those health effects that are not evident at birth.

''The supplemental request is also needed to replenish the amounts that we are now spending from our Ebola accounts to fund Zika-related activities. This will ensure we have sufficient contingency funds to address unanticipated needs related to both Zika and Ebola. As we have seen with both Ebola and Zika, there are still many unknowns about the science and scale of the outbreak and how it will impact mothers, babies, and health systems domestically and abroad.''

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. AL GREEN), my good friend.

Mr. AL GREEN of Texas. Mr. Speaker, I am concerned. I am concerned because, while the mosquito is not the unbeatable foe, it is the deadliest living organism on the Earth. The deadliest life form is the mosquito.

Annually, the mosquito kills 1 million humans, mostly from malaria, I must tell you, but I must tell you that they also kill by way of the West Nile virus. In Houston, Texas, we have had people contract the West Nile virus. We have people die. I would also mention that they are the greatest survivors. They survived the dinosaurs.

We are dealing with a deadly foe. Make no mistake, the size should not in any way cause us to believe that this is something we can take as less than a deadly enemy that we have to confront.

The World Health Organization has indicated that there may be as many as 4 million cases of the Zika virus from Zika-carrying mosquitoes in the Americas. As of February 1, we had seven confirmed cases in Houston, Texas.

It appears, from what I have read, that standing water activates them. It appears that rain can activate these mosquitos. If this is true, in Houston, Texas, given that we have just had the so-called tax day flood and because we are still being inundated with rain quite regularly—an 80 percent chance of rain today in Houston, an 80 percent chance tomorrow—it appears that we have the makings of a special problem in Houston, Texas.

So, I am gravely concerned. I hope that we do all that we can to make sure that we get the necessary equipment and the necessary funding so that this enemy can be confronted properly.

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

Mr. Speaker, I want to begin by actually agreeing with my friends and, certainly, my good friend from Texas. He is right about the danger that we are dealing with. My friend from Florida is certainly right about the severity of this. I think where they are wrong is the suggestion that nothing has been done; $600 million has been deployed.

This bill is actually a response to the very letter that my good friend from Florida read. This does provide the next third of the requested money by the administration. And, frankly, the bill extends this into next year to address the concerns my friend expressed about having a multiyear commitment.

The money in here for the National Institutes of Health, which is the lead agency in developing vaccine and diagnostics, is fully funded for what they have asked to be funded for next year. So this actually does that.

Now, we will have an additional bill through committee in June where we will provide additional resources for the CDC for next year and whatever other things needed.

The total spending here on both sides is about the same. It is being deployed right now. This is a response to some of the concerns. What concerns my friends, I think, is they would just prefer not to pay for it. They would just prefer to add it to the national debt. Well, gosh, that is a great thing to do, but that is probably how we ended up with a deficit of over half a billion dollars for FY 2017 and a national debt of over $19 trillion.

If this were something that we couldn't handle any other way—that we only had an emergency—I would agree with my friends. I did that when we had the Sandy relief. There was no other way for something that large. That is not the case here. This is $1.9 billion. Most of that money is coming out of the Labor-HHS bill, which, by the way, spends $163 billion a year.

If you can't fund $1.9 billion spaced over 2 years in a bill that provides in that period of time around $320 billion, you are just not trying.

This is all about being able to spend someplace else. And, again, not one thing has not been done. Everything that anybody in the Federal Government has wanted to do, they have been able to do. In addition, the Ebola money is not just the Ebola money; it is Ebola and other infectious diseases. That is what it was there for. It was not just meant to be spent only on Ebola.

Even after the $600 million, even after the money that is offset in this bill, which is roughly at $350 million, that fund still will have almost $2 billion in it that can deploy any way against infectious diseases that the administration says it needs, and it has the commitment of Appropriations, which has demonstrated again and again that it will do this: If you run

short in this area, we will backfill. That is why we have appropriations bills moving now. We can take care of you. But we can do it within the budget limits negotiated with the administration. That is prudent management of the money.

So, given the track record here, both in responding on Ebola and putting more money in the NIH and the Centers for Disease Control than the administration expected and now moving quickly to be helpful here, I think we have either a misunderstanding or a manufactured crisis.

There is no crisis. There is a real challenge, and money needs to move toward it now. That is exactly what we have done. That is exactly what we are doing in this bill. That is exactly what we will do in the appropriations bills that will be presented in Congress as the appropriations season progresses.

With that, I want to reassure my friend that the resources will be there. They have been there thus far. They will continue to be there.

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

Mr. HASTINGS. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. DOGGETT), my good friend.

Mr. DOGGETT. Mr. Speaker, the indifference by some in this Congress to a looming public health crisis is truly stunning.

This Republican bill cuts the emergency funding request for the Centers for Disease Control and Prevention by 80 percent. That is $4 out of every $5 it asks for that will be eliminated.

The Zika virus is a terrible virus. It eats away at the brain of a fetus and results in a family tragedy of a child who is born with very severe birth defects. It will require costly lifetime care.

□ 1315

Zika can be sexually transmitted, and it has spread to many parts of Texas. We have Texas-tough mosquitoes, and the season is just beginning there. We are on the cusp of an epidemic spreading across our region; meanwhile, the Republicans are refusing to provide the resources to prevent it.

Now, I appreciate the very reassuring words that we have been hearing here, but just this morning I sat down and met with the Director of the Centers for Disease Control, Dr. Tom Frieden, and I asked him: What difference does it make that $4 out of every $5 you have asked for are being cut?

He said in our discussion: If this Republican bill is approved to deny this vital CDC and NIH funding, we will not be able to develop the tools to diagnose the virus, combat the mosquitoes, and develop a safe and effective vaccine against it.

He said: We cannot monitor all of those who are being infected, have already been infected, and the neighbors around them that another mosquito bite might transmit the virus to them.

He said: We cannot get back to Texas and other States' general emergency preparedness funds that we have taken away in order to try to fight the Zika virus.

To do the job effectively, this Administration needs more than four months of temporary funding. It needs long-term contracting authority to get at this crisis and to prevent it.

I think that disease control and prevention represents some of our best and most effective investments in health. We can save a lifetime of suffering to so many families, and we can save millions of dollars of public and private monies that these children born with severe birth defects will have.

The gentleman is correct that the Republican Senate is considering this matter. In fact, it not only considered it, but, finally, yesterday it approved legislation that offers almost twice as much in the way of resources to address this crisis as the bill the gentleman is promoting today includes.

I say let's join together and reject this rule—reject it, and demand that the Republican leadership respond with the funding necessary to protect families across America from an emerging Zika tragedy.

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

I want to always recognize my good friend from Texas, who is really one of my good friends in this body.

But I am not surprised that the Senate bill is twice as much money because it runs for twice the time. This bill runs to September 30th. The Senate bill runs until September 30, 2017, so they are not materially that different.

What we have said is we would deal with next year's problem in the appropriations process for this year.

Now, again, I know my friend's concern is legitimate. I do. I don't have any doubt about it. But I point out one more time, $600 million has been appropriated or has been made available. This is an additional $600 million. This $1.2 billion for the time of this fiscal year is actually more than the administration had planned to spend in this period. It reaches into next year, but they will have it available for this year if they need it.

They have another nearly $2 billion in Ebola/other infectious diseases money, and they have the assurance that additional things are coming.

The only difference here is, are you going to pay for it? Or are you just going to add it to the national credit card, another $2 billion, roughly, on the national debt, when you have the resources and the time available to operate within the appropriation system?

So this debate, as I have said repeatedly, isn't about Zika. It is about whether you pay to deal with Zika, or whether you would just like to do whatever you want to do and forget about paying for it.

Unfortunately, we don't have that luxury indefinitely. So this is a responsible, well-thought-through measure. It is fully paid for.

Nobody is short of resources, nobody will be short of resources. The money is available to do whatever the administration wants to do. It is well aware of that fact. And these are additional resources deployed here, with the assurance of other resources that will be deployed during the course of the normal appropriations process.

So I fail to see, when the amount of money is essentially the same on both sides over essentially the same period, why we keep going back and acting as if this $600 million is all there is. There is another 600 that has already been spent. There is more coming. It is coming in a regular way.

The only thing that upsets my friends on the other side is it is being paid for. I mean, how outrageous: we are actually going to pay for a government activity that is important for us to accomplish, with the assurance that if more is needed, more will be made available.

Mr. Speaker, that is the simple difference here, despite all the discussion about the disease, about readiness, is who is willing to pay for what needs to be done and who, frankly, would just prefer to put on it the national credit card.

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

Mr. HASTINGS. Mr. Speaker, I am very pleased to yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN), my very good friend.

Mr. GENE GREEN of Texas. Mr. Speaker, Members, I thank my colleague from the Committee on Rules and my classmate for yielding to me.

Mr. Speaker, I rise in strong opposition to the rule and to H.R. 5243.

The last three Democratic speakers are from Texas. The Southeastern States are ground zero for Zika and other diseases. It is the first known vector-borne disease to cause microcephaly and other severe fetal brain defects.

Our knowledge of the disease and how it is transmitted and its complications have evolved rapidly since the epidemic began, but there is still a lot unknown. We do not have rapid diagnostic tests or an effective vaccine against this virus.

The mosquito vector is actively present in several parts of the United States, including Houston and the Southern States. Current vector control efforts are uncoordinated and inadequate.

Cases of Zika are being introduced frequently by returning travelers, and mosquito season is rapidly approaching our community.

As of May 11, there were more than 1,200 confirmed Zika cases in the continental U.S. and U.S. territories. Robust action is required to protect Americans, and this bill falls dramatically short of the response this epidemic demands.

H.R. 5243 only provides a third of the funds necessary to respond to a Zika outbreak and, even worse, a large portion of the funding is taken from money Congress has appropriated to respond to the Ebola crisis. We are taking money away from researching Ebola cures to put on Zika. Ebola will not go away. We cannot rob Peter to pay Paul.

My good friend from Oklahoma, I know in 2003, we sent legislators up to his district. I hope in Texas we don't send mosquitos up to his district, because that could happen.

Congress has a constitutional and moral duty to protect the health and welfare of our country. I am saddened to say this bill fails to uphold our responsibilities to the American people.

Crises of this magnitude demand robust, multi-year investments in our public health infrastructure, vaccine, diagnostic development, and transmission control.

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

Mr. HASTINGS. I yield the gentleman an additional 30 seconds.

Mr. GENE GREEN of Texas. Funding to fight the Zika virus must be treated as an emergency that is similar to past emergencies, like Ebola and H1N1 viruses. It should not be offset or use previously appropriated funds for other public health priorities. Doing so will only continue the broken cycle of lurching from outbreak to outbreak.

Even worse, this bill only funds the Department of Health and Human Services' response until September 30. Mosquitos don't follow our fiscal year. This threat is real, immediate, and grave.

On behalf of American families, mothers, and the next generation, we must do better.

I urge my colleagues to vote against this bill and bring meaningful legislation to the floor that adequately and responsibly funds our response to the Zika virus.

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

My good friend, Mr. GENE GREEN—and he is my good friend—as I recall, those Texas legislators were called the Killer Bees. And if you want to compare them to mosquitos, I will leave you that luxury and that political risk. We just call Texas legislators welcome guests. So they are welcome to come any time.

In terms of the point, though, I think I agree with much of what you say, other than the last part of what you said about adequately, responsibly funding. That is exactly what we are doing.

The total amount of money here we are talking about, my friends keep forgetting about this $600 million that has already been deployed, and they keep suggesting that this is like only Ebola money.

That is not the way the legislation is written. It is written for Ebola and other infectious diseases. In other words, we are using that money exactly the way we are supposed to use it, not shortchanging anybody.

If we need money later—because this is money that is to be spent over multiple years—we will come back and put it in. But that money, frankly, if it had not been available, there would not have been an immediate response possible. It was available, so it is being used in the appropriate way.

This is the next third. So when we hear this talk about only a third of what the administration requested, we have already done a third. We are getting ready to do the next third, and we are telling you, in bills that are coming to the floor, both State and foreign ops, and Labor-HHS, that there will be additional money that will essentially total about what the administration has asked to spend.

We recognize that these things do develop, do change. Our understanding of them changes over time. This is actually a thoughtful way to do this. But the assurance has been made: if you need more money, then you have got it. We will work with you. We will find a way to do it. Our assistance is, if we can pay for it, then we do pay for it; and that is exactly what we do in this bill.

We hear comparisons, erroneous comparisons, you are only doing half as much as the Republicans in the Senate. No. We are doing it through September 30 of this year. They are doing it through September 30 of next year. The amounts are essentially about the same.

The difference, then, is also the same, frankly, with all due respect to my friends in the Senate, we are offsetting and paying for this. And that just seems, to us, the prudent way to do it, not to put more debt on the back of the American taxpayer when you don't have to.

If we had some emergency that called for hundreds of billions of dollars or something of that nature, that would be different. That is not what we are dealing with here.

Now, I have a lot of respect for my friend's concerns, but the chairman of our committee actually led a delegation to South America partially on this issue recently. I happened to have the privilege of going along with Chairman ROGERS.

We stopped in Peru, where there is a Naval research station we have operated for decades. It normally focuses on tropical diseases—we have a lot of issues with that when our military is deployed in those areas—but it is working around the clock on Zika and is doing some great work.

Then we went to Brazil, which is really the epicenter of this outbreak; sat down and talked with the Centers for Disease Control people on the ground, which we did; talked with the Brazilian government, which we did; saw, as Brazil was deploying literally hundreds of thousands, 220,000 of its own military personnel, to go door to door.

So I think probably Chairman ROGERS has as good a grasp, with all due respect, as anybody in this body on what is being done, what needs to be done, and how to proceed.

At every step along the way, he has shown that resources are going to be made available. They have been, but they are being made available in a responsible, prudent way, with appropriate oversight, in a timely manner, but in a manner which is offset and paid for.

That is what I think the American people want us to do: take care of what is important, do it right, do it responsibly, and pay for it if you have the funds available before you automatically add it to the credit card that our kids and grandkids are going to someday have to pay off.

So we will continue to work with our friends. We will work with our colleagues in the Senate. But to suggest for 1 minute that the Federal Government doesn't have the resources it needs, when it has much more than it has asked sitting still unobligated in funds, is just simply not the case. It has the money it needs. It is getting the resources in the right way. We are simply paying for them.

I know that is hard for some of my friends to accept, but it is actually the appropriate way to proceed. We actually should do more of this in this body rather than less.

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

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

Mr. Speaker, it has become clear that the Republican leadership has either abdicated its authority to govern to the far right of its party, or never had the wherewithal to do so in the first place.

□ 1330

Either way, the American people are tired of this majority's inability to address the issues facing our country.

During the 114th Congress, Republicans have brought to the floor bills with absolutely no hope of becoming law, strictly partisan measures that were more messaging bills than serious legislative proposals. We saw it a couple of weeks ago with a string of bills attacking the Internal Revenue Service to score political points during tax day.

None of that is going to become law. We have seen it with bills to weaken environmental protections or to limit a woman's right to choose. Now we see it with a bill that the President has threatened to veto because Republicans have included ideological riders. The majority seems to be more focused on scoring political points than actually getting to the business of governing.

Our friends on the other side of the aisle attempt to merely swat away the looming public health crisis posed by the Zika virus. This approach is as lacking in leadership as it is callous. I can guarantee you that the mosquitos carrying the Zika virus do not care if you are a Democrat or a Republican. They do not care if the money used to stop them is offset. But I can promise my Republican friends, pinching pennies on basic investments to address a public health emergency will inevitably heighten costs—in dollars and lives—down the road.

Mr. Speaker, I urge a ''no'' vote on the rule.

I yield back the balance of my time.

Mr. COLE. Mr. Speaker, in closing, I want to thank, as always, my good friend from Florida. He is truly a delight to work with, one of the really great Members in this body. Not surprisingly, he knows I disagree with him on his characterization of the current Congress, because saying that we haven't done anything is forgetting what has actually happened.

This is the first Congress to pass a multiyear highway bill since 2005 and the first one to overhaul common education since 2002. Last week, we had opioid legislation on this floor that we all know is critical and is certainly going to come into law, and it will be funded. We had the first real human trafficking bill; an overhaul of the Veterans Administration; a budget agreement that meant we had no closures and no debt crisis; more funding for the National Institutes of Health—it has been one of the central issues in this debate—than the President asked for last year, more new funding; and the same thing for the Centers for Disease Control. So I actually argue it has been a pretty productive Congress in many, many ways.

In terms of Zika, though, let's again get back and just clarify things. The President asked for $1.9 billion in emergency funding. The chairman of the Appropriations Committee immediately said: You have got plenty of money. Use whatever you want; $600 million of that was used. If you need that replenished, we will replenish that in the normal course of appropriations.

He now brings to the floor a bill that carries the next third of the funding that the administration has asked for, fully offset, money that is more than they expect to spend from now until September 30. Some of that money is available into next year, certainly the money that the NIH would need for diagnostics and vaccines. We will bring to the floor the rest of it.

So the only thing that we really differ on is should we pay for this major effort or not when we have the resources. We have the resources. Ours is paid for. The administration's proposal is not. It is just that simple. Do you just want to add $1.9 billion, or do you want to responsibly work the problem?

This committee, the Appropriations Committee, has been at the forefront of responding to this every step along the way. It will continue to do so. We will work with our friends.

In closing, Mr. Speaker, the Constitution gives the Congress the power of the purse. Article I, section 9 gives that authority to Congress. While the President has every right and duty to submit a supplemental appropriations request, it is the duty of Congress to examine that request and provide for the funds and conditions it feels appropriate to execute them. That is exactly what we have done on Zika, and that is exactly what we have done on MILCON–VA.

With that in mind, I would encourage my friends to support the rule and the underlying legislation.

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

AN AMENDMENT TO H. RES. 736 OFFERED BY MR. HASTINGS

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

SEC. 6. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5044) making supplemental appropriations for fiscal year 2016 to respond to Zika virus. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Appropriations and the chair and ranking minority member of the Committee on the Budget. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 7. Clause 1(c) of rule XLX shall not apply to the consideration of H.R. 5044.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

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

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

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

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

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

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

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

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

The yeas and nays were ordered.

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

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 4909, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

Mr. BYRNE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 735 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 735

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for further consideration of the bill (H.R. 4909) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes.

SEC. 2. (a) No further amendment to the bill, as amended, shall be in order except those printed in the report of the Committee on Rules accompanying this resolution and amendments en bloc described in section 3 of this resolution.

(b) Each further amendment printed in the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(c) All points of order against the further amendments printed in the report of the Committee on Rules or amendments en bloc described in section 3 of this resolution are waived.

SEC. 3. It shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

SEC. 4. At the conclusion of consideration of the bill for amendment pursuant to this resolution the Committee shall rise and report the bill to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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

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

GENERAL LEAVE

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

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

There was no objection.

Mr. BYRNE. Mr. Speaker, House Resolution 735 provides for continued consideration of H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017.

The resolution provides for a structured rule and makes in order 120 amendments. These amendments are on top of the 61 amendments that were made in order by yesterday's rule. That is a combined 181 amendments on one bill.

As I mentioned during yesterday's debate, the NDAA process has always been bipartisan. In fact, Congress has successfully passed the NDAA for each of the last 54 years. That is a really impressive accomplishment. I hope this year is no different.

Mr. Speaker, I want to remind my colleagues that the NDAA passed out of the Armed Services Committee by a vote of 60–2. That vote total is very, very impressive and demonstrates the bipartisan nature in which our committee, the Armed Services Committee, operates.

Another thing I really appreciate about the NDAA process is how open it is and how so many different Members are able to have input into the final product. The first round of amendment debate yesterday was an example of a healthy debate on a wide range of amendments.

You look around the country, and so many of our communities are home to important military assets and programs. Some communities are home to military bases where we are training our future fighters. Other communities contribute to our military success with industry suppliers; and every single community across the country is home to servicemembers, whether Active Duty, Guard, or Reserve. Each of these communities faces unique challenges and offer different perspectives. That is why I believe it is so important that we have such an open process to allow a wide range of views to be discussed and debated.

During the Armed Services Committee process, we considered 248 amendments. When you add up the amendments considered at the committee level to the amendments we will consider on the floor, it brings us to a huge total of 429 amendments on one bill. These amendments cover a range of important issues from National Guard to cybersecurity, to sexual assault, to religious freedom, to military health care. Looking at specific security threats we face, these amendments address issues relating to Afghanistan, Pakistan, Iraq, Syria, Europe, Russia, and many more places.

I know my colleague from Massachusetts is particularly interested in the Authorization for Use of Military Force, or AUMF, debate, as I am. Although the Foreign Affairs Committee, not the Armed Services Committee, has jurisdiction over AUMFs, I was pleased that we were able to obtain the committee's approval for Ms. LEE's amendment to be made in order so the House can debate this issue on the floor. I know that doesn't go as far as my colleague from Massachusetts would want it to go, and I hope that there is a time when this body, after hearings in appropriate committees of jurisdiction, can have a full and informed debate on a new AUMF, but we cannot do that under these circumstances today and give the American people the full and fair hearing that they deserve.

A few of my colleagues have also expressed concerns about the way this NDAA is funded. This rule makes in order an amendment by Mr. ELLISON that would cut money out of the overseas contingency operations account. While I think these concerns are misguided, this rule allows that debate to take place.

The rule makes in order an amendment by our Rules Committee colleague, Mr. POLIS, which would put in place a 1 percent across-the-board reduction in total spending under the NDAA. Again, I think this would be a grave error, but this rule provides for that important debate.

We have heard bipartisan concerns about visa programs for certain at-risk populations in Afghanistan, and this amendment makes in order a bipartisan amendment by Mr. BLUMENAUER to reform the Special Immigrant Visa program.

The rule allows for debate on another bipartisan amendment that would require the Department of Defense to report on China's activities in the South China Sea in their annual report on Chinese military power. I think this is an issue that is particularly important.

I hope this gets my point across that we have taken a comprehensive look at national security issues and allowed a wide range of Members, both Republicans and Democrats, to bring their amendments forward.

We hear a lot about the need for an open process. Again, I am very pleased

that, between the Armed Services Committee and the House floor, 429 amendments will be considered. Given the large number of amendments, I want to thank our Rules Committee staff who put in very late hours to help sort through the amendments. I know it wasn't easy work, but we certainly appreciate all that they do and the extra hours they put in to help facilitate this debate.

Yesterday, I outlined why the National Defense Authorization Act is so critically important. I talked about the critical investment the bill makes to boost our military readiness. I discussed how the bill increases accountability and efficiency at the Pentagon, and I highlighted some of the critical reforms included in the bill.

I won't rehash these points, but I do want to reemphasize one key point: every day we send our servicemembers into dangerous situations. When we do so, we don't send them into battle as Democrats or Republicans. We send them into battle as Americans.

So as we continue working through this bill, I want to again plead with my colleagues to avoid making this about politics. Instead, let's make this about America and about ensuring our servicemembers have sound policy and the resources they need in order to keep our country safe. We shouldn't—and, quite frankly, we can't—let politics get in the way of passing this critical national security bill. Our military men and women deserve nothing less.

Mr. Speaker, I urge my colleagues to support House Resolution 735 and the underlying bill.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Alabama (Mr. BYRNE) for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

□ 1345

Mr. Speaker, I would like to thank the honorable chairman of the Armed Services Committee, Mr. THORNBERRY, and the ranking member, Mr. SMITH of Washington, for once again working in a bipartisan manner to bring before this House H.R. 4909, the 2017 National Defense Authorization Act. I don't agree with everything that is in this bill. In fact, there is a lot I do disagree with. But I appreciate that the chairman and the ranking member always treat all Members submitting amendments to the NDAA with respect, and that is very much appreciated.

But I must rise in very strong opposition to this structured rule because there are very serious issues that merit the time and attention of this House that were submitted to the Rules Committee by Members from both sides of the aisle, which have not been included in this structured rule. Almost 200 amendments were not made in order. As a Democrat, I am used to being shut out by the Republican majority, but dozens of Republican amendments were blocked as well.

Let me say to my Republican friends who did not have their amendment made in order: If you don't want this to be a pattern, then vote ''no'' on this rule; if you don't want this to be a precedent, then vote ''no'' on this rule. Send a message to your leadership that, in fact, you want a more open and transparent process. Don't go along just to get along. Don't be a cheap date when it comes to an open process in this House. The issues that are involved with the Defense Authorization Act are too important to be just blocked with no debate, no deliberation, and no votes. My friend talks about an open process. Open process, my foot. It is not an open process. Almost 200 amendments were not made in order. That is just not right.

Mr. Speaker, if there is one thing that disturbs me in particular about this structured rule, it is how it fails the American people once again in not allowing substantial debate about the issues of war and peace. Mr. Speaker, nothing is more critical than the issues of war and peace.

And once again, the Republicans on the Rules Committee have ensured that no amendment that deals with authorizing the current U.S. military engagements in Iraq, Syria, or Afghanistan was made in order. The only amendment made in order is the one offered by the gentlewoman from California (Ms. LEE) to repeal the 2001 AUMF for Afghanistan, an amendment that she has courageously offered for several years now.

Mr. Speaker, one of the amendments not made in order was an amendment offered by me and several colleagues to prohibit the use of any U.S. funds after April 30, 2017, for the deployment of U.S. Armed Forces to Iraq or Syria in the fight against the Islamic State if an AUMF has not been enacted. This was a bipartisan amendment offered by Representatives JONES, GARAMENDI, YOHO, LEE of California, CICILLINE, and myself.

And let me make one thing very clear, Mr. Speaker: this amendment is not an AUMF. There is not one single syllable in this amendment that reflects the language of an AUMF.

The distinguished chairman of the Armed Services Committee was very clear during the committee markup of the NDAA that AUMF amendments were not the jurisdiction of his committee but, rather, the Foreign Affairs Committee. But this amendment is not an AUMF. And it is germane, by the way.

My amendment only prohibits the obligation and expenditure of funds after April 30, which is the chairman's chosen date for the cutoff of all OCO funding, and then only for the deployment of U.S. Armed Forces to Iraq and Syria to combat ISIS, unless an authorization for that purpose has been enacted.

Quite simply, if you want the money to fight a war, then pass an AUMF. This amendment doesn't care who writes it. It doesn't care when it is debated or approved. It just requires that an AUMF be enacted by April 30. If not, no more funds for U.S. troops in the air, on the water, or on the ground until an AUMF is enacted.

All this amendment asks is that Congress do its job. We ask our men and women in the military to do their jobs, and Heaven only knows, they carry out their duty with courage, honor, and professionalism. I only ask that Congress do the same. This should not be too much to ask.

We have sent our uniformed men and women into harm's way in Syria and Iraq for nearly 2 years now and still Congress refuses to do its duty and authorize their deployment. We have been bombing, we have got boots on the ground and engaged in combat, and we have had troops killed in action, yet this Congress can't seem to debate and vote on an AUMF.

I personally believe that endless wars, endless bombing, and an ever-expanding U.S. military footprint in the Middle East is not a substitute for efforts aimed at reconciliation and political solutions. The status quo will not make the world more secure. I know some of my colleagues differ with me, and that is fine, but let's have the debate. Let's have clarity in what we are doing, and let's make sure that what we are doing works. Dodging responsibility only means that these wars will remain on remote control, and that is sad.

Last night in the Rules Committee, we heard lots and lots and lots of excuses. One of my favorite excuses that we heard last night was that 10 minutes would not be enough time to debate such a serious matter as what my amendment proposes. Well, Mr. Speaker, the Rules Committee can assign as much time as it wants to debate an amendment. That is what we are there for. Two hours, 3 hours, 3 days, 3 weeks if it wishes. That is what the Rules Committee is supposed to do: provide serious time to debate serious issues.

I heard that the Foreign Affairs Committee should be and would be drafting an AUMF. Fine. Terrific. If it comes out and is enacted before April 30, then it would fit right in with my amendment. But if this House continues to dawdle and whine and shirk its duties, then there should be no more money after April 30 for a war that hasn't been authorized by Congress.

I was told that the Republican leadership doesn't like the AUMF that the President sent to Congress over a year ago. Well, neither do I. I think it is too broad. But, Mr. Speaker, if the majority or anyone here doesn't like the

President's AUMF, then it is the duty of Congress to draft debate and vote upon its own version of an AUMF and send the bill back to the President for his signature or veto. That is how the system works, or at least that is how it would work if this House ever managed to do its job.

I was told that the next President wouldn't have enough time to figure out an AUMF for Iraq and Syria by April 30. But, Mr. Speaker, I didn't choose April 30 as a date when all funds for the Overseas Contingency Operations account would be cut off. That date is built into the NDAA already. If April 30 is enough time for a new President and new Congress to ask for more money for these wars that are supplemental, then it should be plenty of time for Congress to take up and debate an AUMF.

Now, of course, this Congress or the next one should and could take up an AUMF any day it so desires. I remember, in 2014, that Speaker Boehner told us that it would be better for the 114th Congress to debate and pass an AUMF for Iraq and Syria rather than the 113th Congress. Well, here we are 16½ months into the 114th Congress with no thought of taking up an AUMF on battling the Islamic State.

I guess this Congress is just too damned chicken to do its job when it comes to war, and we are going to kick the can into the 115th Congress or maybe the 116th Congress. Enough with the excuses, enough. In fact, I remember, last year, Speaker RYAN said an AUMF for Iraq and Syria for the war against the Islamic State would be one of the first things this Congress would take up this year. Well, here we are in the middle of May and there is no AUMF in sight, just the same old tired excuses, the same cowardice, the same political posturing.

There is no shortage of Members of Congress talking tough against ISIS. We hear it all the time on the House floor. But let's be honest: that takes absolutely no courage at all. None of us are on the frontlines in Syria or Iraq. We are all safe and sound in the U.S. Capitol.

But think for a minute. What must be going through the minds of our troops when they see a Congress that doesn't even have the guts to debate these wars while they have been put in harm's way?

Every single Member of this House should be ashamed. Our collective silence—our collective indifference—is dismissive of our constitutional responsibility. This Chamber is guilty of moral cowardice.

Mr. Speaker, there are nearly 200 reasons to oppose this rule, and that is how many of the amendments submitted to the Rules Committee were not made in order under either the first rule to the NDAA or today's rule. Basically, 50 percent of all amendments submitted are not being allowed a chance to be heard.

I urge my colleagues to reject this rule. I urge my colleagues to show some backbone and demand that the majority leadership of this House carry out its constitutional duty to debate and vote on an AUMF for Iraq and Syria.

I reserve the balance of my time.

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

My colleague from Massachusetts raises some very important points. It would be appropriate for our Foreign Affairs Committee to take up those points and consider them after we have had a lot of hearings, including an opportunity for a notice to the American people so the American people can be heard.

Coming up with this sort of an idea that it is just going to come through the Rules Committee without any hearing, without any real expertise in the Rules Committee to consider it, and then putting it on the floor for limited debate is not the way to do it.

Now, I must admit I have some reservations about establishing a hard stop of April 30 of next year. Saying that we are going to allow the next President to come forward with a new OCO proposal before April 30 of next year, which we did 8 years ago, is not the same thing. What my colleague is proposing is a hard stop. That is exactly what the President did in Iraq: a hard stop. We pulled out, and look what happened: absolute chaos, a nation that has gone from being a nation into being a nation in total dissolution.

We came close to doing the same thing in Afghanistan. Thankfully, the President has pulled back from that. Because when we telegraph to our enemies, ''Hey, we are out of here after a certain date,'' they know when we are leaving, they know when we are stopping, and they know exactly how to time their activities against us. I don't think we should give that opportunity to our enemies.

Now, I completely agree with my colleague from Massachusetts that we need a new AUMF. I have said that on multiple occasions. I have signed letters to that effect. And I do believe that we have a situation in Syria that is not authorized, as it should be under the law.

Why are we in this situation? Because we have yet to receive a strategy from the Obama administration on how to prosecute that war. We had the gentlewoman from Hawaii (Ms. GABBARD) before the committee last night. She has fought over there. She knows this better than just about anybody in this room. She laid out clear deficiencies in the administration's so-called plan, which they sent over to the Armed Services Committee 45 days later, and only after we had to browbeat the Secretary of Defense to meeting its statutory responsibility.

And she laid out clearly what we need to do in terms of a strategy. We have yet to get that from the Commander in Chief of our own Armed Forces. If we would get that, if we would get a clear strategy for victory, not a clear strategy for some pie in the sky, we are going to arm some Free Syrian Army that is not working, then I think we could have something to work on to bring to this floor. The problem is we are having to put ourselves in the place of the Commander in Chief, which is not what the Constitution calls for, nor will it work. We are going to continue to struggle with this because of the failure of this administration, not because of the failure of this House.

I agree with the gentleman: I want to see a new AUMF. I want to see it go through hearings. I want to see it debated on this floor so I can vote for it or against it, and everybody can vote for it or against it. But the proposal he makes is not the right way to do that, so I hope that we continue to reject it.

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

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

With respect to the gentleman, I don't think we agree with each other. The reason why we are doing this is because Congress has failed to act. The time for an AUMF is before you put troops in harm's way. Some of us tried before we entered into this latest Syrian war to actually have a debate on an AUMF, and we were denied that opportunity. We are reengaged in Iraq. We asked before we did that, ''Let's have an AUMF,'' and we were denied that opportunity. We have been denied and denied and denied and denied.

All we are saying is that we ought to do our job. The President submitted an AUMF to Congress. He did his job. You don't like it—I don't like what he submitted either—but he did his job. He doesn't control what we do here. We decide what to do. The Foreign Affairs Committee 2 years ago could have taken this issue up. They didn't. They are not taking it up now. Here we are 2 years into these latest conflicts and nothing. It is shameful. Come on. We ought to come together, even if we disagree on what our strategy should be, and debate this.

□ 1400

We have no trouble sending our young men and women into harm's way; yet when it comes to doing our job, all of a sudden we have 1,000 excuses why we can't do it. That is unacceptable.

Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. KILMER).

Mr. KILMER. I thank the gentleman for yielding.

Mr. Speaker, the NDAA is about ensuring that we have the best trained

and equipped fighting force in the world. It is about honoring our commitment to the men and women who serve and to their families. It is not about targeting proud Americans simply based on who they love; but this rule would effectively discriminate against LGBT men and women who serve our Nation as private contractors.

This rule runs contrary to our values. It runs contrary to what we believe in. It runs contrary to the idea that we treat everyone with equal respect. It also runs contrary to what the majority said it wants—a transparent process, allowing the House to work its will. This rule blocks an amendment that was offered by my Republican colleague, CHARLIE DENT, to strip this discriminatory provision from even being considered.

As we approach Memorial Day, our focus should be on providing our servicemembers with the proper tools so that they may carry out their missions, not on pushing forward provisions that target LGBT Americans. Let's vote down this rule. Let's strip this harmful policy from the NDAA so that we remain committed to equal rights, and let's get back to debating how best to support our troops.

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

I appreciate the gentleman's comment. This is something that we had some significant discussion about last night in the Committee on Rules.

Let's make sure that the facts are straight. There is not one single thing in this bill that discriminates against anybody. In fact, in the provision he is talking about, there is not one single mention of LGBT.

What is in that provision is a clear application by this law of protections of religious liberties that people have enjoyed in this country since the passage of the 1964 Civil Rights Act—one of the hallmarks of the legislative achievements of this body and an act, I believe, everybody in this body supports today. It says that the religious protections in that law that we are all so proud of should be enjoyed by people who have Federal contracts. Private parties that contract with the government should enjoy religious freedom. That is not discrimination. That is protecting the rights of the American people. Sometimes we get confused around here about that, and we are getting confused in the military bill about that, and that is very troublesome.

Let's talk about the First Amendment.

The First Amendment says that the government can't do anything to restrict the expression of religion, the practice of religion, the belief of religion by anybody in this country. It is called the Free Exercise Clause. We have forgotten the Free Exercise Clause in this body and in this country. We need to go back to it.

About 20 years ago, this body passed the Religious Freedom Restoration Act. It was so popular that it passed by a voice vote. It had just a handful of people who voted against it in the Senate. It specifically requires that we do exactly what is in this bill. We are being consistent with that law by putting this provision in there.

What do we do with this particular provision?

We say that the provisions of title VII in the 1964 act and the provisions that regard this in the Americans with Disabilities Act apply to private contractors with the Federal Government. That is not discrimination. By anybody's definition, that is not discrimination. To try to turn it into that is doing something on a bill that is talking about the defense of this country, which is just not appropriate.

It is absolutely appropriate that the Committee on Rules rejected that amendment. If the people on the other side of the aisle or on our side of the aisle want to have this debate, there are other forums and other times to do it. When we are talking about the defense of this country, it is not the right time.

I reserve the balance of my time.

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

In the dead of night in the Committee on Armed Services, House Republicans added what we believe is discriminatory language to the NDAA, which would effectively overturn President Obama's historic executive order that protects LGBT workers in Federal contracts, therefore, enabling discrimination with taxpayer funds. That is what we believe.

We had a very vigorous debate in the Committee on Rules last night, and the gentleman defended his position quite ferociously; but we believe it is discrimination, plain and simple. An amendment was offered by a Republican Member to strike that discriminatory language from the bill. It was germane, and the Committee on Rules decided on its own not to make it in order.

The Committee on Rules shouldn't be about making decisions on issues that, I think, the entire Congress has an interest in debating and in voting on, but, unilaterally, the Republicans in the Committee on Rules last night said: No, we are not going to make a Republican amendment in order that would have struck what we believe is discriminatory language.

That is not an open and transparent process. That is shutting the process down in a way that, I think, demeans this House.

Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), the distinguished Democratic whip.

Mr. HOYER. I thank the gentleman from Massachusetts for yielding.

Mr. Speaker, I rise in opposition to this rule. This is not consistent with what the Speaker and the other leaders of the Republican Party have said they were going to do. It is inconsistent with how they said they were going to manage this House. It is inconsistent with the rights of the American people to have their Representatives vote on issues of great importance, which, of course, is what the Speaker and Mr. MCCARTHY and Mr. Cantor said in this book, ''Young Guns.''

I am going to read a paragraph from this book. This is in PAUL RYAN's section, under his heading, the Speaker of the House:

''The new Washington way,'' in speaking about what was apparently the stuff he didn't like, ''isn't open debate broadcast on C–SPAN; it is closed-door, backroom deals. The Washington way doesn't seek input from both sides of the issue; it muscles through bills on strict one-party votes. And the Washington way,'' speaking clearly of the way the majority of the Democrats were leading, ''isn't interested in honest up-or-down votes on transformational programs. It rigs the process,'' it reads, ''to produce the outcome it desires through any means necessary.''

That is exactly what is happening in this rule—exactly. PAUL RYAN and the young guns promised transparency, openness, and the House's being allowed to work its will.

So what has happened in the Committee on Rules?

Exactly the opposite. No transparency—a muzzling of the Members of the House of Representatives in not allowing a vote—but simply, unilaterally, in the dead of night, pocketing an amendment that was adopted in the committee that says that women would be treated just like men.

Now, I know that is a revolutionary concept for some on your side of the aisle here, and I know you certainly didn't want your Members to vote on that extraordinarily controversial issue. So in the dead of night, without any debate, without a vote in the Committee on Rules, it was simply put in the chairman's pocket, and 434 of us were ripped out of the process. The young guns said that wouldn't happen. Now, the young guns, by the way, so we all understand, are the Speaker and the majority leader now.

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

Mr. MCGOVERN. I yield the gentleman an additional 1 minute.

Mr. HOYER. Ladies and gentlemen, we ought to reject this rule, and the American people ought to reject this rule. The American people ought to say: bring the issues to the floor and let the House work its will. That is why they elected us, not to have the chairman of the Committee on Rules say: Sorry, you don't get to vote.

He wasn't elected dictator; STENY HOYER wasn't elected dictator; JIM

MCGOVERN wasn't elected dictator. We were elected to be one of 435 people to make policies for this country and for our people.

Reject this rule. Bring democracy back to the House of Representatives. Let the people's representatives set policy in the light of day.

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

I appreciate the comments of the gentleman from Maryland. He wasn't on the floor when I spoke earlier. Perhaps he didn't hear that, between the Committee on Armed Services and on this floor, 429 amendments have been made in order—181 for this floor alone. That is an open process, and it is a far more open process than what this House saw when other people were in charge. This is the process that the American people have a right to expect, and they are getting exactly what they were told they were going to get.

Mr. Speaker, the provision that he is referring to, a provision regarding including women in the draft, was, in fact, offered in the middle of the night without there being any hearings in the Committee on Armed Services, without there being any notice to the American people. There wasn't an adequate hearing; there wasn't an adequate opportunity for everybody to be heard. So the decision was made that the better way to do it, if we are going to consider it—and it probably is something we need to consider at some time—is to do it through a regular committee process, where we notice it to the American people, where we have hearings, and when people can be heard. Then we can have a full and honest debate with the American people having had a chance to weigh in.

I disagree with the gentleman from Maryland. I think this is exactly the appropriate process. If we are going to take up something of that magnitude, we ought to do it right and not do it because of an amendment that was offered as sort of a last-minute thing in the middle of the night when we are considering this bill.

I have great respect for the gentleman from Maryland. He was not there when it was offered. He was not there during the Committee on Rules' consideration last night, so he is probably not fully aware of the number of amendments that we have both in the committee and on the floor today—429 amendments. This is an open process.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 10 seconds to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank the gentleman for protecting us from ourselves. That seems to be somewhat paternalistic, of course.

As I understand it—and I was not there, but it wouldn't have mattered whether I was in the Committee on Rules—it was not done in open session in the Committee on Rules. The Committee on Armed Services voted upon it, and apparently the majority of your side lost, and they don't want us to consider it, and they don't want to subject your Members to voting on it and letting the American people know where you stand.

The SPEAKER pro tempore. Members are advised to address all remarks to the Chair and not to each other.

Mr. MCGOVERN. Mr. Speaker, I yield 1½ minutes to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. I thank the gentleman for yielding.

Mr. Speaker, while millions of Americans are struggling to get by and sustain their families, Republicans are trying to make it easier for employers to steal their wages. Right now we know that there are reports of at least $5 million in stolen wages and penalties from the U.S. contract companies.

Last month, Representative JOHN KLINE, my colleague and friend, introduced an amendment to this bill to block the President's Fair Pay and Safe Workplaces Executive Order at the Department of Defense. This executive order that the President issued helps ensure companies with Federal contracts are following Federal labor laws, like protections against wage theft, workplace safety rules, and the right for workers to organize. It is the result of years of advocacy by workers, labor rights activists, members of the Progressive Caucus, and Members of Congress generally.

This week I introduced an amendment to strike Mr. KLINE's language. Let's at least have a debate about it. Let's at least debate whether or not workers should get protection from wage theft. I guess that was one of those amendments that didn't quite make it through the process.

It is no surprise that the Republican-led Committee on Rules didn't give us a vote on our amendment, because they don't want to have to debate this in front of the American people. The American people might like to know that there are companies that are stealing workers' wages but that the President is trying to protect those workers. Now the Republican majority is trying to stop the President from protecting those workers.

□ 1415

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

Mr. MCGOVERN. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. ELLISON. Mr. Speaker, now, the President's executive order isn't punitive. It actually helps companies to follow the rules.

Debarment is the last resort, and it is the clear nuclear option for companies that refuse to correct their behavior, but Republicans don't like it. Instead of helping companies that are fair to workers, they want to make it easier for companies that steal workers' wages.

Workers aren't the only ones who should be outraged. This amendment actually gives a leg up to contractors who don't play by the rules, putting companies who are doing right at a disadvantage.

Please vote ''no'' on this rule for this and many other reasons.

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

I wasn't able to respond to that last comment from the gentleman from Maryland (Mr. HOYER). I want to make sure that he knows—and everybody in the House knows—that during the consideration of the rule we passed yesterday, an amendment was offered in the Rules Committee to strip out this executing amendment. That was offered in the Rules Committee and rejected by the Rules Committee in an open vote. Our meetings are on C–SPAN. They are not behind closed doors. Everybody can watch what we do.

Then yesterday we came on the floor, and that rule was offered on this floor and there was a full debate. I know; I was here for it. I managed that rule as well. After that full debate, this House voted, and voted by a clear majority to adopt the rule.

So we went through a democratic process. We went through an open and clear process, both to consider that particular issue and consider the rule itself, and the House acted its will.

I reserve the balance of my time.

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

Give me a break. To insinuate that this is somehow all on the level or an open process, I take exception to that characterization.

The amendment that the distinguished minority whip was referring to was put into the rule. It was a self-executing amendment so that the majority here did not have an opportunity here to vote up or down on it on its own merits. Instead, they were forced to vote up or down on a rule that made in order a whole bunch of amendments on a variety of issues where they could vote up or down on, but not on this. So to defend this process, a process that is indefensible, is getting a little tired.

I yield 2 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, I rise in opposition to this rule for a number of reasons: because it doesn't make a proper AUMF in order, because it fails to make in order an amendment I cosponsored along with Representatives DENT, SMITH, and several others.

The bill contains language adopted by the Committee on Armed Services at 1 in the morning the other day with no warning that would effectively overturn President Obama's executive order protecting LGBT workers for

companies with private contracts. In other words, private contractors using our Federal tax dollars in any area—not just in the defense area, by the way—would be allowed to fire someone just because they are gay, lesbian, bisexual, or transgender. This is unacceptable, it is cruel, and it is totally unnecessary.

Now, the distinguished gentleman said that the language contains nothing referring to gay or lesbian people; it simply protects religious liberty. It says that private contractors, in the exercise of their religious liberty, may discriminate. It disallows the President's executive order, and so the effect is that private contractors may discriminate on the basis of sexual identity or gender if that is their religious belief.

No one has said it for years on this floor, but they used to, that it is okay to say: My religious belief says I shouldn't hire a Black person or a Jewish person.

We don't think that is acceptable, and we don't call that religious liberty. But we now call religious liberty the ability of a private contractor to fire someone or refuse to hire them just because they are gay or lesbian. That is cruel and unacceptable.

Why not allow the House to vote on whether or not to include this type of hateful language in the defense bill? Why not allow a vote on the Dent-Smith amendment? Must we let this bigotry and intolerance win the day?

We ought to defeat this rule. I, for one, will not vote for the entire bill if this language is included in it. We must strip this toxic, hateful measure from the NDAA, if not through an amendment, then in conference. We ought to ensure that no Federal contractor has the ability to fire someone just because of who they are or who they love and because they profess that it is their religious belief. So they cannot be allowed to impose their religious beliefs on hiring and firing other people. We must continue to fight until all Americans have the rights they deserve.

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

With regard to the amendment in question, it was considered late at night because of the fair and open process we have in the committee. And it took us that long—from 10 in the morning until that time of the night—to get to it. Everybody knew it was coming because it was noticed and everybody had a copy of it well in advance. So it wasn't a surprise to anybody. Everybody knew it was coming.

Now, the particular provision itself does not contain anything close to a word like discrimination. But just so we can make the record straight, I am going to read it:

Any branch or agency of the Federal Government shall, with respect to any religious corporation, religious association, religious educational institution, or religious society that is a recipient of or offeror for a Federal Government contract, subcontract, grant, purchase order, or cooperative agreement, provide protections and exemptions consistent with section 702(a) and 703(e)(2) of the Civil Rights Act of 1964 and section 103(d) of the Americans with Disabilities Act of 1990.

It doesn't provide discrimination. It provides protection for rights, and, unfortunately, people want to try to twist it around to be something it simply is not.

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

Many of us on this side, including many Republicans—because a Republican actually offered the amendment to strike this provision that the gentleman referred to because they thought it was discriminatory—we think it is potential discrimination against members of the LGBT community.

But here is the deal—I get you disagree with us—but what is wrong with allowing an amendment that is germane, to debate it and vote on it? I mean, where does the Rules Committee get off saying you can't have that debate, you can't have that vote?

It is germane.

Now, we could disagree. We think it is discrimination. We ought to have that vote, and the Rules Committee denied us. This is another reason for Democrats and Republicans to vote down this rule.

Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LORETTA SANCHEZ).

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to express a deep disappointment in the Rules Committee's decision to throw out three of the amendments I put forward.

By not doing those amendments, you failed to provide to those serving our country the same necessary health services that all of us get now guaranteed under ACA. You refused to take steps to protect young athletes attending United States military academies. And you neglected to provide congressional oversight on over $1 trillion worth that this country plans to invest in our nuclear deterrents.

We need to fix the current TRICARE system so that we can ensure that servicemembers are provided the same access to preventive health services as those ensured under the ACA, including gestational diabetes with no copayments, smoking cessation, et cetera.

My second amendment was simple. It directed the Secretary of Defense to conduct a study on the effects of concussions in contact sports, including hockey, football, lacrosse, and soccer at our United States service academies. We all know that we see what concussions can do to people.

The third amendment was to simply direct the Department of Defense to include a 25-year plan to look at our nuclear spending.

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

I was listening to my friend from Massachusetts talk about what he considers to be discriminatory. Well, I am going to go through the list again.

Do we consider the First Amendment to the Constitution to be discriminatory? Do we consider the Religious Freedom Restoration Act that passed this House by a voice vote to be discriminatory? Do we consider title VII of the 1964 Civil Rights Act to be discriminatory? Do we consider the Americans with Disabilities Act to be discriminatory?

Because that and only those things are what are contained in this provision.

So we can call things discriminatory, but when you look at the actual text of it and understand what they actually are, they are protecting basic rights. And that is what we should be all about.

I reserve the balance of my time.

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

I appreciate the gentleman reciting the Republican talking points of the Republican leadership, but that doesn't explain why the amendment to strike this provision was not made in order.

I yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, I rise in opposition to this rule and the underlying bill.

Our armed service chiefs and secretaries have requested two results from Congress in defense: stability and predictability in the budget.

Instead of adhering to their requests, this bill actually creates a contentious budget environment next April that causes even more harm to our military.

The bill is full of contradiction. It authorizes funds for over 50,000 more troops, but no money to send them anywhere after April. It authorizes much-needed equipment, but not any money to employ it on the battlefield. It authorizes 9,800 troops in Afghanistan, just not any money to keep them there during the actual fighting season.

It sends a message to our allies that we are only 60 percent committed to our missions with them, and it sends the message to our adversaries that we are only 60 percent committed to stopping them.

It is like we are a basketball team who bought new uniforms, recruited highly skilled players, built a new facility, and didn't even have any money left to play the second half of the season. No team wins under those circumstances. It doesn't matter how many state-of-the-art weapons you have or how well-trained your troops are, you can't win if you don't show up.

Much like General Breedlove, who believes ''virtual presence means actual absence,'' I believe this is a virtual plan and will be an actual disaster.

I urge my colleagues to vote ''no'' on the rule and ''no'' on the underlying bill.

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

With great respect to the gentlewoman, she, I am sure, was not here yesterday and was not listening when I said this: that provision she is referring to, which gives the next President the opportunity to make changes in the overseas contingency operation account, is exactly what this House did in 2008, the last time we were about to change administrations. Then-Senator Obama voted for it. Then-Senator Kerry voted for it. Then-Senator BIDEN voted for it. This is not new. This is standard when you are changing administrations. Nothing more. Nothing less.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, may I inquire of the gentleman how many more speakers he has on his side?

Mr. BYRNE. Mr. Speaker, I believe I am the only speaker from my side.

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

I urge my colleagues on both sides of the aisle to vote against this rule. Almost 200 germane amendments, substantive amendments were not made in order.

Again, I am used to, as a Democrat, having the Republicans shut me out every chance they get; but to my Republican colleagues who were shut out on their legitimate amendments, the germane amendments, stand with us and send a signal to your leadership that this closed process is unacceptable.

My colleague, Mr. BYRNE, talks about this being an open process. We must have different definitions of openness because when almost 200 amendments are shut out—and, by the way, on top of all of that, there were really kind of unusual shenanigans in the Rules Committee about self-executing amendments so that we don't have an opportunity to even vote up or down on them—that is not an open process. That is something we should try to move away from.

Finally, Mr. Speaker, I am going to close as I began by saying to my colleagues to please vote against this rule because it does not make in order the opportunity for us to be able to debate the issues of war and peace when it comes to Iraq and Syria.

We have been involved in Syria and again in Iraq now for almost 2 years. By the way, we left Iraq not because President Obama wanted us to, but because the Iraqi Parliament voted us to leave. That is a little bit of history that my colleague left out.

The time to debate an AUMF, an Authorization for Use of Military Force, was before we commit our forces into harm's way. Many of us, Democrats and Republicans, pleaded with the leadership to let us have that opportunity, for us to work in a bipartisan way to see whether we could come together. And time and time and time again, we were denied that ability, that right.

Now, we are being told: Well, you know, this is not the time. We don't have enough time to do it. Maybe the Committee on Foreign Affairs should do it, but this is not the place to do it.

When is?

You have waited for over 2 years. Nothing. I will say that these excuses, they are insulting to the American people, but more importantly and more significantly, they are insulting to the men and women who are in harm's way. They do their job. They do what we have asked them to do, but yet we don't have the guts to do what we are supposed to do. Shame on all of us for allowing this to go on this long without debating these wars.

The President of the United States submitted an AUMF. I have problems with it. I think it is too broad. If you don't like it, fine. Then come up with a new idea, but doing nothing is not an option.

Read the Constitution. We have an obligation. We are not living up to it. Do what is right by the American people, by the men and women who risk their lives every day because we have put them into harm's way.

□ 1430

It is absolutely unconscionable that we can't even have the ability to debate the amendment that I offered to be able to say that we are not going to continue funding these wars unless Congress does its job. That is the least we can do, and yet the Committee on Rules said no. It is germane, it is in order, there is no problem, but because some majority in the Committee on Rules says, ''No, we are not going to do it,'' everybody is denied that right? It is a bipartisan amendment. This is not just a Democratic concern. There are a lot of Republicans who share my views on this as well.

Let's do our job. Stop being so chicken when it comes to debating issues of war and peace. This is the time when we ought to come together and do the right thing. Vote ''no'' on this closed rule.

I yield back the balance of my time.

Mr. BYRNE. I yield myself the balance of my time.

Mr. Speaker, I hold in my hand all 1,271 pages of the underlying bill, and it is filled with the things that we need to do to defend the American people. As interesting as the debate we have just had has been, think of how much of it had nothing to do with defending the American people, which is what we are supposed to be here about, which is the single most important thing that we do.

My colleague talked about guts. The guts I care about are the guts of the fighting men and women of the United States. We have a solemn obligation to them to pass this bill, to make sure that we are doing everything to supply them, to train them, to make sure that they are ready, to make sure we have reformed the Pentagon so that the Pentagon is doing its job by them, so that we have a policy that will make sure that we are defending the American people. That is what this law is all about.

The rule itself makes in order, between yesterday and today, 181 amendments. That is on top of over 200 amendments that were considered as part of this bill. This has been a completely open and transparent process and will continue to be as we consider it over the next several hours.

Mr. Speaker, I again urge my colleagues to support House Resolution 735 and the underlying bill.

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

The previous question was ordered.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of the resolution will be followed by 5-minute votes on ordering the previous question on House Resolution 736 and adoption of House Resolution 736, if ordered.

The vote was taken by electronic device, and there were—yeas 230, nays 175, not voting 28, as follows:

[Roll No. 200]

YEAS—230

Abraham	Clawson (FL)	Flores
Aderholt	Coffman	Forbes
Allen	Cole	Foxx
Amash	Collins (GA)	Franks (AZ)
Amodei	Collins (NY)	Frelinghuysen
Babin	Comstock	Garrett
Barletta	Conaway	Gibbs
Barr	Cook	Gibson
Barton	Costello (PA)	Goodlatte
Benishek	Cramer	Gowdy
Bilirakis	Crawford	Granger
Bishop (MI)	Crenshaw	Graves (GA)
Bishop (UT)	Culberson	Graves (LA)
Black	Curbelo (FL)	Graves (MO)
Blackburn	Davis, Rodney	Griffith
Blum	Denham	Grothman
Bost	Dent	Guinta
Boustany	DeSantis	Guthrie
Brady (TX)	DesJarlais	Hanna
Bridenstine	Diaz-Balart	Hardy
Brooks (AL)	Dold	Harper
Brooks (IN)	Donovan	Harris
Buchanan	Duffy	Hartzler
Buck	Duncan (SC)	Heck (NV)
Bucshon	Duncan (TN)	Hensarling
Burgess	Ellmers (NC)	Hice, Jody B.
Byrne	Emmer (MN)	Hill
Calvert	Farenthold	Holding
Carter (GA)	Fincher	Hudson
Carter (TX)	Fitzpatrick	Huelskamp
Chabot	Fleischmann	Huizenga (MI)
Chaffetz	Fleming	Hultgren

Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—175

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

NOT VOTING—28

Bishop (GA)
Carson (IN)
Cohen
Edwards
Fattah
Fortenberry
Green, Al
Herrera Beutler
Hinojosa
Johnson, Sam
King (IA)
LaMalfa
Lewis
Meeks
Moore
Pascrell
Perlmutter
Richmond
Roby
Schiff
Sessions
Sherman
Smith (TX)
Speier
Swalwell (CA)
Takai
Westmoreland
Young (AK)

□ 1452

Mr. VARGAS changed his vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. YOHO. Mr. Speaker, on rollcall No. 200: I intended to vote "yes" instead of "no."

Mr. KING of Iowa. Mr. Speaker, I was unable to vote on 5/18/2016. Had I been present, I would have voted as follows:

"Yes" on rollcall No. 200.

Stated against:

Ms. EDWARDS. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall No. 200.

Mr. SCHIFF. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall No. 200.

Mr. PASCRELL. Mr. Speaker, today, May 18, 2016, I was unable to vote on H. Res. 735. Had I been present, I would have voted:

"Nay"—Rollcall No. 200—H.R. 735—Rule providing for consideration of H.R. 4909—National Defense Authorization Act for Fiscal Year 2017.

Mr. AL GREEN of Texas. Mr. Speaker, today I missed the following vote:

H. Res 735—Rule Providing for consideration of H.R. 4909—National Defense Authorization Act for Fiscal Year 2017. Had I been present, I would have voted "no."

PROVIDING FOR CONSIDERATION OF H.R. 4974, MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2017; PROVIDING FOR CONSIDERATION OF H.R. 5243, ZIKA RESPONSE APPROPRIATIONS ACT, 2016; AND FOR OTHER PURPOSES

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 736) providing for consideration of the bill (H.R. 4974) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2017, and for other purposes; providing for consideration of the bill (H.R. 5243) making appropriations for the fiscal year ending September 30, 2016, to strengthen public health activities in response to the Zika virus, and for other purposes; and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 240, nays 182, not voting 11, as follows:

[Roll No. 201]

YEAS—240

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

Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—182

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

NOT VOTING—11

Fattah
Hartzler
Herrera Beutler
Hinojosa
Johnson, Sam
Kaptur
Lewis
Roby
Swalwell (CA)
Takai
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1459

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 241, noes 183, not voting 9, as follows:

[Roll No. 202]

AYES—241

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

NOES—183

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

NOT VOTING—9

Cramer
Fattah
Herrera Beutler
Hinojosa
Johnson, Sam
Lewis
Roby
Swalwell (CA)
Takai

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1505

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. CURTIS, one of its clerks, announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 1335. An act to implement the Convention on the Conservation and Management of the High Seas Fisheries Resources in the North Pacific Ocean, as adopted at Tokyo on February 24, 2012, and for other purposes.

S. 2840. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize COPS grantees to use grant funds for active shooter training, and for other purposes.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

The SPEAKER pro tempore. Pursuant to House Resolution 732 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 4909.

Will the gentleman from Georgia (Mr. COLLINS) kindly take the chair.

□ 1507

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 4909) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, with Mr. COLLINS of Georgia (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Tuesday, May 17, 2016, amendment No. 60 printed in part B of House Report 114–569 pursuant to House Resolution 732 offered by the gentleman from Montana (Mr. ZINKE) had been disposed of.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 114–569 on which further proceedings were postponed, in the following order:

Amendment No. 10 by Mr. MCKINLEY of West Virginia.

Amendment No. 12 by Mr. NADLER of New York.

Amendment No. 14, as modified, by Mr. POE of Texas.

The Chair will reduce to 2 minutes the time for any electronic vote in this series.

AMENDMENT NO. 10 OFFERED BY MR. MCKINLEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from West Virginia (Mr. MCKINLEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 211, noes 213, not voting 9, as follows:

[Roll No. 203]

AYES—211

Abraham	Gabbard	Murphy (FL)
Aderholt	Garamendi	Murphy (PA)
Aguilar	Gibson	Nadler
Allen	Goodlatte	Napolitano
Amodei	Graves (MO)	Neal
Ashford	Green, Al	Neugebauer
Babin	Green, Gene	Noem
Barton	Griffith	Nolan
Becerra	Grothman	Norcross
Benishek	Hahn	Nunes
Bera	Hanna	Olson
Beyer	Hardy	Palazzo
Bishop (MI)	Harris	Pallone
Bishop (UT)	Heck (NV)	Pascrell
Black	Heck (WA)	Payne
Bonamici	Hice, Jody B.	Pelosi
Bost	Himes	Perry
Boustany	Holding	Peterson
Boyle, Brendan F.	Honda	Pingree
	Huelskamp	Pitts
Brady (PA)	Huizenga (MI)	Polis
Brady (TX)	Hurt (VA)	Rangel
Bridenstine	Jackson Lee	Reed
Brown (FL)	Jenkins (WV)	Renacci
Brownley (CA)	Jolly	Rice (SC)
Buchanan	Jones	Richmond
Bustos	Jordan	Rigell
Calvert	Kelly (IL)	Ros-Lehtinen
Capps	Kelly (MS)	Rothfus
Cárdenas	Kelly (PA)	Roybal-Allard
Carney	Kilmer	Ruppersberger
Carter (TX)	King (NY)	Rush
Cartwright	Kline	Salmon
Castro (TX)	LaHood	Sánchez, Linda T.
Chabot	LaMalfa	
Chaffetz	Lance	Sanchez, Loretta
Clawson (FL)	Larson (CT)	Serrano
Clyburn	Latta	Sherman
Cole	Levin	Simpson
Comstock	Lipinski	Sires
Conaway	LoBiondo	Smith (MO)
Cook	Loebsack	Smith (NE)
Costa	Long	Smith (NJ)
Costello (PA)	Loudermilk	Smith (TX)
Courtney	Love	Speier
Cramer	Lucas	Stewart
Culberson	Luetkemeyer	Takano
Davis, Rodney	Lynch	Thompson (CA)
DeFazio	Maloney, Carolyn	Thompson (MS)
Delaney		Thompson (PA)
DeLauro	Maloney, Sean	Thornberry
DelBene	Marino	Tipton
DeSaulnier	Massie	Titus
DesJarlais	Matsui	Tonko
Diaz-Balart	McCarthy	Torres
Dingell	McCaul	Trott
Donovan	McCollum	Upton
Doyle, Michael F.	McKinley	Velázquez
	McMorris Rodgers	Visclosky
Duckworth		Walberg
Duncan (TN)	McNerney	Walker
Edwards	Meadows	Walz
Emmer (MN)	Meehan	Watson Coleman
Esty	Meeks	Webster (FL)
Farenthold	Meng	Whitfield
Farr	Messer	Wilson (FL)
Fitzpatrick	Mica	Woodall
Fleming	Miller (MI)	Yarmuth
Flores	Moolenaar	Yoder
Foxx	Mooney (WV)	Young (AK)
Frankel (FL)	Moulton	Young (IA)
Frelinghuysen	Mullin	Zeldin

NOES—213

Adams	Graves (LA)	Poe (TX)
Amash	Grayson	Poliquin
Barr	Grijalva	Pompeo
Bass	Guinta	Posey
Beatty	Guthrie	Price (NC)
Bilirakis	Gutiérrez	Price, Tom
Bishop (GA)	Harper	Quigley
Blackburn	Hartzler	Ratcliffe
Blum	Hastings	Reichert
Blumenauer	Hensarling	Ribble
Brat	Higgins	Rice (NY)
Brooks (AL)	Hill	Roe (TN)
Brooks (IN)	Hoyer	Rogers (AL)
Buck	Hudson	Rogers (KY)
Bucshon	Huffman	Rohrabacher
Burgess	Hultgren	Rokita
Butterfield	Hunter	Rooney (FL)
Byrne	Hurd (TX)	Roskam
Capuano	Israel	Ross
Carson (IN)	Issa	Rouzer
Carter (GA)	Jeffries	Royce
Castor (FL)	Jenkins (KS)	Ruiz
Chu, Judy	Johnson (GA)	Russell
Cicilline	Johnson (OH)	Ryan (OH)
Clark (MA)	Johnson, E. B.	Sanford
Clarke (NY)	Joyce	Sarbanes
Clay	Kaptur	Scalise
Cleaver	Katko	Schakowsky
Coffman	Keating	Schiff
Cohen	Kennedy	Schrader
Collins (GA)	Kildee	Schweikert
Collins (NY)	Kind	Scott (VA)
Connolly	King (IA)	Scott, Austin
Conyers	Kinzinger (IL)	Scott, David
Cooper	Kirkpatrick	Sensenbrenner
Crawford	Knight	Sessions
Crenshaw	Kuster	Sewell (AL)
Crowley	Labrador	Shimkus
Cuellar	Lamborn	Shuster
Cummings	Langevin	Sinema
Curbelo (FL)	Larsen (WA)	Slaughter
Davis (CA)	Lawrence	Smith (WA)
Davis, Danny	Lee	Stefanik
DeGette	Lieu, Ted	Stivers
Denham	Lofgren	Stutzman
Dent	Lowenthal	Tiberi
DeSantis	Lowey	Tsongas
Deutch	Lujan Grisham (NM)	Turner
Doggett		Valadao
Dold	Luján, Ben Ray (NM)	Van Hollen
Duffy		Vargas
Duncan (SC)	Lummis	Veasey
Ellison	MacArthur	Vela
Ellmers (NC)	Marchant	Wagner
Engel	McClintock	Walden
Eshoo	McDermott	Walorski
Fincher	McGovern	Walters, Mimi
Fleischmann	McHenry	Wasserman Schultz
Forbes	McSally	
Fortenberry	Miller (FL)	Waters, Maxine
Foster	Moore	Weber (TX)
Franks (AZ)	Mulvaney	Welch
Fudge	Newhouse	Wenstrup
Gallego	Nugent	Westerman
Garrett	O'Rourke	Westmoreland
Gibbs	Palmer	Williams
Gohmert	Paulsen	Wilson (SC)
Gosar	Pearce	Wittman
Gowdy	Perlmutter	Womack
Graham	Peters	Yoho
Granger	Pittenger	Young (IN)
Graves (GA)	Pocan	Zinke

NOT VOTING—9

Barletta	Hinojosa	Roby
Fattah	Johnson, Sam	Swalwell (CA)
Herrera Beutler	Lewis	Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1512

Ms. JACKSON LEE changed her vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 12 OFFERED BY MR. NADLER

The Acting CHAIR. The unfinished business is the demand for a recorded

vote on the amendment offered by the gentleman from New York (Mr. NADLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 163, noes 259, not voting 11, as follows:

[Roll No. 204]

AYES—163

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

NOES—259

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

NOT VOTING—11

Bass
Fattah
Foster
Herrera Beutler
Hinojosa
Johnson, Sam
Lewis
Roby
Rogers (KY)
Swalwell (CA)
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1515

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. AL GREEN of Texas. Mr. Speaker, today for rollcall 204 on agreeing to the Nadler amendment, which failed 163 to 259:

I voted "no" and would like the record to reflect that I would have voted "yes."

AMENDMENT NO. 14, AS MODIFIED, OFFERED BY MR. POE OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment, as modified, offered by the gentleman from Texas (Mr. POE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 243, noes 180, not voting 10, as follows:

[Roll No. 205]

AYES—243

Abraham
Aderholt
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
DeFazio
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
LaHood
LaMalfa
Lamborn
Lance
Latta
Lipinski
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Lynch
MacArthur
Maloney, Sean
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Peterson
Pittenger
Pitts
Poe (TX)

Poliquin	Scalise	Walberg
Pompeo	Schweikert	Walden
Posey	Scott, Austin	Walker
Price, Tom	Sensenbrenner	Walorski
Ratcliffe	Sessions	Walters, Mimi
Reed	Shimkus	Weber (TX)
Reichert	Shuster	Webster (FL)
Renacci	Simpson	Wenstrup
Ribble	Sinema	Westerman
Rice (SC)	Smith (MO)	Westmoreland
Rigell	Smith (NE)	Whitfield
Roe (TN)	Smith (NJ)	Williams
Rogers (AL)	Smith (TX)	Wilson (SC)
Rogers (KY)	Stefanik	Wittman
Rohrabacher	Stivers	Womack
Rokita	Stutzman	Woodall
Rooney (FL)	Thompson (PA)	Yoder
Ros-Lehtinen	Thornberry	Yoho
Roskam	Tiberi	Young (AK)
Ross	Tipton	Young (IA)
Rothfus	Trott	Young (IN)
Rouzer	Turner	Zeldin
Royce	Upton	Zinke
Russell	Valadao	
Salmon	Wagner	

NOES—180

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

NOT VOTING—10

Fattah	Johnson, Sam	Takai
Herrera Beutler	Lewis	Waters, Maxine
Hinojosa	Roby	
Hudson	Swalwell (CA)	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1518

So the amendment, as modified, was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIR. There being no further amendments, pursuant to House Resolution 732, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CARTER of Georgia) having assumed the chair, Mr. COLLINS of Georgia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4909) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, had come to no resolution thereon.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

GENERAL LEAVE

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 4909.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 735 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 4909.

Will the gentleman from Georgia (Mr. COLLINS) kindly resume the chair.

□ 1521

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 4909) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, with Mr. COLLINS of Georgia (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 14 printed in part B of House Report 114–569 pursuant to House Resolution 732 offered by the gentleman from Texas (Mr. POE) had been disposed of.

Pursuant to House Resolution 735, no further amendment to the bill, as amended, shall be in order except those printed in House Report 114–571 and amendments en bloc described in section 3 of House Resolution 735.

Each further amendment printed in the report shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. BUCK

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114–571.

Mr. BUCK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle B of title III, add the following new section:

SEC. 3___. ALTERNATIVE ENERGY USE OF THE DEPARTMENT OF DEFENSE.

(a) COST COMPETITIVENESS REQUIREMENT.—(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Defense shall not purchase alternative energy unless such energy is equivalent to conventional energy in terms of cost and capabilities.

(2) COST CALCULATION.—The cost of each energy source described in paragraph (1) shall be calculated on a pre-tax basis in terms of life-cycle cost. Such calculation shall take into account—

(A) all associated Federal grants, subsidies and tax incentives applied from the point of production to consumption;

(B) fixed and variable operations and maintenance costs; and

(C) in the case of fuel, fully burdened costs, including all associated transportation and security from the point of purchase to delivery to the end user.

(b) PROHIBITION ON RENEWABLE ENERGY MANDATES.—None of the funds authorized to be appropriated this Act or otherwise made available for fiscal year 2017 for the Department of Defense shall be used to carry out any provision of law that requires the Department of Defense—

(1) to consume renewable energy, unless such energy meets the requirements of subsection (a); or

(2) to reduce the overall amount of energy consumed by the Department.

The Acting CHAIR. Pursuant to House Resolution 735, the gentleman from Colorado (Mr. BUCK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. BUCK. Mr. Chairman, I am grateful for the opportunity to speak about this amendment to the 2017 NDAA.

Since taking office in 2009, President Obama's administration has forced its green energy agenda on the American people despite the devastating costs.

For our military, this means a mandate to purchase renewable energy and to incorporate climate change into almost every aspect of training, regardless of cost or efficiency. As you might imagine, these mandates result in some absurd wastes of money. Every cent spent by the Department of Defense on the incorporation of the administration's climate change agenda is a cent lost for the defense of the American people.

The U.S. military should be focused on defending American citizens, not serving as a playground for the green energy movement. Moreover, spending the American people's tax dollars on crony capitalism is despicable. Renewable energy should be free to compete in the energy marketplace. American families shouldn't be asked to subsidize costly, inefficient, and uncompetitive green energy with their hard-earned tax dollars.

My amendment ends this wasteful and dangerous practice; it prohibits renewable energy mandates placed on the Department of Defense; and ensures that every unit of energy our military purchases is the most cost-effective option available.

I ask for support on this amendment.

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

Mr. SMITH of Washington. Mr. Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. Mr. Chair, I yield 1 minute to the gentlewoman from New York (Ms. STEFANIK.)

Ms. STEFANIK. Mr. Chair, I stand today opposed to this amendment, as the representative of Fort Drum, an Army post that is 100 percent energy-independent and self-sustainable, relying solely on biomass energy.

Unfortunately, this amendment would impede military facilities, like Drum, from continuing to pursue energy solutions that enhance national security, training capabilities, and operational flexibility.

Fort Drum and the north country serve as models for operating government facilities more efficiently, where ReEnergy, our alternative partner, positively affects the Army and has created 300-plus jobs throughout our community.

Providing our military with resilient energy ensures our servicemembers remain able to respond to any threats at any time. DOD's use of alternative energy strengthens their ability to conduct combative operations, humanitarian response, and protects our national security.

I urge my colleagues to vote ''no'' on this amendment which would have a detrimental effect on alternative energy technologies that make our troops safer, increases combat effectiveness, and severely undercuts programs like those at Fort Drum.

Mr. SMITH of Washington. Mr. Chair, I yield 1½ minutes to the gentleman from California (Mr. PETERS), a member of the Armed Services Committee.

Mr. PETERS. Mr. Chairman, I am also opposed to this amendment.

The DOD's employment of alternative energy is not about hugging trees; it is about improving our mission capabilities and saving lives.

The military's investments in alternative energy technologies not only make our troops safer and increase combat effectiveness, but they also reap government energy savings. Renewable energy systems reduce our reliance on foreign oil and have saved lives by cutting down on refueling trips in the battlefields.

Around 3,000 American soldiers were killed or wounded in Afghanistan while protecting fuel convoys. The military is already adopting cutting-edge renewable energy technologies, like transportable solar panels and backpacks used by marines to generate electricity.

Last August, I was at Naval Base Coronado when the Navy signed the largest renewable energy purchase by the Federal Government in history. The project will provide 210 megawatts of energy at an estimated savings of $90 million over the length of the contract.

Since 2009, the department estimates that they have saved over $1 billion through renewable energy projects on installations.

As we consider how to allocate the limited resources we have to support our servicemembers and keep Americans safe, it is counterproductive at best to prohibit the military from using funds on cost-saving alternative sources of energy and redirecting it toward mission priorities. A 21st century military with the capability to counter new and dynamic threats cannot be powered by the energy of yesterday.

Mr. Chairman, I strongly oppose this amendment.

I urge my colleagues to join me in opposition.

Mr. BUCK. Mr. Chair, I appreciate the gentleman's support of this amendment and not opposition to this amendment. This amendment simply says that the military must determine the most cost-effective method. It does not ban renewables at all.

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

Mr. SMITH of Washington. Mr. Chair, I yield 1 minute to the gentleman from New York (Mr. GIBSON.)

Mr. GIBSON. I thank the ranking member and appreciate his leadership.

Mr. Chair, I am sure that the gentleman from Colorado has the best intentions. And, with respect, I ask him to withdraw the amendment because it is very problematic, as it is currently worded, prohibiting the reduction of energy consumption. I mean, this is important not only in terms of savings itself but, quite candidly, for saving lives.

After four combat tours in Iraq, we found any way possible to reduce the amount of convoys to go forward into our most forward positions and outposts because we knew every time that we were on the road, we could be at risk; we could lose lives.

I appreciate the effort to save money. And I think that if the gentleman withdraws the amendment and works with the committee, I am sure that we can find a way to move forward on that score.

But, as Ms. STEFANIK mentioned, her post at Fort Drum really is reliant on—or is certainly benefiting from this biomass endeavor that is right there at Fort Drum.

So I want to thank Mr. SMITH for yielding me the time, and I certainly respect to the gentleman who offered the amendment.

Mr. BUCK. Mr. Chair, I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chair, I yield 1 minute to the gentleman from Minnesota (Mr. WALZ).

Mr. WALZ. Mr. Chairman, I join my colleagues, national security experts, military leaders, and America's energy producers, and rise in strong opposition to this amendment.

The Department of Defense's use of alternative energy as accelerated in recent years and strengthened the military's ability to conduct combat operations, humanitarian response, and homeland defense.

□ 1530

In short, it has improved the readiness of the Armed Forces to protect freedom overseas. DOD is the largest consumer of energy in the world, 117 million barrels of oil. Every 25 cent increase in a gallon of gas costs $1 billion to the American taxpayers and $1 billion less to the troops.

DOD's fuel costs from 2005 to 2011 were so volatile, the costs went from to $4.5 billion to $17.3 billion, even though we reduced our usage by 4 percent. An example of this is the U.S. Pacific Fleet in 2012 faced a $200 million budget gap that had to be filled by taking money from elsewhere because of rising fuel costs.

This willingness to not look at all American homegrown energy and security is simply wrongheaded. And the

idea that it costs more to do this—it costs $83 billion more to protect shipping oil coming from overseas.

I ask my colleagues to resist this amendment.

Mr. BUCK. Mr. Chair, I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chair, I yield myself the balance of the time.

I agree with my colleagues, three of whom have served in the military and understand the need for this.

This is an investment. This is an investment in alternatives. If we are tied to oil, tied to fossil fuels, and have no alternative—right now they are cheap, but then they go up in costs. And they are also far more difficult to get into the field, as Mr. GIBSON pointed out. This is an investment to give us the alternatives that we need.

Nothing is more important to the success of a military—past the people who serve—than the ability to get the fuel they need, whatever form it comes in. This is an investment in developing much-needed alternatives.

I yield back the balance of my time.

Mr. BUCK. Mr. Chairman, the fact that this amendment requires the military to choose the most cost-effective energy source allows the military to spend its money on those priorities, rather than on energy.

I would ask my colleagues to support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. BUCK).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BUCK. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

The Committee will rise informally.

The Speaker pro tempore (Mr. LAMALFA) assumed the chair.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of its secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

The Committee resumed its sitting.

AMENDMENT NO. 2 OFFERED BY MR. FLEMING

The Acting CHAIR (Mr. COLLINS of Georgia). It is now in order to consider amendment No. 2 printed in House Report 114–571.

Mr. FLEMING. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle B of title III, add the following new section:

SEC. 3____. PROHIBITION ON CARRYING OUT CERTAIN AUTHORITIES RELATING TO CLIMATE CHANGE.

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Department of Defense may be obligated or expended to carry out the provisions described in subsection (b).

(b) PROVISIONS.—The provisions described in this subsection are the following:

(1) Sections 2, 3, 4, 5, 6(b)(iii), and 6(c) of Executive Order 13653 (78 Fed. Reg. 66817, relating to preparing the United States for the impacts of climate change).

(2) Sections 2, 3, 7, 8, 9, 10, 11, 12, 13, 14, and 15(b) of Executive Order 13693 (80 Fed. Reg. 15869, relating to planning for Federal sustainability in the next decade).

The Acting CHAIR. Pursuant to House Resolution 735, the gentleman from Louisiana (Mr. FLEMING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. FLEMING. Mr. Chairman, my amendment prevents scarce dollars from being wasted to fund two of President Obama's executive orders regarding climate change and green energy. These are dollars that should go to the readiness of our Armed Forces.

A similar amendment has already been adopted by voice vote for the past 2 years during House floor consideration of the Defense appropriations bills.

My amendment is supported by 28 outside organizations, including the Competitive Enterprise Institute, Americans for Prosperity, Council for Citizens Against Government Waste, and many others.

These executive orders require the Department of Defense to squander—squander—precious defense dollars by incorporating climate change bureaucracies into its acquisition and military operations and to waste money on green energy projects. EPA bureaucrats and other political appointees are directing our military commanders on how to run their installations and procure green weapons, which undermines ongoing acquisition reforms in the NDAA. These activities are simply not the mission of the U.S. military.

Regarding DOD's energy policy, decisions by installation commanders and DOD personnel need to be driven by requirements for actual cost-effectiveness, readiness, not arbitrary and inflexible green energy quotas and CO_2 benchmarks. My amendment does not prevent the DOD from considering renewable energy projects where it makes sense. But these decisions should not be driven by these mandates.

Take, for example, the Naval Station Norfolk, where the solar array cost the Navy $21 million but only provided 2 percent of the base's electricity. According to the Inspector General's Office, it will take 447 years for the savings to pay the cost of the project. However, solar panels usually only last about 25 years.

These mandates are diverting limited military resources to Solyndra-style boondoggles while sacrificing our military's readiness, modernization, and end strength. In a time of declining defense budgets, we need to ensure that every dollar spent goes directly to support the lethality of our Armed Forces.

Again, my amendment is similar to repeated efforts by the House to prevent national security dollars from being wasted to advance the President's onerous green energy and climate change requirements. So I ask that the House continue that opposition to this nondefense agenda by supporting my amendment.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. Mr. Chair, I yield 3 minutes to the gentleman from California (Mr. PETERS).

Mr. PETERS. Mr. Chairman, I oppose this amendment.

In January of this year, the Pentagon issued a directive saying: ''The Department of Defense must be able to adapt current and future operations to address the impacts of climate change in order to maintain an effective and efficient U.S. military.''

This followed a DOD report to Congress released last July that said: ''Climate change is an urgent and growing threat to our national security, contributing to increased natural disasters, refugee flows, and conflicts over basic resources such as food and water . . . and the scope, scale, and intensity of these impacts are projected to increase.''

From 2006 to 2010, Syria experienced overwhelming refugee flows that DOD characterized as a climate-related security risk creating negative effects on human security and requiring DOD involvement and resources.

In 2014, the Pentagon reported that the impacts of climate change may increase the frequency, scale, and complexity of future missions, while at the same time undermining the capacity of our domestic installation to support training activities.

The readiness of our military depends on being able to train and equip the most advanced force in the world, but the threat of rising sea levels from escalating temperatures and melting icecaps could put dozens of military installations at risk.

San Diego is home to the largest concentration of military forces in the world. With seven military installations in my district alone, rising sea

levels, drought, and finding reliable energy sources all pose challenges. San Diego military installations are investing in energy security and increasing water and energy efficiency. We should not undermine those efforts.

This amendment is an attempt by top politicians to prevent the Department of Defense, which is tasked with maintaining a strong military, keeping all Americans safe, and protecting our global interests from addressing what they call an urgent and growing threat to our own national security. But national defense is not about politics or ideology. It is about security, readiness, and continuing to field the most dynamic and effective military in the world. We cannot have that if we ignore science and the concerns of the brightest military minds in the United States of America.

I oppose this reckless amendment, and I urge my colleagues to do the same.

Mr. FLEMING. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Louisiana has 2 minutes remaining. The gentleman from Washington has 2¾ minutes remaining.

Mr. FLEMING. Mr. Chairman, I would respond, first of all, by saying I think we all see the reports. If you are on Armed Services, you hear our generals talk about how our readiness is in dire straits, that we can't respond to the challenges around the world.

At a time like this, why would we want to pay 5 or 10 times the nominal amount for fuel? It makes no sense.

To my colleague who wants to argue climate change: fine, we can argue that. But this is not the place to debate that.

You see, my amendment allows for the Department of Defense to do whatever is best for our Armed Forces. Whether you agree with climate change or not, it doesn't matter. All we say is let's free up the DOD, our Armed Forces, and our generals to do the right thing.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. SARBANES).

Mr. SARBANES. I thank the gentleman for yielding.

Mr. Chairman, the Obama administration issued two critical executive orders directing Federal agencies to take responsibility for anticipating and responding to the effects of climate change.

This amendment that is being proposed would block the Department of Defense from undertaking that effort. The amendment is ill-advised. It doesn't protect and prepare the American people for the impacts of climate change, and it won't help our military operate in a new security environment created by climate change.

Climate change poses a significant security threat to the United States and the world at large. But don't take it from me. Our Nation's military leaders are saying we need to prepare for this new threat. The proponents of this amendment should listen to the military experts, not the special interest polluters that benefit from climate denial and the status quo.

As a member of the Energy and Commerce Committee, I have been frustrated that the Republican majority has refused to hold serious hearings on the urgent problem of climate change, so Democrats on that committee went to Annapolis in my State to hold a climate change field forum.

We heard testimony from Vice Admiral Ted Carter, the Superintendent of the Naval Academy. He told us that our future military leaders are learning about the science of climate change and the national security consequences that stem from it. He testified that because the Naval Academy sits on the waters of the Chesapeake Bay, they have several projects in motion to address sea level rise and the increased regularity of flooding. They are retrofitting older buildings and building new facilities that double as seawalls to protect the campus.

Vice Admiral Carter also told harrowing stories of sailing aircraft carriers in between two massive hurricanes and equipment that short-circuited in waters with surface temperatures in excess of 100 degrees.

Certainly my colleagues on the Republican side would not deny that these are consequential problems. Leaders like Admiral Carter cannot afford the luxury of ideological climate denial. He is taking the right steps to address climate change. We should support him and our other military leaders. Unfortunately, this amendment would do the opposite. For that reason, I urge its defeat.

Mr. FLEMING. Mr. Chairman, again, my amendment is not a debate about climate change, regardless of where you fall on that issue. All this does is free up DOD to make the vital important decisions on that, instead of handcuffing it.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, actually, it precisely does handcuff them by telling them how to make their decisions, saying they can't make a decision based on their belief that needs for alternatives to fossil fuels are important. If we don't wish to handcuff them, don't offer an amendment telling them that they have to spend their money in a certain way. That is exactly what this amendment does.

Again, there are multiple reasons for making these investments in alternative energy. I will return to one that was raised by Mr. GIBSON.

Out in the field, you need multiple different sources of energy. If you can get a situation where you have properly developed solar power or thermal power and you can use that on the spot where you are at, instead of relying on trucks to bring in diesel or gasoline, you are saving lives.

This is an investment in making our military more prepared. What this amendment does is it restricts the ability of the Department of Defense to make that investment. If you don't want to restrict them, don't restrict them.

I yield back the balance of my time.

Mr. FLEMING. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Louisiana has 1 minute remaining.

Mr. FLEMING. Mr. Chairman, with all due respect to the ranking member, all my amendment does is holds the status quo before these two executive orders; and that is, the commanders in the field and the generals at the Pentagon can do whatever is best for the military, whether or not it has to do with saving money or spending more money on alternative forms of energy.

My amendment frees them up. It does not restrict them in any way.

I urge adoption of this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. FLEMING).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. SMITH of Washington. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Louisiana will be postponed.

□ 1545

AMENDMENT NO. 3 OFFERED BY MR. PEARCE

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114–571.

Mr. PEARCE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

After section 7004, insert the following:

SEC. 7005. RETURN OF CERTAIN LANDS AT FORT WINGATE TO THE ORIGINAL INHABITANTS ACT.

(a) SHORT TITLE.—This section may be cited as the ''Return of Certain Lands At Fort Wingate to The Original Inhabitants Act''.

(b) DIVISION AND TREATMENT OF LANDS OF FORMER FORT WINGATE DEPOT ACTIVITY, NEW MEXICO, TO BENEFIT THE ZUNI TRIBE AND NAVAJO NATION.—

(1) IMMEDIATE TRUST ON BEHALF OF ZUNI TRIBE; EXCEPTION.—Subject to valid existing rights and to easements reserved pursuant to subsection (c), all right, title, and interest of the United States in and to the lands of Former Fort Wingate Depot Activity depicted in dark blue on the map titled ''The Fort Wingate Depot Activity Negotiated

Property Division April 2016'' (in this section referred to as the ''Map'') and transferred to the Secretary of the Interior are to be held in trust by the Secretary of the Interior for the Zuni Tribe as part of the Zuni Reservation, unless the Zuni Tribe otherwise elects under clause (ii) of paragraph (3)(C) to have the parcel conveyed to it in Restricted Fee Status.

(2) IMMEDIATE TRUST ON BEHALF OF THE NAVAJO NATION; EXCEPTION.—Subject to valid existing rights and to easements reserved pursuant to subsection (c), all right, title, and interest of the United States in and to the lands of Former Fort Wingate Depot Activity depicted in dark green on the Map and transferred to the Secretary of the Interior are to be held in trust by the Secretary of the Interior for the Navajo Nation as part of the Navajo Reservation, unless the Navajo Nation otherwise elects under clause (ii) of paragraph (3)(C) to have the parcel conveyed to it in Restricted Fee Status.

(3) SUBSEQUENT TRANSFER AND TRUST; RESTRICTED FEE STATUS ALTERNATIVE.—

(A) TRANSFER UPON COMPLETION OF REMEDIATION.—Not later than 60 days after the date on which the Secretary of the Army, with the concurrence of the New Mexico Environment Department, notifies the Secretary of the Interior that remediation of a parcel of land of Former Fort Wingate Depot Activity has been completed consistent with subsection (d), the Secretary of the Army shall transfer administrative jurisdiction over the parcel to the Secretary of the Interior.

(B) NOTIFICATION OF TRANSFER.—Not later than 30 days after the date on which the Secretary of the Army transfers administrative jurisdiction over a parcel of land of Former Fort Wingate Depot Activity under subparagraph (A), the Secretary of the Interior shall notify the Zuni Tribe and Navajo Nation of the transfer of administrative jurisdiction over the parcel.

(C) TRUST OR RESTRICTED FEE STATUS.—

(i) TRUST.—Except as provided in clause (ii), the Secretary of the Interior shall hold each parcel of land of Former Fort Wingate Depot Activity transferred under subparagraph (A) in trust—

(I) for the Zuni Tribe, in the case of land depicted in blue on the Map; or

(II) for the Navajo Nation, in the case of land depicted in green on the Map.

(ii) RESTRICTED FEE STATUS.—In lieu of having a parcel of land held in trust under clause (i), the Zuni Tribe, with respect to land depicted in blue on the Map, and the Navajo Nation, with respect to land depicted in green on the Map, may elect to have the Secretary of the Interior convey the parcel or any portion of the parcel to it in restricted fee status.

(iii) NOTIFICATION OF ELECTION.—Not later than 45 days after the date on which the Zuni Tribe or the Navajo Nation receives notice under subparagraph (B) of the transfer of administrative jurisdiction over a parcel of land of Former Fort Wingate Depot Activity, the Zuni Tribe or the Navajo Nation shall notify the Secretary of the Interior of an election under clause (ii) for conveyance of the parcel or any portion of the parcel in restricted fee status.

(iv) CONVEYANCE.—As soon as practicable after receipt of a notice from the Zuni Tribe or the Navajo Nation under clause (iii), but in no case later than 6 months after receipt of the notice, the Secretary of the Interior shall convey, in restricted fee status, the parcel of land of Former Fort Wingate Depot Activity covered by the notice to the Zuni Tribe or the Navajo Nation, as the case may be.

(v) RESTRICTED FEE STATUS DEFINED.—For purposes of this section only, the term ''restricted fee status'', with respect to land conveyed under clause (iv), means that the land so conveyed—

(I) shall be owned in fee by the Indian tribe to whom the land is conveyed;

(II) shall be part of the Indian tribe's Reservation and expressly made subject to the jurisdiction of the Indian Tribe;

(III) shall not be sold by the Indian tribe without the consent of Congress;

(IV) shall not be subject to taxation by a State or local government other than the government of the Indian tribe; and

(V) shall not be subject to any provision of law providing for the review or approval by the Secretary of the Interior before an Indian tribe may use the land for any purpose, directly or through agreement with another party.

(4) SURVEY AND BOUNDARY REQUIREMENTS.—

(A) IN GENERAL.—The Secretary of the Interior shall—

(i) provide for the survey of lands of Former Fort Wingate Depot Activity taken into trust for the Zuni Tribe or the Navajo Nation or conveyed in restricted fee status for the Zuni Tribe or the Navajo Nation under paragraph (1), (2), or (3); and

(ii) establish legal boundaries based on the Map as parcels are taken into trust or conveyed in restricted fee status.

(B) CONSULTATION.—Not later than 90 days after the date of the enactment of this section, the Secretary of the Interior shall consult with the Zuni Tribe and the Navajo Nation to determine their priorities regarding the order in which parcels should be surveyed and, to the greatest extent feasible, the Secretary shall follow these priorities.

(5) RELATION TO CERTAIN REGULATIONS.—Part 151 of title 25, Code of Federal Regulations, shall not apply to taking lands of Former Fort Wingate Depot Activity into trust under paragraph (1), (2), or (3).

(6) FORT WINGATE LAUNCH COMPLEX LAND STATUS.—Upon certification by the Secretary of Defense that the area generally depicted as ''Fort Wingate Launch Complex'' on the Map is no longer required for military purposes and can be transferred to the Secretary of the Interior—

(A) the areas generally depicted as ''FWLC A'' and ''FWLC B'' on the Map shall be held in trust by the Secretary of the Interior for the Zuni Tribe in accordance with this subsection; and

(B) the areas generally depicted as ''FWLC C'' and ''FWLC D'' on the Map shall be held in trust by the Secretary of the Interior for the Navajo Nation in accordance with this subsection.

(c) RETENTION OF NECESSARY EASEMENTS AND ACCESS.—

(1) TREATMENT OF EXISTING EASEMENTS, PERMIT RIGHTS, AND RIGHTS-OF-WAY.—

(A) IN GENERAL.—The lands of Former Fort Wingate Depot Activity held in trust or conveyed in restricted fee status pursuant to subsection (b) shall be held in trust with easements, permit rights, and rights-of-way, and access associated with such easements, permit rights, and rights-of-way, of any applicable utility service provider in existence or for which an application is pending for existing facilities at the time of the conveyance or change to trust status, including the right to upgrade applicable utility services recognized and preserved, in perpetuity and without the right of revocation (except as provided in subparagraph (B)).

(B) TERMINATION.—An easement, permit right, or right-of-way recognized and preserved under subparagraph (A) shall terminate only—

(i) on the relocation of an applicable utility service referred to in subparagraph (A), but only with respect to that portion of the utility facilities that are relocated; or

(ii) with the consent of the holder of the easement, permit right, or right-of-way.

(C) ADDITIONAL EASEMENTS.—The Secretary of the Interior shall grant to a utility service provider, without consideration, such additional easements across lands held in trust or conveyed in restricted fee status pursuant to subsection (b) as the Secretary considers necessary to accommodate the relocation or reconnection of a utility service existing on the date of enactment of this section.

(2) ACCESS FOR ENVIRONMENTAL RESPONSE ACTIONS.—The lands of Former Fort Wingate Depot Activity held in trust or conveyed in restricted fee status pursuant to subsection (b) shall be subject to reserved access by the United States as the Secretary of the Army and the Secretary of the Interior determine are reasonably required to permit access to lands of Former Fort Wingate Depot Activity for administrative and environmental response purposes. The Secretary of the Army shall provide to the governments of the Zuni Tribe and the Navajo Nation written copies of all access reservations under this subsection.

(3) SHARED ACCESS.—

(A) PARCEL 1 SHARED CULTURAL AND RELIGIOUS ACCESS.—In the case of the lands of Former Fort Wingate Depot Activity depicted as Parcel 1 on the Map, the lands shall be held in trust subject to a shared easement for cultural and religious purposes only. Both the Zuni Tribe and the Navajo Nation shall have unhindered access to their respective cultural and religious sites within Parcel 1. Within 1 year after the date of the enactment of this section, the Zuni Tribe and the Navajo Nation shall exchange detailed information to document the existence of cultural and religious sites within Parcel 1 for the purpose of carrying out this subparagraph. The information shall also be provided to the Secretary of the Interior.

(B) OTHER SHARED ACCESS.—Subject to the written consent of both the Zuni Tribe and the Navajo Nation, the Secretary of the Interior may facilitate shared access to other lands held in trust or restricted fee status pursuant to subsection (b), including, but not limited to, religious and cultural sites.

(4) I–40 FRONTAGE ROAD ENTRANCE.—The access road for the Former Fort Wingate Depot Activity, which originates at the frontage road for Interstate 40 and leads to the parcel of the Former Fort Wingate Depot Activity depicted as ''administration area'' on the Map, shall be held in common by the Zuni Tribe and Navajo Nation to provide for equal access to Former Fort Wingate Depot Activity.

(5) COMPATIBILITY WITH DEFENSE ACTIVITIES.—The lands of Former Fort Wingate Depot Activity held in trust or conveyed in restricted fee status pursuant to subsection (b) shall be subject to reservations by the United States as the Secretary of Defense determines are reasonably required to permit access to lands of the Fort Wingate launch complex for administrative, test operations, and launch operations purposes. The Secretary of Defense shall provide the governments of the Zuni Tribe and the Navajo Nation written copies of all reservations under this paragraph.

(d) ENVIRONMENTAL REMEDIATION.—Nothing in this section shall be construed as alleviating, altering, or affecting the responsibility of the United States for cleanup and

remediation of Former Fort Wingate Depot Activity in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.

(e) PROHIBITION ON GAMING.—Any real property of the Former Fort Wingate Depot Activity and all other real property subject to this section shall not be eligible, or used, for any gaming activity carried out under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.).

The Acting CHAIR. Pursuant to House Resolution 735, the gentleman from New Mexico (Mr. PEARCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. PEARCE. Mr. Chair, in January of 1993, the BRAC Commission closed Fort Wingate in New Mexico. Fort Wingate was destined and designated to go to two tribes, equitably divided between the two—the Navajo Nation and the Zunis.

During the past 12 years, I have been involved in negotiations back and forth between the tribes. The lands were occupied ancestrally by both tribes. There have been many long, ongoing discussions between all of the parties. We have gotten signatures in the past from different members of the Navajo government. We currently have a letter dated May 16, 2016, in which it states that it is the opinion of the Navajo Nation that the land division and the terms developed between the two tribes would provide a solution to the land division.

All we are asking is that the agreed-upon maps be distributed in accordance with the terms, signed by the speaker of the Navajo Nation and the Zunis. That is the purpose of this amendment today. It is a fairly simple distribution according to the provisions that are listed in the BRAC ruling of January 1993.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. Mr. Chair, I yield 5 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Mr. Chair, I rise in opposition to this amendment in its current form and at this particular time.

This amendment, as it has been pointed out, directly impacts two federally recognized tribal nations: the Navajo Nation and the Zuni Pueblo Nation in New Mexico.

They have been working with the Department of Defense to resolve the disposition of this excess Federal land. The Navajo is one of the tribes that would receive the land in transfer, and it is opposed to some of the language that is still occurring in this amendment. The Pearce amendment, unfortunately, claims a provision that would require a right-of-way in perpetuity to the Navajo, and the Navajo agrees, it is my understanding, to work toward some of the land transfer.

I ask the gentleman: Are they aware that the Navajo doesn't agree in having this land transfer go in perpetuity and that it would like to work something else out?

I yield to the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. Mr. Chair, that is a provision that I, personally, did not put into the bill. It came from the committee of jurisdiction, the Natural Resources Committee. They insisted on it because it is prevailing language under the law.

The objection in the letter from the Navajo, which I was just showing the gentlewoman previously, describes that, and the language reads that they have so far failed to acquire a new right-of-way with the U.S. Army and now have come to Congress to address their error.

What has happened is that the right-of-way has yielded, and the language here was language that has previously been set up by the committee in order to address this.

Ms. MCCOLLUM. Reclaiming my time, I thank the gentleman.

Mr. Chair, there is some disagreement as to how this language should be structured. I don't think we should be pushing through something that the Navajo Nation now finds controversial but that wasn't controversial when working with the Department of Defense and making sure that they had the right-of-way and access to the land.

It is a sovereign nation. There are only 10 minutes of debate. There seems to be a little bit of uncertainty as to where the Navajo Nation is coming down on the particular language that the gentleman has. I do not fault the gentleman for bringing the language forward, as Chairman BISHOP has changed from what the original conversation had been between the sovereign nation and the Department of Defense by putting the perpetuity in it.

I believe we should respect the right of sovereignty of the tribe, and I believe at this time we should defeat the amendment. I would like to work with the gentleman to come up with language that is acceptable both for the Department of Defense and the two tribal nations. They were so very close. I would like to make that happen.

Mr. PEARCE. Again, addressing the gentlewoman, those are the subjects that Mr. LUJÁN and I have agreed that we would work on in conference. I think that we are more than willing to accommodate, but to stall this out now—this is the last vehicle this year. Literally, we are out of time. I would gladly accept the gentlewoman's help in the conference committee, and I want to resolve this. Again, I have been working on it for 12 years. We go and we get the signatures. It has been very arduous on the parts of all, and I understand the difficulty when you have aboriginal lands.

Again, when I look at the language, it is language that was previously established in the Ho-Chunk Nation distribution. The language literally is set in precedent, and the committee explains to us there is not much option there; but I am more than willing to work on the issue with the gentlewoman.

Ms. MCCOLLUM. Will the gentleman yield?

Mr. PEARCE. I yield to the gentlewoman from Minnesota.

Ms. MCCOLLUM. Mr. Chair, I look forward to working with the gentleman. I am sure we can come up with an accommodation that will make everyone satisfied.

Mr. PEARCE. Mr. Chair, reclaiming my time, what we are trying to do is put into the hands of two Indian nations land that has been designated for them since 1993. I think that all parties just want it to be done in the right fashion. We are so close at this point that I would really appreciate the fact that we put it in this bill, that we include it, and move it into the conference. I am certain that with the Senator's input, they will be listening to the same concerns as the gentlewoman is listening to.

Again, I appreciate the help of Mr. YOUNG, Mr. LUJÁN—all of those parties—and both Chairman THORNBERRY and Chairman BISHOP.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chair, I yield back the balance of my time.

Mr. PEARCE. Mr. Chair, in closing, again, I just appreciate the consideration by the gentlewoman.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Mexico (Mr. PEARCE).

The amendment was agreed to.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chair, pursuant to House Resolution 735, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendment Nos. 4, 13, 15, 16, 17, 19, 21, 22, 24, 26, 29, 30, and 31 printed in House Report No. 114–571, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 4 OFFERED BY MR. SCHWEIKERT OF ARIZONA

Page 372, after line 8, insert the following:

SEC. 1014. UNMANNED AERIAL SYSTEMS TRAINING MISSIONS.

The Secretary of Defense shall coordinate unmanned aerial systems training missions along the southern border of the United States in order to support the Department of Homeland Security's counter-narcotic trafficking efforts.

AMENDMENT NO. 13 OFFERED BY MRS. DAVIS OF CALIFORNIA

In section 522, page 120, strike lines 9 through 19, and insert the following:

Section 701(i) of title 10, United States Code, is amended by striking paragraph (3) and inserting the following new paragraph:

''(3) In the event that two members of the armed forces who are married to each other adopt a child in a qualifying child adoption, the two members shall be allowed a total of at least 36 days of leave under this subsection, to be shared between the two members. The Secretary concerned shall permit the transfer of such leave between the two members to accommodate individual family circumstances.''.

In section 529, page 130, strike lines 9 through 20.

AMENDMENT NO. 15 OFFERED BY MR. COSTELLO OF PENNSYLVANIA

At the end of subtitle H of title V, add the following new section:

SEC. 5___. REPORT ON EXTENDING PROTECTIONS FOR STUDENT LOANS FOR ACTIVE DUTY BORROWERS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Education, shall submit to the appropriate congressional committees a report detailing the information, assistance, and efforts to support and inform active duty members of the Armed Forces with respect to the rights and resources available under the Servicemembers Civil Relief Act (50 U.S.C. 3901 et seq.) regarding student loans. The report shall include, at a minimum, the following:

(1) A description of the coordination and information sharing between the Secretary of Defense and the Secretary of Education regarding the eligibility of members, and requests by members, to apply the interest rate limitation under the Servicemembers Civil Relief Act with respect to existing Federal and private student loans.

(2) The number of such members with student loans who elect to have the maximum interest rates set in accordance with such Act.

(3) The number of such members whose student loans have an interest rate that exceeds such maximum rate.

(4) Methods by which the Secretary of Defense and the Secretary of Education can automate the process by which members with student loans elect to have the maximum interest rates set in accordance with such Act.

(5) A discussion of the effectiveness of such Act in providing protection to members of the Armed Forces with respect to student loans.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the follow:

(1) The congressional defense committees.

(2) The Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

AMENDMENT NO. 16 OFFERED BY MR. HASTINGS OF FLORIDA

Page 173, after line 2, insert the following:

SEC. 599A. EXCLUSION OF CERTAIN REIMBURSEMENTS OF MEDICAL EXPENSES AND OTHER PAYMENTS FROM DETERMINATION OF ANNUAL INCOME WITH RESPECT TO PENSIONS FOR VETERANS AND SURVIVING SPOUSES AND CHILDREN OF VETERANS.

(a) IN GENERAL.—Section 1503(a) of title 38, United States Code, is amended—

(1) by redesignating paragraphs (6) through (12) as paragraphs (7) through (13), respectively; and

(2) by inserting after paragraph (5) the following new paragraph (6):

''(6) payments regarding reimbursements of any kind (including insurance settlement payments) for medical expenses resulting from any accident, theft, loss, or casualty loss (as defined by the Secretary), but the amount excluded under this clause shall not exceed the costs of medical care provided to the victim of the accident, theft, loss, or casualty loss.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date that is 180 days after the date of the enactment of this Act.

AMENDMENT NO. 17 OFFERED BY MR. LARSON OF CONNECTICUT

At the end of subtitle C of title VII, add the following new section:

SEC. 7___. APPLIED BEHAVIOR ANALYSIS.

(a) RATES OF REIMBURSEMENT.—

(1) IN GENERAL.—In furnishing applied behavior analysis under the TRICARE program to individuals described in paragraph (2) during the period beginning on the date of the enactment of this Act, and ending on December 31, 2018, the Secretary of Defense shall ensure that the reimbursement rates for providers of applied behavior analysis are not less than the rates that were in effect on March 31, 2016.

(2) INDIVIDUALS DESCRIBED.—Individuals described in this paragraph are individuals who are covered beneficiaries (as defined in section 1072 of title 10, United States Code) by reason of being a member or former member of the Army, Navy, Air Force, or Marine Corps, including the reserve components thereof, or a dependent of such a member or former member.

(b) ANALYSIS.—

(1) IN GENERAL.—Upon the completion of the Department of Defense Comprehensive Autism Care Demonstration, the Assistant Secretary of Defense for Health Affairs shall conduct an analysis to—

(A) use data gathered during the demonstration to set future reimbursement rates for providers of applied behavior analysis under the TRICARE program; and

(B) review comparative commercial insurance claims for purposes of setting such future rates, including by—

(i) conducting an analysis of the comparative total of commercial insurance claims billed for applied behavior analysis; and

(ii) reviewing any covered beneficiary limitations on access to applied behavior analysis services at various military installations throughout the United States.

(2) SUBMISSION.—The Assistant Secretary shall submit to the congressional defense committees the analysis conducted under paragraph (1).

(c) FUNDING.—

(1) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 1405 for the Defense Health Program, as specified in the corresponding funding table in section 4501, for Private Sector Care is hereby increased by $32,000,000.

(2) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 4301 for operation and maintenance, as specified in the corresponding funding table in section 4301, for the Office of the Secretary of Defense (Line 300) is hereby reduced by $32,000,000.

(d) SENSE OF CONGRESS.—It is the sense of Congress that amounts should be appropriated for behavioral health treatment of TRICARE beneficiaries, including pursuant to this section, in a manner to ensure the appropriate and equitable access to such treatment by all such beneficiaries.

AMENDMENT NO. 19 OFFERED BY MR. KELLY OF PENNSYLVANIA

At the end of subtitle E of title XII, add the following:

SEC. 12xx. LIMITATION ON AVAILABILITY OF FUNDS TO IMPLEMENT THE ARMS TRADE TREATY.

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Department of Defense may be obligated or expended to fund a Secretariat or any other international organization established to support the implementation of the Arms Trade Treaty, to sustain domestic prosecutions based on any charge related to the Treaty, or to implement the Treaty until the Senate approves a resolution of ratification for the Treaty and implementing legislation for the Treaty has been enacted into law.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preclude the Department of Defense from assisting foreign countries in bringing their laws, regulations, and practices related to export control up to United States standards.

AMENDMENT NO. 21 OFFERED BY MR. MULVANEY OF SOUTH CAROLINA

Page 603, after line 6, insert the following:

SEC. 1523. CODIFICATION OF OFFICE OF MANAGEMENT AND BUDGET CRITERIA.

The Secretary of Defense shall implement the following criteria in requests for overseas contingency operations:

(1) Geographic Area Covered – For theater of operations for non-classified war overseas contingency operations funding, the geographic areas in which combat or direct combat support operations occur are: Iraq, Afghanistan, Pakistan, Kazakhstan, Tajikistan, Kyrhyzstan, the Horn of Africa, Persian Gulf and Gulf nations, Arabian Sea, the Indian Ocean, the Philippines, and other countries on a case-by-case basis.

(2) Permitted Inclusions in the Overseas Contingency Operation Budget

(A) Major Equipment

(i) Replacement of loses that have occurred but only for items not already programmed for replacement in the Future Years Defense Plan (FYDP), but not including accelerations, which must be made in the base budget.

(ii) Replacement or repair to original capability (to upgraded capability if that is currently available) of equipment returning from theater. The replacement may be a similar end item if the original item is no longer in production. Incremental cost of non-war related upgrades, if made, should be included in the base.

(iii) Purchase of specialized, theater-specific equipment.

(iv) Funding for major equipment must be obligated within 12 months.

(B) Ground Equipment Replacement

(i) For combat losses and returning equipment that is not economical to repair, the replacement of equipment may be given to coalition partners, if consistent with approved policy.

(ii) In-theater stocks above customary equipping levels on a case-by-case basis.

(C) Equipment Modifications

(i) Operationally-required modifications to equipment used in theater or in direct support of combat operations and that is not already programmed in FYDP.

(ii) Funding for equipment modifications must be able be obligated in 12 months.

(D) Munitions
(i) Replenishment of munitions expended in combat operations in theater.
(ii) Training ammunition for theater-unique training events.
(iii) While forecasted expenditures are not permitted, a case-by-case assessment for munitions where existing stocks are insufficient to sustain theater combat operations.
(E) Aircraft Replacement
(i) Combat losses by accident that occur in the theater of operations.
(ii) Combat losses by enemy action that occur in the theater of operations.
(F) Military Construction
(i) Facilities and infrastructure in the theater of operations in direct support of combat operations. The level of construction should be the minimum to meet operational requirements.
(ii) At non-enduring locations, facilities and infrastructure for temporary use.
(iii) At enduring locations, facilities and infrastructure for temporary use.
(iv) At enduring locations, construction requirements must be tied to surge operations or major changes in operational requirements and will be considered on a case-by-case basis.
(G) Research and development projects for combat operations in these specific theaters that can be delivered in 12 months.
(H) Operations
(i) Direct War costs:
(I) Transport of personnel, equipment, and supplies to, from and within the theater of operations.
(II) Deployment-specific training and preparation for unites and personnel (military and civilian) to assume their directed missions as defined in the orders for deployment into the theater of operations.
(ii) Within the theater, the incremental costs above the funding programmed in the base budget to:
(I) Support commanders in the conduct of their directed missions (to include Emergency Response Programs).
(II) Build and maintain temporary facilities.
(III) Provide food, fuel, supplies, contracted services and other support.
(IV) Cover the operational costs of coalition partners supporting US military missions, as mutually agreed.
(iii) Indirect war costs incurred outside the theater of operations will be evaluated on a case-by-case basis.
(I) Health
(i) Short-term care directly related to combat.
(ii) Infrastructure that is only to be used during the current conflict.
(J) Personnel
(i) Incremental special pays and allowances for Service members and civilians deployed to a combat zone.
(ii) Incremental pay, special pays and allowances for Reserve Component personnel mobilized to support war missions.
(K) Special Operations Command
(i) Operations that meet the criteria in this guidance.
(ii) Equipment that meets the criteria in this guidance.
(L) Prepositioned Supplies and equipment for resetting in-theater stocks of supplies and equipment to pre-war levels.
(M) Security force funding to train, equip, and sustain Iraqi and Afghan military and police forces.
(N) Fuel
(i) War fuel costs and funding to ensure that logistical support to combat operations is not degraded due to cash losses in the Department of Defense's baseline fuel program.
(ii) Enough of any base fuel shortfall attributable to fuel price increases to maintain sufficient on-hand cash for the Defense Working Capital Funds to cover seven days disbursements.
(3) Excluded items from Overseas Contingency Funding that must be funded from the base budget
(A) Training vehicles, aircraft, ammunition, and simulators, but not training base stocks of specialized, theater-specific equipment that is required to support combat operations in the theater of operations, and support to deployment-specific training described above.
(B) Acceleration of equipment service life extension programs already in the Future Years Defense Plan.
(C) Base Realignment and Closure projects.
(D) Family support initiatives
(i) Construction of childcare facilities.
(ii) Funding for private-public partisanships to expand military families' access to childcare.
(iii) Support for service members' spouses professional development.
(E) Programs to maintain industrial base capacity including ''war-stoppers.''
(F) Personnel
(i) Recruiting and retention bonuses to maintain end-strength.
(ii) Basic Pay and the Basic allowances for Housing and Subsistence for permanently authorized end strength.
(iii) Individual augmentees on a case-by-case basis.
(G) Support for the personnel, operations, or the construction or maintenance of facilities, at U.S. Offices of Security Cooperation in theater.
(H) Costs for reconfiguring prepositioned supplies and equipment or for maintaining them.
(4) Special Situations – Items proposed for increases in reprogrammings or as payback for prior reprogrammings must meet the criteria above.

AMENDMENT NO. 22 OFFERED BY MR. HIMES OF CONNECTICUT

At the end of subtitle C of title XVI, add the following:

SEC. 16__. REPORT ON POLICIES FOR RESPONDING TO MALICIOUS CYBER ACTIVITIES CARRIED OUT AGAINST THE UNITED STATES OR UNITED STATES PERSONS BY FOREIGN STATES OR NON-STATE ACTORS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on policies, doctrine, procedures, and authorities governing Department of Defense activities in response to malicious cyber activities carried out against the United States or United States persons by foreign states or non-state actors.
(b) ELEMENTS.—The report required under subsection (a) shall include the following:
(1) Specific citations to appropriate associated Executive branch and agency directives, guidance, instructions, and other authoritative policy documents.
(2) Descriptions of relevant authorities, rules of engagement, command and control structures, and response plans.

AMENDMENT NO. 24 OFFERED BY MS. TSONGAS OF MASSACHUSETTS

At the end of subtitle C of title I, add the following new section:

SEC. 1___. REPORT ON P–8 POSEIDON AIRCRAFT.

(a) REPORT REQUIRED.—Not later than October 1, 2017, the Secretary of the Navy shall submit to the congressional defense committees a report regarding future capabilities for the P–8 Poseidon aircraft.
(b) ELEMENTS.—The report under subsection (a) shall include, with respect to the P–8 Poseidon aircraft, the following:
(1) A review of possible upgrades by the Navy to the sensors onboard the aircraft, including intelligence, surveillance, and reconnaissance sensors currently being fielded on Air Force platforms.
(2) An assessment of the ability of the Navy to use long-range multispectral imaging systems onboard the aircraft.

AMENDMENT NO. 26 OFFERED BY MR. BLUMENAUER OF OREGON

At the end of subtitle D of title I, add the following new section:

SEC. 1___. REPORT ON COST OF B–21 AIRCRAFT.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the cost of the B–21 aircraft. The report shall include an estimate of the total cost of research, production, and maintenance for the aircraft expressed in constant base-year dollars and in current dollars.

AMENDMENT NO. 29 OFFERED BY MR. KILDEE OF MICHIGAN

At the end of subtitle B of title III, insert the following:

SEC. ___. SENSE OF CONGRESS.

It is the Sense of Congress that the Department of Defense should work with State and local health officials to prevent human exposure to perfluorinated chemicals.

AMENDMENT NO. 30 OFFERED BY MR. POLIQUIN OF MAINE

At the end of subtitle D of title III, add the following new section:

SEC. 3___. REPORT ON AVERAGE TRAVEL COSTS OF MEMBERS OF THE RESERVE COMPONENTS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the travel expenses of members of reserve components associated with performing active duty service, active service, full-time National Guard duty, active Guard and Reserve duty, and inactive-duty training, as such terms are defined in section 101(d) of title 10, United States Code. Such report shall include the average annual cost for all travel expenses for a member of a reserve component.

AMENDMENT NO. 31 OFFERED BY MR. FARENTHOLD OF TEXAS

At the end of title III, add the following new section:

SEC. 3___. ACCESS TO WIRELESS HIGH-SPEED INTERNET AND NETWORK CONNECTIONS FOR CERTAIN MEMBERS OF THE ARMED FORCES DEPLOYED OVERSEAS.

Consistent with section 2492a of title 10, United States Code, the Secretary of Defense is encouraged to enter into contracts with third-party vendors in order to provide members of the Armed Forces who are deployed overseas at any United States military facility, at which wireless high-speed Internet and network connections are otherwise available, with access to such Internet and network connections without charge.

The Acting CHAIR. Pursuant to House Resolution 735, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chair, I yield 1 minute to the gentleman from Texas (Mr. FARENTHOLD).

Mr. FARENTHOLD. Mr. Chair, I rise in support of my amendment, which is included in here, that encourages the Department of Defense to provide free Wi-Fi access of the Internet to military personnel who are deployed overseas.

Right now our military personnel, in some instances, are required to pay twice as much as a typical American family would pay for access to the Internet. Access to the Internet is a way for our troops to keep their morale high by staying in touch with their families back home by using technology like FaceTime and Skype.

This amendment does not require any expenditure by the military. It merely instructs the military to work towards this goal: to make it available where possible and to indicate that it should be a priority. It doesn't cost anything, but it is a great morale booster, and it should be great for our troops.

I urge my colleagues to support this.

Mr. SMITH of Washington. Mr. Chair, I yield myself 3 minutes.

I speak about the broader bill. Unfortunately, something happened in the Rules Committee yesterday that has been happening far too often in recent years. This was much debated during the debate over the rule, but I didn't have a chance to come and talk about it.

There was an amendment added in committee that overturns an executive order by the President. The executive order basically says: if you discriminate against the LGBT community, you will not be allowed to get government contracts.

That executive order also had an exception for religious organizations. The amendment that was added in committee—and it is much debated as to what it did or didn't do, but my reading of it is that it dramatically expands that exception and basically increases the ability of defense firms and subcontractors to discriminate against the LGBT community.

The larger problem here is: Why couldn't we vote on it?

It puts our Members in the position of voting for a defense bill that has what we believe to be discriminatory language in it without our even having had the opportunity to have voted to remove that language.

This is something that has happened for the last 3 or 4 years on an increasing basis. It used to be that this was an open rule. With the defense bill, you basically offered an amendment; you had a debate; and you had a chance. Then we started to shrink them down a little bit. Now, in the last couple of years, anything that is inconvenient for the majority to vote on or, even more distressingly, anything that they think will make it inconvenient for us to vote on the bill gets struck.

That is not the way the Rules Committee is supposed to work. They are supposed to give us the opportunity to vote on these amendments. They, again, have narrowly crafted it down to just the amendments that they like. Having this discriminatory provision within the defense bill, in addition to all of the other problems, has forced me to the point at which I am actually going to oppose the bill, which I do not want to do and did not want to do; but I hope, in the future, the Rules Committee will at least give us a chance to vote.

We had a robust debate about the substance of this particular amendment earlier. Again, it is not so much about the substance of the particular amendment. It is about the opportunity for our Members to have a vote. If we could go on record and vote against that amendment on the floor—do our best to strip it out—then at least we are on record. Here, we are simply forced to vote for a defense bill that contains discriminatory language that we do not support.

I hope, in the future, the Rules Committee will stop doing this, will let the democratic process work, will give us the opportunity to vote, accept the outcome of that vote, and move forward.

I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chair, I yield myself 30 seconds.

My understanding is that the provision that the gentleman refers to is a restatement of religious liberties from the 1964 Civil Rights Act. What that tells me, if he opposes the bill based on that, is that there are Members who are looking for some excuse to vote against this bill. You can always find one. I can find one myself. I don't think that is the right thing to do, however, for the men and women who serve our Nation.

Mr. Chair, I yield 1 minute to the gentleman from Maine (Mr. POLIQUIN).

Mr. POLIQUIN. Mr. Chair, each month across our great country, our brave men and women in the National Guard and the Armed Forces Reserves leave their homes and report for duty. Each month they train on the ground and in the air and on the sea so that they are ready at a moment's notice to fight for our freedom. Our guardsmen and reservists often travel long distances to their training sites, and their travel costs often exceed their monthly training pay, which forces them to buy gas, meals, and sometimes hotel rooms out of pocket.

Right now, today, under existing law, if you work for the IRS or the EPA or some other Federal Government agency, you are granted a tax deduction for out-of-pocket travel expenses if you travel beyond 50 miles of your home; but if you are a guardsman or a woman or if you are in the Reserves, you need to travel more than 100 miles to receive the same benefits.

Mr. Chair, this is not fair, and this is not right. I urge everybody to endorse and support my amendment No. 300.

The Acting CHAIR. Without objection, the gentleman from Texas (Mr. O'ROURKE) will control the time of the gentleman from Washington (Mr. SMITH).

There was no objection.

Mr. O'ROURKE. Mr. Chair, I yield 1 minute to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. I thank my friend for yielding.

Mr. Chair, for many years, the Air Force used perfluorinated chemicals in its compound for firefighting foam, but in the past few years, very high levels of these PFCs have been discovered in the fish near the former Wurtsmith Air Force Base in Oscoda, Michigan, which is in my district. Tests have revealed the presence of PFCs as well in the groundwater that people who live near the former Air Force base depend upon.

The CDC and the EPA have both said that PFCs can be potentially harmful to people's health, though there is still not clear guidance as to what is a safe level of exposure, especially in the long term; although, there is great concern on this question.

I have asked the Air Force as well as the State of Michigan to provide bottled water to those identified individuals who are living near Wurtsmith whose water may be contaminated by PFCs at least until more research is done on the safety of their water. My amendment would require the Department of Defense to do whatever it can to prevent further exposure to PFCs.

□ 1600

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. Mr. Chair, I rise in strong support of the amendment to renew the 1-year ban on the Obama administration or any other administration from using any Department of Defense funds to implement the United Nations Arms Trade Treaty, a treaty which, by the way, has never been ratified by our Senate.

Specifically, the amendment bans the use of Department of Defense funds for the ATT Secretariat, a body that was created for effectively implementing the ATT according to the treaty's supporters.

Last August, ATT member nations organized the Conference of States Parties to the ATT, a conference in which we did not have a vote and which decided that American taxpayers are now on the hook to pay 22 percent of the expenses of this annual meeting. This taxpayer money would go directly to the ATT Secretariat and become part

of its core budget. My amendment prevents these hardworking American taxpayer dollars from flowing into the coffers of those who are working to implement the ATT.

I thank the chairman and the ranking member for including this in the en bloc amendment, and I urge all my colleagues to stand in support of our Second Amendment and of our Nation's sovereignty and vote in support of this amendment to renew the annual ban on the funding of the United Nations Arms Trade Treaty.

Mr. O'ROURKE. Mr. Chair, I yield 1 minute to the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS. Mr. Chair, my amendment would exempt reimbursement for medical expenses from the Department of Veterans Affairs calculation of annual income when determining pension eligibility for veterans. This amendment is a version of H.R. 4994, the Veterans Pensions Protection Act, bipartisan legislation endorsed by the Vietnam Veterans of America, the Veterans of Foreign Wars, and others.

A few years ago, a disabled veteran and a constituent of mine was struck by a vehicle while crossing the street. After receiving insurance compensation for his injuries, he lost his pension. This is because, under current law, compensation for medical expenses, including insurance settlement payments or reimbursements, are considered income by the VA.

We effectively punish our veterans when they receive these types of compensation after suffering medical emergencies like the one I just outlined. This is, quite simply, wrong. My amendment will rectify this.

I ask the House to support this amendment.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Texas (Mr. FARENTHOLD) to discuss an additional amendment he has.

Mr. FARENTHOLD. Mr. Chair, I rise today in support of an amendment that directs our service academies to notify the Members of Congress of acceptees at least 48 hours before publishing the acceptance or letting the acceptee know.

As most Members of this body know, we are actually the interviewing source for the service academies. Young men and women seeking to serve this country attending a service academy apply for a nomination from their Member of Congress, most often go through a very lengthy vetting process, and we develop a relationship with these young men and women.

Historically, the service academies have allowed us to call them and tell them they are accepted and congratulate them. This year, in some instances, the service academies have quit doing that, which was a longstanding practice.

I believe that it is appropriate that those who interview and work so hard to get those young men and women into our service academies should be the ones delivering the news to them rather than them reading it on a Web site or in a piece of mail.

I urge my colleagues to support this amendment when it comes before the House.

Mr. O'ROURKE. Mr. Chair, I yield 1 minute to the gentleman from Connecticut (Mr. HIMES).

Mr. HIMES. Mr. Chairman, I would like to thank both the chairman of the committee and the ranking member for the opportunity to offer this amendment, which would be a very straightforward amendment, which simply requires the Department of Defense to report to the Congress on the policies, doctrine, procedures, and authorities, as well as the definitions associated with a cyber attack on the United States.

This is a small step in a larger very, very important effort that Chairman WESTMORELAND and I have been working on for some period of time now to try to bring some clarity to what is, today, kind of the Wild West in the cyber realm. In the kinetic realm, we understand very clearly what an act of war is. We understand our doctrine for responding as such.

In the cyber realm, we don't know exactly when a crime becomes an act of war, how to deal with an asymmetric actor versus a nation-state. It is terribly important that we begin the process, with other nations around the world, of establishing some clarity on these points. That won't help our adversaries, but it will remove uncertainty from the system in this new and very, very important realm.

Again, I thank the leadership of the House Armed Services Committee and hope this amendment will be supported.

Mr. THORNBERRY. Mr. Chairman, I reserve the balance of my time on this en bloc amendment.

Mr. O'ROURKE. Mr. Chair, I yield 1 minute to the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. Mr. Chairman, I would like to thank the committee for including, en bloc, my amendment No. 59, which is a step to look at commonsense, cost-saving proposals that the United States Navy itself has offered earlier this year that could save as much as $900 million by consolidating carrier Air Force wings from 10 to 9.

In the fiscal year 2017 budget request, the Navy asked Congress to reallocate their 10th carrier wing into their 9 existing wings, which they feel would boost readiness and save money.

I understand there is reluctance to make what I believe is a strategic, cost-effective move, and that is why I offer my amendment today, directing the Secretary of Defense to offer Congress a study on this issue. As Vice Admiral Michael Shoemaker said: ''Restructuring to nine carrier air wings is the most efficient use of those operational forces to meet global requirements.''

The study will serve as an important step in realizing a more efficient, capable, cost-effective Navy. I am very encouraged that the committee was willing to include this en bloc today, and I see this as an important first step toward recognizing increased readiness as well as cost savings.

Mr. THORNBERRY. Mr. Chairman, I reserve the balance of my time.

Mr. O'ROURKE. Mr. Chair, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chair, I appreciate the gentleman's courtesy in permitting me to speak on the en bloc amendment, and I appreciate the committee having accepted the amendment dealing with cost accountability for the B–21 bomber. This is a new weapon that has both conventional and nuclear weapons capability.

We are in a situation now where there is tremendous stress on our Defense Department budget with a whole range of weaponry. I think it is more important now than ever that we are able to understand exactly what we are getting into, how much this is going to cost. There is about $1.4 billion already into this. We ought to be able to know what the total commitment is being made, to be able to have appropriate decisions made by Congress.

I am deeply concerned that the Defense Department, to this point, has resisted giving an appraisal of what the total cost is going to be, somehow fearing that, if the total budget were available, that would give too much information to our adversaries about the weight, size, and range of the plane. I think not. I think the real danger here is that the American public and Congress would know what the costs are. This is not an acceptable approach as we deal with these critical questions.

It is important, Mr. Chairman, that we have full transparency about what the costs are going to be for these massive, expensive, and, in some cases, questionable weapons systems. This is not an argument for or against it. It is an argument for transparency and being able to know what we are getting into.

The worst of all possible worlds is making commitments and then finding, 5 and 10 years down the line, that we can't follow through on them or they result in cannibalizing other important priorities. I would think that this is one area that we could all agree we need to have this transparency and have this information available.

The Acting CHAIR. The time of the gentleman has expired.

Mr. O'ROURKE. Mr. Chair, I yield an additional 30 seconds to the gentleman from Oregon.

Mr. BLUMENAUER. Mr. Chair, this seems to me to be a priority going forward, given the experience we have had with cost overruns and given how many elements that this committee is trying to juggle. The demands on the committee, I think, are remarkable. It is not a job that I envy. These are hard decisions that are being made.

The Department of Defense can do a favor for themselves and for us by being fully transparent so we know what we should be budgeting for in the future and that they can be held accountable for performance.

Mr. O'ROURKE. Mr. Chairman, I yield back the balance of my time.

Mr. THORNBERRY. I yield myself the balance of my time.

Mr. Chairman, I want to speak about one of the amendments that is in this en bloc package offered by the gentleman from South Carolina (Mr. MULVANEY). My understanding of that amendment is that it tries to have a clearer process by which we fund the military, and that is a goal for which I have enormous sympathy.

We clearly need to have more predictable funding for the military. That is true on behalf of our military commanders and all the troops. It is true on behalf of industry. It is true on behalf of budgeting in the government.

I personally also agree we need to do away with the artificial caps that have caused such difficulty for the military in recent years. I also believe that it would be beneficial if administrations did not play political budgetary games.

For example, in this year's budget, the President requests a very low number for Israeli missile defense, knowing full well that the Congress, on a bipartisan basis, is not going to let that go through. We are going to be more responsible. So they are counting on us to have to cut other programs so that we can do what they should have done to begin with. There are all sorts of tactics that are used in developing budgets. There has got to be a better way.

Apparently, some administration political appointees have been urging Members of the House to call the approach in this bill a gimmick. Actually, I have heard that term used a few times on the floor over the last couple of days.

Well, one question I have is: Was it a gimmick in 2008 when, under Democratic majority, this House used exactly the same approach in fully funding the base requirements for the year and then had a bridge fund that allowed the new President to evaluate deployments and the funding and to make adjustments, which President Obama took advantage of? That is what it was intended for. Now, why was it okay then, but it is a gimmick now? It seems to me, Mr. Chairman, someone would consider that a double standard.

Would Members rather that we continue to cannibalize aircraft and deny pilots the minimum amount of training they are supposed to get? Are Members content to have class A mishaps continue to go up in service after service, or is the desire to score political points so strong that Members would rather let those trends continue rather than deal with them here in this bill before us?

Mr. Chairman, my point is that I agree there has got to be a better way. But I also believe that we have a choice before us today, and that is whether we fund the training, the maintenance, the end strength, the modernization that starts to fix the problems that I have talked about or we stick with name-calling, we look for excuses to vote ''no'' and allow those problems to get worse. Lives are at stake.

So while I don't know that I agree with all the particulars of the gentleman from South Carolina's amendment, I think he raises important issues. Therefore, I urge Members to support that amendment as part of this en bloc package and resolve to try to put partisanship and excuses aside and think about the men and women who serve and what is in their best interest.

I urge adoption of the en bloc amendments.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

□ 1615

AMENDMENT NO. 5 OFFERED BY MS. LEE

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 114–571.

Ms. LEE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle E of title XII, add the following:

SEC. 12xx. REPEAL OF AUTHORIZATION FOR USE OF MILITARY FORCE.

(a) IN GENERAL.—The Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note) is hereby repealed.

(b) EFFECTIVE DATE.—The repeal contained in subsection (a)—

(1) takes effect on the date that is 90 days after the date of the enactment of this Act; and

(2) applies with respect to each operation or other action that is being carried out pursuant to the Authorization for Use of Military Force initiated before such effective date.

The Acting CHAIR. Pursuant to House Resolution 735, the gentlewoman from California (Ms. LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. LEE. Mr. Chair, first let me just thank the Committee on Rules Chairman SESSIONS and Ranking Member SLAUGHTER and all of the members of the committee for making this amendment in order.

My amendment is very straightforward. It would, after 90 days of enactment of this act, repeal the 2001 Authorization for Use of Military Force which Congress passed into law September 14, 2001. When we repeal this 2001 Authorization for Use of Military Force, Congress would finally be forced to debate and vote on a specific AUMF to address the ISIL threat.

Now, I voted against the 2001 authorization because I believed it opened the door for any President to wage endless war without a congressional debate or a vote, and I believe, quite frankly, that history has borne that out.

I include in the RECORD a new report from the Congressional Research Service.

CONGRESSIONAL RESEARCH SERVICE,
May 11, 2016.

MEMORANDUM

Subject: Presidential References to the 2001 Authorization for Use of Military Force in Publicly Available Executive Actions and Reports to Congress.

From: Matthew Weed, Specialist in Foreign Policy Legislation.

This memorandum was prepared to enable distribution to more than one congressional office.

This memorandum sets out information and analysis concerning presidential references in official notifications and records to the Authorization for Use of Military Force (2001 AUMF; Public Law 107–40; 50 U.S.C. §1541 note), enacted in response to the September 11, 2001 terrorist attacks on the United States, to justify and undertake military and other action. It contains very brief discussions of the relevant provisions of the 2001 AUMF, and the uses of U.S. armed forces connected with 2001 AUMF authority, as well as excerpted language and other information from the notifications.

USE OF MILITARY FORCE AUTHORIZATION LANGUAGE IN THE 2001 AUMF

Section 2(a) of the 2001 AUMF authorizes the use of force in response to the September 11 attacks:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

* * *

SEC. 2. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES.

(a) IN GENERAL.—That the President is authorized to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons.

The 2001 AUMF does not include a specified congressional reporting requirement, but states that the authorization is not intended to supersede any requirement of the War Powers Resolution, which does require congressional reporting for initial and continuing deployments of U.S. armed forces into imminent or ongoing hostilities.

EXECUTIVE BRANCH POLICY CONCERNING UTILIZATION OF 2001 AUMF AUTHORIZATION

Prior to the U.S. military campaign against the Islamic State that began in summer 2014, executive branch officials made statements that included certain interpretations concerning the 2001 AUMF, including the following interpretations:

The 2001 AUMF is primarily an authorization to enter into and prosecute an armed conflict against Al Qaeda and the Taliban in Afghanistan.

The 2001 AUMF authorizes the President to use military force against Al Qaeda and the Taliban outside Afghanistan, but such uses of force must meet a higher standard of threat to the United States and must use limited, precise methods against specific individual targets rather than general military action against enemy forces.

Because the 2001 AUMF authorizes U.S. involvement in an international armed conflict, the international law of armed conflict informs the authority within the 2001 AUMF. This law permits the use of military force against forces associated with Al Qaeda and the Taliban as co-belligerents; such forces must be operating in some sort of coordination and cooperation with Al Qaeda and/or the Taliban, not just share similar goals, objectives, or ideologies.

According to the Obama Administration, this interpretation of the scope of 2001 AUMF authority fits within the overall framework of presidential power to use military force against those posing a threat to U.S. national security and U.S. interests. In situations where the 2001 AUMF or other relevant legislation does not seem to authorize a given use of military force or related activity, the executive branch will determine whether the President's Article II powers as Commander in Chief and Chief Executive, as interpreted by the executive branch itself, might authorize such actions. In this way, similar U.S. military action to meet U.S. counterterrorism objectives might be interpreted to fall under different authorities, of which the 2001 AUMF is just one, albeit important, example.

RECORDS OF EXECUTIVE ACTIONS AND PRESIDENTIAL REPORTING TO CONGRESS REFERENCING THE 2001 AUMF

CRS has located 37 relevant occurrences of an official record, disclosed publicly, of presidential reference to the 2001 AUMF in connection with initiating or continuing military or related action (including nonlethal military activities such as detentions and military trials). Of the 37 occurrences, 18 were made during the Bush Administration, and 19 have been made during the Obama Administration. The notifications reference both statutory and constitutional authority for the President to take such action, as well as statutory provisions requiring congressional notification, including reference to provisions in the 2001 AUMF. As will be discussed in detail below, the manner in which Presidents have presented information on military deployments and actions in these notifications, the constitutional and statutory authority for such actions, and the reporting requirements for such actions, have changed over time.

NOTIFICATIONS OF DEPLOYING U.S. ARMED FORCES AND/OR USING MILITARY FORCE INVOLVING REFERENCE TO THE 2001 AUMF

Both President Bush and President Obama have provided formal notifications of military deployments and/or action to Congress at various times since enactment of the 2001 AUMF, referring to that authorization to various degrees and ends. While presidential reports to Congress concerning the use of military force and other activities undertaken by the U.S. armed forces initially provided a fairly simple and straightforward discussion of actions and related authorities, over time these reports became increasingly detailed, complicated, and difficult to decipher with regard to determining applicable presidential authority. At all times, both Presidents have relied primarily on their constitutional Article II powers as Commander in Chief and Chief Executive. In many instances, reference to 2001 AUMF authority has been supplementary and indirect; in only a few cases has a President relied directly on 2001 AUMF authority as justification for a military operation, deployment, or other action. This is not to say that 2001 AUMF authority does not serve as a sole or primary legal basis for military action in any given situation reported in a notification, only that the notification language is susceptible to more than one interpretation when it concerns presidential authority to use to military force or undertake other military action.

Below are provided several tables of information concerning presidential notifications and records of other executive action referencing the 2001 AUMF. Each table provides:

a date of each notification or record;

the relevant military activity, location, and/or purpose of such activities, as available;

the constitutional and statutory authority provided in the notification or record as provided; and

the reference to applicable reporting requirements precipitating each respective notification or record.

For Tables 1–8, each set out in its own section with accompanying analysis, each table includes a group of notifications that are similar in composition and content. Each subsequent table and section, therefore, denotes a change in composition of the notifications referencing the 2001 AUMF in some way.

Initial Reporting in the Aftermath of the September 11, 2001 Attacks

President Bush's reports to Congress concerning military deployments in the weeks following the September 11, 2001 terror attacks were relatively concise, focusing on the need to address the terrorist threat in the immediate aftermath of the attacks, and the deployments and actions taken in response to such threat. The first notification on September 24, 2001 references deployments to ''a number of foreign nations'' in the ''Central and Pacific Command areas of operations.'' Major military operations in Afghanistan had not yet commenced. The second notification on October 9, 2001 includes similar information but also notifies Congress of the commencement of combat against Al Qaeda and the Taliban in Afghanistan. In these two notifications, President Bush stated that he had taken the actions described pursuant to his constitutional authority as Commander in Chief and Chief Executive. In both notifications, he referred to the 2001 AUMF as evidencing the continuing support of Congress, but did not specifically state he had taken such action pursuant to 2001 AUMF authority. The President stated in these notifications that he was reporting on these actions to Congress consistent with both the War Powers Resolution and the 2001 AUMF. It is possible to conclude that reporting action consistent with the 2001 AUMF would mean that the action was considered taken pursuant to 2001 AUMF authority.

Ms. LEE. Mr. Chairman, I want to encourage all my colleagues to read this report. It shows that this authorization has, in fact, become that blank check for war. In the more than 14 years since its passage, it has been used 37 times in 14 countries to wage war with little or no congressional oversight. It has been used 18 times by President Bush and 19 times by President Obama.

This report only looks at unclassified incidents. How many other times has it been used without the knowledge of Congress or the American people? Not only has this authorization been used to justify military action thousands of miles away, it has also been used much closer to home to allow warrantless surveillance and wiretaps, indefinite detention practices at GTMO, and targeted killing by drones, including of American citizens. It has also been cited as the authority for the nearly 2-year-long war against ISIL, a war that Congress has never debated, voted on, or specifically authorized.

Mr. Chairman, our brave servicemen and -women continue to be deployed around the world. Whether they are combat troops or not, they are in combat zones. They are risking their lives. Don't we at least owe them our representation in terms of our job to debate and vote on the cost and consequences of the war? I think we owe them that.

If we all agree that ISIL must be degraded and dismantled, then why is Congress missing in action? Every day more bombs fall. We have already lost three brave servicemen. We have already spent more than $9.6 billion, and we spend an additional $615,000 per hour.

I know that while we may not share a common position on what the shape of any new AUMF to address ISIL might look like, I know that many of us do agree that the overly broad and almost 15-year-old AUMF represents a major and very concerning deterioration of congressional oversight. That means a lack of involvement and input and voice of the American people.

Let's repeal this blank check and finally, 90 days later, debate and vote on an AUMF to address the ISIL threat.

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

Mr. THORNBERRY. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from California (Mr. ROYCE), the distinguished chairman of the Committee on Foreign Affairs.

Mr. ROYCE. Mr. Chair, I oppose this amendment which would unilaterally end the fight against ISIS and al Qaeda.

Mr. Chair, ISIS grew out of al Qaeda in Iraq. The President has determined

that the 2001 AUMF allows the United States to target ISIS. Both the Secretary of Defense and Chairman of the Joint Chiefs agree that they have full legal authority to combat ISIS, and Congress has supported that view by appropriating funds.

Many Members want to enact a new AUMF to renew the authority to fight ISIS and support our troops, but this amendment fails to do so. We must understand that a new AUMF cannot give President Obama any more authority to fight ISIS than he currently claims. It could give him less. The President asked for less in his proposal. It is clear many want an AUMF that limits the authority of this President and the next President.

The administration still does not have the broad, overarching strategy needed to defeat these radical Islamist terrorists. Once the President provides that strategy, this House can have an informed debate over a new AUMF, but this amendment would leave us with no strategy and no authority. That is irresponsible.

Ms. LEE. Mr. Chair, let me just make one comment before yielding to my colleague from Minnesota.

First, the President has sent over an AUMF. He sent this over 15 months ago. The Speaker yet has to take this Authorization for Use of Military Force up. The President has asked for it. Why don't we do our job? We could at least either bring the one that he sent over, or we need to put our own on the floor.

Mr. Chair, I yield 2 minutes to the gentleman from Minnesota (Mr. ELLISON).

The Acting CHAIR. The gentlewoman from California has 1¼ minutes remaining.

Ms. LEE. Mr. Chair, I yield 1 minute to the gentleman from Minnesota.

Mr. ELLISON. Mr. Chair, I rise in support of the gentlewoman's amendment.

I want to just say that the gentleman from California (Mr. ROYCE) is absolutely wrong when he says there would be a unilateral ending to the struggle against Daesh, or ISIL. The only way that would happen is if we do not take up a new AUMF that would authorize us to take on that battle.

What we need to do is take on our constitutional responsibility. We cannot abdicate it with this out-of-date AUMF that is only tenuously connected to many of the conflicts we see arising today. We have a responsibility under the Constitution, Article I, section 8, to debate and vote, up or down, use of force. We should do that. We should do it now. There is nothing to prevent us from passing a new one or crafting our own or passing the President's unless we abdicate that responsibility.

This allows us to criticize anything the President does and yet, at the same time, never take responsibility for passing our own AUMF adapted for the moment that we are in. That is not right.

I support the gentlewoman's amendment.

Ms. LEE. Mr. Chair, I will just close by saying my amendment is enacted 90 days after the signing of this law. That means we have 90 days to debate and vote upon an ISIL-specific Authorization for Use of Military Force. We need to do our job. We have a constitutional responsibility to do our job. Unfortunately, Congress is missing in action. We need to do exactly what the American people sent us to do.

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

Mr. THORNBERRY. Mr. Chair, I yield myself the balance of my time.

Mr. Chairman, no one can contest the gentlewoman from California's sincerity on this issue. On September 14, 2001, when this House passed the Authorization for the Use of Military Force that she is talking about, 3 days after 3,000 Americans had been murdered on 9/11, the vote in this House was 420–1, and the one person who voted against this AUMF was the gentlewoman from California who offered this amendment. So her sincerity cannot be questioned.

I also, by the way, happen to agree with her that we need to update this AUMF. As a matter of fact, this House passed, twice, provisions that I had authored to update the 2001 AUMF. We passed it in 2011; we passed it in 2012. Unfortunately, the administration says: No, we are opposed to that; the one we have got is just fine. And the Senate took that position, and so it did not get passed into law.

But to say, now, to unilaterally repeal the 2001 AUMF on which the administration is relying for all its counterterrorism activities not only against al Qaeda, but against ISIS and others, to repeal it now, I believe, would be a mistake. There are still real dangers in the world from terrorists. I don't think I need to remind Members of Paris, of Brussels, of San Bernardino, and just today, of Baghdad.

The other point I want to make, Mr. Chairman, is I think we all underestimate the catastrophes that have been avoided—in other words, the terrorist plots, what they wanted to do, what they tried to do—that were thwarted. Sometimes they were thwarted just because we were lucky, but a lot of times they were thwarted because of the work of the men and women in the military, the men and women in the intelligence community, the men and women in law enforcement doing a lot of hard work, sacrificing, some of them losing their lives to make sure that we did not have a repeat of the 3,000 people murdered on 9/11.

We owe them, Mr. Chairman, more than just a thank-you. We owe them whatever preparation, whatever equipment, whatever support they need to continue to battle terrorists today. That is what this bill tries to do: to make sure that we don't send people out in the Middle East to bomb terrorists on airplanes that cannot fly, that cannot be maintained, that we don't wear our pilots and our mechanics out. That is readiness. That is what we are talking about in this bill. That is what we have an obligation in this House to do for them who do so much for us.

I oppose the gentlewoman's amendment. As I say, I have tremendous respect for her views and the sincerity with which she holds them. I think it results in a more dangerous world.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. LEE. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. POLIS

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 114–571.

Mr. POLIS. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle G of title X, add the following new section:

SEC. 1098. REDUCTION OF AUTHORIZATION OF APPROPRIATIONS.

(a) REDUCTION.—Notwithstanding any other provision of this Act, but subject to subsection (b), the President, in consultation with the Secretary of Defense, the Secretary of Energy, and the Administrator for Nuclear Security, shall make such reductions in the amounts authorized to be appropriated under this Act in such manner as the President considers appropriate to achieve an aggregate reduction of 1 percent of the total amount of funds authorized to be appropriated under this Act. Such reduction shall be in addition to any other reduction of funds required by law.

(b) EXCLUSIONS.—In carrying out subsection (a), the President shall not reduce the amount of funds for the following accounts:

(1) Military personnel, reserve personnel, and National Guard personnel accounts of the Department of Defense.

(2) The Defense Health Program account.

The Acting CHAIR. Pursuant to House Resolution 735, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chair, this is a very simple amendment. When we look at

our country's national security, it is important to make sure that we don't mortgage our national security because fiscal security is an important part of protecting our country.

My amendment would give authority to the President of the United States and the Secretary of Defense to reduce the overall amount of money authorized by this bill by 1 percent. It simply cuts defense spending by 1 percent.

As you know, we spend as much as the rest of the world, combined, on defense. We want to have a strong defense, but of course, as you know, this current authorization exceeds the levels of the Budget Control Act, even with this 1 percent reduction, which is really a compromise. It only reduces it by $5.5 billion and, in fact, continues to authorize at a level of $10 billion more than the bipartisan Budget Control Act.

In a bill in which we overfunded multiple accounts and weapons systems above the request level of the military, I think 1 percent is a very reasonable request. It is about $5.5 billion. It is certainly possible to find these cuts. In fact, they are very likely to occur because, again, if we conform to the Budget Control Act, there would actually be a larger cut than even this humble one that we are offering before you today.

As an example, the bill authorizes $9.5 billion in nuclear weapons activities alone. We could pass my amendment. Even if we allocated the entire cuts to nuclear weapons, we would still be spending $4 billion on nuclear weapons. I think the estimate is we would then have enough to destroy the entire world and wipe out life as we know it three times instead of six times. How much is enough?

There are plenty of other programs that we could look at. Of course, it should not be Congress making those decisions in a political manner; it should be the military and the executive. I imagine they would start with accounts that Congress has chosen to overfund.

At some point, we have to stand up for fiscal security and realize that mortgaging our future and our children's future to Saudi Arabia and China does not enhance our national security; it detracts from it.

My amendment is a small first step toward taking a stand against a military budget that we simply cannot afford. We need to reduce our budget deficit. This is a very small and simple way to start. We can make these strategic cuts and, of course, still fully protect our national security and even enhance it.

I urge my colleagues to vote ''yes'' on my amendment and take this modest step toward fiscal responsibility as a compromise between the Budget Control Act levels and the committee authorization levels.

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

□ 1630

Mr. THORNBERRY. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Mr. Chairman, I yield myself 2 minutes.

This amendment cuts defense below the President's request, below last year's funding, and below what the last Chairman of the Joint Chiefs of Staff said was the lower, ragged edge of what it takes to defend this country.

Let's just put in a little bit of context here. This bill, counting OCO and everything, is a whopping one-half of 1 percent over what we spent last year. One-half of 1 percent. Inflation is supposed to be 2.1 percent. So what it really means is this bill, even in real dollars, is a cut, even as it is.

This bill is 23 percent less than we were spending on defense in real terms in 2010. Mr. Chairman, the world is not 23 percent safer now than it was 6 years ago. And yet the gentleman from Colorado's amendment would cut that even further.

This bill stays within the amount requested by the President. It meets the need for base requirements and provides a bridge fund for deployments, just like Democratic majorities did for the last change of administration. And I think that is the most reasonable response.

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

Mr. POLIS. Mr. Chairman, I yield 1½ minutes to the gentlewoman from the great State of California (Ms. LEE), a cosponsor of this amendment.

Ms. LEE. Mr. Chairman, I want to first thank Congressman POLIS for yielding time and for his work to ensure that our Nation's fiscal security is secure through this amendment. It is an honor to cosponsor this amendment with him. I want to thank the ranking member also for guiding us through this very difficult bill to make sure that we all know what is included in the bill.

I just have to say, our amendment, I think, would take a modest step in making this bill a lot better to help us rein in the over-the-top, quite frankly, Pentagon spending, while protecting the pay or health benefit accounts of our brave servicemen and -women and their families.

Over the last 15 years, Pentagon spending has ballooned by 50 percent in real terms. Pentagon spending now consumes more than half of the Federal discretionary budget. That is just outrageous.

Recently, The New York Times made this case in their editorial called ''A Better, Not Fatter, Defense Budget,'' which I include for the RECORD.

[From the New York Times, May 9, 2016]

A BETTER, NOT FATTER, DEFENSE BUDGET

(By the Editorial Board)

To hear some military commanders and members of Congress talk, the American military is worn out and in desperate need of more money. After more than a decade in Iraq and Afghanistan, they say, troops are lagging in training and new weaponry, which is jeopardizing their ability to defeat the Islamic State and deal with potential conflicts with Russia and China.

While increased funding for some programs may be needed, total military spending, at nearly $600 billion annually, is not too low. The trouble is, the investment has often yielded poor results, with the Pentagon, Congress and the White House all making bad judgments, playing budget games and falling under the sway of defense industry lobbyists. Current military spending is 50 percent higher in real terms than it was before 9/11, yet the number of active duty and reserve troops is 6 percent smaller.

For nearly a decade after 9/11, the Pentagon had a virtual blank check; the base defense budget rose, in adjusted dollars, from $378 billion in 1998 to $600 billion in 2010. As the military fought Al Qaeda and the Taliban, billions of dollars were squandered on unnecessary items, including new weapons that ran late and over budget like the troubled F–35 jet fighter.

The waste and the budget games continue with the House Armed Services Committee approving a $583 billion total defense authorization bill for 2017 last month that skirts the across-the-board caps imposed by Congress in 2011 on discretionary federal spending.

The caps are supposed to restrain domestic and military spending equally, but defense hawks have insisted on throwing more money at the Pentagon. That doesn't encourage efficiency or wise choices. The panel took $18 billion from a $59 billion off-budget account, which has become a slush fund renewed annually to finance the wars in Iraq, Afghanistan and other trouble spots, and is not subject to the budget caps, and repurposed that money for use in the $524 billion base military budget.

The move will underwrite the purchase of more ships, jet fighters, helicopters and other big-ticket weapons that the Pentagon didn't request and will keep the Army from falling below 480,000 active-duty troops. It also means the war account will run out of money next April. Representative Mac Thornberry, the Republican chairman of the committee, apparently assumes the next president will be forced to ask for, and Congress will be forced to approve, more money for the war account. This sleight of hand runs the risk that troops overseas, at some point, could be deprived of some resources, at least temporarily. The full House should reject this maneuver.

Many defense experts, liberals and centrists as well as hawks, agree that more investment is needed in maintenance, training and modernizing aging weapons and equipment. These needs were identified years ago, yet the Pentagon and Congress have chosen to invest in excessively costly high-tech weaponry while deferring maintenance and other operational expenses.

The Pentagon can do with far fewer than the 1,700 F–35s it plans on buying. It should pare back on President Obama's $1 trillion plan to replace nearly every missile, submarine, aircraft and warhead in the nuclear arsenal. Defense officials recently reported that 22 percent of all military bases will not

be needed by 2019. Civilian positions will have to be reduced, while reforms in health care and the military procurement system need to be carried out. All of these changes make good sense, given the savings they would bring. But they are politically unpalatable; base closings, for instance, have been stubbornly resisted in recent years by lawmakers fearful of angering voters by eliminating jobs in communities that are economically dependent on those bases.

Todd Harrison, a defense budget expert with the Center for Strategic and International Studies, says that sustaining the current military force of roughly two million and paying for all the new weapons systems will cost billions more than Congress has allowed under the budget caps. To maintain sensible troop levels, Congress and the administration need to begin honestly addressing the hard fiscal choices that they have largely been loath to make.

Ms. LEE. The article lists program after program, many of which our generals did not ask for, that have cost taxpayers billions without making us any safer.

Clearly, we also need to audit the Pentagon. That is why I am pleased the House adopted the Burgess-Lee amendment yesterday to require a report on auditability and help keep moving toward auditing the Pentagon. While we were working on that, we should take every opportunity to address Pentagon spending.

The article in The New York Times sets forth: ''The waste and the budget games continue with the House Armed Services Committee approving a $583 billion total defense authorization.''

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. WITTMAN), the distinguished chairman of the Subcommittee on Readiness.

Mr. WITTMAN. Mr. Chairman, I want to reiterate the importance of making sure that we are funding defense at the President's request. The FY 2017 request, I think, is minimally adequate, but it is not just me. The administration's own Secretary of the Army Murphy stated that this budget request is minimally adequate and that we are taking a high risk as an Army and as a Nation when the Army is funded at this level. So there is still risk there with this level of funding.

As the chairman pointed out, we live in a more dangerous world today, but we see our Marine Corps and Air Force having to go to aircraft that are museum exhibits to cannibalize parts to bring them in to have a minimally operational cadre of aircraft.

We see this, too, when we talk about only 9 of the 20 B–1 bombers are available today because they are lacking parts and when we have 30 percent or less of our Marine Corps helicopters available because they are lacking parts. We see that, in a squadron of 14 jets, only 3 in the Marine Corps are available because they are lacking parts.

It is irresponsible not to provide to the brave men and women that serve this Nation the things that they need. We are asking them to go into harm's way. We are asking them to do tremendously difficult jobs. We are asking them to maintain safety. Yet we are not providing them the resources necessary.

This amendment would do even more to take away what is already a challenging situation for those brave men and women that are doing a tremendous job and that, as their leaders have said, are being stressed to the breaking point because they do not have the basic resources to keep those aircraft flying, to keep those ships on the water, to keep those systems necessary to be able to perform the job that we have asked them to do.

We have an obligation as a Nation that, when we ask those brave men and women to go into harm's way, to support them. It is unconscionable when we don't do that, when we have situations like 84 percent of our Marine Corps aircraft are in a nonready status, based on a 10-year average.

So when we talk about taking dollars away, what signal does that send to the brave men and women serving in the military? I think this amendment cuts to the heart of what we must do as a Nation, and that is to rebuild readiness, not degrade readiness.

Mr. POLIS. Mr. Chairman, there are a number of programs which Congress has forced spending on the military that even the military has not requested.

As an example, we blocked the Navy from making a sound fiscal decision saving $900 million to shutter a carrier air wing. There are a dozen more Black Hawk and Apache helicopters than requested by the military to meet our national defense needs. There are two extra V–22 Ospreys that were not requested, 500 extra Javelin missiles above the request, 500 more extra Hydra guided rockets, and 75 extra Sidewinder missiles.

These are just some of the examples of some the low-hanging fruit that we can use to restore military funding to a more fiscally responsible manner.

Mr. Chairman, I urge my colleagues to adopt this amendment.

I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I appreciate the gentleman from Colorado raising the issue that he just raised because it gives me the opportunity to affirm that many of the programs he was just mentioning like the Black Hawks, for example, have been requested by many of the Members on his side of the aisle. And they were included in the unfunded requirements list from the Army.

So the way it works is we get all sorts of requests from Members on both sides of the aisle. Each of the services gives us a list of what they would like to have had in the budget request but the administration took out, and then where the two match up as Member priorities and service priorities, that is what these funds are.

It is not that they weren't asked for from the military. It is the military wanted them but OMB took them out. And when you have many Members, particularly on the Black Hawks, the V–22s, the LCS, and a number of the items he just mentioned on his side of the aisle, asking for them as well as the service, then that becomes part of the modernization priority.

Let me just make one other point. In the Black Hawk case specifically, these new Black Hawks will replace helicopters that were built in 1979, for which we cannot get parts, which have very restricted flight envelopes because of all the restrictions. They can't be repaired. They can't do everything the Army wants them to do.

So the administration did not ask for any. Many Members on the Democratic side asked for some. We put them in here. And that is the way to fix readiness: by replacing a 1979 helicopter with a 2016 helicopter.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. POLIS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENTS EN BLOC NO. 2 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 735, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 2 consisting of amendment Nos. 8, 14, 25, 27, 28, 32, 33, 34, 35, 38, 40, 41, 42, and 45 printed in House Report 114–571, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 8 OFFERED BY MR. DE SANTIS OF FLORIDA

At the end of subtitle E of title XII, add the following:

SEC. 12xx. LIMITATION ON MILITARY CONTACT AND COOPERATION BETWEEN THE UNITED STATES AND CUBA.

(a) LIMITATION.—Except as provided in subsection (b), none of the funds authorized to be appropriated or otherwise made available for fiscal year 2017 for the Department of Defense may be used for any bilateral military-to-military contact or cooperation between the Governments of the United States and Cuba until the Secretary of Defense and the Secretary of State, in consultation with the Director of National Intelligence, certify to the appropriate congressional committees that—

(1) the Government of Cuba has—

(A) met the requirements and satisfied the factors specified in sections 205 and 206 of the

Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6065 and 6066); and

(B) resolved, to the full satisfaction of United States law, all outstanding claims and judgments belonging to United States nationals against the Government of Cuba, including but not limited to claims regarding property confiscated by the Government of Cuba;

(2) the Cuban military and other security forces in Cuba have ceased committing human right abuses, including arbitrary arrests, beatings, and other acts of repudiation, against those who express opposition to the Castro regime, civil rights activists and other citizens of Cuba, as well as all persecution, intimidation, arrest, imprisonment, and assassination of dissidents and members of faith-based organizations;

(3) the Cuban military has ceased providing military intelligence, weapons training, strategic planning, and security logistics to the military and security forces of Venezuela;

(4) the Government of Cuba no longer demands that the United States relinquish control of Guantanamo Bay, in violation of an international treaty;

(5) the Government of Cuba returns to the United States fugitives wanted by the Department of Justice for crimes committed in the United States; and

(6) the officials of the Cuban military that were indicted in the murder of United States citizens during the shoot down of planes operated by the Brothers to the Rescue humanitarian organization in 1996 are brought to justice.

(b) EXCEPTIONS.—The limitation on the use of funds under subsection (a) shall not apply with respect to—

(1) payments in furtherance of the lease agreement, or other financial transactions necessary for maintenance and improvements of the military base at Guantanamo Bay, Cuba, including any adjacent areas under the control or possession of the United States;

(2) assistance or support in furtherance of democracy-building efforts for Cuba described in section 109 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6039); or

(3) customary and routine financial transactions necessary for the maintenance, improvements, or regular duties of the United States mission in Havana, including outreach to the pro-democracy opposition.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(2) BILATERAL MILITARY-TO-MILITARY CONTACT OR COOPERATION.—The term ''bilateral military-to-military contact or cooperation''—

(A) means—

(i) reciprocal visits and meetings by high-ranking delegations;

(ii) information sharing, policy consultations, security dialogues or other forms of consultative discussions;

(iii) exchange of military instructors, training personnel, and students;

(iv) defense planning; and

(v) military training or exercises; but

(B) does not include any contact or cooperation that is in support of the United States stability operations.

(3) CUBAN MILITARY.—The term ''Cuban military'' means—

(A) the Ministry of the Revolutionary Armed Forces of Cuba, the Ministry of the Interior of Cuba, or any subdivision of either such Ministry;

(B) any agency, instrumentality, or other entity that is owned, operated, or controlled by an entity specified in subparagraph (A); or

(C) an individual who is a senior member of the Ministry of the Revolutionary Armed Forces of Cuba or the Ministry of the Interior of Cuba.

(d) EFFECTIVE DATE.—This section takes effect on the date of the enactment of this Act and applies with respect to funds described in subsection (a) that are unobligated as of such date of enactment.

AMENDMENT NO. 14 OFFERED BY MR. DE SANTIS OF FLORIDA

Page 139, after line 22, insert the following:

SEC. 547. CAREER MILITARY JUSTICE LITIGATION TRACK FOR JUDGE ADVOCATES.

(a) CAREER LITIGATION TRACK REQUIRED.—

(1) IN GENERAL.—The Secretary of each military department shall establish a career military justice litigation track for judge advocates in the Armed Forces under the jurisdiction of the Secretary.

(2) CONSULTATION.—The Secretary of the Army and the Secretary of the Air Force shall establish the litigation track required by this section in consultation with the Judge Advocate General of the Army and the Judge Advocate General of the Air Force, respectively. The Secretary of the Navy shall establish the litigation track in consultation with the Judge Advocate General of the Navy and the Staff Judge Advocate to the Commandant of the Marine Corps.

(b) ELEMENTS.—Each career litigation track under this section shall provide for the following:

(1) Assignment and advancement of qualified judge advocates in and through assignments and billets relating to the practice of military justice under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice).

(2) Establishing for each Armed Force the assignments and billets covered by paragraph (1), which shall include trial counsel, defense counsel, military trial judge, military appellate judge, academic instructor, all positions within criminal law offices or divisions of such Armed Force, Special Victims Prosecutor, Victims' Legal Counsel, Special Victims' Counsel, and such other positions as the Secretary of the military department concerned shall specify.

(3) For judge advocates participating in such litigation track, mechanisms as follows:

(A) To prohibit a judge advocate from more than a total of four years of duty or assignments outside such litigation track

(B) To prohibit any adverse assessment of a judge advocate so participating by reason of such participation in the promotion of officers through grade O–6 (or such higher grade as the Secretary of the military department concerned shall specify for purposes of such litigation track).

(4) Such additional requirements and qualifications for the litigation track as the Secretary of the military department concerned considers appropriate, including requirements and qualifications that take into account the unique personnel needs and requirement of an Armed Force.

(c) IMPLEMENTATION DEADLINE.—Each Secretary of a military department shall implement the career litigation track required by this section for the Armed Forces under the jurisdiction of such Secretary by not later than 18 months after the date of the enactment of this Act.

(d) REPORT.—Not later than one year after the date of the enactment of this Act, each Secretary of a military department shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the progress of such Secretary in implementing the career litigation track required under this section for the Armed Forces under the jurisdiction of such Secretary.

AMENDMENT NO. 25 OFFERED BY MR. LA MALFA OF CALIFORNIA

At the end of subtitle D of title I, add the following new section:

SEC. 1___. PROHIBITION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF U–2 AIRCRAFT.

None of the funds authorized to be appropriated by this Act or otherwise made available for the Air Force may be obligated or expended to retire, prepare to retire, or place in storage or on backup aircraft inventory status any U–2 aircraft.

AMENDMENT NO. 27 OFFERED BY MR. HUDSON OF NORTH CAROLINA

At the end of title I, add the following new section:

SEC. 1___. BRIEFING ON ACQUISITION STRATEGY FOR GROUND MOBILITY VEHICLE.

(a) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics, in consultation with the Secretary of the Army, shall present to the congressional defense committees a briefing on the acquisition strategy for the Ground Mobility Vehicle for use with the Global Response Force.

(b) ELEMENTS.—The briefing under subsection (a) shall include an assessment of—

(1) whether the Ground Mobility Vehicle is a suitable candidate for solutions that would utilize militarized commercial off-the-shelf platforms leveraging existing global automotive supply chains to satisfy requirements and reduce the life-cycle cost of the program;

(2) whether the acquisition strategy meets the focus areas specified in the Better Buying Power initiative of the Secretary of Defense; and

(3) whether including an active safety system like electronic stability control in the Ground Mobility Vehicle, as such system is used on the Joint Light Tactical Vehicle, is expected to reduce the risk of vehicle rollover.

AMENDMENT NO. 28 OFFERED BY MR. SANFORD OF SOUTH CAROLINA

At the end of title I, add the following new section:

SEC. 1___. STANDARDIZATION OF 5.56MM RIFLE AMMUNITION.

(a) REPORT.—If, on the date that is 180 days after the date of the enactment of this Act, the Army and the Marine Corps are each using different variants of 5.56mm rifle ammunition, the Secretary of Defense shall, on such date, submit to the congressional defense committees a report explaining the reasons that the Army and the Marine Corps are using different variants of such ammunition.

(b) STANDARDIZATION REQUIREMENT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall ensure that the Army and the

Marine Corps are using the same variant of 5.56mm rifle ammunition.

(c) EXCEPTION.—Subsection (b) shall not apply in a case in which the Secretary of Defense—

(1) determines that a state of emergency requires the Army and the Marine Corps to use different variants of 5.56mm rifle ammunition; and

(2) certifies to the congressional defense committees that such a determination has been made.

AMENDMENT NO. 32 OFFERED BY MR. CARTWRIGHT OF PENNSYLVANIA

At the end of title III, add the following new section:

SEC. 3___. SYSTEM FOR COMMUNICATING AVAILABILITY OF SURPLUS AMMUNITION.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall implement a formal process to provide Government agencies outside the Department of Defense with information on the availability of surplus, serviceable ammunition for the purpose of reducing the overall storage and disposal costs related to such ammunition.

AMENDMENT NO. 33 OFFERED BY MR. FORBES OF VIRGINIA

Page 107, line 20, strike ''322,900'' and insert ''324,615''.

AMENDMENT NO. 34 OFFERED BY MR. JONES OF NORTH CAROLINA

At the end of subtitle D of title VI, add the following new section:

SEC. 6___. ACCEPTANCE OF MILITARY STAR CARD AT COMMISSARIES.

(a) IN GENERAL.—The Secretary of Defense shall ensure that—

(1) commissary stores accept as payment the Military Star Card; and

(2) any financial liability of the United States relating to such acceptance as payment be assumed by the Army and Air Force Exchange Service.

(b) MILITARY STAR CARD DEFINED.—In this section, the term ''Military Star Card'' means a credit card administered under the Exchange Credit Program by the Army and Air Force Exchange Service.

AMENDMENT NO. 35 OFFERED BY MR. ALLEN OF GEORGIA

Page 141, line 17, after ''senior military college'' insert the following: ''and each of the Reserve Officer Training Corps institutions selected for partnership by the cyber institutes at the individual service academies''.

AMENDMENT NO. 38 OFFERED BY MR. DESAULNIER OF CALIFORNIA

At the end of subtitle E of title V, add the following new section:

SEC. 568. INCLUSION OF INFORMATION IN TRANSITION ASSISTANCE PROGRAM.

Section 1144(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(10) Provide information regarding the deduction of disability compensation paid by the Secretary of Veterans Affairs pursuant to section 1175a(h) of this title by reason of voluntary separation pay received by the member.''.

AMENDMENT NO. 40 OFFERED BY MR. KEATING OF MASSACHUSETTS

At the end of title V, add the following new section:

SEC. 5___. SENSE OF CONGRESS ON DESIRABILITY OF SERVICE-WIDE ADOPTION OF GOLD STAR INSTALLATION ACCESS CARD.

It is the sense of Congress that the Secretary of each military department and the Secretary of the Department in which the Coast Guard is operating should—

(1) provide for the issuance of a Gold Star Installation Access Card to Gold Star family members who are the survivors of deceased members of the Armed Forces in order to expedite the ability of a Gold Star family member to gain unescorted access to military installations for the purpose of obtaining the on-base services and benefits for which the Gold Star family member is entitled or eligible;

(2) work jointly to ensure that a Gold Star Installation Access Card issued to a Gold Star family member by one Armed Force is accepted for access to military installations of another Armed Force; and

(3) in developing, issuing, and accepting the Gold Star Installation Access Card—

(A) prevent fraud in the procurement or use of the Gold Star Installation Access Card;

(B) limit installation access to those areas that provide the services and benefits for which the Gold Star family member is entitled or eligible; and

(C) ensure that the availability and use of the Gold Star Installation Access Card does not adversely affect military installation security.

AMENDMENT NO. 41 OFFERED BY MS. KAPTUR OF OHIO

Page 186, after line 25, insert the following new subsection:

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the dependency and indemnity compensation offset under sections 1450(c) of title 10, United States Code. The report shall include the following:

(1) The total number of individuals affected by such offset.

(2) Of the number of individuals covered under paragraph (1), the number who are covered by section 1448(d) of title 10, United States Code, listed by the rank of the deceased member and the current age of the individual.

(3) Of the number of individuals under paragraph (1), the number who are not covered by section 1448(d) of title 10, United States Code, listed by the rank of the deceased member and the current age of the individual.

(4) The average amount of money that is affected by such offset, including the average amounts with respect to—

(A) individuals described in paragraph (2); and

(B) individuals described in paragraph (3).

(5) The number of recipients for the special survivor indemnity allowance under section 1450(m) of title 10, United States Code.

AMENDMENT NO. 42 OFFERED BY MR. KILDEE OF MICHIGAN

Page 264, line 7, insert ''and units'' after ''members''.

Page 265, after line 8, insert the following:

(3) HIGH RISK VETERANS.—The Secretary of Veterans Affairs shall use the results under subsection (c) to provide outreach regarding the available preventative and treatment resources for mental health for enrolled veterans who were deployed with the units identified under this subsection.

Page 265, line 16, insert ''and the Secretary of Veterans Affairs'' after ''Defense''.

Page 265, line 17, insert ''and the Committee on Veterans' Affairs'' after ''Services''.

Page 265, line 18, insert ''and the Committee on Veterans' Affairs'' after ''Services''.

Page 266, strike lines 3 through 6 and insert the following:

(f) DEFINITIONS.—In this section:

(1) MILITARY SERVICES.—The term ''military services'' means the Army, Navy, Air Force, and the Marine Corps, including the reserve components thereof.

(2) ENROLLED VETERAN.—The term ''enrolled veteran'' means a veteran enrolled in the health care system of the Department of Veterans Affairs.

AMENDMENT NO. 45 OFFERED BY MS. JACKSON LEE OF TEXAS

At the end of title VII (page 273, after line 12), insert the following new section:

SEC. 749. INCREASED COLLABORATION WITH NIH TO COMBAT TRIPLE NEGATIVE BREAST CANCER.

The Office of Health of the Department of Defense shall work in collaboration with the National Institutes of Health to—

(1) identify specific genetic and molecular targets and biomarkers for triple negative breast cancer; and

(2) provide information useful in biomarker selection, drug discovery, and clinical trials design that will enable both—

(A) triple negative breast cancer patients to be identified earlier in the progression of their disease; and

(B) the development of multiple targeted therapies for the disease.

The Acting CHAIR. Pursuant to House Resolution 735, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. Mr. Chair, I am very grateful to Chairman THORNBERRY for allowing me to present this amendment.

Today, I rise in support of my amendment to the NDAA in support of the U–2, known as the Dragon Lady, one of the must successful spy planes ever built. Its unique capabilities have served our Nation's high-altitude intelligence, surveillance, and reconnaissance mission for decades.

What many don't know is that the U–2 is not a cold war relic. It is still current. The most recent ones were made in the 1980s. U–2s are currently flying more hours today than at any point since the end of the cold war and have been deployed in our ongoing efforts to defeat ISIS.

Flying at an altitude of 70,000 feet, the U–2 is able to reach heights other spy planes cannot. Because the U–2 can reach such extraordinary heights, it is able to use high-tech sensors to increase its ability to collect intelligence.

Other unique features of the U–2 include cloud-piercing radar and interchangeable nose cones. The U–2 can also take incredible high-resolution photographs on a 10,500-foot reel wet film.

My amendment to the NDAA will prevent the Air Force from retiring the

U–2. It is absolutely essential to our ability to meet our high-altitude intelligence, surveillance, and reconnaissance needs.

In addition to aiding in the fight against ISIS, General Philip Breedlove, NATO's supreme allied commander and the head of U.S. forces in Europe, called for the use of U–2s in countering the strategic threat posed by Vladimir Putin.

The Acting CHAIR. The time of the gentleman has expired.

Mr. THORNBERRY. Mr. Chairman, I yield the gentleman an additional 30 seconds.

Mr. LAMALFA. General Breedlove said:

''EUCOM needs additional intelligence collection platforms, such as the U–2 or the RC–135, to assist the increased collection requirements in the theatre.''

Mr. Chairman, I urge adoption of this amendment.

Mr. SMITH of Washington. Mr. Chairman, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chair, I listened to the frustration of the chairman describing the process, and I sympathize with that. I have sat and admitted that this committee has one of the most difficult tasks, because as long as we are sort of unhinged here from the reality and the accountability of how they all work out, we will have people make requests for this or the administration will leave something out there, and it is difficult for the committee to try to make sense of reality out of these conflicting requests.

Out of this, I think there is an elephant in the room of an unrealistic, unsustainable, and unnecessary trillion-dollar path we are on for the nuclear triad of bombers, land-based missiles, and the submarines.

These are weapons that we have never used in 71 years. These are weapons that do not help us with the major challenges that vex this committee right now in terms of military readiness, the challenges dealing with ISIS, dealing with encroachment by the Chinese, problems with Russia.

These are weapons that didn't stop Russian aggression in the Crimea or Ukraine or Chinese encroachment. These are weapons that don't deter the greatest nuclear threat we face, which is nuclear materials falling into the hands of extremist elements from rogue nations like North Korea or some of our purported friends in Pakistan.

These are the threats that we face. And this muscle-bound nuclear triad that we are going to spend a trillion dollars on does not help us.

There is enough blame, I think, to go around. The administration made an agreement to upgrade and modernize all these nuclear weapons in their effort to get the nonproliferation treaty advanced. I think it was a foolish bargain, an expensive bargain. They are not going to be around to have to deliver on the trillion dollars. They are nibbling around the edges and moving these things forward and leaving the big decisions for the future.

They have actually made it worse by not fighting aggressively for nonproliferation resources to help us keep these materials out of the hands of the extremists and retire nuclear weapons that are floating around the world now.

We have more nuclear weapons than we need, more nuclear weapons than we can use, more nuclear weapons than we can afford. We can debate whether we have enough to destroy the world 3 times, 5 times, or 10 times. What is ironic is that we never have that debate on the floor of the House on how the tradeoffs occur, what the threats to conventional military capacity are, and how they fit into an overall scheme of affairs.

□ 1645

The Acting CHAIR. The time of the gentleman has expired.

Mr. SMITH of Washington. I yield the gentleman an additional 30 seconds.

Mr. BLUMENAUER. I suggest this is the least-effective part of our overall defense inventory. I would hope that, in the future, when maybe we have a new administration willing to turn a page, when we have a Congress that is willing to entertain a broad and robust debate about this critical issue, that we can deal with an effort to rein in this trillion-dollar spending folly that is going to have disastrous effects for our military readiness in the years ahead.

Mr. THORNBERRY. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, the reason these weapons have not been used since 1945 is that we have had a credible nuclear deterrent. The fastest way to have a more dangerous, destabilized world is for the credibility of that deterrent to erode, and I worry about that.

Secondly, if you look at what is planned with upgrading the weapons and the delivery systems, at no point does it become more than 11 percent of the U.S. defense budget. That is a pretty good investment to make sure that they are not used, and I suggest that it is well worth the investment.

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

Mr. SMITH of Washington. Mr. Chairman, I yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank the gentleman for yielding.

Mr. Chairman, the amendment I offer today, in cooperation with the gentleman from North Carolina (Mr. JONES) requires a report simply from the Secretary of Defense, detailing the quantity, composition, and lost income of survivors currently affected by the Dependency and Indemnity Compensation offset to the Survivor Benefit Program.

It continues this body's crucial, bipartisan effort to find a feasible solution for the disgraceful way we shortchange and penalize our military widows and widowers.

This mandatory offset hurts those who have already given more to freedom than most of us ever will, the life of a spouse.

It hurts women like the Army Sergeant First Class who recently contacted me. She is an Afghan veteran herself, mother of three. Tragically, she also is a Gold Star Wife due to the death of her husband in Iraq in 2004. As a young widow of a servicemember who died as a result of his service, she is not eligible to receive the full amount of her benefits, making the burden of living without her spouse that much more difficult at a time of enormous adjustment for their family. What's more, if she were a Federal civil service survivor, she could receive both benefits.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. SMITH of Washington. Mr. Chairman, I yield the gentlewoman an additional 30 seconds.

Ms. KAPTUR. If she were a civil service survivor, she could receive both benefits; and if she were over the age of 37, she could receive both benefits. Her husband gave his life for liberty. She is a veteran, too. We must honor their sacrifice as we honor the sacrifice of any other American who dies in service to our Nation, and find a way to fix this awkward offset.

This report will help us better define the situation so we can find just solutions. I urge my colleagues to support this amendment.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Montana (Mr. ZINKE), a member of the committee.

Mr. ZINKE. Mr. Chairman, I rise today in support of my colleague from Florida's amendment to create a Judge Advocate General career litigation track in the Army and the U.S. Air Force.

The legislation provides the Army and Air Force JAG officers with trial and prosecutorial experience that is absolutely critical.

Currently, Army and Air Force JAGs lack experience, as multiple reports have said. As a matter of fact, a shocking 89 percent of military prosecutors only have 10 or fewer contested cases. This inexperience is a disservice to those who seek justice under the Uniform Code of Military Justice.

Anyone who has suffered a transgression and sexual assault or other crime while serving in the military, quite frankly, deserves the best.

The Navy has implemented this litigation path and is already reaping great results. It is time for the Air Force and the Army to follow suit.

Mr. SMITH of Washington. Mr. Chairman, I yield myself such time as I may consume.

I want to make clear that my opposition to the bill at this point is not just based on the exclusion of the amendment that would have lifted the discrimination against the LGBT community. That was sort of the last straw.

I was on the fence about this bill from the very beginning because, understand that this bill continues the pattern of the last few years, of putting our defense on a fiscal path to nowhere, a fiscal path towards a cliff of not having the money to fund what needs to be funded because the Budget Control Act remains in place.

Now, the chairman repeatedly says that in 2008, we did this when a new administration was coming in. We only funded half of the overseas contingency operation fund, knowing the supplemental was coming.

There was no Budget Control Act in 2008. The Budget Control Act is in place. Even if we get a supplemental in April—and in this Congress, getting additional money is no guarantee—the Budget Control Act remains in place, and this Congress has shown a complete unwillingness to get rid of it.

So what we are doing by funding all of these programs that some of my colleagues have started, we are funding a defense that we cannot sustain.

I think the best example of this is the military wanted to cut the size of the Marine Corps and the Army. Now, the levels that they wanted to cut them to were levels that no one in the defense community wanted to cut them to, but that was the amount of money that they have available under the Budget Control Act.

As soon as we repeal the Budget Control Act, we will have a lot easier conversation about how to fund defense; but what we are doing to national security right now is we are creating a bow wave that they will not be able to absorb.

When the Budget Control Act kicks in again next year, all of a sudden the Army and the Marine Corps will have to, like that, cut—my numbers may be off a little bit here—30,000 in the Army, 10,000 in the Marine Corps. You can't really do that in any sort of reasonable way. It will be incredibly disruptive to the military, incredibly disruptive to readiness.

Now, I will agree with the chairman that a passionate case can be made for spending more on defense. Heck, if we spent a trillion dollars on defense, a passionate case could be made for spending even more than that when you look at the threat environment. But we have the money we have.

He also cited that, in 2010 numbers, we are now 23 percent below where we are at, and that is true. But we are 23 percent below where we are at because of the 2011 Budget Control Act which, again, this House refuses to repeal.

So instead of dealing with the amount of money that Congress has forced the Department of Defense to deal with, we fantasize that more money will appear, and in that fantasy, we put the military in an impossible situation.

We start all of these programs. There is not the money to finish those programs. And maybe someone can tell me where this money is going to come from, how it is going to magically appear, when we are $19 trillion in debt—I forget off the top of my head what the deficit is this year, but it is somewhere in the neighborhood of 5 or $600 billion—deficits for as far as the eye can see; the Freedom Caucus on the Republican side refusing to spend any more money.

This money is not going to appear. And so what we are going to have is we are going to have a military that has to cut drastically and irresponsibly in the blink of an eye because we refused to let them do it responsibly.

I would urge Members to read Secretary Carter's testimony before the Senate earlier this week or last week where he outlined what a devastating impact this defense bill will have on our national security when the bills that it is charging actually come due.

Now, that is the primary reason to oppose this bill; contemplating swallowing that and hoping that, like last year, we could fix that in conference.

But in addition to that, to have discriminatory provisions in it brings me back to 2009, when the Republicans opposed the defense bill because it had an antihate crime piece of legislation attached to it.

There are reasons to oppose the defense bill other than you just don't really like people who serve in the military, and that is a condescending and irresponsible argument to make against those who would oppose the bill.

If we continue down this funding path, we are not serving the military. All of these readiness disasters that we keep hearing about have, in part, happened because of the way this committee and the Appropriations Committee has funded defense for the last 3 or 4 years, by taking from readiness to fund a wide variety of programs, including the beginning of the $1 trillion Mr. BLUMENAUER talked about for our nuclear deterrent.

We are not making choices. We refuse to get rid of the A–10. We refuse to lay off 11 cruisers. We refuse to allow the military to shrink its size and, instead, we keep putting it on a credit card and hoping that the money will appear.

Well, when that money doesn't appear—and it is not going to. I haven't seen money just sort of burst out of nowhere in my lifetime. Maybe we will be lucky and maybe it will be the first time—but it puts the Department of Defense in a tenuous position.

We need to start making choices based on the money that we actually have. This bill doesn't do that.

Six months from now, our troops serving in Afghanistan and Iraq will have no money, and we hope that problem fixes itself. That is a national security reason for opposing this bill.

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

Mr. THORNBERRY. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Texas has 7 minutes remaining.

Mr. THORNBERRY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I think I made clear a few moments ago that I believe we need to have a better way to fund defense, a more predictable way. But, Mr. Chairman, I am not willing to wait to support the military until that is done. I am not willing to wait until we have tax reform and entitlement reform and all sorts of other things before I am willing to stand up and support the military. There are lives at stake today, and we have enormous challenges in the future, there is no question, budgetary and otherwise.

But I think it would be a mistake if I were to say we have all these challenges coming down the road, therefore, I am not going to fix this problem that is affecting pilots, mechanics, others today. We can do something about it today.

As a matter of fact, the gentleman talks about the Budget Control Act. We have made some alterations to the Budget Control Act for each of the last 4 years because of this problem.

I think most people, at least on both sides of the aisle, realize that when you cut defense 23 percent since 2010, and the world is not 23 percent safer, we are not asking our military folks for 23 percent fewer deployments, that something has got to give.

So there has been—it has been painful, it has been messy, it has not been ideal, but there has been some alterations to the Budget Control Act.

I said a while ago that I am for doing away with these artificial caps. The Budget Control Act did not work as anyone, I think, intended. There was never the mandatory spending reform that was the goal.

And what bore the brunt of the cuts? Defense.

Fifteen percent of the budget has absorbed 50 percent of the cuts under the Budget Control Act. That is wrong.

Now, I think if Members on both sides of the aisle committed to working together to fix that, we could. Now, that would involve not having a President use the military as a hostage to try to force more domestic spending, which is what this President has done.

That would mean that we focus on trying to fix defense, and understand that all of us have other priorities that we need to also work on at the same time.

But we are always going to have different budget laws and different circumstances. I still do not understand how a Democratic majority, in 2008, could use this approach, to give the new President the benefit of the doubt, the benefit of a fresh look; and when we try to do the same for the next President, who none of us know who it is going to be, but when we try to use the same approach, all of a sudden then you just can't do it. It is irresponsible, it is a gimmick, and all sorts of names.

The gentleman mentioned that we are not making choices and mentioned specifically the A–10.

Mr. Chairman, there are a lot more things that I would like to have done in this bill, lots of additional programs I would like to have authorized. We had to make difficult choices.

But just to take the A–10 for an example, the administration has proposed eliminating the A–10 for the past several years. This Congress reached a different judgment on that. That is what the Constitution, by the way, says we are supposed to do. It is our job to raise and support, build and maintain the Armed Forces of the United States.

On the A–10 program, we reached a different conclusion. We decided that, until you have something to take its place, we shouldn't get rid of it.

And you know what?

The Secretary of Defense has testified that it has been devastating in its use against ISIS today. If we had eliminated it, it wouldn't be there.

So sometimes our judgment—and we have a long list of instances where Congress, under majorities of both parties, have exercised a different judgment from the administration and where we were proved right. So we make tough choices. Sometimes our choices actually turn out to look pretty good in hindsight.

But the bottom line, Mr. Chairman, is we could all wait to support a defense bill until some far-off condition were met. It is easy to vote ''no'' unless something happens or unless some condition is met; but for this, if only that. That is easy.

But that does not fix the immediate problems that face the men and women who volunteer to defend our country, the problems that they are facing today. That is what we are trying to do with this bill. We don't actually fix them. We just start to turn it around.

I don't think there is an excuse that justifies opposing doing what is right for them, and that is the reason I believe that this bill should be supported. I hope Members will support this amendment.

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

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

□ 1700

AMENDMENT NO. 7 OFFERED BY MR. ELLISON

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 114–571.

Mr. ELLISON. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 1215(b)—

(1) strike paragraphs (2), (3), and (4);

(2) in paragraph (6), insert ''and'' after ''2018;'';

(3) in paragraph (7), strike ''; and'' and insert a period; and

(4) strike paragraph (8).

The Acting CHAIR. Pursuant to House Resolution 735, the gentleman from Minnesota (Mr. ELLISON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. Mr. Chairman, my amendment strikes language telling the President to expand our mission in Afghanistan, language that tells the President to put more of our troops in harm's way, to go backwards towards a combat mission in Afghanistan.

Now, Republicans may not say it, but the effect is exactly what they are pushing for—moving the United States military and the United States back toward a combat mission in Afghanistan, not forward away from one. Worse yet, they are pushing for an expanded mission before the new commander on the ground, General John Nicholson, finishes his review. That is right. Congress is giving instructions to the President before the current commander has weighed in. This is a mistake.

So the opening line of the sense of Congress tells the President to leave 9,800 troops in Afghanistan next year. The current plan calls for 5,500. This sets the tone for what is next. Unfortunately, the amendment that strikes this language was not ruled in order.

My amendment starts by striking the next provision. The Republicans want our military to unilaterally strike the Taliban. Now, of course, these people are absolutely bad news, but the State Department does not recognize them as a terrorist organization at this time. This is a decision that should be based on military considerations.

Thus, our counterterrorism mission is allowed to strike and go after Daesh and al Qaeda, but the mission regarding the Taliban is defensive in nature; and if that is going to be changed, it should be based on military considerations, not just through a piece of legislation.

In fact, the Afghans are leading all missions against the Taliban, and this has been happening well before we transitioned to a noncombat mission. So let's not call for going back to combat mission tactics, especially when the commander has not asked for it.

Finally, I would like to talk about a particular provision that is close to me. I would like to address what I regard as actually a troubling piece in the provision, which says, and I will quote from the proposed legislation:

> The United States military personnel who are tasked with the mission of providing combat search and rescue support, casualty evacuation, and medical support should not be counted as part of any force management level limitation on the number of United States ground forces in Afghanistan.

This is a mistake. I believe that our medical personnel and others should be considered boots on the ground, contrary to the language in the provision. Combat medics carry weapons, they take casualties, and they are killed. Why shouldn't we count them? It doesn't seem to make sense to me. One of the closest people in the whole wide world to me is an Active Duty military combat medic, and if they are in a war zone, I want them counted.

So with that, I ask for my amendment to be approved and included, and I ask that we listen to military people on the ground before we start trying to tell them what to do, and that we absolutely count combat medics and people who do rescue.

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

Mr. THORNBERRY. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Ohio (Mr. TURNER), the chairman of the Subcommittee on Tactical Air and Land Forces.

Mr. TURNER. Mr. Chairman, I am going to try to make some sense of this.

We just had an amendment where we were debating providing the Authorization of Use of Military Force to the President, and we wanted to make certain that the President had the authority, and this is the portion of our bill where we actually provide authority. The word ''authority'' is throughout these sections that are, by this amendment, being asked to be deleted. But as Mr. ELLISON stated, we should look to the commanders on the ground. So let's look at what they have said.

General Campbell, testifying about the Haqqani network, said that it remains the most capable threat to U.S. and coalition forces.

Now, what does threat mean? It means that they are trying to kill us and our coalition forces. It is a State Department-designated terrorist organization which harbors al Qaeda and is

the most lethal actor on the battlefield. These provisions that will be deleted relate to our ability to fight them.

Approximately 30 percent of district centers are under Taliban control and influence or are at such risk, says General Campbell.

Now, General Nicholson, who is currently the commander, is doing his review. That is correct. But what we are doing in these provisions is providing the status quo. We are not presuming that he is going to come back and say: Let's cut; we can go do this with less troops. We are allowing that he would have the same resources that General Campbell had so that he would have an ability to defend our troops.

Basically, if you go down to these paragraphs that are being deleted, this comes down to some fairly easy decisions:

If you believe that ISIL is not a threat to our troops, vote for this amendment.

If you believe that ISIL is not a threat to our allies in the Middle East, vote for this amendment.

If you believe that the killings that were directed and inspired by ISIL in Brussels and Paris are not a threat to our Nation or our NATO allies, vote for this amendment.

If you believe that it is okay for the Taliban to control portions of Afghan territory, even though al Qaeda planned and directed 9/11 under Taliban-controlled Afghanistan, vote for this amendment.

If you believe that the U.S. and NATO troops should be responsible for Afghan security, and not Afghan security forces, vote for this amendment.

If you believe, however, that we have a responsibility for our national security and to our troops, vote against this amendment.

Mr. ELLISON. Mr. Chair, how much time do I have remaining?

The Acting CHAIR. The gentleman from Minnesota has 1½ minutes remaining. The gentleman from Texas has 3 minutes remaining.

Mr. ELLISON. Mr. Chairman, I yield 1½ minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Chairman, first, let me thank Congressman ELLISON for yielding and for his tremendous leadership. This amendment is extremely important.

Today I rise to urge my colleagues to support this amendment and, really, allow our ground commanders to do their job. Now, of course, time and time again, Congress has refused to do its job. From Zika funding to confirming a new Supreme Court Justice, we failed to do our job.

Instead of letting Congress do its job, the majority only seems interested in Congress doing other peoples' jobs, and that is including our military commanders. There is no way we should be allowing this to happen.

Make no mistake, Republicans are trying to expand the U.S. mission in Afghanistan and further expand America's longest war. For nearly 15 years, we have been fighting a war in Afghanistan. Our brave servicemen and -women have gone way beyond the call of duty. They have done everything we have asked them to do. It is past time to bring them home to their families and to their children. But minimally, we should not be telling our military leaders what to do in a war zone, especially before they have completed their on-the-ground assessment.

So I hope that we vote ''yes'' on this commonsense amendment. While our young men and women are in Afghanistan, until we bring them home, let's use the best type of intelligence, the best information, and the best direction that the ground commanders have determined based on their ground assessment in this war.

Mr. ELLISON. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The gentleman from Texas has 3 minutes remaining.

Mr. THORNBERRY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, just to be clear, the underlying provisions which the gentleman's amendment would strike are sense of Congress provisions. Basically, it is the sense of Congress that the ground commanders ought to make these decisions.

Unfortunately, artificial troop caps and overly restrictive requirements on our military increase the danger that our military faces in Afghanistan. So if you draw down too low the number of people you have, for example, then you don't have enough to protect yourself. That is part of what we are seeing in Afghanistan.

If you tie the military's hands and say, ''Okay. You cannot go after this enemy, even though they may pose the most deadly threat to you,'' then you increase the danger to our military. That is exactly what these provisions try to deal with.

Mr. Chairman, the Afghans are doing the fighting in Afghanistan. They are advancing and getting more capable all the time, but they still need us to be there and to advise and assist them.

Just to look briefly at some of the provisions that the gentleman would strike, one says that the commander in Afghanistan has the authority to strike the Haqqani network. They are the ones that pose, in many people's eyes, the biggest threat for big bombings and so forth in that region. Why would we not allow our military commander, if he wants to, if he thinks it is right, to strike them?

Another provision the gentleman strikes is the one that says that we ought to have resources to go after ISIS. Remember, Mr. Chairman, that it is not just al Qaeda and the Taliban that are growing in Afghanistan. ISIS is growing there, too. This just says we ought to do something about that. The gentleman's amendment would strike it.

On troop caps, part of what is happening in Afghanistan is that we are artificially limiting the number of people there. As I mentioned, that increases the danger to the troops we do have there. Otherwise, we are bringing some people in on a temporary basis or hiring contractors to do the job.

So these artificial troop caps mean that commanders and the administration have got to find all these ways around it, but they still increase the danger that the people we do have there face. That doesn't make sense. There are still dangers in Afghanistan to our national security.

These provisions the gentleman would strike just try to untie the hands of our military so they can deal with it on a military basis, not a political basis.

Mr. Chairman, I oppose the amendment, and I urge Members to do likewise.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. ELLISON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. ELLISON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Minnesota will be postponed.

AMENDMENT NO. 9 OFFERED BY MR. ELLISON

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 114–571.

Mr. ELLISON. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 1502 and insert the following new section:

SEC. 1502. PROCUREMENT.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2017 for procurement accounts for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in—

(1) the funding table in section 4102; or

(2) the funding table in section 4103.

(b) FUNDING REDUCTION.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated for procurement for overseas contingency operations for base requirements, as specified in the funding table in section 4103, is hereby reduced by $9,440,300,000.

Strike section 1504 and insert the following new section:

SEC. 1504. OPERATION AND MAINTENANCE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2017 for the use of the

Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in—

(1) the funding table in section 4302, or

(2) the funding table in section 4303.

(b) PERIOD OF AVAILABILITY.—Amounts specified in the funding table in section 4302 shall remain available for obligation only until April 30, 2017, at a rate for operations as provided in the Department of Defense Appropriations Act, 2016 (division C of Public Law 114–113).

(c) FUNDING INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in this section for operation and maintenance, as specified in the funding table in section 4302, is hereby increased by $9,440,300,000, of which $26,000,000 is designated for suicide prevention.

The Acting CHAIR. Pursuant to House Resolution 735, the gentleman from Minnesota (Mr. ELLISON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. Mr. Chairman, I rise to urge support for my amendment to H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017.

The overseas contingency operations account is supposed to provide emergency funding for wars and unexpected operations overseas, operations that cannot be planned for in the base budget.

Republicans are raiding this account. They are taking money from missions designed to protect our Nation from imminent threats to feed the military industrial complex. They argue that this makes our military stronger and that it improves our national security; but what it really does is, the Republicans have taken money from operations overseas and put it towards money for procurement, for nonwar needs, so much so that the operators would only be funded through 2017, April of next year. My amendment puts the money back.

Mr. Chairman, Secretary Carter stated that this gimmick is gambling ''with warfighter money at a time of war.'' He said: ''It would spend money taken from the war account on things that are not DOD's highest priorities across the joint force.''

My amendment takes the $9.4 billion taken for procurement on items like extra F–35s and the littoral combat ship, which the Pentagon did not prioritize, and puts the funds back in the OCO operations and maintenance account.

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Mr. Chair, $26 million of that money will go to preventing suicides amongst our military, as the President's request for this was $26 million lower than the amount we appropriated in 2016. This problem is not going down, and it should not receive less support from us.

In summary, we are putting money back where it belongs. We are supporting our troops on the ground. We are supporting those services overseas. We are supporting military readiness. We are supporting the priorities of the Pentagon and the President, not those of the defense industry.

And I will say, Mr. Chairman, that if I were to ask you who I got a call from and ask you to guess, did I get a call from the President's office or the Pentagon or Boeing, the answer would be number three, Boeing. That is who called me and doesn't like this particular amendment. In fact, we didn't hear from the others. We heard from the industry, the special interests.

Let's just say the Republicans do push through extra funds for OCO next year. This would still be shortchanging domestic programs that will have to be cut to pay for the defense industry.

We all know that Republicans won't let us raise taxes to cover additional costs. We won't be able to take on more debt. Americans are going to suffer under the Republicans' scheme to give the Pentagon equipment and the industry just more.

I oppose it, and I urge support for my amendment.

I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. TURNER).

Mr. TURNER. Mr. Chairman, when we read our newspapers, we certainly know that the world is becoming a much less safe place. The conflicts around the world and the ability of our military to respond are incredibly important. But also, if you read the newspaper, you understand that our military is at a critical juncture. The effects of sequestration have significantly undermined the readiness of our military.

The argument that Mr. ELLISON is making about what pot of money funds come out of is kind of irrelevant in that his amendment isn't pure and that he doesn't take all of the money out of one pot and move it into another. He only takes a portion. The President does the same thing in this shell game of where dollars come from. It is not an issue of where do dollars come from. It is an issue of, where do they go?

If you read this bill, the issue of where these go, which is what Mr. ELLISON wants to stop, is moneys that go to readiness. It goes to the ability of our military to be prepared.

The Admiral Vice Chief of Staff, General Daniel Allyn, recently explained that to build readiness ''the Army has been forced to cancel or delay military construction, sustainment, restoration, and modernization across our posts, camps, and stations. Additionally, the Army reduced key installation services, individual training programs, and modernization.'' In essence, readiness.

This amendment strips away funding from critical programs that have been identified by our military services that were not fully funded by the President's budget request that go to readiness. We are currently in a readiness crisis.

Marine pilots are having to cannibalize museum parts to get their F–18s ready to deploy. Of the Marine Corps 271 strike aircraft, only 46 can fly. Of the most severe type of aviation accidents, Marines are 84 percent above their 10-year average. The Air Force maintainers are also cannibalizing museum parts to get aircraft in the air. Of the 20 B–1 bombers, which are workhorses in Iraq and Syria, only 9 can fly due to parts and maintenance shortfalls. Pilots are getting less than half of their training required during a time when our adversaries are becoming increasingly capable and technologically advanced.

The Air Force's Vice Chief of Staff, David Goldfein, recently stated during congressional testimony that lower than planned funding levels have resulted in one of the smallest, oldest, and least ready forces across the full-spectrum of operations in our history.

Voting for this amendment supports cutting our troops' strength, cutting training and maintenance, forcing our armed services to maintain crumbling facilities, and forcing our servicemembers to continue to rely on faulty and worn out equipment.

It is not an issue of what pot this money comes out of. It is a matter of where it goes. It needs to go for our servicemembers, so vote against this amendment.

Mr. ELLISON. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR (Mr. RICE of South Carolina). The gentleman from Minnesota has 2 minutes remaining.

Mr. ELLISON. Mr. Chairman, I yield 1½ minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Chairman, let me thank the gentleman for yielding, and for introducing this amendment, and for his leadership to end waste, fraud, and abuse at the Pentagon.

This amendment, which I am proud to cosponsor, would stop Republicans from using the overseas contingency operation fund as a piggy bank for more wasteful Pentagon spending. Yes, it really does appear that Christmas is coming in May for the military-industrial complex.

Right now, Republicans have robbed critical programs, like military suicide prevention, and redirected that money to the OCO fund where there is no accountability, no transparency, or oversight. By funneling this money to the OCO account, Republicans are shortchanging lifesaving programs to fund wasteful programs, like the F–35 and tanks that rust in the Nevada desert.

Even the Pentagon say they don't want these programs funded. Yet, Republicans are jeopardizing our real national security priorities to further enrich the military-industrial complex.

Our troops deserve better, Mr. Chairman. This is a dangerous budgeting gimmick. This amendment would end the OCO fraud and return the funds to the important programs that they were intended for.

Let's end this scheme and put the money back into where it belongs, and that is protecting our troops and the American people.

Mr. THORNBERRY. Mr. Chairman, I reserve the balance of my time.

Mr. ELLISON. Mr. Chairman, let me just conclude by saying that it is time to put resources where they are needed, among suicide prevention and directly to our troops, not into simply more military-industrial complex procurement stuff, not just to help private business feed its bottom line profit, but to help our soldiers and to help our military on the ground, when needed.

I urge support for my amendment.

I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, just to be clear, the President in his budget request takes some of the OCO dollars and uses it to meet base requirements. He does that in his budget. It is not a question of whether it is done or not. The question is, how much?

And even though the President uses OCO dollars to help meet base shortfalls, his own Comptroller in the defense budget review writes, even though they do that in the President's budget request: ''The Department will continue to experience gaps in training and maintenance over the near term and have a reduced margin of error in dealing with risks of uncertainty in a dynamic and shifting security environment.''

In other words, even the President's own budget documents say that it is not enough what he has done. So what we try to do is we try to do more. We are not going to do it all, but we try to do more to make sure that the training and maintenance that our troops are entitled to are provided. What that means is we should not send anyone out on a mission for which they are not fully prepared and fully supported.

The problem is, as I mentioned awhile ago with the Black Hawk example, some of these folks have to fly helicopters that were made in 1979. I, myself, saw a fighter plane that President Reagan sent to bomb Muammar Qadhafi in 1986, and they couldn't find the parts for it. The pilot tried. He figured out a way to take a part off of a museum aircraft and tried to make it fit, but the holes were drilled in the wrong place, so it didn't work.

The only thing you can do to replace a helicopter made in 1979 or an airplane that was flown on a mission in 1986 is to get a new one. So that is what the procurement is.

As I mentioned a few moments ago, we have had a number of people from the Democratic side of the aisle who have asked for C–40s, MQ–4s, Black Hawks, B–22s, F–18s, F–35s, C–130s. Now, they didn't just invent that. The reason that Democratic Members have asked for those things above and beyond what the President submitted is because there is a real need and because the only way we are going to fix some of these readiness problems, in addition to more money for training and maintenance, more money for facilities, and preventing further cuts in end strength, is to replace some of this old equipment with new equipment. That is what we do. The gentleman would undo that. I think his amendment should be defeated.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. ELLISON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. ELLISON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Minnesota will be postponed.

AMENDMENTS EN BLOC NO. 3 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 735, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 3 consisting of amendment Nos. 20, 36, 37, 39, 48, 49, 52, 53, 59, and 63 printed in House Report 114–571, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 20 OFFERED BY MR. THORNBERRY OF TEXAS

At the end of subtitle E of title XII, add the following:

SEC. 12xx. GLOBAL ENGAGEMENT CENTER.

(a) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Secretary of Defense and the heads of other relevant Federal departments and agencies, shall establish a Global Engagement Center (in this section referred to as the ''Center''). The purposes of the Center are—

(1) to lead and coordinate the compilation and examination of information on foreign government information warfare efforts monitored and integrated by the appropriate interagency entities with responsibility for such information, including information provided by recipients of information access fund grants awarded under subsection (f) and other sources;

(2) to establish a framework for the integration of critical data and analysis provided by the appropriate interagency entities with responsibility for such information on foreign propaganda and disinformation efforts into the development of national strategy;

(3) to develop, plan, and synchronize, in coordination with the Secretary of Defense, and the heads of other relevant Federal departments and agencies, whole-of-government initiatives to expose and counter foreign propaganda and disinformation directed against United States national security interests and proactively advance fact-based narratives that support United States allies and interests;

(4) to demonstrate new technologies, methodologies and concepts relevant to the missions of the Center that can be transitioned to other departments or agencies of the United States Government, foreign partners or allies, or other nongovernmental entities;

(5) to establish cooperative or liaison relationships with foreign partners and allies in consultation with interagency entities with responsibility for such activities, and other entities, such as academia, nongovernmental organizations, and the private sector; and

(6) to identify shortfalls in United States capabilities in any areas relevant to the United States Government's mission, and recommend necessary enhancements or changes.

(b) FUNCTIONS.—The Center shall carry out the following functions:

(1) Integrating interagency and international efforts to track and evaluate counterfactual narratives abroad that threaten the national security interests of the United States and United States allies.

(2) Integrating, and analyzing relevant information, data, analysis, and analytics from United States Government agencies, allied nations, think tanks, academic institutions, civil society groups, and other nongovernmental organizations.

(3) Developing and disseminating fact-based narratives and analysis to counter propaganda and disinformation directed at United States allies and partners.

(4) Identifying current and emerging trends in foreign propaganda and disinformation based on the information provided by the appropriate interagency entities with responsibility for such information, including information obtained from print, broadcast, online and social media, support for third-party outlets such as think tanks, political parties, and nongovernmental organizations, and the use of covert or clandestine special operators and agents to influence targeted populations and governments in order to coordinate and shape the development of tactics, techniques, and procedures to expose and refute foreign misinformation and disinformation and proactively promote fact-based narratives and policies to audiences outside the United States.

(5) Facilitating the use of a wide range of technologies and techniques by sharing expertise among agencies, seeking expertise from external sources, and implementing best practices.

(6) Identifying gaps in United States capabilities in areas relevant to the Center's mission and recommending necessary enhancements or changes.

(7) Identifying the countries and populations most susceptible to foreign government propaganda and disinformation based on information provided by appropriate interagency entities.

(8) Administering the information access fund established pursuant to subsection (f).

(9) Coordinating with allied and partner nations, particularly those frequently targeted by foreign disinformation operations, and international organizations and entities such as the NATO Center of Excellence on Strategic Communications, the European

Endowment for Democracy, and the European External Action Service Task Force on Strategic Communications, in order to amplify the Center's efforts and avoid duplication.

(c) COORDINATOR.—The Secretary of State shall appoint a full-time Coordinator to lead the Center.

(d) EMPLOYEES OF THE CENTER.—

(1) DETAILEES.—Any Federal Government employee may be detailed to the Center without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege for a period of not more than three years.

(2) PERSONAL SERVICE CONTRACTORS.—The Secretary of State may exercise the authority provided under section 3161 of title 5, United States Code, to establish a program (referred to in this subsection as the ''Program'') for hiring United States citizens or aliens as personal services contractors for purposes of personnel resources of the Center, if—

(A) the Secretary determines that existing personnel resources are insufficient;

(B) the period in which services are provided by a personal services contractor under the Program, including options, does not exceed three years, unless the Secretary determines that exceptional circumstances justify an extension of up to one additional year;

(C) not more than 20 United States citizens or aliens are employed as personal services contractors under the Program at any time; and

(D) the Program is only used to obtain specialized skills or experience or to respond to urgent needs.

(e) AUTHORIZATION OF APPROPRIATIONS.—Under ''Diplomatic and Consular Programs'', for each of fiscal years 2017 and 2018, $10,000,000 is authorized to be appropriated to the Department of State and may remain available until expended to carry out the functions, duties, and responsibilities of the Center.

(f) INFORMATION ACCESS FUND.—

(1) AUTHORITY FOR GRANTS.—The Center is authorized to provide grants or contracts of financial support to civil society groups, journalists, nongovernmental organizations, federally-funded research and development centers, private companies, or academic institutions for the following purposes:

(A) To support local independent media who are best placed to refute foreign disinformation and manipulation in their own communities.

(B) To collect and store examples in print, online, and social media, disinformation, misinformation, and propaganda directed at the United States and its allies and partners.

(C) To analyze and report on tactics, techniques, and procedures of foreign government information warfare with respect to disinformation, misinformation, and propaganda.

(D) To support efforts by the Center to counter efforts by foreign governments to use disinformation, misinformation, and propaganda to influence the policies and social and political stability of the United States and United States allies and partners.

(2) FUNDING AVAILABILITY AND LIMITATIONS.—The Secretary of State shall provide that each organization that applies to receive funds under this subsection undergoes a vetting process in accordance with the relevant existing regulations to ensure its bona fides, capability, and experience, and its compatibility with United States interests and objectives.

(g) LIMITATION.—None of the funds authorized to be appropriated by the Act to carry out this section shall be used for purposes other than countering foreign propaganda and misinformation that threatens United States national security.

(h) TERMINATION OF CENTER.—The Center shall terminate on the date that is 5 years after the date of the enactment of this Act.

SEC. 12yy. ESTABLISHMENT OF THE BROADCASTING BOARD OF GOVERNORS CHIEF EXECUTIVE OFFICER POSITION.

The United States International Broadcasting Act of 1994 (22 U.S.C. 6201 et seq.; Public Law 103–236) is amended—

(1) by amending section 304 (22 U.S.C. 6203) to read as follows:

''SEC. 304. ESTABLISHMENT OF THE CHIEF EXECUTIVE OFFICER OF THE BROADCASTING BOARD OF GOVERNORS.

''(a) CONTINUED EXISTENCE WITHIN EXECUTIVE BRANCH.—The Broadcasting Board of Governors shall continue to exist within the Executive branch of Government as an entity described in section 104 of title 5, United States Code.

''(b) CHIEF EXECUTIVE OFFICER.—

''(1) IN GENERAL.—The head of the Broadcasting Board of Governors shall be a Chief Executive Officer, who shall be appointed by the President, by and with the advice and consent of the Senate. The President shall nominate the Chief Executive Officer not later than 60 days after the date of the enactment of this section. Until such time as a Chief Executive Officer is appointed and has qualified, the current or acting Chief Executive Officer appointed by the Board may continue to serve and exercise the authorities and powers under this Act.

''(2) TERM.—The first Chief Executive Officer appointed pursuant to paragraph (1) shall serve for an initial term of three years.

''(3) COMPENSATION.—A Chief Executive Officer appointed pursuant to paragraph (1) shall be compensated at the annual rate of basic pay for level III of the Executive Schedule under section 5314 of title 5, United States Code.

''(c) TERMINATION OF DIRECTOR OF INTERNATIONAL BROADCASTING BUREAU.—Immediately upon appointment of the Chief Executive Officer under subsection (b), the Director of the International Broadcasting Bureau shall be terminated, and all of the responsibilities, authorities, and immunities of the Director or the Board under this or any other Act or authority before the date of the enactment of this section shall be transferred to and assumed or overseen by the Chief Executive Officer, as head of the agency.

''(d) MEMBERS OF THE BROADCASTING BOARD OF GOVERNORS.—Members of the Broadcasting Board of Governors in office as of the date of the enactment of this section may serve the remainder of their terms of office in an advisory capacity, but such terms may not be extended beyond the date on which such terms are set to expire.

''(e) IMMUNITY FROM CIVIL LIABILITY.—Notwithstanding any other provision of law, all limitations on liability that apply to the Chief Executive Officer shall also apply to members of the board of directors of RFE/RL, Inc., Radio Free Asia, the Middle East Broadcasting Networks, or any organization that consolidates such entities when such members are acting in their official capacities.''; and

(2) in section 305 (22 U.S.C. 6204)—

(A) in subsection (a)—

(i) by striking ''Board'' each place it appears and inserting ''Chief Executive Officer'';

(ii) in paragraph (1), by inserting ''direct and'' before ''supervise'';

(iii) in paragraph (5)—

(I) by inserting ''and cooperative agreements'' after ''grants''; and

(II) by striking ''sections 308 and 309'' and inserting ''this Act, and on behalf of other agencies, accordingly'';

(iv) in paragraph (6), by striking ''subject to the limitations in sections 308 and 309 and'';

(v) in paragraph (11), by inserting ''not'' before ''subject'';

(vi) in paragraph (15)(A), by striking—

(I) ''temporary and intermittent''; and

(II) ''to the same extent as is authorized by section 3109 of title 5, United States Code,''; and

(vii) by adding at the end the following new paragraphs:

''(20) Notwithstanding any other provision of law, including section 308(a), to condition, if appropriate, any grant or cooperative agreement to RFE/RL, Inc., Radio Free Asia, and the Middle East Broadcasting Networks on authority to determine membership of their respective boards, and the consolidation of such entities into a single grantee organization.

''(21) To redirect funds within the scope of any grant or cooperative agreement, or between grantees, as necessary, and to condition grants or cooperative agreements, if appropriate, on similar amendments as authorized under section 308(a) to meet the purposes of this Act.

''(22) To change the name of the Board pursuant to congressional notification 60 days prior to any such change.'';

(B) by striking subsections (b) and (c); and

(C) by redesignating subsection (d) as subsection (b).

SEC. 12zz. UNITED STATES INTERNATIONAL BROADCASTING ACT OF 1994.

The United States International Broadcasting Act of 1994 (22 U.S.C. 6201 et seq.; Public Law 103–236) is amended—

(1) in section 306 (22 U.S.C. 6205)—

(A) in subsection (a)—

(i) by striking the heading; and

(ii) by striking ''Board'' each place it appears and inserting ''Agency''; and

(B) by striking subsection (b);

(2) by striking section 307 (22 U.S.C. 6206); and

(3) by inserting after section 309 the following new sections:

''SEC. 310. BROADCAST ENTITIES REPORTING TO CHIEF EXECUTIVE OFFICER.

''(a) GRANTEE ORGANIZATIONS.—Notwithstanding any other provision of law, the following provisions shall apply:

''(1) CONSOLIDATION.—The Chief Executive Officer, subject to the regular notification procedures of the Committee on Appropriations and the Committee on Foreign Affairs of the House of Representatives and the Committee on Appropriations and the Committee on Foreign Relations of the Senate, who is authorized to incorporate a grantee, may condition annual grants to RFE/RL, Inc., Radio Free Asia, and the Middle East Broadcasting Networks on the consolidation of such grantees into a single, consolidated private, non-profit corporation (in accordance with section 501(c)(3) of the Internal Revenue Code and exempt from tax under section 501(a) of such Code), which may broadcast and provide news and information to audiences wherever the Agency may broadcast, for activities that the Chief Executive Officer determines are consistent with the purposes of this Act, including the terms and conditions of subsections (g)(5), (h), (i), and (j) of section 308, except that the Agency may select any name for such a consolidated grantee.

''(2) FEDERAL STATUS.—Nothing in this or any other Act, or any action taken pursuant to this or any other Act, may be construed to make such a consolidated grantee described in paragraph (1) or RFE/RL, Inc., Radio Free Asia, or the Middle East Broadcasting Networks or any other grantee or entity provided funding by the Agency a Federal agency or instrumentality. Employees or staff of such grantees or entities shall not be considered Federal employees. For purposes of this subsection and this Act, the term 'grant' includes agreements under section 6305 of title 31, United States Code, and the term 'grantee' includes recipients of such agreements.

''(3) LEADERSHIP OF GRANTEE ORGANIZATIONS.—Officers of RFE/RL Inc., Radio Free Asia, and the Middle East Broadcasting Networks or any organization that is established through the consolidation of such entities, or authorized under this Act, shall serve at the pleasure of the Chief Executive Officer of the Agency.

''(b) VOICE OF AMERICA.—

''(1) STATUS AS A FEDERAL ENTITY.—The Chief Executive Officer is authorized to establish an independent grantee organization, as a private nonprofit organization, to carry out all broadcasting and related programs currently performed by the Voice of America. The Chief Executive Officer may make and supervise grants or cooperative agreements to such grantee, including under terms and conditions and in any manner authorized under section 305(a). Such grantee shall not be considered a Federal agency or instrumentality and shall adhere to the same standards of professionalism and accountability required of all Board broadcasters and grantees. The Board is authorized to transfer any facilities or equipment to such grantee, and to utilize the provisions of subchapter VI of chapter 33 of title 5, United States Code.

''(2) SENSE OF CONGRESS.—It is the sense of the Congress that the Voice of America, operating as a nonprofit organization, should have the mission to—

''(A) serve as a consistently reliable and authoritative source of news on the United States, its policies, its people, and the international developments that affect the United States;

''(B) provide accurate, objective, and comprehensive information, with the understanding that these three values provide credibility among global news audiences;

''(C) present the official policies of the United States, and related discussions and opinions about those policies, clearly and effectively; and

''(D) represent the whole of the United States, and shall accordingly work to produce programming and content that presents a balanced and comprehensive projection of the diversity of thought and institutions of the United States.

''SEC. 311. INSPECTOR GENERAL AUTHORITIES.

''(a) IN GENERAL.—The Inspector General of the Department of State and the Foreign Service shall exercise the same authorities with respect to the Broadcasting Board of Governors and the International Broadcasting Bureau as the Inspector General exercises under the Inspector General Act of 1978 and section 209 of the Foreign Service Act of 1980 with respect to the Department of State.

''(b) RESPECT FOR JOURNALISTIC INTEGRITY OF BROADCASTERS.—The Inspector General shall respect the journalistic integrity of all the broadcasters covered by this title and may not evaluate the philosophical or political perspectives reflected in the content of broadcasts.''.

AMENDMENT NO. 36 OFFERED BY MRS. COMSTOCK OF VIRGINIA

At the end of subtitle E of title V (page 153, after line 9), add the following new section:

SEC. 568. REPORT AND GUIDANCE REGARDING JOB TRAINING, EMPLOYMENT SKILLS TRAINING, APPRENTICESHIPS, AND INTERNSHIPS AND SKILLBRIDGE INITIATIVES FOR MEMBERS OF THE ARMED FORCES WHO ARE BEING SEPARATED.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Under Secretary of Defense for Personnel and Readiness shall submit to the Committees on Armed Services of the Senate and the House of Representatives, and make available to the public, a report evaluating the success of the Job Training, Employment Skills Training, Apprenticeships, and Internships (known as JTEST-AI) and SkillBridge initiatives, under which civilian businesses and companies make available to members of the Armed Forces who are being separated from the Armed Forces training or internship opportunities that offer a high probability of employment for the members after their separation.

(b) ELEMENTS OF REPORT.—In preparing the report required by subsection (a), the Under Secretary of Defense for Personnel and Readiness shall use the effectiveness metrics described in Enclosure 5 of Department of Defense Instruction No. 1322.29. The report shall include, at a minimum, the following:

(1) An assessment of the successes of the JTEST-AI and SkillBridge initiatives.

(2) Recommendations by the Under Secretary regarding ways in which the administration of the JTEST-AI and SkillBridge initiatives could be improved.

(3) Recommendations by civilian companies participating in the initiatives regarding ways in which the administration of the JTEST-AI and SkillBridge initiatives could be improved.

(4) Testimony from a sample of members of the Armed Forces who are participating in a JTEST-AI or SkillBridge initiative regarding the effectiveness of the initiatives and the members' support for the initiatives.

(5) Testimony from a sample of recently separated members of the Armed Forces who participated in a JTEST-AI or SkillBridge initiative regarding the effectiveness of the initiatives and the members' support for the initiatives.

(c) ISSUANCE OF GUIDANCE.—Not later than 180 days after the submission of the report required by subsection (a), the Under Secretary of Defense for Personnel and Readiness shall issue guidance to commanders of units of the Armed Forces for the purpose of encouraging commanders, consistent with unit readiness, to allow members of the Armed Forces under their command who are being separated from the Armed Forces to participate in a JTEST-AI or SkillBridge initiative.

AMENDMENT NO. 37 OFFERED BY MR. FARENTHOLD OF TEXAS

At the end of subtitle E of title V, add the following new section:

SEC. 5___. CONGRESSIONAL NOTIFICATION IN ADVANCE OF APPOINTMENTS TO SERVICE ACADEMIES.

(a) UNITED STATES MILITARY ACADEMY.—Section 4342(a) of title 10, United States Code, is amended in the matter after paragraph (10) by adding at the end the following new sentence: ''When a nominee of a Senator, Representative, or Delegate is selected for appointment as a cadet, the Senator, Representative, or Delegate shall be notified at least 48 hours before the official notification or announcement of the appointment is made.''.

(b) UNITED STATES NAVAL ACADEMY.—Section 6954(a) of title 10, United States Code, is amended in the matter after paragraph (10) by adding at the end the following new sentence: ''When a nominee of a Senator, Representative, or Delegate is selected for appointment as a midshipman, the Senator, Representative, or Delegate shall be notified at least 48 hours before the official notification or announcement of the appointment is made.''.

(c) UNITED STATES AIR FORCE ACADEMY.—Section 9342(a) of title 10, United States Code, is amended in the matter after paragraph (10) by adding at the end the following new sentence: ''When a nominee of a Senator, Representative, or Delegate is selected for appointment as a cadet, the Senator, Representative, or Delegate shall be notified at least 48 hours before the official notification or announcement of the appointment is made.''.

(d) UNITED STATES MERCHANT MARINE ACADEMY.—Section 51302 of title 46, United States Code, is amended by adding at the end the following:

''(e) CONGRESSIONAL NOTIFICATION IN ADVANCE OF APPOINTMENTS.—When a nominee of a Senator, Representative, or Delegate is selected for appointment as a cadet, the Senator, Representative, or Delegate shall be notified at least 48 hours before the official notification or announcement of the appointment is made''.

(e) APPLICATION OF AMENDMENTS.—The amendments made by this section shall apply with respect to the appointment of cadets and midshipmen to the United States Military Academy, the United States Naval Academy, the United States Air Force Academy, and United States Merchant Marine Academy for classes entering these service academies after January 1, 2018.

AMENDMENT NO. 39 OFFERED BY MR. HUNTER OF CALIFORNIA

Page 173, after line 2, insert the following:

SEC. 599A. SERVICEMEMBERS' GROUP LIFE INSURANCE.

Section 1967(f)(4) of title 38, United States Code, is amended by striking the second sentence.

AMENDMENT NO. 48 OFFERED BY MS. MENG OF NEW YORK

Page 173, after line 2, insert the following:

SEC. 599A. EXTENSION OF SUICIDE PREVENTION AND RESILIENCE PROGRAM.

Section 10219(g) of title 10, United States Code, is amended by striking ''October 1, 2017'' and inserting ''October 1, 2018''.

AMENDMENT NO. 49 OFFERED BY MS. MAXINE WATERS OF CALIFORNIA

At the end of subtitle D of title VIII (page 326, after line 4), insert the following new section:

SEC. 843. STUDY AND REPORT ON CONTRACTS AWARDED TO MINORITY-OWNED AND WOMEN-OWNED BUSINESSES.

(a) STUDY.—The Comptroller General of the United States shall carry out a study on the number and types of contracts for the procurement of goods or services for the Department of Defense awarded to minority-owned and women-owned businesses during fiscal years 2010 through 2015. In conducting the study, the Comptroller General shall identify minority-owned businesses according to the categories identified in the Federal procurement data system (described in

section 1122(a)(4)(A) of title 41, United States Code).

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to the congressional defense committees a report on the results of the study under subsection (a).

AMENDMENT NO. 52 OFFERED BY MR. SANFORD OF SOUTH CAROLINA

In section 1047(c)(1), strike ''and approvals'' and insert '', approvals, and the total costs of all flyover missions, including the costs of fuel, maintenance, and manpower,''.

AMENDMENT NO. 53 OFFERED BY MR. WALZ OF MINNESOTA

Page 394, after line 5, insert the following new subsection:

(e) STATE DEFINED.—In this section, the term ''State'' includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, and any territory or possession of the United States.

AMENDMENT NO. 59 OFFERED BY MR. POLIS OF COLORADO

Page 423, after line 3, insert the following:

SEC. 1070. REPORT ON CARRIER AIR WING FORCE STRUCTURE.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the impact of changes to existing carrier air wing force structure and the impact a potential reduction to 9 carrier air wings would have on overall fleet readiness if aircraft and personnel were to be distributed throughout the remaining 9 air wings.

AMENDMENT NO. 63 OFFERED BY MR. COURTNEY OF CONNECTICUT

Page 462, after line 13, insert the following new section (and conform the table of contents accordingly):

SEC. 1098. SHORT TITLE.

This Act may be cited as the ''Maritime Occupational Safety and Health Advisory Committee Act''.

SEC. 2. MARITIME OCCUPATIONAL SAFETY AND HEALTH ADVISORY COMMITTEE.

Section 7 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 656) is amended by adding at the end the following:

''(d) There is established a Maritime Occupational Safety and Health Advisory Committee, which shall be a continuing body and shall provide advice to the Secretary in formulating maritime industry standards and regarding matters pertaining to the administration of this Act related to the maritime industry. The composition of this advisory committee shall be consistent with the advisory committees established under subsection (b), provided that a member of this committee who is otherwise qualified may continue to serve until a successor is appointed. The Secretary may promulgate or amend regulations as necessary to implement this subsection.''.

The Acting CHAIR. Pursuant to House Resolution 735, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Massachusetts (Mr. MOULTON) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I reserve the balance of my time.

Mr. MOULTON. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I would like to speak first about an amendment to be considered in a later en bloc regarding Special Immigrant Visas. I want to call attention to the urgent need to continue the Special Immigrant Visa program for Afghans who worked for U.S. forces.

This bipartisan amendment, backed by several veterans on the committee, would remove the unfortunate narrowing of eligibility requirements included in the mark, which would prevent hundreds of Afghans whose lives are at risk because of their work for our country from even being considered for resettlement in the United States.

The narrowing of eligibility intentionally excludes hundreds of Afghans who worked for the State Department, USAID, and U.S. security contractors in a number of capacities, many of whom face well-documented death threats due to their work with our government, regardless of whether that was with frontline troops or on an American base.

By narrowing eligibility, the program would erode the expectations of hundreds of Afghan staff whose lives remain in danger because of their work for the U.S. mission and also make it more difficult to hire and retain qualified Afghan staff in the future who are essential to achieving our diplomatic and assistance goals.

For that risk and sacrifice, the very least we can do is offer them a chance to stay live, to keep living, rather than abandoning them to the same enemies they united with us to destroy.

One of the things I was most proud of as a Marine infantry officer was that we never let our enemies make us compromise our values. One of those values is a solemn commitment to our allies and to our brothers in arms.

I urge your support on the floor in following through on our commitment to our Afghan partners.

I also want to comment on the fact that the chairman of the committee and I worked to resolve some differences that we had on understanding the concerns of our diplomatic mission in Afghanistan. I appreciate very much his work with me on that to support our troops and mission overseas.

I reserve the balance of my time.

Mr. THORNBERRY. I yield myself 1 minute.

Mr. Chairman, I appreciate the comments of the gentleman from Massachusetts, and he is exactly right. He and other Members are very concerned about this issue. He has talked to me about it a number of times.

I have been concerned that there was abuse of this system. That was gathered from visits I have made to Afghanistan, including last year.

But I very much appreciate the points that the gentleman from Massachusetts has made. I think he and others who have worked on this issue have come up with a good amendment. I support it.

All of us agree that if someone has risked their lives or would be in danger for supporting the United States and our folks in Afghanistan, then that person needs protection. None of us want to see the program abused.

But I am convinced that the changes that the gentleman has been instrumental in working out are helpful. I support it. And I thank him for his efforts on doing this.

I reserve the balance of my time.

Mr. MOULTON. Mr. Chairman, I continue to reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the gentleman from Iowa (Mr. YOUNG).

□ 1730

Mr. YOUNG of Iowa. Mr. Chair, I will be brief.

According to the Federal Trade Commission, our men and women who are defending our Nation and their families are twice as likely to fall victim to identity theft and fraud. Because they protect us, we need to do more to protect them and their families from scammers who take advantage of their service. My amendment No. 177 simply requires the Department of Defense to report to Congress on its efforts to protect their information.

I thank the chairman for working with me on this amendment, and I look forward to working the committee to better protect those who sacrifice so much to defend our Nation. I also thank my co-chair of the Bipartisan Congressional Task Force to Combat Identity Theft and Fraud, the gentlewoman from Arizona (Ms. SINEMA), for her great work. She has been a great partner in helping to protect taxpayers and now our servicemembers from having their identities stolen.

Mr. MOULTON. Mr. Chair, I yield 1 minute to the gentlewoman from Arizona (Ms. SINEMA).

Ms. SINEMA. I thank Chairman THORNBERRY and Mr. MOULTON for supporting the Young-Sinema amendment. I thank Congressman YOUNG for working with me and others in offering this bipartisan amendment to protect members of the Armed Forces and their families from identity theft.

My home State of Arizona is one of the top 10 States that is affected by identity theft. Military families are among those most targeted and most at risk for these crimes. Our amendment improves the Department of Defense's efforts to protect military families' financial information from identity theft. I am committed to working with my colleagues on both sides of the aisle to combat identity theft and financial fraud.

Again, I thank my friend, Congressman YOUNG, for working with me on this important, commonsense amendment.

Mr. THORNBERRY. Mr. Chair, I yield myself such time as I may consume.

Among the amendments in this en bloc package is one that I have authored to establish a global engagement center. I thank my cosponsors of this amendment, Mr. WILSON and Mr. LANGEVIN, the chair and ranking member of the Subcommittee on Emerging Threats & Capabilities. I also thank Chairman ROYCE, who has worked with us. Included in this amendment are reforms of the Broadcasting Board of Governors that he and his ranking member have worked on for some time.

Mr. Chair, it has been a source of great frustration for me that our government has seemed to be so inept in the battle of ideas against the terrorists.

I first introduced a bill on this topic in 2005. Today there is a lot of talk not only of the so-called physical caliphate that ISIS claims, but of the virtual caliphate. Unless and until we can be more effective at engaging in the battle of ideas, we will not succeed in defeating terrorism.

It is not just the terrorists we have to worry about. We have seen the Russians lie and use deception for military gain. We have seen similar sorts of tactics by the Chinese in their building these islands out in the South China Sea and elsewhere around the world.

This amendment requires the Secretary of State, the Secretary of Defense, and others—the executive branch—to get their act together, coordinate, and more effectively engage in the battle of ideas. I hope it helps. As I say, this is a crucial battlefield, and our country needs to do better in this field.

Mr. Chair, as I have no further speakers at this point, I reserve the balance of my time.

Mr. MOULTON. Mr. Chair, I yield 1½ minutes to the gentlewoman from California (Ms. MAXINE WATERS).

Ms. MAXINE WATERS of California. I am appreciative to the gentleman from Massachusetts for allowing me to speak on my amendment.

Mr. Chair and Members, a lack of opportunity for Federal contracting is one of the main factors of the widening racial wealth gap. As the Nation's largest employer, the Federal Government has a critical responsibility to focus on increasing minority and female inclusion in the job market; yet, only a fraction of Federal contracts goes to minority- or female-owned businesses. This is partly why the wealth gap and extreme disparities in racial incomes continue.

Amendment No. 49 ensures that we meet important contracting goals by analyzing a 5-year study by the GAO on how the DOD contracts with minority- and female-owned businesses. While there are many ways the government can address the issue of more equitable contracting, one important and more immediate impact, I believe, the Federal Government can have is by providing more opportunities for minority-owned businesses.

The DOD spends roughly $285 billion a year on contracting, more than all Federal agencies combined. With such large purchasing power, it is imperative that these funds are used not only to provide the best services for the Department of Defense, but also to distribute fairly and wisely in all communities.

The study proposed is the first step toward identifying where those opportunities lie for great inclusion. This amendment further emphasizes and underscores the importance of minorities in both our local and national communities.

Mr. THORNBERRY. Mr. Chair, I reserve the balance of my time.

Mr. MOULTON. Mr. Chair, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Let me thank the gentleman from Massachusetts for yielding and also for his service to the Nation. I thank the ranking member of the full committee, Mr. SMITH; the chairman of the full committee, Mr. THORNBERRY; and the Rules Committee for accepting this amendment. Let me thank the gentlemen doubly and triply for being kind enough to accept this amendment on a regular basis, and I am going to persist because I believe it is important.

Mr. Chair, let me make a big pronouncement or announcement or breaking news: there are women in the United States military. I want to say that again. There are women in the United States military.

My amendment deals with triple negative breast cancer. It calls for the increased collaboration between the DOD and the National Institutes of Health to combat triple negative breast cancer. This amendment directs the Department of Defense to identify specific genetic and molecular targets and biomarkers for TNBC. ''Triple negative breast cancer'' is a term used to describe breast cancer. Its cells do not have estrogen receptors and progesterone receptors and does not have an excess of HER2 protein on its cell membrane of tumor cells.

I am not in the military. I have had many family members in the military, but I would venture to say this is a case in which you have battalions, and you are on the field, and you have a difficult enemy who keeps moving away from your sight and your target. Though you have used overlapping forces, you can't seem to pinpoint the enemy. Ultimately you are victorious, but that is because you collaborate and you work together. This makes commonly used tests and methods to detect breast cancer not as effective, meaning the ordinary style of fighting does not work for triple negative breast cancer.

Seventy percent of women with metastatic triple negative breast cancer do not live more than 5 years after being diagnosed. It is important to note that TNBC affects women under 50 years of age, and it makes up more than 30 percent of all breast cancer diagnoses, specifically in African American women.

The collaboration between the Department of Defense and the NIH to combat triple negative breast cancer can support the development of multiple targeted therapies for this devastating disease and can help women in the United States military, those who are serving our country. Triple negative breast cancer is a specific strain of breast cancer for which no targeted treatment is available.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. MOULTON. I yield the gentlewoman an additional 30 seconds.

Ms. JACKSON LEE. I thank the gentleman so very much.

Mr. Chair, it is a disease, however, that can be conquered. Triple negative breast cancer, TNBC, accounts for between 13 percent and 25 percent of all breast cancers in the United States. It is of a higher grade, and it onsets at a young age. That means these women are in the United States military.

Finally, because it continues, there is a need for research funding for biomarker selection, drug discovery, and clinical trials that will lead to the early detection of TNBC and to the development of multiple targeted therapies to treat this awful disease. My amendment would provide for that.

In coming from Houston, Texas, with MD Anderson Cancer Center, I can tell you that they are looking at major research that can be very helpful between the NIH and the Department of Defense. I hope my amendment will stay in this particular bill, and I hope it will go to the Senate and will be signed by the President.

Mr. Chair, I thank Chairman THORNBERRY, Ranking Member ADAM SMITH and the Rules Committee for making in order and including Jackson Lee Amendment and including it in En Bloc Amendment Number 2 to the "National Defense Authorization Act for Fiscal Year 2017."

This is the first of 3 Jackson Lee amendments made in order by the House Rules Committee.

Jackson Lee Amendment Number 45, calls for increased collaboration between the DoD and the National Institutes of Health (NIH) to combat Triple Negative Breast Cancer.

Jackson Lee Amendment Number 45 directs the DoD and NIH to collaborate to combat Triple Negative Breast Cancer.

This amendment directs the Department of Defense to identify specific genetic and molecular targets and biomarkers for TNBC.

"Triple Negative Breast Cancer" is a term used to describe breast cancers whose cells do not have estrogen receptors and progesterone receptors, and do not have an excess of the "HER2" protein on their cell membrane of tumor cells.

This makes commonly used tests and methods to detect breast cancer not as effective.

This is a serious illness that affects between 10–17% of female breast cancer patients and this condition is more likely to cause death than the most common form of breast cancer.

Seventy percent of women with metastatic triple negative breast cancer do not live more than five years after being diagnosed.

Jackson Lee Amendment Number 45 will help to save lives.

TNBC disproportionately impacts younger women, African American women, Hispanic/Latina women, and women with a ''BRCA1 genetic mutation, which is prevalent in Jewish women.

TNBC usually affects women under 50 years of age and makes up more than 30% of all breast cancer diagnoses in African Americans. Black women are far more susceptible to this dangerous subtype than white or Hispanic women.

The collaboration between the Department of Defense and NIH to combat Triple Negative Breast Cancer can support the development of multiple targeted therapies for this devastating disease.

Triple negative breast cancer is a specific strain of breast cancer for which no targeted treatment is available.

The American Cancer Society calls this particular strain of breast cancer ''an aggressive subtype associated with lower survival rates.''

Triple negative breast cancer is a term used to describe breast cancers whose cells do not have estrogen receptors and progesterone receptors, and do not have an excess of the HER2 protein on their cell membrane of tumor cells

In 2011, the Centers for Disease Control predicted that that year 26,840 black women would be diagnosed with TNBC.

The overall incidence rate of breast cancer is 10% lower in African American women than white women.

African American women have a five year survival rate of 78% after diagnosis as compared to 90% for white women.

The incidence rate of breast cancer among women under 45 is higher for African American women compared to white women.

Triple Negative Breast Cancer cells: TNBC accounts for between 13% and 25% of all breast cancer in the United States; usually of a higher grade and size; onset at a younger age; are more aggressive; are more likely to metastasize.

Currently, 70% of women with metastatic triple negative breast cancer do not live more than five years after being diagnosed.

African American women are 3 times more likely to develop triple-negative breast cancer than White women.

African-American women have prevalence TNBC of 26% versus 16% in non-African-American women.

African-American women are more likely to be diagnosed with larger tumors and more advanced stages of breast cancer.

Currently there is no targeted treatment for TNBC.

Breast cancers with specific, targeted treatment methods, such as hormone and gene based strains, have higher survival rates than the triple negative subtype, highlighting the need for a targeted treatment.

Because there continues to be a need for research funding for biomarker selection, drug discovery, and clinical trial designs that will lead to the early detection of TNBC and to the development of multiple targeted therapies to treat this awful disease Jackson Lee Amendment Number 45 included in En Bloc 2 is essential to paving a way for advancements in these areas.

I thank Chairman THORNBERRY and Ranking Member SMITH for including these amendments in the En Bloc Amendment Number 2, and I urge all Members to join me in voting for its adoption.

Mr. THORNBERRY. Mr. Chair, I reserve the balance of my time.

Mr. MOULTON. Mr. Chair, I yield 1 minute to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. I thank the gentleman for yielding.

I rise in support of an amendment I offered along with Mrs. COMSTOCK.

It seeks to expand the SkillBridge job training program by directing unit commanders to encourage participation by departing servicemembers. It also directs the DOD to form a comprehensive study so that they can evaluate and improve the program as needed. The SkillBridge initiative helps returning veterans by providing them with job training and apprenticeship programs in areas that span every sector of the workforce.

This program has already trained around 4,500 servicemembers, and the 18 SkillBridge programs claim to have an employment success rate of 100 percent. Encouraging participation will help more of our veterans find employment when they reenter civilian life, which is something we need to do all we can to promote.

I thank Chairman THORNBERRY and Ranking Member SMITH for supporting this amendment in this bloc. I urge my colleagues to support the bloc.

Mr. THORNBERRY. Mr. Chair, I reserve the balance of my time.

Mr. MOULTON. Mr. Chair, I yield myself 2 minutes.

I would like to discuss an amendment to come up in a future en bloc package.

I joined a vast array of foreign policy experts and retired generals—and even Israel's own nuclear commission—in supporting the nuclear deal with Iran because, although it was an imperfect deal, nobody could articulate a better pathway to a better deal to prevent Iran from acquiring a nuclear weapon. The nuclear deal, however, is only that—a nuclear deal. As when President Reagan was negotiating nuclear deals with the Soviets, we make these agreements with our enemies, not with our friends, and we must not forget that Iran remains opposed to us in a vast array of other ways. As with the Soviets, enforcement of the deal requires continued vigilance.

My amendment would require the President to notify Congress whenever Iran conducts a ballistic missile launch and inform Congress as to the actions the President will take in response, including diplomatic efforts to pursue additional sanctions and the passage of a United Nations Security Council resolution.

While we have been successful in deterring Iran from building a nuclear weapon with the Joint Comprehensive Plan of Action, we must continue to apply pressure to deter further actions that destabilize this fragile region and threaten our allies.

I urge a ''yes'' vote.

I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chair, I urge the adoption of the en bloc package.

I yield back the balance of my time.

The Acting CHAIR (Mr. CARTER of Georgia). The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

AMENDMENT NO. 10 OFFERED BY MR. ZINKE

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 114–571.

Mr. ZINKE. Mr. Chair, I offer amendment No. 10 as the designee of Mrs. LUMMIS from the great State of Wyoming.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title XVI, add the following new section:

SEC. 16___. MATTERS RELATED TO INTERCONTINENTAL BALLISTIC MISSILES.

(a) POLICY.—It is the policy of the United States to maintain and modernize a responsive and alert intercontinental ballistic missile force to ensure robust nuclear deterrence by preventing any adversary from believing it can carry out a small, surprise, first-strike attack on the United States that disarms the strategic forces of the United States.

(b) PROHIBITION.—

(1) IN GENERAL.—Except as provided by paragraph (2), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 shall be obligated or expended for—

(A) reducing, or preparing to reduce, the responsiveness or alert level of the intercontinental ballistic missiles of the United States; or

(B) reducing, or preparing to reduce, the quantity of deployed intercontinental ballistic missiles of the United States to a number less than 400.

(2) EXCEPTION.—The prohibition in paragraph (1) shall not apply to any of the following activities:

(A) The maintenance or sustainment of intercontinental ballistic missiles.

(B) Ensuring the safety, security, or reliability of intercontinental ballistic missiles.

(C) Reduction in the number of deployed intercontinental ballistic missiles that are carried out in compliance with—

(i) the limitations of the New START Treaty (as defined in section 494(a)(2)(D) of title 10, United States Code); and

(ii) section 1644 of the Carl Levin an Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public

Law 113–291; 128 Stat. 3651; 10 U.S.C. 494 note).

(c) REPORT.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Air Force and the Chairman of the Nuclear Weapons Council shall submit to the congressional defense committees a report regarding efforts to carry out section 1057 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 495 note).

(2) ELEMENTS.—The report under paragraph (1) shall include the following with respect to the period of the expected lifespan of the Minuteman III system:

(A) The number of nuclear warheads required to support the capability to redeploy multiple independently retargetable reentry vehicles across the full intercontinental ballistic missile fleet.

(B) The current and planned (until 2030) readiness state of nuclear warheads intended to support the capability to redeploy multiple independently retargetable reentry vehicles across the full intercontinental ballistic missile fleet, including which portion of the active or inactive stockpile such warheads are classified within.

(C) The current and planned (until 2030) reserve of components or subsystems required to redeploy multiple independently retargetable reentry vehicles across the full intercontinental ballistic missile fleet, including the plans or industrial capability and capacity to produce more such components or subsystems, if needed.

(D) The current and planned (until 2030) time required to commence redeployment of multiple independently retargetable reentry vehicles across the intercontinental ballistic missile fleet, including the time required to finish deployment across the full fleet.

The Acting CHAIR. Pursuant to House Resolution 735, the gentleman from Montana (Mr. ZINKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Montana.

Mr. ZINKE. Mr. Chair, I yield myself such time as I may consume.

I rise in support of this amendment to highlight the importance of maintaining our nuclear deterrence. This amendment will ensure that our land-based nuclear ICBMs are ready at a moment's notice and are not placed on a reduced-alert status.

President Reagan had it right. He championed the notion of peace through strength. Those wise words still apply today, even greater. The harsh reality is that we live in an increasingly unstable international environment. Nuclear deterrence provided by the triad has been the backbone of our national security posture for over half a century. Just last fall, the Secretary of Defense stated: ''The nuclear deterrent is a must-have . . . It is the foundation. It's the bedrock and it needs to remain healthy . . .''

Montana is a proud defender of our triad, and our troops are always ready. Our ICBMs should be, too.

As more nation-states, including Iran, begin to defy international laws and pursue nuclear and ballistic missiles, it is critical that we do not scale back our nuclear deterrence.

I urge all of my colleagues to support this amendment.

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

□ 1745

Mr. LANGEVIN. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from Rhode Island is recognized for 5 minutes.

Mr. LANGEVIN. Mr. Chairman, I yield myself 3 minutes.

Having previously served as the chairman of the Strategic Forces Subcommittee for several years, I am intimately familiar with our intercontinental ballistic missile forces and the important role ICBM deterrence plays when it comes to our national defense. While I understand the intent of this amendment, it is fundamentally unnecessary, dramatically overreaching, and lacks meaningful policy reform.

The budget request for FY 2017 contains no funding for reducing the alert level or reducing the number of deployed ICBMs below 400, and there are no plans to do so in the future. Furthermore, the statement of policy with regard to ICBMs, which is legally binding, significantly overreaches. It states that modernization of the ICBMs and retaining an alert ICBM force is necessary to ensure robust nuclear deterrence by preventing any adversary from believing it can carry out a small, surprise, first-strike attack which disarms the strategic forces of the United States.

However, this disregards the crucial and fundamental role of submarines that provide assured, survivable second-strike capability, which would dissuade an adversary from even thinking they could launch a disarming attack against the United States.

If we include any legislation on ICBMs, Mr. Chairman, it should be that we increase accountability and ensure that we are improving the morale and culture inside the Air Force with regard to nuclear weapons. Some of the serious and embarrassing problems that have plagued the ICBM missileers and security forces in recent years unfortunately continues, such as the Air Force base in Wyoming where 14 enlisted airmen in the security forces were being investigated for drug use just several weeks ago. I see nothing in this amendment that addresses that problem, nor do I see anything in the bill that addresses that issue.

If we are going to talk about keeping ICBMs, it should be in a meaningful way, instead of yet another annual amendment driven by what seems like parochial interests in highlighting their role, particularly at the exclusion of other legs of the nuclear triad.

While the committee tried to work with Ms. LUMMIS, Mr. Chairman, to avail the amendment of some of these concerns, bipartisan negotiations was seemingly rejected.

So, Mr. Chairman, I hope that we are able to make some of these adjustments as we conference with the Senate, but I urge my colleagues to oppose this amendment as offered.

I reserve the balance of my time.

Mr. ZINKE. Mr. Chair, I yield 1 minute to the gentleman from the great State of North Dakota (Mr. CRAMER).

Mr. CRAMER. Mr. Chairman, reducing our ICBM alertness is reducing our readiness, and the whole point of the Defense Authorization Act is to ensure our military readiness.

The ICBMs have been a very effective deterrent to enemy aggression for decades. This amendment is simply a deterrent to those who would try to reduce our readiness by reducing our alertness and reducing the number of ICBMs. This would be a dangerous step, contrary to the longstanding policies of our defense and certainly a bad posture.

Mr. ZINKE. Mr. Chairman, I yield 1 minute to the gentleman from the great State of Alabama (Mr. ROGERS).

Mr. ROGERS of Alabama. Mr. Chairman, as chairman of the Strategic Forces Subcommittee, I understand that the responsiveness and distributed nature of our ICBMs are their most critical feature and their unique contribution to our nuclear triad.

Without ICBMs, an adversary would only need to strike less than 10 targets to disarm our nuclear forces. With ICBMs, an adversary needs to strike hundreds of hardened targets deep in the American homeland. That is a much more difficult proposition and is at the very heart of deterrence.

This is not a parochial issue or a political issue. This is a profound national security issue. De-alerting our ICBMs or unilaterally cutting their numbers is a terrible idea.

I urge my colleagues to vote ''yes'' on this amendment.

Mr. LANGEVIN. Mr. Chairman, as I previously stated—and with all due respect to my colleague—this bill contains no funding for reducing the alert level or reducing the number of deployed ICBMs below 400, and there are no plans to do so in the future.

Mr. Chair, I yield the balance of my time to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, how much time remains?

The Acting CHAIR. The gentleman from Rhode Island has 2 minutes remaining.

Mr. BLUMENAUER. Mr. Chair, I appreciate the gentleman's courtesy and his leadership on this, and I think he laid it out very clearly.

This is an imaginary problem, but it is an area that actually needs to have some attention to it. He referenced recent problems in terms of potential

drug abuse. You know they found the cheating earlier because they were investigating drug abuse when they found out that there was cheating on the readiness test.

I would advise my colleagues to read Eric Schlosser's ''Command and Control,'' a fascinating study about the history of American nuclear weapons and problems that we have had, mistakes that were made, and near misses.

There are serious issues that we need to be thinking in terms of the readiness and how it goes forward. We need to think clearly about what we do in the future, what is the right level of deterrence, and how are we going to adequately analyze it.

454 land-based missiles are not necessarily a magic number that we should be freezing on a permanent basis. Looking at what happens going forward with the trillion-dollar commitment with missiles that are submarine based—we have our bombers; we have land based—and being able to have a critical appraisal of how much deterrence is enough and look at problems, such as security lapses, training problems, drug problems, this is not a situation that we should just sort of happily freeze for the next go-around and maintain that any adjustment to this or even evaluating an adjustment is somehow a threat to national security.

The real problems that we face dealing with international terrorism and the potential of nuclear weapons falling into rogue hands, those are very real problems that we need to be doing more. This vast nuclear triad that we will spend a trillion dollars on does not help us with those challenges. Rather than hollow out the military, we ought to be looking at potential changes going forward.

This amendment is ill-advised, unnecessary, and is the wrong direction we should be going.

Mr. LANGEVIN. Mr. Chair, I yield back the balance of my time.

Mr. ZINKE. Mr. Chair, this amendment is about ensuring that our nuclear deterrence that has protected this country for over 70 years remains strong and viable.

Yesterday, this body passed a measure to keep our nukes safe. It is now time to ensure they are ready at a moment's notice. There is no reason to have a nuclear force unless they are ready.

To lower the alert posture of our land-based ICBMs would result in a 2-week delay before our ICBMs would be ready to use. This would cripple our ability to respond quickly, which is the entire point of having a nuclear triad.

In the military, we always hope for the best but plan for the worse. While I hope we never have to use our nuclear weapons—and, indeed, I believe everyone in this body does—to lower their posture status of land-based ICBMs would unnecessarily put us at risk.

I encourage all my colleagues to support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Montana (Mr. ZINKE).

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. LAMBORN

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 114–571.

Mr. LAMBORN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike subsections (b) and (c) of section 2856 and insert the following:

(b) RECOGNITION.—Congress recognizes the National Museum of World War II Aviation in Colorado Springs, Colorado, as America's National World War II Aviation Museum.

The Acting CHAIR. Pursuant to House Resolution 735, the gentleman from Colorado (Mr. LAMBORN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. LAMBORN. Mr. Chairman, I thank the gentleman from Texas and committee staff for their willingness to work with me on this amendment. I fought long and hard to get this museum the recognition it deserves, and I am very pleased that we have a path forward where we can finally achieve that.

My amendment simply recognizes this museum in Colorado Springs as the National Museum of World War II Aviation. This amendment does not authorize any funds. The museum is not seeking Federal funds and does not have plans to do so in the future.

The National Museum of World War II Aviation has taken great care to focus its story line on an aspect of military history that has not been fully explored by other national military museums. The intent is to augment the tremendous work that is being done by those museums, not to duplicate or replace it.

It is the only museum in the United States that exists to exclusively preserve and promote an understanding of the role of aviation in winning World War II. It is dedicated to celebrating the American spirit and to recognizing the teamwork, patriotism, and courage of the men and women who fought, as well as those on the home front who mobilized and supported the national aviation effort.

I yield to the gentleman from Texas (Mr. THORNBERRY) for the purpose of engaging in a colloquy.

Mr. THORNBERRY. Mr. Chair, the gentleman from Colorado (Mr. LAMBORN) has been a strong advocate for this museum, and I certainly appreciate him bringing it to the committee's attention and to the attention of the House.

Many Members share the gentleman's commitment to the preservation of historic aircraft, and I will certainly work with him on this and related issues.

Mr. LAMBORN. Mr. Chairman, based on that reassurance and on that pledge to work together, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 12 OFFERED BY MR. SANFORD

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in House Report 114–571.

Mr. SANFORD. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title XXXV add the following:

SEC. ___. GAO REPORT ON MARITIME SECURITY FLEET PROGRAM.

Not later than one year after the date of the enactment of this Act the Comptroller General of the United States shall study and report to the relevant congressional committees on the following:

(1) The justification for the size of the Maritime Security Fleet established under chapter 531 of title 46, United States Code, given present national defense operational requirements for such fleet, and how the annual per-vessel payment under that chapter corresponds to the costs of operating vessels in such Fleet.

(2) The difference in costs between the Maritime Security Fleet program and other options for achieving the same objectives as that program, such as—

(A) procurement by the United States of a national defense sealift fleet;

(B) contracting for United States-flag vessels and foreign-flag vessels on a temporary basis; and

(C) other potential options.

(3) Instances, examined in detail, in which use of foreign-flag, foreign-crewed vessels for national defense sealift purposes has hindered national security or impeded United States military operations.

(4) Comparison, in detail, of volumes and types of—

(A) Federal cargo that has been carried on foreign-flagged vessels; and

(B) Federal cargo that has been carried on vessels in the Maritime Security Fleet.

The Acting CHAIR. Pursuant to House Resolution 735, the gentleman from South Carolina (Mr. SANFORD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. SANFORD. Mr. Chairman, I rise with a very simple amendment. It would do nothing more than call for a GAO report of the maritime security fleet. I do so because I think that we would all acknowledge that knowledge is power, and the ability to look very closely at what is happening within that fleet, I think, is important. I

would also say that, as a believer that defense is a core function of the Federal Government, we would want to have transparency in the way that we expend those funds in pursuit of our Nation's defense.

I think that this is important in light of the fact that overall funding has risen by about $89 million here over the last, I guess, funding cycle. You have seen the per-ship stipend go from $3.5 million to $5 million.

There has not been a study of what is happening within that fleet of ships for more than 12 years, and so, again, this is not in any way prescriptive in nature as to what should or shouldn't happen or the merits or demerits of the program. It is simply saying might we not learn a little bit more of what is happening within that fleet, and that is it.

I reserve the balance of my time.

□ 1800

Mr. GARAMENDI. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. GARAMENDI. Mr. Chairman, I yield myself such time as I may consume.

The gentleman from South Carolina is correctly concerned about the expenditure of money. I would suggest to him that this study is a waste of the expenditure of money by the GAO and, hence, the taxpayers of the United States.

Studies about the MSP have been available over many, many years; and in fact, there is now, in the Office of Management and Budget, a comprehensive study that was commissioned by the Assistant Secretary of the Navy. The gentleman can certainly contact OMB and get that study and, quite probably, get all the information he is going to request in this particular analysis and, furthermore, not have to waste taxpayer money in the process.

I would point out to the gentleman a statement that was made on January 17 of this year concerning the MSP program by General Darren McDew, commander of US TRANSCOM. This is the guy who is responsible for moving men, women, materiel, and equipment around the world.

He said: ''Our overwhelming success was due in large part to the 10,000 U.S. mariners who sped 220 shiploads of decisive U.S. combat power throughout the buildup known as Operation Desert Shield. Without those mariners and vessels, our ability to project decisive force and demonstrate our national resolve would have been a mere fraction of what was required to ensure the swift victory the world witnessed. Simply put, moving an army of decisive size and power can only be accomplished by sea,'' and the MSP is the central part of that.

We don't need this study. What we need is strong support for the MSP.

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

Mr. SANFORD. Mr. Chair, I would say to my colleague that, again, what we would all recognize is that OMB is different than the Government Accountability Office. The OMB is fundamentally executive branch in nature. I think there is a real value to having a third party independent look at what is happening with the study. Again, it is not prescriptive in nature, but having that third party look, I think, is that much more important in all of our justifications of this program or other programs like it.

I would also say this, in terms of ''waste of money,'' as we know, GAO is funded through the legislative branch. This would not involve an additional expenditure of money. It would be incorporated into the expenditures that currently take place within the legislative branch and, again, GAO, by extension. In that regard, I think it would be a good use of taxpayer money to take a look that has not been taken in more than 12 years.

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

Mr. GARAMENDI. Mr. Chairman, that is the first time I have ever heard that expenditure by the House of Representatives is not taxpayer money, but I guess some people can claim that.

I yield 2 minutes to the gentleman from Virginia (Mr. FORBES).

Mr. FORBES. Mr. Chairman, I thank the gentleman for yielding, and I thank the gentleman for offering this amendment. I know how committed he is to national defense and to fiscal responsibility in the country. However, one of the things that we haven't talked about in this amendment is it asks us to look at outsourcing this to foreign countries to be able to do, and I think today I rise not just as chairman of the Subcommittee on Seapower and Projection Forces, but also on behalf of my good friend Mr. COURTNEY, who is the ranking member on that subcommittee and who has given us authority to say that he is opposed to this as well for these reasons.

The sealift, if we lose that sealift, we have lost the lifeblood to our warfighters because that is the vessel, that is the lifeline that keeps them and sustains them. The very question for us is this: If that balloon goes up and the bell rings, are we going to trust a foreign power to hold in their hand that very lifeblood for our men and women and our warfighters?

I want to remind everyone in the House that in World War II, 1 in 26 merchant mariners were actually killed. It was a higher rate of loss than any other service. The rate was so high, in fact, that the merchant marine concealed it because they were afraid they couldn't find enough mariners if the true danger of the services were known.

So our big question here is, even if we came back with a study that said it might be cheaper to outsource it, would anyone in this room dare place that trust in a foreign country? I think very clearly we would not.

Mr. Chairman, also these decisions are probably best made by military transportation command, sealift command, and maritime command, and they have said there is no guarantee whatsoever that a foreign-flagged fleet will sail into harm's way if we need them. They have said a 60-ship capability is extremely important, and they have said that foreign-flagged ships which might be cheaper cannot be relied on for critical national security missions.

Mr. Chairman, I hope we will oppose this amendment, we will reject it.

Mr. SANFORD. Mr. Chairman, may I inquire how much time I have remaining?

The Acting CHAIR. The gentleman from South Carolina has 3 minutes remaining.

Mr. SANFORD. Mr. Chairman, I would say this: in essence, we already have outsourced this. I think the question about the maritime security fleet is that it is currently run by a foreign-flagged fleet of vessels. If I am not mistaken, it is almost exclusively run by Maersk, which is a foreign-flagged vessel.

The question of this amendment is to say: Might not there be other ways of doing it? Maybe this is the best way to do it. Maybe there are other ways to do it. But this notion of not being willing to look, not being willing to have a third party validate or, if you will, take a look and say this makes sense or, no, there is a better way of skinning this cat both for the military and for the taxpayer, I think again warrants, in this case, the study by the GAO.

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

Mr. GARAMENDI. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from California has 1 minute remaining.

Mr. GARAMENDI. Mr. Chair, I yield myself the balance of my time.

In Desert Storm I, back in the 1990s, a ship that was manned by Pakistanis was loaded at the docks, began to sail, and turned around because the crew refused to go into that zone. We cannot allow that to happen ever again. The MSP was started specifically to provide that kind of sealift power that we need to move our men, materiel, and equipment, wherever they may be needed in the world. It does us little good to spend $680 billion on a Defense appropriation bill and not be able to get where the trouble is. Do away with the MSP, and that is where you are

headed with this, moving toward foreign flags and, indeed, Maersk is operated by a foreign country, but it is licensed to operate in the United States with American sailors on American ships for the MSP program.

We don't need to waste money on this. The studies are available dating back to 2006, 2009, and, more recently, with the OMB study. We don't need to waste our money. We need to get on with supporting the MSP program. I ask for a ''no'' vote.

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

Mr. SANFORD. Mr. Chairman, I would again go back to the basics. This stipend goes to Maersk presently. It has been raised from $3.5 million to $5 million. Maybe that is the best thing in the world to do; maybe it is not. But I think it is worthy of study, particularly given the fact that we have raised the stipend by $89 million over the last year, particularly given the fact that we have not looked at this issue from the standpoint of an outside third-party validation from the GAO for more than 12 years.

It is for that reason I simply say, again, in no way prescriptively, it is worth a look. And again, given the fact that the Government Accountability Office does regular studies on a whole host of different issues on a very regular basis, I think this is worthy, given the additional $89 million that was spent last year.

I would ask for a ''yes'' vote.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. SANFORD).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. SANFORD. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from South Carolina will be postponed.

AMENDMENT NO. 18 OFFERED BY MR. THORNBERRY

The Acting CHAIR. It is now in order to consider amendment No. 18 printed in House Report 114–571.

Mr. THORNBERRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 1045 and insert the following:

SEC. 1045. PROTECTION OF CERTAIN FEDERAL SPECTRUM OPERATIONS.

Section 1004 of the Bipartisan Budget Act of 2015 (Public Law 114–74; 47 U.S.C. 921 note) is amended by adding at the end the following:

''(d) PROTECTION OF CERTAIN FEDERAL SPECTRUM OPERATIONS.—If the report required by subsection (a) determines that reallocation and auction of the spectrum described in the report would harm national security by impacting existing terrestrial Federal spectrum operations at the Nevada Test and Training Range, the Commission, in coordination with the Secretary shall, prior to the auction described in subsection (c)(1)(B), establish rules for licensees in such spectrum sufficient to mitigate harmful interference to such operations.

''(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect any requirement under section 1062(b) of the National Defense Authorization Act for Fiscal Year 2000 (47 U.S.C. 921 note; Public Law 106–65).''.

The Acting CHAIR. Pursuant to House Resolution 735, the gentleman from Texas (Mr. THORNBERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Spectrum Pipeline Act was included in the Bipartisan Budget Act of 2015 that we passed in December. Now, apparently, there has developed some disagreement among lawyers about whether that had some effect on section 1062(b) of the fiscal year 2000 National Defense Authorization Act related to spectrum.

My amendment simply clarifies what everyone that I know of agrees on, and that is it was never intended to have any effect. We have assurance from the Office of Management and Budget that was their intention. I appreciate Chairman FRED UPTON, who has worked with us on this amendment, saying that was not his intention. Basically, Mr. Chairman, I see this as a technical amendment to resolve some disagreement among lawyers.

I reserve the balance of my time.

Mr. PALLONE. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. PALLONE. Mr. Chairman, the Nation's spectrum is one of our most valuable natural resources. Under the bipartisan oversight of the Committee on Energy and Commerce, one spectrum auction alone last year raised more than $40 billion. It is imperative that we continue our bipartisan management of this valuable national asset, but to do that we must follow regular order through the proper committee of jurisdiction. That is the only way that we can make sure that we continue proper congressional oversight.

This amendment that we are considering today was made public 1 day ago. This process runs counter to our successful bipartisan efforts to manage spectrum well. It does not allow the relevant agencies adequate time to weigh in, and it does not allow interested stakeholders to provide meaningful input.

I appreciate my colleague's efforts to improve this amendment, but these are extremely complicated issues of national importance. They cannot be put together overnight.

Earlier today when the rule for consideration of this bill was debated here on the floor, my Republican colleagues said that they chose to exclude some Democratic amendments because those amendments did not go through the committee process. Well, the same can be said of this amendment as well, Mr. Chairman.

If there are issues of national security underlying this amendment, the Democrats on the Committee on Energy and Commerce stand ready to work on them expeditiously, but we must stand by our commitment to regular order. The consequences of getting this wrong are simply too high.

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

Mr. THORNBERRY. Mr. Chairman, I have no further speakers.

I reserve the balance of my time.

Mr. PALLONE. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. SMITH), the ranking member of the Committee on Armed Services.

Mr. SMITH of Washington. Mr. Chairman, this is clearly a problem that we need to work on. The chairman and I have worked together in talking about it and making sure that our military assets are protected as we deal with spectrum auctions.

I look forward to having the conversation in conference committee about how to deal with this, but my concern is this is something that many on the Committee on Energy and Commerce, and I as well, have worked on for a number of years. We worked with the Department of Defense for years to try and make sure that their equities were protected. We talked with everyone we could conceivably talk with. This auction was originally set up to make sure that we protected those.

Now we are hearing a slightly new argument. I certainly want to make sure that the Department of Defense's interests are protected, but I also want to make sure that they don't have absolute veto power on auctioning spectrum. That was sort of the law before all of the Committee on Energy and Commerce and others worked on, and it really tied up a very valuable national asset, as Mr. PALLONE points out.

I hope that as we get into conference committee we will figure out how to both protect the interests of national security and the Defense, but also make sure that, if spectrum can be safely made available, it is safely made available.

As I said, this was something that was worked on for a very long time,

and we thought we had it worked out. So right at the eleventh hour here, to have the Department of Defense say ''No, we want to change it'' is something I think we still need to examine more closely.

I thank Mr. PALLONE for the time.

Mr. PALLONE. Mr. Chairman, I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield myself the balance of my time simply to say this amendment, a version of this amendment, was filed last week. Working with the Committee on Energy and Commerce, it has been revised. Again, the purpose of this amendment is—and what I think it clearly does is simply restate what everybody thought was the case—to resolve a disagreement among lawyers. That is the reason I call it, really, a technical amendment. I hope that the House will adopt it.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. THORNBERRY).

The amendment was agreed to.

□ 1815

AMENDMENTS EN BLOC NO. 4 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 735, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 4 consisting of amendment Nos. 23, 43, 44, 46, 47, 50, 51, 54, 64, 65, 66, 67, and 69 printed in House Report 114–571, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 23 OFFERED BY MR. ROGERS OF ALABAMA

At the end of subtitle F of title XVI, add the following new section:

SEC. 16___. HARMFUL INTERFERENCE TO DEPARTMENT OF DEFENSE GLOBAL POSITIONING SYSTEM.

(a) FEDERAL COMMUNICATIONS COMMISSION CONDITIONS ON COMMERCIAL TERRESTRIAL OPERATIONS.—Part I of title III of the Communications Act of 1934 (47 U.S.C. 301 et seq.) is amended by adding at the end the following:

''SEC. 343. CONDITIONS ON COMMERCIAL TERRESTRIAL OPERATIONS.

''(a) IN GENERAL.—The Commission shall not permit commercial terrestrial operations in the 1525–1559 megahertz band or the 1626.5–1660.5 megahertz band until the date that is 90 days after the Commission resolves concerns of widespread harmful interference by such operations in such band to covered GPS devices.

''(b) NOTICE TO CONGRESS.—

''(1) IN GENERAL.—At the conclusion of the proceeding on such operations in such band, the Commission shall submit to the congressional committees described in paragraph (2) official copies of the documents containing the final decision of the Commission regarding whether to permit such operations in such band. If the decision is to permit such operations in such band, such documents shall contain or be accompanied by an explanation of how the concerns described in subsection (a) have been resolved.

''(2) CONGRESSIONAL COMMITTEES DESCRIBED.—The congressional committees described in this paragraph are the following:

''(A) The Committee on Energy and Commerce and the Committee on Armed Services of the House of Representatives.

''(B) The Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the Senate.

''(c) COVERED GPS DEVICE DEFINED.—In this section, the term 'covered GPS device' means a Global Position System device of the Department of Defense.''.

(b) SECRETARY OF DEFENSE REVIEW OF HARMFUL INTERFERENCE.—

(1) REVIEW.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter until the date referred to in paragraph (3), the Secretary of Defense shall conduct a review to—

(A) assess the ability of covered GPS devices to receive signals from Global Positioning System satellites without widespread harmful interference; and

(B) determine if commercial communications services are causing or will cause widespread harmful interference with covered GPS devices.

(2) NOTICE TO CONGRESS.—

(A) NOTICE.—If the Secretary of Defense determines during a review under paragraph (1) that commercial communications services are causing or will cause widespread harmful interference with covered GPS devices, the Secretary shall promptly submit to the congressional defense committees notice of such interference.

(B) CONTENTS.—The notice required under subparagraph (A) shall include—

(i) a list and description of the covered GPS devices that are being or expected to be interfered with by commercial communications services;

(ii) a description of the source of, and the entity causing or expect to cause, the interference with such receivers;

(iii) a description of the manner in which such source or such entity is causing or expected to cause such interference;

(iv) a description of the magnitude of harm caused or expected to be caused by such interference;

(v) a description of the duration of and the conditions and circumstances under which such interference is occurring or expected to occur;

(vi) a description of the impact of such interference on the national security interests of the United States; and

(vii) a description of the plans of the Secretary to address, alleviate, or mitigate such interference, including the cost of such plans.

(C) FORM.—The notice required under subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(3) TERMINATION DATE.—The date referred to in this paragraph is the earlier of—

(A) the date that is two years after the date of the enactment of this Act; or

(B) the date on which the Secretary—

(i) determines that commercial communications services are not causing any widespread harmful interference with covered GPS devices; and

(ii) the Secretary submits to the congressional defense committees notice of the determination made under clause (i).

(c) COVERED GPS DEVICE DEFINED.—In this section, the term ''covered GPS device'' means a Global Position System device of the Department of Defense.

(d) CONFORMING REPEAL.—Section 911 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1534) is repealed.

AMENDMENT NO. 43 OFFERED BY MR. CARTER OF GEORGIA

Page 269, line 7, insert ''including small business pharmacies,'' after ''retail pharmacy,''.

AMENDMENT NO. 44 OFFERED BY MRS. COMSTOCK OF VIRGINIA

At the end of subtitle D of title VII add the following:

SEC. ___. DEPARTMENT OF DEFENSE STUDIES ON PREVENTING THE DIVERSION OF OPIOID MEDICATIONS.

(a) STUDIES.—With respect to programs of the Department of Defense that dispense drugs to patients, the Secretary of Defense (referred to in this section as the ''Secretary'') shall study the feasibility, the effectiveness in preventing the diversion of opioid medications, and the cost-effectiveness of—

(1) requiring that such programs, in appropriate cases, dispense opioid medications in vials using affordable technologies designed to prevent access to the medications by anyone other than the intended patient, such as a vial with a locking-cap closure mechanism; and

(2) the Secretary providing education on the risks of opioid medications to individuals for whom such medications are prescribed, and to their families, with special consideration given to raising awareness among adolescents on such risks.

(b) FEEDBACK.—In conducting the studies under subsection (a), the Secretary shall seek feedback (on a confidential basis when appropriate) from the individuals and entities involved in the studies.

(c) REPORT TO CONGRESS.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Congress a report on the results of the studies conducted under subsection (a).

AMENDMENT NO. 46 OFFERED BY MR. LAMBORN OF COLORADO

At the end of subtitle A of title VIII, add the following new section:

SEC. 810A. EXTENSION OF AUTHORITY FOR ENHANCED TRANSFER OF TECHNOLOGY DEVELOPED AT DEPARTMENT OF DEFENSE LABORATORIES.

Section 801(e) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 804; 10 U.S.C. 2514 note) is amended by striking ''2017'' and inserting ''2021''.

AMENDMENT NO. 47 OFFERED BY MR. JENKINS OF WEST VIRGINIA

At the end of title III, add the following new section:

SEC. 3___. INCREASE IN FUNDING FOR NATIONAL GUARD COUNTER-DRUG PROGRAMS.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 1404 for drug interdiction and counter-drug activities, as specified in the corresponding funding table in section 4501, for drug interdiction and counter-drug activities, Defense-wide is hereby increased by $30,000,000 (to be used in support of the National Guard counter-drug programs).

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D—

(1) the amount authorized to be appropriated for in section 101 for procurement, as specified in the corresponding funding table in section 4101, for Aircraft Procurement, Navy, for Common Ground Equipment (Line 064), is hereby reduced by $20,000,000; and

(2) the amount authorized to be appropriated in section 201 for research, development, test, and evaluation, as specified in

the corresponding funding table in section 4201, for advanced component development and prototypes, Advanced Innovative Technologies (Line 095) is hereby reduced by $10,000,000.

AMENDMENT NO. 50 OFFERED BY MR. GUINTA OF NEW HAMPSHIRE

Page 372, after line 8, insert the following:

SEC. 1014. FUNDING FOR COUNTER NARCOTICS OPERATIONS.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated for drug interdiction and counter-drug activities, Defense-wide, as specified in the corresponding funding table in section 4501 is hereby increased by $3,000,000.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated for operation and maintenance, as specified in the corresponding funding table in section 4301, for administration and servicewide activities, Defense Logistics Agency (Line 160) is hereby reduced by $3,000,000.

AMENDMENT NO. 51 OFFERED BY MR. WALBERG OF MICHIGAN

Page 372, after line 8, insert the following:

SEC. 1014. REPORT ON EFFORTS OF UNITED STATES SOUTHERN COMMAND OPERATION TO DETECT AND MONITOR DRUG TRAFFICKING.

The Secretary of Defense shall submit to Congress a report on the effectiveness of the United States Southern Command Operation to limit threats to the national security of the United States by detecting and monitoring drug trafficking, specifically heroin and fentanyl.

AMENDMENT NO. 54 OFFERED BY MRS. ELLMERS OF NORTH CAROLINA

At the end of subtitle F of title X (page 423, before line 4), add the following new section:

SEC. 1070. QUARTERLY REPORTS ON PARACHUTE JUMPS CONDUCTED AT FORT BRAGG AND POPE ARMY AIRFIELD AND AIR FORCE SUPPORT FOR SUCH JUMPS.

(a) REPORT REQUIRED.—Until January 31, 2020, the Secretary of the Air Force and the Secretary of the Army shall submit to the Committees on Armed Services of the House of Representatives and the Senate quarterly reports—

(1) specifying the number of parachute jumps conducted at Fort Bragg and Pope Army Airfield, North Carolina, during the three-month period covered by the report; and

(2) describing and evaluating the level of air support provided by the Air Force for those jumps.

(b) JOINT AIRBORNE AIR TRANSPORTABILITY TRAINING CONTRACTS.—As part of each report submitted under subsection (a), the Secretaries shall specifically provide the following:

(1) The number of Joint Airborne Air Transportability Training contracts requested during the three-month period covered by the report by all units located at Fort Bragg and Pope Army Airfield.

(2) The number of Joint Airborne Air Transportability Training contracts validated during the three-month period covered by the report for units located at Fort Bragg and Pope Army Airfield.

(3) The number of Joint Airborne Air Transportability Training contracts not validated during the three-month period covered by the report for units located at Fort Bragg and Pope Army Airfield.

(4) In the case of each Joint Airborne Air Transportability Training contract identified pursuant to paragraph (3), the reason the contract was not validated.

AMENDMENT NO. 64 OFFERED BY MS. JACKSON LEE OF TEXAS

Page 462, after line 13, insert the following new section:

SEC. 1098. SENSE OF CONGRESS REGARDING UNITED STATES NORTHERN COMMAND PREPAREDNESS.

It is the sense of the Congress that—

(1) the United States Northern Command plays a crucial role in providing additional response capability to State and local governments in domestic disaster relief and consequence management operations;

(2) the United States Northern Command must continue to build upon its current efforts to develop command strategies, leadership training, and response plans to effectively work with civil authorities when acting as the lead agency or a supporting agency; and

(3) the United States Northern Command should leverage whenever possible training and management expertise that resides within the Department of Defense, other Federal agencies, State and local governments, and private sector businesses and academic institutions to enhance—

(A) its defense support to civil authorities and incidence management missions;

(B) relationships with other entities involved in disaster response; and

(C) its ability to respond to unforeseen events.

AMENDMENT NO. 65 OFFERED BY MR. LEWIS OF GEORGIA

At the end of title X, add the following new section:

SEC. 1098. COST OF WARS.

The Secretary of Defense, in consultation with the Commissioner of the Internal Revenue Service and the Director of the Bureau of Economic Analysis, shall post on the public Web site of the Department of Defense the costs, including the relevant legacy costs, to each American taxpayer of each of the wars in Afghanistan, Iraq, and Syria.

AMENDMENT NO. 66 OFFERED BY MS. BORDALLO OF GUAM

Page 462, after line 13, insert the following:

SEC. 1098. WORKFORCE ISSUES FOR RELOCATION OF MARINES TO GUAM.

(a) IN GENERAL.—Section 6(b) of the Joint Resolution entitled ''A Joint Resolution to approve the 'Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union With the United States of America', and for other purposes'', approved March 24, 1976 (48 U.S.C. 1806(b)) is amended to read as follows:

''(b) NUMERICAL LIMITATIONS FOR NONIMMIGRANT WORKERS.—An alien, if otherwise qualified, may seek admission to Guam or to the Commonwealth during the transition program as a nonimmigrant worker under section 101(a)(15)(H) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)) without counting against the numerical limitations set forth in section 214(g) of such Act (8 U.S.C. 1184(g)). An alien, if otherwise qualified, may, before October 1, 2028, be admitted under section 101(a)(15)(H)(ii)(b) of such Act for a period of up to 3 years (which may be extended by the Secretary of Homeland Security before October 1, 2028, for an additional period or periods not to exceed 3 years each) to perform services or labor on Guam pursuant to any agreement entered into by a prime contractor or subcontractor calling for services or labor required for performance of the contract or subcontract in direct support of all military-funded construction, repairs, renovation, and facilities services, or to perform services or labor on Guam as a health-care worker, notwithstanding the requirement of such section that the service or labor be temporary. This subsection does not apply to any employment to be performed outside of Guam or the Commonwealth.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is 120 days after the date of the enactment of this Act.

AMENDMENT NO. 67 OFFERED BY MR. SEAN PATRICK MALONEY OF NEW YORK

Page 462, after line 13, insert the following:

SEC. 1098. REVIEW OF DEPARTMENT OF DEFENSE DEBT COLLECTION REGULATIONS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall review and update Department of Defense regulations to ensure such regulations comply with Federal consumer protection law with respect to the collection of debt.

AMENDMENT NO. 69 OFFERED BY MR. LANGEVIN OF RHODE ISLAND

Page 480, before line 13, insert the following:

SEC. 1112. PUBLIC-PRIVATE TALENT EXCHANGE.

(a) AUTHORITY.—Chapter 81 of title 10, United States Code, as amended by section 1105 of this Act, is further amended by adding at the end the following new section:

''§ 1599g. Public-private talent exchange

''(a) ASSIGNMENT AUTHORITY.—Under regulations prescribed by the Secretary of Defense, the Secretary may, with the agreement of a private-sector organization and the consent of the employee, arrange for the temporary assignment of an employee to such private-sector organization, or from such private-sector organization to a Department of Defense organization under this section.

''(b) AGREEMENTS.—(1) The Secretary of Defense shall provide for a written agreement among the Department of Defense, the private-sector organization, and the employee concerned regarding the terms and conditions of the employee's assignment under this section. The agreement—

''(A) shall require that the employee of the Department of Defense, upon completion of the assignment, will serve in the Department of Defense, or elsewhere in the civil service if approved by the Secretary, for a period equal to the length of the assignment; and

''(B) shall provide that if the employee of the Department of Defense or of the private-sector organization (as the case may be) fails to carry out the agreement, such employee shall be liable to the United States for payment of all expenses of the assignment, unless that failure was for good and sufficient reason, as determined by the Secretary of Defense.

''(2) An amount for which an employee is liable under paragraph (1) shall be treated as a debt due the United States.

''(3) The Secretary may waive, in whole or in part, collection of a debt described in paragraph (2) based on a determination that the collection would be against equity and good conscience and not in the best interests of the United States, after taking into account any indication of fraud, misrepresentation, fault, or lack of good faith on the part of the employee.

''(c) TERMINATION.—An assignment under this section may, at any time and for any reason, be terminated by the Department of Defense or the private-sector organization concerned.

''(d) DURATION.—An assignment under this section shall be for a period of not less than

3 months and not more than one year, renewable up to a total of 4 years. No employee of the Department of Defense may be assigned under this section for more than a total of 4 years inclusive of all such assignments.

''(e) STATUS OF FEDERAL EMPLOYEES ASSIGNED TO PRIVATE-SECTOR ORGANIZATIONS.—An employee of the Department of Defense who is assigned to a private-sector organization under this section shall be considered, during the period of assignment, to be on detail to a regular work assignment in the Department for all purposes. The written agreement established under subsection (b)(1) shall address the specific terms and conditions related to the employee's continued status as a Federal employee.

''(f) TERMS AND CONDITIONS FOR PRIVATE-SECTOR EMPLOYEES.—An employee of a private-sector organization who is assigned to a Department of Defense organization under this section—

''(1) shall continue to receive pay and benefits from the private-sector organization from which such employee is assigned and shall not receive pay or benefits from the Department of Defense, except as provided in paragraph (2);

''(2) is deemed to be an employee of the Department of Defense for the purposes of—

''(A) chapters 73 and 81 of title 5;

''(B) sections 201, 203, 205, 207, 208, 209, 603, 606, 607, 643, 654, 1905, and 1913 of title 18;

''(C) sections 1343, 1344, and 1349(b) of title 31;

''(D) the Federal Tort Claims Act and any other Federal tort liability statute;

''(E) the Ethics in Government Act of 1978; and

''(F) chapter 21 of title 41;

''(3) shall not have access to any trade secrets or to any other nonpublic information which is of commercial value to the private-sector organization from which such employee is assigned.

''(g) PROHIBITION AGAINST CHARGING CERTAIN COSTS TO THE FEDERAL GOVERNMENT.—A private-sector organization may not charge the Department of any other agency of the Federal Government, as direct or indirect costs under a Federal contract, the costs of pay or benefits paid by the organization to an employee assigned to a Department organization under this section for the period of the assignment.

''(h) CONSIDERATIONS.—In carrying out this section, the Secretary of Defense—

''(1) shall ensure that, of the assignments made under this section each year, at least 20 percent are from small business concerns (as defined by section 3703(e)(2)(A) of title 5);

''(2) shall take into consideration the question of how assignments under this section might best be used to help meet the needs of the Department of Defense with respect to the training of employees; and

''(3) shall take into consideration, where applicable, areas of particular private sector expertise, such as cybersecurity.''.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of such chapter, as amended by section 1105 of this Act, is further amended by adding at the end the following new item:

''1599g. Public-private talent exchange.''.

The Acting CHAIR. Pursuant to House Resolution 735, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Massachusetts (Mr. MOULTON) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the gentlewoman from North Carolina (Mrs. ELLMERS).

Mrs. ELLMERS of North Carolina. Mr. Chairman, this amendment does one thing: it maintains oversight and accountability of the Air Force. This will ensure that the Air Force follows through on their promise of providing adequate air support to ensure there is no negative impact on the readiness of Fort Bragg paratroopers.

I have said this is a terrible decision, and today's amendment is about holding the Air Force accountable. It will require the Secretary of the Army and the Air Force to evaluate and to report the levels of air support provided to Fort Bragg by the Air Force. As the Representative of Fort Bragg, this will allow me to monitor jump numbers and ensure military readiness is not jeopardized in any way, shape, or form.

Mr. MOULTON. Mr. Chairman, I yield 2 minutes to the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. Mr. Chairman, I want to, first of all, thank my HASC colleague across the aisle, ETC Chairman WILSON from the great State of South Carolina, for working with me on this bipartisan amendment to expand talent exchange authorities within the DOD.

This amendment addresses a key challenge facing the Department, which is competition with the private sector to recruit and retain highly skilled talent.

As we understand right now, it is exceptionally competitive in, for example, the IT and cybersecurity fields. We need to be able to retain, attract, and recruit the best and the brightest in this field, particularly because salaries are very high and it is very difficult in many ways for the DOD to compete in this space.

While we are very grateful, of course, for those who devote their lives to a military career, not everyone will give 20 or 30 years of their lives to the U.S. military. But there is certainly no shortage of patriotism across the private sector, and dedicating several months or years of their lives to our national security is certainly a worthy endeavor.

This also gives DOD employees exposure to cutting-edge operational techniques and best practices across a wide array of disciplines, while giving private sector employees insight into how the Department operates.

Mr. Chairman, we must ensure that we are recruiting the best and the brightest in order to uphold our national defenses.

This amendment has been sought after by the DOD. Again, there is bipartisan support on this amendment. It gives great flexibility to the Department to be able to work to bring in people of great talent from the private sector for a period of time. Again, it also allows the DOD to have our men and women in uniform go to the private sector for a time and learn best practices and what cutting-edge techniques and capabilities are happening in the private sector.

So this is a good, commonsense amendment, and I urge my colleagues to support it.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. I thank the gentleman for yielding and for his leadership in this very important endeavor.

Mr. Chairman, I rise today in support of this amendment package, which includes my amendment that clarifies that the pilot program for prescription drug acquisition costs regarding TRICARE pharmacy benefits will also include small business pharmacies.

Currently, the pilot program helps extend discounts to TRICARE beneficiaries for prescription drugs filled at retail pharmacies. My amendment simply clarifies that small business pharmacies are retail pharmacies and will be included in this pilot program.

In many cases around the country, people are unlimited when it comes to which pharmacy they can have their preparations filled at. With this amendment, we can ensure all pharmacies, both large and small retailers, will be included in this pilot program.

I encourage all my colleagues to support this amendment package.

Mr MOULTON. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I wanted to refer back to an amendment that was in the previous en bloc that dealt with the special immigrant visas.

I want to express my appreciation to the committee, the chairman, the ranking member, and to the staff. This is a complicated issue. It is in your bill, but it is not entirely within your jurisdiction. And there has been an ebb and flow. It has been something that I have, as you know, been working on for a decade, and that is for the United States to keep faith with the people in Afghanistan who made the mission possible—the people who literally risked their lives as guides, construction workers, interpreters, and truck drivers—the men and women who made it possible for us to succeed.

It isn't just the Department of Defense. There are men and women who worked with the State Department and USAID, which are an important part of our activities in those countries. Those foreign nationals are every bit at risk as somebody who is guiding our troops in the field.

I appreciate your willingness to put in the en bloc amendment a little bit of flexibility. I hope it is not the last word, because we need to think seriously about what we do for the people who work on base, people who work for

the State Department, and the people who work for USAID so that we are able to make sure that we have an adequate number of visas and that we don't have an arbitrarily short period of time because the pipeline has been hopelessly complex and flawed.

We have been working with the bureaucracy in trying to make it work better, but that is an ongoing struggle. And the fact is, there are different people with different committees who have different orientations.

I hope that this en bloc amendment is just the start and that we can continue working with the chairman, with the minority party, with the staff, and with the advocates and various people who are committed to making sure that we do right by the people who are at risk now of being killed, murdered, tortured, and having family members killed.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from North Carolina (Mr. HUDSON).

Mr. HUDSON. Mr. Speaker, North Carolina is a proud, strong military State. We are proud of the men and women who answer the call and risk their lives to protect us. I never, ever want them to be in a fair fight. I want them to always have the tools, the equipment, and the training needed to dominate and destroy the enemy. That is why I filed an amendment with my colleague, RENEE ELLMERS, to protect training of paratroopers at Fort Bragg, the epicenter of the universe.

As you may know, the Air Force has moved forward with plans to deactivate the 440th Airlift Wing. This deactivation puts these young paratroopers, and indeed our very national security, at risk, as evidenced by the failure of the Air Force to meet current training requirements.

For the sake of our national security, this amendment is absolutely critical to hold the Air Force accountable and to ensure our rapid reaction forces are prepared for deployment at a moment's notice.

I urge my colleagues to support it.

Mr. MOULTON. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Chairman, I rise today in support of the bipartisan amendment I have co-written with my colleague, Judge TED POE of Texas.

The amendment, which is part of the en bloc amendments, endorses an ongoing effort at the Defense Security Cooperation Agency to develop a comprehensive framework for the assessment, monitoring, and evaluation of security cooperation activities of the Department of Defense. It follows a related monitoring evaluation amendment Judge POE and I offered to the NDAA for FY 2016 and the committee retained, gratefully, in the 2017 bill.

Security cooperation with foreign security forces builds valuable international partnerships and enhances the ability of our partners to carry out joint military operations and enhances American security while it is at it. However, few requirements are placed on these programs to measure the impact of funding provided to our foreign security partners. Looking at efficacy, does it work?

Judge POE and I have led the effort to apply assessment, monitoring, and evaluation leading principles to U.S. foreign assistance administered by the State Department, USAID, and other Federal agencies.

Last year, the House of Representatives passed our bill, the Foreign Aid Transparency and Accountability, H.R. 3766. We should have a similar expectation of accountability for our security cooperation programs as well.

I welcome the committee's bipartisan efforts to begin to reform, consolidate, and modify the more than 120 security cooperation authorities Congress has provided DOD over the years.

Notably, the underlying bill strengthens country-by-country reporting requirements for security cooperation and begins to reorganize security cooperation authorities into one coherent separate section of title X of the U.S. Code.

Furthermore, the Senate is advancing an NDAA bill that requires DOD to produce an annual budget justification for security cooperation funding.

There is obviously significant demand, Mr. Chairman, for more transparency and accountability in terms of U.S. security cooperation. Our amendment is consistent with that demand, and it builds on the great work done by the committee in this area to define clear objectives and metrics for security cooperation.

I want to thank the chairman, the ranking member, and both committee staffs, minority and majority, for their excellent work and for their bipartisan approach to this and so many other issues in the bill.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New Hampshire (Mr. GUINTA).

Mr. GUINTA. Mr. Chairman, I rise in support of my amendment to the National Defense Authorization Act, and I want to thank the chairman for including it in the en bloc package.

My amendment increases funding for U.S. NORTHCOM's Joint Task Force North by $3 million to assist with its counternarcotics operations.

As part of my work as the chair of the Task Force to Combat the Heroin Epidemic, I traveled to the Mexican border earlier this spring to investigate sources of illegal fentanyl and heroin coming into the country. There I learned and had the opportunity to meet with the commanding officers at the Joint Task Force North, the joint service command that supports Federal law enforcement agencies with resources to identify and interdict criminal activities conducted within the United States and its borders.

My goal is to ensure that Joint Task Force North receives the funding necessary to continue their counternarcotics efforts.

Again, I want to thank the chairman and the Armed Services Committee for their work on the underlying bill, and I urge my colleagues to support the amendment.

Mr. MOULTON. Mr. Chairman, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chairman, again, I thank the distinguished gentleman, and I also thank the chairman of the full committee, the ranking member of the full committee, and the subcommittee chairs as well.

I serve on the Homeland Security Committee, and I am constantly aware of the overlapping duties and responsibilities, Mr. Chairman, of the United States military, which has its confinement in certain areas, but also working to secure the homeland.

The Jackson Lee amendment No. 64 in en bloc amendment No. 4 makes an important contribution to the bill by improving the effectiveness of U.S. Northern Command, or NORTHCOM, in fulfilling its critical mission of protecting the U.S. homeland in the event of war and to provide support to local, State, and Federal authorities in times of national emergency.

Specifically, here is what my amendment does. It develops and has in place a leadership strategy that will strengthen and foster necessary institutional and interpersonal relationships with State and local governments. The backbone of securing the homeland is engaging State and local governments. Also, to develop an instructional program to train key personnel how to lead effectively in the event of a disaster when they do not have command authority to dictate actions.

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In addition, NORTHCOM, which was established in 2002 in the aftermath of the 9/11 attacks, is to bring the capabilities and the resources of the U.S. military to the assistance the American people during a catastrophic disaster like war or a pandemic outbreak of diseases, such as Ebola, Zika, SARS, or influenza; major earthquakes, floods, and natural disasters; or terrorist attacks.

I live in the Gulf Coast, and I am well familiar with hurricanes, enormous rains that we have just experienced, needing to bring to bear moving large numbers of people, housing large numbers of people.

And then this morning I spent time after time of dealing with the Zika virus, which, again, our southern Gulf Coast region may be the epicenter.

Let me quote, for example, a quote from a renowned professor, Leonard Marcus, out of Harvard. What we are trying to do is: ''Effective emergency preparedness and response requires leadership that can accomplish perceptive coordination and communication amongst diverse agencies . . .''

The Acting CHAIR (Mr. HOLDING). The time of the gentlewoman has expired.

Mr. MOULTON. Mr. Chair, I yield an additional 1 minute to the gentlewoman from Texas.

Ms. JACKSON LEE. The challenge is, as we learned from 9/11, ''operating within their specified scope of authority, preparedness leaders in characteristic bureaucratic fashion often serve to bolster the profile and import of their own organization, thereby creating a silo effect . . .''

So let me speak as that Homeland Security member and the person who has been engaged in the crises or disasters in my own community. When we collaborate we work better together. When we develop relationships, we work better together.

Let me just offer a moment of personal privilege as someone speaking about relationships. This bill has many good elements in it, and I am propelled and committed to diversity and respecting all people.

I am saddened by the language that the Russell amendment has dealing with the LGBT, and I am saddened that the Dent amendment was not allowed in. We need to build on collaborating with all people to secure America and to make a better military.

I thank the gentleman for the support of my amendment in the en bloc.

Mr. Chair, I rise in support of En Bloc Amendment Number 4 to H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017, offered by Chairman THORNBERRY.

I want to express my thanks and appreciation to Chairman THORNBERRY and Ranking Member SMITH, and their colleagues on the Armed Services Committee for their work thank on this bill and their devotion to the men and women of the Armed Forces.

I also thank Chairman SESSIONS and Ranking Member SLAUGHTER of the Rules Committee for making in order Jackson Lee Amendment Number 64, which is included in En Bloc Amendment Number 4.

Jackson Lee Amendment Number 64 makes an important contribution to the bill by improving the effectiveness of the Northern Command (''NORTHCOM'') in fulfilling its critical mission of protecting the U.S. homeland in event of war and to provide support to local, state, and federal authorities in times of national emergency.

Specifically, Jackson Lee Amendment Number 64 encourages NORTHCOM to:

1. Develop and has in place a leadership strategy that will strengthen and foster necessary institutional and interpersonal relationships with state and local governments; and

2. Develop an instructional program to train key personnel how to lead effectively in the event of a disaster when they do not have command authority to dictate actions.

A mission critical function of NORTHCOM, which was established in 2002 in the aftermath of the 9/11 attacks is to bring the capabilities and the resources of the U.S. military to the assistance of the American people during a catastrophic disaster like war, a pandemic outbreak of diseases such Ebola, Zika, Sars, or influenza; major earthquakes, floods, and natural disasters; or terrorist attacks like those occurring on September 11, 2001 and at the Boston Marathon on April 15, 2013.

NORTHCOM leaders will be much more effective in saving lives, protecting assets, and enhancing resilience after the disaster has occurred if they are trained in the techniques of effective engagement with civilian leadership.

Jackson Lee Amendment Number 64 will help ensure that such training will be available.

Mr. Chair, let me explain why this type of training—commonly referred to as ''Resilience'' training is very important.

As stated in a highly influential journal article by Professor Leonard Marcus and his colleagues at Harvard's National Public Leadership Initiative, ''effective emergency preparedness and response requires leadership that can accomplish perceptive coordination and communication amongst diverse agencies and sectors.'' (Leonard J. Marcus, Barry C. Dorn, and Joseph M. Henderson, Meta-Leadership and National Emergency Preparedness: A Model to Build Government Connectivity, in Biosecurity And Bioterrorism: Biodefense Strategy, Practice, And Science Volume 4, Number 2, 2006).

The challenge is, as we learned from the 9/11 Commission, operating within their specified scope of authority, preparedness leaders in characteristic bureaucratic fashion often serve to bolster the profile and import of their own organization, thereby creating a silo effect that interferes with effective system wide planning and response.

Resilience training seeks to equip preparedness leaders overcome this obstacle of ''traditional silo thinking by teaching ''meta-leadership,'' a new type of overarching leadership that intentionally connects the purposes and work of different organizations or organizational units.

Meta-leadership training enables leaders to provide guidance, direction, and momentum across organizational lines that develop into a shared course of action and a commonality of purpose among people and agencies that are doing what may appear to be very different work.

Meta-leaders have the skill and training to imaginatively and effectively leverage system assets, information, and capacities, which a particularly critical function for organizations with emergency preparedness responsibilities like responding to terrorist attacks, natural disasters, or pandemic outbreaks of infectious diseases like the Ebola and the Zika Virus, which may disproportionately affect persons in the Gulf Coast region, including my congressional district in Houston, Texas.

As a senior and charter member of the Homeland Security Committee, and the Ranking Member of Judiciary Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, I have spent the better part of the last decade and a half working to craft policies and provide the resources, personnel, equipment, and funding needed to protect the security of our homeland and the American people.

Jackson Lee Amendment Number 64 will help ensure that those responsible for providing leadership in times of national emergency have the skills and training to prevent, mitigate, or recover from any major catastrophe, disaster, or tragedy that could befall our nation.

I urge my colleagues to support En Bloc Amendment Number 64 and thank the Chairman and Ranking Member for including Jackson Lee Amendment Number 64 in this important measure.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Mr. Chairman, I rise in support of two amendments I offered to this year's National Defense Authorization Act.

The amendment we are currently considering requires the DOD to report on the effectiveness of efforts to detect and monitor drug trafficking, specifically heroin and fentanyl, which is devastating my home State of Michigan and the entire country.

The United States Southern Command is already doing important work to interdict drug runners and provide needed training to counternarcotic teams in Central America.

My amendment would help quantify those efforts and see what more can be done to combat the heroin and fentanyl coming from this region.

The second bipartisan amendment, which we will consider later today, requires DOD to verify it has sufficient access to Afghan accounts to guarantee effective audits.

It is important that our military has access to financial information to protect U.S. funds from waste, fraud, and abuse, and ensure taxpayer resources are being spent effectively.

I appreciate these amendments being included en bloc. I urge the support of my colleagues.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 2 minutes to the distinguished gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Chairman, I rise in support of my amendment, and I thank the chairman for including it in the next en bloc amendment, one that brings accountability to countries granting consent to Russian naval vessels calling into port.

The aggressive posture and actions of the Russian Federation over the last few years has profoundly changed the global landscape. Russia has invaded Crimea, and currently still occupies that region. And Russia directly intervened militarily to shore up the Assad regime in Syria.

The common thread that runs through these two interventions is that

of warm water ports for the Russian navy. Crimea's port in Sevastopol and Syria's port of Tartus provide Russia with access to the warm waters of the Black Sea and the Mediterranean, waters that are essential to Russia's reach of aggression.

Despite these aggressive actions, some countries are accommodating the Russian navy by allowing warships and submarines to call into their ports.

Spain, although a cherished NATO ally, grants Russia access to the ports in its enclaves across the strategically important Strait of Gibraltar, where the United Kingdom has a Permanent Joint Operating Base that hosts U.S. ships.

Furthermore, Greece and Malta have hosted Russian warships last year. The recent high-profile visits to Cuba, Venezuela, and Nicaragua by Russia's navy in recent years are also cause for concern.

Mr. Chairman, governments across the globe should be isolating the Russian navy, not accommodating it.

The Russian navy must constantly compete with geographic and strategic disadvantages of lacking access to warm blue waters of the world, but these disadvantages are forfeited when we lack a cohesive, unified effort to deny Russian vessels the ability to call into foreign ports.

With the inclusion of this amendment, the Secretary of Defense will have to report to Congress and, thus, the American people on these instances. And I hope governments will think twice before offering up their ports to Putin's navy.

I urge support of the underlying bill as well.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Illinois, (Mr. KINZINGER).

Mr. KINZINGER of Illinois. Mr. Chairman, I rise today in support of amendment No. 74 in the en bloc, the Blumenauer Special Immigrant Visa amendment. I just want to speak to the program broadly and quickly.

In Afghanistan, countless people put their lives on the line to serve as translators, basically being the middle person between American troops and the population we are trying to secure.

Now, we promised them opportunity to come into the United States, but this process has been bogged down by bureaucracy. In fact, many have been in this process for years, and still in the first steps because of the bureaucracy on this.

Unfortunately, today, actually, many Afghans are being killed every day by the Taliban, by ISIS, by al Qaeda, as a result of having worked with us.

I want to thank Representative MOULTON and Representative BLUMENAUER for their work on this. This is a bipartisan issue, and one that I think we ought to take very seriously, keeping our commitment to those that help us, because there will be a war again some day, and we ought to be able to maintain the trust of the population we are there to secure.

So I thank Mr. BLUMENAUER for putting this amendment in, and I thank the chairman for accepting it.

Mr. MOULTON. Mr. Chair, I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chair, I yield myself the balance of my time.

Mr. Chair, I just think it is important to pause for a second and just think about what has just happened here. We have had a package of amendments that have been discussed, about an equal number of Republicans and Democrats. They have talked about very important issues and contributions that they have made, but if a Member then votes against final passage of the bill, the contributions are nullified.

And I think it is just important to step back and just reiterate that all of us have provisions in this bill we agree with and disagree with. We place different values on different parts of the bill. But what has happened before is that Members have put aside some personal differences and still paid attention to the larger purpose of the bill, which is to support the men and women who serve our country. I hope that can happen again.

However proud Members may be of the various provisions—and there are a lot of good provisions from both sides of the aisle—however proud they may be of those, if you don't support the final bill, you are not accomplishing very much.

I hope Members not only will support this en bloc package, but the final measure.

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

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC NO. 5 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 735, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 5 consisting of amendment Nos. 55, 56, 57, 58, 60, 61, 62, 68, 70, 74, 77, and 82 printed in House Report 114–571, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 55 OFFERED BY MR. GOSAR OF ARIZONA

At the end of subtitle F of title X, add the following new section:

SEC. 1070. BRIEFING ON REAL PROPERTY INVENTORY.

(a) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall brief the Committee on Armed Services of the House of Representatives on the status of the Installation Geospatial Information and Services of the Department of Defense as it relates to the real property inventory of the Department, and the extent to which the Department has made use of the cadastral geographic information systems-based real property inventory.

(b) MATTERS COVERED.—The briefing required by subsection (a) shall, at a minimum, cover the following:

(1) The status of current policies of the Department governing real property inventories and the use of geospatial information systems, the status of real property inventory in relation to the financial improvement and audit readiness efforts of the Department, and the status of implementation of Department of Defense Instruction 8130.01, Installation Geospatial Information and Services (IGI&S).

(2) The extent to which the Department is coordinating with the Federal Geographic Data Committee, other Federal agencies, and State and local governments, and how existing Department standards and common protocols ensure that the interoperability of geospatial information complies with section 216 of the E-Government Act of 2002 (Public Law 107–347; 44 U.S.C. 3501 note) and Executive Orders 12906 and 13327.

(3) The existing real property inventories systems or any components of any cadastre currently authorized by law or conducted by the Department of Defense, the statutory authorization for such inventories or components, and the amount expended by the Federal Government for each such activity in fiscal year 2015.

(4) A discussion of the Department's ability to make this information publicly available on the Internet in a graphically geo-enabled and searchable format, and how the Department plans to prevent the disclosure of any parcel or parcels of land, any buildings or facilities on any such parcel, or any information related to any such parcel, building, or facility, if such disclosure would impair or jeopardize the national security or homeland defense of the United States.

(5) Any additional topics identified by the Secretary.

AMENDMENT NO. 56 OFFERED BY MR. RUSSELL OF OKLAHOMA

Page 423, after line 3, insert the following:

SEC. 1071. REPORT ON ADJUSTMENT AND DIVERSIFICATION ASSISTANCE.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committee on Armed Services of the House of Representatives a briefing on the adjustment and diversification assistance authorized by subsections (b) and (c) of section 2391 of title 10, United States Code. Such briefing shall include each of the following:

(1) A description of the activities and programs currently being conducted under subsections (b)(1) and (c) of such section, including a list of the recipients of grants, and amount received by each recipient, of such activities and programs in each of the five most recent fiscal years.

(2) For each of the five fiscal years preceding the fiscal year during which the briefing is conducted, separate estimates of the funding the Department of Defense has directed to activities under each of clauses (A) through (E) of paragraph (1) of subsection (b) and under subsection (c) of such section and the recipients of such funding.

AMENDMENT NO. 57 OFFERED BY MR. PITTS OF PENNSYLVANIA

Page 542, after line 6, insert before ''Such'' the following: ''The number and type of transient Russian naval vessels that have utilized ports of the country.''.

Page 542, line 8, insert before ''and'' the following: '', including the use of ports of such country by transient Russian naval vessels,''.

AMENDMENT NO. 58 OFFERED BY MR. YOUNG OF IOWA

Insert at the end of subtitle F of title X the following:

SEC. 1070. BRIEFING ON THE PROTECTION OF PERSONALLY IDENTIFYING INFORMATION OF MEMBERS OF THE ARMED FORCES.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the congressional defense committees a briefing on the efforts of the Department of Defense to protect the personally identifiable information of members of the Armed Forces and their families, and of employees of the Department of Defense, which shall include—

(1) current and planned initiatives to protect the personally identifying information of members of the Armed Forces and their families, and employees of the Department of Defense;

(2) the challenges encountered in carrying out the activities described in paragraph (1); and

(3) any trends related to fraudulent activity that targets the personally identifying information of members of the Armed Forces or their families, or employees of the Department of Defense.

AMENDMENT NO. 60 OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA

Page 462, after line 13, insert the following new section:

SEC. 1098. IMPORTANCE OF ROLE PLAYED BY WOMEN IN WORLD WAR II.

(a) FINDINGS.—Congress finds the following:

(1) National Rosie the Riveter Day is a collective national effort to raise awareness of the 16 million women working during World War II.

(2) Americans have chosen to honor female workers who contributed on the home front during World War II.

(3) These women left their homes to work or volunteer full-time in factories, farms, shipyards, airplane factories, banks, and other institutions in support of the military overseas.

(4) These women worked with the USO and Red Cross, drove trucks, riveted airplane parts, collected critical materials, rolled bandages, and served on rationing boards.

(5) It is fitting and proper to recognize and preserve the history and legacy of working women, including volunteer women, during World War II to promote cooperation and fellowship among such women and their descendants.

(6) These women and their descendants wish to further the advancement of patriotic ideas, excellence in the workplace, and loyalty to the United States of America.

(b) SENSE OF CONGRESS.—Congress acknowledges the important role played by women in World War II.

AMENDMENT NO. 61 OFFERED BY MR. FORBES OF VIRGINIA

At the end of subtitle G of title X, add the following:

SEC. 1098. RECOVERY OF EXCESS RIFLES, AMMUNITION, AND PARTS GRANTED TO FOREIGN COUNTRIES AND TRANSFER TO CERTAIN PERSONS.

(a) RECOVERY.—Subchapter II of chapter 407 of title 36, United States Code, is amended by inserting after section 40728A the following new section:

''§ 40728B. Recovery of excess rifles, ammunition, and parts granted to foreign countries and transfer to certain persons

''(a) AUTHORITY TO RECOVER.—(1) Subject to paragraph (2) and subsection (b), the Secretary of the Army may acquire from any person any rifle, ammunition, repair parts, or other supplies described in section 40731(a) of this title which were—

''(A) provided to any country on a grant basis under the conditions imposed by section 505 of the Foreign Assistance Act of 1961 (22 U.S.C. 2314) that became excess to the needs of such country; and

''(B) lawfully acquired by such person.

''(2) The Secretary of the Army may not acquire anything under paragraph (1) except for transfer to a person in the United States under subsection (c).

''(3) The Secretary of the Army may accept rifles, ammunition, repair parts, or other supplies under paragraph (1) notwithstanding section 1342 of title 31.

''(b) COST OF RECOVERY.—The Secretary of the Army may not acquire anything under subsection (a) if the United States would incur any cost for such acquisition.

''(c) AVAILABILITY FOR TRANSFER.—Any rifles, ammunition, repair parts, or supplies acquired under subsection (a) shall be available for transfer in the United States to the person from whom acquired if such person—

''(1) is licensed as a manufacturer, importer, or dealer pursuant to section 923(a) of title 18; and

''(2) uses an ammunition depot of the Army that is an eligible facility for receipt of any rifles, ammunition, repair parts, or supplies under this paragraph.

''(d) CONTRACTS.—Notwithstanding subsection (k) of section 2304 of title 10, the Secretary may enter into such contracts or cooperative agreements on a sole source basis pursuant to paragraphs (4) and (5) of subsection (c) of such section to carry out this section.

''(e) AECA.—Transfers authorized under this section may only be made in accordance with applicable provisions of the Arms Export Control Act (22 U.S.C. 2778).

''(f) RIFLE DEFINED.—In this section, the term 'rifle' has the meaning given such term in section 921 of title 18.''.

(b) SALE.—Section 40732 of such title is amended—

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

''(d) SALES BY OTHER PERSONS.—A person who receives a rifle or any ammunition, repair parts, or supplies under section 40728B(c) of this title may sell, at fair market value, such rifle, ammunition, repair parts, or supplies. With respect to rifles other than caliber .22 rimfire and caliber .30 rifles, the seller shall obtain a license as a dealer in rifles and abide by all requirements imposed on persons licensed under chapter 44 of title 18, including maintaining acquisition and disposition records, and conducting background checks.''; and

(2) in subsection (c), in the heading, by inserting ''BY THE CORPORATION'' after ''LIMITATION ON SALES''.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 407 of such title is amended by inserting after the item relating to section 40728A the following new item:

''40728B. Recovery of excess rifles, ammunition, and parts granted to foreign countries and transfer to certain persons.''.

AMENDMENT NO. 62 OFFERED BY MR. YOUNG OF INDIANA

At the end of title X, add the following new section:

SEC. 1098. PROJECT MANAGEMENT.

(a) DEPUTY DIRECTOR FOR MANAGEMENT.—

(1) ADDITIONAL FUNCTIONS.—Section 503 of title 31, United States Code, is amended by adding at the end the following:

''(c) PROGRAM AND PROJECT MANAGEMENT.—

''(1) REQUIREMENT.—Subject to the direction and approval of the Director, the Deputy Director for Management or a designee shall—

''(A) adopt governmentwide standards, policies, and guidelines for program and project management for executive agencies;

''(B) oversee implementation of program and project management for the standards, policies, and guidelines established under subparagraph (A);

''(C) chair the Program Management Policy Council established under section 1126(b);

''(D) establish standards and policies for executive agencies, consistent with widely accepted standards for program and project management planning and delivery;

''(E) engage with the private sector to identify best practices in program and project management that would improve Federal program and project management;

''(F) conduct portfolio reviews to address programs identified as high risk by the Government Accountability Office;

''(G) not less than annually, conduct portfolio reviews of agency programs in coordination with Project Management Improvement Officers designated under section 1126(a)(1) to assess the quality and effectiveness of program management; and

''(H) establish a 5-year strategic plan for program and project management.

''(2) APPLICATION TO DEPARTMENT OF DEFENSE.—Paragraph (1) shall not apply to the Department of Defense to the extent that the provisions of that paragraph are substantially similar to or duplicative of—

''(A) the provisions of chapter 87 of title 10; or

''(B) policy, guidance, or instruction of the Department related to program management.''.

(2) DEADLINE FOR STANDARDS, POLICIES, AND GUIDELINES.—Not later than 1 year after the date of enactment of this Act, the Deputy Director for Management of the Office of Management and Budget shall issue the standards, policies, and guidelines required under section 503(c) of title 31, United States Code, as added by paragraph (1).

(3) REGULATIONS.—Not later than 90 days after the date on which the standards, policies, and guidelines are issued under paragraph (2), the Deputy Director for Management of the Office of Management and Budget, in consultation with the Program Management Policy Council established under section 1126(b) of title 31, United States Code, as added by subsection (b)(1), and the Director of the Office of Management and Budget, shall issue any regulations as are necessary to implement the requirements of section 503(c) of title 31, United States Code, as added by paragraph (1).

(b) PROGRAM MANAGEMENT IMPROVEMENT OFFICERS AND PROGRAM MANAGEMENT POLICY COUNCIL.—

(1) AMENDMENT.—Chapter 11 of title 31, United States Code, is amended by adding at the end the following:

''§ 1126. Program Management Improvement Officers and Program Management Policy Council

''(a) PROGRAM MANAGEMENT IMPROVEMENT OFFICERS.—

''(1) DESIGNATION.—The head of each agency described in section 901(b) shall designate a senior executive of the agency as the Program Management Improvement Officer of the agency.

''(2) FUNCTIONS.—The Program Management Improvement Officer of an agency designated under paragraph (1) shall—

''(A) implement program management policies established by the agency under section 503(c); and

''(B) develop a strategy for enhancing the role of program managers within the agency that includes the following:

''(i) Enhanced training and educational opportunities for program managers that shall include—

''(I) training in the relevant competencies encompassed with program and project manager within the private sector for program managers; and

''(II) training that emphasizes cost containment for large projects and programs.

''(ii) Mentoring of current and future program managers by experienced senior executives and program managers within the agency.

''(iii) Improved career paths and career opportunities for program managers.

''(iv) A plan to encourage the recruitment and retention of highly qualified individuals to serve as program managers.

''(v) Improved means of collecting and disseminating best practices and lessons learned to enhance program management across the agency.

''(vi) Common templates and tools to support improved data gathering and analysis for program management and oversight purposes.

''(3) APPLICATION TO DEPARTMENT OF DEFENSE.—This subsection shall not apply to the Department of Defense to the extent that the provisions of this subsection are substantially similar to or duplicative of the provisions of chapter 87 of title 10. For purposes of paragraph (1), the Under Secretary of Defense for Acquisition, Technology, and Logistics (or a designee of the Under Secretary) shall be considered the Program Management Improvement Officer.

''(b) PROGRAM MANAGEMENT POLICY COUNCIL.—

''(1) ESTABLISHMENT.—There is established in the Office of Management and Budget a council to be known as the 'Program Management Policy Council' (in this subsection referred to as the 'Council').

''(2) PURPOSE AND FUNCTIONS.—The Council shall act as the principal interagency forum for improving agency practices related to program and project management. The Council shall—

''(A) advise and assist the Deputy Director for Management of the Office of Management and Budget;

''(B) review programs identified as high risk by the General Accountability Office and make recommendations for actions to be taken by the Deputy Director for Management of the Office of Management and Budget or a designee;

''(C) discuss topics of importance to the workforce, including—

''(i) career development and workforce development needs;

''(ii) policy to support continuous improvement in program and project management; and

''(iii) major challenges across agencies in managing programs;

''(D) advise on the development and applicability of standards governmentwide for program management transparency; and

''(E) review the information published on the website of the Office of Management and Budget pursuant to section 1122.

''(3) MEMBERSHIP.—

''(A) COMPOSITION.—The Council shall be composed of the following members:

''(i) Five members from the Office of Management and Budget as follows:

''(I) The Deputy Director for Management.

''(II) The Administrator of the Office of Electronic Government.

''(III) The Administrator of Federal Procurement Policy.

''(IV) The Controller of the Office of Federal Financial Management.

''(V) The Director of the Office of Performance and Personnel Management.

''(ii) The Program Management Improvement Officer from each agency described in section 901(b).

''(iii) Other individuals as determined appropriate by the Chairperson.

''(B) CHAIRPERSON AND VICE CHAIRPERSON.—

''(i) IN GENERAL.—The Deputy Director for Management of the Office of Management and Budget shall be the Chairperson of the Council. A Vice Chairperson shall be elected by the members and shall serve a term of not more than 1 year.

''(ii) DUTIES.—The Chairperson shall preside at the meetings of the Council, determine the agenda of the Council, direct the work of the Council, and establish and direct subgroups of the Council as appropriate.

''(4) MEETINGS.—The Council shall meet not less than twice per fiscal year and may meet at the call of the Chairperson or a majority of the members of the Council.

''(5) SUPPORT.—The head of each agency with a Project Management Improvement Officer serving on the Council shall provide administrative support to the Council, as appropriate, at the request of the Chairperson.

''(6) COMMITTEE DURATION.—Section 14(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Council.''.

(2) REPORT REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Director of the Office of Management and Budget, in consultation with each Program Management Improvement Officer designated under section 1126(a)(1) of title 31, United States Code, shall submit to Congress a report containing the strategy developed under section 1126(a)(2)(B) of such title, as added by paragraph (1).

(c) PROGRAM AND PROJECT MANAGEMENT PERSONNEL STANDARDS.—

(1) DEFINITION.—In this subsection, the term ''agency'' means each agency described in section 901(b) of title 31, United States Code, other than the Department of Defense.

(2) REGULATIONS REQUIRED.—Not later than 180 days after the date on which the standards, policies, and guidelines are issued under section 503(c) of title 31, United States Code, as added by subsection (a)(1), the Director of the Office of Personnel Management, in consultation with the Director of the Office of Management and Budget, shall issue regulations that—

(A) identify key skills and competencies needed for a program and project manager in an agency;

(B) establish a new job series, or update and improve an existing job series, for program and project management within an agency; and

(C) establish a new career path for program and project managers within an agency.

(d) GAO REPORT ON EFFECTIVENESS OF POLICIES ON PROGRAM AND PROJECT MANAGEMENT.—Not later than 3 years after the date of enactment of this Act, the Government Accountability Office shall issue, in conjunction with the High Risk list of the Government Accountability Office, a report examining the effectiveness of the following on improving Federal program and project management:

(1) The standards, policies, and guidelines for program and project management issued under section 503(c) of title 31, United States Code, as added by subsection (a)(1).

(2) The 5-year strategic plan established under section 503(c)(1)(H) of title 31, United States Code, as added by subsection (a)(1).

(3) Program Management Improvement Officers designated under section 1126(a)(1) of title 31, United States Code, as added by subsection (b)(1).

(4) The Program Management Policy Council established under section 1126(b)(1) of title 31, United States Code, as added by subsection (b)(1).

AMENDMENT NO. 68 OFFERED BY MR. YOUNG OF ALASKA

In section 1101—

(1) in subsection (a), insert ''or as a military technician (dual status)'' after ''Base''; and

(2) amend subsection (c) to read as follows:

(c) DEFINITIONS.—In this section—

(1) the term ''defense industrial base facility'' means any Department of Defense depot, arsenal, or shipyard located within the United States; and

(2) the term ''military technician (dual status)'' has the meaning given such term in section 10216 of title 10, United States Code.

AMENDMENT NO. 70 OFFERED BY MR. CONNOLLY OF VIRGINIA

At the end of subtitle A of title XII, add the following:

SEC. 12xx. SENSE OF CONGRESS REGARDING AN ASSESSMENT, MONITORING, AND EVALUATION FRAMEWORK FOR SECURITY COOPERATION.

It is the sense of Congress that—

(1) the Secretary of Defense should develop and maintain an assessment, monitoring, and evaluation framework for security cooperation with foreign countries to ensure accountability and foster implementation of best practices; and

(2) such framework—

(A) should be consistent with interagency approaches and existing best practices;

(B) should be sufficiently resourced and appropriately placed within the Department of Defense to enable the rigorous examination and measurement of security cooperation efforts towards meeting stated objectives and outcomes; and

(C) should be used to inform security cooperation planning, policies, and resource decisions as well as ensure the effectiveness and efficiency of security cooperation efforts.

AMENDMENT NO. 74 OFFERED BY MR. BLUMENAUER OF OREGON

Beginning on page 503, strike line 16 through page 504, line 11, and insert the following:

(a) ALIENS DESCRIBED.—Section 602(b)(2)(A)(ii)(I) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended to read as follows:

''(I)(aa) by, or on behalf of, the United States Government, in the case of an alien

submitting an application for Chief of Mission approval pursuant to subparagraph (D) before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017; or

''(bb) in the case of an alien submitting an application for Chief of Mission approval pursuant to subparagraph (D) on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, in a capacity that required the alien—

''(AA) to serve as an interpreter or translator for personnel of the Department of State or the United States Agency for International Development in Afghanistan while traveling away from United States embassies or consulates with such personnel;

''(BB) to serve as an interpreter or translator for United States military personnel in Afghanistan while traveling off-base with such personnel; or

''(CC) to perform sensitive and trusted activities for United States military personnel stationed in Afghanistan; or''.

AMENDMENT NO. 77 OFFERED BY MR. WELCH OF VERMONT

At the end of subtitle B of title XII, add the following:

SEC. 12xx. MODIFICATION TO SEMIANNUAL REPORT ON ENHANCING SECURITY AND STABILITY IN AFGHANISTAN.

Subsection (b) of section 1225 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3550), as amended by section 1213 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1045), is further amended by adding at the end the following:

''(8) AFGHAN PERSONNEL AND PAY SYSTEM.—A description of the status of the implementation of the Afghan Personnel and Pay System (APPS) at the Afghan Ministry of Interior and the Afghan Ministry of Defense for personnel funds provided through the Afghanistan Security Forces Fund, including a description of the following:

''(A) The expected completion date of installation and full implementation and utilization of the APPS.

''(B) If installation of the APPS is complete at one, or both, ministries, the extent to which the APPS is being utilized to distribute personnel funds to the Afghan National Army and Afghan National Police.

''(C) If installation of the APPS is not complete at one, or both, ministries, or full implementation and utilization of the APPS has not been achieved at one, or both, ministries, an explanation of any delays, any expected obstacles, and any additional support that may be needed for installation or full implementation and utilization.

''(D) Any examples of intentional delay or obstruction by members of the Government of Afghanistan, to include one, or both, ministries, or any sub-unit thereof, to installing or fully implementing or utilizing the APPS.

''(E) If the APPS is fully implemented at one, or both, ministries, the identified cost savings to date, due to the elimination of waste, fraud, and abuse at the ministry compared to the previous payroll system. If the APPS is not fully implemented at one, or both, ministries, the expected cost savings due to the elimination of waste, fraud, and abuse at the ministry once the APPS is fully implemented.

''(F) If the APPS is not fully implemented, what steps the United States and Afghanistan are taking to mitigate waste, fraud, and abuse in the disbursement of personnel funds provided through the Afghanistan Security Forces Fund.''.

AMENDMENT NO. 82 OFFERED BY MR. KILMER OF WASHINGTON

Page 545, after line 22, insert the following:

''(22) A description of the People's Republic of China's military and nonmilitary activities in the South China Sea.''.

At the end of subtitle E of title XII, add the following:

SEC. 12xx. REDESIGNATION AND ENHANCEMENT OF SOUTH CHINA SEA INITIATIVE.

(a) SENSE OF CONGRESS.—It is the sense of the Congress that the United States should continue supporting the efforts to the Southeast Asian nations to strengthen their maritime security capacity, domain awareness, and integration of their capabilities.

(b) REDESIGNATION AS SOUTHEAST ASIA MARITIME SECURITY INITIATIVE.—Subsection (a)(2) of section 1263 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1073; 10 U.S.C. 2282 note) is amended by striking ''the 'South China Sea Initiative''' and inserting ''the 'Southeast Asia Maritime Security Initiative''''.

(c) CONFORMING AMENDMENT.—The heading of such section is amended to read as follows:

''SEC. 1263. SOUTHEAST ASIA MARITIME SECURITY INITIATIVE.''.

The Acting CHAIR. Pursuant to House Resolution 735, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Massachusetts (Mr. MOULTON) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from South Carolina (Mr. WILSON), the distinguished chair of our Subcommittee on Emerging Threats and Capabilities.

Mr. WILSON of South Carolina. I thank Chairman THORNBERRY for his leadership of peace through strength.

Mr. Chairman, I rise today in support of amendment No. 69, a bipartisan amendment submitted with Ranking Member JIM LANGEVIN.

As we reach to secure cyberspace and protect American families from new and emerging threats while encouraging innovation, we turn to the mutual benefit that public-private partnerships provide industry employees and Department of Defense personnel.

We have seen the success of public-private partnerships already in the IT field. This amendment will provide an opportunity to expand the benefits of the talent exchange to all components of the Department of Defense.

The benefits to the military are clear. These partnerships provide the ability for fresh talent and concepts from outside the government sector.

The private sector benefits as well by having the flexibility to gain a unique insight into how the government operates and engage in public service creating jobs.

This bipartisan amendment promotes choice and opportunity that will benefit America's workers and the defense community. Actually, the collaboration will benefit all American families. Therefore, I urge my colleagues to support this amendment.

Mr. MOULTON. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. PETERS).

Mr. PETERS. Mr. Chairman, I rise to support two amendments that we have in the en bloc, the first on veteran hiring, a sense of Congress amendment.

I rise to support a simple, but important effort that everyone in this Chamber can agree on. My amendment adds to this bill a sense of Congress that the Department of Defense should seek ways to maximize the number of veterans employed to build military construction projects.

We are talking about good jobs here that can help our veterans make the transition to civilian life. In places like San Diego, we have already had a number of contractors employing highly skilled veterans to do this work.

Many Members of this Chamber, on both sides of the aisle, champion the cause of hiring veterans. It is a policy we have incentivized the private sector to implement.

I hope Members will support this amendment and join in showing that our military readiness can be built by those who know personally how important that readiness is when fighting for our freedom.

I also want to speak on integrated missile defense. Mr. Chairman, Iran is a chief sponsor of international terrorism, and regularly threatens to obliterate Israel, our most important ally in the region.

Those who supported agreement last year to keep Iran from obtaining a nuclear weapon understood that the JCPOA does not eliminate all of Iran's threats to the United States and our partners in the Middle East.

My amendment would take further steps to support our allies in the region and crack down on Iranian aggression.

By vocalizing our support for working with Israel, the Gulf Cooperation Council, Jordan, and Egypt, to build an integrated missile defense system, we can build off of the successes of Israel's existing missile defense network.

I support the funding authorizations included in this year's defense budget that will continue to support Israel's missile defense program. Through a smart, targeted approach with our partners, we can continue to counter Iranian aggression and promote security.

I urge my colleagues to support this amendment.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. I thank the gentleman for yielding.

Mr. Chairman, I rise today in support of this amendment package, which includes my amendment that ensures the safety of Naval Submarine Base Kings Bay.

Home to the Atlantic ballistic missile submarine fleet, Kings Bay's contributions to national security and to

the nuclear deterrence capabilities of the U.S. fleet cannot be overstated.

Just south of the installation is a low-use general aviation airport called St. Mary's Airport. The flight lines for their airport take civilian aircraft right over the base, raising a number of security concerns for the installation and for the weapons packages stored there.

The dangers this poses to our nuclear stockpile is glaring, and this amendment is the first step in remedying that situation. This amendment would allow for the relocation of the St. Mary's Airport service due to national security concerns posed to Naval Submarine Base Kings Bay.

This amendment has been a major priority for the Navy, and provides much-needed changes to security concerns that have been persistent for a number of years.

With this amendment, we can protect our nuclear submarines while providing new economic opportunities.

I encourage all of my colleagues to support this amendment.

MR. MOULTON. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. RUIZ).

Mr. RUIZ. Mr. Chairman, I rise in support of my amendment, the Counter Iran Maritime Initiative.

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Iran is a serious risk to our national security. We must remain vigilant. We must protect our troops and our allies in the Middle East. This amendment will help stop illegal arms shipments from Iran to terrorists and protect our national security. My amendment will help keep American troops and our allies in the region, including Israel, safe.

It authorizes our military to provide training, equipment, supplies, and military construction to nations along the Persian Gulf, the Arabian Sea, and the Mediterranean Sea.

I am glad that there is broad, bipartisan consensus on the need for this amendment so that we can keep our troops safe and shore up the safety of our allies in the region.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Illinois (Mr. ROSKAM).

Mr. ROSKAM. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I want to tell you briefly about the Roskam amendment, which requires the President to provide Congress with a comprehensive report on Iran's usage of commercial aircraft for military and terrorist activity. You say to yourself, Mr. Chairman: Why do we need this? Why is this important?

Here is why. There is an important American company that is actively talking to the Iranians about the possibility of selling aircraft to them.

Here is the problem with that. Everybody—everybody—agrees that the Iranians are the world's largest state sponsor of terror; and therefore, it goes that if you give them something that is useful for military purposes—that is, aircraft—it is fungible, and it can be used for any purpose. The notion that the Iranians are going to use Boeing aircraft, for example, simply to transport people on vacation back and forth within Iran is profoundly naive.

So what this amendment does is it puts the aircraft industry on notice and it puts the Iranians on notice that we are very interested in what they are doing with commercial aircraft, for what purpose.

Mr. MOULTON. Mr. Chairman, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chairman, thanks again to the Armed Services Committee for making in order with the Rules Committee my three amendments that I have discussed today, two that I have already discussed, and this one that I will now bring to my colleagues' attention.

Today, walking out of the bush of Nigeria, it was determined that another Chibok girl has been found, discovered, or fled. The debate is whether or not the military forces of Nigeria helped her out. What we do know is that she was missing for 2 years, along with the 200-plus girls that were taken. Fifty-seven of them escaped in the immediacy of the hours, and six of them died, and this young woman has now come out 2 years later.

Families are suffering, and Boko Haram has become one of the most vile and most vicious terrorist groups in the world. They are affiliated with ISIS, ISIL, but they have, if you will, no conformity to any protocol but killing. They have burned and killed Muslims and Christians alike, schools, homes, mosques, and churches. They have decapitated people. They have sent 8-year-olds with bombs strapped to their bodies to kill.

So my amendment is very straightforward.

As I do this, let me say that a number of you have joined Congresswoman FREDERICA WILSON week after week wearing red to bring the girls home. She joined me, and we traveled together within weeks of the girls being taken in 2014. We confronted families, saw the pain, saw women with slashed throats that had healed, and we saw the leaders of government who then were somewhat, if you will, challenged about this task.

So my amendment is one that deals with collaboration. It is a sense of Congress that provides for condemning the ongoing violence, expresses its support for the Nigerian people, and calls on the President to support Nigeria, Lake Chad Basin, and the international community to ensure accountability for crimes against humanity.

It also asks for the initiative that we can engage the Department of Defense to assist the Government of Nigeria and countries in the Lake Chad Basin to develop capacities to deploy and destroy Boko Haram, obviously with the use of possible security forces, recognizing the Leahy amendment, but also with technology.

Lives are still in the midst. Lives are still not being provided for.

The Acting CHAIR (Mr. WOMACK). The time of the gentlewoman has expired.

Mr. MOULTON. Mr. Chairman, I yield the gentlewoman an additional 1 minute.

Ms. JACKSON LEE. Mr. Chairman, I am asking that we collaborate with the forces in Nigeria and the forces that have been part of the multinational task force to be able to have a strategy that deals with Boko Haram.

This report can be critical in our efforts to empower and complement the efforts of the Multinational Joint Task Force as well as the commitment espoused at the recent Lake Chad Basin Regional Security Summit.

So I would say that we have to recognize that we now have an individual. This young woman can give us the intelligence. I am concerned that these girls cannot be rescued now. This is partly asking President Buhari of Nigeria to join in with this information—this new information, the collaboration that, hopefully, as we move through this legislation, ongoing, right now—to rescue those girls and also support the idea of a special envoy to focus on the dangers in the Lake Chad Basin region.

Let me compliment the African command. I met many of them when I was in Nigeria. I think it is an excellent command among all the other commands. They can be dynamic in their work.

My resolution, my amendment, my sense of Congress, is to give us focus to bring back the girls and save these girls. We have the information. Bring back these girls.

Mr. Chair, I thank Chairman THORNBERRY, Ranking Member ADAM SMITH and the Rules Committee for making in order and including Jackson Lee Amendment Number 99 and including it in En Bloc Amendment Number 8 to the "National Defense Authorization Act for Fiscal Year 2017."

This is the third of 3 Jackson Lee amendments made in order by the House Rules Committee.

Jackson Lee Amendment Number 99, calls for a report on efforts to combat Boko Haram in Nigeria and the Lake Chad Basin.

In the wake of the Rules Committee making this Amendment in order, I hold in my hand an article entitled "#BringBackOurGirls: Chibok Victim Found in Nigeria After 2 Years, Activist Says."

Two years after her captivity, we learn that a 19 year Chibok school girl named Ameina Nkeki was found Tuesday by the Civilian JTF vigilante group, which fights alongside the Nigerian military, in a village near the Sambisa Forest.

Nkeki had a baby with her and told the militia members she had escaped from Boko Haram captivity.

Indeed, just last night right before presenting before the Rules Committee on this Amendment, I met with a remarkable couple whose name I do not want to mention in order not to place their lives in danger.

This couple, through their NGO, helped in the rescue, recovery and reintegration of over 10 Chibok girls.

Because of their remarkable work, the girls are now able to continue to pursue their education. Unfortunately, the lives of these good Samaritans are now in jeopardy.

I plan to do everything in my power to make sure that they and the persons they seek to empower are not harmed.

This is why I have introduced the bipartisan measure H. Res. 528—Expressing the sense of the House of Representatives regarding the Victims of the Terror Protection Fund.

And this is why I am working on a measure related to a Special Envoy on Boko Haram to the Lake Chad Basin.

Support for this Amendment is timely as it is:

1. Strongly condemns the ongoing violence and the systematic gross human rights violations against the people of Nigeria and the Lake Chad Basin carried out by Boko Haram;

2. Expresses support for the people of Nigeria and the Lake Chad Basin who wish to live in a peaceful, economically prosperous, and democratic region;

3. Calls on the President to support Nigerian, Lake Chad Basin, and International Community efforts to ensure accountability for crimes against humanity committed by Boko Haram against the people of Nigeria and the Lake Chad Basin, particularly young girls kidnapped from Chibok and other internally displaced persons affected by the actions of Boko Haram;

Additionally, the Report calls that no later than 90 days after the date of the enactment of this Act, the Secretary of Defense, the Secretary of State, and the Attorney General shall jointly submit to Congress a report on efforts to combat Boko Haram in Nigeria and the Lake Chad Basin;

Among others, the report shall also include the following elements:

1. A description of initiatives undertaken by the Department of Defense to assist the Government of Nigeria and countries in the Lake Chad Basin to develop capacities to deploy special forces to combat Boko Haram;

2. A description of United States' activities to enhance the capacity of Nigeria and the countries in the Lake Chad Basin to investigate and prosecute human rights violations perpetrated against the people of Nigeria and the Lake Chad Basin by Boko Haram, al-Qaeda affiliates, and other terrorist organizations to promote respect for rule of law in Nigeria and the Lake Chad Basin;

3. This report can be critical in our efforts to empower and complement the efforts of the Multinational Joint Task Force (MNJTF) as well as the commitments espoused at the recent Lake Chad Basin Regional Security Summit.

Mr. Chair, the U.S. war on terror has been waged for over a decade and the lesson is clear that our adversaries adapt very quickly because they are not constrained by geographic limitations.

In the beginning it was only Al Qaeda—now the list includes Al Shabaab, Boko Haram which last year affiliated itself with ISIS/ISIL.

Indeed, the data on persons affected by violent extremism is staggering.

There are now more than 2.2 million Nigerians, and over 450,000 internally-displaced persons (IDPs) and refugees in neighboring Cameroon, Chad and Niger.

An estimated 4.2 million people in the Lake Chad Basin region face water and food security crises, including 800,000 in Nigeria's northern Borno and Yobe states, Nigeria, where an estimated 184 children a day risk starvation without the immediate provision of emergency food assistance.

Boko Haram continues to claim responsibility for atrocious and targeted violence ranging from burnings, kidnappings and killings of civilians and school children, such as the Chibok girls and a suicide bombing of the United Nations building in Abuja on August 26, 2011, that killed 21 people and injured dozens more, many of them aid workers supporting development projects across Nigeria.

Half of persons displaced are children.

I continue to commend the tireless efforts of the United Nations, United States officials, Regional Leaders, Civil Society Organizations, Community Groups and good Samaritans who have helped to support efforts of combatting Boko Haram and securing peace and security in Nigeria and the Lake Chad Basin.

Through this Amendment, we will establish our strong support and commitment for the protection and empowerment of the peoples of Nigeria and the Lake Chad Basin who continue to face the threat of terrorism and violent extremism from Syria to Nigeria and the Lake Chad Basin which covers Cameroon, Niger, Nigeria, Chad and everywhere in between.

As terrorist craft new strategies to threaten our homeland and harm our allies, it is in the U.S. security interest to double our counterterrorism efforts that identify, engage and empower people who are victimized by terrorist groups like Boko Haram, Al Shabaab, Al Qaeda and ISIS in Africa and Pakistan.

For this reason, our military must adapt as quickly and as seamlessly as our adversaries in empowering our allies.

Our message must be clear: the United States must expand its capacity to meet the terrorist threat where it emerges whether here in the homeland or abroad.

The Nuremberg trials were essential in bringing to justice war criminals who committed acts of barbarism against civilians and military personnel during World War II, but a critical component of bringing war criminals to justice is the gathering and preservation of evidence.

No person whether they travel to a battle field and later return to their native country or live in the region where they commit acts of terrors should rest well because they believe that no one will come to seek justice on behalf of the millions of lives destroyed.

Our message must be clear: terrorism will not thrive on our watch.

I ask for your support of this Amendment.

[May 18, 2016]

#BRINGBACKOURGIRLS: CHIBOK VICTIM FOUND IN NIGERIA AFTER 2 YEARS, ACTIVIST SAYS

(By Alexander Smith)

The mass kidnapping of 276 schoolgirls by Boko Haram from the Nigerian town of Chibok in April 2014 ignited an international outcry. The ensuing #BringBackOurGirls campaign was backed by the likes of Michelle Obama, while the U.S. and other countries sent military assistance.

A handful of the kidnapped girls managed to escape early on but most were never found.

Both Nigeria's military and the #BringBackOurGirls campaign said Wednesday that one of the girls was now in safe hands—but gave conflicting information on the circumstances and her identity.

Bukky Shonibare, one of the strategic team members of the #BringBackOurGirls campaign, told NBC News that a 19-year-old named Ameina Nkeki was found Tuesday by the Civilian JTF vigilante group, which fights alongside the Nigerian military, in a village near the Sambisa Forest.

Nkeki had a baby with her and told the militia members she had escaped from Boko Haram captivity, Shonibare said, noting that the details of the girl's escape were not immediately clear.

This is a major, major breakthrough—this is the breakthrough we've been waiting for,'' she said.

Nkeki was taken to a military base in Damboa before being brought to her mother and her former high-school head teacher—both of whom positively confirmed her identify, according to Shonibare.

The activists are ''100 percent sure that this was one of the Chibok girls,'' Shonibare added.

Col. Sani Usman, a spokesman for the Nigerian Army, confirmed via WhatsApp message that one of the kidnapped Chibok girls had been recovered.

He added in a statement that the girl was ''rescued'' by ''our troops'' near Damboa. It was not immediately clear if he was referring to his soldiers or the JTF.

Usman's statement also identified the girl as Falmata Mbalala—which did not correspond to the name given by Shonibare and the Bring Back Our Girls movement.

Both Usman and Shonibare insisted they had the correct name for the young woman. NBC News was not immediately able to reconcile the differing accounts.

While the Chibok Girls drew the most international attention, an estimated 2,000–plus women and girls have been abducted during Boko Haram's violent campaign in Nigeria. Chibok may not even be the largest group to be kidnapped, with Human Rights Watch reporting that some 400 people were taken from the town of Damasak last year.

The army gave details of a large-scale operation against Boko Haram on Tuesday—the day the young woman was reportedly found—in Sambisa forest.

The military said troops killed 15 Boko Haram fighters after coming under heavy fire in the area of Alafa.

Troops also rescued 41 hostages—mainly women and children the military added in a statement.

While Nigeria's government has publicly touted an aggressive campaign to beat back Boko Haram, its failure to find the girls has drawn criticism.

The news comes one day after the president's wife, Aisha Buhari, presented ''symbolic'' checks to the mothers of the missing girls.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Chairman, I very much appreciate Chairman THORNBERRY's acceptance of my amendments No. 100 and No. 125. The first recognizes the heroic efforts of the Pakistani doctor, Dr. Afridi, who helped us bring to justice Osama bin Laden, the prime mover in the massacre of 3,000 Americans on 9/11.

Dr. Afridi is a courageous hero who enabled us to destroy this terrorist monster. He continues to languish in a Pakistani dungeon. This amendment was adopted by the House during consideration of past defense authorization acts but was stripped out during conference negotiations with the Senate. This is a shameful slap in the face to Dr. Afridi and other heroic friends around the world who put themselves at risk to stand up with us.

Who will trust us? Who will stand with us if we betray our friends like this? It is time to end this irrational support that we give to Pakistan. It is only prudent that we increase—which is another one of the amendments I talk about today—certification required to release American military or economic aid to Pakistan.

It behooves us not to finance Pakistan's brutal suppression of ethnic groups and religious minorities like the Baloch and the Sindhis who are under attack today simply for seeking their political and religious freedom.

I would ask my colleagues to join with me and to stand also with the people around the world. Send a message: If you stand with the United States, we will not forget you; we will stand with you. The people of the United States and the United States Congress stand tall with you and appreciate that you have risked your lives in a way that saved American lives.

Mr. MOULTON. Mr. Chairman, I have no further speakers, and so I urge adoption of the en bloc amendment.

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

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. Mr. Chairman, I rise today in support of the bipartisan amendment with Congressman SETH MOULTON, No. 95, that would increase transparency and accountability—in addition to promoting peace through strength.

In the past few months, the Tehran regime has repeatedly pushed the boundaries of the dangerous Iran deal and on United Nations Security Council resolutions. Since January, the Iranian regime has tested at least two intercontinental ballistic missiles, including one that had the writing ''Israel should be wiped off the Earth,'' written in Hebrew. These ICBMs have the ability to reach Israel and other allies in the Middle East from southeastern Europe to India.

Sadly, the American people have not received satisfactory answers about why the actions by Iran are without repercussions. This amendment will require a quick and clear response: Why or why not did the ICBM tests violate international agreements, and what response the administration will take.

This bipartisan amendment will hold the administration accountable and require a timely and thorough report on our response to hostile actions.

Mr. Chairman, I urge my colleagues to vote in support.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from North Carolina (Mr. HOLDING).

Mr. HOLDING. Mr. Chairman, let me begin by thanking both Chairman THORNBERRY and Chairman ROYCE for their assistance in helping to craft this amendment, and also let me thank Ranking Member ENGEL and Dr. Bera, who joined Chairman ROYCE as original cosponsors.

Mr. Chairman, this amendment truly is a testament to the broad, bipartisan support for the U.S.-India relationship here in Congress. Our agreement is straightforward. It seeks to promote greater defense trade and encourage additional military cooperation between the United States and India.

I believe that by requiring our government to take actions such as strengthening the Defense Technology and Trade Initiative and encouraging combined military planning with India, we can make certain that the U.S.-India defense relationship endures.

Mr. Chairman, given the dynamic nature of the Indo-Pacific region and its importance to our own national security and future economic growth, now is the time to build on recent successes and propel the U.S.-India strategic partnership forward.

Mr. THORNBERRY. Mr. Chairman, I urge adoption, and I yield back the balance of my time.

Mr. POE of Texas. Mr. Chair, I rise in support of Amendment Number 70.

I want to thank Representative CONNOLLY for his good work on this amendment.

DOD is one of the last agencies that implement most of our foreign aid to come up with an evaluation policy. USAID has one. The State Department has one. The Millennium Challenge Corporation has one. But not DOD.

Evaluations do not just trace how money is spent. Evaluations help us figure out if the money is achieving its intended outcome. Is it working? Is it making a lasting difference?

The good news is that the DOD is working on an evaluation policy now. But just because they are working on it doesn't mean it will get done. We all know what bureaucrats can do if given the time.

Amendment Number 70 makes it clear that Congress supports a strong evaluation policy. We should be doing rigorous evaluation on all our foreign aid because Americans deserve to know how their money is being spent. And that's just the way it is.

Ms. FRANKEL of Florida. Mr. Chair, this amendment includes my provision expressing Congress's strong support of the United States' continued leadership in one of the world's most important partnerships—The North Atlantic Treaty Organization (NATO). President Obama has called NATO ''the most successful alliance in human history.'' That's because NATO is rooted in the bedrock principle of collective defense—that we are stronger together than we are apart. This principle is built on the common values of the 28 members—democracy, freedom, and self-government.

Today, more than 18,000 troops are promoting these values in six NATO operations. From assisting Afghan security forces to defending against Russian expansionism, NATO is instrumental in advancing global security and democracy. I've been privileged to help represent the United States at the NATO Parliamentary Assembly for the past three years, where I engage with lawmakers from our NATO partners on today's pressing security challenges.

Some have called NATO obsolete. They are wrong. NATO could not be more relevant today given the dynamic threats we and our allies face. The United States' continued leadership is key to NATO's ability to address the evolving threats of the 21st century. I urge adoption of the amendment.

Mrs. COMSTOCK. Mr. Chair, I rise today to offer a bipartisan amendment to the National Defense Authorization Act for Fiscal Year 2017. I am proud to have my colleagues, Representatives SAM JOHNSON of Texas and DAN LIPINSKI of Illinois, supporting this amendment. Our amendment seeks to expand access to on-the-job training programs for service members transitioning out of the military. Specifically, the amendment directs the Undersecretary of Defense for Personnel and Readiness to study the success of the relatively new Department of Defense (DOD) program known as Job Training, Employment Skills Training, Apprenticeships, and Internships, or JTEST–AI, which is an initiative pursuant to DOD Instruction No. 1322.29. The amendment also requires the Undersecretary to issue guidance to unit commanders encouraging them to allow more service members separating from the armed forces to participate in a JTEST–AI initiative—provided, of course, that unit readiness is not impaired.

One particular initiative formed pursuant to JTEST–AI is the SkillBridge Initiative. Although SkillBridge and all other JTEST–AI initiatives are still nascent, they are already showing promising results. According to preliminary DOD statistics, more than 4,500 service members have successfully participated in SkillBridge training; there are approximately 40 programs currently in operation; and almost all graduates have received jobs as a result of participation in these initiatives. In fact, 18 SkillBridge training programs have a hiring rate of 100 percent of graduates, and another 8 programs have a hiring rate of more than 85 percent.

Organizations participating in these programs span every sector of the workforce.

Sponsoring entities include private companies, labor unions, and even government agencies. These programs are popular with transitioning service members, and currently there are more applications from service members than can be accommodated. Our amendment simply seeks to have DOD conduct a comprehensive study so that the initiatives may be improved and access may be expanded, as appropriate.

Our outgoing service members have skill sets that are unique but that can easily be honed and adapted to a certain field or application if given access to on-the-job training. Given the sacrifices our women and men in uniform have made for us all, we should strive to make their transition to civilian life as smooth and successful as possible.

I urge my colleagues to support this bipartisan amendment designed to help our transitioning service members gain meaningful employment.

Mr. PETERS. Mr. Chair, today I rise to support a simple, but important effort that everyone in this chamber can agree on.

My amendment adds to this bill a Sense of Congress that when practical and cost-effective, the DoD should seek ways to maximize the number of veterans employed to build military construction projects.

Many members of this chamber, on both sides of the aisle, have stood on this floor and championed the cause of hiring veterans.

It's a policy that we've incentivized private corporations to do, and criticized employers for not doing it, or doing improperly.

It makes sense that if we are going to be good stewards of tax dollars, that we should encourage that money is used to hire veterans.

We're talking about good jobs here—jobs that take valuable skills, determined initiative, and produce pride in a job well done.

This is not intended to add any burden to the DoD or their military construction projects, but it's a reminder that oftentimes, we have skilled veteran laborers that live near these projects and are ideal candidates for the job.

If Congress is going to continue its efforts to support our veterans as they transition out of the military and back into the civilian world, then voting in favor of this amendment is a no brainer.

Support this amendment and join me in showing that our military readiness can often best be built by those who know how important that readiness is when fighting for our freedom.

Mrs. COMSTOCK. Mr. Chair, I rise today to offer a bipartisan amendment to the National Defense Authorization Act for Fiscal Year 2017. My amendment seeks to protect our children and teens from access to opioids in hopes of reducing the number of individuals we see addicted to heroin and other drugs.

This amendment directs the Secretary of Defense to study the feasibility and effectiveness of dispensing opioid medications in vials using affordable technologies designed to prevent access to stored medications by anyone other than the intended patient.

Today, our prescription pill bottles use what are generally referred to as ''child-resistant'' standards but today's teens have remarkably easy access to pain medications that are stronger and more addictive than those of the past.

It is not unusual for today's youth to find these opioids in the medicine cabinets of family members or friends. Technologies like locking prescription vials (LPVs) are already on the market and are a cheap efficient way to reduce the likelihood that our children and teens start down the path to addiction.

The implementation of child-resistant standards generated a 45 percent reduction in mortality rates. It is my hope that a feasibility study conducted by the Department of Defense would show additional benefits stemming from the implementation of more advanced LPVs.

I urge my colleagues to protect our youth from this epidemic and support my amendment.

The Acting CHAIR (Mr. COLLINS of Georgia). The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC NO. 6 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 735, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc consisting of amendment Nos. 71, 72, 73, 75, 76, 78, 79, 88, 89, 90, 91, and 92 printed in House Report 114–571, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 71 OFFERED BY MR. ROONEY OF FLORIDA

At the end of subtitle A of title XII, add the following:

SEC. 12xx. REPORT ON THE PROHIBITION ON USE OF FUNDS FOR ASSISTANCE TO UNITS OF FOREIGN SECURITY FORCES THAT HAVE COMMITTED A GROSS VIOLATION OF HUMAN RIGHTS.

(a) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on its implementation of section 294 of title 10, United States Code (relating to prohibition on use of funds for assistance to units of foreign security forces that have committed a gross violation of human rights).

(b) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall contain the following:

(1) A detailed description of the policies and procedures governing the manner in which Department of Defense personnel identify and report information on gross violations of human rights and how such information is shared with personnel responsible for implementing the prohibition in subsection (a)(1) of section 294 of title 10, United States Code.

(2) The funding expended in fiscal years 2015 and 2016 for purposes of implementing section 294 of title 10, United States Code, including any relevant training of personnel, and a description of the titles, roles, and responsibilities of the personnel responsible for reviewing credible information relating to human rights violations and the personnel responsible for making decisions regarding the implementation of the prohibition in subsection (a)(1) of such section 294.

(3) An addendum that includes any findings or recommendations included in any report issued by a Federal Inspector General related to the implementation of section 294 of title 10, United States Code, and, as appropriate, the Department of Defense's response to such findings or recommendations.

(4) Any other matters the Secretary determines is appropriate.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

AMENDMENT NO. 72 OFFERED BY MR. POE OF TEXAS

Page 497, line 11, strike ''and'' at the end.

Page 497, line 16, strike the period and insert ''; and''.

Page 497, after line 16, insert the following:

(4) Pakistan has shown progress in arresting and prosecuting Haqqani network senior leaders and mid-level operatives.

AMENDMENT NO. 73 OFFERED BY MR. ROHRABACHER OF CALIFORNIA

Page 497, line 11, strike ''and''.

Page 497, line 16, strike the period at the end and insert ''; and''.

Page 497, after line 16, insert the following:

(4) Pakistan is not using its military or any funds or equipment provided by the United States to persecute minority groups seeking political or religious freedom, including the Balochi, Sindhi, and Hazara ethnic groups and minority religious groups, including Christian, Hindu, and Ahmadiyya Muslim.

AMENDMENT NO. 75 OFFERED BY MR. ROHRABACHER OF CALIFORNIA

At the end of subtitle B of title XII, add the following:

SEC. 12xx. SENSE OF CONGRESS RELATING TO DR. SHAKIL AFRIDI.

(a) FINDINGS.—Congress finds the following:

(1) The attacks of September 11, 2001, killed approximately 3,000 people, most of whom were Americans, but also included hundreds of individuals with foreign citizenships, nearly 350 New York Fire Department personnel, and about 50 law enforcement officers.

(2) Downed United Airlines flight 93 was reportedly intended, under the control of the al-Qaeda high-jackers, to crash into the White House or the Capitol in an attempt to kill the President of the United States or Members of the United States Congress.

(3) The September 11, 2001, attacks were largely planned and carried out by the al-Qaeda terrorist network led by Osama bin Laden and his deputy Ayman al Zawahiri, after which Osama bin Laden enjoyed safe haven in Pakistan from where he continued to plot deadly attacks against the United States and the world.

(4) The United States has obligated nearly $30 billion between 2002 and 2014 in United States taxpayer money for security and economic aid to Pakistan.

(5) The United States very generously and swiftly responded to the 2005 Kashmir Earthquake in Pakistan with more than $200 million in emergency aid and the support of several United States military aircraft, approximately 1,000 United States military personnel, including medical specialists, thousands of tents, blankets, water containers and a variety of other emergency equipment.

(6) The United States again generously and swiftly contributed approximately $150 million in emergency aid to Pakistan following the 2010 Pakistan flood, in addition to the

service of nearly twenty United States military helicopters, their flight crews, and other resources to assist the Pakistan Army's relief efforts.

(7) The United States continues to work tirelessly to support Pakistan's economic development, including millions of dollars allocated towards the development of Pakistan's energy infrastructure, health services and education system.

(8) The United States and Pakistan continue to have many critical shared interests, both economic and security related, which could be the foundation for a positive and mutually beneficial partnership.

(9) Dr. Shakil Afridi, a Pakistani physician, is a hero to whom the people of the United States, Pakistan and the world owe a debt of gratitude for his help in finally locating Osama bin Laden before more innocent American, Pakistani and other lives were lost to this terrorist leader.

(10) Pakistan, the United States and the international community had failed for nearly 10 years following attacks of September 11, 2001, to locate and bring Osama bin Laden, who continued to kill innocent civilians in the Middle East, Asia, Europe, Africa and the United States, to justice without the help of Dr. Afridi.

(11) The Government of Pakistan's imprisonment of Dr. Afridi presents a serious and growing impediment to the United States' bilateral relations with Pakistan.

(12) The Government of Pakistan has leveled and allowed baseless charges against Dr. Afridi in a politically motivated, spurious legal process.

(13) Dr. Afridi is currently imprisoned by the Government of Pakistan, a deplorable and unconscionable situation which calls into question Pakistan's actual commitment to countering terrorism and undermines the notion that Pakistan is a true ally in the struggle against terrorism.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Dr. Shakil Afridi is an international hero and that the Government of Pakistan should release him immediately from prison.

AMENDMENT NO. 76 OFFERED BY MR. WALBERG OF MICHIGAN

At the end of subtitle B of title XII (page 504, after line 25), add the following:

SEC. 1217. REPORT ON ACCESS TO FINANCIAL RECORDS OF THE GOVERNMENT OF AFGHANISTAN TO AUDIT THE USE OF FUNDS FOR ASSISTANCE FOR AFGHANISTAN.

Not later than December 31, 2017, the Secretary of Defense shall submit to Congress a report on the extent to which the Combined Security Transition Command-Afghanistan has adequate access to financial records of the Government of Afghanistan to audit the use of funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for assistance for Afghanistan.

AMENDMENT NO. 78 OFFERED BY MR. FORTENBERRY OF NEBRASKA

Page 507, line 7, strike ''and''.

Page 507, line 11, strike the period and insert ''; and''.

Page 507, after line 11, insert the following:

(4) securing safe areas, including the Nineveh Plain, for purposes of resettling and reintegrating ethnic and religious minorities, including victims of genocide, into their homelands, is a critical component of a safe, secure, and sovereign Iraq.

AMENDMENT NO. 79 OFFERED BY MR. FORTENBERRY OF NEBRASKA

Page 510, line 24, insert ''including ethnic and religious minority groups,'' after ''local security forces,''.

AMENDMENT NO. 88 OFFERED BY MR. CICILLINE OF RHODE ISLAND

At the end of subtitle E of title XII, add the following:

SEC. 12xx. OPPORTUNITIES TO EQUIP CERTAIN FOREIGN MILITARY ENTITIES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretaries of the military departments and the Secretary of State, shall submit to Congress a report that describes—

(1) efforts to make United States manufacturers aware of opportunities to equip foreign military entities that have been approved to receive assistance from the United States; and

(2) any new plans or strategies to raise United States manufacturers' awareness with respect to such opportunities.

AMENDMENT NO. 89 OFFERED BY MR. COOPER OF TENNESSEE

At the end of subtitle E of title XII, add the following new section:

SEC. 12___. REPORTS ON INF TREATY AND OPEN SKIES TREATY.

(a) REPORTS.—Not later than 90 days after the date of the enactment of this Act, the Chairman of the Joint Chiefs of Staff shall submit to the appropriate congressional committees the following reports:

(1) A report on the Open Skies Treaty containing—

(A) an assessment, conducted by the Chairman jointly with the Secretary of Defense and the Secretary of State, of whether and why, the Treaty remains in the national security interest of the United States, including if there are compliance concerns related to implementation by the Russian Federation of the Treaty;

(B) a specific plan by the Chairman jointly with the Secretary of Defense and the Secretary of State on remedying any such compliance concerns; and

(C) a military assessment conducted by the Chairman of such compliance concerns.

(2) A report on the INF Treaty containing—

(A) an assessment, conducted by the Chairman jointly with the Secretary of Defense and the Secretary of State, of whether and why, the Treaty remains in the national security interest of the United States, including how any ongoing violation bear on the assessment if such a violation is not resolved in the near-term;

(B) a specific plan by the Chairman jointly with the Secretary of Defense and the Secretary of State to remedy violation by the Russian Federation of the Treaty, and a judgment of whether Russia intends to take the steps required to establish verifiable evidence that Russia has resumed its compliance with the Treaty if such non-compliance and inconsistencies are not resolved by the date of the enactment of this Act; and

(C) a military assessment conducted by the Chairman of the risks posed by Russia's violation of the Treaty.

(b) UPDATE.—Not later than February 15, 2018, the Chairman, the Secretary of Defense, and the Secretary of State shall jointly submit to the appropriate congressional committees an update to each report under subsection (a).

(c) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(B) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

(2) The term ''INF Treaty'' means the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, commonly referred to as the Intermediate-Range Nuclear Forces (INF) Treaty, signed at Washington December 8, 1987, and entered into force June 1, 1988.

(3) The term ''Open Skies Treaty'' means the Treaty on Open Skies, done at Helsinki March 24, 1992, and entered into force January 1, 2002.

AMENDMENT NO. 90 OFFERED BY MS. FRANKEL OF FLORIDA

At the end of subtitle E of title XII add the following:

SEC. 12xx. SENSE OF CONGRESS REGARDING THE ROLE OF THE UNITED STATES IN THE NORTH ATLANTIC TREATY ORGANIZATION.

It is the sense of Congress that continued United States leadership in the North Atlantic Treaty Organization is critical to the national security of the United States.

AMENDMENT NO. 91 OFFERED BY MR. HIGGINS OF NEW YORK

At the end of subtitle E of title XII, add the following:

SEC. 12xx. AUTHORIZATION OF UNITED STATES ASSISTANCE TO ISRAEL.

(a) IN GENERAL.—The President is authorized to provide assistance to Israel to improve maritime security and maritime domain awareness.

(b) ACTIVITIES SUPPORTED.—Activities that may be supported by assistance under subsection (a) include the following:

(1) Procurement, maintenance, and sustainment of the David's Sling Weapon System for purposes of intercepting short-range missiles.

(2) Payment of incremental expenses of Israel that are incurred by Israel as the direct result of participation in a bilateral or multilateral exercise of the United States Navy or Coast Guard.

(3) Visits of United States naval vessels at ports of Israel.

(4) Conduct of joint research and development for advanced maritime domain awareness capabilities.

(c) SUNSET.—This section shall terminate on the date that is 5 years after the date of the enactment of this Act.

AMENDMENT NO. 92 OFFERED BY MR. TED LIEU OF CALIFORNIA

At the end of subtitle E of title XII add the following:

SEC. 12xx. SENSE OF CONGRESS IN SUPPORT OF A DENUCLEARIZED KOREAN PENINSULA.

It is the sense of Congress that United States foreign policy should support a denuclearized Korean peninsula.

The Acting CHAIR. Pursuant to House Resolution 735, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Massachusetts (Mr. MOULTON) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I have no speakers here at this point, and I reserve the balance of my time.

Mr. MOULTON. Mr. Chairman, I yield 2 minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Chairman, I thank the gentleman from Massachusetts for yielding.

Mr. Chairman, I want to begin by thanking the chairman and the ranking member for including my amendment in the en bloc amendment. This amendment will require a report detailing plans to inform American manufacturers about opportunities to equip foreign militaries receiving U.S. assistance.

Each year, our country provides billions of dollars to our international partners in military assistance to foster security relationships and to ensure our national security. This is a worthwhile investment necessary to preserve American interests abroad, but we need to make sure that American businesses, particularly American manufacturers, are given ample opportunity to compete for these taxpayer-funded contracts.

My amendment helps ensure American companies are aware of what opportunities are available to them and to their employees. By ensuring more American companies are aware of these opportunities, we can support job growth among American companies, which in turn will support the overall health of our economy and our Nation's defense industrial base.

Increased competition also helps ensure that our international partners are provided with the highest quality products available, thus helping to better secure their own better future and protecting our own national security interests.

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The amendment simply ensures that American businesses have the opportunity to compete for these contracts so that as we are building up and securing our national security interests around the world, we are also strengthening American jobs, American manufacturing, and growing our economy.

Mr. THORNBERRY. Mr. Chairman, I continue to reserve the balance of my time.

Mr. MOULTON. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I would like to speak about a bipartisan amendment that passed the full Committee on Armed Services, and also had to go through the Foreign Affairs Committee to be approved. It calls on the administration to report to Congress on a comprehensive political and military strategy for our fight against ISIS in the Middle East.

Mr. Chairman, we are sending troops back into Iraq today, just 7 or 8 years after we pulled the last troops out. Many of the battles they are fighting have familiar names—Fallujah, Ramadi, and Haditha—battles that we fought and won a long time ago. But we did not have a strategy to ensure the peace.

Mr. Clausewitz taught us about 200 years ago that war is an extension of politics.

We have to have a political endgame for our fight in Iraq, or we will find ourselves continually going back there again and again. When Iraqi politics fail, a new terrorist group sweeps in; and American troops are left to pick up the mess.

If you think about what happened when ISIS swept in from Syria and entered western, then northern Iraq, the Iraqi army wasn't just defeated by ISIS. The Iraqi Army put their weapons down and went home because they had lost faith in the Iraqi Government.

We must have a long-term, comprehensive political and military strategy. We owe it to the troops to ensure that their efforts will not be in vain.

I am proud of the bipartisan support for this amendment, both on the Armed Services Committee and the Foreign Affairs Committee, and I am especially proud that the chairman worked with me to get it adopted. I am glad that it is included in the bill.

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

Mr. THORNBERRY. Mr. Chair, I urge adoption of the amendments en bloc.

I yield back the balance of my time.

Mr. POE of Texas. Mr. Chair, on Sept. 22, 2011, Adm. Mike Mullen, then chairman of the Joint Chiefs of Staff, testified before the Senate Armed Services Committee that the Haqqani Network was behind the 2011 attack on our embassy and a truck bombing that wounded more than 70 U.S. and NATO troops. Adm. Mullen went on to say, "The Haqqani Network acts as a veritable arm of Pakistan's Inter-Services Intelligence agency."

Last year, the Haqqani Network and the Taliban killed more Afghan civilians and troops than in any other year since the Taliban was toppled in 2001.

My amendment adds a fourth condition on the aid to Pakistan. This new condition requires the Administration to certify that Pakistan has shown progress in arresting and prosecuting Haqqani Network senior leaders and mid-level operatives.

This forces Pakistan to make a choice: either go after the Haqqani Network in a public way that it has never done before or lose hundreds of millions of dollars of U.S. aid.

And that's just the way it is.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC NO. 7 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 735, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 7 consisting of amendment Nos. 80, 81, 83, 84, 85, 86, 87, 93, 94, 95, 96, and 97 printed in House Report 114–571, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 80 OFFERED BY MR. PEARCE OF NEW MEXICO

At the end of subtitle C of title XII, add the following:

SEC. 12xx. SENSE OF CONGRESS ON BUSINESS PRACTICES OF THE ISLAMIC STATE OF IRAQ AND SYRIA (ISIS).

(a) FINDINGS.—Congress finds the following:

(1) For nearly two years, the Islamic State of Iraq and Syria (ISIS) has capitalized on established oil production facilities throughout Iraq and Syria in order to fund its jihadist operations globally.

(2) Oil production and sale represent the largest and most vulnerable income factors for ISIS.

(3) In 2015, ISIS oil sales brought in over $400,000,000 to prop up the terror group's operations world-wide.

(4) ISIS has executed a robust recruitment scheme to staff and operate the oil facilities within the group's control and maintained smuggling routes for the sale of that oil.

(5) Further disrupting ISIS oil production and sale structures would be minimally invasive but would effectively curtail the terror group's ability to self-finance.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States should focus all necessary efforts in the Middle East to disrupt the financing of the Islamic State of Iraq and Syria (ISIS) through oil production and sale.

AMENDMENT NO. 81 OFFERED BY MR. YOHO OF FLORIDA

At the end of subtitle C of title XII, add the following:

SEC. 12xx. PROHIBITION ON TRANSFER OF MANPORTABLE AIR DEFENSE SYSTEMS TO ANY ENTITY IN SYRIA.

None of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2017 may be obligated or expended to transfer or facilitate the transfer of manportable air defense systems (MANPADS) to any entity in Syria.

AMENDMENT NO. 83 OFFERED BY MR. POE OF TEXAS

At the end of subtitle E of title XII, add the following:

SEC. 12__. MEASURES AGAINST PERSONS INVOLVED IN ACTIVITIES THAT VIOLATE ARMS CONTROL TREATIES OR AGREEMENTS WITH THE UNITED STATES.

(a) IMPOSITION OF MEASURES.—

(1) IN GENERAL.—Except as provided in subsection (c), on and after the date that is 90 days after the date of the enactment of this Act, the President shall impose the measures described in subsection (b) with respect to—

(A) a person the President determines—

(i)(I) is an individual who is a citizen, national, or permanent resident of a country described in paragraph (2); or

(II) is an entity organized under the laws of a country described in paragraph (2); and

(ii) has engaged in any activity that contributed to or is a significant factor in the President's or the Secretary of State's determination that such country is not in full compliance with its obligations as further described in paragraph (2); and

(B) a person the President determines has provided material support to a person described in subparagraph (A).

(2) COUNTRY DESCRIBED.—A country described in this paragraph is a country that

the President or the Secretary of State has determined, in the most recent annual report submitted to Congress pursuant to section 403 of the Arms Control and Disarmament Act (22 U.S.C. 2593a), is not in full compliance with its obligations undertaken in all arms control, nonproliferation, and disarmament agreements or commitments to which the United States is a participating state.

(b) MEASURES DESCRIBED.—

(1) IN GENERAL.—The measures to be imposed with respect to a person under subsection (a) are the head of any executive agency (as defined in section 133 of title 41, United States Code) may not enter into, renew, or extend a contract for the procurement of goods or services with the person.

(2) EXCEPTION FOR MAJOR ROUTES OF SUPPLY.—The requirement to impose measures under paragraph (1) shall not apply with respect to any contract for the procurement of goods or services along a major route of supply to a zone of active combat or major contingency operation.

(3) REQUIREMENT TO REVISE REGULATIONS.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Federal Acquisition Regulation, the Defense Federal Acquisition Regulation Supplement, and the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards shall be revised to implement paragraph (1)(B).

(B) CERTIFICATIONS.—The revisions to the Federal Acquisition Regulation under subparagraph (A) shall include a requirement for a certification from each person that is a prospective contractor that the person, and any person owned or controlled by the person, does not engage in any activity described in subsection (a)(1)(A)(ii).

(C) REMEDIES.—If the head of an executive agency determines that a person has submitted a false certification under subparagraph (B) on or after the date on which the applicable revision of the Federal Acquisition Regulation required by this paragraph becomes effective—

(i) the head of that executive agency shall terminate a contract with such person or debar or suspend such person from eligibility for Federal contracts for a period of not less than 2 years;

(ii) any such debarment or suspension shall be subject to the procedures that apply to debarment and suspension under the Federal Acquisition Regulation under subpart 9.4 of part 9 of title 48, Code of Federal Regulations; and

(iii) the Administrator of General Services shall include on the List of Parties Excluded from Federal Procurement and Nonprocurement Programs maintained by the Administrator under part 9 of the Federal Acquisition Regulation each person that is debarred, suspended, or proposed for debarment or suspension by the head of an executive agency on the basis of a determination of a false certification under subparagraph (B).

(4) UNITED STATES PERSON DEFINED.—In this subsection, the term ''United States person'' means—

(A) a natural person who is a citizen or resident of the United States or a national of the United States (as defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)); and

(B) an entity that is organized under the laws of the United States or any State.

(c) WAIVER.—

(1) IN GENERAL.—The President may waive the application of measures on a case-by-case basis under subsection (a) with respect to a person if the President—

(A) determines that—

(i)(I) in the case of a person described in subsection (a)(1)(A), the person did not knowingly engage in any activity described in such subsection; or

(II) in the case of a person described in subsection (a)(1)(B), the person conducted or facilitated a transaction or transactions with, or provided financial services to, a person described in subsection (a)(1)(A) that did not knowingly engage in any activity described in such subsection; and

(ii) the waiver is in the national security interest of the United States; and

(B) submits to the appropriate congressional committees a report on the determination and the reasons for the determination.

(2) FORM OF REPORT.—The report required by paragraph (1)(B) shall be submitted in unclassified form, but may include a classified annex.

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

(A) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate.

(d) TERMINATION.—The measures imposed with respect to a person under subsection (a) shall terminate on the date on which the President submits to Congress a subsequent annual report pursuant to section 403 of the Arms Control and Disarmament Act (22 U.S.C. 2593a) that does not contain a determination of the President that the country described in subsection (a)(2) with respect to which the measures were imposed with respect to the person is a country that is not in full compliance with its obligations undertaken in all arms control, nonproliferation, and disarmament agreements or commitments to which the United States is a participating state.

AMENDMENT NO. 84 OFFERED BY MR. POMPEO OF KANSAS

At the end of subtitle E of title XII, add the following:

SEC. 12xx. DEPARTMENT OF DEFENSE REPORT ON COOPERATION BETWEEN IRAN AND THE RUSSIAN FEDERATION.

(a) REPORT REQUIRED.—The Secretary of Defense and the Secretary of State shall jointly submit to Congress a report on cooperation between Iran and the Russian Federation and how and to what extent such cooperation affects United States national security and strategic interests.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include the following:

(1) How and to what extent Iran and the Russian Federation cooperate on matters relating to Iran's space program, including how and to what extent such cooperation strengthens Iran's ballistic missile program.

(2) How and to what extent Iran's interests and actions and the Russian Federation's interests and actions overlap with respect to Latin America.

(3) A description and analysis of the intelligence-sharing center established by Iran, the Russian Federation, and Syria in Baghdad, Iraq and whether such center is being used for purposes other than the purposes of the joint mission of such countries in Syria.

(4) A description and analysis of—

(A) naval cooperation between Iran and the Russian Federation, including joint naval exercises between the two countries; and

(B) the implications of—

(i) an increased Russian Federation naval presence in the Eastern Mediterranean; and

(ii) an Iranian naval presence in the Persian Gulf.

(5) A description of the increased cooperation between Iran and the Russian Federation since the start of the current conflict in Syria.

(6) The steps Iran has taken to adopt the Russian Federation model of hybrid warfare against potential targets such as Gulf Cooperation Council states with sizeable Shiite populations.

(7) The extent of Russian Federation cooperation with Hezbollah in Syria, Lebanon, and Iraq, including cooperation with respect to training and equipping and joint operations.

(8) A description of the weapons that have been provided by the Russian Federation to Iran that have violated relevant United Nations Security Council resolutions imposing an arms embargo on Iran.

(c) SUBMISSION PERIOD.—The report required by subsection (a) shall be submitted not later than 120 days after the date of the enactment of this Act, and annually thereafter, for such period of time as the Joint Comprehensive Plan of Act remains in effect.

(d) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

AMENDMENT NO. 85 OFFERED BY MR. ROSKAM OF ILLINOIS

At the end of subtitle E of title XII, insert the following:

SEC. 12xx. REPORT ON MAINTENANCE BY ISRAEL OF A ROBUST INDEPENDENT CAPABILITY TO REMOVE EXISTENTIAL SECURITY THREATS.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States-Israel Enhanced Security Cooperation Act of 2012 (22 U.S.C. 8601 et seq.) established the policy of the United States to support the inherent right of Israel to self-defense.

(2) The United States-Israel Enhanced Security Cooperation Act of 2012 expresses the sense of Congress that the Government of the United States should transfer to the Government of Israel defense articles and defense services.

(3) The inherent right of Israel to self-defense necessarily includes the ability to defend against threats to its security and defend its vital national interests.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Israel should be able to defend its vital national interests and protect its territory and population against existential threats.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the specified congressional committees a report that—

(A) identifies defensive capabilities and platforms requested by the Government of Israel that would contribute to maintenance of Israel's defensive capability against threats to its territory and population, including nuclear and ballistic missile facilities in Iran, and defend its vital national interests;

(B) assesses the availability for sale or transfer of items requested by the Government of Israel to maintain the capability described in subparagraph (A), including the legal authorities available for making such transfers; and

(C) describes what steps the President is taking to transfer the items described in subparagraph (B) for Israel to maintain the capability described in subparagraph (A).

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may contain a classified annex if necessary.

(3) DEFINITION.—In this subsection, the term ''specified congressional committees'' means—

(A) the congressional defense committees; and

(B) the Committee on Foreign Relations of the Senate and the Committee of Foreign Affairs of the House of Representatives.

AMENDMENT NO. 86 OFFERED BY MR. ROSKAM OF ILLINOIS

At the end of subtitle E of title XII, insert the following:

SEC. 12xx. REPORT ON USE BY THE GOVERNMENT OF IRAN OF COMMERCIAL AIRCRAFT AND RELATED SERVICES FOR ILLICIT MILITARY OR OTHER ACTIVITIES.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the President, in consultation with the Secretary of Defense and the Secretary of State, shall submit to the congressional defense committees and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on use by the Government of Iran of commercial aircraft and related services for illicit military or other activities during the 5-year period ending of such date of enactment.

(b) ELEMENTS OF REPORT.—The report required under subsection (a) shall include a description of the extent to which—

(1) the Government of Iran has used commercial aircraft or related services to transport illicit cargo to or from Iran, including military goods, weapons, military personnel, military-related electronic parts and mechanical equipment, and rocket or missile components;

(2) the commercial aviation sector of Iran has provided financial, material, and technological support to the Islamic Revolutionary Guard Corps (IRGC); and

(3) foreign governments and persons have facilitated the activities described in paragraph (1), including allowing the use of airports, services, or other resources.

AMENDMENT NO. 87 OFFERED BY MR. WALKER OF NORTH CAROLINA

At the end of subtitle E of title XII, add the following:

SEC. 12xx. AUTHORITY TO GRANT OBSERVER STATUS TO THE MILITARY FORCES OF TAIWAN AT RIMPAC EXERCISES.

(a) IN GENERAL.—The Secretary of Defense is authorized to grant observer status to the military forces of Taiwan in any maritime exercise known as the Rim of the Pacific Exercise.

(b) EFFECTIVE DATE.—This section takes effect on the date of the enactment of this Act and applies with respect to any maritime exercise described in subsection (a) that begins on or after such date of enactment.

AMENDMENT NO. 93 OFFERED BY MR. MENG OF NEW YORK

At the end of subtitle E of title XII, add the following:

SEC. 12xx. AGREEMENTS WITH FOREIGN GOVERNMENTS TO DEVELOP LAND-BASED WATER RESOURCES IN SUPPORT OF AND IN PREPARATION FOR CONTINGENCY OPERATIONS.

The Secretary of Defense, with the concurrence of the Secretary of State, is authorized to enter into agreements with the governments of foreign countries to develop land-based water resources in support of and in preparation for contingency operations, including water selection, pumping, purification, storage, distribution, cooling, consumption, water reuse, water source intelligence, research and development, training, acquisition of water support equipment, and water support operations.

AMENDMENT NO. 94 OFFERED BY MR. MENG OF NEW YORK

At the end of subtitle E of title XII, add the following:

SEC. 12xx. EXTENSION OF REPORTING REQUIREMENTS ON THE USE OF CERTAIN IRANIAN SEAPORTS BY FOREIGN VESSELS AND USE OF FOREIGN AIRPORTS BY SANCTIONED IRANIAN AIR CARRIERS.

Section 1252(a) of the National Defense Authorization Act for Fiscal Year 2013 (22 U.S.C. 8808(a)) is amended in the matter preceding paragraph (1) by striking ''2016'' and inserting ''2019''.

AMENDMENT NO. 95 OFFERED BY MR. MOULTON OF MASSACHUSETTS

At the end of subtitle E of title XII, add the following:

SEC. 12xx. NOTIFICATION AND ASSESSMENT OF BALLISTIC MISSILE LAUNCH BY IRAN.

(a) NOTIFICATION.—The President shall notify Congress within 48 hours of a suspected ballistic missile launch, including a test, by Iran based on credible information indicating that such a launch took place.

(b) ASSESSMENT.—

(1) IN GENERAL.—The President shall initiate an assessment within 48 hours of providing the notification described in subsection (a) to determine whether a missile launch, including a test, described in subsection (a) took place.

(2) DETERMINATION AND NOTIFICATION.—Not later than 15 days after the date on which an assessment is initiated under paragraph (1), the President shall determine whether Iran engaged in a launch described in subsection (a) and shall notify Congress of the basis for any such determination.

(3) AFFIRMATIVE DETERMINATION.—If the President determines under paragraph (2) that a launch described in subsection (a) took place, the President shall further notify Congress of the following:

(A) An identification of entities involved in the launch.

(B) A description of steps the President will take in response to the launch, including—

(i) imposing unilateral sanctions pursuant to Executive Order 13382 (2005) or other relevant authorities against such entities; or

(ii) carrying out diplomatic efforts to impose multilateral sanctions against such entities, including through adoption of a United Nations Security Council resolution.

AMENDMENT NO. 96 OFFERED BY MR. PETERS OF CALIFORNIA

At the end of subtitle E of title XII, add the following:

SEC. 12xx. SENSE OF CONGRESS ON INTEGRATED BALLISTIC MISSILE DEFENSE SYSTEM FOR GCC PARTNER COUNTRIES, JORDAN, EGYPT, AND ISRAEL.

(a) FINDINGS.—Congress finds that—

(1) Iran has conducted numerous ballistic missile tests; and

(2) such tests are in violation of United Nations Security Council Resolution 2231 and unnecessarily provoke Gulf Cooperation Council (GCC) partner countries and threaten Israel.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States should encourage and enable as appropriate an integrated ballistic missile defense system that links GCC partner countries, Jordan, Egypt, and Israel in order assist in preventing an attack by Iran against such countries.

AMENDMENT NO. 97 OFFERED BY MR. RUIZ OF CALIFORNIA

At the end of subtitle E of title XII, add the following

SEC. 12xx. AUTHORITY TO PROVIDE ASSISTANCE AND TRAINING TO INCREASE MARITIME SECURITY AND DOMAIN AWARENESS OF FOREIGN COUNTRIES BORDERING THE PERSIAN GULF, ARABIAN SEA, OR MEDITERRANEAN SEA.

(a) PURPOSE.—The purpose of this section is to authorize assistance and training to increase maritime security and domain awareness of foreign countries bordering the Persian Gulf, the Arabian Sea, or the Mediterranean Sea in order to deter and counter illicit smuggling and related maritime activity by Iran, including illicit Iranian weapons shipments.

(b) AUTHORITY.—

(1) IN GENERAL.—To carry out the purpose of this section as described in subsection (a), the Secretary of Defense, with the concurrence of the Secretary of State, is authorized—

(A) to provide training to the national military or other security forces of Israel, Bahrain, Saudi Arabia, the United Arab Emirates, Oman, Kuwait, and Qatar that have among their functional responsibilities maritime security missions; and

(B) to provide training to ministry, agency, and headquarters level organizations for such forces.

(2) DESIGNATION.—The provision of assistance and training under this section may be referred to as the ''Counter Iran Maritime Initiative''.

(c) TYPES OF TRAINING.—

(1) AUTHORIZED ELEMENTS OF TRAINING.—Training provided under subsection (b)(1)(A) may include the provision of de minimis equipment, supplies, and small-scale military construction.

(2) REQUIRED ELEMENTS OF TRAINING.—Training provided under subsection (b) shall include elements that promote the following:

(A) Observance of and respect for human rights and fundamental freedoms.

(B) Respect for legitimate civilian authority within the country to which the assistance is provided.

(d) AVAILABILITY OF FUNDS.—Of the amount authorized to be appropriated for fiscal year 2017 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $50,000,000 shall be available only for the provision of assistance and training under subsection (b).

(e) COST SHARING.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that, given income parity among recipient countries, the Secretary of Defense, with the concurrence of the Secretary of State, should seek, through appropriate bilateral and multilateral arrangements, payments sufficient in amount to offset any training costs associated with implementation of subsection (b).

(2) COST-SHARING AGREEMENT.—The Secretary of Defense, with the concurrence of the Secretary of State, shall negotiate a cost-sharing agreement with a recipient country regarding the cost of any training provided pursuant to section (b). The agreement shall set forth the terms of cost sharing that the Secretary of Defense determines

are necessary and appropriate, but such terms shall not be less than 50 percent of the overall cost of the training.

(3) CREDIT TO APPROPRIATIONS.—The portion of such cost-sharing received by the Secretary of Defense pursuant to this subsection may be credited towards appropriations available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301.

(f) NOTICE TO CONGRESS ON TRAINING.—Not later than 15 days before exercising the authority under subsection (b) with respect to a recipient country, the Secretary of Defense shall submit to the appropriate congressional committees a notification containing the following:

(1) An identification of the recipient country.

(2) A detailed justification of the program for the provision of the training concerned, and its relationship to United States security interests.

(3) The budget for the program, including a timetable of planned expenditures of funds to implement the program, an implementation time-line for the program with milestones (including anticipated delivery schedules for any assistance and training under the program), the military department or component responsible for management of the program, and the anticipated completion date for the program.

(4) A description of the arrangements, if any, to support recipient country sustainment of any capability developed pursuant to the program, and the source of funds to support sustainment efforts and performance outcomes to be achieved under the program beyond its completion date, if applicable.

(5) A description of the program objectives and an assessment framework to be used to develop capability and performance metrics associated with operational outcomes for the recipient force.

(6) Such other matters as the Secretary considers appropriate.

(g) DEFINITION.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(h) TERMINATION.—Assistance and training may not be provided under this section after September 30, 2020.

The Acting CHAIR. Pursuant to House Resolution 735, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I urge adoption of this en bloc package.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I yield myself such time as I may consume.

I just want to say quickly, in the en bloc package, there was an amendment that was put in there having to do with our development of a new rocket engine and a new launch vehicle. I just want to thank publicly Mr. ROGERS, the subcommittee chairman, who worked very closely with me on developing this language.

We have got a lot of great things going on out there. There are a lot of American companies that are working hard to develop a new engine so we will no longer have to rely on the Russian engine.

The amendment that was included allows those companies to use some of the money that the Air Force is providing for the development of a new engine, to use it also to develop a launch vehicle to go along with that engine. We have got, like I said, great companies like Blue Origin in my district, Aerojet Rocketdyne—a lot of folks working on new vehicles—SpaceX as well. This amendment allows the money that the Air Force is providing not just to go to the engine but for some of it to go to a launch vehicle as well. I think this will greatly reduce the cost of our launch costs for the Air Force, which has been a significantly problem recently.

So I thank Chairman ROGERS for allowing us to offer that amendment and for working with me on it.

I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield back the balance of my time.

Mr. POE of Texas. Mr. Chair, I want to thank my good friend Mr. ROGERS from Alabama for his work with me on this amendment.

The Intermediate Nuclear Forces or ''INF'' Treaty places limits on ground-launched ballistic and cruise missiles with ranges between 500 and 5,500 kilometers.

In 2008, the Russians tested a missile within this prohibited range and were caught red handed.

But it took 3 years for the Administration to report any concern about Russian compliance to Congress. It took a full 6 years for the State Department to officially find the Russians in violation. After eight years, there have been no serious consequences for Russia's violation of the treaty.

My amendment would prohibit government contracts with entities that have contributed to Russia's violation of the INF Treaty.

Russia is not our ally, is not our friend, and we cannot take it at its word. Czar Putin is determined to restore Russia to its glory days. We must respond with strength.

And that's just the way it is.

Mr. PETERS. Mr. Chair, Iran is a chief sponsor of international terrorism and regularly threatens to obliterate Israel, our most important ally in the region. Those who supported the agreement last year to keep Iran from obtaining a nuclear weapon understood that the JCPOA does not eliminate all of Iran's threats to the United States and our partners in the Middle East.

My amendment would take further steps to support our allies in the region and crack down on Iranian aggression.

By vocalizing our support for working with Israel, the Gulf Cooperation Council, Jordan, and Egypt to build an integrated missile defense system, we can build off of the success of Israel's existing missile defense network.

I support the funding authorizations included in this year's defense budget that will continue to support Israel's missile defense program.

Through a smart, targeted approach with our partners, we can continue to counter Iranian aggression and promote security. I urge my colleagues to support this amendment.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC NO. 8 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 735, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 8 consisting of amendment Nos. 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, and 110 printed in House Report 114–571, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 98 OFFERED BY MS. LORETTA SANCHEZ OF CALIFORNIA

At the end of subtitle E of title XII, add the following:

SEC. 12xx. SENSE OF CONGRESS ON MILITARY RELATIONS BETWEEN VIETNAM AND THE UNITED STATES.

(a) FINDINGS.—Congress finds the following:

(1) The United States and Vietnam signed a Joint Vision Statement on Defense Relations on June 1, 2015.

(2) In October 2014, the Administration partially relaxed United States restrictions on the transfer of lethal weapons to Vietnam.

(3) In 2014, the United States provided $18,000,000 in maritime security assistance to Vietnam.

(4) According to Reporters Without Borders, Vietnam ranks 175 out of 180 countries in press freedom, as the Government of Vietnam continues to persecute citizens for practicing the freedom of speech and expression.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States Government should review its policy on the transfer of lethal weapons to Vietnam; and

(2) the United States Government should evaluate certain human rights benchmarks when providing military assistance to Vietnam.

AMENDMENT NO. 99 OFFERED BY MS. JACKSON LEE OF TEXAS

At the end of subtitle E of title XII, add the following:

SEC. 12xx. REPORT ON EFFORTS TO COMBAT BOKO HARAM IN NIGERIA AND THE LAKE CHAD BASIN.

(a) SENSE OF CONGRESS.—Congress—

(1) strongly condemns the ongoing violence and the systematic gross human rights violations against the people of Nigeria and the Lake Chad Basin carried out by Boko Haram;

(2) expresses its support for the people of Nigeria and the Lake Chad Basin who wish to live in a peaceful, economically prosperous, and democratic region; and

(3) calls on the President to support Nigerian, Lake Chad Basin, and International Community efforts to ensure accountability for crimes against humanity committed by Boko Haram against the people of Nigeria and the Lake Chad Basin, particularly young girls kidnapped from Chibok and other internally displaced persons affected by the actions of Boko Haram.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, the Secretary of State, and the Attorney General shall jointly submit to Congress a report on efforts to combat Boko Haram in Nigeria and the Lake Chad Basin.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) A description of initiatives undertaken by the Department of Defense to assist the Government of Nigeria and countries in the Lake Chad Basin to develop capacities to deploy special forces to combat Boko Haram.

(B) A description of United States' activities to enhance the capacity of Nigeria and countries in the Lake Chad Basin to investigate and prosecute human rights violations perpetrated against the people of Nigeria and the Lake Chad Basin by Boko Haram, al-Qaeda affiliates, and other terrorist organizations to promote respect for rule of law in Nigeria and the Lake Chad Basin.

AMENDMENT NO. 100 OFFERED BY MR. HOLDING OF NORTH CAROLINA

At the appropriate place in title XII of division A of the bill, insert the following:

SEC. 12xx. ENHANCING DEFENSE AND SECURITY COOPERATION WITH INDIA.

(a) REQUIRED ACTIONS.—

(1) IN GENERAL.—The Secretary of Defense and Secretary of State shall jointly take such actions as may be necessary to—

(A) recognize India's status as a major defense partner of the United States;

(B) designate an individual within the Executive branch who has experience in defense acquisition and technology—

(i) to reinforce and ensure, through interagency policy coordination, the success of the Framework for the United States-India Defense Relationship; and

(ii) to help resolve remaining issues impeding United States-India defense trade, security cooperation, and co-production and co-development opportunities;

(C) approve and facilitate the transfer of advanced technology, consistent with United States conventional arms transfer policy, to support combined military planning with the Indian military for missions such as humanitarian assistance and disaster relief, counter piracy, and maritime domain awareness missions;

(D) strengthen the effectiveness of the DTTI and the durability of the Department of Defense's ''India Rapid Reaction Cell'';

(E) collaborate with the Government of India to develop mutually agreeable mechanisms to verify the security of defense articles and related technology, such as appropriate cyber security and end use monitoring arrangements, consistent with United States export control laws and policy;

(F) promote policies that will encourage the efficient review and authorization of defense sales and exports to India;

(G) encourage greater government-to-government and commercial military transactions between the United States and India;

(H) support the development and alignment of India's export control and procurement regimes with those of the United States and multilateral control regimes; and

(I) continue to enhance defense and security cooperation with India in order to advance United States interests in the South Asia and greater Indo-Pacific regions.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense and Secretary of State shall jointly submit to the congressional defense committees and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on how the United States is supporting its defense relationship with India in relation to the actions described in paragraph (1).

(b) MILITARY PLANNING.—The Secretary of Defense is encouraged to coordinate with the Ministry of Defense for the Government of India to develop combined military plans for missions such as humanitarian assistance and disaster relief, maritime domain awareness, and other missions in the national security interests of both countries.

(c) ASSESSMENT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense and Secretary of State shall jointly, on an annual basis, conduct an assessment of the extent to which India possesses strategic operational capabilities to support military operations of mutual interest between the United States and India.

(2) USE OF ASSESSMENT.—The President shall ensure that the assessment described in paragraph (1) is used, consistent with United States conventional arms transfer policy, to inform the review by the United States of sales of defense articles and services to the Government of India.

(3) FORM.—The assessment described in paragraph (1) shall, to the maximum extent practicable, be in classified form.

AMENDMENT NO. 101 OFFERED BY MR. SMITH OF WASHINGTON

Page 609, line 20, strike ''or any fiscal year thereafter''.

Page 610, strike lines 8 through 15 and insert the following:

''(3) OTHER PURPOSES.—The Secretary may obligate or expend not more than a total of 31 percent of the funds that are authorized to be appropriated or otherwise made available for fiscal year 2017 for the rocket propulsion system and launch system investment for activities not authorized by paragraph (1)(A), including for developing a launch vehicle, an upper stage, a strap-on motor, or related infrastructure. The Secretary may exceed such limit in fiscal year 2017 for such purposes if—''.

Page 612, strike lines 4 through 12 and insert the following:

''(3) PLAN TO PROTECT GOVERNMENT INVESTMENT AND ASSURED ACCESS TO SPACE.—

''(A) In developing the rocket propulsion system under paragraph (1), and in any development conducted pursuant to subsection (d)(3), the Secretary shall develop a plan to protect the investment of the United States and the assured access to space, including, consistent with section 2320 of title 10, United States Code, and in accordance with other applicable provisions of law, acquiring the rights, as appropriate, for the purpose of developing alternative sources of supply and manufacture in the event such alternative sources are necessary and in the best interest of the United States, such as in the event that a company goes out of business or the system is otherwise unavailable after the Federal Government has invested significant resources to use and rely on such system for launch services.

''(B) Not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, the Secretary shall submit to the appropriate congressional committees the plan developed under subparagraph (A).''.

Page 612, strike lines 13 through 25.

AMENDMENT NO. 102 OFFERED BY MR. TED LIEU OF CALIFORNIA

At the end of subtitle A of title XVI, add the following new section:

SEC. 16___. REPORT ON USE OF SPACECRAFT ASSETS OF THE SPACE-BASED INFRARED SYSTEM WIDE-FIELD-OF-VIEW PROGRAM.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Director of National Intelligence, shall submit to the appropriate congressional committees a report on the feasibility of using available spacecraft assets of the space-based infrared system wide-field-of-view program to satisfy other mission requirements of the Department of Defense or the intelligence community.

(b) MATTERS COVERED.—The report required by subsection (a) shall include, at a minimum, the following:

(1) An evaluation of using the space-based infrared system wide-field-of-view spacecraft bus for other urgent national security space priorities.

(2) An evaluation of the cost and schedule impact, if any, to the space-based infrared system wide-field-of-view program if the spacecraft bus is used for another purpose.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex if necessary to protect the national security interests of the United States.

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

(1) the congressional defense committees; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

AMENDMENT NO. 103 OFFERED BY MR. ROGERS OF ALABAMA

At the end of subtitle C of title XVI, add the following new section:

SEC. 16___. ASSESSMENT ON SECURITY OF INFORMATION HELD BY CLEARED DEFENSE CONTRACTORS.

(a) ASSESSMENT.—

(1) IN GENERAL.—The Secretary of Defense shall conduct an assessment of the sufficiency of the regulatory mechanisms of the Department of Defense to secure defense information held by cleared defense contractors to determine whether there are any gaps that may undermine the protection of such information.

(2) SUBMISSION.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the findings of the assessment conducted under paragraph (1).

(b) REGULATIONS.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall prescribe regulations that the Secretary determines appropriate to improve the security of defense information held by cleared defense contractors.

(c) CLEARED DEFENSE CONTRACTOR DEFINED.—In this section, the term ''cleared defense contractor'' has the meaning given that term in section 393(e) of title 10, United States Code.

AMENDMENT NO. 104 OFFERED BY MR. MEEHAN OF PENNSYLVANIA

At the end of subtitle C of title XVI of division A, add the following new section:

SEC. ___. SENSE OF CONGRESS ON CYBER RESILIENCY OF THE NETWORKS AND COMMUNICATIONS SYSTEMS OF THE NATIONAL GUARD.

(a) FINDINGS.—Congress finds the following:

(1) Army and Air National Guard personnel need to have situational awareness and reliable communications during any of the following events occurring in the United States:

(A) A terrorist attack.

(B) An intentional or unintentional release of chemical, biological, radiological, nuclear, or high-yield explosive materials.

(C) A natural or man-made disaster.

(2) During such an event, it is vital that Army and Air National Guard personnel are able to communicate and coordinate response efforts with their own units and appropriate civilian emergency response forces.

(3) Current networks and communications systems of the National Guard, including commercial wireless solutions (such as mobile wireless kinetic mesh), and other systems that are interoperable with the systems of civilian first responders, should provide the necessary robustness, interoperability, reliability, and resilience to extend needed situational awareness and communications to all users and under all operating conditions, including degraded communications environments where infrastructure is damaged or destroyed or under cyber attack or disruption.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the National Guard should be constantly seeking ways to improve and expand its communications and networking capabilities to provide for enhanced performance and resilience in the face of cyber attacks or disruptions, as well as other instances of degradation.

AMENDMENT NO. 105 OFFERED BY MR. HANNA OF NEW YORK

At the end of subtitle C of title XVI, add the following new section:

SEC. 1635. REQUIREMENT FOR ARMY NATIONAL GUARD STRATEGY TO INCORPORATE CYBER PROTECTION TEAMS INTO DEPARTMENT OF DEFENSE CYBER MISSION FORCE.

(a) STRATEGY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army, if the Secretary has not already done so, shall provide a briefing to the congressional defense committees outlining a strategy for incorporating Army National Guard cyber protection teams into the Department of Defense cyber mission force.

(b) ELEMENTS OF STRATEGY.—The strategy required by subsection (a) shall include, at minimum, the following:

(1) A timeline for incorporating Army National Guard cyber protection teams into the Department of Defense cyber mission force, including a timeline for receiving appropriate training.

(2) Identification of specific units to be incorporated.

(3) An assessment of how incorporation of Army National Guard cyber protection teams into the Department of Defense cyber mission force might be used to enhance readiness through improved individual and collective training capabilities.

(4) A status report on the Army's progress in issuing additional guidance that clarifies how Army National Guard cyber protection teams can support State and civil operations in National Guard status under title 32, United States Code.

(5) Other matters as considered appropriate by the Secretary of the Army.

AMENDMENT NO. 106 OFFERED BY MR. PETERS OF CALIFORNIA

At the end of subtitle A of title XXVIII (page 872, after line 12), add the following new section:

SEC. 2807. SENSE OF CONGRESS ON MAXIMIZING NUMBER OF VETERANS EMPLOYED ON MILITARY CONSTRUCTION PROJECTS.

It is the sense of Congress that, when practical and cost-effective, the Department of Defense should seek ways to maximize the number of veterans employed on military construction projects (as defined in section 2801 of title 10, United States Code).

AMENDMENT NO. 107 OFFERED BY MR. BRAT OF VIRGINIA

At the end of subtitle B of title XXVIII (page 877, after line 25), add the following

SEC. 2817. IMPROVED PROCESS FOR DISPOSAL OF DEPARTMENT OF DEFENSE SURPLUS REAL PROPERTY LOCATED OVERSEAS.

(a) PETITION TO ACQUIRE SURPLUS PROPERTY.—2687a of title 10, United States Code, is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following new subsection:

''(g) PETITION PROCESS FOR DISPOSAL OF OVERSEAS SURPLUS REAL PROPERTY.—(1) The Secretary of Defense shall establish a process by which a foreign government may request the transfer of surplus real property or improvements under the jurisdiction of the Department of Defense in the foreign country.

''(2) Upon the receipt of a petition under this subsection, the Secretary shall determine within 90 days whether the property or improvement subject to the petition is surplus. If surplus, the Secretary shall seek to enter into an agreement with the foreign government within one year for the disposal of the property.

''(3) If real property or an improvement is determined not to be surplus, the Secretary shall not be obligated to consider another petition involving the same property or improvement for five years beginning on the date on which the initial determination was made.''.

(b) ADDITIONAL USE OF DEPARTMENT OF DEFENSE OVERSEAS MILITARY FACILITY INVESTMENT RECOVERY ACCOUNT.—Section 2687a(b) of title 10, United States Code, is amended—

(1) in paragraph (1), by inserting ''property disposal agreement,'' after ''forces agreement,''; and

(2) in paragraph (2)—

(A) by striking ''and'' at the end of subparagraph (A);

(B) by striking the period at the end of subparagraph (B) and inserting ''; and''; and

(C) by adding at the end the following new subparagraph:

''(C) military readiness programs.''.

(c) REPORTING REQUIREMENT.—Section 2687a(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3) A report under paragraph (1) also shall specify the following:

''(A) The number of petitions received under subsection (g) from foreign governments requesting the transfer of surplus real property or improvements under the jurisdiction of the Department of Defense overseas.

''(B) The status of each petition, including whether reviewed, denied, or granted.

''(C) The implementation status of each granted petition.''.

AMENDMENT NO. 108 OFFERED BY MR. CARTER OF GEORGIA

At the end of subtitle D of title XXVIII, add the following new section:

SEC. ___. CLOSURE OF ST. MARYS AIRPORT.

(a) RELEASE OF RESTRICTIONS.—Subject to subsection (b), the United States, acting through the Administrator of the Federal Aviation Administration, shall release the city of St. Marys, Georgia, from all restrictions, conditions, and limitations on the use, encumbrance, conveyance, and closure of the St. Marys Airport, to the extent such restrictions, conditions, and limitations are enforceable by the Administrator.

(b) REQUIREMENTS FOR RELEASE OF RESTRICTIONS.—The Administrator shall execute the release under subsection (a) once all of the following occurs:

(1) The Secretary of the Navy transfers to the Georgia Department of Transportation the amounts described in subsection (c) and requires as an enforceable condition on such transfer that all funds transferred shall be used only for airport development (as defined in section 47102 of title 49, United States Code) of a general aviation airport in Georgia, consistent with planning efforts conducted by the Administrator and the Georgia Department of Transportation.

(2) The city of St. Marys, for consideration as provided for in this section, grants to the United States, under the administrative jurisdiction of the Secretary, a restrictive use easement in the real property used for the St. Marys Airport, as determined acceptable by the Secretary, under such terms and conditions as the Secretary considers necessary to protect the interests of the United States and prohibiting the future use of such property for all aviation-related purposes and any other purposes deemed by the Secretary to be incompatible with the operations, functions, and missions of Naval Submarine Base, Kings Bay, Georgia.

(3) The Secretary obtains an appraisal to determine the fair market value of the real property used for the St. Marys Airport in the manner described in subsection (c)(1).

(4) The Administrator fulfills the obligations under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) in connection with the release under subsection (a). In carrying out such obligations—

(A) the Administrator shall not assume or consider any potential or proposed future redevelopment of the current St. Marys airport property;

(B) any potential new general aviation airport in Georgia shall be deemed to be not connected with the release noted in subsection (a) nor the closure of St. Marys Airport; and

(C) any environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for a potential general aviation airport in Georgia shall be considered through an environmental review process separate and apart from the environmental review made a condition of release by this section.

(c) TRANSFER OF AMOUNTS DESCRIBED.—The amounts described in this subsection are the following:

(1) An amount equal to the fair market value of the real property of the St. Marys Airport, as determined by the Secretary and concurred in by the Administrator, based on an appraisal report and title documentation that—

(A) is prepared or adopted by the Secretary, and concurred in by the Administrator, not more than 180 days prior to the transfer described in subsection (b)(1); and

(B) meets all requirements of Federal law and the appraisal and documentation standards applicable to the acquisition and disposal of real property interests of the United States.

(2) An amount equal to the unamortized portion of any Federal development grants (including grants available under a State block grant program established pursuant to section 47128 of title 49, United States Code), other than used for the acquisition of land, paid to the city of St. Marys for use as the St. Marys Airport.

(3) An amount equal to the airport revenues remaining in the airport account for the St. Marys Airport as of the date of the enactment of this Act and as otherwise due to or received by the city of St. Marys after such date of enactment pursuant to sections 47107(b) and 47133 of title 49, United States Code.

(d) AUTHORIZATION FOR TRANSFER OF FUNDS.—Using funds available to the Department of the Navy for operation and maintenance, the Secretary may pay the amounts described in subsection (c) to the Georgia Department of Transportation, conditioned as described in subsection (b)(1).

(e) ADDITIONAL REQUIREMENTS.—

(1) SURVEY.—The exact acreage and legal description of St. Marys Airport shall be determined by a survey satisfactory to the Secretary and concurred in by the Administrator.

(2) PLANNING OF GENERAL AVIATION AIRPORT.—Any planning effort for the development of a new general aviation airport in southeast Georgia using the amounts described in subsection (c) shall be conducted in coordination with the Secretary, and shall ensure that any such airport does not encroach on the operations, functions, and missions of Naval Submarine Base, Kings Bay, Georgia.

(f) RULE OF CONSTRUCTION.—Nothing in this section may be construed to limit the applicability of—

(1) the requirements and processes under section 46319 of title 49, United States Code;

(2) the requirements and processes under part 157 of title 14, Code of Federal Regulations; or

(3) the public notice requirements under section 47107(h)(2) of title 49, United States Code.

AMENDMENT NO. 109 OFFERED BY MR. PEARCE OF NEW MEXICO

At the end of subtitle D of title XXVIII (page 904, after line 22), add the following new section:

SEC. 2839. PROHIBITION ON TRANSFER OF ADMINISTRATIVE JURISDICTION, PORTION OF ORGAN MOUNTAINS AREA, FILLMORE CANYON, NEW MEXICO.

The Secretary of Defense may not transfer administrative jurisdiction over the parcel of Federal land depicted as ''Parcel D'' on the map entitled ''Organ Mountains Area - Fillmore Canyon'' and dated April 19, 2016 from the Department of Defense to the Secretary of the Interior.

AMENDMENT NO. 110 OFFERED BY MR. CULBERSON OF TEXAS

Page 936, after line 3, insert the following:

SEC. 2857. BATTLESHIP PRESERVATION GRANT PROGRAM.

(a) ESTABLISHMENT.—There is hereby established within the Department of the Interior a grant program for the preservation of our nation's most historic battleships.

(b) USE OF GRANTS.—Amounts received through grants under this section shall be used for the preservation of our nation's most historic battleships in a manner that is self-sustaining and has an educational component.

(c) CRITERIA FOR ELIGIBILITY.—To be eligible for a grant under this section, an entity shall—

(1) submit an application under procedures prescribed by the Secretary;

(2) match the amount of the grant, on a 1-to-1 basis, with non-Federal assets from non-Federal sources, which may include cash or durable goods and materials fairly valued as determined by the Secretary;

(3) maintain records as may be reasonably necessary to fully disclose—

(A) the amount and the disposition of the proceeds of the grant;

(B) the total cost of the project for which the grant is made; and

(C) other records as may be required by the Secretary, including such records as will facilitate an effective accounting for project funds; and

(4) provide access to the Secretary for the purposes of any required audit and examination of any books, documents, papers, and records of the entity.

(d) MOST HISTORIC BATTLESHIP DEFINED.—In this section, the term ''most historic battleship'' means a battleship that is—

(1) between 75 and 115 years old;

(2) listed on the National Historic Register; and

(3) located within the State for which it was named.

(e) SAVINGS PROVISION.—The authorities contained in this section shall be in addition to, and shall not be construed to supercede or modify those contained in the National Historic Preservation Act (16 U.S.C. 470–470x-6).

(f) PRIVATE PROPERTY PROTECTION.—

(1) IN GENERAL.—No Federal funds made available to carry out this section may be used to acquire any real property, or any interest in any real property, without the written consent of the owner (or owners) of that property or interest in property.

(2) NO DESIGNATION.—The authority granted by this section shall not constitute a Federal designation or have any effect on private property ownership.

(g) SUNSET.—The authority to make grants under this section expires on September 30, 2023.

The Acting CHAIR. Pursuant to House Resolution 735, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I urge adoption of the en bloc amendments.

I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I urge adoption of the en bloc amendments.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC NO. 9 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 735, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 9 consisting of amendment Nos. 111, 112, 113, 114, 115, 116, 117, 118, and 120 printed in House Report 114–571, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 111 OFFERED BY MR. NEWHOUSE OF WASHINGTON

Add at the end of subtitle G of title XXVIII the following new section:

SEC. 2867. REPORT ON DOCUMENTATION FOR ACQUISITION OF CERTAIN PROPERTIES ALONG COLUMBIA RIVER, WASHINGTON, BY CORPS OF ENGINEERS.

(a) REPORT ON DOCUMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army, acting through the Chief of Engineers, shall submit a report to Congress on the process by which the Corps of Engineers acquired the properties described in subsection (b), and shall include in the report the specific legal documentation pursuant to which the properties were acquired.

(b) PROPERTIES DESCRIBED.—The properties described in this subsection are each of the properties described in paragraph (2) of section 501(i) of the Water Resources Development Act of 1996 (Public Law 104–303; 110 Stat. 3752).

AMENDMENT NO. 112 OFFERED BY MR. BEN RAY LUJÁN OF NEW MEXICO

At the end of subtitle B of title XXXI of division C, insert the following:

SEC. 3126. SENSE OF CONGRESS REGARDING ACCOUNTING PRACTICES BY LABORATORY OPERATING CONTRACTORS AND PLANT OR SITE MANAGERS OF NATIONAL NUCLEAR SECURITY ADMINISTRATION FACILITIES.

It is the sense of Congress that the Secretary of Energy should ensure that each laboratory operating contractor or plant or site manager of a National Nuclear Security Administration facility adopt generally accepted and consistent accounting practices for laboratory, plant, or site directed research and development.

AMENDMENT NO. 113 OFFERED BY MR. FOSTER OF ILLINOIS

At the end of subtitle C of title XXXI, add the following new section:

SEC. 31___. BRIEFING ON THE INFORMATION-INTERCHANGE OF LOW-ENRICHED URANIUM.

(a) BRIEFING.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, the Secretary of Energy, and the Secretary of State shall provide a briefing to the appropriate congressional committees on the feasibility and potential benefits of a dialogue between the United States and France on the use of low-enriched uranium in naval reactors.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees;

(2) the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate;

(3) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate; and

(4) the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

AMENDMENT NO. 114 OFFERED BY MR. PETERS OF CALIFORNIA

Page 1009, lines 1 through 8, amend paragraph (1) to read as follows:

''(1) ADVANCED NUCLEAR REACTOR.—The term 'advanced nuclear reactor' means—

''(A) a nuclear fission reactor with significant improvements over the most recent generation of nuclear fission reactors, which may include inherent safety features, lower waste yields, greater fuel utilization, superior reliability, resistance to proliferation, and increased thermal efficiency; or

''(B) a nuclear fusion reactor.''

Page 1014, lines 8 and 9, strike ''advanced fission reactor systems, nuclear fusion systems,'' and insert ''advanced nuclear reactor systems''.

Page 1016, lines 12 and 13, strike ''fusion and advanced fission experimental reactors'' and insert ''experimental advanced nuclear reactors''.

Page 1018, lines 3 and 4, strike ''next generation nuclear energy technology'' and insert ''advanced nuclear reactor technologies''.

AMENDMENT NO. 115 OFFERED BY MR. DONOVAN OF NEW YORK

At the end of title XXXV add the following:

SEC. 35___. EXPEDITED PROCESSING OF APPLICATIONS FOR TRANSPORTATION SECURITY CARDS FOR SEPARATING MEMBERS OF THE ARMED FORCES AND VETERANS.

(a) IN GENERAL.—Section 70105 of title 46, United States Code, is amended by adding at the end the following:

''(r) EXPEDITED ISSUANCE FOR SEPARATING SERVICE MEMBERS.—The Secretary shall, using authority available under other provisions of law—

''(1) seek to expedite processing of applications for transportation security cards under this section for members of the Armed Forces who are separating from active duty service with a discharge other than a dishonorable discharge;

''(2) in consultation with the Secretary of Defense—

''(A) enhance efforts of the Department of Homeland Security in assisting members of the Armed Forces who are separating from active duty service with receiving a transportation security card, including by—

''(i) including under the Transition Assistance Program under section 1144 of title 10—

''(I) applications for such cards; and

''(II) a form by which such a member may grant the member's permission for government agencies to disclose to the Department of Homeland Security findings of background investigations of such member, for consideration by the Department in processing the member's application for a transportation security card;

''(ii) providing opportunities for local officials of the department in which the Coast Guard is operating to partner with military installations for that purpose; and

''(iii) ensuring that such members of the Armed Forces are aware of opportunities to apply for such cards;

''(B) seek to educate members of the Armed Forces with competencies that are transferable to maritime industries regarding—

''(i) opportunities for employment in such industries; and

''(ii) the requirements and qualifications for, and duties associated with, transportation security cards; and

''(C) cooperate with other Federal agencies to expedite the transfer to the Secretary the findings of relevant background investigations and security clearances; and

''(3) issue or deny a transportation security card under this section for a veteran by not later than 13 days after the date of the submission of the application for the card, unless there is a substantial problem with the application that prevents compliance with this paragraph.''.

(b) REPORTS.—Not later than 6 months after the date of the enactment of this Act, and annually thereafter for each of the subsequent 2 years, the Secretary of the department in which the Coast Guard is operating, in consultation with the Secretary of Defense, shall submit a report to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate describing and assessing the efforts of such department to implement the amendment made by this section.

SEC. 35___. TRAINING UNDER TRANSITION ASSISTANCE PROGRAM ON EMPLOYMENT OPPORTUNITIES ASSOCIATED WITH TRANSPORTATION SECURITY CARDS.

(a) IN GENERAL.—Section 1144(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(10) Acting through the Secretary of the department in which the Coast Guard is operating, provide information on career opportunities for employment available to members with transportation security cards issued under section 70105 of title 46.''.

(b) DEADLINE FOR IMPLEMENTATION.—The program carried out under section 1144 of title 10, United States Code, shall comply with the requirements of subsection (b)(10) of such section, as added by subsection (a), by not later than 180 days after the date of the enactment of this Act.

AMENDMENT NO. 116 OFFERED BY MS. FRANKEL OF FLORIDA

At the end of title XXXV add the following:

SEC. ___. APPLICATION OF LAW.

Section 4301 of title 46, United States Code, is amended by adding at the end the following:

''(d) For purposes of any Federal law except the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), any vessel, including a foreign vessel, being repaired or dismantled is deemed to be a recreational vessel, as defined under section 2101(25), during such repair or dismantling, if that vessel—

''(1) shares elements of design and construction of traditional recreational vessels (as so defined); and

''(2) when operating is not normally engaged in a military, commercial, or traditionally commercial undertaking.''.

AMENDMENT NO. 117 OFFERED BY MR. WILSON OF SOUTH CAROLINA

Page 1081, in the table of section 4102, strike ''JOINT IMPROVISED-THREAT DEFEAT FUND'' both places it appears and insert ''JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND''.

Page 1085, in the table of section 4103, strike ''JOINT IMPROVISED-THREAT DEFEAT FUND'' both places it appears and insert ''JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND''.

AMENDMENT NO. 118 OFFERED BY MS. MENG OF NEW YORK

Page 1191, after line 7, insert the following:

''(F) Conspiracy to commit an offense specified in subparagraph (A), (B), (C), or (D) that is punishable under section 881 of this title (article 81).''.

AMENDMENT NO. 120 OFFERED BY MR. ROGERS OF ALABAMA

At the end of subtitle B of title XXXI, add the following new section:

SEC. 31___. PROTECTION OF CERTAIN NUCLEAR FACILITIES FROM UNMANNED AIRCRAFT.

(a) IN GENERAL.—The Atomic Energy Defense Act (50 U.S.C. 2501 et seq.) is amended by inserting after section 4509 the following new section:

''SEC. 4510. PROTECTION OF CERTAIN NUCLEAR FACILITIES FROM UNMANNED AIRCRAFT.

''(a) AUTHORITY.—The Secretary of Energy may take such actions described in subsection (b)(1) that are necessary to mitigate the threat of an unmanned aircraft system or unmanned aircraft that poses an imminent threat (as defined by the Secretary of Energy, in coordination with the Secretary of Transportation) to the safety or security of a covered facility.

''(b) ACTIONS DESCRIBED.—(1) The actions described in this paragraph are the following:

''(A) Disrupt control of the unmanned aircraft system or unmanned aircraft.

''(B) Seize and exercise control of the unmanned aircraft system or unmanned aircraft.

''(C) Seize or otherwise confiscate the unmanned aircraft system or unmanned aircraft.

''(D) Use reasonable force to disable or destroy the unmanned aircraft system or unmanned aircraft.

''(2) The Secretary of Energy shall develop the actions described in paragraph (1) in coordination with the Secretary of Transportation, consistent with the protection of information regarding sensitive defense or national security capabilities.

''(c) FORFEITURE.—(1) Any unmanned aircraft system or unmanned aircraft described in subsection (a) shall be subject to seizure and forfeiture to the United States.

''(2) The Secretary of Energy may prescribe regulations to establish reasonable exceptions to paragraph (1), including in cases where—

''(A) the operator of the unmanned aircraft system or unmanned aircraft obtained the control and possession of such system or aircraft illegally; or

''(B) the operator of the unmanned aircraft system or unmanned aircraft is an employee of a common carrier acting in manner described in subsection (a) without the knowledge of the common carrier.

''(d) REGULATIONS.—Not later than 180 days after the date of the enactment of this section, the Secretary of Energy and the Secretary of Transportation shall prescribe regulations and issue guidance in the respective areas of each Secretary to carry out this section.

''(e) DEFINITIONS.—In this section:

''(1) The term 'covered facility' means any facility that—

''(A) is identified by the Secretary of Energy for purposes of this section;

''(B) is located in the United States (including the territories and possessions of the United States); and

''(C) is owned by the United States, or contracted to the United States, to store or use special nuclear material.

''(2) The terms 'unmanned aircraft' and 'unmanned aircraft system' have the meaning given those terms in section 331 of the

FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note).''.

(b) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 4509 the following new item:

''Sec. 4510. Protection of certain nuclear facilities from unmanned aircraft.''.

The Acting CHAIR. Pursuant to House Resolution 735, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I yield myself 4 minutes.

I just want to thank the chairman, and I want to thank the staff and the Members for putting together this piece of legislation. It is always a long process but I think a good process, in which we pull together a variety of different amendments. And, as the chairman has said many times, it is a bottom-up process. It starts with the Members offering their ideas in putting together the bill. I think, once again, we have done that process fairly well.

The problem and the challenge, as I had mentioned earlier, comes from the budget number and the problems that we face. I know the chairman has said earlier, you know, we can't solve all these problems; so let's help the troops now.

The problem is, it is like you have got a credit card and you say: wow, off in the future there may be problems, but let's just buy whatever we want, put it on the credit card now, and that will help everybody in the long run. But it doesn't. It is not helping the troops to pass a bill that has 6 months worth of funding for a yearlong's worth of overseas contingency operations, and it is not helping them to hope that the Budget Control Act goes away.

The chairman mentioned that last year we had this same problem and we did wind up getting an agreement, and that is true. Part of the reason we got that agreement, however, is because we, on this side, insisted on that agreement and did not merely accept the defense bill that was offered without resolving those issues.

And, once again, we have to insist upon that: that it does not make sense to have the Budget Control Act and continue to insist on spending more money on defense. Essentially, what the majority party wants is they want a Ferrari, but they only want to provide the money to pay for a Honda, and they keep hoping that somehow that extra money is going to appear. That hurts our troops.

We have heard all of these stories about the terrible state of our readiness. Consistently, over the course of the last 4 years, the bill that has been passed in the House and the Senate has put less money into readiness than the President asked for. Why? Because they wanted to pay for a wide variety of programs, including the A–10, an important plane, we have heard.

I am not saying that there is anything in this bill that you can't make an argument for as being important. The problem is it doesn't add up, and it leaves us in a position where the military is continually having to stare at a cliff, knowing that the money is not going to be there and trying to figure out how to plan through that.

I want a more sensible process. We should fully fund the OCO and fund the base budget at the level that it is funded at. If we don't find that sufficient—and I know just about every member of the Armed Services Committee on the Republican side does not find that number sufficient—then provide the money. This isn't a matter of saying, well, what has that got to do with this? That has got everything to do with this.

If you are not willing to provide the money to pay for these programs, starting them, or telling the military that they have to have a fixed number of members of the Army and the Marine Corps, and then knowing that the money isn't going to be there a year from now, is not helpful. We have to bring some sanity to the budget process. This bill, artfully, just imagines that 6 months from now, we will magically make up the extra money in OCO. That is a big problem that, once again, we need to confront.

But just like last year, I am confident that we will come together in conference, we will talk about this, we will work it out, and we will come up with a bill. But I hope that we will start understanding the money a little bit better and making this actually work so that the bill we pass is helping the men and women of the armed services who serve us so well.

So it is not about whether or not you support the troops or not; it is a matter of whether or not you think this bill is the best way to do it.

I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. I thank the gentleman for yielding.

Mr. Chair, I rise to thank Ranking Member SMITH and Chairman THORNBERRY for an amendment that was included in one of the prior en bloc groups of amendments.

The amendment that I joined Mr. POMPEO in offering requires the DOD to report to Congress on the cooperation between Iran and the Russian Federation and the extent to which that cooperation affects our national security interests.

Even before the Iran nuclear deal, we watched Tehran and Moscow become closer partners, as Russia announced it would lift its ban on selling advanced missiles to Iran and began military cooperation with Iran in Syria to prop up the Assad government.

This year, Russia and Iran have worked together to undermine U.N. Security Council ballistic missile resolutions and announced an $800 million missile defense contract.

It is imperative that we fully understand the impact of this alliance on our national security interests because both nations continue to be hostile towards the U.S. and our allies. This amendment will help do just that.

Mr. THORNBERRY. Mr. Chairman, I continue to reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, how much time is remaining?

The Acting CHAIR. The gentleman from Washington has 5 minutes remaining. The gentleman from Texas has 10 minutes remaining.

Mr. SMITH of Washington. Mr. Chairman, I yield myself the balance of my time just to, again, emphasize that this is a very, very important piece of legislation, and it is important that we get it right. This is one step in the process.

At the committee level, we worked together and got the bill out. At the time, I raised the concerns that I am raising now. I voted in favor of the bill, hoping that we would make improvements on the floor. Instead, we went the other way.

We had one amendment that was supported in the committee that the Rules Committee stripped without allowing a vote, a rule that would have women sign up for the Selective Service, an amendment that was supported by my caucus. The Rules Committee didn't even allow us to have a vote on that. They just stripped it.

On another one, on the amendment that we didn't like that was in the bill, they went the other way and didn't allow a vote on that to keep it in place. That is not a fair process.

I will say that there are ultimately two objections to this bill and preface it with one thing. I think the chairman in committee has been very, very fair, has worked very well with Democrats, and I do appreciate that. The Rules Committee, on the other hand, has been the exact opposite. They have been completely and totally partisan in a way that is not in keeping with the tradition of the Armed Services Committee and the way we do business in a fair way: to allow members to have votes on amendments that are important to them. They didn't do that, and that made this bill even worse than it was when it came out of committee. I hope the Rules Committee will do better in the future. I don't think that is likely, but that is certainly one issue.

The second issue is, again, the funding. If we are really going to provide

for the troops, we have to realistically look at the next 10 years and begin building a national security strategy that can support them, based on the budget that we are prepared to provide. There is no new revenue coming. Even if the budget caps go away, typically the way the budget caps go away is they are extended for another year, and basically we use 10-year money to pay for 1 year's worth of goods and services, which only puts us in a further hole.

Lastly, I will point out those other portions of the budget. The defense budget has grown as a proportion of the discretionary budget. It is now over 55 percent of it.

□ 1915

Essentially, what the Republican party is trying to do is to spend all of the money on defense, and then there will be nothing left over for the other priorities. Those other priorities do matter, and it is wrong to ask: Well, what has the defense bill got to do with our crumbling infrastructure? What has the defense bill got to do with long lines at the TSA or at Homeland Security or at the Department of Justice or anywhere else?

It has got everything to do with it in a year when we don't have a budget resolution, so we don't have set amounts of money for each bill. Every dollar that we put into this is taking out of the overall allocation and is taking from all of those other priorities.

Yes, national security is incredibly important, but I think infrastructure is important as well. I think the Department of Homeland Security is important, as is the Department of Justice, as is the Department of the Treasury, which tries to stop terrorists from raising money. What we are doing here is refusing to pass a budget resolution, to put the numbers in place, and then spending all of the money on defense first—sorry. It is an exaggeration as it is not all of the money but more of the money than was agreed upon—and then what is left over goes to everything else. That is not a responsible way to budget. That is not a responsible way to provide for this country.

For those reasons, I am going to oppose the bill. I hope, again, as we did last year, we will work this out in conference, come up with a more sensible approach, and have a bill that we can all support.

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

Mr. THORNBERRY. Mr. Chair, I yield myself the balance of my time.

I appreciate the gentleman's comments that he believes I have tried to be fair with Members of the minority in constructing this bill. I have tried to be; although I have to say, Mr. Chair, if one leans over backwards to make sure Members of the minority contribute to the bill even to the point at which some of the provisions Members of the minority are interested in are opposed by Members of the majority—if you still try to do that and yet Members of the minority vote against the bill—I have got to ask myself: Why? Why do I do such things?

Just in the past hour and a half, maybe 2 hours, we have spent time with basically equal numbers of Members on the Republican and Democratic sides in their talking about their amendments—discussing very important issues—but none of those issues happen without having the bill pass. Yet I get the feeling that, at least for some Members, there may always be that next bridge that we have got to get to before they can support the bill.

Mr. Chair, the ranking member described my view really better than I did. He said that my opinion is we have to help the troops now, and that is exactly my view. Just think about what the alternative is: no, we are not going to help the troops now because we are not sure where the money is going to come from next year or 5 years from now or the next 10 years. In the meantime, while we are not sure about all of that, we are going to continue to let class A mishaps grow. What that means is more people stand in danger of losing their lives, but we are going to go ahead and allow that to happen because we don't know where the money is going to come from or we object to this provision, et cetera.

It is absolutely true. My view is to help the troops now because now is the time that they are cannibalizing the aircraft, not getting the minimum number of training hours, seeing class A mishaps go up, have only nine B–1s that are available to fly. The statistics go on and on.

Mr. Chair, the other point I would make is that readiness is not just a question of funding the operation and maintenance accounts. That is really what I have thought most of the time I have been here. What I have come to understand, however, is that you can cut end strength, you can cut the number of people in the military, down to the point that you can never get ready. I think that is part of what the Air Force is facing now. They have cut the number of people. We are 700 pilots short, and we are 4,000 maintainers short. It doesn't matter how much money you are putting toward them when you have only so many mechanics. The average experience of a mechanic in the military has dropped significantly just in the last 2 years. People are part of fixing readiness, and procurement is part of fixing readiness.

How many times do I have to explain that you can't fix a 1979 Black Hawk helicopter?

You have to get a new one. You can't replace an early 1980s F/A–18 model. There are no more parts for it. You have to replace it with an F–35. That is what we do in this bill.

Mr. Chair, I continue to be perplexed at how the funding approach that was good and passed by a Democratic majority in 2008, between Bush and Obama, is somehow unacceptable between Obama and whoever is next. None of us knows who is next. We don't know who is going to be the next President. To fully fund the readiness requirements for the whole year so as to deal with those problems of maintenance and training and people and procurement, to fully fund those and then have the new President take a fresh look at the deployments, seems to make sense. It sure made sense in 2008. I think it makes sense in 2016 as well.

Mr. Chair, the Rules Committee made in order 180 amendments for consideration here on the floor. I understand not everybody's amendment was made in order, but it is a little hard for me to understand how people could complain about the process when 180 amendments were made in order, many by Democrats, many by Republicans. I realize not every amendment was made in order, but, surely, a lot of topics have been discussed.

Finally, Mr. Chair, I just have to take a moment and read one of the amendments that some Members have complained about that was placed into the bill in committee by Mr. RUSSELL of Oklahoma.

It reads:

Any branch or agency of the Federal Government shall provide protections and exemptions consistent with section 702(a) and 703(e)(2) of the Civil Rights Act of 1964 and section 103(d) of the Americans with Disabilities Act.

That is it. It is one paragraph. That is it. I don't know who is opposed today to the Civil Rights Act of 1964 or to the Americans with Disabilities Act of 1990. That is the reason I just get this feeling, personally, that there may be those who are just looking for some excuse to vote against the bill. The price of that is that readiness problems—class A mishaps—will continue on the trend they are on.

Absolutely. Help the troops now. I can't predict the future. I don't know who is going to be elected President. I don't know who is going to be elected to Congress. I don't know what the budget will be in future times, but I know what I can do now. I know what I can do today. I can help the troops now. You bet. Sign me up.

I yield back the balance of my time.

Ms. FRANKEL of Florida. Mr. Chair, this amendment includes my resolution to express appreciation of our disabled veterans and recognize October 5th as an appropriate date to honor them each year. This coincides with the anniversary of the American Veterans Disabled for Life Memorial. I thank Chairman JEFF MILLER for his support.

Thankfully, my son, a U.S. Marine, returned safely from two wars. Regrettably, there are many veterans for whom the fight doesn't end when they come home.

My constituent Jeff Colaiacovo is one of those people. A few months into his first tour in Vietnam, Jeff's tank hit a mine, exploding shards of metal into his eyes, blinding him. Miraculously, the doctors recovered his vision. Months later, a grenade hit Jeff's tank and flames engulfed his body. After spending months in burn units, he was honorably discharged. He raised a family and started a small business.

Jeff is disabled for life. He bears the scars of duty that remind us of what he and many others gave to serve us. In honor of Jeff and our four million disabled veterans, I urge adoption of this package.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

AMENDMENT NO. 119 OFFERED BY MS. BORDALLO

The Acting CHAIR. It is now in order to consider amendment No. 119 printed in House Report 114–571.

Ms. BORDALLO. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

TITLE LXXIII—GUAM WORLD WAR II LOYALTY RECOGNITION ACT

SEC. 7301. SHORT TITLE.

This title may be cited as the ''Guam World War II Loyalty Recognition Act''.

SEC. 7302. RECOGNITION OF THE SUFFERING AND LOYALTY OF THE RESIDENTS OF GUAM.

(a) RECOGNITION OF THE SUFFERING OF THE RESIDENTS OF GUAM.—The United States recognizes that, as described by the Guam War Claims Review Commission, the residents of Guam, on account of their United States nationality, suffered unspeakable harm as a result of the occupation of Guam by Imperial Japanese military forces during World War II, by being subjected to death, rape, severe personal injury, personal injury, forced labor, forced march, or internment.

(b) RECOGNITION OF THE LOYALTY OF THE RESIDENTS OF GUAM.—The United States forever will be grateful to the residents of Guam for their steadfast loyalty to the United States, as demonstrated by the countless acts of courage they performed despite the threat of death or great bodily harm they faced at the hands of the Imperial Japanese military forces that occupied Guam during World War II.

SEC. 7303. GUAM WORLD WAR II CLAIMS FUND.

(a) ESTABLISHMENT OF FUND.—The Secretary of the Treasury shall establish in the Treasury of the United States a special fund (in this title referred to as the ''Claims Fund'') for the payment of claims submitted by compensable Guam victims and survivors of compensable Guam decedents in accordance with sections 7304 and 7305.

(b) COMPOSITION OF FUND.—The Claims Fund established under subsection (a) shall be composed of amounts deposited into the Claims Fund under subsection (c) and any other payments made available for the payment of claims under this title.

(c) PAYMENT OF CERTAIN DUTIES, TAXES, AND FEES COLLECTED FROM GUAM DEPOSITED INTO FUND.—

(1) IN GENERAL.—Notwithstanding section 30 of the Organic Act of Guam (48 U.S.C. 1421h), the excess of—

(A) any amount of duties, taxes, and fees collected under such section after fiscal year 2014, over

(B) the amount of duties, taxes, and fees collected under such section during fiscal year 2014,

shall be deposited into the Claims Fund.

(2) APPLICATION.—Paragraph (1) shall not apply after the date for which the Secretary of the Treasury determines that all payments required to be made under section 7304 have been made.

(d) LIMITATION ON PAYMENTS MADE FROM FUND.—

(1) IN GENERAL.—No payment may be made in a fiscal year under section 7304 until funds are deposited into the Claims Fund in such fiscal year under subsection (c).

(2) AMOUNTS.—For each fiscal year in which funds are deposited into the Claims Fund under subsection (c), the total amount of payments made in a fiscal year under section 7304 may not exceed the amount of funds available in the Claims Fund for such fiscal year.

(e) DEDUCTIONS FROM FUND FOR ADMINISTRATIVE EXPENSES.—The Secretary of the Treasury shall deduct from any amounts deposited into the Claims Fund an amount equal to 5 percent of such amounts as reimbursement to the Federal Government for expenses incurred by the Foreign Claims Settlement Commission and by the Department of the Treasury in the administration of this title. The amounts so deducted shall be covered into the Treasury as miscellaneous receipts.

SEC. 7304. PAYMENTS FOR GUAM WORLD WAR II CLAIMS.

(a) PAYMENTS FOR DEATH, PERSONAL INJURY, FORCED LABOR, FORCED MARCH, AND INTERNMENT.—After the Secretary of the Treasury receives the certification from the Chairman of the Foreign Claims Settlement Commission as required under section 7305(b)(8), the Secretary of the Treasury shall make payments, subject to the availably of appropriations, to compensable Guam victims and survivors of a compensable Guam decedents as follows:

(1) COMPENSABLE GUAM VICTIM.—Before making any payments under paragraph (2), the Secretary shall make payments to compensable Guam victims as follows:

(A) In the case of a victim who has suffered an injury described in subsection (c)(2)(A), $15,000.

(B) In the case of a victim who is not described in subparagraph (A), but who has suffered an injury described in subsection (c)(2)(B), $12,000.

(C) In the case of a victim who is not described in subparagraph (A) or (B), but who has suffered an injury described in subsection (c)(2)(C), $10,000.

(2) SURVIVORS OF COMPENSABLE GUAM DECEDENTS.—In the case of a compensable Guam decedent, the Secretary shall pay $25,000 for distribution to survivors of the decedent in accordance with subsection (b). The Secretary shall make payments under this paragraph only after all payments are made under paragraph (1).

(b) DISTRIBUTION OF SURVIVOR PAYMENTS.—A payment made under subsection (a)(2) to the survivors of a compensable Guam decedent shall be distributed as follows:

(1) In the case of a decedent whose spouse is living as of the date of the enactment of this Act, but who had no living children as of such date, the payment shall be made to such spouse.

(2) In the case of a decedent whose spouse is living as of the date of the enactment of this Act and who had one or more living children as of such date, 50 percent of the payment shall be made to the spouse and 50 percent shall be made to such children, to be divided among such children to the greatest extent possible into equal shares.

(3) In the case of a decedent whose spouse is not living as of the date of the enactment of this Act and who had one or more living children as of such date, the payment shall be made to such children, to be divided among such children to the greatest extent possible into equal shares.

(4) In the case of a decedent whose spouse is not living as of the date of the enactment of this Act and who had no living children as of such date, but who—

(A) had a parent who is living as of such date, the payment shall be made to the parent; or

(B) had two parents who are living as of such date, the payment shall be divided equally between the parents.

(5) In the case of a decedent whose spouse is not living as of the date of the enactment of this Act, who had no living children as of such date, and who had no parents who are living as of such date, no payment shall be made.

(c) DEFINITIONS.—For purposes of this title:

(1) COMPENSABLE GUAM DECEDENT.—The term ''compensable Guam decedent'' means an individual determined under section 7305 to have been a resident of Guam who died as a result of the attack and occupation of Guam by Imperial Japanese military forces during World War II, or incident to the liberation of Guam by United States military forces, and whose death would have been compensable under the Guam Meritorious Claims Act of 1945 (Public Law 79–224) if a timely claim had been filed under the terms of such Act.

(2) COMPENSABLE GUAM VICTIM.—The term ''compensable Guam victim'' means an individual who is not deceased as of the date of the enactment of this Act and who is determined under section 7305 to have suffered, as a result of the attack and occupation of Guam by Imperial Japanese military forces during World War II, or incident to the liberation of Guam by United States military forces, any of the following:

(A) Rape or severe personal injury (such as loss of a limb, dismemberment, or paralysis).

(B) Forced labor or a personal injury not under subparagraph (A) (such as disfigurement, scarring, or burns).

(C) Forced march, internment, or hiding to evade internment.

(3) DEFINITIONS OF SEVERE PERSONAL INJURIES AND PERSONAL INJURIES.—Not later than 180 days after the date of the enactment of this Act, the Foreign Claims Settlement Commission shall promulgate regulations to specify the injuries that constitute a severe personal injury or a personal injury for purposes of subparagraphs (A) and (B), respectively, of paragraph (2).

SEC. 7305. ADJUDICATION.

(a) AUTHORITY OF FOREIGN CLAIMS SETTLEMENT COMMISSION.—

(1) IN GENERAL.—The Foreign Claims Settlement Commission shall adjudicate claims and determine the eligibility of individuals for payments under section 7304.

(2) RULES AND REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Chairman of the Foreign Claims Settlement Commission shall publish in the Federal Register such rules and regulations as may be necessary to enable the

Commission to carry out the functions of the Commission under this title.

(b) CLAIMS SUBMITTED FOR PAYMENTS.—

(1) SUBMITTAL OF CLAIM.—For purposes of subsection (a)(1) and subject to paragraph (2), the Foreign Claims Settlement Commission may not determine an individual is eligible for a payment under section 7304 unless the individual submits to the Commission a claim in such manner and form and containing such information as the Commission specifies.

(2) FILING PERIOD FOR CLAIMS AND NOTICE.—

(A) FILING PERIOD.—An individual filing a claim for a payment under section 7304 shall file such claim not later than one year after the date on which the Foreign Claims Settlement Commission publishes the notice described in subparagraph (B).

(B) NOTICE OF FILING PERIOD.—Not later than 180 days after the date of the enactment of this Act, the Foreign Claims Settlement Commission shall publish a notice of the deadline for filing a claim described in subparagraph (A)—

(i) in the Federal Register; and

(ii) in newspaper, radio, and television media in Guam.

(3) ADJUDICATORY DECISIONS.—The decision of the Foreign Claims Settlement Commission on each claim filed under this title shall—

(A) be by majority vote;

(B) be in writing;

(C) state the reasons for the approval or denial of the claim; and

(D) if approved, state the amount of the payment awarded and the distribution, if any, to be made of the payment.

(4) DEDUCTIONS IN PAYMENT.—The Foreign Claims Settlement Commission shall deduct, from a payment made to a compensable Guam victim or survivors of a compensable Guam decedent under this section, amounts paid to such victim or survivors under the Guam Meritorious Claims Act of 1945 (Public Law 79–224) before the date of the enactment of this Act.

(5) INTEREST.—No interest shall be paid on payments made by the Foreign Claims Settlement Commission under section 7304.

(6) LIMITED COMPENSATION FOR PROVISION OF REPRESENTATIONAL SERVICES.—

(A) LIMIT ON COMPENSATION.—Any agreement under which an individual who provided representational services to an individual who filed a claim for a payment under this title that provides for compensation to the individual who provided such services in an amount that is more than one percent of the total amount of such payment shall be unlawful and void.

(B) PENALTIES.—Whoever demands or receives any compensation in excess of the amount allowed under subparagraph (A) shall be fined not more than $5,000 or imprisoned not more than one year, or both.

(7) APPEALS AND FINALITY.—Objections and appeals of decisions of the Foreign Claims Settlement Commission shall be to the Commission, and upon rehearing, the decision in each claim shall be final, and not subject to further review by any court or agency.

(8) CERTIFICATIONS FOR PAYMENT.—After a decision approving a claim becomes final, the Chairman of the Foreign Claims Settlement Commission shall certify such decision to the Secretary of the Treasury for authorization of a payment under section 7304.

(9) TREATMENT OF AFFIDAVITS.—For purposes of section 7304 and subject to paragraph (2), the Foreign Claims Settlement Commission shall treat a claim that is accompanied by an affidavit of an individual that attests to all of the material facts required for establishing the eligibility of such individual for payment under such section as establishing a prima facie case of the eligibility of the individual for such payment without the need for further documentation, except as the Commission may otherwise require. Such material facts shall include, with respect to a claim for a payment made under section 7304(a), a detailed description of the injury or other circumstance supporting the claim involved, including the level of payment sought.

(10) RELEASE OF RELATED CLAIMS.—Acceptance of a payment under section 7304 by an individual for a claim related to a compensable Guam decedent or a compensable Guam victim shall be in full satisfaction of all claims related to such decedent or victim, respectively, arising under the Guam Meritorious Claims Act of 1945 (Public Law 79–224), the implementing regulations issued by the United States Navy pursuant to such Act (Public Law 79–224), or this title.

SEC. 7306. GRANTS PROGRAM TO MEMORIALIZE THE OCCUPATION OF GUAM DURING WORLD WAR II.

(a) ESTABLISHMENT.—Subject to subsection (b), the Secretary of the Interior shall establish a grant program under which the Secretary shall award grants for research, educational, and media activities for purposes of appropriately illuminating and interpreting the causes and circumstances of the occupation of Guam during World War II and other similar occupations during the war that—

(1) memorialize the events surrounding such occupation; or

(2) honor the loyalty of the people of Guam during such occupation.

(b) ELIGIBILITY.—The Secretary of the Interior may not award a grant under subsection (a) unless the person seeking the grant submits an application to the Secretary for such grant, in such time, manner, and form and containing such information as the Secretary specifies.

SEC. 7307. AUTHORIZATION OF APPROPRIATIONS.

(a) GUAM WORLD WAR II CLAIMS PAYMENTS AND ADJUDICATION.—For the purposes of carrying out sections 7304 and 7305, there is authorized to be appropriated for any fiscal year beginning after the date of enactment of this act, an amount equal to the amount deposited into the Claims Fund in a fiscal year under section 7303. Not more than 5 percent of funds make available under this subsection shall be used for administrative costs. Amounts appropriated under this section may remain available until expended.

(b) GUAM WORLD WAR II GRANTS PROGRAM.—For purposes of carrying out section 7306, there are authorized to be appropriated $5,000,000 for each fiscal year beginning after the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 735, the gentlewoman from Guam (Ms. BORDALLO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Guam.

Ms. BORDALLO. Mr. Chair, I appreciate this amendment being made in order.

It is time that we bring resolution to the people of Guam and all U.S. citizens who have suffered under enemy occupation during World War II. We found an offset to address its costs, which was one of the problems. I look forward to adopting this amendment and working with the Senate during conference.

Again, I thank very much Chairman THORNBERRY and Ranking Member SMITH and Chairman BISHOP for their support of this amendment.

I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chair, I ask unanimous consent to claim the time in opposition, although I am not opposed to it.

The Acting CHAIR (Mr. WOMACK). Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Mr. Chair, I appreciate the many contributions the gentlewoman from Guam has made to our committee as the ranking member on the Subcommittee on Readiness, among other capacities. I think this is a good amendment, and I certainly hope our Members will support it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Guam (Ms. BORDALLO).

The amendment was agreed to.

Mr. THORNBERRY. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. COLLINS of Georgia) having assumed the chair, Mr. WOMACK, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4909) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, had come to no resolution thereon.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE STABILIZATION OF IRAQ—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 114–137)

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

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to

the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the stabilization of Iraq that was declared in Executive Order 13303 of May 22, 2003, is to continue in effect beyond May 22, 2016.

Obstacles to the orderly reconstruction of Iraq, the restoration and maintenance of peace and security in the country, and the development of political, administrative, and economic institutions in Iraq continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. Accordingly, I have determined that it is necessary to continue the national emergency with respect to the stabilization of Iraq.

BARACK OBAMA.

THE WHITE HOUSE, *May 18, 2016*.

ZIKA RESPONSE APPROPRIATIONS ACT, 2016

Mr. ROGERS of Kentucky. Mr. Speaker, pursuant to House Resolution 736, I call up the bill (H.R. 5243) making appropriations for the fiscal year ending September 30, 2016, to strengthen public health activities in response to the Zika virus, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 736, the bill is considered read.

The text of the bill is as follows:

H.R. 5243

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2016, and for other purposes, namely:

TITLE I

DEPARTMENT OF HEALTH AND HUMAN SERVICES

CENTERS FOR DISEASE CONTROL AND PREVENTION

CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''CDC-Wide Activities and Program Support'', $170,000,000, which shall become available upon enactment of this Act and remain available until September 30, 2016, to prevent, prepare for, and respond to Zika virus, domestically and internationally: *Provided*, That products purchased with such funds may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F–2 of the Public Health Service (''PHS'') Act: *Provided further*, That such funds may be used for purchase and insurance of official motor vehicles in foreign countries: *Provided further*, That the provisions of section 317S of the PHS Act shall apply to the use of funds appropriated in this paragraph as determined by the Director of the Centers for Disease Control and Prevention (''CDC'') to be appropriate: *Provided further*, That funds appropriated in this paragraph may be transferred by the Director of CDC to other accounts of the CDC for the purposes provided in this paragraph: *Provided further*, That of the funds appropriated under this heading, up to $50,000,000 may be transferred to, and merged with, funds appropriated under the heading ''Health Resources and Services Administration—Maternal and Child Health'' for an additional amount for the Maternal and Child Health Services Block Grant Program only for the following activities related to patient care associated with the Zika virus: prenatal care, delivery care, postpartum care, newborn health assessments, and care for infants with special health care needs: *Provided further*, That such transfer authority is in addition to any other transfer authority provided by law: *Provided further*, That such transferred funds may be awarded notwithstanding section 502 of the Social Security Act: *Provided further*, That such transferred funds may be awarded for special projects of regional and national significance to States, Puerto Rico, other Territories, Indian Tribes, Tribal Organizations and Urban Indian Organizations authorized under title V of such Act: *Provided further*, That no funding provided by a grant from funds in the fifth proviso may be used to make a grant to any other organization or individual.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''National Institute of Allergy and Infectious Diseases'', $230,000,000, which shall become available upon enactment of this Act and remain available until September 30, 2016, for preclinical and clinical development of vaccines for the Zika virus: *Provided*, That such funds may be transferred by the Director of the National Institutes of Health (''NIH'') to other accounts of the NIH for the purposes provided in this paragraph: *Provided further*, That such transfer authority is in addition to any other transfer authority provided by law: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amount shall be available only if the President subsequently so designates such amount and transmits such designation to the Congress.

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Public Health and Social Services Emergency Fund'', $103,000,000, which shall become available upon enactment of this Act and remain available until September 30, 2016, to develop necessary countermeasures and vaccines, including the development and purchase of vaccines, therapeutics, diagnostics, necessary medical supplies, and administrative activities to respond to Zika virus, domestically and internationally: *Provided*, That funds appropriated in this paragraph may be used to procure security countermeasures (as defined in section 319F–2(c)(1)(B) of the PHS Act): *Provided further*, That paragraphs (1) and (7)(C) of subsection (c) of section 319F–2 of the PHS Act, but no other provisions of such section, shall apply to such security countermeasures procured with funds appropriated in this paragraph: *Provided further*, That products purchased with funds appropriated in this paragraph may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F–2 of the PHS Act: *Provided further*, That funds appropriated in this paragraph may be transferred to the fund authorized by section 319F–4 of the PHS Act: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amount shall be available only if the President subsequently so designates such amount and transmits such designation to the Congress.

GENERAL PROVISIONS—THIS TITLE

NOTIFICATION REQUIREMENT

SEC. 101. Funds appropriated by this title shall only be available for obligation if the Secretary of Health and Human Services notifies the Committees on Appropriations in writing at least 15 days in advance of such obligation: *Provided*, That the requirement of this section may be waived if failure to do so would pose a substantial risk to human health or welfare: *Provided further*, That in case of any such waiver, notification to such Committees shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable: *Provided further*, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

REPORTING REQUIREMENT

SEC. 102. Not later than 30 days after enactment of this Act the Secretary of Health and Human Services shall submit to the Committees on Appropriations a consolidated report on the proposed uses of funds appropriated by this title for which the obligation of funds is anticipated: *Provided*, That such report shall be updated and submitted to such Committees every 30 days until all funds have been fully expended.

OVERSIGHT

SEC. 103. Of the funds appropriated by this title under the heading ''Centers for Disease Control and Prevention'', up to—

(1) $500,000 shall be transferred to, and merged with, funds available under the heading ''Office of Inspector General'', and shall remain available until expended, for oversight of activities supported with funds appropriated by this title: *Provided*, That the transfer authority provided by this paragraph is in addition to any other transfer authority provided by law; and

(2) $500,000 shall be made available to the Comptroller General of the United States, and shall remain available until expended, for oversight of activities supported with funds appropriated by the title: *Provided*, That the Secretary of Health and Human Services shall consult with the Committees on Appropriations prior to obligating such funds.

TITLE II

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For an additional amount for ''Diplomatic and Consular Programs'', $9,100,000, which shall become available upon enactment of this Act and remain available until September 30, 2016, for necessary expenses to support the cost of medical evacuations and other response efforts related to the Zika virus and health conditions directly associated with the Zika virus: *Provided*, That such amount is designated by the Congress as an

emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amount shall be available only if the President subsequently so designates such amount and transmits such designation to the Congress.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

For an additional amount for ''Operating Expenses'', $10,000,000, which shall become available upon enactment of this Act and remain available until September 30, 2016, for necessary expenses to support response efforts related to the Zika virus and health conditions directly associated with the Zika virus: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amount shall be available only if the President subsequently so designates such amount and transmits such designation to the Congress.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

GLOBAL HEALTH PROGRAMS

For an additional amount for ''Global Health Programs'', $100,000,000, which shall become available upon enactment of this Act and remain available until September 30, 2016, for vector control activities to prevent, prepare for, and respond to the Zika virus internationally.

GENERAL PROVISIONS—THIS TITLE

TRANSFER AUTHORITIES

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. (a) Of the funds appropriated by this title under the heading ''Diplomatic and Consular Programs'', up to—

(1) $1,350,000 may be made available for medical evacuation costs of any other department or agency of the United States under Chief of Mission authority and may be transferred to any other appropriation of such department or agency for such costs; and

(2) $1,000,000 may be transferred to, and merged with, funds available under the heading ''Emergencies in the Diplomatic and Consular Service''.

(b) The transfer authorities provided by this section are in addition to any other transfer authority provided by law.

(c) Any amount transferred pursuant to this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amount shall be available only if the President subsequently so designates such amount and transmits such designation to Congress.

(d) Upon a determination that all or part of the funds transferred pursuant to the authorities provided by this section are not necessary for such purposes, such amounts may be transferred back to such appropriation.

NOTIFICATION REQUIREMENT

SEC. 202. Funds appropriated by this title shall only be available for obligation if the Secretary of State or the Administrator of the United States Agency for International Development, as appropriate, notifies the Committees on Appropriations in writing at least 15 days in advance of such obligation: *Provided*, That the requirement of this section may be waived if failure to do so would pose a substantial risk to human health or welfare: *Provided further*, That in case of any such waiver, notification to such Committees shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable: *Provided further*, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

REPORTING REQUIREMENT

SEC. 203. Not later than 30 days after enactment of this Act the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall submit to the Committees on Appropriations a consolidated report on the proposed uses of funds appropriated by this title for which the obligation of funds is anticipated: *Provided*, That such report shall be updated and submitted to such Committees every 30 days until all funds have been fully expended.

OVERSIGHT

SEC. 204. Of the funds appropriated by this title under the heading ''Global Health Programs'', up to—

(1) $500,000 shall be transferred to, and merged with, funds available under the heading ''United States Agency for International Development, Funds Appropriated to the President, Office of Inspector General'', and shall remain available until expended, for oversight of activities supported with funds appropriated by this title: *Provided*, That the transfer authority provided by this paragraph is in addition to any other transfer authority provided by law; and

(2) $500,000 shall be made available to the Comptroller General of the United States, and shall remain available until expended, for oversight of activities supported with funds appropriated by this title: *Provided*, That the Secretary of State and the Comptroller General shall consult with the Committees on Appropriations prior to obligating such funds.

TITLE III

GENERAL PROVISIONS—THIS ACT

(INCLUDING RESCISSIONS OF FUNDS)

SEC. 301. (a) Of the unobligated balances of amounts appropriated under title VI of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2015 (division G of Public Law 113–235) and title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235), $352,100,000 are rescinded: *Provided*, That after consultation with the Secretary of State and the Secretary of Health and Human Services, the Director of the Office of Management and Budget (OMB Director) shall determine the accounts and amounts from which the rescission is to be derived and apply the rescission made pursuant to this subsection: *Provided further*, That not later than 30 days after enactment of this Act, the OMB Director shall transmit a report to the Committees on Appropriations detailing the amounts rescinded pursuant to this section by agency, account, program, project, and activity.

(b) Of the unobligated balances available in the Nonrecurring expenses fund established in section 223 of division G of Public Law 110–161 (42 U.S.C. 3514a) from any fiscal year, including amounts transferred to the Nonrecurring expenses fund under that section before, on, or after the date of enactment of this Act, $270,000,000 are rescinded.

SEC. 302. Unless otherwise provided for by this Act, the additional amounts appropriated pursuant to this Act for fiscal year 2016 are subject to the requirements for funds contained in the Consolidated Appropriations Act, 2016 (Public Law 114–113).

This Act may be cited as the ''Zika Response Appropriations Act, 2016''.

The SPEAKER pro tempore. The gentleman from Kentucky (Mr. ROGERS) and the gentlewoman from New York (Mrs. LOWEY) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the consideration of H.R. 5243 and that I may include tabular material on the same.

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

There was no objection.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield myself such time as I may consume.

I rise to present H.R. 5243, the Zika Response Appropriations Act.

The Zika virus clearly poses a great threat to public health not only in the United States, but around the globe. It has become increasingly important that we, the Congress, act to protect our most vulnerable, particularly infants and pregnant women, from the risks of this disease. Our response must be urgent, direct, and strategic, targeted at preventing the further spread of this disease.

The bill before you today provides $622.1 million to fight this dangerous virus. It prioritizes critical activities that must begin immediately, such as vaccine development and mosquito control.

I was glad to see that the administration took our committee's advice and redirected $589 million from less urgent needs to fund immediate actions to respond to Zika. This was and is the most immediate source of funding in the fight against Zika.

□ 1930

But given the severity of the crisis, it is clear we must do more. The funds within this legislation will continue the Department of Health and Human Services' and the Department of State's critical efforts to fight the spread of this harmful disease for the rest of the fiscal year of 2016 and beyond. This means that, in total, Congress will have provided over $1.2 billion so far with this bill to respond to Zika in fiscal year 2016.

I am proud that we have provided this funding in a responsible way. The funding in this bill is entirely offset through rescissions of unobligated infectious disease funds that included

Ebola or from whatever leftover administrative balances there exists within HHS.

Importantly, Mr. Speaker, this bill takes a thoughtful, strategic approach to how to address the fight against Zika, directing funds where they are needed most urgently and where they can do the most good.

This legislation provides $170 million for the Centers for Disease Control and Prevention to support mosquito control efforts, disease surveillance, international response, and public education. These funds can also be used for emergency preparedness grants to State, local, and territorial health departments that may confront reductions to their existing budgets.

Within this total, up to $50 million is available for health programs targeted at prenatal care, delivery and postpartum care, newborn health assessments, and care for infants with special needs related to Zika. These funds are focused on States and territories currently experiencing Zika outbreaks.

The National Institutes of Health received $230 million to help expedite the research and development of Zika vaccines, making sure these treatments can be made available to the public quickly and safely.

For the Biomedical Advanced Research and Development Authority, BARDA, $103 million will be directed to development and production activities for Zika, including for new rapid diagnostic tests and vaccines. Our response to Zika must also include cutting off the virus at its source, since mosquitos know no boundaries.

For the State Department and the U.S. Agency for International Development, the bill provides a total of $119.1 million, $100 million of this total directed to mosquito control efforts. This also includes funding for public education efforts aimed at reducing mosquito exposure. The remaining $19.1 million is provided to help manage and oversee these programs.

As I noted earlier, we have taken the fiscally responsible step of offsetting every dollar spent in this bill. To go even further and to ensure accountability, transparency, and effective use of tax dollars, we have included strong oversight requirements.

For instance, the Department of Health and Human Services, the State Department, and USAID are required to submit spending plans to Congress before any funds can be spent. And we have directed $2 million total for GAO and Inspector General oversight. The bill also reiterates current, strong protections against the use of any funds for abortions.

The White House's request earlier on made none of these oversight efforts, allowing broad transfer authorities across the entire Federal Government and creating what I call ''slush'' funds with virtually no limits.

This bill guarantees that every cent goes to address the problem at hand: fighting the Zika virus. This funding is critical to stop the spread of Zika and to protect our most vulnerable people, both here at home and abroad. Every child deserves the chance at a full and healthy life, and every mother deserves to see her child survive. This measure will help make this happen for sure in an effective, efficient, and responsible way.

Mr. Speaker, with this bill and its passage, the Congress will have seen to $1.2 billion just over the next 4½ months, the balance of this fiscal year. The administration request of $1.9 billion was for several years. We, in this bill and the earlier transfer of funds from the Ebola infectious disease fund, see to it that we put money on the problem now, not waiting for further action.

I urge my colleagues to support H.R. 5243.

I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I rise in strong opposition of H.R. 5243, the Zika Response Appropriations Act of 2016. It is a tepid response to an alarming public health crisis, only providing a small fraction of the amount requested by President Obama and public health experts.

The Zika virus poses a severe threat to Americans, especially pregnant women. It has been linked to the birth defect microcephaly, and even death. As we approach the summer months, the prevalence of mosquitoes in our backyards will increase, and more and more Americans will become exposed to the virus. We must provide sufficient emergency funding to contain the spread and develop a vaccine for this virus.

Unfortunately, today's bill would only provide approximately $622 million to fight Zika, less than one-third of what public health experts like those at the National Institutes of Health (NIH) and the Centers for Disease Control and Prevention (CDC) say is needed. Making matters worse, this bill offsets the cost of fighting Zika by taking vital resources away from addressing other public health crises.

Additionally, House Republicans have continued their attack on women's access to health care in this bill by incorporating restrictions on abortion coverage. It is shameful that anti-choice Members have used the urgency of the Zika virus to limit access to a woman's constitutionally affirmed right to choose.

It is dangerous to pretend that Congress has addressed this crisis. That illusion creates a false sense of comfort. For these reasons I strongly urge my colleagues to oppose this bill and demand appropriate funding to guard Americans from this public health crisis.

ZIKA RESPONSE APPROPRIATIONS ACT, 2016 (H.R. 5243)
(Amounts in thousands)

	FY 2016 Request	Recommended in the Bill	Bill vs. Request
DEPARTMENT OF HEALTH AND HUMAN SERVICES			
Food and Drug Administration			
Salaries and Expenses (emergency)	10,000	---	-10,000
TITLE I			
DEPARTMENT OF HEALTH AND HUMAN SERVICES			
Centers for Disease Control and Prevention			
CDC-Wide Activities and Program Support	---	170,000	+170,000
(emergency)	828,000	---	-828,000
National Institutes of Health			
National Institute of Allergy and Infectious Diseases (emergency)	130,000	230,000	+100,000
Office of the Secretary			
Public Health and Social Services Emergency Fund (emergency)	295,000	103,000	-192,000
General Provisions			
Centers for Medicare and Medicaid Services: Emergency Increase in Territorial Medicaid FMAP (CBO estimate)1/	157,000	---	-157,000
Total, Title I	1,410,000	503,000	-907,000

ZIKA RESPONSE APPROPRIATIONS ACT, 2016 (H.R. 5243)
(Amounts in thousands)

	FY 2016 Request	Recommended in the Bill	Bill vs. Request
TITLE II			
DEPARTMENT OF STATE			
Administration of Foreign Affairs			
Diplomatic and Consular Programs (emergency)	14,594	9,100	-5,494
Emergencies in the Diplomatic and Consular Service (emergency)	4,000	---	-4,000
Repatriation Loans Program Account, Direct loans subsidy (emergency)	1,000	---	-1,000
UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT			
Funds Appropriated to the President			
Operating Expenses, USAID (emergency)	10,000	10,000	---
BILATERAL ECONOMIC ASSISTANCE			
Funds Appropriated to the President			
Global Health Programs	---	100,000	+100,000
(emergency)	325,000	---	-325,000
International Security Assistance			
Nonproliferation, Anti-terrorism, Demining, and Related Programs (emergency)	8,000	---	-8,000
Multilateral Assistance			
International Organizations and Programs (emergency)	13,500	---	-13,500
Total, Title II	376,094	119,100	-256,994
GENERAL PROVISIONS - THIS ACT			
Sec. 301(a) Unobligated balances (PL 113-235) (rescission) (emergency)	---	-352,100	-352,100
Sec. 301(b) Nonrecurring expenses fund unobligated balances (PL 110-161) (rescission)	---	-270,000	-270,000
GRAND TOTAL	1,796,094	---	-1,796,094
Appropriations	---	(270,000)	(+270,000)
Emergency appropriations	(1,796,094)	(352,100)	(-1,443,994)
Rescissions	---	(-270,000)	(-270,000)
Rescissions of Emergency funding	---	(-352,100)	(-352,100)

1/ OMB estimate is $246M. FMAP is Federal Medical Assistance Percentage

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

In February, the World Health Organization declared Zika a public health emergency of international concern, and the President called for $1.9 billion to respond to the impending crisis to prevent the spread in our very own communities.

According to the National Governors Association, the Nation is on the threshold of a public health emergency. In a separate letter, the U.S. Conference of Mayors, National League of Cities, National Association of County and City Health Officials wrote to urge Congress to provide emergency supplemental money for Zika, rather than repurpose money from other high-priority programs.

I include in the RECORD both letters.

MAY 10, 2016.

Hon. THAD COCHRAN,
Chairman, Senate Appropriations Committee, U.S. Senate, Washington, DC.
Hon. ROY BLUNT,
Chairman, Senate Appropriations Subcommittee on Labor, Health and Human Services & Education, U.S. Senate, Washington, DC.
Hon. BARBARA MIKULSKI,
Ranking Member, Senate Appropriations Committee, U.S. Senate, Washington, DC.
Hon. PATTY MURRAY,
Ranking Member, Senate Appropriations Subcommittee on Labor, Health and Human Services & Education, U.S. Senate, Washington, DC.

DEAR CHAIRMEN COCHRAN AND BLUNT AND SENATORS MIKULSKI AND MURRAY: The U.S. Conference of Mayors, National League of Cities and National Association of County and City Health Officials call on you to advance legislation without delay to respond to the Zika virus. Our associations serve people in cities and counties where the burden of Zika will be felt directly.

Emerging infectious disease threats like Zika require ongoing vigilance, but the particular risks from this virus require immediate, additional investments. We urge Congress to provide emergency supplemental funding for Zika rather than repurpose money from other high priority programs at the Centers for Disease Control and Prevention (CDC) and other federal agencies that ensure our health security and public health preparedness. CDC has already diverted more than $44 million from public health emergency preparedness (PHEP) to fund the Zika response. Backfilling this PHEP funding is critical to making sure that communities are ready to respond to all threats.

Although not a new virus, 2015 marked the first widespread transmission of the Zika virus in the Americas. The virus is spread primarily by mosquitoes and usually causes only mild illness or no symptoms. However, in Brazil and other countries affected by Zika there has already been a steep increase in birth defects in infants born to mothers who were infected during pregnancy. In January 2016, CDC warned women who are pregnant or trying to become pregnant to avoid travel to regions and countries with widespread Zika transmission or to prevent being bitten by mosquitoes there. With the weather getting warmer and increased numbers of mosquitos in many places in the United States, Congress can no longer wait to act.

In local communities, health departments are engaged in educating the public and health care providers about Zika, conducting prevention activities through mosquito eradication and screening travelers from countries where the outbreak has surfaced. Our associations urge you to act quickly in providing emergency supplemental funding to the U.S. Department of Health and Human Services to support the local response to Zika with increased virus readiness and response capacity focused on areas with ongoing Zika transmission; enhanced laboratory, epidemiology and surveillance capacity in at-risk areas and surge capacity through rapid response teams to limit potential clusters of Zika virus in the United States.

Thank you for your consideration of this request. For further information, please contact: Crystal Swann, Assistant Executive Director, at cswann@usmayors.org; Carolyn Coleman, Esq., Senior Executive and Director of Federal Advocacy at coleman@nlc.org. or Eli Briggs, Senior Government Affairs Director at ebriggs@naccho.org.

Sincerely,

TOM COCHRAN,
CEO & Executive Director, United States Conference of Mayors.
CLARENCE E. ANTHONY,
CEO & Executive Director, National League of Cities.
LAMAR HASBROUCK, MD, MPH,
Executive Director, National Association of County and City Health Officials.

MAY 9, 2016.

GOVERNORS ASK FOR SWIFT ACTION ON ZIKA FUNDING

WASHINGTON.—The National Governors Association (NGA) today released the following statement on congressional funding of the Zika virus:

''The nation is on the threshold of a public health emergency as it faces the likely spread of the Zika virus. As with all such emergencies, advance planning and preparation is essential to prevent injury and death.

A key component to averting infectious disease outbreaks is to prevent incidence levels from reaching a critical 'tipping point,' after which there is a rapid increase in the number of infections. This is particularly true of the Zika virus—the most important way we can protect people is to minimize infections and prevent a concentration of cases, which can lead to outbreak and children born with severe, lifelong birth defects such as microcephaly.

As Congress returns from recess today, the nation's governors urge the Administration and Congress to work together to reach agreement on the appropriate funding levels needed to prepare for and combat the Zika virus. We also ask they act as expeditiously as possible to ensure those funds are available to states, territories and the public at large.''

Mrs. LOWEY. Mr. Speaker, as summer approaches, the CDC confirmed 1,204 cases, including more than 100 pregnant women in the continental United States, Puerto Rico, and other U.S. territories as of May 11. So far all of the continental U.S. cases are associated with travel, but experts expect the first locally transmitted cases in a matter of weeks.

The scientific community has concluded, after careful review, that Zika can cause microcephaly resulting in miscarriage and other severe fetal brain defects, as well as adult neurological disorders.

When the House Republican leadership failed to act, the administration was forced to redirect $589 million, mostly from emergency Ebola balances, to fund immediate efforts to respond to Zika. According to Dr. Fauci at the National Institutes of Health, the redirected funds allowed the United States to start work.

But we cannot finish what we need to do. The Republican bill does not allow us to finish the job either. It provides $622 million, less than a third of what is needed.

The administration requested $743 million for State and local efforts to reduce mosquito populations as well as conduct public health studies of the Zika virus. The House Republican bill provides $120 million, plus an additional $50 million for block grants.

By providing such a small fraction of the requested amount, we would be drastically underfunding State and local public health departments, hampering efforts to expand mosquito control and mitigation, and unnecessarily placing millions of pregnant women at risk.

In addition, the administration requested $246 million in direct assistance for Puerto Rico, an epicenter in the Zika outbreak. The House Republican bill does not provide this direct funding for Puerto Rico, again, placing tens of thousands of pregnant women at risk.

In the past, Congress has come together in a bipartisan manner to address and respond to emergencies from the Ebola and H1N1 viruses to natural disasters and agreed that these emergencies should not be offset. When a tornado strikes, we don't steal money from the unfinished relief efforts for the last hurricane; yet House Republicans would take more Ebola funding, risking that it could reemerge, and give less than it needed to stop the spread of Zika in communities throughout the United States.

Without full funding to replenish Ebola accounts, we won't complete commitments to fortify international public health systems or have health contingency funds in place to respond to outbreaks of either disease or any other unanticipated public health crisis. That is why I introduced H.R. 5044, which would provide the full emergency supplemental to combat Zika and prevent the virus from spreading without risking investments in our public health infrastructure.

Mr. Speaker, that is the bill we should be debating today, not the House Republican Zika, which is a day late and a dollar short.

I reserve the balance of my time.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield such time as he may

consume to the gentleman from Oklahoma (Mr. COLE), the chairman of the House Appropriations' Subcommittee on Labor, Health and Human Services, Education, and Related Agencies. He is also a member of the House Rules Committee.

Mr. COLE. Mr. Speaker, I thank the gentleman from Kentucky for yielding me the time I need.

I want to begin my remarks by complimenting our chairman. Quite frankly, I don't know anybody that has spent more time on this issue and devoted more thought to it than Chairman ROGERS.

He took a codel down to the region. Our first stop was in Peru where we stopped at a Naval research station. It has been there for many decades. Their purpose normally is to look at tropical diseases, which they are doing, but they have now switched their efforts primarily to Zika, just as they should. So we were on top of this early.

Then we went to Brazil and, under Chairman ROGERS' leadership, we had the opportunity to meet with the Centers for Disease Control's people on the ground and also talk to our colleagues in the Brazilian Government about the appropriate ways to move forward on this that were done thoughtfully and responsibly.

What Chairman ROGERS has laid before us is essentially a three-part plan that funds all the administration wants to do. The first is the initial $600 million that would not be available had the chairman not directed the administration to immediately use available funds.

Now, when we passed money for Ebola, if you go back and look at the legislation, it was not only for Ebola. It was for Ebola and other infectious diseases. Frankly, the money there may well be more than we need for Ebola. But in any case, it is going to be spread over many years. So because the chairman pushed hard on this, we actually have $600 million available immediately, and the message to the administration was to start spending what you need to do now.

The second piece of this three-part plan is the bill that is in front of us today. It is over $600 million. As the chairman pointed out, this is two-thirds essentially of what the administration has requested and more than they requested in this fiscal year. Remember, this bill is only for this fiscal year.

So the next third will come in the bills that are presented by my subcommittee and by my good friend, Chairman GRANGER's subcommittee, the Subcommittee on State, Foreign Operations, and Related Programs.

So if you actually look at the total amount provided, it is about what the administration has requested, and it arrives in a timely manner to meet all their needs. The one single critical difference is that what the chairman has provided is fully offset.

Now, my very good friend from New York mentioned that, in emergencies, we don't normally offset. The reality is we do offset when we can. She mentioned tornados. Let me give you an example.

In 2013, my home community of Moore, Oklahoma, was hit by tornados. There was a question of whether or not there would be money available. There was, in fact, money available. That money was in the FEMA disaster relief fund. There was more than enough money in there that had already been appropriated to use. That is what is true here again today.

We have more than enough money in the Ebola funds that we appropriated 2 years ago to actually take care of the initial phase of this action and any other problem that comes up. This is now additional money on top of that.

□ 1945

So the wise thing, it seems to me, is to actually use the funds that you have set aside for these purposes. First, $600 million from the Ebola money and infectious diseases. The next would be this. The next tranche of money would be in the Labor, Health and Human Services, and Education bill that I am privileged to be chairman of and will bring to this floor in June, and my friend Ms. GRANGER will also bring forward additional money in her bill to help with the efforts overseas.

So the simple fact is this really isn't an argument about Zika. It is an argument about whether you will pay to take care of the needs that we have. We have more than enough funds in what we have already voted, what we will vote for here, and what we will provide next year to actually take care of the problem. The chairman has made an additional commitment that if we need to backfill that money, if we are short for some other infectious disease that none of us can anticipate or for Ebola, we will take care of that during the regular appropriations process.

So this is, essentially, I think honestly, a solution in search of a problem. The money is here. We have the money. We are appropriating the money. The administration has not failed to do one thing it wanted to do because of lack of money. The money is available. The real question here is: Are you going to offset that money and make sure that we don't add another $1.9 billion to the national debt by using the money you have got available or are you just going to simply charge it to the national credit card? That is what my friends on the other side—with the best of intentions, I am sure—are actually advocating. Let's just put the country $1.9 billion deeper in debt as opposed to using available resources, appropriating additional resources and offsetting them, and then using the normal appropriations process to go forward.

I want to commend the chairman, honestly, for being thoughtful, careful, and prudent with taxpayer dollars. That is what this is all about. If we work together, we can provide all the money that the administration needs without increasing the national debt. If we do what our friends on the other side suggest, we will simply add $1.9 billion more, and at the end of the day, we won't be in any different place than we will be under the chairman's plan.

Mr. Speaker, I would recommend that we pass this legislation, build on top of the $600 million we have already provided, and allow Ms. GRANGER and myself to bring forward to the full Congress the additional funds that they need in the normal appropriations process.

Remember, this $1.9 billion isn't needed today. It is needed over a multiyear period. We are providing it over a number of years, and we are doing it without adding to the national debt. It seems to me pretty clear.

Actually, both sides have the same aim here. We want to take care of an urgent healthcare problem. The difference is the chairman has presented—first, in the $600 million we have already deployed, and in the $622 million that we will deploy in this bill, and the additional money that will come in the normal appropriations process—everything we need. In some sense, this argument is an argument we don't need to have unless your aim is simply to have $1.9 billion more.

I want to thank the chairman for what he has done. I look forward to continuing to work with my friends on the other side of the aisle. At the end of the day, we will have more than enough money. The difference will be we will not have added one cent to the national debt.

Mrs. LOWEY. Mr. Speaker, I am very pleased to yield 3 minutes to the gentlewoman from California (Ms. LEE), a distinguished member of the Committee on Appropriations and the Committee on the Budget.

Ms. LEE. Mr. Speaker, I thank Congresswoman LOWEY for yielding and also for her very steady and effective leadership on our committee.

Mr. Speaker, as a member of the Labor-HHS and State and Foreign Operations subcommittees, I rise today in strong opposition to H.R. 5243, which is the so-called Zika funding bill.

Earlier this week, the majority finally decided to act on Zika, yet their proposal shows just how unwilling they are to take this crisis seriously. Even now, they have offered barely one-third of the resources needed to fight Zika. Not only are my Republican colleagues' efforts 3 months late, they are also woefully inadequate to address this major public health emergency.

If that weren't enough, Republicans have once again included poison pills

that have no place in this legislation. While we are trying to work to protect our Nation's most vulnerable, including pregnant women and their children, the majority is putting politics over public health, and that is just wrong.

The Zika outbreak has already spread to more than 26 countries, including the United States and our territories. Sadly, there have been two Zika deaths in Puerto Rico. This summer, Americans living in Southern States face tremendous risks from the virus.

Not only does this bill underfund our Zika response, it raids vital funding for other dangerous infectious diseases, such as Ebola. Quite frankly, we should not roll the dice should another Ebola outbreak occur. We know how this appropriations process works. I don't want to chance that. We appropriated Ebola funding for Ebola. This is not the time to rob Peter to pay Paul. The experts are clear. We need the full $1.9 billion request, emergency request, without offsets.

Now, we have seen war funding emergency supplementals fly through this House without many questions raised. This is an emergency, and we need to treat it as such.

Finally, this bill includes Hyde-like language, a dangerous rider that denies access to abortion coverage for women if they are poor, a veteran, in the military, or a Federal Government employee. Let me be clear, politicians have no business denying a woman health coverage based on her income, her employer, or her ZIP Code.

Once again, the majority has decided to put their extremist ideology over public health. Why in the world would they put this rider in this Zika funding bill? It doesn't make any sense, and it is wrong.

It has been 3 months since the World Health Organization declared the Zika virus as a public health emergency. That was February. Three months since the President requested emergency funds, the time to act is now.

Mr. Speaker, I urge my colleagues to vote to reject this bill and let's instead pass a bill with adequate funding and without ideological antiwomen riders. The American people can't afford to wait much longer for Congress to get this right.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. GRANGER), the chairman of the Subcommittee on Appropriations for State, Foreign Operations, and Related Programs.

Ms. GRANGER. Mr. Speaker, I rise in support of H.R. 5243, the Zika Response Appropriations Act.

This bill provides $622 million to respond to the Zika virus both at home and abroad. As chair of the State and Foreign Operations Subcommittee of the Committee on Appropriations, I want to highlight funds in the bill for the international response efforts to stop the virus at its source. This includes mosquito control activities to stop the spread of the virus, public information campaigns to get the message out about Zika, and evacuations of Americans when needed. These efforts will build on work that has already begun.

After my colleagues and I urged swift action, the administration decided to redirect $589 million of funds already in hand to respond to the Zika virus. This funding bill is the next step. It provides our best estimate of what is needed for the remaining months of this fiscal year. As we draft the fiscal year 2017 appropriations bills and information about the threat of Zika becomes more clear, we will address at that time any additional requirements through our regular process.

Unlike the President's request, the activities supported in this bill are targeted and focused. This bill also contains strong oversight provisions and is fully offset. H.R. 5243 provides what is needed now to respond to the Zika virus, and I urge my colleagues to support it.

Mrs. LOWEY. Mr. Speaker, I yield 4 minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), the ranking member on the Legislative Branch Subcommittee.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I thank my ranking member, the gentlewoman from New York, for her leadership on this issue.

I join my colleagues in urging Congress to vote down this wholly inadequate legislation and take meaningful action to address the public health crisis the Centers for Disease Control called ''scarier than we originally thought'' and support the President's request.

My home State of Florida leads the Nation in confirmed cases of the Zika virus, with 113 people infected already and counting. Florida health officials declared a state of emergency in February. As we head into mosquito season, as well as high travel season, we know the risk of Zika will rise.

We have seen the heartbreaking images of babies born with microcephaly. As researchers are continuing to learn more about the different ways that Zika can be transmitted, it is critical that Congress provide the funding needed to thoroughly tackle this virus now.

I am proud that we have transcended partisan lines in Florida at least. Senators NELSON and RUBIO as well as Governor Scott have all been outspoken advocates in support of the President's request to fight this disease, which he made nearly 3 months ago.

I have heard many of my House Republican colleagues acknowledge the devastating effects of this disease and the need for serious proposals to combat it. Sadly, the only serious part of the bill before us is how far it is from meeting our Nation's needs in overcoming this public health crisis.

The bill that the Republican leadership has introduced will not provide meaningful support to my constituents or constituents affected by this across the country. Among its many other shortcomings, this bill would raid funds from accounts designated for Ebola, which, as many public health officials have testified already, is still a threat. Robbing Peter to pay Paul is irresponsible.

It also fails to provide any specific resources to Puerto Rico, where Americans are suffering the greatest burden of what Dr. Thomas Frieden, the Director of the Centers for Disease Control, recently called an epidemic. It continues attacks on a woman's ability to make her own reproductive health decisions, and, perhaps most astonishingly of all, this bill only provides these limited and borrowed funds until September 30, when they will then expire. Let me assure you that mosquitoes and diseases do not follow the congressional budget calendar.

I urge the entire House to quickly pass legislation that I have introduced along with my colleagues, Ranking Member LOWEY and Ranking Member ROSA DELAURO, which would support the President's request of $1.9 billion. We cannot simply watch more people get infected with Zika as we dither over how we fund critical investments into vaccine research, prevention strategies, and finding a cure.

This is a mosquito-borne and sexually transmitted virus. Mosquitoes don't know whether they are biting a Republican or a Democrat, and we should not politicize this serious crisis.

The National Institutes of Health, the Centers for Disease Control and Prevention, and the Department of Health and Human Services have repeatedly provided plans that clearly detail the need for these funds and how they would be spent.

Our local public health facilities, particularly in Florida, the Gulf States, and Puerto Rico need added resources, as do our local mosquito control programs. We need more investments into vector control and mosquito eradication. We need more public education, and we need more resources to ensure that people are able to protect themselves.

I will quote my colleague from the Senate, Senator MARCO RUBIO, that we must—and I agree with him—we must get out in front of this. We will only have ourselves to blame if we dither and don't do so.

So I say to my colleagues, we must act responsibly, we must respond appropriately, and we must do it quickly. This bill does not come close to doing that, so I will cast my vote against it in hopes we will reach an agreement that actually appropriates the amount

of resources that address this burgeoning crisis. My constituents cannot wait and neither can yours.

Mr. ROGERS of Kentucky. Mr. Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore (Mr. HULTGREN). The gentleman from Kentucky has 13½ minutes remaining. The gentlewoman from New York has 18 minutes remaining.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. CULBERSON), the chairman of the Subcommittee on Commerce, Justice, and Science.

Mr. CULBERSON. Mr. Speaker, the Zika virus does pose a genuine emergency situation and, as in any emergency, requires a calm head, clear thinking, and rational approach to dealing with the problem, absent of emotion. You have got to be careful and thoughtful about these things.

As with any emergency situation, you have got to trust the experts, and the experts in the field have told us that the Ebola virus is no longer as serious a threat as it was. That emergency has passed. We now need to focus on the Zika virus, which we are beginning to see cases in the United States.

So, in a thoughtful, careful, rational way, the Republican majority has made certain that the money, our constituents' hard-earned tax dollars, is wisely and prudently spent.

□ 2000

When we first recognized it, Chairman ROGERS, Chairman COLE, and Chairman GRANGER made sure there was $5 billion set aside in the current year to fight Ebola and other infectious diseases. Nearly $2 billion is still in that account for other infectious diseases.

And to deal with this Zika crisis, we have in this legislation tonight—which I urge my colleagues to support—added another $622 million that is completely offset. We have made savings and cuts in other areas of the government to make sure that our constituents' hard-earned taxpayers dollars are wisely spent.

We are not increasing spending. We are offsetting this $622 million to fight Zika in a thoughtful, intelligent, rational way, beginning with funding mosquito control and prevention in those States with heavy mosquito populations.

Texas was inundated with rain this past April, and we got the threat of a large mosquito population that is very real. So this funding tonight, which is completely offset and paid for, will help combat that threat.

Chairman ROGERS, Chairman COLE, and Chairman GRANGER have provided $230 million to the National Institutes of Health in addition to—remember—the $2 billion that is still there from the current year to fight Ebola and other infectious diseases.

We have made sure that there is careful oversight of our constituents' hard-earned tax dollars and to make certain that each agency has to report to Congress on how the money is going to be used. They have to submit a spending plan. We have to make certain the dollars are going where they will do the most good. That is our responsibility. That is our duty.

As good stewards of our constituents' hard-earned tax dollars, as guardians of the Treasury, we have a fiduciary duty to make sure that money is not wasted.

Chairman ROGERS also put an expiration date on the funding to make sure that the money is not going to be transferred to other activities. It has got to be spent on fighting this dreaded disease.

The only politicization that has taken place tonight are those who would stand up in front of the people of the United States and try to make it an emotional issue. We have got to approach this, as in any crisis, in a calm, thoughtful, and intelligent way that makes sure that we are targeting our constituents' hard-earned tax dollars where they will do the most good.

Any additional funding that is necessary to fight this outbreak in the next fiscal year can and will be considered as part of the normal appropriations process.

In a thoughtful, considerate way, Chairman ROGERS has given us a bill to help solve this crisis, and I urge my colleagues to support it.

Mrs. LOWEY. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Ms. VELÁZQUEZ), the ranking member of the Small Business Committee.

Ms. VELÁZQUEZ. I thank the gentlewoman for yielding.

Mr. Speaker, this is the face of Zika: an innocent child harmed with the disease—a disease that we could prevent.

Now, this disease is harming our fellow American citizens in Puerto Rico and on the eastern side of the mainland.

Already, because of Washington's decades of neglect, Puerto Rico's health care system is broken. Last year, 500 doctors packed up and left the island, never to return, and physicians are leaving at the rate of one a day.

While Puerto Rico's health infrastructure is vulnerable, we are seeing this terrible disease take hold. More than 570 cases of infection have already been reported in Puerto Rico, including almost 50 pregnant women, and two deaths.

How dare anyone in this Chamber say that this is political. It is not political when we have people that are dying in Puerto Rico.

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

Mrs. LOWEY. Mr. Speaker, I yield the gentlewoman an additional 30 seconds.

Ms. VELÁZQUEZ. Now, what are House Republicans doing in response? They are proposing less than one-third of the money needed to respond to Zika. They are providing no—zero—money targeted for Puerto Rico.

Mr. Speaker, look at this face again. Shame on this House for this failure. Look at this face and then look in the mirror.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield myself 30 seconds.

This bill specifically mentions Puerto Rico. These moneys go to Puerto Rico, as well as to the rest of the territories and the States. So the money will be there if this bill passes.

Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. DIAZ-BALART), the chairman of the Appropriations Subcommittee on Transportation, Housing and Urban Development, and Related Agencies.

Mr. DIAZ-BALART. Mr. Speaker, I want to first thank Chairman ROGERS for his leadership on ensuring that the United States is able to do everything necessary to combat Zika, and do so immediately.

South Florida is ground zero in the United States for this disease. So the funding that this bill provides is, frankly, critically important to Florida, especially, as we know, because mosquitos are most active during the summer months. This horrible disease has the capability to infect many, and we must focus on stopping it before it continues to spread.

So I believe, Mr. Speaker, that we need to provide every dollar needed for Zika prevention, treatment, and response programs and, I would repeat, not one penny less.

This bill is the second part of a three-pronged effort to combat this disease. First was the almost $600 million in repurposed Ebola funds. Now we are providing an additional $622 million for, again, a total of over $1.2 billion to deal with this disease.

So let's be clear: if more funds are needed, Congress will step up and do what is necessary to make sure that, if those funds were necessary sometime in the future, they would be available.

It is also crucial, Mr. Speaker, that President Obama's administration and the Centers for Disease Control provide Congress with detailed information as to how they plan to spend these proposed funds.

Congress also has a responsibility to protect American taxpayers so that their hard-earned dollars are spent efficiently and effectively, much unlike, Mr. Speaker, the fiasco with those so-called ''shovel-ready'' programs. Let's make sure that we do not repeat that embarrassing fiasco and waste of taxpayers' money.

So I urge my colleagues to vote for this bill, as it does provide the funds necessary to fight Zika immediately—immediately, Mr. Speaker—again,

while also making sure that we protect the hard-earned American people's tax dollars.

I once again want to thank the chairman for doing this so quickly, so efficiently, because Florida is ground zero.

Mrs. LOWEY. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), our distinguished Democratic whip.

Mr. HOYER. Mr. Speaker, I like Mr. DIAZ-BALART. But if I get sick, I hope it doesn't take 90 days for the emergency responders to come to my aid.

February 22 is when the administration said we needed this money. Almost 90 days later, we are talking about one-third of what they said was necessary.

Mr. Speaker, our Nation faces a very real and present danger from Zika. Our people face that crisis. Already, more than 1,200 Americans, including more than 110 pregnant women, have confirmed cases of Zika virus. Would that have been the case if we had acted on February 22? I do not know. But I certainly wouldn't want to rely on this Congress to enact anything in a timely fashion.

We know that there is a link between Zika virus and severe birth defects, including microcephaly, which can be life-threatening and for which there is no cure. We saw a tragic picture of a child.

Puerto Rico, with its 3.5 million American citizens, has been especially hard-hit and needs help from the Federal Government to prevent and contain the spread of the virus and ensure access to health services for those affected, particularly pregnant women and children.

Last week, Puerto Rico health officials reported the island's first confirmed case of Zika-related microcephaly.

This is a public health crisis. And I guarantee you, if it had been a terrorist who had attacked, we would have responded on February 23.

The President has requested $1.9 billion in emergency funding to combat the Zika outbreak, but that is not what House Republicans brought to the floor today. Instead, they are putting forward legislation that would provide just $662 million—less than a third, as I said.

That means we can't fully fund the development of a vaccine; deployment of diagnostic testing, especially for pregnant women; and vector control to manage mosquito populations.

In addition to its inadequate funding level, the Republican bill offsets the spending by further depleting funds that were appropriated to combat the Ebola virus. I know they are going to say they are going to backfill it. I won't hold my breath.

The administration has already been forced to borrow more than half a billion dollars in Ebola accounts, while Congressional Republicans ignored its Zika supplemental funding request from February 22 to this day. That is no way—no way—to handle public health crises.

I urge my colleagues on the Republican side to join us to respond effectively to the President's request.

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

Mrs. LOWEY. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. HOYER. Representative VERN BUCHANAN of Florida, who supports the President's request, said last week—not STENY HOYER, a Democrat—but VERN BUCHANAN, a Republican:

''All Members of Congress should take this virus seriously and put aside partisanship-time is not on our side as the summer months draw near.''

Senator MARCO RUBIO of Florida said in April:

Congress is ''going to have to explain to people why it is that we sat around for weeks and did nothing on something of this magnitude.''

That is MARCO RUBIO.

Let's work together to pass an emergency supplemental.

STEVE WOMACK said this:

''If we fail to deal with the issue and there are hardships that would be posed on society in this country, you wouldn't be able to compute those costs.'' ''It's a dice roll to get into an argument about Zika funding and running the risk in having something catastrophic happen and we own it.''

You will own it if this gets out of hand and we don't have the appropriate resources deployed now. It should have been 30 days ago, 60 days ago, 90 days ago.

Let's not have this become a crisis. Let's act now on the full sum necessary to meet this crisis.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield myself 1 minute.

Does the gentleman not realize, the request from the National Institutes of Health for vaccine development, we put in $40 million and the money transferred from the so-called Ebola fund; in this bill, there is another $230 million just for vaccine development at NIH. That is every penny that they asked us for. So they are getting actually more. They asked for $270 million, and we are delivering $270 million.

Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. YOUNG), a member of the Appropriations Committee.

Mr. YOUNG of Iowa. I thank Chairman ROGERS for yielding, for his leadership, and for taking this seriously.

Mr. Speaker, I rise today in support of the Zika Response Appropriations Act. There is no question the Zika crisis presents a serious threat to our Nation's public health and an immediate, impactful response is required. The bill does such.

This important legislation provides funding immediately for the most pressing needs, including care for infants and mothers, vaccine development, and efforts to control the spread of the disease.

Mr. Speaker, let me be clear: this is not the final word on the fight against Zika. The funding level we are discussing today quickly and effectively funds much-need efforts for the current fiscal year, 2016. It is an immediate response, while making progress on regular order as well. And we will fund fiscal year 2017 expenditures, so there will be more.

As has already been said, this bill is fully offset by using leftover funds to combat the Ebola outbreak and any unused administrative funds at the Department of Health and Humans Services.

□ 2015

It is the responsible and thoughtful approach to an issue and mission we all agree on, right, combating Zika?

Some have argued the bill should fully fund the President's request. The fact that repurposed Ebola funds used to offset this bill remain unspent years later shows it is hard to predict how much it will cost to contain an outbreak, and where funds will be needed.

The House is acting quickly and responsibly, as we make repeated requests of the administration to share a detailed plan. Repeatedly, we have gotten incomplete responses. That is troubling.

The administration has no complete plan, but they want us to fund it. That is simply the wrong approach.

Though we pass this bill today, work will continue tomorrow on fully funding an effective and comprehensive plan to stop the Zika virus. We are doing this. As we gather the information, we need to move forward.

This bill responsibly and effectively provides the needed funding where the government is ready now to help those in need.

Mr. Speaker, we can argue about process in this Chamber all night, but that will do nothing to help the women and children facing very real health dangers caused by the Zika virus.

What will help them is passing this critical, targeted, and responsible legislation now, which provides needed funding now, where it can actually be used.

Subcommittee Chairmen COLE and GRANGER, thank you for your leadership on this issue. I urge my colleagues to support this important bill.

Mrs. LOWEY. Mr. Speaker, I am very pleased to yield 3 minutes to the articulate gentlewoman from Connecticut (Ms. DELAURO), the ranking member on the Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, who has been very clear on the need to combat the Zika virus.

Ms. DELAURO. Mr. Speaker, this bill is woefully inadequate. The Zika virus

is a public health emergency. It is a crisis.

Last week, 1,204 confirmed cases in the United States and its territories, over 100 of them pregnant women. One person has died.

Temperatures are rising already and reaching high levels in the United States in the areas where these mosquitoes thrive, and we are told that this could spread to 30 States.

The Olympics are less than 80 days away in Brazil. We are going to send our young men and women into harm's way.

The window for us to act on this effort is closing, and the majority's Zika Response Appropriations Act is too little. It is too late. It only provides a third of the President's request.

Without additional funding, the CDC will not be able to protect pregnant women by better understanding the link between Zika and adverse health effects. They will not be able to control and mitigate mosquito populations before the epidemic spreads further.

They lose laboratory capacity, they lose the ability of surveillance as the outbreak is moving on.

The most immediate needs of State and local public health departments are woefully underfunded by the House Republican bill. Our States' and our municipalities' emergency funds have been slashed.

Mr. Speaker, I include in the RECORD the list of all of the States in this country and the loss of preparedness funds in order to be able to deal with the crisis.

PHEP CUTS FROM ZIKA TRANSFER

Grantee	Cuts (dollars)	Cuts (%)	Grantee	Cuts (dollars)	Cuts (%)
Alabama	−613,733	−6.90	Montana	−139,375	−3.21
Alaska	−194,836	−4.63	N. Mariana Islands	−6,172	−1.72
American Samoa	−6,600	−1,82	Nebraska	−245,839	−4.58
Arizona	−915,853	−7.74	Nevada	−390,223	−5.77
Arkansas	−377,461	−5.70	New Hampshire	−187,880	−3.90
California	−3,979,850	−9.35	New Jersey	−1,303,734	−8.36
Chicago	−530,926	−5.42	New Mexico	−275,903	−4.09
Colorado	−706,343	−7.21	New York	−1,564,792	−7.90
Connecticut	−490,363	−6.35	New York City	−1,158,820	−6.27
Delaware	−143,256	−3.27	North Carolina	−1,240,926	−8.32
District of Columbia	−142,165	−2.23	North Dakota	−194,836	−4.63
Florida	−2,653,185	−9.00	Ohio	−1,548,159	−8.65
Georgia	−1,351,184	−8.44	Oklahoma	−499,358	−6.40
Guam	−19,345	−3,98	Oregon	−522,990	−6.51
Hawaii	−196,065	−4.01	Palau	−2,546	−0.78
Idaho	−211,568	−4.20	Pennsylvania	−1,716,179	−8.79
Illinois	−1,422,463	−8.51	Puerto Rico	−433,740	−6.06
Indiana	−872,687	−7.66	Rhode Island	−155,523	−3.45
Iowa	−393,286	−5.80	South Carolina	−605,876	−6.16
Kansas	−388,911	−5.77	South Dakota	−118,947	−2.87
Kentucky	−568,480	−6.72	Tennessee	−857,750	−7.62
Los Angeles	−1,575,170	−7.98	Texas	−3,598,615	−9.55
Louisiana	−613,015	−6.89	Utah	−380,115	−5.71
Maine	−177,231	−3.77	Vermont	−194,836	−4.63
Marshall Islands	−8,413	−2.21	Virgin Islands (US)	−12,633	−3.00
Maryland	−856,366	−7.60	Virginia	−1,149,940	−7.64
Massachusetts	−937,359	−7.14	Washington	−948,052	−7.81
Michigan	−1,310,210	−7.86	West Virginia	−242,010	−4.54
Micronesia	−12,798	−3.03	Wisconsin	−742,890	−6.41
Minnesota	−744,017	−6.61	Wyoming	−194,836	−4.63
Mississippi	−384,621	−5.74			
Missouri	−818,745	−7.52	TOTAL	44,250,000	7.23

Ms. DELAURO. While the administration requested $743 million for CDC's public health activities, the House bill provides only $120 million, 84 percent below the request.

Who are we kidding?

This is going to put millions of pregnant women in danger. According to the CDC, pregnant women are already facing unacceptably long delays in learning Zika test results.

Physicians are advising women not to get pregnant. Pregnant women are scared to death about what is going to happen to the child that they are carrying. Director Tom Frieden has said that experts estimate a single child with birth defects can cost $10 million to care for.

We need to prevent this. And the amount of money that the majority has talked about is inadequate to prevent it. If each child takes $10 million to care for, and we take a look at $622 million, we are going to look at our ability to take care of 62 children who might be affected with microcephaly. This says nothing about what the child's quality of life is, the delays in learning to speak, to walk.

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

Mrs. LOWEY. Mr. Speaker, I yield the gentlewoman an additional 1 minute.

Ms. DELAURO. It is a delay in learning to speak, walk, hear and eat. Imagine.

But we can stop this crisis before it gets worse. We have to act now, and we have to fully fund the President's request. It is the responsible thing to do. More importantly, it is the moral thing to do.

Months from now, when the results of our inaction become apparent, we will ask ourselves, why did we delay? Why did we wait?

You know, I do not often quote Senator MARCO RUBIO, but yesterday he said this about the House bill, and I quote: ''Frankly, that's just not going to cut it. If we don't spend more than that on the front end, I think we are going to spend a lot more later because the problem is not going to go away.''

I could not agree more. We need to act now. That is our responsibility.

The President's request was in February. It is now almost the end of May. People are suffering, and we have the power in this body to stop that.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. JOYCE), a member of our committee.

Mr. JOYCE. Mr. Speaker, I rise today in support of H.R. 5243, the Zika Response Appropriations Act of 2016. I would like to acknowledge the thoughtful leadership of Chairman ROGERS on this matter.

The bill provides $622.1 million for the Department of Health and Human Services, the State Department, and USAID, to fight and prevent the spread of the Zika virus. This funding will be available immediately. This funding is for this fiscal year only, available September 30, 2016. This funding is entirely offset.

Finally, the bill contains strong oversight measures to ensure responsible and effective use of taxpayer dollars. The resources provided in the bill are in addition to the $589 million the Obama administration has already identified to repurpose to fight Zika. In other words, $1.2 billion will be in place to combat the virus.

Please stand with me today in support of H.R. 5243.

Mrs. LOWEY. Mr. Speaker, may I ask how much time I have remaining?

The SPEAKER pro tempore. The gentlewoman from New York has 8½ minutes remaining. The gentleman from Kentucky has 4 minutes remaining.

Mrs. LOWEY. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, let me thank the gentlewoman from New York and let me thank the chairman of the full committee, and let me thank the health scientists and doctors who have given us the real story of this case.

Mr. Speaker, the first Ebola case was in Texas, the first case in the United States. And the CDC says that we have not extinguished or eliminated Ebola.

The proposal today is not $1.2 billion. It is $600 million because you have taken $600 million or so out of the Ebola. And the doctors indicate that there are about 8 clusters or more of Ebola in Africa, where 85 CDC personnel are there. And if one case breaks out, we will need 1,000 personnel to deal with it.

So what are we doing with the Zika funding if we are not providing the Centers for Disease Control what they need, $10 million to care for a child?

They do not have the tools in order to do it. They cannot. People carrying the Zika virus do not know that they have the Zika virus and, as well, they have asked for $800 million, which you are not giving to them.

This is the epicenter of the potential of the Zika virus in the United States.

The idea that there is sitting water in places like the Gulf region, the idea that people travel, and the person who is traveling has a mosquito that bites them, and then they—that mosquito can transmit it.

Here are the mosquito cesspools in Houston, Texas.

So today I stand in opposition to the underlying proposal. We need the $1.9 billion that the administration has asked for. We cannot rob from Peter to pay Paul.

If you listen to the diagnosis, or you listen to the assessment, the doctors are saying that the Zika virus invades the brain of the baby and destroys that brain and, therefore, we do not know the long-term effects of a woman or of those who have not yet been assessed of the Zika virus.

This is the wrong way to go. Vote against this bill. Give what the President wants and the CDC wants now.

Mr. Speaker, I rise to speak in opposition to H.R. 5243, the "Zika Response Appropriations Act of 2016," because this appropriations measure falls short of what is needed to aggressively address the enormity of the Zika Virus threat to the Americas and the United States, with particular concern for Puerto Rico.

I thank President Obama for his leadership in requesting $1.9 billion to address the threat of the Zika Virus, and facing congressional delay he took funds from Ebola response to prepare the nation to face the Zika Virus threat.

Let us not forget—Ebola was on our doorstep last year before Congress acted and there are still Ebola hot spots that are occurring, which have to be addressed, but we now lack the resources to deal with that ever present threat.

I am committed to doing everything I can to address the threat of Zika Virus, but I am not supportive of tricks or misguided strategies to get legislation to the House floor in the name of Zika prevention that will do too little; and funding that will abruptly end on September 30, 2016.

As the founder and Chair of the Children's Caucus and a senior member of the House Committee on Homeland Security, I am acutely aware of how dangerous the Zika Virus is to women who may be pregnant or may become pregnant should they be exposed to the Caribbean.

Houston, Texas, like many cities, towns, and parishes along the Gulf Coast, has a tropical climate hospitable to mosquitoes that carry the Zika Virus like parts of Central and South America, as well as the Caribbean.

For this reason, I am sympathetic to those members who have districts along the Gulf Coast.

These Gulf Coast areas, which include Houston, the third largest city in the nation, are known to have both types of the Zika Virus carrying mosquitoes: the Aedes Aegypti the Asian Tiger Mosquito; which is why I held a meeting in Houston on March 10, 2016 about this evolving health threat.

I convened this meeting with Houston, Harris County and State officials at every level of responsibility to combat the Zika Virus and to discuss preparations that would mitigate its.

The participants included Dr. Peter Hotez, Dean of the National School of Tropical Medicine and Professor of Pediatrics at Baylor College of Medicine and Dr. Dubboun, Director of the Harris County Public Health Environmental Services Mosquito Control Division who gave strong input on the critical need to address the threat on a multi-pronged approach.

The potential for the Zika Virus outbreaks in the United States if we do not act is real, and the people on the front lines are state and local governments who must prepare for mosquito season, establish community oriented education campaigns, provide Zika Virus prevent resources to women who live in areas where poverty is present, and environmental remediation of mosquito breeding near where people live.

The assumption that everyone has air conditioning; window and door screens that are in good repair or present at all; does not take into consideration the pockets of poverty that are present in every major city including many towns, counties, parishes, and cities along the Gulf Coast.

The 18th Congressional District of Texas, which I represent, has a tropical climate and is very likely to confront the challenge of Zika Virus carrying mosquitoes before mosquito season ends in the fall.

Mr. Dubboun, Director of the Harris County Public Health Environmental Services Mosquito Control Division stressed that we cannot spray our way out of the Zika Virus threat.

He was particularly cautious about the over use of spraying because of its collateral threat to the environment and people.

We should not forget that Flint, Michigan was an example of short-sighted thinking on the part of government decision makers, which resulted in the contamination of that city's water supply.

The participants in the meeting I held in Houston represented the senior persons at every state and local agency with responsibility for Zika Virus response.

The expert view of those present was that we need a unity of effort plan to address the Zika Virus in the Houston and Harris County area that will include every aspect of the community.

The collective wisdom of these experts revealed that we should not let the fear of the Zika Virus control public policy.

Instead we should get in front of the problem then we can control the Zika Virus from its source—targeting mosquito breeding environments.

The real fight against the Zika Virus will be fought neighborhood by neighborhood and will rely upon the resources and expertise of local government working closely with State governments supported by federal government agencies.

The consensus of Texas, Houston, and Harris County experts is that we make significant strides to stay ahead of the arrival of mosquito transmission of Zika Virus if we act now.

The CDC said that for the period January 1, 2015 to May 11, 2016, the number of cases are as follows:

THE UNITED STATES

Travel-associated cases reported: 503

Locally acquired through mosquito bites reported: 0

Total: 503

Pregnant: 48

Sexually transmitted: 10

Guillain-Barré syndrome: 1

US TERRITORIES

Travel-associated cases reported: 3

Mosquito acquired cases reported: 698

Total: 701

Pregnant: 65

Guillain-Barré syndrome: 5

There are 49 countries and territories in our hemisphere where mosquito borne transmission of the Zika Virus is the primary way the virus is spread include:

American Samoa; Aruba; Belize; Barbados; Bolivia; Brazil; Bonaire; Cape Verde; Central America; Colombia; Costa Rica; Cuba; Curaçao; Dominica; Dominican Republic; El Salvador; Ecuador; Fiji; French Guiana; Grenada; the Grenadines; Guatemala; Guadeloupe; Haiti; Honduras; Islands Guyana; Jamaica; Martinique; Kosrae (Federated States of Micronesia); Marshall Islands; Mexico; Nicaragua; New Caledonia; the Commonwealth of Puerto Rico, Panama; Papua New Guinea, Paraguay; Peru; Samoa, a US territory; Saint Barthelemy; Saint Lucia; Saint Martin; Saint Vincent; Saint Maarten; Suriname; Tonga; Trinidad and Tobago; US Virgin Islands, Venezuela and particular note is made by the CDC by listing the 2016 Summer Olympics (Rio 2016) separately.

As of May 11, 2016, there were more than 1,200 confirmed Zika cases in the continental United States and U.S. Territories, including over 110 pregnant women with confirmed cases of the Zika virus.

The Zika virus is spreading in Puerto Rico, the U.S. Virgin Islands, American Samoa and

abroad, and there will likely be mosquito-borne transmission within the continental United States in the coming summer months.

The most important approach to control the spread of Zika Virus is poverty and the conditions that may exist in poor communities can be of greatest risk for the Zika Virus breeding habitats for vector mosquitoes.

The spread of disease is opportunistic—Zika Virus is an opportunistic disease that is spread by 2 mosquitoes out of the 57 verities.

We should be planning to fight those 2 mosquitoes in a multi-pronged way with every resource we can bring to the battle.

SOURCES OF ZIKA VIRUS SPREAD

Poverty is where the mosquito will find places to breed in great numbers, but these mosquitoes will not be limited to low income areas nor does the disease does not care how much someone earns.

The Aedes Aegypti or Yellow Fever mosquito has evolved to feed on people for the blood needed to lay its eggs.

This mosquito can breed in as little as a cap of dirty water; it will breed in aquariums in homes; pant water catching dishes; the well of discarded tires; puddles or pools of water; ditches; and children's wading pools;

Although water may evaporate mosquito eggs will remain viable and when it rains again or water is placed where they are the process for mosquitos development resumes.

Our enemies are those who illegal dump tires; open ditches, torn screens, or no screens; tropical climates that create heat and humidity that force people without air conditioning to open windows or face heat exhaustion.

THE BATTLE AGAINST THE ZIKA VIRUS

It might be hard for people who do not live in the tropical climates along the Gulf Coast to understand what a heat index is—it is a combination of temperature and humidity, which can mean that temperatures in summer are over 100 degrees.

Zika Virus Prevention Kits like those being distributed in Puerto Rico, which are vital to the effort there to protect women, will be essential to the fight against Zika Virus along the Gulf Coast.

These kits should include mosquito nets for beds.

Bed nets have proven to be essential in the battle to reduce malaria by providing protection and reducing the ability of biting insects to come in contact with people.

Mosquito netting has fine holes that are big enough to allow breezes to easily pass through, but small enough to keep mosquitoes and other biting insects out.

The kits should also include DEET mosquito replant products that can be sprayed on clothing to protect against mosquito bites.

Mr. Speaker, we should be preparing aggressively so that this nation does not have a reoccurrence of what happened during the Ebola crisis—when the Federal government seemed unprepared because this Congress was unmoved by the science, until domestic transmission of the disease were recorded.

WHAT WE KNOW ABOUT THE ZIKA VIRUS

The Zika Virus is a neurogenic virus that can attack the brain tissue of children in their mother's womb.

The Zika Virus will be difficult to detect and track in all cases because 4 in 5 people who get the disease will have no symptoms.

We know that 33 states have one or both of the vector mosquitoes.

Dr. Peter Hotez said that we can anticipate that the Americas including the United States can expect 4 million the Zika Virus cases in the next four months and to date there are over a million cases in Brazil.

The virus has been transmitted through sexual contact.

We know that evidence of the Zika Virus in newborns in the United States may not become apparent until we are in the late fall or winter of next year.

The most serious outcome the Zika Virus exposure is birth defects that can occur during pregnancy if the mother is exposed to the Zika Virus.

Infections of pregnant women can result in:
Still births;

The rate of Microcephaly based on Zika Virus exposure far exceeds that number.

Microcephaly is brain underdevelopment either at birth or the brain failing to develop properly after birth, which can cause:
Difficulty walking;
Difficulty hearing; and
Difficulty with speech.

WHAT WE DO NOT KNOW

Researchers and scientists at the CDC; NIH and HHS do not know how the disease attacks the nervous system of developing babies.

They cannot answer what the long term health prospects are for children born with such a severe brain birth defect.

They have not discovered the right vaccine to fight the disease—which requires care to be sure that it is safe and effective especially in pregnant women or women who may become pregnant.

They do not know what plan will work and to what degree if any a tight network of mosquito control established in areas most likely to have the Zika Virus carrying mosquitoes will work as well.

How the Zika Virus may evolve over time and what they may mean for human health.

I urge my colleagues to reject H.R. 5243, and support the President's request for $1.9 billion to fight the Zika Virus threat.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. HARRIS), a member of our committee and a medical physician.

Mr. HARRIS. Mr. Speaker, I agree with the gentlewoman from Texas. We should be thankful for the scientists we have, whether it is at the CDC, whether it is at the NIH, those public health officials who are going to make sure that the mosquito control occurs that is necessary, to those who are at BARDA and other agencies where we develop the vaccines that are necessary, and do the necessary research.

This House bill, in distinction to the President's request, is targeted and well thought out. This bill deals just with Zika. The President's request didn't. It dealt with whatever other infectious disease comes down the road. Yet, Zika is what is in front of us now.

Mr. Speaker, it is going to take 2 to 3 years to complete the necessary research and to complete the vaccine development and bring it to market.

This bill deals with the needs over the next 6 months. The administration requested a total of about $1.6 billion in research, because there is about $300 million that has nothing to do, really, with researching and curing Zika. So it is $1.6 billion over 3 years.

The House took the position we actually need to front-load that. We need to deal with this fiscal year, so we put together a package of $1.2 billion to be spent over the next 6 months to make sure that we start the necessary research, we start the vaccine development, and deal with those outyears through the normal appropriations process which is going to take place over the next 2 years.

So our approach is actually a much more valid approach, targeted, well thought out, will provide all the necessary funds to the CDC, NIH, for the vaccine development and the mosquito control over the next 6 months, when we need it most, and then add additional funds as necessary, as science learns more about what we need.

We can't possibly know what we need now. The administration put a request without possibly knowing what we need 2 or 3 years in the future. We will find out what we need and we will add those.

Mr. Speaker, this is the right approach. This is actually more money up front than the administration has asked for, which is exactly the correct approach to deal with this imminent threat to the health of U.S. citizens here and in Puerto Rico.

Mrs. LOWEY. Mr. Speaker, I am pleased to yield 1 minute to the distinguished gentleman from California (Mr. RUIZ).

Mr. RUIZ. Mr. Speaker, as an emergency medicine physician and a public health expert myself, I rise today to strongly oppose this inadequate Zika funding bill, and to urge my colleagues to fully fund our Nation's efforts to fight the Zika virus.

In the emergency department, you don't just partially treat a patient. This is called negligence. You don't just take out a third of the cancer. You don't just give a third of the antibiotic dose for a severe pneumonia.

Mr. Speaker, this bill is less than a third of what is needed to treat and protect women and their children from the Zika virus. It is less than a third of the prescription from the CDC and the experts needed to protect American families from Zika.

Tomorrow I am voting ''no'' because I demand that we fully fund efforts to protect families, pregnant women and their children from Zika.

Mr. Speaker, time is past due for you to do your job and address the Zika virus threat. We must completely fund

efforts to protect American families from Zika. The American people deserve no less.

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

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Mrs. LOWEY. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Florida (Ms. GRAHAM).

Ms. GRAHAM. Mr. Speaker, more than 120 Members and every Democrat of the Florida delegation have asked for a vote on fully funding the fight against Zika.

In Florida, we have had more than 100 recorded cases of Zika. There is no doubt we are in the midst of a public health emergency. There are pregnant women who are afraid to go out at night. As a mom myself, I am worried about my own daughter and her future. Our State's tourism industry counts on thousands and thousands of people traveling to Florida. Those provide thousands of jobs, and millions of dollars flow into our economy. All of that is at risk.

We can't wait, and we shouldn't be forced to fight this virus with one hand tied behind our back.

Scientists and our public health officials have asked for $1.9 billion. We should stop playing games, Mr. Speaker, and fulfill the request.

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

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

I would like to repeat again, as a Member who has been in this House and has had the privilege of being part of many responses to emergencies, this is an emergency.

In last year's omnibus, Congress used emergency funding without offsets to pay for wildland fire suppression mostly in the West. Congress provided emergency funding to respond to two hurricanes and flooding in the Carolinas and Texas, again without offsets.

When those disasters struck, my colleagues, we didn't steal money from prior disaster response like the emergency funding provided for hurricane damage in Louisiana, Mississippi, Alabama, and Florida, storms in West Virginia, and tornadoes in Oklahoma and Kentucky. We paid for those emergencies. We did not steal from any other account, my colleagues.

In fact, after the 2013 Oklahoma tornadoes, my friend, Chairman ROGERS, told reporters: ''I don't think disasters of this type should be offset. We have an obligation to help these people.''

So, my friends, I just want to emphasize again, we have a crisis. We have people suffering. The potential is enormous. These are Americans. These are citizens. Whether it is here or in Puerto Rico, we have a responsibility to respond.

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

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

Mr. Speaker, for those who are concerned that this is not an adequate amount of money at the right time, let me just say this. The money that the President requested of us, the $1.9 billion, was for the balance of this year and all of next year—17½ months, $1.9 billion.

In this bill, plus what we earlier forced them to put into these matters, almost $600 million, that $600 million, this $622 million is just for 4½ months, from now until the end of the fiscal year. I say that is more than adequate. If there is more needed, when the regular appropriations bills come up for fiscal year 2017, you heard Chairman COLE and Chairman GRANGER say we will put in the hopper whatever is needed at that time. So this is wholly adequate. It is more than adequate in terms of money.

Now, for those who are concerned about whether or not we are taking too much money away from Ebola, in the first place, that fund is not just for Ebola. When it was created 2 years ago, it was for Ebola and other infectious diseases. That is what we are dealing with here. We are asking the administration to use that money. This is an infectious disease. You have got over $2 billion laying there unused left over from what was not spent in eradicating Ebola.

By the way, the World Health Organization now says that Ebola is no longer an international emergency.

So the money in the so-called Ebola—I call it the infectious disease account—that money is available and needs to be spent now. That is what we told the President shortly after he said he was going to send us a supplemental request. We said to use the money you have.

Finally, they did spend $589 million of that. Now we are adding to that with some $622 million. So there is plenty of money there. There is plenty of money left in the till of the infectious disease account if it is needed for Ebola or anything else. There is upwards of $2 billion laying there unused.

Mr. Speaker, I urge the adoption of the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 736, the previous question is ordered on the bill.

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

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

MOTION TO RECOMMIT

Ms. CASTOR of Florida. Mr. Speaker, I have a motion to recommit at the desk.

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

Ms. CASTOR of Florida. I am opposed to the bill.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Castor of Florida moves to recommit H.R. 5243 to the Committee on Appropriations and Committee on the Budget with instructions to report the same to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

TITLE I

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $10,000,000, to remain available until expended, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, or other infectious diseases and related health outcomes, domestically and internationally, and to develop necessary medical countermeasures and vaccines, including the review, regulation, and post market surveillance of vaccines and therapies, and administrative activities: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

CENTERS FOR DISEASE CONTROL AND PREVENTION

CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''CDC-Wide Activities and Program Support'', $743,000,000, to remain available until expended, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, or other infectious diseases and related health outcomes, domestically and internationally; and to carry out titles II, III, and XVII of the Public Health Service (''PHS'') Act with respect to domestic preparedness and global health: *Provided*, That products purchased with these funds may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F-2 of the PHS Act: *Provided further*, That funds may be used for purchase and insurance of official motor vehicles in foreign countries: *Provided further*, That the provisions in section 317S of the PHS Act shall apply to the use of funds appropriated under this heading as determined by the Director of the Centers for Disease Control and Prevention ('CDC') to be appropriate: *Provided further*, That funds appropriated under this heading may be used for grants for the construction, alteration, or renovation of nonfederally owned facilities to improve preparedness and response capability at the State and local level: *Provided further*, That funds appropriated under this heading may be used for acquisition of real property (including long-term ground leases) and equipment, and construction, demolition, or renovation of facilities, including construction on leased land: *Provided further*, That funds appropriated under this heading may be transferred by the Director of CDC to

other accounts of the CDC for the purposes provided under this heading: *Provided further*, That such transfer authority is in addition to any other transfer authority provided by law: *Provided further*, That, upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For an additional amount for ''National Institute of Allergy and Infectious Diseases'', $277,000,000, to remain available until expended, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, or other infectious diseases and related health outcomes, domestically and internationally, including expenses related to carrying out section 301 and title IV of the PHS Act: *Provided*, That such funds may be transferred by the Director of the National Institutes of Health (''NIH'') to other accounts of the NIH for the purposes provided under this heading: *Provided further*, That such transfer authority is in addition to any other transfer authority provided by law: *Provided further*, That, upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Public Health and Social Services Emergency Fund'', $233,000,000, to remain available until expended, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, or other infectious diseases and related health outcomes, domestically and internationally; to develop necessary countermeasures and vaccines, including the development and purchase of vaccines, therapeutics, diagnostics, necessary medical supplies, and administrative activities; for carrying out titles II, III, and XVII of the PHS Act with respect to domestic preparedness and global health; and for carrying out title III of the PHS Act and title V of the Social Security Act to provide health care and related services in areas affected by Zika virus: *Provided*, That funds appropriated under this heading may be used to procure security countermeasures (as defined in section 319F-2(c)(1)(B) of the PHS Act, as amended by this Act): *Provided further*, That paragraphs (1) and (7)(C) of subsection (c) of section 319F–2 of the PHS Act, but no other provisions of such section, shall apply to such security countermeasures procured with funds appropriated under this heading: *Provided further*, That products purchased with funds appropriated under this heading may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F–2 of the PHS Act: *Provided further*, That funds appropriated under this heading may be transferred to the Covered Countermeasure Process Fund established under section 319F–4 of the PHS Act: *Provided further*, That funds appropriated under this heading may, for purposes of providing primary health services in areas affected by Zika virus, other vector-borne diseases, or other infectious diseases, be used to assign National Health Service Corps (''NHSC'') members to Puerto Rico and other territories, notwithstanding the assignment priorities and limitations in or under sections 333(a)(1)(D), 333(b), or 333A(a) of the PHS Act, and to make National Health Service Corps Loan Repayment Program awards under section 338B of such Act: *Provided further*, That funds may be awarded for projects of regional and national significance in Puerto Rico and other territories authorized under section 501 of the Social Security Act, notwithstanding section 502 of such Act: *Provided further*, That funds may be used for the alteration or renovation of nonfederally owned facilities to improve preparedness and response capability at the State and local level: *Provided further*, That funds appropriated under this heading may be transferred to other appropriations of the Department of Health and Human Services, as determined by the Secretary to be appropriate, to be used for the purposes specified under this heading: *Provided further*, That any transfers of these funds shall be made in consultation with the Office of Management and Budget: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided by law: *Provided further*, That, upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

GENERAL PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. For purposes of preventing, preparing for, and responding to Zika virus, other vector-borne diseases, or other infectious diseases and related health outcomes domestically and internationally, the Secretary of Health and Human Services may use funds provided in this Act—

(1) to acquire, lease, construct, alter, renovate, equip, furnish, or manage facilities outside of the United States, as necessary to conduct such programs, in consultation with the Secretary of State, either directly for the use of the United States Government or for the use, pursuant to grants, direct assistance, or cooperative agreements, of public or nonprofit private institutions or agencies in participating foreign countries; and

(2) to enter into contracts with individuals for the provision of personal services (as described in section 37.104 of title 48, Code of Federal Regulations) within the United States and abroad: *Provided*, That such individuals may not be deemed employees of the United States for the purpose of any law administered by the Office of Personnel Management.

SEC. 102. Section 3304 of title 5, United States Code, is amended by adding at the end the following new subsection:

''(g) The heads of the Department of Health and Human Services, Department of State, and the Agency for International Development may appoint, without regard to the provisions of sections 3309 through 3319, candidates needed for positions to perform critical work in direct response to a public health threat requiring an immediate response for which—

''(1) public notice has been given; and

''(2) the Secretary of Health and Human Services has determined that such a public health threat exists.''.

SEC. 103. Funds appropriated by this Act may be used to reimburse accounts administered by the Department of Health and Human Services for obligations incurred for Zika virus response prior to the date of the enactment of this Act.

SEC. 104. Funds appropriated to the Department of Health and Human Services in this Act may be transferred to and merged with other Federal accounts for purposes specified in this Act following consultation with the Office of Management and Budget: *Provided*, That such transfer authority shall be in addition to any other transfer authority provided by law: *Provided further*, That, upon a determination that all or part of funds so transferred from an account are not necessary, such amounts may be transferred back to that account.

SEC. 105. Section 319F–2(c)(1)(B) of the Public Health Service Act (42 U.S.C. 247d–6b(c)(1)(B)) is amended—

(1) in clause (i)(III)(bb), by striking ''; or'' and inserting a semicolon;

(2) in clause (ii), by striking the period and inserting ''; or''; and

(3) by adding at the end the following new clause:

''(iii)(I) the Secretary determines to be a necessary countermeasure to diagnose, mitigate, prevent, or treat harm from any infectious disease that may pose a threat to the public health; and

''(II)(aa) is approved or cleared under chapter V of the Federal Food, Drug, and Cosmetic Act, or licensed under section 351 of this Act; or

''(bb) is a countermeasure for which the Secretary determines that sufficient and satisfactory clinical experience or research data (including data, if available, from pre-clinical and clinical trials) support a reasonable conclusion that the countermeasure will qualify for approval or licensing within 10 years after the date of a determination under subclause (I).''.

SEC. 106. (a)(1) For purposes of title XIX of the Social Security Act, for the one-year period beginning with the first day of the first full fiscal quarter following the date of the enactment of this section, the Federal medical assistance percentage (''FMAP'') under section 1905(b) of such Act for the territories specified in paragraph (2) shall be increased from 55 percent to 65 percent. Any net increase in payment to such a territory under section 1903(a) of such Act, which is attributable to such increased FMAP, shall be disregarded in applying sections 1108(f) and 1108(g) of such Act to the territory.

(2) The territories specified in this paragraph are the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands.

(b) With respect to the amount needed for purposes of implementing the increased FMAP under subsection (a) for each of fiscal

years 2016 and 2017, such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

TITLE II

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For an additional amount for ''Diplomatic and Consular Programs'', $14,594,000, to remain available until September 30, 2017, for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That up to $2,419,000 may be made available for medical evacuation costs of any other Department or agency of the United States under the chief of mission authority, and may be transferred to any other appropriation of such Department or agency for such costs: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For an additional amount for ''Emergencies in the Diplomatic and Consular Services'', $4,000,000 for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases, to remain available until expended: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

REPATRIATION LOANS PROGRAM ACCOUNT

For an additional amount for ''Repatriation Loans Program Account'' for the cost of direct loans, $1,000,000, to support the response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such funds are available to subsidize an additional amount of gross obligations for the principal amount of direct loans not to exceed $1,880,406: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

For an additional amount for ''Operating Expenses'', $10,000,000, to remain available until September 30, 2017, for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

GLOBAL HEALTH PROGRAMS

For an additional amount for ''Global Health Programs'', $325,000,000, to remain available until expended, for necessary expenses for assistance or research to prevent, treat, or otherwise respond to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That funds appropriated under this heading may be made available for multi-year funding commitments to incentivize the development of global health technologies: *Provided further*, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For an additional amount for ''Nonproliferation, Anti-Terrorism, Demining and Related Programs'', $8,000,000, to remain available until September 30, 2017, for necessary expenses to support response and research efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

MULTILATERAL ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For an additional amount for ''International Organizations and Programs'', $13,500,000, to remain available until September 30, 2017, for necessary expenses to support response and research efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

GENERAL PROVISIONS

USE OF EBOLA BALANCES FOR OTHER INFECTIOUS DISEASES

SEC. 201. Unobligated balances of amounts appropriated under title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235) shall also be available for necessary expenses for operations, assistance, or research to prevent, treat, or otherwise respond to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That amounts repurposed pursuant to this section are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

TRANSFER AUTHORITY

SEC. 202. (a) Funds appropriated by this title under the headings ''Global Health Programs'', ''Nonproliferation, Anti-Terrorism, Demining and Related Programs'', ''International Organizations and Programs'', and ''Operating Expenses'' may be transferred to, and merged with, funds appropriated by this title under such headings to carry out the purposes of this Act.

(b) Funds appropriated by this title under the headings ''Diplomatic and Consular Programs'', ''Emergencies in the Diplomatic and Consular Service'', and ''Repatriation Loans Program Account'' may be transferred to, and merged with, funds appropriated by this title under such headings to carry out the purposes of this Act.

(c) The transfer authorities provided by this section are in addition to any other transfer authority provided by law.

(d) Upon a determination that all or part of the funds transferred pursuant to the authorities provided by this section are not necessary for such purposes, such amounts may be transferred back to such appropriations

REIMBURSEMENT AUTHORITY

SEC. 203. Funds appropriated by this Act may be used to reimburse accounts administered by the United States Agency for International Development and the Department of State for obligations incurred for Zika virus response prior to the date of the enactment of this Act.

AVAILABILITY OF FUNDS FOR INTERNATIONAL ORGANIZATIONS

SEC. 204. Section 307(a) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated by this Act.

NOTWITHSTANDING AUTHORITY

SEC. 205. Funds appropriated or otherwise made available under this Act and prior Acts making appropriations for the Department of State, Foreign Operations, and Related Programs that are made available to support Zika virus response and related activities may be made available notwithstanding any other provision of law.

PERSONAL SERVICE CONTRACTORS

SEC. 206. Funds available in this Act to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases may be used to enter into contracts

with individuals for the provision of personal services (as described in section 37.104 of title 48, Code of Federal Regulations) in the United States or abroad: *Provided*, That such individuals may not be deemed employees of the United States for the purpose of any law administered by the Office of Personnel Management.

Ms. CASTOR of Florida (during the reading). Mr. Speaker, I ask unanimous consent that the reading be dispensed with.

Mr. ROGERS of Kentucky. Mr. Speaker, I reserve a point of order on the gentlewoman's motion.

The SPEAKER pro tempore. A point of order is reserved.

Is there objection to the request of the gentlewoman from Florida?

There was no objection.

The SPEAKER pro tempore. The gentlewoman from Florida is recognized for 5 minutes in support of her motion.

Ms. CASTOR of Florida. Mr. Speaker and Members, this is the final amendment to the bill. It will not kill the bill or send it back to committee. We don't have time for that. If it is adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, America has a public health emergency at its doorstep, and it requires a robust and urgent response. Yet the Republican bill utterly fails to deal with the emergency posed by the rapidly spreading Zika virus, and it leaves our neighbors and our communities at risk.

So the amendment I am offering today provides the resources requested by our public health experts and researchers to combat Zika, the $1.9 billion to help prevent, detect, and respond to Zika in contrast to the paltry $622 million in the Republican bill.

I would like to thank Mrs. LOWEY, Ms. DELAURO, Ms. WASSERMAN SCHULTZ, Ms. GRAHAM, Mr. RUIZ, and everyone. I would like to thank the March of Dimes, which is advocating for full funding, the American College of Obstetricians and Gynecologists, and the American Academy of Pediatrics. Why? Microcephaly. Microcephaly is a severe brain abnormality that is now linked to the Zika virus, as are other anomalies where brain and skull development are affected.

We are talking about a lifetime of seizures and developmental delays, such as problems sitting, standing, walking, seeing, hearing, and feeding problems. Currently, there is no vaccine or treatment for the Zika infection.

Brazil has reported the highest incidence of microcephaly, with over 4,000 suspected cases tied to Zika.

Microcephaly has also been detected among women who contracted Zika in Colombia, Panama, and U.S. territories. In fact, in the U.S. and U.S. territories alone, we have 1,200 cases. Thirty-two of these are pregnant women, two cases of microcephaly. The Florida Department of Health says we have 120 Floridians diagnosed with Zika, including pregnant women.

Because there is no cure for the Zika virus, Congress must act to do everything we can to prevent it. We need the diagnostic tests, we need the vaccines, we need research, and we need tools for our communities back home. We have got to educate our neighbors.

This Republican bill is woefully inadequate. It puts our neighbors back home at risk and could subject us to huge economic risks as well.

Let's get specific. The GOP's Zika bill provides less than one-third of the funds requested by public health experts. I heard the Republican appropriators say they intend to do more next year. The mosquitos don't know that, do they? The mosquitos are not going to wait until next year.

That is unconscionable. It is unconscionable that such underfunding does not allow the development of vaccines, the diagnostics, and the research in birth defects. The most immediate needs are woefully underfunded in the Republican bill.

The CDC requested $740 million for public health activities like mosquito control. The House bill provides $120 million, 84 percent below the request. That means the CDC is not going to have adequate funding to assist our local communities. The House bill cuts the request by the National Institutes of Health for research and development of vaccines, treatments, and diagnostics by $132 million, or 28 percent.

The House bill completely neglects immediate needs of American citizens in Puerto Rico. The administration asked for $256 million. What does the Republican bill provide? Zero. Furthermore, the State Department and USAID will only get $119 million.

Now, if we learned anything from Ebola, it is that addressing the health threat overseas can be extremely effective, but you give it short shrift here.

Colleagues, this is a public health emergency, but it is not the only one. It is not the first one, and it will not be the last. It requires a serious, thoughtful response, one with adequate funding, not a feeble attempt to demonstrate you are trying to do something.

Now, not only will the GOP obstruction likely prove dire to the health of our neighbors, but there is going to be a huge economic impact as well. Currently, pregnant women and men who hope to have a baby are advised by CDC to avoid traveling to Brazil and other areas. What if there is a similar traveling advisory for the State of Florida, the Texas coast, New Orleans, Charleston, and Mobile, Alabama, all communities that rely on the tourism dollar, from small businesses to large? So you are asking not only for a public health emergency, but for an economic emergency as well.

Members, this call to action requires actual action. This call to action was made months ago. Your answer needs to be equal to our challenge. Please pass my amendment so that we can fully fund the Zika response. Don't give the short shrift Republican bill a hearing. Vote ''no'' on the bill vote and ''yes'' on the MTR.

I yield back the balance of my time.

POINT OF ORDER

Mr. ROGERS of Kentucky. Mr. Speaker, I insist on my point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. ROGERS of Kentucky. Mr. Speaker, I raise a point of order against the motion because the proposed amendment contains an emergency designation which constitutes a change to existing law within the meaning of clause 2 of rule XXI. Accordingly, it violates the longstanding prohibition on legislating on a general appropriations measure, and I must insist upon my point of order.

The SPEAKER pro tempore. Does any other Member wish to be heard on the point of order?

If not, the Chair is prepared to rule.

The gentleman from Kentucky makes a point of order that the instructions in the motion to recommit contain legislation in violation of clause 2 of rule XXI.

The instructions, in pertinent part, designate certain appropriated funds as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

The Chair has ruled on numerous occasions, as recorded in section 1052 of the House Rules and Manual, that a proposal to designate an appropriation as an ''emergency requirement'' within the meaning of the budget-enforcement laws is fundamentally legislative in character.

On these premises, the Chair holds that the instructions contained in the motion to recommit offered by the gentlewoman from Florida, by including a proposal to designate an appropriation as an ''emergency requirement'' within the meaning of the budget-enforcement laws, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained. The motion is not in order.

□ 2045

Ms. CASTOR of Florida. Mr. Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is: Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE

Mr. ROGERS of Kentucky. Mr. Speaker, I move to table the appeal of the ruling of the Chair.

The SPEAKER pro tempore. The question is on the motion to table.

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

Ms. CASTOR of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 15-minute vote on the motion to table will be followed by a 5-minute vote on passage of the bill, if arising without further proceedings in recommittal.

The vote was taken by electronic device, and there were—yeas 240, nays 183, not voting 10, as follows:

[Roll No. 206]

YEAS—240

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

NAYS—183

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

NOT VOTING—10

Crowley
Fattah
Herrera Beutler
Hinojosa
Johnson, Sam
Reed
Rooney (FL)
Salmon
Swalwell (CA)
Takai

□ 2105

Messrs. CRAWFORD, SMITH of Missouri, BARR, ROE of Tennessee, SHIMKUS, ROSKAM, and WITTMAN changed their vote from ''nay'' to ''yea.''

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 241, nays 184, not voting 8, as follows:

[Roll No. 207]

YEAS—241

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

NAYS—184

Adams
Aguilar
Amash
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)

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

NOT VOTING—8

Crowley
Fattah
Herrera Beutler
Hinojosa
Johnson, Sam
Salmon
Swalwell (CA)
Takai

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 2113

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

The SPEAKER pro tempore. Pursuant to House Resolution 735 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 4909.

Will the gentleman from Georgia (Mr. COLLINS) kindly resume the chair.

□ 2114

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 4909) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, with Mr. COLLINS of Georgia (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 119 printed in House Report 114–571, offered by the gentlewoman from Guam (Ms. BORDALLO), had been disposed of.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 114–571 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. BUCK of Colorado.

Amendment No. 2 by Mr. FLEMING of Louisiana.

Amendment No. 5 by Ms. LEE of California.

Amendment No. 6 by Mr. POLIS of Colorado.

Amendment No. 7 by Mr. ELLISON of Minnesota.

Amendment No. 9 by Mr. ELLISON of Minnesota.

Amendment No. 12 by Mr. SANFORD of South Carolina.

The Chair will reduce to 2 minutes the time for any electronic vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. BUCK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. BUCK) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 159, noes 266, not voting 8, as follows:

[Roll No. 208]

AYES—159

Abraham
Allen
Amash
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Buck
Burgess
Calvert
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Crawford
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (LA)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harris
Hartzler
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Jones
Jordan
Kelly (MS)
Kelly (PA)
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Long
Loudermilk
Love
Lummis
Marchant
Marino
Massie
McClintock
McHenry
McKinley
McMorris Rodgers
Meadows
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Olson
Palazzo
Palmer
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roe (TN)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Russell
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Simpson
Smith (MO)
Smith (TX)
Stewart
Stivers
Stutzman
Thompson (PA)
Tipton
Wagner
Walberg
Walden
Walker
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Yoder
Yoho
Young (AK)
Zeldin

NOES—266

Adams
Aderholt
Aguilar
Amodei
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blum
Blumenauer
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crenshaw
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Graham
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Harper
Hastings
Heck (NV)
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Hunter
Hurd (TX)
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)

Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Matsui
McCarthy
McCaul
McCollum
McDermott
McGovern
McNerney
McSally
Meehan
Meeks
Meng
Miller (MI)
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reichert
Rice (NY)
Richmond
Roby
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Speier
Stefanik
Takano
Thompson (CA)
Thompson (MS)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Webster (FL)
Welch
Wilson (FL)
Woodall
Yarmuth
Young (IA)
Young (IN)
Zinke

NOT VOTING—8

Crowley
Fattah
Herrera Beutler
Hinojosa
Johnson, Sam
Salmon
Swalwell (CA)
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2118

Mr. FLEISCHMAN changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. FLEMING

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Louisiana (Mr. FLEMING) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 227, noes 198, not voting 8, as follows:

[Roll No. 209]

AYES—227

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

NOES—198

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

NOT VOTING—8

Crowley
Fattah
Herrera Beutler
Hinojosa
Johnson, Sam
Salmon
Swalwell (CA)
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2122

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MS. LEE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 138, noes 285, not voting 10, as follows:

[Roll No. 210]

AYES—138

Adams
Amash
Bass
Becerra
Benishek
Beyer
Bishop (GA)
Blumenauer
Bonamici
Brady (PA)
Burgess
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Courtney
Cummings
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Doggett
Doyle, Michael F.
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Fudge
Garamendi
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutiérrez
Hahn
Harris
Hastings
Himes
Honda
Huffman
Jackson Lee
Jeffries
Johnson (GA)
Jones
Kaptur
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Labrador
Larsen (WA)
Larson (CT)
Lawrence
Lee
Lewis
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Massie
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Moore
Mulvaney
Nadler
Napolitano
Neal
Nolan
O'Rourke
Pallone
Pascrell
Payne
Perlmutter
Pingree
Pocan
Polis
Rangel
Rice (NY)
Richmond
Rigell
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanford
Sarbanes
Schakowsky
Schiff
Scott (VA)
Serrano
Sires
Slaughter
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Tsongas
Van Hollen
Vargas
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Woodall
Yarmuth

NOES—285

Abraham
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Beatty
Bera
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Boyle, Brendan F.
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Bustos
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis (CA)
Davis, Rodney
Delaney
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Dold
Donovan
Duckworth
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garrett
Gibbs
Gibson
Gohmert
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Hartzler
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Hill
Holding
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Jordan
Joyce
Katko
Keating
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
LaHood
LaMalfa
Lamborn
Lance
Langevin
Latta
Levin
Lipinski
LoBiondo
Long
Loudermilk
Love
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Neugebauer
Newhouse
Noem
Norcross
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Pelosi
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Ruppersberger
Russell
Sanchez, Loretta
Scalise
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Torres
Trott
Turner
Upton
Valadao
Veasey
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—10

Crowley
Fattah
Goodlatte
Herrera Beutler
Hinojosa
Johnson, E. B.
Johnson, Sam
Salmon
Swalwell (CA)
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2125

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. GOODLATTE. Mr. Chair, on rollcall No. 210, I was unavoidably detained. Had I been present, I would have voted "no."

AMENDMENT NO. 6 OFFERED BY MR. POLIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. POLIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 63, noes 360, answered "present" 1, not voting 9, as follows:

[Roll No. 211]

AYES—63

Bass
Becerra
Blumenauer
Bonamici
Burgess
Capuano
Cárdenas
Carson (IN)
Chu, Judy
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cohen
Conyers
DeFazio
DeSaulnier
Doyle, Michael F.
Duncan (TN)
Ellison
Eshoo
Fudge
Grayson
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Honda
Huffman
Keating
Kelly (IL)
Kildee
Lee
Lewis
Lieu, Ted
Lofgren
Lowenthal
McDermott
McGovern
Moore
Nadler
Napolitano
Nolan
Pallone
Pascrell
Payne
Pingree
Pocan
Polis
Rangel
Rokita
Roybal-Allard
Rush
Schakowsky
Speier
Takano
Tonko
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—360

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Beatty
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Carney
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Cicilline
Clawson (FL)
Clyburn
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Duckworth
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Engel
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Hill
Himes
Holding
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Kaptur

Katko
Kelly (MS)
Kelly (PA)
Kennedy
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Levin
Lipinski
LoBiondo
Loebsack
Long
Loudermilk
Love
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neal
Neugebauer
Newhouse
Noem
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Palmer
Paulsen
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Stefanik
Stewart
Stivers
Stutzman
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

ANSWERED ''PRESENT''—1

Edwards

NOT VOTING—9

Crowley
Fattah
Herrera Beutler
Hinojosa
Johnson, E. B.
Johnson, Sam
Salmon
Swalwell (CA)
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2128

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 7 OFFERED BY MR. ELLISON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota (Mr. ELLISON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 131, noes 292, answered ''present'' 1, not voting 9, as follows:

[Roll No. 212]

AYES—131

Adams
Amash
Bass
Beatty
Becerra
Beyer
Blumenauer
Bonamici
Brady (PA)
Brown (FL)
Burgess
Butterfield
Capps
Capuano
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Courtney
Cummings
Davis, Danny
DeFazio
DeGette
DeLauro
DeSaulnier
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Grayson
Green, Al
Grijalva
Gutiérrez
Hahn
Heck (WA)
Higgins
Himes
Honda
Huffman
Jackson Lee
Jeffries
Johnson (GA)
Jones
Kelly (IL)
Kennedy
Kildee
Kind
Labrador
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Maloney, Carolyn
Massie
Matsui
McCollum
McDermott
McGovern
Meeks
Meng
Moore
Mulvaney
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Pingree
Pocan
Polis
Price (NC)
Rangel
Richmond
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schrader
Scott (VA)
Sensenbrenner
Serrano
Slaughter
Speier
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Velázquez
Visclosky
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—292

Abraham
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bera
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Boyle, Brendan F.
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Bustos
Byrne
Calvert
Cárdenas
Carney
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis (CA)
Davis, Rodney
Delaney
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dold
Donovan
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Esty
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (MS)
Kelly (PA)
Kilmer
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Latta
Lipinski
LoBiondo
Loebsack
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lujan Grisham (NM)
Lummis
Lynch
MacArthur
Maloney, Sean
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Murphy (PA)
Neugebauer
Newhouse
Noem
Norcross
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perlmutter
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Ruppersberger
Russell
Scalise
Schiff
Schweikert
Scott, Austin
Scott, David
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Vargas
Veasey
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

ANSWERED ''PRESENT''—1

Edwards

NOT VOTING—9

Crowley
Fattah
Herrera Beutler
Hinojosa
Johnson, E. B.
Johnson, Sam
Salmon
Swalwell (CA)
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2132

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 9 OFFERED BY MR. ELLISON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota (Mr. ELLISON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 132, noes 289, answered ''present'' 1, not voting 11, as follows:

[Roll No. 213]

AYES—132

Adams
Bass
Beatty
Becerra
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brown (FL)
Butterfield
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cummings
Davis, Danny
DeFazio
DeGette
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Farr
Frankel (FL)
Fudge
Gallego
Garamendi
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hastings
Higgins
Honda
Hoyer
Huffman
Jackson Lee
Jeffries
Jones
Kaptur
Keating
Kennedy
Kildee
Kind
Langevin
Larsen (WA)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Maloney, Carolyn
Massie
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
O'Rourke
Pallone
Payne
Pelosi
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Serrano
Sherman
Slaughter
Smith (WA)
Speier
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Van Hollen
Veasey
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Woodall
Yarmuth

NOES—289

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

ANSWERED ''PRESENT''—1

Edwards

NOT VOTING—11

Bishop (UT)
Crowley
Fattah
Gutiérrez
Herrera Beutler
Hinojosa
Johnson, E. B.
Johnson, Sam
Salmon
Swalwell (CA)
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2136

Mr. SMITH of Washington changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. VEASEY. Mr. Chair, during rollcall Vote No. 213 on H.R. 4909, I mistakenly recorded my vote as "yea" when I should have voted "nay."

AMENDMENT NO. 12 OFFERED BY MR. SANFORD

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. SANFORD) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 41, noes 383, not voting 9, as follows:

[Roll No. 214]

AYES—41

Amash
Blum
Brat
Buck
Burgess
Chabot
Clawson (FL)
DesJarlais
Dold
Foxx
Griffith
Hensarling
Holding
Huelskamp
Jordan
Labrador
Loudermilk
Love
Lummis
Massie
McClintock
McGovern
Mulvaney
Palmer
Paulsen
Perry
Pitts
Polis
Pompeo
Price, Tom
Rice (SC)
Rohrabacher
Rooney (FL)
Rouzer
Royce
Sanford
Sessions
Stutzman
Woodall
Zeldin
Zinke

NOES—383

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duckworth
Duffy

Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hice, Jody B.
Higgins
Hill
Himes
Honda
Hoyer
Hudson
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Jolly
Jones
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McCollum
McDermott
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Pascrell
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Posey
Price (NC)
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)

NOT VOTING—9

Crowley
Fattah
Herrera Beutler
Hinojosa
Johnson, E. B.
Johnson, Sam
Salmon
Swalwell (CA)
Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2139

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. There being no further amendments, under the rule the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HULTGREN) having assumed the chair, Mr. COLLINS of Georgia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4909) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, and, pursuant to House Resolution 735, he reported the bill, as amended by House Resolution 732, back to the House with sundry further amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any further amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

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

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

MOTION TO RECOMMIT

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

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

Mr. CLYBURN. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Clyburn moves to recommit the bill H.R. 4909 to the Committee on Armed Services with instructions to report the same back to the House forthwith, with the following amendments:

In section 567 (relating to a prohibition on the establishment, maintenance, or support of Senior Reserve Officers' Training Corps units at educational institutions that display the Confederate battle flag), strike subsection (c) (which provides an exception to such prohibition).

Strike section 1094.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from South Carolina is recognized for 5 minutes in support of his motion.

Mr. CLYBURN. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

This amendment would fight discrimination in the military, which erodes obedience, unity, commitment, and esprit de corps. The Supreme Court highlighted these four essential attributes in explaining the military deference doctrine, under which this amendment is constitutionally sound.

The first section of the amendment would prohibit senior ROTC programs in any institution that displays the Confederate battle flag. This objectionable banner, which has never been the official flag of the Confederacy, is a symbol of hate, racial oppression, resistance to the rule of law, and White supremacy.

Any doubt as to this flag's meaning was erased by the perpetrator of last summer's horrific shootings at Emanuel AME Church. Regrettably, the Confederate battle flag still flies at the Citadel, just 2 miles away from Mother Emanuel. I happen to disagree with the Citadel's board members' belief that they are barred from removing the flag until the South Carolina State Legislature acts to revise or repeal the so-called Heritage Act. But it is clear that this hateful symbol will not be removed until pressure is brought to bear on those with the authority to remove it.

□ 2145

In recent days, Citadel alumni have reached out to me to express their support for this effort. One of these alumni, Dr. Larry Ferguson, was a member of The Citadel class of 1973, the first class with more than one African American. Dr. Ferguson desegregated the band, but was subsequently kicked out of the band for refusing to wave the Confederate battle flag and play the song ''Dixie'' at sporting events.

I received another letter from a group of 17 alumni. They write that the Confederate battle flag ''is representative of an ideology of hate and privilege, and is an abuse of power that still persists in the life of the school and in the State's halls of power and influence.

''The fact that, in 2016, the Confederate Naval Jack flag hangs in a public place of worship, on the campus of a public college, and is protected by an unjust law is clear evidence of this reality.''

These letters make abundantly clear how the glorification of such an odious symbol at a military college undermines obedience, unity, commitment, and esprit de corps in our future military officers.

I will include in the RECORD both letters, and I urge my colleagues to heed

the voice of these Citadel alumni so that no more cadets will have to struggle in the shadow of this oppressive banner.

MAY 16, 2016.

DEAR CONGRESSMAN JAMES CLYBURN, I am writing to inform you of my support of your efforts to limit ROTC funding to The Citadel because of the displaying of the Confederate flag in the Summerall Chapel.

I am Dr. Larry J Ferguson a 1973 African-American graduate of The Citadel. When I entered The Citadel in the summer of 1969 our class was the fourth year of desegregation at The Citadel. But the class of 1973 is the first class that had more than one African-American in it. Nine of us entered The Citadel in 1969 and six of us graduated in 1973. I was the first African-American to desegregate The Citadel's Regimental Band Company. In 1970 as a young 18 year old sophomore I informed the administration that I would not play the song ''Dixie'' or participate in the celebratory waving of the Confederate flag at our sporting events. I was subsequently removed from the band and the administration threatened to take away my academic scholarship despite my having good grades. Thanks to my parents and attorney Daniel Martin, Sr. they successfully argued for me to keep my scholarship. Thanks also to Maj Clarence Richardson U.S. Army (Ret), I was able to transfer to C Co. where he was the tactical officer. I had a bitter/sweet 4 years at The Citadel. There were a few of my white class mates who went against the grain and let me know that I could count on them to be my friend. But the overwhelming tension always present around me was that I was only tolerated at The Citadel because of my race and because I stood up for racial justice.

One of the beginning ways to establish racial justice is to repudiate all symbols of racial oppression. The majority of African-Americans and many other people of various ethnicities find the Confederate flag and the song ''Dixie'' offensive because the flag and the song have long been associated with hate groups. These hate groups used the Confederate flag and the song ''Dixie'' as symbols directly connected to their culture of terrorism and hatred for African-Americans and for anyone who supported racial integration.

These Confederate symbols cannot de divorced from the hate groups that created a system of racial oppression and bigotry in these United States of America and as such they should only remain in places of historical reference—not public platforms of adulation. Let us teach our future generations that bigotry and racism are vigorously opposed in our society and that symbols that are directly connected to bigotry and racism are not to be celebrated in any form or fashion.

As a lifetime member of The Citadel Alumni Association and as a past member of The Citadel Board of Visitors I want to thank you Congressman Clyburn for addressing this issue. Recent history teaches us that 50 years ago it took external pressure to make The Citadel desegregate its Corps of Cadets. This legislation will exert appropriate pressure on state authorities so that the Confederate flag will be removed from Summerall Chapel thus allowing everyone who enters to be able to worship in dignity and solemnity.

Yours Truly,

LARRY J FERGUSON,
DMD.

MAY 16, 2016.

Congressman JIM CLYBURN,
Assistant Democratic Leader, 6th Congressional District of South Carolina, Washington, DC.

DEAR CONGRESSMAN CLYBURN: Since 1939, the Confederate Flag, a historic emblem of racial intolerance flown by pro-slavery rebels both before and after the Civil War, is still currently being displayed in The Citadel's Summerall Chapel. The flag's presence in the most hallowed place on the entire campus, where cadets gather to worship, is an assault on the sensibilities of those who understand The Citadel's history, but do not share the values the flag has come to represent.

As black alumni of The Citadel, we acknowledge the school's efforts to remove this divisive symbol from our house of worship. We agree that a museum is a more appropriate place for the flag. Its current location in the school's chapel stands as an affront to those of us whose ancestors suffered racial violence, hatred, and bigotry under the shadow of that flag and its ideology.

As you know, the school's administration continues to suggest that it is constrained from removing the flag as a consequence of the Heritage Act. As we have stated in previous correspondence to the school, the Heritage Act is an unjust piece of legislation. We further contend that the Citadel's decision to ''follow the law'' (the Heritage Act) is a tactic to delay the flag's removal from the Chapel; it is an attempt to redirect responsibility for this matter to the South Carolina House of Representatives, whose Speaker, James Lucas, vowed to deny a vote on the issue. As a consequence, we hold both the school and the legislature equally responsible for the fact that the Confederate Flag still flies in the Chapel on campus. Also, it is not lost on us that the school's decision to ''follow the law'' (Heritage Act) in this moment is a bit disingenuous, particularly since the school, as a public institution, for years defied anti-discrimination laws related to the admission of Black people and women to the school. The Citadel cannot in one moment of history defy the law in order to preserve white and male privilege, while now representing itself as an abider of the law (the Heritage Act) while the flag still hangs in Summerall Chapel.

From the beginning of our fight to have the flag removed, we suspected that the school and the state would fail to muster the political will and moral courage to have the flag immediately removed from the chapel. For this reason, we are grateful and in solidarity with you and your colleagues in the U.S. House of Representatives as you introduce measures to withhold federal funding for Reserve Officer's Training Corps programs from all colleges and universities displaying the Confederate flag.

In closing, our position reaches far beyond the issue of the Confederate flag. We believe that the school's ability to fulfill its obligation to develop principled leaders and to model the virtues of duty, honor, and respect are undermined by the continued veneration of a relic from a tragic chapter of America's history. For many of us, the flag is more than a symbol; it is representative of an ideology of hate, privilege and an abuse of power that still persists in the life of the school and in the state's halls of power and influence. The fact that in 2016 the Confederate Naval Jack Flag hangs in a public space of worship, on the campus of a public college, and is protected by an unjust law is clear evidence of this reality. While we continue to work energetically to have the flag removed immediately from the chapel premises, we remain in support of your efforts to address this at the federal level of government.

Thank you for your leadership on this matter. As graduates of the school and allies in this fight, we stand firmly in solidarity with you.

Sincerely,

Hillery Douglas '82; Fr. W. Reginald Simmons '87; James Stevens '89; Garrick Benson '89; Johnny Orr '89; Ken Williams '89; Anthony Terrell '89 C. Gene Brown '89 Ronald Galvin '90; Oscar Douglas '90; Thomas Turnage '90; Jon Thomas '90; Gus Olalere '90; Morris Robinson '91; Lamont Melvin '91; Torrence Forney '93; Jamie Jenkins '98.

Mr. CLYBURN. Make no mistake about it: a vote against this motion is a vote to continue flying the Confederate battle flag and allow discrimination at a military college.

I yield to the gentleman from New York (Mr. SEAN PATRICK MALONEY), my good friend.

Mr. SEAN PATRICK MALONEY of New York. I thank the gentleman for yielding.

Mr. Speaker, I have never voted against the defense bill, and I never thought I would.

My dad was a veteran who was nearly killed serving his country. He taught me to respect those who serve and to speak plainly about right and wrong. So let me speak plainly now.

This bill writes antigay bias into Federal law. It strips LGBT Americans of basic workplace protections by reversing the President's anti-discrimination orders, saying it is once again legal for your LGBT neighbors and family members to be fired because of who they are. This is wrong.

This is not about supporting our troops. It is not about fighting ISIS. It is not about religious protections. We can do all that, and we should. This is about bigotry, plain and simple.

But we can fix it by embracing the bipartisan effort, denied by the Rules Committee, to remove this hateful language and keep everything else.

Mr. Speaker, this is not some procedural vote to be waived away; this is about whether we will reaffirm equal rights or rationalize discrimination.

When my husband and I got married, after waiting 22 years, so many of you expressed your support. Will you now look me in the eye and say that it would be okay for me to lose my job over it?

Just today, a Member of this House, refusing to help strike this antigay language, said to me: But you know where I am on your issues.

I said: No. This is where you are on my issues. Your vote is where you are on my issues. And this is where your children and where history will remember you are standing on our issues.

You have the opportunity here and now to strike this antigay language and, in doing so, strike a blow for equality.

Mr. Speaker, we are told that we are to make America great again. Well, you cannot make America great by making America hate.

Vote against discrimination. Vote for this motion to recommit.

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

Mr. THORNBERRY. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Mr. Speaker, I want to start by thanking the 63 members of the Armed Services Committee not only for all of their work in putting this bill together, but for the seriousness with which they take our duties under the Constitution to help provide for the common defense.

Our members don't always agree, but we are able to work our way through our differences most of the time and think about the larger cause. You might say we sacrifice some of our individual differences or preferences in order to support the men and women who sacrifice so much for us.

I want to thank all the Members of the House. We have had a lot of Members over the last 2 days who have come down to the floor and talked about their amendments, and all of those amendments have helped make this bill a better bill.

That is the way that, for 54 straight years, Congresses with majorities of both parties and Presidents of both parties have signed into law a defense authorization bill. Last year, it was a little iffy, but that is the way it has happened.

I just want to suggest to our colleagues that it is especially important we do that this year. There is a lot of uncertainty out there. Some of that uncertainty is because of President Obama. Part of that uncertainty is because of us. Part of the uncertainty is because of the political campaign. Part of the uncertainty is because of the turmoil in the world.

My suggestion to you is that, with all this uncertainty going on out there, it is particularly important this year that we send a message to friends and adversaries that the United States is willing to stand up and defend ourselves. And it is even more important, I would suggest, that we send a message to our troops that, whatever uncertainty is out there, we are going to support them.

Mr. Speaker, to support our troops, we have to vote ''yes'' and pass this bill.

Now, I realize that if one wants to oppose this bill, there are lots of reasons to do that. The bill takes the same budget approach as Speaker PELOSI and Majority Leader HARRY REID used in 2008, the last time we had a change of administration.

The bill includes a provision that reaffirms the protections of the 1964 Civil Rights Act and the 1990 Americans with Disabilities Act. I really hope if anybody has a question about that, come read the amendment. I have got it here. Please read this provision so you can judge for yourself.

But before any Member votes ''no,'' I hope they ask themselves whether they really want to send a message to our troops that, yes, that Member would be supportive of the troops, if only; or, I would really support the troops, but for; or, I would really support the troops maybe when. I don't think that is the right way to go.

Let me just finish with a fact and a story. One fact is that today, of the 271 strike aircraft across the Marine Corps, 46 are available for flight operations. That is 46 out of 271 are available today.

But let me make it personal for just a second. Over the past week, I have encountered two marines. On Sunday, I was privileged to attend the commissioning of a young man who is just entering the Marine Corps. He hopes to be a Marine aviator. He is full of promise and enthusiasm.

Earlier in the week, I learned that an experienced Marine aviator has decided to leave the Marine Corps because he doesn't think the aircraft he is flying are safe, and he has got two young kids at home.

Now, earlier in the debate, the ranking member said my philosophy in this bill was to help the troops now and worry about other problems later. Well, there is some truth in that. I want to help the troops now. I worry about aviators who don't think their aircraft are safe now.

I can't solve budget problems in the future. I don't know who is going to be elected President. I don't know what problems the world is going to face. I can do something now, and that is to vote for this bill.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

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

A recorded vote was ordered.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 181, noes 243, not voting 9, as follows:

[Roll No. 215]

AYES—181

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

NOES—243

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)

Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lipinski
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—9

Crowley
Fattah
Herrera Beutler
Hinojosa
Johnson, E. B.
Johnson, Sam
Salmon
Swalwell (CA)
Takai

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 2200

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 277, noes 147, not voting 9, as follows:

[Roll No. 216]

AYES—277

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

NOES—147

Adams
Amash
Bass
Beatty
Becerra
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cummings
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Edwards
Ellison
Engel
Eshoo
Farr
Frankel (FL)
Fudge
Gabbard
Gallego
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutiérrez
Hahn
Hastings
Higgins
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kind
Labrador
Larsen (WA)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McClintock
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—9

Crowley
Fattah
Herrera Beutler
Hinojosa
Johnson, E. B.
Johnson, Sam
Salmon
Swalwell (CA)
Takai

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 2206

So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: ''A bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.''.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 4909, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent that the Clerk

be authorized to make technical corrections in the engrossment of H.R. 4909, to include corrections in spelling, punctuation, section and title numbering, cross-referencing, conforming amendments to the table of contents and short titles, and the insertion of appropriate headings.

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

There was no objection.

HOUR OF MEETING ON TOMORROW

Mr. DENT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

GENERAL LEAVE

Mr. DENT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4974, and that I may include tabular material on the same.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 736 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 4974.

The Chair appoints the gentleman from Georgia (Mr. COLLINS) to preside over the Committee of the Whole.

□ 2209

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4974) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2017, and for other purposes, with Mr. COLLINS of Georgia in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Pennsylvania (Mr. DENT) and the gentleman from Georgia (Mr. BISHOP) each will control 30 minutes.

The Chair recognizes the gentleman from Pennsylvania.

□ 2210

Mr. DENT. Mr. Chairman, I yield myself such time as I may consume.

Today, it is my honor and privilege to bring H.R. 4974, the fiscal year 2017 Military Construction and Veterans Affairs and Related Agencies Appropriations Act to the House for consideration.

I present this bill alongside my very good friend and ranking member of the subcommittee, the gentleman from Georgia (Mr. BISHOP), who has been an essential partner all along the way. I greatly appreciate the participation and support of our committee members on both sides of the aisle as we considered priorities and funding levels for the important programs in our bill.

We analyzed the budget request, developed questions, and held oversight hearings to get direct feedback from members of all the services, the Department of Defense leadership, the Secretary of the VA, and the VA inspector general. We received over 1,000 requests from Members, again, from both sides of the aisle, and we gave them full and fair consideration.

The bill is also the product of actively listening to the concerns of our veterans and veteran advocates, servicemembers, spouses, caregivers, military family members, and healthcare providers both within and outside the VA over the past year.

As we consider this bill, I can't proceed further without noting that this subcommittee has a formidable level of support from the chair and ranking member of the full committee. So I thank Chairman ROGERS and the ranking member, Mrs. LOWEY. Their attention, oversight, and genuine care for the military and veterans has been inspiring.

To round out the team, we have some great support from our professional staff: Maureen Holohan, Sue Quantius, Sarah Young, Tracey Russell, and Matt Washington on the committee staff; and Sean Snyder, Drew Kent, and Heather Smith on my personal staff. I would also like to note Michael Reed and Michael Calcagni with Mr. BISHOP of Georgia's office. We couldn't do it without them.

I would also like to note the retirement of the senior member of our subcommittee, SAM FARR. He has been on this subcommittee since 1999. In our full committee meeting, we went into detail about SAM's accomplishments on this subcommittee, including being the architect of the Monterey model, which is now the benchmark for successful public-private partnership in a community with a base closure. SAM, wherever you may be, your commitment, passion, and good humor will be missed. All the best to you in your pending retirement.

H.R. 4974 demonstrates our firm commitment to fully supporting our Nation's veterans and servicemembers. Our investment of $81.6 billion for military construction, VA, and related agencies, $1.2 billion over last year's level, is unprecedented. The bill addresses issues to help veterans in every part of the country—every congressional district—and our troops around the world.

This bill provides comprehensive support for servicemembers, military families, and veterans. It supports our troops with the facilities and services necessary to maintain readiness and morale at bases here in the States and overseas. It provides for Defense Department schools and health clinics that take care of our military families.

The bill funds our veteran healthcare systems to ensure that our promise to care for those who sacrificed in defense of this great Nation continues as those men and women return home. We owe this to our veterans and are committed to sustained oversight so that programs deliver what they promise and taxpayers are well served by the investments we make.

On the military construction side, the bill provides a total of $7.9 billion for military construction projects and family housing, including base and overseas contingency operations funding, OCO funding—an increase of $250 million over the President's request.

This funding meets DOD's most critical needs, including priority projects for combatant commanders and funding new mission requirements.

It provides $304 million for military medical facilities. It provides $246 million for Department of Defense educational facilities, for construction or renovation of four schools. It supports our Guard and Reserve through $673 million for facilities in 21 States.

It includes $514 million for projects from the Department of Defense's unfunded priority list, benefiting the most critical projects—as identified by the services—that were not included in the budget request.

It fully funds military family housing at $1.3 million. It provides $178 million for the NATO Security Investment Program, which is $43 million over last year's level, to deal with increasing threats and necessary investments overseas.

On Veterans Affairs, this legislation includes a total of $176 billion in combined discretionary and mandatory funding for the Department of Veterans Affairs.

Discretionary funding alone for Veterans programs in the bill is $73.5 billion. Total fiscal year 2017 discretionary funding is $2 billion above fiscal year 2016, which is a 3 percent increase, and $1.5 billion below the budget request. Within that total, VA medical care is provided with $64 billion, a 5 percent increase over last year—again, a 5 percent increase over last year for VA medical care.

Again, on VA medical services, the bill funds VA medical services at $52.5 billion. That includes $850 million that VA came back and asked for this year,

on top of the advanced funding provided last year.

Many Members expressed concerns about medical services, and we were able to fully fund the budget request for hepatitis C at $1.5 billion. We are paying for treatments for so many of our veterans who are being cured from this horrible disease of hepatitis C. The drugs are very expensive. They have come down in price a bit, and that has helped us serve more veterans.

Veterans homelessness is at $1.6 billion, long-term care at $8.6 billion, caregiver stipends at $725 million, and Office of Inspector General is at $160 million.

For disability claims, we provide the full request for the Veterans Benefits Administration, which is a $118 million increase over fiscal year 2016, and the full budget request for the Board of Veterans Appeals, which is a $46 million increase.

The bill will enhance transparency and accountability at the VA through further oversight and an increase for the VA Office of Inspector General's independent audits and investigations.

The legislation also contains $260 million for the modernization of the VA electronic health record and includes restricting all of the funding until the VA meets milestones and certifies interoperability to meet statutory requirements.

Major construction, we continue to focus on major construction oversight. The bill includes language that will hold back 100 percent of the funding for the largest construction projects until VA contracts for outside Federal management, and we maintain strict restrictions on transfers, use of bid savings, and scope changes.

The bill provides $528 million for major construction projects in Reno, Nevada; Long Beach, California; as well as cemeteries in Florida, New York, and Colorado.

We include bill language regarding improved standards for the suicide hotline and certification of mental health therapists to expand access for veterans who need their care. I don't need to explain to anybody in this body this great need here to help with the mental health needs of so many of our veterans.

□ 2220

VA performance awards. The bill prohibits all performance awards for VA senior executives. This was in response to multiple Member requests to restrict bonuses of various types at the VA. I understand this is controversial. But given the horrendous mismanagement that we have seen at many of the VA facilities across the country, we were compelled to send a strong message about accountability. The prohibition we included has passed as a floor amendment several years in a row, so that is why it is included in the base bill this year.

I will tell you that we have, obviously, many great and wonderful employees at the VA who are doing their best every day to provide for our veterans, whether it is through benefits or through the health system or on their educational needs, so I wanted to make sure that we make that point. But there is a need for some accountability, and that is why we had to insert this particular provision.

We have received some unfounded criticism from the administration for the actions that we have taken. The administration may not be happy with any change to its budget proposal. But this bill provides very generous funding that adheres to the law and our responsibility to practice fiscal responsibility.

Overall, with this bill and the funds that were provided in advance last year, for fiscal year 2017, the VA will have available 98 percent of what it asked for—98 percent of what they asked for is provided. I would wager that there won't be another Department in that enviable position. This shows the level of commitment we have to our veterans and their families. I think that should be noted. So despite any criticism, we should all be proud of this bill and what we have done in it.

Let me tell you, I can say with absolute certainty, the VA's problems stem from poor management and not too little money. We continue to push for better management, and the Secretary has replaced most of the senior managers at headquarters and in the field.

So many VA employees, as I mentioned earlier, are deeply committed—overwhelmingly, they are committed—to the veteran. They are talented, and they work very hard. I have met these folks, and I appreciate them very much. I visit with them in eastern Pennsylvania on a regular basis and in south central Pennsylvania.

But the ''corrosive culture'' that has been cited at the VA remains the root of VA's problem.

I want to briefly discuss the Choice Act or, as we call it, the VACAA, a little bit. I, and probably all of you, fully support the Choice Act, and want veterans to have access to quality health care at a convenient location for them. Veterans want to be served. They want to be taken care of in the communities where they live. It is better for the veteran. It is better for the family. And we want to make sure our veterans have access to some of the finest health care institutions in the world that may not be part of the VA system. We need to do that.

The Choice Act was so popular that it brought a lot of demand to the VA, and the VA has been spending both Choice Act funds and discretionary funds to meet the increased demand.

The Choice Act expires at the end of fiscal year 2017, and its funding is being depleted sooner than that. Some of the Choice programs are already out of money, and others will be out of money halfway through the year.

For example, the Choice Act hires of medical professionals to cut the backlog of appointments runs out of funds to pay those people halfway through the year. We—and when I say we, that is discretionary appropriations—are picking up a $600 million tab to pay them through the end of fiscal year 2017. It is the right thing to do, but it is not something that we had planned for.

There will be unprecedented and massive demands on the discretionary side to continue programs started with a $15 billion surge of emergency funding a few years ago through the VACAA. That is a huge issue for fiscal year 2018. Right now, it is incumbent on Congress to reform VA health care with a responsible plan that meets the needs of veterans in a sustainable manner, and I hope that we can take that matter very seriously. It will be a huge issue next year, and it is an issue already this year.

With respect to the related agencies, we fund the American Battle Monuments Commission, the Armed Forces Retirement Home, Arlington National Cemetery, and the U.S. Court of Appeals for Veterans at the requested funding levels, which total $241 million.

In closing, this is a very solid, bipartisan bill that is focused on the needs of servicemembers, veterans, and, most especially, all their families. We are $1.8 billion over the fiscal year 2016 level. That is more than a 2 percent increase. We have provided for our military and veterans to the very best level we can in a manner that is fiscally responsible and consistent with the budget agreement we enacted into law last year.

Did we fund every last dime requested? No. But not every idea has merit, and not every project is mission critical. We did not fund some projects, we cut some requested increases, and we rescinded funds. These were fair decisions and part of our responsibility, as appropriators.

We will do a lot of good with this bill. It is fair. It is balanced. It is generous. And on behalf of our servicemembers, military families, and veterans, I urge support for this legislation. Let's take care of those who have sacrificed for our country.

Again, I would like to thank everybody for their help and support along the way with this bill, both all of the Members and staff.

I reserve the balance of my time.

Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, FY 2017 (H.R. 4974)
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF DEFENSE					
Military Construction, Army	663,245	503,459	503,459	-159,786	---
Military Construction, Navy and Marine Corps	1,669,239	1,027,763	1,021,580	-647,659	-6,183
Military Construction, Air Force	1,389,185	1,481,058	1,398,758	+9,573	-82,300
Military Construction, Defense-Wide	2,242,867	2,056,091	2,024,643	-218,224	-31,448
Total, Active components	5,964,536	5,068,371	4,948,440	-1,016,096	-119,931
Military Construction, Army National Guard	197,237	232,930	232,930	+35,693	---
Military Construction, Air National Guard	138,738	143,957	143,957	+5,219	---
Military Construction, Army Reserve	113,595	68,230	68,230	-45,365	---
Military Construction, Navy Reserve	36,078	38,597	38,597	+2,519	---
Military Construction, Air Force Reserve	65,021	188,950	188,950	+123,929	---
Total, Reserve components	550,669	672,664	672,664	+121,995	---
Total, Military Construction	6,515,205	5,741,035	5,621,104	-894,101	-119,931
North Atlantic Treaty Organization Security Investment Program	135,000	177,932	177,932	+42,932	---
Family Housing Construction, Army	108,695	200,735	200,735	+92,040	---
Family Housing Operation and Maintenance, Army	375,611	325,995	325,995	-49,616	---
Family Housing Construction, Navy and Marine Corps	16,541	94,011	94,011	+77,470	---
Family Housing Operation and Maintenance, Navy and Marine Corps	353,036	300,915	300,915	-52,121	---
Family Housing Construction, Air Force	160,498	61,352	61,352	-99,146	---
Family Housing Operation and Maintenance, Air Force	331,232	274,429	274,429	-56,803	---
Family Housing Operation and Maintenance, Defense-Wide	58,668	59,157	59,157	+489	---
Department of Defense Family Housing Improvement Fund	---	3,258	3,258	+3,258	---
Total, Family Housing	1,404,281	1,319,852	1,319,852	-84,429	---
Chemical demilitarization construction, Defense-Wide	---	---	---	---	---
Department of Defense Base Closure Account	266,334	205,237	230,237	-36,097	+25,000
ADMINISTRATIVE PROVISIONS					
Military Construction - fiscal year 2014	---	---	---	---	---
Military Construction - fiscal year 2015	---	---	---	---	---
Military Construction, Army (Sec. 125)	-86,420	---	-25,000	+61,420	-25,000
Military Construction, Navy and Marine Corps (Sec. 126)	---	---	-51,848	-51,848	-51,848
Defense Access Roads (Sec. 132)	30,000	---	---	-30,000	---
Military Construction, Air Force	---	---	---	---	---
Military Construction, Defense-Wide (Sec. 127)	-134,000	---	-37,377	+96,623	-37,377
Military Construction, Army (Sec. 128)	34,500	---	40,500	+6,000	+40,500
Military Construction, Navy and Marine Corps (Sec. 129)	34,500	---	293,600	+259,100	+293,600
Military Construction, Army National Guard (Sec. 130)	51,300	---	67,500	+16,200	+67,500
Military Construction, Army Reserve (Sec. 131)	34,200	---	86,500	+52,300	+86,500
NATO Security Investment Program (Sec. 135)	---	---	-30,000	-30,000	-30,000
Military Construction, Air Force (rescission)	-46,400	---	---	+46,400	---
42 USC 3374 (Sec. 133)	-105,000	---	-25,000	+80,000	-25,000
Military Construction, Air Force (Sec. 132)	21,000	---	26,000	+5,000	+26,000
Military Construction, Air National Guard	6,100	---	---	-6,100	---

Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, FY 2017 (H.R. 4974)
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Military Construction, Air Force Reserve	10,400	---	---	-10,400	---
Total, Administrative Provisions	-149,820	---	344,875	+494,695	+344,875
Appropriations	(222,000)	---	(514,100)	(+292,100)	(+514,100)
Rescissions	(-371,820)	---	(-169,225)	(+202,595)	(-169,225)
Total, title I, Department of Defense	8,171,000	7,444,056	7,694,000	-477,000	+249,944
Appropriations	(8,542,820)	(7,444,056)	(7,863,225)	(-679,595)	(+419,169)
Rescissions	(-371,820)	---	(-169,225)	(+202,595)	(-169,225)
TITLE II - DEPARTMENT OF VETERANS AFFAIRS					
Veterans Benefits Administration					
Compensation and pensions:					
Advance from prior year	---	(86,083,128)	(86,083,128)	(+86,083,128)	---
Current year request	76,865,545	---	---	-76,865,545	---
Subtotal, current year	76,865,545	86,083,128	86,083,128	+9,217,583	---
Advance appropriation, FY 2018	86,083,128	90,119,449	90,119,449	+4,036,321	---
Readjustment benefits:					
Advance from prior year	---	(16,340,828)	(16,340,828)	(+16,340,828)	---
Current year request	14,313,357	---	---	-14,313,357	---
Subtotal	14,313,357	16,340,828	16,340,828	+2,027,471	---
Advance appropriation, FY 2018	16,340,828	13,708,648	13,708,648	-2,632,180	---
Veterans insurance and indemnities:					
Advance from prior year	---	(91,920)	(91,920)	(+91,920)	---
Current year request	77,160	16,605	16,605	-60,555	---
Subtotal	77,160	108,525	108,525	+31,365	---
Advance appropriation, FY 2018	91,920	107,899	107,899	+15,979	---
Veterans housing benefit program fund:					
(indefinite)	---	---	---	---	---
(Limitation on direct loans)	(500)	(500)	(500)	---	---
Administrative expenses	164,558	198,856	167,612	+3,054	-31,244
Vocational rehabilitation loans program account	31	36	36	+5	---
(Limitation on direct loans)	(2,952)	(2,517)	(2,517)	(-435)	---
Administrative expenses	367	389	389	+22	---
Native American veteran housing loan program account	1,134	1,163	1,163	+29	---
Total, Veterans Benefits Administration	193,938,028	104,153,045	104,121,801	-89,816,227	-31,244
Appropriations	(91,422,152)	(217,049)	(185,805)	(-91,236,347)	(-31,244)
Advance appropriations, FY 2018	(102,515,876)	(103,935,996)	(103,935,996)	(+1,420,120)	---
Advances from prior year appropriations	---	(102,515,876)	(102,515,876)	(+102,515,876)	---
Veterans Health Administration					
Medical services:					
Advance from prior year	(47,603,202)	(51,673,000)	(51,673,000)	(+4,069,798)	---
Current year request	2,369,158	1,078,993	850,000	-1,519,158	-228,993
Subtotal	49,972,360	52,751,993	52,523,000	+2,550,640	-228,993
Advance appropriation, FY 2018	51,673,000	44,886,554	44,886,554	-6,786,446	---

Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, FY 2017 (H.R. 4974)
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Medical community care:					
Advance appropriation, FY 2018	---	9,409,118	9,409,118	+9,409,118	---
Transfer from medical care accounts	---	(7,246,181)	(7,246,181)	(+7,246,181)	---
Medical support and compliance:					
Advance from prior year	(6,144,000)	(6,524,000)	(6,524,000)	(+380,000)	---
Current year request	---	---	---	---	---
Subtotal	6,144,000	6,524,000	6,524,000	+380,000	---
Advance appropriation, FY 2018	6,524,000	6,654,480	6,654,480	+130,480	---
Medical facilities:					
Advance from prior year	(4,915,000)	(5,074,000)	(5,074,000)	(+159,000)	---
Current year request	105,132	649,000	---	-105,132	-649,000
Subtotal	5,020,132	5,723,000	5,074,000	+53,868	-649,000
Advance appropriation, FY 2018	5,074,000	5,434,880	5,434,880	+360,880	---
Medical and prosthetic research	630,735	663,366	663,366	+32,631	---
Medical care cost recovery collections:					
Offsetting collections	-2,445,000	-2,637,000	-2,637,000	-192,000	---
Appropriations (indefinite)	2,445,000	2,637,000	2,637,000	+192,000	---
Subtotal	---	---	---	---	---
DoD-VA Joint Medical Funds (transfers out)	(-286,000)	(-274,731)	(-274,731)	(+11,269)	---
DoD-VA Joint Medical Funds (by transfer)	(286,000)	(274,731)	(274,731)	(-11,269)	---
DoD-VA Health Care Sharing Incentive Fund (Transfer out)	(-15,000)	(-15,000)	(-15,000)	---	---
DoD-VA Health Care Sharing Incentive Fund (by transfer)	(15,000)	(15,000)	(15,000)	---	---
Total, Veterans Health Administration	66,376,025	68,776,391	67,898,398	+1,522,373	-877,993
Appropriations	(3,105,025)	(2,391,359)	(1,513,366)	(-1,591,659)	(-877,993)
(By transfer)	(301,000)	(7,535,912)	(7,535,912)	(+7,234,912)	---
Advance appropriations, FY 2018	(63,271,000)	(66,385,032)	(66,385,032)	(+3,114,032)	---
Advances from prior year appropriations	(58,662,202)	(63,271,000)	(63,271,000)	(+4,608,798)	---
National Cemetery Administration					
National Cemetery Administration	271,220	286,193	271,220	---	-14,973
Departmental Administration					
General administration	336,659	417,959	336,659	---	-81,300
Board of Veterans Appeals	109,884	156,096	156,096	+46,212	---
General operating expenses, VBA	2,707,734	2,826,160	2,826,160	+118,426	---
Information technology systems	4,133,363	4,278,259	4,220,869	+87,506	-57,390
Office of Inspector General	136,766	160,106	160,106	+23,340	---
Construction, major projects	1,243,800	528,110	528,110	-715,690	---
Construction, minor projects	406,200	372,069	372,069	-34,131	---
Grants for construction of State extended care facilities	120,000	80,000	80,000	-40,000	---
Grants for the construction of veterans cemeteries	46,000	45,000	45,000	-1,000	---
Total, Departmental Administration	9,240,406	8,863,759	8,725,069	-515,337	-138,690
Administrative Provisions					
Section 226 (FY16)					
Medical services	1,400,000	---	---	-1,400,000	---
(Rescission)	-1,400,000	---	---	+1,400,000	---
Medical support and compliance	100,000	---	---	-100,000	---
(Rescission)	-100,000	---	---	+100,000	---

Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, FY 2017 (H.R. 4974)
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Medical facilities	250,000	---	---	-250,000	---
(Rescission)	-250,000	---	---	+250,000	---
JIF rescission (Sec. 232)	-30,000	---	-30,000	---	-30,000
Payraise absorption rescission (Sec. 233)	---	---	-337,382	-337,382	-337,382
Payraise absorption reduction (Sec. 234)	---	---	-46,618	-46,618	-46,618
Total. Administrative Provisions	-30,000	---	-414,000	-384,000	-414,000
Total, title II	269,795,679	182,079,388	180,602,488	-89,193,191	-1,476,900
Appropriations	(105,788,803)	(11,758,360)	(10,648,842)	(-95,139,961)	(-1,109,518)
Rescissions	(-1,780,000)	---	(-367,382)	(+1,412,618)	(-367,382)
(By transfer)	(301,000)	(7,535,912)	(7,535,912)	(+7,234,912)	---
Advance Appropriations, FY 2018:					
Mandatory	(102,515,876)	(103,935,996)	(103,935,996)	(+1,420,120)	---
Discretionary	(63,271,000)	(66,385,032)	(66,385,032)	(+3,114,032)	---
Advances from prior year appropriations:					
Mandatory	---	(102,515,876)	(102,515,876)	(+102,515,876)	---
Discretionary	(58,662,202)	(63,271,000)	(63,271,000)	(+4,608,798)	---
(Limitation on direct loans)	(3,452)	(3,017)	(3,017)	(-435)	---
Discretionary	(76,023,741)	(78,126,787)	(76,649,887)	(+626,146)	(-1,476,900)
Advances from prior year less FY 2018 advances	(-4,608,798)	(-3,114,032)	(-3,114,032)	(+1,494,766)	---
Net discretionary	(71,414,943)	(75,012,755)	(73,535,855)	(+2,120,912)	(-1,476,900)
Mandatory	(193,771,938)	(103,952,601)	(103,952,601)	(-89,819,337)	---
Advances from prior year less FY 2018 advances	(-102,515,876)	(-1,420,120)	(-1,420,120)	(+101,095,756)	---
Net mandatory	(91,256,062)	(102,532,481)	(102,532,481)	(+11,276,419)	---
Total mandatory and discretionary	162,671,005	177,545,236	176,068,336	+13,397,331	-1,476,900
TITLE III - RELATED AGENCIES					
American Battle Monuments Commission					
Salaries and expenses	105,100	75,100	75,100	-30,000	---
Foreign currency fluctuations account	2,000	---	---	-2,000	---
Total, American Battle Monuments Commission	107,100	75,100	75,100	-32,000	---
U.S. Court of Appeals for Veterans Claims					
Salaries and expenses	32,141	30,945	30,945	-1,196	---
Department of Defense - Civil					
Cemeterial Expenses, Army					
Salaries and expenses	79,516	70,800	70,800	-8,716	---
Armed Forces Retirement Home - Trust Fund					
Operation and maintenance	43,300	63,300	41,300	-2,000	-22,000
Capital program	1,000	1,000	1,000	---	---
Payment from General Fund	20,000	---	22,000	+2,000	+22,000
Total, Armed Forces Retirement Home	64,300	64,300	64,300	---	---
Total, title III	283,057	241,145	241,145	-41,912	---

Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, FY 2017 (H.R. 4974)
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE IV - OVERSEAS CONTINGENCY OPERATIONS					
Overseas Contingency Operations					
Navy	---	38,409	38,409	+38,409	---
Air Force	---	11,440	11,440	+11,440	---
Subtotal	---	49,849	49,849	+49,849	---
European Reassurance Initiative					
Army	---	18,900	18,900	+18,900	---
Navy	---	21,400	21,400	+21,400	---
Air Force	---	68,300	68,300	+68,300	---
Defense-Wide	---	5,000	5,000	+5,000	---
Subtotal	---	113,600	113,600	+113,600	---
Counter Terrorism Support					
Air Force	---	9,000	8,551	+8,551	-449
Total, title IV	---	172,449	172,000	+172,000	-449
Grand total	278,249,736	189,937,038	188,709,633	-89,540,103	-1,227,405
Appropriations	(114,614,680)	(19,443,561)	(18,753,212)	(-95,861,468)	(-690,349)
Rescissions	(-2,151,820)	---	(-536,607)	(+1,615,213)	(-536,607)
Advance appropriations, FY 2018	(165,786,876)	(170,321,028)	(170,321,028)	(+4,534,152)	---
Advances from prior year appropriations	(58,662,202)	(165,786,876)	(165,786,876)	(+107,124,674)	---
(By transfer)	(301,000)	(7,535,912)	(7,535,912)	(+7,234,912)	---
(Transfer out)	(-301,000)	(-289,731)	(-289,731)	(+11,269)	---
(Limitation on direct loans)	(3,452)	(3,017)	(3,017)	(-435)	---

Mr. BISHOP of Georgia. Mr. Chair, I yield myself such time as I may consume.

I would like to begin by thanking Mrs. LOWEY and Mr. ROGERS, who serve as the distinguished ranking member and chairman of the full committee, and, of course, Chairman DENT, my colleague, on the Military Construction, Veterans Affairs, and Related Agencies Subcommittee. I couldn't have a better, more collaborative partner in support of our military and our veterans, and I really appreciate the collegiality.

And certainly I want to thank our staff. From the minority staff, I would like to thank Matt Washington, as well as Mike Reed and Mike Calcagni from my personal office. From the majority committee staff, I would like to thank Maureen Holohan, Sue Quantius, Sarah Young, Tracey Russell, and Sean Snyder from Chairman DENT's office.

As you all know, this bill has a strong history.

Before I begin, I really also want to share the comments and the accolades and salutations for our colleague from California, SAM FARR, who is retiring from the committee; and this, of course, will be his last MILCON/VA bill. He has been a longstanding member of this committee, very insightful, compassionate, and pragmatic. We are certainly going to miss SAM with his valuable, valuable contributions.

I would like to point out that this bill has a strong history of finding common ground and bipartisan support across the aisle to provide resources for our men and women in uniform who have chosen to serve and to protect our great Nation's way of life and our individual freedoms.

With this bill, we fund military construction projects in the Department of Veterans Affairs to the benefit of our soldiers, sailors, airmen, and marines, both past and present.

For those who have given so much of themselves, we owe a great deal. So let me start our consideration of the Military Construction and Veterans Affairs appropriations bill by recognizing those in our military who cannot be with us here tonight as they serve across the globe. Thank you for your service.

The account taking care of the construction of military facilities is provided $7.7 billion, an increase of $250 million above the fiscal year 2017 budget request. Overall, the Department of Veterans Affairs is funded at $73.5 billion, which is $2.5 billion above the FY16-enacted level, and $1.4 billion below the FY17 request.

I am pleased with several aspects of the bill. As we saw throughout the markup process, the bill provides robust funding for our military construction and provides adequate funding for both active and reserve military forces.

I was pleased that the bill provides $25 million above the FY17 budget request to help speed up the cleanup of former Department of Defense sites.

For too long, we have been waiting for an end to the tunnel for the electronic health records integration between the Department of Defense and the VA. To strengthen oversight on the issue, I am pleased to see the bill maintains tough, but fair, reporting requirements for the electronic health records endeavor. To better serve those veterans shortchanged for too long, the bill continues to prioritize the elimination of the VA's claims backlog and includes healthy funding for the Board of Veterans' Appeals, though I am concerned with the proposed reforms to the BVA.

□ 2230

Nonetheless, I believe these are positive steps that are necessary to ensure that the VA continues to improve its service for our veterans.

Mr. Chair, while the MILCON-VA bill has many positive attributes, one item I am not particularly pleased about is the inclusion of bill language that limits performance awards. As I have stated for the past 3 years, this language will not provide a short-term solution and, in fact, may have long-term consequences, compounding the very problem that it attempts to address. All this language will do is make the VA a less attractive option than other agencies when it comes to recruiting and retaining quality executive leaders, resulting in the Department's not having the very talent that it needs to solve the problems it faces today. This is an issue that must be addressed as we move through this process.

Turning away from the bill for a second, our committee was off to a very fast start. However, because of the budget resolution impasse, we have had to wait a month for the MILCON-VA bill to be able to come to the floor. As a result, we will not be able to get back to regular order this year, and with roughly 45 days left in the legislative calendar, it will be nearly impossible to fulfill our obligation to the American people and pass all 12 bills through the House. We are in this situation because an upset, small minority of the House wants to revisit issues that were already decided and acted upon by a bipartisan majority of both Houses and signed into law by the President.

That being said, I applaud Chairman ROGERS for honoring the allocation the bipartisan budget agreement set for fiscal year 2017. The BBA will have to suffice until we can get past these unrealistic beliefs that we can cut our way to prosperity.

As we are all aware of our level of discretionary resources this year, it will be tough, especially tough for this subcommittee, because our bill advances funds to the medical services account. While we start out in the hole every year, the VA's annual second bite of the apple makes balancing the needs of nonmedical VA services with other Federal agencies that much more difficult. As I have said numerous times, we must be more strategic about how we handle our Federal budget.

Mr. Chair, would I have done some things differently? Of course, but here we are.

Nevertheless, with reservations, I urge my colleagues to defeat any poison pill amendments and move to support this bill to fund the construction of military facilities and strive to improve the quality of life and the care afforded to current servicemembers, to our veterans, and to our military families.

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

Mr. DENT. Mr. Chair, I yield such time as he may consume to the gentleman from Kentucky (Mr. ROGERS), the distinguished chairman of the full committee.

Mr. ROGERS of Kentucky. I thank the chairman for yielding the time.

Mr. Chair, I rise tonight to support this first bill of the 2017 appropriations cycle. Shepherding through appropriations legislation is the constitutional duty of the Congress, and so here we go.

The passage of these bills in a timely fashion is in the best interest of the Nation. It will help provide for our national security, the stability of our economy, and give certainty to all Americans who count on the Federal Government's programs and services. I believe this bill, in particular, starts off this process on the right foot.

H.R. 4974 is a balanced, bipartisan piece of legislation that provides critical funding for our troops, their families, and our veterans. We have made a commitment to our servicemen and -women that we will care for them during and after their service, and this bill helps fulfill that promise.

In total, as you have heard, the bill provides $81.6 billion in discretionary funding for the Department of Defense infrastructure and quality-of-life programs as well as for the Department of Veterans Affairs. This represents a $1.8 billion increase above current levels. This increase is directed to Veterans Affairs programs, which receive a 3 percent bump above fiscal year 2016 levels.

Of the total $73.5 billion for the Department of Veterans Affairs, $52.5 billion will support the VA's medical services, which is funding that will treat some 7 million patients this year. In particular, I want to highlight funding increases that will address mental health care, suicide prevention, hepatitis C treatment, and homelessness. The increase will also help the VA tackle some of its greatest challenges—reducing the disability claims backlog and continuing the modernization of the electronic health records system to ensure no gaps in care occur as our current troops become veterans.

This bill also provides funding to support our Active Duty military and their families whether they are at home or abroad. Funding for hospitals, educational facilities, and housing tells our servicemembers that they have the full backing of their government as they lay their lives on the lines for this Nation. Beyond these quality-of-life programs, military construction funding is prioritized to respond to threats around the globe, including Russia, the Middle East, and North Africa.

While overall funding is increased in the bill, the committee took many steps to ensure that every cent of taxpayers' money is spent responsibly and with good purpose. We made difficult decisions to find savings wherever possible. The bill also includes good-government provisions that increase oversight for the VA, helping to stop waste and improve service for our veterans.

Mr. Chair, this is a very good bill, one I am proud to support. I want to thank the chairman of the subcommittee, Congressman DENT, for his leadership. I want to thank the ranking member, Mr. BISHOP, and the rest of the subcommittee for their teamwork and their effort in bringing the bill to the floor today.

Lastly, I join the chair and ranking member in thanking the staff for the many hours they put in helping to usher this bill to the floor today. Caring for our troops and veterans is a great responsibility, and the subcommittee and our staff have not taken that responsibility lightly.

I urge my colleagues to support this bill. It is balanced; it is responsible; and it needs to be passed.

Mr. BISHOP of Georgia. Mr. Chair, I yield 5 minutes to the gentlewoman from New York (Mrs. LOWEY), the distinguished ranking member of the Committee on Appropriations.

Mrs. LOWEY. I thank the distinguished ranking member of this committee, Mr. SANFORD BISHOP, for that very generous introduction.

I would like to thank my good friend on the other side of the aisle, Chairman DENT from the neighboring State of Pennsylvania, for his good work and the partnership that he has made to make this an excellent bill. I also want to thank Chairman ROGERS for his leadership and, of course, for the hard work of the committee members on both sides of the aisle who are so critical to this process.

Mr. Chair, the fiscal year 2017 Military Construction-Veterans Affairs bill would allocate $81.6 billion in discretionary funding—$1.2 billion less than the fiscal year 2017 budget request and a $1.8 billion increase above the fiscal year 2016 enacted level—and allow for several critical improvements, including: the further reduction of the veterans' claims backlog, which has dropped from 600,000 to 74,000 in the past 2 years; $7.8 billion to support outreach, prevention, and awareness to reduce unacceptably high levels of suicide and other mental health challenges among our veterans; a greater focus on the gender-specific needs of female veterans, including prosthetics designed for women and enhancing access to both medical health services; a $32 million increase for medical and prosthetic research; $1.3 billion for family housing construction; and strong oversight of the electronic health records system, requiring that the VA meet key benchmarks throughout the fiscal year and improve interoperability with the Department of Defense.

□ 2240

Mr. Chair, as I close, I want to again congratulate Chairman DENT and Ranking Member BISHOP for you are truly outstanding in making this a good, bipartisan bill.

Mr. DENT. Mr. Chair, I yield 2 minutes to the gentleman from Arkansas (Mr. HILL).

Mr. HILL. Mr. Chair, I rise in support of the bill. Over the past few years, we have seen mismanagement, cost overruns, and project delays at our Veterans Affairs facilities and hospitals across this country.

While the biggest construction failures are the ones that have gathered the headlines, such as the billion-dollar cost overrun in Colorado, the VA has a knack for dropping the ball on simple and smaller projects as well. One of these is an $8 million ongoing solar panel project at the VA Medical Center in Little Rock. It has been 3 years since the planned activation of the system. However, engineering changes and the relocation of the panels to make way for a new parking garage, which was even known in advance of the award, has cost valuable taxpayer resources.

Last year, I sent a letter, along with Senator JOHN BOOZMAN, to the VA Office of the Inspector General calling for an investigation into this solar panel project, which resulted in the VA Inspector General conducting a national review of all the solar panel projects across the VA.

While this review is being finalized, many questions remain unanswered about these solar projects. Currently, the VA lists 34 key renewable energy projects dating back to 2010 that remain nonoperational.

Today's bill contains an important provision in the report language that will protect the taxpayer dollars by prohibiting funding for solar projects at the VA due to these concerns about the mismanagement in these projects.

I am pleased that the committee has included this essential language as we await the results from the VA Inspector General's investigation into these costly projects.

This small piece is an important part of the overall reevaluation of the VA's construction oversight and implementation that Congress has developed and that taxpayers deserve.

Mr. BISHOP of Georgia. Mr. Chair, I yield myself such time as I may consume.

With reservations, I urge my colleagues to support this bill. I think it is a bipartisan bill. It is a good bill. I think it is a good product for what we had to work with.

I would like to urge my colleagues to support it, to fund the construction of newer facilities, to strive to improve the quality of life and the care that we give to our military, to our veterans, and to our military families.

I yield back the balance of my time.

Mr. DENT. Mr. Chair, I yield myself such time as I may consume.

I would like to conclude by saying that I want to thank everyone again for their full cooperation on both sides of the aisle: Mr. BISHOP, Mrs. LOWEY, and the entire team on their side, and Mr. ROGERS on our side, and all the members of the subcommittee on both sides.

This bill does provide for our veterans, our military, our servicemembers, and their families. It is a very good bill. I urge its adoption.

I yield back the balance of my time.

Mr. MURPHY of Florida. Mr. Chair, I strongly support grant funding for construction of state extended care facilities included in the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, which will go towards facilities like the Ardie R. Copas State Veterans' Nursing Home in St. Lucie County, Florida. Our veterans should be receiving extraordinary care, and these facilities will provide those who fought for our nation with the long-term care they have earned.

The Florida Department of Veterans' Affairs recently resubmitted its grant application to the U.S. Department of Veterans Affairs for construction funding for the State Veterans' Nursing Home in St. Lucie County. I am hopeful and urge that this bill will fully fund the new facility on Florida's Treasure Coast, including the costs to adhere to Community Living Center standards. This facility will be the first of its kind in Florida and fill an existing nursing home service gap in our state.

I have been a strong advocate for the Copas facility, which will be a huge asset to our community and our veterans. The nursing home will provide health care, follow-up assistance, and long-term care services that we can be proud of, all while providing these services closer to home for many veterans. In addition to assisting veterans residing in St. Lucie County, it will also serve those in neighboring Martin, Indian River, Okeechobee, and Highlands counties as well as portions of six other nearby counties. This facility's location gives it the ability to reach approximately over 200,000 veterans with more than half of these veterans over the age of 65.

These important grants will advance long-term veterans care on the Treasure Coast and across the country. I urge my colleagues to join me in supporting this critical funding.

Mr. VAN HOLLEN. Mr. Chair, I rise today in reluctant opposition to H.R. 4974, Military

Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2017 (MilCon). MilCon funds military construction projects for the Department of Defense and health care and other important services for the country's veterans at the Department of Veterans Affairs (VA). This is a vital piece of legislation that we must get right so that our veterans get the benefits they earned and deserve and that our military has the facilities they need. Unfortunately, the bill has a major shortcoming—it cuts $1.5 billion below the President's request for the VA, including more than $1.2 billion from the Veterans Health Administration. The VA serves over forty-three million Americans a year and over a billion dollars in cuts will make it harder for the VA to provide for our veterans. It is for this reason I cannot support the bill.

Over the years, the VA has faced a number of challenges. The VA faced funding shortfalls and was unprepared to meet the demands of a new generation of returning veterans. Access to quality health care and veterans' benefits has been an ongoing challenge for the VA, highlighted by the claims backlog and by veterans waiting long periods for health care appointments. However, these challenges are made more difficult to overcome when Congress provides insufficient funds to the VA or shuts down the government, as it did in 2013—which led to furloughs at the VA. Many of my constituents are active duty or veterans who receive services through the VA and they deserve a fully funded VA that can quickly and accurately manage their claims.

We simply must do better. As the Ranking Member on the House Budget Committee I proposed budgets that reversed sequestration for not just defense programs, but also for nondefense programs because they include important priorities like veterans' health care. I also proposed extending advance appropriations for all of VA's discretionary programs so that veterans' programs are insulated from the possibility of future government shutdowns. I am going to continue to fight to ensure that the VA gets the resources it needs to provide for the nation's veterans and I am hopeful that more funding will be provided to the VA when this bill returns from conference.

Ms. LEE. Mr. Chair, first, I want to thank Chairman DENT and Ranking Member BISHOP for their unwavering leadership of our subcommittee. As the daughter of a veteran, it is truly an honor to be serving in my second year as a member of the Military Construction and Veterans Affairs Subcommittee.

The bill before us provides a total of $81.6 billion in spending—which, thankfully, is $1.8 billion more than current-year spending levels. Yet, this allocation falls $1.2 billion short of the President's requested funding level. This gap undermines the promise that we've made to veterans that we would provide them with the best and most innovative care.

This, Mr. Chair, is unnecessary, shameful—and frankly—unacceptable. While there are many provisions which create spending gaps for vital services that our veterans need, I am also pleased to support other provisions.

I support the investments in military infrastructure, housing, and other services to ensure that we give our brave men and women in uniform and their families the proper respect and care they deserve. Additionally, I am pleased that these investments will also help make our military facilities greener and more energy efficient, which is vital to our planet, our national security and the department's bottom line.

I also want to thank the Chair and Ranking Member for the inclusion of report language requiring the Veterans Benefits Administration (VBA) to provide an updated report on claims processing at the Oakland VA Regional Office (VARO). While the Oakland VA has made significant improvements in Oakland, more work remains to ensure that veterans in my District and throughout the Bay Area are provided with quality care and timely care.

Mr. Chair, I understand the enormous sacrifices made by our service members and their families. And that's why I support language encouraging more coordination between federal agencies to help our veterans' transitioning back to civilian life find jobs. I'm also pleased this bill provides veterans greater access to education, housing and more comprehensive health and mental health services. While these are small steps, they are important ones when approximately one million veterans will be settling into American communities in the next three to five years.

Finally, Mr. Chair, I want to mention that I will join my colleagues in offering an amendment to allow VA doctors to prescribe medical cannabis to their patients in states with state-legal medical cannabis laws. Mr. Chair, the federal government shouldn't be erecting barriers between patients and their medicine. So I hope my colleagues will join me in supporting that effort.

I look forward to continue working with the subcommittee to improve quality of life for our brave service members, veterans and their families. And to work towards addressing funding deficiencies as the process moves forward—our veterans deserve nothing less.

Ms. BONAMICI. Mr. Chair, I rise today in opposition to H.R. 4974, the Military Construction and Veterans Affairs and Related Agencies Appropriations Act for Fiscal Year 2017.

Although I strongly support the bill's funding for programs that support our nation's service members and veterans, the legislation contained too many harmful provisions to earn my vote. Regrettably, the bill included language allowing federal contractors to discriminate against LGBT employees, as well as language to prevent the closing of the detention facility at Guantanamo Bay. I was also concerned by the adoption of anti-labor amendments that will jeopardize the rights of workers on military construction projects.

Though I oppose the final bill for those reasons, there were several provisions in the legislation that I support, including greater investments in providing care to our veterans, and funding for military housing, infrastructure, and other services to give our men and women in uniform and their families the facilities and care they deserve. I hope to work with my colleagues to improve this legislation as the appropriations process continues.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, each amendment shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent. No pro forma amendment shall be in order except that the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 10 pro forma amendments each at any point for the purpose of debate. The chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the CONGRESSIONAL RECORD designated for that purpose. Amendments so printed shall be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 4974

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2017, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, $503,459,000, to remain available until September 30, 2021: *Provided*, That, of this amount, not to exceed $98,159,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of the Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $1,021,580,000, to remain available until September 30, 2021: *Provided*, That, of this amount, not to exceed $88,230,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent

public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $1,398,758,000, to remain available until September 30, 2021: *Provided*, That of this amount, not to exceed $143,582,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That none of the funds made available under this heading shall be for construction of the Joint Intelligence Analysis Complex Consolidation, Phase 3, at Royal Air Force Croughton, United Kingdom, unless authorized in an Act authorizing appropriations for fiscal year 2017 for military construction.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $2,024,643,000, to remain available until September 30, 2021: *Provided*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided further*, That of the amount appropriated, not to exceed $201,422,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

AMENDMENT OFFERED BY MRS. WAGNER

Mrs. WAGNER. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 20, after the dollar amount, insert ''(reduced by $801,000) (increased by $801,000)''.

The CHAIR. Pursuant to House Resolution 736, the gentlewoman from Missouri and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Missouri.

Mrs. WAGNER. Mr. Chair, I thank Chairman DENT for letting me offer this very important amendment. I thank my colleagues from the entire Missouri delegation—Mr. CLAY, Mr. CLEAVER, Mr. GRAVES, Mrs. HARTZLER, Mr. LONG, Mr. LUETKEMEYER, and Mr. SMITH—for their steadfast support and bipartisan cosponsorship.

This amendment is critical to meeting the current and future mission requirements of the National Geospatial-Intelligence Agency and its replacement West headquarters in north St. Louis.

This amendment allocates $801,000 for land and transfer acquisition activities associated with acquiring the land for the headquarters, conforming with the Senate's MILCON–VA bill.

After an exhaustive process, the NGA identified the north St. Louis city site as a superior location because of its ability to provide the most technological, academic, and professional environment for the agency to develop the capabilities and solutions necessary to solve the country's most vital intelligence and national security challenges.

Mr. Chair, the City of St. Louis is providing the land for this project at no cost to the Federal Government. Its selection ensures that NGA West's 70-year history in St. Louis continues and that the 2,000 NGA West employees who live in Missouri remain in close proximity to the headquarters.

The St. Louis region has a proven track record in national defense and technology capabilities that make it an ideal choice for NGA's new home.

I ask that my colleagues vote in favor of this amendment to ensure NGA West can continue to perform its critical role in our national security within a community that understands its needs and strongly supports its mission.

Mr. Chair, I yield 2 minutes to the gentleman from Missouri's First District (Mr. CLAY).

□ 2250

Mr. CLAY. Mr. Chair, I want to thank the gentlewoman from Missouri (Mrs. WAGNER) for yielding. I rise today in strong support of this amendment as offered by Mrs. WAGNER.

The National Geospatial-Intelligence Agency's decision to locate their new western headquarters in north St. Louis was the right choice to support their vital national security mission, the best decision for the over 3,000 exceptional Federal employees who work there, and it will transform a great Federal failure into a transformational Federal success.

The misguided and shortsighted attempt to withhold funding from this project not only is petty and parochial, it is completely irresponsible because delaying this project would put our national security at risk. NGA Director Robert Cardillo said it best in his message to his employees on April 1.

Director Cardillo said: ''The future of our agency and our profession rests on our present talent and that of the next generations we can recruit onto our team. We face tough competition, and offering an environment that appeals to these future generations is critical to our success. Studies point to a desire by today's millennials to be in urban environments, and this trend is expected to continue.''

He went on to say: ''Our partnership with industry and academia will continue to grow and expand as we transform some of our work to a more open, connected and transparent environment. Our ability to engage with local universities and innovative, technology-based companies is enhanced by remaining in St. Louis city. I am confident that we will build a facility in St. Louis that will be a remarkable home for us to master our craft and engage with our partners in a flexible, technologically advanced environment that is enticing to current and future generations.''

I urge my colleagues to support the gentlewoman's amendment.

Mrs. WAGNER. Mr. Chair, I reserve the balance of my time.

The CHAIR. Does any Member claim time in opposition?

Mrs. WAGNER. Mr. Chair, in closing, I just want to say that NGA chose St. Louis because the location best supports the agency's mission.

The superiority of the urban setting is ideal for recruiting and retaining a highly skilled workforce. When focusing on the most technological, academic, and professional environment to ensure our Nation's security, the NGA chose St. Louis. The decision has been made, and my amendment supports the NGA's decision.

Mr. Chair, I thank the chairman and my colleague from the First District of Missouri.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Missouri (Mrs. WAGNER).

The amendment was agreed to.

The Clerk will read.

The Clerk read as follows:

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $232,930,000, to remain available until September 30, 2021: *Provided*, That, of the amount appropriated, not to exceed $8,729,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $143,957,000, to remain available until September 30, 2021: *Provided*, That, of the amount appropriated, not to exceed $10,462,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard

determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $68,230,000, to remain available until September 30, 2021: *Provided*, That, of the amount appropriated, not to exceed $7,500,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Army Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $38,597,000, to remain available until September 30, 2021: *Provided*, That, of the amount appropriated, not to exceed $3,783,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $188,950,000, to remain available until September 30, 2021: *Provided*, That, of the amount appropriated, not to exceed $4,500,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Air Force Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

NORTH ATLANTIC TREATY ORGANIZATION

SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, $177,932,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $200,735,000, to remain available until September 30, 2021.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $325,995,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $94,011,000, to remain available until September 30, 2021.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $300,915,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $61,352,000, to remain available until September 30, 2021.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $274,429,000.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, $59,157,000.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, $3,258,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

For deposit into the Department of Defense Base Closure Account, established by section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $230,237,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than $25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Gulf, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Gulf, may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: *Provided*, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: *Provided further*, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense shall inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $100,000.

SEC. 114. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 115. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 116. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(INCLUDING TRANSFER OF FUNDS)

SEC. 117. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in ''Family Housing'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in ''Military Construction'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: *Provided*, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

(INCLUDING TRANSFER OF FUNDS)

SEC. 118. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the Department of Defense Base Closure Account to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 119. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: *Provided*, That not more than $35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: *Provided further*, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 120. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

(INCLUDING TRANSFER OF FUNDS)

SEC. 121. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation ''Foreign Currency Fluctuations, Construction, Defense'', to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 122. (a) Except as provided in subsection (b), none of the funds made available in this Act may be used by the Secretary of the Army to relocate a unit in the Army that—

(1) performs a testing mission or function that is not performed by any other unit in the Army and is specifically stipulated in title 10, United States Code; and

(2) is located at a military installation at which the total number of civilian employees of the Department of the Army and Army contractor personnel employed exceeds 10 percent of the total number of members of the regular and reserve components of the Army assigned to the installation.

(b) EXCEPTION.—Subsection (a) shall not apply if the Secretary of the Army certifies to the congressional defense committees that in proposing the relocation of the unit of the Army, the Secretary complied with Army Regulation 5–10 relating to the policy, procedures, and responsibilities for Army stationing actions.

SEC. 123. Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14–R, Volume 3, Chapter 7, of March 2011, as in effect on the date of enactment of this Act.

SEC. 124. None of the funds made available in this title may be obligated or expended for planning and design and construction of projects at Arlington National Cemetery.

(RESCISSION OF FUNDS)

SEC. 125. Of the unobligated balances available for ''Military Construction, Army'', from prior appropriation Acts (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $25,000,000 are hereby rescinded.

(RESCISSION OF FUNDS)

SEC. 126. Of the unobligated balances available for ''Military Construction, Navy and Marine Corps'', from prior appropriation Acts (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $51,848,000 are hereby rescinded.

(RESCISSION OF FUNDS)

SEC. 127. Of the unobligated balances available for ''Military Construction, Defense-Wide'', from prior appropriation Acts (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $37,377,000 are hereby rescinded.

SEC. 128. For an additional amount for ''Military Construction, Army'', $40,500,000, to remain available until September 30, 2021: *Provided*, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Army's Unfunded Priority List for Fiscal Year 2017 submitted by the Secretary of Defense to Congress: *Provided further*, That such funding is subject to authorization prior to obligation and expenditure of funds: *Provided further*, That, not later than 30 days after enactment of this Act, the Secretary of the Army shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 129. For an additional amount for ''Military Construction, Navy and Marine Corps'', $293,600,000, to remain available until September 30, 2021: *Provided*, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Navy's Unfunded Priority List for Fiscal Year 2017 submitted by the Secretary of Defense to Congress: *Provided further*, That such funding is subject to authorization prior to obligation and expenditure of funds: *Provided further*, That, not later than 30 days after enactment of this Act, the Secretary of the Navy shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 130. For an additional amount for ''Military Construction, Army National Guard'', $67,500,000, to remain available until September 30, 2021: *Provided*, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Army's Unfunded Priority List for Fiscal Year 2017 submitted by the Secretary of Defense to Congress: *Provided further*, That such funding is subject to

authorization prior to obligation and expenditure of funds: *Provided further*, That, not later than 30 days after enactment of this Act, the Secretary of the Army shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 131. For an additional amount for ''Military Construction, Army Reserve'', $86,500,000, to remain available until September 30, 2021: *Provided*, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Army's Unfunded Priority List for Fiscal Year 2017 submitted by the Secretary of Defense to Congress: *Provided further*, That such funding is subject to authorization prior to obligation and expenditure of funds: *Provided further*, That, not later than 30 days after enactment of this Act, the Secretary of the Army shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 132. For an additional amount for ''Military Construction, Air Force'', $26,000,000, to remain available until September 30, 2021: *Provided*, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Air Force's Unfunded Priority List for Fiscal Year 2017 submitted by the Secretary of Defense to Congress: *Provided further*, That such funding is subject to authorization prior to obligation and expenditure of funds: *Provided further*, That not later than 30 days after enactment of this Act, the Secretary of the Air Force shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

(RESCISSION OF FUNDS)

SEC. 133. Of the unobligated balances made available in prior appropriation Acts for the fund established in section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $25,000,000 are hereby rescinded.

SEC. 134. For the purposes of this Act, the term ''congressional defense committees'' means the Committees on Armed Services of the House of Representatives and the Senate, the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the Senate, and the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the House of Representatives.

(RESCISSION OF FUNDS)

SEC. 135. Of the unobligated balances available for ''NATO Security Investment Program'', from prior appropriations Acts (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $30,000,000 are hereby rescinded.

SEC. 136. None of the funds made available by this Act may be used to carry out the closure or realignment of the United States Naval Station, Guantánamo Bay, Cuba.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, $90,119,449,000, to remain available until expended and to become available on October 1, 2017: *Provided*, That not to exceed $17,224,000 of the amount made available for fiscal year 2018 under this heading shall be reimbursed to ''General Operating Expenses, Veterans Benefits Administration'', and ''Information Technology Systems'' for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the ''Compensation and Pensions'' appropriation: *Provided further*, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to ''Medical Care Collections Fund'' to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of title 38, United States Code, $13,708,648,000, to remain available until expended and to become available on October 1, 2017: *Provided*, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by chapters 19 and 21, title 38, United States Code, $124,504,000, to remain available until expended, of which $107,899,000 shall become available on October 1, 2017.

VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That, during fiscal year 2017, within the resources available, not to exceed $500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $167,612,000.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $36,000, as authorized by chapter 31 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed $2,517,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $389,000, which may be paid to the appropriation for ''General Operating Expenses, Veterans Benefits Administration''.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, $1,163,000.

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, bioengineering services, food services, and salaries and expenses of healthcare employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, loan repayments authorized by section 604 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 124 Stat. 1174; 38 U.S.C. 7681 note), and hospital care and medical services authorized by section 1787 of title 38, United States Code; $850,000,000, which shall be in addition to funds previously appropriated under this heading that became available on October 1, 2016; and, in addition, $44,886,554,000, plus reimbursements, shall become available on October 1, 2017, and shall remain available until September 30, 2018: *Provided*, That, of the amount made available on October 1, 2017, under this heading, $1,400,000,000 shall remain available until September 30, 2019: *Provided further*, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: *Provided further*, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: *Provided further*, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: *Provided further*, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs.

□ 2300

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 29, line 6, after the dollar amount, insert ''(increased by $4,000,000)''.

Page 33, line 12, after the first dollar amount, insert ''(reduced by $5,500,000)''.

The CHAIR. Pursuant to House Resolution 736, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise to offer an amendment which seeks to redirect scarce resources to important mental health programs for our Nation's veterans.

At a hearing just last week entitled ''Combating the Crisis: Evaluating Efforts to Prevent Veteran Suicide,'' Chairman JEFF MILLER stated that the latest data available from the VA reports that 22 veterans per day are committing suicide.

Last fiscal year, the VA General Administration account got a $15.68 million increase for more bureaucracy within the VA. This year, the Obama administration has requested another $81 million increase for that account.

The committee wisely chose not to provide funding for the majority of the request in that bill, stating:

''It has doubts about the wisdom of establishing a large new office with regional staffing at this late date in the administration.''

My amendment simply transfers a portion of the fiscal year 2016 increase for government bureaucrats to important mental health services for our Nation's heroes returning from combat.

Traumatic brain injuries and posttraumatic stress disorder have been consistently contributing to behavioral issues amongst our veterans; and all too often, these ongoing mental health issues result in suicide. With an average of 22 veteran suicides per day, more resources are desperately needed.

While redirecting funds to where they are needed most, the Congressional Budget Office also states that this amendment would save money and reduce outlays. My amendment also helps bring the level of funding in the bill for mental health closer to the administration's requests for the fiscal year.

The VA doesn't need more money to hire more paper pushers. Instead, let's appropriate that money to where and whom the VA was created for: to serve and help improve the mental health of our Nation's heroes.

I applaud the committee for including my language that ensures the Veterans Crisis Line will provide an immediate response from a trained professional and for the resources already directed in this bill towards mental health.

I ask my colleagues to support this commonsense amendment and help ensure our veterans that are in need get the care they so earned.

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

Mr. DENT. Mr. Chairman, I claim the time in opposition, but I don't oppose the amendment.

The CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. DENT. Mr. Chairman, I am certainly sympathetic to the intent of the gentleman's amendment to increase funding for suicide prevention outreach programs. Obviously, we all know this is a very serious problem. These programs already received an 11 percent increase in our bill, for a total of $164 million. So I do not oppose the amendment, and I urge its adoption.

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

Mr. GOSAR. Mr. Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. MICHELLE LUJAN GRISHAM OF NEW MEXICO

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 29, line 6, after the dollar amount, insert ''(reduced by $10,000,000) (increased by $10,000,000)''.

The CHAIR. Pursuant to House Resolution 736, the gentlewoman from New Mexico and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New Mexico.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chair, we have a provider shortage in this country, and it is only projected to get worse. The Association of American Medical Colleges estimates that the United States could face a shortage of 90,000 physicians by 2025.

One of the most common complaints I hear from veterans in Albuquerque is that even with the flexibility they have to see outside providers through the Veterans Choice Act, there just aren't enough providers—especially behavioral health providers—to treat everyone who needs care.

If trends continue, we will be without the workforce needed to treat an aging population that will increasingly live with chronic health care issues. The provider shortages hit rural, poor, and underserved communities and states like New Mexico particularly hard.

According to the New Mexico Health Care Workforce Committee, every single healthcare profession in New Mexico has a shortage of providers. In fact, Los Alamos, New Mexico, is the only county in the entire State without a shortage of primary health care providers. And primary care physicians are four more times available in urban areas than in rural New Mexico.

The result: longer waits, longer travel, patients not receiving the care they need, and worse health outcomes.

We have to educate and recruit more providers, but that will not be enough to keep up with growing demand. We have to do a better job at leveraging the resources we have to put VA providers in the best situation we can to provide quality and timely care to their patients.

The Department of Veterans Affairs, the largest healthcare system in the United States, should be leading in using telehealth technology to provide care and promote patient wellness.

The VHA's Home Telehealth Program is growing and provided 2.1 million consultations to more than 677,000 veterans in 2015. But we can do much more.

In a report last year, the VA Inspector General's office found that the VA missed opportunities to serve additional patients with the Home Telehealth Program, which could have ''potentially delayed the need for long-term institutional care for approximately 59,000 additional veterans.''

The VA Inspector General also found that ''telehealth patients showed the best outcomes in terms of patient admissions and bed days of care.''

It also saves money. Using telehealth instead of placing a veterans in a contract nursing home facility saves approximately $92,000 a year, and the veteran gets to stay independently at home.

The VA should follow models such as the University of New Mexico's Project ECHO and think creatively about sharing expertise among specialists, primary care physicians, and medical centers to ensure patients in underserved communities get the care they need.

□ 2310

Mr. Chairman, the VA should increase its focus on programs that are proven to improve clinical outcomes and expand access to care while reducing treatment costs.

I urge Members to support my amendment to prioritize funding for the VA Home Telehealth Program.

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

Mr. DENT. Mr. Chairman, I claim time in opposition, but I do not oppose the amendment.

The CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. DENT. Mr. Chairman, I share the gentlewoman's concern about the importance of telehealth as a way to provide healthcare services remotely to patients. It is especially useful in the treatment of mental health and behavioral health issues.

The VA is a leader in telehealth activities, providing 2.1 million consultations to more than 677,000 veterans in

2015, many of whom were in rural areas. VA funding for telehealth will total almost $1.2 billion in fiscal year 2017.

I do not oppose the amendment. I urge its adoption.

Mr. BISHOP of Georgia. Will the gentleman yield?

Mr. DENT. I yield to the gentleman from Georgia.

Mr. BISHOP of Georgia. I thank the gentleman for yielding.

Mr. Chairman, I come from a very rural district as well, and I understand the importance of access to quality care.

I agree that we need to train and recruit more health professionals. In the meantime, I agree that telemedicine is a great tool to help deal with the shortage of health professionals.

So I support this amendment, and I urge all of the Members to do so. It will do a great deal toward helping to bring access to care to our veterans in rural communities.

Mr. DENT. Mr. Chairman, I yield back the balance of time.

The CHAIR. The question is on the amendment offered by the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM).

The amendment was agreed to.

The CHAIR. The Clerk will read.

The Clerk read as follows:

MEDICAL COMMUNITY CARE

For necessary expenses for furnishing health care to individuals pursuant to chapter 17 of title 38, United States Code, at non-Department facilities, $7,246,181,000, plus reimbursements, to be derived from amounts appropriated in title II of division J of Public Law 114–113 under the headings ''Medical Services'', ''Medical Support and Compliance'', or ''Medical Facilities'' which became available on October 1, 2016; and, in addition, $9,409,118,000 shall become available on October 1, 2017, and shall remain available until September 30, 2018: *Provided*, That, of the amount made available on October 1, 2017, under this heading, $1,500,000,000 shall remain available until September 30, 2019.

MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.), $6,654,480,000, plus reimbursements, shall become available on October 1, 2017, and shall remain available until September 30, 2018: *Provided*, That, of the amount made available on October 1, 2017, under this heading, $100,000,000 shall remain available until September 30, 2019.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, domiciliary facilities, and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services, $5,434,880,000, plus reimbursements, shall become available on October 1, 2017, and shall remain available until September 30, 2018: *Provided*, That, of the amount made available on October 1, 2017, under this heading, $250,000,000 shall remain available until September 30, 2019.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, $663,366,000, plus reimbursements, shall remain available until September 30, 2018.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, $271,220,000, of which not to exceed $26,600,000 shall remain available until September 30, 2018.

DEPARTMENTAL ADMINISTRATION

GENERAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, $336,659,000, of which not to exceed $10,000,000 shall remain available until September 30, 2018: *Provided*, That funds provided under this heading may be transferred to ''General Operating Expenses, Veterans Benefits Administration''.

AMENDMENT OFFERED BY MR. KEATING

Mr. KEATING. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 33, line 12, after the first dollar amount, insert ''(reduced by $1,500,000) (increased by $1,500,000)''.

The CHAIR. Pursuant to House Resolution 736, the gentleman from Massachusetts and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. KEATING. Mr. Chairman, I thank Chairman DENT and Ranking Member BISHOP for their work on this appropriations bill, and for their cooperation with this amendment.

I rise today to offer an amendment that will support a requirement of VA prescribers to complement a continuing medication course in pain management.

Nationally, about 30 percent of Americans have some form of chronic pain. However, the percentage of veterans who report chronic pain is significantly higher. Over 50 percent of elderly veterans report chronic pain as do almost 60 percent of veterans returning from the conflict in the Middle East.

In fact, chronic pain is the most common medical problem experienced by returning combat veterans in the last decade.

Of course, pain is not a stand-alone problem. Pain is something we see as a consequence of physical injury, and sometimes that physical injury leads to co-occurring mental health ailments.

We are increasingly more aware of the mental health consequences stemming from time in combat. Veterans with brain trauma are more likely to report physical pain and, in turn, are more likely to receive prescriptions for opioids.

Recent VA data shows us that roughly 523,000 veterans are receiving prescriptions for opioids, and the number of veterans with opioid use disorders has grown 55 percent over the past 5 years. Veterans are twice as likely to overdose on prescription opioids as the general population.

We are very fortunate to live in a time where quality care can be offered to our military personnel, and it is unparalleled. Now we need to do our part to help these heroes manage their chronic pain in the safest manner possible.

Last month I introduced the Safe Prescribing for Veterans Act, which will help those who provide healthcare services to veterans learn the latest pain management techniques, understand safe prescribing practices, and spot the signs of potential substance use disorders. This act works by directing healthcare providers from the VA to take continuing education courses specific to pain management, opioids, and substance abuse.

VA healthcare providers already need continuing education to maintain their State-issued professional licenses, and my bill makes sure they spend some of the already-required time learning about safe opioid prescribing practices.

The bill does not add to the total number of credits that prescribers already have to take, it just insists that they spend their time on this important issue.

Only 14 States require their physicians to take pain management education credits. My constituents are fortunate in Massachusetts because we are 1 of the 14 States that ask its doctors to complete pain management training.

However, even our neighboring States do not have the mandatory pain

management requirements. Veterans in my district, especially those in the South Coast, often find it easy to receive their health care at VA hospitals in Rhode Island. As of now, there is no guarantee that the doctors they see in Providence have taken the same pain management education courses.

I rise before you today in an effort to give our veterans that guarantee.

I urge my colleagues to join me in support of this amendment to ensure our veterans receive the care they deserve.

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

Mr. DENT. Mr. Chairman, I claim the time in opposition, but I am not opposed to the amendment.

The CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. DENT. Mr. Chairman, the gentleman is addressing a problem that many Members have contacted us about, the long delays that community practitioners are experiencing in being paid by VA for their care for veterans.

Our report requires VA to provide comprehensive information detailing the reimbursements owed to providers in each State and the amounts of invoices that are more than 6 months overdue.

GAO just released a report with alarming data about VA's significant problems in managing prompt payment to outside providers. I am sure that we will revisit this issue in conference, and we will welcome any suggestions the gentleman has for us.

I have no objection to this amendment and urge its adoption.

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

Mr. KEATING. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. KEATING).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. CLAWSON OF FLORIDA

Mr. CLAWSON of Florida. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 33, line 12, after the first dollar amount, insert ''(reduced by $5,000,000)''.

Page 35, line 1, after the dollar amount, insert ''(increased by $5,000,000)''.

Page 35, line 8, after the dollar amount, insert ''(increased by $5,000,000)''.

The CHAIR. Pursuant to House Resolution 736, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. CLAWSON of Florida. Mr. Chairman, I thank Chairman DENT; full respect for what he does and, more importantly, how he does it. Agree or disagree, the gentleman does it the right way, and I appreciate his leadership style.

Mr. Chairman, thank you for the opportunity to offer my amendment to the Military Construction, Veterans Affairs, and Related Agencies Appropriations bill.

May 30 is Memorial Day, a day we set aside to recognize the tremendous debt of gratitude for those who have selflessly sacrificed for our liberties.

From constituent discussions in my district, I am acutely aware that customer service for our vets often falls short of the mark. Far too many of our vets, I am told, simply do not receive timely responses to their healthcare questions. We can do better.

My amendment, which I am proposing, is directed at improving customer service problems by improving the information technology at VA facilities.

My amendment would enhance veterans' customer service experiences by funding improved, service-based, commoditized technology and telecommunications.

□ 2320

For this, my amendment would add $5 million to the information technology systems account, specifically the funding directed at the development, modernization, and enhancement of the current IT infrastructure.

In the proposed budget, this account is currently funded at $4.23 billion, $50 million short of the President's budget request of $4.28 billion in this area. My amendment would offset this $5 million by reducing the general administration account, currently funded at $336 million. The redirected $5 million would be used in acquiring new technologies to provide more acceptable customer satisfaction and delivery measures.

I am the proud son of a veteran who served overseas. In my role in Congress, it is a great honor and privilege to serve over 100,000 veterans who call my district home. We all know vets—friends, neighbors, family, and, in my case, a nephew just returning from Afghanistan and a father who served a long time ago. Let's do right by these brave folks by improving their customer service and response.

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

Mr. DENT. Mr. Chairman, I claim the time in opposition, but I do not oppose the amendment.

The CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. DENT. Mr. Chairman, I certainly know the gentleman from Florida is very committed to improving veterans' experiences when they deal with the VA, and modernizing infrastructure is certainly an important part of that. I have no objection to the amendment, and I certainly appreciate the gentleman's deep commitment given his own father's experience in our Armed Forces. We thank him for that service.

Again, I have no objection to this amendment, and I urge its adoption.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. CLAWSON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KEATING

Mr. KEATING. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 33, line 12, after the first dollar amount, insert ''(reduced by $1,000,000) (increased by $1,000,000)''.

The CHAIR. Pursuant to House Resolution 736, the gentleman from Massachusetts and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. KEATING. Mr. Chairman, again I would like to thank Chairman DENT and Ranking Member BISHOP for their work on this bill and their cooperation on this amendment.

I rise today to offer a straightforward amendment that will improve our understanding of the causes of delays within the Veterans Choice Program. The Veterans Choice Program was implemented to address delays in patient care at the Veterans Administration. However, as of April of this year, data from the VA showed that the number of veterans waiting more than 30 days for an appointment was actually higher than when the Veterans Choice Program was initiated.

The well-intentioned and necessary program was initiated and acknowledged. The fact is the Veterans Choice Program was cobbled together very quickly given the time constraints. This led to excessive privatization and contracting through third parties, which has contributed to frequent delays, and we are seeing these delays even today.

In my district alone, I have spoken with numerous veterans who live a great distance from VA medical facilities, such as the islands of Martha's Vineyard and Nantucket. My constituents rely heavily on accessibility to non-VA doctors the Veterans Choice is intended to provide.

Further, an oft cited problem with Veterans Choice is the lack of clear communications regarding the eligibility requirements of the program to both veterans and non-VA providers. Understanding the obstacles around efficient scheduling of appointments of veterans and swift reimbursement for providers would serve as a crucial first step in resolving some of the issues that the Choice Program faces. Without this understanding, the program itself really isn't beneficial.

That is why I am offering this amendment, to advocate for redirected funding toward finding a solution to the delays and the communication errors plaguing implementation of Veterans Choice.

I have no doubt whatsoever that every Member of Congress here agrees that our veterans deserve the very best possible care in a timely manner. Ultimately, this amendment is meant to assist the VA in identifying why these delays are occurring and to help recommend solutions.

I want to thank the chairman again.

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

Mr. BISHOP of Georgia. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. Mr. Chairman, I agree with the gentleman from Massachusetts that we need to take a serious look at the Choice Program. VA's most recent data show, compared to the last year, there are now 70,000 more appointments that kept a veteran waiting at least a month to get care. Furthermore, a March General Accounting Office report showed that the Choice Program had little impact on getting veterans to see a primary care physician in 30 days.

Thousands of veterans referred to the program are returning to the VA for care, sometimes because the program could not find a doctor for them and because the private doctor they were told to see was too far away according to VA data. In fact, VA's own inspector general found that in Colorado, veterans were waiting longer than 30 days for care because staff at the local VA hospital was not adding them to the list of patients eligible for the Choice Program, let alone slow reimbursements.

Two years ago, Congress was hearing about the VA concealing wait times at VA hospitals and clinics and about the veterans who were suffering as a result. We were forced to act quickly in this crisis. I believe that Congress will have to revamp the Choice Program to make sure that it is doing what Congress intended for it to do. We are going to need an honest assessment from the VA.

Mr. Chairman, I urge all Members to support this amendment.

I yield back the balance of my time.

Mr. DENT. Mr. Chairman, I claim the time in opposition to the amendment, but I do not oppose the amendment.

The CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. DENT. I will just say very briefly, Mr. Chairman, I know the gentleman is very interested, as we all are, in finding ways to ensure that the VA healthcare providers receive up-to-date and comprehensive training in the proper use of pain management medications. So many of our veterans struggle with chronic pain, and we have seen the tragic consequences of overprescription of opioids as a method of treatment.

I appreciate the gentleman's interest and his advocacy. I have no objections to gentleman's amendment, and I urge adoption.

I yield back the balance of my time.

Mr. KEATING. Again, Mr. Chairman, I thank the chairman and ranking member.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. KEATING).

The amendment was agreed to.

The CHAIR. The Clerk will read.

The Clerk read as follows:

BOARD OF VETERANS APPEALS

For necessary operating expenses of the Board of Veterans Appeals, $156,096,000, of which not to exceed $15,610,000 shall remain available until September 30, 2018.

GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and reimbursement of the Department of Defense for the cost of overseas employee mail, $2,826,160,000: *Provided*, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: *Provided further*, That, of the funds made available under this heading, not to exceed $141,000,000 shall remain available until September 30, 2018.

AMENDMENT OFFERED BY MR. RUIZ

Mr. RUIZ. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 34, line 5, after the dollar amount, insert ''(reduced by $5,000,000) (increased by $5,000,000)''.

The CHAIR. Pursuant to House Resolution 736, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. RUIZ. Mr. Chairman, I rise today to offer an amendment to H.R. 4974, the Military Construction and Veterans Affairs and Related Agencies Appropriations Act for 2017.

My amendment will help reduce the VA's claims backlog and help improve the lives of our veterans. California is home to 2 million veterans, and I am proud to represent more than 54,000 veterans in my district alone.

There are 40,000 veterans expected to return to California every year for the next several years, including the fastest growing group of returning veterans—women.

We must ensure that our veterans have timely access to the critical benefits they have earned and deserve. Unconscionably, thousands of veterans who have sacrificed for our country are struggling to access benefits they have already earned.

Due to the lingering claims backlog at the Veterans Affairs Administration, veterans across our Nation are waiting for pensions, prescription drugs, and even lifesaving medical care.

Veterans are still waiting for the VA to process 351,676 benefit claims, and 74,589 of those veterans have been waiting longer than 125 days for a decision.

□ 2330

We owe it to our courageous men and women to clear this harmful backlog as soon as possible. Reduced to a claim number in a seemingly endless line, our veterans experience pain, frustration, hopelessness, and despair. Although the backlog has shrunk since Congress last passed a similar appropriations bill, we must not lose sight of the importance of getting veterans their hard-earned benefits as soon as possible.

That is why I am offering this amendment to advocate for an additional $5 million to fund the digital scanning of health and benefits files to reduce the backlog by redirecting funding within the General Operating Expenses account of the Veterans Benefits Administration. This amendment simply directs funds towards the digital scanning of health and benefits files that will reduce the claims backlog without any new spending.

As an emergency medicine physician, I understand the importance of efficiency in health care, and I know how dangerous continued bureaucratic rejection can be for a person with PTSD or depression. By committing resources to digitizing health and benefits files, we will further increase VA's capacity to tackle the claims backlog, ultimately ensuring veterans receive the benefits they have earned in a timely manner. We must serve our veterans by making certain that Congress focuses on eliminating the claims backlog for good.

I encourage my colleagues to stand up for veterans and support my pragmatic amendment to reduce the veterans' claims processing time.

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

Mr. DENT. Mr. Chairman, I claim the time in opposition, although I do not oppose the amendment.

The CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. DENT. Mr. Chairman, on the VA claims backlog, we have fully funded the President's request.

I have no objection to the amendment, and I am prepared to support it.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. RUIZ).

The amendment was agreed to.

The Clerk will read.

The Clerk read as follows:

INFORMATION TECHNOLOGY SYSTEMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, $4,220,869,000, plus reimbursements: *Provided*, That $1,247,548,000 shall be for pay and associated costs, of which not to exceed $36,300,000 shall remain available until September 30, 2018: *Provided further*, That $2,502,052,000 shall be for operations and maintenance, of which not to exceed $177,900,000 shall remain available until September 30, 2018: *Provided further*, That $471,269,000 shall be for information technology systems development, modernization, and enhancement, and shall remain available until September 30, 2018: *Provided further*, That amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Secretary of Veterans Affairs or the Chief Information Officer of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a certification of the amounts, in parts or in full, to be obligated and expended for each development project: *Provided further*, That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development, modernization, and enhancement may be transferred among the three subaccounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: *Provided further*, That amounts made available for the ''Information Technology Systems'' account for development, modernization, and enhancement may be transferred among projects or to newly defined projects: *Provided further*, That no project may be increased or decreased by more than $1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed: *Provided further*, That funds under this heading may be used by the Interagency Program Office through the Department of Veterans Affairs to define data standards, code sets, and value sets used to enable interoperability: *Provided further*, That of the amounts made available under this heading for operations and maintenance and information technology systems development, modernization, and enhancement, not more than a total amount of $168,113,000 shall be available for VistA Evolution or any successor: *Provided further*, That none of the funds made available by the preceding proviso may be obligated or expended for such program or any successor until the Secretary of Veterans Affairs: (1) certifies to the Committees on Appropriations of both Houses of Congress that the Department of Veterans Affairs has deployed modernized electronic health record software supporting clinicians of the Department of Veterans Affairs and the Department of Defense no later than December 31, 2016, while ensuring continued support and compatibility with the interoperability platform and full standards-based interoperability, as stipulated by the National Defense Authorization Act of Fiscal Year 2014 (Public Law 113–66); (2) submits to the Committees on Appropriations of both Houses of Congress the VistA Evolution Business Case and supporting documents regarding continuation of VistA Evolution or alternatives to VistA Evolution, including an analysis of necessary or desired capabilities, technical and security requirements, the plan for modernizing the platform framework, and all associated costs; and (3) submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, the following: a report that describes a strategic plan for VistA Evolution, or any successor, and the associated implementation plan including metrics and timelines; a master schedule and lifecycle cost estimate for VistA Evolution or any successor; and an implementation plan for the transition from the Project Management Accountability System (PMAS) to the new project delivery framework (the Veteran-focused Integration Process (VIP)) that includes the methodology by which projects will be tracked, progress measured, and deliverables evaluated: *Provided further*, That the funds made available under this heading for information technology systems development, modernization, and enhancement, shall be for the projects, and in the amounts, specified under this heading in the report accompanying this Act.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $160,106,000, of which not to exceed $14,800,000 shall remain available until September 30, 2018.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, $528,110,000, of which $494,310,000 shall remain available until September 30, 2021, and of which $33,800,000 shall remain available until expended: *Provided*, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account and contracting officers who manage specific major construction projects, and funds provided for the purchase of land, security, and maintenance for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: *Provided further*, That funds made available under this heading for fiscal year 2017, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2017; and (2) by the awarding of a construction contract by September 30, 2018: *Provided further*, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above: *Provided further*, That, of the amount made available under this heading, $222,620,000 for Veterans Health Administration major construction projects shall not be available until the Department of Veterans Affairs—

(1) enters into an agreement with an appropriate non-Department of Veterans Affairs Federal entity to serve as the design and/or construction agent for any Veterans Health Administration major construction project with a Total Estimated Cost of $100,000,000 or above by providing full project management services, including management of the project design, acquisition, construction, and contract changes, consistent with section 502 of Public Law 114–58; and

(2) certifies in writing that such an agreement is executed and intended to minimize or prevent subsequent major construction project cost overruns and provides a copy of the agreement entered into and any required supplementary information to the Committees on Appropriations of both Houses of Congress.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, $372,069,000, to remain available until September 30, 2021, along with unobligated balances of previous ''Construction, Minor Projects'' appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: *Provided*, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department

which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, $80,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

For grants to assist States and tribal organizations in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, $45,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2017 for ''Compensation and Pensions'', ''Readjustment Benefits'', and ''Veterans Insurance and Indemnities'' may be transferred as necessary to any other of the mentioned appropriations: *Provided*, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2017, in this or any other Act, under the ''Medical Services'', ''Medical Community Care'', ''Medical Support and Compliance'', and ''Medical Facilities'' accounts may be transferred among the accounts: *Provided*, That any transfers among the ''Medical Services'', ''Medical Community Care'', and ''Medical Support and Compliance'' accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: *Provided further*, That any transfers among the ''Medical Services'', ''Medical Community Care'', and ''Medical Support and Compliance'' accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: *Provided further*, That any transfers to or from the ''Medical Facilities'' account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for ''Construction, Major Projects'', and ''Construction, Minor Projects'') shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the ''Medical Services'' account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for ''Compensation and Pensions'', ''Readjustment Benefits'', and ''Veterans Insurance and Indemnities'' shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2016.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from ''Compensation and Pensions''.

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2017, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans' Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the ''General Operating Expenses, Veterans Benefits Administration'' and ''Information Technology Systems'' accounts for the cost of administration of the insurance programs financed through those accounts: *Provided*, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2017 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: *Provided further*, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: *Provided further*, That the Secretary shall determine the cost of administration for fiscal year 2017 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Office of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs but not to exceed $47,668,000 for the Office of Resolution Management and $3,532,000 for the Office of Employment Discrimination Complaint Adjudication: *Provided*, That payments may be made in advance for services to be furnished based on estimated costs: *Provided further*, That amounts received shall be credited to the ''General Administration'' and ''Information Technology Systems'' accounts for use by the office that provided the service.

SEC. 211. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: *Provided*, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: *Provided further*, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 212. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the ''Construction, Major Projects'' and ''Construction, Minor Projects'' accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in ''Construction, Major Projects'' and ''Construction, Minor Projects''.

SEC. 213. Amounts made available under ''Medical Services'' are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 214. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to the ''Medical Services'' and ''Medical Community Care'' accounts to remain available until expended for the purposes of these accounts.

SEC. 215. The Secretary of Veterans Affairs may enter into agreements with Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, and Indian tribes and tribal organizations serving rural Alaska which have entered into contracts with the Indian Health Service under the Indian Self Determination and Educational Assistance Act, to provide healthcare, including behavioral health and dental care. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term ''rural Alaska'' shall mean those lands sited within the external boundaries of the Alaska Native regions specified in sections 7(a)(1)–(4) and (7)–

(12) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), and those lands within the Alaska Native regions specified in sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), which are not within the boundaries of the municipality of Anchorage, the Fairbanks North Star Borough, the Kenai Peninsula Borough or the Matanuska Susitna Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 216. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the ''Construction, Major Projects'' and ''Construction, Minor Projects'' accounts, to remain available until expended for the purposes of these accounts.

SEC. 217. None of the funds made available in this title may be used to implement any policy prohibiting the Directors of the Veterans Integrated Services Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 218. Not later than 30 days after the end of each fiscal quarter, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a report on the financial status of the Department of Veterans Affairs for the preceding quarter: *Provided*, That, at a minimum, the report shall include the direction contained in the explanatory statement described in section 4 in the matter preceding division A of the Consolidated Appropriations Act, 2016, P. L. 114–113 in title II of Division J of the consolidated Act in the paragraph entitled ''Quarterly Report'', under the heading ''General Administration''.

(INCLUDING TRANSFER OF FUNDS)

SEC. 219. Amounts made available under the ''Medical Services'', ''Medical Community Care'', ''Medical Support and Compliance'', ''Medical Facilities'', ''General Operating Expenses, Veterans Benefits Administration'', ''General Administration'', and ''National Cemetery Administration'' accounts for fiscal year 2017 may be transferred to or from the ''Information Technology Systems'' account: *Provided*, That such transfers may not result in a more than 10 percent aggregate increase in the total amount made available by this Act for the ''Information Technology Systems'' account: *Provided further*, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2017 for ''Medical Services'', ''Medical Support and Compliance'', ''Medical Facilities'', ''Construction, Minor Projects'', and ''Information Technology Systems'', up to $274,731,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress: *Provided further*, That section 223 of title II of Division J of Public Law 114–113 is repealed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 221. Of the amounts appropriated to the Department of Veterans Affairs which become available on October 1, 2017, for ''Medical Services'', ''Medical Community Care'', ''Medical Support and Compliance'', and ''Medical Facilities'', up to $280,802,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 222. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500) shall also be available: (1) for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571); and (2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

(INCLUDING TRANSFER OF FUNDS)

SEC. 223. Of the amounts available in this title for ''Medical Services'', ''Medical Community Care'', ''Medical Support and Compliance'', and ''Medical Facilities'', a minimum of $15,000,000 shall be transferred to the DOD–VA Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

SEC. 224. The Secretary of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in a major construction project that total at least $5,000,000, or 5 percent of the programmed amount of the project, whichever is less: *Provided*, That such notification shall occur within 14 days of a contract identifying the programmed amount: *Provided further*, That the Secretary shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 225. None of the funds made available for ''Construction, Major Projects'' may be used for a project in excess of the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations unless the Secretary of Veterans Affairs receives approval from the Committees on Appropriations of both Houses of Congress.

SEC. 226. Of the funds provided to the Department of Veterans Affairs for fiscal year 2017 for ''Medical Support and Compliance'', a maximum of $40,000,000 may be obligated from the ''Medical Support and Compliance'' account for the VistA Evolution and electronic health record interoperability projects: *Provided*, That funds in addition to these amounts may be obligated for the VistA Evolution and electronic health record interoperability projects upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

SEC. 227. The Secretary of Veterans Affairs shall provide written notification to the Committees on Appropriations of both Houses of Congress 15 days prior to organizational changes which result in the transfer of 25 or more full-time equivalents from one organizational unit of the Department of Veterans Affairs to another.

SEC. 228. The Secretary of Veterans Affairs shall provide on a quarterly basis to the Committees on Appropriations of both Houses of Congress notification of any single national outreach and awareness marketing campaign in which obligations exceed $2,000,000.

(INCLUDING TRANSFER OF FUNDS)

SEC. 229. The Secretary of Veterans Affairs, upon determination that such action is necessary to address needs of the Veterans Health Administration, may transfer to the ''Medical Services'' account any discretionary appropriations made available for fiscal year 2017 in this title (except appropriations made to the ''General Operating Expenses, Veterans Benefits Administration'' account) or any discretionary unobligated balances within the Department of Veterans Affairs, including those appropriated for fiscal year 2017, that were provided in advance by appropriations Acts: *Provided*, That transfers shall be made only with the approval of the Office of Management and Budget: *Provided further*, That the transfer authority provided in this section is in addition to any other transfer authority provided by law: *Provided further*, That no amounts may be transferred from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such authority to transfer may not be used unless for higher priority items, based on emergent healthcare requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by Congress: *Provided further*, That, upon determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation and shall be available for the same purposes as originally appropriated: *Provided further*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval of that request.

(INCLUDING TRANSFER OF FUNDS)

SEC. 230. Amounts made available for the Department of Veterans Affairs for fiscal year 2017, under the ''Board of Veterans Appeals'' and the ''General Operating Expenses, Veterans Benefits Administration'' accounts may be transferred between such accounts: *Provided*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval from such Committees for such request.

SEC. 231. The Secretary of Veterans Affairs may not reprogram funds among major construction projects or programs if such instance of reprogramming will exceed $5,000,000, unless such reprogramming is approved by the Committees on Appropriations of both Houses of Congress.

(RESCISSION OF FUNDS)

SEC. 232. Of the unobligated balances available within the ''DOD–VA Health Care Sharing Incentive Fund'', $30,000,000 are hereby rescinded.

(RESCISSIONS OF FUNDS)

SEC. 233. Of the discretionary funds made available in Public Law 114–113 for the Department of Veterans Affairs for fiscal year 2017, $266,760,000 are rescinded from ''Medical Services'', $52,031,000 are rescinded from ''Medical Support and Compliance'', and $18,591,000 are rescinded from ''Medical Facilities''.

SEC. 234. The amounts otherwise made available by this Act for the following accounts of the Department of Veterans Affairs are hereby reduced by the following amounts:

(1) ''Veterans Health Administration—Medical and Prosthetic Research'', $4,004,000.

(2) ''National Cemetery Administration'', $1,464,000.

(3) ''Departmental Administration—General Administration'', $1,250,000.

(4) ''Departmental Administration—Board of Veterans Appeals'', $1,214,000.

(5) ''Departmental Administration—General Operating Expenses, Veterans Benefits Administration'', $24,849,000.

(6) ''Departmental Administration—Information Technology Systems'', $12,535,000.

(7) ''Departmental Administration—Office of Inspector General'', $1,302,000.

SEC. 235. The Secretary of Veterans Affairs shall ensure that the toll-free suicide hotline under section 1720F(h) of title 38, United States Code—

(1) provides to individuals who contact the hotline immediate assistance from a trained professional; and

(2) adheres to all requirements of the American Association of Suicidology.

SEC. 236. (a) The Secretary of Veterans Affairs shall treat a marriage and family therapist described in subsection (b) as qualified to serve as a marriage and family therapist in the Department of Veterans Affairs, regardless of any requirements established by the Commission on Accreditation for Marriage and Family Therapy Education.

(b) A marriage and family therapist described in this subsection is a therapist who meets each of the following criteria:

(1) Has a masters or higher degree in marriage and family therapy, or a related field, from a regionally accredited program.

(2) Is licensed as a marriage and family therapist in a State (as defined in section 101(20) of title 38, United States Code) and possesses the highest level of licensure offered from the State.

(3) Has passed the Association of Marital and Family Therapy Regulatory Board Examination in Marital and Family Therapy.

SEC. 237. None of the funds made available by this Act may be used by the Secretary of Veterans Affairs to pay a performance award under section 5384 of title 5, United States Code.

SEC. 238. None of the funds made available by this Act may be used to end, suspend, or relocate hospital-based services with respect to a health care facility of the Department of Veterans Affairs that is—

(1) the subject of an environmental impact statement in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(2) designated as a National Historic Landmark by the National Park Service; and

(3) located in a highly rural area.

TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed $7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, $75,100,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, $30,945,000: *Provided*, That $2,500,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase or lease of passenger motor vehicles for replacement on a one-for-one basis only, and not to exceed $1,000 for official reception and representation expenses, $70,800,000, of which not to exceed $15,000,000 shall remain available until September 30, 2019. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the ''Lease of Department of Defense Real Property for Defense Agencies'' account.

ARMED FORCES RETIREMENT HOME

TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, $64,300,000, of which $1,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi: *Provided*, That of the amounts made available under this heading from funds available in the Armed Forces Retirement Home Trust Fund, $22,000,000 shall be paid from the general fund of the Treasury to the Trust Fund.

ADMINISTRATIVE PROVISIONS

SEC. 301. Funds appropriated in this Act under the heading ''Department of Defense—Civil, Cemeterial Expenses, Army'', may be provided to Arlington County, Virginia, for the relocation of the federally owned water main at Arlington National Cemetery, making additional land available for ground burials.

SEC. 302. Amounts deposited into the special account established under 10 U.S.C. 4727 are appropriated and shall be available until expended to support activities at the Army National Military Cemeteries.

TITLE IV

OVERSEAS CONTINGENCY OPERATIONS

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For an additional amount for ''Military Construction, Army'', $18,900,000, to remain available until September 30, 2021, for projects outside of the United States: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

□ 2340

PARLIAMENTARY INQUIRY

Mr. MULVANEY of South Carolina. Mr. Chair, parliamentary inquiry.

The CHAIR. The gentleman will state his parliamentary inquiry.

Mr. MULVANEY of South Carolina. Where are we?

The CHAIR. The bill has been read through page 65, line 1.

Mr. MULVANEY of South Carolina. Mr. Chair, that was the quickest 25 pages I have heard in a long time.

AMENDMENT OFFERED BY MR. MULVANEY

Mr. MULVANEY. Mr. Chair, I have an amendment at the desk. Actually, I have four consecutive amendments at the desk.

Mr. DENT. Mr. Chair, I reserve a point of order on the gentleman's amendment.

The CHAIR. A point of order is reserved.

PARLIAMENTARY INQUIRY

Mr. MULVANEY. Mr. Chair, parliamentary inquiry.

The CHAIR. The gentleman will state his parliamentary inquiry.

Mr. MULVANEY. Is it possible, with the approval of the gentleman who is controlling the time for the majority, to combine amendment Nos. 1, 2, 3, and 4 into a single amendment?

The CHAIR. The amendments could be considered together by unanimous consent.

Mr. DENT. Mr. Chair, I respectfully object. We haven't seen any of the amendments yet; so I think we should just proceed in the regular order.

The CHAIR. Objection is heard.

The Clerk will report the amendment.

The Clerk read as follows:

Strike page 65, lines 1–11.

The CHAIR. Pursuant to House Resolution 736, the gentleman from South Carolina (Mr. MULVANEY) and a Member opposed each will control 5 minutes.

PARLIAMENTARY INQUIRY

Mr. BISHOP of Georgia. Mr. Chair, parliamentary inquiry.

The CHAIR. The gentleman will state his parliamentary inquiry.

Mr. BISHOP of Georgia. Do we have the text of the amendment?

The CHAIR. Copies will be made available. They are being distributed now.

Mr. DENT. Mr. Chair, I reserve a point of order until we get the amendments.

The CHAIR. A point of order is reserved.

The Chair recognizes the gentleman from South Carolina.

Mr. MULVANEY of South Carolina. Mr. Chair, I have four consecutive amendments that are all very closely intertwined. There are actually four simply for procedural matters that I offered originally as one. I am going to argue all of them together essentially at one time because this is what they do: they get rid of the OCO budget. That is it. They get rid of the OCO budget. Title IV of this bill is the OCO budget, and my amendments seek to simply be done with this thing.

Mr. Chair, it has turned into a slush fund. That is not me saying that, by the way. That is folks from both Republican and Democrat administrations, together, saying that is what this is. It may have started with the best of intentions. It may have started out of absolute necessity. It may have been a good thing when it started, but we all know what it is now, which is a place to hide money and a way to get around spending caps. That is it.

Mr. Chair, I hope I get a chance over the course of the next couple of appropriations bills to talk more about the OCO and more about specific examples of how it is abused. We actually now admit that we abuse it. We admit that there is money in the OCO budget that has nothing to do with overseas contingency operations. We admit that there is money in the OCO budget right now that has nothing to do with waging war overseas.

We admit that we abuse this particular account. Why? Because we can and because it is very difficult to vote against the troops. That is not the right way to appropriate money.

JOHN MCCAIN, a man with whom I usually disagree on many, many things, has actually said this is not the way to appropriate money for MILCON–VA, for the DOD. For anything that has to do with defense, this is not the proper way to do it. Mr. Chair, in fact, as we look at the individual sections, it gets even worse.

In this first section that deals with the Army, we are appropriating $18.9 million for no one knows what. There is no indication whatsoever as to what we are spending this money on. The language is very straightforward. It reads that we are going to go and appropriate $18.9 million to remain available until September 30, 2021, for projects outside the United States. Period. That is it. $19 million with absolutely no indication of where it is being spent. In fact, we don't even have to spend it next year. We can spend it anytime we want to over the next 5 years. As long as it is outside of the United States, we are approving its expenditure.

By the way, you can go down to the next line where the same is true of the $59.8 million for the Marine Corps construction, of the $88.2 million for the Air Force construction, and then of the $5 million for military construction defensewide.

There is no indication of how this money is being spent. There is no limitation on when it is spent other than we have to spend it in 5 years, and there is no indication on where it is going to be spent other than it has to be outside of the United States. That is it. It is hard for me to imagine an example of a less accountable, a less transparent way for us to spend money in this country.

I have been spending some time on this for the last couple of years. I have always thought that this was a bad way for us to operate. I know that, every single year, we gather a couple more in adherence to that belief. We get a couple more votes every single year—folks who are finally waking up to the fact that, listen, we need to spend money on the military, that we need to spend money on the defense of this Nation. It is one of the few things we are affirmatively charged with in our Constitution, but this is not the way to do it.

We can't lie to people back home about how much money we are spending. We can't lie to people back home about what the deficit is going to be. We certainly can't lie to them about where they are spending their money. Let's stop doing it this way and start doing it properly.

Mr. Chair, for that reason, I encourage the support for this amendment.

I reserve the balance of my time.

Mr. DENT. Mr. Chair, I rise in opposition to the gentleman's amendment.

The CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. DENT. Mr. Chair, I rise in opposition to the gentleman's amendment for a few reasons.

The OCO money in this bill totals $172 million. He is correct, it is about $18.9 million for the Army.

Much of this money is going to support counterterrorism efforts and the European Reassurance Initiative. We are going to be using this money for, obviously, infrastructure and for the prepositioning of assets. Given the real threats we are facing in Europe from Vladimir Putin, we need to make sure that we are reassuring our allies in Eastern Europe.

This subcommittee recently visited Eastern Europe—Poland, Lithuania, Germany—where we heard from General Breedlove, the Supreme Allied Commander of NATO, talk about the need for this initiative. I think it is imperative that we reassure our allies in Eastern Europe, who are staring down—who are facing a very real threat—from Vladimir Putin's aggression in Ukraine, and we are deeply concerned that his expansionist ambitions may move into the Baltic.

This is extremely important, this OCO funding. I urge my colleagues to reject any reduction in the OCO funding for the men and women of the American Army.

I withdraw my reservation of a point of order, and I reserve the balance of my time.

□ 2350

The CHAIR. The reservation of the point of order is withdrawn.

Mr. MULVANEY. Mr. Chair, how much time do I have remaining?

The CHAIR. The gentleman from South Carolina has 1 minute remaining.

Mr. MULVANEY. Mr. Chair, it is hard to argue with that. This money is going for counterterrorism. It is going for the preposition of assets. It is going for reassuring our allies. It is going to combat Mr. Putin or constrain him in Ukraine. I am a little hard pressed as to how $178-odd-million is going to do all of those things.

Face it, we have to take the gentleman's word for it. And as much as I trust the gentleman, why isn't that in the document? Why doesn't it say $18.9 million for this counterterrorism program or that repositioning of assets? It doesn't say that. We have no idea what this money is for. None whatsoever.

Mr. Chairman, I thank the gentleman from Pennsylvania, and I appreciate the opportunity to have my say.

I yield back the balance of my time.

Mr. DENT. Mr. Chairman, I would like to point out that where this money is going to be expended is in the report, and it is also online in many of the budget documents. So the information is available where the money is actually going to be spent. I just wanted to share that.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. MULVANEY. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from South Carolina will be postponed.

The Clerk will read.

The Clerk read as follows:

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for ''Military Construction, Navy and Marine Corps'', $59,809,000, to remain available until September 30, 2021, for projects outside of the United States: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AMENDMENT OFFERED BY MR. MULVANEY

Mr. MULVANEY. Mr. Chair, I have an amendment at the desk. I indicated before, I have had my say. We are going to go through the motions on the next three.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike page 65, lines 12–20.

The CHAIR. Pursuant to House Resolution 736, the gentleman from South Carolina and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. MULVANEY. Mr. Chairman, I have had my say. I move approval.

I reserve the balance of my time.

Mr. DENT. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. DENT. Mr. Chair, this money, I guess, would strike the OCO funding for the Navy. The money for the Navy is going to be used in Djibouti, I believe, for a runway and also for a medical and dental facility for our troops.

So I, again, respectfully oppose the gentleman's amendment.

I reserve the balance of my time.

Mr. MULVANEY. Mr. Chair, I yield back the balance of my time.

Mr. DENT. Mr. Chair, I yield to the gentleman from Georgia (Mr. BISHOP).

Mr. BISHOP of Georgia. Mr. Chair, I want to associate myself with the gentleman from Pennsylvania in opposition to the amendment.

Mr. DENT. Mr. Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. MULVANEY. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from South Carolina will be postponed.

The Clerk will read.

The Clerk read as follows:

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for ''Military Construction, Air Force'' $88,291,000, to remain available until September 30, 2021, for projects outside of the United States: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AMENDMENT OFFERED BY MR. MULVANEY

Mr. MULVANEY. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike page 65, line 21 through page 66, line 3.

The CHAIR. Pursuant to House Resolution 736, the gentleman from South Carolina and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. MULVANEY. Mr. Chair, I move approval.

I reserve the balance of my time.

Mr. DENT. Mr. Chairman, I claim the time in opposition to the amendment.

Mr. CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. DENT. Mr. Chair, this funding, I believe, for the Air Force, this is going to be directed toward Bulgaria, Spangdahlem, Iceland, Poland, Lithuania, and Estonia.

Again, I oppose the amendment. It is very important to our allies, particularly as it relates to the European Reassurance Initiative.

I reserve the balance of my time.

Mr. MULVANEY. Mr. Chair, I yield back the balance of my time.

Mr. DENT. Mr. Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. MULVANEY. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from South Carolina will be postponed.

The Clerk will read.

The Clerk read as follows:

MILITARY CONSTRUCTION, DEFENSE-WIDE

For an additional amount for ''Military Construction, Defense-Wide'', $5,000,000, to remain available until September 30, 2021, for projects outside of the United States: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AMENDMENT OFFERED BY MR. MULVANEY

Mr. MULVANEY. Mr. Chair, I have an amendment at the desk, No. 4.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike page 66, line 4–11.

The CHAIR. Pursuant to House Resolution 736, the gentleman from South Carolina and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. MULVANEY. Mr. Chair, I move approval.

I reserve the balance of my time.

Mr. DENT. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. DENT. Mr. Chair, I oppose the amendment.

I reserve the balance of my time.

Mr. MULVANEY. Mr. Chair, I yield back the balance of my time.

Mr. DENT. Mr. Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. MULVANEY. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from South Carolina will be postponed.

The Clerk will read.

The Clerk read as follows:

TITLE V

GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 503. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of ''E-Commerce'' technologies and procedures in the conduct of their business practices and public service activities.

SEC. 504. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 505. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

SEC. 506. None of the funds made available in this Act may be used for a project or program named for an individual serving as a Member, Delegate, or Resident Commissioner of the United States House of Representatives.

SEC. 507. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains confidential or proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 508. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 509. None of the funds made available in this Act may be used by an agency of the executive branch to pay for first-class travel by an employee of the agency in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 510. None of the funds made available in this Act may be used to execute a contract for goods or services, including construction services, where the contractor has not complied with Executive Order No. 12989.

SEC. 511. None of the funds made available by this Act may be used by the Department of Defense or the Department of Veterans Affairs to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

SEC. 512. (a) IN GENERAL.—None of the funds appropriated or otherwise made available to the Department of Defense in this Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantánamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

SEC. 513. Unobligated balances of amounts appropriated under title VI of the Departments of Labor, Health and Human Services, Education and Related Agencies Appropriations Act, 2015 (division G of Public Law 113–235) and title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235) shall also be available for necessary expenses to prevent, prepare for, and respond to Zika virus, domestically and internationally: *Provided*, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

SPENDING REDUCTION ACCOUNT

SEC. 514. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is $0.

Mr. DENT. Mr. Chair, I move to strike the last word.

The CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. DENT. Mr. Chair, I yield to the gentleman from Ohio (Mr. WENSTRUP).

Mr. WENSTRUP. Mr. Chairman, I would like to raise some concerns I have about VA's efforts to streamline the catalog of surgical tools that are available to VA Medical Centers.

I share the VA's goals of increasing efficiency and purchasing power. However, I am concerned that there is a reliance on single-source contracts, and here is why: I believe single-award contracts are too limited and will reduce choice for surgeons.

As a surgeon myself, I know practitioners have specific preferences and a comfort for what tools work best in their hands. Surgical residents learn when they have more options, more techniques in front of them and innovations.

Often, when surgeons are restricted, they practice elsewhere. I am concerned that limiting surgeons' options will have an effect on the morale and retention of surgeons in the VA, and I think the last thing the VA needs right now is to lose more providers.

I also know that patients have different needs. Every surgery case is unique due to the individual patient anatomy, comorbidities, et cetera.

So I would just like to be assured that surgeons will have flexibility, which means more choice and better care for veterans and for our patients. Unfortunately, in my efforts to get this assurance, I get conflicting information from various sources within the VA.

Multiyear, single-award contracts are irreparable if we get them wrong. I would like to work with the chairman and the authorizing committee to conduct oversight on this issue to ensure that we do get this right because we can't lose more surgeons and we can't compromise care for our veterans.

□ 0000

Mr. DENT. Mr. Chair, reclaiming my time, I certainly understand the gentleman's sincere desire to provide better care to our veterans. As it relates to the single-source issue, single-source contracts, obviously he has a great deal of expertise. I would like to work with the gentleman to get more information about the issue and work with him, but also, again, I also commend him to the authorizers, who will have a great deal of say on this matter as well. I pledge to him my commitment to work with him to try to get to a better place on this matter.

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

AMENDMENT NO. 2 OFFERED BY MR. RATCLIFFE

Mr. RATCLIFFE. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title) insert the following:

SEC. ____. None of the funds made available by this Act may be used to propose, plan for, or execute a new or additional Base Realignment and Closure (BRAC) round.

The CHAIR. Pursuant to House Resolution 736, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. RATCLIFFE. Mr. Chairman, I would like to thank Chairman DENT and Ranking Member BISHOP for their hard work on behalf of servicemembers and veterans all across the country.

The Ratcliffe-MacArthur-Bost amendment that I am offering today with my colleagues, the gentleman from New Jersey (Mr. MACARTHUR) and the gentleman from Illinois (Mr. BOST), will prohibit any funds made available in this act from being used to propose, plan for, or execute a new or additional round of base realignment and closure, or BRAC.

My congressional district in northeast Texas is home to the Red River Army Depot, which has maintained a steadfast commitment to supporting America's Armed Forces since 1941. While the depot has endured many challenges over the years, it has remained dedicated to fulfilling its motto: ''We build it as if our lives depend on it. Theirs do.''

Not only is the depot a vital job creator, employing more than 5,000 people in northeast Texas and southern Arkansas, it is a critical component of

our national defense. The depot acts as an insurance policy for America's security, one capable of bolstering production in a manner that simply can't be duplicated by civilian industries. So the need for this amendment is clear.

In a fiscal environment where every penny is carefully scrutinized, we have to ensure that taxpayer dollars truly address our national security needs, and another round of BRAC certainly won't help us achieve this important goal. In addition to jeopardizing our defense readiness, BRAC has proven to be incredibly expensive. According to the Government Accountability Office, the last round of BRAC in 2005 cost the American taxpayers a whopping $35.1 billion. At the same time, the expected savings from the last round of BRAC haven't materialized, and those promised savings have since been revised downward by 73 percent.

Mr. Chairman, at a time when the terror threat level hovers at an all-time high, it is especially important that we do everything possible to ensure that our military is prepared for the call of duty. The amendment that I have introduced today does just that. I urge my colleagues to support it on behalf of the safety of our Armed Forces and the American people.

I yield to the chairman.

Mr. DENT. Mr. Chairman, I just want to say I have no objection to the gentleman's amendment, and I am prepared to accept it.

Mr. RATCLIFFE. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. RATCLIFFE).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. BLUMENAUER

Mr. BLUMENAUER. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to implement, administer, or enforce Veterans Health Administration directive 2011-004 (or directive of the same substance) with respect to the prohibition on ''VA providers from completing forms seeking recommendations or opinions regarding a Veteran's participation in a State marijuana program''.

The CHAIR. Pursuant to House Resolution 736, the gentleman from Oregon and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. BLUMENAUER. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, one of the great concerns we have is how the 2 million young Americans who were sent to Iraq and Afghanistan reintegrate back into society. Many of them return with wounds visible and invisible. We find that more than 20 percent of those 2.8 million American veterans suffer from PTSD and depression. A recent survey revealed that suicide rates among veterans are roughly 50 percent higher than among civilians. Another study found that the death rate for opioid overdoses among VA patients is nearly double the national average.

What I hear from veterans that I talk to is that an overwhelming number of them say that medical marijuana has helped them deal with PTSD, pain, and other conditions, particularly as an alternative to opioids, and I would argue that it is essential that veterans be allowed access to this as a treatment if it is legal in their State.

Twenty-four States, the District of Columbia, and Guam have passed laws that provide for legal access to medical marijuana at the recommendation of a physician to treat such conditions, ranging from seizures to glaucoma, anxiety, chronic pain, traumatic brain injury, and the symptoms associated with chemotherapy. Fourteen of these States specifically allow physicians to recommend medical marijuana for the symptoms of post-traumatic stress, PTSD.

As a result of these medical marijuana laws, more than 2 million patients across the country, including many of our veterans, now use medical marijuana. Unfortunately, the Department of Veterans Affairs specifically prohibits its medical providers from completing forms brought by their patients seeking recommendations regarding a veteran's participation in a State medical marijuana program. What this means is that those patients who want to pursue medical marijuana have to go ahead and hire a physician out of their own pocket, not dealing with the medical professional of their choice, the medical professional, their VA doctor, who knows them the best. I think that is unfortunate.

I have an amendment cosponsored by Dr. JOE HECK, SAM FARR, DANA ROHRABACHER, DINA TITUS, TOM REED, and others that would prohibit funds from being made available to the VA to implement this prohibition. I think it is the right thing to do for our veterans, to be able to treat them equitably, to enable them to have access to the doctor who knows them the best, giving them better treatment, and saving them money. I would respectfully request that we approve this amendment to eliminate this unjustified prohibition.

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

Mr. DENT. Mr. Chairman, I rise up somewhat reluctantly to my friend in opposition.

The CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. DENT. Mr. BLUMENAUER is a very genuine and sincere, very thoughtful Member of this body. I understand that the country is evolving on this issue, as many States, including my own, have moved forward on medical marijuana.

As a Member of this House, I am a bit uncomfortable, however, in trying to dictate policy on marijuana without guidance from the Food and Drug Administration, National Institutes of Health, and other medical professionals. That said, I reluctantly rise in opposition.

I reserve the balance of my time.

Mr. BLUMENAUER. Mr. Chairman, I am prepared to close. I am going to close when you have exhausted your speakers.

Mr. BISHOP of Georgia. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. Mr. Chairman, I support the amendment that is offered by Mr. BLUMENAUER. Last year in Georgia, the general assembly passed and Governor Deal signed legislation that immediately legalized the use of medical marijuana to treat serious medical conditions. Georgia became the 36th State plus Washington, D.C., to legalize marijuana extracts to treat illnesses.

I believe that we should not limit the Veterans Health Administration from providing optimal pain care for our veterans. If medical marijuana is legal in a State, then the VA should be able to discuss that treatment option and allow the veteran to make his or her own choice.

I believe that the VA's published policy guidance related to the use of medical marijuana by our veteran patients, VHA Directive 2010–035, Medical Marijuana, has become outdated. I believe that supporting a veteran's right to use alternative methods to deal with pain is the right thing to do.

Mr. Chairman, I support the amendment, and I urge its adoption.

I yield back the balance of my time.

□ 0010

Mr. DENT. Mr. Chairman, as I said, I reluctantly oppose the amendment, and I yield back the balance of my time.

Mr. BLUMENAUER. Mr. Chairman, there is nobody who I have more respect for than my friend, the chairman of the subcommittee. But I take modest exception.

This amendment does not dictate treatment options. It is not interfering, it is not superimposing anybody's judgment about the merits of marijuana. It simply enables VA doctors and patients to interact with State legal marijuana systems—systems that this Congress has repeatedly supported through amendment votes, just like everybody else.

We should not be limiting the treatment options available to our veterans.

I fail to understand what the basis is to force veterans in the State of Pennsylvania who feel that they need to avail themselves of medical marijuana, like any other citizen in Pennsylvania or in Oregon has a right to do, but force them to not use the doctor that knows them best; instead, go to somebody else, hire them out of their own pocket, and be engaging with somebody who doesn't know their full range of activity.

This doesn't engage the Veterans Administration. There is no marijuana on premises. It simply allows the doctor to be able to deal with the veteran, as a patient, to be able to counsel and potentially prescribe them, like any other person in any other State where it is legal.

Bear in mind that these people are suffering from PTSD, chronic pain, depression, conditions that medical marijuana is legally entitled to treat and which veterans, who I have met with literally from coast-to-coast, say has transformed their lives.

What we are doing now, they are dying at a higher rate than the average member of the population. Their suicide rate is high. Their opioid addiction rate is almost twice as high as the average citizen. I think that is unconscionable. We should have this amendment to try and help address it.

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

The CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. BLUMENAUER. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oregon will be postponed.

AMENDMENT OFFERED BY MR. FLEMING

Mr. FLEMING. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), add the following new section:

SEC. ____. None of the funds made available by this Act may be used to modify a military installation in the United States, including construction or modification of a facility on a military installation, to provide temporary housing for unaccompanied alien children.

The CHAIR. Pursuant to House Resolution 736, the gentleman from Louisiana and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. FLEMING. Mr. Chairman, my amendment would prohibit funds from being used to modify a military installation for the purpose of housing unaccompanied alien children.

Our military installations are for training and equipping soldiers to fight our Nation's wars. The use of DOD facilities to house unaccompanied alien children undermines the readiness of our Armed Forces, which we know to be in extremis at this point.

This amendment follows on from a provision included in the National Defense Authorization Act, passed out of the House Armed Services Committee, that prohibits unaccompanied alien children from being hosted on military installations. A similar standalone bill has also been introduced by Judge JOHN CARTER of Texas and has 61 cosponsors.

Under recent agreements made by the Department of Health and Human Services, the DOD has provided housing to unaccompanied alien children with certain requirements and preferences being requested by HHS that facilities be able to provide space for security fencing, service trailers, and potential soft-sided outdoor housing.

It is inappropriate for scarce defense dollars, meant to go for the readiness of our soldiers, to be used for nondefense purposes, especially at this time in our Nation's history when our readiness is so low.

Take, for example, the Army Air Defense and Artillery training site at Fort Sill, where unaccompanied minors were housed in 2014. These barracks were used by HHS, and resources had to be expended to ensure HHS contractors and the minors being hosted did not gain access to sensitive areas and live-fire training ranges.

Fort Hood was also on the short list for hosting unaccompanied minors in 2015. Because of this, the Texas National Guard was unable to stand up a training facility because the base was being considered to host these unaccompanied minors.

Our military infrastructure is in serious need of upgrading and construction dollars are scarce. Mr. Chairman, the slightest use of resources to modify an installation to meet nondefense missions jeopardizes the readiness of our Armed Forces.

Following on the prohibition placed in this year's House NDAA, I ask my colleagues to support my amendment.

I reserve the balance of my time.

Mr. DENT. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. DENT. Mr. Chairman, there are no projects in the FY 17 request for this purpose in the United States. There is $33 million in funds to support the naval station at Guantanamo Bay, Cuba, at the request of SOCOM, Southern Command, to deal with various issues of people, obviously, who were interdicting on the seas or arriving in Cuba.

But the point is, I don't want to preclude the Department of Defense from dealing with an emergency situation, should one arise in the U.S. So that is why I must oppose my friend's amendment.

I yield such time as he may consume to the gentleman from Georgia (Mr. BISHOP), my distinguished colleague and ranking member.

Mr. BISHOP of Georgia. I thank the gentleman for yielding.

Mr. Chair, we have an opportunity and an obligation to help migrant children who have come across the border to escape the problems with their homeland. The challenges of poverty and violence continue to grow, and it is a moral obligation and one that I support.

To not allow the use of military installations for temporary housing for migrants only exacerbates the problem. This is temporary. Why would we prohibit the use of bases only until the adjudication of a migrant's case, for example? Is my colleague suggesting that we immediately send migrant children back to the countries they fled without due process? Should we send them back to violence?

That is not what the United States stands for. It is not what the United States should stand for. It is not consistent with our country's Christian values.

I urge a ''no'' vote on this amendment, and I agree with the chairman.

Mr. DENT. Mr. Chairman, I reserve the balance of my time.

Mr. FLEMING. Mr. Chairman, may I inquire how much time I have?

The CHAIR. The gentleman from Louisiana has 2½ minutes remaining. The gentleman from Pennsylvania has 3 minutes remaining.

Mr. FLEMING. Mr. Chair, I thank my friends and colleagues for their comments and statements, but I simply have to disagree. Again, this is about military readiness, which we are at a low, low point.

We are getting all sorts of reports. We are having hearings from generals, commanders in the field, and generals at the Pentagon, telling us that they are scratching for every little penny they can find for readiness.

In fact, just the other night on FOX News, they talked about a Marine Corps F–18. They had to go to a museum just to find a part to put on that in order for it to go into service.

Look, if it is important to provide facilities for unaccompanied alien children, then the Appropriations Committee should appropriate those dollars. But they should not take them from the vital military facilities. They shouldn't take scarce dollars away from our readiness. As a result of that, again, I urge my colleagues to support the amendment.

I reserve the balance of my time.

Mr. DENT. Mr. Chair, I yield back the balance of my time.

Mr. FLEMING. Mr. Chair, again, I just ask my colleagues to support this.

This is common sense. We need to protect our soldiers, sailors, airmen, as well as marines. We need to make sure that they are safe out there, that every dollar is put into readiness to protect them, and it should not be diverted in this way. Again, I urge support of this amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. FLEMING).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. FLEMING. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Louisiana will be postponed.

□ 0020

AMENDMENT OFFERED BY MR. HUFFMAN

Mr. HUFFMAN. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title) insert the following:

SEC. ____. None of the funds made available by this Act may be used to implement section 8(d)(2) of the Department of Veterans Affairs National Cemetery Administration Directive 3220 of November 22, 2005.

The CHAIR. Pursuant to House Resolution 736, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. HUFFMAN. Mr. Chairman, I yield myself such time as I may consume.

I am pleased to offer this amendment to the 2017 MILCON-VA spending bill, and to stand today with my colleague, the gentleman from Arizona (Mr. GALLEGO), who has offered a standalone bill on this same subject, along with our colleague from Minnesota (Mr. ELLISON).

Last year, we all remember the tragic shooting at the Emanuel African Methodist Episcopal Church in Charleston, South Carolina, and how it reopened a painful but necessary national conversation about symbols like the Confederate battle flag that represent racism, slavery, and division.

Rightfully, leaders in South Carolina and other Southern States, Democrats and Republicans alike, joined together to call on their States to end the display of the Confederate battle flag on government property.

The Confederate battle flag, a symbol of hate and opposition to the United States of America, has no place, no place on government property, especially not at VA cemeteries, a place where families and loved ones go to pay respect to our Nation's veterans.

Over 150 years ago, slavery was abolished. Why in the year 2016 are we still condoning displays of this hateful symbol on our sacred national cemeteries?

Symbols like the Confederate battle flag have meaning. They are not just neutral, historical symbols of pride. They represent slavery, oppression, lynching, and hate.

To continue to allow national policy condoning the display of this symbol on Federal property is wrong, and it is disrespectful to what our country stands for and what our veterans fight for.

Mr. Chairman, it is past time to end the public promotion of this cruel, racist legacy of the Confederacy. So let us move forward in a direction of reconciliation, unity, and justice.

Symbols matter. Even General Robert E. Lee recognized that symbols of the Confederacy are symbols of treason, which is why he asked that they not appear at his funeral.

The United States House of Representatives, in 2016, should be at least as forward-looking as Robert E. Lee was in 1869.

Mr. MULVANEY. Mr. Chairman, I have an amendment to the amendment.

The CHAIR. The gentleman from California is under recognition.

Mr. HUFFMAN. I reserve a point of order.

The CHAIR. The gentleman from California is recognized on his pending amendment.

Mr. HUFFMAN. On the point of order?

The CHAIR. On his amendment.

Mr. HUFFMAN. Mr. Speaker, my point is that the House of Representatives, in 2016, should be at least as forward-looking as General Robert E. Lee was in 1869.

Let us do the right thing tonight in this House, and let's do it together, on a bipartisan basis.

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

Mr. MULVANEY. Mr. Chairman, I have an amendment to the amendment.

Mr. HUFFMAN. Mr. Chairman, I reserve a point of order.

The CHAIR. Will the gentleman send his amendment to the desk?

Mr. MULVANEY. Yes, sir.

Mr. Chairman, I withdraw my amendment.

Mr. HUFFMAN. Mr. Chairman, I reserve the balance of my time.

The CHAIR. Does any Member seek time in opposition to the amendment offered by the gentleman from California?

The gentleman from California may proceed on his amendment.

Mr. HUFFMAN. Mr. Chairman, I request an ''aye'' vote, and I respectfully yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. HUFFMAN).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. HUFFMAN. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT OFFERED BY MR. FITZPATRICK

Mr. FITZPATRICK. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title) insert the following:

SEC. ____. None of the funds made available in this Act may be used to procure the birth control known as Essure.

The CHAIR. Pursuant to House Resolution 736, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. FITZPATRICK. Mr. Speaker, I want to start by recognizing my colleague from Pennsylvania (Mr. DENT), the chairman of the subcommittee, for his diligence and his hard work in bringing this important bill to the floor and, more importantly, for his work on the bill, and listening to ideas coming from both sides of the aisle, and his fairness in considering all ideas as part of this bill. So I thank the gentleman for that.

□ 0030

I rise this evening in support of an amendment that is common sense. It is a no-brainer. What this amendment would do is say, if a medical device is under review by the FDA over concerns of its harmful impacts on women, the Federal Government shouldn't be spending taxpayer dollars to offer it to our Nation's veterans.

The medical device I am referring to is the permanent sterilization device, Essure. Essure is a permanent sterilization device that was approved by the FDA in 2002. However, since it was first approved, this device has caused irreparable harm to tens of thousands of women and their families.

FDA data shows that Essure has caused the death of at least four women and nearly 300 fetal deaths. Additionally, tens of thousands of women have reported other symptoms which are debilitating.

Over 25,000 women have joined together on Facebook to share their stories of how the Essure device has ruined their lives. They call themselves the Essure Sisters. They came together as a group because nobody believed them—for many, not even their doctors. They were told that this device was safe and there was no way the device caused their pain and other symptoms. But that proved to be wrong. We don't need another study. Their pain is real. Their stories are real. They have been ignored by their doctors, by the device manufacturer, and by the Food and Drug Administration.

I rise today as a voice for these women, to tell this Chamber that their stories are real, that their pain is real, and that their fight is real. Working with them over the last year, we have been able to force the FDA to call for yet another review of this flawed device, and this request was made by Democrats and Republicans in this Chamber.

Yet the product remains available, sometimes aggressively pushed. And, as it relates to this appropriations bill, Essure remains on the list of federally purchased devices. We know that this device has already harmed female veterans.

I want to give a direct quote from an Essure Sister and Operation Enduring Freedom veteran: ''I still live in massive chronic pain, and I'm on pain meds every day of my life. I cannot do the things I used to do with my children and my husband. Each day that I live with this newfound pain and suffering, I grow more and more disgusted at the fact that both he and I traveled to the war multiple times and made it home, only to have a device forced upon us that would ruin our lives and my health.''

Mr. Chairman, this amendment is not about women's reproductive decisions or a debate about contraceptives. It is about protecting our female veterans from being harmed by a device that we know has ruined the lives of thousands across this Nation. All I am saying is we should not allow the Department of Veterans Affairs to purchase and implant this dangerous device in our Nation's veterans.

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

Mr. DENT. Mr. Chairman, I rise in opposition of this amendment.

The CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. DENT. I do want to commend Mr. FITZPATRICK for his diligence and his attentiveness to his constituency. I know he feels very sincerely about this particular amendment. It is, of course, disturbing to hear adverse consequences of any drug or device, but we rely on the FDA to be the safety arbiter in these cases.

The VA simply follows FDA's approval of drugs and devices. If anyone wants to go to the source on this, then that individual should work through the Agriculture Subcommittee, which has jurisdiction over the Food and Drug Administration. But I believe it is not the proper role for Congress to act as doctors in this case, substituting what appears to be anecdotal evidence for the considered judgment of teams of independent doctors and physicians. We also shouldn't influence the marketing of birth control drugs and devices by targeting one particular manufacturer.

Again, I do understand my very good friend and colleague's sincere desire based on his conversations with constituents, but at the same time, I do think that we should let the medical experts determine the efficacy or the safety of a particular device in this case. So, again, I have to rise in opposition.

Mr. Chairman, I yield to the gentleman from Georgia (Mr. BISHOP).

Mr. BISHOP of Georgia. Mr. Chairman, I thank the gentleman for yielding.

I join my chairman in opposing this amendment. Why has my colleague again started the war on women's rights? Why is the gentleman getting involved in the contraception choices of women veterans?

Under VA Directive 1331, it is the policy of the VA to provide elective sterilization, for example, salpingectomy, tubal occlusion procedures, vasectomy, and surgery to reverse elective sterilization to eligible veterans as part of contraceptive and infertility services.

I don't see my colleague from Pennsylvania calling for a ban of funding vasectomies or even a tubal ligation, getting tubes tied. Both of these are procedures currently allowed. If a woman has decided that she is seeking permanent birth control, why is Congress going to mandate that she undergo a surgical procedure?

It is important to recognize that family planning is the most effective way to prevent abortion and unwanted pregnancies. Study after study show that when women have access to contraceptives, the incidence of abortion decreases. Family planning programs are an extremely effective way to support women in improving their own health and that of their families. Why would anyone insist on government interference in providing health care to women?

This amendment also demonstrates the deeply troubling and partisan approach on issues affecting women and families.

Mr. Chairman, I urge my colleagues to vote ''no'' on this amendment.

Mr. DENT. Mr. Chairman, I yield back the balance of my time.

Mr. FITZPATRICK. In closing, Mr. Chairman, I would say, with all due respect, this is about a dangerous medical device, and there are men and women on both sides of the aisle here in the House of Representatives that have called on the FDA to withdraw the device from the market. There are other options.

Mr. Chairman, I appreciate the time on the floor tonight.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. FITZPATRICK).

The amendment was rejected.

AMENDMENT OFFERED BY MR. GRAYSON

Mr. GRAYSON. Mr. Chairman, I have an amendment at the desk, Grayson No. 1.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to enter into a contract with any offeror or any of its principals if the offeror certifies, as required by Federal Acquisition Regulation, that the offeror or any of its principals:

(A) within a three-year period preceding this offer has been convicted of or had a civil judgment rendered against it for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contract or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property; or

(B) are presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated above in subsection (A); or

(C) within a three-year period preceding this offer, has been notified of any delinquent Federal taxes in an amount that exceeds $3,000 for which the liability remains unsatisfied.

Mr. GRAYSON (during the reading). Mr. Chair, I ask unanimous consent that the reading be waived.

The CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIR. Pursuant to House Resolution 736, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chairman, this amendment is identical to other amendments that have been inserted by voice vote into every appropriations bill considered under an open rule during the 113th and 114th Congresses.

My amendment expands the list of parties with whom the Federal Government is prohibited from contracting due to serious misconduct on the part of the contractors. I hope that this amendment will remain noncontroversial and be passed unanimously again by the House.

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

Mr. DENT. Mr. Chairman, I rise in opposition, although I have no objection.

The CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. DENT. Mr. Chairman, again, I have no objection to the gentleman's amendment. He offered the same amendment last year, and it passed by voice vote. So I certainly urge adoption of the amendment.

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

Mr. GRAYSON. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. GRAYSON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BOUSTANY

Mr. BOUSTANY. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. (a) None of the funds made available by this Act may be used to pay any bonus or monetary award under chapter 45 or 53 of title 5, United States Code, to an employee of the Chief Business Office of the Department of Veterans Affairs who is responsible for processing emergency medical care claims until the percentage of emergency medical care claims processed within 30 days reaches 90 percent.

(b) The Secretary of Veterans Affairs shall submit quarterly data to Congress on the following:

(1) The total number of emergency medical claims and the total number of billed charges for such claims.

(2) The total number of emergency medical claims and billed charges for such claims pending for more than 30 days.

(3) The number of veterans with unpaid claims under consideration in each Veterans Integrated Service Network.

(4) The percent of clean claims processed within 30 days.

□ 0040

Mr. DENT. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIR. A point of order is reserved.

Pursuant to House Resolution 736, the gentleman from Louisiana and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. BOUSTANY. Mr. Chairman, our veterans have put their lives on the line to protect this country. The very least we can do is keep our promise to take care of them when they return home.

But since the passage of the Veterans Access, Choice, and Accountability Act of 2014, the VA has demonstrated little progress in addressing the emergency medical claims processing backlog hurting our veterans.

When I pressured the VA for statistics on this issue last year, the VA was processing only 14 percent of the claims within 30 days in my home region—14 percent. Since that time, the VA has conveniently loosened their timely processing goal from 30 days to 45 days, making it impossible to measure real progress.

Despite this change in internal procedure, not a single VISN has reached a satisfactory timely processing rate. When these claims are not paid on time by the VA, the bill often gets passed onto the veteran—in many cases, threatening their personal credit rating. This is just unacceptable.

While the VA wants to claim it is making progress by changing internal metrics to cook the numbers, it has taken constant pressure from my office, providers, and veterans groups just to get this agency to pay attention and try to do their job.

American veterans should never have to worry about calling an ambulance or taking a trip to the emergency room and wondering whether this will hurt their finances. They should be focused on their health and their recovery.

My amendment is very simple. It prevents the VA from granting bonuses to its emergency medical care claims processing staff until the percentage of claims processed within 30 days reaches 90 percent.

Mr. Chairman, no business in my home State of Louisiana, or anywhere in this country, would ever think about rewarding its employees for such a poor performance. It has to change. We must demand the highest standard for America's veterans. I encourage my colleagues to hold the VA accountable and support this amendment.

I reserve the balance of my time.

POINT OF ORDER

Mr. DENT. Mr. Chairman, I insist on my point of order.

The CHAIR. The gentleman will state his point of order.

Mr. DENT. Mr. Chair, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and, accordingly, violates clause 2 of rule XXI.

The rule states in pertinent part: ''An amendment to a general appropriation bill shall not be in order if changing existing law.''

The amendment gives affirmative direction in effect.

So I would ask for a ruling from the Chair.

The CHAIR. Does the gentleman from Louisiana wish to be heard on the point of order?

Mr. BOUSTANY. Mr. Chairman, I respect the gentleman's call on this with regard to the rules. I would just hope that the members of the subcommittee, as well as my colleagues in the House, would work with us to solve this problem once and for all. This is unacceptable.

Veterans are getting hurt day in and day out. Their credit ratings are suffering. This is one more egregious example——

The CHAIR. The gentleman's remarks must be confined to the point of order.

Mr. BOUSTANY. I am not going to defy the point of order. I understand the rule.

The CHAIR. Does the gentleman wish to withdraw his amendment?

Mr. BOUSTANY. No.

The CHAIR. Or would the gentleman like a ruling on the point of order?

Mr. BOUSTANY. I would like a ruling on the point of order.

The CHAIR. The Chair is prepared to rule.

The Chair finds this amendment includes language imparting direction; namely, by requiring the Secretary of Veterans Affairs to submit quarterly data to Congress.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

PARLIAMENTARY INQUIRY

Mr. BOUSTANY. Mr. Chairman, I have a parliamentary inquiry.

The CHAIR. The gentleman will state his parliamentary inquiry.

Mr. BOUSTANY. Right here it says ''waives all points of order against consideration of the bill.''

Can I seek a clarification on this?

Clause 2(e) of rule XXI.

The CHAIR. The point of order was sustained under clause 2.

Mr. BOUSTANY. The base bill, right?

The CHAIR. 2(c) of rule XXI.

Mr. BOUSTANY. Thank you.

AMENDMENT OFFERED BY MR. GOHMERT

Mr. GOHMERT. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this act may be used to establish, maintain, employ, or enter into any contract or agreement with any organization, including a political party, that endorsed, embraced, or encouraged any form of slavery, nor to display the name of such organization nor to have its name displayed in any facility in which or for which funds made available in this act are used.

Mr. BISHOP of Georgia. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIR. A point of order is reserved.

Pursuant to House Resolution 736, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. GOHMERT. Mr. Chairman, it should be pretty straightforward. My friends on the other side of the aisle continue to push forward amendments that seem to want to leave the appearance that the Republican Party still wants to retain some fight that it has never had. The Republican Party opposed slavery. The Republican Party and everybody that I know of in this Chamber on this side of the aisle has never supported slavery, has never supported anything that wreaks of slavery.

Daniel Webster, John Quincy Adams, all of those early leaders in this country, had it very right—it is an abomination. It kept God from blessing this country.

I am surprised that anyone would wish to reserve a point of order to try to prevent this amendment from going forward. Anything, as my friends across the aisle have repeatedly pointed out, that reminds people of slavery is repugnant and is abhorrent, and I would think that that is something that we could all agree on.

If it is an organization that supported slavery, then why would we want to give that organization any more credence and cause those who may have lived through the vestiges of the civil rights problems that lasted after slavery?

It is time to put this to an end and let the dream of Dr. King finally come to fruition.

I reserve the balance of my time.

POINT OF ORDER

Mr. BISHOP of Georgia. Mr. Chairman, I must insist on my point of order.

The CHAIR. The gentleman will state his point of order.

Mr. BISHOP of Georgia. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and, therefore, violates clause 2 of rule XXI.

The rule states in pertinent part: ''An amendment to a general appropriation bill shall not be in order if changing existing law.''

The amendment requires a new determination.

I ask for a ruling from the Chair.

The CHAIR. Does any other Member wish to speak to the point of order?

□ 0050

Mr. GOHMERT. I would address the point of order in that it really doesn't require any new act or law or activity. The thing should speak for itself unless my friend across the aisle has some concerns that some organization he wants to protect has supported slavery, and he is seeking to protect that. Otherwise, the law will speak for itself as does this amendment.

The CHAIR. The Chair is prepared to rule.

The Chair finds that this amendment includes language requiring a new determination of whether an organization had ''embraced'' any form of slavery.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

Mr. GOHMERT. Mr. Speaker, I appeal the ruling of the Chair, but given the hour, the fact that there aren't that many of us here on the floor at this time, that it would require a quorum and would require under the rules an immediate vote, what I will do is withdraw my amendment at this time. I am assured that we will still be taking up limitation amendments in the morning, and I can offer it at that time without dragging all of our friends out of their places of repose at this time.

The CHAIR. The amendment has been ruled out of order. The appeal is withdrawn.

Mr. DENT. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PERRY) having assumed the chair, Mr. COLLINS of Georgia, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4974) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2017, and for other purposes, had come to no resolution thereon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SWALWELL of California (at the request of Ms. PELOSI) for today and the balance of the week on account of a family health emergency.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2840. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize COPS grantees to use grant funds for active shooter training, and for other purposes; to the Committee on the Judiciary.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 4923. An Act to establish a process for the submission and consideration of petitions for temporary duty suspensions and reductions, and for other purposes.

H.R. 4957. An Act to designate the Federal building located at 99 New York Avenue, N.E., in the District of Columbia as the ''Ariel Rios Federal Building''.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 1492. An act to direct the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska.

S. 2143. An act to provide for the authority for the successors and assigns of the Starr-Camargo Bridge Company to maintain and operate a toll bridge across the Rio Grande near Rio Grande City, Texas, and for other purposes.

ADJOURNMENT

Mr. COLLINS of Georgia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 56 minutes a.m.), under its previous order, the House adjourned until today, Thursday, May 19, 2016, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5361. A letter from the Under Secretary, Comptroller, Department of Defense, transmitting a letter reporting multiple violations of the Antideficiency Act, Army case number 12-07, pursuant to 31 U.S.C. 1351; Public Law 97-258; (96 Stat. 926); to the Committee on Appropriations.

5362. A letter from the Principal Deputy Assistant Secretary, Readiness, Department of Defense, transmitting the annual Reserve Component Equipment Report for fiscal year 2017, pursuant to 10 U.S.C. 10543(c); Public Law 104-201, Sec. 1257(a)(1) (as amended by Public Law 112-81, Sec. 1064(11)); (125 Stat. 1587); to the Committee on Armed Services.

5363. A letter from the Principal Deputy Assistant Secretary, Readiness, Department of Defense, transmitting the National Guard and Reserve Equipment Report for Fiscal Year 2017, pursuant to 10 U.S.C. 10541(a); Public Law 101-510, Sec. 1483(a) (as amended by Public Law 112-81, Sec. 1070); (125 Stat. 1592); to the Committee on Armed Services.

5364. A letter from the Assistant Secretary, Legislative Affairs, Department of Defense, transmitting additional legislative proposals that the Department of Defense requests be enacted during the second session of the 114th Congress; to the Committee on Armed Services.

5365. A letter from the Under Secretary, Acquisition, Technology, and Logistics, Department of Defense, transmitting the Budget Material Corrosion Reports for FY 2015; to the Committee on Armed Services.

5366. A letter from the Assistant Secretary, Office of Electricity Delivery and Energy Reliability, Department of Energy, transmitting the report on Securing the United States Power Grid as required by House Report 113-486; to the Committee on Energy and Commerce.

5367. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Requirements for the Submission of Data Needed To Calculate User Fees for Domestic Manufacturers and Importers of Cigars and Pipe Tobacco [Docket No.: FDA-2012-N-0920] (RIN: 0910-AG81) received May 16, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5368. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Antimicrobial Animal Drug Sales and Distribution Reporting [Docket No.: FDA-2012-N-0447] (RIN: 0910-AG45) received May 16, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5369. A letter from the Assistant Secretary for Legislation, Office of the Secretary, Department of Health and Human Services, transmitting a report entitled ''United States Tobacco Product Exports That Do Not Conform to Tobacco Product Standards'', pursuant to Sec. 801(p)(1) of the Federal Food, Drug, and Cosmetic Act; to the Committee on Energy and Commerce.

5370. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Secretary's determination that five countries are not cooperating fully with U.S. antiterrorism efforts: Eritrea, Iran, Democratic People's Republic of Korea, Syria, and Venezuela, pursuant to 22 U.S.C. 2781(b); Public Law 90-629, Sec. 40A (as added Public Law 104-132, Sec. 330); (110 Stat. 1258); to the Committee on Foreign Affairs.

5371. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a determination and certification to waive for a period of six months the restrictions of Sec. 1003 of Public Law 100-204, pursuant to Public Law 114-113, Sec. 7041(j)(2)(B)(i); (129 Stat. 2780); to the Committee on Foreign Affairs.

5372. A letter from the Director, International Cooperation, Office of the Under Secretary of Defense, Acquisition, Technology and Logistics, Department of Defense, transmitting the Department's intent to sign a Project Agreement between the Department of Defense of the United States of America and the Ministry of Defense of the State of Israel, Transmittal No. 14-16, pursuant to Sec. 27(f) of the Arms Export Control Act and Executive Order 13637; to the Committee on Foreign Affairs.

5373. A letter from the Director, International Cooperation, Office of the Under Secretary of Defense, Acquisition, Technology and Logistics, Department of Defense, transmitting the Department's intent to sign the AEGIS Combat System Project Agreement No. Three between the Department of Defense of the United States of America and the Minister of Defense of the Kingdom of Spain, Transmittal No. 11-16, pursuant to Sec. 27(f) of the Arms Export Control Act, and Executive Order 13637; to the Committee on Foreign Affairs.

5374. A letter from the Director, International Cooperation, Acquisition, Technology, and Logistics, Office of the Under Secretary, Department of Defense, transmitting the Department's intent to sign a Project Arrangement Between the Department of Defense of Australia and the Department of Defense of the United States of America, pursuant to 22 U.S.C. 2767(f); Public Law 90-629, Sec. 27(f) (as amended by Public Law 113-27 6, Sec. 208(a)(4)); (128 Stat. 2993); to the Committee on Foreign Affairs.

5375. A letter from the Special Inspector General for Afghanistan Reconstruction, transmitting the thirty-first quarterly report to Congress on Afghanistan Reconstruction, in accordance with Sec. 1229 of Public Law 110-181; to the Committee on Foreign Affairs.

5376. A letter from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's semiannual report for the period of October 1, 2015 through March 31, 2016, pursuant to Sec. 5 of the Inspector General Act of 1978, as amended; to the Committee on Oversight and Government Reform.

5377. A letter from the Sr. VP, Chief Financial Officer and Treasurer, Potomac Electric Power Company, transmitting the Balance Sheet of Potomac Electric Power Company as of December 31, 2015, pursuant to D.C. Code Ann. Sec. 34-1113 (2001); to the Committee on Oversight and Government Reform.

5378. A letter from the Inspector General, U.S. House of Representatives, transmitting the Management Advisory Report — Procurement Process Review, Report No. 16-CAO-05; to the Committee on House Administration.

5379. A letter from the Director, Office of Financial Management, United States Capitol Police, transmitting the Statement of Disbursements for the United States Capitol Police for the period of October 1, 2015 through March 31, 2016, pursuant to 2 U.S.C. 1910(a); Public Law 109-55, Sec. 1005; (119 Stat. 575) (H. Doc. No. 114–136); to the Committee on House Administration and ordered to be printed.

5380. A letter from the Secretary, Department of the Treasury, transmitting a follow up letter regarding Puerto Rico's debt crisis; to the Committee on Natural Resources.

5381. A letter from the Controller, National Society Daughters of the American Revolution, transmitting the Audited Financial Statements for the year ended December 31, 2015, pursuant to Public Law 88-504; to the Committee on the Judiciary.

5382. A letter from the Staff Director, United States Sentencing Commission, transmitting a report on the compliance of the federal district courts with the documentation submission requirements, pursuant to 28 U.S.C. 994(w)(3); Public Law 98-473, Sec. 217(a) (as amended by Public Law 108-21, Sec. 401); (117 Stat. 672); to the Committee on the Judiciary.

5383. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report entitled ''Regarding the Incidental Capture of Sea Turtles in Commercial Shrimping Operations'', pursuant to Public Law 101-162, Sec. 609(b)(2); (103 Stat. 1038); jointly to the Committees on Natural Resources and Appropriations.

5384. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's summary presentation of final rules — Federal Acquisition Regulation; Federal Acquisition Circular 2005-88; Introduction [Docket No.: FAR 2016-0051, Sequence No.: 2] received May 16, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Armed Services, Oversight and Government Reform, and Science, Space, and Technology.

5385. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation: High Global Warming Potential Hydrofluorocarbons [FAC 2005-88; FAR Case 2014-026; Item I; Docket No.: 2014-0026; Sequence 1] (RIN: 9000-AM87) received May 16, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Armed Services, Oversight and Government Reform, and Science, Space, and Technology.

5386. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation: Simplified Acquisition Threshold for Overseas Acquisitions in Support of Humanitarian or Peacekeeping Operations [FAC 2005-88; FAR Case 2015-020; Item II; Docket No.: 2015-0020; Sequence No. 1] (RIN: 9000-AN09) received May 16, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Armed Services, Oversight and Government Reform, and Science, Space, and Technology.

5387. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Basic Safeguarding of Contractor Information Systems [FAC 2005-88; FAR Case 2011-020; Item III; Docket No.: 2011-0020, Sequence No. 1] (RIN: 9000-AM19) received May 16, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Armed Services, Oversight and Government Reform, and Science, Space, and Technology.

5388. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's Small Entity Compliance Guide — Federal Acquisition Regulation; Federal Acquisition Circular 2005-88; Small Entity Compliance Guide [Docket No.: FAR 2016-0051, Sequence No. 2] received May 16, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Oversight and Government Reform, Armed Services, and Science, Space, and Technology.

5389. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Technical Amendments [FAC 2005-88; Item V; Docket No.: 2016-0052; Sequence No. 2] received May 16, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Oversight and Government Reform, Armed Services, and Science, Space, and Technology.

5390. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Improvement in Design-Build Construction Process [FAC 2005-88; FAR Case 2015-018; Item IV; Docket No.: 2015-0018; Sequence No. 1] (RIN: 9000-AN10) received May 16, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Oversight and Government Reform, Armed Services, and Science, Space, and Technology.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. NUNES: Permanent Select Committee on Intelligence. H.R. 5077. A bill to authorize appropriations for fiscal year 2017 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. 114–573). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. KENNEDY (for himself and Mr. SCOTT of Virginia):

H.R. 5272. A bill to amend the Religious Freedom Restoration Act of 1993 to protect civil rights and otherwise prevent meaningful harm to third parties, and for other purposes; to the Committee on the Judiciary.

By Mr. TIBERI (for himself and Mr. MCDERMOTT):

H.R. 5273. A bill to amend title XVIII of the Social Security Act to provide for regulatory relief under the Medicare program for certain providers of services and suppliers and increased transparency in hospital coding and enrollment data, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GARAMENDI (for himself, Ms. SLAUGHTER, Mr. TONKO, Ms. DELAURO, Ms. BASS, Ms. KUSTER, Mr. CONNOLLY, Mr. CONYERS, Mrs. KIRKPATRICK, Mr. THOMPSON of California, Mr. HONDA, Ms. MATSUI, Mr. CICILLINE, Mr. ISRAEL, Mr. MCNERNEY, Mr. DOGGETT, Mr. HUFFMAN, Ms. HAHN, Mr. COSTA, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. NOLAN, Ms. JUDY CHU of California, Ms. BORDALLO, Mrs. BUSTOS, Ms. ROYBAL-ALLARD, Mr. LOWENTHAL, Mr. DESAULNIER, Mr. MCDERMOTT, Ms. LEE, and Mr. MEEKS):

H.R. 5274. A bill to provide for the refinancing and recalculation of certain Federal student loans, and for other purposes; to the Committee on Education and the Workforce.

By Mr. MESSER (for himself, Mr. ROKITA, Mr. FLEISCHMANN, Mr. MEADOWS, Mr. ROGERS of Alabama, Mr. COLLINS of Georgia, Mr. MASSIE, Mrs. LUMMIS, Mr. ROUZER, Mr. JORDAN, and Mr. WALKER):

H.R. 5275. A bill to protect the authority of States and local governments to enact and enforce policies regarding the use of sex-segregated bathrooms and sex-segregated locker rooms of educational institutions on the basis of gender identity; to the Committee on Education and the Workforce.

By Mr. BARR (for himself, Mr. PITTENGER, Mr. STEWART, Mrs. BLACKBURN, Mr. ROKITA, Mr. YODER, Mr. HARRIS, Mr. YOHO, Mr. JENKINS of West Virginia, Mr. MEADOWS, Mr. BRIDENSTINE, Mr. STUTZMAN, Mr. POMPEO, Mr. MULVANEY, Mr. BRAT, Mr. JODY B. HICE of Georgia, Mr. RICE of South Carolina, Mr. BYRNE, Mr. WALKER, Mr. FINCHER, Mr. GROTHMAN, Mr. BABIN, Mr. AUSTIN SCOTT of Georgia, and Mrs. LUMMIS):

H.R. 5276. A bill to prohibit the provision of Federal funds to State, territory, and local governments for payment of obligations, to prohibit the Board of Governors of the Federal Reserve System from financially assisting State and local governments, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. PINGREE (for herself, Mr. WITTMAN, and Mrs. CAPPS):

H.R. 5277. A bill to amend the Coastal Zone Management Act of 1972 to establish a Working Waterfront Task Force and a working waterfronts grant program, and for other purposes; to the Committee on Natural Resources.

By Mr. DUFFY (for himself, Mr. BISHOP of Utah, and Mr. SENSENBRENNER):

H.R. 5278. A bill to establish an Oversight Board to assist the Government of Puerto Rico, including instrumentalities, in managing its public finances, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on the Judiciary, Education and the Workforce, and Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO:

H.R. 5279. A bill to re-impose sanctions on Russian arms exporter Rosoboronexport, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Oversight and Government Reform, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. GRAHAM (for herself and Mr. YOHO):

H.R. 5280. A bill to direct the Secretary of Defense to carry out a pilot program to lend Department of Defense farm equipment to eligible farmers, and for other purposes; to the Committee on Armed Services.

By Mr. LUETKEMEYER:

H.R. 5281. A bill to amend the Endangered Species Act of 1973 to permit Governors of States to regulate intrastate endangered species and intrastate threatened species, and for other purposes; to the Committee on Natural Resources.

By Ms. ESTY (for herself, Mr. VAN HOLLEN, Ms. DUCKWORTH, Mrs. KIRKPATRICK, Mr. MURPHY of Florida, and Mr. POLIS):

H. Con. Res. 132. Concurrent resolution prohibiting the House or Senate from adjourning or convening in a pro forma session for a period of more than 2 days unless the Senate has acted upon the nomination of Judge Merrick Garland for Associate Justice of the Supreme Court; to the Committee on Rules.

By Mr. CHAFFETZ:

H. Res. 737. A resolution condemning and censuring John A. Koskinen, the Commissioner of Internal Revenue; to the Committee on the Judiciary, and in addition to the Committees on Oversight and Government Reform, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARSON of Indiana (for himself, Mr. VISCLOSKY, Mrs. WALORSKI, Mr. STUTZMAN, Mr. ROKITA, Mrs. BROOKS of Indiana, Mr. MESSER, Mr. BUCSHON, and Mr. YOUNG of Indiana):

H. Res. 738. A resolution commemorating ''The Greatest Spectacle in Racing'', the 100th running of the Indianapolis 500, and recognizing the groundbreaking impact the race has had on the Nation and the sport of automobile racing; to the Committee on Oversight and Government Reform.

By Mr. DELANEY (for himself, Mr. KINZINGER of Illinois, Mr. MOULTON, Mr. SCHIFF, Mr. DAVID SCOTT of Georgia, Mr. LARSEN of Washington, Mr. CARSON of Indiana, Mr. CICILLINE, Mr. GALLEGO, Mr. PERLMUTTER, Ms. CLARKE of New York, Ms. KAPTUR, Mr. KILMER, Mrs. TORRES, Mr. CARTWRIGHT, Mr. BILIRAKIS, Mr. COURTNEY, Mr. RUPPERSBERGER, Mr. COSTA, and Mr. BEYER):

H. Res. 739. A resolution reaffirming the commitment of the United States to the North Atlantic Treaty Organization (NATO); to the Committee on Foreign Affairs.

By Mr. LATTA:

H. Res. 740. A resolution congratulating Dr. and Mrs. David and Valerie Hodge on a successful 10-year tenure as President of Miami University; to the Committee on Education and the Workforce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. KENNEDY:

H.R. 5272.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the United States Constitution

By Mr. TIBERI:

H.R. 5273.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution.

By Mr. GARAMENDI:

H.R. 5274.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. MESSER:

H.R. 5275.

Congress has the power to enact this legislation pursuant to the following:

Tenth Amendment of the United States Constitution: ''The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.''

By Mr. BARR:

H.R. 5276.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, clause 7, which states that, ''No money shall be drawn from the Treasury, but in consequence of appropriations made by the law.''

By Ms. PINGREE:

H.R. 5277.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of the US Constitution

By Mr. DUFFY:

H.R. 5278.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Ms. DELAURO:

H.R. 5279.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14

To make Rules for the Government and Regulation of the land and naval Forces.

By Ms. GRAHAM:

H.R. 5280.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution

By Mr. LUETKEMEYER:

H.R. 5281.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 18: The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 266: Mr. YOHO, Mr. WENSTRUP, and Mrs. NOEM.

H.R. 525: Mr. NOLAN.

H.R. 532: Mr. GUTIÉRREZ.

H.R. 546: Mr. JENKINS of West Virginia and Mr. GROTHMAN.

H.R. 563: Mr. KEATING.

H.R. 664: Mr. LAHOOD.

H.R. 775: Ms. JUDY CHU of California.

H.R. 836: Mr. RIGELL.

H.R. 864: Ms. STEFANIK.

H.R. 868: Mr. TIBERI.

H.R. 885: Mr. LIPINSKI.

H.R. 1192: Mr. BLUM.

H.R. 1197: Mr. SERRANO.

H.R. 1306: Mr. VAN HOLLEN.

H.R. 1309: Mr. AMODEI and Mr. WESTERMAN.

H.R. 1312: Mr. GOSAR.

H.R. 1349: Ms. FRANKEL of Florida.

H.R. 1459: Mr. DEFAZIO, Mr. DELANEY, and Mr. NOLAN.

H.R. 1608: Mr. ZELDIN, Mrs. WATSON COLEMAN, Mr. CLAWSON of Florida, and Mr. SMITH of Texas.

H.R. 1643: Ms. ADAMS.

H.R. 1859: Mr. WENSTRUP.

H.R. 1877: Mr. KING of New York and Mr. MEEHAN.

H.R. 1932: Mrs. NOEM.

H.R. 1943: Mr. KILMER and Mr. TAKAI.

H.R. 1963: Mr. SWALWELL of California.

H.R. 2315: Mr. DESJARLAIS.

H.R. 2368: Mr. NADLER.

H.R. 2380: Mr. PRICE of North Carolina.

H.R. 2404: Mr. ZELDIN and Mr. WALDEN.

H.R. 2493: Mr. WELCH.

H.R. 2603: Mr. BUCSHON.

H.R. 2739: Mr. LATTA and Mr. SWALWELL of California.

H.R. 2747: Mr. LOEBSACK.

H.R. 2799: Mr. HECK of Washington.

H.R. 2804: Mr. BEYER.

H.R. 2817: Ms. JUDY CHU of California.

H.R. 2844: Mr. HASTINGS.

H.R. 2911: Mr. ROUZER, Mr. TIPTON, Mr. COFFMAN, Mr. Polls, Mr. TURNER, and Mr. HECK of Nevada.

H.R. 2948: Mr. DEFAZIO.

H.R. 2983: Mr. TED LIEU of California.

H.R. 3139: Mr. LAHOOD.

H.R. 3222: Mr. NEUGEBAUER.

H.R. 3229: Mr. ROUZER, Mrs. KIRKPATRICK, and Mr. SWALWELL of California.

H.R. 3235: Mr. KING of New York, Mr. CONNOLLY, and Mr. KNIGHT.

H.R. 3286: Mr. POMPEO.

H.R. 3308: Ms. ROS-LEHTINEN and Mr. MEADOWS.

H.R. 3337: Mr. THOMPSON of California, Ms. KELLY of Illinois, and Mrs. DINGELL.

H.R. 3355: Mrs. BEATTY, Mrs. LAWRENCE, and Mr. BLUM.

H.R. 3381: Mr. WENSTRUP, Mr. NUGENT, Mr. CASTRO of Texas, and Mr. POLIQUIN.

H.R. 3471: Mr. BURGESS.

H.R. 3516: Mr. POLIQUIN.

H.R. 3590: Mr. TIBERI.

H.R. 3591: Mr. MACARTHUR.

H.R. 3636: Mr. SENSENBRENNER.

H.R. 3687: Mr. LAHOOD.

H.R. 3706: Mr. VARGAS.

H.R. 3742: Mr. LATTA, Mr. KINZINGER of Illinois, and Ms. SEWELL of Alabama.

H.R. 3815: Mr. MULVANEY.

H.R. 3863: Mr. CROWLEY.

H.R. 3892: Mr. KINZINGER of Illinois, Mr. CRAMER, and Mr. ROSS.

H.R. 4032: Mr. HUELSKAMP.

H.R. 4061: Ms. LEE.

H.R. 4062: Mr. GRAVES of Missouri.

H.R. 4152: Mr. BEYER.

H.R. 4166: Mr. FITZPATRICK and Mr. LUETKEMEYER.

H.R. 4183: Mr. GIBSON.

H.R. 4247: Mr. SESSIONS, Mr. ALLEN, Mr. ROE of Tennessee, and Mr. GRAVES of Missouri.

H.R. 4262: Mr. DESJARLAIS.

H.R. 4268: Mr. HUFFMAN and Mr. FARR.

H.R. 4365: Mr. BARR.

H.R. 4381: Mr. AUSTIN SCOTT of Georgia, Mr. YOHO, Mr. JONES, Mr. RYAN, of Ohio and Mr. BISHOP of Georgia.

H.R. 4396: Mrs. WATSON COLEMAN.

H.R. 4424: Ms. STEFANIK.

H.R. 4460: Mr. TAKANO.

H.R. 4514: Mr. YOUNG of Indiana, Mr. HECK of Nevada, Mr. SENSENBRENNER, Mr. BOUSTANY, Mr. BRIDENSTINE, Mr. YOUNG of Alaska, Mr. BISHOP of Utah, Mr. HASTINGS, and Mr. ROYCE.

H.R. 4535: Ms. SCHAKOWSKY and Ms. LOFGREN.

H.R. 4567: Mr. PAULSEN.

H.R. 4575: Ms. SEWELL of Alabama and Mr. ROSS.

H.R. 4614: Mr. VALADAO.

H.R. 4615: Mrs. CAPPS, Mr. PERLMUTTER, and Mr. RUIZ.

H.R. 4616: Mr. TED LIEU of California and Mr. MCDERMOTT.

H.R. 4622: Mr. BRADY of Pennsylvania.

H.R. 4625: Mr. KIND.

H.R. 4626: Mr. RUSH, Mr. HIMES, Mr. COFFMAN, Mr. CÁRDENAS, and Mr. STIVERS.

H.R. 4662: Mr. ASHFORD, Mr. LANCE, Mr. WELCH, and Mr. BURGESS.

H.R. 4693: Mrs. DINGELL.

H.R. 4764: Mr. LOUDERMILK, Mr. TAKANO, and Mr. BURGESS.

H.R. 4766: Mr. MULLIN.

H.R. 4768: Mr. GARRETT, Mr. BRIDENSTINE, Mrs. BLACK, Mr. FLORES, Mr. DESJARLAIS, and Mr. WESTMORELAND.

H.R. 4770: Mr. SMITH of Missouri.

H.R. 4773: Mr. NUGENT, Mr. GOWDY, Mr. MARINO, and Mr. SHIMKUS.

H.R. 4775: Mr. HUELSKAMP and Mr. WEBER of Texas.

H.R. 4795: Mr. LUETKEMEYER.

H.R. 4830: Mr. ROUZER.

H.R. 4833: Mr. JEFFRIES and Mr. DESAULNIER.

H.R. 4848: Mr. CARTER of Georgia.

H.R. 4860: Mr. POE of Texas, Mr. MARINO, Mr. RIBBLE, Mr. MEADOWS, Mr. WILSON of South Carolina, Ms. KELLY of Illinois, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. DUNCAN of South Carolina, Mr. BROOKS of Alabama, Mr. CHABOT, Mr. KENNEDY, Ms. HAHN, Mr. ENGEL, Ms. GABBARD, Mr. SIRES, Mr. CONNOLLY, Mr. YOHO, Mr. SHERMAN, Mr. MEEKS, Mr. CASTRO of Texas, and Mr. AL GREEN of Texas.

H.R. 4904: Mr. JODY B. HICE of Georgia.

H.R. 4955: Mr. GROTHMAN.

H.R. 4979: Mr. HUDSON and Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 5025: Mr. COSTA.

H.R. 5044: Ms. FRANKEL of Florida, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. GENE GREEN of Texas, Mr. LEWIS, Mr. VAN HOLLEN, Mr. DOGGETT, Mr. KEATING, Mr. VARGAS, Ms. JUDY CHU of California, Mrs. CAROLYN B. MALONEY of New York, Mr. AGUILAR, Ms. BONAMICI, Mr. COHEN, Mr. MCDERMOTT, Mr. AL GREEN of Texas, Mr. DELANEY, and Mr. DEFAZIO.

H.R. 5047: Mr. LAMALFA, Mr. GOSAR, Mr. CHABOT, Mr. WILSON of South Carolina, Ms. STEFANIK, and Mr. WEBSTER of Florida.

H.R. 5073: Mr. CONNOLLY, Mrs. DINGELL, Mr. MEEKS, Ms. CLARK of Massachusetts, and Mr. COSTELLO of Pennsylvania.

H.R. 5082: Mr. LANCE, Mr. MOULTON, Mr. MARCHANT, and Ms. JENKINS of Kansas.

H.R. 5102: Mr. CALVERT.

H.R. 5103: Mr. CALVERT.

H.R. 5112: Mr. AMODEI and Mr. SESSIONS.

H.R. 5135: Mr. NEWHOUSE.

H.R. 5137: Mr. DENHAM, Mr. NUNES, and Mr. MCNERNEY.

H.R. 5143: Mr. SESSIONS.

H.R. 5167: Mr. RENACCI and Mr. TONKO.

H.R. 5170: Ms. MCSALLY, Mr. KATKO, Mr. ASHFORD, Mr. KINZINGER of Illinois, Mr. CARNEY, and Mrs. WALORSKI.

H.R. 5185: Mr. WEBER of Texas.

H.R. 5191: Mr. CARNEY.

H.R. 5207: Mr. NADLER.

H.R. 5210: Mr. CHABOT, Mr. LATTA, Mr. WESTMORELAND, Mr. HUDSON, and Mr. HOLDING.

H.R. 5216: Mr. POCAN and Mr. SMITH of Washington.

H.R. 5233: Mr. HARRIS.

H.R. 5243: Mr. COLE, Mr. DIAZ-BALART, Mr. CRENSHAW, Mr. CULBERSON, Mr. YOUNG of Iowa, Mr. CALVERT, Mr. ROONEY of Florida, Mr. STEWART, Mr. WOMACK, and Ms. GRANGER.

H.R. 5262: Mrs. BLACK, Mr. CHABOT, Mr. CHAFFETZ, and Mr. ROUZER.

H.R. 5268: Mr. MEEHAN.

H.J. Res. 94: Ms. LINDA T. SÁNCHEZ of California, Mr. THOMPSON of California, Ms. ROYBAL-ALLARD, Mr. HUFFMAN, Ms. ESHOO, Ms. HAHN, Mr. SCHIFF, Mr. BECERRA, Ms. JUDY CHU of California, and Mr. SHERMAN.

H. Con. Res. 56: Mr. HUDSON and Mr. SMITH of New Jersey.

H. Con. Res. 114: Mr. ROHRABACHER and Mr. MEADOWS.

H. Con. Res. 122: Mr. YOUNG of Alaska.

H. Con. Res. 129: Mr. CONNOLLY, Mr. DESANTIS, and Mr. SHERMAN.

H. Res. 28: Mr. NOLAN.

H. Res. 263: Mr. MURPHY of Florida and Ms. LORETTA SANCHEZ of California.

H. Res. 650: Mr. OLSON, Mr. DONOVAN, Mr. GRAYSON, Mr. YOUNG of Alaska, Mr. YOHO, and Mr. CHABOT.

H. Res. 716: Mr. O'ROURKE, Mr. CARTWRIGHT, Mr. ROTHFUS, Mr. COLLINS of New York, Mr. KATKO, and Mr. RENACCI.

H. Res. 717: Mrs. DINGELL and Ms. NORTON.

H. Res. 729: Mr. SMITH of Missouri, Mrs. DAVIS of California, Mr. LEVIN, Mr. JENKINS of West Virginia, and Mr. NADLER.

H. Res. 733: Mr. GENE GREEN of Texas, Mr. DOGGETT, Mr. MCNERNEY, Mr. CICILLINE, and Mr. YOUNG of Iowa.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4974

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 4: At the end of the bill, before the short title, add the following new section:

SEC. ____. None of the funds made available by this Act may be used to implement, administer, or enforce the prevailing wage requirements in subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the Davis-Bacon Act).

H.R. 4974

OFFERED BY: MR. GRAYSON

AMENDMENT NO. 5: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to enter into a contract with any offeror or any of its principals if the offeror certifies, as required by Federal Acquisition Regulation, that the offeror or any of its principals:

(A) within a three-year period preceding this offer has been convicted of or had a civil judgment rendered against it for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contract or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property; or

(B) are presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated above in subsection (A); or

(C) within a three-year period preceding this offer, has been notified of any delinquent Federal taxes in an amount that exceeds $3,000 for which the liability remains unsatisfied.

H.R. 4974

OFFERED BY: MRS. WALORSKI

AMENDMENT NO. 6: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds available to the Department of Veterans Affairs, in this or any other Act, may be used to replace the current system by which the Veterans Integrated Service Networks select and contract for diabetes monitoring supplies and equipment.

H.R. 4974

OFFERED BY: MR. MICA

AMENDMENT NO. 7: At the end of the bill (before the short title), insert the following:

SEC. ____. (a) For an additional amount for ''Veterans Health Administration—Medical Services'' for grants to States under subchapter III of chapter 81 of title 38, United States Code, to expand, remodel, or alter existing buildings for furnishing nursing home care to veterans in State homes that are former nursing home facilities of the Department of Veterans Affairs, as authorized by section 8133 of such subchapter, there is hereby appropriated, and the amount otherwise provided by this Act for ''Departmental Administration—General Administration'' is hereby reduced by, $10,000,000.

(b) None of the funds made available by this Act may be used to implement, administer, or enforce the prioritization requirements in paragraphs (1)(C) or (2) through (5) of section 8135(c) of title 38, United States Code, with respect to the appropriation in subsection (a).

H.R. 4974

OFFERED BY: MR. KILDEE

AMENDMENT NO. 8: At the end of the bill (before the short title), insert the following:

SEC. ____. SENSE OF CONGRESS.

It is the Sense of Congress that the Department of Defense should work with State and local health officials to prevent human exposure to perfluorinated chemicals.

H.R. 4974

OFFERED BY: MRS. WAGNER

AMENDMENT NO. 9: Page 4, line 20, after the dollar amount, insert ''(reduced by $801,000) (increased by $801,000)''.

H.R. 4974

OFFERED BY: MS. JACKSON LEE

AMENDMENT NO. 10: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act for benefits for homeless veterans and training and outreach programs may be used by the Secretary of Veterans Affairs in contravention of subchapter III of chapter 20 of title 38, United States Code.

EXTENSIONS OF REMARKS

COMMENDING KERRY W. KIRCHER

HON. PAUL D. RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. RYAN of Wisconsin. Mr. Speaker, Democratic Leader NANCY PELOSI and I rise today to commend Kerry W. Kircher for his service and dedication to the House of Representatives.

Mr. Kircher is retiring as House Counsel, after serving more than two decades in the Office of General Counsel. Mr. Kircher first served as an Assistant General Counsel, then as Deputy General Counsel, and finally—over the last five years—as the General Counsel. Throughout his time, Kerry served five Speakers of the House, including each of us. During his service, Kerry zealously defended the rights and prerogatives of this institution and for this we are grateful.

We wish Kerry well in his future endeavors and thank him for his service to the U.S. House of Representatives.

CONGRATULATING KIM BARKS OF COMPLETE TRUCK & RV REPAIR FOR RECEIVING THE CITY OF ST. CHARLES ECONOMIC DEVELOPMENT DEPARTMENT 2016 EMPLOYER OF THE YEAR AWARD—JACK HECK AWARD

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor a constituent of mine, Kim Barks. She is the owner of Complete Truck & RV Repair and is receiving the 2016 Employer of the Year Award—Jack Heck Award from the City of St. Charles Economic Development Department.

When Complete Truck & RV Repair opened as a family-run business in 2013, it had ten employees. Now, the shop is staffed by 22 employees and has been able to add Restoration, Fabrication, Auto & RV Detailing, and Towing Services. The Barks family also added another location for RV storage to continue serving their customers.

To say that Complete Truck & RV Repair contributes to the St. Charles community would almost be an understatement. Kim and her father are passionate about animals and built a dog park for guests who come to service their vehicles. Kim is also a supporter of the organization Dogs on Duty, Five Acres Animal Shelter, and the Humane Society.

Another part of Complete Truck & RV Repair's community outreach is its contribution to the St. Charles' Backstoppers. Kim's father has helped the Backstoppers raise money for over 15 years. Complete Truck & RV Repair is hosting the 1st Annual Backstoppers Summer Dance June 24th at the Machinists' Hall to continue this fundraising effort. The Barks and their repair business work year round to raise awareness for the Backstoppers. The business owns a fire truck, named Red. Red travels around town to various fire houses to promote awareness of the Backstoppers fund. Red also can be seen in various city parades.

Complete Truck & RV Repair hires veterans and is part of the Hire Heroes Program. The business honors veterans by giving them a discount. It currently has five veterans employed on the Complete Truck & RV Repair staff. Complete Truck & RV Repair also gives Police Officers, EMS, and Firefighters a discount on services.

I ask you to join me in recognizing Complete Truck & RV Repair for its accomplishment as the 2016 Employer of the Year Award—Jack Heck Award.

RECOGNIZING MARINE CORPS MASTER SERGEANT FRANK MASON

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. HUNTER. Mr. Speaker, five years ago, I had the honor of bringing to the attention of this House a tribute for a great Devil Dog celebrating his 90th birthday. Once again, I have been given this honor and rise to recognize Marine Corps Master Sergeant Frank Mason who will be turning 95 this month.

As I said at that time, Frank is part of America's greatest generation who led our nation to victory in World War II and came home to live a life every one of us should be blessed to have. On May 3, 2011, I outlined Frank's life story of service and sacrifice in great detail, so here I will just remind everyone briefly that he enlisted in the Marine Corps at 17, proudly serving in World War II in China and the Philippines, held as a prisoner of war for over three years, and once again served during the Korean War, including the critical and historic Battle of the Chosin Reservoir.

While I initially searched for new words to describe Frank and his service, I have come to the realization that what was stated five years ago remains the best description and rings just as true today. So, with no apology for repeating my previous remarks, I believe Frank's account of these events aptly reflects the attitude of a Marine rifleman and the proud tradition and honor of the Marine Corps to this very day. Frank asserted, ''We never surrendered. We were ordered to stop fighting.''

I will also repeat the quote I used at the time from Ronald Reagan, ''Some people live an entire lifetime and wonder if they have made a difference in the world. Marines don't have that problem.'' Mr. Speaker, as a fellow Marine and a Member of Congress that represents Frank in this body, I am proud to once again thank him for his service and wish him all the best as he celebrates his 95th birthday. Frank, we are honored by the example you provide. Semper Fidelis.

HONORING THE CAREER OF HON. JOHN T. CURTIN

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. HIGGINS. Mr. Speaker, I rise today to honor the career and legacy of service of the Honorable John T. Curtin who is celebrating his retirement from the post as a United States District Judge for the Western District of New York. After 48 years on the bench, no other local judge has served longer or, many would argue, with greater distinction than Judge Curtin.

Nominated by President Lyndon B. Johnson in 1967 at the urging of Sen. Robert F. Kennedy, Curtin was a U.S. District Attorney with a reputation for organized crime investigations. As a federal judge, it was the 1972 Buffalo Public Schools desegregation suit that made Curtin a household name. His ruling led to a plan that included the forced busing of black and white students and the creation of specialized magnet schools designed to encourage the voluntary transfer of children. The order he signed would be hailed as a national model for how to integrate a diverse school district. Curtin also issued orders to desegregate Buffalo's police and fire departments, a move that ushered in a new generation of women and minority officers and firefighters which remains in effect to this day.

In the late 1980s and early 1990s, Curtin oversaw a huge lawsuit about toxic waste dumped in the Love Canal neighborhood of Niagara Falls. The case led to the relocation of hundreds of residents and became a national rallying cry for environmentalists. He would then later oversee the L.A. Boys gang case, in which he gave two of the longest prison terms in local history. Also, before most other Americans, he recognized the futility of the war on drugs and the damage it caused, when he stopped hearing drug cases more than 20 years ago.

Inside and outside the courtroom, Curtin was known for his soft-spoken demeanor and even-handed temperament. Curtin was well known for his courage and independence and his retirement marks the end of an era in Buffalo federal court, an era marked by landmark rulings and historic court cases.

Mr. Speaker, thank you for allowing me a few moments to honor the career of the Honorable John T. Curtin. I ask that my colleagues join me in expressing our congratulations on an accomplished career and to commend his dedication to his profession and the Western New York community.

HONORING THE LIFE OF JOHN D. WAGNER

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor the life of John D. Wagner, an outstanding member of the Northeast Ohio community who passed away on April 28th at the age of 69.

A lifelong resident of Barberton, Ohio, Mr. Wagner spent his life dedicated to service. One who not only provided for his family as a business manager of the local Number 219 Plumbers and Pipefitters Union, but also as one who provided for the members of his community. He served on multiple boards and councils, such as the Barberton City Council and the executive board of the Ohio AFL–CIO, just to name a few. John was also known for coaching the Barberton American Little League for many years.

He will be deeply missed by his friends, family, and the hard-working folks he helped to represent. Mr. Wagner's passion and leadership for his community serves as a hallmark not only for the city of Barberton, but for all of us who are making differences for the people we represent.

IN RECOGNITION OF NATIONAL POLICE WEEK

HON. ROD BLUM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. BLUM. Mr. Speaker, I rise today in recognition of National Police Week to honor the brave men and women in uniform who serve the First District of Iowa.

Every day, our Nation's law enforcement officers selflessly put their lives in danger to protect our communities. Having recently participated in a police ride along in Dubuque and Waterloo, I had the chance to experience their duties first hand—and my respect for these individuals only increased after seeing their dedication.

Today, the Cedar Falls Police Department hosts a memorial event for the Black Hawk County Peace Officers fallen in the line of duty. I am proud of my district for honoring these brave men and women. On behalf of the 194 law enforcement officers in Iowa who gave their lives last year, I offer my gratitude for their service and my prayers for their families, friends, and colleagues.

I respectfully urge my colleagues in the House of Representatives to continue to support the officers who lay their lives on the line for our safety. I am proud to stand before you today to personally thank every law enforcement officer in the First District of Iowa—and around the country—who put themselves in harm's way in order to keep us safe.

HONORING BENJAMIN COHEN

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today to congratulate Benjamin Cohen, son of Nicole and Adam Cohen, on the occasion of his Bar Mitzvah. Benjamin, a political enthusiast and true active citizen, will be called to the Torah on May 29, 2016. I offer my heartfelt wishes as he begins this next stage in his Jewish life, passing on our Jewish traditions from generation to generation (l'dor v'dor).

It is with great pleasure that I honor Benjamin and his family in the CONGRESSIONAL RECORD.

HONORING THE U.S. ARMY CORPS OF ENGINEERS' PHILADELPHIA DISTRICT

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to honor the U.S. Army Corps of Engineers' Philadelphia District, which this year is marking its 150th anniversary.

Since Lieutenant Colonel C. S. Stewart was assigned as Superintending Engineer of the Harbor Improvements of the Delaware in July 1866, the men and women of the District have been meeting the Nation's challenges with engineering solutions both in war and in peace, to include building up Frankford Arsenal, the Philadelphia Quartermaster Depot, Fort Monmouth, Fort Dix, McGuire Air Force Base, and Dover Air Force Base; designing and constructing the Army's dredges, survey boats, work boats and barges, and other vessels; keeping the Delaware River, Chesapeake and Delaware Canal, and other waterways open and vital to maritime commerce; completing the Nation's first comprehensive basin-wide study, leading to a system of dams and levees that reduced flood damages within the Delaware River Basin; cleaning up contaminants from around and under abandoned industrial sites; and using dunes and beach nourishment to reduce storm damages along the New Jersey and Delaware coasts.

Through it all, this organization has developed a solid and well-earned reputation for integrity, innovation, responsiveness, customer service, and quality excellence.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in celebrating the Philadelphia District's century and a half of outstanding service to the Nation

TRIBUTE TO DORIS GIBSON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize Doris Gibson, of Kellerton, Iowa, on the celebration of her 101st birthday.

Our world has changed a great deal during the course of Doris's life. Since her birth, we have revolutionized air travel and walked on the moon. We have invented the television, cellular phones, and the internet. We have fought in wars overseas, seen the rise and fall of Soviet communism, and witnessed the birth of new democracies. Doris has lived through seventeen United States Presidents and twenty-one Governors of Iowa. In her lifetime, the population of the United States has more than tripled.

Mr. Speaker, it is an honor to represent Ms. Gibson in the United States Congress and it is my pleasure to wish her a very happy 101st birthday. I ask that my colleagues in the United States House of Representatives join me in congratulating Doris for reaching this incredible milestone and in wishing her nothing but the best.

HONORING KELSIE ELLINGSWORTH ON BEING ACCEPTED BY THE NATIONAL ACADEMY OF FUTURE PHYSICIANS AND MEDICAL SCIENTISTS AS A DELEGATE TO THE CONGRESS OF FUTURE MEDICAL LEADERS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. LONG. Mr. Speaker, I rise today to honor Clever High School student Kelsie Ellingsworth, of Clever, Missouri, on her being accepted as a delegate to the Congress of Future Medical Leaders by the National Academy of Future Physicians and Medical Scientists.

The Congress of Future Medical Leaders is an honors-only program that is designed to motivate and direct the top students in the United States. Specifically, it's designed for students aspiring to become physicians or medical researchers, and provides a path and mentorship for students to accomplish their goals.

To be considered for acceptance as a delegate, applicants are either recommended by a teacher or member of the Academy based on a proven track record of academic excellence. Delegates represent all 50 states plus Puerto Rico, and must have a minimum 3.5 GPA. Students like Ellingsworth who qualify for this incredibly selective honor exemplify top-tier diligence and academic talent.

Mr. Speaker, Kelsie Ellingsworth has not only excelled in her academics, but has shown a passion for science and medicine that will serve her future aspirations well. I urge my colleagues to join me in congratulating her for this achievement. On behalf of Missouri's Seventh Congressional District, I wish Kelsie the best of luck in all her future endeavors.

RECOGNIZING THE CITY OF HAYWARD'S WATER POLLUTION CONTROL FACILITY ON ITS RECENT AWARDS

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. SWALWELL of California. Mr. Speaker, I rise to recognize the City of Hayward's Water Pollution Control Facility ("Facility") on its pioneering accomplishments in green energy and waste management.

In 2010, the Facility was costing Hayward approximately $578,000, which was about 20 percent of its total energy cost and 10 percent of the Facility's budget. It also produced approximately 20 percent of Hayward's greenhouse gas emissions.

The year before, the City had adopted its Climate Action Plan with a goal of reducing its greenhouse gas emissions by 20 percent by 2020. Part of this effort was to improve the Facility, allowing it to generate all of its own power with clean or renewable energy sources, but without tapping into Hayward's general fund.

Using outside funding, including multiple incentive programs from the California Public Utilities Commission, the Facility was able to utilize four new technologies to move from energy consumption to production. The Facility is now able to export the excess energy it creates and saves Hayward an estimated $400,000 each year.

Some of these technologies also help reduce the environmental impact to the community. The Facility's new digesters, which convert bio-waste to energy, accept waste fats, oils, and greases from the area to help fuel them, keeping those wastes out of landfills. The Facility also sends treated, non-potable water to a nearby power plant, reducing the cost of pumping the water into the San Francisco Bay, and better harnessing water resources in this time of severe drought.

The Facility's revolutionary measures have recently been recognized by organizations across the country. In October 2015, the EPA selected it for the Green Power Leadership Award. On May 26, the Facility will receive the Bay Area's oldest environmental award, the Acterra Business Environmental Award.

The Facility's commitment to the Hayward community and environment is truly extraordinary. I want to acknowledge it and the City of Hayward for their dedication to a sustainable future.

IN RECOGNITION OF MONSIGNOR JOSEPH P. KELLY FOR SERVING THE DIOCESE OF SCRANTON FOR 50 YEARS

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Monsignor Joseph P. Kelly, who will be celebrating the 50th anniversary of his ordination to the priesthood on May 28, 2016. Monsignor Kelly will be honored for his devoted service to those in need in our community at the Catholic Social Services Gala on May 22 at the Diocesan Pastoral Center in Scranton, Pennsylvania.

Throughout his career, Monsignor Kelly has tended to the needs of many throughout the 11 counties within the Diocese of Scranton. He has been Pastor to several parishes in northeastern Pennsylvania, including St. Catherine's in Moscow, St. Ann's in Tobyhanna, and Nativity of Our Lord and Holy Rosary of Scranton. In addition to leading local faith communities, Monsignor Kelly has served as Diocesan Director of Catholic Men, Women and Youth as well as the Episcopal Vicar of Hispanic Ministry.

Monsignor Kelly has played an important role as an educator and mentor to young people during his ministry. He taught 8th grade religion for 25 years and taught religion to seniors at Scranton Prep for 13 years. He was the Executive Director of Camp St. Andrew and Co-Founder of Project Hope at Camp St. Andrew.

Monsignor Kelly has been an advocate for Catholic charities and human services throughout Pennsylvania and the United States. He has worked tirelessly to provide services to children and families who are struggling to make ends meet, shelters for the homeless, food for the hungry, adoption and foster care, affordable housing, help for homeless veterans, resettlement services for refugees, and treatment for drug addiction. Today, Monsignor Kelly continues to devote himself to northeastern Pennsylvanians as the Executive Director of St. Francis of Assisi Kitchen in Scranton.

PERSONAL EXPLANATION

HON. ERIC A. "RICK" CRAWFORD

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. CRAWFORD. Mr. Speaker, on Monday, May 16th, 2016 I was inadvertently detained on Roll Call Votes 194 and 195. Had I been present to vote I would have voted YES on each.

On Tuesday, May 17th, 2016 I was inadvertently detained on Roll Call Votes 196, 197, 198, and 199. Had I been present to vote I would have voted YES on Roll Call Votes 196, 197, and 199. I would have voted NO on Roll Call Vote 198.

TRIBUTE TO JANE AND HARTFORD COOPER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Jane and Hartford Cooper of Nodaway, Iowa, on the very special occasion of their 55th anniversary. They celebrated their special day earlier this year on February 19, 2016.

Jane and Hartford's lifelong commitment to each other truly embodies Iowa values. As they reflect on their 55th anniversary may their commitment grow even stronger, and continue to love, cherish, and honor one another for many years to come.

I salute this great couple on their 55th year together and I wish them many more. I know my colleagues in the United States House of Representatives join me in congratulating Jane and Hartford on this momentous occasion.

PAYING TRIBUTE TO PAT FOX FOR HER 11 YEARS OF OUTSTANDING SERVICE AS PRESIDENT AND CEO OF RIVERVIEW HEALTH

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to honor Pat Fox on the occasion of her retirement. For over a decade, Pat has served as President and CEO of Riverview Health in Noblesville, Indiana. Pat has an impressive 45 years in the healthcare industry and her passion for patient care and dedication to making Riverview a first-rate hospital has left an enduring impact on the Riverview Health system. The people of Indiana's Fifth Congressional District are forever grateful for Pat Fox's commitment to making Riverview Health a great place to work, practice medicine, and receive excellent patient care.

Pat began her career in the health industry as a nurse aid in a small county hospital and decided she wanted to pursue a nursing degree. After completing her degree to become an R.N. at St. Mary's in Chicago, she went on to receive a bachelor's degree in Public Health Administration from Indiana University and a master's degree from St. Francis in Illinois. Pat remains a licensed R.N. today, however for the past 30 years she has served in leadership roles in hospitals throughout Indiana.

She began her career in hospital administration as a manager at Wishard Hospital in Indianapolis, which is now known as Eskenazi, and worked her way up to Vice President of Patient Care Services. In 2000, Pat was recruited by Riverview Health for her strong leadership skills to fill the position of Chief Operating Officer. Four years later, when the CEO retired, Pat was promoted. Throughout her 11 year tenure as CEO of Riverview Health, she has been instrumental in helping the Riverview Health system grow into an exceptional and widely-respected health system.

Riverview Health opened its first hospital in May of 1951. At the time, it was just one hospital, but over the past 55 years, Riverview has committed itself to adapting and expanding its facilities to meet the healthcare needs of its community. When Pat started in 2000, Riverview Health was considered a small county hospital with six physicians working outside the hospital in offices around Hamilton County. Under her administration, the health system has grown into a first-class network of

55 facilities, including the large hospital, offices, nursing homes and numerous other facilities focused on outpatient care. Most notably, Pat is responsible for leading the efforts in opening the Women's and Children's units, a new Emergency Center, and facilitation of a physician-led multi-disciplinary breast cancer team. Riverview Health has also been selected to receive a number of prestigious awards under Pat's leadership. Riverview Health was honored with an AchieveWELL certification from The Wellness Council of Indiana (2011), the Patient Safety Excellence Award from HealthGrades (2012), Five-Star Excellence Award from the Professional Research Consultants Inc. (2014), and has consistently ranked in the top 5 percent of U.S. hospitals.

Beyond her work with Riverview, she is an active member of the community. She serves on a number of non-profit boards, including the Cherish Center, Noblesville Youth Assistance Program, Prevail, Inc., and the Westfield Chamber of Commerce. Her commitment to the Hoosier community and success as a leader has not gone unnoticed. She has received a number of awards, including Aspire Indiana's 2013 Aspiring Person Award for her diverse and meaningful involvement throughout the community.

Pat has devoted herself to attaining the vision she set out for the hospital when she began her career with Riverview, and over the last decade she has achieved that vision above and beyond. She transformed healthcare, particularly in Noblesville, but also throughout central Indiana and the Hoosier community is eternally grateful for her dedication to providing the highest standard of healthcare to Hoosiers. I am thrilled to hear she plans to remain active in the community and will have more time to partake in some of her favorite hobbies, running marathons and traveling with her husband. On behalf of Indiana's Fifth Congressional District, I'd like to congratulate Pat on her remarkable career and extend a huge thank you for all of the wonderful contributions she has made to Riverview Health and the Hoosier community. I wish the very best to Pat, her husband, Steve, her two children, and two grandchildren as she enjoys a well-deserved retirement.

HONORING WYATT BOWEN ON BEING ACCEPTED BY THE NATIONAL ACADEMY OF FUTURE PHYSICIANS AND MEDICAL SCIENTISTS AS A DELEGATE TO THE CONGRESS OF FUTURE MEDICAL LEADERS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. LONG. Mr. Speaker, I rise today to honor Wyatt Bowen, of Pierce City, Missouri, who has been accepted by the National Academy of Future Physicians and Medical Scientists as a delegate to the Congress of Future Medical Leaders.

The Congress of Future Medical Leaders is an honors-only program that is designed to motivate and direct the top students in the United States. It is specifically for students who aspire to be physicians or enter into the field of medical research, and helps to provide a path and mentorship for students to accomplish those dreams. It takes place at the University of Massachusetts over 3 days, and helps to spark meaningful dialogues and exchanges of ideas between future leaders in the medical field.

To be considered for acceptance as a delegate, applicants must be recommended by either a teacher or member of the Academy based on a proven track record of academic excellence. Students must have a minimum of a 3.5 GPA and represent all 50 states and Puerto Rico. It is an incredibly selective opportunity, and those students who qualify for selection have done so because of their hard work and diligence to their studies, not to mention their impressive intellect.

Mr. Speaker, Wyatt Bowen, who attends Pierce City High School, has dedicated himself to his studies and exhibited a passion for health and medical studies, and will soon be representing the future of the state of Missouri at this conference. I would like to extend my personal congratulations for his achievement, and on behalf of the 7th District of Missouri, I would like to thank him for his representation of our district.

IN RECOGNITION OF THE 100TH ANNIVERSARY OF RUTGERS GARDENS

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. PALLONE. Mr. Speaker, I rise today to recognize Rutgers Gardens as it celebrates its centennial this year. Since its development, Rutgers Gardens have contributed to the agricultural studies, as well as the beauty, of Rutgers University.

Over the years, Rutgers Gardens has expanded and evolved. Today it encompasses nearly 180 acres comprising the former land of Wolpert Farm, Welshman Farm and Helyar Woods. It is located on Rutgers University's Cook Campus, a stark contrast to the rest of the university's urban setting.

While beautiful, Rutgers Gardens provides much more than simply a botanical display for the community to enjoy. From the onset, the purpose of the gardens was agricultural research, which still continues today. Additionally, students and visitors can receive valuable horticultural education through various programs and materials offered by the gardens.

Mr. Speaker, once again, please join me in marking the 100th Anniversary of Rutgers Gardens. This milestone is truly deserving of this body's recognition.

HONORING THE LIFE OF CORPORAL WILLIAM STEELE WINESETT

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. HUDSON. Mr. Speaker, I rise today to honor the life and legacy of Corporal William Steele Winesett, who passed away peacefully on May 4, 2016 in Lumberton, NC. We send our prayers and sincerest condolences to his entire family as they celebrate the life of this extraordinary man.

After graduating from Plymouth High School in Plymouth, NC, Corporal Winesett joined the United States Marine Corps to serve his country during World War II. As a machine gunner in the Pacific theater, he took part in Operation Detachment as U.S. Marines landed on and captured the island of Iwo Jima. The lessons and experience brought to him through his military service stayed with Corporal Winesett and he remained fiercely proud of his service throughout his life.

Following the conclusion of the war, Corporal Winesett returned to North Carolina and attended East Carolina University. Afterwards he joined General Motors Insurance, and after 33 years he retired to spend more time with his beloved wife, Lola. A true pillar of the community, Corporal Winesett was a leader in the Boy Scouts of America, volunteering with the same troop for 50 years. He also remained an active member and devoted parishioner of the Rowland United Methodist Church where he took great pride in maintaining the lawn for all to enjoy. Corporal Winesett was a man founded in principle and faith in God and will be truly missed.

Mr. Speaker, please join me in commemorating the life of Corporal William Steele Winesett for his service to God, country, and his community.

TRIBUTE TO KATHIE AND JERRY SEALOCK

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Kathie and Jerry Sealock of Council Bluffs, Iowa, on the very special occasion of their 60th wedding anniversary. They were married on May 5, 1966, at Epworth United Methodist Church in Council Bluffs by Rev. Gerald LaMotte. Jerry retired in 1987 from the U.S. Postal Service and Kathie retired in 1991 as a bookkeeper for Hy-Vee Drug Store.

Kathie and Jerry's lifelong commitment to each other and their children, the late Jeffrey, Karen, and Karilyn, and their grandchildren, truly embodies Iowa values. As they reflect on their 60th anniversary may their commitment grow even stronger, and continue to love, cherish, and honor one another for many years to come.

I salute this great couple on their 60th year together and I wish them many more. I know

my colleagues in the United States House of Representatives join me in congratulating Kathie and Jerry on this momentous occasion.

HONORING DR. TSAI ING-WEN

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise to honor the newly elected president of Taiwan, Dr. Tsai Ing-wen, who will be inaugurated on May 20, 2016. I ask my colleagues to join me in congratulating Dr. Tsai and in applauding Taiwan for completing another presidential election.

Dr. Tsai Ing-wen, the leader of the Democratic Progressive Party (DPP), will be Taiwan's first female president, leading the country to a new chapter of transformation. Taiwan provides an example to be followed in gender equality and women in leadership at its highest level of government. Taiwan has made more progress with gender equality issues than many of its Pacific neighbors, having adopted a law to implement the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 2011.

Taiwan is also an important partner to the United States, serving as a democratic beacon of freedom in the Pacific. Democracy is strong and vibrant in Taiwan and we must continue to support these ideals that are so similar to our own. We must remain steadfast in our support of Taiwan even though its future may hold challenges dealing with their neighbors.

Our shared goal is to provide the basis for long-term peace and prosperity for both of our nations and worldwide. Taiwan, like the U.S., is also a responsible member of the international community and constantly works for the peaceful resolution of disputes. Taiwan has achieved a remarkable reduction of cross-strait tensions, and effectively works for peace, harmony, and civilized conduct by all nations throughout the world.

It is my privilege to travel to Taiwan for Dr. Tsai Ing-wen's Inauguration in May, 2016. I look forward to supporting our friends there and personally congratulating Dr. Tsai.

HONORING SCOTT CETOUTE FOR ACHIEVING PERFECT ATTENDANCE WHILE ENROLLED IN THE BROWARD COUNTY SCHOOL SYSTEM FROM KINDERGARTEN THROUGH HIS SENIOR YEAR

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. HASTINGS. Mr. Speaker, I am honored to rise today to recognize Mr. Scott Cetoute, a student-athlete and soon to be graduate of Coral Springs High School. Scott was recently honored at the Broward County Public Schools fifth annual Best-in-Class and Perfect Attendance Awards ceremony on Thursday, May 12, 2016, and will be honored again on Tuesday, May 17, 2016 at the Broward County School Board Meeting.

The Best-in-Class Award is an accolade presented to students who have been continuously enrolled in Broward County Public Schools from kindergarten through 12th grade, and have perfect attendance. This is a remarkable achievement and it is an immense honor of mine to recognize Scott for his unwavering devotion to education.

Having never missed a single day of school for a total of 2,340 days is no small feat. Furthermore, in a show of appreciation, various community and business partners have joined together to provide Scott and fellow honorees with an assortment of gifts and supplies that will assist them as they continue their journey towards higher education.

Mr. Speaker, I once again want to commend Mr. Scott Cetoute for his dedication and commitment to education. He is a shining example of student success. I wish him all the very best as he begins studying at Broward Community College this summer to earn his Associate Degree, upon completion of which he plans to continue his education at Florida International University (FIU). Scott has strong aspirations to become a pharmacist once he completes his education. I know that he will make his community and the state of Florida proud.

PERSONAL EXPLANANTION

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. LATTA. Mr. Speaker, due to the illness and passing of my father, former Congressman Delbert L. Latta, I was unable to be present for votes on Tuesday, May 10, 2016; Wednesday, May 11, 2016; Thursday, May 12, 2016; Friday, May 13, 2016; and Monday, May 16, 2016. Had I been present, I would have voted as follows: Roll Call Number 180: YEA; Roll Call Number 181: YEA; Roll Call Number 182: YEA; Roll Call Number 183: YEA; Roll Call Number 184: YEA; Roll Call Number 185: YEA; Roll Call Number 186: NAY; Roll Call Number 187: YEA; Roll Call Number 188: YEA; Roll Call Number 189: YEA; Roll Call Number 190: YEA; Roll Call Number 191: YEA; Roll Call Number 192: YEA; Roll Call Number 193: YEA; Roll Call Number 194: YEA; Roll Call Number 195: YEA.

TRIBUTE TO GERRY AND RANDALL HOUGH

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Gerry and Randall Hough of Council Bluffs, Iowa, on the very special occasion of their 70th wedding anniversary. They were married on April 27, 1946.

Gerry and Randall's lifelong commitment to each other and their children, Jodie and Debbie, and their five grandchildren and 10 great-grandchildren, truly embodies Iowa values. As they reflect on their 70th anniversary may their commitment grow even stronger, and continue to love, cherish, and honor one another for many years to come.

I salute this great couple on their 70th year together and I wish them many more. I know my colleagues in the United States House of Representative join me in congratulating Gerry and Randall on this momentous occasion.

PERSONAL EXPLANATION

HON. CARLOS CURBELO

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. CURBELO of Florida. Mr. Speaker, on May 17, I missed votes on account of attending a family event in the district. Had I been present, I would have voted as follows:

Roll Call 196: I would have voted YEA: Ordering the Previous Question on H. Res. 732—the rule providing for consideration of H.R. 4909—National Defense Authorization Act for Fiscal Year 2017

Roll Call 197: I would have voted YEA: Adoption of H. Res. 732—the rule providing for consideration of H.R. 4909—National Defense Authorization Act for Fiscal Year 2017

Roll Call 198: I would have voted NAY: Esty (D–CT) Motion to Instruct Conferees on S. 524—Comprehensive Addiction and Recovery Act of 2016

Roll Call 199: I would have voted YEA: H.R. 897—Zika Vector Control Act

HONORING JOHN CRUMPTON ON BEING ACCEPTED BY THE NATIONAL ACADEMY OF FUTURE PHYSICIANS AND MEDICAL SCIENTISTS AS A DELEGATE TO THE CONGRESS OF FUTURE MEDICAL LEADERS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. LONG. Mr. Speaker, I rise today to honor John Crumpton, of Branson, Missouri, who has been accepted by the National Academy of Future Physicians and Medical Scientists as a delegate to the Congress of Future Medical Leaders.

The Congress of Future Medical Leaders is an honors-only program that is designed to motivate and direct the top students in the United States. It is specifically for students who aspire to be physicians or enter into the field of medical research, and helps to provide a path and mentorship for students to accomplish those dreams. It takes place at the University of Massachusetts over 3 days, and helps to spark meaningful dialogues an exchanges of ideas between future leaders in the medical field.

To be considered for acceptance as a delegate, applicants must be recommended by either a teacher or member of the Academy

based on a proven track record of academic excellence. Students must have a minimum of a 3.5 GPA and represent all 50 states and Puerto Rico. It is an incredibly selective opportunity, and those students who qualify for selection have done so because of their hard work and diligence to their studies, not to mention their impressive intellect.

Mr. Speaker, John Crumpton; who attends Branson High School, has shown a level of excellence in academics and passion for science that leaves me fully confident that he will represent Missouri well at this Congress. I would like to extend my personal congratulations for his achievement, and on behalf of the 7th District of Missouri, I would like to thank him for representing our district.

IN RECOGNITION OF THE MOST WORSHIPFUL PRINCE HALL GRAND LODGE OF VIRGINIA, FREE AND ACCEPTED MASONS, INC. AND ITS SUBORDINATE LODGES

HON. ROBERT C. "BOBBY" SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. SCOTT of Virginia. Mr. Speaker, I rise today to recognize the Most Worshipful Prince Hall Grand Lodge of Virginia, Free and Accepted Masons, Incorporated and its subordinate lodges, who will be celebrating Founder's Day on Sunday, May 22nd in Petersburg, Virginia. This organization has worked in continuous and faithful service for 140 years within the Commonwealth of Virginia.

Prince Hall lodge has a long history in the Commonwealth, tracing its own history to 1775, when Prince Hall and fourteen other free blacks joined a British army lodge of Masons stationed in Boston, Massachusetts and, following their departure, formed their own lodge: African American Lodge Number 1. Prince Hall became the lodge's first Grand Master.

By establishing this organization, Prince Hall and his compatriots were, in 1775, taking some of the first steps to form one of American's first formal African-American institutions.

Established in Virginia in 1875 as Universal Lodge Number 1 in Alexandria, countless members of the Most Worshipful Prince Hall Grand Lodge of Virginia, Free & Accepted Masons have served in community and elected leadership positions.

Through their service to the Commonwealth of Virginia and our nation, members of the Most Worshipful Prince Hall Grand Lodge of Virginia, Free & Accepted Masons and its subordinate lodges have sought to ''inspire noble principles, moral values, and profound convictions in the lives of each individual'' their work touches. They have sought to teach the principles of family, the values of philanthrophy through charity and volunteer work, and the convictions of acceptance and compassion through honor, integrity, and respect.

Mr. Speaker, I would like to extend my enthusiastic congratulations to Roger C. Brown of Richmond, Virginia, who currently serves as the 78th leader of the Most Worshipful Prince Hall Grand Lodge of Virginia and to all its Grand Lodge Officers, Worshipful Masters, Worshipful Past Masters and members on their celebration, on December 16th, 2015, of 140 years of continuous service in the Commonwealth of Virginia, and on the celebration of Founder's Day on May 22, 2016 in Petersburg, Virginia. It is my profound hope that through their work, members of the Grand Lodge will continue to inspire and provide support and service to communities in the Commonwealth of Virginia.

MR. BILL CARNEY

HON. LEE M. ZELDIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. ZELDIN. Mr. Speaker, I rise today to honor the incredible fifty years of marriage between Barbara and Bill Carney.

On May 14, 2016, Barbara and Bill Carney celebrated fifty years of marriage, friendship, fun and family. Those 50 years have taken them on a winding and unpredicted journey—from the Irish Catholic neighborhood of Flatbush, Brooklyn, to the suburbs of Long Island, to the halls of the United States Congress—with unforeseen stops and innumerable joys along the way. With love, respect and patience, they made it look easy. Their lives together, love for each other, generosity of spirit, faith and humor have impacted so many people through the years.

Barbara Haverlin and Bill Carney grew up blocks from one another in Brooklyn. They attended the same parish, St. Catherine of Genoa, frequented the same places, and enjoyed overlapping groups of friends. They did not meet, however, until their early twenties at O'Reilly's Pub, where Bill was tending bar and Barbara was dating one of the O'Reilly brothers. On a dare from co-workers, Bill asked out the boss' girlfriend. Within two weeks of the first date, they decided to marry and were wed twelve months later. Both having lost their parents in their teens; Barbara and Bill deeply appreciated the importance and value of family. They have been blessed with extraordinary closeness with community and family, which is the same value and spirit that Barbara and Bill maintained in raising their two daughters, Julie Baker and Jackie Carney D'Aquila.

After marriage, Bill held multiple jobs to support his family—always willing to try or learn a new skill. Never one to shy away from challenges or to view something as impossible, Bill, as a member of the Smithtown Conservative Party, decided to run for U.S. Congress at 32 years old. In 1977, with Barbara's backing and the support of a handful of what would prove to be life-long friends, Bill beat the odds and was elected to represent the First Congressional District of New York. Bill Carney is the only person ever elected to the U.S. House of Representatives as a member of the New York State Conservative Party, having run on both the Conservative and Republican lines. During his political career, Bill enjoyed phenomenal staff, advisors and friends. He served four terms in the House before deciding to retire and open his own boutique consulting firm in 1986.

Bill and Barbara are joined in celebrating their 50th Anniversary this month by their daughters, sons-in-law, four grandchildren and scores of friends and family. I would like to congratulate Bill on fifty years of marriage and thank him for his remarkable service to his country and especially to the First Congressional District of New York. It is my hope that many will follow in his footsteps and give back to their country as graciously as he did.

TRIBUTE TO RITA AND STEVE VALLINCH

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Rita and Steve Vallinch of Council Bluffs, Iowa, on the very special occasion of their 65th wedding anniversary. They were married in 1951 at St. Peter and Paul Catholic Church in Omaha, Nebraska, by Father Stanislaus Golik.

Rita and Steve's lifelong commitment to each other and their children, Ann, Jean, Kathie, and family, truly embodies Iowa values. As they reflect on their 65th anniversary, may their commitment grow even stronger, and continue to love, cherish, and honor one another for many years to come.

I salute this great couple on their 65th year together and I wish them many more. I know my colleagues in the United States House of Representatives join me in congratulating Rita and Steve on this momentous occasion.

HONORING ZACKRIE GORDON

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today to recognize Zackrie Gordon of Davie, Florida for receiving Broward County Public Schools' Best in Class Award. With perfect attendance throughout elementary, middle, and high school, Zackrie has demonstrated a sincere dedication to his studies, a passion for learning, and a commitment to his school community.

It is with great pleasure that I honor Zackrie in the CONGRESSIONAL RECORD and wish him all the best as he graduates from Western High School

CONGRATULATING UNIVERSITY OF CENTRAL FLORIDA STUDENTS

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. WEBSTER of Florida. Mr. Speaker, it is my privilege to congratulate the University of Central Florida for winning the 2016 Raytheon National Collegiate Cyber Defense Competition (NCCDC) for the third consecutive year.

The competition, held April 22–24 in San Antonio, Texas, brought together the top ten college and university teams from across the country.

More than 180 colleges and universities and 2,000 undergraduate and graduate students participated in competitions leading up to the national championship which was sponsored by Raytheon. The Raytheon competition models real-world scenarios in which teams are required to maintain operational needs of their businesses and user demands amidst cyber attacks. Preparing the next generation of cyber security leaders is critical to defending our nation against ever-increasing threats.

Again, congratulations to the University of Central Florida team for bringing home the Raytheon NCCDC Alamo Cup for the third consecutive year and establishing the University as a national leader in cyber security

HONORING MELODY CHALMERS

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to congratulate Melody Chalmers, a North Carolinian who has had a wonderful impact on many of our state's children. Earlier this month, Melody was named the Wells Fargo North Carolina Principal of the Year for her service as principal of E.E. Smith High School in Cumberland County.

Chalmers was selected after a rigorous statewide process involving both interviews and on-site visits. It is clear that she is a truly exceptional principal.

Chalmers is long-time North Carolinian, who graduated from North Carolina A&T State University with a bachelor's degree in English in 1998. From there, she continued her education at Fayetteville State University, graduating in 2005 with a master's degree in School Administration.

As a leader in North Carolina's public schools, Melody Chalmers previously served as an assistant principal at E.E. Smith High and Warrenwood Elementary. She was later principal of Cross Creek Early College High before assuming her current role at E.E. Smith High School.

Chalmers has been widely praised for her work in our state's schools. North Carolina State Superintendent June Atkinson lauded her as an ''innovative problem solver who is committed to the academic and personal growth of each of her students and teachers.'' In presenting the award to Chalmers, Juan Austin, senior vice president of Community Affairs at Wells Fargo Carolinas, noted that she has the unique ability to ''recruit and retain quality teachers,'' an especially difficult task given the low pay and long hours our state's teachers cope with on a daily basis.

As principal of E.E. Smith High School, Chalmers works with more than 1,000 students and 70 teachers each year. She has fostered a family atmosphere at E.E. Smith that encourages her students to grow into future leaders.

I also want to thank Wells Fargo for their continued support of the Principal of the Year program. Their 33-year partnership with the State of North Carolina has touched hundreds of educators and thousands of students, providing resources for schools to continue to grow their inventive programs

I wish Melody Chalmers well as she continues her tireless work in North Carolina, creating an environment where every child can reach his or her full potential. She has touched many lives, and the effects of her service will reverberate for years to come.

HONORING SARAH CONROY ON BEING ACCEPTED BY THE NATIONAL ACADEMY OF FUTURE PHYSICIANS AND MEDICAL SCIENTISTS AS A DELEGATE TO THE CONGRESS OF FUTURE MEDICAL LEADERS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. LONG. Mr. Speaker, I rise today to honor Sarah Conroy, of Ozark, Missouri, who has been accepted by the National Academy of Future Physicians and Medical Scientists as a delegate to the Congress of Future Medical Leaders.

The Congress of Future Medical Leaders is an honors-only program that is designed to motivate and direct the top students in the United States. It is specifically for students who aspire to be physicians or enter into the field of medical research, and helps to provide a path and mentorship for students to accomplish those dreams. It takes place at the University of Massachusetts over 3 days, and helps to spark meaningful dialogues and exchanges of ideas between future leaders in the medical field.

To be considered for acceptance as a delegate, applicants must be recommended by either a teacher or member of the Academy based on a proven track record of academic excellence. Students must have a minimum of a 3.5 GPA and represent all 50 states and Puerto Rico. It is an incredibly selective opportunity, and those students who qualify for selection have done so because of their hard work and diligence to their studies, not to mention their impressive intellect.

Mr. Speaker, Sarah Conroy, who attends Ozark High School, has shown a true passion for anatomy, biology and health science. Moreover, Sarah has excelled in her academics and will no doubt make Missouri proud as one of our delegates. I would like to extend my personal congratulations for her achievement, and on behalf of the 7th District of Missouri, I would like to thank her for representing our district.

TRIBUTE TO KATHERINE AND TOMMIE STONER, SR.

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Katherine and Tommie Stoner, Sr. on the very special occasion of their 65th wedding anniversary. Tommie and Katherine were married on May 20, 1951.

Their lifelong commitment to each other and their family truly embodies Iowa's values. As the years pass, may their love continue to grow even stronger and may they continue to love, cherish, and honor one another for many more years to come.

I salute this lovely couple on their 65 years of life together and I wish them many more. I know my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

IN RECOGNITION OF MAESTRO ALVIN MILLS OF SANTA MONICA

HON. TED LIEU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. TED LIEU of California. Mr. Speaker, I rise today to honor Maestro Alvin Mills of Santa Monica, California who is retiring on May 15, 2016 at the age of 94 after being the conductor of the Brentwood Westwood Symphony Orchestra for 63 years.

I want to commend Maestro Mills for his commitment to bringing joy and music to thousands of people who are not able to afford to go to the Philharmonic concerts.

Maestro Mills began studying violin at the age of 8 and later studied with Pierre Monteux at the Ecole Monteux in Hancock, Maine. As a violinist he performed with the Kansas City Philharmonic and the Hollywood Bowl Symphony. In 1949 he became the Founder and Conductor of the Lompoc California Symphony.

Maestro Mills founded the Brentwood Westwood Symphony Orchestra in 1953. He also served as its conductor and musical director since its inception, and has championed the cause of keeping alive the arts and classical music by giving free quality classical symphonic concerts in these communities.

Maestro Mills also championed the youth in Los Angeles as a music teacher and with a contest that he started 30 years ago entitled, ''The Artists of Tomorrow Competition'' which gives the opportunity for 6 to 7 young artists who win the contest each year to receive scholarships and perform with the orchestra. Many of them have gone on to successful careers in music.

Through his inspiration, talents and leadership, Maestro Mills has exemplified the best ideals of community service. I am proud to honor Maestro Mills of Brentwood, California and thank him for his dedication to culturally enriching the residents of the 33rd Congressional District.

PERSONAL EXPLANATION

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. PASCRELL. Mr. Speaker, due to an obligation in my district, I regrettably missed Roll

Call votes 190, 191, 192 and 193. Had I been present, I would have voted "nay" on Roll Call Vote 190, "nay" on Roll Call Vote 191 and "yea" on Roll Call Vote 192, and "yea" on Roll Call Vote 193.

IN REMEMBRANCE OF MINISTER ASENATH KATHERINE TALLEY

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today in remembrance of Minister Asenath Katherine Talley of Philadelphia, who passed away last Wednesday.

Asenath Katherine Brown, known affectionately as Sennie, was born in Philadelphia on June 10th, 1942. The youngest of Benjamin and Hattie Brown's eight children, Asenath was involved in the church from an early age. She was a member of the Baptist Young People's Union, Sunday school, and the junior choir at Enon Baptist Church. Her family and friends often said that singing in the choir was one of her greatest joys as a child.

Asenath devoted her life to serving others long before she was ordained. She could frequently be seen preaching on the streets, prisons, and shelters of Philadelphia and Camden. Her compassion for the less fortunate was without peer, and her involvement in her community only grew after she became an ordained minister in 2000. A natural-born teacher, Asenath taught at Sunday school, Vacation Bible School, and New Life Bible School. Of course, she never stopped singing in the choir.

Preceded in death by her husband Leonard M. Talley, Asenath is survived by three children, five grandchildren, four great-grandchildren, as well as nieces, nephews, cousins, and friends beyond count. She left behind a legacy of love and compassion that will endure through every life she touched.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in honoring the life and memory of Minister Asenath Talley.

TRIBUTE TO KENT GRIES

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Deputy Kent Gries for being awarded the Commissioner's Special Award for Excellence in Traffic Safety. Mr. Gries is a Deputy in the Guthrie County Sheriff's Office based in Guthrie Center, Iowa.

This award recognizes an officer's efforts to "aggressively pursue drug-impaired and alcohol-impaired drivers." Deputy Gries was involved in about 90 arrests through the Guthrie County Sheriff's Office in 2015. Those incidents include 10 felony violations, 32 operating-while-intoxicated arrests and 50 drug arrests. He also administers the Guthrie County Sheriffs Office Facebook page. He developed and led a Citizen's Academy in Guthrie County.

Mr. Speaker, Deputy Kent Gries is an Iowan who has served his community and state well. It is with great honor that I recognize him today. I ask that my colleagues in the U.S. House of Representatives join me in honoring Kent and wish him continued success, health and happiness.

TRIBUTE TO THE LIFE OF MONSIGNOR JAMES EDWIN PETERSEN

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. COSTA. Mr. Speaker, I rise today to honor the life of Monsignor James Edwin Petersen of Madera, California who passed away on May 3, 2016 at the age of 82. Monsignor Petersen will be missed greatly by his family, friends, and the entire community.

Msgr. Petersen was born in Los Angeles, California on November 8, 1933. His family moved to Randsburg, California in the Mojave Desert, where his parents operated a general store. Monsignor Petersen realized his calling to become a priest at an early age. He attended seminary school in Columbus, Ohio at the Josephinum Seminary, where he completed high school, college, and post-graduate theology.

Msgr. Petersen was ordained into priesthood in 1959, and he took his first assignment at the Shrine of St. Therese in Fresno, California. For over 40 years, he served throughout California's Central Valley in various roles, serving as a pastor for numerous churches including Our Lady of Sorrows in Parlier, California, Our Lady of Mercy, in Merced California, St. Anthony of Padua in Fresno, and as the Executive Director for the California Catholic Conference in Sacramento California. Msgr. Petersen served as a priest at the Shrine of St. Therese until his retirement.

Throughout his priesthood and well into retirement, Msgr. Petersen served on numerous committees and boards and gave mass at the Nazareth House in Fresno on a weekly basis. Furthermore, he served the people of the San Joaquin Valley with grace, humility, and integrity. His commitment to faith and making a difference in the community truly made him a beloved individual.

Mr. Speaker, I ask my colleagues to join me in remembering a true community servant and man who put God above all else. Msgr. Petersen's memory will live on through his family and will be remembered by many in our community.

IN HONOR OF THE 60TH ANNIVERSARY OF SANDIA CALIFORNIA

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. SWALWELL of California. Mr. Speaker, I rise to recognize Sandia National Laboratories of Livermore. Through 60 years of collaborative research and pioneering to solve our nation's security issues, Sandia's workers have focused on keeping America's technology on the cutting edge.

From nuclear stockpile stewardship to chemical weapons disposal, from cybersecurity to fuel cells, their work has made every American safer. I am particularly thankful for Sandia's Energy and Climate program, which works toward a secure energy future for our nation. Moving us toward a sustainable, domestically sourced energy supply and more reliable infrastructure might be among the greatest gifts they are giving to Americans for generations to come.

Our cars are cleaner, our cybersecurity is stronger, and our energy options are widening because of Sandia's innovative work that will help maintain America's position as a premier technological leader.

Sandia has become an integral part of the Livermore community, helping to turn the area into a bustling and vibrant center of innovation. The entire 15th Congressional District is better for it. I am honored to represent the great minds of Sandia's workforce, and would like to congratulate them on 60 years of innovation and groundbreaking science.

HONORING RYAN DIRKSEN ON BEING ACCEPTED BY THE NATIONAL ACADEMY OF FUTURE PHYSICIANS AND MEDICAL SCIENTISTS AS A DELEGATE TO THE CONGRESS OF FUTURE MEDICAL LEADERS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. LONG. Mr. Speaker, I rise today to honor Ryan Dirksen, of Springfield, Missouri, who has been accepted by the National Academy of Future Physicians and Medical Scientists as a delegate to the Congress of Future Medical Leaders.

The Congress of Future Medical Leaders is an honors-only program that is designed to motivate and direct the top students in the United States. It is specifically for students who aspire to be physicians or enter into the field of medical research, and helps to provide a path and mentorship for students to accomplish those dreams. It takes place at the University of Massachusetts over 3 days, and helps to spark meaningful dialogues and exchanges of ideas between future leaders in the medical field.

To be considered for acceptance as a delegate, applicants must be recommended by either a teacher or member of the Academy

based on a proven track record of academic excellence. Students must have a minimum of a 3.5 GPA and represent all 50 states and Puerto Rico. It is an incredibly selective opportunity, and those students who qualify for selection have done so because of their hard work and diligence to their studies, not to mention their impressive intellect.

Mr. Speaker, Ryan Dirksen, who attends Springfield Catholic High School, has shown a level of dedication and aptitude for the health sciences that will leave him well prepared to represent Missouri at this Congress. I would like to extend my personal congratulations for his achievement, and on behalf of the 7th District of Missouri, I would like to thank him for representing our district.

IN REMEMBRANCE OF THE 27TH ANNIVERSARY OF THE INAUGURATION OF NELSON MANDELA AS PRESIDENT OF SOUTH AFRICA

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Ms. JACKSON LEE. Mr. Speaker, I rise to remember the anniversary of the inauguration of Nelson Mandela, the President of South Africa, who was a leading antiapartheid revolutionary and philanthropist.

On May 10, 1994, Nelson Mandela, a leading figure in the anti-apartheid movement, was inaugurated as South Africa's first black President.

The inauguration ceremony took place in the Union Buildings amphitheatre in Pretoria, South Africa; and politicians and dignitaries from more than 140 countries around the world were in attendance.

This historic day, for the people of South Africa, signified a monumental shift towards progress and away from hatred for those once treated as second-class citizens.

Nelson Mandela's historic election marked the end of an oppressive apartheid regime.

His inaugural speech, addressing the South African people, called for the continuation of work towards national and social reconciliation.

Jubilant scenes on the streets of Pretoria followed the ceremony as sects of all people celebrated together.

More than 100,000 South African men, women, and children of all races sang and danced with joy.

The crowd went wild when the new President, flanked by First Deputy President Thabo Mbeki and Second Deputy President FW de Klerk, appeared on the Botha Lawn.

Ever aware of the past and the history that had brought him to this moment, President Mandela honored his predecessor, President FW de Klerk, by acknowledging the indispensable role he played in South Africa's transformation.

Pursuing human rights through tireless efforts to create a better society, President Mandela's speech thematically echoed the importance of forgiveness for those previously committing many travesties on their brethren before the nation could begin to move forward.

He also spoke of the human disaster that was apartheid, recounting: ''We saw our country tear itself apart in terrible conflict . . . The time for healing of wounds has come . . . Never, never again will this beautiful land experience the oppression of one by another.''

Even after his term concluded, President Mandela continued to dedicate his life as an advocate for peace and equality in Africa and throughout the world.

The world mourned on December 5, 2013, the day Nelson Mandela passed, surrounded by his family at his Johannesburg home.

Mr. Speaker, I stand in this chamber to honor President Mandela who was freed after enduring 27 years of imprisonment, who nonetheless managed to use his inaugural platform to inspire the world.

President Mandela taught us that we all have the right to be free and the will to be compassionate.

TRIBUTE TO MARILYN AND CECIL NICHOLS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Marilyn and Cecil Nichols of Council Bluffs, Iowa, on the very special occasion of their 70th wedding anniversary. They were married on May 5, 1946, in Council Bluffs.

Marilyn and Cecil's lifelong commitment to each other and their children, Linda, Nick, and Diane, nine grandchildren, twenty great-grandchildren, and two great-great grandchildren truly embodies Iowa values. As they reflect on their 70th anniversary may their commitment grow even stronger, and continue to love, cherish, and honor one another for many years to come.

I salute this great couple on their 70th year together and I wish them many more. I know my colleagues in the United States House of Representatives join me in congratulating Marilyn and Cecil on this momentous occasion.

HONORING HAROLD BRADLEY

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mrs. BLACKBURN. Mr. Speaker, over sixty years ago, two brothers who shared a love for music banded together and bought a home on 16th Avenue South in the heart of Nashville. They turned the home into a recording studio and soon after, because of their impact, the neighborhood began its transformation into what is known today as Music Row.

Harold and Owen Bradley built Nashville's first recording and film studio, welcoming legends Patsy Cline and Brenda Lee among others to record the songs we all know and love. A talent in his own right, Harold played on cuts by Elvis Presley, Conway Twitty, Hank Williams, and more. His own albums include, ''Misty Guitar'', ''The Bossa Nova Goes to Nashville'', and ''Guitar For Lovers Only''. Later in his career, Harold became the first president of the Nashville chapter of NARAS and a member of the Grammy organization's Board of Governors. He was awarded the Trustees Award at the 52nd Grammy Awards. A 2006 inductee of the Country Music Hall of Fame, Harold was part of the original ''A Team'' of Nashville super pickers, who are collectively members of The Musicians Hall of Fame. Bradley served from 1991–2008 as President of the Nashville Association of Musicians, Local 257 of the American Federation of Musicians, and also was elected as the international vice president until 2010.

Today we celebrate the legend and talent that is Mr. Harold Bradley as he is presented with The Cecile Scaife Visionary Award. This is an award given annually to an individual whose life and work have made it possible for future generations to realize careers in the music industry. In true reflection of this honor, students at the Mike Curb College of Entertainment and Music Business at Belmont University are now using the very studio Mr. Bradley and his brother built, as a working study studio, and one of them will be the recipient of a scholarship in his name under The Cecil Scaife Endowment.

Mr. Speaker, I ask the House to join me today as we honor and memorialize the life and work of Harold Bradley.

HONORING ANA ROSALINDA GARCIA DE HERNANDEZ

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. CUELLAR. Mr. Speaker, I rise today to celebrate the accomplishments of the First Lady of Honduras, Ana Rosalinda Garcia de Hernandez, a steadfast advocate for the rights and welfare of unaccompanied migrant children.

First Lady Ana Rosalinda Garcia de Hernandez was born on September 21, 1969 in Tegucigalpa, Municipality of the Central District, Honduras. She is the daughter of Jose Guillermo Garcia Castellanos, a physician; and Carlota Carias Pizzatti. Ms. Garcia de Hernández received her law degree in legal and social sciences, with distinction, from the National Autonomous University of Honduras (UNAH) in 1991.

She met her future husband, Juan Orlando Hernandez, while she was a student. The couple married in 1990, and they have three children: Juan Orlando, Ana Daniela, and Isabella. She and her husband have lived in the United States, where she pursued a Certificate of Graduate Studies in Public Sector Management at the University at Albany, completing her studies in 1995. In 2002, she passed the Lawyer and Public Notary examination from the Supreme Court of Justice of Honduras.

The couple first began their social services work in Lempira, Honduras, where they demonstrated their commitment to humanitarian work by aiding the neediest families in that

area of the country. In 2006 they began what came to be called ''Por Una Vida Mejor'' (''For a Better Life''), a pillar of success in the Honduran government's program for families. Vida Mejor emphasizes early childhood education.

While her husband was serving as President of the National Congress from 2010 to 2014, Ms. Garcia Carias initiated, developed, and led social service projects through the Office of Social Development, building ''Vida Mejor'' into one of the most successful national programs.

First Lady Garcia de Hernandez leads a commission, created by her husband Honduran President Juan Orlando Hernandez, to help address the crisis of unaccompanied minors leaving Honduras. She has traveled to visit many immigration detention centers in the United States, where she listens to the stories of mothers and children who have taken great risks in search of opportunity. She advocates for the human rights of these migrants and ensures that their experiences are not forgotten. First Lady Garcia de Hernandez is committed to ensuring the welfare of these children in the detention centers as well as their dignified and safe repatriation process.

Mr. Speaker, I am honored to have the opportunity to recognize the First Lady of Honduras Ana Garcia de Hernandez a compassionate leader and devoted servant to her people.

IN RECOGNITION OF JASON O'DONNELL AND VINCENT CINIELLO

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. PALLONE. Mr. Speaker, I rise today to recognize Jason O'Donnell and Vincent Ciniello for their selfless and heroic actions to save a woman's life. The efforts of Mr. O'Donnell and Mr. Ciniello are truly deserving of this body's recognition.

On May 4, 2016, Jason O'Donnell and Vincent Ciniello, along with another Good Samaritan responded to the cries of a woman who had fallen into Wesley Lake in Ocean Grove, New Jersey. After Mr. Ciniello and another person pulled the woman out of the frigid water, Mr. O'Donnell, a former Bayonne firefighter, performed CPR on the unresponsive victim until Asbury Park and Neptune first responders arrived on scene. The woman was transported to a local hospital in stable condition.

Mr. O'Donnell and Mr. Ciniello are both employees at public relations firm Kivvit's New Jersey office, located in Asbury Park on the opposite side of the lake where the woman fell. Mr. O'Donnell, a former Assemblyman representing New Jersey's 31st Legislative District, was a long time member of the Bayonne Fire Department, reaching the rank of Captain. Mr. O'Donnell received his Bachelor of Science degree in Fire Science from New Jersey City University. His experience and training helped save the woman's life. A 2015 graduate of Rutgers University, Mr. Ciniello embodied his membership in the school's National Honor Society of Leadership and Success with his actions to pull the woman to safety.

Both Jason O'Donnell and Vincent Ciniello have exemplified the meaning of hero with their fearless and brave actions. I sincerely hope that my colleagues will join me in thanking both of them, along with the other bystanders and the first responders, for their efforts to save a life.

TRIBUTE TO CHARLOTTE AND RON BENTON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Charlotte and Ron Benton of Cumberland, Iowa, on the very special occasion of their 55th wedding anniversary. They were married on April 29, 1961 in Creston, Iowa.

Charlotte and Ron's lifelong commitment to each other and their children, Teresa, Terry, Tony, and Todd, and their six grandchildren and four great-grandchildren, truly embodies Iowa values. As they reflect on their 55th anniversary may their commitment grow even stronger, and continue to love, cherish, and honor one another for many years to come.

I salute this great couple on their 55th year together and I wish them many more. I know my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

RECOGNIZING MS. REBECCA GODDARD FOR BEING NAMED A PBS LEARNINGMEDIA DIGITAL INNOVATOR

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. HUDSON. Mr. Speaker, I rise today to recognize Ms. Rebecca Goddard for being named a PBS LearningMedia Digital Innovator. This distinction celebrates teachers from across the country who successfully integrate technology into the classroom as part of a dynamic approach to student learning.

Ms. Goddard, or ''Becky'' as she is known by her colleagues, spends her days challenging the minds of our youngest generation of students at Bostian Elementary School in China Grove, North Carolina. Her unique approach to the science, technology, engineering, and mathematics (STEM) fields allows students to engage in these high-demand subject areas while tying into classroom teachings. In her role as a technology facilitator, she is able to work across ages and subjects by engaging students with activities that include Legos, robotics, coding, and more.

As part of her recognition as a Digital Innovator, Ms. Goddard will have the opportunity to participate in professional development opportunities including virtual training sessions, custom PBS LearningMedia resources, and various networking opportunities. She will also travel to Denver, Colorado to attend the PBS LearningMedia Digital Summit and the International Society for Technology in Education conference. I have no doubt that she will use these opportunities to bring back new and innovative ideas to North Carolina.

This year, the Digital Innovators Program had a record number of applicants representing almost every state in the country, making Ms. Goddard's selection even more impressive. As one of the 52 teachers chosen in the program, she joins a special group who is on the cutting edge of classroom technology. Our community is fortunate to have Ms. Goddard dedicate her time and talents to educating our students.

Mr. Speaker, please join me today in congratulating Ms. Goddard for being named a PBS LearningMedia Digital Innovator and wish her well as she continues to make a positive difference in the lives of her students.

HONORING NORMA HARRIS ON BEING ACCEPTED BY THE NATIONAL ACADEMY OF FUTURE PHYSICIANS AND MEDICAL SCIENTISTS AS A DELEGATE TO THE CONGRESS OF FUTURE MEDICAL LEADERS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. LONG. Mr. Speaker, I rise today to honor Neosho High School Student Norma Harris on her being accepted as a delegate to the Congress of Future Medical Leaders by the National Academy of Future Physicians and Medical Scientists.

The Congress of Future Medical Leaders is an honors-only program that is designed to motivate and direct the top students in the United States. Specifically, it's designed for students aspiring to become physicians or medical researchers, and provides a path and mentorship for students to accomplish their goals.

To be considered for acceptance as a delegate, applicants are either recommended by a teacher or member of the Academy based on a proven track record of academic excellence. Delegates represent all 50 states plus Puerto Rico, and must have a minimum 3.5 GPA. Students like Harris who qualify for this incredibly selective honor exemplify top-tier diligence and academic talent.

Mr. Speaker, as a perennial Honor Roll student at her high school, Norma Harris has displayed elite academic qualifications, which will undoubtedly serve her future aspirations well. I urge my colleagues to join me in congratulating her for this achievement. On behalf of Missouri's Seventh Congressional District, I wish Norma the best of luck in all her future endeavors.

TRIBUTE TO JANICE AND ED CARLSON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Ed and Janice Carlson on the very special occasion of their 60th wedding anniversary. They were married on February 20th, 1956.

Ed and Janice's lifelong commitment to each other and their family truly embodies Iowa's values. As the years pass, may their love continue to grow even stronger and may they continue to love, cherish, and honor one another for many more years to come.

Mr. Speaker, I commend this lovely couple on their 60 years of marriage and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

7TH ANNIVERSARY OF THE END OF THE WAR IN SRI LANKA

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise today to commemorate the 7th anniversary of the end of the war in Sri Lanka. The Government of Sri Lanka won the war to keep the Sinhalese and Tamil communities within one country, but has not yet won the peace. A new president and a new government in 2015 have led to hopes that a different path will be trod towards a plural state in which all religions and ethnicities may live with dignity and security.

The leaders of the new government have made many ambitious promises to advance toward the goal of a stable and prosperous future for all. Now is the time to turn those promises into concrete action. The US, must assist and support in any way we can, but we must also keep incentives in place such as conditions on military and other aid until the government has accomplished real reform.

The government of Sri Lanka has made commitments on transitional justice and accountability, a political settlement of the ethnic problem, security sector reform, the return of land, the release of Tamil political prisoners, actions to end human rights violations and other ambitious reforms. Unfortunately, not enough improvement has yet been seen by the Tamils, Christians and Muslims who feel marginalized and discriminated against. Courageous leadership is needed to gain trust if reconciliation is the goal, not just promises. Now is the time for real action.

HONORING LESLIE ANN MILLER AND RICHARD B. WORLEY

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to honor Leslie Ann Miller and Richard B. Worley. Ms. Miller and Mr. Worley, married in 1987, are the deserving recipients of the Union League of Philadelphia's 2016 Crystal Award. The Crystal Award is presented to a person of distinction who by their actions has gained community or national prominence in the arts, or for their humanitarian efforts.

Leslie Ann Miller is a Philadelphia attorney and was the first woman to be elected President of The Pennsylvania Bar Association. A practicing litigator for more than 25 years, she has also served as an advisor to Mayor Michael Nutter in Philadelphia and General Counsel to the Honorable Edward G. Rendell.

Ms. Miller is active in a wide variety of nonprofit and cultural and organizations in Philadelphia and the East Coast. She served as acting President of The Kimmel Center when it opened in 2001; she chaired the Board of Trustees at Mount Holyoke College; currently chairs the Art Museum Board at Colonial Williamsburg and recently chaired the Philadelphia 2016 Flower Show. She is a member of the Boards of: The Philadelphia Museum of Art; Penn Medicine; Temple Law School; The Pennsylvania Horticultural Society; The Colonial Williamsburg Foundation; The Committee of Seventy and The Greater Philadelphia Cultural Alliance.

A cum laude graduate of Mount Holyoke College, Ms. Miller received an MA from the Eagleton Institute of Politics at Rutgers University, a JD from The Dickinson School of Law and an LLM with honors from Temple University's School of Law.

Richard B. Worley is Managing Partner of Permit Capital LLC which he founded in 2002. He began his career in 1970 as an economist at Goldman Sachs. In 1978 he joined Miller Anderson and Sherrerd, an independent investment management firm in the Philadelphia area. At MAS he was elected Partner in 1980 and Chairman in 1988, a position he held until the firm was acquired by Morgan Stanley in 1996. At Morgan Stanley he served in several capacities including as President and CEO of Morgan Stanley Investment Management. Mr. Worley holds a Bachelor of Sciences degree from the University of Tennessee.

Currently, Mr. Worley is the Chairman of the Philadelphia Orchestra Association, a position he has held since 2009. He is also a member of the board of directors of Neuberger Berman, a global investment management company headquartered in New York City, a member of the American Philosophical Society and a director at Philadelphia Media Network.

Mr. Worley is a former trustee of the Robert Wood Johnson Foundation, the University of Pennsylvania and Penn Medicine, the National Constitution Center and he is a former director of the Colonial Williamsburg Foundation, the Independence Seaport Museum and the mutual funds board of Putnam Investments.

Mr. Speaker, I encourage my colleagues to join me in honoring two incredibly deserving individuals: Leslie Ann Miller and Richard B. Worley. I congratulate them on their award and thank them for their years of service to our community.

HONORING OFFICER RICARDO GALVEZ DURING NATIONAL POLICE WEEK

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Ms. ROYBAL-ALLARD. Mr. Speaker, this is National Police Week, a time to salute the courageous men and women who serve in our police forces, and to pay tribute to the brave officers we have lost.

In my district, we continue to honor and celebrate the life and achievements of Downey Police Officer Ricardo Galvez, who was shot and killed last November. I never had the opportunity to meet Officer Galvez—or Ricky, as he was called by those who knew him—but I have been deeply impressed to hear of his patriotism as a United States Marine, his work ethic, his dedication to service as a Downey policeman, his generosity, and his infectious smile.

His memory will live on not just in the hearts of his friends and family, but on the wall of the National Law Enforcement Officers Memorial in Washington, DC.

During National Police Week, it was my privilege to attend Sunday's National Peace Officers' Memorial Service honoring Ricky and the many other police officers who lost their lives in 2015. Also in attendance were Ricky's family and many of his fellow Downey police officers. The ceremony was a solemn event and a reminder of the sacrifice police officers, like Officer Ricardo Galvez, and their families make to keep our communities safe.

On behalf of myself and the communities I represent, I salute all our law enforcement officers and thank them for their service.

OVERSIGHT OF THE STATE DEPARTMENT'S COUNTERTERRORISM BUREAU

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Mr. POE of Texas. Mr. Speaker, nearly two years after the President vowed to ''degrade and ultimately destroy'' ISIS, the terrorists are still holding their sanctuary in Iraq and Syria. Foreign fighters are still flocking to ISIS' so-called caliphate to fight alongside the terrorist group and tyrannize local populations.

But ISIS has not stopped there. In 2015, ISIS significantly stepped up its attacks outside Iraq and Syria. From the Charlie Hebdo attack last January to the attack last May at the Muhammad cartoon contest in Texas, ISIS has illustrated its dangerous capability to strike outside of its territory. The bloody year was finally capped off with the tragic massacre in Paris that left 130 people dead. Then came

the attacks in Brussels only two months ago. ISIS suicide bombers killed 32 people and wounded over 300 in the heart of the European Union. The attacks showed the world that despite a year of pulling off these coordinated attacks, ISIS' appetite for carnage and its ability to strike have not abated.

Besides the looming threat of ISIS, terrorism has continued to plague countries the world over. Syria, Iraq, Yemen, Nigeria, Afghanistan, Egypt, Israel, Bangladesh. These are just a few countries facing serious and destabilizing terrorist threats. In fact, more people were killed by terrorists in 2014 than ever before. There was an 80 percent increase in terrorist-related deaths in 2014 compared to 2013. Yet in the midst of this struggle against terrorism, the Administration wants to cut the main anti-terrorism account by 25 percent while increasing a general foreign aid account by 41 percent.

The State Department's Counter-Terrorism Bureau is not saved from this cut. In fact, State Department wants 31 percent less dollars for 2017 than 2016 for the CT Bureau. That budget request does not match the Administration's rhetoric that countering terrorism is a top priority.

Originally set up as an office back in 1972 in response to the terrorist attack at the Olympic Games in Munich, Germany, the primary mission of the Bureau for Counterterrorism is to forge partnerships with non-state actors, multilateral organizations, and foreign governments to advance the counterterrorism objectives and national security of the United States. Under that broad mission it has five principal responsibilities: 1) countering violent extremism; 2) capacity building; 3) counterterrorism diplomacy; 4) U.S. counterterrorism strategy and operations; and 5) homeland security coordination.

As the Bureau has grown in size, it has struggled to keep up with evaluating its programs to see if they really work. Even though the Bureau accepts the idea that it should be spending 3 to 5 percent of program resources on monitoring and evaluation, it has no way of tracking how much was actually spent so it can know if it is meeting that goal. Over the last 5 years, the Bureau has completed 5 evaluations. It needs to be doing more. It also needs to be doing better evaluations. The Bureau should do an impact evaluation to see if its project really made any difference. The Bureau should go back a year or longer after a project is completed to see if that project made a lasting difference.

This year, the Bureau is putting strong emphasis on Countering Violent Extremism (CVE). Even as it faces a 31 percent cut, the Bureau wants to set up a new office, hire more staff, and expand its CVE programs. But CVE, which the Administration hails as a ''pillar'' of its counterterrorism strategy, has never even been evaluated by the Bureau. A GAO study stated that while the Bureau has promised to evaluate CVE since 2012 it still has not evaluated it. I'm glad to hear the Bureau finally has plans in the works to evaluate CVE, but if this evaluation was done years ago, we could be a lot more confident the new dollars going to CVE would be well spent.

In January, the State Department announced the establishment of another office, the Global Engagement Center (GEC). Outside of the CT Bureau, it is tasked with coordinating messaging that delegitimizes violent extremists. It is not yet clear how the Bureau will engage and coordinate with the GEC or how it will not duplicate efforts.

A big part of countering violent extremism is winning the battle online, especially over social media. ISIS has been able to recruit over 20,000 foreign fighters, from more than 90 different countries, partly because of the organization's use of social media. In 2011, the White House acknowledged terrorists' use of social media to spread hate and promised a strategy to prevent online radicalization. Five years later, we are still waiting. In a time of limited resources and dangerous terrorist threats; we cannot afford to waste any dollars. Our national security depends on it.

It is clear that terror attacks are on the rise. Despite the Administration's so-called progress at winning back territory in Iraq and Syria, terrorists successfully conduct deadly attacks worldwide. ISIS and Al Qaeda affiliates continue to grow deeper roots in local communities thanks in large part to their use of social media. Now more than ever is a time to be vigilant about our counterterrorism efforts. The Department of State's role in this fight is not to be taken lightly. We need to make sure these programs are effective at combatting radicalization and the threat of terrorist attacks. The State Department must prioritize the monitoring and evaluation of their programs and ensure that lessons from such evaluations are implemented in a timely manner. We must develop a better understanding of what is working and what is not. The safety of Americans and our allies depends on it.

And that's just the way it is.

SUPPORT EN BLOC AMENDMENTS

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 18, 2016

Ms. SEWELL of Alabama. Mr. Speaker, I rise in support of the En Bloc Amendment package Number 2 offered by Chairman THORNBERRY. I want to thank the Chairman and Ranking Member SMITH for including my amendment, marked as Sewell Amendment Number 34, in this package.

My amendment is a very simple one that not only promotes our continued efforts to increase training and readiness in the area of cybersecurity but also helps encourage and promote the critically important pipelines between our senior military colleges, local educational agencies and ROTC programs. The need for improvement in the area of cybersecurity is increasingly apparent. Over the past several years, there has been a sharp increase in the number of cyberattacks that threaten our national security and economic stability. This bill seeks to address this emerging threat by establishing ROTC cyber institutes at our senior military colleges. My amendment simply allows for these cyber institutes to place a special emphasis on entering into partnerships with local educational agencies that service rural, underserved, or underrepresented communities.

Our nation's ROTC programs around the country help provide students with invaluable character education and promote student achievement, leadership, and diversity. These cooperative efforts between our military branches and local educational institutions help produce successful students and citizens. In particular, in rural and underserved communities, like the ones I represent in the 7th Congressional District of Alabama, ROTC programs not only provide the critically important tools to be successful academically and socially, but also represent an opportunity to improve their social mobility and expand their world beyond their communities.

The outcomes of these programs are both apparent and convincing. They help increase the odds of students graduating high school, finding employment, going to college and becoming an even more productive member of society. The new ROTC cyber institutes established in this legislation are a perfect symbiosis between a program with a proven track record and an emerging national security threat that will require recruitment and training of the best and brightest from ALL walks of life.

Again I want to thank the Chairman and Ranking Member for supporting this common sense yet critically important amendment. This is a win for everyone involved.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, May 19, 2016 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 24

10 a.m.

Committee on Appropriations

Subcommittee on Department of Defense

Business meeting to mark up an original bill entitled, ''Fiscal Year 2017 Department of Defense Appropriations''.

SD–192

Committee on Commerce, Science, and Transportation

To hold hearings to examine the multi-stakeholder plan for transitioning the Internet Assigned Numbers Authority.

SR–253

Committee on Finance
To hold hearings to examine debt versus equity, focusing on corporate integration considerations.
SD–215

Committee on Foreign Relations
To hold hearings to examine United States-India relations, focusing on balancing progress and managing expectations.
SD–419

10:30 a.m.
Committee on Banking, Housing, and Urban Affairs
To hold hearings to examine understanding the role of sanctions under the Iran Deal.
SD–538

11 a.m.
Committee on Appropriations
Subcommittee on Department of Homeland Security
Business meeting to mark up an original bill entitled, ''Department of Homeland Security Appropriations Act, Fiscal Year 2017''.
SD–138

2:15 p.m.
Committee on Veterans' Affairs
To hold hearings to examine S. 2919, to amend title 38, United States Code, to provide greater flexibility to States in carrying out the Disabled Veterans' Outreach Program and employing local veterans' employment representatives, S. 2896, to eliminate the sunset date for the Veterans Choice Program of the Department of Veterans Affairs, to expand eligibility for such program, and to extend certain operating hours for pharmacies and medical facilities of the Department, S. 2888, to amend the Public Health Service Act with respect to the Agency for Toxic Substances and Disease Registry's review and publication of illness and conditions relating to veterans stationed at Camp Lejeune, North Carolina, and their family members, S. 2883, to amend title 38, United States Code, to extend the requirement of the Secretary of Veterans Affairs to submit a report on the capacity of the Department of Veterans Affairs to provide for the specialized treatment and rehabilitative needs of disabled veterans, S. 2679, to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish within the Department of Veterans Affairs a center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits, S. 2520, to amend title 38, United States Code, to improve the care provided by the Secretary of Veterans Affairs to newborn children, S. 2487, to direct the Secretary of Veterans Affairs to identify mental health care and suicide prevention programs and metrics that are effective in treating women veterans as part of the evaluation of such programs by the Secretary, S. 2049, to establish in the Department of Veterans Affairs a continuing medical education program for non-Department medical professionals who treat veterans and family members of veterans to increase knowledge and recognition of medical conditions common to veterans and family members of veterans, an original bill to reform the rights and processes relating to appeals of decisions regarding claims for benefits under the laws administered by the Secretary of Veterans Affairs, an original bill to make certain improvements in the provision of automobiles and adaptive equipment by the Department of Veterans Affairs, and an original bill to expand eligibility for hospital care and medical services under section 101 of the Veterans Access, Choice, and Accountability Act of 2014 to include veterans in receipt of health services under the pilot program of the Department of Veterans Affairs for rural veterans.
SR–418

2:30 p.m.
Committee on Environment and Public Works
Subcommittee on Fisheries, Water, and Wildlife
To hold hearings to examine the implementation of the definition of Waters of the United States.
SD–406

MAY 25

10 a.m.
Committee on Foreign Relations
Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy
To hold hearings to examine international cybersecurity strategy, focusing on deterring foreign threats and building global cyber norms.
SD–419

Committee on Homeland Security and Governmental Affairs
Business meeting to consider S. 2834, to improve the Governmentwide management of unnecessarily duplicative Government programs and for other purposes, S. 1378, to strengthen employee cost savings suggestions programs within the Federal Government, S. 2849, to ensure the Government Accountability Office has adequate access to information, S. 2480, to amend title 5, United States Code, to protect unpaid interns in the Federal Government from workplace harassment and discrimination, S. 461, to provide for alternative financing arrangements for the provision of certain services and the construction and maintenance of infrastructure at land border ports of entry, S. 2852, to expand the Government's use and administration of data to facilitate transparency, effective governance, and innovation, H.R. 4902, to amend title 5, United States Code, to expand law enforcement availability pay to employees of U.S. Customs and Border Protection's Air and Marine Operations, S. 2465, to designate the facility of the United States Postal Service located at 15 Rochester Street in Bergen, New York, as the Barry G. Miller Post Office, S. 2891, to designate the facility of the United States Postal Service located at 525 North Broadway in Aurora, Illinois, as the ''Kenneth M. Christy Post Office Building'', H.R. 136, to designate the facility of the United States Postal Service located at 1103 USPS Building 1103 in Camp Pendleton, California, as the ''Camp Pendleton Medal of Honor Post Office'', H.R. 1132, to designate the facility of the United States Postal Service located at 1048 West Robinhood Drive in Stockton, California, as the ''W. Ronald Coale Memorial Post Office Building'', H.R. 2458, to designate the facility of the United States Postal Service located at 5351 Lapalco Boulevard in Marrero, Louisiana, as the ''Lionel R. Collins, Sr. Post Office Building'', H.R. 2928, to designate the facility of the United States Postal Service located at 201 B Street in Perryville, Arkansas, as the ''Harold George Bennett Post Office'', H.R. 3082, to designate the facility of the United States Postal Service located at 5919 Chef Menteur Highway in New Orleans, Louisiana, as the ''Daryle Holloway Post Office Building'', H.R. 3274, to designate the facility of the United States Postal Service located at 4567 Rockbridge Road in Pine Lake, Georgia, as the ''Francis Manuel Ortega Post Office'', H.R. 3601, to designate the facility of the United States Postal Service located at 7715 Post Road, North Kingstown, Rhode Island, as the ''Melvoid J. Benson Post Office Building'', H.R. 3735, to designate the facility of the United States Postal Service located at 200 Town Run Lane in Winston Salem, North Carolina, as the ''Maya Angelou Memorial Post Office'', H.R. 3866, to designate the facility of the United States Postal Service located at 1265 Hurffville Road in Deptford Township, New Jersey, as the ''First Lieutenant Salvatore S. Corma II Post Office Building'', H.R. 4046, to designate the facility of the United States Postal Service located at 220 East Oak Street, Glenwood City, Wisconsin, as the Second Lt. Ellen Ainsworth Memorial Post Office, H.R. 4605, to designate the facility of the United States Postal Service located at 615 6th Avenue SE in Cedar Rapids, Iowa as the ''Sgt. 1st Class Terryl L. Pasker Post Office Building'', an original bill entitled, ''DHS Accountability Act of 2016'', an original bill entitled, ''Biodefense Strategy Act of 2016'', an original bill entitled, ''Disaster Management Act of 2016'', an original bill entitled, ''Office of Special Counsel Reauthorization Act of 2016'', an original bill entitled, ''GAO Mandates Revision Act of 2016'', an original bill entitled, ''District of Columbia Judicial Financial Transparency and Courts Improvement Act'', an original bill entitled, ''National Urban Search and Rescue Response System Act of 2016'', an original bill entitled, ''Grant Reform and New Transparency Act of 2016'', and an original bill entitled, ''Federal Information Systems Safeguards Act of 2016''.
SD–342

2 p.m.
Committee on Commerce, Science, and Transportation
Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard
To hold hearings to examine improvements in hurricane forecasting and the path forward.
SR–253

Joint Economic Committee
To hold hearings to examine the transformative impact of robots and automation.
SD–106

2:30 p.m.
Committee on Banking, Housing, and Urban Affairs
To hold hearings to examine understanding the role of sanctions under the Iran Deal, focusing on Administration perspectives.
SD–538

4:30 p.m.
Committee on Foreign Relations
To receive a closed briefing on trafficking in persons, focusing on preparing the 2016 annual report.
S–116

MAY 26

9 a.m.
Committee on Foreign Relations
Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women's Issues
To hold hearings to examine cartels and the United States heroin epidemic, focusing on combating drug violence and the public health crisis.
SD–419

10 a.m.
Committee on Agriculture, Nutrition, and Forestry
To hold hearings to examine a review of the United States livestock and poultry sectors, focusing on marketplace opportunities and challenges.
SH–216
Committee on Homeland Security and Governmental Affairs
To hold hearings to examine protecting America from the threat of ISIS.
SD–342
Committee on Small Business and Entrepreneurship
To hold an oversight hearing to examine the Small Business Administration's 7(a) loan guaranty program.
SR–428A

JUNE 8

10:30 a.m.
Committee on Appropriations
Subcommittee on Military Construction and Veterans Affairs, and Related Agencies
To hold hearings to examine a review of the Department of Veterans Affairs' electronic health record (VistA), progress toward interoperability with the Department of Defense's electronic health record, and plans for the future.
SD–124

SENATE—*Thursday, May 19, 2016*

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

PRAYER

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

Let us pray.

God of all nations, strengthen us that we may meet the challenges of these times. Enable us to live so that we will bring honor to Your Name. Be merciful to our Nation, for You are our hope.

Today, empower our lawmakers with the music of Your wisdom that they may bring hope out of despair and joy out of sadness. Lord, teach them to celebrate even in the darkness, because You are the God of our salvation. We celebrate Your mighty acts and take solace from Your providential guidance.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. GARDNER). The Democratic leader is recognized.

FEMALE GENITAL MUTILATION

Mr. REID. Mr. President, I come to the floor today not to talk about a political issue, in the real sense of the word—not Democrat versus Republican—but a very difficult sensitive issue. It is hard to talk about, but we as a nation can't keep ignoring this important topic.

It has been more than 20 years since I learned about something called female genital mutilation, known as FGM. Since then, I have spoken often against this awful procedure and the devastating effect it has on women and girls around the world.

A number of people warned me 20 years ago that this isn't a subject I should talk about. It was taboo. They thought it would be untoward for me to do so. But I told them I had to because no one else was talking about it. So I am going to continue doing everything I can to bring attention to this issue and fight to end this horrible, awful, brutal practice perpetrated against women and girls.

It was a 1994 cable news program that introduced me to this practice. One of my friends in Las Vegas said: You can't imagine this. This was a young woman who sent this to me. I didn't expect getting this from her or anyone else. But we were friends, and so I watched this. She said: You have to. And I did: A 10-year-old little girl in a party dress held down by two men, her legs spread apart, and she was brutally mutilated as her genitals were cut away. These images have continually haunted me over the years. I will never ever forget the picture that I saw.

There are different forms of female genital mutilation around the world. The most severe and atrocious is the one in which the girl's genitals are cut away. But then the little girls are literally sewn shut, leaving only a small opening for urine and menstrual blood.

Though FGM is performed for different reasons around the world. One thing is very clear: Whatever rationality you try to give to this practice, it is a form of control and oppression of women and girls.

In addition to the psychological impact, this form of gender-based violence has serious medical risks, including death, of course. It is recognized by the United Nations as a human rights violation, as it should be.

But FGM is still happening. As we speak, 200 million women and girls worldwide have undergone FGM—200 million women and girls who are alive today who have undergone that procedure that I watched on cable news, or something like it. More than two decades after I first saw that program, women and girls are still being hacked, mutilated. It is not done in a hospital, an operating room. It is done in very unsanitary conditions most of the time.

This practice remains prevalent in at least 30 countries. In some places, the rates of FGM are higher than 90 percent—90 percent. In many of these countries, girls are cut before the age of 5. In most places they are cut between the ages of 5 and 14. In many of these countries, girls—well, enough. Imagine that—girls who haven't even started school yet, of kindergarten age or younger, being subjected to this horror.

Because of these millions of girls, I have spent more than 20 years trying to do something about it. I have worked hard to pass legislation outlawing the practice in the United States and banning so-called vacation cutting, which goes on when young girls are shipped overseas. Because it is illegal here, due to the laws we passed, they take them overseas to be cut.

There was some bipartisan support, obviously, for this. It is not a partisan issue. We were able to have a few victories—certainly not enough, but some. Still, this brutal practice continues around the world, and it is clear there must be much more done—much more done.

That is why, at my request, the General Accountability Office began a study on the American Government's efforts to stop this practice. The GAO has now completed its report about our government's international efforts. It wasn't much of a report. It was kind of short. The report is shameful in terms of what we have not done.

The title of the report says it all: ''Female Genital Mutilation/Cutting: U.S. Assistance to Combat This Harmful Practice Abroad is Limited.'' And ''limited'' is an understatement.

I am publicly releasing this report today, which outlines the U.S. Government's limited—limited—efforts. I am terribly disappointed. I am embarrassed that the State Department and the U.S. Agency for International Development are not fully engaged in dedicating resources to put an end to this.

According to the GAO report, USAID and the State Department each had just one active stand-alone project focused on stopping female genital mutilation. One of these projects is gone—already ended. Less than $2 million has been spent on these projects combined.

The GAO also found that the United States has never contributed—never contributed—a penny to the world's largest international effort against this horrible, awful practice. It is called the Joint Programme on FGM/C. It is embarrassing. We have not put one penny into this.

During the course of the GAO investigation, State and USAID both began to take action. They were embarrassed, I assume. If they weren't, they should have been. But they haven't done much. USAID, for example, decided to update the guidance it released 16 years ago, and Secretary Kerry recently announced that the United States will be contributing to the Joint Programme for the first time. Bravo.

I commend this commitment, but I understand these funds are not a dedicated funding source. They are just a one-time, very limited pledge. Maybe we will have to get another GAO report before we get something into that program. It shouldn't take a GAO investigation for State and USAID to act. The United States should prioritize ending this practice, but it hasn't.

This is shameful. It is a tragedy that our great government is not doing

more. It is inexcusable that the United States, a nation with wealth and power, is standing by while such sickening violence against women and girls is occurring. As we speak, 200 million have undergone this in the world—200 million.

The State Department and USAID should end it or do everything they can to make female genital mutilation a priority and dedicate substantial resources to this issue. It is a cause. It should be, if it isn't. The United States can and must do far more to eliminate this practice worldwide. We still have problems here in the United States.

This shameful GAO report, I hope, is a wake-up call. Something had to wake us up because we have done almost nothing as a country. The report should be a turning point in the fight against FGM, a moment when the most powerful nation in the world commences the stopping of this brutal form of abuse.

The United States should be a leader in this fight and not a bystander. We must put this brutal practice to an end. America must lead the world in stopping these assaults of little girls and big girls and women. I hope the Senate will join me in these efforts.

Mr. President, I don't see anyone on the floor. I ask the Chair to announce the business of the day.

RESERVATION OF LEADER TIME

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

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2577, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Pending:

Collins amendment No. 3896, in the nature of a substitute.

McConnell (for Lee) amendment No. 3897 (to amendment No. 3896), to prohibit the use of funds to carry out a rule and notice of the Department of Housing and Urban Development.

McConnell (for Nelson/Rubio) amendment No. 3898 (to amendment No. 3896), making supplemental appropriations for fiscal year 2016 to respond to Zika virus.

McConnell (for Cornyn) modified amendment No. 3899 (to amendment No. 3896), making emergency supplemental appropriations for the fiscal year ending September 30, 2016.

McConnell (for Blunt) modified amendment No. 3900 (to amendment No. 3896), Zika response and preparedness.

Collins (for Blunt) amendment No. 3946 (to amendment No. 3900), to require the periodic submission of spending plan updates to the Committee on Appropriations.

McCain/Blumenthal amendment No. 4039 (to amendment No. 3896), to extend and expand eligibility for the Veterans Choice Program of the Department of Veterans Affairs and to establish consistent criteria and standards relating to the use of amounts under the Medical Community Care account of the Department of Veterans Affairs.

The PRESIDING OFFICER. Under the previous order, the time until 11:15 a.m. will be equally divided between the managers or their designees.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BOOKER. Mr. President, I appreciate seeing the Presiding Officer in the chair and having a ''Corey'' represented and presiding over the U.S. Senate.

I rise today to speak against an amendment now pending to this bill that would block a rule that seeks to fulfill the promise of the Fair Housing Act. This issue is very deeply personal to me and one that really has defined my own personal history. I would like to start by telling a story.

In 1969, just 1 year after the passage of the Fair Housing Act, a couple here in Washington, DC, married with two boys, decided to move to New Jersey. In New Jersey, they encountered a lot of a practice called real estate steering, where Black couples were steered away from certain neighborhoods.

Realizing they were being steered away from White neighborhoods, they grew frustrated, and they sought the help of the fair housing council. They set up an elaborate sting operation where my parents would go look at a home—or this couple would go look at a home—and they would then be followed by a White couple. The couple was told the house was sold or it was not for sale. The White couple would then appear and find out if that was, indeed, true. Most often for this couple from Washington, DC, yes, they would find out the house was still for sale.

Eventually this couple found a house they loved in a small town called Harrington Park, NJ, but they were told that the house was not for sale. They were told the house had been pulled off the market or sold. They left. Then the White couple came behind them. Lo and behold, the house had not been sold or was not pulled off the market. The White couple pretended that they loved the house as the Black couple did and put a bid on the house. The bid was accepted.

On the day of the closing, instead of the White couple showing up, the African-American gentleman from the Black couple and a volunteer lawyer came to confront the real estate agent. The real estate agent was so upset that he stood up and punched the lawyer representing the Black couple and sicced his dog on the African-American man. Yet the law was on their side. The fair housing law of the United States of America, the law of the Federal Government, was on their side.

Eventually, that Black couple and their two kids moved into that home in Harrington Park, NJ. That was 1969. It was the year I was born, and that couple was my parents, Cary and Carolyn Booker. That is my origin story. Legislation that this body passed empowered my family to move into the home of their dreams in an all-White neighborhood with incredibly good schools that I went through from K–12. I am the beneficiary of work this body did to ensure that our American values are preserved, our values of inclusion and integration, to make sure fair housing is the law of the land. That work gave me my start in life. The activism of local activists, combined with the law of the land as passed by us, defined my path.

After decades of struggle in communities across the country, we have largely been successful in banning overt housing discrimination. We should be proud of our work. But legislation that we passed should not become a relic of history. It is not something for us to turn and admire. We all know on many issues the cause of freedom and the cause of justice necessitate constant vigilance.

So I rise today with the knowledge that while major pieces of civil rights legislation like the Fair Housing Act have had a significant impact on millions of Americans—White, Black, Latino, Asian, disabled—this has had a full impact. We still have work to do to continue that vigilance to make sure that those values, those ideals, and the law of the land are made real for families.

Unfortunately, for nearly 50 years there has not been real guidance, direction, or tools to help local officials achieve the goals of the Fair Housing Act, which are integrated housing, fair housing, equal access. In 2010, in fact, the Government Accountability Office found that the Department of Housing and Urban Development, HUD, failed to properly administer oversight obligations under the Fair Housing Act and failed to monitor its guarantees for compliance with the law.

In 2013, HUD proposed affirmatively furthering fair housing, a new rule that would seek to fulfill the promise of the Fair Housing Act and eliminate a lot of the historic patterns of segregation that still go on in America today. The vision for the rule is to institute a data-driven analysis of localities and to develop Federal grant programs for housing and economic inclusion.

When I was mayor, people came to me with passions and accusations and the like. I used to always say: In God we trust, but, everybody else, bring me data. It is important to look at the numbers to know what really is going on.

So HUD brought about this idea of making sure we have that data—not in a rushed process. The administration engaged in a diligent 2-year rulemaking process with public inclusion, participation from others, and lots of public comment periods. They finalized that rule in July 2015.

It is unfortunate that one of my dear colleagues—somebody whom I value very much because we do a lot of work across the aisle—has introduced an amendment that would block this rule's implementation, and I must respectfully disagree with the intent of this amendment. The Fair Housing Act and, really, the entirety of the Civil Rights Act were meant, again, to be real today, not just relics of yesterday. They were meant to be guideposts and standards by which we hold ourselves accountable for the values we put forth.

The affirmatively further fair housing rule is a measure of accountability for HUD and for ourselves. You cannot change what you cannot measure. Let me say that again. I learned this as a manager: If you can't measure it, you can't change it or affect it.

The rule will arm communities most in need with knowledge and numbers so they can make intelligent local decisions and best apply their resources. It is what everyone who has to manage something needs: accurate data. It will improve the access to quality data on local demographics and streamline the process for analyzing local fair housing impediments, helping grantees establish their own local fair housing priorities. This rule does not interfere with local zoning or housing laws, and it prevents further taxpayer dollars from being used to discriminate.

Every stakeholder—every one of us—is afforded an opportunity to comment on the rule that HUD made, and, as a former local leader, it empowers people at the localities to do justice by their communities. This is a balanced and a measured rule, and it takes up the cause of the work to make our country more and more just.

I know personally that so much of the character of our country comes from the values we have as a whole. There are rare times in our history where this body is called upon to affirm those values. This body's history—the noble history of this body—is something I have benefited from personally around fair housing. Now we have more tools necessary, with big data and analysis, to more effectively and affirmatively assert our values and ensure injustice is not being done.

I want to make sure that we defeat this amendment for those reasons. I believe and know the values of my colleague who proposed this. I do not think it achieves the end that we want to see by disempowering people to try to help families like mine. I was a child in DC moving to New Jersey and found justice—found a pathway toward integration. Indeed, I doubt I would be here right now if it weren't for the laws of our land.

I hope we can defeat this amendment and ensure that our Nation becomes more fair and more just and that more families like mine can find the America we hail when we pledge allegiance to the flag and say we are a Nation of liberty and justice for all.

Mr. President, I ask unanimous consent that the time during the quorum calls be charged equally, fairly—like fair housing—fairly, to both sides.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

THE APPROPRIATIONS PROCESS

Mr. MCCONNELL. Mr. President, Senators have been working diligently this week, continuing our efforts to advance American priorities and responsibly fund important programs through the appropriations process. We have made good progress so far. The Senate already passed one funding bill by a broad majority at a record early time. Another Appropriations subcommittee approved its own funding bill just the other day, and it is my hope that we will be able to move two more funding measures across the finish line very shortly. With continued work and cooperation, we can do just that.

The two measures before us are the result of hard work, negotiation, and compromise. They are the product of strong leadership by Senators COLLINS and KIRK, and they are the culmination of a good deal of input from both sides of the aisle.

Here is what we know these bills can achieve: The transportation and housing infrastructure appropriations bill will invest in our transportation systems and help ensure safety and efficiency. The veterans and military construction funding bill will help improve care for veterans and increase oversight and accountability efforts at the VA.

The legislation before us will also include a provision to help address Zika. This compromise provision will focus on immediate needs while also providing resources for longer term goals such as a vaccine. It is another reminder that keeping Americans safe and healthy is a top priority for us all. Let's continue our work today to move these important funding measures closer to passage.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 3897

Mrs. MURRAY. Mr. President, a home is more than just a roof over someone's head; it is actually where a family builds their lives. In our country, we need to do everything we can to make sure families have options when it comes to finding a place to live, and they need access to affordable, safe, and fair housing. Unfortunately, today Republicans want to deal a significant blow to fair housing. The amendment they are offering would tear down the civil rights protections in the Fair Housing Act of 1968, and I am here today to strongly urge my colleagues to vote against it.

Before the civil rights movement, African Americans faced an enormous amount of injustice and racism in housing. People of color were often relegated to substandard housing. They were denied mortgages, and rent in an African-American neighborhood was often higher than rent in a White neighborhood.

When the Fair Housing Act went into effect in 1968, it not only banned discrimination in the sale, rental, and financing of housing, it went a step further: A new Federal housing agency was charged with proactively rooting out discrimination and segregation in communities across the country. That is an important part of the law because today people across the country still face systemic and sometimes racially motivated barriers to housing. People with disabilities, people of color, families with children, and religious groups in many areas have limited housing choices.

Last year the Department of Housing and Urban Development, also known as HUD, issued a long-overdue rule to help carry out that mission to proactively eliminate housing segregation and discrimination. For States and local governments that get HUD investments, this rule would improve the quality and access to data on demographics, it would help researchers analyze the barriers people face to access fair housing, and it would help set priorities and goals for carrying out the mission to actively fight back against discrimination and segregation.

Based on pilot programs from around the country, we know this rule can help expand opportunity to more Americans. One of those pilots was in Seattle in my home State of Washington. After an assessment of high-poverty areas in Puget Sound, the city saw that neighborhoods that historically have been disenfranchised lacked job opportunities. Armed with that data, the city is setting up a food distribution center and a job incubator in those neighborhoods. The city's work is helping to foster job growth in places where low-income residents live, and through that work, the city expanded economic security to more people. That would not have been possible without the data this long-overdue rule provided us.

This is the kind of success this new rule will help further, but unfortunately we are seeing that some Republicans want to put a stop to those positive changes and backtrack on the gains we have made on civil rights in housing, and to me, that is unacceptable. Here in Congress, we should be clearing pathways for more Americans to access more housing, not blocking the way.

I am here today to urge my colleagues to vote against that amendment, which we will be voting on later.

Mr. President, while I have the floor, I wish to talk about another topic that is very important to me. I am very honored to come to the floor today with good news for thousands of military families, including three couples I met just last week here in the Nation's Capital. Each of the veterans I met with had suffered a catastrophic injury while fighting for our country, which changed the course of their lives and their families' lives forever.

Matt Keil was shot by a sniper and paralyzed. Kevin Jaye was injured by a roadside bomb in Afghanistan. Tyler Black was paralyzed during a firefight. What was the one thing each of these veterans wished for after he returned home and got out of the hospital? Well, like so many women and men in our country, they dreamed of having a family of their own.

Even though each veteran suffered injuries that made it nearly impossible to conceive naturally, they have hope because in this day and age, the medical technology exists to make their dream of having a family come true. The most popular path is in vitro fertilization, known as IVF, but because of a policy enacted decades ago, the VA is barred from covering the costs of IVF, which forced Matt, Kevin, and Tyler, with their partners, to go down that road alone even though their injuries were caused while serving all of us overseas. Collectively, they have paid tens and tens of thousands of dollars out-of-pocket. Matt said to me that when he heard the VA wouldn't cover the one medical procedure he and his wife wanted so badly, he felt like his country had abandoned him. We are talking about a man who sacrificed his body for our country.

I believe this is wrong. When this country sends brave men and women to work, we promise to take care of them when they return home. That is why I have been fighting to change this policy once and for all, and today I am very proud to see this effort take a big step forward with bipartisan support here in the Senate. My provision in the underlying VA appropriations bill will finally allow the VA to cover those costs and let our veterans know their country is there for them when they come home. It is the right thing to do for Matt and his wife Tracy, Kevin and Lauren, Tyler and Crystal, and every other military family in this country.

As we move to pass this bill through the Senate, I call on my colleagues in the House to follow suit and get this done. This is not about politics or partisanship, and we shouldn't be cutting corners when it comes to our veterans and their families. This is a chance to support our veterans and the dreams they have fought so hard for—to have a family.

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

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 3900, AS MODIFIED

Mr. LEE. Mr. President, I call for regular order with respect to the Blunt amendment No. 3900.

The PRESIDING OFFICER. The amendment is now pending.

Mr. LEE. Thank you, Mr. President.

I rise not to debate the broad question of the Federal Government's proper role in protecting and advancing public health; instead, I am here to stress to my colleagues that with a growing national debt that will soon exceed $20 trillion, we cannot continue spending money we don't have.

If this emergency supplemental measure is adopted, it will be the 15th emergency supplemental we have passed since 2006, totaling about $190 billion in deficit spending. This is not how responsible governments budget. It is not how responsible governments behave.

Indeed, we have the ability to provide the resources the country needs to fight the Zika virus without adding to our national debt. For starters, we can undo the $500 million President Obama took from the international infectious diseases account which was placed in his unapproved Green Climate Fund. USAID is sitting on $1.2 billion in unobligated Ebola funds. The Office of the Assistant Secretary for Preparedness and Response currently has $347 million not being put to use. There is $525 million in CDC's global health security agenda that is unspoken for.

To the extent that the Zika virus is truly an emergency, one that deserves the Federal Government's attention, we already have more than enough unused emergency funds to pay for the fight against this emerging threat.

Yesterday, my colleague, the distinguished junior senator from Oklahoma, Mr. LANKFORD, illustrated that this administration has tens of billions of dollars in unobligated discretionary funds to pay for this as well.

What we should not do, however, is allow the Zika virus to be yet another excuse to run up the national debt, just so appropriators can come back and use unspent emergency money on non-emergency parochial priorities at some later date.

The entire emergency spending label is to some, perhaps, a little bit misleading. It does not mean that the money gets spent any faster. All it does is give Congress the ability to spend the money without having to pay for it, to spend the money without having to offset it somewhere else. That is not how we should operate.

I urge my colleagues to uphold this budget point of order.

Mr. President, pursuant to section 314(e) of the Congressional Budget Act of 1974, I raise a point of order against all of the emergency designations contained in amendment No. 3900, a list of which I am sending to the desk.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I certainly share the deep concern expressed by my colleague from Utah over the growing size of the Federal debt. It is a serious problem. I encourage him to look at the chart that Senator ALEXANDER has produced, which shows where the problem is.

The problem is on the mandatory side of the budget, not the discretionary side of the budget, which, due to efforts we have made, has been held relatively flat for several years. But the mandatory spending side of the budget is soaring. There is no doubt about that. For example, many of us, when the administration presented its budget, rejected the gimmicks that were included, for example, in the transportation budget to shift some $7 billion from discretionary to mandatory spending. That was unwarranted. We did not do that.

But if ever there were an emergency, it is the threat posed to public health by the Zika virus. About 2 weeks ago, Senator JOHNNY ISAKSON and I went to the Centers for Disease Control and Prevention in Atlanta, GA, and heard briefings from the top experts in the world about the threat posed by the Zika virus.

The fact is that the news keeps getting worse and worse. Zika has now been linked for certain to a severe kind of birth defect, making pregnant women particularly at risk. It has also been linked to a disease known as Guillain-Barre syndrome, which can cause paralysis and even death.

Those of us who live in Northern States—this kind of mosquito, for example, is found only in the very southern tip of Maine—should take no comfort from that fact. The CDC has documented cases of the Zika virus in virtually every State in the Union, and that is because disease knows no boundaries in this world of international travel. In addition, the CDC has documented approximately 1,000 cases of Zika. It is an epidemic in Puerto Rico, where there are more than 475 documented cases—a true crisis for that U.S. territory.

From my perspective, we have to act. We have to act quickly. The Blunt-Murray compromise bill deserves the emergency designation which is attached to it.

Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of applicable budget regulations, I move to waive all applicable sections of that act and applicable budget resolutions for purposes of the Blunt-Murray amendment No. 3900, and I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. RUBIO). Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Ms. COLLINS. Mr. President, I believe we are going to have that vote a little bit later.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

AMENDMENT NO. 4039

Mr. ISAKSON. Mr. President, last night I was off the floor when Senator MCCAIN of Arizona offered an amendment regarding the Veterans Choice bill. Before the decision is made, I wish to memorialize my support for the McCain amendment.

As chairman of the Veterans' Affairs Committee, we waived jurisdiction so it could be offered on the VA component of this bill.

I wish to add one further comment. The cost associated with extending the eligibility of Veterans Choice by 3 years, which is the McCain amendment, scores at a cost. But to recognize that cost, you have to assume we would not have treated an eligible veteran under any other program if Choice expired.

We are never going to abandon our veterans. We have a commitment to the veterans for the health care they have signed up for.

What Senator MCCAIN is doing is trying to improve access to health care and to maintain access through the choice of a private sector provider or through a VA provider. There is no additional cost, unless you assume that you want to take away a benefit that we gave 2 years ago in the omnibus that we passed.

I commend Senator MCCAIN for extending the eligibility for Choice for 3 more years. I will support the amendment when it comes before the Senate, and I encourage all other Members to do the same.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Ms. COLLINS. Mr. President, I ask unanimous consent that there be 2 minutes of debate equally divided prior to each vote in relation to H.R. 2577.

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

AMENDMENT NO. 3900, AS MODIFIED

Under the previous order, all postcloture time has expired.

The question occurs on agreeing to the motion to waive.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: The Senator from Texas (Mr. CRUZ).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

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

The yeas and nays resulted—yeas 70, nays 28, as follows:

[Rollcall Vote No. 76 Leg.]

YEAS—70

Alexander	Gillibrand	Murray
Ayotte	Graham	Nelson
Baldwin	Grassley	Peters
Bennet	Hatch	Portman
Blumenthal	Heinrich	Reed
Blunt	Heitkamp	Reid
Booker	Hirono	Roberts
Boozman	Hoeven	Rounds
Boxer	Isakson	Rubio
Brown	Kaine	Schatz
Burr	King	Schumer
Cantwell	Kirk	Shaheen
Capito	Klobuchar	Stabenow
Cardin	Leahy	Tester
Carper	Manchin	Tillis
Casey	Markey	Udall
Cassidy	McCain	Vitter
Cochran	McCaskill	Warner
Collins	McConnell	Warren
Coons	Menendez	Whitehouse
Donnelly	Merkley	Wicker
Durbin	Mikulski	Wyden
Feinstein	Murkowski	
Franken	Murphy	

NAYS—28

Barrasso	Cornyn	Daines
Coats	Cotton	Enzi
Corker	Crapo	Ernst
Fischer	Lee	Sessions
Flake	Moran	Shelby
Gardner	Paul	Sullivan
Heller	Perdue	Thune
Inhofe	Risch	Toomey
Johnson	Sasse	
Lankford	Scott	

NOT VOTING—2

Cruz	Sanders

The PRESIDING OFFICER. On this vote, the yeas are 70, the nays are 28.

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

AMENDMENT NO. 3946

The PRESIDING OFFICER. There is now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 3946, offered by the Senator from Maine, Ms. COLLINS.

Ms. COLLINS. Mr. President, on this amendment, I yield back the remainder of our time.

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

All time is yielded back.

The question is on agreeing to the amendment.

The amendment (No. 3946) was agreed to.

AMENDMENT NO. 3900, AS MODIFIED, AS AMENDED

The PRESIDING OFFICER. There is now 2 minutes of debate prior to a vote in relation to amendment No. 3900, offered by the majority leader for Mr. BLUNT and Mrs. MURRAY.

The Senator from Missouri.

Mr. BLUNT. Mr. President, we have looked at the proposal. I think we have reached an agreement on the proposal that takes this issue up through September of next year. I think now is the time to move forward.

I urge my colleagues to vote for the amendment, and at that point we will work with the House for a final conclusion.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I am disappointed that Republicans refused to work with us to fully fund the President's emergency supplemental proposal, and it shouldn't have taken us so long to get to this point, but I am pleased that this will move us to a down payment on the President's emergency funding package through the Senate.

I want to commend Chairman BLUNT for his work with us on this and all the Democrats and Republicans who are supporting it. But I want to remind all of us, this is only a first step, and we have to make sure that this agreement gets through the House and to the President's desk in the least amount of time.

I hope we can separate it from this bill and move it quickly. That was objected to yesterday over pay-fors, which are not part of this amendment, but this is a critical emergency. We need to move on this first step, and I hope we can do it in a timely manner.

I yield the floor.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Texas (Mr. CRUZ).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

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

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

[Rollcall Vote No. 77 Leg.]

YEAS—68

Alexander	Franken	Murphy
Ayotte	Gillibrand	Murray
Baldwin	Graham	Nelson
Bennet	Grassley	Peters
Blumenthal	Hatch	Portman
Blunt	Heinrich	Reed
Booker	Heitkamp	Reid
Boozman	Hirono	Rounds
Boxer	Hoeven	Rubio
Brown	Isakson	Schatz
Burr	Kaine	Schumer
Cantwell	King	Shaheen
Capito	Kirk	Stabenow
Cardin	Klobuchar	Tester
Carper	Leahy	Tillis
Casey	Manchin	Udall
Cassidy	Markey	Vitter
Cochran	McCaskill	Warner
Collins	McConnell	Warren
Coons	Menendez	Whitehouse
Donnelly	Merkley	Wicker
Durbin	Mikulski	Wyden
Feinstein	Murkowski	

NAYS—30

Barrasso	Flake	Perdue
Coats	Gardner	Risch
Corker	Heller	Roberts
Cornyn	Inhofe	Sasse
Cotton	Johnson	Scott
Crapo	Lankford	Sessions
Daines	Lee	Shelby
Enzi	McCain	Sullivan
Ernst	Moran	Thune
Fischer	Paul	Toomey

NOT VOTING—2

Cruz	Sanders

The amendment (No. 3900), as modified, as amended, was agreed to.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I ask unanimous consent that following the cloture vote on the Collins amendment No. 3896, Senator ENZI or his designee be recognized to make a budget point of order against McCain amendment No. 4039; further, that Senator MCCAIN be recognized to make a motion to waive the point of order and that the Senate immediately vote on the motion to waive.

I further ask that the votes in this series be 10 minutes in length, strictly enforced.

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

AMENDMENT NO. 3896, AS AMENDED

There is 2 minutes of debate prior to the cloture vote.

Who yields time?

Ms. COLLINS. Mr. President, I yield back the remainder of the time on this side.

The PRESIDING OFFICER. Is the time yielded back by the minority?

Mr. REID. Mr. President, I yield the remainder of the time on this side.

The PRESIDING OFFICER. All time is yielded back.

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Senate Amendment No. 3896 to Calendar No. 138, H.R. 2577, an act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, Susan M. Collins, Roy Blunt, John Cornyn, Richard Burr, Bill Cassidy, Roger F. Wicker, Johnny Isakson, Marco Rubio, Mark Kirk, Lindsey Graham, Chuck Grassley, Jerry Moran, Orrin G. Hatch, John Hoeven, John Barrasso, John Boozman.

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

The question is, Is it the sense of the Senate that debate on amendment No. 3896, offered by the Senator from Maine, Ms. COLLINS, as amended, to H.R. 2577, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Texas (Mr. CRUZ).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

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

The yeas and nays resulted—yeas 88, nays 10, as follows:

[Rollcall Vote No. 78 Leg.]

YEAS—88

Alexander	Carper	Franken
Ayotte	Casey	Gardner
Baldwin	Cassidy	Gillibrand
Barrasso	Coats	Graham
Bennet	Cochran	Grassley
Blumenthal	Collins	Hatch
Blunt	Coons	Heinrich
Booker	Corker	Heitkamp
Boozman	Cornyn	Heller
Boxer	Donnelly	Hirono
Brown	Durbin	Hoeven
Burr	Enzi	Inhofe
Cantwell	Ernst	Isakson
Capito	Feinstein	Johnson
Cardin	Fischer	Kaine
King	Murray	Shelby
Kirk	Nelson	Stabenow
Klobuchar	Peters	Sullivan
Leahy	Portman	Tester
Manchin	Reed	Thune
Markey	Reid	Tillis
McCain	Roberts	Udall
McCaskill	Rounds	Vitter
McConnell	Rubio	Warner
Menendez	Sasse	Warren
Merkley	Schatz	Whitehouse
Mikulski	Schumer	Wicker
Moran	Scott	Wyden
Murkowski	Sessions	
Murphy	Shaheen	

NAYS—10

Cotton	Lankford	Risch
Crapo	Lee	Toomey
Daines	Paul	
Flake	Perdue	

NOT VOTING—2

Cruz	Sanders

The PRESIDING OFFICER. On this vote, the yeas are 88, the nays are 10.

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

AMENDMENTS NOS. 3898 AND 3899, AS MODIFIED, WITHDRAWN

The PRESIDING OFFICER. Under the previous order, amendments Nos. 3898 and 3899 are withdrawn.

The Senator from Wyoming.

AMENDMENT NO. 4039

Mr. ENZI. Mr. President, I thank Senator MCCAIN for his tremendous effort on behalf of veterans and the different approaches he has used. I don't think anybody has worked harder on it or understands it better.

I wish there were more we could do for veterans and will work with him to see that that happens, but this amendment isn't the right place to do it. This amendment proposes that we increase overspending by $7.7 billion for a continuation of the Veterans Choice Program. It doesn't offer badly needed reforms to the program, it simply provides more funding.

Unfortunately, the accountability measures currently in place at the VA do not go far enough in ensuring that the health care needs of our veterans are the priority. By extending the Choice Program, we would be extending problematic waiting periods, we would be extending a backlog of health care claims, and we would be giving little or no authority to the VA to manage its employees.

We have been getting complaints about many of these things, and another veterans proposal in the Senate improves both health care access for veterans and expanded disciplinary measures at the VA. Senator MCCAIN has worked on that as well. At the same time, it provides offsets to ensure that we continue to help our veterans in the future.

I have been concerned about what I thought was $6 billion of emergency expense every year. I had them actually total that up in the committee and found out that we do $26.1 billion a year in emergency spending. We are

going to have to find that money somewhere because if we don't provide offsets, we will not be able to help our veterans or our military or our education or anything else. Continued spending without making responsible choices for priorities will put us in a real hole.

In order to make sure we are spending on our priorities, such as national defense and our veterans, and that they are not crowded out, I raise a point of order.

Mr. President, pursuant to section 314(e) of the Congressional Budget Act of 1974, I raise a point of order against the emergency designation found on page 3, lines 7 through 12, of amendment No. 4039 to H.R. 2577, the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I note with some interest that the Senator from Wyoming did not have the same zeal for the $1.1 billion that we just passed in emergency spending for Zika that is not paid for, but the important issue is, that this is a program for 1.4 million appointments for veterans who would otherwise wait for delayed care, over 2.5 million separate payments to doctors, 450,000 Choice health care providers—the list goes on and on.

All I am asking for is an extension of a program that is in effect and helping our veterans. The fact is, the chairman of the Veterans' Affairs Committee said last night: What Senator MCCAIN is trying to do to improve access to health care is maintain the access through the choice of a private sector provider or VA provider. There is no additional cost unless you assume that you want to take away a benefit that was given 2 years ago in the omnibus bill we passed. He goes on to say he would support this amendment.

Who is taking advantage? The majority of the people who are taking advantage of this Choice Card, I will tell the Senator from Wyoming, are the young men and women who are just returning from Iraq and Afghanistan. We are giving them a choice. We are giving them a choice to be able to get the care they need and deserve.

In my home State of Arizona, 50 veterans died while on a nonexistent waiting list—50 of them. That is why we have a Choice Card, so they can go out and get the care they need and want and not be on a nonexistent waiting list.

I don't know what the priorities are of the Senator from Wyoming, but I can tell him now, they are not mine, and they are not of the men and women who are serving this Nation who deserve the best care and the choice of going to the provider that they want to within certain parameters.

This is simply an extension of a program that is in existence that cares for our men and women who served our Nation with sacrifice, and some of them didn't even come back to have a chance to have a Choice Card.

Mr. President, I ask to waive the budget point of order.

Pursuant to section 904 of the Congressional Budget Act of 1974, and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of that act and applicable budget resolutions for the purposes of my amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Texas (Mr. CRUZ).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

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

The yeas and nays resulted—yeas 84, nays 14, as follows:

[Rollcall Vote No. 79 Leg.]

YEAS—84

Alexander	Franken	Murphy
Ayotte	Gardner	Murray
Baldwin	Gillibrand	Nelson
Bennet	Graham	Peters
Blumenthal	Grassley	Portman
Blunt	Hatch	Reed
Booker	Heinrich	Reid
Boozman	Heitkamp	Risch
Boxer	Heller	Roberts
Brown	Hirono	Rounds
Burr	Hoeven	Rubio
Cantwell	Inhofe	Sasse
Capito	Isakson	Schatz
Cardin	Johnson	Schumer
Carper	Kaine	Scott
Casey	King	Shaheen
Cassidy	Kirk	Stabenow
Cochran	Klobuchar	Tester
Collins	Leahy	Thune
Coons	Manchin	Tillis
Cotton	Markey	Toomey
Crapo	McCain	Udall
Daines	McCaskill	Vitter
Donnelly	McConnell	Warner
Ernst	Menendez	Warren
Feinstein	Merkley	Whitehouse
Fischer	Mikulski	Wicker
Flake	Moran	Wyden

NAYS—14

Barrasso	Enzi	Perdue
Coats	Lankford	Sessions
Corker	Lee	Shelby
Cornyn	Murkowski	Sullivan
Durbin	Paul	

NOT VOTING—2

Cruz	Sanders

The PRESIDING OFFICER. On this vote, the yeas are 84, the nays are 14.

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

The majority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the time until 1:45 p.m. be equally divided between the two managers or their designees and that at 1:45 p.m. the Senate vote in relation to the Collins amendment No. 3970 and the Lee amendment No. 3897; further, that following disposition of the Lee amendment, all postcloture time be expired; that the substitute amendment, as amended, be adopted; that the cloture motion on the underlying bill be withdrawn, the bill, as amended, be read a third time, and the Senate vote on passage of the bill, as amended.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, I wish to speak to the issue that was just brought up dealing with veterans funding and specifically the Choice Program.

Three years ago, Congress put into place a response to what was happening in VA centers all over the country. We were all appalled with what was happening at VA centers all over the country. But for any of us who are in congressional offices, we were aware, were pushing on this issue, and had pushed on this issue for a while.

But the media exposed what we all saw, and that was long-secret waiting lists for veterans so that the VA centers could keep their positive numbers up and look better—months of waiting for things that would take days across the street.

As I dealt with the VA center in my own city, at times it would take 6 months to get a knee replacement surgery at the VA center, when at the great hospital directly across the street, they could get that same surgery within 2 days.

As to hearing aids, it would take months and months to actually go through the process and to get them at our VA centers.

As to cancer care, if you were diagnosed with cancer and had needs and treatment that was going to be required, they would literally send you across the country, sometimes more than 2,000 miles away, to actually get cancer treatment—away from your family.

Congress responded to that by putting into place the Choice Act. It was an emergency. There were major problems that were happening around the country in multiple VA centers, and there had to be a response right then. Congress set aside emergency funding and an emergency response to make sure something came into existence that only loosely existed before. What was called community care was now clarified to say that this is Choice, and it was simple. If a veteran had to wait more than 30 days to get into an appointment or get treatment or if they

lived more than 40 miles from a VA center, they would be given the option to go wherever they wanted to go. VA was required to start working relationships in every community across the country so that veterans would have the option to go wherever they wanted to go.

I would acknowledge that program is in its infancy. It is 2 years old at this point. It has a ways to go to be perfected. There are still problems with it, and there is a constant push from Congress to provide accountability to make sure that program is done and done well. That should be the first step in giving veterans real choice. The first step of that is 30 days or 40 miles. The second step of that is any VA-eligible veteran would get a card and they could go to anyplace that accepts Medicare. If they accept Medicare anywhere in the country—any lab, any hospital, any doctor—they should also be able to receive veterans as well. So veterans can go wherever they choose to go regardless of the distance.

I have veterans who drive past six great hospitals, drive 200 miles to get to a VA center, and their families have the burden of all of that travel. It should not be that way. Veterans should be able to go wherever they choose to go for care.

So the Choice Program is not only a good program, it is the right direction to go and it is a positive first step. But here is the problem: The way this particular amendment has come up, it is not only not germane to this bill because it deals with something that started 3 years ago and we are dealing with a new bill right now, but it is also an issue of, we are doing the right thing the wrong way.

My staff has heard me say this over and over again: There is a right thing to do and there is a right way to do it. Three years ago, we knew this was an issue. Three years ago, the planning should have been put in place to put this into the normal appropriations process. This process puts it into place, so we are adding $7.5 billion onto our children for a program that should be in the normal appropriations process that was started 3 years ago and that is not an emergency anymore. This is not an emergency. This is now normal funding of a program we want to keep going and expand. So there is a big issue here we do have to resolve.

I want to see us do the Choice Program and do it right, but there is a right thing to do and a right way to do it. This program is already fully funded through the next year. It is not an emergency. It is in place, funded, and ready to go. It doesn't go away in the next year, all the way through the fiscal year. Let's put it in the normal process, let's do it the right way, and let's not add $7 billion to our children for an emergency that is actually a year away. No one is going to convince me that in a $4 trillion budget, there are not areas we could cut. Earlier this week I identified $86 billion in funds that are available to cover the $1 billion for Zika that this Congress decided to do in emergency funding anyway. We have the funds available.

We can honor our veterans. We can do this and also honor our children. At the same time we are honoring our veterans, let's honor the next generation and make sure we are not adding debt to the next generation.

With that, Mr. President, I raise a point of order that the McCain amendment No. 4039 is not germane to the Collins amendment No. 3896, as amended, or H.R. 2577.

The PRESIDING OFFICER. The point of order is sustained, and the amendment falls.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. KIRK. Mr. President, I urge my colleagues to support my VA spending bill to final passage. It is a very bipartisan bill.

I also would like to thank my ranking Democratic member, Senator JON TESTER of Montana, who has been a great partner. We have worked with all Senators on both sides of the aisle to include their priorities and have worked through dozens of amendments. We include more than two dozen amendments in this bill.

The bill provides record funding for our veterans' health care, protects whistleblowers, includes opioid safety, and also has the RAID Act to clean up the VA so that cockroaches are not in the VA kitchens and dining facilities. This bill also adds 100 staff to the IG's office and combats veteran homelessness. It requires better screening of VA doctors so they can't switch from State to State. The bill also increases medical research and adds money for health care for our veterans.

I thank the subcommittee staff for doing outstanding work this year, and that includes Tina Evans, Chad Schulken, Michael Bain, Robert Henke, D'Ann Lettieri, Patrick Magnuson, and Carlos Elias.

The bottom line: This bill does right by our troops and does right by our veterans. I thank my Senate colleagues and urge its rapid adoption.

Ms. MIKULSKI. Mr. President, I wish to voice my full support for the fiscal year 2017 Transportation, and Housing and Urban Development, and related agencies appropriations bill which includes the fiscal year 2017 Military Construction, Veterans Affairs, and related agencies appropriations bill. Each of these bills was passed out of the Senate Appropriations Committee by a vote of 30–0 last month. I urge all my colleagues to support this bipartisan package of bills.

I commend Senators COLLINS and REED for their hard work on the T–HUD bill and their collegiality on the floor this week managing this bill. T–HUD is our annual jobs bill making investments at the State and local level, delivering on America's physical infrastructure needs and America's compelling human needs. The bill before us will keep our roads and transportation systems safe and in good repair while preserving housing assistance for our Nation's most in need.

I am especially proud of Senators COLLINS and REED for making renewed investments in lead paint poison prevention. As the Maryland Senator from Baltimore, this is an issue I know all too well. Senator Kit Bond and I worked together on the VA–HUD bill to first bring attention to this crippling public health problem. April 19 marked the anniversary of Freddie Gray's death, a young man who grew up in Baltimore's low-income housing. Before Freddie's second birthday, his blood lead levels were seven times the Centers for Disease Control and Prevention's suggested level, leaving Freddie severely and permanently brain damaged. Today there are still half a million children under the age of 6 with lead poisoning.

This bill increases lead prevention funding in three programs. First, the Office of Lead Hazard Control and Healthy Homes is funded at $135 million, an increase of $25 million to support lead-based paint hazard reductions in 1,750 additional units. This program provides safer homes for more than 6,200 people. Second, the Mikulski-Bond Lead Hazard Reduction Demo Program is funded at $55 million, an increase of $10 million. This program provides competitive funds to State and local governments to implement lead hazardous reduction programs in privately owned and owner-occupied housing. Third, the Public Housing Capital Fund is funded at $1.9 billion, an increase of $25 million. This will remediate 1,500 public housing units.

This bill also includes a number of reforms to HUD's lead programs. Among these is the requirement for HUD to update its blood level standard to the stronger Centers for Disease Control and Prevention standard. HUD's standard hasn't been updated since 1999. In addition, the bill makes studio and efficiency apartments eligible for remediation grants for the first time. It is estimated that 34,000 zero-bedroom dwellings house children under 6 years old.

The transportation portion of this bill makes significant investments in Maryland's highways, byways, and

transit systems. It cuts the first check under the FAST Act passed last December. This means more formula funding for every State. For Maryland, that is an increase of $62 million.

For transit, this bill provides increased funding for the Federal Transit Administration totaling $575 million. It includes the Job Corridor-Purple Line project in the Washington suburbs of Maryland. A total of $125 million is provided for the construction of this light rail project.

For the DC Metro system, this bill provides the eighth installment of $150 million in Federal dedicated funding. This is the fully authorized level and will be matched dollar for dollar by the three jurisdictions. Fighting for this annual appropriation was the promise I made and have kept since the deadly Fort Totten crash in June 2009. This funding must be used on capital improvements relating to safety including buying new rail cars, track improvements, and signal upgrades.

I included bill language requiring the U.S. Department of Transportation Secretary to do three things before this funding money can be spent. First, the Secretary must approve each expenditure. Second, the Secretary must certify Metro is making progress implementing FTA's safety and financial management corrective actions. Third, the Secretary must determine that Metro is using this money for top safety priorities.

In addition to this dedicated funding, I am proud of the safety amendment I introduced with Senators SHELBY, CARDIN, WARNER, KAINE, and BROWN that was passed earlier in the week. This amendment provides additional funding to FTA to expand its safety oversight workforce for a total increase of $5.25 million over the current year funding level. It will enable FTA to hire six full-time employees for Metro's Rail Operations Control Center, four more investigators, seven additional inspectors, and six more contractors.

This additional funding means FTA will now have more inspectors to watch as Metro crews work to complete SafeTrack, the yearlong plan to accelerate repairs on the system. Inspectors will be there to make sure the track work is fixed the right way for good. FTA also will have safety staff at the Rail Operations Control Center 24 hours a day and 7 days a week making sure emergency procedures are followed to prevent future incidents. FTA staff will help Metro implement the National Transportation Safety Board's recent recommendations to overhaul the center's emergency operations and training. FTA staff will make sure these reforms remain in place and are followed. Finally, more investigators will help FTA tackle approximately 100 Metro investigations conducted each year.

I also want to say a few words about the Military Construction and Veterans Affairs appropriations bill. This is another bipartisan bill funding vital programs for the health and well-being of our Nation's veterans, troops, and their families developed by Senators KIRK and TESTER. Overall, this bill provides $83 billion in discretionary funding which is an increase of $3.2 billion above the current year funding level.

This bill fully funds VA Medical Services at the President's request of $52.8 billion. This is $1 billion over what we advanced last year to address increased demand for VA medical care both within and outside the VA health care system.

The bill provides additional funding for disability claims processing. Significant progress has been made to eliminate the backlog in processing initial claims, but unfortunately, the backlog in appeals is rapidly building. This bill includes $2.9 billion for claims processing, $30 million above the request, to hire 300 new claims processors and 240 additional employees for the Board of Veterans Appeals. Also included is an increase of $46 million for the Board of Veterans Appeals, bringing their total funding to $156 million. This will provide for hiring an additional 240 new employees focused on appeals processing.

For our women veterans, this bill makes significant strides bring parity between male and female veterans. This bill mandates that the VA research and acquire prosthetic devices specifically designed for women. It includes $5.3 billion overall to treat more than 500,000 female veterans who get care through the VA. This bill targets $535 million for gender-specific health care which is $20 million over the request and nearly $70 million over the current funding level. This includes gynecology, reproductive health, and mental health care for women. I also was proud to support Senator MURRAY's amendment in committee, allowing the VA to cover the cost of reproductive services for veterans who suffered service-related injuries that prevent them from starting families.

The military construction part of this bill fully funds all seven Maryland projects included in the President's budget request. This means a total of $340 million for construction jobs at Fort Meade, Pax River, Joint Base Andrews, and Bethesda Medical Center.

Finally, the bill includes $1.1 billion in emergency spending to combat the urgent Zika crisis. CDC, NIH, and USAID need this funding on the ground today. $1.1 billion is a bottom line, not a starting point for negotiation. I am committed to sending a Zika supplemental to the President as soon as possible.

I urge all of my colleagues to support this package of bills. It meets many compelling human needs and physical infrastructure needs of our nation and does not include poison pill riders. It is an example of how, working together, we can solve problems and put America to work.

Ms. COLLINS. Mr. President. I rise to speak in support of the Military Construction and Veterans Affairs division of the substitute before us. I commend Chairman KIRK and Ranking Member TESTER for their leadership in crafting the fiscal year 2017 Military Construction and Veterans Affairs funding bill. As a member of the Military Construction and Veterans Affairs Subcommittee, I have appreciated their steady, strong advocacy for our Nation's veterans, servicemembers, and their families.

As the daughter of a World War II veteran, I know well the sacrifices of those who serve and have served on our behalf, as well as the sacrifices made by their families. The vital programs and benefits funded by this bill will help fulfill our obligations to them and honor their commitment to our Nation.

While we can never fully repay these debts, we must strive to provide each veteran with the quality health care that they deserve. One way this bill helps to meet this goal is through the extension it would provide of the highly successful Access Received Closer to Home, or ARCH, program. This pilot program, which is scheduled to expire in August, serves rural veterans in northern Maine, Montana, Kansas, Virginia, and Arizona, providing them access to high quality care in their communities and near their families.

Many of my constituents tell me that this program has proven to be a lifeline for them and has saved them the arduous burden of traveling up to 600 miles round trip to receive care at the Togus VA Medical Center in Augusta, ME.

In Maine, the program not only reduces wait times for appointments and prevents veterans from going through a third-party administrator to receive care, but it is cost effective. According to the VA's own statistics, the average cost of ARCH per veteran in Maine is less than half the average cost for VHA direct care. More than 90 percent of ARCH veterans are overwhelmingly satisfied with their care, a testament to why ARCH should be a model for the Nation.

Ensuring that veterans continue to receive this seamless care is paramount, and I thank Chairman KIRK and Ranking Member TESTER for including an extension of this vital program in the fiscal year 2017 funding legislation.

I am also pleased that this legislation would fund the President's fiscal year 2017 request for VA medical leases, including funding to lease a new Community Based Outpatient Clinic—CBOC—facility in Portland, ME. This project would allow VA to consolidate and colocate the Saco and Portland

CBOCs with Maine Medical Center and its affiliate, the Tufts University School of Medicine. This collaboration will provide primary care, mental health, women's health, and specialty care medical services for veterans.

This legislation would also help to address the opioid epidemic by requiring the Department to improve appropriate pain care for veterans. It also includes programs to help end veteran homelessness, expand care services focused on our growing population of female veterans, and support caregivers, who shoulder the enormous responsibility of caring for veterans who are unable to care for themselves.

Finally, I want to highlight the funding included in this legislation for our Nation's civilian and military members—and their families—who serve at the Portsmouth Naval Shipyard in Kittery, ME. The legislation includes $74.9 million for housing, the replacement of the medical and dental clinic, and utility nuclear improvements. These projects will help provide the exceptional personnel at PNSY with the facilities they need and deserve to carry out the mission.

Again, I thank the chairman and ranking member for their excellent work in balancing the priorities within their bill, and I urge my colleagues to advance this important legislation.

Mr. TESTER. Mr. President, universal, safe, and consistent trucking regulations are vital to all aspects of the trucking industry and to all users of the national highway system. Ensuring highway safety must remain a priority of this body. It also remains critical that this body maintain predictable safety laws to sustain efficient outcomes for truckers, trucking companies, the manufacturers and growers of the goods that trucks transport, and the customers who buy the products.

Congress determined years ago that a uniform system of Federal trucking rules would lead to safer and more productive outcomes than a 50-State patchwork of trucking regulations, as goods are often transported across State lines. Despite Congress's intentions, we are seeing various State trucking rules being implemented across the country that stray from the Federal guidelines. We need to figure out how to address this. We need to make sure that we have commonsense rules that don't change every time a driver crosses a State line while continuing to protect truck drivers and road users from unsafe situations.

I think we have got a little more work to do before we are ready for a solution, but I pledge to work with all who are willing and maybe we can figure something out in the coming months.

Thank you.

MARITIME SECURITY PROGRAM

Mr. WICKER. Mr. President, I join today with my good friend, Senator HIRONO, to address the requirement for full authorized funding of the Maritime Security Program. Senator HIRONO and I serve together on the Seapower Subcommittee and firmly believe that this program is important to our national security.

The United States needs a U.S.-flag merchant marine that is strong, active, competitive, and useful to the military. Our merchant marine has a long history of providing sealift support to our Armed Forces for global military operations. The Maritime Security Program is a unique public-private partnership that helps the merchant marine, enhancing America's commercial sealift capability while saving the American taxpayer billions of dollars.

Ms. HIRONO. Mr. President, as ranking member of the Seapower Subcommittee, I could not agree more with the Senator from Mississippi's views concerning the importance of the MSP program. The 60-ship MSP program is the most prudent and economical means to address the U.S. military's current and projected sealift requirements. A 2006 report prepared for the Military Sealift Committee of the National Defense Transportation Association concluded that ''the likely cost to the government to replicate just the vessel capacity provided by the MSP dry cargo vessels would be $13 billion.'' In addition, the U.S. Transportation Command, TransCom, has estimated that it would cost the U.S. Government an additional $52 billion to replicate the ''global intermodal system'' that is made available to the Department of Defense, DOD, by MSP participants. In contrast, MSP participants now provide DOD with the same vessels and global intermodal system at a fraction of what it would cost our government to do the job itself.

Mr. WICKER. The Senate version of the Transportation-HUD Appropriations Bill for fiscal year 2017 includes $275 million for the Maritime Security Program. This is an increase of $65 million above the enacted level for fiscal year 2016. Although we are pleased that the Senate Appropriations Committee has recommended this increase in funding, we hasten to point out that Congress acted last December to increase the authorization level for the Maritime Security Program to $299,997,000 for fiscal year 2017. The House Appropriations Committee has recommended funding for the next fiscal year that would meet this authorization.

As this appropriations bill works its way through Congress, we urge the chairs and ranking members of the Transportation-HUD Appropriations Subcommittees and the full Appropriations Committee to work in a bipartisan, bicameral fashion to provide funding for the Maritime Security Program at its fully authorized level of $299,997,000 for fiscal year 2017.

Ms. HIRONO. I strongly agree with Senator WICKER. Despite the clear benefits the MSP program provides, the MSP commercial fleet is under extreme economic pressure from reductions in government-impelled cargoes and foreign competitive factors. I completely share the concerns expressed by the then-TransCom commander, GEN Paul Selva, in his March 2015 testimony before the Armed Services Committee, where he stated that the ''reduction in government impelled cargoes due to the drawdown in Afghanistan and reductions in food aid . . . are driving vessel owners to reflag to non-U.S.-flag out of economic necessity . . . With the recent vessel reductions, the mariner base is at the point where future reductions in U.S.-flag capacity puts our ability to fully activate, deploy and sustain forces at increased risk.''

Accordingly, to ensure that this essential U.S. commercial sealift capability provided by the MSP program remains available to meet America's national security requirements, the MSP program needs to be fully funded as authorized by the Congress.

Mr. WICKER. I would like to add a comment from the current TransCom commander, GEN Darren McDew. In January, General McDew said, ''As a military professional and senior leader, I think about and plan for what the future may hold, and I would tell you we must prepare for the real possibility we will not enjoy the uncontested seas and broad international support experienced in 1991. If either of those possibilities becomes reality, and if we remain committed to responding to security incidents around the globe, the only way of guaranteeing we decisively meet our national objectives is with U.S. ships operated by U.S. mariners.''

I thank Senator HIRONO for joining me in this effort to ensure that full funding is secured for the Maritime Security Program in fiscal year 2017.

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

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

The legislative clerk proceeded to call the roll.

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

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

U.S. INNOVATION AND COMPETITIVENESS

Mr. PETERS. Mr. President, I rise today to discuss the need to drive innovation and competitiveness here in the United States.

I vividly remember watching the Apollo missions on TV and the launch of that 36-story tall Saturn V rocket that took Neil Armstrong and Buzz Aldrin to the surface of the Moon.

The space program not only inspired a generation of Americans, but it also led to incredible advances in science and technology that over the last 50 years have accounted for as much as

half of all the economic growth in the United States. These groundbreaking advances firmly established our Nation as an international leader in innovation.

During the height of the space race, America's Federal investment in research and development reached nearly 2 percent of the Nation's GDP. Today, overall Federal R&D spending—the seed corn of our future prosperity—has fallen to a historic low of 0.78 percent of GDP.

With the United States investing less on science, research, and education, and our competitors outpacing us, we are losing our footing in the global marketplace. Congress must increase the Federal investment in R&D to 1 percent of GDP if we want to continue to be leading the world in innovation. This commitment should include a focus on increased Federal support for basic research—an essential component of any kind of innovation economy.

In addition to increased investment, we in Congress need to implement policy solutions that will reassert American leadership internationally. We need to invest in what works. We need to listen to the innovators, academic leaders, and industries that are making the life-changing inventions of the future a reality. To that end, my colleague Senator CORY GARDNER and I have convened a series of roundtable discussions on ways to improve the American innovation system. Just last week, our Commerce Committee leaders, Chairman THUNE and Ranking Member NELSON, held a productive hearing on ways to leverage the U.S. science and technology enterprise. After receiving input from industry, academia, science organizations, and economic development organizations, Senators THUNE, NELSON, GARDNER, and I are working to develop new legislation to guide our Nation's research priorities in the coming years and to improve America's innovation system. Through these roundtables, we heard that the stakeholder community agrees that modest, sustained, and predictable increases in Federal research and development investments are absolutely critical to ensuring the economic competitiveness of the United States.

We need continued Federal investment in basic research, while also providing opportunities to commercialize that research. There is basic research that our companies simply cannot afford to conduct, making Federal investment absolutely critical. We also need to work to reduce administrative burdens on researchers so that we can maximize our Federal research investment. We need that investment to be put into the lab and not filling out more paperwork. We need stronger partnerships between government, the private sector, and academia in order to capitalize on discoveries emerging from our world-class research universities, such as the University of Michigan, Wayne State University, and Michigan State University.

We must also close the significant employment gap in the STEM workforce for women and underrepresented minorities. Women make up less than 50 percent of post-bachelor STEM degree programs and only about one-quarter of the STEM workforce. Underrepresented minorities, including Hispanics and African Americans, make up about 10 percent of the science and engineering workforce. Last month, I joined a number of my colleagues in introducing the STEM Opportunities Act, legislation that would improve inclusion of women, minorities, and people with disabilities in STEM careers. It is a top priority for me to see that a similar provision is included in our bipartisan legislation.

Finally, if we want to continue to be a leader in the global economy, we need to be a nation that makes things. Michigan is a State that builds and grows things, and I will continue to fight to make sure we continue doing that. Investments in advanced manufacturing will support firms of all sizes and support good-paying jobs and help keep them here in the United States. That is why it is one of my top priorities for this legislation that we ensure American manufacturing companies can compete and succeed in the highly competitive global marketplace.

Last month, I joined my colleagues, Senators COONS and AYOTTE, to introduce the bipartisan Manufacturing Extension Partnership Improvement Act. The Manufacturing Extension Program, or MEP, is a Federal public-private partnership that helps businesses get their products to market through a variety of consulting services. The MEP Improvement Act would expand and improve the MEP Program to serve small- and medium-sized manufacturing companies, which are a critical part of our economy and our national competitiveness. Including key components of the MEP Improvement Act will be a top priority for me in the new legislation being drafted.

Science and technology are inseparable from the American competitiveness ecosystem. However, we need to focus on the entire ecosystem—from STEM, or STEAM, to basic research, to application and commercialization—and the inspiration that drives ambitious endeavors like exploring space and the other frontiers of science. We in Congress must do our part by supporting and investing in our efforts to drive economic growth, unleash increased productivity, enhance our safety and security, and make the world a better place for future generations.

We are facing big challenges as a Nation, but I am committed to working with everyone—Democrats, Republicans, industry, academia, workers, students, and employers—to increase investments and implement the solutions that will ensure American competitiveness and create more good-paying jobs here in the United States.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DURBIN. Mr. President, if there is one specialty that every Member of Congress has, it is air travel. We spend more time on airplanes, more time in airports, more time waiting for flights and worrying about flights than most other Americans.

As Members of Congress, we are veterans of air travel.

We have all seen the footage of people waiting to go through security screening at major airports, particularly in the city of Chicago at both O'Hare and Midway. The lines are so long that people have had to wait 2 to 3 hours—2 to 3 hours to go through a security checkpoint.

People are angry, and I don't blame them. Thousands of people have missed their flights, and some were stuck sleeping in airports overnight. The commissioner of aviation, Ginger Evans, told me: We pulled out the cots that we save for snow emergencies so that people now, in the heat of early summer, are facing the same kinds of delays.

Our highest priority is to protect those who travel on our airplanes. Poor planning and inadequate funding have led to alarming delays across airports in America, and in Chicago we have felt it more than most. More needs to be done to fix the problem. That is what I have been working to do.

Earlier this week, I talked to the Department of Homeland Security Secretary Jeh Johnson on the phone about the next steps. Yesterday, I followed up with a call to TSA Administrator Peter Neffenger to hear his thoughts. We all agree that the real problem is the shortage of TSA screeners. More people need to be hired and trained so security lines can stay open and people can move through the checkpoints faster.

In the meantime, there are immediate steps we need to take in Chicago. First, we are going to get 58 more TSA screening officers in the next 2 weeks and 224 by August. That is about a 15-percent increase in TSA staff, and it is a good start.

O'Hare will also receive 5 K–9 teams. That will double the number of K–9s we have at the airport. Two teams were brought in yesterday, and the rest will arrive within 5 days. These bomb-sniffing dogs do important work. They

check carry-on baggage. If there is no problem, the passengers can move out of the standard line and into the expedited line. These dogs can help us speed up the process by allowing up to 5,000 additional passengers a day to move through the faster security lines.

There will also be a shift of 100 TSA staff from part-time to full-time status so more people can be on deck to help with the lines. And officers who currently work on nondirect security functions are going to be called to pitch in and help officers at the checkpoints.

We are also working to get more people enrolled in TSA PreCheck. I can't emphasize enough how important that is. For $85, a regular traveler can buy—or at least apply for and be given—a TSA PreCheck status for 5 years. PreCheck lines can scan nearly twice as fast as the ordinary lines. Customers don't have to wait as long or remove their shoes, belts, or light jackets. We need to make sure more people are hearing about this option and are signing up for it as quickly as possible.

TSA is now working on a mobile app to help people get enrolled while they are waiting in lines, and they are also looking at lowering PreCheck signup costs by competing out the actual function of signing up for PreCheck. PreCheck has gotten a lot of traction, especially in Chicago, where this past month alone we have seen 5,700 new enrollments. I hope we can continue to quickly expand this program to help more people into the faster lines.

The airlines have to be part of the solution as well. I am glad Senator BLUMENTHAL of Connecticut is on the floor because both he and Senator MARKEY of Massachusetts spoke out early on this aspect that I am about to address.

Airlines can help us by reducing high wait times, especially during the peak summer season. I have joined my colleagues Senator BLUMENTHAL and Senator MARKEY in urging the airlines to suspend the checked bag fees over the summer. A lot of people are dragging their bags on the airplanes because they don't want to pay to have them checked. On Monday, I spoke with Secretary Johnson, who told me baggage fees are contributing to long lines because more people are carrying on luggage that should be carefully screened through check-in.

Over the last year, the volume of passengers and personnel passing through security checkpoints has increased 7 percent while the number of checked bags has increased only 3 percent. That tells the story: More people are carrying on their luggage and causing problems as more travelers pack their roller bags to the brim, making the bags take even longer to be scanned. Waiving the checked baggage fee during the summer travel season can reduce the incentive for passengers to carry-on luggage, and it can help speed up the process.

Let me also add that it is in this baggage that people are dragging onboard that TSA screeners are finding things that aren't supposed to be on an airplane. Last year, they found 2,653 firearms, and 83 percent of them were loaded. Most of them were from one State; I will not name it. But by and large, we have to be more mindful of the fact that this stops the process or at least slows it down.

I am convening a meeting with Administrator Neffenger tomorrow, along with State and local officials and airlines at Chicago O'Hare, and then we are also going to be visiting the Midway airport. We will see firsthand what airlines are experiencing and what their response is. We have to stop this meltdown when it comes to airport security.

Let me close by saying this: The news today about EgyptAir was a grim reminder that we still live in a very dangerous world. The role and responsibility of the Transportation Security Agency is to make sure that when we and our families travel, we come off those planes just as safely as we went on. It is an important security responsibility. Yes, it is an irritation and a frustration, but we need to do it in this dangerous world to make sure that we stop people from using their carry-on baggage and other sources to cause harm to innocent people.

I stand behind TSA and its mission, but what happened in Chicago is unacceptable. This meltdown should have been avoided. There should have been better management, more screeners, and we should have been ready for the surge in passengers. Beginning this week, we are going to make that right. I hope the visit by the TSA Administrator tomorrow will be the beginning of a conversation that will not only help our airports in Chicago but also help our Nation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I thank my colleague and friend from Illinois for his leadership on this issue and his support for the initiative that Senator MARKEY and I first raised, which he has supported so very helpfully, and essentially that is to persuade the airlines to stop charging for bags that are checked onto planes as opposed to being carried on. Obviously, the fee for checking those bags adds to the number of carry-ons and provides an incentive for larger numbers of carry-ons. In fact, TSA itself reports that there has been an increase in carry-ons due to these fees.

Mr. President, I ask unanimous consent that I be permitted to speak for up to 10 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BLUMENTHAL. I thank the Presiding Officer.

The elimination of the fees for checked bags is not a panacea. It is not going to solve this problem alone. But it will, along with other measures, help reduce lines that result from screening.

I commend Admiral Neffenger for his very close and prompt attention to this matter and for a number of the initiatives he has taken. We heard about them in the Commerce Committee this morning. I also thank Secretary Johnson for supporting elimination of the fees for checked bags. I think his leadership will be important.

There are a number of other initiatives that can and should be taken. There is automated equipment that can expedite the screening of those carry-on bags. The use of additional screeners is important. The number has been reduced over the last 3 years by about 5,800. The addition of another close to 800 will help compensate. But again, alone, none of these solutions will provide the answer.

As far as the automated equipment is concerned, the cost for the 20 busiest airports is about $30 million—a pittance compared to the $3.8 billion in revenue the airlines make every year as a result of the fees for checked baggage. I will repeat that: $3.8 billion is going to airlines as a result of their purposefully charging for bags checked instead of carried on. Many of those bags that go through screening now wind up in the holds of those airplanes anyway because there isn't room for them on the plane, so they wind up being checked at the gate. That simply adds to the cost and inconvenience of passengers: delayed flights, missed flights, flights that are in effect late because of the boarding problems. All of these accumulating issues are reasons to eliminate these fees and also give passengers the benefit of lower costs.

My hope is that the airlines will voluntarily eliminate these fees for checked bags. After the meeting we had today with Admiral Neffenger, I am encouraged that the TSA will take initiative and help to implement other measures as well.

In the meantime, we need the airlines to show some leadership as well, and I am hopeful they will do the right thing. The U.S. Travel Association has called it a national crisis. The evidence is irrefutable. At checkpoints that have no fee charges for bags, the carry-ons are 27 percent lower, so the numbers of carry-ons definitely diminish as the fees are eliminated. This evidence is irrefutable and argues powerfully that the airlines should not keep their passengers waiting in line. They should make some sacrifice to their bottom line and should not be profiting at the expense of their passengers.

I will conclude by saying on this point—and I am so glad to see my colleague and friend from Massachusetts—that we need this initiative now, and we need it to happen.

I also want to advocate on behalf of the safety of our roads. Blumenthal amendment No. 4002 will not be called up in part because it had been willfully mischaracterized by an industry campaign. In effect, we need to make truck drivers more safely empowered on the roads to take steps to protect themselves. Drivers who spend too much time behind the wheel are tired. They can't drive as safely. This amendment would enable them to drive more safely, give them the rest they need, protect them, and enable the roads to be safer not only for them but for people generally.

Mr. MARKEY. Mr. President, will the Senator yield?

Mr. BLUMENTHAL. I yield to Senator MARKEY.

Mr. MARKEY. I just want to thank the Senator for his work. We have been partnering on this issue of eliminating bag fees at airports. Since they have been imposed, 27 percent more bags now go through baggage clearing with passengers. If we could just get that out of the way, get rid of those baggage fees, I think it would expedite dramatically the ability of people to get on planes in this country. So I am glad we are able to have this moment to be able to speak about the importance of this issue.

Mr. BLUMENTHAL. Mr. President, as I mentioned earlier, the Senator from Massachusetts and I have been partners in this effort, and I hope we can prevail.

The PRESIDING OFFICER. The Senator from Maine.

AMENDMENT NO. 3970 TO AMENDMENT NO. 3896

Ms. COLLINS. Mr. President, I call up the Collins-Reed-Cochran amendment No. 3970.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS] proposes an amendment numbered 3970 to amendment No. 3896.

Ms. COLLINS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To prohibit the use of funds to carry out a final rule and notice of the Department of Housing and Urban Development)

At the appropriate place in division A, insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Department of Housing and Urban Development to direct a grantee to undertake specific changes to existing zoning laws as part of carrying out the final rule entitled ''Affirmatively Furthering Fair Housing'' (80 Fed. Reg. 42272 (July 16, 2015)) or the notice entitled ''Affirmatively Furthering Fair Housing Assessment Tool'' (79 Fed. Reg. 57949 (September 26, 2014)).

Ms. COLLINS. Mr. President, the amendment that Senator JACK REED, Senator THAD COCHRAN, and I are offering would make very clear that none of the funds made available in this appropriations bill can be used by the Department of Housing and Urban Development to direct a recipient of Federal funds to undertake changes to their zoning laws. There has been concern that some have brought up that a new rule that was issued last year by the Department would somehow allow HUD to be the national zoning authority for every neighborhood in our country. While I do not believe that is a correct interpretation of the fair housing amendment or regulation that HUD has promulgated, the Collins-Reed-Cochran amendment ensures that HUD cannot do that. It eliminates that possibility and ensures that communities will continue to make their own decisions to address these Federal requirements.

By contrast, the proposal offered by my colleague from Utah, Senator LEE, would prohibit all funding for a rule that was issued by HUD based on a requirement that is included in the landmark civil rights era law known as the Fair Housing Act of 1968. It is important to know that this regulation was in direct response to a 2010 GAO report that criticized HUD's implementation of the requirement of the law that grantees, recipients of these funds, affirmatively enhance fair housing opportunities. It also was issued in response to requests from communities seeking guidance to ensure compliance because they don't want to be sued for inadvertently violating Fair Housing Act requirements. So communities asked HUD for more tools, better assessments, and more guidance to make sure that they were in compliance.

It is important to know that the Fair Housing Act prohibits discrimination not only based on race, national origin, and religion but also against those with disabilities. Indeed, 56 percent of the complaints of housing discrimination have been initiated by individuals with disabilities. That is why Senator LEE's amendment is opposed by the Paralyzed Veterans of America and other disability groups, as well as the Urban League, the NAACP, and countless civil rights groups. On the first vote, we will be voting on the Collins-Reed-Cochran amendment.

Ms. MURKOWSKI. Will Senator COLLINS yield briefly for a question?

Ms. COLLINS. Yes, I will yield.

Ms. MURKOWSKI. Senator COLLINS and every member of this body know that I support fair housing. It is so important for my State, where there is a lack of affordable housing, and the Anchorage School District is one of the most diverse in the Nation. However, I have heard concerns from people in Alaska. They worry not so much about the rule itself but about how HUD could implement it. Many communities in Alaska are overwhelmingly Alaska Native, 90 percent or more of the population.

Will this affirmatively furthering fair housing rule result in Federal grants being withheld from communities that are currently and have long been populated almost entirely by Alaska Natives because those communities are now considered to be segregated?

Ms. COLLINS. No community in the United States or its insular areas will lose Federal housing funds solely because of its racial demographics. There are communities throughout the United States that are racially homogenous for reasons that have nothing to do with discrimination or other historic barriers.

The rule does not change the Fair Housing Act, which for decades has included the affirmative fair housing requirement. The whole purpose of the rule is to ensure that States and communities that receive Federal funds take this requirement seriously.

This rule is a planning tool, created to help grantees identify barriers to fair housing and plan how to address them. The rule does not penalize any community for where it starts but rather assists a community in taking meaningful steps to address any barriers it may find.

HUD would never deny Federal funds to a community simply because of its demographics. It has never done so in the 48 years since the passage of the Fair Housing Act, and it will not under this rule.

Additionally, I know some have expressed concern about what effect this rule would have on Alaskan Natives and other Native Americans. HUD's housing programs for Native Alaskans and other Native Americana are authorized under the Native American Housing Assistance and Self Determination Act, NAHASDA. NAHASDA includes a statutory exemption from the Fair Housing Act, which the affirmatively furthering fair housing rule does not change.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, the affirmatively furthering fair housing rule, which my amendment would defund, is equal parts condescension and willful blindness. The condescension of this particular rule and its proponents is that local governments and public housing authorities across America can't figure out how to provide fair and affordable housing to their communities without the help, without the paternalistic interference of Federal bureaucrats. This is the epitome of the paternalism that informs so much of what happens in Washington, DC, today.

I don't doubt, as Senator COLLINS has said repeatedly, that local governments would like ''better guidance'' from the Department of Housing and Urban Development in Washington. But this is a problem that was created by HUD, with its onerous requirements and its vague mandates, not the result of local governments being unable or unwilling to provide adequate low-cost housing for their neighbors in need.

This brings us to the willful blindness part of the affirmative furthering fair housing rule. Proponents of the rule claim that HUD officials consulted closely with local governments and public housing authorities when drafting and finalizing the AFFH rule. In their telling, local housing agencies across the country are welcoming the AFFH rule with open arms. But this ignores what local officials have actually said about AFFH.

I will let these local officials speak for themselves. Roger Partridge, the county commissioner of Douglas County, CO, had this to say, in an email, about AFFH, the closed process that produced it, and the immense burdens it will place on local governments:

Douglas County believes that the Assessment of Fair Housing tool as it now stands is an unfunded mandate that will create an administrative nightmare for jurisdictions who want to further fair housing and implement community programs with HUD grants.

Partridge continues:

HUD headquarters has repeatedly ignored the local practitioners responsible for AFFH and implementing the AFH in our communities.

He continues:

In fact, HUD headquarters staff was in Denver for a Public AFFH roundtable on April 21st, during [the AFH tool] comment period. They ignored the opportunity to inform Region VIII Fair Housing and Equal Opportunity (FHEO) staff or the local practitioners attending the roundtable. No notice from the HUD EXCHANGE to the grantee list serve was found. The local governments who were asked to comment on the publication were shut out of the process.

Likewise, this is what we have heard from Salt Lake County officials:

The administrative burden imposed by this tool is excessive. Resources that could be put into housing related tasks are being funneled into completing the tool and its associated administrative tasks.

Additionally, although HUD claims that this tool can be completed without the use of a consultant, the assessment is complex enough to warrant considering a consultant. The rule imposes a jurisdictional and regional analysis that is too complex to be effectively completed by staff without specific statistical and mapping knowledge. As housing providers, most staff at PHAs have comparative advantages that lie in providing affordable housing services, but not providing complex statistical data analysis. Forcing PHA staff to do this analysis is an inefficient use of their scarce time.

Salt Lake County officials added the following:

The AFH does not recognize the zero-sum nature of a PHA's resource allocation. By allocating resources to complete this process, PHAs are not allocating resources somewhere else. Those resources could be used to provide additional housing assistance.

Instead of ignoring the words and the experiences of our local officials, and instead of condescending to them, we should listen to them and learn from them. We should stop this disastrous new housing rule from causing more problems than it has already caused.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I know the Senator from Alabama is going to speak, and the Senator from Rhode Island should have an opportunity to speak. So I ask unanimous consent for 1 additional minute for each side prior to the votes in this series.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Alabama.

Mr. SHELBY. Mr. President, I rise today in support of Senator LEE's amendment that would prevent the implementation of HUD's affirmatively furthering fair housing regulation.

Contrary to statements that have been made, the Senator's amendment does nothing to change fair housing laws or to prevent the enforcement thereof. What the Lee amendment does is to prevent the implementation of a rule that would give HUD Federal control over local planning decisions.

Supporters of this program have argued that it is intended to protect communities from fair housing lawsuits. It is quite the contrary. This rule, if allowed to be implemented, will actually lay the predicate for endless litigation against every community in our respective States that are required to participate. This should be unacceptable to every Member of this body.

Supporting Senator LEE's amendment is the only option before us to prevent centralized Federal control of local planning decisions. In my judgment, the Collins-Reed amendment does nothing to restrain the full implementation of HUD's program. I urge my colleagues to support the Lee amendment.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, the pending amendment is authored by my colleague from Maine and myself. The amendment makes very clear that local officials will remain in charge of zoning decisions and will determine how to best meet their obligations under the Fair Housing Act. Those obligations are fundamental to our American fabric, our lives, and the aspirations of this country, because they protect Americans' housing choices no matter their physical ability, race, family status, or religion. These protections are fundamental to who we are. But without effective information and transparency so that local communities can make wise decisions, these aspirations can never be realized, are seldom realized, or are not realized to the extent that we, as Americans, feel that they should be.

Senator COLLINS and I have worked very hard to develop language that provides local communities with wide flexibility to meet their requirements under the Fair Housing Act. Those requirements will still be there regardless of our action today. If the resources made available under the Affirmatively Furthering Fair Housing regulations are not provided, however, those communities will still be required to ensure that housing is available within their communities, regardless of race, physical ability, or the other protected classes under the law.

The Lee amendment would make grantees liable for compliance without providing the data and tools needed to comply. The thrust—the heart and soul—of this HUD proposal, based on GAO analysis, is to give local communities the tools, so that they can determine the local answer that makes sense.

Thank you.

The PRESIDING OFFICER. Under the previous order, there is 4 minutes equally divided on the Collins amendment.

The Senator from Maine.

Ms. COLLINS. Mr. President, I will be very brief. Let me just reiterate what I have been saying repeatedly. What the amendment Senator REED, Senator COCHRAN, and I have introduced does is make very clear that HUD is prohibited from intervening in local decisions regarding zoning ordinances. That is in direct response to what some people have been claiming, incorrectly in my view; that the rule on affirmatively furthering fair housing would somehow allow HUD to be a national zoning commissar. That is not the case, but to make absolutely sure that could never happen, we have teamed up on this amendment to prohibit HUD from intervening in local zoning matters. It is very different from the Lee amendment, which we will discuss shortly.

This is an important clarification that should take away any fear that there is any possibility of HUD using funds authorized by this bill to interfere in local zoning decisions.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, the amendment offered by my friend and colleague from Maine in and of itself is unobjectionable and does no harm, and on that basis I intend to vote for it. Unfortunately, it also doesn't do anything. It does nothing to help the many housing agencies that have told the Federal Government that President Obama's AFFH rule imposes far too

many reporting costs and their already stretched staffs are going to suffer as a result. It does nothing to shield local housing authorities from the very many real lawsuits they will face as a result of the data collected from this regulation, and it does nothing to stop HUD from blackmailing local housing agencies with Community Development Block Grant Program funds.

At this time, I wish to cede the remainder of my time to my friend, the senior Senator from Alabama.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, we should all be aware that the Collins-Reed amendment provides no protections to local communities on their local planning rules because it merely prohibits an activity that the rule does not contemplate. Even the sponsor of this amendment acknowledged earlier today that the amendment prohibited an activity that she believed would not occur.

Make no mistake that the so-called affirmatively furthering fair housing rule will likely heavily influence local zoning decisions. However, it does so indirectly, not through direct action as in the Collins-Reed amendment. HUD advertises this fact on its own Web site, where it details how communities will have to submit for approval an assessment of fair housing and that these communities will ''use the fair housing goals and priorities established in their [assessment] to inform the investments and other decisions made in their local planning processes.''

In other words, HUD does not intend to direct any specific zoning requirements. It does, however, intend to significantly influence local zoning decisions by withholding approval of local plans until they meet HUD's central planning goals.

This amendment is not sufficient on its own. I believe the only way to prevent HUD from intruding into local community planning exactly as they openly state they intend to do is to support the Lee amendment. I believe the Collins-Reed amendment is not alternative to Senator LEE's amendment, it is, at best, complementary to the Lee amendment, and that is something we will have to vote on in just a few minutes.

I thank the Presiding Officer.

Ms. COLLINS. Mr. President, I yield back the remainder of time on our side, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Texas (Mr. CRUZ).

Mr. DURBIN: I announce that the Senator from California (Mrs. BOXER), the Senator from New Mexico (Mr. HEINRICH), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

The result was announced—yeas 87, nays 9, as follows:

[Rollcall Vote No. 80 Leg.]

YEAS—87

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

NAYS—9

Booker	Menendez	Reid
Brown	Merkley	Schatz
Cardin	Murphy	Warren

NOT VOTING—4

Boxer	Heinrich
Cruz	Sanders

The amendment (No. 3970) was agreed to.

Mr. LEAHY. Mr. President, I move to reconsider the vote.

Ms. COLLINS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3897

The PRESIDING OFFICER (Mr. HOEVEN). There is now 4 minutes of debate prior to a vote in relation to the Lee amendment No. 3897.

Ms. COLLINS. Mr. President, I ask unanimous consent that the subsequent votes in this series be 10 minutes in length.

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

The Senator from Utah.

Mr. LEE. Mr. President, unlike the Collins amendment that just passed with broad support, my amendment would actually do something with respect to affirmatively furthering the fair housing rule. Specifically, it would defund this rule and ultimately force the Department of Housing and Urban Development to respond to the GAO in a way that does not undermine local control or increase costs on already stretched thin local housing agencies.

My colleagues who oppose this amendment have given a number of examples of local governments being newly connected to make better governing decisions, but my amendment in no way stops local governments from continuing to do that. All my amendment does—the only thing it does—is to prevent the Federal Government from forcing local governments to comply with a costly and unnecessary new data collection program, and it does so in order to protect local autonomy. I therefore encourage each of my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, the amendment offered by my colleague Senator LEE would prohibit all funding for a fair housing regulation issued by HUD based on a requirement of a landmark civil rights law, the Fair Housing Act of 1968. Not only was this not a regulation that appeared out of thin air, the GAO did a report criticizing HUD, and once the regulation was implemented, closed the recommendation.

In addition, communities asked HUD to issue better guidance on this part of the law so that they could avoid being sued under the Fair Housing Act of 1968.

Thank you, Mr. President.

Mr. President, I move to table the Lee amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Texas (Mr. CRUZ).

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

The result was announced—yeas 60, nays 37, as follows:

[Rollcall Vote No. 81 Leg.]

YEAS—60

Alexander	Feinstein	Menendez
Ayotte	Franken	Merkley
Baldwin	Gillibrand	Mikulski
Bennet	Graham	Murkowski
Blumenthal	Hatch	Murphy
Blunt	Heinrich	Murray
Booker	Heitkamp	Nelson
Brown	Hirono	Peters
Burr	Hoeven	Portman
Cantwell	Isakson	Reed
Cardin	Kaine	Reid
Carper	King	Schatz
Casey	Kirk	Schumer
Coats	Klobuchar	Shaheen
Cochran	Leahy	Stabenow
Collins	Manchin	Tester
Coons	Markey	
Donnelly	McCain	
Durbin	McCaskill	

Tillis	Warner	Whitehouse
Udall	Warren	Wyden

NAYS—37

Barrasso	Gardner	Rounds
Boozman	Grassley	Rubio
Capito	Heller	Sasse
Cassidy	Inhofe	Scott
Corker	Johnson	Sessions
Cornyn	Lankford	Shelby
Cotton	Lee	Sullivan
Crapo	McConnell	Thune
Daines	Moran	Toomey
Enzi	Paul	Vitter
Ernst	Perdue	Wicker
Fischer	Risch	
Flake	Roberts	

NOT VOTING—3

Boxer	Cruz	Sanders

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Maine.

AMENDMENTS NOS. 4050 AND 4026, AS MODIFIED, TO AMENDMENT NO. 3896

Ms. COLLINS. Mr. President, I ask unanimous consent that the following amendments be called up en bloc and reported by number: Amendment No. 4050, offered by Senator RUBIO; and amendment No. 4026, as modified, offered by Senator BALDWIN.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendments en bloc by number.

The senior assistant legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS], for others, proposes amendments numbered 4050 and 4026, as modified, en bloc to amendment No. 3896.

The amendments are as follows:

AMENDMENT NO. 4050

(Purpose: To make temporary relocation assistance available for tenants in project-based section 8 properties with imminent health and safety risks)

On page 85, line 6, insert ''*Provided further*, That the Secretary may provide section 8 rental assistance from amounts made available under this paragraph for units assisted under a project-based subsidy contract funded under the 'Project-Based Rental Assistance' heading under this title where the owner has received a Notice of Default and the units pose an imminent health and safety risk to residents: *Provided further*, That to the extent that the Secretary determines that such units are not feasible for continued rental assistance payments or transfer of the subsidy contract associated with such units to another project or projects and owner or owners, any remaining amounts associated with such units under such contract shall be recaptured and used to reimburse amounts used under this paragraph for rental assistance under the preceding proviso:'' before ''*Provided further*,''.

AMENDMENT NO. 4026, AS MODIFIED

(Purpose: To prohibit certain health care providers from providing non-Department health care services to veterans)

At the end of title II of division B, add the following:

SEC. 251. PREVENTION OF CERTAIN HEALTH CARE PROVIDERS FROM PROVIDING NON-DEPARTMENT HEALTH CARE SERVICES TO VETERANS.

(a) IN GENERAL.—One year after enactment of this Act, the Secretary of Veterans Affairs shall deny or revoke the eligibility of a health care provider to provide non-Department health care services to veterans if the Secretary determines that—

(1) the health care provider was removed from employment with the Department of Veterans Affairs due to conduct that violated a policy of the Department relating to the delivery of safe and appropriate patient care;

(2) the health care provider violated the requirements of a medical license of the health care provider;

(3) the health care provider had a Department credential revoked and the Secretary determines that the grounds for such revocation impacts the ability of the health care provider to deliver safe and appropriate care; or

(4) the health care provider violated a law for which a term of imprisonment of more than one year may be imposed.

(b) PERMISSIVE ACTION.—One year after enactment of this Act, the Secretary may deny, revoke, or suspend the eligibility of a health care provider to provide non-Department health care services if the Secretary has reasonable belief that such action is necessary to immediately protect the health, safety, or welfare of veterans and—

(1) the health care provider is under investigation by the medical licensing board of a State in which the health care provider is licensed or practices;

(2) the health care provider has entered into a settlement agreement for a disciplinary charge relating to the practice of medicine by the health care provider; or

(3) the Secretary otherwise determines that such action is appropriate under the circumstances.

(c) SUSPENSION.—The Secretary shall suspend the eligibility of a health care provider to provide non-Department health care services to veterans if the health care provider is suspended from serving as a health care provider of the Department.

(d) INITIAL REVIEW.—The Secretary shall review the Department employment status and history of each healthcare provider providing non-Department healthcare services to determine instances of circumstances described in paragraphs (a) through (c) and shall take action as appropriate to each circumstance as described in paragraphs (a) through (c).

(e) REPORT REQUIRED.—Not later than two years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the implementation by the Secretary of this section, including the following:

(1) The aggregate number of health care providers denied or suspended under this section from participation in providing non-Department health care services.

(2) An evaluation of any impact on access to care for patients or staffing shortages in programs of the Department providing non-Department health care services.

(3) An explanation of the coordination of the Department with the medical licensing boards of States in implementing this section, the amount of involvement of such boards in such implementation, and efforts by the Department to address any concerns raised by such boards with respect to such implementation.

(4) Such recommendations as the Comptroller General considers appropriate regarding harmonizing eligibility criteria between health care providers of the Department and health care providers eligible to provide non-Department health care services.

(f) NON-DEPARTMENT HEALTH CARE SERVICES DEFINED.—In this section, the term ''non-Department health care services'' means—

(1) services provided under subchapter I of chapter 17 of title 38, United States Code, at non-Department facilities (as defined in section 1701 of such title);

(2) services provided under section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note);

(3) services purchased through the Medical Community Care account of the Department; or

(4) services purchased with amounts deposited in the Veterans Choice Fund under section 802 of the Veterans Access, Choice, and Accountability Act of 2014.

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate now vote on these amendments en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. COLLINS. Mr. President, I know of no further debate on these amendments.

The PRESIDING OFFICER. If there is no further debate on the amendments, the question is on agreeing to the amendments en bloc.

The amendments (Nos. 4050 and 4026, as modified) were agreed to en bloc.

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

Under the previous order, the substitute amendment No. 3896, as amended, is agreed to.

Under the previous order, the cloture motion on the underlying bill is withdrawn.

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

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Ms. COLLINS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Texas (MR. CRUZ).

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

The result was announced—yeas 89, nays 8, as follows:

[Rollcall Vote No. 82 Leg.]

YEAS—89

Alexander	Barrasso	Blunt
Ayotte	Bennet	Booker
Baldwin	Blumenthal	Boozman

Brown	Heinrich	Peters
Burr	Heitkamp	Portman
Cantwell	Heller	Reed
Capito	Hirono	Reid
Cardin	Hoeven	Roberts
Carper	Inhofe	Rounds
Casey	Isakson	Rubio
Cassidy	Johnson	Sasse
Coats	Kaine	Schatz
Cochran	King	Schumer
Collins	Kirk	Scott
Coons	Klobuchar	Shaheen
Cornyn	Leahy	Shelby
Cotton	Manchin	Stabenow
Daines	Markey	Sullivan
Donnelly	McCain	Tester
Durbin	McCaskill	Thune
Enzi	McConnell	Tillis
Ernst	Menendez	Toomey
Feinstein	Merkley	Udall
Fischer	Mikulski	Vitter
Franken	Moran	Warner
Gardner	Murkowski	Warren
Gillibrand	Murphy	Whitehouse
Graham	Murray	Wicker
Grassley	Nelson	Wyden
Hatch	Perdue	

NAYS—8

Corker	Lankford	Risch
Crapo	Lee	Sessions
Flake	Paul	

NOT VOTING—3

Boxer	Cruz	Sanders

The bill (H.R. 2577), as amended, was passed.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, before I make some closing remarks, I would yield to Senator REED, who has been such an extraordinary partner as we have worked together in a transparent and collaborative way to bring this bill across the finish line.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, let me return the compliment to the Chairman of the committee, Senator COLLINS of Maine, for her extraordinary insight, leadership, and ability to bring us together. This bill reflects the priorities of members on both sides of the aisle, it reflects sound policy, and it was a pleasure to work with her.

I think that she will also commend our extraordinary staffs who provided support, working many times when we were not working to get the job done. I thank Dabney Hegg, Heideh Shahmoradi, Christina Monroe, Nathan Robinson, Jordan Stone, Jason Woolwine, Mike Clarke, Lydia Collins, and Gus Maples. These are professionals who are thoughtful, skillful, pleasant, and probably deserving of the real praise for work done on the floor.

Let me once again thank Senator COLLINS for her thoughtful leadership and her commitment to fairness and principle. I think that she is one of the major reasons we are here today.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, the Senate has completed its consideration of this appropriations measure, which provides essential funding for the Department of Transportation, the Department of Housing and Urban Development, related agencies, military construction programs, the Department of Veterans Affairs, and to combat Zika. I thank all of my colleagues for working together with us in an open and collaborative manner.

I would note that the legislation we just passed incorporates some 40 amendments. There were also recommendations from more than 75 Senators from both sides of the aisle included in the Transportation-HUD appropriations portion of this bill which were incorporated at the committee level. I thank all of my colleagues for giving us their suggestions, their requests, and their insights. It made for a better bill.

As I mentioned, I am particularly grateful to Senator JACK REED, the ranking member of the Transportation-HUD Subcommittee, for his work.

I also thank the staff for their diligence and commitment throughout this process. As Senator REED mentioned, we worked extremely hard, but our staff worked even harder. So I thank Heideh Shahmoradi, Rajat Mathur, Jason Woolwine, Lydia Collins, Gus Maples, Dabney Hegg, Nathan Robinson, Christina Monroe, Jordan Stone, and Mike Clarke on the subcommittee staff.

I also give special thanks to the floor and cloakroom staffs who worked so hard. Without the help of Laura Dove and her team and the team on the Democratic side, we could not be where we are today. They did a lot of the vetting that needed to be done on various amendments. They helped us in the negotiations and compromises that ultimately were included in this bill.

I would note that our Transportation-HUD portion of this bill recognizes the fiscal reality while making critical investments into our crumbling infrastructure and economic development projects. It meets our responsibility to vulnerable populations. I think most of our colleagues are unaware that 84 percent of HUD's budget goes to subsidized housing. When we fund that, we keep very vulnerable low-income families, disabled individuals, and our low-income seniors from being at risk of homelessness.

We also paid special attention in this bill to vulnerable homeless populations, such as our veterans and our young people. We continued a program the administration wanted to abolish that helps our homeless veterans, to whom we owe so much—$57 million in new vouchers, so that we can continue the progress we are making in housing our homeless veterans. Since we started this program, the number of homeless veterans has declined by about one-third. This program works, but we can't declare victory until the job is done. That is why both last year and this year we funded the program, even though the President's budget sought to eliminate it.

We have made real investments in helping some of our most vulnerable young people, and those are youth who have been in the Foster Care Program and then age out of that program. In some cases, they are aging out of the program before they have even graduated from high school, and they have nowhere to go. So through family reunification vouchers and other programs, we are beefing up support so they don't fall through the cracks and become vulnerable to traffickers, to dropping out of school, to couch surfing, or ending up in shelters. In particular, I am very proud of the work we have done in that area.

I am very pleased this bill funds the TIGER Grant Program at $525 million. This program has been extraordinarily popular and effective. It has funded projects in each and every State—projects that have led to job creation and economic development. When we think about it, at heart, much in this bill is about creating jobs and security for our fellow citizens. If you don't have a place to live, it is very difficult to show up for work every day. If the infrastructure is crumbling, it is very difficult for a business to hire the employees who produce the products and get those products to market. The construction projects this bill will fund creates good-paying jobs. In many ways, I think of this as a jobs bill.

Let me give another example of a very popular program, the Community Development Block Grant Program. If you ask of the mayors and other town and city officials in your State, they will point to that program as one that gives them the flexibility to improve their downtowns, to make investments that bring new employers to the region, to build affordable housing, whatever their needs are, and that is the beauty of that program. It is not dictated from Washington. It gives tremendous flexibility to States and communities to design the kinds of economic development programs that boost growth and create jobs.

In short, our bill strikes the right balance between thoughtful investment and fiscal restraint and thereby sets the stage for future economic growth, something I know the Presiding Officer has been a real leader in speaking out about and reminding us that must be our focus as Members of the Senate.

I am also pleased we were able to bring spending bills to the floor for Members to examine, debate, and vote on in a transparent manner. The worst situation is when we do a series of continuing resolutions temporarily funding the essential functions of government. They create such uncertainty, they lock in priorities from previous years rather than reflecting today's priorities, and they end up costing more money. Agencies are unable to enter into contracts. Businesses, because of the uncertainty, tend to build

in a little extra into their bids. It is a terrible way to operate.

Equally bad is the practice of bundling all 12 of the appropriations bills into one gigantic omnibus bill, thousands of pages long, that is rushed through at the end of the fiscal year—or, more often, at the expiration of one of those continuing resolutions that I just deplore. We are not doing that this year. This is the third appropriations bill that the Senate has passed earlier than ever, with great cooperation from both sides of the aisle. The Members of the Appropriations Committee and its two leaders, Senator COCHRAN and Senator MIKULSKI, deserve great credit for putting us on a strict schedule and keeping the process moving.

In fact, in the full committee today, we approved two more appropriations bills that are ready to come to the Senate floor. That is the way the process used to work. That is the way the process should work, and that is the way the process is working this year. I believe it is a great credit to the Senate, to the leaders of the Appropriations Committee, and to Majority Leader MCCONNELL, who has made it a goal that all 12 bills be reported by the Appropriations Committee and brought to the Senate floor, individually or two or three combined, for full and open debate.

Again, I thank Members on both sides of the aisle. Many of your requests are included in this important legislation. I feel fortunate to have worked with Senator JACK REED on this bill. He is not only a great colleague and a terrific Senator but also a good friend.

MORNING BUSINESS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

Ms. COLLINS. Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. CAPITO). Without objection, it is so ordered.

INTERNATIONAL ENGAGEMENT

Mr. RUBIO. Madam President, there is an ongoing debate in our politics today about the value of leadership around the world in the 21st century. There is a view that seems to be gaining traction and favor—that our international engagement is one-sided, that our allies are free riders, that we contribute too much and get too little in return, and so why should we be involved in the world? These voices exist in both parties, and I would like to answer them today.

I want to start by looking back at the last century, when the world emerged from the death and destruction of the Second World War. The United States could have decided after that war to wall ourselves off—that after the loss of so many of our best and brightest, we had already paid enough for peace.

Instead, our country became the driving force behind international order. We forged a series of strong alliances, led with moral clarity, and positioned our military strength strategically around the world. In doing so, the American people benefitted immensely as we helped to stave off the threat of another global conflict and oversaw decades of economic growth and the spread of democracy and freedom around the world. Then, like now, our people benefitted tremendously from our status in the world, even though our engagement was disproportional to that of other nations; in fact, we benefitted precisely because our engagement was disproportional to that of other nations.

International engagement has never been a business deal. International engagement is not a transaction in which we give something tangible and receive something tangible in return. America has more to give to the nations we are helping, and that is one of the reasons why we have a responsibility to lead. It is written in the Bible: ''From everyone who has been given much, much will be required.'' But our leadership ends up paying dividends for the entire world, and especially for the American people.

First of all, American workers and families benefit economically. International affairs have a bigger impact on the financial well-being of our people today than ever before. In our global economy, someone on the other side of the planet can now buy a product from an American with the tap of a finger. But when nations or entire regions are torn apart by war and by oppression, they become closed off, and economic growth in our own country is restricted as a result.

If America were to fail to protect the openness of international waters, global shipping would be threatened and prices would rise for consumers on virtually everything. Similarly, if space and cyber space became threatened or restricted, global communications and commerce would suffer as well.

Americans also see real benefits in terms of our safety at home and around the world. Without American leadership, regional order tends to break down, and then instability spreads. This opens up vacuums that are filled up by radicals, and those radicals always—irrespective of what we are doing or what we are not doing—target America, and they do so either to bolster their own prestige or for ideological reasons or often for both. As President Obama has found, leaving the Middle East doesn't mean terrorists stop trying to kill Americans. Our families, our homeland, and our men and women in uniform are less safe when America disengages from the world.

We also benefit geopolitically when we help other nations. Think what Europe would look like if it had not been for America's moral and strategic leadership during the Cold War. Europe still faces many challenges today, mainly because of our neglect of the crisis in Syria, but for centuries prior, Europe was driven by conflict. European peace was thought to be impossible. Yet that is what NATO and other institutions have helped achieve with American support.

What would Asia look like right now had the United States not helped it to rebuild after the Second World War. Look at the way that American leadership allowed South Korea to go from a poor country—a dictatorship—to a vibrant democracy and one of the largest economies in the world. South Korea is now a net donor to foreign aid and a crucial ally for us in a region that includes an aggressive China and a belligerent North Korea.

Japan has gone from a country devastated by war and not trusted by its neighbors to one of the most peaceful societies in the world. It has also become a net contributor to global security through its military and humanitarian assistance programs.

Then there is the Middle East. Whether we should continue to play a role there is a question that weighs particularly heavily on the minds of many Americans. I understand the doubts and frustrations. We have been involved in the region for decades. Nothing seems to be getting better, and despite our attempts to help, we watch on television as some celebrate our tragedies and burn our flag in the Arab streets.

It is true that we cannot solve all of the region's problems, but we have an interest in what happens there, nonetheless. That interest is served by our involvement, not by our withdrawal. ISIS arose, in the first place, because of the political instability that exists in both Syria and Iraq, and that instability was created in part because President Obama withdrew or withheld American leadership at crucial moments.

Failing to lead costs us more in the long-term than it saves us in the short-term, and we will continue to pay a steep price each time we fail to lead in the future.

There are complex considerations to make regarding our engagement in

every region, but I believe a world without sustained American engagement is not a world any of us want to live in. This idea shared by prominent voices in both parties—that America is such a weak nation that we cannot afford to be engaged in the world—is one of the biggest lies ever told to the American people. Just because our government leaders are weak does not mean America is weak.

No American wants to live in a world where Vladimir Putin sets the agenda or ISIS holds us hostage to their demands. Yet this is the world we are heading toward as political leaders continue to embrace America's decline.

Defense spending is currently at roughly 3.3 percent of our budget, compared to 14 percent at the height of the Korean war. Our Army is on track to be at pre-World War II levels. Our Navy is already at pre-World War I levels, and our Air Force has the smallest and oldest combat force in its history. These are the results of specific policy choices made by politicians right here. It is no accident that the result has been more conflict around the world and less American influence.

I saw firsthand on a recent trip to Iraq how our men and women in uniform around the world are doing their best to keep us safe with limited resources. We put them in an untenable position. They are asked to maintain our global commitments, fight ISIS and other terrorist groups, and deter countries such as Russia, Iran, North Korea, and China. They and our country deserve better.

''Spend less abroad so we can spend more at home'' has become a common refrain among leaders in both parties. It is used to excuse cuts to the military and our presence around the world. The truth is that the defense budget is not the primary driver of our debt. It is our entitlement programs. Every time we try to cut a dollar from our military, it seems to cost us several more just to make up for it.

In addition to investing in our strength, we must apply that strength in a way that respects our values and supports our economic interests.

Americans deserve a foreign policy we can be proud of. But for the last 8 years, we have had a Commander in Chief who praises and appeases dictators to promote the illusion of peace. Some in my party have now adopted a similar approach. They may claim to represent different ideas, but both emanate from the same notion—that Americans are too tired, that America is too weak, and that we are too much like the rest of the world to stand up to tyrants, so we should just cut deals with them instead.

This is not only morally wrong, but it is contrary to our interests. Whenever our foreign policy becomes unhinged from its moral purpose, it weakens global stability and it forms cracks in our national resolve. But whenever freedom and human rights spread, partners for our Nation are born. We must restore America's willingness to state boldly what we stand for and why. Just as Reagan never flinched in his criticisms of the Soviet Union, we must not shy away from demanding that China allow true freedom for its 1.3 billion people or boldly stating that Vladimir Putin is a corrupt thug. Nor should we hesitate in calling the source of atrocities in the Middle East by its real name—radical Islam. We should always stand with Israel, and we should not abandon the cause of freedom in our own hemisphere and allow cruel and immoral dictatorships in Cuba and Venezuela to be absolved of their crimes.

The world needs America's moral and military strength just as much as our people and our economy do. No other nation can deter global conflict by its presence alone. No other nation can offer the security and benevolence that America can. No other Nation can be trusted to defend peace and advance liberty.

America cannot avoid its role as a global leader. But we also know America cannot be tasked with protecting the world on its own. It will take an international order of free nations with free economies to do so. We must work with like-minded allies whenever possible and encourage them to do their part, but no other nation has the ability to organize or lead such a coalition if we fail to do so.

That is why I will continue to make the case for an engaged America, no matter who becomes our next President, no matter how the political winds may blow. Our safety and our prosperity depend on it. The ideal of America depends on it. That was true last century, and it is even more so today.

Madam President, with that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING Officer. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS BILLS

Mr. DURBIN. Madam President, I am pleased that today the Senate passed two annual spending bills—Transportation, Housing and Urban Development, and Military Construction and Veterans Affairs—and approved funding to combat the Zika virus.

Senators COLLINS, REED, KIRK, and TESTER worked hard to craft good, bipartisan bills with no ideological, partisan policy riders.

They have reminded us of the way we should do business here in the Senate.

I was proud to support both bills when they were considered by the Appropriations Committee in recent weeks and proud to support them again today.

I am pleased that the bill includes long-overdue funding to fight Zika. The bill does not provide the full amount of funding that our health and infectious disease experts say they need, but it does provide a good down payment of $1.1 billion.

We must do more, and we must do it now, in order to protect pregnant women nationwide.

This bill builds on the surface transportation bill, the FAST Act, that Congress passed last year that provides funding over 5 years for rail and highway infrastructure.

Illinois rail lines are at the center of our national transportation network.

In 2014, 5 million people boarded or exited trains in Illinois, giving residents a safe, affordable option when traveling.

The bill supports rail options by providing strong funding for Amtrak, including $1.42 billion for the national network.

It increases funding for TIGER and Core Capacity Capital Investment Grants, which supports transportation improvement projects across Illinois like the CTA's Red Purple Modernization project to provide more commuter passenger rail options to people in Chicago.

The bill also funds important rail safety programs across the country.

First-time funding for passenger rail grant programs authorized in the FAST Act will address gaps in supporting and growing our nation's passenger rail infrastructure.

Rail line relocation and grade crossing enhancements will reduce accidents and improve passenger safety in Illinois and around the country.

Nearly 1.1 million barrels of crude oil are hauled on our nation's railroads every day. Last year's derailment in Galena, IL, highlights the need to invest in rail safety.

The bill continues funding for Positive Train Control programs and supports the Safe Transport of Energy Products Program.

There is always more work to be done. According to the American Society of Civil Engineers, America scores a D in investment in roads, transit, and aviation and a C-plus in rail.

This bill is a good start. This bill not only invests in our transportation infrastructure, but it also invests in our housing infrastructure.

I want to thank Senators COLLINS and REED again for their efforts to address lead-based paint hazards in our Nation's low-income housing.

Since Flint, we have learned that exposure to lead, be it through our drinking water or paint in our homes, is still a major problem in communities across Illinois and the country.

We have also learned that, when government shortchanges our infrastructure because of opposition to commonsense protections and draconian spending cuts, families suffer the consequences.

In the case of Flint, local and State government was the problem, and now, it, along with Federal Government, have to be part of the solution.

And the provisions in this bill can help us do that. This bill requires HUD to update its standards to the CDC's blood level standard, which is currently four times the CDC level. It improves tenant awareness and education of the lead-based paint hazards. And it provides a modest increase in funding for the identification and remediation of lead-based hazards found in federally assisted housing.

These are all good things, and they will go a long way in addressing the government's abysmal and embarrassing record in dealing with this problem, which has led to far too many children living in federally subsidized housing suffering from lead poisoning, including one family in Chicago. Lanice Walker's 4-year-old daughter was diagnosed with lead poisoning less than 5 months after her and her family moved into a home subsidized by a Housing Choice Voucher.

But Lanice Walker was not able to move without the risk of losing her voucher because her daughter's blood lead level, which was two times the CDC level, didn't meet the standards under HUD regulations. It wasn't until all nine of her children had elevated blood levels and legal advocates intervened on her behalf before she was granted permission to move.

This is unacceptable, and we must do more to protect children in affordable housing before they become poisoned by lead. We must ensure that lead-based paint hazards are properly identified before a family moves into a unit. We must update all outdated lead regulations using the most recent science and enforce them. And we must adequately fund programs designed to identify and eliminate lead paint hazards.

I hope that our efforts today are just the beginning of our recommitment to addressing our lead epidemic.

The Senate also approved the Military Construction and Veterans Affairs appropriations bill, which provides a $3.1 billion increase above fiscal year 2016 enacted levels.

This funding will support a wide variety of projects to ensure the military readiness and quality of life on military bases within the United States and around the world.

It provides $70 million for Arlington National Cemetery to ensure that the final resting place for our servicemembers is well maintained.

The bill ensures that we provide for our Nation's veterans and their families, those who have sacrificed so much over the years and deserve our gratitude.

The Veterans Benefits Administration will receive $2.8 billion more than last year to help the VA modernize its claims processing as well as help reduce and eliminate backlogs.

Forcing veterans to wait months and sometimes years to get the benefits they deserve is unacceptable.

The bill increases funding for critical programs and emerging needs, including hepatitis C treatment, whistleblower protection, as well as family caregiver support.

For years, I have championed the caregivers program in Congress, so I am pleased that this program is a priority in this bill.

Hundreds of veterans and their caregivers in Illinois and more than 23,000 nationwide participate in this program, with much success.

The bill increases medical and prosthetic research funding by $44 million compared to fiscal year 2016, at $675 million. These funds are critical to continuing our national commitment to medical research and will help our veterans that return home with both the physical and mental wounds of war.

The number of veterans using VA services is dramatically increasing as the population ages. The VA provides more care for veterans now than ever before, and more of these veterans and their families have increasingly critical needs.

I would also like to take a moment to address an amendment I offered that was included as part of a managers package.

My amendment directs the Secretary of the VA to spend at least $21 million to fill critical staffing shortages in VA leadership at networks, medical centers, and health care systems across the country.

At least three dozen key VA leadership positions are currently filled by acting or interim directors, sometimes for years at a time. In my home State of Illinois, for example, Hines VA Hospital has not had a permanent director since 2014.

Permanently assigned leadership that is capable of overseeing and managing networks and medical centers is critical to delivering high quality care to our Nation's veterans in a timely fashion, especially at a time when the VA faces a number of challenges.

This funding will help the VA prioritize filling these key positions, as well as address staffing shortages in other management and clinical positions, including in rural and underserved areas.

It is my hope that this funding will allow the VA to quickly fill these important positions within the Department.

I am glad to say that overall, moving this bill is good for our Nation's military and their families.

I hope today's action by the Senate is another step in the direction of passing all 12 appropriations bills, all without ideological riders.

I urge my colleagues on the other side of the aisle to continue to work with us in a bipartisan manner to pass additional appropriations bills without ideological riders.

I would also like to urge my colleagues to quickly send these funding measures to the President. Zika funding is needed now.

NATIONAL POLICE WEEK

Mr. CARDIN. Madam President, today I wish to join Americans across the country in recognizing the immeasurable sacrifices made every day by the men and women of law enforcement. Federal, State, and local law enforcement officers put their lives on the line to help uphold the rule of law in America. Their professionalism and commitment to justice underpin so much of what has allowed this country to thrive for generations.

In May 1962, President John F. Kennedy designated May 15 as Peace Officers Memorial Day and the week containing May 15 as National Police Week. In that proclamation, President Kennedy stated, ''. . . from the beginning of this Nation, law enforcement officers have played an important role in safeguarding the rights and freedoms which are guaranteed by the Constitution and in protecting the lives and property of our citizens. . . .''

It is that twofold role of protecting both the constitutional and physical well-being of all Americans that earns law enforcement officers such a revered place in American society. In the 53 years since President Kennedy established this national celebration of law enforcement, much has changed in regards to the tactics and procedure for protecting essential rights and freedoms, as well as the nature of threats against personal property and the citizenry. What has not changed in the unwavering commitment to addressing these challenges by law enforcement agencies nationwide.

My home State of Maryland is home to a close-knit, well-trained, and dedicated network of law enforcement agencies. Maryland is often called America in Miniature, and as such, Federal, State, and local law enforcement officers across Maryland are expected to be able to respond to an incredibly diverse set of situations.

Being on the front lines of upholding the rule of law and protecting Americans from harm is not easy work. There is hardly a law enforcement officer in the United States who will not

face the threat of bodily harm during their career. Unfortunately, due to the dangerous nature of police work, law enforcement officers across the country are killed on the job every year.

Thus far in 2016, 35 law enforcement officers have been killed in the line of duty. Every one of those men and women left a family and grieving law enforcement agency. California, Colorado, and Maryland share the painful distinction of leading the Nation in law enforcement deaths in the line of duty. Three officers from each one of the aforementioned States were killed in the line of duty; in Maryland, all three were killed by gunfire.

Senior Deputies Patrick Dailey and Mark Logsdon of the Harford County Sheriff's office and Officer Jacai Colson of the Prince George's County Police Department were all model officers who were tragically killed while protecting colleagues and civilians. All three of these men served communities in Maryland with distinction and contributed greatly to not only public safety but also to helping build strong and lasting relationships among law enforcement and the people they protect.

Senior Deputies Dailey and Logsdon were both fathers and military veterans. Both served honorably with the Harford County Sheriff's Office.

On Christmas Eve 2002, Deputy Dailey saved the life of a teenager traveling in an SUV that collided head-on with a cement mixing truck. Deputy Dailey, a number of fellow sheriffs, and two civilians emptied six fire extinguishers in an attempt to quell a fire that threatened to engulf the vehicle and the unresponsive driver. Using only their bare hands and batons, the group managed to free the driver seconds before the fire consumed the passenger compartment. The teen was able to thank his rescuers 3 months later at the Harford County Sheriff's Office Awards Banquet.

Exactly 11 years before his death, Deputy Logsdon confronted a suicidal man who was armed with a loaded shotgun. In a display of great bravery and at great risk to himself, Deputy Logsdon managed to talk the man into surrendering his weapon. After the man was disarmed, Deputy Logsdon continued to help the man by transporting him to the hospital, where he received medical care.

Officer Colson was an undercover narcotics agent. He had a dangerous job with zero margin for error. Officer Colson did not make errors. He was a 4-year veteran of the Prince George's Police Department. The commander of the Prince George's County Police Department's Narcotic Enforcement Division said of Colson, ''Not only is he good at his job, he's that guy that you wanted on your team.''

The President of the Fraternal Order of Police, Lodge 89 described Officer Colson as ''. . . always the first person here in the morning, ready to work and put in a full day's work.''

All three of these men could have done anything with their lives, and they chose to uphold the law. I am thankful that, for the many people they interacted with on a daily basis, these men embodied justice. I join Marylanders in mourning their loss.

It is my hope that this National Police Week serves as a catalyst to communities and governments across the country to evaluate ways to better serve those who are sworn to protect and serve.

Ms. HEITKAMP. Madam President, this evening, I want to honor our Nation's peace officers and to remember those who we have lost in the line of duty over the last year.

Sunday was Peace Officers Memorial Day, a day set aside by President Kennedy in 1962 to honor those law enforcement officers who we have lost in the line of duty, a day that unfortunately has touched me personally, both in the past while serving as attorney general for North Dakota and tragically again earlier this year when the city of Fargo, ND, lost one of its finest in the line of duty.

On the evening of Wednesday, February 10, 2016, Fargo Police Officer Jason Moszer answered the call to serve and protect for what would turn out to be the last time. He knew when he answered that call that he would confront an active-shooter situation, and he never hesitated in taking up a position to put himself between the shooter and the community he so very much loved.

Officer Moszer was struck down that evening, and his name will forever be etched in stone on the North Dakota's Peace Officer's Memorial that sits on the grounds of the State capitol in Bismarck. Through rain, sleet, and snow—extreme heat and cold—he will now stand alongside those other North Dakota officers who gave the ultimate sacrifice. They provide an unwavering example that, regardless of what conditions they face, our peace officers will stand steadfast regardless of what challenges they may face.

National Police Week is very special to me. When I served as attorney general of North Dakota in the 1990s, I had the privilege to work directly with many of our State's law enforcement officers, from the highway patrol, to State and local officers, various Federal officers, and our tribal police. It was in that job that I truly began to appreciate the hard work and dedication of those officers who serve the people of North Dakota. These are some of the finest men and women I have ever met.

During my time as a U.S. Senator, I have been able to see many old friends that continue their service and have met an entire new generation of law enforcement officers at the beginning of their careers. I can tell you that this new generation of law enforcement officers are not only up to the task, but will most certainly meet the same standards of excellence as their predecessors.

I want to give special recognition to the Grand Forks Country Drug Task Force, a collection of State, local, and Federal law enforcement members who were honored earlier this year by the HIDTA program with an Outstanding Cooperative Effort award. This award came was the result of Operation Denial, a multiagency investigation into the international trafficking of fentanyl and other lethal drugs that led to multiple arrests and convictions in various States and countries. As we talk about the opioid abuse epidemic in the Senate and look to address this scourge on our communities, law enforcement officers are on the front lines tackling this challenge head-on.

When honoring the service and sacrifice of our Nation's law enforcement officers, all too often there is a group of officers that don't garner the attention and praise that they deserve, our tribal law enforcement officers. Tribal officers work in some of the most challenging conditions, with incredible jurisdictional challenges and an embarrassing lack of resources, but they do not let that stand in the way of their dedication and passion to protect Indian Country. This evening, I want to extend special recognition and a personal thank you to all of our tribal law enforcement officers.

I continue to work on behalf of our men and women in law enforcement, and all of us in Congress must continue to support our law enforcement officers with the resources and protections necessary for them to perform their duties.

Last year, I was proud see a bill that I cosponsored, the Rafael Ramos and Wenjian Liu [Wen-Gin Lew] National Blue Alert Act, enacted into law. This bipartisan legislation established a national Blue Alert communications network to disseminate information about threats to officers. The law seeks to make sure that appropriate steps can be taken as quickly as possible to provide for an officer's safety.

Just yesterday, the President signed two more bills into law that I supported and that will give law enforcement additional and sorely needed resources, the Transnational Drug Trafficking Act that will provide increased tools to go after foreign manufacturers or distributors of chemicals that will eventually end up in the U.S. as illicit drugs, and the Bulletproof Vest Reauthorization Act will extend for 5 years the matching grant program that helps law enforcement purchase lifesaving bulletproof vests.

Just last week, another bill, the POLICE Act, passed out of the Judiciary

Committee. This bill would make Federal grants available for law enforcement officers and medical personnel to help them better prepare for active-shooter situations, including training civilians on how to respond if confronted by an active shooter. Congress needs to swiftly pass this bill.

And I am a proud cosponsor of Senator LEAHY and Senator GRASSLEY's resolution recognizing among other things, the dedication and sacrifice of all of our law enforcement officers and our debt of gratitude to each and every one of them.

Thank you to all of our Nation's law enforcement officers for the jobs you do every day. I want to especially thank the law enforcement officers in my home State of North Dakota. I believe they are the finest collection of officers in the Nation. They are out there working day and night to keep our families safe, and just as they do for us, I will keep fighting for them every day. This Nation, our State, and our local communities owe our law enforcement officers a continuing debt of gratitude for their selfless actions to meet their sworn duty to protect and serve.

ADDITIONAL STATEMENTS

TRIBUTE TO BOB NEWMAN

● Mr. DAINES. Madam President, in honor of National Military Appreciation Month, I wish to recognize Bob Newman of Musselshell County, a U.S. Army veteran. After leaving the Army, he went into law enforcement and served his community in the Musselshell County Sheriff's Department. Newman has dedicated his life to serving God, his country, and his community by giving countless hours of his time to military service, as well as helping fellow veterans in a countless number of ways.

Since leaving the Army, Newman has participated in hundreds of services aimed towards veterans. Two great examples of his dedication are his work with the Patriot Guard of Montana and with Big Sky Honor Flights. The Patriot Guard of Montana was founded in 2005, and Newman was one of its original members; he now serves as a ride captain. This grassroots organization consists of motorcycle riders who want to show respect for fallen American soldiers by escorting funeral processions for fallen heroes and protecting mourning family and friends from any potential disturbances caused by protestors.

Newman also partakes in Big Sky Honor Flights, an organization whose mission is ''to recognize Montana World War II Veterans for their sacrifices and achievements by flying them to Washington, D.C., to see their memorial at no cost.'' Upon one flight's return in 2013, he was a part of the celebrating crowd that welcomed the veterans back at the Billings Logan International Airport with loud cheering and waving of American flags. Newman said, ''It's an honor to be able to stand for them and give them the recognition they deserve.''

Other services Newman has been involved in are the Missing in America Project, assisting families of our fallen heroes in various capacities, helping disabled veterans and homeless veterans in addition to an endless amount of other projects for those in need.

Montana has a rich legacy of military service, and Bob is a true Montana hero and role model for us all. It takes a devoted and courageous person to sacrifice their life to protect the lives and freedom that we hold so dear. I am deeply grateful for the many sacrifices Bob has made for our Nation and State.●

TRIBUTE TO STAFF SERGEANT KAT KAELIN

● Mr. HELLER. Madam President, today I wish to recognize SSG Kat Kaelin for her outstanding contributions in serving our country. In 2011, Staff Sergeant Kaelin was selected to serve as a member of a 20-woman cultural support team, CST, that assisted Special Operations missions in locating terrorists for an 8 month period. It gives me great pleasure to recognize her achievement in qualifying for this prestigious position and for her continued dedication in serving the female military community.

Staff Sergeant Kaelin joined the Nevada National Guard while she was still in her junior year of high school at Spring Creek High School. Beginning in August of 2011, she served in an 8-month mission in Iraq as a member of CST–2. The team was designed specifically to serve as a resource for the 75th Ranger Regiment in its mission by gathering information from Afghan women and children. To become a member of the team, Staff Sergeant Kaelin endured intense fitness training and psychological testing. After successfully finishing training, she became the first and only woman from the Nevada National Guard to join a CST. Staff Sergeant Kaelin earned a Combat Action Badge for her service in this role. Her sacrifice in defending our freedoms is invaluable.

In May of 2012, Staff Sergeant Kaelin returned to the United States, and she is currently finishing her military career in the Inactive Ready Reserves. Since returning from deployment, she has dedicated her time to a new mission to help others returning home from service. Specifically, she has been fighting to assist women veterans and their children who are homeless. She has become a powerful voice on behalf of female veterans, and I am thankful for all that she has done for our country and the State of Nevada. She is now running for Ms. Veteran America for 2016 in her endeavors to increase awareness for female veterans. I wish her the best of luck in this competition.

I extend my deepest gratitude to Staff Sergeant Kaelin for her courageous contributions to our Nation. Her unwavering dedication to her career is commendable, and she stands as a shining example for future generations of heroes. Staff Sergeant Kaelin's service to her country and her bravery earn her a place among the outstanding men and women who have valiantly defended our Nation.

As a member of the Senate Veterans' Affairs Committee, I recognize Congress has a responsibility not only to honor the brave individuals who serve our Nation, but also to ensure they are cared for when they return home. Equally as important, it is crucial that female servicemembers and veterans have access to their specific health care needs. There are countless distinguished women who have made sacrifices beyond measure and deserve nothing but the best treatment. I remain committed to upholding this promise for our veterans and servicemembers in Nevada and throughout the Nation and will continue to fight until this becomes a reality.

Throughout her tenure, Staff Sergeant Kaelin has demonstrated professionalism, commitment to excellence, and dedication to the highest standards of the U.S. Army. I am both humbled and honored by her service and am proud to have had someone from the Nevada National Guard serve our Nation in such a significant role. Today I ask my colleagues to join me in recognizing Staff Sergeant Kaelin for all of her accomplishments and wish her well in her future endeavors.●

REMEMBERING ANNE PERSHING

● Mr. HELLER. Madam President, today we honor the life and legacy of Anne Pershing, whose passing signifies a great loss to Nevada. I send my condolences and prayers to her family and friends during this time of difficulty. Ms. Pershing was an upstanding Nevadan, committed to bringing journalistic excellence to the Fallon community. She will be sorely missed by the entire Nevada family.

Ms. Pershing was raised in Bushnell, IL, and moved to the Silver State over 30 years ago. She received her bachelor's degree in speech communications, in addition to studying journalism, at the University of Nevada, Reno, UNR. In 1983, she started her professional career working for the Lahontan Valley News as a general assignment reporter. By 1987, she had successfully climbed the ladder and was chosen to serve as editor of the

newspaper and, later, as general manager.

During her tenure, Ms. Pershing went above and beyond in her role to become acquainted with the city of Fallon and its residents, embodying what it means to be a true community journalist. Throughout the late 1990s, Ms. Pershing and her team covered the child leukemia cluster that greatly affected the local community, gaining national attention for her work on the breaking story. Ms. Pershing and her team were later recognized for their efforts by being nominated for the Pulitzer Prize in Public Service and were honored in 2002 with an Associated Press Public Service Award. Ms. Pershing stands as a role model to the Nevada journalism community with her commendable and reliable reporting. We will always remember her resilient spirit in shining light on issues important to our State.

In 2004, Ms. Pershing moved on to work for the Star Press, a small weekly newspaper in Fallon, and after this newspaper ceased publication, she continued writing as a contributing columnist for the publication at the School of Medicine at UNR. In 2008, she was inducted into the Nevada Press Association Hall of Fame for all of her efforts. Ms. Pershing spent her final journalistic years writing in her weekly newspaper column about the most important issues affecting Nevada's senior population. Throughout her decades of service to Nevada journalism, Ms. Pershing demonstrated unwavering dedication to bringing Nevadans truthful and insightful news coverage. She was truly one-of-a-kind in her endeavors to support her local community. Her legacy of kindness, loyalty, and drive will echo on for years to come.

For over 30 years, Ms. Pershing served as a tremendous contributor to Nevada journalism. Her commitment to the Silver State will never be forgotten. Today I join the Fallon community and citizens of the Silver State to celebrate the life of an honorable Nevadan, Ms. Anne Pershing.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–5425. A communication from the Deputy Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendments to the Definitions of 'Portfolio Reconciliation' and 'Material Terms' for Purposes of Swap Portfolio Reconciliation'' (RIN3038–AE17) received in the Office of the President of the Senate on May 11, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5426. A communication from the Director of the Regulatory Review Group, Commodity Credit Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Farm Storage Facility Loan (FSFL) Program; Portable Storage Facilities and Reduced Down Payment for FSFL Microloans'' (RIN0560–AI35) received in the Office of the President of the Senate on May 11, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5427. A communication from the Administrator, Rural Housing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Single Family Housing Guarantee Loan Program'' ((7 CFR Part 3555) (RIN0575–AD04)) received during adjournment of the Senate in the Office of the President of the Senate on May 13, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5428. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that involved fiscal years 2003 through 2012 Operations and Maintenance, Army National Guard, and was assigned case number 12–07; to the Committee on Appropriations.

EC–5429. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–5430. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General Frank Gorenc, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–5431. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–5432. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Removal of Short Supply License Requirements on Exports of Crude Oil'' (RIN0694–AG83) received in the Office of the President of the Senate on May 12, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC–5433. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''Pass-Through Share Insurance for Interest on Lawyers Trust Accounts'' (RIN3133–AE49) received in the Office of the President of the Senate on May 11, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC–5434. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''Investment and Deposit Activities—Bank Notes'' (RIN3133–AE55) received in the Office of the President of the Senate on May 11, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC–5435. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Registration of Securities Transfer Agents'' (RIN3064–AE41) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC–5436. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13667 of May 12, 2014, with respect to the Central African Republic; to the Committee on Banking, Housing, and Urban Affairs.

EC–5437. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13405 of June 16, 2006, with respect to Belarus; to the Committee on Banking, Housing, and Urban Affairs.

EC–5438. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12170 on November 14, 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC–5439. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13067 of November 3, 1997, with respect to Sudan; to the Committee on Banking, Housing, and Urban Affairs.

EC–5440. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Safety Evaluation by the Office of Nuclear Reactor Regulation for Topical Report WCAP–17096-NP, Revision 2 'Reactor Internals Acceptance Criteria Methodology and Data Requirements' '' (Project No. 669) received in the Office of the President of the Senate on May 11, 2016; to the Committee on Environment and Public Works.

EC–5441. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Self-employment Tax Treatment of Partners in a Partnership that Owns a Disregarded Entity'' ((RIN1545–BM87) (TD 9766)) received during adjournment of the Senate in the Office of the President of the Senate on May 13, 2016; to the Committee on Finance.

EC–5442. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''List of Automatic Changes in Method of Accounting'' (Rev. Proc. 2016–29) received during adjournment of the Senate in the Office of the President of the Senate on May 13, 2016; to the Committee on Finance.

EC–5443. A communication from the Attorney-Advisor, Office of the Legal Adviser, Department of State, transmitting, pursuant to law, the report of a rule entitled ''Public Access to Information'' (RIN1400–AD44) received in the Office of the President of the Senate on May 12, 2016; to the Committee on Foreign Relations.

EC–5444. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a Determination and Certification under Section 40A of the Arms Export Control Act relative to countries not cooperating fully with United States antiterrorism efforts; to the Committee on Foreign Relations.

EC–5445. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16–024); to the Committee on Foreign Relations.

EC–5446. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15–147); to the Committee on Foreign Relations.

EC–5447. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''United States Tobacco Product Exports That Do Not Conform to Tobacco Product Standards''; to the Committee on Health, Education, Labor, and Pensions.

EC–5448. A communication from the Assistant Secretary for Occupational Safety and Health, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Improving Tracking of Workplace Injuries and Illnesses'' (RIN1218–AC49) received in the Office of the President of the Senate on May 12, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC–5449. A communication from the Executive Director, Office of Equal Employment Opportunity, Central Intelligence Agency, transmitting, pursuant to law, the Agency's fiscal year 2015 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–5450. A communication from the Board Chair and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the Administration's Semiannual Report of the Inspector General and the Semiannual Management Report on the Status of Audits for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC–5451. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Technical Amendments'' (FAC 2005–88) received during adjournment of the Senate in the Office of the President of the Senate on May 13, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC–5452. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Improvement in Design-Build Construction Process'' ((RIN9000–AN10) (FAC 2005–88)) received during adjournment of the Senate in the Office of the President of the Senate on May 13, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC–5453. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Basic Safeguarding of Contractor Information Systems'' ((RIN9000–AM19) (FAC 2005–88)) received during adjournment of the Senate in the Office of the President of the Senate on May 13, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC–5454. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Simplified Acquisition Threshold for Overseas Acquisitions in Support of Humanitarian or Peacekeeping Operations'' ((RIN9000–AN09) (FAC 2005–88)) received during adjournment of the Senate in the Office of the President of the Senate on May 13, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC–5455. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; High Global Warming Potential Hydrofluorocarbons'' ((RIN9000–AM87) (FAC 2005–88)) received during adjournment of the Senate in the Office of the President of the Senate on May 13, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC–5456. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–88; Introduction'' (FAC 2005–88) received during adjournment of the Senate in the Office of the President of the Senate on May 13, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC–5457. A communication from the Acting Director, Planning and Policy Analysis, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Federal Employees' Group Life Insurance Program: Options B and C'' (RIN3206–AM96) received in the Office of the President of the Senate on May 16, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC–5458. A communication from the Staff Director, U.S. Sentencing Commission, transmitting, pursuant to law, a report relative to the compliance of federal district courts with documentation submission requirements; to the Committee on the Judiciary.

EC–5459. A communication from the Deputy Assistant Administrator of the Office of Diversion Control, Drug Enforcement Agency, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Schedules of Controlled Substances: Placement of UR–144, XLR11, and AKB48 into Schedule I'' (Docket No. DEA–417) received in the Office of the President of the Senate on May 12, 2016; to the Committee on the Judiciary.

EC–5460. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–88; Small Entity Compliance Guide'' (FAC 2005–88) received during adjournment of the Senate in the Office of the President of the Senate on May 13, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC–5461. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Resources of the South Atlantic; 2016–2017 Recreational Fishing Season for Black Sea Bass'' (RIN0648–XE542) received in the Office of the President of the Senate on May 11, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5462. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Commercial Blacktip Sharks, Aggregated Large Coastal Sharks, and Hammerhead Sharks in the Western Gulf of Mexico Sub-Region'' (RIN0648–XE484) received in the Office of the President of the Senate on May 11, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5463. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries'' (RIN0648–XE566) received in the Office of the President of the Senate on May 11, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5464. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries'' (RIN0648–XE539) received in the Office of the President of the Senate on May 11, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5465. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Commercial Aggregated Large Coastal Shark and Hammerhead Shark Management Group Retention Limit Adjustment'' (RIN0648–XE531) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5466. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2016 Commercial Accountability Measure and Closure for South Atlantic Vermilion Snapper'' (RIN0648–XE506) received in the Office of the President of the Senate on May 11, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5467. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2016 Commercial Accountability Measure and Closure for Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic'' (RIN0648–XE533) received in the Office of the President of the Senate on May 11, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5468. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; 2016 Recreational Fishing Seasons for Red Snapper in the Gulf of Mexico'' (RIN0648–XE575) received in the Office of the President of the Senate on May 11, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5469. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Red Snapper Management Measures; Amendment 28; Final Rule'' (RIN0648–BD68) received in the Office of the President of the Senate on May 11, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5470. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska'' (RIN0648–XE543) received in the Office of the President of the Senate on May 11, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5471. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Deep-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska'' (RIN0648–XE516) received in the Office of the President of the Senate on May 11, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5472. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2016 Gulf of Alaska Pollock Seasonal Apportionments'' (RIN0648–XE528) received in the Office of the President of the Senate on May 11, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5473. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Greenland Turbot in the Aleutian Islands Subarea of the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XE590) received in the Office of the President of the Senate on May 11, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5474. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands Management Area; American Fisheries Act; Amendment 111'' (RIN0648–BF29) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5475. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XE551) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5476. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod in the Aleutian Islands Subarea of the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XE532) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5477. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic: 2016 Commercial Accountability Measure and Closure for South Atlantic Gray Triggerfish; January Through June Season'' (RIN0648–XE526) received in the Office of the President of the Senate on May 11, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5478. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XE558) received in the Office of the President of the Senate on May 11, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5479. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Biennial Specifications and Management Measures; Inseason Adjustments'' (RIN0648–BF92) received in the Office of the President of the Senate on May 11, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5480. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries Of the Northeastern United States; Northeast Groundfish Fishery; Fishing Year 2016; Recreational Management Measures'' (RIN0648–BF69) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5481. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer'' (RIN0648–XE499) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5482. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Herring Fishery; Framework Adjustment 4'' (RIN0648–BE94) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5483. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Adjustment of Georges Bank and Southern New England/Mid-Atlantic Yellowtail Flounder Annual Catch Limit'' (RIN0648–XE427) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5484. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer'' (RIN0648–XE564) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5485. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Enhanced Document Requirements and Captain Training Requirements To Support Use of the Dolphin Safe Label on Tuna Products'' (RIN0648–BF73) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5486. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Pacific Halibut Fisheries; Catch Sharing Plan'' (RIN0648–BF60) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5487. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''International Fisheries; Pacific Tuna Fisheries; Fishing Restrictions for the Area of Overlap Between the Convention Areas of the Inter-American Tropical Tuna Commission and the Western and Central Pacific Fisheries Commission'' (RIN0648–BF38) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5488. A communication from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Lifeline and Link Up Reform and Modernization; Telecommunications Carriers Eligible for Universal Service Support; Connect America Fund'' ((FCC 16–38) (WC Docket No. 11–42; WC Docket No. 09–197; WC Docket No. 10–90)) received in the Office of the President of the Senate on May 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5489. A communication from the Assistant Secretary, Office of Electricity Delivery and Energy Reliability, Department of Energy, transmitting, pursuant to law, a report entitled ''Securing the United States Power Grid''; to the Committee on Appropriations.

EC–5490. A communication from the Assistant Secretary for Legislative Affairs, Department of the Treasury, transmitting, proposed legislation relative to financial transparency; to the Committee on Banking, Housing, and Urban Affairs.

EC–5491. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Maleic anhydride; Exemption from the Requirement of a Tolerance'' (FRL No. 9945–82–OCSPP) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5492. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Quaternary ammonium compounds, benzylbis(hydrogenated tallow alkyl)methyl, bis(hydrogenated tallow alkyl)dimethylammonium salts with sepiolite; and Quaternary ammonium compounds, benzylbis(hydrogenated tallow alkyl)methyl, bis(hydrogenated tallow alkyl)dimethylammonium salts with saponite; Exemptions from the Requirement of a Tolerance'' (FRL No. 9945–76–OCSPP) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5493. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Source Determination for Certain Emission Units in the Oil and Natural Gas Sector'' (FRL No. 9946–55–OAR)) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Environment and Public Works.

EC–5494. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Partial Approval and Partial Disapproval of Air Quality State Implementation Plans; Arizona; Infrastructure Requirements to Address Interstate Transport for the 2008 Ozone NAAQS'' (FRL No. 9946–58–Region 9) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Environment and Public Works.

EC–5495. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Arkansas; New Mexico; Oklahoma; Disapproval of Greenhouse Gas Biomass Deferral, Step 2 and Minor Source Permitting Requirements'' (FRL No. 9946–66–Region 6) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Environment and Public Works.

EC–5496. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Alaska; Updates to Incorporation by Reference and Miscellaneous Revisions'' (FRL No. 9946–49–Region 10) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Environment and Public Works.

EC–5497. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Withdrawal of Approval and Disapproval of Air Quality Implementation Plans; California; San Joaquin Valley; Contingency Measures for the 1997 PM2.5 Standards'' (FRL No. 9946–29–Region 9) received in the Office of the President of the Senate on May 11, 2016; to the Committee on Environment and Public Works.

EC–5498. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Significant New Use Rules on Certain Chemical Substances'' ((RIN2070–AB27) (FRL No. 9944–77)) received in the Office of the President of the Senate on May 11, 2016; to the Committee on Environment and Public Works.

EC–5499. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval of California Air Plan Revisions, Eastern Kern Air Pollution Control District'' (FRL No. 9945–24–Region 9) received in the Office of the President of the Senate on May 11, 2016; to the Committee on Environment and Public Works.

EC–5500. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Oregon: Interstate Transport of Lead and Nitrogen Dioxide'' (FRL No. 9946–39–Region 10) received in the Office of the President of the Senate on May 11, 2016; to the Committee on Environment and Public Works.

EC–5501. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Ohio River Shoreline, Paducah, Kentucky project; to the Committee on Environment and Public Works.

EC–5502. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Blue River Basin, Kansas City, Missouri project; to the Committee on Environment and Public Works.

EC–5503. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Cano Martin Pena Ecosystem Restoration Project, Puerto Rico; to the Committee on Environment and Public Works.

EC–5504. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Turkey Creek Basin, Kansas City, Kansas and Kansas City, Missouri project; to the Committee on Environment and Public Works.

EC–5505. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program: Exempt External Power Supplies Under the EPS Service Parts Act of 2014'' ((RIN1904–AD53) (Docket No. EERE–2015–BT–CRT–0013)) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Energy and Natural Resources.

EC–5506. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, the annual report on the Child Support Program for fiscal year 2014; to the Committee on Finance.

EC–5507. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Revenue Procedure: United States and Area Median Gross Income Figures for 2016'' (Rev. Proc. 2016–26) received during adjournment of the Senate in the Office of the President of the Senate on May 13, 2016; to the Committee on Finance.

EC–5508. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Temporary Relief for Money Market Funds'' (Rev. Proc. 2016–31) received during adjournment of the Senate in the Office of the President of the Senate on May 13, 2016; to the Committee on Finance.

EC–5509. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Certified Professional Employer Organizations; Final and Temporary Regulations'' ((RIN1545–BN20) (TD 9768)) received during adjournment of the Senate in the Office of the President of the Senate on May 13, 2016; to the Committee on Finance.

EC–5510. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Diversification Requirements for Variable Annuity, Endowment, and Life Insurance Contracts under Section 817(h)'' (Notice 2016–32) received during adjournment of the Senate in the Office of the President of the Senate on May 13, 2016; to the Committee on Finance.

EC–5511. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Additional Limitation on Suspension of Benefits Applicable to Certain Pension Plans Under the Multiemployer Pension Reform Act of 2014'' ((RIN1545–BN24) (TD 9767)) received during adjournment of the Senate in the Office of the President of the Senate on May 13, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC–5512. A communication from the Acting Director of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting, pursuant to law, the report of a rule entitled ''Genetic Information Nondiscrimination Act'' (RIN3046–AB02) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC–5513. A communication from the Acting Director of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting, pursuant to law, the report of a rule entitled ''Regulations under the Americans With Disabilities Act'' (RIN3046–AB01) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC–5514. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Antimicrobial Animal Drug Sales and Distribution Reporting'' ((RIN0910–AG45) (Docket No. FDA–2012–N–0447)) received during adjournment of the Senate in the Office of the President of the Senate on

May 13, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC–5515. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Deeming Tobacco Products To Be Subject to the Federal Food, Drug, and Cosmetic Act, as Amended by the Family Smoking Prevention and Tobacco Control Act; Restrictions on the Sale and Distribution of Tobacco Products and Required Warning Statements for Tobacco Products'' ((RIN0910–AG38) (Docket No. FDA–2014–N–0189)) received during adjournment of the Senate in the Office of the President of the Senate on May 13, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC–5516. A communication from the Inspector General, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''U.S. Department of Health and Human Services Met Many Requirements of the Improper Payments Information Act of 2002 but Did Not Fully Comply for FY 2015'' ; to the Committee on Homeland Security and Governmental Affairs.

EC–5517. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; SOCATA Airplanes'' ((RIN2120–AA64) (Docket No . FAA–2016–0068)) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5518. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–4811)) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5519. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Helicopters (formerly Eurocopter France)'' ((RIN2120–AA64) (Docket No. FAA–2015–5914)) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5520. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Aviation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–5813)) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5521. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Piper Aircraft, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–5432)) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5522. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–4204)) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5523. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–4810)) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5524. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–1426)) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5525. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–1277)) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5526. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0775)) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5527. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–4817)) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5528. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–8136)) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5529. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–5458)) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5530. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–0075)) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5531. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–3147)) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5532. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–2959)) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5533. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–2464)) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5534. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Helicopters (Previously Eurocopter France) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2014–0333)) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5535. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Helicopters (Previously Eurocopter France)'' ((RIN2120–AA64) (Docket No. FAA–2015–4112)) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5536. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Textron Aviation, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–5457)) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5537. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; BAE Systems (Operations) Limited Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–1279)) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5538. A communication from the Management and Program Analyst, Federal

Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce plc Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2015–4076)) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5539. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Defense and Space S.A. (Formerly Known as Construcciones Aeronauticas, S.A.) Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–4809)) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5540. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; GE Aviation Czech s.r.o. Turboprop Engines'' ((RIN2120–AA64) (Docket No. FAA–2016–3692)) received in the Office of the President of the Senate on May 17, 2015; to the Committee on Commerce, Science, and Transportation.

EC–5541. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; South Bend, WA'' ((RIN2120–AA66) (Docket No. FAA–2015–3771)) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5542. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Aviation Training Device Credit for Pilot Certification'' ((RIN2120–AK71) (Docket No. FAA–2015–1846)) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5543. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Positive Train Control Systems'' (RIN2130–AC56) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–166. A resolution adopted by the House of Representatives of the State of Alaska opposing the decisions of the Obama Administration to cancel future lease sales in the Chukchi and Beaufort Seas, urging the United States Department of the Interior to continue including the Chukchi Sea and Beaufort Sea lease sales in the 2017–2022 Outer Continental Shelf Oil and Gas Leasing Program, and urging the Obama Administration to support ongoing efforts to develop offshore oil and gas in the Arctic Outer Continental Shelf responsibly; to the Committee on Energy and Natural Resources.

HOUSE RESOLVE NO. 7

Whereas the official Arctic policy of the state, passed by the Twenty-Ninth Alaska State Legislature, states that ''It is the policy of the state, as it relates to the Arctic, to uphold the state's commitment to economically vibrant communities sustained by development activities consistent with the state's responsibility for a healthy environment''; and

Whereas the Alaska Arctic Policy Commission advises the state, in its list of strategic recommendations, to ''promote prudent oil and gas exploration and development in the Arctic''; and

Whereas the United States Bureau of Ocean Energy Management estimates that there are 23,000,000,000 barrels and 104,410,000,000,000 cubic feet of undiscovered, technically recoverable oil and natural gas in the Chukchi and Beaufort Seas; and

Whereas hundreds of exploration and development wells have been safely and responsibly drilled in state and federal water off the coast of the state, including in the Chukchi and Beaufort Seas; and

WHEREAS the economic future of the state and the energy security and strategic global position of the nation stand to benefit greatly from development of the state's outer continental shelf; and

Whereas the state has a rich history of developing its resources in a sustainable and responsible manner; and

Whereas development of the state's outer continental shelf is a well-understood undertaking, and Alaskans have the benefit of over half a century's experience in managing Arctic development; and

Whereas the Trans Alaska Pipeline System, a national strategic infrastructure asset, is running at one-quarter of throughput capacity and would benefit from additional future oil supply; and

Whereas Alaskans, including those living closest to the resource on the North Slope, benefit from outer continental shelf exploration through direct employment, business opportunities, and government revenue; and

Whereas there are many synergies between the types of infrastructure that would facilitate Arctic oil and gas exploration and development and the infrastructure needs of local communities, the state, and elements of the United States Coast Guard and Navy; and

Whereas, in January of 2015, the United States Department of the Interior published a draft 2017–2022 Outer Continental Shelf Oil and Gas Leasing Program that proposed one lease sale each in the Chukchi Sea and Beaufort Sea Planning Areas; and

Whereas the federal government has limited immediate opportunities in several areas in the Arctic, including, most importantly, the Arctic National Wildlife Refuge, the National Petroleum Reserve—Alaska, and the Arctic Outer Continental Shelf; and

Whereas, on October 16, 2015, the United States Department of the Interior cancelled future outer continental shelf oil and gas lease sales in the Chukchi Sea Planning Area and Beaufort Sea Planning Area, scheduled for 2016 and 2017, respectively; Now, therefore, be it

Resolved that the Alaska House of Representatives opposes the recent decisions of the Obama Administration to cancel future lease sales in the Chukchi and Beaufort Seas; and be it further

Resolved that the Alaska House of Representatives urges the United States Department of the Interior to continue including the Chukchi Sea and Beaufort Sea lease sales in the 2017–2022 Outer Continental Shelf Oil and Gas Leasing Program; and be it further

Resolved that the Alaska House of Representatives urges the Obama Administration to support ongoing efforts to develop offshore oil and gas in the Arctic Outer Continental Shelf responsibly and to acknowledge the support of Alaskans.

Copies of this resolution shall be sent to the Honorable Barack Obama, President of the United States; the Honorable Joseph R. Biden, Jr., Vice President of the United States and President of the U.S. Senate; the Honorable Sally Jewell, United States Secretary of the Interior; Brian Salerno, Director, Bureau of Safety and Environmental Enforcement; and the Honorable Lisa Murkowski and the Honorable Dan Sullivan, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

POM–167. A resolution adopted by the House of Representatives of the State of Florida condemning the international Boycott, Divestment, and Sanctions (BDS) movement against the State of Israel and calls upon its governmental institutions to denounce hatred and discrimination whenever they appear; to the Committee on Foreign Relations.

HOUSE RESOLUTION 1001

Whereas, the citizens of the State of Florida have long opposed bigotry, oppression, discrimination, and injustice as a matter of public policy, and

Whereas, Florida and Israel have enjoyed a long history of friendship and are great allies in support of each other's interests, and

Whereas, the State of Israel, the only democracy in the Middle East. is the greatest friend and ally of the United States in that region, and

Whereas, the elected representatives of the state recognize the importance of expressing Florida's unwavering support of the Jewish people and the State of Israel's right to exist and right to self-defense, and

Whereas, there are increasing incidents of anti-Semitism throughout the world, including in the United States and in Florida, reflected in official hate crime statistics, and

Whereas, the international Boycott, Divestment, and Sanctions (BDS) movement is one of the main vehicles for spreading anti-Semitic perspectives and advocating the elimination of the Jewish State, and

Whereas, activities promoting Boycott, Divestment, and Sanctions against Israel have increased in the State of Florida, including on university campuses and in other Florida communities, and contribute to the promotion of anti-Semitic and anti-Zionist propaganda, and

Whereas, the increase in BDS campaign activities on college campuses around the country has resulted in increased confrontation, intimidation, and discrimination against Jewish students, and

Whereas, leaders of the BDS movement express that their goal is to eliminate Israel as the national home of the Jewish people, and

Whereas, the BDS campaign's call for academic and cultural boycotts has been condemned by many of our nation's largest academic associations, more than 250 university presidents and many other leading scholars as a violation of the bedrock principle of academic freedom: Now, therefore, be it

Resolved by the House of Representatives of the State of Florida;

That the Florida House of Representatives condemns the international Boycott, Divestment, and Sanctions (BDS) movement against the State of Israel and calls upon its governmental institutions to denounce hatred and discrimination whenever they appear; and be it further

Resolved that copies of this resolution be presented to the President of the United States, the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, and the Israeli Embassy in Washington, D.C., for transmission to the proper authorities of the State of Israel as a tangible token of the sentiments expressed herein.

POM–168. A resolution passed by the City and County of Honolulu, Hawaii, encouraging and supporting the Nagorno-Karabakh Republic's continuing efforts to guarantee its citizens those rights inherent in a free and independent society and urging the President of the United States and the United States Congress to support the international community's efforts to reach a just and lasting solution to security issues in the strategically important South Caucasus region; to the Committee on Foreign Relations.

POM–169. A petition from a citizen of the State of Texas relative to United States currency; to the Committee on Banking, Housing, and Urban Affairs.

POM–170. A petition from a citizen of the State of Texas relative to Puerto Rico; to the Committee on Energy and Natural Resources.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. CAPITO, from the Committee on Appropriations, without amendment:

S. 2955. An original bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes (Rept. No. 114–258).

By Mr. MORAN, from the Committee on Appropriations, without amendment:

S. 2956. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2017, and for other purposes (Rept. No. 114–259).

By Mr. CORKER, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 469. A resolution commemorating the 100th anniversary of the 1916 Easter Rising, a seminal moment in the journey of Ireland to independence.

By Mr. CORKER, from the Committee on Foreign Relations, without amendment:

S. 2942. A bill to extend certain privileges and immunities to the Gulf Cooperation Council.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. SHELBY for the Committee on Banking, Housing, and Urban Affairs.

Jay Neal Lerner, of Illinois, to be Inspector General, Federal Deposit Insurance Corporation.

*Amias Moore Gerety, of Connecticut, to be an Assistant Secretary of the Treasury.

*Matthew Rhett Jeppson, of Florida, to be Director of the Mint for a term of five years.

*Lisa M. Fairfax, of Maryland, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2020.

*Hester Maria Peirce, of Ohio, to be a Member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 2016.

*Hester Maria Peirce, of Ohio, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2021.

Mr. CORKER. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination list which was printed in the RECORD on the date indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that this nomination lie at the Secretary's desk for the information of Senators.

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

*Foreign Service nominations beginning with Mariano J. Beillard and ending with William G. Verzani, which nominations were received by the Senate and appeared in the Congressional Record on April 14, 2016.

By Mr. GRASSLEY for the Committee on the Judiciary.

Ronald G. Russell, of Utah, to be United States District Judge for the District of Utah.

Inga S. Bernstein, of Massachusetts, to be United States District Judge for the District of Massachusetts.

Stephanie A. Gallagher, of Maryland, to be United States District Judge for the District of Maryland.

Suzanne Mitchell, of Oklahoma, to be United States District Judge for the Western District of Oklahoma.

Scott L. Palk, of Oklahoma, to be United States District Judge for the Western District of Oklahoma.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. WYDEN (for himself, Mr. PAUL, Ms. BALDWIN, Mr. DAINES, and Mr. TESTER):

S. 2952. A bill to prevent the proposed amendments to rule 41 of the Federal Rules of Criminal Procedure from taking effect; to the Committee on the Judiciary.

By Mr. BARRASSO (for himself and Mr. THUNE):

S. 2953. A bill to promote patient-centered care and accountability at the Indian Health Service, and for other purposes; to the Committee on Indian Affairs.

By Mr. BLUNT (for himself and Mrs. MCCASKILL):

S. 2954. A bill to establish the Ste. Genevieve National Historic Site in the State of Missouri, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. CAPITO:

S. 2955. An original bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. MORAN:

S. 2956. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2017, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. NELSON (for himself, Mr. GARDNER, Mr. RUBIO, and Mr. PETERS):

S. 2957. A bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 50th anniversary of the first manned landing on the Moon; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. FISCHER:

S. 2958. A bill to establish a pilot program on partnership agreements to construct new facilities for the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. MCCAIN (for himself and Mr. FLAKE):

S. 2959. A bill to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund; to the Committee on Indian Affairs.

By Mr. BOOKER (for himself, Ms. BALDWIN, Mr. BLUMENTHAL, Mrs. BOXER, Mr. BROWN, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Ms. HIRONO, Mr. KAINE, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Mrs. MURRAY, Mr. SANDERS, Mrs. SHAHEEN, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 2960. A bill to establish certain duties for pharmacies to ensure provision of Food and Drug Administration-approved contraception, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BLUMENTHAL (for himself and Mrs. CAPITO):

S. 2961. A bill to improve end-of-life care; to the Committee on Health, Education, Labor, and Pensions.

By Ms. CANTWELL (for herself, Mr. HATCH, Mr. SCHUMER, and Mr. WYDEN):

S. 2962. A bill to amend the Internal Revenue Code of 1986 to reform the low-income housing credit, and for other purposes; to the Committee on Finance.

By Mr. MARKEY:

S. 2963. A bill to provide for grants to clean technology consortia to enhance the economic, environmental, and energy security of the United States by promoting domestic development, manufacture, and deployment of clean technologies, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. JOHNSON (for himself and Mr. CARPER):

S. 2964. A bill to eliminate or modify certain mandates of the Government Accountability Office; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. RUBIO (for himself, Mr. MENENDEZ, Mr. INHOFE, Mr. BROWN, and Mr. GARDNER):

S. Con. Res. 38. A concurrent resolution reaffirming the Taiwan Relations Act and the

Six Assurances as cornerstones of United States-Taiwan relations; to the Committee on Foreign Relations.

By Mr. NELSON (for himself and Mr. RUBIO):

S. Con. Res. 39. A concurrent resolution honoring the members of the United States Air Force who were casualties of the June 25, 1996, terrorist bombing of the United States Sector Khobar Towers military housing complex on Dhahran Air Base; to the Committee on Armed Services.

ADDITIONAL COSPONSORS

S. 134

At the request of Mr. WYDEN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 134, a bill to amend the Controlled Substances Act to exclude industrial hemp from the definition of marihuana, and for other purposes.

S. 313

At the request of Mr. GRASSLEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 313, a bill to amend title XVIII of the Social Security Act to add physical therapists to the list of providers allowed to utilize locum tenens arrangements under Medicare.

S. 461

At the request of Mr. CORNYN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 461, a bill to provide for alternative financing arrangements for the provision of certain services and the construction and maintenance of infrastructure at land border ports of entry, and for other purposes.

S. 471

At the request of Mr. HELLER, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 471, a bill to improve the provision of health care for women veterans by the Department of Veterans Affairs, and for other purposes.

S. 586

At the request of Mrs. SHAHEEN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 586, a bill to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with pre-diabetes, diabetes, and the chronic diseases and conditions that result from diabetes.

S. 1088

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1088, a bill to amend the National Voter Registration Act of 1993 to provide for voter registration through the Internet, and for other purposes.

S. 1378

At the request of Mr. PAUL, the names of the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S. 1378, a bill to strengthen employee cost savings suggestions programs within the Federal Government.

S. 1555

At the request of Ms. HIRONO, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1555, a bill to award a Congressional Gold Medal, collectively, to the Filipino veterans of World War II, in recognition of the dedicated service of the veterans during World War II.

S. 1874

At the request of Mr. HATCH, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 1874, a bill to provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organization.

S. 2015

At the request of Mr. ALEXANDER, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 2015, a bill to clarify the treatment of two or more employers as joint employers under the National Labor Relations Act.

S. 2212

At the request of Mr. KING, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 2212, a bill to amend the Federal Election Campaign Act of 1971 to require all political committees to notify the Federal Election Commission within 48 hours of receiving cumulative contributions of $1,000 or more from any contributor during a calendar year, and for other purposes.

S. 2216

At the request of Mrs. MCCASKILL, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2216, a bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes.

S. 2531

At the request of Mr. KIRK, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 2531, a bill to authorize State and local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.

S. 2551

At the request of Mr. CARDIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2551, a bill to help prevent acts of genocide and mass atrocities, which threaten national and international security, by enhancing United States civilian capacities to prevent and mitigate such crises.

S. 2596

At the request of Mr. HELLER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2596, a bill to amend title 10, United States Code, to permit veterans who have a service-connected, permanent disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces entitled to such travel.

S. 2613

At the request of Mr. GRASSLEY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2613, a bill to reauthorize certain programs established by the Adam Walsh Child Protection and Safety Act of 2006.

S. 2686

At the request of Mr. ALEXANDER, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 2686, a bill to clarify the treatment of two or more employers as joint employers under the National Labor Relations Act.

S. 2780

At the request of Mr. MORAN, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 2780, a bill to amend section 1034 of the National Defense Authorization Act for Fiscal Year 2016 to strengthen the certification requirements relating to the transfer or release of detainees at United States Naval Station, Guantanamo Bay, Cuba.

S. 2800

At the request of Mr. COONS, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2800, a bill to amend the Internal Revenue Code of 1986 and the Higher Education Act of 1965 to provide an exclusion from income for student loan forgiveness for students who have died or become disabled.

S. 2817

At the request of Mr. PETERS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2817, a bill to improve understanding and forecasting of space weather events, and for other purposes.

S. 2825

At the request of Ms. COLLINS, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 2825, a bill to amend title 37, United States Code, to require compliance with domestic source requirements for footwear furnished to enlisted members of the Armed Forces upon their initial entry into the Armed Forces.

S. 2835

At the request of Mr. REED, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 2835, a bill to amend the National Dam Safety Program Act to establish a program to provide grant assistance for

the rehabilitation and repair of high hazard potential dams, and for other purposes.

S. 2849

At the request of Mr. SASSE, the names of the Senator from Utah (Mr. LEE), the Senator from Delaware (Mr. CARPER) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 2849, a bill to ensure the Government Accountability Office has adequate access to information.

S. 2892

At the request of Ms. STABENOW, the names of the Senator from Idaho (Mr. RISCH) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 2892, a bill to accelerate the use of wood in buildings, especially tall wood buildings, and for other purposes.

S. 2912

At the request of Mr. JOHNSON, the names of the Senator from North Carolina (Mr. TILLIS), the Senator from South Carolina (Mr. GRAHAM), the Senator from Iowa (Mr. GRASSLEY), the Senator from Florida (Mr. RUBIO), the Senator from Alabama (Mr. SESSIONS), the Senator from West Virginia (Mrs. CAPITO), the Senator from Tennessee (Mr. CORKER) and the Senator from Arkansas (Mr. COTTON) were added as cosponsors of S. 2912, a bill to authorize the use of unapproved medical products by patients diagnosed with a terminal illness in accordance with State law, and for other purposes.

S. 2921

At the request of Mr. ISAKSON, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 2921, a bill to amend title 38, United States Code, to improve the accountability of employees of the Department of Veterans Affairs, to improve health care and benefits for veterans, and for other purposes.

S. 2932

At the request of Mr. CASSIDY, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 2932, a bill to amend the Controlled Substances Act with respect to the provision of emergency medical services.

S. 2941

At the request of Mrs. FEINSTEIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2941, a bill to require a study on women and lung cancer, and for other purposes.

S.J. RES. 28

At the request of Mr. MCCAIN, the names of the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from Arizona (Mr. FLAKE) were added as cosponsors of S.J. Res. 28, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Secretary of Agriculture relating to inspection of fish of the order Siluriformes.

S. CON. RES. 35

At the request of Mr. RUBIO, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. Con. Res. 35, a concurrent resolution expressing the sense of Congress that the United States should continue to exercise its veto in the United Nations Security Council on resolutions regarding the Israeli-Palestinian peace process.

S. CON. RES. 36

At the request of Mr. NELSON, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. Con. Res. 36, a concurrent resolution expressing support of the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to reaffirm its commitment to that goal through a financial commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs.

S. RES. 432

At the request of Mr. CARDIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. Res. 432, a resolution supporting respect for human rights and encouraging inclusive governance in Ethiopia.

S. RES. 459

At the request of Mrs. FEINSTEIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. Res. 459, a resolution recognizing the importance of cancer research and the vital contributions of scientists, clinicians, cancer survivors, and other patient advocates across the United States who are dedicated to finding a cure for cancer, and designating May 2016, as ''National Cancer Research Month''.

AMENDMENT NO. 3897

At the request of Mr. LEE, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of amendment No. 3897 proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 3956

At the request of Mr. DURBIN, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from California (Mrs. BOXER) were added as cosponsors of amendment No. 3956 intended to be proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 4012

At the request of Mr. TOOMEY, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of amendment No. 4012 intended to be proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 4039

At the request of Mr. MCCAIN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of amendment No. 4039 proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

At the request of Ms. AYOTTE, her name was added as a cosponsor of amendment No. 4039 proposed to H.R. 2577, supra.

AMENDMENT NO. 4051

At the request of Mr. WARNER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 4051 intended to be proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself, Mr. PAUL, Ms. BALDWIN, Mr. DAINES, and Mr. TESTER):

S. 2952. A bill to prevent the proposed amendments to rule 41 of the Federal Rules of Criminal Procedure from taking effect; to the Committee on the Judiciary.

Mr. WYDEN. Mr. President, today I, along with my colleague Senator PAUL from Kentucky, Senator BALDWIN from Wisconsin, and Senators DAINES and TESTER from Montana, am introducing the Stopping Mass Hacking Act, S. 2952, a bill to protect millions of law-abiding Americans from Government hacking.

On April 28, 2016, at the request of the Department of Justice, the U.S. Federal Courts recommended administrative changes to Rule 41 of the Federal Rules of Criminal Procedure, the rule that governs search and seizure procedure. The changes have been approved by the Supreme Court, and pursuant to the Rules Enabling Act the amendments take effect on December 1, 2016, absent Congressional action. Despite the seriousness of the changes, Congress has not spoken on the subject. It should. Making changes like this simply by administrative fiat is not good

enough. So, today, Senator PAUL and I introduce this bill.

The administrative changes will provide a magistrate judge with the authority to issue a warrant for remote electronic searches of devices located anywhere in the world when law enforcement does not know the location of the device. While it may be appropriate to address the issue of allowing a remote electronic search for a device at an unknown location, Congress needs to consider what protections must be in place to protect Americans' digital security and privacy. This is a new and uncertain area of law, so there needs to be full and careful debate.

The second part of the change to Rule 41 gives a magistrate judge the authority to issue a single warrant that would authorize the search of a large number—potentially thousands or millions—of devices that can cover any number of searches in any jurisdiction. These changes would dramatically expand the government's hacking and surveillance authority. The American public should understand that these changes will not just affect criminals: computer security experts and civil liberties advocates say the amendments would also dramatically expand the government's ability to hack the electronic devices of law-abiding Americans if their devices were affected by a computer attack.

Finally, these changes to Rule 41 would also give some types of electronic searches different, weaker notification requirements than physical searches. This raises the possibility of the FBI hacking into a person's computer after they are the victim of a cyber attack and not telling them about it until afterward, if at all. Under this new rule, they are only required to make ''reasonable efforts'' to notify people that their computers were searched. You can see how that might be problematic. It could lead to circumstances in which law-abiding Americans are not told that the government has secretly hacked into their computer.

These changes are a major policy shift that will impact Americans' digital security, the government's surveillance powers and the Fourth Amendment. Part of the problem is the simple fact that both the American public and security experts know so little about how the government goes about hacking a computer to search it. If a victim's Fourth Amendment rights are violated, it might not be readily apparent because of the highly technical nature of the methods used to execute the warrant.

As a body of elected representatives, it is Congress's job to make sure we do not let the Executive Branch run roughshod over our constituents' rights. That is why action is so important: this is a policy question that should be debated by Congress. Although the Department of Justice has tried to describe this rule change as simply a matter of judicial venue, sometimes a difference in scale really is a difference in kind. By allowing so many searches with the order of just a single judge, Congress's failure to act on this issue would be a disaster for law-abiding Americans. When the public realizes what is at stake, I think there is going to be a massive outcry: Americans will look at Congress and say, ''What were you thinking?''

I am here today, introducing this legislation, to sound an alarm. This rule change would could have a massive impact on Americans' digital security and privacy, and I plan on spending the next seven months making sure my colleagues fully understand the huge ramifications of inaction.

I thank my colleague Senator PAUL for his efforts on this bill, and I hope the Judiciary Committee will consider our proposal quickly.

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 38—REAFFIRMING THE TAIWAN RELATIONS ACT AND THE SIX ASSURANCES AS CORNERSTONES OF UNITED STATES-TAIWAN RELATIONS

Mr. RUBIO (for himself, Mr. MENENDEZ, Mr. INHOFE, Mr. BROWN, and Mr. GARDNER) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 38

Whereas the Cold War years cemented the close friendship between the United States and Taiwan, with Taiwan as an anti-Communist ally in the Asia-Pacific;

Whereas United States economic aid prevented Taiwan from sliding into an economic depression in the 1950s and greatly contributed to the island's later economic takeoff;

Whereas Taiwan has flourished to become a beacon of democracy in Asia and leading trade partner for the United States, and the relationship has endured for more than 65 years through many shifts in Asia's geopolitical landscape;

Whereas the strong relationship between the United States and Taiwan is based on mutually beneficial security, commercial, and cultural ties;

Whereas Deputy Assistant Secretary of State Susan Thornton stated in her testimony before the Committee on Foreign Affairs of the House of Representatives on February 11, 2016, that ''the people on Taiwan have built a prosperous, free, and orderly society with strong institutions, worthy of emulation and envy'';

Whereas Deputy Secretary of State Antony J. Blinken stated on March 29, 2016, that with Taiwan's January 2016 elections, ''the people of Taiwan showed the world again what a mature, Chinese-speaking democracy looks like'';

Whereas, on January 1, 1979, when the Carter Administration established diplomatic relations with the People's Republic of China (PRC), it ended formal diplomatic ties with the Republic of China on Taiwan;

Whereas the United States Congress acted swiftly to reaffirm the United States-Taiwan relationship with the enactment of the Taiwan Relations Act (Public Law 96–8) just 100 days later, ensuring the United States maintained a robust and enduring relationship with Taiwan;

Whereas the Taiwan Relations Act was enacted on April 10, 1979, codifying into law the basis for continued commercial, cultural, and other relations between the United States and Taiwan;

Whereas the Taiwan Relations Act was enacted ''to help maintain peace, security, and stability in the Western Pacific,'' all of which ''are in the political, security, and economic interests of the United States and are matters of international concern'';

Whereas the United States Congress significantly strengthened the draft legislation originally submitted by the Executive Branch to include provisions concerning Taiwan's security in the Taiwan Relations Act;

Whereas then-Deputy Assistant Secretary of State Kin Moy stated in his testimony before the Committee on Foreign Affairs of the House of Representatives on March 14, 2014, that ''[o]ur enduring relationship under the Taiwan Relations Act represents a unique asset for the United States and is an important multiplier of our influence in the region,'' and credited the Taiwan Relations Act for having ''played such a key part in protecting Taiwan's freedom of action and United States interests the last 35 years in the Asia-Pacific area'';

Whereas then-Special Assistant to the President and National Security Council Senior Director for Asian Affairs Evan Medeiros noted in March 2014, ''The Taiwan Relations Act is an important and it's an enduring expression to the people of Taiwan about our commitment to their well-being, their security, their economic autonomy, and their international space.'';

Whereas the Taiwan Relations Act states that ''the United States decision to establish diplomatic relations with the People's Republic of China rests upon the expectation that the future of Taiwan will be determined by peaceful means'';

Whereas the Taiwan Relations Act states that it is the policy of the United States to ''provide Taiwan with arms of a defensive character and to maintain the capacity of the United States to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of the people on Taiwan'';

Whereas each successive United States Administration since the enactment of the Taiwan Relations Act has provided arms of a defensive character to Taiwan;

Whereas a 2015 Department of Defense report to Congress on Military and Security Developments Involving the People's Republic of China stated that, ''Preparing for potential conflict in the Taiwan Strait remains the focus and primary driver of China's military investment'';

Whereas the United States has an abiding interest in the preservation of cross-Strait peace and stability, and in peace and stability in the entire Asia-Pacific region;

Whereas, on July 14, 1982, as the United States negotiated with the People's Republic of China over the wording of a joint communiqué related to United States arms sales to Taiwan, President Ronald Reagan instructed his representative in Taiwan, American Institute in Taiwan (AIT) Director James R. Lilley, to relay a set of assurances orally to Taiwan's then-President Chiang Ching-kuo;

Whereas testimony before the Senate and the House of Representatives immediately after the issuance of the August 17, 1982, Joint Communiqué with the People's Republic of China, then-Assistant Secretary of State for East Asian and Pacific Affairs John H. Holdridge stated on behalf of the Executive Branch that—

(1) ''. . .[w]e did not agree to set a date certain for ending arms sales to Taiwan'';

(2) ''. . .[w]e see no mediation role for the United States'' between Taiwan and the PRC'';

(3) ''. . .[n]or will we attempt to exert pressure on Taiwan to enter into negotiations with the PRC'';

(4) ''. . .[t]here has been no change in our longstanding position on the issue of sovereignty over Taiwan'';

(5) ''[w]e have no plans to seek'' revisions to the Taiwan Relations Act; and

(6) the August 17 Communiqué ''should not be read to imply that we have agreed to engage in prior consultations with Beijing on arms sales to Taiwan'';

Whereas these assurances, first delivered to Taiwan's president by AIT Director Lilley, have come to be known as the Six Assurances;

Whereas in testimony before the Committee on Foreign Affairs of the House of Representatives on October 4, 2011, then-Assistant Secretary of State Kurt Campbell stated that the ''Taiwan Relations Act, plus the so-called Six Assurances and Three Communiqués, form the foundation of our overall approach'' to relations with Taiwan; and

Whereas, in testimony before the Committee on Foreign Relations of the Senate on April 3, 2014, Assistant Secretary of State Daniel Russel stated that the Six Assurances ''continue to play an important part as an element of our approach to Taiwan and the situation across the strait'': Now, therefore, be it

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

(1) affirms that the Taiwan Relations Act and the Six Assurances are both cornerstones of United States relations with Taiwan; and

(2) urges the President and the Secretary of State to affirm the Six Assurances publicly, proactively, and consistently as a cornerstone of United States-Taiwan relations.

SENATE CONCURRENT RESOLUTION 39—HONORING THE MEMBERS OF THE UNITED STATES AIR FORCE WHO WERE CASUALTIES OF THE JUNE 25, 1996, TERRORIST BOMBING OF THE UNITED STATES SECTOR KHOBAR TOWERS MILITARY HOUSING COMPLEX ON DHAHRAN AIR BASE

Mr. NELSON (for himself and Mr. RUBIO) submitted the following concurrent resolution; which was referred to the Committee on Armed Services:

S. CON. RES. 39

Whereas June 25, 2016, marks the twentieth anniversary of the terrorist bombing of the United States Sector Khobar Towers military housing complex on Dhahran Air Base, also known as King Abdul Aziz Royal Saudi Air Base, near Dhahran, Saudi Arabia on June 25, 1996;

Whereas 19 members of the United States Air Force were killed, more than 500 other members of the Armed Forces of the United States were wounded, and approximately 297 innocent Saudi and Bangladeshi civilians were casualties in this terrorist attack;

Whereas the 19 members of the United States Air Force killed in this terrorist attack while serving their country were Captain Christopher J. Adams, Staff Sergeant Daniel B. Cafourek, Sergeant Millard D. Campbell, Senior Airmen Earl F. Cartrette, Jr., Technical Sergeant Patrick P. Fenning, Captain Leland T. Haun, Master Sergeant Michael G. Heiser, Staff Sergeant Kevin J. Johnson, Staff Sergeant Ronald L. King, Master Sergeant Kendall K. Kitson, Jr., Airman First Class Christopher B. Lester, Airman First Class Brent E. Marthaler, Airman First Class Brian W. McVeigh, Airman First Class Peter J. Morgera, Technical Sergeant Thanh V. Nguyen, Airman First Class Joseph E. Rimkus, Senior Airman Jeremy A. Taylor, Airman First Class Justin R. Wood, and Airman First Class Joshua E. Woody;

Whereas the families and friends of these brave service members and the survivors of this attack still mourn their loss;

Whereas the survivors of this terrorist attack suffer still, whether their suffering be through physical injury, mental anguish, or through the remembrance of their fallen compatriots;

Whereas the Unites States District Court for the Eastern District of Virginia indicted Ahmed Ibrahim al-Mughassil and 13 others on the count, among others, of conspiracy to kill United States nationals;

Whereas Ahmed Ibrahim al-Mughassil is the former military chief of Hezbollah Al-Hejaz, also known as Saudi Hezbollah, a militant group known to be supported by the terrorist group Hezbollah and the Islamic Republic of Iran;

Whereas the United States District Court for the District of Columbia, in a civil action, found the Islamic Republic of Iran liable for the bombing and ordered restitution to be paid to the service members' families that were party to the complaint;

Whereas, on or about August 26, 2015, Ahmed Ibrahim al-Mughassil was detained in Beirut, Lebanon and turned over to authorities of Saudi Arabia;

Whereas Ahmed Ibrahim al-Mughassil remains listed on the Federal Bureau of Investigation's most wanted terrorist list;

Whereas those guilty of carrying out this terrorist attack have yet to be brought to justice; and

Whereas terrorism remains an ever-present threat which members of the United States Armed Forces and other agents of the United States stand ready to combat throughout the world: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That on the occasion of the 20th anniversary of the terrorist bombing of the United States Sector Khobar Towers military housing complex on Dhahran Air Base, Congress—

(1) recognizes the service and sacrifice of the 19 members of the United States Air Force who were killed in that attack;

(2) calls upon every citizen of the United States to pause and pay tribute to those brave service members;

(3) extends its continued sympathies to the families and friends of those who were killed;

(4) acknowledges the anguish and resilience of the survivors of that attack;

(5) assures the members of the United States Armed Forces and other agents of the United States serving in harm's way throughout the world that their well-being and interests will at all times be given the highest priority; and

(6) declares that any perpetrators of terrorist acts against members of the Armed Forces, other agents of the United States, or United States citizens will be vigorously pursued and finally brought to justice.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4062. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table.

SA 4063. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4064. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3931 submitted by Ms. COLLINS (for herself and Mr. KING) and intended to be proposed to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4065. Mr. SULLIVAN (for himself and Mr. KING) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 4066. Mr. MORAN (for himself, Mr. LANKFORD, Mr. JOHNSON, Mr. INHOFE, Mr. THUNE, Mr. WICKER, Mr. DAINES, Mr. RISCH, Mr. CRAPO, and Mr. ROUNDS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 4067. Mr. WARNER (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4062. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ___. It is the sense of the Senate that—

(1) each State is in the best position to determine the specific needs of its population experiencing housing insecurity; and

(2) the Department of Housing and Urban Development should explore the possibility

of devolving programs and expenditures to State and local governments when applicable.

SA 4063. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ____. It is the sense of the Senate that stable, two-parent families are the best family structure for the reduction of child homelessness.

SA 4064. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3931 submitted by Ms. COLLINS (for herself and Mr. KING) and intended to be proposed to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

(c) This section shall not apply until the President certifies to Congress that the Government of Cuba has extradited or otherwise rendered to the United States all individuals in Cuba who are sought by the Department of Justice for crimes committed in the United States, including—

(1) General Ruben Martinez Puente, Colonel Lorenzo Alberto Perez-Perez, and Colonel Francisco Perez-Perez; and

(2) fugitive hijackers residing in Cuba, including Charlie Hill.

(d) This section shall not apply until the President certifies to Congress that the Government of Cuba has—

(1) returned to all United States citizens, and entities for which United States citizens have an ownership interest of 50 percent or more, property confiscated from those citizens and entities by the Government of Cuba on or after January 1, 1959; or

(2) provided equitable compensation to those citizens and entities for such confiscated property.

(e) This section shall not apply until the President certifies to Congress that the Government of Cuba has provided compensation to resolve all outstanding judgments against the Government of Cuba issued by a court in the United States.

SA 4065. Mr. SULLIVAN (for himself and Mr. KING) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the general provisions of title I in division A, add the following:

SEC. _____. Any bridge eligible for assistance under title 23, United States Code, that is structurally deficient and requires construction, reconstruction, or maintenance—

(1) may be reconstructed in the same location with the same capacity and dimensions as in existence on the date of enactment of this Act; and

(2) if the environmental impacts of the construction, reconstruction, or maintenance are not substantially greater than the environmental impacts of the original structure, as determined by the applicable State environmental authority, shall be considered to be compliant with the environmental reviews, approvals, licensing, and permit requirements under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) sections 402 and 404 of the Federal Water Pollution Control Act (33 U.S.C. 1342, 1344);

(C) division A of subtitle III of title 54, United States Code;

(D) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(E) the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.);

(F) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(G) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), except when the reconstruction occurs in designated critical habitat for threatened and endangered species;

(H) Executive Order 11990 (42 U.S.C. 4321 note; relating to the protection of wetland); and

(I) any Federal law (including regulations) requiring no net loss of wetland.

SA 4066. Mr. MORAN (for himself, Mr. LANKFORD, Mr. JOHNSON, Mr. INHOFE, Mr. THUNE, Mr. WICKER, Mr. DAINES, Mr. RISCH, Mr. CRAPO, and Mr. ROUNDS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X add the following:

SEC. 1097. TRIBAL LABOR SOVEREIGNTY.

Section 2 of the National Labor Relations Act (29 U.S.C. 152) is amended—

(1) in paragraph (2), by inserting ''or any enterprise or institution owned and operated by an Indian tribe and located on its Indian lands,'' after ''subdivision thereof''; and

(2) by adding at the end the following:

''(15) The term 'Indian tribe' means any Indian tribe, band, nation, pueblo, or other organized group or community which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

''(16) The term 'Indian' means any individual who is a member of an Indian tribe.

''(17) The term 'Indian lands' means—

''(A) all lands within the limits of any Indian reservation;

''(B) any lands title to which is either held in trust by the United States for the benefit of any Indian tribe or individual or held by any Indian tribe or individual subject to restriction by the United States against alienation; and

''(C) any lands in the State of Oklahoma that are within the boundaries of a former reservation (as defined by the Secretary of the Interior) of a federally recognized Indian tribe.''.

SA 4067. Mr. WARNER (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY LEASES OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs may carry out the following major medical facility leases at the locations specified and in an amount for each lease not to exceed the amount specified for such location (not including any estimated cancellation costs):

(1) For an outpatient clinic, Ann Arbor, Michigan, an amount not to exceed $17,093,000.

(2) For an outpatient mental health clinic, Birmingham, Alabama, an amount not to exceed $6,971,000.

(3) For an outpatient specialty clinic, Birmingham, Alabama, an amount not to exceed $10,479,000.

(4) For research space, Boston, Massachusetts, an amount not to exceed $5,497,000.

(5) For research space, Charleston, South Carolina, an amount not to exceed $6,581,000.

(6) For an outpatient clinic, Daytona Beach, Florida, an amount not to exceed $12,664,000.

(7) For Chief Business Office Purchased Care office space, Denver, Colorado, an amount not to exceed $17,215,000.

(8) For an outpatient clinic, Gainesville, Florida, an amount not to exceed $4,686,000.

(9) For an outpatient clinic, Hampton Roads, Virginia, an amount not to exceed $18,124,000.

(10) For research space, Mission Bay, California, an amount not to exceed $23,454,000.

(11) For an outpatient clinic, Missoula, Montana, an amount not to exceed $7,130,000.

(12) For an outpatient clinic, Northern Colorado, Colorado, an amount not to exceed $8,776,000.

(13) For an outpatient clinic, Ocala, Florida, an amount not to exceed $5,279,000.

(14) For an outpatient clinic, Oxnard, California, an amount not to exceed $6,297,000.

(15) For an outpatient clinic, Pike County, Georgia, an amount not to exceed $5,757,000.

(16) For an outpatient clinic, Portland, Maine, an amount not to exceed $6,846,000.

(17) For an outpatient clinic, Raleigh, North Carolina, an amount not to exceed $21,607,000.

(18) For an outpatient clinic, Santa Rosa, California, an amount not to exceed $6,498,000.

(19) For a replacement outpatient clinic, Corpus Christi, Texas, an amount not to exceed $7,452,000.

(20) For a replacement outpatient clinic, Jacksonville, Florida, an amount not to exceed $18,136,000.

(21) For a replacement outpatient clinic, Pontiac, Michigan, an amount not to exceed $4,532,000.

(22) For a replacement outpatient clinic, phase II, Rochester, New York, an amount not to exceed $6,901,000.

(23) For a replacement outpatient clinic, Tampa, Florida, an amount not to exceed $10,568,000.

(24) For a replacement outpatient clinic, Terre Haute, Indiana, an amount not to exceed $4,475,000.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on May 19, 2016, at 10:15 a.m., in room SR–328A of the Russell Senate Office Building, to conduct a hearing entitled ''The Farm Credit System: Oversight and Outlook of the Current Economic Climate.''

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on May 19, 2016, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 19, 2016, 10 a.m., to conduct a hearing entitled ''Treaties.''

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

COMMITTEE ON FOREIGN RELATIONS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 19, 2016, 11:30 a.m.

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

COMMITTEE ON THE JUDICIARY

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on May 19, 2016, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building to conduct an executive business meeting.

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

SELECT COMMITTEE ON INTELLIGENCE

Ms. COLLINS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 19, 2016, at 2 p.m., in room SH–219 of the Hart Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON IMMIGRATION AND THE NATIONAL INTEREST

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Immigration and the National Interest, be authorized to meet during the session of the Senate on May 19, 2016, at 2:30 p.m., in room SD–226 of the Dirksen Senate Office Building to conduct a hearing entitled ''Declining Deportations and Increasing Criminal Alien Releases—The Lawless Immigration Polices of the Obama Administration.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SECURITIES, INSURANCE, AND INVESTMENT

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs, Subcommittee on Securities, Insurance, and Investment, be authorized to meet during the session of the Senate on May 19, 2016, to conduct a hearing entitled ''Improving Communities' and Businesses' Access to Capital and Economic Development.''

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—S. 2613

Mr. SULLIVAN. Madam President, I ask unanimous consent that at 4:30 p.m., Monday, May 23, the Senate proceed to the immediate consideration of Calendar No. 422, S. 2613, and that there be 1 hour of debate equally divided in the usual form. I further ask that the Grassley amendment be agreed to, the committee-reported substitute amendment, as amended, be agreed to, the bill, as amended, be read a third time, and the Senate vote on passage of S. 2613, as amended, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMEMORATING THE 100TH ANNIVERSARY OF THE 1916 EASTER RISING

Mr. SULLIVAN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 476, S. Res. 469.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 469) commemorating the 100th anniversary of the 1916 Easter Rising, a seminal moment in the journey of Ireland to independence.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SULLIVAN. Madam President, I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 469) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of May 18, 2016, under ''Submitted Resolutions.'')

ORDERS FOR MONDAY, MAY 23, 2016

Mr. SULLIVAN. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, May 23; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate be in a period of morning business until 4:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, MAY 23, 2016, AT 3 P.M.

Mr. SULLIVAN. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:21 p.m., adjourned until Monday, May 23, 2016, at 3 p.m.

NOMINATIONS

Executive nominations received by the Senate:

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

YSAYE M. BARNWELL, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2022, VICE MARIA LOPEZ DE LEON, TERM EXPIRING.

DEPARTMENT OF STATE

RENA BITTER, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE LAO PEOPLE'S DEMOCRATIC REPUBLIC.

ANNE S. CASPER, OF NEVADA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF BURUNDI.

SUNG Y. KIM, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE PHILIPPINES.

GEOFFREY R. PYATT, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO GREECE.

DOUGLAS ALAN SILLIMAN, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF IRAQ.

MARIE L. YOVANOVITCH, OF CONNECTICUT, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO UKRAINE.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. EDWARD C. CARDON

FOREIGN SERVICE

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE TO BE A CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

JOCELYN N. ADAMS, OF VIRGINIA
KALEY MELISSA ALBERTY, OF THE DISTRICT OF COLUMBIA
ALEXANDER S. ALLEN, OF OREGON
ADRIENNE E. BARTLETT, OF VIRGINIA
TIMOTHY JOHN BARTLEY, OF VIRGINIA
JOHN DANIEL BEARY, OF VIRGINIA
SHON STEPHEN BELCHER, OF THE DISTRICT OF COLUMBIA
DAVID LEE BIELSKI, OF FLORIDA
PATRICK MICHAEL BLUE, OF VIRGINIA
KRISTI LEIGH BODEN-JOHNSON, OF MARYLAND
KEVIN DREW BOYD, OF VIRGINIA
JONATHAN M. BOZEK, OF VIRGINIA
LON A. BRAMAN, OF VIRGINIA
JEREMY MUDIE BRAVEBOY-WAGNER, OF NEW YORK
RICHARD ALAN BRAZENER, OF VIRGINIA
KELLY ANN BROUSE, OF THE DISTRICT OF COLUMBIA
CRAIGORY MOSES BROWN, JR., OF MARYLAND
NICHOLAS HOCKIN BROWN, OF THE DISTRICT OF COLUMBIA
MIMOZA KONOMI BURWELL, OF VIRGINIA
MICHAEL C. BUSCH, OF VIRGINIA
PEDRO G. CAMPO-BOUE, OF FLORIDA
CHRIS CARLISLE, OF GEORGIA
ALEXANDER JOSEPH CASNOCHA, OF VIRGINIA
CHARLES JOSEPH CAULKINS, OF THE DISTRICT OF COLUMBIA
DESIREE GERMAIN CAUSEY, OF THE DISTRICT OF COLUMBIA
BARRY CHANG, OF VIRGINIA
JOON PATRICK CHANG, OF THE DISTRICT OF COLUMBIA
EILEEN CHO, OF VIRGINIA
JASMIN SUNGAH CHO, OF WASHINGTON
ANTHONY JOHN CIRCHARO, OF FLORIDA
JEREMY H. CLOONEY, OF VIRGINIA
DAVID ANTHONY COLTHART, OF VIRGINIA
MEAGHAN KATHERINE CONSIDINE, OF VIRGINIA
ALLYSON JUILLETTE CORNISH, OF FLORIDA
ILONA MARGARET EMODY COYLE, OF THE DISTRICT OF COLUMBIA
ERIN FORD COZENS, OF VIRGINIA
SARAH CRAWFORD, OF VIRGINIA
JOHN M. CRESWELL, OF VIRGINIA
BENJAMIN TODD DANFORTH, OF VIRGINIA
MARGARET LOUISE DENYS-MAGEE, OF VIRGINIA
DANIELLE K. DERBES, OF VIRGINIA
KATHERINE E. DIAL, OF VIRGINIA
JUSTIN ELTON DISHER, OF VIRGINIA
WYATT MATTHEW DUEA, OF COLORADO
SUSAE JANANI ELANCHENNY, OF PENNSYLVANIA
MICHAEL HALL ELLIOTT, OF VIRGINIA
DANIELE FAIETA, OF PENNSYLVANIA
LINDSAY CATHERINE FAIR, OF ILLINOIS
LESLIE M. FENTON, OF CALIFORNIA
JEAN M. FOSTER, OF COLORADO
LAURA ANNE GALLAGHER, OF CALIFORNIA
FRANCENE SHAKAHRA GASKIN, OF VIRGINIA
NICHOLAS JOSEPH GEBOY, OF THE DISTRICT OF COLUMBIA
ELIZABETH ANNE GEE, OF THE DISTRICT OF COLUMBIA
TRAVIS JOHN GLYNN, OF WISCONSIN
MATTHEW B. GRECO, OF VIRGINIA
ANDREW PAUL GREENOUGH, OF MASSACHUSETTS
BARBARA L. GRUB, OF WASHINGTON
CASSANDRA GUNTER, OF VIRGINIA
KELSEY LYNN GUYETTE, OF COLORADO
DAVID JOSEPH HAIMSKY, OF VIRGINIA
ISAAC SAMUEL HANSEN-JOSEPH, OF CALIFORNIA
JULIANA ELIZABETH HANSON, OF NORTH CAROLINA
LINDSAY DIANE HARRISON, OF MONTANA
SOTHY S. HAY, OF VIRGINIA
TIMOTHY IAN HISH, OF VIRGINIA
AMY RUTH HOCKING, OF KANSAS
SCOTT B. HOEFER, OF VIRGINIA
CHRISTOPHER OAKLEY HOFIUS, OF THE DISTRICT OF COLUMBIA
ANNEKE MARIE HOLQUIST, OF VIRGINIA
DAVID CHARLES HORN, OF THE DISTRICT OF COLUMBIA
LYNDSEY PAIGE HOVDE, OF VIRGINIA
JESSICA MARIE KARLOW, OF MISSOURI
RAE D. KARTCHNER, OF VIRGINIA
WHITNEY SUZANNE KAZRAGIS, OF VIRGINIA
JENNIFER E. KENNEDY, OF FLORIDA
ARIN M. KEYSER, OF VIRGINIA
SONGJOON J. KIM, OF VIRGINIA
JOSHUA JOHN KOWERT, OF VIRGINIA
JEFFREY THOMAS KRAMB, OF VIRGINIA
JULIEN JAMES TORNEY KREUZE, OF THE DISTRICT OF COLUMBIA
ANN H. KU, OF WASHINGTON
DYLAN ROSS KYTOLA, OF MARYLAND
NICKLAUS LAVERTY, OF MAINE
JASON SEAN LEAHEY, OF VIRGINIA
SHEILA MARIE LEONARD, OF VIRGINIA
CORI LOMBARD, OF MASSACHUSETTS
AARON PAUL LOOR, OF NEW YORK
AARON JOSEPH LOVELL, OF ILLINOIS
SARAH F. MADDEN, OF GEORGIA
MATTHEW JOSEPH THOMA MANZELLA, OF MARYLAND
NEIL TORREY MARSHALL, OF VIRGINIA
DAVID W. MARTIN, OF VIRGINIA
C.C. MARIPOSA MASOTTI, OF VIRGINIA
JONATHAN S. MCBRIDE, OF VIRGINIA
ALLISON BETH MCCOY, OF THE DISTRICT OF COLUMBIA
BRENDAN MCGOVERN, OF THE DISTRICT OF COLUMBIA
WILLIAM MCLEAN MCGREGOR, OF TEXAS
SEAN HOWARD MCLEOD, OF THE DISTRICT OF COLUMBIA
BRADFORD O'HARA MIKLAVIC, OF VIRGINIA
FAITH ANNA MILLER, OF VIRGINIA
ALISHA A. MINTER, OF MARYLAND
JEFFREY A. MOORE, OF VIRGINIA
CAMERON J. MORENCY, OF VIRGINIA
ERIN K. MURTY, OF VIRGINIA
SEAN PATRICK MYERS, OF VIRGINIA
ANDINA NAGLER, OF VIRGINIA
RUSTUM GEORGE NYQUIST, OF NEW YORK
BRITANN ELIZABETH O'BRIEN, OF ARIZONA
RAMON MARIA OLIVIER, OF NEBRASKA
ANDREI STEFAN PARVAN, OF COLORADO
BROOKE ASHLEY PECKINS, OF VIRGINIA
HOLLY RENEE PELAS, OF LOUISIANA
BRITTANY PAIGE ELIZABETH PETERSEN, OF VIRGINIA
ROBERT PFOST, OF VIRGINIA
HEIDI K. PIEDISCALZI, OF MARYLAND
JOHN PILETICH, OF FLORIDA
MATTHEW D. PODOBINSKI, OF VIRGINIA
ALEXANDRA LENA POMEROY, OF VIRGINIA
NATHAN POSEY, OF VIRGINIA
ANDREW MICHAEL POULSON, OF VIRGINIA
BRET PROVINCE, OF VIRGINIA
MARC A. PYLES, OF VIRGINIA
SITA ALETHEIA RAITER, OF CALIFORNIA
CHRISTOPHER JOHN RAMOS, OF THE DISTRICT OF COLUMBIA
JOHN RESHWAN, OF VIRGINIA
JOHN WESLEY ROBBINS, OF NORTH CAROLINA
CANDICE P. ROBERTON, OF VIRGINIA
COLLETTE NICOLE ROBERTS, OF VIRGINIA
MARK ROBINSON, OF VIRGINIA
ERIC JOHN RODRIGUEZ, OF VIRGINIA
ROBERT D. RODRIGUEZ, OF VIRGINIA
PAUL ANDREW ROELLE, OF PENNSYLVANIA
JUAN CARLOS ROMAN GONZALEZ, OF VIRGINIA
CARA MARIE ROSE, OF OREGON
TIMOTHY G. RUBERTON, OF MISSOURI
JENNINE ROSE RUDNITSKI, OF THE DISTRICT OF COLUMBIA
JOHN MICHAEL RUHSENBERGER, OF COLORADO
JOHN JOSEPH RYAN, OF THE DISTRICT OF COLUMBIA
KELLY R. RYAN, OF VIRGINIA
SEAN CHARLES RYAN, OF VIRGINIA
JOSHUA S. SAMET, OF THE DISTRICT OF COLUMBIA
GLEDISA SANXHAKU, OF PENNSYLVANIA
CHRISTINA J. SAUNDERS, OF VIRGINIA
JEFFREY BRUCE SCHAFFNER, OF VIRGINIA
CRAIG G. SCHMAUS, OF VIRGINIA
RYAN MATTHEW SCHRECK, OF WASHINGTON
DANIEL E. SCOTT, OF MINNESOTA
WILLIAM E. SHELTON III, OF MARYLAND
CHRISTOPHER JAMES SHERMAN, OF FLORIDA
DANIEL L. SHOENFELT, OF VIRGINIA
SHANNON MARIE SIBAYAN, OF TEXAS
BENSON SIWEK, OF TEXAS
ADAM GLENN SMITH, OF THE DISTRICT OF COLUMBIA
WILLIAM DOUGLAS SMITH, JR., OF VIRGINIA
JAMES CARL SMYTHERS, OF VIRGINIA
SUSAN C. SOLOMON, OF CALIFORNIA
CIGDEM ZEYNEP SOYLUOGLU–HOYT, OF CALIFORNIA
PERRY STAMP, OF FLORIDA
TYLER J. STODDARD, OF VIRGINIA
DANIEL ANTANAS STRELKAUSKAS, OF VIRGINIA
OREN LEONARD STRUCK, OF MINNESOTA
DARREN BIRNBAUM SULLIVAN, OF NEW YORK
JENNIFER MICHELE SUTTON, OF WASHINGTON
KRISTEN RENEE SVARCZKOPF, OF VIRGINIA
MORGAN LEIGH VOELTZ SWANSON, OF VIRGINIA
KATHERINE HOLMES TENEROWICZ, OF MARYLAND
ALICE MARIE TOBIN, OF THE DISTRICT OF COLUMBIA
TERESA NGOC NHI TRAN, OF VIRGINIA
RYAN PATRICK TRAVIS, OF VIRGINIA
QUAN TRINH, OF TEXAS
NIKHIL RAJNIKANT UNADKAT, OF COLORADO
THEO JORGE VAN LINGEN, OF VIRGINIA
JONATHAN BLAKE VAUGHAN, OF TENNESSEE
KIMBERLY ANN VERKUILEN, OF WISCONSIN
BRADFORD NILES VICK, OF OREGON
ASHLEY WELLENS, OF VIRGINIA
NICHOLAS WEXLER, OF MASSACHUSETTS
STEPHEN KEICH WHICKER, OF VIRGINIA
JEREMY JON WIDENHOFER, OF VIRGINIA
CHAD M. WILLIAMS, OF VIRGINIA
ROBERT ALAN WILLIAMS, OF VIRGINIA
TAMARA LYN PICARDO RIVERA WILSON, OF VIRGINIA
KATHRYN MICHELLE WISEMAN, OF TEXAS
ROBERT JAMES WOODS, OF VIRGINIA
NICOLAS ISAO WORDEN, OF VIRGINIA
BRIAN JOSEPH ZACHERL, OF VIRGINIA

HOUSE OF REPRESENTATIVES—*Thursday, May 19, 2016*

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Gracious and merciful God, we give You thanks for giving us another day.

This House gathers once again to consider matters of great importance to America's citizens and many beyond our borders as well. We recall the International Religious Freedom Act of 1998 by which we committed ourselves to advocate and act, where possible, on behalf of any who are persecuted worldwide for their adherence to religious faith. Bless the Members today in their resolve to act consistently with this policy, and empower them to faithfully protect people of faith in danger of persecution.

Bless, also, America's Ambassador-at-Large for International Religious Freedom within the Department of State, the Commission on International Religious Freedom, and the Special Adviser on International Religious Freedom within the National Security Council as they labor to secure religious freedoms at home and around the world.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. COLLINS of Georgia. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. COLLINS of Georgia. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Indiana (Mrs. WALORSKI) come forward and lead the House in the Pledge of Allegiance.

Mrs. WALORSKI led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

NATIONAL POLICE WEEK

(Mrs. BLACK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACK. Mr. Speaker, today I rise in honor of National Police Week and the courageous law enforcement personnel who serve Tennessee day in and day out.

Police Week occurs every year, but this year demands special attention because recently we have seen some corners of society offer a negative portrayal of our police. We have heard instances of strained relationships between communities and the police officers that patrol them, and we have seen activists and agitators who cast our police as villains when they should be lifted up every day as heroes.

So, Mr. Speaker, let us in Congress speak clearly on this issue today: We honor and respect the brave men and women of our police force. We pray for their safety and the safety of their families, and we reject the angry voices who seek to tarnish the most noble of professions.

Mr. Speaker, on National Police Week and throughout the year, let us remember—police lives matter.

RECOGNIZING OFFICER CORAL WALKER OF OMAHA, NEBRASKA

(Mr. ASHFORD asked and was given permission to address the House for 1 minute.)

Mr. ASHFORD. Mr. Speaker, I rise today to recognize an Omaha police officer whose heroic actions, while putting his own life on the line, saved the lives of countless innocent bystanders.

I am honored to note that Officer Coral Walker is the recipient of the U.S. Justice Department's Public Safety Officer Medal of Valor.

On June 15, 2013, Officer Walker was on patrol when a 9-1-1 call alerted him that a gunman was randomly shooting people. Two died, and two others were critically wounded. When he pulled up on the scene, Officer Walker ordered the shooter to stop and drop his weapon, a .45 caliber handgun. Ignoring Officer Walker, the gunman opened fire on the brave patrolman. As several shots were fired at Officer Walker, two hitting his police car, he fired back, killing the man and protecting those nearby.

Officer Walker's selfless actions came as other innocent lives stood in the balance. The gunman, in the country illegally and carrying two additional loaded magazines, was walking toward a busy business area when Officer Walker stepped in. Only Officer Walker's exceptional courage, disregarding his own safety, brought this deadly shooting spree to an end.

The Omaha community, the State of Nebraska, and our Nation are grateful for the heroic actions of Officer Coral Walker.

REMEMBERING GLEN NELSON

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, I rise today to remember a Minnesota legend, Glen Nelson, who passed away last week.

Glen was a medical pioneer whose work has transformed the lives of many thousands and thousands of people. From performing surgeries to creating medical devices to leading several healthcare companies, Glen did it all. Health care was his career, and that is because he recognized the power of medicine and innovation and how it could be used to make a difference in the lives of his neighbors.

Glen put it best when he said: ''As a surgeon, you save one life at a time, but with medical devices, you know you are saving so many more.''

Glen did what he did not to make money or gain fame. Glen was a leading doctor, inventor, philanthropist, and great family man because he cared about people, and he valued giving back to others.

Mr. Speaker, the loss of Glen Nelson is something that all Minnesota is feeling. Our State, our country, and our medical community are better off because of the leadership and passionate spirit of Glen Nelson.

FLORIDA'S GUN LAWS

(Mr. DEUTCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DEUTCH. Mr. Speaker, my home State of Florida has some of the absolute worst gun laws in the country.

Much like Congress, Florida's Legislature has done nothing to prevent violent criminals from getting guns. According to a report in the south Florida Sun-Sentinel, in just 1 year, Florida granted permits to 1,400 people who pled guilty or no contest to crimes including homicide, assaults, and child molestation.

There are Members of this Congress who want to burden the entire country with Florida's shamefully weak gun laws in a race to the bottom for gun permit standards. Even the current reciprocity agreements between States are strained by how easy Florida makes it to get a permit.

In 2010, the Philadelphia Daily News found that 2,500 Pennsylvanians applied for gun permits in Florida. Nonresidents apply for Florida permits to take advantage of Florida's shocking failure to protect its own residents from gun violence.

This Congress must reject legislation that would force States across the country to abide by Florida's or any other State's weak gun safety standards. Passing this reckless legislation would, unfortunately, make gun violence Florida's most shameful export.

NATIONAL POLICE WEEK

(Mrs. WALORSKI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WALORSKI. Mr. Speaker, I rise today to honor the service and sacrifice of the brave police officers who put their lives on the line each day to keep our communities safe.

This week is National Police Week, and communities all across America are showing their appreciation for the law enforcement officers who dedicate themselves to serving and protecting the public and bringing criminals to justice.

We also remember the heroes who gave their lives in the line of duty, and we think of the families they left behind. It is our duty to make sure that those who made the ultimate sacrifice in service to their communities will never be forgotten.

Mr. Speaker, I urge all Americans to take the time this week to simply say ''thank you'' to a police officer in their city or town. We are grateful for their service, we are humbled by their courage, and we are indebted to them for their sacrifice.

NATIONAL INFRASTRUCTURE WEEK

(Ms. KELLY of Illinois asked and was given permission to address the House for 1 minute.)

Ms. KELLY of Illinois. Mr. Speaker, I rise in recognition of National Infrastructure Week.

Our national infrastructure is in dire need of repair. The American Society of Civil Engineers' most recent report card gave American infrastructure a D-plus.

Many of us here are parents. If your child came home with a D-plus, you would work with them on their homework, find a tutor, or maybe punish them. Yet our response to a near failing infrastructure grade is neglect.

In the short term, investments in our national infrastructure create jobs. In the long term, they help communities grow and expand opportunity.

I recently met with Transportation Secretary Foxx to discuss the proposed South Suburban Airport. With the national spotlight on the long lines at O'Hare and Midway, it is clear that the Chicago region needs an investment in a new airport to expand the region's air traffic capacity.

Investing in infrastructure is a win in both the short term and the long term. So this week, I urge my colleagues to stand with me and work together to invest in our future by improving and strengthening our Nation's infrastructure.

CALIFORNIA HIGH-SPEED RAIL AUTHORITY

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, yesterday the California High-Speed Rail Authority admitted that it needs an additional 4 years to build its first segment of track.

Despite claiming that the project was shovel ready back in 2010 in order to receive Federal funds, the Rail Authority has only recently started minor construction. Now the Obama administration has extended the lifeline 4 more years to use up the so-called stimulus dollars.

The project's costs are now more than double what the Rail Authority had claimed in the beginning. It has a funding gap of over $55 billion, has changed its route repeatedly and still hasn't settled on a route, has failed to attract a single private investment, and fails to comply with State and Federal law on the prescription of its construction.

Mr. Speaker, the California High-Speed Rail Authority has broken every promise it has made to the people of California. It is time to pull the plug on a project that will not only never be completed, but is diverting billions of dollars from other infrastructure needs that people actually want, such as for our highways and needed water storage for California.

NATIONAL POLICE WEEK

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BILIRAKIS. Mr. Speaker, I rise today to honor our Nation's incredible law enforcement officers.

During National Police Week, we are reminded of the important work our local law enforcement officers do each and every day. They put their lives on the line to keep us safe. They are incredible.

I am especially grateful for the life and service of Tarpon Springs Police Officer Charlie K. Kondek who made the ultimate sacrifice on December 21, 2014, protecting the citizens of Tarpon Springs, Florida, and Hillsborough County Sheriff's Deputy John Kotfila, Jr., whom we tragically lost earlier this year.

Let us never forget the sacrifice of these local officers—they are terrific—and others who have fallen in the line of duty, and let us be thankful for those who keep our communities safe. They are true American heroes, Mr. Speaker.

I thank all who protect us. God bless them all. God bless the officers, and God bless America.

MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

GENERAL LEAVE

Mr. DENT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 4974, and that I may include tabular material on the same.

The SPEAKER pro tempore (Mr. LAMALFA). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 736 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 4974.

Will the gentleman from Georgia (Mr. COLLINS) kindly resume the chair.

□ 0914

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 4974) making appropriations for military construction, the Department of

Veterans Affairs, and related agencies for the fiscal year ending September 30, 2017, and for other purposes, with Mr. COLLINS of Georgia in the chair.

The Clerk read the title of the bill.

The CHAIR. When the Committee of the Whole rose earlier today, the amendment offered by the gentleman from Florida (Mr. GRAYSON) had been disposed of and the bill had been read through page 71, line 6.

□ 0915

AMENDMENT OFFERED BY MR. HECK OF WASHINGTON

Mr. HECK of Washington. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. Upon the acceptance by the Secretary of Veterans Affairs of the newly constructed holes 10 through 18 at the golf course at American Lake Veterans Hospital on a portion of Joint Base Lewis-McChord, which were designed by Jack Nicklaus on a pro bono basis, the holes shall be designated as the ''Nicklaus Nine''.

Mr. HECK of Washington (during the reading). Mr. Chair, I ask unanimous consent that the amendment be considered read.

Mr. DENT. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIR. A point of order is reserved.

The Clerk will continue to read.

The Clerk continued to read.

The CHAIR. Pursuant to House Resolution 736, the gentleman from Washington and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HECK of Washington. Mr. Chairman, I actually plan on withdrawing my amendment, but would like to make my colleagues aware of some amazing work being done in my district on behalf of veterans and wounded warriors.

Mr. Chairman, millions—millions—of people watched the U.S. Open at Chambers Bay in Washington's 10th Congressional District last June. It showcased, frankly, the irreplaceable beauty of golf in the Pacific Northwest. But just a 10-minute drive from Chambers Bay, you will also find yourself at beautiful American Lake.

At American Lake, that is where veterans recover and heal from injuries at the VA facility, which is located near Joint Base Lewis-McChord. A big part of that recuperation includes a bit of TLC from another golf course in addition to Chambers Bay.

Since 1955, 61 years, nine holes of golf at the American Lake Veterans Golf Course is where South Sound veterans could escape the stresses of their daily lives and engage in some healthy competition. And let's be honest, it is hard to look forward to a visit to the doctor, but looking forward to a round of golf with your buddies is something entirely different. It has become a great way for older vets to connect with younger vets for more recent conflicts.

Currently, American Lake Veterans Golf Course—it is important that you hear this—is the Nation's only golf course designed specifically for the rehabilitation of wounded and disabled veterans. Almost all of the dedicated volunteers there are veterans as well. Well, except one, and his name is Jack Nicklaus—yes, that Jack Nicklaus—the ''Golden Bear,'' widely regarded, perhaps, as the greatest golfer of our time, who now spends his time actually designing golf courses. He is the one who helped design and expand the American Lake Veterans Golf Course to include a back nine. They went from nine holes to 18. The back nine is now in place, and the course is waiting for VA Secretary McDonald to sign the necessary paperwork to formally accept the course improvements.

The course exists because of the determination of hardworking volunteers—really angels among us. And now it is time to honor one of those committed volunteers for his commitment to our veterans and wounded warriors, and officially designate holes 10 through 18 as the Nicklaus Nine.

With the Nicklaus Nine, we will now have an 18-hole, 100 percent ADA accessible golf course to accommodate returning troops and our local combat veterans. With the Nicklaus Nine, we will have double the accessibility and green to offer our veterans who have given so much to all of us.

Now, I am going to tell you a story, and I guarantee it is going to stay with you, I guarantee that you are going to remember this story. There is a program at American Lake Veterans Golf Course that teaches blind veterans how to play golf. One year, we had a local golfer—his name happens to be Ray Reed—who was sent to the National Blind Golf Tournament in Iowa. Ray Reed, blind, wounded warrior.

And do you know what he did at that national golf tournament? He scored a hole in one. Yes, blind veterans can golf, and they learn how to do that at American Lake. It is incredible. They are an inspiration to all of us.

Mr. Chairman, to avoid a point of order on my amendment, I would like to withdraw it at this time. But I hope that I can work with my colleagues on both sides of the aisle to find another vehicle, or a standalone bill, to get this done. I strongly believe it to be appropriate to honor and bestow on he who has changed the name of golf, the Golden Bear, this honor for changing the lives of wounded warriors. I hope this will encourage the design and development of more golf courses around the U.S. devoted to our veterans and our wounded warriors.

With that, Mr. Chairman, I thank my colleagues.

Mr. Chair, I ask unanimous consent to withdraw my amendment.

The CHAIR. Is there objection to the request of the gentleman from Washington?

There was no objection.

The CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. GIBSON

Mr. GIBSON. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title) insert the following:

SEC. ____. None of the funds made available for this Act may be used by the Department of Veterans Affairs to preclude the territorial seas of the Republic of Vietnam from inclusion in the meaning of the Republic of Vietnam under the Agent Orange Act of 1991 (Public Law 102–4) and the amendments made by that Act.

The CHAIR. Pursuant to House Resolution 736, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. DENT. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIR. A point of order is reserved.

Mr. GIBSON. Mr. Chair, I am here this morning to bring forward an amendment that is for our sailors who fought in the Vietnam war. This is about ensuring they get the health care and the benefits that they have earned through their service in Vietnam.

But in a broader sense, this is really about justice. This is about veterans who went forward and fought that war, a deeply unpopular war that divided our Nation. They were never asked about their political leanings or what their views were on the war. They simply did what they were ordered to do. They went forward and they gave their very best effort to serve us.

In the process of that war, we used Agent Orange to defoliate. In the case of these sailors, serving just offshore in Vietnam, we had ships that were involved in resupply operations at the ports and at the harbor, and they were vulnerable. They were vulnerable because there was vegetation near the ports and the harbors. As our countermeasure to that, we defoliated to give standoff for those ships to protect them.

But what we have learned over time, Mr. Chairman, is that that was poisoning our sailors, and anyone that was in close proximity. Now, and in fact in 1991, this body, along with the Senate and the President of the United States of America, enacted a law, the Agent Orange Act of 1991, that ensured that our veterans who were exposed to

Agent Orange had access to the health care and the benefits that they had earned.

Regrettably, in 2002, executive overreach led to a rule that narrowed the interpretation of our law. Now it is so that you have to have served on the ground in Vietnam or in the Riverine Navy to get access to this law and to these benefits.

Mr. Chairman, the people's representatives never spoke on that. This is an issue we have dealt with time and again in this Chamber, both sides of the aisle, fighting back, fighting for our article I prerogatives. And this is very clear here. This body spoke. We said we had to try to make right what was wrong.

So now we have about 90,000 sailors that don't have access to health care. Mr. Chairman, be advised and be assured that Members of this body fight every day for these veterans in a case-by-case basis, and we do win some of these, but we don't win all of them. It is just flatly wrong.

Mr. Chairman, what this amendment does is really ensure that our article I prerogatives are secured. That we go back to the original language that we passed and the President signed.

I would ask all my colleagues on both sides of the aisle to support this amendment.

I reserve the balance of my time.

POINT OF ORDER

Mr. DENT. Mr. Chairman, I insist on my point of order.

The CHAIR. The gentleman will state his point of order.

Mr. DENT. Mr. Chair, I make a point of order against this amendment. Although it is a very well-intended amendment, and I am very sympathetic to what he wants to do, I think there might be a way, if the gentleman withdraws and tries to perfect that amendment, that it might be made in order.

This amendment proposes to change existing law and constitutes legislation in an appropriation bill and, therefore, violates clause 2 of rule XXI.

The rule states in pertinent part: ''An amendment to a general appropriation bill shall not be in order if changing existing law.''

The bill gives direction to that effect.

I ask for a ruling from the Chair.

Again, I would ask my colleague to consider withdrawing and see if he can perfect that amendment so that it would be made in order.

The CHAIR. Does any other Member wish to be heard on the point of order?

Mr. GIBSON. Mr. Chairman, I just want to say, I have the deepest respect for the chairman, a dear colleague and friend. But I have to say that I am astounded that we would talk about a point of order here when we are talking about our language. This is what we passed.

What we saw is that the executive branch, with fiat, changed what it is that we passed. So I don't know how it is that we are legislating to their executive overreach. This is merely an amendment that goes back to our language.

And it is not just me standing here today; 320 of our colleagues in the United States House of Representatives, on both sides of the aisle, believe that this needs to get done. And nearly half of the Senate, an exact companion, also believe that.

Now, because of our friendship and because of the way that we have worked together, I just want to enter into a colloquy and get clarification from the chairman.

What I think I heard him say moments ago is that, if I withdraw, he will work with us so that we can reassert our Article I powers and ensure that we have justice for these Vietnam veterans who deserve these benefits.

Can I get that clarification from the chairman?

The CHAIR. The Chair will hear each Member individually on the point of order.

A point of order is pending.

The gentleman from Pennsylvania is recognized to be heard on the point of order.

Mr. DENT. Mr. Chair, on the point of order, the point I am trying to make is this: if the amendment is withdrawn, it can be reworked so that it would be in order. We believe that there is a way to do that even today. That is the offer I am making to you. If the amendment is withdrawn, there is a possibility that this amendment could be made in order, but it does have to be perfected.

I am a cosponsor of the actual underlying legislation, so I support it. But at the moment, in our view, it does constitute legislation in an appropriation bill, and, therefore, it violates clause 2 of rule XXI.

But I pledge to work to the best of our ability to try to make it in order, even today, if possible.

The CHAIR. The gentleman from New York is recognized.

Mr. GIBSON. Mr. Chair, given the pledge of my dear friend from Pennsylvania to work to make sure that we have justice and that we can move forward and help these veterans, I ask unanimous consent to withdraw my amendment.

The CHAIR. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used for the Veterans Experience Office.

The CHAIR. Pursuant to House Resolution 736, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise to offer a simple amendment to prevent wasteful new administrative spending within the VA General Administration Account, and to ensure that scarce resources are not diverted away from the priorities that need them most.

My amendment will strengthen and support the position of this committee to ensure that none of the funds made available by this act may be used by the administration's proposed bureaucracy quagmire called the Veterans Experience Office. While the name may make this proposed new nationwide office sound like a good idea, this proposal would unleash a new cadre of Federal bureaucrats to stand between the veterans and their benefits, repeating those terrifying nine words, ''I'm from the government and I'm here to help.''

We all share the goal of improving each and every veteran's experience with the VA. However, it would be foolish to permit the creation of a new general administration program that would siphon off more than $72 million away from the programs and offices prioritized by this committee as those most in need of support.

I commend the committee for identifying this wasteful proposal in their report, stating, ''While the committee supports the Secretary's efforts to improve the ways VA interacts with veterans, it has doubts about the wisdom of establishing a large new office with regional staffing at this late date in the administration.''

While the position of the committee is clear, my amendment is necessary to ensure that the administration is prohibited from transferring limited funds within the general administration account to fund this unwise and duplicitous proposal. This administration is notorious for ignoring the will of Congress and seeking out loopholes to advance the executive branch's agenda. This track record of rogue behavior is why this amendment is so necessary in order to carry out the committee's recommendation and properly care for our veterans.

The VA doesn't need more money to hire more people pushers to create an even larger bureaucracy between the veterans and their benefits. Instead, let's ensure resources are allocated where they have the most effective and efficient benefit for those who have given their country so much.

I ask my colleagues to support this commonsense amendment. I thank Chairman DENT and Ranking Member BISHOP for their time.

I reserve the balance of my time.

□ 0930

Mr. DENT. Mr. Chair, I claim the time in opposition, but I am not opposed to the gentleman's amendment.

The CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. DENT. Mr. Chair, I understand the gentleman's concerns about starting this large, new office at the VA. As you can see from our report, we cut the request for General Administration by $81.3 million, largely because of our concerns about funding this large office; so I think we have already achieved what the gentleman is looking to accomplish. It is hard to imagine that the VA could find $81 million in another account to backfill this office.

I will not oppose the gentleman's amendment. I will tell the gentleman, however, that this will inevitably become a conference issue because the Senate supports the creation of the office. I do not object to the amendment.

I yield back the balance of my time.

Mr. BISHOP of Georgia. Mr. Chair, I move to strike the last word.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. Mr. Chair, the bulk of the request of the increase for the General Administration was intended for the establishment of the Veterans Experience Office. Up until now, the Veterans Experience Office's activities have been funded through the Office of Enterprise Integration. However, the FY 2017 budget proposes to make the Veterans Experience Office a standalone office within the General Administration and requests $72.6 million in funding and 204 full-time equivalents via direct budget authority.

While we all support the Secretary's efforts to improve the way the VA interacts with the veterans, we had doubts about the wisdom of establishing a large, new office with regional staffing at this late date in the administration. It was decided not to include this funding. However, there is nothing in the bill that prevents the Secretary from continuing to fund the office in the way that he did in the previous fiscal year.

Conversely, the amendment before us will prevent this office from being funded, period. I believe that the amendment is a bridge too far. While I don't support making the Veterans Experience Office a free-standing office, I also don't support taking the Secretary's flexibility away either. I believe that the bill is the right approach. I urge Members to oppose the amendment.

I yield back the balance of my time.

Mr. GOSAR. Mr. Chair, I rebut.

This President and his agencies have shown time and time again that they are eager to ignore the will of Congress and to implement his agenda wherever they can. This is a necessary reminder that the VA is hardly a vestibule of good behavior. I think we need to make them concentrate on doing their procedures right that they currently cannot do right. I urge Members to accept my amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to—

(1) carry out the memorandum from the Veterans Benefit Administration known as Fast Letter 13–10, issued on May 20, 2013; or

(2) create or maintain any patient recordkeeping system other than those currently approved by the Department of Veterans Affairs Central Office in Washington, D.C.

The CHAIR. Pursuant to House Resolution 736, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chair, I offer an amendment. I have offered similar amendments in the last 2 years, and they have passed each time. I had hoped that it would not be necessary to offer this amendment again this year.

Unfortunately, an investigation from the Government Accountability Office that was released last month found that the VA schedulers are still manipulating appointment wait times and are underestimating how long veterans have to wait to get care at a VA facility. The GAO's most recent audit found that schedulers changed dates and shortened wait times for 15 to 20 percent of the cases reviewed. To make matters worse, USA Today recently claimed to have studied more than 70 investigative reports, and it found that these manipulations were being performed at the behest of the VA supervisors.

Last year, a different inspector general investigation uncovered an actual memo from the VA leadership that encouraged this type of behavior. The memo I speak of is known as the Fast Letter 13–10, and it was handed down directly from the Office of the Director of the Veterans Benefits Administration to the Philadelphia VA Regional Benefit Office. I was appalled—but not totally surprised—to learn of this memo.

The need for my amendment first surfaced 2 years ago as a response to explosive allegations about the Phoenix VA's keeping secondary, unofficial records of claims and appointment requests. My commonsense amendment simply prohibits the VA from keeping unofficial recordkeeping systems and manipulating wait times.

I have said this before, but it is sad that we have to pass amendments to prevent this type of behavior. When government bureaucrats don't use good judgment or common sense, Congress must address these issues. We must have one consistent patient recordkeeping system within the VA in order to provide accountability, uniformity, and to prevent employee manipulation.

I urge my colleagues to support this amendment. I thank Chairman DENT and Ranking Member BISHOP for their time.

I reserve the balance of my time.

Mr. DENT. Mr. Chair, I claim the time in opposition, but I am not opposed to the gentleman's amendment.

The CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. DENT. Mr. Chair, this amendment is familiar to us since the gentleman offered it last year. I am not sure it is necessary to repeat the language this year since we know the VA has rescinded the Fast Letter guidance. After all, with the IG investigation into the dual scheduling systems, it doesn't seem likely that the VA is maintaining recordkeeping systems that are not approved by headquarters; but I am not going to object to the amendment.

I yield back the balance of my time.

Mr. GOSAR. I thank the gentleman.

Mr. Chair, we want to reward good behavior, and until they illustrate good behavior, the amendment is going forward. I appreciate the chairman's support.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. MICA

Mr. MICA. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. (a) For an additional amount for ''Veterans Health Administration—Medical Services'' for grants to States under subchapter III of chapter 81 of title 38, United States Code, to expand, remodel, or alter existing buildings for furnishing nursing home care to veterans in State homes that are former nursing home facilities of the Department of Veterans Affairs, as authorized by section 8133 of such subchapter, there is hereby appropriated, and the amount otherwise provided by this Act for ''Departmental Administration—General Administration'' is hereby reduced by, $10,000,000.

(b) None of the funds made available by this Act may be used to implement, administer, or enforce the prioritization requirements in paragraphs (1)(C) or (2) through (5)

of section 8135(c) of title 38, United States Code, with respect to the appropriation in subsection (a).

The CHAIR. Pursuant to House Resolution 736, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MICA. Mr. Chair, this is a simple amendment.

I get to chair a subcommittee called Transportation and Public Assets. We get to oversee, in the public assets portion, all of the various properties around the United States that are public assets that are sitting idle. For example, in some States we have many VA properties that are medical—some hospitals, some nursing homes—that are sitting idle. Some of them are vacant, and some of them are closed.

In order to put them into productive use for our veterans, I have tried to craft an amendment that, of course, doesn't apply to all of the facilities. I would like to do that, but this is fairly limited. It says that we have a nursing home that has been vacated or a nursing home that is not being used, and some of them, for several years, have sat vacant. This allows the Secretary discretion, and it also sets aside a small number of funds to help bring that property into a condition so that it can be transferred to the State. You have these in Pennsylvania, Mr. Chair. You have these across the Rust Belt. We have them even in Florida. What we don't have is the authority for the VA to move forward with these properties in their transferring and get the properties into condition and make the little bits of changes in the properties to transfer them to the States.

This will apply to 49 States. There are 49 States that have State VAs. Many of them run nursing homes. In my State, for example, we run seven nursing homes now. We do it more cost-effectively. We can do it faster. We can take those idle assets and put them into use. In some places in the Rust Belt, you need to consolidate some of the facilities, and this will allow us to do that, too, and to run them cheaper and give better services to our veterans, not spread out the limited number of even staffers whom we have and administrators. Think of what you can save just on that.

This is an amendment to try to move that process forward. We are not trying to get ahead of anybody who is in line for any kind of a VA facility. What we are trying to do is, again, tell the VA Secretary that he can move forward and put a little bit of money aside that will make a big, big difference with these facilities that are sitting vacant or half empty across the country, and it does apply to 49 States.

I reserve the balance of my time.

Mr. DENT. Mr. Chair, I claim the time in opposition, but I am not opposed to the gentleman's amendment.

The CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. DENT. Mr. Chair, I understand there is a great demand throughout our Nation for State veterans' homes, and I wish we had the allocation to provide more for this program than we did.

I do want to raise a concern with the language that it might—I say ''might.'' I am not saying ''definitely''—favor some States rather than increase funding for the entire State HOME Program. I was pleased to hear the gentleman state that he is not trying to jump ahead of other States that may be in line, but this is an issue that we are going to have to discuss at the conference committee.

I am not going to object to the amendment.

Mr. Chair, I yield back the balance of my time.

Mr. MICA. I appreciate that.

Mr. Chair, I think if there are differences in language, we have tried to work with the parliamentarian and the committee, and I know you all are busy in trying to get a very important piece of legislation out, but this small amendment can make a big difference.

Again, this is in Rust Belt States, even in growing States like Florida, and there is no more cost to the Federal taxpayer in the operation. In fact, we will save money in the operation because the States take these over. And if the States take them over, it is one less burden on the VA. We have seen how difficult it is sometimes to get services from the VA, to have these facilities come on line.

To the nursing home folks, listen to this. This is to nursing homes: we have a tremendously expanding, aging veterans' population, and we can't keep up with it all, and the Federal Government sometimes does it the least efficiently. This allows us to take those empty or half empty or partially used facilities and get them to the States, to sometimes consolidate the operations and save money on administration, operation, and expedite and get that service to our veterans as soon as possible.

I urge the Members' support of this small amendment. I will be glad to work with the chairman, with the ranking member, and with others and craft this in any way that they feel comfortable, but the objective is very important at this stage.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. MICA).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used in contravention of sections 575.106 or 575.206 of title 5, Code of Federal Regulations.

The CHAIR. Pursuant to House Resolution 736, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chair, in a 2015 report from the VA Office of the Inspector General, it was discovered and reported that two senior staff members used their positions of power to financially and personally benefit from unethical behavior.

Diana Rubens and Kimberly Graves not only coerced two VA managers to leave their positions against their will, they then manufactured circumstances that allowed for them to take the positions in question. To make matters worse, these women then took advantage of the VA's relocation expense program. Relocation bonuses may be given to current employees if an open position will be difficult to fill without such an incentive. In both of these instances, this clearly was not the case. In total, these women walked away with more than $400,000 in taxpayer funds.

As if these actions weren't heinous enough, when the VA did attempt to hold Rubens and Graves accountable, the VA was subsequently overturned because they failed to discipline the other employees involved in this case. I am appalled—but ultimately, again, not surprised—to hear of this story. The VA has been riddled with scandal and plagued with lawlessness for years now.

Chairman MILLER said it best in the days that followed the reversal of the VA's decision, stating: ''Every objective observer knows that the Federal civil service system coddles and protects misbehaving employees instead of facilitating fair and efficient discipline; and until VA and Obama administration leaders acknowledge this problem and work with Congress to solve it, it will never be fixed.''

Mr. Chair, my amendment is a commonsense approach that simply reaffirms the requirements in the Code of Federal Regulations for employment incentives and relocation expenses.

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Had the VA followed these regulations, Diana Rubens and Kimberly Graves wouldn't have been able to force two managers to leave and then get reimbursed for moving across the country to take their spots.

I have said this before, but it is sad that we have to pass amendments to prevent this type of behavior. When government bureaucrats fail to serve the American people through the use of common sense, Congress must address these issues personally.

I urge my colleagues to support this amendment. I thank the distinguished chair and ranking member for their help.

I reserve the balance of my time.

Mr. DENT. Mr. Chair, I claim the time to speak in opposition, but I am not opposed to the amendment.

The CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. DENT. Mr. Chair, no one shares the gentleman's concerns more than I do about the inappropriate relocation incentive payments the VA initially paid to two executives at the Philadelphia regional office. The VA has since reformed its policies, and I hope we will never ever hear again about such egregious staff misconduct and inappropriate reimbursements.

However, I do think that the relocation incentive can be an important tool in some circumstances. Although I have no objection to the gentleman's amendment, I think this may need to be refined a bit in conference to reflect the usefulness of the tool, when used appropriately.

As I said, there was egregious misconduct in Philadelphia, as the gentleman correctly points out. There is no question. In fact, many of us went and visited the Philadelphia regional office at about that time for a hearing, both Republicans and Democrats, authorizers and appropriators, to discuss the challenges at that particular office.

That said, I have no objection to the amendment.

Mr. BISHOP of Georgia. Will the gentleman yield?

Mr. DENT. I yield to the gentleman.

Mr. BISHOP of Georgia. Mr. Chair, I have the deepest respect for the gentleman from Pennsylvania and for the gentleman who is offering the amendment, but I think that we may be just going a little bit too far here.

Mr. Chair, this amendment will restrict the ability of the VA and the departments and related agencies funded in this act to use incentives to get experienced, talented, and capable individuals to take on difficult-to-fill positions. In other departments, they call these hardship posts. These are the jobs no one wants to do but are vital to the function of government.

I think we can all agree that there are times when we need to provide incentives to those individuals whom we are asking to fill difficult jobs. At times, we need to take action to make a job more appealing, and sometimes we need to provide incentives to compete with the salaries that are typically paid outside of the Federal Government for some of the positions.

I am concerned that this amendment will decrease the availability and quality of candidates possessing the competencies that are required for filling the hard-to-fill posts. We would not run a Fortune 500 company this way. Why are we limiting the ability of the U.S. Government to recruit and hire the best and the brightest?

I respectfully urge my colleagues to vote ''no.''

Mr. DENT. Mr. Chair, I yield back the balance of my time.

Mr. GOSAR. Mr. Chair, trust is a series of promises kept, and it is very notable that the VA has lost the trust of Congress and the American people and, more importantly, our veterans. So until we get this right, until they can actually earn the respect and do the due diligence that they are expected to do for our veterans, it is a requirement of us to make sure, like a dog on a bone, to hold them accountable.

I hope that everybody will vote for this amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to implement, administer, or enforce the exception in clause (iii) of section 1.218(a)(8) of title 38, Code of Federal Regulations.

Mr. GOSAR (during the reading). Mr. Chair, I ask unanimous consent that the amendment be considered as read.

The CHAIR. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The CHAIR. Pursuant to House Resolution 736, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chair, recently, a veteran receiving care from the VA contacted my office to express his concern about pro-union fliers being posted in VA facilities. The veteran sent me a picture of one of these fliers, shown here for your reference. Right here.

As you can see, this flier is an attempt to recruit union activists. Another flier, just above it, praises the agenda at the AFL–CIO. The veteran who contacted me was appalled that he was barraged by these pro-union advertisements during his visits to the VA. I couldn't agree more.

Our Nation's heros should not be subjected to blatantly partisan advertisements while trying to receive medical care at VA facilities. My staff investigated this issue and found that, while solicitations like these are prohibited by law, union lobbyists were able to carve out a special exemption that allowed solicitation of labor organization membership or dues in VA facilities. This is a blatant abuse of taxpayer-funded facilities for the purpose of pushing a pro-union agenda. Given the obvious political nature of these groups, they should not be allowed to advertise in the VA facilities.

Furthermore, the fact that VA employees are engaging in union activities while on the clock is unacceptable, given the current state of the VA. Any time these employees spend time doing union activities is time they cannot spend treating our veterans. With a massive backlog of cases and the fact that veterans have literally died waiting for care, this abuse of taxpayer money and our veterans must be put to an end.

For that reason, I introduced the amendment currently at the desk. My amendment will prohibit the use of funds to implement, administer, or enforce the current union loophole. Defunding this exemption that allows unions to solicit members and dues at VA facilities would place unions under the same regulatory framework as other 501(c)s.

I urge my colleagues to support this amendment. I thank the distinguished chair and ranking member.

I reserve the balance of my time.

Mr. BISHOP of Georgia. Mr. Chair, I claim the time in opposition.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. Mr. Chair, this is just another attack on organized labor and working people. The conduct that the gentleman wishes to prohibit is consistent with the National Labor Relations Act, and it is consistent with the traditions of this country. It is freedom of speech, and I think it ought to be allowed.

I certainly object to this. I think that the working people ought to have an opportunity to express themselves and utilize fully the First Amendment, even in our VA facilities. I couldn't imagine that people who support the Constitution would want to muzzle working people and limit their ability to seek associations with like-minded people.

I reserve the balance of my time.

Mr. GOSAR. Mr. Chair, once again, my amendment is critical to ensuring that our veterans receive the care they deserve in a nonpoliticized environment. Again, this amendment idea came from a veteran who was outraged about the VA being littered with union recruitment fliers.

No veteran should be forced to endure blatantly partisan union advertisements in a taxpayer-funded building in order to receive the medical care they earned defending our country.

We should all agree that the VA employees should be spending their taxpayer-funded time treating veterans, not posting union fliers and negotiating for higher wages, especially given

the VA claims and the backlog of appeals that exist.

I encourage adoption of the amendment.

I also want to make sure that people understand that this amendment would create that the unions be treated as any other 501(c).

I reserve the balance of my time.

Mr. BISHOP of Georgia. Mr. Chair, I reserve the balance of my time.

Mr. GOSAR. Mr. Chair, well, once again, we want to make sure that everybody is treated fairly about this. As you can see, the blatant attempt here about recruitment to the unions within our VA is outright disgusting.

We want to make sure that everybody is treated fairly and has the opportunity for fair speech, but this gives a hand up to the unions. I ask all my colleagues to vote for this amendment.

I yield back the balance of my time.

Mr. BISHOP of Georgia. Mr. Chair, again, this is another nasty rider. This is a rider that is totally unnecessary and inappropriate on this bill. It violates the Constitution. It certainly limits the rights of people in veterans facilities to be able to have freedom of speech and freedom of association. It is a bad proposition. I urge my colleagues to oppose it.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. BISHOP of Georgia. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT OFFERED BY MR. PERRY

Mr. PERRY. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, add the following new section:

SEC. ___. None of the funds made available by this Act may be used to implement or enforce Executive Order 13502.

The CHAIR. Pursuant to House Resolution 736, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. Mr. Chair, in 2009, the President issued Executive Order 13502, which strongly encourages Federal agencies to require project labor agreements, or PLAs, on Federal construction projects exceeding $25 million in cost. This amendment simply states, as already read, that none of the funds made available by this act may be used to implement or enforce this executive order.

Now, project labor agreements, Mr. Chair, discourage what is called a merit shop contractor from bidding on taxpayer-funded construction contracts. Let me be clear. That means, if you don't have a union, you can't even bid.

By the way, the vast majority of all work conducted in the United States, private or government, is conducted by nonunion contractors. It is not meant to disparage unions. It is just saying that there should be open competition for everybody.

Because it is a limited competition, it actually drives up the cost that each of us pay for the construction, somewhere between 12 and 18 percent, needlessly. Even if it is only 12 percent, why pay it? It results in fewer infrastructure improvements simply because there is just not as much money because we are paying more for the ones that we are doing.

It is a project-specific collective bargaining agreement with multiple unions that is unique only to the construction industry. It is done nowhere else, only in the construction industry.

Now, the NLRA permits construction employees to execute a PLA, a project labor agreement, voluntarily. When the PLA is mandated by a government agency, construction contracts can be awarded only to contracts and subcontractors that agree to the terms and conditions of the PLA, essentially making them a union organization.

Typically, the contractors have to recognize the union as the representative of their employees. No longer is the private business the representative, but only the union is the representative, and they have to hire from the union hall.

Furthermore, if you ever pay prevailing wage or the Federal minimum wage for these kinds of projects, there is a thing called the fringe benefits, which includes your medical, your dental, your retirement. Those all will be put into union-managed benefits and pension programs. So even if you are a private employer that is not unionized, all that money, all those fringe benefits go to those programs.

You must obey the restrictive and sometimes inefficient rules of job classification. So, for instance, if you are an electrician, you might want to wire something up, but if you need some conduit, you can't go get it because you are not a laborer. You are an electrician, and you have to wait for the laborer to go get it. That doesn't happen in nonunion environments. It is just inefficient.

Furthermore, PLAs force employees to pay union dues, whether they are in the union or not, and then accept unwanted union representation. They also forfeit the benefits earned during the life of the project unless they join the union and become vested in union benefit plans. So they lose all that.

Quite honestly, it is just simply a union recruiting plan at taxpayer expense. I don't have problems with the union; I just don't think that we should be paying for them.

The PLA requirements and preferences on taxpayer-funded contracts expose procurement officials to intense political pressure because they are not negotiating normally. It is negotiated under the terms of the project labor agreement, not just a regular contract where you agree to do so much work and we would agree to pay so much. You agree to do it at this time, and we agree to accept that timeframe. It disrupts local collective bargaining agreements already in place because it is contract specific for the project at the time. Obviously, because of that, it stifles competition.

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You stifle competition, it raises the cost. Who is paying the extra cost? The American taxpayer. It creates, or potentially creates, contracting and construction delays. We don't need any more delays at the VA. I think we have been through that plenty of times.

Now, we just want to get the best price. We want everybody involved. We want everybody able to bid and able to participate. Let the government, let the taxpayer get the best job for the best price.

Under this amendment, PLAs for military construction would not be forbidden. They are still not forbidden; they are just not mandated. Again, this amendment simply allows none of the funds made by the executive order to be used to implement or enforce Executive Order 13502.

Mr. Chairman, I reserve the balance of my time.

Mr. KILMER. Mr. Chairman, I rise to claim the time in opposition.

The CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. KILMER. Mr. Chairman, I yield myself such time as I may consume.

The DOD does a lot of construction projects—this bill is certainly a testament to that—and these are often complex projects. They build facilities that are used to repair ships or store munitions, and usually when we read about large, complex construction projects, it is often in the context of delays or cost overruns or concerns on the workforce front. Folks want to see local opportunities on local projects.

Now, a project labor agreement allows Federal agencies to negotiate exclusively with the building trades to ensure both union and open shop contractors are able to participate on the project. The agreement establishes quality worksite conditions and works to ensure construction is finished on time and under budget.

When executed properly, PLAs are flexible, and they encourage participation from a wide variety of prime and subcontractors. In fact, PLAs are used

on big, private projects. Look at every significant hotel project, casino project, stadium project.

I worked professionally in economic development before I came here. These project labor agreements were vital to seeing projects happen. Why? Because they save money and because they keep projects on schedule and because they use local workers.

You have seen the first project labor agreement in Navy history in my district—just one, mind you. What is the outcome? Well, the project is going to be completed at a cost of $250 million below what was originally projected. With a contract that was worked out ahead of time, it meant that local workers were assigned on the front end. They brought in quality workers, local workers, and that strengthens our local communities. By partnering with local trades and using apprenticeship programs, this is helping to grow the next generation of tradespeople, giving opportunities to veterans and to women and minority communities. So it means that we are not just building a wharf in my district; it means we are building the next generation of workers. We are building the middle class.

When you compare this with similar large, complex projects, the project that we just had with a project labor agreement had fewer problems and will deliver more value for taxpayers. So I do not understand why we would take this valuable tool out of our toolbox. We should be encouraging these efforts.

Mr. Chairman, I reserve the balance of my time.

Mr. DENT. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. DENT. Mr. Chairman, I just want to state I have no objection to the gentleman's amendment. The Department of Defense has awarded one construction contract, that is the explosives-handling wharf in Kitsap, Washington—I believe, in the gentleman's district—where the solicitation favored PLAs.

The Department of Veterans Affairs has not awarded any contracts that have used PLAs, and they currently have no solicitations that favor PLAs. That said, I am very sympathetic with the gentleman's amendment, and I urge adoption of the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. BISHOP of Georgia. I move to strike the last word.

The CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. BISHOP of Georgia. Mr. Chair, I am very disappointed that, instead of seeking to pass the most bipartisan bill possible, my colleagues would prefer to weigh down the bill that funds veterans and military construction with a divisive rider.

PLAs can be an essential tool to allow large projects to be completed on time and on budget. They are a benefit to both employers and employees. A project labor agreement provides a single collective bargaining unit, which allows for easier management of a project. They provide a reliable and uninterrupted supply of workers. They provide uniform wages, uniform benefits, overtime pay. A PLA sets the terms and conditions of employment for all workers onsite, including the work conditions and the rules. In addition, a PLA prohibits strikes and work stoppages.

It is insulting that some would seek to prevent the use of PLAs on this bill when it is one of the best tools available to guarantee that veterans are hired as skilled construction workers. The use of a PLA does not prevent non-union small businesses from participating. They have to agree to the terms and to sign on to the PLA. In addition, the PLA does not make the project union only.

Simply put, project labor agreements help both the government and the private sector increase the efficiency and the quality of its project by promoting a business model that employs a highly skilled workforce. Such a workforce ensures that construction projects are built correctly the first time, on time and, as a result, on budget.

I urge a ''no'' vote on this amendment.

I would note that this House has repeatedly refused to adopt similar amendments on this bill.

Mr. Chairman, I yield back the balance of my time.

Mr. PERRY. Mr. Chairman, may I inquire how much time I have remaining.

The CHAIR. The gentleman from Pennsylvania has 30 seconds remaining.

Mr. PERRY. Mr. Chairman, I just want to reiterate that this does not take this tool out of the toolbox. It just doesn't require it. With all due respect to those who say, well, it stops strikes from happening and it makes sure it is on time and on budget, a simple contract that millions of Americans sign every single day without a project labor agreement does that already.

If project labor agreements are necessary, why aren't we all doing it with the work on our homes or the work on our businesses? The fact is it is not done everywhere because it is not necessary. The fact is it discourages participation, because you can participate if you want to join the union, or at least de facto join the union because you are going to do everything by the union code, every single thing, all your employees, all your representation.

I urge adoption of the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. KILMER. Mr. Chairman, may I inquire how much time I have remaining.

The CHAIR. The gentleman from Washington has 2½ minutes remaining.

Mr. KILMER. Mr. Chairman, I yield 2½ minutes to the gentleman from New Jersey (Mr. NORCROSS).

Mr. NORCROSS. Mr. Chair, let's start out by talking about some of the facts, because I hear some talking points from those who are trying to disturb and remove all workers' rights.

There is nothing that currently is in place that mandates project labor agreements be used. If so, we would have thousands and thousands of them. It makes them permissible when a large and complex job would benefit from a precontract agreement, because that is what we are talking about. We are not talking about building a house or renovating a bedroom. Large, complex projects, that is what we are talking about.

All it talks about is, before you sign a contract, make sure that you spell out very specifically the issues that could come up germane to that job.

I have negotiated in my past life over 100 of these. Why? Because employers understand that this is to their benefit. There is a better cost ratio balance when they do a project labor agreement. They are public jobs, they are private jobs where nobody is mandating everything or anything.

What we are saying here is that entering into a project labor agreement does one very important thing that nobody quite remembers here: Helmets to Hardhats, taking our veterans who served our country, giving them an opportunity to come home, put their uniform away, and go to work on a construction project. That alone is worth its weight in gold, and that is what Helmets to Hardhats does under a project labor agreement. It creates and allows that next generation of construction workers, those skilled craftsmen, to be part of that. Not one dime of that apprenticeship program comes from the government.

This works. Why does it work? Because it saves money. The employer likes it because there are less headaches on the job, and it is probably the most important tool that could be in that worker's toolbox, to make sure that they level the playing field for a quality job that comes in on time and under budget.

Mr. KILMER. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. KILMER. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT OFFERED BY MS. JACKSON LEE

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Secretary of Veterans Affairs in contravention of subchapter III of chapter 20 of title 38, United States Code.

The CHAIR. Pursuant to House Resolution 736, the gentlewoman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, I rise to offer the Jackson Lee amendment that clearly recognizes the importance of those who have served and their lives after. My amendment says none of the funds made available by this act for the Department of Veterans Affairs may be used in contravention of subchapter III of chapter 20 of title 38 of the U.S. Code, which refers to the benefits for homeless veterans in training and outreach programs.

Texas and Florida and California happen to be some of the States that have the highest number of homeless veterans. These are individuals who put on the uniform unselfishly. Now they are homeless for a variety of reasons. I hope that this amendment will reinforce and reemphasize the importance of ensuring that the rate of homelessness among veterans in the United States does not increase.

As well, my amendment will remind us of our obligation to provide our veterans the assistance needed to avoid homelessness, which includes adequate funding for programs like the Veterans Administration Supportive Housing that provides case management services, adequate housing facilities, mental health support, and addresses other issues that contribute to veterans' homelessness.

I have, on my staff, a wounded warrior. We work a lot with homeless veterans. We visit their centers. We provide them with a sense that their commitment to this Nation will never be forgotten. Today in our country there are approximately 107,000 veterans, male and female, who are homeless on any given night, and perhaps twice as many, 200,000, experience homelessness at some point during the course of a year.

I remember dealing with one of my nonprofits that was renting a space just to help three or four or five veterans. Unfortunately, the landlord was not sensitive to the fact that he did not have all the moneys to pay his rent. He was ultimately evicted. But it wasn't just he who was evicted, who was trying to be the Good Samaritan, it was veterans who called that place home.

Many other veterans are considered near homeless or at risk because of their poverty and lack of support from their family. In my hometown of Houston, for example, we have had large numbers of homeless veterans, but we have begun to work on it.

I hope that this amendment will remind people of supportive service programs, residential rehabilitation programs, and HUD VA programs. I ask support of my amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. DENT. Mr. Chairman, I claim the time in opposition, but I do not oppose the amendment.

The CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. DENT. Mr. Chairman, the gentlewoman has offered the amendment in previous years, and we have accepted it. I have no objection to it being included again in the bill this year.

Mr. Chairman, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chairman, how much time do I have remaining?

The CHAIR. The gentlewoman from Texas has 2½ minutes remaining.

Ms. JACKSON LEE. Mr. Chairman, I yield 30 seconds to the gentleman from Georgia (Mr. BISHOP), the distinguished ranking member and a strong supporter of veterans and leadership on the MILCON bill.

Mr. BISHOP of Georgia. Mr. Chairman, I thank the gentlewoman for yielding.

I just want to let my voice be heard to congratulate the gentlewoman on her amendment. It has been adopted previously by this House. I think it is a great amendment. We support our homeless veterans. I congratulate the gentlewoman for offering the amendment.

Ms. JACKSON LEE. Mr. Chairman, reclaiming my time, let me thank Mr. DENT and Mr. BISHOP for their leadership, and certainly the appropriators, the full committee chairman and ranking member, on the tasks that they have before them.

We are not going to end homelessness for veterans if we do not invest in programs that will help them. My amendment is to ensure that we are reminded that these veterans can be rehabilitated and can be provided a new pathway in life. It is simply a continuing way to say thank you.

Whenever I speak before veterans, whenever I speak before the United States military, I remind them—though they do not need to be reminded—that they unselfishly put on the uniform without question. They put on the uniform without question, and they followed orders. They followed the orders of the Commander in Chief. So now I hope that we, as Members of Congress, will follow orders and increase investment in the HUD–VASH program allocated to communities with the highest numbers of homeless veterans, support all council agencies to promote and give incentives to local coordination or plans and have our local communities own these plans so that they will bring down the cost of homelessness or the size of homelessness to prevent or to provide, if you will, for the homeownership that is so very important that our veterans desire.

□ 1015

But the most important point is, why don't we stand and salute and stand at attention and say to our veterans: we hear you. Homelessness must not exist among our veterans.

I ask my colleagues to support this amendment. It reminds us of funding for veterans who are homeless, as well as for programs for veterans who are homeless.

Mr. Chair, I have an amendment at the desk. It is Jackson Lee Amendment No. 350.

Thank you for this opportunity to describe my amendment, which simply provides that:

"None of the funds made available by this Act for the Department of Veteran Affairs—Benefits for Homeless Veterans and Training and Outreach Programs may be used in contravention of the title 38, Part II, Chapter 20, Subchapter II and III of the U.S. Code.

This amendment will help ensure that the rate of homelessness among veterans in the United States does not increase.

I thank Subcommittee Chairman DENT and Ranking Member BISHOP for their hard work in shepherding this important legislation to the floor.

I offer the Jackson Lee Amendment because I believe reducing and eliminating homelessness among veterans, those who risked their lives to protect our freedom, should also be one of the nation's highest priorities.

Homelessness among the American veteran population is on the rise in the United States and we must be proactive in giving back to those who have given so much to us.

My amendment will help remind us of our obligation to provide our veterans the assistance needed to avoid homelessness, which includes adequately funding for programs Veterans Administration Supportive Housing (VASH) that provide case-management services, adequate housing facilities, mental health support, and address other areas that contribute to veteran homelessness.

VASH is a jointly-administered permanent supportive housing program for disabled Veterans experiencing homelessness in which VA medical Centers provide referrals and case management while Public Housing Agencies (PHAs) administer the Section 8 housing vouchers.

Mr. Chair, our veterans deserve the best services available, and I believe that we could be doing much more for them.

Today, in our country, there are approximately 107,000 veterans (male and female) who are homeless on any given night.

And perhaps twice as many (200,000) experience homelessness at some point during the course of a year.

Many other veterans are considered near homeless or at risk because of their poverty, lack of support from family and friends, and dismal living conditions in cheap hotels or in overcrowded or substandard housing.

While significant progress has been made, ending homelessness among veterans remains a big challenge.

In my hometown of Houston for example, between the years 2010 and 2012, the number of homeless veterans increased from 771 to 1,162.

We must remain vigilant and continue to fight for those who put on the uniform and fought for us.

Providing a home for veterans to come home to every night is the very least we can do.

Mr. Chair, programs like VASH have succeeded in changing lives.

In 2012 alone, 35,905 veterans lived in the public housing provided by VASH.

I have seen the impact of such grants in my home state of Texas, and within my congressional district in Houston, and I am sure that this funding has positively impacted many communities across this country.

In Texas, there are committed groups in Houston, working to eradicate the issue of homelessness.

For example, the Michael E. DeBakey VA Medical Center has been involved in changing veterans' lives in a mighty way by providing Veterans and their families with access to affordable housing and medical services that will help them get back on their feet.

Mr. Chair, we cannot let this issue of homelessness continue.

I urge my colleagues to support the Jackson Lee Amendment and commit ourselves to the hard but necessary work of ending veteran homelessness in America.

Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GIBSON

Mr. GIBSON. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds made available in this Act may be used to enforce VA Adjudication Procedure Manual M21–1, Part IV, Subpart ii, Chapter 1, Section H, Topic 28.h related to Developing Claims Based on Service Aboard Ships Offshore the RVN.

The CHAIR. Pursuant to House Resolution 736, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. GIBSON. Mr. Chairman, I want to thank the Parliamentarian and the chairman and the ranking member. Earlier this morning, I offered this amendment and it needed to be perfected. I greatly appreciate the staff and the work of the team here so that we could get this in a form to where it certainly meets muster. This is a very important amendment.

Half a century ago, our Nation was embroiled in a war in Vietnam. It divided the Nation. But for our young men and women who went forward and fought on our behalf, their loyalties were never divided. They did everything that they could every day to serve our Nation in a very difficult circumstance.

What developed over that time were soldiers, sailors, airmen, and marines who became sick. They were exposed to Agent Orange. This was part of that war. Our Nation had chosen to defoliate as a means of protecting troops with Agent Orange. But what we learned over time is that there was a direct link between exposure to Agent Orange and nine maladies, including cancer, diabetes and Parkinson's.

This body, in 1991, recognizing this, came together with the President of the United States and enacted the Agent Orange Act of 1991. Unfortunately, in 2002, there was an overreach on the part of the executive that narrowed that interpretation. And since that time, Members here on both sides of the aisle have been fighting to ensure that our sailors who served just offshore in Vietnam got access to the health care that they desperately need.

Mr. Chairman, over half of these sailors who were exposed are already in Heaven. They are gone now. And for those that are left here, time is of the essence. It is an urgent matter that we get this passed. Three hundred twenty of my colleagues agree with this on both sides of the aisle, and about half the Senate.

So today, we offer this amendment to reassert our article I prerogatives to ensure that, for every serviceman and woman that goes forward, that they know that, regardless of the difficulty of the fight and the difficulty of the proposition and what it may mean for the politics here in America, we will never turn our back on our servicemen and -women.

Mr. Chair, I ask my colleagues to support this amendment, and I reserve the balance of my time.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. The Chair will remind Members to turn off cell phones when they enter the House Chamber.

Mr. DENT. Mr. Chairman, I claim time in opposition, but I am not opposed.

The CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. DENT. Mr. Chairman, we support the amendment. We appreciate the good work that my friend from New York (Mr. GIBSON) has done to advocate on behalf of all veterans, and particularly his commitment to helping those who suffered from Agent Orange exposure, as well as many other issues.

So I support the amendment, and I yield back the balance of my time.

Mr. GIBSON. Mr. Chair, I deeply appreciate the support of the chairman and ranking member, and I respectfully request the support of the House on this amendment.

Mr. Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. GIBSON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SEAN PATRICK MALONEY OF NEW YORK

Mr. SEAN PATRICK MALONEY of New York. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC.____. None of the funds made available by this Act may be used in contravention of Executive Order No. 13672 of July 21, 2014 (''Further Amendments to Executive Order 11478, Equal Employment Opportunity in the Federal Government, and Executive Order 11246, Equal Employment Opportunity'').

The CHAIR. Pursuant to House Resolution 736, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. SEAN PATRICK MALONEY of New York. Mr. Speaker, last night, this House adopted a provision as part of the defense bill that rolls back anti-discrimination provisions contained in executive orders issued by the President in recent years. This is one of the ugliest episodes I have experienced in my 3-plus years as a Member of this House.

The inclusion of such hate-based language in a defense bill designed to support our military sends exactly the wrong message at a time when we should all be unified in supporting the efforts of our servicemembers around the world.

My father was a veteran. He was nearly killed in the service of his country. I have never voted against a defense bill before. I never thought I would. Almost a quarter of the constituents I represent in the Hudson Valley of New York come from families where a member is serving in the military or has served in the military. I represent the United States Military Academy at West Point. We have helped 800 veterans, one at a time, out of my district office in my 3 years in Congress, and we have passed legislation directly aimed at making their lives better.

So, it is not with an easy heart that I come to the House floor and oppose the defense bill, but this legislation snuck into the bill—and was kept in the bill—despite a bipartisan effort to remove it, sends exactly the wrong signal and it says that we are so concerned about discriminating against a

group of LGBT Americans that we are willing to destroy the bipartisan cooperation we should have on the defense bill.

So my amendment today gives us another chance. It gives us a chance to correct some of the damage done last night by some Members of this body.

What it would say is quite simple: we shall not do anything in this bill that contravenes the antidiscrimination executive orders of the President. It is pretty simple.

We should not be spending taxpayer dollars to promote hate, and we should not be justifying that by some religious exemption, when, in fact, the language in the defense bill simply rolls back the antidiscrimination provisions that the President put in an executive order to those contained in the original Civil Rights Act and the ADA.

It is specifically designed to exclude LGBT Americans. And in doing that, it aligns itself with the parallel efforts we see happening in States like North Carolina.

It is wrong and it doesn't have anything to do with our military; it doesn't have anything to do with fighting ISIS; it doesn't have anything to do with religious protections. It is about bigotry, plain and simple.

Today, we have another chance to do the right thing and to send the right message and to stick up for our military.

Mr. DENT. Will the gentleman yield?

Mr. SEAN PATRICK MALONEY of New York. I yield to the gentleman from Pennsylvania.

Mr. DENT. I support the amendment, and I certainly oppose discrimination in any way, shape, or form, particularly as, in this case, it relates to Federal contracting. I do support the amendment.

Mr. SEAN PATRICK MALONEY of New York. Reclaiming my time, I want to thank the gentleman from Pennsylvania, and I want to acknowledge that it was the gentleman from Pennsylvania, together with Mr. HANNA from New York, who courageously led the effort to roll back the discrimination in a bipartisan way in the Rules Committee. And that effort was thwarted.

So I am very honored by the gentleman's support, and I am honored by the position you have taken in this House over the last couple of days.

Mr. Chair, I yield back the balance of my time.

Mr. SESSIONS. Mr. Chairman, I rise in opposition.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. SESSIONS. Mr. Chairman, I do respect the gentleman for his right to come and offer under an open rule, in a different bill, his objections to what occurred last night.

Last night, the House of Representatives passed the bill. And today, the gentleman is offering a limiting amendment that would turn back that agreement that we made.

Mr. Chairman, several days ago, the House Armed Services Committee handled this issue. It was not sneaking something in. It was a straight-up vote. It was a vote that was held in the Armed Services Committee, it passed. The final vote was 60–2.

Mr. Chairman, that is a bipartisan vote. That is a vote from people on the committee who viewed that they were not going to let one issue or another get in the way of supporting the men and women of our United States military. They very clearly—all of them on the committee—understood during this long markup exactly the implications, and they lived with the decision.

I am here today to say that the gentleman is fully entitled to do as he is doing, but the vote was held last night. The overwhelming viewpoint was let's support the United States military and let's get this done, not the next day come on the floor with spilled milk on your face and say: I want to go back and I want to relitigate a decision that we made last night with every Member here on the floor.

Mr. SEAN PATRICK MALONEY of New York. Will the gentleman yield?

Mr. SESSIONS. I yield to the gentleman. I admire the gentleman.

Mr. SEAN PATRICK MALONEY of New York. Well, I appreciate the admiration.

Let me ask my colleague: Is it necessary to discriminate against gays and lesbians to support our military?

Mr. SESSIONS. Reclaiming my time, that issue was handled—and the gentleman knows this—in committee.

I yield to the gentleman.

Mr. SEAN PATRICK MALONEY of New York. It was resolved last night. It was resolved last night in the affirmative. In other words, this House said that it would include in a defense bill a provision that would roll back basic employment questions for gays and lesbians.

My question to my colleague is simply, Mr. Chairman, if that is necessary for the promotion of national defense. Is it necessary to discriminate against gays and lesbians and transgender Americans to keep our country safe?

Mr. SESSIONS. Reclaiming my time, Mr. Chairman. I appreciate the gentleman. I am not without an understanding that there are people who do have ideas which override other bigger ideas. I am simply saying to you, Mr. Chairman, I stand in opposition to what the gentleman is attempting to do here, the next day, in a separate bill, to limit what we did last night, when this body did understand that many people have a strong viewpoint that supports the gentleman, and more people have a viewpoint that is against that.

That is not my point. My point is, we need to transcend that as a body. And we did last night. We spoke very clearly. We need to support the men and women of the United States military. And we do not believe this is a stumbling block because we don't view what the gentleman is saying is the critical and key issue. That is why I stand in opposition to what the gentleman is doing.

Mr. Chairman, I yield back the balance of my time.

Mr. SEAN PATRICK MALONEY of New York. Mr. Chairman, I ask unanimous consent to reclaim my time.

The CHAIR. Is there an objection to the request of the gentleman from New York?

Mr. SESSIONS. Objection.

The CHAIR. Objection is heard.

Mr. BISHOP of Georgia. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. Mr. Chair, I yield to the gentleman from New York (Mr. SEAN PATRICK MALONEY).

Mr. SEAN PATRICK MALONEY of New York. Mr. Chair, I would like to again express my thanks for my colleague's admiration. It is nice to have admiration. It is better to have rights and it is better to be treated equally and without condescension.

I would just note, Mr. Chairman, that the question remains unanswered of whether it is necessary to discriminate against gays and lesbians in Federal contracting to protect our country, to support our troops? Is it necessary to remove employment protections in employers covering 28 million Americans so that we can fight the war on ISIS? Is it necessary to protect ourselves in our houses of worship by discriminating in Federal contracting in businesses that are in the business of commerce and in private contracting?

It is a tired and old and false choice to suggest that we need to discriminate to keep ourselves safe, to keep ourselves free. And people in earlier times have made those arguments, and they have, one after another, been reversed.

So the notion that because this House did it last night, it can't get it right today, is at odds with a lot of American history. This House got a lot of things wrong for a lot of people for a lot of years. And then finally, slowly, almost despite ourselves, we figured out that we can be safe and free and equal. And in fact, becoming more equal in some ways makes us safer because it is the promotion of our values through our actions and our ideas and our words, not just our weapons that promote our values around the world.

□ 1030

Mr. BISHOP of Georgia. Mr. Chairman, I yield to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chairman, I thank the gentleman for his kindness.

I want to briefly join in the gentleman's recounting of our history, and I

want to remind people of the eloquent statement of the Attorney General, Attorney General Lynch, who indicated that civil rights is a very large tent, and it embraces all Americans.

Whether it is religious freedom or religious rights, or whether it is civil rights issues dealing with the race and ethnicity of Americans, we have always overcome.

I believe that the men and women of the United States military deserve better than to have the kind of poisonous amendments that undermine the very reason that they put on the uniform, for us to be free, to speak freely, to associate, and to stand as who we are.

I am saddened because my history is a reminder that I did not stand equal in this Nation, either as a woman or an African American, or even as an immigrant, which my grandparents were.

So I join in pleading with this House to not, in any way, strip us of civil rights and tear up the Constitution, the 14th Amendment, the Fifth Amendment of due process. That would be shame on us.

I join the gentleman in his amendment, and I ask that we consider those who we like and who we dislike. They are Americans, and they deserve the right to be respected under the law.

I would ask that the gentleman's amendment be accepted, voted on, respected; and let us be the Americans that our Constitution dictates and our flag says we are.

Mr. BISHOP of Georgia. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. SEAN PATRICK MALONEY).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. SEAN PATRICK MALONEY of New York. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment by Mr. MULVANEY of South Carolina.

Amendment by Mr. MULVANEY of South Carolina.

Amendment by Mr. MULVANEY of South Carolina.

Amendment by Mr. MULVANEY of South Carolina.

Amendment No. 3 by Mr. BLUMENAUER of Oregon.

Amendment by Mr. FLEMING of Louisiana.

Amendment by Mr. HUFFMAN of California.

Amendment by Mr. GOSAR of Arizona.

Amendment by Mr. PERRY of Pennsylvania.

Amendment by Mr. GOSAR of Arizona.

Amendment by Mr. PERRY of Pennsylvania.

Amendment by Mr. SEAN PATRICK MALONEY of New York.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. MULVANEY

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 52, noes 372, not voting 9, as follows:

[Roll No. 217]

AYES—52

Amash
Becerra
Blum
Blumenauer
Bonamici
Brooks (AL)
Buck
Burgess
Capuano
Cohen
DesJarlais
Duncan (TN)
Foster
Garrett
Gosar
Grayson
Griffith
Grijalva
Himes
Honda
Huffman
Jones
Jordan
Labrador
Lee
Lieu, Ted
Lofgren
Lummis
Massie
McClintock
McGovern
Messer
Moore
Mulvaney
Nadler
Pallone
Palmer
Perry
Polis
Rice (SC)
Rokita
Royce
Sanford
Schrader
Schweikert
Sensenbrenner
Serrano
Tonko
Waters, Maxine
Welch
Woodall
Yoho

NOES—372

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Gohmert
Goodlatte
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Hill
Holding
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McCollum
McDermott
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Scott (VA)
Scott, Austin
Scott, David
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Watson Coleman
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Yarmuth

Yoder
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—9

Fattah
Herrera Beutler
Hinojosa
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Salmon
Swalwell (CA)
Takai

□ 1056

Messrs. COLLINS of Georgia, HULTGREN, HARDY, ENGEL, FARR, and Ms. BASS changed their vote from ''aye'' to ''no.''

Messrs. POLIS, WELCH, HONDA, MCGOVERN, JORDAN, GRIJALVA, and COHEN changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MULVANEY

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 51, noes 371, not voting 11, as follows:

[Roll No. 218]

AYES—51

Amash
Becerra
Blum
Blumenauer
Bonamici
Brooks (AL)
Buck
Burgess
Capuano
Cohen
DesJarlais
Duncan (TN)
Foster
Garrett
Gosar
Grayson
Griffith
Himes
Honda
Huelskamp
Huffman
Jones
Jordan
Labrador
Lee
Lieu, Ted
Lofgren
Lummis
Massie
McClintock
McGovern
Messer
Moore
Mulvaney
Nadler
Pallone
Palmer
Perry
Polis
Rice (SC)
Rokita
Royce
Sanford
Schrader
Schweikert
Sensenbrenner
Serrano
Stutzman
Welch
Woodall
Yoho

NOES—371

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Gohmert
Goodlatte
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Grijalva
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Hill
Holding
Hoyer
Hudson
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McCollum
McDermott
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pascrell
Paulsen
Payne
Pearce
Perlmutter
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Scott (VA)
Scott, Austin
Scott, David
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Yarmuth
Yoder
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—11

Fattah
Grothman
Herrera Beutler
Hinojosa
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Pelosi
Salmon
Swalwell (CA)
Takai

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining.

□ 1100

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MULVANEY

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 56, noes 363, not voting 14, as follows:

[Roll No. 219]

AYES—56

Amash
Becerra
Blum
Blumenauer
Bonamici
Brooks (AL)
Buck
Burgess
Capuano
Clarke (NY)
Cohen
DesJarlais
Duncan (TN)
Foster
Garrett
Gosar
Grayson
Griffith
Himes
Honda
Huelskamp
Huffman
Jones
Labrador
LaHood
Lee
Lewis
Lieu, Ted
Lofgren
Lummis
Massie
McClintock
McGovern
Messer
Moore
Mulvaney
Nadler
Pallone
Palmer
Perry
Polis
Rice (SC)
Rohrabacher
Rokita
Royce
Ruppersberger
Sanford
Schrader
Schweikert
Sensenbrenner
Serrano
Stutzman
Watson Coleman
Welch
Woodall
Yoho

NOES—363

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Beatty
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cole
Collins (GA)
Collins (NY)

Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Gohmert
Goodlatte
Gowdy
Graham
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hice, Jody B.
Higgins
Hill
Holding
Hoyer
Hudson
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Jolly
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Levin
Lipinski
LoBiondo
Loebsack
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McCollum
McDermott
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pascrell
Paulsen
Payne
Pearce
Perlmutter
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Scott (VA)
Scott, Austin
Scott, David
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Yarmuth
Yoder
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—14

Bass
Fattah
Granger
Hensarling
Herrera Beutler
Hinojosa
Johnson, E. B.
Johnson, Sam
Pelosi
Russell
Salmon
Stivers
Swalwell (CA)
Takai

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining.

□ 1103

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MULVANEY

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 64, noes 360, not voting 9, as follows:

[Roll No. 220]

AYES—64

Amash
Becerra
Blum
Blumenauer
Bonamici
Brooks (AL)
Buck
Capuano
Castro (TX)
Clarke (NY)
Cohen
DeFazio
DesJarlais
Doyle, Michael F.
Duncan (TN)
Edwards
Ellison
Engel
Foster
Garrett
Gosar
Grayson
Griffith
Grijalva
Harris
Himes
Honda
Huelskamp
Huffman
Jones
Jordan
Labrador
LaHood
Lee
Lewis
Lieu, Ted
Lofgren
Lummis
Massie
McClintock
McGovern
McNerney
Messer
Moore
Mulvaney
Nadler
Nolan
Pallone
Palmer
Perry
Pingree
Polis
Rice (SC)
Rokita
Roskam
Royce
Sanford
Schweikert
Sensenbrenner
Serrano
Watson Coleman
Welch
Woodall
Yoho

NOES—360

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Duckworth
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Eshoo
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Gohmert
Goodlatte
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Hill
Holding
Hoyer
Hudson
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Levin
Lipinski
LoBiondo
Loebsack
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McCollum
McDermott
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Meeks
Meng
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Napolitano
Neal
Neugebauer
Newhouse
Noem
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney (FL)
Ros-Lehtinen
Ross
Rothfus
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, Austin
Scott, David
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey

Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Yarmuth
Yoder
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—9

Burgess
Fattah
Herrera Beutler
Hinojosa
Johnson, E. B.
Johnson, Sam
Salmon
Swalwell (CA)
Takai

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining.

□ 1106

Mr. CASTRO of Texas changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. BLUMENAUER

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 233, noes 189, not voting 11, as follows:

[Roll No. 221]

AYES—233

Adams
Aguilar
Amash
Ashford
Barletta
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blum
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brooks (AL)
Brown (FL)
Brownley (CA)
Buck
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Collins (NY)
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crowley
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Engel
Eshoo
Esty
Farenthold
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grothman
Gutiérrez
Hahn
Hanna
Hardy
Hastings
Heck (NV)
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Hunter
Hurt (VA)
Israel
Jackson Lee
Jeffries
Jenkins (KS)
Johnson (GA)
Jones
Joyce
Kaptur
Katko
Kelly (IL)
Kildee
Kilmer
Kind
Kinzinger (IL)
Kirkpatrick
Knight
Kuster
Labrador
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
LoBiondo
Loebsack
Lofgren
Love
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McClintock
McCollum
McDermott
McGovern
McNerney
McSally
Meeks
Meng
Miller (MI)
Mooney (WV)
Moore
Moulton
Mulvaney
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pocan
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Rogers (AL)
Rohrabacher
Rooney (FL)
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, David
Serrano
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Stivers
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Upton
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Young (AK)
Zeldin

NOES—189

Abraham
Aderholt
Allen
Amodei
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Clawson (FL)
Cole
Collins (GA)
Comstock
Conaway
Cook
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Emmer (MN)
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Guinta
Guthrie
Harper
Harris
Hartzler
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurd (TX)
Issa
Jenkins (WV)
Johnson (OH)
Jolly
Jordan
Keating
Kelly (MS)
Kelly (PA)
Kennedy
King (IA)
King (NY)
Kline
LaHood
LaMalfa
Lamborn
Lance
Latta
Lipinski
Long
Loudermilk
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
McCarthy
McCaul
McHenry
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Moolenaar
Mullin
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price, Tom
Ratcliffe
Reichert
Renacci
Roby
Roe (TN)
Rogers (KY)
Rokita
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Scalise
Scott, Austin
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Valadao
Wagner
Walberg
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)
Young (IN)
Zinke

NOT VOTING—11

Fattah
Granger
Grijalva
Herrera Beutler
Hinojosa
Johnson, E. B.
Johnson, Sam
Salmon
Speier
Swalwell (CA)
Takai

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining.

□ 1109

Mrs. ELLMERS of North Carolina changed her vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLEMING

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Louisiana (Mr. FLEMING) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 219, noes 202, not voting 12, as follows:

[Roll No. 222]

AYES—219

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Boyle, Brendan F.
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Clawson (FL)
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cramer
Crawford
Crenshaw
DeSantis
DesJarlais
Donovan
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)

Johnson (OH)
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—202

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Duffy
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Hardy
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Jolly
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kinzinger (IL)
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meehan
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reichert
Rice (NY)
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—12

Culberson
Fattah
Herrera Beutler
Hinojosa
Hudson
Johnson, E. B.
Johnson, Sam
Salmon
Sewell (AL)
Stivers
Swalwell (CA)
Takai

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining.

□ 1112

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. HUFFMAN

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. HUFFMAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 265, noes 159, answered ''present'' 1, not voting 8, as follows:

[Roll No. 223]

AYES—265

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bilirakis
Bishop (UT)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hardy
Hastings
Heck (NV)
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Hultgren
Hurd (TX)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Johnson (GA)
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Knight
Kuster
LaHood
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Love
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Matsui
McCarthy
McDermott
McGovern
McMorris Rodgers
McNerney
McSally
Meehan
Meeks
Meng
Messer
Miller (MI)
Moolenaar
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nunes
O'Rourke
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (NY)
Richmond
Rigell
Rohrabacher
Rooney (FL)
Ros-Lehtinen
Roskam
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Takano
Thompson (CA)
Thompson (MS)
Tiberi
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Yoder
Young (IA)
Young (IN)
Zeldin

NOES—159

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bishop (GA)
Bishop (MI)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Buck
Bucshon
Burgess
Byrne
Carter (GA)
Carter (TX)
Chabot
Cole
Collins (GA)
Conaway
Cramer
Crawford
Crenshaw
Culberson
Davis, Rodney
DesJarlais
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Harper
Harris
Hartzler
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hunter
Hurt (VA)
Jenkins (WV)
Johnson (OH)
Jones
Jordan
Kelly (MS)
Kelly (PA)
King (IA)
Kline
Labrador
LaMalfa
Lamborn
Latta
Long
Loudermilk
Lucas

Luetkemeyer
Lummis
Marchant
Marino
Massie
McCaul
McClintock
McHenry
McKinley
Meadows
Mica
Miller (FL)
Mooney (WV)
Mullin
Mulvaney
Neugebauer
Nugent
Olson
Palazzo
Palmer
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price, Tom
Ratcliffe
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Ross
Rothfus
Rouzer
Russell
Sanford
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (MO)
Smith (NE)
Stivers
Stutzman
Thompson (PA)
Thornberry
Tipton
Trott
Walberg
Walker
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoho
Young (AK)
Zinke

ANSWERED ''PRESENT''—1

McCollum

NOT VOTING—8

Fattah
Herrera Beutler
Hinojosa
Johnson, E. B.
Johnson, Sam
Salmon
Swalwell (CA)
Takai

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining.

□ 1118

Messrs. HARDY and HULTGREN changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GOSAR

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GOSAR) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 200, noes 225, not voting 8, as follows:

[Roll No. 224]

AYES—200

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Collins (NY)
Comstock
Conaway
Cramer
Crawford
Crenshaw
Culberson
DeSantis
DesJarlais
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Johnson (OH)
Jolly
Jones
Jordan
Kelly (MS)
Kelly (PA)
King (IA)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
McSally
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Upton
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IN)
Zinke

NOES—225

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blum
Blumenauer
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
Meehan
Meeks
Meng
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (NY)
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shuster
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Turner
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Young (AK)
Young (IA)
Zeldin

NOT VOTING—8

Fattah
Herrera Beutler
Hinojosa
Johnson, E. B.
Johnson, Sam
Salmon
Swalwell (CA)
Takai

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining.

□ 1121

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. PERRY

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 209, noes 216, not voting 8, as follows:

[Roll No. 225]

AYES—209

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cramer
Crawford
Crenshaw
Culberson
Denham
Dent
DeSantis
DesJarlais
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Farenthold
Fincher
Fleischmann
Fleming

Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Johnson (OH)
Jolly
Jones
Jordan
Kelly (MS)
Kelly (PA)
King (IA)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
McSally
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shuster
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)
Young (IN)
Zinke

NOES—216

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
Meehan
Meeks
Meng
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reichert
Rice (NY)
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Turner
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Young (AK)
Zeldin

NOT VOTING—8

Fattah
Herrera Beutler
Hinojosa
Johnson, E. B.
Johnson, Sam
Salmon
Swalwell (CA)
Takai

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining.

□ 1124

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SEAN PATRICK MALONEY OF NEW YORK

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. SEAN PATRICK MALONEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 212, noes 213, not voting 8, as follows:

[Roll No. 226]

AYES—212

Adams
Aguilar
Amash
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fitzpatrick
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Hastings
Heck (NV)
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Hurd (TX)
Israel
Jackson Lee
Jeffries
Johnson (GA)
Jolly
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
McSally
Meehan
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Rice (NY)
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Upton
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Zeldin

NOES—213

Abraham
Aderholt
Allen
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cramer
Crawford
Crenshaw
Culberson
Davis, Rodney
Denham
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jones
Jordan
Joyce
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa

Lamborn	Perry	Smith (NJ)
Latta	Pittenger	Smith (TX)
Long	Pitts	Stewart
Loudermilk	Poe (TX)	Stivers
Love	Poliquin	Stutzman
Lucas	Pompeo	Thompson (PA)
Luetkemeyer	Posey	Thornberry
Lummis	Price, Tom	Tiberi
Marchant	Ratcliffe	Tipton
Marino	Renacci	Trott
Massie	Ribble	Turner
McCarthy	Rice (SC)	Valadao
McCaul	Rigell	Wagner
McClintock	Roby	Walberg
McHenry	Roe (TN)	Walden
McKinley	Rogers (AL)	Walker
McMorris Rodgers	Rogers (KY)	Walorski
	Rohrabacher	Walters, Mimi
Meadows	Rokita	Weber (TX)
Messer	Rooney (FL)	Webster (FL)
Mica	Roskam	Wenstrup
Miller (FL)	Ross	Westerman
Miller (MI)	Rothfus	Westmoreland
Moolenaar	Rouzer	Whitfield
Mooney (WV)	Royce	Williams
Mullin	Russell	Wilson (SC)
Mulvaney	Sanford	Wittman
Murphy (PA)	Scalise	Womack
Neugebauer	Schweikert	Woodall
Newhouse	Scott, Austin	Yoder
Noem	Sensenbrenner	Yoho
Nugent	Sessions	Young (AK)
Nunes	Shimkus	Young (IA)
Olson	Shuster	Young (IN)
Palazzo	Simpson	Zinke
Palmer	Smith (MO)	
Pearce	Smith (NE)	

NOT VOTING—8

Fattah	Johnson, E. B.	Swalwell (CA)
Herrera Beutler	Johnson, Sam	Takai
Hinojosa	Salmon	

□ 1132

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIR. The Clerk will report the last three lines of the bill.

The Clerk read as follows:

This Act may be cited as the ''Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2017''.

Mr. DENT. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. THOMPSON of Pennsylvania) having assumed the chair, Mr. COLLINS of Georgia, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4974) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2017, and for other purposes, directed him to report the bill back to the House with sundry amendments adopted in the Committee of the Whole, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

For what purpose does the gentleman from Maryland, the minority whip, seek recognition?

PARLIAMENTARY INQUIRY

Mr. HOYER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. HOYER. I want to raise a parliamentary inquiry, initially, with reference to the fact that Mr. RYAN, our Speaker, has told us that, if people were in the well, the vote would be held open.

I was standing in the well. No one came or no one had the courage to come into the well to change their vote. But notwithstanding that, the vote kept changing.

Mr. Speaker, from a parliamentary perspective, how is that possible?

The SPEAKER pro tempore. The Chair may not yet have made a request for changes.

Mr. HOYER. I saw no one come to the desk to change their vote, Mr. Speaker.

The SPEAKER pro tempore. Does the gentleman have a parliamentary inquiry?

Mr. HOYER. The parliamentary inquiry is: How can the vote change when no one comes to the well to change their vote?

The SPEAKER pro tempore. The Chair may not yet have made a request for changes.

Mr. HOYER. I didn't hear the Chair request change. But I do know that, from my own personal observation, not one of those Members who apparently changed their vote—because it kept changing on the board—came to this well and had the courage to change from green to red or red to green.

How is that possible, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has not stated a parliamentary inquiry.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The question is on the amendments.

The amendments were agreed to.

PARLIAMENTARY INQUIRY

Mr. HOYER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. HOYER. Mr. Speaker, I did not hear and, therefore, was not able to ask for a recorded vote on the motion to rise. The Speaker did not articulate that so the House could hear it, and I request a vote on the motion to rise.

Now, the Speaker may tell me we are past that point, but the fact of the matter is, nobody on this House floor heard the Speaker articulate the issue of whether the Committee ought to rise.

The SPEAKER pro tempore. The House is definitely past that point.

Is the gentleman seeking a recorded vote?

Mr. HOYER. On the motion to rise, yes, sir.

The SPEAKER pro tempore. The Chair has put the question on the adoption of the amendments.

Mr. HOYER. I ask for a recorded vote on the adoption of the amendment.

Which amendment is the Speaker talking about?

The SPEAKER pro tempore. The Chair has put the question on the amendments reported from the Committee of the Whole.

Mr. HOYER. Yes, I do.

The SPEAKER pro tempore. A recorded vote is requested.

Mr. HOYER. Mr. Speaker, I ask unanimous consent to withdraw my request for a recorded vote.

It is my understanding that because the amendment was defeated, magically, without anybody coming to the well to change their vote, by giving to the majority the right to have the ability, without coming to the well and telling America that you were going to change a vote.

The SPEAKER pro tempore. The gentleman's request is withdrawn.

The question is on the engrossment and third reading of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HOYER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 241, noes 183, not voting 9, as follows:

[Roll No. 227]

AYES—241

Abraham	Comstock	Goodlatte
Aderholt	Conaway	Gosar
Allen	Cook	Gowdy
Amash	Costello (PA)	Granger
Amodei	Cramer	Graves (GA)
Babin	Crawford	Graves (LA)
Barletta	Crenshaw	Graves (MO)
Barr	Culberson	Griffith
Barton	Curbelo (FL)	Grothman
Benishek	Davis, Rodney	Guinta
Bilirakis	Denham	Guthrie
Bishop (MI)	Dent	Hanna
Bishop (UT)	DeSantis	Hardy
Black	DesJarlais	Harper
Blackburn	Diaz-Balart	Harris
Blum	Dold	Hartzler
Bost	Donovan	Heck (NV)
Boustany	Duffy	Hensarling
Brady (TX)	Duncan (SC)	Hice, Jody B.
Brat	Duncan (TN)	Hill
Bridenstine	Ellmers (NC)	Holding
Brooks (AL)	Emmer (MN)	Hudson
Brooks (IN)	Farenthold	Huelskamp
Buck	Fincher	Huizenga (MI)
Bucshon	Fitzpatrick	Hultgren
Burgess	Fleischmann	Hunter
Byrne	Fleming	Hurd (TX)
Calvert	Flores	Hurt (VA)
Carter (GA)	Forbes	Issa
Carter (TX)	Fortenberry	Jenkins (KS)
Chabot	Foxx	Jenkins (WV)
Chaffetz	Franks (AZ)	Johnson (OH)
Clawson (FL)	Frelinghuysen	Jolly
Coffman	Garrett	Jones
Cole	Gibbs	Jordan
Collins (GA)	Gibson	Joyce
Collins (NY)	Gohmert	Katko

Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—183

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—9

Buchanan
Fattah
Herrera Beutler
Hinojosa
Johnson, E. B.
Johnson, Sam
Salmon
Swalwell (CA)
Takai

□ 1157

Mr. CUELLAR changed his vote from ''aye'' to ''no.''

So the bill was ordered to be engrossed and read a third time.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Ms. FOXX). The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

Members will record their votes by electronic device.

Pursuant to clause 8 of rule XX, this 5-minute vote on passage will be followed by a 5-minute vote on agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 295, nays 129, not voting 9, as follows:

[Roll No. 228]

YEAS—295

Abraham
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bera
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Byrne
Calvert
Capps
Carney
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis (CA)
Davis, Rodney
DeFazio
Delaney
DelBene
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Eshoo
Farenthold
Farr
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gabbard
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Larsen (WA)
Latta
Lipinski
LoBiondo
Loebsack
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Newhouse
Noem
Nolan
Nugent
Nunes
O'Rourke
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Sanchez, Loretta
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Stefanik
Stewart
Stivers
Stutzman
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Vela
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—129

Adams
Bass
Beatty
Becerra
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brooks (AL)
Brown (FL)
Butterfield
Capuano
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Courtney
Crowley
Cummings
Davis, Danny
DeGette
DeLauro
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Edwards
Ellison
Engel
Esty
Fincher
Foster
Frankel (FL)
Fudge
Gallego
Grayson
Green, Al
Grijalva
Gutiérrez
Hahn
Hastings
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Langevin
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lofgren
Lowenthal
Lowey
Lynch
Matsui
McCollum
McDermott
McGovern
Meeks
Moore
Moulton
Nadler
Napolitano
Neal
Norcross
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Pocan
Polis
Price (NC)
Rangel
Richmond
Roybal-Allard
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff

Scott (VA)	Titus	Wasserman Schultz
Serrano	Tonko	Waters, Maxine
Sewell (AL)	Torres	Watson Coleman
Sherman	Tsongas	Welch
Sires	Van Hollen	Westmoreland
Slaughter	Vargas	Wilson (FL)
Speier	Veasey	Yarmuth
Takano	Velázquez	
Thompson (CA)		

NOT VOTING—9

Fattah	Johnson, E. B.	Salmon
Herrera Beutler	Johnson, Sam	Swalwell (CA)
Hinojosa	Quigley	Takai

□ 1209

Ms. PINGREE and Ms. MICHELLE LUJAN GRISHAM of New Mexico changed their vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Madam Speaker, I rise for the purpose of inquiring of the schedule for the week to come.

Madam Speaker, I thought I saw the whip. I am prepared to yield to someone to tell us the schedule for the week to come.

Pending someone telling me about the schedule for the week to come, let me observe, as someone who has served, Madam Speaker, in this House for a very extended period of time—some 36 years—I was here in the era not too long ago, but long ago—when, if we had done to the Republicans what was done to us, what was done to switch votes so that discrimination could prevail, there would be outrage expressed long into the night from our Republican colleagues who would accuse us of undermining democracy, undermining this House, and making the House less than it should be.

217 people stood up and said: We ought not discriminate. And then, very frankly, Mr. Speaker, the leadership on the Republican side started its activity. And I have been the majority leader, I have been the whip. I understand that process. And they reached out to people and said: No, let us be able to discriminate. Let contractors be able to discriminate.

Mr. Speaker, seven people who had voted not to allow discrimination decided perhaps that principle was not as important as they thought just a minute or so before. I have a list of those names here—a lamentable list of people who did the right thing, who stood up for nondiscrimination, and then were opportuned to change their vote. And the RECORD reflects, Mr. Speaker, sadly, that they changed their vote.

I won't characterize those votes, because that would not be in order on this floor. And they will have themselves to look at tonight in the mirror and explain to themselves whether their first vote was a principled vote, or whether they had a Damascus Road experience in the few minutes that transpired between their voting not to allow discrimination, until they later—just a few minutes later—at the opportuning of some of their leaders, voted to allow discrimination. A sad day, Mr. Speaker, in the history of the House.

□ 1215

I still see no leader, unless Mr. DENT, who I have great respect for, wants to tell us what the schedule is for next week. I would be glad to yield to him for that purpose.

Mr. Speaker, I want to say that the majority leader is not here. The majority leader has a very happy day today, and I congratulate him. His son is graduating from Georgetown, and he obviously needs to be there.

I was hoping someone else could tell us the schedule.

At this point in time, I would be glad to yield to the gentleman from Texas (Mr. SESSIONS), my friend, the chairman of the Rules Committee.

Mr. SESSIONS. Mr. Speaker, I would like to politely offer a viewpoint. I believe that we do not view that the issue was discrimination. We have the viewpoint that, earlier in the week, we brought forth a bill that passed 40–2 in the Committee on Armed Services, and that bill was brought forth to the Rules Committee, and we held hours and hours and hours and hours of hearing that Republicans and Democrats were not only welcome to attend, but did attend. The debate that we had on the issue was very full and was brought forth not only at the Rules Committee, but also on this floor. A decision therein was made. There was an opportunity for our Members to vote, and that is exactly what they did.

And I am sure the gentleman would want every single Member to vote and have time to think about that vote until the time that the vote closed, and that is exactly what happened.

So a characterization that this was discrimination would not be, in my opinion, fair or correct, from our perspective.

And I appreciate the gentleman allowing me a chance to amplify that every Member of this body is entitled to their vote, and every Member of this body, without questioning, in my opinion, that vote, should be afforded that opportunity.

So I stand on behalf of Republicans to say that we followed processes; we are following procedures; and we are following the opportunity for a Member of Congress to vote as they choose, and try not to impugn or to test that with applying the word ''discrimination,'' which I feel is not accurate under our intent.

I thank the gentleman for yielding me time.

Mr. HOYER. I thank the gentleman for his comments. And the gentleman will observe, I have neither mentioned the names, nor did I impugn their integrity or their motivation.

What I said and what I will repeat is, initially they voted for an amendment that said there shall not be discrimination by contractors who get government money. That is what the amendment said. And they voted against discrimination, and for that amendment.

But in a short period of time, they changed that vote, resulting in, not becoming law yet, but this House saying to the administration: You cannot require contractors not to discriminate. That was the effect of it. And characterizing the effect of a vote is what our debate is about, what our country's values are about, what our country's future is about, and the respect we have for every citizen in this country, endowed by their Creator with certain unalienable rights. And we ought not preclude those through discrimination.

That I can characterize without impugning motives. But the effect of the vote, we had 217 people for nondiscrimination right up until the last moment. And by the way, the last moment was far beyond what Speaker RYAN has said ought to be the end of votes.

Mr. SESSIONS. Will the gentleman yield?

Mr. HOYER. If I could just finish my sentence, I will certainly do that.

I talked to the Parliamentarians. Interestingly, the presiding officer did not ask: Does any Member want to change his vote? Because once that, as I understand it, is intoned, then the ability to change one's vote, except to come forward and be seen in changing your vote, was not stated, which I suggest to the chairman of the Rules Committee, who knows the rules very well, is unusual—perhaps not against the rules—but unusual.

And the vote was an extended vote. The Speaker, Speaker RYAN, has talked to us from the rostrum, saying that we want to keep votes to a limited period of time. Particularly, I would suggest, we all want to keep votes to a limited period of time when it is a so-called getaway day.

But in this instance, that did not occur. In this instance, to change from

217 to a lesser number that was a losing number—215–214, I believe, was the final vote—excuse me, 212–213, 212 ''ayes.'' So five votes were switched, net. However, one person voted late. Again, seven people changed their vote.

You are correct. They had a right to do that, but the consequences of that vote are subject to debate. And I raise for you, for this House, and for the American people, that the changing of those seven votes resulted in this House saying to the President of the United States: You cannot tell contractors that they cannot discriminate.

That, I think, was unfortunate.

I yield to my friend.

Mr. SESSIONS. Thank you very much.

First of all, let me state this: I am a Republican. We do not discriminate. We attempt to follow the law, and the gentleman knows that.

We make laws, and those laws can be subject to interpretations of what is and what is not, but we follow the law, and the gentleman knows that. And we follow the law, and my party follows the law.

Secondly, the decision had previously been made the night before. We were not trying to do that today. It was, once again, allowed under the rules because the gentleman accurately—whether it is appropriate or not, that is up to him—brought forth, under an open rule, a limiting amendment.

But we had decided this the night before. And when people recognized what had happened, that this was a vote that had happened the night before, off of a committee vote out of the Committee on Armed Services that was 40–2, there were people who then recognized what they were doing.

It is not unusual to have people vote and then change their vote. I have done that also. But the rules were followed despite, perhaps, different procedural ways in which a person is in the Chair.

So I will tell you, I respect the gentleman, and you know me well.

Mr. HOYER. I do.

Mr. SESSIONS. I would not stand up here if I were for fear of one second of not being able to understand you and you understand me. I understand you.

Mr. HOYER. I thank the gentleman.

Mr. SESSIONS. And I thank the gentleman.

Mr. HOYER. I thank the gentleman for his comments.

But let me make an observation. I wish the gentleman would stay in the well because he might want to respond.

I did not accuse the Republican Party of discriminating. I will not, at this point in time, hazard an opinion on that fact.

However, I want to recall to the gentleman that, in the Armed Services Committee, after due consideration, the Armed Services Committee voted not to discriminate, not to discriminate against women, not to say to women: Yes, you can serve, but you don't have to sign up for the draft.

Many of us felt that if you are going to ask young men to sign up for the draft, young women ought to be treated equally. We felt not to do so was discrimination.

That amendment passed in the committee and came to the Rules Committee—my understanding is—without a vote, without discussion. The rule that was issued from the Rules Committee said that, upon adoption of that rule, the adopted amendment in the Armed Services Committee, without a singular vote on this floor of the House, would be defeated.

That, I say to the gentleman, was neither regular order, nor was it giving us an ability to make a decision on that issue. And I believe, I personally believe, that it results in continuing discrimination against young men and young women, one of which has to sign up, the other whom does not; but they both have to serve, or can serve voluntarily in the Armed Forces of the United States.

So we may have a difference of opinion on whether or not that was, in fact, discrimination. But I will tell the gentleman that I was not happy, and I am still not happy that we did not have a vote on the floor about what we perceive to be discrimination.

And I regret that the Rules Committee chose to hide in its rule the repeal of what the Armed Services Committee adopted.

If the gentleman wants to respond, I will yield to him.

Mr. SESSIONS. I will concur that I, in fact, did offer in the bill a self-executed portion. Not trying to take advantage of the gentleman, it had nothing to do with the draft. So I will agree that I did take a piece.

And to save this body, because a number of people who did vote for it in committee—which became a voice vote—did wish to change their opinion. But it had nothing to do with the draft, sir.

Mr. HOYER. Reclaiming my time, it seems what the gentleman is saying is that people vote not to discriminate, and then some time a little later on, they have an epiphany that perhaps discrimination is okay. Perhaps that is what the gentleman said.

Mr. SESSIONS. I would ask an indulgence. It had nothing to do with discrimination. It had to do with a new policy.

And it is true that I did rule and put a self-executing rule in that did answer the question about the desire of the committee to handle this issue, and I did it accordingly. I thank the gentleman.

Mr. HOYER. I thank the gentleman.

Mr. Speaker, it appears that no one is going to be able to tell me what the schedule is for the week to come. I will tell you that that is unfortunate.

I hope there is a schedule for the week to come because there is a lot to be done. We haven't finalized Zika. We passed a bill here which we think was inadequate.

We haven't dealt with Flint.

We need to pass Puerto Rico restructuring. I think they have made some progress on that. I congratulate the Speaker and the leader for facilitating that progress.

We don't have a voting rights bill scheduled. We need to do that.

There are a number of other serious pieces of legislation this House needs to consider. We are going to go out next week, and we will have no colloquy next week, Mr. Speaker. There will be no opportunity to discuss the schedule for, obviously, the break, and we will have no schedule for June or the weeks thereafter to do some of the serious business that confronts us and to help some of the people in this country who need help.

Having said that, Mr. Speaker, it is clear that nobody on the other side is going to have any response.

I yield back the balance of my time.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 2814. An act to name the Department of Veterans Affairs community-based outpatient clinic in Sevierville, Tennessee, the Dannie A. Carr Veterans Outpatient Clinic.

□ 1230

COMMENDING COMMUNITIES BATTLING THE OPIOID AND HEROIN EPIDEMIC

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to commend several communities in Pennsylvania's Fifth Congressional District that are taking a stand in the battle against our Nation's opioid abuse and heroin epidemic.

Last evening I chaired a hearing here on Capitol Hill on this epidemic, and just this morning I learned of two townhall meetings, one held last night in Titusville in Crawford County and the other held Tuesday evening in Ridgway in Elk County.

These communities, like countless others across Pennsylvania and our Nation, have witnessed firsthand the tragic impact of this epidemic. Elk County is ranked ninth in Pennsylvania in overdose deaths per population of 100,000 people, while Crawford County has seen its overdose deaths double in the past 4 years.

I am proud to see these communities come together to see what can be done

to help turn the tide against the scourge of prescription drug abuse and heroin use.

I am also proud of the package passed last week—18 bills—here in the House which will make grant funding available to State and local governments for the creation of opioid reduction programs, create a task force to review prescribing practices, and care for babies who are born opioid dependent.

In the future, I look forward to further partnerships with Federal, State, and local officials, along with these communities, in winning this battle.

VA MEDICAL MARIJUANA

(Ms. TITUS asked and was given permission to address the House for 1 minute.)

Ms. TITUS. Mr. Speaker, today the House did do one good thing, and that was to take a major step forward with the historic passage of an amendment that removes the barriers for our Veterans Administration health professionals to discuss alternative treatments—specifically, medical marijuana—with their patients in States like Nevada, where it is legal.

This comes on the heels of action last week addressing the opioid epidemic that is plaguing our Nation, and it is especially heartbreaking in our veteran community where these drugs are being overprescribed for pain treatment and PTSD.

The amendment passed today, which I was pleased to offer and to support, will provide additional tools for our medical professionals in the treatment of our veterans so they won't have to resort to opioids.

I am proud that this amendment did have bipartisan support; but moving forward, we must continue to reform our outdated policies and laws and bring Congress into step with the State legislatures in over half of the States in the country that have moved forward on this issue.

RECOGNIZING GREG PARKER

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Mr. Greg Parker, founder and president of Parker's Market and gas stations in coastal Georgia and South Carolina.

Mr. Parker found his way to an immensely successful business through hard work and dedication. Mr. Parker's father ran a gas station in Midway, Georgia, allowing Mr. Parker to learn the business through pumping gas and cleaning customers' windshields.

After graduation from the University of Georgia, Mr. Parker began to work relentlessly in his father's gas station. He managed a convenience store, cooked food for customers, and also pumped gas and cleaned windshields.

Now Parker's has 45 stores up and down the coast of Georgia and South Carolina, with a total of 600 employees. Furthermore, Parker's Market plans to build 17 new stores in the next 13 months. The Savannah Morning News even named him the 2013 Entrepreneur of the Year.

Mr. Parker's service to the First Congressional District of Georgia does not end with his successful business, as he also generously donates each year to local schools and hospitals.

PROVISIONS HARMFUL TO IMMIGRANTS AND AMERICA

(Mr. CÁRDENAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CÁRDENAS. Mr. Speaker, last night we voted on the National Defense Authorization Act, and today we voted on a military construction and Veterans Affairs bill. Both contain provisions that are harmful to immigrants and America.

I proposed two amendments to the NDAA, and I am disappointed that they were not given a chance to be voted on.

The NDAA bill that passed prohibits the use of unused military grounds to house unaccompanied immigrant children while their asylum case is being processed. My amendment would have allowed the Office of Refugee Resettlement to increase its shelter capacity by temporarily housing unaccompanied children in unused DOD facilities.

I also offered an amendment that would guarantee DACA recipients with in-demand skills to enlist in our military through the MAVNI program for as long as the program exists. To deny brave and dedicated men and women the opportunity to defend this great Nation is just un-American.

SUPPORTING OUR MEN AND WOMEN IN UNIFORM

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Mr. Speaker, I rise to commend my colleagues for supporting and passing the National Defense Authorization Act for Fiscal Year 2017.

The NDAA reaffirms our commitment to supporting our men and women in uniform by enhancing pay and benefits for our servicemembers and their families, providing not only for the country as a whole, but also for back home in the 12th Congressional District of Georgia.

It authorizes full funding requested by the Army for construction projects at Fort Gordon—projects that bring state-of-the-art technology and training to our troops—and authorizes funding for the Savannah River Site so that it can continue leading the globe in nuclear waste management.

I am very pleased the committee adopted the Allen amendment expanding Army cyber ROTC programs to those universities already working with our Nation's service academies, like Augusta University in my district.

Simply put, the NDAA is a key piece to our national security, and I was proud to wholeheartedly support it. Our troops deserve it, and our national security depends on it.

RECOGNIZING THE GREAT LOSS OF EMILIO NAVAIRA

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Mr. Speaker, I rise today to recognize the great loss of Grammy-winning Mexican American Tejano and country music star, Emilio Navaira.

Emilio was born in San Antonio, Texas, in 1962 and found musical inspiration in not only traditional Tejano legends, but also American country greats such as Willie Nelson and George Strait.

His passion and love for music grew and grew; and when he graduated from McCollum High School in 1980, he attended Texas State University, where he received a music scholarship and majored in music. Although he planned to become a teacher, he ultimately followed his passion and became an award-winning singer, songwriter, and performer in both the U.S. and Mexico markets.

He started his career with Tejano band David Lee Garza y Los Musicales in the late 1980s, and was remembered for sharing the stage several times with another Tejano music legend, Selena.

Emilio, lovingly known as the Garth Brooks of Tejano, was widely credited with introducing Tejano music into the mainstream that we know and love today. Although we mourn the loss of this Mexican American music legend, his memory will live on forever.

ISSUES OF THE DAY

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, I rise to honor, and I also rise to challenge.

My honoring is to acknowledge the National Law Enforcement Officers Memorial and to honor those who have fallen in battle, and to acknowledge the fact that an officer is killed somewhere in the United States every 60 hours, and there are also 58,930 assaults and 15,404 injuries.

So I salute those who have fallen and offer my sympathy to their families,

but I recognize that it is important to honor them, and we do honor them.

That is why I rise today with sadness on what we did on the floor of the House, where we actually said to the LGBT community that serve in the United States military or by contracting work serve the United States Government, that you are not equal. How sad that is. I am looking forward to this House, next week, overturning that dastardly provision that says that one American who comes under the Constitution is not equal.

Finally, let me say that we are suffering from the possibility of the Zika virus, and this House must fully fund for the Zika virus epidemic that is coming.

Mr. Speaker, this week the nation observes National Police Week, as we have since President John F. Kennedy first proclaimed National Peace Officers Memorial Day on May 15, 1962.

The National Law Enforcement Officers Memorial is the nation's monument to law enforcement officers who have died in the line of duty.

Dedicated on October 15, 1991, the Memorial honors federal, state and local law enforcement officers who have made the ultimate sacrifice for the safety and protection of our nation and its people.

Carved on its walls are the names of 20,789 officers who have been killed in the line of duty throughout U.S. history, dating back to the first known death in 1791.

Added to the Wall this year will be the names of the 123 police officers killed in the line of duty in 2015.

Mr. Speaker, enshrined on the Memorial Wall of Honor also are the names of 1,695 fallen peace officers from the state of Texas, the most of any state, including 114 members of the Houston Police Department who gave their lives to keep their city safe.

I include a list of these fallen heroes from Houston, Texas.

Mr. Speaker, today there are more than 900,000 law enforcement personnel serving the people of our country, the highest amount ever.

About 12 percent of them are female. These brave men and women risk their lives to keep the peace and keep us safe but they are too often taken by the violence they are working to prevent. Every year, a law enforcement officer is killed somewhere in the United States every 60 hours, and there are also 58,930 assaults against our law officers each year, resulting in 15,404 injuries.

Mr. Speaker, as a member of the Law Enforcement Caucus I am proud to represent the people of the 18th Congressional District of Texas in paying tribute to the 123 fallen heroes who will be joining the 20,789 gallant men and women who gave the last full measure of devotion to the communities they took an oath to protect and serve.

In closing, Mr. Speaker, let me pay tribute to one of the finest public servants America has produced, Lee Patrick Brown, who is perhaps best known to the law enforcement community as the ''The Father of Community Policing.''

Lee Brown was appointed in 1982 as the first African-American Chief of Police of the Houston Police Department, where he pioneered techniques in community policing to reduce crime that still used throughout the country today.

Lee Brown enjoyed a long and distinguished career leading several of the nation's most important and largest police departments, including those of Atlanta, Georgia, and New York City, before becoming the first African American Mayor of Houston, Texas in 1997.

Following Lee Brown as Chief of the Houston Police Department were the following good and true public servants: Elizabeth Watson (1990–1992); Sam Nuchia (1992–1997); Clarence Bradford (1997–2004); Harold Hunt (2004–2009); and Charles McClelland (2010–2016).

Mr. Speaker, I ask for a moment of silence in memory of the officers whose names will be added to the National Peace Officers Memorial Wall of Honor.

HOUSTON LAW ENFORCEMENT OFFICERS MEMORIALIZED ON THE WALL OF HONOR

1. TIMOTHY SCOTT ABERNETHY, End of Watch: December 7, 2008, Houston, Texas, P.D.
2. CHARLES H BAKER, End of Watch: August 16, 1979, Houston, Texas, P.D.
3. JOHNNY TERRELL BAMSCH, End of Watch: January 30, 1975, Houston, Texas, P.D.
4. CLAUDE R BECK, End of Watch: December 10, 1971, Houston, Texas, P.D.
5. JACK B BEETS, End of Watch: March 30, 1955, Houston, Texas, P.D.
6. TROY A BLANDO, End of Watch: May 19, 1999, Houston, Texas, P.D.
7. JAMES CHARLES BOSWELL, End of Watch: December 9, 1989, Houston, Texas, P.D.
8. C E BRANON, End of Watch: March 20, 1959, Houston, Texas, P.D.
9. JOHN M CAIN, End of Watch: August 3, 1911, Houston, Texas, P.D.
10. RICHARD H CALHOUN, End of Watch: October 10, 1975, Houston Texas Police Department.
11 DIONICIO M CAMACHO, End of Watch: October 23, 2009, Harris County, Texas, S.O.
12. HENRY CANALES, End of Watch: June 23, 2009, Houston, Texas, P.D.
13. FRANK MANUEL CANTU JR, End of Watch: March 25, 2004, Houston, Texas, P.D.
14. E C CHAVEZ, End of Watch: September 17, 1925, Houston, Texas, P.D.
15. CHARLES ROY CLARK, End of Watch: April 3, 2003, Houston, Texas, P.D.
16. CHARLES ROBERT COATES II, End of Watch: February 23, 1983, Houston, Texas, P.D.
17. PETE CORRALES, End of Watch: January 25, 1925, Houston, Texas, P.D.
18. RUFUS E DANIELS, End of Watch: August 23, 1917, Houston, Texas, P.D.
19. JOHNNIE DAVIDSON, End of Watch: February 19, 1921, Houston, Texas, P.D.
20. WORTH DAVIS, End of Watch: June 17, 1928, Houston, Texas, P.D.
21. KEITH ALAN DEES, End of Watch: March 7, 2002, Houston, Texas, P.D.
22. REUBEN BECERRA DELEON, JR, End of Watch: October 26, 2005, Houston, Texas, P.D.
23. WILLIAM EDWIN DELEON, End of Watch: March 29, 1982, Houston, Texas, P.D.
24. FLOYD T DELOACH JR, End of Watch: June 30, 1965, Houston, Texas, P.D.
25. GEORGE D EDWARDS, End of Watch: June 30, 1939, Houston, Texas, P.D.
26. DAWN SUZANNE ERICKSON, End of Watch: December 24, 1995, Houston, Texas, P.D.
27. J C ETHERIDGE, End of Watch: August 23, 1924, Houston, Texas, P.D.
28. JAMES E FENN, End of Watch: March 14, 1891, Houston, Texas, P.D.
29. E D FITZGERALD, End of Watch: September 30, 1930, Houston, Texas, P.D.
30. C EDWARD FOLEY, End of Watch: March 10, 1860, Houston, Texas, P.D.
31. JOSEPH ROBERT FREE, End of Watch: October 18, 1912, Houston, Texas, P.D.
32. GUY P GADDIS, End of Watch: January 31, 1994, Houston, Texas, P.D.
33. JAMES T GAMBILL, End of Watch: December 1, 1936, Houston, Texas, P.D.
34. FLORENTINO M GARCIA JR, End of Watch: November 10, 1989, Houston, Texas, P.D.
35. BEN EDDIE GERHART, End of Watch: June 26, 1968, Houston, Texas, P.D.
36. G Q GONZALEZ, End of Watch: February 28, 1960, Houston, Texas, P.D.
37. CHARLES R GOUGENHEIM, End of Watch: April 30, 1955, Houston, Texas, P.D.
38. CARL GREENE, End of Watch: March 14, 1928, Houston, Texas, P.D.
39. LEON GRIGGS, End of Watch: January 31, 1970, Houston, Texas, P.D.
40. MARIA MICHELLE GROVES, End of Watch: April 10, 1987, Houston, Texas, P.D.
41. GARY ALLEN GRYDER, End of Watch: June 29, 2008, Houston, Texas, P.D.
42. ANTONIO GUZMAN JF, End of Watch: January 9, 1973, Houston, Texas, P.D.
43. HOWARD B HAMMOND, End of Watch: August 18, 1946, Houston, Texas, P.D.
44. JAMES DONALD HARRIS, End of Watch: July 13, 1982, Houston, Texas, P.D.
45. DAVID MICHAEL HEALY, End of Watch: November 12, 1994, Houston, Texas, P.D.
46. TIMOTHY A HEARN, End of Watch: June 8, 1978, Houston, Texas, P.D.
47. OSCAR HOPE, End of Watch: June 22, 1929, Houston, Texas, P.D.
48. ELSTON M HOWARD, End of Watch: July 20, 1988, Houston, Texas, P.D.
49. DAVID HUERTA, End of Watch: September 19, 1973, Houston, Texas, P.D.
50. JAMES BRUCE IRBY, End of Watch: June 27, 1990, Houston, Texas, P.D.
51. BOBBY L JAMES, End of Watch: June 26, 1968, Houston, Texas, P.D.
52. JOHN C JAMES, End of Watch: December 12, 1901, Houston, Texas, P.D.
53. RODNEY JOSEPH JOHNSON, End of Watch: September 21, 2006, Houston, Texas, P.D.
54. ED JONES, End of Watch: September 13, 1929, Houston, Texas, P.D.
55. P P JONES, End of Watch: January 30, 1927, Houston, Texas, P.D.
56. FRANK L KELLOGG, End of Watch: November 30, 1955, Houston, Texas, P.D.
57. S A BUSTER KENT, End of Watch: January 12, 1954, Houston, Texas, P.D.
58. JAMES F KILTY, End of Watch: April 8, 1976, Houston, Texas, P.D.
59. KENT DEAN KINCAID, End of Watch: May 23, 1998, Houston, Texas, P.D.
60. LOUIS R KUBA, End of Watch: May 17, 1967, Houston, Texas, P.D.
61. J D LANDRY, End of Watch: December 3, 1930, Houston, Texas, P.D.
62. ROBERT WAYNE LEE, End of Watch: January 31, 1971, Houston, Texas, P.D.
63. FRED MADDOX JR, End of Watch: February 24, 1954, Houston, Texas, P.D.
64. EYDELMEN MANI, End of Watch: May 19, 2010, Houston, Texas, P.D.
65. A P MARSHALL, End of Watch: November 8, 1937, Houston, Texas, P.D.
66. CHARLES R MCDANIEL, End of Watch: August 4, 1963, Houston, Texas, P.D.
67. E G MEINKE, End of Watch: August 23, 1917, Houston, Texas, P.D.

68. HARRY MERENESS, End of Watch: October 18, 1933, Houston, Texas, P.D.
69. NOEL R MILLER, End of Watch: June 6, 1958, Houston, Texas, P.D.
70. KENNETH L MOODY, End of Watch: November 26, 1969, Houston, Texas, P.D.
71. HORACE MOODY, End of Watch: August 23, 1917, Houston, Texas, P.D.
72. WILLIAM MOSS, End of Watch: September 12, 1983, Houston Airport Police, Texas.
73. DAVE MURDOCK, End of Watch: June 27, 1921, Houston, Texas, P.D.
74. WILLIAM E MURPHY, End of Watch: April 1, 1910, Houston, Texas, P.D.
75. DAVID FRANKLIN NOEL, End of Watch: June 17, 1972, Houston, Texas, P.D.
76. M E PALMER, End of Watch: March 24, 1938, Houston, Texas, P.D.
77. ISAAC PARSON, End of Watch: May 24, 1914, Houston, Texas, P.D.
78. ROSS PATTON, End of Watch: August 23, 1917, Houston, Texas, P.D.
79. W B PHARES, End of Watch: September 30, 1930, Houston, Texas, P.D.
80. HERBERT N PLANER, End of Watch: February 18, 1965, Houston, Texas, P.D.
81. IRA RANEY, End of Watch: August 23, 1917, Houston, Texas, P.D.
82. WINSTON J RAWLINGS, End of Watch: March 29, 1982, Houston, Texas, P.D.
83. JERRY LAWRENCE RILEY, End of Watch: June 18, 1974, Houston, Texas, P.D.
84. JOHN CHARLES RISLEY, End of Watch: October 23, 2000, Harris County, Texas, S.O.
85. SANDRA ANN ROBBINS, End of Watch: March 17, 1991, South Houston, Texas, P.D.
86. GEORGE G ROJAS, End of Watch: January 28, 1976, Houston, Texas, P.D.
87. MICHAEL P ROMAN, End of Watch: January 6, 1994, Houston, Texas, P.D.
88. JOHN ANTHONY SALVAGGIO, End of Watch: November 25, 1990, Houston, Texas, P.D.
89. LOUIS L SANDER, End of Watch: January 21, 1967, Houston, Texas, P.D.
90. JEFFERY SCOTT SANFORD, End of Watch: September 14, 1991, Harris County, Texas, S.O.
91. KATHLEEN C SCHAEFER, End of Watch: August 18, 1982, Houston, Texas, P.D.
92. ROBERT SCHULTEA, End of Watch: August 25, 1956, Houston, Texas, P.D.
93. DARYL WAYNE SHIRLEY, End of Watch: April 28, 1982, Houston, Texas, P.D.
94. RICHARD SNOW, End of Watch: March 17, 1882, Houston, Texas, P.D.
95. BRUNO DAVID SOBOLESKI, End of Watch: April 12, 1991, Houston, Texas, P.D.
96. JERRY LEON SPRUILL, End of Watch: October 27, 1972, Houston, Texas, P.D.
97. R H SULLIVAN, End of Watch: March 9, 1935, Houston, Texas, P.D.
98. JOHN W SUTTLE, End of Watch: August 3, 1959, Houston, Texas, P.D.
99. CUONG HUY TRINH, End of Watch: April 6, 1997, Houston, Texas, P.D.
100. ALBERTO VASQUEZ, End of Watch: May 22, 2001, Houston, Texas, P.D.
101. JAMES T WALKER, End of Watch: March 8, 1963, Houston, Texas, P.D.
102. VICTOR R WELLS III, End of Watch: October 2, 1980, Houston, Texas, P.D.
103. R O WELLS, End of Watch: July 30, 1927, Houston, Texas, P.D.
104. ALBERT CHARLES WILKINS, End of Watch: January 6, 1978, Harris County, Texas, C.O.
105. KEVIN SCOTT WILL, End of Watch: May 29, 2011, Houston, Texas, P.D.
106. HENRY WILLIAMS, End of Watch: February 8, 1886, Houston, Texas, P.D.
107. WILLIAM C WILLIAMS JR, End of Watch: April 16, 1930, Harris County, Texas, S.O.
108. EDD WILLIAMS, End of Watch: January 12, 1974, Harris County, Texas, S.O.
109. JAMES FRANKLIN WILLIS, End of Watch: July 1, 1964, Houston, Texas, P.D.
110. MARVIN ALTON WINTER, End of Watch: December 4, 1937, Harris County, Texas, C.O., Pct. 4
111. ANDREW WINZER, End of Watch: February 18, 1988, Houston, Texas, P.D.
112. JETER YOUNG, End of Watch: June 19, 1921, Houston, Texas, P.D.
113. HERMAN YOUNGST, End of Watch: December 12, 1901, Houston, Texas, P.D.
114. JOE A ZAMARRON, 60–W: 2, End of Watch: April 18, 1981, Houston, Texas, P.D.

RECOGNIZING LAUREN MORRIS SCHULMAN

(Ms. WASSERMAN SCHULTZ asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise this afternoon to recognize the remarkable career of Lauren Morris Schulman. After more than 13 years, Ms. Schulman is retiring as the Florida political director of the American Israel Public Affairs Committee, AIPAC, the largest pro-Israel advocacy organization in the country.

Lauren began her political career 26 years ago and served in a variety of positions with the late Congressman Bill Lehman, E. Clay Shaw, Jr., Florida State Senator Gwen Margolis, and Miami-Dade County Commissioner Sally Heyman.

Lauren has adroitly mobilized and engaged Florida's pro-Israel community. She has led our citizen activists in building relationships with Members of Congress on both sides of the aisle, key to the success of the pro-Israel movement.

Lauren has helped all Floridians understand how, against all odds, Israel has become a prospering democracy whose groundbreaking contributions in technology, medicine, and environmental innovation have benefited the world.

Lauren's commitment to our community and the State of Israel is exemplary, and I am proud to call her my constituent and good friend. Our loss is her husband Cliff's and her family's gain. I wish a hearty mazel tov to Lauren and thank her for her invaluable work.

ADJOURNMENT FROM THURSDAY, MAY 19, 2016, TO MONDAY, MAY 23, 2016

Mr. GOHMERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday, May 23, 2016, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore (Mr. KATKO). Is there objection to the request of the gentleman from Texas?

There was no objection.

ISSUES OF THE DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, it is amazing sometimes the way, in the heat of dispute, argument—sometimes any of us can have it happen to us—people don't think clearly.

I have been here for nearly 11½ years in Congress. It is a tremendous honor to get to be the servant for the people of east Texas. But in that 11½ years, 4 of them the Democrats were in the majority, and my friend from Maryland (Mr. HOYER) was the majority leader during those 4 years, and the rules never changed with regard to how the electronic voting worked.

For the last 11½ years, it has always been the same. And that is, we could take our voting card—and it has a little computer chip in it. It doesn't matter which we way put our card in the box. If the blue light on the box is lit, it means that box is open for voting. Most every other row has a voting box on the back.

We take our card, and we put it in the slot whichever way. It recognizes the one-of-a-kind computer chip that belongs to that 1 of 435 Members, and then you can hit the green button for ''yea,'' the red button the ''nay,'' the yellow button for ''present.'' The blue light is on there. It is next in order on the box, but it can't be pushed. It just lets you know the box is open for voting.

Toward the end of a vote, particularly a 15-minute vote, the Speaker will not have gaveled the vote dead, but oftentimes the box goes dead right before the gavel comes down. Even to that point, you can still change your vote, but it is just when the blue light goes out, you can't do it at the box. You have to come down to the well.

What I have noticed every year for the last 11½ years that I have been here, if we are voting on a 15-minute vote—and all of us have probably done it at one time or another—if you need to change your vote, maybe you looked up and, for example, sometimes one person has multiple amendments, and you see their name and it is their amendment, and you say, ''Oh, I was not going to vote for that,'' and you vote ''no'' and you need to change your vote to ''yes,'' you can still change your vote at the box.

On a 15-minute vote, once you get past 5 minutes, you normally have to come down to the well and get a green card for ''yea,'' a red card for ''nay,'' or a yellow card for ''present'' or ''abstaining'' and change your vote that way. But on a 5-minute vote or a 2-

minute vote, if you need to change your vote, you didn't understand the significance, it constantly happens that people change their vote.

□ 1245

But to change their vote, if you have your voting card, you have been able to change it at the box on a 5-minute vote or a 2-minute vote. Every now and then, before the gavel comes down, the blue light will go off on the box, so you can no longer change your vote or vote at that box. That is when you hear someone yelling, ''One more, one more,'' and they come rushing down the aisle to get the vote in before the gavel comes down.

Now, in 11½ years, only one time has there been a massive and gross violation of the rules the way we have followed them in bringing a vote to a conclusion. I can understand my friend from Maryland being sensitive, because this happened on his watch as majority leader. But Republicans were in the minority, and yet there was a vote. I don't even remember if it was a bill or an amendment. I think it was an amendment. But the Republicans voting against the amendment had enough Democrats voting with us that we were bringing down a Democratic amendment or bill, and it was left open for enough time that anybody that wanted to change could have changed.

When the Democrat in the chair felt that enough time had passed, no other changes were being made, and the measure being voted on had failed, then the gavel came down. The rule has always been that when the gavel comes down, there can be no further changing of the vote.

Perhaps, the majority leader, at that time HOYER, had forgotten. But that was the time they violated their own rules. A subsequent investigation confirmed that. They violated the rules and allowed someone whose arm they were twisting to vote after the gavel came down to change the vote, change the outcome of the vote.

That didn't happen here today. And the vote wasn't held open very long at all after the end of the time running out. Sometimes, whether it is Democrats or Republicans in the majority, it runs to zero. But if, in the opinion of the Chair or the Speaker, there is somebody wanting to change their vote or somebody that is making a good faith effort to get here to vote, they will leave the vote open.

Sometimes, like when Speaker PELOSI was meeting with President Obama at the White House and wasn't getting back in time, or Majority Leader HOYER, and they weren't getting back in time, well, that vote would be held open to give them time well beyond the zero, zero, zero, so they could cast that vote. Nobody objected because we knew they were making a good faith effort to get here.

I understand sometimes we forget things that we have been doing for a number of years. And especially in the heat of debate and a verbal battle here on the floor, people can forget what they have been doing for many, many years. But that has been the way the voting and the rules on voting have worked and been interpreted for many years.

So I was greatly surprised to hear the former majority leader challenging on the basis that people didn't come into the well to change their vote on either a 5-minute or a 2-minute vote. Well, they have always been able to change their vote. The voting boxes were open.

Anyway, we all have those mental lapses where we forget things that we have been doing for years. I mean, it just happens, and especially here on the floor. There is nothing to be taken from former Majority Leader HOYER forgetting how the rules were when he was majority leader and forgetting how they have been all these years since, so no hard feelings. He just had a mental lapse and forgot how the rules have been ever since he has been here the entire time.

There has been a great deal of to-do and a lot of wailing and gnashing of teeth about what I would term the ''Iranian crisis'' because it truly is a crisis that this administration has enabled Iran to go ahead and develop nuclear weapons to continue down that path. Even though they are supposed to be prohibited, they continued to develop missiles that eventually will be capable of delivering nuclear weapons onto the United States. They have got missiles to deliver them on to Israel right now.

But as Prime Minister Netanyahu so ably has pointed out from this very rostrum right up here, those missiles they are developing now are not for Israel. They can already reach Israel. Those are for the Great Satan.

So it was deeply troubling to hear the confessions and admissions of the White House adviser consultant mouthpiece, Ben Rhodes, reveal that the administration—and I am being careful not to use any specific names. I am addressing generally the administration—that the administration had to lie to the American people and had to lie to the House and Senate about how evil Iran really was and had to talk about how moderate they were when, actually, the fact is, apparently, under the so-called moderate President Rouhani, there have been more people put to death than even under the former President Ahmadinejad. This man is no moderate.

Though the American people were fed lies about the negotiations, they were having to negotiate, either directly or indirectly, with the Ayatollah Khamenei. They don't make big decisions like a nuclear weapons deal, unless the religious leader, the Ayatollah Khamenei, actually agreed, just like his predecessor, the Ayatollah Khomeini.

So just like with the revelations about ObamaCare, now that we have had someone working behind the scenes with the administration who revealed, yes, the reason ObamaCare passed was because people are such fools, they were able to fool them into voting for a bill that was really not anything like what was being represented. And yet along comes Ben Rhodes, and he admits they did the same thing on ObamaCare that they did on the Iranian treaty.

Now, I understand the administration has never called it a treaty, and there are people in the Senate who have not had the courage to call it a treaty, but it is a treaty. You can't change a nuclear proliferation treaty with an executive agreement or an executive order. It can't be done. It has to be done with another treaty. So, clearly, there are a number of things that made clear that the Iranian deal was a treaty.

It should have been brought to the floor of the Senate. It still should be. It is time. You can do it any time this year. You could do it with 51 votes of the Senate setting aside cloture and saying, the Iranian treaty is a treaty, it is going to allow Iran to have nuclear weapons that will allow them to devastate both the Little Satan, in their opinion Israel, and the Great Satan, the United States, and it needs to be stopped.

So, hopefully, the courage will abound eventually in the Senate and we will get that vote. And therefore, people with standing could go to court and stop the flood of millions of dollars to Iran, which has already said that with the billions of dollars, $100 billion to $150 billion in the first year this administration is going to make available, they are going to commit so much more to terrorism than they ever had.

Then we get this story just a few days ago from the Washington Free Beacon entitled, Iran Shows Off Third Underground Missile Site. It says:

''Iran's military recently publicized a third underground missile facility and showed the launch of a new ballistic missile through the top of a mountain.

''It was the third time since October that Tehran showed off an extensive network of underground missile facilities. The new video, however, for the first time, shows a missile launch from one of the country's underground launch facilities.

''Disclosure of the new video comes as Iran this week conducted the third launch of a ballistic missile since January, when the nuclear deal aimed at curbing Iran's nuclear weapons development went into effect.''

And I would submit, that part of the story is inaccurate. It is being considered to have gone into effect, but it is

a treaty that was never ratified by the U.S. Senate, and it is an ineffective treaty. But the Obama administration is choosing to act as if the Iranian agreement really is an effective treaty. Iran has shown they have no intention of following that agreement. They have violated it a number of times.

And the only reason Iran would have the gall to go forward and say, Hey, look, we have got a third underground missile site, we are going to let you see a launch, we don't care that the world knows that we are violating this last agreement with Obama and Kerry and Wendy Sherman that helped give North Korea nuclear weapons in the Clinton administration, we don't care that they know because we have now seen that this administration will not stand up to us, they will let us push them around, they will even let us take their soldiers or their naval officers, their naval seamen captive, violate virtually every treaty on the treatment of prisoners, humiliate the American sailors, force them to lie on camera, and after all that is said and done, we will get the Secretary of State to come back and thank us.

I mean, it is like from ''Animal House,'' Kevin Bacon being beaten saying, Thank you, sir, may I have another? Iran has figured out they are the senior pledges, and this administration will take a beating and keep asking, Thank you, sir, may I have another? And Iran is all that willing to give them another and another.

The trouble is this isn't a comedy movie, this is real life. Christians and Jews are being targeted, persecuted, and killed in greater numbers than at any time in the history of the world. The Middle East is on fire, except Israel is a place of stability. But if this administration has its will, it will become a powder keg before long as well.

Libya had become more stable. And after the United States went into Iraq, because Saddam Hussein continued to refuse to abide by the orders of the U.N. that were passed by huge majorities, requiring them to disclose what they had, he wouldn't comply, most everybody was—including those who now say, I voted for it, I really wasn't for it—but, at the time, people thought, look, this guy must have something to hide because he is certainly not letting us get in to see what weapons he has. Other reports indicate that they had been taken from Iraq and were no longer present.

But either way, it scared Qadhafi enough that, as some of the Israeli leaders have told me, we were shocked when you provided the firepower, the planes, and the bombs that made it possible to eliminate Qadhafi because, yeah, he had blood on his hands before 2003, but after 2003, he helped you more in fighting terrorism than anybody but us, and you took him out, and look what happened as a result.

□ 1300

It turned Egypt upside down. There are problems in Albania, problems all over North Africa, problems for the Middle East and North Africa both, problems coming down now of radical Islamists in Nigeria and other, more central African countries. They have paid a heavy price for the improper leadership of this administration here in the United States. It is just tragic how many have lost their lives already.

Then we hear reports that in Nigeria—and I heard it when I was in Nigeria and was trying to help the Nigerian families whose daughters had been abducted—that this administration, behind the scenes, was saying: Look, we will help you with Boko Haram, with the terrorism—although they don't like to use that word—with the radical extremism that is occurring in Nigeria. If you will change your laws, violate your religious beliefs, allow same-sex marriage, and pay for abortion, then we will help you.

As one Nigerian Catholic bishop said: Our religious beliefs are not for sale, not to the U.S. President, not to anybody.

I have an article that goes on about the situation with Iran. This is also from May 12: ''Kerry's Peculiar Message About Iran for European Banks.''

It reads:

''U.S. Secretary of State John Kerry met Thursday in London with a group of European financial institutions for a discussion about 'Iranian banking matters.' The meeting, which followed repeated complaints by Iranian officials that they aren't getting the benefit of the bargain under the nuclear deal, was an effort by the State Department to persuade major non-U.S. banks that doing Iran-related business is not only permitted following the relaxation of Iran sanctions, but is actually encouraged.

''The irony will not be lost on these financial institutions. Most of them were similarly gathered almost 10 years ago by U.S. Treasury Henry Paulson to discuss Iranian banking matters, but that discussion focused on protecting the integrity of the global financial system against the risk posed by Iran.

''In the decade that followed, the George W. Bush and Obama administrations, as well as the U.K. and other governments, the European Union, and the United Nations, all imposed extensive sanctions targeting Iran's illicit and deceptive conduct. Banks were briefed extensively and repeatedly by the U.S. Treasury Department on the details of Iran's conduct. The Financial Action Task Force, the global standard-setting body for anti-money laundering and counter-terrorist financing, warned about the financial crime risks posed by Iran as a jurisdiction. The result: Iran became a financial pariah.

''No one has claimed that Iran has ceased to engage in much of the same conduct for which it was sanctioned, including actively supporting terrorism and building and testing ballistic missiles; but now Washington is pushing non-U.S. banks to do what is still illegal for American banks to do.

''This is a very odd position for the U.S. Government to be taking.''

It is shocking that this administration continues to be complicit with the largest supporter of terrorism in the world.

How many lives will be lost because of this complicity?

There was a time when America would not tolerate the kind of treatment of Americans that occurred to our seamen when they were taken captive. Not only did we not come to their defense, we praised Iran and thanked them for being so gracious for the manner in which they abused our sailors.

This article goes on. It reads:

''On the one hand, Washington is continuing to prohibit American banks and companies from doing Iran-related business. In February, the FATF''—that is the Financial Action Task Force—''reaffirmed its prior concerns about the 'serious threat' Iran poses to the international financial system, urging countries to apply effective countermeasures. The U.S. Treasury Department's designation of Iran, including its central bank and financial institutions, as a primary money laundering concern also still stands. As part of that designation, Treasury determined that 'the international financial system is increasingly vulnerable to the risk that otherwise responsible financial institutions will, unwittingly, participate in Iran's illicit activities.'

''On the other hand, Mr. Kerry wants non-U.S. banks to do business with Iran without a U.S. repudiation of its prior statements about the associated financial crime risks. There are no assurances as to how such activity would subsequently be viewed by U.S. regulatory and law enforcement authorities, which might seek to take enforcement action against banks that enter the Iranian market and run afoul of complicated U.S. restrictions. The State Department neither controls nor plays any meaningful role in the enforcement decisions of these authorities.

''Washington has warned repeatedly that the Islamic Revolutionary Guard Corps controls broad swaths of the Iranian economy. The IRGC remains sanctioned by both the United States and the European Union because of the central role it plays in Iran's illicit conduct. When the U.S., EU, and U.N. removed sanctions from several hundred Iranian banks and companies, there were no assurances that the conduct of those banks and companies had changed.

''This will present a challenge for European banks. HSBC is endeavoring to

implement consistent and high standards across its global operations, designed to combat financial crime and prevent abuse by illicit actors. We have more work to do, but achieving that objective is one of our highest priorities. This approach is rightly expected by our regulators, including in the U.K. and the U.S.

''Our decisions will be driven by the financial crime risks and the underlying conduct. For these reasons, HSBC has no intention of doing any new business involving Iran. Governments can lift sanctions, but the private sector is still responsible for managing its own risk and, no doubt, will be held accountable if it falls short.''

That was from May 12, and it appears to be somebody who certainly knows the banking business.

I would like to comment a bit about, again, our illegal immigration problems and our porous borders because the administration continues to act as if all is well—all is well—when it is not well.

An article from May 19: ''Previously Deported Illegal Alien Allegedly Killed Prom Teen.''

''The man that Houston police say was driving drunk and evading arrest when he crashed into a car, killing a young woman on her way home from the prom, is listed by Federal officials as a previously deported illegal alien.''

''Edin Palacios-Rodas, a 27-year-old previously deported illegal alien from Guatemala, has now had an immigration detainer placed on him after being processed into the Harris County Jail on one count of felony murder and one count of felony evading resulting in death and serious bodily injury.''

It is still going on. With that going on, this administration continues to push for and has allies in Congress pushing for what they are calling sentencing reform when, actually, it won't be reform as much as it will be rather devastating. The pendulum on criminal justice swings back and forth. Most history shows that it has always been and probably will always be, whether a totalitarian government or a democratic republic such as ours.

My friend in the Senate, Senator JEFF SESSIONS, has an article, again, from May 19 that reads:

''Senator Jeff Sessions warns that Congress must be careful to ensure the sentencing reductions bills pending before Congress did not boost already rising crime rates and 'sign death warrants' for innocent victims.''

''The Sentencing Reform and Correction Act, which the Alabama Republican opposes, hews to Obama's anti-law enforcement agenda and could cost an enormous human toll, Senator Sessions said. 'Frankly, this is Obama's policy and the Attorney General who he's appointed, Loretta Lynch's policy, and Eric Holder's before her, to basically cut people's sentences that have been lawfully imposed throughout this country, and it's impacting public safety and will continue to do so in the future.'

''The Senator also highlighted many high-profile cop killings as the Obama administration makes police work more difficult.

''He said, 'In the last year, we've lost 123 police officers, 35 in the first 4 months of 2016. Violent crimes and murders have increased across the country at alarming rates. Let me just share with my colleagues some of the things we're seeing in violent crime. Recently, the Major Cities Chiefs of Police Association, a long-established group, called an emergency meeting to deal with the numbers I'm going to share with you today.'

''The numbers I will quote represent the percentage increase in total murders in the first quarter of this year, 2016, over the first quarter . . . of 2015. Las Vegas: 82 percent increase.''

This is the murder increase.

''Dallas, Texas: 73 percent increase. Chicago: 70 percent. Jacksonville, Florida: 67 percent. Newark, New Jersey: 60 percent increase. Miami-Dade: 38 percent. Los Angeles: 33 percent.''

And on and on.

''These are substantial increases in crime. According to FBI statistics released just this year, the number of violent crimes committed across the country was up in the first half of 2015 compared with the same period of 2014.''

So, actually, we are going up and up, and the percentage increase in these cities of 82 percent, 73 percent, and a 70 percent increase is even more dramatic than that when you go back 2 years.

SESSIONS also quoted FBI Director James Comey's concerns about the rising tide of crime.

'''I was very worried about it last fall, and I am, in many ways, more worried because the numbers are not only going up, they're continuing to go up in most of those cities faster than they were going up last year. Something is happening. I don't know what the answer is, but, holy cow, do we have a problem.' ''

Yes, we do have a problem. One of the answers is mentioned in this article, again, from May 19, entitled: ''Obama doesn't think rapists, armed robbers, drug dealers are criminals.'' I think I found the euphemism of the year.

''According to Team Obama, criminals should now be declared 'justice-involved individuals.'

''The neo-Orwellianism comes to us from the bizarre flurry of last-minute dictates, regulations, and bone-chilling threats, collectively known to fanboys as Obama's Gorgeous Good-bye.

''In another of those smiley faced but deeply sinister 'dear colleague' letters sent to universities and colleges this week, Obama's Education Secretary, John King, discouraged colleges from asking applicants whether they were convicted criminals.''

□ 1315

It used to be a matter of common sense. Most Americans wanted to know.

Especially in dormitories that have now become co-ed, where you have men and women living in and with and around each other, it was considered valuable information to know if your daughter was going to be living in, around, or with a convicted rapist. That was thought to be good information, but apparently that is no longer considered by this administration as good information.

People all across America have shown an interest in knowing whether there are child molesters in their neighborhood where their children are growing up and children are playing around the area. They want to know if their child is at risk because they know there is a significant recidivism rate, particularly among child molesters.

Yet, this administration says it is time to stop calling criminals criminals. Again, that is in keeping with the unwillingness to call radical Islamist, as the Muslim leader of Egypt, our friend, President el-Sisi, calls it—I mean, it is radical Islamists. He has had the courage to tell imams themselves that we have to get control again of Islam and wrestle it back away from the radical Islamists.

As my friend, Carolyn Glick, pointed out in The Jerusalem Post, by this administration's refusal to call radical Islam radical Islam, it betrays our allies who are Muslim—like President el-Sisi in Egypt—who are wanting Muslims to stand up and say that these Islamists should not be allowed to represent our religion because they know that they do.

When you have a man with multiple degrees in Islamic studies saying that, yes, radical Islam is the ultimate Islam and, on the other hand, you have a President who did go to school in Indonesia in Muslim schools and elementary school but does not have any degrees in Islamic studies, like the world expert in Islamic studies, al-Qaradawi, well, one is President of the United States with no degrees in Islamic studies, and he says it is not Islam. But a man who has studied Islam his whole life and has multiple degrees, including a Ph.D., says not only is it Islam, as the head of ISIS as he is, this is Islam the way it should be.

We should be giving assistance to our allies, giving them cover by not going on with this facade where this administration refuses to call radical Islam radical Islam. They call radical Islamic terrorism exactly what it is. They are not helping our friends around the world that are trying to stand up and do the right thing.

You could go back to Libya, the attack of Benghazi. We now know from what has been gathered from emails and information that Secretary Clinton basically told the President of Libya: We know that this Benghazi attack was not on a video, in essence, and that it was a planned attack. She told her daughter.

Yet, she went out, as did Susan Rice, representing this administration and told us all, oh, it was all about the video; telling victims families that we are going to get the guy who did the video. Victims families from Benghazi have told me personally, when Secretary Clinton said we are going to get the guys that did the videos, which she now says she didn't say—how tragic is that?

So basically calling these victims' families liars. But the families say, when she said we will get the guy that did the video, they were infuriated. They said: We didn't care about the guy that did some video. We wanted our government to get the guys that killed our loved one, and that was not the message.

You have to understand that there were a lot of things to do, there were promises to keep, and miles to go before they slept. But we don't know if they just went to bed and slept.

When they found out the personal ambassador of the Secretary of State was missing, Clinton and President Obama, did they just go to bed?

They won't tell us.

We know President Obama had a very important engagement the next day. He had to fly out early to Las Vegas for a big campaign speech. We know. We understand. Hey, that was more pressing. We got that. We understand. To him, that was more pressing.

What do you do? Do you go to sleep when you get word that your personal ambassador is missing?

For the first time since 1979, an ambassador ends up being killed. He wasn't given adequate protection.

Now, we are hearing more and more reports from people that the assets were there to go help. They could have saved at least two, maybe more of the four, but they were not allowed go and save the American heroes.

Well, there is an article from Conservative Review entitled ''Busted: The 10 Most Dangerous Myths About Criminal Justice Reform'' that is being pushed especially by this administration. And we do have some colleagues here in the House and Senate that are as well.

''Myth number one: The prison population keeps growing, even though crime is declining.''

''Fact: The D.C. intelligentsia argues our criminal justice system is in dire need of reform. But ask anyone outside the beltway, and they'll give you a different definition of 'broken.' Many Americans would agree that current laws are too lenient on criminals and disregard the victim all too often. It was the tough reforms put into place during the Reagan years and in the '90s that produced the sharpest decline in violent crime on record. Those reforms, coupled with more aggressive policing, led to the only positive social trend in public policy in recent memory. That trend is now being reversed precisely as incarceration rates decline and Obama and his allies ratchet up the war against law enforcement. While correlation doesn't necessarily prove causation, the correlation is indeed striking and in conjunction with the defanging of local police departments, the release of tens of thousands of Federal prisoners can only result in exacerbating this negative trajectory.''

From the information that the FBI provided to Senator SESSIONS, we know about maybe less than 1 percent of Federal inmates in Federal prison are there for possession of a controlled substance; that most are there for more. Ninety-nine percent or so are there for more than that.

But those that have been involved in the criminal justice system, both in the State side, as I was, and on the Federal side—I mean, we work with each other. And we know the Federal Government never had interest, that I ever saw, in simple possession cases.

Where the Federal Government had interest is if a real bad guy—maybe he had been involved in a shooting, a killing, a robbing, a possession—but they wanted him to turn on his boss so they could get the bigger fish. They had to offer something to get him to turn, and they would offer—I have seen it many times—okay, we can't have a plea agreement where we set a certain sentence, as they do in State court, but what we can do is agree to drop all the charges, except this one possession.

So the sentence is not that great. Whatever the judge does won't be that great. It won't have the weapons charge in there, even though he used a weapon and engaged in violent activity, if he will help us get Mr. Big. That happens. I have seen it happened.

Back in the early '80s, when I was court appointed in Federal court, I had approaches like that with regard to my clients: What can you help us with, and here are the charges we are willing to drop, even though we know we can prove them.

Yet, this administration acts like that never happens and that, obviously, all these people in prison because of drug charges are really nonviolent. That is garbage. That is why the crime rate keeps going up as this administration forces the release of more and more people.

This article points out another myth:

''There are millions of people incarcerated in American prisons for no good reason.''

''Fact: While there are approximately 1.5 million people incarcerated in American jails, prisons, and other institutions, only 195,900 are Federal inmates (a 10-year low). And only 159,000 in the Federal system are housed in actual prisons. The rest are in privately managed facilities, home confinement, short-term detention, long-term boarders, residential reentry centers, pretrial/presentence holding, et cetera. At least 25 percent of the Federal prison population is comprised of illegal aliens and possibly more who are noncitizens. We should save money by releasing those criminals and deporting them.''

What good does it do to deport somebody now when the border is so wide open?

''Myth number 3: Incarceration costs so much money and criminal justice reform will save billions.''

Well, without reading through the whole article, I can tell you that is garbage as well.

Myth number 4: ''This bill will only release low level, nonviolent drug offenders.''

As I pointed out, that is simply not the case. It is a good article.

Myth number 5: ''We have a big government culture of overcriminalization that threatens liberty.''

Well, the biggest problem of overcriminalization is when Congress has passed a law that says you can go to prison for violating any of the regulations regarding this subject, and then bureaucrats in some cubicle somewhere put some regulations in place under this administration—sometimes 80,000 pages of new regulations a year—and people, as the Heritage Foundation has said before in one of their books, are probably all violating three or four Federal laws a day.

One other thing I wanted to touch on because it has been debated and a lot of allegations made, people are trying to assert that Republicans somehow are supportive of the old ways of slavery.

Mr. Speaker, I just want to read from the Democratic Party Platform of 1856. This is a part of the platform. This is the belief of the Democratic Party, the national party:

''That Congress has no power under the Constitution, to interfere with or control the domestic institutions of the several States, and that such States are the sole and proper judges of everything appertaining to their own affairs, not prohibited by the Constitution; that all efforts of the abolitionists''—that is those who wanted to end slavery—''or others, made to induce Congress to interfere with questions of slavery . . . are calculated to lead to the most alarming and dangerous consequences; and that all such efforts''—talking about the end of slavery—''have an inevitable tendency to diminish the happiness of the people and endanger the stability and permanency of the Union, and ought not to be countenanced by any friend of our political institutions.''

The Democratic Party Platform of 1856 also declares that ''new States'' to the Union should be admitted ''with or without domestic slavery, as the State may elect.''

The Platform that year also says that ''we recognize the right of the people of all the Territories . . . to form a Constitution, with or without domestic slavery.''

□ 1330

The platform of 1860 of the national Democratic Party, in seeking to uphold the Fugitive Slave Act, states: ''The enactments of the State legislatures to defeat the faithful execution of the Fugitive Slave Act are hostile in character, subversive of the Constitution, and revolutionary in their effect.''

The 14th Amendment, giving full citizenship to freed slaves, passed in 1868 with 94 percent Republican support and zero percent Democratic support in Congress. The 15th Amendment, giving freed slaves the right to vote, passed in 1870 with 100 percent Republican support and zero percent Democratic support in Congress.

The Constitution of 1902 in the State of Virginia disenfranchised about 90 percent of the Black men who still voted at the beginning of the 20th century and nearly half of the White men. The number of eligible African American voters fell from about 147,000 in 1901 to about 10,000 by 1905. The measure was supported almost entirely by Virginia State Democrats.

In 1924, the Democratic National Convention convened in New York at Madison Square Garden. The convention is commonly known as the Klanbake due to the overwhelming influence of the Ku Klux Klan in the party.

In 1964, the Democratic Party led a 75-day filibuster against the 1964 Civil Rights Act. Leading the Democrats in their opposition to civil rights for African Americans was a member of the Democratic Party, Senator Robert Byrd from West Virginia, who was known to be a recruiter for the Ku Klux Klan. Senator Byrd spoke directly about the Civil Rights Act in a 14-hour filibuster, proclaiming: ''Men are not equal today, and they were not created equal in 1776, when the Declaration of Independence was written. Men and races of men differ in appearance, ways, physical power, mental capacity, creativity, and vision.''

The Democratic Party identified itself as the ''White man's party'' and demonized the Republican Party as being dominated by African Americans.

So it is interesting to hear these rewritten parts of our history. When you know the hearts and minds of the people on the Republican side of the aisle, you find out there is nobody who wants slavery. We wish that slavery that held this Nation back—because as Daniel Webster used to preach and John Quincy Adams used to preach, how was a good God going to keep blessing America when we were treating brothers and sisters in Christ this way, putting them in chains and bondage? America was harmed. It was devastating to African American lives to be placed in slavery—the degradation, the humiliation. I am grateful to be part of the party that stood up and made the change.

But more than the Republican Party, the Judeo-Christian beliefs, especially in the 1700s after the Great Awakening, the First Great Awakening in America, revival in America where people turned to God, became Christians, they understood travesties better by understanding the Bible. They stood up, and they demanded equal rights for people, and it led to a revolution.

In the 1800s, there was a lot of debauchery, but during the Second Great Awakening, churches were really the core behind the abolitionist movement. We should never be putting brothers and sisters in chains. That is an abomination. It held America back. It helped greatly prevent America from reaching the heights that it would once slavery was gone.

But then even after slavery was gone, as a result of the great Republican father of our party, Abraham Lincoln, as he is sometimes referred to, people were not treated equally. As I just read, even in Virginia, this great State of Virginia, Democrats were determined to prevent African Americans from voting, and they were successful in large degree.

Mr. Speaker, I think a good way to finish today is to go back to the final argument. We have the entire final argument from John Quincy Adams. He was elected President in 1824. He was defeated by Andrew Jackson in 1828. But in 1830 he did an incredible thing that no one has ever done since. After being President, he ran for Congress, for the House of Representatives. He didn't even run for Senate. He ran for the House of Representatives. He believed God was calling him. As William Wilberforce believed God had called him to bring an end to slavery in Great Britain, Adams believed God was calling him back into government after being defeated as President, that he would lower himself to run for the House of Representatives. He got elected in 1830.

Speech after speech was against slavery. How can we expect God to bless America when we are treating brothers and sisters with chains and bondage? Sermons were so powerful that those sermons given against slavery, as he filed bills to end slavery, to free specific slaves over and over, those sermons he preached on the floor of the House right down the hall had a powerful impact on a homely-looking guy with an unpleasant sounding voice named Abraham Lincoln. He overlapped briefly before the massive stroke that took John Quincy Adams out.

Adams knew when he died back in the Speaker's suite that he had not done what he thought God had called him to do—end slavery. It was 1848. But we now know, and Lincoln knew and said as much, as Steve Mansfield was telling me. He wrote a great book on Lincoln's struggle with God. He knew that those speeches on the House floor down the hall, they didn't end slavery, but they materially changed the attitude and affected that man named Abraham Lincoln that, 13 years after Adams would die, he would see to slavery's end.

At the end of his argument, he was afraid he had not prevailed on behalf of Africans who were taken as captives by another African tribe, sold into slavery, and taken to the African coast. They were put on a ship and taken to the Caribbean, where they were put on a smaller ship called the Amistad.

''Amistad'' is a great movie. Longview, Texas, native Matthew McConaughey plays the trial lawyer representing the Africans. Their position was: We are not anybody's property. When the Africans took over the ship, landed accidentally in America, the Spanish said: These people are our property, and this ship is ours. Let us go. The Africans' version: Hey, we are not anybody's property. We want to go home.

That case was argued downstairs in the old Supreme Court Chamber. Adams knew if he didn't do an adequate job, those Africans would leave in chains, their children would wear chains; and he was scared to death that he would not have been up to the job, and, as a result, there would be more suffering.

We have his exact argument. He finished like this. This is after he had been President.

He said: ''Little did I imagine that I should ever again be required to claim the right of appearing in the capacity of an officer of this Court; yet such has been the dictate of my destiny—and I appear again to plead the cause of justice, and now of liberty and life, in behalf of many of my fellow men, before that same Court, which in a former age I had addressed in support of rights of property I stand again, I trust for the last time, before the same Court.''

He goes on to say: ''I stand before the same Court, but not before the same judges—nor aided by the same associates—nor resisted by the same opponents. As I cast my eyes—'' he stood looking at the judges—''along those seats of honor and of public trust, now occupied by you, they seek in vain for one of those honored and honorable persons whose indulgence listened then to my voice. Marshall—Cushing—Chase—Washington—Johnson—Livingston—Todd—where are they? Where is

that eloquent statesman and learned lawyer who was my associate counsel in the management of that cause, Robert Goodloe Harper? Where is that brilliant luminary, so long the pride of Maryland and of the American bar, then my opposing counsel, Luther Martin? Where is the excellent clerk of that day, whose name has been inscribed on the shores of Africa, as a monument of his abhorrence of the African slave-trade, Elias B. Caldwell? Where is the marshal—where are the criers of the Court? Alas. Where is one of the very judges of the Court, arbiters of life and death, before whom I commenced this anxious argument, even now prematurely closed? Where are they all? Gone. Gone. All gone—gone from the services which, in their day and generation, they faithfully rendered to their country. From the excellent characters which they sustained in life, so far as I have had the means of knowing, I humbly hope, and fondly trust, that they have gone to receive the rewards of blessedness on high. In taking, then, my final leave of this Bar, and of this honorable Court, I can only . . . ''a fervent petition to Heaven, that every member of it may go to his final account with as little of earthly frailty to answer for as those illustrious dead, and that you may, every one''—talking to the judges—''after the close of a long and virtuous career in this world, be received at the portals of the next with the approving sentence—'Well done, good and faithful servant; enter thou into the joy of thy Lord.'''

We should all hope as such.

I yield back the balance of my time.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1635. An act to authorize the Department of State for fiscal year 2016, and for other purposes; to the Committee on Foreign Affairs.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on May 18, 2016, she presented to the President of the United States, for his approval, the following bills:

H.R. 4957. To designate the Federal building located at 99 New York Avenue, N.E., in the District of Columbia as the ''Ariel Rios Federal Building''.

H.R. 4923. To establish a process for the submission and consideration of petitions for temporary duty suspensions and reductions, and for other purposes.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 42 minutes p.m.), under its previous order, the House adjourned until Monday, May 23, 2016, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5391. A letter from the Director, Office of Legislative Affairs, Legal, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Registration of Securities Transfer Agents (RIN: 3064-AE41) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5392. A letter from the Acting Director, Office of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting the Commission's final rule — Regulations under the Americans With Disabilities Act (RIN: 3046-AB01) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

5393. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's Major final rule — Deeming Tobacco Products To Be Subject to the Federal Food, Drug, and Cosmetic Act, as Amended by the Family Smoking Prevention and Tobacco Control Act; Restrictions on the Sale and Distribution of Tobacco Products and Required Warning Statements for Tobacco Products [Docket No.: FDA-2014-N-0189] (RIN: 0910-AG38) received May 16, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5394. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Exempt External Power Supplies Under the EPS Service Parts Act of 2014 [Docket No.: EERE-2015-BT-CRT-0013] (RIN: 1904-AD53) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5395. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-393, ''Home Purchase Assistance Program Amendment Act of 2016'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

5396. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-391, ''Marijuana Possession Decriminalization Clarification Amendment Act of 2016'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

5397. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-390, ''Notary Public Fee Enhancement Amendment Act of 2016'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

5398. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-389, ''Closing of a Public Alley in Square 697, S.O. 15-26230, Act of 2016'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

5399. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-387, ''Closing of a Public Alley in Square 342, S.O. 14-21629, Act of 2016'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

5400. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-386, ''Tree Canopy Protection Amendment Act of 2016'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

5401. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-380, ''Higher Education Licensure Commission Clarification Temporary Amendment Act of 2016'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

5402. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-381, ''Business Improvement Districts Sunset Repeal Temporary Amendment Act of 2016'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

5403. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-382, ''Civic Associations Public Space Permit Fee Waiver Temporary Amendment Act of 2016'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

5404. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-383, ''Tax Sale Resource Center Clarifying Temporary Amendment Act of 2016'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

5405. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-384, ''Revised Synthetics Abatement and Full Enforcement Drug Control Temporary Amendment Act of 2016'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

5406. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-379, ''DMPED Procurement Clarification Temporary Amendment Act of 2016'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

5407. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-385, ''Caregiver Advise, Record, and Enable Amendment Act of 2016'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814) (110 Stat. 868); to the Committee on Oversight and Government Reform.

5408. A letter from the Acting Director, Planning and Policy Analysis, Office of Personnel Management, transmitting the Office's final rule — Federal Employees' Group Life Insurance Program: Options B and C (RIN: 3206-AM96) received May 16, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

5409. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Greenland Turbot in

the Aleutian Islands Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No.: 150916863-6211-02] (RIN: 0648-XE590) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5410. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's interim final rule — Enhanced Document Requirements and Captain Training Requirements To Support Use of the Dolphin Safe Label on Tuna Products [Docket No.: 160204080-6080-01] (RIN: 0648-BF73) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5411. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No.: 150903814-5999-02] (RIN: 0648-XE564) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5412. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Adjustment of Georges Bank and Southern New England/Mid-Atlantic Yellowtail Flounder Annual Catch Limits [Docket No.: 160202070-6070-01] (RIN: 0648-XE427) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5413. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands Management Area; American Fisheries Act; Amendment 111 [Docket No.: 150817730-6320-02] (RIN: 0648-BF29) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5414. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-388, ''Made in DC Program Establishment Act of 2016'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

5415. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2015-3147; Directorate Identifier 2014-NM-094-AD; Amendment 39-18479; AD 2016-08-03] (RIN: 2120-AA64) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5416. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; SOCATA Airplanes [Docket No.: FAA-2016-0068; Directorate Identifier 2015-CE-037-AD; Amendment 39-18484; AD 2016-08-08] (RIN: 2120-AA64) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5417. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2015-4811; Directorate Identifier 2015-NM-104-AD; Amendment 39-18481; AD 2016-08-05] (RIN: 2120-AA64) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5418. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters (formerly Eurocopter France) [Docket No.: FAA-2015-5914; Directorate Identifier 2014-SW-056-AD; Amendment 39-18472; AD 2016-07-27] (RIN: 2120-AA64) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5419. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2015-4810; Directorate Identifier 2015-NM-090-AD; Amendment 39-18475; AD 2016-07-30] (RIN: 2120-AA64) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5420. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2015-4204; Directorate Identifier 2015-NM-001-AD; Amendment 39-18482; AD 2016-08-06] (RIN: 2120-AA64) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5421. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters (previously Eurocopter France) [Docket No.: FAA-2015-4112; Directorate Identifier 2014-SW-043-AD; Amendment 39-18471; AD 2016-07-26] (RIN: 2120-AA64) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5422. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-5458; Directorate Identifier 2016-NM-027-AD; Amendment 39-18473; AD 2016-07-28] (RIN: 2120-AA64) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5423. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Textron Aviation, Inc. Airplanes [Docket No.: FAA-2016-5457; Directorate Identifier 2016-CE-008-AD; Amendment 39-18469; AD 2016-07-24] (RIN: 2120-AA64) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5424. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Piper Aircraft, Inc. Airplanes [Docket No.: FAA-2016-5432; Directorate Identifier 2016-CE-009-AD; Amendment 39-18466; AD 2016-07-21] (RIN: 2120-AA64) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5425. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Aviation Airplanes [Docket No.: FAA-2015-5813; Directorate Identifier 2014-NM-111-AD; Amendment 39-18460; AD 2016-07-15] (RIN: 2120-AA64) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5426. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE SYSTEMS (Operations) Limited Airplanes [Docket No.: FAA-2015-1279; Directorate Identifier 2014-NM-049-AD; Amendment 39-18454; AD 2016-07-09] (RIN: 2120-AA64) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5427. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters (Previously Eurocopter France) Helicopters [Docket No.: FAA-2014-0333; Directorate Identifier 2013-SW-025-AD; Amendment 39-18474; AD 2016-07-29] (RIN: 2120-AA64) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5428. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Defense and Space S.A. (Formerly Known As Construcciones Aeronauticas, S.A.) Airplanes [Docket No.: FAA-2015-4809; Directorate Identifier 2015-NM-012-AD; Amendment 39-18463; AD 2016-07-18] (RIN: 2120-AA64) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5429. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Aviation Training Device Credit for Pilot Certification [Docket No.: FAA-2015-1846; Amdt. Nos. 61-136, 141-18] (RIN: 2120-AK71) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5430. A letter from the Trial Attorney, FRA, Department of Transportation, transmitting the Department's final rule — Positive Train Control Systems [Docket No.: FRA-2016-0012, Notice No. 1] (RIN: 2130-AC56) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5431. A letter from the Management and Program Analyst, FAA, Department of

Transportation, transmitting the Department's final rule — Establishment of Class E Airspace, South Bend, WA [Docket No.: FAA-2015-3771; Airspace Docket No.: 15-ANM-28] received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5432. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2015-1426; Directorate Identifier 2013-NM-200-AD; Amendment 39-18462; AD 2016-07-17] (RIN: 2120-AA64) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5433. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2014-0775; Directorate Identifier 2014-NM-046-AD; Amendment 39-18467; AD 2016-07-22] (RIN: 2120-AA64) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5434. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2015-8136; Directorate Identifier 2014-NM-189-AD; Amendment 39-18480; AD 2016-08-04] (RIN: 2120-AA64) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HENSARLING: Committee on Financial Services. H.R. 4894. A bill to repeal title II of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Rept. 114–574, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 496. A bill to establish the Alabama Hills National Scenic Area in the State of California, and for other purposes; with an amendment (Rept. 114–575). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 4680. A bill to prepare the National Park Service for its Centennial in 2016 and for a second century of promoting and protecting the natural, historic, and cultural resources of our National Parks for the enjoyment of present and future generations, and for other purposes; with an amendment (Rept. 114–576, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. FRELINGHUYSEN: Committee on Appropriations. H.R. 5293. A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes (Rept. 114–577). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committees on Agriculture and Education and the Workforce discharged from further consideration. H.R. 4680 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committees on Agriculture, the Judiciary, and Ways and Means discharged from further consideration. H.R. 4894 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. MAXINE WATERS of California:

H.R. 5282. A bill to amend the Fair Credit Reporting Act to improve the consumer reporting system, and for other purposes; to the Committee on Financial Services.

By Mr. SENSENBRENNER (for himself, Mr. CONYERS, Mr. GOODLATTE, Ms. JACKSON LEE, Mr. CHABOT, Mr. ISSA, Mr. FORBES, Mr. FRANKS of Arizona, Mr. COHEN, Mr. JOHNSON of Georgia, Mr. JORDAN, Mr. CHAFFETZ, Mr. RICHMOND, Mr. ROSKAM, Mr. WALBERG, Mr. TROTT, Mrs. MIMI WALTERS of California, and Mr. COLLINS of Georgia):

H.R. 5283. A bill to amend title 18, United States Code, to reform certain forfeiture procedures, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Financial Services, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SESSIONS:

H.R. 5284. A bill to eliminate the individual and employer health coverage mandates under the Patient Protection and Affordable Care Act, to expand beyond that Act the choices in obtaining and financing affordable health insurance coverage, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARINO (for himself, Mr. CICILLINE, Mr. HIGGINS, and Mr. MCDERMOTT):

H.R. 5285. A bill to amend the Foreign Assistance Act of 1961 to require the annual human rights reports to include information on the institutionalization of children and the subjection of children to cruel, inhuman, or degrading treatment, unnecessary detention, and denial of the right to life, liberty, and the security of persons, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MILLER of Florida:

H.R. 5286. A bill to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FOSTER (for himself, Mrs. LAWRENCE, Ms. SEWELL of Alabama, Mr. RYAN of Ohio, Mr. CUMMINGS, Mr. KIND, Ms. CLARK of Massachusetts, Ms. NORTON, Ms. DUCKWORTH, and Mr. QUIGLEY):

H.R. 5287. A bill to amend title XIX of the Social Security Act to provide States with an option to provide medical assistance to individuals between the ages of 22 and 64 for inpatient services to treat substance use disorders at certain facilities, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CARTWRIGHT (for himself, Mr. HONDA, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. TAKANO, Mr. TONKO, Mr. MCDERMOTT, and Mr. LANGEVIN):

H.R. 5288. A bill to provide for the establishment of clean technology consortia to enhance the economic, environmental, and energy security of the United States by promoting domestic development, manufacture, and deployment of clean technologies, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STIVERS (for himself, Ms. SPEIER, Ms. STEFANIK, Ms. ESHOO, Mr. GIBSON, Mr. HONDA, and Mr. REED):

H.R. 5289. A bill to amend the Internal Revenue Code of 1986 to allow the energy credit for certain high-efficiency linear generator property; to the Committee on Ways and Means.

By Mr. MCDERMOTT (for himself, Mr. PAULSEN, Mr. ELLISON, and Mr. REICHERT):

H.R. 5290. A bill to amend the Internal Revenue Code of 1986 to qualify homeless youth and veterans who are full-time students for purposes of the low income housing tax credit; to the Committee on Ways and Means.

By Mr. THOMPSON of California:

H.R. 5291. A bill to amend title 49, United States Code, to provide enhanced consumer protection for air passengers, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CURBELO of Florida (for himself and Mr. SEAN PATRICK MALONEY of New York):

H.R. 5292. A bill to amend title 49, United States Code, relating to hiring of certain air traffic control specialists, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BABIN (for himself and Mr. GOSAR):

H.R. 5294. A bill to invalidate the reinterpretation of title IX through guidance issued by the Department of Education and the Department of Justice on May 13, 2016; to the Committee on Education and the Workforce.

By Mr. HECK of Nevada (for himself and Mr. NOLAN):

H.R. 5295. A bill to amend title II of the Social Security Act to provide annual minimum and maximum cost-of-living increases for Social Security beneficiaries, and for other purposes; to the Committee on Ways and Means.

By Mr. HOLDING (for himself, Mr. ROSKAM, Mr. NUNES, Mr. MARCHANT, and Mr. TIBERI):

H.R. 5296. A bill to make Internal Revenue Service Criminal Investigation a distinct entity within the Department of the Treasury,

and for other purposes; to the Committee on Ways and Means.

By Mr. MEADOWS (for himself, Mr. MULVANEY, Mr. DUNCAN of South Carolina, and Mr. SANFORD):

H.R. 5297. A bill to amend the Internal Revenue Code of 1986 to require inclusion of the taxpayer's social security number to claim the refundable portion of the child tax credit; to the Committee on Ways and Means.

By Ms. PINGREE:

H.R. 5298. A bill to establish requirements regarding quality dates and safety dates in food labeling, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REICHERT (for himself and Mr. KILMER):

H.R. 5299. A bill to award a Congressional Gold Medal to the United States Army Dust Off crews of the Vietnam War, collectively, in recognition of their extraordinary heroism and life-saving actions in Vietnam; to the Committee on Financial Services, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SALMON:

H.R. 5300. A bill to prohibit any appropriation of funds to the National Park Service for the study of how artificial light affects the movements and behavior of insects, and for other purposes; to the Committee on Natural Resources.

By Mr. WILLIAMS (for himself, Mr. MULVANEY, Mr. RUSH, Mr. CUELLAR, and Mr. NEUGEBAUER):

H.R. 5301. A bill to exempt small seller financers from certain licensing requirements and debt-to-income requirements for qualified mortgages; to the Committee on Financial Services.

By Mr. YOUNG of Alaska:

H.R. 5302. A bill to authorize the Federal Energy Regulatory Commission to issue an order continuing a stay of a hydroelectric license for the Mahoney Lake hydroelectric project in the State of Alaska, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HASTINGS (for himself, Mr. CARTWRIGHT, Mr. CONYERS, Ms. NORTON, Mr. ELLISON, Mr. PRICE of North Carolina, Mr. HONDA, Mr. GRIJALVA, Ms. BORDALLO, Ms. MCCOLLUM, and Ms. MENG):

H. Res. 741. A resolution recognizing the importance of nonprofit organizations to the economy of the United States and expressing support for designation of September as ''Nonprofit Organization (NPO) Recognition Month''; to the Committee on Oversight and Government Reform.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. MAXINE WATERS of California:

H.R. 5282.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. SENSENBRENNER:

H.R. 5283.

Congress has the power to enact this legislation pursuant to the following:

Recognizing that numerous federal criminal law statutes (through which federal civil asset forfeiture is enacted) have tenuous constitutional justifications, this reform bill embeds and advances constitutional principles found in the Fourth, Fifth, Tenth Amendments. The bill also derives authority from Congress' Article I, Section 8, clause 9 authority to ''constitute tribunals inferior to the Supreme Court.'' This authority includes the rules and procedures used by inferior federal courts.

By Mr. SESSIONS:

H.R. 5284.

Congress has the power to enact this legislation pursuant to the following:

Consistent with Congress' power to tax, the authority to enact this legislation is found in Clause 1 of Article 1, Section 8 of the U.S. Constitution. Additionally, consistent with original understanding of the Commerce Clause, the authority to enact this legislation is found in Clause 3 of Article 1, Section 8 of the United States Constitution.

By Mr. MARINO:

H.R. 5285.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18.

By Mr. MILLER of Florida:

H.R. 5286.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. FOSTER:

H.R. 5287.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Mr. CARTWRIGHT:

H.R. 5288.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;

By Mr. STIVERS:

H.R. 5289.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1—The Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debt and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. MCDERMOTT:

H.R. 5290.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. THOMPSON of California:

H.R. 5291.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. CURBELO of Florida:

H.R. 5292.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3, the Commerce Clause

By Mr. FRELINGHUYSEN:

H.R. 5293.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . .'' In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: ''The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . .'' Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. BABIN:

H.R. 5294.

Congress has the power to enact this legislation pursuant to the following:

Amendment X: The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

By Mr. HECK of Nevada:

H.R. 5295.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution, to make all laws which shall be necessary and proper for carrying into execution the foregoing Powers, and all other powers vested by the Constitution in the Government of the United States, or in any Department or officer thereof.

By Mr. HOLDING:

H.R. 5296.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. MEADOWS:

H.R. 5297.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Ms. PINGREE:

H.R. 5298.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of the US Constitution

By Mr. REICHERT:

H.R. 5299.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I Section 18 of the United States Constitution.

By Mr. SALMON:

H.R. 5300.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7—''No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.''

By Mr. WILLIAMS:

H.R. 5301.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (''To regulate Commerce with foreign Nations, and among

the several States, and with the Indian Tribes'')

By Mr. YOUNG of Alaska:

H.R. 5302.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8, Clause 18 of the United States Constitution

''The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 194: Mr. GRAVES of Georgia, Mr. CARTER of Georgia, Mr. EMMER of Minnesota, Mr. HARDY, Mr. ROGERS of Kentucky, Mr. COLLINS of New York, Mr. CURBELO of Florida, Ms. JENKINS of Kansas, Mrs. BLACKBURN, Ms. FUDGE, Mrs. BEATTY, Mr. POMPEO, Mr. WOMACK, Mr. PAULSEN, and Mr. KATKO.

H.R. 448: Mr. PAYNE and Mr. THOMPSON of Mississippi.

H.R. 816: Mr. FLORES and Mr. YOUNG of Iowa.

H.R. 969: Mr. FRELINGHUYSEN.

H.R. 1062: Mr. FLEISCHMANN and Mr. CHABOT.

H.R. 1192: Mr. WALDEN.

H.R. 1197: Mr. HECK of Washington.

H.R. 1233: Mr. FORBES.

H.R. 1398: Mr. MCNERNEY.

H.R. 1519: Mrs. DAVIS of California and Mrs. MCMORRIS RODGERS.

H.R. 1600: Mrs. CAROLYN B. MALONEY of New York.

H.R. 2035: Ms. LOFGREN.

H.R. 2274: Mr. HECK of Washington and Mr. BLUMENAUER.

H.R. 2278: Mr. GRAVES of Georgia and Mr. GROTHMAN.

H.R. 2350: Ms. SLAUGHTER and Mr. MCNERNEY.

H.R. 2404: Mr. GRIFFITH.

H.R. 2513: Mr. POE of Texas.

H.R. 2737: Mr. JOHNSON of Georgia, Mrs. WALORSKI, Mr. CAPUANO, and Ms. EDWARDS.

H.R. 2752: Mr. GRAVES of Louisiana.

H.R. 3007: Mrs. LOWEY.

H.R. 3012: Mr. SENSENBRENNER.

H.R. 3514: Mr. PRICE of North Carolina, Mr. KILDEE, and Mr. WELCH.

H.R. 3516: Mr. MOOLENAAR.

H.R. 3684: Mr. GARAMENDI.

H.R. 3706: Mr. LARSON of Connecticut.

H.R. 3871: Mr. FARENTHOLD.

H.R. 3880: Mr. CULBERSON and Mr. FITZPATRICK.

H.R. 3957: Ms. BROWN of Florida.

H.R. 3965: Ms. TSONGAS.

H.R. 4223: Mr. HECK of Washington and Mr. BEYER.

H.R. 4262: Mr. KINZINGER of Illinois.

H.R. 4298: Mr. LOUDERMILK.

H.R. 4301: Mr. LONG.

H.R. 4307: Ms. DUCKWORTH.

H.R. 4365: Mr. LANCE, Mr. ROSKAM, Mrs. MCMORRIS RODGERS, Mr. CARTER of Texas, and Mr. FORBES.

H.R. 4460: Mr. BURGESS.

H.R. 4514: Mr. ISSA, Mr. ABRAHAM, and Ms. BROWN of Florida.

H.R. 4526: Mr. HARRIS.

H.R. 4534: Mr. BARR.

H.R. 4592: Mr. O'ROURKE, Mr. KILMER, Mr. CONYERS, Mr. POCAN, Mr. GIBSON, Mr. JOLLY, Mr. VAN HOLLEN, Mrs. LOWEY, Ms. SPEIER, Mr. SEAN PATRICK MALONEY of New York, Mr. BEYER, Mrs. COMSTOCK, Ms. GABBARD, Mr. THOMPSON of Mississippi, Mr. CUMMINGS, Mr. AGUILAR, Mr. CASTRO of Texas, Mr. Curbelo of Florida, Mr. TED LIEU of California, Ms. ADAMS, Ms. MCCOLLUM, Mrs. NAPOLITANO, Mr. VISCLOSKY, Mr. DEUTCH, Ms. BASS, Mr. SHERMAN, Mr. SCHIFF, Mr. CÁRDENAS, Ms. CASTOR of Florida, Ms. FRANKEL of Florida, Ms. HAHN and Mr. VEASEY.

H.R. 4626: Ms. FRANKEL of Florida, Mr. BOST, and Mr. CRAWFORD.

H.R. 4715: Mr. BENISHEK and Mr. FLEISCHMANN.

H.R. 4730: Mr. FORBES.

H.R. 4768: Mr. YODER, Mr. WILLIAMS, Mr. NEUGEBAUER, Mr. HOLDING, Mr. GOWDY and Mr. SHIMKUS.

H.R. 4773: Mr. BRADY of Texas, Mr. WILLIAMS, Mr. JOHNSON of Ohio, and Mr. FRELINGHUYSEN.

H.R. 4775: Ms. JENKINS of Kansas, Mr. BARLETTA, and Mr. SHUSTER.

H.R. 4816: Mr. RIBBLE.

H.R. 4842: Mr. ISRAEL.

H.R. 4847: Mr. OLSON.

H.R. 4848: Mr. MICA.

H.R. 4893: Mr. KING of New York.

H.R. 4907: Ms. ESHOO.

H.R. 4955: Mrs. DINGELL.

H.R. 4956: Mrs. LUMMIS.

H.R. 4994: Mrs. DINGELL.

H.R. 5006: Mr. MCGOVERN.

H.R. 5025: Mr. CARTWRIGHT.

H.R. 5044: Ms. DUCKWORTH, Ms. TITUS, Mr. VEASEY, and Ms. LORETTA SANCHEZ of California.

H.R. 5073: Mr. HASTINGS and Mr. SIRES.

H.R. 5076: Mr. HARRIS and Mr. NEUGEBAUER.

H.R. 5090: Mr. THOMPSON of California, Mr. NORCROSS, Mr. DAVID SCOTT of Georgia, Mr. MCDERMOTT, Mr. CICILLINE and Mr. PAYNE.

H.R. 5143: Mrs. TIPTON.

H.R. 5147: Mr. LANGEVIN.

H.R. 5166: Mr. MCGOVERN, Mr. AUSTIN SCOTT of Georgia, Mr. WALKER, Mr. DUNCAN of South Carolina, Ms. GABBARD, Ms. GRAHAM, and Mr. STUTZMAN.

H.R. 5168: Mr. BENISHEK, Mr. TED LIEU of California, Mr. CÁRDENAS, Mr. MURPHY of Florida, Mr. WALBERG, and Mr. MICA.

H.R. 5203: Mr. SMITH of Texas and Mr. GOHMERT.

H.R. 5210: Mr. FORBES and Mr. ROTHFUS.

H.R. 5213: Ms. JENKINS of Kansas, Mrs. NOEM, and Mr. YOUNG of Iowa.

H.R. 5224: Mr. FARENTHOLD, Mr. ROUZER, Mrs. LUMMIS, Mr. MEADOWS, Mr. BRAT, Mr. ABRAHAM, Mr. YOUNG of Alaska, Mr. PITTS, Mr. FRANKS of Arizona,

Mr. AUSTIN SCOTT of Georgia, Mr. LAMALFA, Mr. CUELLAR, and Mr. POMPEO.

H.R. 5230: Mr. HUIZENGA of Michigan.

H.R. 5237: Mr. MEEHAN.

H.R. 5254: Mr. BUTTERFIELD, Mr. GRIJALVA, and Ms. SINEMA.

H.R. 5275: Mr. SMITH of Texas, Mr. BABIN, Mr. DUNCAN of South Carolina, Mr. HARPER and Mrs. WALORSKI.

H. Con. Res. 40: Mr. NOLAN.

H. Con. Res. 128: Mr. SMITH of New Jersey, Mr. HUDSON, Mr. ROSS, Mrs. BLACK and Mr. COSTELLO of Pennsylvania.

H. Con. Res. 129: Mr. NADLER and Mr. DIAZ-BALART.

H. Res. 94: Ms. LEE, Ms. VELÁZQUEZ, and Ms. DUCKWORTH.

H. Res. 494: Mr. SCHWEIKERT, Mr. BURGESS, Mr. JONES, and Mr. YOUNG of Alaska.

H. Res. 686: Mr. BEYER, Mr. O'ROURKE, Mr. TAKANO, Mrs. CAPPS, Mr. TONKO, and Mr. ELLISON.

H. Res. 717: Mr. HECK of Washington.

H. Res. 729: Mr. BARLETTA, Mr. MOOLENAAR, Mr. HUDSON, Mr. SMITH of New Jersey, Mr. ISSA, Ms. BROWN of Florida, Mr. DIAZ-BALART, Mr. DONOVAN, and Mr. SIRES.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4974

OFFERED BY: MR. PERRY

AMENDMENT NO. 11: At the end of the bill, before the short title, add the following new section:

SEC. ____. None of the funds made available by this Act may be used to implement or enforce Executive Order 13502.

EXTENSIONS OF REMARKS

SUMTER LAW ENFORCEMENT PRAYER BREAKFAST

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. CLYBURN. Mr. Speaker, as the nation pauses to celebrate 25 years of federal recognition of National Police Week, I rise to pay tribute to law enforcement officers in South Carolina and across the country who serve and protect our families and communities every day.

Earlier this month, I had the opportunity to speak at a prayer breakfast in my hometown of Sumter, South Carolina. The prayer breakfast was hosted by the Sumter County Sheriff's Department and the City of Sumter Police Department. I am grateful Sheriff Anthony Dennis honored me with his invitation to speak at the prayer breakfast.

The theme for the event was, ''Badge of Honor,'' which is fitting because when our brave men and women serve our communities day in and day out, they bring great personal honor to their duties. Police work is often dangerous and too frequently thankless, so I think it's important for those of us in elected office to pause and say sincerely, thank you.

Mr. Speaker, in recognition of National Police Week, I want to say thank you to the law enforcement officers and their families in South Carolina and throughout this great land.

IN RECOGNITION OF COLONEL ROCKY McPHERSON

HON. THOMAS J. ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. ROONEY of Florida. Mr. Speaker, I rise today to recognize the distinguished career of retired Marine Colonel Rocky McPherson, who is retiring after 50 years of service to our nation and the state of Florida.

Upon graduating from the United States Naval Academy in 1966, Rocky was commissioned as a Second Lieutenant in the United States Marine Corps and began his military career with a ground combat tour in Vietnam. After one year as an infantry officer he transitioned into the aviation community and is the only Marine officer with both ground and aviation combat tours during the Vietnam War.

During Rocky's continued military service, he commanded the Marine All Weather Attack Squadron 121 aboard the USS *Ranger*, the Marine Air Training Support Group at Whidbey Island, Washington, and served as the Chief of Staff, III Marine Expeditionary Force in Okinawa, Japan. His final assignment before retiring from the Marine Corps was at Marine Corps Headquarters as the Deputy Director, Manpower Division.

Rocky then served as the Executive Director of the Florida Department of Veterans' Affairs, where he oversaw the most significant expansion of state veterans' nursing homes in decades, led department efforts to support Florida's returning severely wounded service members, and spearheaded plans to design and build the Florida World War II Memorial and monument—a replica of the larger monument located here in Washington, D.C. His personal and professional dedication to improving services for Florida's veterans has made a tremendous and lasting impact on the lives of over 1.5 million veterans and their family members in Florida.

Most recently, Rocky has used his talents to advance the mission of Enterprise Florida, a public-private partnership between Florida's business and government leaders that aims to encourage economic development in the state of Florida. As the organization's Vice President for Military and Defense Programs, Rocky has worked to protect, preserve, and improve Florida's military installations, as well as the communities surrounding those bases. Rocky's unparalleled experience and knowledge of military and defense issues have made him both a leader at the national level and an invaluable resource for Governors, State Legislators, and local defense community leaders across the state.

Mr. Speaker, I thank Colonel Rocky McPherson for the duty and honor he has consistently displayed throughout his 17 years of outstanding service to the state of Florida. We are truly better off because of his hard work, and I wish Rocky, his wife of 34 years Connie, their children Ashley, Nathan and Courtney, and their grandson, Jack all the best in the years to come.

IN HONOR OF RABBI RICHARD LITVAK

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. FARR. Mr. Speaker, I rise today to honor the career of one of the most joyous and remarkable leaders that I have met in my 40 years of elective office. Rabbi Richard Litvak will retire this summer after 40 years of leadership at Temple Beth El in Aptos, California. In those years he has touched thousands of lives, nurturing their spiritual lives, counseling them in times of grief, bringing smiles in times of joy, and as a licensed family counselor, maybe even saving a few marriages. With the exception of my father, the late Fred Farr, there is no man who I admire more for his exuberant humanity and transcendent love for all those around him.

Born in St. Joseph, Missouri, Rick grew up in a close-knit family whose social life centered around their own community's synagogue. In high school, he joined a Jewish youth group and a Mitzvah Corps program. That grounding in Reform Judaism encouraged his involvement in interfaith dialogue and Jewish social justice activism. This background led Rick to study at Hebrew Union College in Cincinnati, Ohio. He holds an MA in Hebrew Arts and Letters and is a rabbinic member of the Chesky Institute for Judaism and Psychotherapy.

Rick first came to Temple Beth El in 1975—the same year I was sworn in as a Monterey County Supervisor—as a student rabbi, and then in 1977 became its first full time rabbi. Under his leadership, the Temple community grew steadily, from 50 families to over 500 today. He added religious programs, Jewish adult education courses, expanded religious school curriculums, a preschool, and community center activities. Rick also helped lead the development and 1990 opening of the current Temple site.

In the broader community, Rick has built a towering reputation for leadership and peace building. He elevated social action and interfaith understanding to a central calling for the Temple Beth El community; supporting its leadership in the ''Out in Our Faith'' movement locally and nationally. People throughout Santa Cruz County and the Monterey Bay Area appreciate Rick for the faith, leadership, and joy that he brings to many social justice causes.

Mr. Speaker, I know I speak for the whole House in thanking Rick for his years of service. The world is an immeasurably better place for having Rick among its people. I want to say what a pleasure it has been to work with him these many years. He is such an amazing leader. So much so, that once I heard that he planned to retire, I felt compelled to follow his example and announce my own retirement from elective office. I wish Rick, his amazing wife Nancy, and their daughters Jessica and Gwen, all the best. Shalom, my friend.

IN MEMORY OF APOSTLE WILLIAM T. BROADOUS

HON. TONY CÁRDENAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. CÁRDENAS. Mr. Speaker, it is with profound sadness that I rise to honor the life of a much loved community and spiritual leader, Apostle William T. Broadous, who passed away on Tuesday, May 3, 2016, at the age of 71.

Apostle William T. Broadous was born on December 1, 1944 in Portland, Oregon to Dr. Hillery T. and Rosa L. Broadous, who founded Calvary Baptist Church in Pacoima in 1955.

Apostle Broadous overcame challenges throughout his life, defying the odds, going on to found schools, lead missionary trips to Africa, and be a voice for the community.

Apostle Broadous continued the strong family tradition of social justice, service and commitment to Pacoima and the San Fernando Valley.

He was a strong supporter of community empowerment programs such as the San Fernando Valley Chapter of the NAACP and the Boys and Girls Club, as well as the Alicia Broadous-Duncan Senior Center in Pacoima.

After going to school at Bishop College in Dallas, TX, and spending nine years as the Pastor of New Bethel Baptist Church and director of several community centers, Apostle Broadous returned to the Valley.

Upon his return, he joined his father at Calvary Baptist Church and embraced his new role as Pastor after his father's passing in 1982.

Apostle Broadous dedicated his life to his community and his congregation, preaching at Calvary Baptist Church up until the day of his passing.

Apostle Broadous will be sorely missed in the San Fernando Valley. He is survived by his wife, Pastor Gloria L. Broadous, his children, grandchildren, great grandchildren, and siblings, nieces and nephews.

Mr. Speaker, I ask my colleagues to join me in honoring the life of Apostle William T. Broadous. Although Apostle Broadous is no longer with us in person, his legacy will continue for generations to come.

HOUSING FOR HOMELESS STUDENTS ACT

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. MCDERMOTT. Mr. Speaker, today, along with fellow Members of Congress, ERIK PAULSEN, KEITH ELLISON, and DAVE REICHERT, I am introducing bipartisan legislation to improve the Low Income Housing Tax Credit to ensure low-income families do not have to choose between stable, affordable housing and education.

The Low Income Housing Tax Credit is a highly successful tool for financing affordable housing and one of the premier examples of the government leveraging its resources in order to maximize outcomes through public-private partnerships. Unfortunately, a well-intentioned limitation called the ''student rule'' currently forces some of the most in-need to choose between housing and education.

The ''student rule'' was designed to prohibit Low Income Housing Tax Credit funds from being used to construct dormitories and to prevent college students, who often have temporarily low incomes, from utilizing resources meant for individuals and families with more serious and longer-term housing needs. Unfortunately, there are no exceptions for those who want to pursue full-time education and are truly in need of housing assistance.

Because of this, students may lose access to Low Income Housing Tax Credit-funded housing units if they go to school full-time. Alternatively, if they choose to attend school part-time in order to keep their LIHTC housing eligibility, these students may lose access to grants, loans, and scholarships that are limited to full-time students. The unintended outcome of the ''student rule'' is to hold back truly low-income individuals trying to obtain an education.

Our legislation adds two exceptions to the student rule; for formerly homeless youth and for formerly homeless veterans. Both of these populations are vulnerable to a return to homelessness. Ensuring they can go to school while maintaining access to affordable housing can help prevent this regression and promote financial independence.

These small changes can provide immeasurable help and I hope all of my colleagues will join me in passing this legislation.

CONGRATULATING NAPSEC ON 45 YEARS OF SERVICE

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to congratulate the National Association of Private Special Education Centers (NAPSEC) for their 45 years of excellent service and academic dedication to our country's individuals with disabilities. NAPSEC's educational therapeutic services, combined with over four decades of experience, are invaluable to the education community across the United States and to the many partners in my home state of New Jersey.

Established in 1971, NAPSEC represents private specialized education programs including early intervention services, school programs, residential therapeutic centers, and college experience and adult living programs for individuals with disabilities and their families. The majority of NAPSEC's member programs provide services to publicly placed students with disabilities through the Continuum of Alternative Placements and Services required by the Individuals with Disabilities Education Act (IDEA). Originally enacted into law in 1975, IDEA is the primary federal statute governing special education for children from birth through age 21 and guaranteeing the rights of children with disabilities to a free public education that suits their needs.

Nationwide, 6.6 million students with disabilities are ensured of and receive an education because of IDEA. While many of these children are successfully integrated into public schools and typical classrooms, IDEA requires that a variety of options are available to meet the individual needs of disabled students. Of these students, 3.4 percent are served in private specialized day and/or residential programs. NAPSEC member programs meet a vital need for individuals who are not able to thrive in a typical classroom environment, acknowledging each individual's unique experience, because every child has the right to an education that empowers them to succeed.

NAPSEC's hundreds of affiliates bridge the gap and offer much needed services to publically and privately placed individuals. In addition to K–12 education, these services also include early intervention services for infants and toddlers. As co-chair of the Coalition on Autism Research and Education (CARE), I've seen firsthand the impact that early intervention makes in successful outcomes for children and applaud this attention to early intervention.

Additionally, NAPSEC programs provide postsecondary college experience and adult living programs that serve individuals who have aged out of their school based supports and are no longer eligible for services under IDEA. As 50,000 individuals with autism, and many more with other disabilities, age out of their education based supports every year, supports and services for these individuals are critically necessary in ensuring that young adults with disabilities can successfully transition into the next phase of their lives. Their services needs do not end when they turn 21.

NAPSEC programs improve educational outcomes for people with disabilities and empower them to achieve their full potential and make meaningful contributions to society. When individuals with disabilities are empowered to achieve, we all benefit.

I remain impressed by the quality of care and expertise NAPSEC's partners provide to America's students with disabilities, including those with autism. Again, I offer NAPSEC my sincerest congratulations and gratitude for their 45 years of service to the disabilities community and look forward to NAPSEC's continued progress in the future.

HONORING THE 40TH ANNIVERSARY OF THE NATIONAL VOLUNTEER FIRE COUNCIL (NVFC)

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. KING of New York. Mr. Speaker, I rise today to celebrate the 40th anniversary of the National Volunteer Fire Council (NVFC).

This important organization represents the interests of volunteer fire, EMS and rescue workers, who make up approximately 69 percent of the nation's fire service. As co-chairman of the Congressional Fire Services Caucus, I am proud to work with the National Volunteer Fire Council to advocate for the interests of these brave men and women who volunteer their time and risk their lives for our communities.

The NVFC has been a powerful voice for the volunteer firefighter, EMT and rescue service. Since the Council began, fire death rate per million population declined by 70 percent and on-duty firefighter fatalities have dropped by half. The Council's efforts to promote safety and fire prevention are also noteworthy. The number of fire calls per year is less than half of what it was in 1980.

In the last few decades, we have learned more about the additional grave dangers that firefighters face, including cancer, PTSD, vehicle crashes, and heart events. I will continue to work with the NVFC to advocate for the health and safety of the volunteer fire service community.

The National Volunteer Fire Council has come a long way since its founding in 1976 and I know it will continue to serve its membership and the greater community well for many years to come.

TRIBUTE TO VICKIE AND ED ELWOOD

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Vickie and Ed Elwood of Griswold, Iowa, on the very special occasion of their 50th wedding anniversary. They celebrated their anniversary on April 10, 2016.

Ed and Vickie's lifelong commitment to each other and their family truly embodies Iowa values. It is because of Iowans like them that I'm proud to represent our great state.

I commend this great couple on their 50th year together and I wish them many more. I know my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

HONORING SETH TOWERY ON BEING ACCEPTED BY THE NATIONAL ACADEMY OF FUTURE PHYSICIANS AND MEDICAL SCIENTISTS AS A DELEGATE TO THE CONGRESS OF FUTURE MEDICAL LEADERS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. LONG. Mr. Speaker, I rise today to honor Carl Junction High School student Seth Towery, of Joplin, Missouri, on his being accepted as a delegate to the Congress of Future Medical Leaders by the National Academy of Future Physicians and Medical Scientists.

The Congress of Future Medical Leaders is an honors-only program that is designed to motivate and direct the top students in the United States. Specifically, it's designed for students aspiring to become physicians or medical researchers, and provides a path and mentorship for students to accomplish their goals.

To be considered for acceptance as a delegate, applicants are either recommended by a teacher or member of the Academy based on a proven track record of academic excellence. Delegates represent all 50 states plus Puerto Rico, and must have a minimum 3.5 GPA. Students like Towery who qualify for this incredibly selective honor exemplify top-tier diligence and academic talent.

Mr. Speaker, Seth Towery has displayed the ability to not only excel in the classroom, but to balance his interests in science and medicine with his athletic endeavors. I urge my colleagues to join me in congratulating him for this achievement. On behalf of Missouri's Seventh Congressional District, I wish Seth the best of luck in all his future endeavors.

RECOGNIZING THE MEN AND WOMEN WHO SERVE IN LAW ENFORCEMENT

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, today, during National Police Week, I rise to recognize the brave men and women who serve in law enforcement.

Since 1962, this week has been reserved to commemorate the law enforcement officers who serve and protect our communities and honor those who have lost their lives in the line of duty.

Every day, our cities and towns are kept safe by these individuals who put the safety of others before their own. I want to take this time to recognize a few of the 13th District's finest:

Officer Michael Bauer in Collinsville, Illinois, just recently pulled a man out of a burning building before firefighters were able to arrive.

Officers Jonathan McCauley and Aaron Rowe in Normal, Illinois saved the life of a young man after a tragic swimming accident. Disregarding their own safety, these officers took swift action to save the life of a stranger.

And Chief Deputy Bruce Engeling in my hometown of Taylorville was awarded Officer of the Year for his outstanding service and his commitment to the Christian County Sheriff's Department.

While these are just a few examples of the outstanding officers in my district, police officers and their families throughout our nation make sacrifices on a daily basis. I am incredibly thankful to all of the men and women in blue who dedicate their lives to protecting others. I know our communities are in good hands thanks to the work they do each and every day.

TRIBUTE TO MARY LOU AND MERLIN KRAUS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Mary Lou and Merlin Kraus of Anita, Iowa, on the very special occasion of their 60th wedding anniversary. They were married on April 24, 1956, at the Mt. Carmel Catholic Church in Mt. Carmel, Iowa.

Mary Lou and Merlin's lifelong commitment to each other and their children, Debbie, Donna, Darlene, Mike, Annette, and the late Barbara, thirteen grandchildren and one great-grandchild, truly embodies Iowa values. As they reflect on their 60th anniversary, I hope it is filled with happy memories and continued hope for the future.

I salute this great couple on their 60th year together and I wish them many more. I know my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

65TH ANNIVERSARY OF THE TWIN RIVERS REGIONAL MEDICAL CENTER

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. SMITH of Missouri. Mr. Speaker, I rise today to congratulate the Twin Rivers Regional Medical Center on celebrating their 65th anniversary serving the healthcare needs of Kennett, Dunklin County, and the surrounding areas.

The hospital opened its doors and admitted its first patient on May 21, 1951 under the name Dunklin County Memorial Hospital. Since then, it has been renamed and grown into a fully licensed, 116-bed facility that offers an extensive range of services including inpatient and outpatient, medical, surgical, obstetric, behavioral health, diagnostic and emergency care as well as primary care and family care clinics.

The medical center provides a full continuum of care to patients through a dedicated team of physicians, nurses, and staff. Every year, the hospital serves approximately 50,000 patients from six different counties. This includes the 15,000 Medicare beneficiaries and 20,000 Medicaid beneficiaries that are also served by the medical center.

Throughout its years of service, the hospital has remained dedicated to exceeding patient expectations while delivering compassionate, safe, quality care. Therefore, it is my privilege and honor to recognize the Twin Rivers Regional Medical Center on celebrating their 65th anniversary before the U.S. House of Representatives.

STAFFORD HIGH TRACK & FIELD TEAM RUNS TO TITLE

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate the Stafford High School Boys Track & Field Team from Stafford, TX for winning the University Interscholastic League (UIL) Class 4A 2016 State championship in Track & Field.

Despite some inclement weather and difficult opponents, the Stafford Spartan Boys Track & Field Team brought home the school's first state title since 1992. The team won the championship by defeating 57 other schools. The effort was led by impressive performances in the 100 meter dash (1st), the 4x200 relay (2nd), the 4x100 relay (4th), the 110 hurdles (1st), and the High Jump (3rd). We are proud of what these young men were able to accomplish and are excited to see what lies ahead for them.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again

to the Stafford High School Boys Track & Field Team for all of their success at the UIL State Championships. Keep up the great work.

HONORING HANNAH STANSBURY ON BEING ACCEPTED BY THE NATIONAL ACADEMY OF FUTURE PHYSICIANS AND MEDICAL SCIENTISTS AS A DELEGATE TO THE CONGRESS OF FUTURE MEDICAL LEADERS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. LONG. Mr. Speaker, I rise today to honor Neosho High School student Hannah Stansbury on her being accepted as a delegate to the Congress of Future Medical Leaders by the National Academy of Future Physicians and Medical Scientists.

The Congress of Future Medical Leaders is an honors-only program that is designed to motivate and direct the top students in the United States. Specifically, it's designed for students aspiring to become physicians or medical researchers, and provides a path and mentorship for students to accomplish their goals.

To be considered for acceptance as a delegate, applicants are either recommended by a teacher or member of the Academy based on a proven track record of academic excellence. Delegates represent all 50 states plus Puerto Rico, and must have a minimum 3.5 GPA. Students like Stansbury who qualify for this incredibly selective honor exemplify top-tier diligence and academic talent.

Mr. Speaker, as a perennial Honor Roll student at her high school, Hannah Stansbury has displayed elite academic qualifications, which will undoubtedly serve her future aspirations well. I urge my colleagues to join me in congratulating her for this achievement. On behalf of Missouri's Seventh Congressional District, I wish Hannah the best of luck in all her future endeavors.

TRIBUTE TO MARGUERITE GOWIN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize Marguerite Gowin of Adel, Iowa, on the celebration of her 100th birthday. She has had an illustrious career, serving as the Dallas County Recorder from 1957–78. She and her husband, Kenneth owned a hardware store in Adel throughout their married life. In her later years, she is known for being a woman of high fashion—always seen wearing artistic jewelry, stylish clothing and topping it off with an infectious laugh and wide smile.

Our world has changed immensely during the course of Marguerite's life. Since her birth, we have revolutionized air travel and walked on the moon. We have invented the television, cellular phones, and the intemet. We have fought in wars overseas, seen the rise and fall of Soviet communism, and witnessed the birth of new democracies. Ms. Gowin has lived through seventeen United States Presidents and twenty-one Governors of Iowa. In her lifetime, the population of the United States has more than tripled.

Mr. Speaker, it is an honor to represent Ms. Gowin in the United States Congress and it is my pleasure to wish her a very happy 100th birthday. I ask that my colleagues in the United States House of Representatives join me in congratulating Marguerite Gowin for reaching this incredible milestone and in wishing her nothing but the best.

PERSONAL EXPLANATION

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. CARTER of Texas. Mr. Speaker, due to a personal matter, I was unable to attend votes on May 16, 2016. I would have supported final passage of the following bills:

Roll Call Number 194 (H.R. 4743: National Cybersecurity Preparedness Consortium Act of 2016—on Motion to Suspend the Rules and Pass as Amended).

Roll Call Number 195 (H.R. 4407: Counterterrorism Advisory Board Act of 2016—on Motion to Suspend the Rules and Pass, as Amended).

RECOGNIZING 160TH ANNIVERSARY OF THE FAIRVIEW BAPTIST CHURCH

HON. BRIAN BABIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. BABIN. Mr. Speaker, I rise today to recognize the Fairview Baptist Church, and the 160 years of spiritual guidance and service to the community of Town Bluff.

It is with great joy that we celebrate the 160th anniversary of the Fairview Baptist Church. The Fairview Baptist Church opened in 1856 with just about 40 parishioners under the Reverend J. G. Masterson. It is in these early days that the Church also served as a schoolhouse for the children of Town Bluff. Fairview Baptist continued to expand into new buildings over the years, with the present building having broken ground in 1968.

Brother Scott Loar continues to preside over a growing church and vibrant congregation. May God continue to bless the Fairview Baptist Church and the entire congregation.

HONORING JENNY STARR THUERAUF ON BEING ACCEPTED BY THE NATIONAL ACADEMY OF FUTURE PHYSICIANS AND MEDICAL SCIENTISTS AS A DELEGATE TO THE CONGRESS OF FUTURE MEDICAL LEADERS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. LONG. Mr. Speaker, I rise today to honor McAuley Catholic High School student Starr Thuerauf, of Joplin, Missouri, on her being accepted as a delegate to the Congress of Future Medical Leaders by the National Academy of Future Physicians and Medical Scientists.

The Congress of Future Medical Leaders is an honors-only program that is designed to motivate and direct the top students in the United States. Specifically, it's designed for students aspiring to become physicians or medical researchers, and provides a path and mentorship for students to accomplish their goals.

To be considered for acceptance as a delegate, applicants are either recommended by a teacher or member of the Academy based on a proven track record of academic excellence. Delegates represent all 50 states plus Puerto Rico, and must have a minimum 3.5 GPA. Students like Thuerauf who qualify for this incredibly selective honor exemplify top-tier diligence and academic talent.

Mr. Speaker, Starr Thuerauf will undoubtedly represent Missouri with distinction during her time as a delegate to this Congress. She has not only shown a strong academic capability during her time at school, but is also a well-rounded individual with a deep interest in the medical field. I would like to extend my personal congratulations for her achievement, and on behalf of the 7th District of Missouri, wish Starr the best of luck in all her future endeavors.

RECOGNIZING THE IMPORTANCE OF NONPROFIT ORGANIZATIONS AND DESIGNATING SEPTEMBER 2016 AS ''NONPROFIT ORGANIZATION RECOGNITION MONTH''

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. HASTINGS. Mr. Speaker, I rise today to introduce a resolution recognizing the importance of nonprofit organizations and designating September 2016 as ''Nonprofit Organization Recognition Month.'' I would also like to take this opportunity to thank my friend and colleague, Congressman TOM ROONEY for again introducing this resolution with me this year.

Nonprofit organizations have made many important contributions to our nation. Over the past decade, the number of nonprofits has risen steadily, and there are approximately 1.4 million of them now operating in the United

States. These groups work to improve our schools. They work to protect our environment. They work to keep us and our neighbors around the world healthy. Each of them work to enact meaningful change in our world and to improve human lives.

Many nonprofits support science and research that will have a significant impact on future generations. Others advocate for vulnerable populations across the globe—for refugees, for the homeless, and for our nation's veterans. They educate and teach, and they engage each of our constituencies on issues that matter most.

The nonprofit sector is vital to the economic security of the United States. In fact, the growth rate of the nonprofit sector has surpassed the rate of both the business and government sector. Just a few years ago, in 2010, nonprofits added nearly $780 billion to our national GDP and employed 1 in 10 working Americans. Today, nonprofits contribute nearly $1 trillion to the United States economy annually. In addition, these organizations facilitate charitable giving and community activism, and the combined donations and volunteer hours of individuals to nonprofits are worth billions of dollars annually.

But perhaps most importantly, nonprofit organizations are founded and managed by people trying to make the world a better place. Whether they are abroad or at home, the work that these men and women do is incredibly meaningful. Without the people behind these organizations—working tirelessly to change the world, sometimes just one life at a time—the nonprofit sector would not be the force that it has become today.

Mr. Speaker, nonprofit organizations advocate for solutions to some of the great challenges facing our nation and the world, and they deserve to be recognized for their valuable contributions to society. No matter their focus, nonprofits play a pivotal role in shaping the future of America. I urge my colleagues to support this resolution, and to join me in designating September 2016 as ''Nonprofit Organization Recognition Month.''

TRIBUTE TO CAROLYN AND MICK MILLER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Carolyn and Mick Miller of New Market, Iowa, on the very special occasion of their 50th wedding anniversary. They were married on April 10, 1966.

Mick and Carolyn's lifelong commitment to each other and their family truly embodies Iowa values. It is because of Iowans like them that I'm proud to represent our great state.

I commend this great couple on their 50th year together and I wish them many more. I know my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

IN SUPPORT OF H.R. 241, THE ACCESS ACT

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. CALVERT. Mr. Speaker, I was pleased to have had the opportunity to testify today at the U.S. House Judiciary Committee, Subcommittee on Constitution and Civil Justice Hearing, ''Examining Legislation to Promote the Effective Enforcement of the ADA's Public Accommodation Provisions.''

As you know, the Americans with Disabilities Act is undoubtedly one of the most important pieces of civil rights legislation. We can all agree that providing all Americans with access to public accommodations is an invaluable legislative objective.

The purpose of the ADA is to ensure access for the disabled to public accommodation and provide appropriate remedial action for those who have suffered harm as a result of noncompliance. Although there are times when litigation by harmed individuals is necessary, there are an increasing number of lawsuits brought under the ADA that are based upon a desire to achieve financial settlements rather than to achieve the appropriate modifications for access. These lawsuits filed by serial litigants, often referred to as ''drive-by lawsuits,'' place exorbitant legal fees on small businesses, and often times business owners are unaware of the specific nature of the allegations brought against them.

In early 2011, frivolous ADA lawsuits against small businesses reached an all-time high throughout California, and as a result, my good friend and colleague, former Congressman Dan Lungren (R–CA), championed the issue and introduced the original ACCESS Act (H.R. 3356) in the 112th Congress. I was pleased to have been afforded the opportunity to take over the legislation for reintroduction beginning in the 113th Congress. In January 2015, I reintroduced the legislation as H.R. 241, the ACCESS Act (ADA Compliance for Customer Entry to Stores and Services).

H.R. 241 is a cost-free and commonsense piece of legislation that would alleviate the financial burden small businesses are facing, while still fulfilling the purpose of the ADA. Any person aggrieved by a violation of the ADA would provide the owner or operator with a written notice of the violation, specific enough to allow such owner or operator to identify the barrier to their access. Within 60 days the owner or operator would be required to provide the aggrieved person with a description outlining improvements that would be made to address the barrier. The owner or operator would then have 120 days to make the improvement. The failure to meet any of these conditions would allow the lawsuit to go forward.

I think we can all agree that we must ensure that individuals with disabilities are afforded the same access and opportunities as those without disabilities. Frivolous lawsuits do not accomplish this goal. Allowing small business owners and cities alike to fix ADA violations within 120 days, rather than waiting for lengthy legal battles to play out, is a more thoughtful, timely, and reasonable approach.

While the ADA is a national law, California has become ground zero for ADA violation lawsuits. In fact, California is home to more federal disability lawsuits than the next four states combined. A 2014 report determined that since 2005, more than 10,000 federal ADA lawsuits had been filed in the five states with the highest disabled populations; 7,188 of which were filed in California. Violating the ADA in California carries a minimum $4,000 penalty in addition to the plaintiffs legal fees. As of 2014, according to the U.S. Census Bureau, 31 individuals made up at least 56 percent of federal disability lawsuits in California. As was mentioned during the second panel of today's hearing, California has 12 percent of the nation's disabled population, but accounts for over 40 percent of ADA lawsuits. Those figures and the real life toll it takes on small business owners, are why I introduced this legislation to allow for a ''fix-it'' period.

However, it is clear that this is not just a major problem in California. The introduction, in November 2015, of similar legislation by the gentleman from Texas, Representative TED POE, shows just that. His legislation authorizes a training and education component for the affected community and Certified Access Specialists, which I would welcome and embrace as an amendment to my bill.

This is also a bipartisan issue supported by states. I was pleased to see that California SB 269 passed unanimously in the State Assembly and Senate, and was signed into law by Governor Jerry Brown on May 10th, 2016. SB 269 was authored by a friend of mine, Democratic State Senator, Gen. Richard Roth. The legislation is similar to the ACCESS Act in that it allows businesses to take immediate steps to become accessible by providing them with 120 days, from receipt of a Certified Access Specialist report, to resolve any identified violations without being subject to litigation costs or statutory penalties. I worry that with California acting to curb these lawsuits, some of these serial litigants will try their trade in other states.

Without question, the ACCESS Act will ensure that the ADA is used for its true purpose of guaranteed accessibility to public accommodations for all Americans while eliminating abusive, costly and unnecessary lawsuits for small business owners.

It is more important than ever that the House of Representatives act to move this vital piece of legislation.

PERSONAL EXPLANATION

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. FRELINGHUYSEN. Mr. Speaker, on Monday May 16, my return to Washington, D.C. was unavoidably delayed. As a result, I missed two recorded votes.

On Roll Call Vote Number 194, H.R. 4743—National Cybersecurity Preparedness Consortium Act;

On Roll Call Vote Number 195, H.R. 4407—Counterterrorism Advisory Board Act;

Had I been present, I would have voted Yes.

THE IMPORTANCE OF OUR TECHNICAL COLLEGES

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. WILSON of South Carolina. Mr. Speaker, yesterday, the Committee on Education and the Workforce, under the leadership of Chairman JOHN KLINE held a hearing on the importance of reauthorizing the Carl D. Perkins Career and Technical Education Act.

This Act provides individuals with the necessary academic and technical tools to succeed in this skills-based jobs market. We should support our career and technical colleges that improve the lives of many hard-working Americans.

In South Carolina, we have sixteen remarkable technical colleges that have been successful in helping to create jobs throughout the state and particularly the Second Congressional District. Apprenticeship Carolina has been successful in creating more than 15,000 apprentices to date, partnering with businesses such as Michelin and Continental. Thank you to their Director Brad Neese and the South Carolina technical college presidents. A special congratulations to Dr. Forest Mahan, who was selected to be the fifth president of Aiken Technical College on Monday. Godspeed President Susan Winsor.

In conclusion, God Bless Our Troops and may the President by his actions never forget September 11th in the Global War on Terrorism.

TRIBUTE TO THE SUNSHINE CLUB

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize the Sunshine Club for their 61st year of fellowship, service and support in central Iowa.

The Sunshine Club was founded in 1955 by three residents of the Morrisburg area, south of Panora, Iowa. The club's membership today has 22 members of various ages who reside in the areas of Panora, Stuart, Menlo, Dexter, Redfield and Casey. Its threefold purpose of service to their community, socializing and enjoying life is what brings them together. Club members now say that faith, friendship and food has kept the group together this long.

Mr. Speaker, I commend the Sunshine Club for making their communities in central Iowa a better place to live by their acts of service. I ask that my colleagues in the United States House of Representatives join me in congratulating the Sunshine Club and wishing them nothing but continued success.

HONORING JENNY KAYLIN HUNZICKER ON BEING ACCEPTED BY THE NATIONAL ACADEMY OF FUTURE PHYSICIANS AND MEDICAL SCIENTISTS AS A DELEGATE TO THE CONGRESS OF FUTURE MEDICAL LEADERS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. LONG. Mr. Speaker, I rise today to honor Hollister High School student Kaylin Hunzicker, of Neosho, Missouri, on her being accepted as a delegate to the Congress of Future Medical Leaders by the National Academy of Future Physicians and Medical Scientists.

The Congress of Future Medical Leaders is an honors-only program that is designed to motivate and direct the top students in the United States. Specifically, it's designed for students aspiring to become physicians or medical researchers, and provides a path and mentorship for students to accomplish their goals.

To be considered for acceptance as a delegate, applicants are either recommended by a teacher or member of the Academy based on a proven track record of academic excellence. Delegates represent all 50 states plus Puerto Rico, and must have a minimum 3.5 GPA. Students like Hunzicker who qualify for this incredibly selective honor exemplify top-tier diligence and academic talent.

Mr. Speaker, Kaylin Hunzicker has not only demonstrated that she is qualified to represent Missouri through her strong academic performance, but has also displayed a true passion for medical science and medicine that will serve her well in future endeavors. I urge my colleagues to join me in congratulating her for this achievement. On behalf of Missouri's Seventh Congressional District, I wish Kaylin the best of luck in all her future endeavors.

TRIBUTE HONORING THE 55TH ANNIVERSARY OF THE FREEDOM RIDERS WHO BRAZENLY DESEGREGATED INTERSTATE TRAVEL

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Ms. SEWELL of Alabama. Mr. Speaker, today I rise to acknowledge the Freedom Rides Museum in Montgomery, Alabama in its commemoration of the 55th anniversary of the Freedom Riders—the brave civil rights activists who peacefully fought against the unconstitutional public transportation segregation in the deep South in 1961.

On May 14, 1961, Freedom Riders arrived in Anniston, Alabama on a Greyhound bus. They were met by an angry mob of nearly 200 white people who surrounded the bus and caused the driver to pass the bus stop. They were followed by the angry mob until the bus tires blew out which is when a bomb was thrown into the bus filled with peaceful civil rights activists. Barely escaping with their lives, the Freedom Riders watched the bus burst into flames and were then brutally beaten by members of the surrounding mob.

A second bus traveled to Birmingham, Alabama. Those Freedom Riders were also met by angry mobs and were savagely beaten, some by metal pipes. The Birmingham Public Safety Commissioner at the time stated that he knew the Freedom Riders would be met with violence but posted no police protection because it was a holiday—Mother's Day.

On May 20, 1961, it was the Montgomery, Alabama city line where the Governor-appointed Highway Patrol abandoned the Freedom Riders they were charged to escort into the city. Their nonviolence was met with organized brutality of the worst kind. At the historic Montgomery Greyhound Station, the Freedom Riders were attacked as they exited by Jim Crow enthusiasts, beaten within inches of their lives by bats and iron pipes. Many riders were left for dead in the streets. Ambulances refused to transport the wounded to hospitals. Some members of the community stepped in, and tried to rescue the lives of those who dared challenge the unconstitutional Jim Crow laws of the South.

It is my great honor to represent the 7th Congressional District—an area that is rich with the history of the young activists who defied systemic oppression, fought for the rights of others and asked for nothing except recognition as humans in return. These individuals continue to inspire me and the work I do day after day.

In commemoration of the 55th anniversary, I want to recognize the Freedom Riders who risked their reputations and lives for the humanity of others. This diverse group of young people believed in persistence for obtaining equality and justice for all people and inspired millions to take a stand for their own beliefs of equity. The Freedom Riders made a daring choice in 1961—to fight against segregation and oppression in an innovative way that changed the course of American history forever.

The valiant efforts of Freedom Riders such as Charles Person, William Harbour, Catherine Burks-Brooks, Bernard Lafayette, Jr., Ernest "Rip" Patton, Jr., Kwame Leo Lillard, Frances Wilson Canty, Allen Cason Jr., David Dennis, Larry Hunter, Alphonso Petway, Kredelle Petway, Betty Daniels Rosemond, Mary Jean Smith, Doratha Smith-Simmons, Willie Thomas, Jean Thompson, Joan C. Browning and Etta Simpson Ray led the charge to the ultimate desegregation of the bus system in Montgomery and the unification of a people to continue to fight for their rights.

The Freedom Rides Museum in Montgomery, AL serves as a strong cornerstone in the narrative of the role of Alabama in the Civil Rights Movement. I want to thank the Alabama Historical Commission and its director Lisa Jones for their role in safeguarding Alabama's historic buildings and sites such as the Freedom Rides Museum. A special thanks to the leadership of Museum director Dorothy Walker and the amazing supporting staff members of the Freedom Rides Museum for their efforts in honoring the past and preserving the present for future generations to learn. The Freedom Rides Museum could not

have been what it is without support from community members as well such as Judge Myron Thompson who helped save the building that is now the Museum as well as Johnnie Carr, former President of the Montgomery Improvement Association for all of her support as well as Louretta Wimberly of the Black Heritage Council. A special thanks to historian Dr. J. Mills Thornton who played a pivotal role in the creation of the Museum.

The Freedom Riders are quintessential examples of how change can happen when we work together and fearlessly stand for what is right. I give us all the charge to—like the Freedom Riders, continue to battle against inequality and stand strong by our great nation's principles of democracy, liberty and justice for all.

I ask my colleagues to join me in commemorating the 55th Anniversary of the Freedom Riders who in the summer of 1961 dared to make a difference and forever changed America for the better.

BREAKING THROUGH POWER: A HISTORIC CIVIC MOBILIZATION

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. LARSON of Connecticut. Mr. Speaker, I submit the following. Ralph Nader is a resident of Connecticut's First District, and has long been a champion for social justice, as well as a crusading consumer advocate who has had a lasting impact on consumer rights and the American political milieu.

RALPH NADER PRESENTS—BREAKING THROUGH POWER: A HISTORIC CIVIC MOBILIZATION

Celebrating the 50th anniversary year of Ralph Nader's book Unsafe at Any Speed, the Center for Study of Responsive Law announces four days of civic mobilization at Constitution Hall in Washington, D.C. on May 23, 24, 25 and 26, 2016. Unsafe at Any Speed unleashed fresh energies and sparked the creation of numerous advocacy organizations leading to major consumer, environmental and worker safety protections. The theme of this citizen mobilization will be elaborating ways to break through power to secure long-overdue democratic solutions made possible by a new muscular civic nexus between local communities and Washington, D.C.

On these four days, speakers will present innovative ideas and strategies designed to take existing civic groups to higher levels of effectiveness. The participants will be asked to support the creation of several new organizations. One such group will work to open up the commercial media, which use the public airwaves free of charge, to serious content. Another will facilitate action by retired military, national security and diplomatic officials who want to deter unconstitutional and unlawful plunges into wars that lead to calamitous and costly blowbacks.

This ''Civic Mobilization'' will involve thousands of people at Constitution Hall and around the country and connect long-available knowledge to long-neglected action for the necessities and aspirations of people from all backgrounds. Many of the presentations will feature reforms and redirections for the common good enjoy Left/Right support.

Breaking Through Power: How it's Done—May 23, 2016 will feature presentations by seventeen citizen advocacy groups. Over decades these activists have produced amazing accomplishments against powerful odds. These civic leaders will demonstrate how, with modest budgets and stamina, they have improved the health, safety and economic well-being of the people and focused public opinion onto decision-makers and opponents. Through greater visibility, broader support and wider emulation, they will present their future missions and show that it can be ''easier than we think'' to make major changes. For the first time ever, this diverse group of fighters for justice will be assembled together on stage at Constitution Hall and show that the whole is greater than the sum of its parts when fighting for a broader democratic society. The presenters will appraise what levels of citizen organization is necessary to fulfill these broadly-desired missions.

Breaking Through Power: The Media—May 24, 2016, brings together also for the first time a large gathering of authors, documentary filmmakers, reporters, columnists, musicians, poets and editorial cartoonists. All of these presenters have documented or depicted entrenched wrongdoing by the corporate state or ''crony capitalism''—the cruel impacts of corporate crimes and abuses, the absence of governmental law enforcement, and the harmful effects of concentrated corporate power.

The speakers all seek wider audiences for their works: more readers, viewers and listeners. Unfortunately the mass media barons prefer to wallow in incessant advertising, hedonistic entertainment, sports and mind-numbing redundancy. The result is what many observers see as the stupefaction of human intelligence. A major purpose of Day Two is the creation of a ''Voices'' advocacy organization that puts forces in motion to inject serious programming into the over-the-air and cable networks under a revitalized Communications Act of 1934 and generally champion a greater life of the mind on all media.

Breaking Through Power: War—May 25, 2016 is dedicated to enhancing the waging of peace over the waging of war. We will assemble leading scholars having military and national security backgrounds, veterans groups such as Veterans for Peace, and long-time peace advocacy associations, to explain how peace is more powerful than war. The speakers will address the horrors of war, its huge costs here and abroad to innocents and the weakening blowbacks of Empire amidst a collapse of constitutional and international law. One outcome of this day will be the establishment of a Secretariat comprised of current and former top-level military, national security and diplomatic officials who have spoken truth to reckless power. If organized for quick responses, their credibility, experience and wisdom can resist and prevent the kind of prevaricating pressures and unilateral policies that drove the unlawful destruction of Iraq, Libya and beyond.

Breaking Through Power: Congress—May 26, 2016 will unveil a new Civic Agenda to be advanced by engaged and enraged citizens in each Congressional district. The Civic Agenda includes recognized necessities ignored by Congress for decades. The planks of this Civic Agenda will be presented by nationally-recognized advocates—a veritable brain trust for the well-being of present and future generations. Each speaker will present the substance of each demand, which will be conveyed to their members of Congress via organized ''Citizen Summons'' in each Congressional District. Revitalizing the people to assert their sovereignty under our Constitution is critical to the kind of government, economy, environment and culture that will fulfill human possibilities and respect posterity.

For more details on the week's agendas, speakers and how you can attend and participate, visit breakingthroughpower.org.

IN RECOGNITION OF MAUREEN RUSSELL

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. KEATING. Mr. Speaker, I rise today to recognize Maureen Russell on her retirement after twenty-seven years of outstanding public service as a Victim Witness Advocate at the Norfolk District Attorney's Office.

Maureen launched her extraordinary career in the Special Victims Unit, where she worked with severely traumatized victims of sexual abuse and assault. Through her strength of character and compassion, she provided victims and their families the tools necessary to navigate the complexities of the state court system, assist in prosecuting offenders, and, ultimately, begin to rebuild their lives.

Maureen has most recently been serving her community as a Superior Court Advocate in the Norfolk Superior Court, where she advocates for families of victims of homicide and other serious crimes. Among numerous other families supported by Maureen is that of Joanna Mullin, a six-year-old tragically murdered by her cousin. As she has so often done, Maureen went above and beyond the call of duty in her advocacy for the Mullins, steadfastly supporting the family as they traversed the arduous criminal justice process. Having assisted the Mullins family through the aftermath of their tragedy and the processes of the court, she continues maintains a strong relationship with the family to this day. It is this dedication and passion that is exemplary of quality victim advocacy.

Throughout her years of service, Maureen has never strayed from her commitment to providing each and every victim in her community the attention and care they deserve. Her experience in the criminal justice system and her professional and personal relationships with prosecutors, colleagues, law enforcement officers, and other professionals has allowed Maureen to smooth an otherwise turbulent, uncertain, and difficult process for victims and their families. Our community is deeply grateful to Maureen for having been a person to trust and a shoulder to lean on during these victims' most difficult times.

Mr. Speaker, I am proud to rise in honor of Maureen Russell, who embodies all of the best qualities of a Victim Advocate. I ask my colleagues to join me in recognizing this distinguished public servant and in wishing her the best of luck in her future endeavors.

TRIBUTE TO NELLIE AND J.V. ''SWEDE'' SWANSON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Swede and Nellie Swanson of Council Bluffs, Iowa, on the very special occasion of their 70th wedding anniversary. They were married on March 19, 1946 in Osborn, Kansas.

Swede and Nellie's lifelong commitment to each other and their family truly embodies Iowa values. It is because of Iowans like them that I'm proud to represent our great state.

I commend this great couple on their 70th year together and I wish them many more. I know my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

PASSAGE OF H.R. 5243

HON. STACEY E. PLASKETT

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Ms. PLASKETT. Mr. Speaker, last night, this Congress passed a bill to allocate funding for resources to fight the spread of the Zika virus. This funding, however, is woefully insufficient.

H.R. 5243 provides less than one-third of the White House request sent to Congress earlier this year.

Additionally, this bill also completely neglects the immediate needs of the territories of Puerto Rico and my home district of the U.S. Virgin Islands, which are both on the front line of this public health crisis.

Of the 1200 confirmed cases in the United States, more than half have been reported in Puerto Rico and the U.S. Virgin Islands.

While the Administration requested about $256 million in health care assistance to the territories, H.R. 5243 bill provides no targeted funding to the U.S. Territories.

The House bill also cuts the request for research and development of vaccines, treatments, and diagnostics by $132 million or 28.4 percent.

The lack of funding for these public health activities will put hundreds of thousands of pregnant women at risk. The lifetime cost of treating a child with microcephaly is estimated to be more than $10 million—a cost that will only exacerbate the financial woes of the territories' public health apparatus.

Mr. Speaker, every day this Congress debates whether or not to protect women and unborn children from this virus, more cases are being reported and confirmed.

Just last week, the first U.S. case of Zika-related microcephaly was identified in a pregnancy in Puerto Rico.

Mr. Speaker, I call on my colleagues to continue toward funding the President's emergency request to fight the Zika virus. We need to eradicate this mosquito now. We cannot wait for June for more authorized funding.

HONORING BEAU LOYD ON BEING ACCEPTED BY THE NATIONAL ACADEMY OF FUTURE PHYSICIANS AND MEDICAL SCIENTISTS AS A DELEGATE TO THE CONGRESS OF FUTURE MEDICAL LEADERS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. LONG. Mr. Speaker, I rise today to honor Joplin High School student Beau Loyd on his being accepted as a delegate to the Congress of Future Medical Leaders by the National Academy of Future Physicians and Medical Scientists.

The Congress of Future Medical Leaders is an honors-only program that is designed to motivate and direct the top students in the United States. Specifically, it's designed for students aspiring to become physicians or medical researchers, and provides a path and mentorship for students to accomplish their goals.

To be considered for acceptance as a delegate, applicants are either recommended by a teacher or member of the Academy based on a proven track record of academic excellence. Delegates represent all 50 states plus Puerto Rico, and must have a minimum 3.5 GPA. Students like Loyd who qualify for this incredibly selective honor exemplify top-tier diligence and academic talent.

Mr. Speaker, Beau Loyd has displayed the ability to not only excel in the classroom, but to balance his interests in science and medicine with his athletic endeavors as an athlete. I urge my colleagues to join me in congratulating him for this achievement. On behalf of Missouri's Seventh Congressional District, I wish Beau the best of luck in all his future endeavors.

IN RECOGNITION OF MR. RICHARD HERRICK

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. NEAL. Mr. Speaker, I rise today to recognize a truly outstanding constituent in the field of health care, Richard Herrick of Lenox, Massachusetts. Mr. Herrick has been selected this year as one of the recipients of the prestigious Joe Warner Patient Advocacy Award. The American Health Care Association/National Center for Assisted Living (AHCA/NCAL) bestows this annual award on Association members who have worked diligently to educate Members of Congress about the needs of long term care patients and residents, and to advance quality in the long term and post-acute care community.

Mr. Herrick's commitment to improving long term care continues today as the President and CEO of the New York Health Facilities Association, Inc. (NYSHFA) and the New York State Center for Assisted Living, representing over 350 skilled nursing and assisted living facilities.

At the national level, Mr. Herrick serves on the Board of Governors of the American Health Care Association and on their Business Management Committee. He also serves as President of the Affiliated State Health Care Association Executives. Mr. Herrick is past member of AHCA's Council of States and Board of Directors of the National Center for Assisted Living. AHCA/NCAL is the nation's largest association of professional long term health providers.

Prior to joining New York Health Facilities Association, Inc., Mr. Herrick spent seven years as President and COO of Wingate Health Care, Inc., which operates seven nursing facilities in Massachusetts and three in New York. Mr. Herrick is active on the Boards of Berkshire Healthcare Systems which operates 19 skilled nursing facilities and Berkshire Place located in Pittsfield, Massachusetts. He is the past chairman of the Board of the Massachusetts Senior Care Association.

The award presentation will take place during the AHCA/NCAL Congressional Briefing on May 23rd. Mr. Speaker, please join me in recognizing and thanking Richard Herrick for his years of dedication and care to our nation's frail, elderly and disabled. His career and life accomplishments truly reflect the ideals embodied in the Joe Warner Patient Advocacy Award.

IN RECOGNITION OF MARY SHIPP HARROW AND MARTHA SHIPP AVERETT

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to extend my sincerest congratulations and Happy Birthday wishes to Mrs. Mary Shipp Harrow and Mrs. Martha Shipp Averett, both of whom will celebrate their 100th birthday on Saturday, July 2, 2016. On that special day, the sisters will be honored with a birthday celebration at the Columbus Georgia Convention & Trade Center in Columbus, Georgia.

The identical twins were born on July 2, 1916 in Cusseta, Georgia to the late Martha Walker Shipp and the late Quilbert Pinchback Shipp. They were raised in a Christian home where the twins were the oldest of eight children. From an early age, the sisters were active in their community and in their first church home, Harmony Baptist Church in Cusseta, Georgia. They completed their primary and secondary education in the Chattahoochee County School District.

Mrs. Averett was married to the late Reverend Jessie Averett, Sr. and is the mother of six daughters: Geraldine Parris, Lucy Mae Baldwin, Essie Francis, Amanda Thornton, Ida Mae Boykins, and Martha Ann Patterson; and four sons: Jessie Averett, Jr., James Averett, Jeffrey Averett, and the late John Henry Averett. She has 21 grandchildren, 28 great-grandchildren, and 2 great-great-grandchildren. Mrs. Averett remains in the Cusseta

community and is a dedicated and faithful member of Saint Paul CME Church.

Mrs. Harrow was married to the late Isaac Daniel Harrow, Sr. and is the mother of five daughters: Evelyn Gash, Christine Jones, Pauline Talley, Beverly Caldwell and Gerri Jones; and two sons: the late Isaac Harrow, Jr. and the late Marion Harrow. She is the grandmother of 21 grandchildren, 30 great-grandchildren, and 12 great-great-grandchildren. Mrs. Harrow is a dedicated and faithful member of Galilee Baptist Church in Columbus, Georgia.

Mahatma Gandhi once said, ''Where there is love there is life.'' Mrs. Harrow and Mrs. Averett are a true testament that giving and receiving great love has resulted in long and prosperous lives. Their legacy is a love for God, a love for family, and a love for each other.

The race of life isn't given to the swift or to the strong, but to those who endure until the end. Mrs. Averett and Mrs. Harrow continue to run the race of life with grace and dignity and God has blessed them over their lifetimes.

Mr. Speaker, I ask my colleagues to join me today in honoring these devoted sisters, beloved matriarchs, and outstanding women of faith, Mrs. Mary Shipp Harrow and Mrs. Martha Shipp Averett, as they, their families and their community prepare to celebrate their 100th birthday.

TRIBUTE TO CASSIDY WAGNER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Cassidy Wagner for being named Southwest Iowa Regional Academic All-State Standout by the Des Moines Register. Cassidy is a senior at West Central Valley High School.

Each year, the Des Moines Register editors ask Iowa high school officials to nominate seniors for this honor. They choose only those students that stand out among their peers for achievements in academics, community involvement and leadership. Cassidy exemplifies all that is right about Iowa's well-rounded students.

Mr. Speaker, Cassidy Wagner is an Iowan who has made her school and her community very proud. She has worked hard and dedicated herself to being a great student and a good citizen. It is with great honor that I recognize her today. I ask that my colleagues in the U.S. House of Representatives join me in honoring Cassidy for this award and wish her continued success in all her future endeavors.

MARSHALL HIGH SCHOOL TRACK STATE CHAMPIONS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate the Thurgood Marshall High School track and field team for winning the University Interscholastic League (UIL) 5A state track championship for the second year in a row.

The Marshall Buffalos were led to victory by their coach Lloyd Banks. Their overall score of 52 points outperformed the competition by a substantial 16 points. Junior sprinter Shamon Ehiemua helped lead his team to success by defending his state title in the 200-meter dash with a time of 20.62 seconds. In addition to Ehiemua's efforts, teammate John Isom placed fifth in the 400-meter dash with a time of 48.19 seconds. Teammates Cedarian Lynch, Ehiemua, Jarmaiz Whitaker and Isom were awarded a gold medal in the 4x100-meter relay with an astounding time of 40.13 seconds. Their win is even more impressive considering runner Jeremy Smith was recovering from a foot injury during the relay.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to the Fort Bend Marshall Track and Field Team for winning the 5A state track championship for the second time. Thank you for bringing this championship title back to Fort Bend County.

PERSONAL EXPLANATION

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Ms. SEWELL of Alabama. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted No on Roll Call No. 222.

THE LANTOS FOUNDATION FOR HUMAN RIGHTS AND JUSTICE'S SOLIDARITY SABBATH

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. HASTINGS. Mr. Speaker, I rise today in support of the Lantos Foundation's second Solidarity Sabbath, which highlights the deplorable human rights violations committed by the People's Republic of China against its citizens who simply wish to openly and sincerely practice their respective faiths.

Many of us will attend worship services in the coming days and we will do so without fear of arrest, torture, or forced re-education. I hope that those of us attending services this weekend will take time to meditate and pray on the importance of religious freedom here at home and around the world. The human spirit is remarkably resilient. This resiliency is undoubtedly strengthened through religious faith and practice and cannot and will not be extinguished through the draconian state action we see taking place in China. Indeed, as I am sure the Chinese government is realizing, its draconian tactics to suppress and intimidate the religious faithful do not diminish the numbers of those seeking to practice their faith but rather multiplies their number exponentially.

Sadly, there are myriad cases of people of faith being harassed, intimidated, and arrested today in China. Indeed, Protestant, Catholic, Tibetan Buddhist, Uyghur Muslim, Falun Gong, and other religious minorities face such a reality every day. A recent survey of religious intimidation in China noted that Chinese officials oversaw the demolition of over thirty churches, the removal of more than four hundred crosses from houses of worship, and the detention of over three hundred worshipers with half of these people suffering injuries sustained during their arrests. It should be noted that this paints a picture for just one province in China; there are many similar stories across China where those seeking to simply practice their respective faiths are consistently harassed, detained, and injured for exercising a basic human right.

While we must certainly lend our support to the religious faithful in China as they strive to exercise their basic human right to worship where, when and what they so desire, we must also applaud and support the brave human rights lawyers in China who champion the rights of the religious faithful in the face of unthinkable intimidation as practiced by the Chinese government. These brave men and women have provided rule of law training to church members throughout China. Indeed, this past year these lawyers were able to conduct over one hundred trainings for over one hundred thousand religious practitioners. This has resulted in these practitioners filing important administrative lawsuits against the government in an effort to quell the Chinese government's acts of religious persecution.

Mr. Speaker, I applaud the Lantos Foundation for its inspired work to bring light to the plight of the religious faithful in China. I will this weekend, as I always have and will continue to do, stand in solidarity with my brothers and sisters of faith in China. Their right to practice their religion is a fundamental right and it must be protected.

HONORING JENNY SHUNYAKOVA ON BEING ACCEPTED BY THE NATIONAL ACADEMY OF FUTURE PHYSICIANS AND MEDICAL SCIENTISTS AS A DELEGATE TO THE CONGRESS OF FUTURE MEDICAL LEADERS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. LONG. Mr. Speaker, I rise today to honor Laurel Springs High School student Jenny Shunyakova, of Springfield, Missouri, on her being accepted as a delegate to the Congress of Future Medical Leaders by the National Academy of Future Physicians and Medical Scientists.

The Congress of Future Medical Leaders is an honors-only program that is designed to motivate and direct the top students in the United States. Specifically, it's designed for students aspiring to become physicians or

medical researchers, and provides a path and mentorship for students to accomplish their goals.

To be considered for acceptance as a delegate, applicants are either recommended by a teacher or member of the Academy based on a proven track record of academic excellence. Delegates represent all 50 states plus Puerto Rico, and must have a minimum 3.5 GPA. Students like Shunyakova who qualify for this incredibly selective honor exemplify top-tier diligence and academic talent.

Mr. Speaker, Jenny Shunyakova has not only excelled in her academic studies, but also shown a persistent interest in biology and other fields related to medical professions that will serve her future aspirations well. I urge my colleagues to join me in congratulating her for this achievement. On behalf of Missouri's Seventh Congressional District, I wish Jenny the best of luck in all her future endeavors.

TRIBUTE TO EVELYN AND JIM WHIPPLE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Evelyn and Jim Whipple of Clarinda, Iowa, on the very special occasion of their 65th wedding anniversary. They celebrated their anniversary on April 22. They were married in 1951.

Evelyn and Jim's lifelong commitment to each other and their family truly embodies Iowa values. It is because of Iowans like them that I'm proud to represent our great state.

I commend this great couple on their 65th year together and I wish them many more. I know my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

BOYS & GIRLS CLUB OF THE MS GULF COAST 50TH ANNIVERSARY

HON. STEVEN M. PALAZZO

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. PALAZZO. Mr. Speaker, I rise today to honor the Boys & Girls Club of the Mississippi Gulf Coast on the occasion of their 50th Anniversary.

In serving the citizens of Mississippi's Fourth Congressional District, I am proud to meet people of all kinds, especially young people who have their hopes and dreams still ahead of them. As part of their daily routine, they must decide what actions they will take that day which will, in turn, affect their future. The Boys & Girls Club of the Gulf Coast plays a vital role in shining a ray of hope into the lives of young people who may not see a bright future ahead of themselves.

Originally named the Biloxi Boys Club, the organization began in 1966, with the help of the Biloxi Jaycees, to serve 15 young men. Today, there are over 1,700 registered members, five locations, and a daily attendance of approximately 800 young men and women of the Gulf Coast region.

It is our responsibility, as a community, to invest in the lives of our future leaders. The Boys & Girls Club of the Gulf Coast strives to develop productive, responsible, and caring citizens.

The organization leads our community's efforts to improve academic success, healthy lifestyles, and good character in our young men and women. This is accomplished by offering our young people a safe and supportive place to go and by providing them with quality programs to teach responsibility, positive character development, sports, and academic progress, among other important aspects of leadership.

The Boys & Girls Club of the Gulf Coast is a valuable asset for our Coast children. Once again, I commend the Boys & Girls Club of the Gulf Coast as they mark the 50th anniversary of improving young lives along the Mississippi Gulf Coast.

HONORING U.S. ARMY SERGEANT MICAH WELINTUKONIS UPON HIS RETIREMENT

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. COURTNEY. Mr. Speaker, I rise today to honor the distinguished military service of Army Sergeant Micah Welintukonis of Coventry, Connecticut who will retire on May 19, 2016 after 16 years and 5 months of active duty. Sgt Welintukonis' record reads like a history book of U.S. military action over the last 22 years. He served in Kosovo during his first stint of active duty in the 1990s. Later, as a member of the Connecticut National Guard he deployed to Iraq for Operation Iraqi Freedom, then served in Afghanistan where he was severely injured by a suicide bomb attack in 2012. During that time, he rose through the ranks to Sergeant and accumulated an impressive array of awards and medals, including the Purple Heart, Army Commendation with Valor, Combat Medic Badge, Expert Infantry Badge, Commanding Generals Certificate of Merit, and the Coast Guard and United States Marine Corps Certificates of Appreciation.

At the time of his injury, he was a medic, certified at the highest levels and performed many life-saving missions with skill and care for the men and women he served with.

The first time I met Sgt. Welintukonis was under extraordinary circumstances. He had just arrived at Walter Reed Hospital in Bethesda, Maryland where he had flown in from Landstuhl Hospital in Germany, still suffering in agonizing pain from his life threatening abdominal injury. His amazing wife, Camilla, was at his bedside comforting him, but it was clear that his condition was very critical. Even though he was not aware of my presence, I had the opportunity to witness his incredible inner strength and ferocious will to live that carried him through that dark hour and a long and difficult recovery. With the support of his wife and family, Micah is healthy and ready to start a new chapter of his life.

Wherever he and his family go, one thing is sure. Micah will be a passionate advocate for American veterans and for a strong national defense. I know that because my email inbox has been bursting with messages, articles, and suggestions—sometimes sent in the middle of the night—about improving services for those who wear the uniform of our country. Today, he is active in veterans' service organizations such as the Connecticut American Legion, Special Operations Wounded Warriors, and as the Director of InTheLineOfDuty, a volunteer-run charity for First Responders.

In addition to that formal involvement he has organized fund raiser walk-a-thons, school visits, and national veterans media events to generate funds and awareness of the challenges America's veterans, in particular wounded veterans, confront every day.

America has been, and still is, lucky to have the tenacious, spirited, (sometimes a little grouchy) and high-quality contributions of Sgt. Micah Welintukonis over the last 22 years. Please join me in thanking him, his wife Camilla, and their children for all they have done for our nation and wish them well in all their future endeavors.

IN HONOR OF MR. E. DALE WORTHAM

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. AL GREEN of Texas. Mr. Speaker, today I would like to honor the memory of a distinguished labor leader: Mr. E. Dale Wortham. Throughout Mr. Wortham's life, he held a variety of positions, including President of the Harris County Labor Assembly for over 20 years, Vice President/Organizer of Local 716, and as delegate at many national and state conventions. In these positions, he was on the front lines in the fight for a living wage and fair working conditions.

Mr. Wortham was not only a notable labor leader, but also served on the Harris County Board of Managers for the Harris Health System, earning the distinction of the body's longest-serving labor representative. Mr. Wortham will be especially remembered for his passion for helping people through the political process, especially working people.

Mr. Speaker, I am blessed to say farewell to a dear friend who is gone but not forgotten. He will be missed dearly by a multitude of family and friends. This family includes his children, Stephen Dale Wortham and Melinda Wortham; his sisters, Becky Rogers (George), Leslie Broussard (Jimmy), and Lisa Persky (Ronnie); as well as his brother, Jason Krieg.

TRIBUTE TO JANIS AND RUSTY CREVELING

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Janis and Rusty Creveling of Manchester, Iowa, on the very special occasion of their 50th wedding anniversary. They were married on March 17, 1966.

Rusty and Janis' lifelong commitment to each other, their children Ronda, Brian, and Holly, and their grandchildren truly embodies Iowa values. As they reflect on their 50th anniversary may their commitment grow even stronger, and continue to love, cherish, and honor one another for many years to come.

I commend this great couple on their 50th year together and I wish them many more. I know my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

IN MEMORY OF THE MEDAL OF HONOR RECIPIENT UNITED STATES NAVY SEAL PETTY OFFICER 2ND CLASS MICHAEL A. MONSOOR

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. SESSIONS. Mr. Speaker, I rise on this coming Memorial Day in memory and in gratitude to all of the magnificent heroes like Petty Officer 2nd Class Michael A. Monsoor. The ones who gave that last full measure in the name of freedom for their country and brothers in Arms. On April the 8th 2008, Michael was posthumously presented the Medal of Honor by President Bush at the White House for sacrificing himself by jumping on a grenade on September 29, 2006 for his fellow SEALs. On this Memorial Day let our thoughts and prayers go out to him and his family and all of those who have given their lives throughout the years in the name of freedom. I submit this poem penned in his honor by Albert C. Caswell.

THAT LAST FULL MEASURE

All in that moment between Life and Death
When, who lives or dies no less
When, courage comes to crest
As comes That Measure
That God-like Test
That Last Full Measure
Just All
Until, none lies left
As one of America's Best
Right between Life and Death
When, who lives or dies
So all upon us so rests
The greatest of all tests
As to one's soul expressed
When comes
That Last Full Measure
Of which now so Blesses
As when one looks into that Face of Death
And so valiantly vanquishes Evil's Quest
As When Come's,
That Last Full Measure
That Golden Test
All in that moment which lies
As all in ones soul comprised
Which, brings such tears to the Angels eyes
Up On High
All In That Last Full Measure
As they watch and cry
At this American Treasure
At The Greatest Gift of All
As how one's Life is Measured
To hear that most solemn call
Of Love and Devotion,
and Sacrifice
All in that moment of selflessness as so realized
To do what is right
To carry that night
All in That Last Full Measure
All in that fight
With your gift
The Greatest of All
The one that our Lord so Treasure's
Is but that ''That Last Full Measure''
A SEAL Of HONOR
The One who so endeavored
In that Gift Michael you so gave
All in that most splendid treasure Michael,
the Lives you so saved
Perhaps, one day a child will come
Who too all of us among
Will bless our world to come
This one
With such gifts of love you've begun
A Cure For Cancer
For our world's problems finding the answers
Or maybe too,
as you ''That Last Full Measure''
And from all of this perhaps will come such Treasures
From all of this such happiness begun
And yet such sadness for all of your love ones
That we can not so Measure
Take heart,
as one day you will all be together again
All in Heaven's Sun embracing then
Because of you Michael
For what you've done
And your most magnificent endeavor
In what you gave America's Son
All in,
That Last Full Measure
In the moment of truth,
how you behaved my son
As to our Lord's heart,
you've brought such pleasure
SEAL,
your new battle has now begun
Mount Up
As Thy Will Be Done
As it's time to run
In the Army of Our Lord,
as you are now one
An Angel
An Angel on high Michael
And oh how your powers have increased
As you watch over us in this battle to be won
In life,
moments are all we have
Minutes to hearts to grab
To Decisions Make
To Fight for The Good
Or The Bad
If it's up in Heaven we wish to wake
Today, We Stand
With, Tear In Eye
Understanding all the reason's why
But, Where Your Honor Lies
All because of you,
Michael and your Sacrifice
and That Last Full Measure.

HONORING REBECCA PRICHARD ON BEING ACCEPTED BY THE NATIONAL ACADEMY OF FUTURE PHYSICIANS AND MEDICAL SCIENTISTS AS A DELEGATE TO THE CONGRESS OF FUTURE MEDICAL LEADERS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. LONG. Mr. Speaker, I rise today to honor Branson High School student Rebecca Prichard on her being accepted as a delegate to the Congress of Future Medical Leaders by the National Academy of Future Physicians and Medical Scientists.

The Congress of Future Medical Leaders is an honors-only program that is designed to motivate and direct the top students in the United States. Specifically, it's designed for students aspiring to become physicians or medical researchers, and provides a path and mentorship for students to accomplish their goals.

To be considered for acceptance as a delegate, applicants are either recommended by a teacher or member of the Academy based on a proven track record of academic excellence. Delegates represent all 50 states plus Puerto Rico, and must have a minimum 3.5 GPA. Students like Prichard who qualify for this incredibly selective honor exemplify top-tier diligence and academic talent.

Mr. Speaker, Rebecca Prichard is not only an excellent student, but a well-rounded individual who is just as passionate about the medical field as she is about cheerleading. Rebecca will no doubt excel in her role as a delegate to this Congress and I urge my colleagues to join me in congratulating her for this achievement. On behalf of Missouri's Seventh Congressional District, I wish Rebecca the best of luck in all her future endeavors.

TRIBUTE TO EAGLE SCOUT ANDREW K. DICKINSON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 19, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Andrew K. Dickinson of Council Bluffs, Iowa for achieving the rank of Eagle Scout. Andrew is a member of Boy Scout Troop 23. Troop 23 has been associated with Our Savior's Lutheran Church in Council Bluffs for over 50 years.

The Eagle Scout designation is the highest advancement rank in scouting. Approximately 2 percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Scout Project to

benefit the community. For Andrew's Eagle Scout Project he provided 22 slab-topped benches for a pit area at Camp of Good Shepherd in Louisville, Nebraska. Andrew assisted in the milling of the slabs and coordinated the construction with members of several Webelos Scout packs. The work ethic Andrew has shown in his Eagle Scout Project and every other project leading up to his Eagle Scout rank speaks volumes about his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent Andrew and his family in the United States Congress. I know that all of my colleagues in the U.S. House of Representatives will join me in congratulating him on obtaining the Eagle Scout ranking, and I wish him continued success in his future education and career.

SENATE—*Monday, May 23, 2016*

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Mighty God, You shine in glorious brilliance. The world belongs to You and everything in it. Teach us to trust You in turbulent times, striving always to live for Your glory.

Bless our Senators. Make Your completeness surround their incompleteness, Your strength support their weakness, and Your wisdom guide them down paths they cannot see. Give them the insight, the courage, and the faith to escape the repetition of old errors as they seek to embrace Your truth.

Lord, help us all to offer to You the sacrifice of repentant hearts.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. ERNST). The majority leader is recognized.

TRANSPORTATION AND VETERANS AFFAIRS APPROPRIATIONS BILLS

Mr. MCCONNELL. Madam President, last week, the Republican-led Senate passed two more appropriations bills by a large bipartisan majority. Both bills passed out of committee with unanimous support, were subject to hours of debate and deliberation, and included the input of both Democratic and Republican Senators.

The first appropriations measure, for transportation and housing infrastructure, will help ensure air travel is safer and more efficient, invest in important infrastructure, and strengthen America's surface transportation network.

As Senator COLLINS pointed out last week, this bill includes ''recommendations from more than 75 Senators from both sides of the aisle'' as well as more than three dozen amendments. I thank my friend from Maine for her skilled leadership and hard work with Ranking Member REED of Rhode Island and colleagues from both sides to advance this measure.

The second funding measure, for veterans and military construction, will ensure that veterans receive benefits and health care they have earned while enhancing oversight and accountability at the VA, helping improve quality of life on military bases for soldiers and their families, and advancing critical national security projects like missile defense. As Senator KIRK noted last week, this bill incorporates over two dozen amendments, both from Democrats and Republicans. Senator KIRK is a true champion for veterans. I know he always had the needs of our heroes top of mind as he worked with Democrats, with Republicans, and in particular with Ranking Member TESTER of Montana to move this critical bill forward.

By returning to regular order and working through the appropriations process, we have been able to pass appropriations measures like these that support national priorities in a responsible way.

I also appreciate Senators working toward a compromise approach for Zika. Preventing the spread of Zika is a priority for all of us, and I am pleased the Senate has approved a compromise provision to focus resources on this important health issue. We have now begun discussions on how best to resolve the differences between the House and the Senate and get a bill to the President.

LEGISLATION COMBATING SEXUAL ASSAULT AND HUMAN TRAFFICKING AND HELPING ITS VICTIMS

Mr. MCCONNELL. Madam President, on an important issue the Senate will address today, the Republican-led Senate believes in the importance of combating sexual assault and providing key protections for the victims of these heinous crimes. In less than 18 months, we have already passed many different measures to help victims and to help stop these crimes. We passed the Amy and Vicky act, which will help the victims of child pornography to get restitution from those who profit from their pain. And because we know the pain doesn't end when these images are produced, it can help victims find the closure they need and deserve too.

We passed an important measure championed by Senator TOOMEY, who worked with Senator ALEXANDER to include in the K–12 education reform bill a requirement that States put laws and policies in place to help ensure schools are no longer able to ship child predators to other school districts.

We passed a measure from Senator PORTMAN, who worked with Senator MCCASKILL to hold an infamous child sex-trafficking company in contempt and force it to turn over critical information—information that is needed for their bipartisan human trafficking investigation to continue.

And, of course, we passed the Justice for Victims of Trafficking Act. The victims of modern slavery deserve justice, and they deserve a voice, which is why—after years of previous inaction—the new Republican-led Senate made it a priority to pass this important anti-slavery bill. Of course, it is now law.

This week we have two more opportunities to protect victims. The first, contained in a provision within the National Defense Authorization Act, is the End Modern Slavery Initiative Act. This effort would address human trafficking beyond our borders with tools to help end the scourge of modern slavery worldwide. I thank Senator CORKER for his work on this measure.

The second, the Adam Walsh Reauthorization Act, will bolster efforts to prevent future sexual assault crimes and help victims receive justice. We will pass that one today.

One group dedicated to combating trafficking noted its strong support for this ''vital'' legislation, which it calls ''essential to the fight against child sex trafficking.'' The Adam Walsh Reauthorization Act has also received the support of the Nation's largest anti-sexual violence organization, RAINN, along with organizations such as the National Center for Missing and Exploited Children.

I have been involved with the National Center for Missing and Exploited Children since its inception and have had the privilege of working closely with the organization over the years. Protecting children and bringing justice to victims have been top priorities of mine for many years. I have long worked with John Walsh, Adam's father, to advance efforts to do so. I supported the original Adam Walsh Child Protection and Safety Act in 2006 in order to enhance law enforcement's ability to track sexual offenders and improve its information-sharing capabilities and to support resources to aid in the apprehension of fugitives who commit these offenses. It is an important law, but the authorization for it expired in 2011.

It was disheartening to watch reauthorization legislation languish in the

Senate and in the Judiciary Committee for years, but then Chairman GRASSLEY came along. Not only did he work to reauthorize the bill, he worked to make it stronger, with additional rights and protections for victims of sexual assault and human trafficking crimes.

As he has done with other priorities, Chairman GRASSLEY realized the urgency of moving this reauthorization forward and then worked diligently to advance it. It is just another example of his efforts to put the Judiciary Committee to work for the American people.

Under a new chairman, the Judiciary Committee has reported out some 30 bills and has seen more than a dozen signed into law. Time and again, the committee has taken on important issues and worked toward real solutions for our country. We saw a great example of that recently with Chairman GRASSLEY's efforts to help combat the heroin and prescription opioid epidemic that is hurting so many communities across our country. States like mine have been especially impacted by this drug crisis. I appreciated the steadfast commitment of colleagues like Chairman GRASSLEY, along with key Senators like PORTMAN and AYOTTE, to address the issue and ensure Senate passage of the Comprehensive Addiction and Recovery Act.

Chairman GRASSLEY has worked hard to pass other pieces of legislation as well, such as a law to protect American innovation in the 21st century, for instance, and the Justice for Victims of Trafficking Act that I mentioned earlier. Without Chairman GRASSLEY's commitment in committee and Senator CORNYN's relentless efforts on the floor, that important trafficking bill would not have become law. So it is clear that Senator GRASSLEY has led the Judiciary Committee with a renewed focus on providing hope and providing a voice to those in need. We have just the latest examples of his commitment in the bill before us today.

I commend Chairman GRASSLEY for his strong leadership, and I urge my colleagues to join me today in supporting this important legislation.

TRIBUTE TO MARVIN SIMMS

Mr. MCCONNELL. Madam President, on one final matter, I want to close by saying a few words about Marvin Simms, who will be retiring from the Senate Recording Studio this month after three decades of service.

Marvin was one of about a dozen original staffers brought on to help shoot the first ever live, gavel-to-gavel broadcast of the Senate floor. He has since become a real pro at capturing the best angles of this Chamber. For Marvin, getting there meant studying up on Senate procedure and teaching himself to instantly recognize a rotating cast of 100 different names and faces, an impressive feat in itself. His career includes a number of historical milestones, from Presidential inaugurations and gold medal ceremonies to Supreme Court nominations and the occasional all-night filibuster. I am told he is now looking forward to having a little more time to focus on his family.

On behalf of the entire Senate family, I thank Marvin for his many years of dedicated public service and wish him well in his retirement.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

ZIKA VIRUS

Mr. REID. Madam President, last Friday, as he should, President Obama gave the Nation an update on the fight against Zika, this virus that has become such a difficult issue to face.

Here are the facts, as outlined by President Obama and reported by the Centers for Disease Control and Prevention: As we speak, there are more than 500 confirmed cases of Zika in the continental United States. There are at least 800 confirmed cases of infection in Puerto Rico, and most experts believe the actual number is significantly higher. There are 279 pregnant women in the continental United States and territories who are being monitored for possible Zika infection. We have yet to confirm any local transmission from Zika-carrying mosquitoes in the continental United States.

Remember, we have had an unseasonably cold spring. That means that a mosquito with Zika has not yet infected anyone on the mainland. But the public health experts tell us that is going to change as soon as it warms up, and it is nearing the warmup time now. It is only when the warm weather hits that the mosquitoes become active, and they really become active. These pests are capable of transmitting Zika and are in 39 States. Residents of our Nation's most populated cities—such as New York, Los Angeles, Chicago, and Houston—could be at risk of infection.

This map says it all. There are some places where there is only one type of mosquito, and, of course, the worst is the blue, as shown on the map. But there are places where there is a mixture of mosquitoes.

There are two kinds of mosquitoes that cause a problem. It is spread to people primarily through the body of an infected mosquito. But look where it goes—from Maine to Texas, even reaching into Northern California, Las Vegas, and we see red up there, in Boulder, CO. So it is a concern, a real concern.

For pregnant women, contracting Zika could mean devastating birth defects for their children, as we know, with these tiny little heads and underdeveloped brains and collapsed skulls.

For others, the dangers of Zika range from possible nervous system disorders and potential paralysis to minor symptoms such as rashes and fever like the flu. This is the threat that Republicans in Congress have been ignoring for many months now.

Back in February—we are fast approaching June. In February, President Obama sent an emergency appropriations request to Congress for almost $2 billion—$1.9 billion is the exact figure—to fight Zika. It wasn't some number that he picked out of a hat. This is a figure that researchers, public health experts, and doctors explicitly requested, and $1.9 billion is what our country needs. That is the number that I support and Democrats support. Anything less than that is simply not enough.

Republicans did nothing in response to the President's request, letting weeks and weeks go by as the number of infected Americans grew. Because of Republicans' refusal to allocate Zika funding, President Obama had to act. He did the only thing he could do: He used $510 million in Ebola money to fight the spread of Zika.

It was 18 months ago that we were first hit with the Ebola scare. It was a scare—and rightfully so. We were panicked about Ebola. Americans had been infected with this awful disease. But the only thing we could do was to do more to find out how we could stop it with a vaccine and with other treatments. It takes money to do that. But to take more than half a billion dollars of Ebola money and fight the spread of Zika is taking from Peter to pay Paul.

What choice did President Obama have? They were ignoring his pleas for help. Now that they can no longer ignore Zika, Republicans in Congress are reluctantly going through the motions of providing funding. As my friend the Republican leader said, we have taken care of Zika here on the floor—how wrong, how misleading. The Senate agreed to provide $1.1 billion—about half of what President Obama requested. But everyone knows that is not going to do the trick because that money is not going to be coming until sometime this fall.

To make matters worse, the Senate-passed $1.1 billion package would do nothing to pay back the Ebola money. It would pay back a tiny fraction of the $510 million in Ebola funds that are so necessary to continue the work on Ebola. The Senate's $1.1 billion is also wrapped up in the appropriations process.

Appropriations bills take months to get done. By the time it gets to the President's desk, it will be fall. We will know by then how much damage has

been done because of the Republicans' inability and refusal to help us with that money. The American people should not have to wait that long. That is why Senate Democrats have repeatedly come to the floor and asked that we move to a Zika funding package as a stand-alone bill, separating from the very slow and tedious appropriations process. But each time, Republican leadership has objected. Senate Republicans don't want to expedite the issue. They would prefer that our response to Zika be wrapped up in a drawn-out appropriations process. Our Nation cannot afford the unnecessary delay.

House Republicans could not even pass a budget. Now we are depending on them to pass an appropriations bill before we do anything on Zika. They don't have a budget. These are the same House Republicans who last week passed legislation to give President Obama a third—$622 million—of what the President asked. In fact, it is a little less than a third. Guess what. Guess where they are going to get that money. They are going to take it by raiding more Ebola money. Our Nation has spent the last 2 years fighting Ebola. But although we have been successful in responding to Ebola, it remains a threat. We do not have the ability to handle that disease.

Last week, the White House reported that CDC officials in West Africa are processing 10,000 new Ebola samples a month. We can't afford to drop our guard on Ebola. That is what the Republicans are telling us to do. If we take these funds away from our Nation's response to the Ebola virus and we use them instead to underfund our response to Zika, we are ensuring that our defenses against both are inadequate. That is irresponsible and terribly dangerous.

I don't understand the Republicans' refusal to take Zika seriously. Why do they refuse to listen to the experts who tell us they need the full $1.9 billion to be able to fight this devastating virus? It is as if the Republicans are betting that Zika will not be a disaster—like the horse race we had in Baltimore on Saturday. This is not a bet. It is as if they are betting against all the experts at the CDC and NIH who say the Zika virus is a real threat to Americans. They are saying it is a real threat to Americans because it is. Instead of gambling with the health and safety of millions of Americans, Republicans should give our Nation the money it needs to fight Zika, and they should do it now—not next month, not in the fall but now.

As the President said on Friday, we in Congress should not leave for the Memorial Day break without having taken care of this issue. He is so right. We have been on record for weeks saying the same thing. We don't need more time off. We already hold the record for working less time. This Senate is working less time than any Congress in the last six or seven decades. We don't need more time off. So next week, rather than taking some time off, let's get the legislation to the White House appropriating that money.

We have time to get out ahead of Zika, but we need to do it now. That window is rapidly closing by the day. Let's work together and do it now—Democrats and Republicans—to give our Nation the tools it needs to keep the American people safe from the virus. Right now, we are not safe.

TRIBUTE TO MARVIN SIMMS

Mr. REID. Madam President, I join my friend the Republican leader in congratulating Marvin Simms on his well-deserved retirement next week, after more than 30 years working in the Senate Recording Studio. He has been involved in so many of the things I have done in the last 30 years. We started here about the same time.

When Marvin began, it was then called the Senate television crew. It was a much smaller operation than it is now. As the Senate evolved in the age of 24-hour press and media—and so much going on with the Internet also—so did his job. Over his three decades in the Senate, Marvin gained more and more responsibility, culminating in his position today as the broadcast production director. Marvin has worked on many of my television interviews, and he did a superb job.

I wish Marvin and his family the best in his retirement. He is an avid friend of NASA, our national agency that does so much in space and all things related to space. He is an avid fan. I hope he will use the extra time he has in retirement ''to boldly go where no man has gone before.''

For all you who don't know what I am saying, if you know anything about Star Trek, you will realize this is a phrase from the show's opening sequence.

Marvin, go boldly where no man has gone before. Thank you very much for your good work.

The floor appears to be empty, Madam President. I ask the Chair to announce what the Senate is going to do the rest of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 4:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. WARREN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LABOR DEPARTMENT PENSION RULE

Ms. WARREN. Madam President, 8 years ago reckless bankers on Wall Street sparked a financial meltdown. Their too-big-to-fail banks gambled with our economy, encouraging reckless mortgage lending by funding the slimy subprime lenders who peddled their miserable products to millions of American families. Those same banks then gobbled up those dangerous mortgages, repackaged them, and spread huge risks throughout the financial system.

The consequences were disastrous. Wall Street greed destroyed $7 trillion in housing wealth and resulted in millions of Americans losing their homes. It killed 8.7 million American jobs. It gutted hundreds of pension funds, leaving millions of retirees hung out to dry.

Thanks to Washington bailouts, Wall Street is once again flying high. Corporate profits are up, and the stock market is soaring. But the real people who were hurt by the financial collapse—the millions of workers who lost their jobs, lost their homes, and lost their retirement savings because of Wall Street's reckless greed—many of them haven't bounced back. The evidence of this is everywhere, but consider just one recent example. Earlier this month, 400,000 participants in the Central States Pension Fund narrowly escaped having their hard-earned pension benefits slashed by as much as 70 percent. Their benefits were on the chopping block because that fund is in terrible trouble. There are a lot of reasons why, but one reason is beyond dispute: Wall Street greed.

The story is ugly. In the runup to the financial collapse, Goldman Sachs and Northern Trust were in charge of managing the Central States Pension Fund and making its investment decisions. Instead of doing what was best for workers and retirees, these financial giants invested those retirement savings in junk bonds and mortgage bonds issued by firms whose names today would fill a Wall Street Hall of Shame: Bear Stearns, Countrywide, IndyMac, and Lehman Brothers.

The crash of 2008 hit the Central States Pension Fund like a shiv in the ribs. In 15 months in 2008 and early 2009, pension assets managed by Goldman Sachs and Northern Trust dropped

by 42 percent. That is more than twice the losses suffered by other multi-employer pension funds. And to add salt to the wound—the part that really twists the knife here—from 2005 to 2009, Goldman Sachs and Northern Trust charged Central States $41 million for the privilege of managing and wrecking their retirement fund.

Last month the Treasury Department rejected pension cuts to the Central States Pension Fund for the short term and bought these retirees some time. But this story isn't over. Unless the Senate acts, this pension plan will collapse within 10 years. Unless the Senate acts, hundreds of thousands of retirees whose pensions are currently on life support will lose those pensions entirely.

Tomorrow the Republicans, who control the Senate, are ready to act. Tomorrow they will bring a pension bill to the floor. Is it a bill to help save the 400,000 men and women of the Central States Pension Fund whose futures were decimated through no fault of their own? On that topic, the Republicans have nothing to say. Instead, the Republicans are bringing up a bill to make it easier—easier—for giant Wall Street financial institutions to cheat Americans out of their retirement savings.

The Senate will be voting to make it easier for shady financial institutions and unscrupulous financial advisers to mislead investors about the quality of the investments so those advisers can continue pushing lousy products, just like the junk bonds and mortgage funds that tanked the Central States pension plan. The Senate will be voting on whether to overturn the commonsense regulations the Department of Labor completed last month to protect Americans' hard-earned retirement savings from slick-talking advisers who push complicated products that give great payoffs to the advisers and terrible results for their customers.

Here is the problem: Because of loopholes in the law, it has long been perfectly legal for investment advisers to push products that drain away customer savings while they generate high fees, free vacations, cars, bonuses, and kickbacks for the advisers. These conflicts cost American families an estimated $17 billion every year. The new commonsense rule would put a stop to these practices. It is a pretty simple rule. It would ensure that financial advisers have to recommend products that are in the customers' best interests. No more pushing products just to generate high fees and payments for the advisers. No more free vacations. No more kickbacks. Why would anyone on Earth vote to overturn a rule designed to protect Americans from financial fraud? Why? Because it is an election year, so Senators and Congressmen have their hands out, willing to take every dime of Wall Street money they can get. Killing this new rule will cost American families $17 billion a year in lost retirement savings, but it will sure help to fill up the campaign accounts of the Republican Senators who vote for it. In the meantime, the clock keeps ticking for hundreds of thousands of Central States retirees, and the Republicans refuse to do anything.

The Republicans who control the Senate may think that tomorrow's vote will help their fundraising efforts. Even so, I will be voting no because we weren't sent here just to raise money for reelections. We weren't sent here to make money for Wall Street and their armies of lobbyists and lawyers. We weren't sent here to reward the too-big-to-fail banks that tanked our economy and then got billions of dollars in bailouts. We weren't sent here to make it easier for financial institutions to cheat people. The Republicans who run the Senate seem to have forgotten that. If they don't remember it soon, you can bet the American people will remind them in November.

Thank you, Madam President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CORNYN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VIETNAM

Mr. CORNYN. Madam President, I know President Obama is visiting Vietnam. I want to speak briefly about that, but I also want to comment about the contribution many Vietnamese Americans are making in the United States and particularly back home in Texas. They demonstrate the vividness and the life of the pursuit of the American dream because these are some of the most accomplished people in our communities back in Texas.

Many people don't realize how big of a Vietnamese community Texas has. Many are surprised when I tell them that Vietnamese is the third most commonly spoken language in Texas. Admittedly, English, even Texas English, is No. 1 and then obviously Spanish, with 38 percent of our population of Hispanic origin—but it is still a sizable, vibrant part of our State and our communities.

I have been particularly impressed by the passion and drive of those from Vietnam who have now made America their home—how passionate they are about things we perhaps take for granted, such as the same freedoms we enjoy here that folks back in Vietnam do not enjoy.

As a matter of fact, it is important to remember, even as President Obama is traveling to Vietnam, that Vietnam is a brutal Communist regime that continues to disregard basic human rights. Sure, our economic relationships could bear fruit—and in fact I am encouraged by that and would encourage that—but we cannot forget that, at bottom, the regime is Communist, and it disregards basic human rights.

I expect a lot of the conversations the President is having with the government will focus on our common threats in the Pacific, particularly the rise and belligerence of China, particularly in the South China Sea. I am sure it will focus on the need for more robust economic relationships and perhaps the benefits of trade agreements like the Trans-Pacific Partnership.

I agree economics and trade are important, but we can't let the prospect of greater economic ties dampen our convictions as a democratic nation to encourage greater freedoms for the Vietnamese people. Recently, Reporters Without Borders ranked Vietnam 175th out of 180 countries worldwide when it comes to freedom of the media—175th out of 180.

Unfortunately, the regime does not fare any better when it comes to religious liberty either. The truth is, our two countries will never achieve the kind of close relationship that I know many in Vietnam and many in the United States aspire to until Vietnam releases all political prisoners, demonstrates basic respect for human rights, and embraces self-government ideals that we again take for granted in America.

I believe that until that happens, the United States has no choice but to continue to hold Vietnam at arm's length. That means we must do all we can to put pressure on the regime to strengthen freedoms for the Vietnamese people. I am hopeful, in moving forward, the United States will do a better job of making clear that the Communist regime in Hanoi must improve its human rights record.

Fortunately, we in the Congress can play a role. Earlier this year, I reintroduced a piece of legislation called the Vietnam Human Rights Sanctions Act, legislation that would impose travel restrictions and other sanctions on Vietnamese nationals who are complicit in human rights abuses against their follow people. I intend to offer this legislation, the Vietnam Human Rights Sanctions Act, as an amendment to the national defense authorization bill we will be debating this week.

The United States simply must do more to support the rights of the Vietnamese people and freedom-loving people everywhere. We simply can't give a pass to the Vietnamese regime and a pass to their oppressive government because, frankly, it is a little inconvenient to bring up during the time we are talking about trade and better economic relationships.

This bill is a step forward in the fight for their civil, religious, and political liberties.

ADAM WALSH REAUTHORIZATION BILL

Mr. CORNYN. Madam President, shortly the Senate will pass another important piece of legislation, the Adam Walsh Reauthorization Act. This is legislation that will better equip the States to track sex offenders and prevent abuse. Since the new majority took control of this Chamber, the Senate has prioritized bills that protect victims, that make our communities safer. This latest bill fits that model.

For example, I was proud to introduce the Justice for Victims of Trafficking Act, which was signed into law by President Obama this last spring. That happened to enjoy a 99-to-0 vote in the Senate, clearly bipartisan legislation directed at helping the victims of human trafficking. I am pleased to report that this law has already begun helping those victims recover and find a path for healing.

In another example, the Senate Judiciary Committee recently approved the Justice for All Reauthorization Act, legislation I introduced with our colleague from Vermont, Senator LEAHY, that will improve the criminal justice system by helping eliminate the backlog of untested rape kits in communities throughout the country and by helping victims find justice faster.

I might add that, thanks to the leadership of Chairman GRASSLEY of the Senate Judiciary Committee, the Judiciary Committee has been as active and as productive as any other time I have been in the Senate.

Finally, earlier this year we joined several of our colleagues to introduce Kari's Law, another bipartisan bill that would ensure that people have the ability to directly call 9-1-1 without having to dial an extra number, which happens to be particularly important in hotel rooms and other places. Particularly if a young child picks up a phone and dials 9-1-1, as they have been instructed, it is important that they be able to get through.

This is a simple change but one that will help law enforcement and emergency personnel reach those who need help as soon as possible. I hope we can move this legislation forward soon.

I am proud of the work the Senate has done in these and other areas this year. I hope this afternoon we can add the Adam Walsh Reauthorization Act to that list.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. SHAHEEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

ADAM WALSH REAUTHORIZATION ACT OF 2016

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S. 2613, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 2613) to reauthorize certain programs established by the Adam Walsh Child Protection and Safety Act of 2006.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

S. 2613

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Adam Walsh Reauthorization Act of 2016''.

SEC. 2. SEX OFFENDER MANAGEMENT ASSISTANCE (SOMA) PROGRAM REAUTHORIZATION.

Section 126(d) of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16926(d)) is amended to read as follows:

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General $20,000,000 for each of fiscal years 2017 through 2018, to be available only for—

''(1) the SOMA program; and

''(2) the Jessica Lunsford Address Verification Grant Program established under section 631.''.

SEC. 3. REAUTHORIZATION OF FEDERAL ASSISTANCE WITH RESPECT TO VIOLATIONS OF REGISTRATION REQUIREMENTS.

Section 142(b) of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16941(b)) is amended by striking ''such sums as may be necessary for fiscal years 2007 through 2009'' and inserting ''to the United States Marshals Service $61,300,000 for each of fiscal years 2017 through 2018''.

SEC. 4. ENSURING SUPERVISION OF RELEASED SEXUALLY DANGEROUS PERSONS.

(a) PROBATION OFFICERS.—Section 3603 of title 18, United States Code, is amended in paragraph (8)(A) by striking ''or 4246'' and inserting '', 4246, or 4248''.

(b) PRETRIAL SERVICES OFFICERS.—Section 3154 of title 18, United States Code, is amended in paragraph (12)(A) by striking ''or 4246'' and inserting '', 4246, or 4248''.

SEC. 5. SEXUAL ASSAULT SURVIVORS' RIGHTS.

(a) IN GENERAL.—Part II of title 18, United States Code, is amended by adding after chapter 237 the following:

''CHAPTER 238—SEXUAL ASSAULT SURVIVORS' RIGHTS

''Sec.
''3772. Sexual assault survivors' rights.

''§ 3772. Sexual assault survivors' rights

''(a) RIGHTS OF SEXUAL ASSAULT SURVIVORS.—In addition to those rights provided in section 3771, a sexual assault survivor has the following rights:

''(1) The right not to be prevented from, or charged for, receiving a medical forensic examination.

''(2) The right to—

''(A) subject to paragraph (3), have a sexual assault evidence collection kit or its probative contents preserved, without charge, for the duration of the maximum applicable statute of limitations or 20 years, whichever is shorter;

''(B) be informed of any result of a sexual assault evidence collection kit, including a DNA profile match, toxicology report, or other information collected as part of a medical forensic examination, if such disclosure would not impede or compromise an ongoing investigation; and

''(C) be informed in writing of policies governing the collection and preservation of a sexual assault evidence collection kit.

''(3) The right, if the Government intends to destroy or dispose of a sexual assault evidence collection kit or its probative contents before the expiration of the applicable time period under paragraph (2)(A), to—

''(A) upon written request, receive written notification from the appropriate official with custody not later than 60 days before the date of the intended destruction or disposal; and

''(B) upon written request, be granted further preservation of the kit or its probative contents.

''(4) The right to be informed of the rights under this subsection.

''(b) APPLICABILITY.—Subsections (b) through (f) of section 3771 shall apply to sexual assault survivors.

''(c) DEFINITION OF SEXUAL ASSAULT.—The Attorney General shall by regulation define the term 'sexual assault' for purposes of this section.

''(d) FUNDING.—This section, other than paragraphs (2)(A) and (3)(B) of subsection (a), shall be carried out using funds made available under section 1402(d)(3)(A)(i) of the Victims of Crime Act of 1984 (42 U.S.C. 10601(d)(3)(A)(i)). No additional funds are authorized to be appropriated to carry out this section.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for part II of title 18, United States Code, is amended by adding at the end the following:

''238. Sexual assault survivors' rights 3772''.

(c) AMENDMENT TO VICTIMS OF CRIME ACT OF 1984.—Section 1402(d)(3)(A)(i) of the Victims of Crime Act of 1984 (42 U.S.C. 10601(d)(3)(A)(i)) is amended by inserting after ''section 3771'' the following: ''or section 3772, as it relates to direct services,''.

SEC. 6. SEXUAL ASSAULT SURVIVORS' NOTIFICATION GRANTS.

The Victims of Crime Act of 1984 is amended by adding after section 1404E (42 U.S.C. 10603e) the following:

''SEC. 1404F. SEXUAL ASSAULT SURVIVORS' NOTIFICATION GRANTS.

''(a) IN GENERAL.—The Attorney General may make grants as provided in section 1404(c)(1)(A) to States to develop and disseminate to entities described in subsection (c)(1) of this section written notice of applicable rights and policies for sexual assault survivors.

''(b) NOTIFICATION OF RIGHTS.—Each recipient of a grant awarded under subsection (a) shall make its best effort to ensure that each entity described in subsection (c)(1) provides individuals who identify as a survivor of a sexual assault, and who consent to receiving such information, with written notice of applicable rights and policies regarding—

''(1) the right not to be charged fees for or otherwise prevented from pursuing a sexual assault evidence collection kit;

''(2) the right to have a sexual assault medical forensic examination regardless of whether the

survivor reports to or cooperates with law enforcement;

''(3) the availability of a sexual assault advocate;

''(4) the availability of protective orders and policies related to their enforcement;

''(5) policies regarding the storage, preservation, and disposal of sexual assault evidence collection kits;

''(6) the process, if any, to request preservation of sexual assault evidence collection kits or the probative evidence from such kits; and

''(7) the availability of victim compensation and restitution.

''(c) DISSEMINATION OF WRITTEN NOTICE.—Each recipient of a grant awarded under subsection (a) shall—

''(1) provide the written notice described in subsection (b) to medical centers, hospitals, forensic examiners, sexual assault service providers, State and local law enforcement agencies, and any other State agency or department reasonably likely to serve sexual assault survivors; and

''(2) make the written notice described in subsection (b) publicly available on the Internet website of the attorney general of the State.

''(d) PROVISION TO PROMOTE COMPLIANCE.—The Attorney General may provide such technical assistance and guidance as necessary to help recipients meet the requirements of this section.

''(e) INTEGRATION OF SYSTEMS.—Any system developed and implemented under this section may be integrated with an existing case management system operated by the recipient of the grant if the system meets the requirements listed in this section.''.

SEC. 7. WORKING GROUP.

(a) IN GENERAL.—The Attorney General, in consultation with the Secretary of Health and Human Services (referred to in this section as the ''Secretary''), shall establish a joint working group (referred to in this section as the ''Working Group'') to develop, coordinate, and disseminate best practices regarding the care and treatment of sexual assault survivors and the preservation of forensic evidence.

(b) CONSULTATION WITH STAKEHOLDERS.—The Working Group shall consult with—

(1) stakeholders in law enforcement, prosecution, forensic laboratory, counseling, forensic examiner, medical facility, and medical provider communities; and

(2) representatives of not less than 3 entities with demonstrated expertise in sexual assault prevention, sexual assault advocacy, or representation of sexual assault victims, of which not less than 1 representative shall be a sexual assault victim.

(c) MEMBERSHIP.—The Working Group shall be composed of governmental or nongovernmental agency heads at the discretion of the Attorney General, in consultation with the Secretary.

(d) DUTIES.—The Working Group shall—

(1) develop recommendations for improving the coordination of the dissemination and implementation of best practices and protocols regarding the care and treatment of sexual assault survivors and the preservation of evidence to hospital administrators, physicians, forensic examiners, and other medical associations and leaders in the medical community;

(2) encourage, where appropriate, the adoption and implementation of best practices and protocols regarding the care and treatment of sexual assault survivors and the preservation of evidence among hospital administrators, physicians, forensic examiners, and other medical associations and leaders in the medical community;

(3) develop recommendations to promote the coordination of the dissemination and implementation of best practices regarding the care and treatment of sexual assault survivors and the preservation of evidence to State attorneys general, United States attorneys, heads of State law enforcement agencies, forensic laboratory directors and managers, and other leaders in the law enforcement community;

(4) develop and implement, where practicable, incentives to encourage the adoption or implementation of best practices regarding the care and treatment of sexual assault survivors and the preservation of evidence among State attorneys general, United States attorneys, heads of State law enforcement agencies, forensic laboratory directors and managers, and other leaders in the law enforcement community;

(5) collect feedback from stakeholders, practitioners, and leadership throughout the Federal and State law enforcement, victim services, forensic science practitioner, and health care communities to inform development of future best practices or clinical guidelines regarding the care and treatment of sexual assault survivors; and

(6) perform other activities, such as activities relating to development, dissemination, outreach, engagement, or training associated with advancing victim-centered care for sexual assault survivors.

(e) REPORT.—Not later than 2 years after the date of enactment of this Act, the Working Group shall submit to the Attorney General, the Secretary, and Congress a report containing the findings and recommended actions of the Working Group.

SEC. 8. CIVIL REMEDY FOR SURVIVORS OF CHILD SEXUAL EXPLOITATION AND HUMAN TRAFFICKING.

Section 2255(b) of title 18, United States Code, is amended—

(1) by striking ''three years'' and inserting ''10 years''; and

(2) by inserting ''ends'' before the period at the end.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I rise to discuss the Sexual Assault Survivors' Rights Act. I am very pleased this legislation has been incorporated into the Adam Walsh Reauthorization Act that is before us this afternoon. I thank the chair and ranking member of the Judiciary Committee, Senators GRASSLEY and LEAHY, for their help and support in moving this important legislation forward.

The Sexual Assault Survivors' Rights Act builds on the legacy of the Crime Victims' Rights Act by establishing our Nation's first set of codified, court-enforceable rights to address unique issues faced by sexual assault survivors. These rights, coupled with renewed efforts to educate survivors about available options and resources, will help empower survivors already in the justice system. In addition, this bill will send a powerful message to survivors all across the country: You do have rights. We do care about you. If you choose to come forward, we are going to be there for you, and we are going to ensure a justice system that treats you with dignity and fairness.

As many of our colleagues know, sexual assault remains one of the most pervasive and complex challenges in our justice system. It affects every segment and demographic of our society, young and old, rich and poor, rural and urban. The immediate physical harm of an attack can result in a lifetime of emotional scars and lingering stigma.

Sexual assault is also one of the most difficult crimes to prosecute. For starters, it is the most underreported crime in our country. The Department of Justice estimates that nearly 70 percent of attacks go unreported and only a small percentage of perpetrators go to prison.

When we ask survivors why other victims don't come forward and press charges, they tell us our justice system seems to be working against them, not for them. They even say the trauma of an attack can be compounded by the disappointment they feel when our legal system puts so many needless obstacles in the path of justice. For survivors, it is too often a grueling and bewildering process. Many feel intimidated and ultimately choose not to go forward. Some who may initially file charges give up before their case is resolved or they simply slip through the cracks. In many States, sexual assault survivors risk having their untested rape kits destroyed, sometimes without their knowledge.

This issue came to the attention of my office when a 24-year-old young woman, Amanda Nguyen, came to my office and told me about her experience with this very issue. She had the tragic circumstance of having been raped in Massachusetts, and despite the State's 20-year statute of limitations for sexual assault, Amanda has had to return to the same police station every 6 months just to make sure her rape kit evidence is not destroyed. That means that every 6 months she has to relive the crime that was committed against her. She has to meet with a different person, reexplain her situation, and hope her evidence is not destroyed. What is worse, if Amanda had not been proactive in figuring out all the relevant policies, her evidence could have been destroyed without her even being notified.

Fortunately, Amanda didn't give up. She decided this was wrong and she was going to do something about it. She visited a number of offices across Capitol Hill, and when she got to ours, we said: You are right. This is wrong. We need to do something about it, and we worked with her and with an organization she started called Rise to put together legislation that could serve as a model for the rest of the country.

Fortunately, the Senate has an opportunity to respond to the issues Amanda raised and so many people have faced across this country. This bill will establish in the Adam Walsh Reauthorization Act the first set of court-enforceable rights for survivors of sexual assault codified in the U.S. Criminal Code. These rights are specifically designed to address many of the unique challenges faced by survivors of sexual assault. They include commonsense changes, such as ensuring that

survivors are not charged for the rape kits, requiring that the relevant evidence be kept for the entire statute of limitations period, the right to be informed of the medical results of a rape forensic examination, and the right to have written notice before a rape kit containing critical evidence is destroyed.

It is important to note that the rights contained in this bill would only apply at the Federal level. However, they are drawn from best practices developed by many States, and we are hopeful they will serve as a model and a catalyst for each of the 50 States to enact or improve their own survivor bill of rights. Already we have heard from several State legislators who intend to introduce bills mirroring the Federal standards in this legislation.

We know the status quo is not acceptable. Currently, inadequate laws work against survivors, against law enforcement, and against prosecutors—serving only the perpetrators who too often remain at large. It is past time for a reform process that ends the silence surrounding sexual assault, brings it out of the shadows, and gives survivors a fair shot at justice. This is exactly what the Sexual Assault Survivors' Rights Act will do.

I am so pleased it has been included in the Adam Walsh Reauthorization Act that is before us today. Again, I thank the Judiciary Committee. I thank Amanda Nguyen and Rise. They have been so critical to getting this legislation included in the Adam Walsh Act, and I urge my colleagues to support this bill when it comes to the floor.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COATS). Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, today we will vote on the Adam Walsh Reauthorization Act of 2016. Passage of this bipartisan bill will send a strong and clear message to the American people about Congress's steadfast commitment to keeping our children safe from sexual predators and other violent criminals.

Many of us supported the original Adam Walsh Child Protection and Safety Act, which is so named for a 6-year-old boy who was abducted and tragically murdered nearly 35 years ago. Adam Walsh was abducted on July 27, 1981, from a mall in Hollywood, FL. In what is every parent's nightmare, Adam's remains were found 2 weeks later, more than 100 miles from his home.

This year marks the 35th anniversary of his disappearance. In the intervening years, his parents, John and Reve Walsh, have dedicated their lives to protecting children from harm and bringing child predators to justice. John Walsh collaborated on the development of the original Adam Walsh Act, and he has continued to provide invaluable insight regarding the reauthorization bill that is before us today.

This bill is yet another bipartisan measure that the Senate Judiciary Committee reported unanimously in the 114th Congress. Senators HATCH, SCHUMER, and FEINSTEIN, who all cosponsored an early Senate version of the 2006 Adam Walsh Act, have once again joined as original cosponsors of this legislation. I want to also thank our committee's ranking member, Senator LEAHY, as well as Senator AYOTTE and other Members of this Chamber who have joined as cosponsors or contributed in some way to the bill's success.

As a reminder, the Adam Walsh Act originally was enacted in response to notorious cases involving children who had been targeted by adult criminals, many of them repeat sex offenders. The names Johnny Gosch, Eugene Martin, and Jetseta Gage, for example, still bring heartbreak to all Iowans. Johnny Gosch was a 12-year-old paperboy delivering newspapers in West Des Moines, IA, when he disappeared in 1982. Two years later, 13-year-old Eugene Martin disappeared in Des Moines, IA—also while delivering newspapers. And 10-year-old Jetseta Gage was kidnapped, raped, and murdered by a convicted sex offender in rural Johnson County, IA in 2005.

The original Adam Walsh Act was enacted in response to these and many other cases involving missing children. The 2006 law established numerous programs, but their authorization expired some years ago. Several of these programs, for which Congress continues to provide funding in the annual appropriations process, are the centerpiece of the Adam Walsh Act and are key to its successful implementation. This bill would extend the authorization for these pivotal programs.

First, this bill would reauthorize the sex offender management assistance program. It is estimated that there are more than 700,000 registered sex offenders in the United States. This program helps States to meet national notification and registration standards for these sex offenders. It also helps State and local law enforcement agencies improve their sex offender registry systems and information sharing capabilities.

Second, this bill would extend the Jessica Lunsford Address Verification Grant Program. Who can forget Jessica Lunsford, for whom this program is named? This 9-year-old Florida girl was abducted and murdered by a registered sex offender who lived nearby. Her story is not unlike that of 10-year-old Jetseta Gage.

The Jessica Lunsford program authorizes grants to State and local governments to help fund programs that verify the residences of registered sex offenders. Having accurate information on where sex offenders live is crucial to ensuring that law enforcement can adequately protect the safety of children and keep the public informed.

Third, this bill authorizes continued funding for the U.S. Marshals Service to support local efforts to track down sex offenders who fail to register as such or who later disappear from the system. These fugitive apprehension activities, authorized under the original Adam Walsh Act, continue to be funded by appropriators, but they need to be reauthorized. Extending the authorization signals Congress's continued commitment to ensuring that these activities continue.

Fourth, during the committee markup of this bill, I offered a substitute amendment that incorporates a package of new rights for sexual assault survivors. It was accepted with the unanimous support of our committee members. Several members worked with me on its development, and I appreciate their contributions. I want to especially thank Ms. Amanda Nguyen, a young woman who has bravely spoken out about her experience of sexual assault. Amanda, who founded a nonprofit known as RISE, originated the idea for a survivors' rights package and urged me to incorporate such language in this bill.

The package we adopted in the Judiciary Committee includes new rights, under our Federal Criminal Code, for victims of sexual assault offenses. These rights are in addition to those already available to all victims of crime under the Federal Criminal Code. They include the right not to be prevented from or charged for receiving a medical forensic exam. They include the right to have a sexual assault evidence collection kit preserved without charge for the statutory limitations period or 20 years. They include the right to be informed of the results of that kit's analysis, as well as policies governing the kit's collection and preservation. They include the right to notice when the government intends to dispose of a sexual assault evidence collection kit. RISE endorsed these provisions last July.

The bill reported by our committee also clarifies that the Justice Department can make discretionary grants available, under the crime victims fund, to States that agree to notify sexual assault survivors of any applicable rights under state law. The bill calls for the establishment of a Federal working group to disseminate best practices for the care and treatment of sexual assault survivors and for the

preservation of forensic evidence. The bill also would extend the statutory deadline by which child victims of certain human trafficking and child abuse offenses can file suit against their perpetrators.

We also added language to the bill, at the suggestion of the Judicial Conference of the United States, to clarify that courts can supervise sexual offenders after their release from civil confinement. Courts already do this in practice, just as they do with criminal offenders after their release, but this legislation clarifies judges' authority to do so.

Before concluding, I should mention that the Adam Walsh Reauthorization Act not only has the bipartisan support of members of this chamber, but also has the support of groups that advocate for child protection and safety, such as the National Center for Missing and Exploited Children. It has been endorsed by two leading antihuman trafficking organizations, Polaris and Shared Hope International. And as already mentioned, the current version has the support of John Walsh and RISE.

Finally, I want to reiterate that the 35th anniversary of the abduction of and murder of young Adam Walsh will take place in July. It is my hope that we can send this legislation to the President's desk before that date passes. As a father and as a grandfather, I cannot stress enough the importance of making this bill's passage a priority for the 114th Congress.

We cannot bring back Adam Walsh, Jetseta Gage, Jessica Lunsford, or the other innocent children we have lost under such terrible circumstances. But we can do our best to honor their memory and to protect America's present and future children by extending these key programs that were authorized under the original Adam Walsh Act.

I yield the floor.

Mr. LEAHY. Mr. President, soon the Senate will vote on legislation to reauthorize key elements of the Adam Walsh Child Protection and Safety Act. I supported this important law when it was first enacted nearly 10 years ago, and I am proud to be a cosponsor of this reauthorization bill.

Both the original legislation and the reauthorization bill we are voting on today bear the name of Adam Walsh, a young boy who was abducted and murdered nearly 35 years ago. Since that tragic day, Adam's father, John, has been a determined and tireless advocate on behalf of missing and exploited children. I have worked with John Walsh and others over the years to protect the most vulnerable among us. As a Senator and former prosecutor—but most importantly, as a father and a grandfather—I take seriously my duty to protect the children of Vermont and every community throughout the country.

The Adam Walsh Reauthorization Act will reauthorize two important programs that assist State and local law enforcement agencies to monitor and apprehend sex offenders. Specifically, this legislation authorizes the Attorney General to continue providing grants to State and local law enforcement agencies in their efforts to improve sex offender registry systems. The bill also reauthorizes funding for grants to improve information sharing and verification and supports the work of the U.S. Marshals Service in helping State and local law enforcement to locate and apprehend sex offenders who fail to comply with registration requirements.

For more than three decades, the National Center for Missing and Exploited Children, NCMEC, has served as a national clearinghouse on issues related to missing and exploited children. I know that the center works closely with the marshals and other Federal, State, and local law enforcement agencies, and the Adam Walsh Reauthorization Act will help further our support for these collaborative efforts. NCMEC has played a vital role in these efforts, which is why last Congress, I helped lead the fight to reauthorize NCMEC, so that it could continue its important work.

The bill also includes an important set of provisions authored by Senator SHAHEEN to protect the rights of sexual assault survivors, particularly with regard to sexual assault and rape kits. I want to thank and applaud Senator SHAHEEN for her hard work and leadership on the Sexual Assault Survivors Rights Act. As an original cosponsor of her bill, I supported the inclusion of her important measure as part of this bill.

I encourage all Senators to support this bill. I hope that the House will take it up and promptly pass it so that it can be signed into law by the President. There is no need to delay any longer our support for the Federal, State, and local enforcement agencies that work tirelessly to protect the children of our community. But once this bill become law, our job does not end there. It is not sufficient to just pay lip service to this issue and allow Congress to pat itself on the back for passing an authorization bill. Just as we have seen with our efforts to combat the opioid abuse epidemic, a bill that authorizes programs is important and worthy of support, but ultimately an empty promise if it is not backed up with the actual Federal resources that Congress authorizes. I will keep fighting to ensure that Congress puts its money where its mouth is and provides the funding that is necessary to support these important efforts. I will continue fighting to improve our laws so that we protect the most vulnerable in all of our communities.

Mrs. FEINSTEIN. Mr. President, I support the ''Adam Walsh Reauthorization Act of 2016,'' an important bill crafted to protect—and support—victims of sex crimes. I am proud to be an original cosponsor of this bipartisan legislation introduced by Senators GRASSLEY and SCHUMER.

The bill reauthorizes important programs that assist States in managing sex offenders and reauthorizes the U.S. Marshals Service efforts to locate and apprehend these offenders. The bill also protects the rights of sexual assault survivors. For example, it includes provisions to ensure sexual assault survivors are notified of their rights, such as the right to have a sexual assault medical forensic examination.

For many years, Senator Jon Kyl of Arizona and I pushed to provide victims of crime with basic protections in the criminal justice system. Those efforts culminated with the passage of the Crime Victims' Rights Act of 2004.

This bill similarly recognizes the rights of victims of sexual assault—an important step forward.

Finally, the bill includes a provision that I authored, along with Senator CORNYN, to extend the time for minor victims of sex crimes to pursue justice against their perpetrators.

Across this country, those who were sexually exploited as children are courageously coming forward, many years after the abuse took place.

My office has heard from a number of victims from California who—in the height of their innocence as children—were subjected to untold abuse and sexual exploitation. Many of these victims were not able to come forward until many years later—after they had reached adulthood.

To address this, I authored language to extend the statute of limitations for minor victims of Federal sex crimes. Specifically, section 8 of the bill extends the civil statute of limitations until the age of 28 to allow minor victims of sex offenses, including sexual abuse and child pornography, to sue their perpetrators.

This brings the statute of limitations in line with a similar law that provides a remedy for victims of sex trafficking. This provision is one step in the right direction, but we must do more to reform the statute of limitations for minor victims of Federal sex offenses.

Indeed, Senator CORNYN and I recently introduced legislation called the Extending Justice for Sex Crime Victims Act of 2016. This bill would clarify the law so that the civil statute of limitations for Federal sex crime victims begins to run 10 years after the later of when the victim actually discovers the injury or the violation, or when the victim turns 28 years old. This is important because victims of sex crimes are sometimes abused even before they can remember or understand the abuse—some as young as 3 years old.

I am hopeful that the Senate will take up and pass the bill I have introduced separately with Senator CORNYN to address this issue.

I am pleased to support the Adam Walsh Reauthorization Act of 2016 today.

The PRESIDING OFFICER. The Senator from Iowa.

Mrs. ERNST. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Is there objection?

Hearing none, it is so ordered.

HONORING WOMEN AIRFORCE SERVICE PILOTS

Mrs. ERNST. Mr. President, I am pleased to report that last week, bipartisan legislation to restore the rights of the Women Airforce Service Pilots, or WASP, to have their ashes inurned at Arlington National Cemetery was signed into law.

I was proud to have led the Senate's effort, with Senator MIKULSKI, to honor this group of revolutionary women who courageously served our country. I thank Congresswomen MARTHA MCSALLY and SUSAN DAVIS for their leadership and for spearheading this bill in the House.

On the heels of Pearl Harbor, these trailblazing women bucked the status quo and made tremendous sacrifices for this Nation. They joined a groundbreaking flight training program for women, flying noncombat service missions for the Army Air Force to free their male counterparts for combat duty overseas. The WASP willingly put their lives on the line for this country during a time of war. This work wasn't easy and certainly contained peril. In fact, 38 WASP died in service to our great country during World War II. Their sacrifice and love for this Nation deserves to be celebrated and always remembered.

Iowa was at one time or another home to at least 25 courageous WASP. While they were eventually granted veteran status in 1977, it was not until 2002 that the Army allowed these women to have their ashes placed in Arlington National Cemetery with full military honors. In 2015 that honor was inexplicably and wrongly revoked by the Army.

With less than 100 WASP still living, time was short to do what was right and honor these women for their selfless sacrifice and service to our Nation. They were role models for women in the military, like me, and proved their strength and fortitude in the missions they carried out.

I want to take this time to honor these extraordinary women and thank them for their remarkable military service. As Memorial Day approaches, I am grateful that we can restore a basic honor to them and their families through this law.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 469, S. 2943.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 469, S. 2943, a bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 469, S. 2943, a bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

John McCain, Thad Cochran, Lindsey Graham, Joni Ernst, James M. Inhofe, Tom Cotton, Kelly Ayotte, Richard Burr, Cory Gardner, Jeff Sessions, Thom Tillis, Mike Rounds, Dan Sullivan, Orrin G. Hatch, Tim Scott, John Cornyn, Mitch McConnell.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, I am sure that all of our colleagues made note of the latest tragedy, which is most likely a terrorist attack, and that is the airliner that disappeared, and now they are finding pieces of that airliner. We don't know positively what happened, but it has all the earmarks of a terrorist attack.

I know that many of my colleagues know that the Director of National Intelligence, General Clapper, testified before our committee and said that there are most likely going to be additional attacks in Europe and in the United States, either the type that took place in San Bernardino or attacks that—Mr. Baghdadi has sent his people into the refugee flow to commit attacks on the United States of America.

We just finished up a couple weeks ago—a few days ago a defense authorization bill. That bill is a very large bill, and it contains reforms and changes in the way we do business. It changes a whole lot of things. It also takes care of the men and women who are serving in the military. It provides them with greater capability to fight this virus of radical terrorist Islam, which is threatening the United States of America in a way that has been unprecedented in 70 years.

We are subject to attacks like San Bernardino, like what we just saw with the airliner, which is most likely—I am not positive, but it has all the earmarks. I have seen enough to know that this is most likely a terrorist attack. Meanwhile, ISIS is metastasizing Libya. It is committing attacks in Baghdad which are killing hundreds of people. We see the terrible atrocities committed by ISIS or Daesh—whichever one you call it—all over the world, in Africa and other parts.

So we need this legislation. We need this legislation for the men and women who are serving. The former Chairman of the Joint Chiefs of Staff, General Dempsey, said that what we are doing now puts us on the ''ragged edge'' of being able to defend this Nation. The Commandant of the U.S. Marine Corps said the same thing. The Chief of Staff of the United States Army said: ''We are putting the men and women in the military at greater risk.'' Those are his exact words. ''We are putting the men and women in the military at greater risk.''

So what are we doing here? We are not moving forward with the bill. For some reason, the majority leader is having to file cloture, and then we wait a number of days, and then we take up the bill, and then maybe we don't finish the bill while we go into recess. Don't we owe the men and women in the military better than that? Shouldn't we take up this bill and dispense with it, do a conference with the House and send it to the President's desk so that the President of the United States will sign it and the men and women in the military will be better equipped, better trained, better able to defend themselves and this Nation, or are we going to go through some kind of foolishness of having the majority leader having to file cloture and then we wait 48 hours? It is being totally divorced from the reality of what is happening in the world. Just a few days ago, a brave young SEAL was killed in Syria, a young man named Keating. I happen to know his family very well.

The President of the United States still will not say we are in combat, but the fact is, we are dramatically increasing our presence, both in Syria

and Iraq and now Libya. These men and women need equipment to fight with. They need to have a military that is the best we can provide them with. So why shouldn't we do it now? Why should we wait a couple of days? There is no justification for not moving to this bill right now.

I ask unanimous consent that the Senate proceed to the immediate consideration—the immediate consideration—of Calendar No. 469, S. 2943, the National Defense Authorization Act.

The PRESIDING OFFICER. Is there objection?

The Democratic leader.

Mr. REID. Mr. President, reserving the right to object, as I have stated on the record many times, I have great admiration for the Senator from Arizona. We came together to the House, came together to the Senate. But I have to say, it is obvious my friend has a short memory. These bills take a long time. That is traditionally how it has worked around here. For weeks, we work on these bills.

I understand the bill as reported complies with the budget agreement. I appreciate that. But the Senator from Arizona, I have been told, wants to offer an amendment to expand military spending without doing anything to address the middle class. The fight against terrorism, the fight for security in our country is more than bombs and bullets; it is the FBI, the Department of Homeland Security; it is what we are doing to fight the scourge of drugs. All of those things are important for the security of this Nation.

There is nothing being done in this bill to fight ZIKA. Is that a security issue? Yes, it is. There is nothing being done to fight opioids. Is that a security issue? It sure is. During the time we have had this little exchange, there will be a number of people who will die across America as a result of the overuse of opioids. Flint, MI, has been going on for months. Those poor people have been ravaged with lead in the water.

So I would have to say that my friend, as I have indicated, has a very short memory. I don't know how many times he has voted not to proceed to a piece of legislation. We need to address those issues that I have talked about.

I think the people of Arizona, the people of this country, want us to do our jobs. You would think that one thing we could do is look at this bill. This bill is not 64 pages long, not 164 pages long; it is 1,664 pages long. What makes it even more concerning to me and my colleagues is the fact that it was basically done in secret. It was a closed hearing.

So for heaven's sake, let's be brought back to reality. We have been very clear. We think we should take care of the middle class as we take care of the military. We are obligated to do both. The President will veto any bill that violates that principle.

So before we begin consideration of this bill, it wouldn't be bad if we read it. It wouldn't be bad if we had a chance to study this. It wouldn't be a bad idea if we had our staff give us some information on this bill of 1,664 pages.

So, without any question, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCAIN. Mr. President, let me just say, the bill was reported from the committee by a vote of 24 to 3. So what the Democratic leader is saying is that because we don't fund the IRS, we then should not proceed with defending this Nation. That is a remarkable statement.

If the Democratic leader is interested in money for the FBI, Homeland Security, and others, I would be more than happy to consider that, to authorize some additional funding for those agencies of government that protect the government.

But what my colleagues have just heard is that we will not move forward to provide for the well-being of the men and women who are serving, their ability to defend us, take them out of risk as much as possible by providing them what they need—which, by the way, 95 percent is input and requests from the executive branch, the Defense Department. So we are not going to move forward on this because we don't include the other agencies of government. That is now putting our Nation's security and other functions of government on exactly the same plane and totally disregards the fact that we are being attacked. We are being attacked by cyber. There are plans to attack the United States of America. The Director of National Intelligence said there will be attacks on the United States of America. Where is the Democratic leader? What is he thinking? What could he be thinking?

The PRESIDING OFFICER. The time of the Senator from Arizona has expired.

Mr. MCCAIN. We need to move forward with this legislation. We need to move forward with it now for the sake of the men and women who are serving and defending this Nation and putting their lives on the line. This is disgraceful.

Mr. MCCONNELL. Mr. President, will the Senator yield for a question?

Mr. MCCAIN. I will be glad to.

Mr. MCCONNELL. How many Democratic Senators on the Armed Services Committee voted against this bill?

Mr. MCCAIN. None. I am unhappy to say that the three votes against happened to be on this side of the aisle.

ADAM WALSH REAUTHORIZATION ACT OF 2016—Continued

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 4078

Mr. MCCONNELL. Mr. President, I call up the Grassley amendment No. 4078 and ask unanimous consent that it be reported by number.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mr. GRASSLEY, proposes an amendment numbered 4078.

The amendment is as follows:

(Purpose: To improve the bill)

On page 5, strike lines 23 through 25 and insert the following:

''(c) DEFINITION OF SEXUAL ASSAULT.—In this section, the term 'sexual assault' means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.

The PRESIDING OFFICER. Under the previous order, amendment No. 4078 is agreed to.

Under the previous order, the committee-reported amendment in the nature of a substitute, as amended, is agreed to.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. THUNE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Illinois (Mr. KIRK), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Pennsylvania (Mr. TOOMEY), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Pennsylvania (Mr. TOOMEY) would have voted ''yea.''

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from California (Mrs. BOXER), the Senator from Delaware (Mr. CARPER), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Michigan (Mr. PETERS), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 89, nays 0, as follows:

[Rollcall Vote No. 83 Leg.]

YEAS—89

Alexander	Cantwell	Cornyn
Ayotte	Capito	Cotton
Baldwin	Cardin	Crapo
Barrasso	Casey	Daines
Bennet	Cassidy	Donnelly
Blumenthal	Coats	Durbin
Blunt	Cochran	Enzi
Boozman	Collins	Ernst
Brown	Coons	Feinstein
Burr	Corker	Fischer

Flake	Lee	Rubio
Franken	Manchin	Sasse
Gardner	Markey	Schatz
Gillibrand	McCain	Schumer
Graham	McCaskill	Scott
Grassley	McConnell	Sessions
Hatch	Merkley	Shaheen
Heinrich	Mikulski	Shelby
Heitkamp	Moran	Stabenow
Heller	Murphy	Sullivan
Hirono	Murray	Tester
Hoeven	Nelson	Thune
Inhofe	Paul	Tillis
Isakson	Perdue	Udall
Johnson	Portman	Warner
Kaine	Reed	Warren
King	Reid	Whitehouse
Klobuchar	Risch	Wicker
Lankford	Roberts	Wyden
Leahy	Rounds	

NOT VOTING—11

Booker	Kirk	Sanders
Boxer	Menendez	Toomey
Carper	Murkowski	Vitter
Cruz	Peters	

This bill (S. 2613), as amended, was passed, as follows:

S. 2613

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Adam Walsh Reauthorization Act of 2016''.

SEC. 2. SEX OFFENDER MANAGEMENT ASSISTANCE (SOMA) PROGRAM REAUTHORIZATION.

Section 126(d) of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16926(d)) is amended to read as follows:

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General $20,000,000 for each of fiscal years 2017 through 2018, to be available only for—

''(1) the SOMA program; and

''(2) the Jessica Lunsford Address Verification Grant Program established under section 631.''.

SEC. 3. REAUTHORIZATION OF FEDERAL ASSISTANCE WITH RESPECT TO VIOLATIONS OF REGISTRATION REQUIREMENTS.

Section 142(b) of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16941(b)) is amended by striking ''such sums as may be necessary for fiscal years 2007 through 2009'' and inserting ''to the United States Marshals Service $61,300,000 for each of fiscal years 2017 through 2018''.

SEC. 4. ENSURING SUPERVISION OF RELEASED SEXUALLY DANGEROUS PERSONS.

(a) PROBATION OFFICERS.—Section 3603 of title 18, United States Code, is amended in paragraph (8)(A) by striking ''or 4246'' and inserting '', 4246, or 4248''.

(b) PRETRIAL SERVICES OFFICERS.—Section 3154 of title 18, United States Code, is amended in paragraph (12)(A) by striking ''or 4246'' and inserting '', 4246, or 4248''.

SEC. 5. SEXUAL ASSAULT SURVIVORS' RIGHTS.

(a) IN GENERAL.—Part II of title 18, United States Code, is amended by adding after chapter 237 the following:

''CHAPTER 238—SEXUAL ASSAULT SURVIVORS' RIGHTS

''§ 3772. Sexual assault survivors' rights

''(a) RIGHTS OF SEXUAL ASSAULT SURVIVORS.—In addition to those rights provided in section 3771, a sexual assault survivor has the following rights:

''(1) The right not to be prevented from, or charged for, receiving a medical forensic examination.

''(2) The right to—

''(A) subject to paragraph (3), have a sexual assault evidence collection kit or its probative contents preserved, without charge, for the duration of the maximum applicable statute of limitations or 20 years, whichever is shorter;

''(B) be informed of any result of a sexual assault evidence collection kit, including a DNA profile match, toxicology report, or other information collected as part of a medical forensic examination, if such disclosure would not impede or compromise an ongoing investigation; and

''(C) be informed in writing of policies governing the collection and preservation of a sexual assault evidence collection kit.

''(3) The right, if the Government intends to destroy or dispose of a sexual assault evidence collection kit or its probative contents before the expiration of the applicable time period under paragraph (2)(A), to—

''(A) upon written request, receive written notification from the appropriate official with custody not later than 60 days before the date of the intended destruction or disposal; and

''(B) upon written request, be granted further preservation of the kit or its probative contents.

''(4) The right to be informed of the rights under this subsection.

''(b) APPLICABILITY.—Subsections (b) through (f) of section 3771 shall apply to sexual assault survivors.

''(c) DEFINITION OF SEXUAL ASSAULT.—In this section, the term 'sexual assault' means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.

''(d) FUNDING.—This section, other than paragraphs (2)(A) and (3)(B) of subsection (a), shall be carried out using funds made available under section 1402(d)(3)(A)(i) of the Victims of Crime Act of 1984 (42 U.S.C. 10601(d)(3)(A)(i)). No additional funds are authorized to be appropriated to carry out this section.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for part II of title 18, United States Code, is amended by adding at the end the following:

''238. Sexual assault survivors' rights 3772''.

(c) AMENDMENT TO VICTIMS OF CRIME ACT OF 1984.—Section 1402(d)(3)(A)(i) of the Victims of Crime Act of 1984 (42 U.S.C. 10601(d)(3)(A)(i)) is amended by inserting after ''section 3771'' the following: ''or section 3772, as it relates to direct services,''.

SEC. 6. SEXUAL ASSAULT SURVIVORS' NOTIFICATION GRANTS.

The Victims of Crime Act of 1984 is amended by adding after section 1404E (42 U.S.C. 10603e) the following:

''SEC. 1404F. SEXUAL ASSAULT SURVIVORS' NOTIFICATION GRANTS.

''(a) IN GENERAL.—The Attorney General may make grants as provided in section 1404(c)(1)(A) to States to develop and disseminate to entities described in subsection (c)(1) of this section written notice of applicable rights and policies for sexual assault survivors.

''(b) NOTIFICATION OF RIGHTS.—Each recipient of a grant awarded under subsection (a) shall make its best effort to ensure that each entity described in subsection (c)(1) provides individuals who identify as a survivor of a sexual assault, and who consent to receiving such information, with written notice of applicable rights and policies regarding—

''(1) the right not to be charged fees for or otherwise prevented from pursuing a sexual assault evidence collection kit;

''(2) the right to have a sexual assault medical forensic examination regardless of whether the survivor reports to or cooperates with law enforcement;

''(3) the availability of a sexual assault advocate;

''(4) the availability of protective orders and policies related to their enforcement;

''(5) policies regarding the storage, preservation, and disposal of sexual assault evidence collection kits;

''(6) the process, if any, to request preservation of sexual assault evidence collection kits or the probative evidence from such kits; and

''(7) the availability of victim compensation and restitution.

''(c) DISSEMINATION OF WRITTEN NOTICE.—Each recipient of a grant awarded under subsection (a) shall—

''(1) provide the written notice described in subsection (b) to medical centers, hospitals, forensic examiners, sexual assault service providers, State and local law enforcement agencies, and any other State agency or department reasonably likely to serve sexual assault survivors; and

''(2) make the written notice described in subsection (b) publicly available on the Internet website of the attorney general of the State.

''(d) PROVISION TO PROMOTE COMPLIANCE.—The Attorney General may provide such technical assistance and guidance as necessary to help recipients meet the requirements of this section.

''(e) INTEGRATION OF SYSTEMS.—Any system developed and implemented under this section may be integrated with an existing case management system operated by the recipient of the grant if the system meets the requirements listed in this section.''.

SEC. 7. WORKING GROUP.

(a) IN GENERAL.—The Attorney General, in consultation with the Secretary of Health and Human Services (referred to in this section as the ''Secretary''), shall establish a joint working group (referred to in this section as the ''Working Group'') to develop, coordinate, and disseminate best practices regarding the care and treatment of sexual assault survivors and the preservation of forensic evidence.

(b) CONSULTATION WITH STAKEHOLDERS.—The Working Group shall consult with—

(1) stakeholders in law enforcement, prosecution, forensic laboratory, counseling, forensic examiner, medical facility, and medical provider communities; and

(2) representatives of not less than 3 entities with demonstrated expertise in sexual assault prevention, sexual assault advocacy, or representation of sexual assault victims, of which not less than 1 representative shall be a sexual assault victim.

(c) MEMBERSHIP.—The Working Group shall be composed of governmental or nongovernmental agency heads at the discretion of the Attorney General, in consultation with the Secretary.

(d) DUTIES.—The Working Group shall—

(1) develop recommendations for improving the coordination of the dissemination and implementation of best practices and protocols regarding the care and treatment of sexual assault survivors and the preservation of evidence to hospital administrators, physicians, forensic examiners, and other medical associations and leaders in the medical community;

(2) encourage, where appropriate, the adoption and implementation of best practices and protocols regarding the care and treatment of sexual assault survivors and the

preservation of evidence among hospital administrators, physicians, forensic examiners, and other medical associations and leaders in the medical community;

(3) develop recommendations to promote the coordination of the dissemination and implementation of best practices regarding the care and treatment of sexual assault survivors and the preservation of evidence to State attorneys general, United States attorneys, heads of State law enforcement agencies, forensic laboratory directors and managers, and other leaders in the law enforcement community;

(4) develop and implement, where practicable, incentives to encourage the adoption or implementation of best practices regarding the care and treatment of sexual assault survivors and the preservation of evidence among State attorneys general, United States attorneys, heads of State law enforcement agencies, forensic laboratory directors and managers, and other leaders in the law enforcement community;

(5) collect feedback from stakeholders, practitioners, and leadership throughout the Federal and State law enforcement, victim services, forensic science practitioner, and health care communities to inform development of future best practices or clinical guidelines regarding the care and treatment of sexual assault survivors; and

(6) perform other activities, such as activities relating to development, dissemination, outreach, engagement, or training associated with advancing victim-centered care for sexual assault survivors.

(e) REPORT.—Not later than 2 years after the date of enactment of this Act, the Working Group shall submit to the Attorney General, the Secretary, and Congress a report containing the findings and recommended actions of the Working Group.

SEC. 8. CIVIL REMEDY FOR SURVIVORS OF CHILD SEXUAL EXPLOITATION AND HUMAN TRAFFICKING.

Section 2255(b) of title 18, United States Code, is amended—

(1) by striking ''three years'' and inserting ''10 years''; and

(2) by inserting ''ends'' before the period at the end.

The PRESIDING OFFICER. The Senator from Mississippi.

MORNING BUSINESS

Mr. WICKER. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Ohio.

50TH ANNIVERSARY OF THE GENERAL MOTORS LORDSTOWN PLANT

Mr. BROWN. Mr. President, on Saturday I visited the General Motors Lordstown plant near Youngstown to celebrate its 50th anniversary. For half a century, this plant has been an anchor of the Mahoning Valley. It has supported good, middle-class union jobs through good times and bad. Seven Ohioans—get this—seven workers at that plant have been there for all 50 of those years. Albert Gifford, Mossco Dubose, John Brincko, Robert Polansky, Thomas Koppel, John Rosa, and Stephen Gazdik have helped build 21 different General Motors models since 1966, starting with the Chevy Impala.

The car they make now is the Chevy Cruze. My wife and I are proud Chevy Cruze owners. I drove to the plant in one. I was proud to be at GM Lordstown in 2010 to see the very first Chevy Cruze roll off the assembly line. The first three Cruzes were painted red, white, and blue. They represented the determination of a community and a country—think about the auto industry and the state of the economy back in 2010. They represented the determination of the country to bounce back and succeed in the face of long odds and national naysayers who wanted to write off this plant and that community.

It has been a rough few years for that industry. Think about where we were less than a decade ago. Auto sales were down 40 percent, 1 million jobs were at risk of being lost, on top of the 8 million jobs we had already lost as President Obama took office. We heard rightwing politicians on the news calling the American auto industry dead, but what they meant was they didn't believe it was worth saving. They wanted to bet against American companies and against American workers.

The workers at Lordstown and at plants like it across Ohio—in Toledo, in Defiance and Cleveland and Walton Hills and Avon Lake—and across the country proved them wrong. Working together with President Obama, we invested in rescuing the American auto industry. Right now, because of the auto rescue, because of workers in Lordstown, in Parma and Cleveland and across the Midwest, the American auto industry is roaring back to life. GM posted 5 percent gains in sales last year.

Let's be clear. Ohio and much of the Midwest would be close to a depression if the doubters and the naysayers had their way. But we refused to let the auto industry collapse, and history has proven it was the right thing to do. The people of Northeast Ohio know how important it was. So do people across the whole State. So do people across that region. The cars made in Lordstown epitomize how central the auto industry is to Ohio's economy. The Chevy Cruze features components made at plants all across Ohio. The engine blocks are manufactured in Defiance, the transmissions are assembled in Toledo, the wheels for the Chevy Cruze Eco are made by Alcoa in Cleveland, and parts are stamped in Parma and also in Lordstown.

Ever since the first Chevy Impala rolled off the lot in 1966, the Mahoning Valley has depended on Lordstown. This is the industry and the company on which the great American middle class was built.

On Saturday, anyone could see how central this plant is to its community. GM estimates that more than 10,000 people—young and old, families with their children, vintage car buffs, former workers—turned out to watch the parade, stroll through the car show, and tour the plant. The line to get into the plant stretched down the street and around the block. That is what this plant and this auto industry mean to the communities they serve.

I know this community and this State will continue to depend on auto workers for another 50 years and beyond.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

USDA CATFISH INSPECTION PROGRAM

Mr. WICKER. Mr. President, tomorrow, apparently the Senate is going to have an opportunity to weigh in on the issue of whether it is good policy to allow uninspected, adulterated Vietnamese catfish into the United States. That will be the issue before us in the form of a resolution to disapprove a USDA regulation.

The Senate will vote on whether it is a good idea to expose American consumers to catfish containing illegal antibiotics, heavy metals, and other carcinogens. I think the Senate will once again say that we need to protect American consumers from these harmful contents of imported catfish, and we need to protect them by continuing a new U.S. Department of Agriculture catfish inspection program.

What happened before we had the USDA catfish inspection program? Under previous law, the Food and Drug Administration inspected catfish coming into the United States, principally Vietnamese catfish. What we found out in this program is that only 2 percent of the catfish coming in got inspected. The other 98 percent came through without the Federal Government taking a look at it. What we learned from the information given to us was that some of the catfish coming in did have these harmful chemicals in them. So the farm bill passed by the Congress changed the inspection regime from the FDA to where it is now—the U.S. Department of Agriculture. Under the Department of Agriculture program, almost all of the catfish will be inspected to make sure it is free of these harmful substances.

The people who are trying to go back to the old method of inspection make some claims. They say the new USDA rule is duplicative. They say it is a WTO violation. They say it is costly.

I will tell my colleagues—and I want my colleagues listening in their offices to understand this—there will not be a

duplicative program. FDA is out of the catfish inspection business as of March 1 of this year. The only inspections being carried out now are through USDA. So the argument that this new program is duplicative is factually incorrect. You can say it as many times as you want to; that doesn't make it true. There is no duplication.

Furthermore, there is no WTO violation. The equivalent standards are being applied both to imported and domestic fish, so the standards are the same. We just want to make sure they are safe. We are pretty sure about domestic catfish. A lot of it is grown in my State of Mississippi. A lot of it is grown in Missouri, Arkansas, and Alabama. Those catfish farms are inspected. The fish are not caught out in a river somewhere; they are inspected where they are grown and are harvested under very controlled conditions. We just want all fish consumed in the United States to be as safe as domestically produced fish.

Thirdly, they say the new rule is costly. Well, the entire program is going to cost $1.1 million a year through USDA. I would say $1 million a year to protect the American consumers is a reasonable price to pay. It is not costly in the scheme of things.

Let me tell you what we found so far in the brief history of this new USDA program. We found that catfish coming in from Vietnam was adulterated. I can hardly pronounce these words, but I have here a publication from Food Chemical News dated today, May 23. It reports that according to the USDA Food Safety and Inspection Service, they have already found two shipments that have just come in in recent weeks that were adulterated. This is Vietnamese catfish that the U.S. Department of Agriculture caught that would have been consumed by American consumers in restaurants and would have been bought at supermarkets. They wouldn't let it in. They sent it back. Thank heavens they did because one shipment contained gentian crystal violet, so they didn't allow it to come in. That is the kind of inspection this vote tomorrow will try to stop. I want to keep those inspections. The other shipment that was not allowed in contained malachite green, and it contained enrofloxacin and fluoroquinolone—all chemicals and substances that are prohibited to be consumed in the United States because they are not safe. They contain heavy metals, they contain carcinogens, and they contain illegal antibiotics that we are trying to protect U.S. consumers from.

I will give credit to the authors of this resolution of disapproval: This would somewhat cut the price of fish in restaurants. But I will tell you what. If my colleagues want to foist less expensive catfish that contains heavy metals, antibiotics, and carcinogens off on American consumers, let them have at it. I don't think the majority of the Senate wants to do that in the name of a duplicative program—and it is not duplicative—and in the name of reducing costs when the whole program costs about $1 million a year.

I want my colleagues to be aware that this vote is going to come up tomorrow. It is a very unusual vote. It is a Congressional Review Act vote. Thirty of my colleagues have signed a petition, so it must come to a vote, and it must come tomorrow afternoon. The vote to proceed will take place tomorrow afternoon. If the motion to proceed is agreed to—and I certainly hope it is not—then we will have 10 hours of debate right here in the middle of the week when we should be talking about national defense and all of the issues that really trouble Americans. We have 10 hours of debate, according to the law, on whether the regulation should go forward.

I hope we will simply vote against the motion to proceed tomorrow. That way, under the Congressional Review Act, that will be the end of the matter and the Department of Agriculture can keep inspecting and keep protecting American consumers.

Americans should be aware this is coming up, and my colleagues and their staff should get schooled in this rather obscure issue.

Should the resolution pass, we will have the very unusual and unworkable situation of the farm bill still being the law of the land, of the Department of Agriculture still being the agency in charge of inspections. That will still be the law; we simply won't have a rule allowing that part of the bill to be implemented. So, in effect, since the FDA inspection regime has ended, according to law, we will have no inspection whatsoever. That is my understanding of the result should the resolution of disapproval be approved. I don't think it will be approved. I think we will stand tomorrow for consumer protection and for applying the laws of consumer safety and food safety evenly and across the board.

So I urge a ''no'' vote tomorrow on the motion to proceed.

I thank my colleagues for their attention.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

SEXUAL ASSAULT SURVIVORS' BILL OF RIGHTS

Mr. BLUMENTHAL. Mr. President, I am here to thank my colleagues for their strong, overwhelming, bipartisan support for the Sexual Assault Survivors' Bill of Rights, an act that I have been proud to help lead and champion, along with my colleagues, Senators SHAHEEN and LEAHY. It is a cause that I championed as a prosecutor and law enforcer in my State, as the Federal prosecutor, U.S. attorney, and then as our attorney general in the State of Connecticut. It is a cause that deserves this kind of overwhelming, bipartisan support because for too long survivors of sexual assault have been denied the basic care and rights they need and deserve, and for too long they have been victimized twice—first by an assailant who fundamentally violated their rights and then by the court system and a law enforcement system that failed to respect and recognize their need for those rights to be enforced effectively.

When a survivor of sexual assault engages the criminal justice system, she must be secure, absolutely confident and trusting in her rights and empowered to make informed decisions. Reporting sexual assault requires incredible courage, bravery beyond the imagination of many who fail to understand how much courage is required, and too often the system fails to respect those rights. She deserves a system that is worthy of that bravery.

Too often, survivors are simply uninformed about what is happening, not told about basic evidence and proceedings, and they find that vital evidence was destroyed without their consent or encounter Byzantine procedural barriers to justice. That is wrong.

This bill represents important steps toward a system that mirrors unsparing prosecution of people who commit these heinous offenses with sensitive and fair treatment of survivors.

Currently, depending on the jurisdiction, there are a wide array of different practices and procedures. Sexual assault victims often experience a complex and cryptic maze of policies that deter those survivors from pursuing justice.

This legislation will address unique challenges faced by sexual assault survivors, particularly regarding notice, access, and preservation of evidence. The preservation of evidence is particularly important because the sexual assault evidence collection kits are absolutely vital to justice and successful prosecution.

This bill would empower survivors to make more informed decisions throughout the criminal justice process by supporting State efforts to better notify survivors of available resources as well as applicable State rights and policies.

Finally, the bill will establish a joint Department of Justice and Health and Human Services working group to more effectively implement best practices regarding the care and treatment of survivors across the country—a beacon of information and leadership from the Federal Government to assure that sexual assault survivors are treated with the respect they need and deserve. It is that simple.

This legislation does not address every barrier faced by victims of sexual

assault. There is no question that more action is needed. To achieve that, State and local governments must follow suit and must create a culture, a changed culture of compassion for people who have experienced this heinous crime. It is a crime, and it should be treated as one of the most serious and outrageous crimes that anyone can commit. Today the Senate has sent a message that we side with survivors. We are on their side. We will do everything in our power to lighten the burden and pain they bear and help them seek both justice and healing, which they truly deserve.

I thank my great friends and colleagues Senator SHAHEEN and Senator LEAHY for their leadership on this issue. I have been proud to join with them. I thank the Connecticut groups CONNSACS, the Permanent Commission on the Status of Women, and the many leaders in Connecticut who have made our State such an important engineer of progress in this area.

Again, it is a journey that must be continued. The Permanent Commission on the Status of Women has done great work and provided important leadership in this area. I thank Amanda Nguyen for her courage and hard work to make this day a reality. All of my colleagues who joined today in supporting this measure can be proud of the work we have done, the leadership we have shown, and the bipartisanship it took.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

OLDER AMERICANS MONTH

Mr. LEAHY. Mr. President, as the Senate continues to debate funding priorities for the American people in the coming year, I want to take a moment to recognize the importance of supporting our Nation's seniors. May is Older Americans Month. This is a time to recognize our responsibility to expand resources for the elderly and a moment to acknowledge the important role older Americans play in contributing to our country's livelihood and development.

Older Americans Month has been recognized annually since 1963, when President Kennedy designated May as Senior Citizens Month to honor the dedication of seniors to our communities. At that time, just 17 million Americans had reached their 65th birthday, with over one-third of all seniors living in poverty. With few programs to support their needs, President Kennedy pledged to highlight elderly contributions to society in order to strengthen such services.

This year's Older American's Month theme is ''Blaze a Trail,'' aimed at raising awareness about the many issues facing seniors today. From high health care costs, to the availability of healthy foods in vulnerable communities, our Nation's seniors deserve the resources they need to enjoy these richer years.

Last month, the President signed the Older Americans Act Reauthorization Act into law, marking the end of a 5-year long debate on how to reauthorize crucial programs for seniors in underserved communities. For decades, the Older Americans Act has strengthened community assistance for seniors, including through transportation, caregiver support, nutrition, and home-based aid. I am pleased the reauthorization remains steadfast in supporting these initiatives, and includes stronger protections for elder rights, while expanding disability and long-term care programs.

But we cannot stop there. We must take this as an opportunity to underscore the importance of promoting senior services across all sectors. That means coming together as a Congress to produce solutions for long-term sustainability in Social Security and Medicare. It means expanding access to healthy foods across communities, including in hospitals and senior-care facilities. This means supporting caregivers and families who take time out of their lives to provide for their loved ones. And it means ensuring that cost of living adjustments are fairly calculated to account for senior expenses year after year.

We all have a stake in promoting the livelihood of our Nation's elderly, whether it be for our own families or for the children of future generations. Let us be reminded this May that supporting older Americans is not just a matter of fairness, but a commonsense solution to promoting the wellbeing of our Nation at large.

(At the request of Mr. REID, the following was ordered to be printed in the RECORD.)

ADAM WALSH REAUTHORIZATION BILL

● Mr. BOOKER. Mr. President, today the Senate voted on S. 2613, the Adam Walsh Reauthorization Act. This legislation would extend two key programs that Congress established a decade ago to standardize and strengthen registration and monitoring of sex offenders nationwide. I support this bill because it has critical provisions that law enforcement officers need in order to protect our children from harm, and I would have voted in favor of it if I were present for the vote.

In 2006, Congress passed and the President signed into law the Adam Walsh Child Protection and Safety Act. The Adam Walsh Act, which was named for a 6-year old who was tragically murdered in 1981, established nationwide notification and registration standards for those convicted of sex offenses. The Adam Walsh Act created a Federal grant program to assist State and local law enforcement to implement registration systems and locate those who fail abide by registration requirements.

The Adam Walsh Reauthorization Act would reauthorize the Sex Offender Management Assistance Program, a Federal program that assists State and local law enforcement agencies in their efforts to improve sex offender registry systems and information-sharing capabilities. The bill would also reauthorize the Jessica Lunsford Address Verification Grant Program, a Federal program that assists States and local law enforcement agencies in their efforts to verify the residence of all or some registered sex offenders. The reauthorization of these critical programs would provide law enforcement with the tools they need to keep our communities safe.

I would have voted in favor this legislation today because it helps combat child predators by giving law enforcement officials the tools they need to catch these dangerous individuals and convict them. It takes a comprehensive network of law enforcement agencies on the Federal, State, and local levels working together to ensure compliance and locate sex offenders, and that is what this bill would do. I also support this legislation because it would tighten our sex offender registration system and better track registered sex offenders, which helps to protect our children from harm. I also recognize that this legislation has the support of the National Center for Missing and Exploited Children, the Nation's foremost missing children's clearinghouse.

Despite my support for this legislation, I do have concerns with some sex offender registration systems. First, more research is needed to assess whether or not sex offender registries actually improve the safety of the public. Some research has concluded that sex registries have no demonstrable effect in reducing sex re-offenses and often registered sex offenders have higher rates of recidivism. While our men and women in uniform believe they need this tool to combat sex offenses, Congress should not rubber-stamp Federal programs in the absence of hard data that demonstrates their effectiveness in keeping us safe.

I am also concerned that sex offender programs undermine rehabilitation because they present significant barriers to reintegration into the community. Requiring youth who are adjudicated in juvenile court of sex offenses to register as a sex offender is counterproductive to the goal of the juvenile

justice system, which is designed to protect youth from lifelong penalties carried by the adult criminal justice system. The top priority of our government must be to protect the public; but one-size-fits-all solutions do not achieve that end.

Despite my concerns, I would have voted in favor of the Adam Walsh Reauthorization Act today because I believe it provides law enforcement with the tools they need to keep people safe. I am committed to working with law enforcement to make sure they receive the support they need from Congress to effectively do their jobs. However, Congress must do its job by ensuring that the programs we endorse have the research to support them. That effort is critical to both keeping the public safe and to ensuring that our justice system is fair for all Americans.●

NATIONAL MARITIME DAY

Mr. CASSIDY. Mr. President, yesterday, May 22, 2016, our Nation celebrated National Maritime Day. The United States has always been and will always be a great maritime nation. My home State of Louisiana ranks first in the Nation in economic impact from America's domestic maritime industry. The American Maritime Partnership shows Louisiana's 54,850 maritime jobs pump more than $11.3 billion annually into our economy. America's robust domestic maritime industry includes vessel operators, marine terminals, shipyards, and workers engaged in the movement of cargo exclusively within the United States.

According to a study commissioned by the Transportation Institute and conducted by PricewaterhouseCoopers, PwC, Louisiana also ranks first in the country in maritime jobs per capita, with 1 in every 83 jobs connected to the State's domestic maritime industry, nearly twice that of any other State. Louisiana also ranks third in the Nation in shipbuilding. According to the U.S. Maritime Administration shipbuilding accounts for 29,250 jobs and more than $2.23 billion in annual economic impact for our State.

However, Congress has the responsibility for ensuring that our Nation's maritime infrastructure is adequately maintained in order for this industry to flourish. There is no greater maritime asset in the United States then the Mississippi River and its tributaries. They connect over 350 million acres of farmland to world markets via international trade through the 12,500 miles of inland navigational channels. Much of the commodities and goods produced in the heartland brought to world markets via the Mississippi River to the Gulf of Mexico and beyond to foreign nations around the globe.

The Mississippi River Basin includes 41 percent of the continental United States, and the value of the agricultural products and the large agribusiness industry in the Mississippi River Basin produces 92 percent of the Nation's agricultural exports and 78 percent of the world's exports in feed grains and soybeans, while 60 percent of all grain exported from the United States is shipped via the Mississippi River from ports throughout the region, including the Port of New Orleans, the Port of South Louisiana, and the Port of Greater Baton Rouge. Barge traffic and navigation on the Mississippi River also carries a vast array of coal, fertilizer, cement, chemicals, and petroleum products, so any significant disruption to this navigational channel has huge consequences for the entire U.S. economy.

Unfortunately, the recent winter and spring floods in the Mississippi River Valley have severely impeded navigational traffic along significant stretches along the Mississippi River ship channel. For example, at Southwest Pass along the lower Mississippi River ship channel, the authorized draft is 47 feet, but due to the excess sand and silt washing downstream from the flooding, the ship channel had draft restrictions of 41 feet for a month earlier this year. Economically, for each foot of draft loss a vessel either on the inbound or outbound voyage must leave behind approximately $1 million, per foot, in cargo behind. This is particularly problematic because the last foot of draft is often where a vessel makes any profits. So during a month timeframe, each vessel traveling along the Mississippi River at Southwest Pass could potentially have had to leave behind $6 million in cargo, an average of 30 vessels per day moving through the channel. An unreliable ship channel threatens the viability of barge traffic along the entire Mississippi River system by raising the transportation costs to move cargo.

Navigation along the Mississippi River system is just one example of many maritime infrastructure challenges our Nation faces. Congress has the responsibility for providing the resources necessary to keep America's infrastructure open for business. Inaction is not an option if we want to keep United States competitive in the global marketplace. Across America, the domestic maritime industry includes approximately 40,000 vessels, supports 478,440 jobs, and has an annual economic impact of $92.5 billion. The industry also generates approximately $92.5 billion in wages and $10 billion in tax revenues. In honor of this quintessentially American industry and National Maritime Day, I look forward to working with my colleagues to find solutions for America's maritime infrastructure challenges.

TRIBUTE TO LIEUTENANT COMMANDER ROBERT DONNELL

Mr. THUNE. Mr. President, today I recognize LCDR Robert Donnell of the U.S. Coast Guard on his upcoming promotion to commander and for all of the hard work he has done for me, my staff, and other members of the Commerce, Science, and Transportation Committee over the past several years.

An aviator by training, Lieutenant Commander Donnell has ably contributed to the committee's work and has been an invaluable asset in the passage of two U.S. Coast Guard Reauthorization bills, the Port Performance Act, and a number of key freight rail issues. He has made himself available to my staff and other members to help with all matters pertaining to the committee.

On behalf of the committee, I would like to congratulate and thank him and his family for their selfless and dedicated service to our Nation. This well-deserved promotion recognizes his leadership and commitment to serving others. He is a valued member of my Commerce Committee staff who will be truly missed. At the same time, we wish him every success in his new position as operations officer, U.S. Coast Guard Air Station Traverse City, MI.

DISCHARGE PETITION—S.J. RES. 28

We, the undersigned Senators, in accordance with chapter 8 of title 5, United States Code, hereby direct that the Senate Committee on Agriculture, Nutrition, and Forestry be discharged from further consideration of S.J. Res. 28, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Secretary of Agriculture relating to inspection of fish of the order Siluriformes, and further, that the resolution be placed upon the Legislative Calendar under General Orders.

Kelly Ayotte, John McCain, Patrick J. Toomey, Marco Rubio, Mike Lee, Michael B. Enzi, Chuck Grassley, Jeanne Shaheen, Sheldon Whitehouse, Robert Menendez, Maria Cantwell, Bill Nelson, Jack Reed, Dianne Feinstein, Jeff Flake, Richard Burr, Ted Cruz, Daniel Coats, James E. Risch, Joni Ernst, Thom Tillis, James Lankford, Ron Johnson, Al Franken, Cory A. Booker, Elizabeth Warren, Angus King, Jr., Edward J. Markey, Mark R. Warner, Robert P. Casey, Jr., Tim Kaine, Ron Wyden, Mike Crapo.

ADDITIONAL STATEMENTS

REMEMBERING LEX ''BUTCH'' EDWARD DAVIS

● Mr. BOOZMAN. Mr. President, today I wish to remember the life of Lex ''Butch'' Edward Davis, who passed away on April 11, 2016.

Butch Davis called Sherwood, AR, home. He was born in Des Arc, AR, on August 8, 1944. When he was 16, he enlisted in the U.S. Army. His service

from 1961 to 1969 included two tours in Korea and one in Vietnam, before receiving an honorable medical discharge from injuries he received.

Butch was awarded the Bronze Star, Combat Infantryman's Badge, and the Purple Heart.

His service resulted in severe wounds that left him with very limited use of his legs and arms and a 100 percent VA disability rating. Despite these setbacks, Butch continued an active role in his community and among veteran organizations.

He served as a VFW commander at Post 395 in Sherwood. He was a member of both the Camp Robinson/Camp Pike and Little Rock Air Force Base community councils. He launched the community's Veterans Day parade and was the caretaker of the Sherwood Rotary Club Veterans Memorial. Butch could always be counted on to help at every air show and many other activities at Little Rock Air Force Base. His commitment earned him the recognition of ''honorary commander'' at Little Rock Air Force Base. In 2011, he was honored as one of 15 inductees into the Arkansas Military Veterans Hall of Fame.

He also gave back to his community in other ways, including serving as an alderman in Sherwood from 1998 until 2010 and was even named Sherwood Volunteer of the Year. He served as coorganizer of the Wheel Chair Olympics and played an active role in his community and the greater central Arkansas area for many years.

A true family man and dear friend, Butch leaves behind many loved ones, including his wife, Judy, three children, and many other friends. I want to offer my prayers and sincere condolences to his loved ones on their loss. Butch's service and sacrifice speak for themselves, but I would like to take this time to recognize him and join with his family and friends in expressing my immense pride in his life and legacy.●

MEASURES DISCHARGED

The following joint resolution was discharged by petition, pursuant to 5 U.S.C. 802(c), and placed on the calendar:

S.J. Res. 28. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Secretary of Agriculture relating to inspection of fish of the order Siluriformes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 1143. A bill to make the authority of States of Washington, Oregon, and California to manage Dungeness crab fishery permanent and for other purposes (Rept. No. 114–260).

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1732. A bill to authorize elements of the Department of Transportation, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. PORTMAN:

S. 2965. A bill to designate the facility of the United States Postal Service located at 229 West Main Cross Street in Findlay, Ohio, as the ''Michael Garver Oxley Memorial Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LANKFORD (for himself, Mr. CARPER, Mr. JOHNSON, and Mr. BOOKER):

S. 2966. A bill to update the financial disclosure requirements for judges of the District of Columbia courts, and to make other improvements to the District of Columbia courts; to the Committee on Homeland Security and Governmental Affairs.

By Mr. JOHNSON (for himself and Mrs. ERNST):

S. 2967. A bill to amend the Homeland Security Act of 2002 to require the Office of Management and Budget to execute a national biodefense strategy, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. JOHNSON (for himself and Mr. GRASSLEY):

S. 2968. A bill to reauthorize the Office of Special Counsel, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. JOHNSON:

S. 2969. A bill to require the Administrator of the Federal Emergency Management Agency to conduct a comprehensive study relating to disaster costs and losses, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. JOHNSON (for himself, Ms. HEITKAMP, and Ms. BALDWIN):

S. 2970. A bill to amend title 5, United States Code, to expand law enforcement availability pay to employees of the Air and Marine Operations of U.S. Customs and Border Protection; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PORTMAN (for himself, Mr. JOHNSON, and Mr. CARPER):

S. 2971. A bill to authorize the National Urban Search and Rescue Response System; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LANKFORD:

S. 2972. A bill to amend title 31, United States Code, to provide transparency and require certain standards in the award of Federal grants, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. INHOFE (for himself and Mr. MARKEY):

S. 2973. A bill to increase the micro-purchase threshold for universities, independent research institutes, and non-profit research organizations; to the Committee on Homeland Security and Governmental Affairs.

By Ms. KLOBUCHAR (for herself and Mr. CORNYN):

S. 2974. A bill to ensure funding for the National Human Trafficking Hotline, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. ERNST:

S. 2975. A bill to provide agencies with discretion in securing information technology and information systems; to the Committee on Homeland Security and Governmental Affairs.

By Mr. JOHNSON (for himself and Mr. CARPER):

S. 2976. A bill to amend the Homeland Security Act of 2002 to reform, streamline, and make improvements to the Department of Homeland Security and support the Department's efforts to implement better policy, planning, management, and performance, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

ADDITIONAL COSPONSORS

S. 137

At the request of Mr. WYDEN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 137, a bill to amend title 31, United States Code, to direct the Secretary of the Treasury to regulate tax return preparers.

S. 236

At the request of Mr. MANCHIN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 236, a bill to amend the Pay-As-You-Go Act of 2010 to create an expedited procedure to enact recommendations of the Government Accountability Office for consolidation and elimination to reduce duplication.

S. 313

At the request of Mr. GRASSLEY, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 313, a bill to amend title XVIII of the Social Security Act to add physical therapists to the list of providers allowed to utilize locum tenens arrangements under Medicare.

S. 586

At the request of Mrs. SHAHEEN, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 586, a bill to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with pre-diabetes, diabetes, and the chronic diseases and conditions that result from diabetes.

S. 681

At the request of Mr. DAINES, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 681, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 772

At the request of Mr. CARDIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 772, a bill to secure the

Federal voting rights of persons when released from incarceration.

S. 804

At the request of Ms. COLLINS, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 804, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 1562

At the request of Mr. WYDEN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1562, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 1679

At the request of Mr. HELLER, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 1679, a bill to amend the Flood Disaster Protection Act of 1973 to require that certain buildings and personal property be covered by flood insurance, and for other purposes.

S. 1982

At the request of Mr. CARDIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1982, a bill to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund the Wall of Remembrance.

S. 2031

At the request of Mr. BARRASSO, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2031, a bill to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes.

S. 2067

At the request of Mr. WICKER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2067, a bill to establish EUREKA Prize Competitions to accelerate discovery and development of disease-modifying, preventive, or curative treatments for Alzheimer's disease and related dementia, to encourage efforts to enhance detection and diagnosis of such diseases, or to enhance the quality and efficiency of care of individuals with such diseases.

S. 2216

At the request of Ms. COLLINS, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2216, a bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes.

S. 2373

At the request of Ms. CANTWELL, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 2373, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 2597

At the request of Mr. BROWN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 2597, a bill to amend title XVIII of the Social Security Act to provide for treatment of clinical psychologists as physicians for purposes of furnishing clinical psychologist services under the Medicare program.

S. 2611

At the request of Mr. UDALL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2611, a bill to amend the Federal Election Campaign Act of 1971 to replace the Federal Election Commission with the Federal Election Administration, and for other purposes.

S. 2659

At the request of Mr. BURR, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. 2659, a bill to reaffirm that the Environmental Protection Agency cannot regulate vehicles used solely for competition, and for other purposes.

S. 2707

At the request of Mr. SCOTT, the names of the Senator from Tennessee (Mr. CORKER) and the Senator from Louisiana (Mr. CASSIDY) were added as cosponsors of S. 2707, a bill to require the Secretary of Labor to nullify the proposed rule regarding defining and delimiting the exemptions for executive, administrative, professional, outside sales, and computer employees, to require the Secretary of Labor to conduct a full and complete economic analysis with improved economic data on small businesses, nonprofit employers, Medicare or Medicaid dependent health care providers, and small governmental jurisdictions, and all other employers, and minimize the impact on such employers, before promulgating any substantially similar rule, and to provide a rule of construction regarding the salary threshold exemption under the Fair Labor Standards Act of 1938, and for other purposes.

S. 2785

At the request of Mr. TESTER, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2785, a bill to protect Native children and promote public safety in Indian country.

S. 2864

At the request of Mr. WYDEN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 2864, a bill to amend title XVIII of the Social Security Act to prevent catastrophic out-of-pocket spending on prescription drugs for seniors and individuals with disabilities.

S. 2870

At the request of Mrs. MCCASKILL, the names of the Senator from Maine (Mr. KING) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 2870, a bill to amend title 10, United States Code, to prevent retaliation in the military, and for other purposes.

S. 2892

At the request of Ms. STABENOW, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 2892, a bill to accelerate the use of wood in buildings, especially tall wood buildings, and for other purposes.

S. 2895

At the request of Mrs. FEINSTEIN, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 2895, a bill to extend the civil statute of limitations for victims of Federal sex offenses.

S. 2904

At the request of Mr. WHITEHOUSE, the names of the Senator from Delaware (Mr. COONS), the Senator from Colorado (Mr. BENNET) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 2904, a bill to amend title II of the Social Security Act to eliminate the five month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 2912

At the request of Mr. JOHNSON, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 2912, a bill to authorize the use of unapproved medical products by patients diagnosed with a terminal illness in accordance with State law, and for other purposes.

S. 2934

At the request of Mr. SCHUMER, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2934, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale.

S. 2941

At the request of Ms. AYOTTE, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 2941, a bill to require a study on women and lung cancer, and for other purposes.

S.J. RES. 28

At the request of Ms. AYOTTE, the names of the Senator from Florida (Mr. RUBIO), the Senator from Idaho (Mr. RISCH) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S.J. Res. 28, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Secretary of Agriculture relating to inspection of fish of the order Siluriformes.

S. CON. RES. 36

At the request of Mr. NELSON, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. Con. Res. 36, a concurrent resolution expressing support of the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to reaffirm its commitment to that goal through a financial commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs.

S. RES. 375

At the request of Mr. CORKER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. Res. 375, a resolution raising awareness of modern slavery.

S. RES. 465

At the request of Mr. HEINRICH, the names of the Senator from Massachusetts (Mr. MARKEY), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Minnesota (Mr. FRANKEN), the Senator from Maryland (Mr. CARDIN), the Senator from Michigan (Ms. STABENOW) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. Res. 465, a resolution supporting the United States solar energy industry in its effort to bring low-cost, clean, 21st-century solar technology into homes and businesses across the United States.

S. RES. 466

At the request of Mr. GRASSLEY, the names of the Senator from North Carolina (Mr. TILLIS) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. Res. 466, a resolution recognizing National Foster Care Month as an opportunity to raise awareness about the challenges of children in the foster-care system, and encouraging Congress to implement policy to improve the lives of children in the foster-care system.

AMENDMENT NO. 4066

At the request of Mr. MORAN, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of amendment No. 4066 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4067

At the request of Mr. WARNER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of amendment No. 4067 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4068. Mr. MORAN (for himself, Mr. DAINES, Mr. INHOFE, Mr. HATCH, Mr. GARDNER, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 4069. Mr. MORAN (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4070. Mr. MORAN (for himself, Mr. DAINES, Mr. BLUNT, Mr. TILLIS, Mr. RUBIO, Mr. INHOFE, Mr. BOOZMAN, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4071. Mr. HATCH (for himself, Mr. INHOFE, Mr. LEE, and Mr. LANKFORD) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4072. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4073. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4074. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4075. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4076. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4077. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4078. Mr. MCCONNELL (for Mr. GRASSLEY) proposed an amendment to the bill S. 2613, to reauthorize certain programs established by the Adam Walsh Child Protection and Safety Act of 2006.

SA 4079. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 4080. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4081. Ms. HEITKAMP (for herself and Ms. AYOTTE) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4068. Mr. MORAN (for himself, Mr. DAINES, Mr. INHOFE, Mr. HATCH, Mr. GARDNER, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1023.

SA 4069. Mr. MORAN (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

SEC. 402. REVISION IN PERMANENT ACTIVE DUTY END STRENGTH MINIMUM LEVELS.

Section 691(b) of title 10, United States Code, is amended by striking paragraphs (1) through (4) and inserting the following:

''(1) For the Army, 480,000.

''(2) For the Navy, 324,615.

''(3) For the Marine Corps, 185,000.

''(4) For the Air Force, 321,000.''.

SEC. 403. SUPERSEDING FISCAL YEAR 2017 END STRENGTHS FOR CERTAIN ELEMENTS OF THE SELECTED RESERVE.

(a) INEFFECTIVENESS OF CERTAIN END STRENGTHS.—Paragraphs (1) through (6) of section 411(a) shall have no force or effect.

(b) SUPERSEDING END STRENGTHS.—The Armed Forces specified are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2017, as follows:

(1) The Army National Guard of the United States, 350,000.

(2) The Army Reserve, 205,000.

(3) The Navy Reserve, 58,000.

(4) The Marine Corps Reserve, 38,500.

(5) The Air National Guard of the United States, 105,700.

(6) The Air Force Reserve, 69,000.

(c) APPLICABILITY OF CERTAIN AUTHORITIES.—Subsections (b) and (c) of section 411 shall apply in the calculation of end strengths under subsection (b) of this section.

SA 4070. Mr. MORAN (for himself, Mr. DAINES, Mr. BLUNT, Mr. TILLIS, Mr. RUBIO, Mr. INHOFE, Mr. BOOZMAN, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

After section 1027, insert the following:

SEC. 1027A. STRENGTHENING OF CERTIFICATION REQUIREMENTS RELATING TO THE TRANSFER OR RELEASE OF DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) CERTIFICATION REQUIREMENT GENERALLY.—Subsection (a) of section 1034 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 969; 10 U.S.C. 801 note) is amended—

(1) in the subsection heading, by striking ''PRIOR''; and

(2) by striking paragraph (1) and inserting the following new paragraph (1):

''(1) IN GENERAL.—Except as provided in paragraph (2), no amount authorized to be appropriated or otherwise made available for the Department of Defense or any other department, agency, or element of the United States Government may be used after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017 to transfer, release, or assist in the transfer or release of any individual detained at Guantanamo to the custody or control of any foreign country or other foreign entity unless the Secretary of Defense certifies to the appropriate committees of Congress that the individual no longer poses a continuing threat to the security of the United States, its citizens, and its interests as described in subsection (b). The certification with respect to an individual shall be submitted not later than 30 days after the date on which the Secretary makes the determination that the individual no longer poses a continuing threat to the security of the United States, its citizens, and its interests.''.

(b) CERTIFICATION ELEMENTS.—Subsection (b) of such section is amended—

(1) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively;

(2) by inserting before paragraph (2), as redesignated by paragraph (1) of this subsection, the following new paragraph (1):

''(1) the individual to be transferred or released no longer poses a continuing threat to the security of the United States, its citizens, and its interests;'';

(3) in paragraph (2), as so redesignated, by inserting ''or release'' after ''transfer'';

(4) by inserting ''or released'' after ''transferred'' each place it appears; and

(5) in subparagraph (B) of paragraph (4), as so redesignated, by striking ''paragraph (2)(C)'' and inserting ''paragraph (3)(C)''.

(c) ADDITIONAL MATTERS IN CONNECTION WITH CERTIFICATIONS.—Such section is further amended—

(1) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively; and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) ADDITIONAL MATTERS IN CONNECTION WITH CERTIFICATIONS.—

''(1) RECOMMENDATIONS.—In determining whether to make a certification described in subsection (b) on an individual, the Secretary shall take into account, and include with the certification, the recommendations and military value analyses of the following:

''(A) The Chairman of the Joint Chiefs of Staff.

''(B) The Chiefs of Staff of the Armed Forces, with respect to the effects of the transfer or release on military personnel with a residence for their permanent duty station in the geographic area, or forward deployed forces, in the foreign country concerned.

''(C) The commander of the geographic combatant command having the foreign country or entity to which the individual will be transferred or released within its area of operational responsibility.

''(D) The Commander of the United States Southern Command.

''(2) PROVISION TO INDIVIDUALS.—Each individual covered by a certification described in subsection (b) shall be provided an unclassified written summary of the certification, in a language the individual understands, not earlier than 30 days after the Secretary submits the certification to the appropriate committees of Congress pursuant to subsection (a). The summary shall also be provided to the personal representative and private counsel of the individual.''.

(d) CONFORMING AMENDMENTS.—Paragraph (3) of subsection (f) of such section, as redesignated by subsection(c)(1) of this section, is amended—

(1) by striking ''subsection (b)(2)(C)'' and inserting ''subsection (b)(3)(C)''; and

(2) by striking ''subsection (b)(3)'' and inserting ''subsection (b)(4)''.

SA 4071. Mr. HATCH (for himself, Mr. INHOFE, Mr. LEE, and Mr. LANKFORD) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title IX, insert the following:

SEC. 949. REDESIGNATION OF ASSISTANT SECRETARY OF THE AIR FORCE FOR ACQUISITION AS ASSISTANT SECRETARY OF THE AIR FORCE FOR ACQUISITION, TECHNOLOGY, AND LOGISTICS.

(a) REDESIGNATION.—Section 8016(b)(4)(A) of title 10, United States Code, is amended—

(1) by striking ''Assistant Secretary of the Air Force for Acquisition'' and inserting ''Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics''; and

(2) by inserting '', technology, and logistics'' after ''acquisition''.

(b) REFERENCES.—Any reference to the Assistant Secretary of the Air Force for Acquisition in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics.

SA 4072. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. NATURAL GAS PRODUCTION, TREATMENT, MANAGEMENT, AND USE, FORT KNOX, KENTUCKY.

(a) IN GENERAL.—Chapter 449 of title 10, United States Code, is amended by adding at the end of the following:

''§ 4781. Natural gas production, treatment, management, and use, Fort Knox, Kentucky

''(a) AUTHORITY.—The Secretary of the Army (referred to in this section as the 'Secretary') may provide, by contract or otherwise, for the production, treatment, management, and use of natural gas located under Fort Knox, Kentucky, without regard to section 3 of the Mineral Leasing Act for Acquired Lands (30 U.S.C. 352).

''(b) LIMITATION ON USES.—Any natural gas produced pursuant to subsection (a)—

''(1) may only be used to support activities and operations at Fort Knox; and

''(2) may not be sold for use elsewhere.

''(c) OWNERSHIP OF FACILITIES.—The Secretary may take ownership of any gas production and treatment equipment and facilities and associated infrastructure from a contractor in accordance with the terms of a contract or other agreement entered into pursuant to subsection (a).

''(d) NO APPLICATION ELSEWHERE.—

''(1) IN GENERAL.—The authority provided by this section applies only with respect to Fort Knox, Kentucky.

''(2) EFFECT OF SECTION.—Nothing in this section authorizes the production, treatment, management, or use of natural gas resources underlying any Department of Defense installation other than Fort Knox.

''(e) APPLICABILITY.—The authority of the Secretary under this section is effective beginning on August 2, 2007.''.

(b) CLERICAL AMENDMENT.—The table of sections of chapter 449 of title 10, United States Code, is amended by adding at the end the following:

''4781. Natural gas production, treatment, management, and use, Fort Knox, Kentucky.''.

SA 4073. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. IMPROVED ENUMERATION OF MEMBERS OF THE ARMED FORCES IN ANY TABULATION OF TOTAL POPULATION BY SECRETARY OF COMMERCE.

(a) IN GENERAL.—Section 141 of title 13, United States Code, is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

''(g) Effective beginning with the 2020 decennial census of population, in taking any tabulation of total population by States, the Secretary shall take appropriate measures to ensure, to the maximum extent practicable, that all members of the Armed Forces deployed abroad on the date of taking such tabulation are—

''(1) fully and accurately counted; and

''(2) properly attributed to the State in which their residence at their permanent duty station or homeport is located on such date.''.

(b) CONSTRUCTION.—The amendments made by subsection (a) shall not be construed to affect the residency status of any member of the Armed Forces under any provision of law other than title 13, United States Code.

SA 4074. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 591 and insert the following:

SEC. 591. REPEAL OF MILITARY SELECTIVE SERVICE ACT.

(a) IN GENERAL.—The Military Selective Service Act (50 U.S.C. 3801 et seq.) is repealed.

(b) TRANSFERS IN CONNECTION WITH REPEAL.—Notwithstanding the proviso in section 10(a)(4) of the Military Selective Service Act (50 U.S.C. 3809(a)(4)), the Office of Selective Service Records shall not be reestablished after the repeal of the Military Selective Service Act. Not later than 180 days after the date of the enactment of this Act, the assets, contracts, property, and records held by the Selective Service System, and the unexpended balances of any appropriations available to the Selective Service System, shall be transferred to the Administrator of General Services. The Director of the Office of Personnel Management shall assist officers and employees of the Selective Service System to transfer to other positions in the executive branch.

(c) EFFECT ON EXISTING SANCTIONS.—Notwithstanding any other provision of law, a person may not be denied a right, privilege, benefit, or employment position under Federal law on the grounds that the person failed to present himself for and submit to registration under section 3 of the Military Selective Service Act (50 U.S.C. 3802) before the repeal of that Act by subsection (a).

SA 4075. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end division A, add the following:

TITLE XVII—SERVICEMEMBER SELF-DEFENSE

SEC. 1701. SHORT TITLE.

This title may be cited as the ''Servicemembers Self-Defense Act of 2016''.

SEC. 1702. FIREARMS PERMITTED ON DEPARTMENT OF DEFENSE PROPERTY.

Section 930(g)(1) of title 18, United States Code, is amended—

(1) by striking ''The term 'Federal facility' means'' and inserting the following: ''The term 'Federal facility'—

''(A) means'';

(2) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(B) with respect to a qualified member of the Armed Forces, as defined in section 926D(a), does not include any land, a building, or any part thereof owned or leased by the Department of Defense.''.

SEC. 1703. LAWFUL POSSESSION OF FIREARMS ON MILITARY INSTALLATIONS BY MEMBERS OF THE ARMED FORCES.

(a) MODIFICATION OF GENERAL ARTICLE.—Section 934 of title 10, United States Code (article 134 of the Uniform Code of Military Justice), is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''Though not specifically mentioned''; and

(2) by adding at the end the following new subsection:

''(b) POSSESSION OF A FIREARM.—The possession of a concealed or open carry firearm by a member of the armed forces subject to this chapter on a military installation, if lawful under the laws of the State in which the installation is located, is not an offense under this section.''.

(b) MODIFICATION OF REGULATIONS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall amend Department of Defense Directive number 5210.56 to provide that members of the Armed Forces may possess firearms for defensive purposes on facilities and installations of the Department of Defense in a manner consistent with the laws of the State in which the facility or installation concerned is located.

SEC. 1704. CARRYING OF CONCEALED FIREARMS BY QUALIFIED MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by inserting after section 926C the following

''§ 926D. Carrying of concealed firearms by qualified members of the Armed Forces

''(a) DEFINITIONS.—As used in this section—

''(1) the term 'firearm'—

''(A) except as provided in this paragraph, has the same meaning as in section 921;

''(B) includes ammunition not expressly prohibited by Federal law or subject to the provisions of the National Firearms Act; and

''(C) does not include—

''(i) any machinegun (as defined in section 5845 of the National Firearms Act);

''(ii) any firearm silencer; or

''(iii) any destructive device; and

''(2) the term 'qualified member of the Armed Forces' means an individual who—

''(A) is a member of the Armed Forces on active duty status, as defined in section 101(d)(1) of title 10;

''(B) is not the subject of disciplinary action under the Uniform Code of Military Justice;

''(C) is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

''(D) is not prohibited by Federal law from receiving a firearm.

''(b) AUTHORIZATION.—Notwithstanding any provision of the law of any State or any political subdivision thereof, an individual who is a qualified member of the Armed Forces and who is carry identification required by subsection (d) may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce, subject to subsection (c).

''(c) LIMITATIONS.—This section shall not be construed to superseded or limit the laws of any State that—

''(1) permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or

''(2) prohibit or restrict the possession of firearms on any State or local government property, installation, building, base, or park.

''(d) IDENTIFICATION.—The identification required by this subsection is the photographic identification issued by the Department of Defense for the qualified member of the Armed Forces.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by inserting after the item relating to section 926C the following:

''926D. Carrying of concealed firearms by qualified members of the Armed Forces.''.

SA 4076. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. DECLASSIFICATION AND PUBLIC RELEASE OF CERTAIN REDACTED PORTIONS OF THE JOINT INQUIRY INTO INTELLIGENCE COMMUNITY ACTIVITIES BEFORE AND AFTER THE TERRORIST ATTACKS OF SEPTEMBER 2001.

(a) DECLASSIFICATION AND PUBLIC RELEASE OF THE JOINT INQUIRY INTO INTELLIGENCE COMMUNITY ACTIVITIES BEFORE AND AFTER THE TERRORIST ATTACKS OF SEPTEMBER 2001.—Not later than 60 days after the date of the enactment of this Act and subject to subsection (b), the President shall declassify and release to the public the previously redacted portions of the report on the Joint Inquiry into Intelligence Community Activities Before and After the Terrorist Attacks of September 2001, filed in the Senate and the House of Representatives on December 20, 2002, including all the material under the heading ''Part Four—Findings, Discussion and Narrative Regarding Certain Sensitive National Security Matters''.

(b) EXCEPTION FOR NAMES AND INFORMATION OF INDIVIDUALS AND CERTAIN METHODOLOGIES.—Notwithstanding subsection (a), the President is not required to declassify and release to the public the names and identifying information of individuals or specific methodologies described in the report referred to in subsection (a) if such declassification and release would result in imminent lawless action or compromise presently on-going national security operations.

SA 4077. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle J—Protecting Gun Rights and Due Process

SEC. 1099A. SHORT TITLE.

This subtitle may be cited as the ''Protecting Gun Rights and Due Process Act''.

SEC. 1099B. DEFINITIONS RELATING TO MENTAL HEALTH.

(a) TITLE 18 DEFINITIONS.—Chapter 44 of title 18, United States Code, is amended—

(1) in section 921(a), by adding at the end the following:

''(36)(A) Subject to subparagraph (B), the term 'has been adjudicated mentally incompetent or has been committed to a psychiatric hospital', with respect to a person—

''(i) means the person is the subject of an order or finding by a judicial officer or court—

''(I) that was issued after a hearing—

''(aa) of which the person received actual notice; and

''(bb) at which the person had an opportunity to participate with counsel; and

''(II) that found that the person, as a result of marked subnormal intelligence, mental impairment, mental illness, incompetency, condition, or disease—

''(aa) was guilty but mentally ill in a criminal case, in a jurisdiction that provides for such a verdict;

''(bb) was not guilty in a criminal case by reason of insanity or mental disease or defect;

''(cc) was incompetent to stand trial in a criminal case; or

''(dd) was not guilty by reason of lack of mental responsibility under section 850a of title 10 (article 50a of the Uniform Code of Military Justice); and

''(ii) does not include—

''(I) an admission to a psychiatric hospital for observation; or

''(II) a voluntary admission to a psychiatric hospital.

''(B) In this paragraph, the term 'order or finding' does not include—

''(i) an order or finding that has expired or has been set aside or expunged;

''(ii) an order or finding that is no longer applicable because a judicial officer or court has found that the person who is the subject of the order or finding—

''(I) does not present a danger to himself or herself or to others;

''(II) has been restored to sanity or cured of mental disease or defect;

''(III) has been restored to competency; or

''(IV) no longer requires involuntary inpatient or outpatient treatment by a psychiatric hospital; or

''(iii) an order or finding with respect to which the person who is subject to the order or finding has been granted relief from disabilities under section 925(c), under a program described in section 101(c)(2)(A) or 105 of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note), or under any other State-authorized relief from disabilities program of the State in which the original commitment or adjudication occurred.

''(37) The term 'psychiatric hospital' includes a mental health facility, a mental hospital, a sanitarium, or a psychiatric facility, including a psychiatric ward in a general hospital.''; and

(2) in section 922—

(A) in subsection (d)(4)—

(i) by striking ''as a mental defective'' and inserting ''mentally incompetent''; and

(ii) by striking ''any mental institution'' and inserting ''a psychiatric hospital''; and

(B) in subsection (g)(4)—

(i) by striking ''as a mental defective or who has'' and inserting ''mentally incompetent or has''; and

(ii) by striking ''mental institution'' and inserting ''psychiatric hospital''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) by striking ''as a mental defective'' each place that term appears and inserting ''mentally incompetent'';

(2) by striking ''mental institution'' each place that term appears and inserting ''psychiatric hospital'';

(3) in section 101(c)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''to the mental health of a person'' and inserting ''to whether a person is mentally incompetent''; and

(B) in paragraph (2)—

(i) in subparagraph (A)(i), by striking ''to the mental health of a person'' and inserting ''to whether a person is mentally incompetent''; and

(ii) in subparagraph (B), by striking ''to the mental health of a person'' and inserting ''to whether a person is mentally incompetent''; and

(4) in section 102(c)(3)—

(A) in the paragraph heading, by striking ''AS A MENTAL DEFECTIVE OR COMMITTED TO A MENTAL INSTITUTION'' and inserting ''AS MENTALLY INCOMPETENT OR COMMITTED TO A MENTAL INSTITUTION''; and

(B) by striking ''mental institutions'' and inserting ''psychiatric hospitals''.

SEC. 1099C. PROTECTING THE SECOND AMENDMENT RIGHTS OF VETERANS.

(a) DEFINITION.—In this section, the term ''covered veteran'' means a person who, on the day before the date of enactment of this Act, is considered to have been adjudicated as a mental defective or committed to a mental institution under subsection (d)(4) or (g)(4) of section 922 of title 18, United States Code, as a result of having been found by the Department of Veterans Affairs to be mentally incompetent.

(b) REVIEW.—The Secretary of Veterans Affairs shall—

(1) not later than 90 days after the date of enactment of this Act, conduct a review relating to each covered veteran to determine whether the proceedings for the adjudication or commitment of the covered veteran were conducted in accordance with, and resulted in an order or finding described in, section 921(a)(36) of title 18, United States Code, as added by this Act; and

(2) unless the Secretary certifies that the proceedings were conducted in accordance with, and resulted in an order or finding described in, section 921(a)(36) of title 18, United States Code, as added by this Act, ensure that the records of the covered veteran used for purposes of any determination of whether the covered veteran is disqualified from possessing or receiving a firearm under subsection (g) or (n) of section 922 of title 18, United States Code, are modified to indicate that the covered veteran has not been adjudicated mentally incompetent or committed to a psychiatric hospital.

(c) ENFORCEMENT.—

(1) IDENTIFICATION OF INACCURATE RECORDS.—Not later than January 1 of each year, the Attorney General shall—

(A) review the record of each person who is considered to have been adjudicated mentally incompetent or committed to a psychiatric hospital under subsection (d)(4) or (g)(4) of section 922 of title 18, United States Code, as a result of having been found by the Department of Veterans Affairs to be mentally incompetent;

(B) identify each such record that does not include documentation indicating that the proceedings for the adjudication or commitment were conducted in accordance with, and resulted in an order or finding described in, section 921(a)(36) of title 18, United States Code, as added by this Act; and

(C) submit to the Secretary of the Treasury and Congress a report providing the number of records identified under subparagraph (B).

(2) RESCISSION.—Effective on the date on which the Attorney General submits a report under paragraph (1)(C), there is rescinded from the unobligated balances in the appropriations account appropriated under the heading ''GENERAL ADMINISTRATION'' under the heading ''DEPARTMENTAL ADMINISTRATION'' under the heading ''DEPARTMENT OF VETERANS AFFAIRS'' the amount equal to the product of—

(A) the number of records that the report states were identified by the Attorney General under paragraph (1)(B); and

(B) $10,000.

(d) APPOINTMENT OF FIDUCIARIES.—

(1) IN GENERAL.—Chapter 55 of title 38, United States Code, is amended by adding at the end the following:

''§ 5511. Use of determinations to appoint fiduciaries

''No determination by the Secretary that benefits under this title to which an individual is entitled shall be paid to a fiduciary shall be considered to be a determination that the individual has been adjudicated mentally incompetent for purposes of subsections (d)(4) and (g)(4) of section 922 of title 18.''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 55 of title 38, United States Code, is amended by adding at the end the following:

''5511. Use of determinations to appoint fiduciaries.''.

SEC. 1099D. USE OF DETERMINATIONS MADE BY THE COMMISSIONER OF SOCIAL SECURITY.

(a) TITLE II.—Section 205(j) of the Social Security Act (42 U.S.C. 405(j)) is amended by adding at the end the following:

''(11) No determination by the Commissioner of Social Security with respect to an individual, including a determination that benefits under this title to which such individual is entitled shall be paid to a representative payee, shall be considered to be a determination that the individual has been adjudicated mentally incompetent for purposes of subsections (d)(4) and (g)(4) of section 922 of title 18, United States Code.''.

(b) TITLE XVI.—Section 1631(a)(2) of such Act (42 U.S.C. 1383(a)(2)) is amended by adding at the end the following:

''(J) No determination by the Commissioner of Social Security with respect to an individual, including a determination that benefits under this title to which such individual is entitled shall be paid to a representative payee, shall be considered to be a determination that the individual has been adjudicated mentally incompetent for purposes of subsections (d)(4) and (g)(4) of section 922 of title 18, United States Code.''.

(c) ENFORCEMENT.—

(1) IDENTIFICATION OF INACCURATE RECORDS.—Not later than January 1 of each year, the Attorney General shall—

(A) review the record of each person who is considered to have been adjudicated mentally incompetent or committed to a psychiatric hospital under subsection (d)(4) or (g)(4) of section 922 of title 18, United States Code, as a result of a determination by the Commissioner of Social Security;

(B) identify each such record that does not include documentation indicating that the proceedings for the adjudication or commitment were conducted in accordance with, and resulted in an order or finding described in, section 921(a)(36) of title 18, United States Code, as added by this Act; and

(C) submit to the Secretary of the Treasury and Congress a report providing the

number of records identified under subparagraph (B).

(2) RESCISSION.—

(A) IN GENERAL.—Effective on the date on which the Attorney General submits a report under paragraph (1)(C), there is rescinded from the unobligated balances in the Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund, the Federal Hospital Insurance Trust Fund, and the Federal Supplementary Medical Insurance Trust Fund, on a pro rata basis, the amount equal to the product of—

(i) the number of records that the report states were identified by the Attorney General under paragraph (1)(B); and

(ii) $10,000.

(B) TREATMENT OF AMOUNTS.—Amounts rescinded under subparagraph (A) shall be deemed to have been expended for costs described in section 201(g)(1) of the Social Security Act (42 U.S.C. 401(g)(1)).

SEC. 1099E. STATE HEALTH REPORTS.

Section 102(c)(3) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended by adding at the end the following: ''A report made available by a State indicating that a person has been adjudicated as mentally incompetent or committed to a mental institution shall not be used for purposes of any determination of whether a person is disqualified from possessing or receiving a firearm under subsection (g) or (n) of section 922 of title 18, United States Code, unless the Attorney General determines that the proceedings for the adjudication or commitment were conducted in accordance with, and resulted in an order or finding described in, section 921(a)(36) of title 18, United States Code and that the State has provided clear and convincing evidence that the person poses a significant danger.''.

SEC. 1099F. APPLICABILITY OF AMENDMENTS.

With respect to any record of a person prohibited from possessing or receiving a firearm under subsection (d)(4) or (g)(4) of section 922 of title 18, United States Code, before the date of enactment of this Act, the Attorney General shall remove such a record from the National Instant Criminal Background Check System—

(1) upon being made aware that the person is no longer considered as adjudicated mentally incompetent or committed to a psychiatric hospital according to the criteria under paragraph (36)(A)(i)(II) of section 921(a) of title 18, United States Code (as added by this Act), and is therefore no longer prohibited from possessing or receiving a firearm;

(2) upon being made aware that any order or finding that the record is based on is an order or finding described in paragraph (36)(B) of section 921(a) of title 18, United State Code (as added by this Act); or

(3) upon being made aware that the person has been found competent to possess a firearm after an administrative or judicial review under subsection (c) or (d) of section 5511 of title 38, United States Code (as added by this Act).

SA 4078. Mr. MCCONNELL (for Mr. GRASSLEY) proposed an amendment to the bill S. 2613, to reauthorize certain programs established by the Adam Walsh Child Protection and Safety Act of 2006; as follows:

On page 5, strike lines 23 through 25 and insert the following:

''(c) DEFINITION OF SEXUAL ASSAULT.—In this section, the term 'sexual assault' means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.

SA 4079. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 556, line 2, insert '', including the modernization investments required to ensure that B–1, B–2, or B–52 aircraft can carry out the full range of long-range bomber aircraft missions anticipated in operational plans of the Armed Forces'' after ''program''.

SA 4080. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 764. STUDY ON ELIMINATING STIGMA AND IMPROVING TREATMENT OF POST-TRAUMATIC STRESS DISORDER AMONG MEMBERS OF THE ARMED FORCES AND VETERANS.

(a) STUDY.—

(1) IN GENERAL.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly conduct a study on eliminating the stigma and improving the treatment of post-traumatic stress disorder among members of the Armed Forces and veterans.

(2) CONSULTATION.—In conducting the study required by paragraph (1), the Secretary of Defense and the Secretary of Veterans Affairs shall consult with individuals with relevant experience relating to post-traumatic stress disorder, the treatment of post-traumatic stress disorder, and the impact of post-traumatic stress disorder on members of the Armed Forces, veterans, and their families, including the following individuals:

(A) Representatives of military service organizations.

(B) Representatives of veterans service organizations.

(C) Health professionals with experience in treating members of the Armed Forces and veterans with mental illness, including those health professionals who work for the Federal Government and those who do not.

(3) ELEMENTS.—In conducting the study required by paragraph (1), the Secretary of Defense and the Secretary of Veterans Affairs shall assess the following:

(A) The feasibility and advisability of strategies to improve the treatment of the full spectrum of post-traumatic stress disorder among members of the Armed Forces and veterans.

(B) The feasibility and advisability of strategies to eliminate the stigma attached to post-traumatic stress disorder among members of the Armed Forces, veterans, and the public in general.

(C) The impact of the term ''disorder'' on the stigma attached to post-traumatic stress disorder among members of the Armed Forces and veterans, including the impact of dropping the term ''disorder'' or replacing it with the term ''injury'', when medically appropriate, when referring to post-traumatic stress disorder.

(D) Whether using the term ''disorder'' is the most accurate way to describe post-traumatic stress disorder in instances in which members of the Armed Forces and veterans have experienced traumatic events but have not been formally diagnosed with post-traumatic stress disorder.

(E) Whether there is a need to update the VA/DOD Clinical Practice Guideline for Management of Post-Traumatic Stress published by the Department of Defense and the Department of Veterans Affairs.

(F) Whether there is a need to encourage commanders in the Armed Forces to support appropriate treatment for members of the Armed Forces who are diagnosed with post-traumatic stress disorder.

(G) Whether there is a need to update information provided to members of the Armed Forces and veterans, including information on Internet websites of the Department of Defense or the Department of Veterans Affairs, on post-traumatic stress disorder to eliminate the stigma and more accurately describe the medical conditions for which members of the Armed Forces and veterans are receiving treatment.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the appropriate committees of Congress a report on the results of the study required by subsection (a), including recommendations for any actions that the Department of Defense and the Department of Veterans Affairs can take to eliminate the stigma and improve the treatment of post-traumatic stress disorder among members of the Armed Forces and veterans.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Veterans' Affairs, and the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Veterans' Affairs, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(2) VETERANS SERVICE ORGANIZATION.—The term ''veterans service organization'' means an organization recognized by the Secretary for the representation of veterans under section 5902 of title 38, United States Code.

SA 4081. Ms. HEITKAMP (for herself and Ms. AYOTTE) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. NORTHERN BORDER THREAT ANALYSIS.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on the Judiciary of the Senate;

(D) the Committee on Homeland Security of the House of Representatives;

(E) the Committee on Appropriations of the House of Representatives; and

(F) the Committee on the Judiciary of the House of Representatives.

(2) NORTHERN BORDER.—The term ''Northern Border'' means the land and maritime borders between the United States and Canada.

(b) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the appropriate congressional committees a Northern Border threat analysis that includes—

(1) current and potential terrorism and criminal threats posed by individuals and organized groups seeking—

(A) to enter the United States through the Northern Border; or

(B) to exploit border vulnerabilities on the Northern Border;

(2) improvements needed at and between ports of entry along the Northern Border—

(A) to prevent terrorists and instruments of terrorism from entering the United States; and

(B) to reduce criminal activity, as measured by the total flow of illegal goods, illicit drugs, and smuggled and trafficked persons moved in either direction across to the Northern Border;

(3) gaps in law, policy, cooperation between State, tribal, and local law enforcement, international agreements, or tribal agreements that hinder effective and efficient border security, counter-terrorism, anti-human smuggling and trafficking efforts, and the flow of legitimate trade along the Northern Border; and

(4) whether additional U.S. Customs and Border Protection preclearance and preinspection operations at ports of entry along the Northern Border could help prevent terrorists and instruments of terror from entering the United States.

(c) ANALYSIS REQUIREMENTS.—For the threat analysis required under subsection (b), the Secretary of Homeland Security shall consider and examine—

(1) technology needs and challenges;

(2) personnel needs and challenges;

(3) the role of State, tribal, and local law enforcement in general border security activities;

(4) the need for cooperation among Federal, State, tribal, local, and Canadian law enforcement entities relating to border security;

(5) the terrain, population density, and climate along the Northern Border; and

(6) the needs and challenges of Department of Homeland Security facilities, including the physical approaches to such facilities.

(d) CLASSIFIED THREAT ANALYSIS.—To the extent possible, the Secretary of Homeland Security shall submit the threat analysis required under subsection (b) in unclassified form. The Secretary may submit a portion of the threat analysis in classified form if the Secretary determines that such form is appropriate for that portion.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mrs. ERNST. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 23, 2016, at 5:30 p.m., to conduct a classified briefing entitled ''The Open Skies Treaty: Managing Russia's Request to Upgrade Sensors.''

The PRESIDING OFFICER. Without objection, it is so ordered.

RAISING AWARENESS OF MODERN SLAVERY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 398, S. Res. 375.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 375) raising awareness of modern slavery.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 375) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of February 25, 2016, under ''Submitted Resolutions.'')

ORDERS FOR TUESDAY, MAY 24, 2016

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, May 24; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate vote on adoption of the motion to proceed to H.J. Res. 88.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:38 p.m., adjourned until Tuesday, May 24, 2016, at 10 a.m.

HOUSE OF REPRESENTATIVES—*Monday, May 23, 2016*

The House met at noon and was called to order by the Speaker pro tempore (Mr. MEADOWS).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 23, 2016.

I hereby appoint the Honorable MARK MEADOWS to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 1:50 p.m.

HONORING F.M. YOUNG

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. FLORES) for 5 minutes.

Mr. FLORES. Mr. Speaker, I rise today to honor Francis Michael Young of Waco, Texas, who passed away on May 1, 2016.

Mr. Young, better known as F.M., was a leading businessman and philanthropist in Waco and central Texas. While he ran a successful business and employed hundreds of central Texans, his lasting legacy are his family's charitable contributions to Waco institutions, such as Baylor University, the Waco Mammoth National Monument, and Providence Health Center.

F.M. was born on January 13, 1930, in Tours, Texas. After a series of moves, the Young family settled in Speegleville, Texas, where F.M. attended local schools and met Gloria Davis, who later became his loving wife of over 60 years.

F.M. went into business with his brothers, R.T. and B.W., building storage tanks for local farmers with surplus military equipment. In 1948, the Young brothers created Waco's first asphalt plant and would begin winning and working on State highway contracts in 1950. Over the next 20 years, F.M. expanded the company to be one of the top five highway contractors in Texas.

F.M. spent countless hours serving his local community and central Texas in a multitude of ways. He served on the board of the Waco Boys Club, the Waco Chamber of Commerce, and the Baylor/Waco Foundation. He and Gloria also had a rich history of donating to Waco institutions. The Youngs provided concrete for the scoreboard at Baylor's Floyd Casey Stadium, created a marina on the Brazos River for the Governor Bill and Vara Daniel Historic Village, and designed and built the Brazos Queen II, a riverboat tourist attraction along the Brazos River.

In 2007, Providence Hospital opened the F.M. and Gloria Young Tower. This facility, which was underwritten by a financial contribution from F.M. and Gloria, includes a five-story addition that provides bed space with state-of-the-art cardiac clinics and care centers. The Youngs also played a vital role in the opening of the Waco Mammoth site, an educational tourist attraction, which was recently designated a national monument by the National Park Service.

Mr. Speaker, F.M. Young worked tirelessly to better our central Texas and Waco communities. He is loved by his city, and certainly left an enduring impression on central Texas. He will be forever remembered as a great philanthropist, businessman, husband, father, grandfather, and friend.

My wife, Gina, and I offer our deepest and heartfelt condolences to the Young family. We also lift up the family and friends of F.M. Young in our prayers.

Today I have requested that a United States flag be flown over the United States Capitol to honor the life and legacy of F.M. Young.

As I close today, I urge all Americans to continue praying for our country during these difficult times, for our military men and women who protect us from external threats, and for our first responders who protect us here at home.

HELP FIND OUR MISSING VETS

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina (Mr. MULVANEY) for 5 minutes.

Mr. MULVANEY. Mr. Speaker, yesterday in Hanoi, under a giant bronze statue of Ho Chi Minh, the President of the United States announced that he was formally rescinding our country's decades-long prohibition on the sale of military equipment to the Socialist Republic of Vietnam.

Without input from Congress, in one grand, unilateral action, the President decided to reward Vietnam for its egregious record on human rights and its continuing crackdown on religious freedoms. But worse than that, he has surrendered a diplomatic opportunity to find out what happened to the 1,500 Americans still unaccounted for in Vietnam and Southeast Asia.

It was unfortunate to see where this President's priorities lie, but there is still time to correct that wrong.

Before he leaves Vietnam, I have a message to the President, a message from the Rolling Thunder vets, Chapter 1, of South Carolina. They asked me to ask him this: Instead of using this opportunity to reward Vietnam or to apologize for what he sees as past American wrongs, please, please, please, Mr. President, use this time instead to do something productive and positive and patriotic—help find our missing vets and help bring them home.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 6 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of New York) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

We give You thanks, merciful God, for giving us another day.

As the various Members of this people's House return, we ask Your blessing upon each as they resume the responsibilities that await them. Give each the wisdom and good judgment to give credit to the office they have been honored by their constituencies to fill.

Bless the work of all who serve in their various capacities here in the United States Capitol.

Bless as well all who visit the Capitol this day, be they American citizens or visitors or guests of our Nation. May they be inspired by this monument to the noble idea of human freedom and its guarantee by the democratic experiment that is the United States.

God, bless America, and may all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Michigan (Mr. KILDEE) come forward and lead the House in the Pledge of Allegiance.

Mr. KILDEE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

SHERI AND ROGER CHURCH

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, May is National Foster Care Month when we recognize the individuals who help America's children and youth who are in foster care find permanent homes and connections.

In North Carolina, it is hard to match the dedication of Boone residents Sheri and Roger Church, who recently retired as foster parents after 20 years of providing a loving home to children in need.

Since 1994, the Churches have fostered 91 children. They have been recognized on numerous occasions, locally and statewide, for outstanding service to children in foster care.

In 2003, Sheri was given the State's Caring Spirit Award. In 2014, the couple was named Watauga County's Volunteers of the Year by the local Adult Services Coalition.

The Churches have had a lasting impact on their community and on the children who were entrusted to their care. I wish them the very best in their retirement.

FAMILIES OF FLINT ACT

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, the families I represent in Flint, Michigan, are still suffering from an ongoing water crisis that left their water tainted with lead and unsafe to drink.

When Americans face a humanitarian crisis, we come together to act, to provide them help. That has been our tradition. Those are our values, and, in Congress, that is our job.

For too long, the Republican-led House has not allowed a hearing, let alone a vote, on legislation that would provide that basic humanitarian relief to 100,000 people in Flint, Michigan, who still cannot drink their water, who are still suffering from the effect of lead poisoning in their water by acts of its own State government.

The Families of Flint Act, legislation that I introduced, has over 155 cosponsors. This bill at least warrants a hearing. There have been committee hearings on this question. There has been a lot of finger-pointing, a lot of argument, a lot of sympathy from Members of Congress, but no action. Congress needs to do its job.

COMMUNICATION FROM DISTRICT OFFICE MANAGER, THE HONORABLE CHAKA FATTAH, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Dolores Ridley, District Office Manager, the Honorable CHAKA FATTAH, Member of Congress:

HOUSE OF REPRESENTATIVES,
May 16, 2016.

Hon. PAUL D. RYAN,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena, issued by the United States District Court for the Eastern District of Pennsylvania, for testimony in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

DOLORES RIDLEY,
District Office Manager.

COMMUNICATION FROM DIRECTOR OF APPROPRIATIONS, THE HONORABLE CHAKA FATTAH, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Michelle Anderson Lee, Director of Appropriations, the Honorable CHAKA FATTAH, Member of Congress:

HOUSE OF REPRESENTATIVES,
May 16, 2016.

Hon. PAUL D. RYAN,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena, issued by the United States District Court for the Eastern District of Pennsylvania, for testimony in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

MICHELLE ANDERSON LEE,
Director of Appropriations.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 23, 2016.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 23, 2016 at 9:19 a.m.:

That the Senate passed with an amendment H.R. 2577.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

KELSEY SMITH ACT

Mr. WALDEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4889) to amend the Communications Act of 1934 to require providers of a covered service to provide call location information concerning the telecommunications device of a user of such service to an investigative or law enforcement officer in an emergency situation involving risk of death or serious physical injury or in order to respond to the user's call for emergency services, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H. R. 4889

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Kelsey Smith Act''.

SEC. 2. REQUIRED EMERGENCY DISCLOSURE OF CALL LOCATION INFORMATION TO LAW ENFORCEMENT.

Section 222 of the Communications Act of 1934 (47 U.S.C. 222) is amended—

(1) in subsection (d)—

(A) in paragraph (4), by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively;

(B) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively;

(C) by striking ''Nothing in this section'' and inserting the following:

''(1) PERMITTED DISCLOSURES.—Nothing in this section''; and

(D) by adding at the end the following:

''(2) REQUIRED EMERGENCY DISCLOSURE OF CALL LOCATION INFORMATION TO LAW ENFORCEMENT.—Notwithstanding subsections (a), (b), and (c), at the request of an investigative or law enforcement officer, a provider of a covered service shall provide to such officer the call location information, or the best available location information, of a telecommunications device that is—

''(A) used to place a 9–1–1 call requesting emergency assistance; or

''(B) reasonably believed to be in the possession of an individual that the law enforcement officer reasonably believes is in an emergency situation that involves the risk of death or serious physical harm to the individual.

''(3) HOLD HARMLESS.—No cause of action shall lie in any court nor shall any civil or administrative proceeding be commenced by a governmental entity against any provider of a covered service, or its directors, officers, employees, agents, or vendors, for providing in good faith call location information or other information, facilities, or assistance in accordance with paragraph (2) and any regulations promulgated under such paragraph.'';

(2) in subsection (f)(1), by striking ''subsection (d)(4)'' and inserting ''subsection (d)(1)(D)''; and

(3) in subsection (h), by adding at the end the following:

''(8) COVERED SERVICE.—The term 'covered service' means—

''(A) a commercial mobile service (as defined in section 332); or

''(B) an IP-enabled voice service (as defined in section 7 of the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615b)).

''(9) INVESTIGATIVE OR LAW ENFORCEMENT OFFICER.—The term 'investigative or law enforcement officer' has the meaning given such term in section 2510 of title 18, United States Code.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentleman from Maryland (Mr. SARBANES) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

GENERAL LEAVE

Mr. WALDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

Imagine that your child is missing. You know that she was abducted from a parking lot, but you don't know where she is now or how to find her. Grasping for any possible lead, you ask her cell phone carrier to provide the location—and just the location—of her cell phone, hoping that it will lead you to her, but you are told they don't release that information. So you wait. You rely on others to search for your child by foot and by air, never knowing if your child is alive or if your child is dead, safe, or in pain.

This nightmare came true for Missey and Greg Smith 9 years ago last week when their beloved daughter went missing outside Kansas City, Kansas. By all accounts, Kelsey Smith—pictured here—was a vibrant and joyful 18-year-old girl.

She was preparing to attend college in the fall where she planned to join in the marching band. Kelsey loved to sing. She was the third of five siblings. Tragically, her life was cut short when she was kidnapped from a Target parking lot in June of 2007 just 9 days after her high school graduation, a crime caught on the store's security cameras.

Her family and her friends spent 4 anguished days searching for her, knowing she was in danger but unable to find her. They used every method they could think of to help locate her, but the one tool that would eventually lead to finding her body was not accessible.

Kelsey's parents contacted her cell phone provider on the day she went missing and asked them to ping her cell phone in the hopes that it would assist them in their search. Despite repeated requests from the family and from law enforcement, it took 4 days before the Smiths were able to obtain the location data of Kelsey's cell phone—4 days, Mr. Speaker, nearly 100 hours of not knowing where their little girl had gone, where she had been taken, or if they would ever see her again. Yet, within 45 minutes of receiving that location data, when they finally got it, Kelsey's body was found. She was dead.

When her mother testified in front of the Subcommittee on Communications and Technology, she spoke so bravely of the agony Kelsey's family endured during that time. She described their ordeal in painful detail. What does a parent go through when a child is missing? You do not eat because you do not know if your child is eating. You do not sleep because you wonder if your child is sleeping. It is, to quote Missey, ''pure hell.''

Missey and Greg Smith have made it their mission to prevent this type of tragedy from ever happening again. They began facilitating safety awareness seminars for parents and for students. They also began to push for legislation to address the very problem of obtaining timely cell phone location data—only location data, that is all we are talking about here—and only during life-threatening emergencies—just life-and-death situations and only locational data.

The legislation we are considering today, which is named in honor of their daughter, is a major step toward that goal. The Kelsey Smith Act requires cell phone providers to provide law enforcement with access to device location data in an emergency situation, when a victim is in danger of death or serious harm or when the device has been used to place a 9-1-1 emergency call requesting emergency assistance.

This changes current law. You see, current law already permits carriers to provide the data, but it does not require them to. This places an unreasonable burden on wireless providers to determine what constitutes an emergency and then live with the consequences of their decisions, which they now must do in the case of Kelsey Smith.

When time is of the essence, do you want a lawyer in corporate headquarters to agonize over the legal definition of an ''emergency'' or do you want the law enforcement officers, who dedicate their lives to keeping us safe, to make that call? I opt for those who can save lives.

To date, versions of the Kelsey Smith Act have been adopted in 23 States, but a patchwork of laws that protect some and leave others vulnerable is not good for the companies that must comply with this law or, more importantly, for the American lives that this law can and will save.

You see, Mr. Speaker, the committee believes we need a consistent Federal law that law enforcement across the country can use. Parents shouldn't have to forum-shop for the most favorable law when their children go missing. What if it were your child?

I have heard the privacy concerns that some say have been raised by this bill. We have worked diligently to make the bill as targeted as possible to balance legitimate privacy concerns with the importance of saving lives. By limiting the circumstances in which it can be used and, most importantly, by limiting the information that is available, we can ensure that it is only used in cases in which it is absolutely necessary.

Mr. Speaker, we have heard from law enforcement officers across the country that, when people are in emergency situations, every second counts, and that delay can mean the difference between life and death. The Kelsey Smith Act takes the burden of decision-making away from cell phone providers and places it with law enforcement, who are trained specifically to make this kind of determination.

The Kelsey Smith Act has been successfully used in multiple States where it is already law. In fact, in Kansas, we have an infant here named Aubrey. Aubrey was innocently in her car seat in a car, in the backseat of the vehicle, when somebody carjacked the car while her parents were standing near it, just feet away.

Can you imagine? Her parents are right there, and somebody jumps in the

car and drives off with it as you stand hopelessly, unable to do anything as their little daughter, Aubrey, was inside.

The local police department used the Kelsey Smith Act in Kansas to track the cell phone that was still in the car, and they were able to successfully recover the baby, Aubrey, who was unharmed, in about 30 minutes.

□ 1415

Officer Dan Friesen credited the safe recovery to the Kelsey Smith Act, saying that the ''technology is very helpful to us and is made possible by the Kelsey Smith Law.''

Thanks to Kelsey and Greg and Missey Smith, little Aubrey is safe in the arms of her family once again. In the words of her mother: ''We are so happy to have Aubrey home with us and can't picture life without our baby girl.'' Because of the Kelsey Smith Act, they do not have to.

Mr. Speaker, this law goes beyond just kidnapping cases, however. The Kansas Sheriffs' Association told us it has also been used in cases of adults with dementia and missing people who are in danger due to lack of life-sustaining medication, severe weather, or other life-threatening circumstances.

I thank my friend from Kansas, Congressman KEVIN YODER. He has been tireless in his advocacy for this legislation. He first brought this bill to my attention last Congress and continued to push for its passage again this year. He has been an advocate for Kelsey and her family throughout the process, and this bill would not have advanced this far without Congressman YODER's work.

I also want to thank Greg and Missey Smith, who are in the gallery today, for their courage in the face of their tragedy. Because of their willingness to speak about their daughter and what happened to her, we are here today with the opportunity to prevent tragedies like this one that befell Kelsey Smith.

Now, I think it is important to note this legislation passed out of the subcommittee after full hearings and through the full committee. In fact, it was voted unanimously out of the full committee. There were no voices of objection.

This Wednesday, May 25, is National Missing Children's Day. According to the FBI, in 2015, there were more than 460,000 reports of missing children made to law enforcement in the U.S. How many of these missing children carry a cell phone? Even if the Kelsey Smith Act leads to the recovery of only one of those missing children, isn't it worth it? As a parent, I can tell you that, for the families of missing children, it certainly is.

We have the opportunity to equip law enforcement with another tool to aid them in emergency situations, a tool that costs nothing and uses information that already exists. Let's seize this opportunity.

Now, I know there will be those who will argue that somehow we didn't go far enough in privacy. Well, guess what. My State of Oregon passed an almost identical bill, unanimously, and it is a very blue State, Mr. Speaker—full Democratic house, Democratic senate, Democratic Governor. Not a single member objected. That is what this version of the bill is based on.

Multiple other States have different reporting requirements for members of their law enforcement community. We honor what the States have done and can do. We don't take that away. We don't override that. They can go farther if they want in terms of what they want their State law enforcement officers to do or not do. We simply address the issue related to the telephone carriers and what they must do when called upon in life-and-death situations to save the lives of little girls like Aubrey and like Kelsey.

Let's honor Kelsey's memory by ensuring that her lasting legacy isn't the story of her death but, rather, the story of how she continued to make a difference to save lives.

I reserve the balance of my time.

Mr. SARBANES. Mr. Speaker, I yield myself such time as I may consume.

I rise in opposition to H.R. 4889.

I do want to say the Democrats continue to support the intention behind this bill. What happened to Kelsey Smith is clearly a tragedy that should not be allowed to happen again. Her family, who have advocated for these changes in the law, deserve our respect and are true heroes. But we cannot support this effort to force the bill through without including the commonsense consumer protections that resulted from strong bipartisan work in the last Congress.

In the 113th Congress, the Committee on Energy and Commerce passed a version of the Kelsey Smith Act, a version that included specific protections for consumers' privacy closer in line with what is required under the Fourth Amendment. The legislation was a negotiated outcome that carefully balanced the needs of law enforcement on one hand with the rights of consumers and privacy concerns on the other hand. These protections would not have in any way slowed law enforcement's ability to find people in an emergency. They would simply have made sure that consumers are protected after a search takes place. This was a good deal. Unfortunately, the path taken in the current Congress was different.

This year's bill, the one that we are debating now, disregards the hard work that went into finding a bipartisan agreement on the Kelsey Smith Act in the last Congress. During markups in the Energy and Commerce Committee, Democrats offered amendments that would modify H.R. 4889 back to what was agreed to in the last Congress. It would have kept the requirement that carriers provide the requested information to law enforcement, but the amendment would have provided a simple consumer safeguard. It would have required that law enforcement seek a court order within 48 hours after it makes an emergency request. So it would in no way have stood in the way of an emergency request; it would have just required law enforcement to seek that court order after the emergency request.

Such modifications would address some of the concerns that have been raised regarding the potential abuse of H.R. 4889. It would not hamper law enforcement's ability to have quick access to lifesaving location data when they are presented with an emergency situation.

We recognize that Chairman WALDEN was concerned that he could not support last year's deal, the version from last Congress, because it was not completely consistent with the law in his home State. That is why our proposal added a provision to protect existing State laws. Unfortunately, our efforts were rebuffed.

We continue to stand ready to work together again, but I cannot support this bill in its current form without ensuring that additional protections are in place.

I reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Kansas (Mr. YODER), the proponent of this legislation who brought it before us.

Mr. YODER. Mr. Speaker, I rise today to honor the life and legacy of Kelsey Ann Smith of Overland Park, Kansas. I rise today on behalf of Kelsey's Army, people all across the country who have put themselves in the shoes of Greg and Missey, who have also had children who have been abducted and understand that we need commonsense public safety laws like this on the books to ensure that we can save lives and ensure that these types of abductions and murders never happen again in our country without the ability to stop them as quickly as possible.

June 6, 2016, will mark 9 years since Kelsey Smith, an 18-year-old Shawnee Mission West student, was kidnapped in broad daylight from a Target parking lot by a predator who would sexually assault and murder her soon after. I remember it like it was yesterday. We all, in Kansas and in my community, felt immediately associated with the grief and pain that Kelsey's parents were feeling. Parents worried about their own children. They understood what was happening, and they wanted to help.

So Kansans and people in my community helped search for Kelsey for days.

As Chairman WALDEN so eloquently spoke in favor of this bill, it is an anguish to have your child be missing and you cannot do anything about it.

Kelsey's mother, Missey, says that when your child is missing, as a parent you don't eat and as a parent you don't sleep because you don't know if your child is eating or sleeping. I am a father of two little girls. I cannot imagine the pain and suffering Missey and her husband, Greg, who are with us here today, have endured from Kelsey's loss. No parent should have to.

So today we are going to hear different debates and arguments about how the bill could be changed or improved or differences could be made, but the reality is this law is not on the books in 28 States, and those children are not protected. We cannot, as a House, allow this to stand.

So I ask my colleagues to dig deep in their heart to think about putting themselves in their shoes and to not block this legislation, to let this legislation come forward. I promise you it is popular in your district. I promise you a majority of Americans will support this. Opposing this bill is simply wrong and shameful.

In the 9 years since Greg and Missey's daughter was taken from them, they have dealt with this unspeakable, horrific experience with grace and determination. Rather than falling into the depths of despair, like anyone could imagine them to do, they channeled their grief into the passion to help others who find themselves in Kelsey's situation. They traveled the United States fighting to pass State-level versions of the bill we are considering today, and they have done so with great success, with 23 States having passed a version of the Kelsey Smith Act.

Today, this body will have the chance to honor Kelsey's memory and Greg and Missey's tireless advocacy by bringing the law to all 50 States. In the words of Missey Smith, we have the rare opportunity to ''save lives without it costing one cent.''

The Kelsey Smith Act creates a narrow exception for law enforcement officers to gain access to limited call location information of an individual's cell phone in the event of an emergency, like a kidnapping. In those cases, every second counts.

Unfortunately, in Kelsey's case, it took 4 excruciating days for law enforcement to finally obtain the location data from her cell provider. It took 4 days while an entire community searched for Kelsey with no success. It took 4 days because, under current law, providers are not required to provide location data. They are permitted to in an emergency situation, but it is up to their discretion.

So the question for this body is: Do you want to leave this up to a cell phone provider, for the lawyers and the executives there to decide, or do you want trained law enforcement making this decision based upon a reasonable belief of an exigent emergency circumstance?

It is analogous; I think we all would agree. I think the folks on the opposite side of the aisle would agree that there is certainly a Fourth Amendment right to protect your home and your dwelling, probably the greatest Fourth Amendment protection right of all. And yet, if an officer was driving by and saw an exigent circumstance, saw someone who was in jeopardy of physical harm or emergency, they have the ability to break into that home to save that life.

This information is even less secure. It is much more in the public domain. A cell phone provider already has the right to release it. We are saying that decision should be made by law enforcement.

What breaks my heart every time I recount Kelsey's story is, when finally her cell phone location information was handed over, police found Kelsey's body within 45 minutes. A search that floundered for 4 days could have ended in 45 minutes. We know for a fact, as Chairman WALDEN articulated, that other lives have already been saved in States that have adopted this law.

Mr. Speaker, a Federal framework is needed to save lives across the entire country, not just in a patchwork of States that have adopted this bill. It is up to this body to set that framework, which would be a ceiling for State legislatures to follow. If certain States feel that additional privacy protections, such as suggested by my colleagues across the aisle, must be put into place, they are well within their jurisdiction to do so.

I believe any concerns articulated by others are overblown in this situation. As someone who has spent my career in this body fighting for the privacy rights of Americans—we just passed the Email Privacy Act 419–0, and all of us supported that—and fought to modernize our Fourth Amendment rights with regard to email privacy, I feel comfortable in saying this bill strikes the right balance. It does not give you the information on the phone. It does not give you content. It does not give you anything other than the pings on the phone in the case of an emergency. It doesn't even give you GPS tracking. It does not infringe upon our constitutional rights. Any of us, as parents, would be thankful that we voted for this bill today, should something horrific happen in our lives.

Mr. Speaker, this body often debates the merits of protecting Americans from the threat of harm versus giving up certain civil liberties. In this case, we are blessed with modern technology that affords law enforcement with a tool to save lives without Americans giving up any of their privacy.

Now, I thank my predecessor, Representative Dennis Moore, and my former colleague, Todd Tiahrt of Kansas, who began this effort shortly after Kelsey's death. I also thank Representatives LYNN JENKINS, MIKE POMPEO of Kansas, and my colleague from across the aisle, EMANUEL CLEAVER of Missouri, who have worked with me in this fight. I also thank Chairman UPTON and Chairman WALDEN for working swiftly over the last month to move this important legislation forward.

Most of all, I would like to thank the two most important people in this room, who advocated for this bill day after day, Greg and Missey Smith. But for their support and guidance, for their ability to share their tragedy with the world and channel it into goodness, for being here today and throughout the entire legislative process as we moved this bill forward, this movement would not be possible. So God bless you, Greg and Missey, and God bless Kelsey.

Mr. Speaker, I urge my colleagues to support the bill's passage today. I strongly urge the Senate to waste no time in following suit. Let's send Kelsey's law to the President's desk this year for his signature so we can do something truly meaningful in a bipartisan way and so we can save lives.

Mr. SARBANES. Mr. Speaker, let me say again that Democrats strongly support the intention behind this bill, but we cannot support it as it is currently drafted. We believe that we can do better.

I urge Members to vote ''no'' on H.R. 4889.

I yield back the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

I am, of course, disappointed that the Democrats cannot support this in its present form.

The bill that we worked on last year, by the way, never made it to the House floor, and this one did.

□ 1430

The time is now to act. The time is now to help families find abducted children, parents suffering from dementia who are carrying the device and need help saving their lives.

This is very narrowly written. As my colleague from Kansas (Mr. YODER) said: Read the bill.

We have. It is very narrowly written. Location, emergency only, life and death. You dialed 9-1-1 seeking help. States still have the ability to talk about all these other provisions they may want. We do not preclude that. We honor the right of States, local legislatures to come and add restrictions if they want to do that for post-action reporting, subpoenas, whatever they want to do.

But in the meantime, can't we just save lives? Can't we just pass something that gives certainty to the telecommunications providers that when

they get that law enforcement call, they have to provide that data of simply the location when everybody agrees that somebody's life is in the balance?

I urge my colleagues to support this bill.

Mr. Speaker, I yield back the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I rise in opposition to H.R. 4889. While I agree with the underlying goal of this bill, in its current form it does not provide enough privacy protections. The ability to quickly locate potential victims in an emergency is very important but we should also eliminate the potential for abuse. I was disappointed that Congressional Republicans refused to accept common sense proposals that would have allowed us to obtain the benefit of the proposal without opening the door to abuse or violations of Constitutional rights. I hope in the coming months we can pass the bill with adequate provisions.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, H.R. 4889, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SARBANES. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

KARI'S LAW ACT OF 2016

Mr. WALDEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4167) to amend the Communications Act of 1934 to require multi-line telephone systems to have a default configuration that permits users to directly initiate a call to 9-1-1 without dialing any additional digit, code, prefix, or post-fix, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4167

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Kari's Law Act of 2016''.

SEC. 2. CONFIGURATION OF MULTI-LINE TELEPHONE SYSTEMS FOR DIRECT DIALING OF 9-1-1.

(a) IN GENERAL.—Title VII of the Communications Act of 1934 (47 U.S.C. 601 et seq.) is amended by adding at the end the following:

''SEC. 721. CONFIGURATION OF MULTI-LINE TELEPHONE SYSTEMS FOR DIRECT DIALING OF 9-1-1.

''(a) SYSTEM MANUFACTURE, IMPORTATION, SALE, AND LEASE.—A person engaged in the business of manufacturing, importing, selling, or leasing multi-line telephone systems may not manufacture or import for use in the United States, or sell or lease or offer to sell or lease in the United States, a multi-line telephone system, unless such system is pre-configured such that, when properly installed in accordance with subsection (b), a user may directly initiate a call to 9-1-1 from any station equipped with dialing facilities, without dialing any additional digit, code, prefix, or post-fix, including any trunk-access code such as the digit '9', regardless of whether the user is required to dial such a digit, code, prefix, or post-fix for other calls.

''(b) SYSTEM INSTALLATION, MANAGEMENT, AND OPERATION.—A person engaged in the business of installing, managing, or operating multi-line telephone systems may not install, manage, or operate for use in the United States such a system, unless such system is configured such that a user may directly initiate a call to 9-1-1 from any station equipped with dialing facilities, without dialing any additional digit, code, prefix, or post-fix, including any trunk-access code such as the digit '9', regardless of whether the user is required to dial such a digit, code, prefix, or post-fix for other calls.

''(c) ON-SITE NOTIFICATION.—A person engaged in the business of installing, managing, or operating multi-line telephone systems shall, in installing, managing, or operating such a system for use in the United States, configure the system to provide a notification to a central location at the facility where the system is installed or to another person or organization regardless of location, if the system is able to be configured to provide the notification without an improvement to the hardware or software of the system.

''(d) EFFECT ON STATE LAW.—Nothing in this section is intended to alter the authority of State commissions or other State or local agencies with jurisdiction over emergency communications, if the exercise of such authority is not inconsistent with this Act.

''(e) ENFORCEMENT.—This section shall be enforced under title V, except that section 501 applies only to the extent that such section provides for the punishment of a fine.

''(f) MULTI-LINE TELEPHONE SYSTEM DEFINED.—In this section, the term 'multi-line telephone system' has the meaning given such term in section 6502 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1471).''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), section 721 of the Communications Act of 1934, as added by subsection (a) of this section, shall apply beginning on the date that is 2 years after the date of the enactment of this Act.

(2) EXCEPTION.—Subsection (b) or (c) of such section 721 shall not apply to a multi-line telephone system that was installed before the date that is 2 years after the date of the enactment of this Act if such system is not able to be configured to meet the requirement of such subsection (b) or (c), respectively, without an improvement to the hardware or software of the system.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

GENERAL LEAVE

Mr. WALDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 4167, the Kari's Law Act of 2016.

Mr. Speaker, when I first heard of the tragic story of Kari Hunt, I was in disbelief. In his testimony before the Subcommittee on Communications and Technology, Kari's father, Hank, shared with us the way that his daughter was killed—stabbed by her estranged husband in a Texas hotel room while their children were in the room.

While that story is obviously horrifying enough, especially as a parent, my true shock came from the next part of the story. Kari's 9-year-old daughter, doing as she had been taught from an early age, had repeatedly tried to dial 9-1-1 from the hotel phone to get emergency help. Repeatedly her little fingers pushed the buttons 9-1-1, but because the phone required another 9 to get an outside line, she was never able to reach the emergency assistance her mother so desperately needed and she so desperately tried to access.

What her grandfather, Hank Hunt, told me next will stay with me forever. He said that as he sat with his granddaughter in the lobby of the police department just hours after the death of his daughter, his granddaughter looked at him and said: ''I tried 4 times, Papa, but it didn't work.'' ''I tried 4 times, Papa, but it didn't work.''

Through this tragedy we learned the difficult truth that many multiline telephone systems, like the kinds often found in hotels and offices and universities, require that users dial an additional digit to use an outside line, even when they are trying to call 9-1-1.

Mr. Speaker, this is simply unacceptable. In the heat of an emergency, every person in America deserves the peace of mind to know that on any phone 9-1-1 actually means 9-1-1, period.

We teach our children from a very young age what to do in an emergency: dial 9-1-1. We all hope that they will never need to use that knowledge, but we want them to know what to do. I don't know too many parents who also teach their kids to think about dialing 9 or 8 or some other number to get an outside line.

H.R. 4167, known as Kari's Law, seeks to remedy this problem. The legislation requires multiline telephone systems to be configured so that dialing 9-1-1 directly connects to public safety. In addition, the law requires that a central point of contact for each system be notified when someone calls for emergency assistance, a provision intended to help emergency responders access buildings and actually locate the emergency caller.

Now, these fixes are simple changes to the system in most cases, costing little, if any, money, and taking very little time, but apparently without a legal requirement, there is no way to guarantee that every MLTS will be configured for dialing 9-1-1 directly. Some businesses, including many hotels, have taken steps to fix this problem already, and I applaud them for doing so voluntarily, but there needs to be consistency across our great land, Mr. Speaker. If you are a traveler staying in a hotel, you shouldn't have to wonder during an emergency whether you are in one of the States or counties that have adopted Kari's Law when the time comes for emergency help. We need a Federal law to provide certainty and protect emergency callers when they dial 9-1-1.

I would like to thank Representative LOUIE GOHMERT from Texas. Mr. GOHMERT brought this issue to our attention. He is the sponsor of Kari's Law, and his staff has done a terrific job working with us on this legislation.

I would also like to thank my colleague, Ranking Member ESHOO, and her staff for working closely with us to make this bill an even better one.

Reflecting the way that these systems work and making sure the requirements are strong and effective, I would also like to thank Hank Hunt for bringing this issue to our attention, for pushing for change in the face of his family's tragedy, and for coming to Washington, D.C., to share his story.

I will finish my remarks with something else that Hank said before our subcommittee: ''The inspiration for Kari's Law was a 9-year-old little girl that depended on her instruction from adults on how to handle an emergency, and those adults let her down.''

Mr. Speaker, let's not let her down or any other child again. I urge my colleagues to support Kari's Law, and in doing so, we can take one step forward in ensuring that anyone, regardless of their age, who dials 9-1-1 will receive the emergency assistance they need.

Mr. Speaker, I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

I rise in general support of H.R. 4167. I agree that it is important to make sure that consumers using multiline telephone systems, or MLTSs, can directly dial 9-1-1 without having to dial additional digits first. We are talking about the multiline phone systems that we use in large office buildings and hotels. Many of these systems require consumers to dial an extra 9 to get an outside line. Most of us know that, but too many people do not realize this applies to 9-1-1 also. If you don't dial 9 first, you can't reach emergency services.

Such a requirement led to a tragedy in Texas several years ago. Kari Dunn was killed while her 9-year-old daughter tried to call for help. She did what she was told to do in an emergency—dial 9-1-1—but because the system she was using required her to dial 9 first, she only heard silence at the other end.

Building on the Herculean effort of Kari Dunn's family, we are one step closer to fixing this problem once and for all. Kari's Law is an important step to making our systems work better in an emergency, but we should not delay taking the next step, and that is providing location information to first responders.

These multiline systems often fail to deliver precise location information. That means that if someone calls 9-1-1 from this very building, for instance, precious minutes would tick by as emergency personnel struggle to figure out where the call came from in the Capitol. We should act immediately to correct this problem, too, because making sure the call goes through is only helpful if public safety officials can find the caller.

Mr. Speaker, that is why Democrats had hoped to include such a provision in H.R. 4167 during markup. We are encouraged by the commitment we received from Subcommittee Chairman WALDEN to work together on a separate bill to address this concern. We hope to get this done soon. With that commitment, I urge Members to support H.R. 4167.

Mr. Speaker, I reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. GOHMERT), who has been such an advocate for this family and for this change in law and has been terrific to work with on this matter.

Mr. GOHMERT. Mr. Speaker, I thank Chairman GREG WALDEN and also his staff. They have been superb to work with, and it has been refreshing to see how thorough both he and his staff have been in researching this issue. I came prepared to talk about the event and actually how it happened, but Chairman WALDEN did such a fantastic job that the emotion runs high at this point, and I am very grateful for the manner in which this has been presented.

I also want to thank FCC Commissioner Pai, who in the early days stepped up and made this an issue to get people's attention, but no greater thanks goes to anyone than to Kari's father, Hank Hunt.

It was December of 2013 in Marshall, Texas, which is normally known for being a kind and helpful city. Police respond often in 1 or 2 minutes. Kari's 9-year-old daughter has not had her name mentioned anywhere, to my knowledge, and that is because this child did everything she could possibly do, everything she had been taught and trained to do. What a phenomenal, quick-thinking child that she is.

After Kari's death received an outpouring of comments from constituents and other Americans across the country expressing concern over the issue, every day this is an issue. Fortunately, every day someone does not pay the ultimate consequence of dying because it is an issue.

When we looked into this matter, multiline telephone systems can easily be configured or reconfigured to enable callers to reach emergency personnel by dialing 9-1-1 without having to dial a prefix at all. Most of the time these changes can be made at no cost, and we have had programmers inform us that they have been doing it at no charge once the issue was brought to their attention.

Some MLTS vendors have offered to upgrade or tune up their existing systems for free also. Additionally, the American Hotel & Lodging Association has worked aggressively with its members across the country to swiftly ensure that their systems in place allow guests to directly dial 9-1-1 from guest rooms. Most of the American Hotel & Lodging Association's largest hotel member chains have activated 9-1-1 direct dial access at nearly all of their owned and managed properties. This bill gives 2 years for those who have not done so. And in view of the fact that this is so widely public, I anticipate people will move much, much more quickly than 2 years.

It is quite refreshing when both sides of the aisle can come together on an issue that saves lives, does not cost anything from taxpayers, is not a mandate that needs funding, and clearly involves interstate commerce and the telecommunications industry. So anyone who dials 9-1-1 would reach emergency personnel even if the phone normally requires the user to dial a prefix. Many phones in hotels, offices, even schools don't reach emergency personnel when a user dials 9-1-1 in a time of need because the person failed to dial a prefix. This bill changes that for good.

I join Hank Hunt, and I thank full committee Ranking Member PALLONE, Ms. ESHOO, and, again, Chairman WALDEN, Chairman UPTON, and the staffs for the great work done here. We can avoid tragedy again, and it is just refreshing when we work together to make sure that happens.

□ 1445

Mr. PALLONE. Mr. Speaker, I urge my colleagues to support the bill.

I yield back the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I encourage my colleagues to support H.R. 4167, Kari's Law, and, again, thank my colleague from Texas (Mr. GOHMERT) for his leadership on this issue and my colleagues on the other side of the aisle for working with us on this.

I would encourage passage of the legislation.

Mr. Speaker, I yield back the balance of my time.

Ms. ESHOO. Mr. Speaker, I rise today in support of H.R. 4167, Kari's Law Act of 2015.

H.R. 4167 addresses a very serious problem. The bill requires Multi-Line Telephone Systems to provide direct dialing to 9-1-1. The bill is named after Kari Hunt who was tragically murdered by her estranged husband in a hotel room while her daughter tried and failed to dial 9-1-1 because the Multi-Line Telephone System required a prefix to be dialed first.

When you dial 9-1-1 from a hotel or office—when seconds matters—you shouldn't have to dial "9" or some other prefix to get help. I strongly support the overall goals of this bill.

However, location accuracy for Multi-Line Telephone Systems is just as important. First responders have to know exactly where an individual is calling from, especially if the caller is unable to communicate to the dispatcher, or the caller simply doesn't know where they are. If first responders have to spend time searching buildings, going door to door, that can be the difference between life and death.

During the subcommittee and full committee markups of H.R. 4167, I offered an amendment to require a location accuracy proceeding at the Federal Communications Commission (FCC) within 180 days of enactment of the bill. Unfortunately, my Republican colleagues did not agree to accept my amendment, and instead proposed language requiring the FCC to conduct a Notice of Inquiry (NOI) to solicit public comment on requiring location accuracy for Multi-Line Telephone Systems. I did not accept this proposal because I do not think an NOI moves the ball forward. That view is shared by the FCC and the public safety community. Ultimately, I withdrew my amendment following a commitment from the Chairman of the Communications and Technology Subcommittee, Representative GREG WALDEN that he would work with me on location accuracy technology.

The FCC has studied location accuracy technology for Multi-Line Telephone Systems since 1994, and as recently as 2012 Congress directed the FCC to issue a Public Notice Seeking Comment on the feasibility of Multi-Line Telephone Systems to provide the precise location of a 9-1-1 caller. This was included in Section 6504(b) of the Middle Class Tax Relief and Job Creation Act of 2012 and was modeled on legislation I introduced with my colleague and fellow co-chair of the NextGen 9-1-1 Caucus, Representative SHIMKUS, known as the Next Generation 9-1-1 Advancement Act of 2012.

Despite the extensive history surrounding location accuracy, the FCC has failed to take action to require this essential technology in Multi-Line Telephone Systems. To wait any longer for action is simply an excuse and a costly one because lives are at stake.

I recently introduced H.R. 5236, the Requesting Emergency Services and Providing Origination Notification Systems Everywhere (RESPONSE) Act, which would require the Federal Communications Commission to complete a proceeding requiring all Multi-Line Telephone Systems to provide first responders with the precise location of a 9-1-1 caller. I'm hopeful my colleagues will work with me to pass this important bill.

Although H.R. 4167 does not address the critical issue of location accuracy, it is nonetheless a step in the right direction that will save lives and make real progress. For these reasons I urge my colleagues to join me in supporting H.R. 4167.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, H.R. 4167, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. PALLONE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

SECURING ACCESS TO NETWORKS IN DISASTERS ACT

Mr. WALDEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3998) to direct the Federal Communications Commission to commence proceedings related to the resiliency of critical telecommunications networks during times of emergency, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3998

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Securing Access to Networks in Disasters Act''.

SEC. 2. STUDY ON NETWORK RESILIENCY.

Not later than 36 months after the date of enactment of this Act, the Commission shall submit to Congress, and make publically available on the Commission's website, a study on the public safety benefits and technical feasibility and cost of—

(1) making telecommunications service provider-owned WiFi access points, and other communications technologies operating on unlicensed spectrum, available to the general public for access to 9-1-1 services, without requiring any login credentials, during times of emergency when mobile service is unavailable;

(2) the provision by non-telecommunications service provider-owned WiFi access points of public access to 9-1-1 services during times of emergency when mobile service is unavailable; and

(3) other alternative means of providing the public with access to 9-1-1 services during times of emergency when mobile service is unavailable.

SEC. 3. ACCESS TO ESSENTIAL SERVICE PROVIDERS DURING FEDERALLY DECLARED EMERGENCIES.

Section 427(a)(1)(A) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189e(a)(1)(A)) is amended by striking ''telecommunications service'' and inserting ''wireline or mobile telephone service, Internet access service, radio or television broadcasting, cable service, or direct broadcast satellite service''.

SEC. 4. DEFINITIONS.

As used in this Act—

(1) the term ''Commission'' means the Federal Communications Commission;

(2) the term ''mobile service'' means commercial mobile service (as defined in section 332 of the Communications Act of 1934 (47 U.S.C. 332)) or commercial mobile data service (as defined in section 6001 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1401));

(3) the term ''WiFi access point'' means wireless Internet access using the standard designated as 802.11 or any variant thereof; and

(4) the term ''times of emergency'' means either an emergency as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122), or an emergency as declared by the governor of a State or territory of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

GENERAL LEAVE

Mr. WALDEN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in late October of 2012, Superstorm Sandy, the largest Atlantic hurricane in recorded history, hit the Caribbean and Northeastern United States with devastating impact. Sandy caused an estimated $72 billion in damages in the United States and took 286 lives.

While the economic impact of the storm was massive in scope—homes and buildings damaged or destroyed, roads impassible or washed out altogether—the damage to power and communications infrastructure was particularly severe.

Broadcasting, wireless and landline telephone services, broadband services, cable services all suffered disruptions and outages that lasted long after the storm's fury had passed. At a time when families struggled to find and reunite with loved ones, this only added to the confusion and, frankly, the panic.

But beyond the impact on the personal communications that are needed to assuage the fears in the wake of a disaster, these outages also threatened the delivery of public safety messages and emergency response services. This

put even more lives at risk, including those of the first responders—the men and women who race to save others—and made recovery that much more difficult.

While our public safety and emergency response experts at all levels of government and the communications industry have implemented changes as a result of the lessons learned from Superstorm Sandy, there is more that must be done.

Just a few weeks ago, the wireless industry—CTIA, together with AT&T, Sprint, T-Mobile, U.S. Cellular, and Verizon—announced the adoption of the Wireless Network Resiliency Cooperative Framework. This set of voluntary practices will provide consumers with access to wireless services even when their wireless provider's network goes down, will improve preparedness, and will speed the restoration of services.

I would like to thank Ranking Member PALLONE of New Jersey, whose district suffered so badly and so much from the effects of Sandy. His leadership and efforts led to the industry's voluntary adoption of this framework, and I commend the industry for its commitment and him for his work.

The SANDy Act lets us build on that accomplishment, as there are some changes that only the government can make. This legislation makes what I believe is a commonsense change to the Robert T. Stafford Disaster Relief and Emergency Assistance Act to recognize not only wireline, but mobile telephone service and broadcast radio, broadcast television, cable service, and broadcast satellite service as essential services when we have an emergency.

This change will ensure that providers of these critical services are not denied or impeded access to a disaster when they are trying to restore service. Without question, these services are critical to ensuring the safety and well-being of both those impacted by the disaster, but also those who are responding to that very disaster.

In addition to expediting access for network restoration teams, this legislation also directs the FCC to study making the telecommunications service provider-owned WiFi access and other communications technologies operating on unlicensed spectrum available to access 9-1-1 service when commercial mobile service is unavailable.

We have an abundance of communications tools in the modern information economy. We should be looking at ways to leverage all of them during emergencies, and this report will do just that.

I thank the ranking member for his work on this legislation, and I urge my colleagues to support it.

Mr. Speaker, I reserve the balance of my time.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,
Washington, DC, May 18, 2016.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce, Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 3998, the Securing Access to Networks in Disasters Act, as ordered reported by the Committee on Energy and Commerce. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite this legislation for Floor consideration, the Committee will forgo action on this bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill does not alter or diminish the jurisdiction of the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation. I request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest into the Congressional Record during consideration of the measure on the House Floor. I appreciate the Committee on Energy and Commerce working with me to address my concerns.

Sincerely,

BILL SHUSTER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, May 19, 2016.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN SHUSTER: Thank you for your letter concerning H.R. 3998, Securing Access to Networks in Disasters Act, as ordered reported by the Committee on Energy and Commerce. As you noted, there are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

I appreciate your willingness to forgo action on this bill in order to expedite this legislation for Floor consideration. I agree that forgoing consideration of this bill does not alter or diminish the jurisdiction of the Committee on Transportation and Infrastructure with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation. In addition, I will support your request for the Speaker to name members of the Committee to any conference committee named to consider such provisions.

I will place a copy of your letter and this response into the Congressional Record during consideration of the measure on the House Floor.

Sincerely,

FRED UPTON,
Chairman.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3998, Securing Access to Networks in Disasters, or SANDy Act.

Superstorm Sandy had a dramatic effect on my district back in New Jersey. We saw firsthand the importance of communications networks during an emergency.

Broadcast and cable networks provide critical information to help us stay out of harm's way, and telecommunications networks are what makes sure we can call for help and keep track of our loved ones.

Unfortunately, when Hurricane Sandy ripped through the Northeast, we could not rely on several of these systems when we needed them most. For instance, nearly one in four cell towers were knocked out. In some of the hardest hit areas of my State, as many as half of the towers went down. Many of them stayed down for weeks.

That is why I have spent the past several years figuring out what went right and what went wrong. We learned about issues that have plagued our networks for at least a decade—not just during Sandy, but during Hurricane Katrina and other major disasters as well.

The SANDy Act will take another step toward making that right. Specifically, the SANDy Act would recognize the important role that wireline and mobile telephone, Internet, radio and television broadcasting, and cable and satellite services play during emergencies.

These communication providers need priority access to help them repair and maintain their communications equipment during disasters. But this bill is part of a larger effort to keep us safe in emergencies.

As part of the lead-up to today, I worked, as my colleague said, with the Nation's largest wireless carriers and the Federal Communications Commission to pull together a voluntary framework to ensure the industry complies with the wireless provisions that were originally set forth in the SANDy Act.

Most important, the framework makes sure that if one network goes down, its customers can access another network that is still operational. Everyone should be able to call for help as long as any signal is available.

Mr. Speaker, this agreement will save lives during major emergencies in the future. I would like to thank the wireless carriers and the FCC for working with me to craft this comprehensive agreement, as well as Chairman WALDEN. Having these networks operational can mean the difference between life and death during an event like Superstorm Sandy.

I urge all Members to support H.R. 3998, and I hope that once it passes the House today, the Senate will take up the measure and send it to the President.

Mr. Speaker, I yield back the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a fine piece of legislation. It is important, in moving

ahead, to correct some things that need to be corrected, frankly, in terms of emergency communications during super emergencies.

I urge passage of the bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, H.R. 3998, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. WALDEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

TIMELY AVAILABILITY OF ITEMS ADOPTED BY VOTE OF THE FEDERAL COMMUNICATIONS COMMISSION

Mr. WALDEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2589) to amend the Communications Act of 1934 to require the Federal Communications Commission to publish on its Internet website changes to the rules of the Commission not later than 24 hours after adoption, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2589

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TIMELY AVAILABILITY OF ITEMS ADOPTED BY VOTE OF THE COMMISSION.

(a) AMENDMENT.—Section 4 of the Communications Act of 1934 (47 U.S.C. 154) is amended by adding at the end the following:

''(p) In the case of any item that is adopted by vote of the Commission, the Commission shall publish on the Internet website of the Commission the text of such item not later than 24 hours after the Secretary of the Commission has received dissenting statements from all Commissioners wishing to submit such a statement with respect to such item.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to an item that is adopted after the date that is 30 days after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

GENERAL LEAVE

Mr. WALDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Federal Communications Commission regulates an incredibly dynamic and innovative sector of the American economy. The communications technology sector directly impacts the lives of consumers in meaningful ways. Consumers are able to map their ways to new places like, frankly, I did this morning; find information and enriching content; and reach their loved ones who might live in the most remote places.

Communications technology also enables other industries to reach their audiences in new and life-changing ways. Health care, finance, manufacturing, agriculture: all of these industries are leveraging communication technologies in ways to better serve the American consumer.

We can't afford to allow this functional sector of the economy to languish or fail under outdated regulations or a faulty regulatory process. That is why the Committee on Energy and Commerce has focused on improving the process at the FCC so that it operates in an effective and more transparent manner.

This House passed a comprehensive FCC process reform bill back in November, H.R. 2583, but we continue to work on improving the FCC's communications with the public. Hence, H.R. 2589. This is one such improvement.

Sponsored by my colleague, Representative ELLMERS of North Carolina, this bill is targeted at the FCC's struggle to make its newly adopted rules available to the public in a timely fashion. The bill requires the FCC to show the public what it has just voted on by publishing the text of the rules within 24 hours of the filing of the last dissenting statement.

This should not be too difficult. Normally, the FCC does a reasonable job in publishing its new rules fairly quickly after adoption. However, on more controversial items, the documents are not available until much later. For example, the Lifeline Order, adopted on March 31, was not available for 27 days. That is nearly a month. The FCC should not be delaying publication on controversial items. It should seek to add information and facts to the debate rather than appearing to hide the ball.

At the same time, we recognize that the FCC must have the ability to respond to dissenting statements that criticize its decisions. Accordingly, we worked with our colleagues across the aisle to ensure that the Commission had a fair opportunity to address dissents to dissents and still make sure that new rules became available to the public in a timely way. In other words, so the Commission can do its work back and forth among Commissioners and finish their product. But once they do, they need to make it available to the public. By the way, that is who they work for.

I would like to thank my colleagues on the committee for their work, particularly Representative ELLMERS and Representative MCNERNEY. I believe the bill strikes the right balance, and I urge my colleagues to support Representative ELLMERS' bill.

Mr. Speaker, I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2589.

For the past several years, Republicans have been focused on changing procedures at the Federal Communications Commission. The bill we are considering today demonstrates that Democrats are willing to work with Republicans on these ideas when the proposals are reasonable.

The original bill had some issues. It would have required the FCC to post within 24 hours of adoption any final rules that were modified by the Commission. Such a requirement was inconsistent with the Administrative Procedure Act, which requires that any rule changes are accompanied by an explanatory text.

Additionally, the original bill failed to take into account the fact that in many cases where there is a delay in the release of FCC decisions, it is usually due to late receipt of dissenting statements from some Commissioners. To fix these issues, Democrats proposed an amendment during markup to provide the FCC to post, in its entirety, the text of any actions within 24 hours after dissenting Commissioners file their statements. The improvements ensure that this bill will not force the FCC to act in conflict with other laws, such as the Administrative Procedure Act.

I urge my colleagues to support the bill.

Mr. Speaker, I yield back the balance of my time.

Mr. WALDEN. Mr. Speaker, I urge passage of this fine piece of legislation.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BROOKS of Alabama). The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, H.R. 2589, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. PALLONE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

□ 1500

ALABAMA HILLS NATIONAL SCENIC AREA ESTABLISHMENT ACT

Mr. COOK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 496) to establish the Alabama Hills National Scenic Area in the State of California, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 496

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Alabama Hills National Scenic Area Establishment Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. DEFINITIONS.

In this Act:

(1) MANAGEMENT PLAN.—The term ''management plan'' means the management plan for the National Scenic Area developed under section 4(a).

(2) MAP.—The term ''Map'' means the map titled ''Proposed Alabama Hills National Scenic Area'', dated September 8, 2014.

(3) MOTORIZED VEHICLES.—The term ''motorized vehicles'' means motorized or mechanized vehicles and includes, when used by utilities, mechanized equipment, helicopters, and other aerial devices necessary to maintain electrical or communications infrastructure.

(4) NATIONAL SCENIC AREA.—The term ''National Scenic Area'' means the Alabama Hills National Scenic Area established by section 3(a).

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(6) STATE.—The term ''State'' means the State of California.

(7) TRIBE.—The term ''Tribe'' means the Lone Pine Paiute-Shoshone.

(8) UTILITY FACILITY.—The term ''utility facility'' means any and all existing and future water system facilities including aqueducts, streams, ditches, and canals; water facilities including, but not limited to, flow measuring stations, gauges, gates, values, piping, conduits, fencing, and electrical power and communications devices and systems; and any and all existing and future electric generation facilities, electric storage facilities, overhead and/or underground electrical supply systems and communication systems consisting of electric substations, electric lines, poles and towers made of various materials, ''H'' frame structures, guy wires and anchors, crossarms, wires, underground conduits, cables, vaults, manholes, handholes, above-ground enclosures, markers and concrete pads and other fixtures, appliances and communication circuits, and other fixtures, appliances and appurtenances connected therewith necessary or convenient for the construction, operation, regulation, control, grounding and maintenance of electric generation, storage, lines and communication circuits, for the purpose of transmitting intelligence and generating, storing, distributing, regulating and controlling electric energy to be used for light, heat, power, communication, and other purposes.

SEC. 3. ALABAMA HILLS NATIONAL SCENIC AREA, CALIFORNIA.

(a) ESTABLISHMENT.—Subject to valid, existing rights, there is established in Inyo County, California, the Alabama Hills National Scenic Area. The National Scenic Area shall be comprised of the approximately 18,610 acres generally depicted on the Map as ''National Scenic Area''.

(b) PURPOSE.—The purpose of the National Scenic Area is to conserve, protect, and enhance for the benefit, use, and enjoyment of present and future generations the nationally significant scenic, cultural, geological, educational, biological, historical, recreational, cinematographic, and scientific resources of the National Scenic Area managed consistent with section 302(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1732(a)).

(c) MAP; LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and a legal description of the National Scenic Area with—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) FORCE OF LAW.—The map and legal descriptions filed under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct any clerical and typographical errors in the map and legal descriptions.

(3) PUBLIC AVAILABILITY.—Each map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service and Bureau of Land Management.

(d) ADMINISTRATION.—The Secretary shall manage the National Scenic Area—

(1) as a component of the National Landscape Conservation System;

(2) so as not to impact the future continuing operations and maintenance of any activities associated with valid, existing rights, including water rights;

(3) in a manner that conserves, protects, and enhances the resources and values of the National Scenic Area described in subsection (b); and

(4) in accordance with—

(A) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

(B) this Act; and

(C) any other applicable laws.

(e) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall allow only such uses of the National Scenic Area as the Secretary determines would support the purposes of the National Scenic Area as described in subsection (b).

(2) RECREATIONAL ACTIVITIES.—Except as otherwise provided in this Act or other applicable law, or as the Secretary determines to be necessary for public health and safety, the Secretary shall allow existing recreational uses of the National Scenic Area to continue, including hiking, mountain biking, rock climbing, sightseeing, horseback riding, hunting, fishing, and appropriate authorized motorized vehicle use.

(3) MOTORIZED VEHICLES.—Except as specified within this Act and/or in cases in which motorized vehicles are needed for administrative purposes, or to respond to an emergency, the use of motorized vehicles in the National Scenic Area shall be permitted only on—

(A) roads and trails designated by the Director of the Bureau of Land Management for use of motorized vehicles as part of a management plan sustaining a semi-primitive motorized experience; or

(B) on county-maintained roads in accordance with applicable State and county laws.

(f) NO BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this Act creates a protective perimeter or buffer zone around the National Scenic Area.

(2) ACTIVITIES OUTSIDE NATIONAL SCENIC AREA.—The fact that an activity or use on land outside the National Scenic Area can be seen or heard within the National Scenic Area shall not preclude the activity or use outside the boundaries of the National Scenic Area.

(g) ACCESS.—The Secretary shall continue to provide private landowners adequate access to inholdings in the National Scenic Area.

(h) FILMING.—Nothing in this Act prohibits filming (including commercial film production, student filming, and still photography) within the National Scenic Area—

(1) subject to—

(A) such reasonable regulations, policies, and practices as the Secretary considers to be necessary; and

(B) applicable law; and

(2) in a manner consistent with the purposes described in subsection (b).

(i) FISH AND WILDLIFE.—Nothing in this Act affects the jurisdiction or responsibilities of the State with respect to fish and wildlife.

(j) LIVESTOCK.—The grazing of livestock in the National Scenic Area, including grazing under the Alabama Hills allotment and the George Creek allotment, as established before the date of enactment of this Act, shall be permitted to continue—

(1) subject to—

(A) such reasonable regulations, policies, and practices as the Secretary considers to be necessary; and

(B) applicable law; and

(2) in a manner consistent with the purposes described in subsection (b).

(k) OVERFLIGHTS.—Nothing in this Act restricts or precludes flights over the National Scenic Area or overflights that can be seen or heard within the National Scenic Area, including—

(1) transportation, sightseeing and filming flights, general aviation planes, helicopters, hang-gliders, and balloonists, for commercial or recreational purposes;

(2) low-level overflights of military aircraft;

(3) flight testing and evaluation; or

(4) the designation or creation of new units of special use airspace, or the establishment of military flight training routes, over the National Scenic Area.

(l) WITHDRAWAL.—Subject to this Act's provisions and valid rights in existence on the date of enactment of this Act, including rights established by prior withdrawals, the Federal land within the National Scenic Area is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(m) WILDLAND FIRE OPERATIONS.—Nothing in this Act prohibits the Secretary, in cooperation with other Federal, State, and local agencies, as appropriate, from conducting wildland fire operations in the National Scenic Area, consistent with the purposes described in subsection (b).

(n) GRANTS; COOPERATIVE AGREEMENTS.—The Secretary may make grants to, or enter into cooperative agreements with, State, tribal, and local governmental entities and private entities to conduct research, interpretation, or public education or to carry out any other initiative relating to the restoration, conservation, or management of the National Scenic Area.

(o) AIR AND WATER QUALITY.—Nothing in this Act modifies any standard governing air or water quality outside of the boundaries of the National Scenic Area.

(p) UTILITY FACILITIES AND RIGHTS OF WAY.—

(1) Nothing in this Act shall—

(A) affect the existence, use, operation, maintenance (including but not limited to vegetation control), repair, construction, reconfiguration, expansion, inspection, renewal, reconstruction, alteration, addition, relocation, improvement, funding, removal, or replacement of utility facilities or appurtenant rights of way within or adjacent to the National Scenic Area;

(B) affect necessary or efficient access to utility facilities or rights of way within or adjacent to the National Scenic Area subject to subsection (e);

(C) preclude the Secretary from authorizing the establishment of new utility facility rights of way (including instream sites, routes, and areas) within the National Scenic Area in a manner that minimizes harm to the purpose of the National Scenic Area as described in subsection (b)—

(i) with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other applicable law; and

(ii) subject to such terms and conditions as the Secretary determines to be appropriate.

(2) MANAGEMENT PLAN.—Consistent with this Act, the Management Plan shall establish plans for maintenance of public utility and other rights of way within the National Scenic Area.

SEC. 4. MANAGEMENT PLAN.

(a) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, in accordance with subsection (b), the Secretary shall develop a comprehensive plan for the long-term management of the National Scenic Area.

(b) CONSULTATION.—In developing the management plan, the Secretary shall—

(1) consult with appropriate State, tribal, and local governmental entities, including Inyo County and the Tribe; and

(2) seek input from—

(A) investor-owned utilities, including Southern California Edison Company;

(B) the Alabama Hills Stewardship Group;

(C) members of the public; and

(D) the Los Angeles Department of Water and Power.

(c) INCORPORATION OF MANAGEMENT PLAN.—In developing the management plan, in accordance with this section, the Secretary shall allow, in perpetuity, casual-use mining limited to the use of hand tools, metal detectors, hand-fed dry washers, vacuum cleaners, gold pans, small sluices, and similar items.

(d) INTERIM MANAGEMENT.—Pending completion of the management plan, the Secretary shall manage the National Scenic Area in accordance with section 3.

SEC. 5. LAND TAKEN INTO TRUST FOR LONE PINE PAIUTE-SHOSHONE RESERVATION.

(a) TRUST LAND.—As soon as practicable after the date of the enactment of this Act, the Secretary shall take the approximately 132 acres of Federal land depicted on the Map as ''Lone Pine Paiute-Shoshone Reservation Addition'' into trust for the benefit of the Tribe, subject to the following:

(1) CONDITIONS.—The land shall be subject to all easements, covenants, conditions, restrictions, withdrawals, and other matters of record on the date of the enactment of this Act.

(2) EXCLUSION.—The Federal lands over which the right-of-way for the Los Angeles Aqueduct is located, generally described as the 250-foot-wide right-of-way granted to the City of Los Angeles pursuant to the Act of June 30, 1906 (Chap. 3926), shall not be taken into trust for the Tribe.

(b) RESERVATION LAND.—The land taken into trust pursuant to subsection (a) shall be considered part of the reservation of the Tribe.

(c) GAMING PROHIBITION.—Gaming under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) shall not be allowed on the land taken into trust pursuant to subsection (a).

SEC. 6. TRANSFER OF ADMINISTRATIVE JURISDICTION.

Administrative jurisdiction of the approximately 56 acres of Federal land depicted on the Map as ''USFS Transfer to BLM'' is hereby transferred from the Forest Service under the Secretary of Agriculture to the Bureau of Land Management under the Secretary.

SEC. 7. PROTECTION OF SERVICES AND RECREATIONAL OPPORTUNITIES.

Nothing in this Act shall be construed to limit commercial services for existing and historic recreation uses as authorized by the Bureau of Land Management's permit process. Valid, existing, commercial permits to exercise guided recreational opportunities for the public may continue as authorized on the day before the date of the enactment of this Act.

SEC. 8. CLARIFICATION REGARDING FUNDING.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. COOK) and the gentleman from Arizona (Mr. GALLEGO) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. COOK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COOK. Mr. Speaker, I yield myself such time as I may consume.

I am the author of H.R. 469, which establishes the Alabama Hills National Scenic Area, encompassing roughly 18,000 acres of Federal land in central California, to preserve recreational and other existing uses in the area.

The Alabama Hills are a range of hills and rock formations near the eastern slope of the Sierra Nevada Mountains and are used for a variety of recreational activities.

The area has also served as a popular filming location for films and television shows. ''The Gene Autry Show,'' ''The Lone Ranger,'' ''Bonanza,'' and films including ''Tremors,'' ''Gladiator,'' and ''Iron Man'' were filmed, in part, in the Alabama Hills area.

The goal of this legislation is protecting this area from the industrial-scale renewable energy development that is occurring in surrounding areas while also protecting existing uses.

The Alabama Hills Stewardship Group as well as off-road groups, the local chamber of commerce, local and national conservation groups, and many others coordinated for over 2 years to share ideas that ultimately formed the basis of H.R. 496.

In addition to the National Scenic Area designation, the bill preserves existing recreational and commercial uses of the area, including grazing, filming, hiking, mountain biking, rock climbing, hunting, fishing, and authorized off-highway vehicle use.

This is a commonsense bill that will successfully balance a wide range of Federal land uses within the National Scenic Area and has extensive local support.

This legislation is the culmination of the work of countless local groups and individuals. I would especially like to thank Inyo County Supervisor Matt Kingsley and Kevin Mazzu of the Alabama Hills Stewardship Group for their tireless efforts to make the Alabama Hills National Scenic Area a reality.

I strongly encourage my colleagues to support its passage.

Mr. Speaker, I reserve the balance of my time.

Mr. GALLEGO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to congratulate Congressman COOK, a fellow Marine, for crafting this bill before us.

H.R. 496 establishes the Alabama Hills National Scenic Area on approximately 18,000 acres of Federal land in southern California.

Only a few hours' drive from Hollywood, Alabama Hills features a unique collection of rock formations which attracted filmmakers for a decade, as the gentleman has told us. The area's unusual landscape has served as the backdrop for famous television and movie scenes, including ''Bonanza'' and even now great movies like ''Iron Man.''

By incorporating the area into BLM's National Conservation Lands, the establishment of the Alabama Hills National Scenic Area will promote permanent protection of the area and encourage tourism and recreational activities.

Mr. Speaker, this bill provides a model for responsible conservation that we should seek to emulate across the country.

There are areas of Federal land throughout the United States that deserve enhanced protection. I hope we can continue to work in a bipartisan manner to preserve them for future generations through locally driven conservation initiatives.

For now, I urge my colleagues to support this bill. I look forward to working with the majority to identify additional opportunities to protect public land.

Mr. Speaker, I reserve the balance of my time.

Mr. COOK. Mr. Speaker, I have no additional speakers.

I want to thank my colleague for the Marine tag team comment.

Mr. Speaker, I reserve the balance of my time.

Mr. GALLEGO. Mr. Speaker, I yield back the balance of my time.

Mr. COOK. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. COOK) that the House suspend the rules and pass the bill, H.R. 496, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

NATIVE AMERICAN CHILDREN'S SAFETY ACT

Mr. COOK. Mr. Speaker, I move to suspend the rules and pass the bill (S. 184) to amend the Indian Child Protection and Family Violence Prevention Act to require background checks before foster care placements are ordered in tribal court proceedings, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 184

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Native American Children's Safety Act''.

SEC. 2. CRIMINAL RECORDS CHECKS.

Section 408 of the Indian Child Protection and Family Violence Prevention Act (25 U.S.C. 3207) is amended by adding at the end the following:

''(d) BY TRIBAL SOCIAL SERVICES AGENCY FOR FOSTER CARE PLACEMENTS IN TRIBAL COURT PROCEEDINGS.—

''(1) DEFINITIONS.—In this subsection:

''(A) COVERED INDIVIDUAL.—The term 'covered individual' includes—

''(i) any individual 18 years of age or older; and

''(ii) any individual who the tribal social services agency determines is subject to a criminal records check under paragraph (2)(A).

''(B) FOSTER CARE PLACEMENT.—The term 'foster care placement' means any action removing an Indian child from a parent or Indian custodian for temporary placement in a foster home or institution or the home of a guardian or conservator if—

''(i) the parent or Indian custodian cannot have the child returned on demand; and

''(ii)(I) parental rights have not been terminated; or

''(II) parental rights have been terminated but the child has not been permanently placed.

''(C) INDIAN CUSTODIAN.—The term 'Indian custodian' means any Indian—

''(i) who has legal custody of an Indian child under tribal law or custom or under State law; or

''(ii) to whom temporary physical care, custody, and control has been transferred by the parent of the child.

''(D) PARENT.—The term 'parent' means—

''(i) any biological parent of an Indian child; or

''(ii) any Indian who has lawfully adopted an Indian child, including adoptions under tribal law or custom.

''(E) TRIBAL COURT.—The term 'tribal court' means a court—

''(i) with jurisdiction over foster care placements; and

''(ii) that is—

''(I) a Court of Indian Offenses;

''(II) a court established and operated under the code or custom of an Indian tribe; or

''(III) any other administrative body of an Indian tribe that is vested with authority over foster care placements.

''(F) TRIBAL SOCIAL SERVICES AGENCY.—The term 'tribal social services agency' means the agency of an Indian tribe that has the primary responsibility for carrying out foster care licensing or approval (as of the date on which the proceeding described in paragraph (2)(A) commences) for the Indian tribe.

''(2) CRIMINAL RECORDS CHECK BEFORE FOSTER CARE PLACEMENT.—

''(A) IN GENERAL.—Except as provided in paragraph (3), no foster care placement shall be finally approved and no foster care license shall be issued until the tribal social services agency—

''(i) completes a criminal records check of each covered individual who resides in the household or is employed at the institution in which the foster care placement will be made; and

''(ii) concludes that each covered individual described in clause (i) meets such standards as the Indian tribe shall establish in accordance with subparagraph (B).

''(B) STANDARDS OF PLACEMENT.—The standards described in subparagraph (A)(ii) shall include—

''(i) requirements that each tribal social services agency described in subparagraph (A)—

''(I) perform criminal records checks, including fingerprint-based checks of national crime information databases (as defined in section 534(f)(3) of title 28, United States Code);

''(II) check any abuse registries maintained by the Indian tribe; and

''(III) check any child abuse and neglect registry maintained by the State in which the covered individual resides for information on the covered individual, and request any other State in which the covered individual resided in the preceding 5 years, to enable the tribal social services agency to check any child abuse and neglect registry maintained by that State for such information; and

''(ii) any other additional requirement that the Indian tribe determines is necessary and permissible within the existing authority of the Indian tribe, such as the creation of voluntary agreements with State entities in order to facilitate the sharing of information related to the performance of criminal records checks.

''(C) RESULTS.—Except as provided in paragraph (3), no foster care placement shall be ordered in any proceeding described in subparagraph (A) if an investigation described in clause (i) of that subparagraph reveals that a covered individual described in that clause has been found by a Federal, State, or tribal court to have committed any crime listed in clause (i) or (ii) of section 471(a)(20)(A) of the Social Security Act (42 U.S.C. 671(a)(20)(A)).

''(3) EMERGENCY PLACEMENT.—Paragraph (2) shall not apply to an emergency foster care placement, as determined by a tribal social services agency.

''(4) RECERTIFICATION OF FOSTER HOMES OR INSTITUTIONS.—

''(A) IN GENERAL.—Not later than 2 years after the date of enactment of this subsection, each Indian tribe shall establish procedures to recertify homes or institutions in which foster care placements are made.

''(B) CONTENTS.—The procedures described in subparagraph (A) shall include, at a minimum, periodic intervals at which the home or institution shall be subject to recertification to ensure—

''(i) the safety of the home or institution for the Indian child; and

''(ii) that each covered individual who resides in the home or is employed at the institution is subject to a criminal records check in accordance with this subsection, including any covered individual who—

''(I) resides in the home or is employed at the institution on the date on which the procedures established under subparagraph (A) commences; and

''(II) did not reside in the home or was not employed at the institution on the date on which the investigation described in paragraph (2)(A)(i) was completed.

''(C) GUIDANCE ISSUED BY THE SECRETARY.—The procedures established under subparagraph (A) shall be subject to any regulation or guidance issued by the Secretary that is in accordance with the purpose of this subsection.

''(5) GUIDANCE.—Not later than 2 years after the date of enactment of this subsection and after consultation with Indian tribes, the Secretary shall issue guidance regarding—

''(A) procedures for a criminal records check of any covered individual who—

''(i) resides in the home or is employed at the institution in which the foster care placement is made after the date on which the investigation described in paragraph (2)(A)(i) is completed; and

''(ii) was not the subject of an investigation described in paragraph (2)(A)(i) before the foster care placement was made;

''(B) self-reporting requirements for foster care homes or institutions in which any covered individual described in subparagraph (A) resides if the head of the household or the operator of the institution has knowledge that the covered individual—

''(i) has been found by a Federal, State, or tribal court to have committed any crime listed in clause (i) or (ii) of section 471(a)(20)(A) of the Social Security Act (42 U.S.C. 671(a)(20)(A)); or

''(ii) is listed on a registry described in clause (II) or (III) of paragraph (2)(B)(i);

''(C) promising practices used by Indian tribes to address emergency foster care placement procedures under paragraph (3); and

''(D) procedures for certifying compliance with this Act.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. COOK) and the gentleman from Arizona (Mr. GALLEGO) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. COOK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COOK. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of S. 184, the Native American Children's Safety Act, which amends the Indian Child Protection and Family Violence Prevention Act.

The bill requires tribal Social Service agencies to perform character background investigations of all foster care parents and adults living in foster care homes prior to placement of an Indian child into a foster home.

This bill creates a framework by which tribes must conduct thorough background checks of individuals who reside in or are employed by a foster home or institution in which tribal foster placements are made.

The bill would protect Indian foster children from being placed if the background check reveals a conviction by a Federal, State, or tribal court of felony child abuse, neglect, or crimes against children.

S. 184 is the companion to H.R. 1168, sponsored by the gentleman from North Dakota (Mr. CRAMER). H.R. 1168 passed the House of Representatives by voice vote on June 1, 2015.

These bills are the culmination of years of work led by Mr. CRAMER as he and his colleagues in the North Dakota delegation worked to address a very sad child abuse problem plaguing an Indian reservation in his State.

Passage of S. 184 is a critical first step toward ensuring that Indian children are placed in safe, secure, and loving homes within their tribal communities.

Again, I would like to thank my good friend, the gentleman from North Dakota (Mr. CRAMER), for his hard work on this important issue.

I urge an ''aye'' vote on S. 184.

Mr. Speaker, I reserve the balance of my time.

Mr. GALLEGO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we are all aware of the challenges that Native children face when it comes to their health, safety, and security. For example, Native children are 2.1 times more likely than other American children to end up in foster care. They are also 2.5 times more likely to become victims of abuse or neglect.

The Native American Children's Safety Act will help to address these disparities by strengthening background checks for prospective foster care parents prior to placement. In addition, the legislation will ensure that Federal and tribal agencies conduct these checks in a uniform manner.

The House previously passed an identical bill, H.R. 1168, introduced by our colleague from North Dakota (Mr. CRAMER), and it is critical that we pass the Senate version as well.

Mr. Speaker, there are many troubling issues that we in Congress must address in order to reverse the alarming trends that we see today in the health, safety, and well-being of Native children.

These kids deserve far more of our time and our attention; yet, for too long their needs have been neglected by this body.

So, Mr. Speaker, I call on Congress to reverse this pattern of neglect and to start passing legislation like the bill before us today that will help protect and provide for our Native children.

Mr. Speaker, I want to thank Senators HOEVEN and TESTER for introducing and moving the Native American Children's Safety Act through the Senate.

I ask my colleagues to stand with me in support of S. 184 and in support of our Native children.

Mr. Speaker, I reserve the balance of my time.

Mr. COOK. Mr. Speaker, I yield such time as he may consume to the gentleman from North Dakota (Mr. CRAMER), the author of the House companion bill.

Mr. CRAMER. Mr. Speaker, I thank now my two favorite marines. That was very nice. Thanks to both of them.

Last Congress, in the Natural Resources Committee, we actually had an oversight hearing regarding the child protection crisis on the Spirit Lake Indian Reservation in my State of North Dakota in response to numerous child deaths and whistleblower reports detailing unsafe tribal placement of almost 40 foster children in abusive homes, many of these homes that were headed by convicted sex offenders.

In an effort to protect these children, I did introduce the Native American Children's Safety Act in the House, which is a companion bill, as noted by previous speakers, that was introduced in the Senate by Senator HOEVEN and Senator TESTER.

Both bills passed their respective Chambers without objection. Today I am asking my colleagues here in the House to join me in passing the Senate bill so that we can get it to the President for his quick signature.

As stated, the bill implements across-the-board minimum protections for children placed in foster care at the direction of a tribal court. And, yes, the statistics are stark. Native American children are 2.5 times more likely to be victims of abuse or neglect than other American children.

But, Mr. Speaker, children exposed to violence are also more likely to abuse drugs and alcohol. They are more likely to suffer from depression and anxiety and other post-traumatic disorders.

The standards in this bill mirror existing national requirements for non-tribal foster care placements, ensuring that tribal children receive care at least equal to that in the protections afforded non-tribal children.

It is bipartisan, as you can tell. It is noncontroversial, as you can tell. It was reported out of the Natural Resources Committee by unanimous consent both this Congress and the last Congress.

But I want to add this word of thanks to other folks who were very helpful. I want to thank the National Indian Child Welfare Association, the National Congress of American Indians, the Bureau of Indian Affairs, and the Department of Health and Human Services, all of whom provided insights and suggestions for this bill.

Their counsel proved valuable in providing the flexibility to the tribes without hampering, stepping on their sovereignty, so that they could transition to these uniform standards and help save perhaps many, many lives on our reservations.

I thank my colleagues. I urge a ''yes'' vote.

Mr. COOK. Mr. Speaker, I yield back the balance of my time.

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Mr. GALLEGO. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. COOK) that the House suspend the rules and pass the bill, S. 184.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2017

Mr. NUNES. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5077) to authorize appropriations for fiscal year 2017 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5077

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Intelligence Authorization Act for Fiscal Year 2017''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. DEFINITIONS.

In this Act:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ''congressional intelligence committees'' means—

(A) the Select Committee on Intelligence of the Senate; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2017 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.

(5) The National Security Agency.

(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.

(7) The Coast Guard.

(8) The Department of State.

(9) The Department of the Treasury.

(10) The Department of Energy.

(11) The Department of Justice.

(12) The Federal Bureau of Investigation.

(13) The Drug Enforcement Administration.

(14) The National Reconnaissance Office.

(15) The National Geospatial-Intelligence Agency.

(16) The Department of Homeland Security.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL LEVELS.—The amounts authorized to be appropriated under section 101 and, subject to section 103, the authorized personnel ceilings as of September 30, 2017, for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 101, are those specified in the classified Schedule of Authorizations prepared to accompany this Act.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

(1) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.

(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations, or of appropriate portions of the Schedule, within the executive branch.

(3) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 3306(a));

(B) to the extent necessary to implement the budget; or

(C) as otherwise required by law.

SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) AUTHORITY FOR INCREASES.—The Director of National Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 2017 by the classified Schedule of Authorizations referred to in section 102(a) if the Director of National Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed 3 percent of the number of civilian personnel authorized under such schedule for such element.

(b) TREATMENT OF CERTAIN PERSONNEL.—The Director of National Intelligence shall establish guidelines that govern, for each element of the intelligence community, the treatment under the personnel levels authorized under section 102(a), including any exemption from such personnel levels, of employment or assignment in—

(1) a student program, trainee program, or similar program;

(2) a reserve corps or as a reemployed annuitant; or

(3) details, joint duty, or long-term, full-time training.

(c) NOTICE TO CONGRESSIONAL INTELLIGENCE COMMITTEES.—The Director of National Intelligence shall notify the congressional intelligence committees in writing at least 15 days prior to each exercise of an authority described in subsection (a).

SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2017 the sum of $518,596,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for advanced research and development shall remain available until September 30, 2018.

(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Intelligence Community Management Account of the Director of National Intelligence are authorized 787 positions as of September 30, 2017. Personnel

serving in such elements may be permanent employees of the Office of the Director of National Intelligence or personnel detailed from other elements of the United States Government.

(c) CLASSIFIED AUTHORIZATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Community Management Account for fiscal year 2017 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts for advanced research and development shall remain available until September 30, 2018.

(2) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Intelligence Community Management Account as of September 30, 2017, there are authorized such additional personnel for the Community Management Account as of that date as are specified in the classified Schedule of Authorizations referred to in section 102(a).

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2017 the sum of $514,000,000.

TITLE III—GENERAL PROVISIONS

SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 303. AUTHORIZATION OF APPROPRIATIONS FOR PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD.

(a) REQUIREMENT FOR AUTHORIZATIONS.—Subsection (m) of section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee(m)) is amended to read as follows:

''(m) FUNDING.—

''(1) SPECIFIC AUTHORIZATION REQUIRED.—Appropriated funds available to the Board may be obligated or expended to carry out activities under this section only if such funds were specifically authorized by Congress for use for such activities for such fiscal year.

''(2) DEFINITION.—In this subsection, the term 'specifically authorized by Congress' has the meaning given that term in section 504(e) of the National Security Act of 1947 (50 U.S.C. 3094(e)).''.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Privacy and Civil Liberties Oversight Board for fiscal year 2017 the sum of $10,081,000 to carry out the activities of the Board under section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee(m)).

SEC. 304. MODIFICATION OF CERTAIN WHISTLEBLOWING PROCEDURES.

(a) CLARIFICATION OF WHISTLEBLOWING PROCEDURES AVAILABLE TO CERTAIN PERSONNEL.—Subsection (a)(1)(A) of section 8H of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by inserting after ''Security Agency,'' the following: ''including any such employee who is assigned or detailed to a combatant command or other element of the Federal Government,''.

(b) CENTRAL INTELLIGENCE AGENCY.—

(1) ROLE OF DIRECTOR.—Section 17(d)(5) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(d)(5)) is amended—

(A) in subparagraph (B)—

(i) by striking clause (ii);

(ii) by striking ''(i) Not'' and inserting ''Not''; and

(iii) by striking ''to the Director'' and inserting ''to the intelligence committees''; and

(B) in subparagraph (D)—

(i) in clause (i), by striking ''the Director'' and inserting ''the intelligence committees''; and

(ii) in clause (ii)—

(I) in subclause (I), by striking ''the Director, through the Inspector General,'' and inserting ''the Inspector General''; and

(II) in subclause (II), by striking ''the Director, through the Inspector General,'' and inserting ''the Inspector General, in consultation with the Director,''.

(2) CONFORMING AMENDMENTS.—

(A) Section 17(d)(5) of such Act is further amended—

(i) by striking subparagraph (C); and

(ii) by redesignating subparagraphs (D) through (H) as subparagraphs (C) through (G), respectively.

(B) Section 3001(j)(1)(C)(ii) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(1)(C)(ii)) is amended by striking ''subparagraphs (A), (D), and (H)'' and inserting ''subparagraphs (A), (C), and (G)''.

(c) OTHER ELEMENTS OF INTELLIGENCE COMMUNITY.—

(1) ROLE OF HEADS.—Section 8H of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(A) in subsection (b)—

(i) by striking paragraph (2);

(ii) by striking ''(1) Not'' and inserting ''Not''; and

(iii) by striking ''to the head of the establishment'' and inserting ''to the intelligence committees''; and

(B) in subsection (d)—

(i) in paragraph (1), by striking ''the head of the establishment'' and inserting ''the intelligence committees''; and

(ii) in paragraph (2)—

(I) in subparagraph (A), by striking ''the head of the establishment, through the Inspector General,'' and inserting ''the Inspector General''; and

(II) in subparagraph (B), by striking ''the head of the establishment, through the Inspector General,'' and inserting ''the Inspector General, in consultation with the head of the establishment,''.

(2) CONFORMING AMENDMENTS.—Section 8H of such Act is further amended—

(A) by striking subsection (c);

(B) by redesignating subsections (d) through (i) as subsections (c) through (h), respectively; and

(C) in subsection (e), as so redesignated, by striking ''subsections (a) through (e)'' and inserting ''subsections (a) through (d)''.

(d) OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.—

(1) IN GENERAL.—Section 103H(k)(5) of the National Security Act of 1947 (50 U.S.C. 3033(k)(5)) is amended—

(A) in subparagraph (B), by striking ''to the Director'' and inserting ''to the congressional intelligence committees''; and

(B) in subparagraph (D)—

(i) in clause (i), by striking ''the Director'' and inserting ''the congressional intelligence committees''; and

(ii) in clause (ii)—

(I) in subclause (I), by striking ''the Director, through the Inspector General,'' and inserting ''the Inspector General''; and

(II) in subclause (II), by striking ''the Director, through the Inspector General,'' and inserting ''the Inspector General, in consultation with the Director,''.

(2) CONFORMING AMENDMENTS.—Section 103H(k)(5) of such Act is further amended—

(A) by striking subparagraph (C); and

(B) by redesignating subparagraphs (D) through (I) as subparagraphs (C) through (H), respectively.

(e) RULE OF CONSTRUCTION.—None of the amendments made by this section may be construed to prohibit or otherwise affect the authority of an Inspector General of an element of the intelligence community, the Inspector General of the Central Intelligence Agency, or the Inspector General of the Intelligence Community to notify the head of the element of the intelligence community, the Director of the Central Intelligence Agency, or the Director of National Intelligence, as the case may be, of a complaint or information otherwise authorized by law.

SEC. 305. REPORTS ON MAJOR DEFENSE INTELLIGENCE ACQUISITION PROGRAMS.

(a) IN GENERAL.—The National Security Act of 1947 (50 U.S.C. 3001 et seq.) is amended by inserting after section 506J the following new section:

''SEC. 506K. REPORTS ON MAJOR DEFENSE INTELLIGENCE ACQUISITION PROGRAMS AT EACH MILESTONE APPROVAL.

''(a) REPORT ON MILESTONE A.—Not later than 15 days after granting Milestone A or equivalent approval for a major defense intelligence acquisition program, the milestone decision authority for the program shall submit to the appropriate congressional committees a report containing a brief summary of the following:

''(1) The estimated cost and schedule for the program established by the military department concerned, including—

''(A) the dollar values estimated for the program acquisition unit cost and total lifecycle cost; and

''(B) the planned dates for each program milestone and initial operational capability.

''(2) The independent estimated cost for the program established pursuant to section 2334(a)(6) of title 10, United States Code, and any independent estimated schedule for the program, including—

''(A) the dollar values estimated for the program acquisition unit cost and total lifecycle cost; and

''(B) the planned dates for each program milestone and initial operational capability.

''(3) A summary of the technical risks, including cybersecurity risks and supply chain risks, associated with the program, as determined by the military department concerned, including identification of any critical technologies that need to be matured.

''(4) A summary of the sufficiency review conducted by the Director of Cost Assessment and Program Evaluation of the Department of Defense of the analysis of alternatives performed for the program (as referred to in section 2366a(b)(6) of such title).

''(5) Any other information the milestone decision authority considers relevant.

''(b) REPORT ON MILESTONE B.—Not later than 15 days after granting Milestone B or equivalent approval for a major defense intelligence acquisition program, the milestone decision authority for the program shall submit to the appropriate congressional committees a report containing a brief summary of the following:

''(1) The estimated cost and schedule for the program established by the military department concerned, including—

''(A) the dollar values estimated for the program acquisition unit cost, average procurement unit cost, and total life-cycle cost; and

''(B) the planned dates for each program milestone, initial operational test and evaluation, and initial operational capability.

''(2) The independent estimated cost for the program established pursuant to section 2334(a)(6) of title 10, United States Code, and any independent estimated schedule for the program, including—

''(A) the dollar values estimated for the program acquisition unit cost, average procurement unit cost, and total life-cycle cost; and

''(B) the planned dates for each program milestone, initial operational test and evaluation, and initial operational capability.

''(3) A summary of the technical risks, including cybersecurity risks and supply chain risks, associated with the program, as determined by the military department concerned, including identification of any critical technologies that have not been successfully demonstrated in a relevant environment.

''(4) A summary of the sufficiency review conducted by the Director of Cost Assessment and Program Evaluation of the analysis of alternatives performed for the program pursuant to section 2366a(b)(6) of such title.

''(5) A statement of whether the preliminary design review for the program described in section 2366b(a)(1) of such title has been completed.

''(6) Any other information the milestone decision authority considers relevant.

''(c) REPORT ON MILESTONE C.—Not later than 15 days after granting Milestone C or equivalent approval for a major defense intelligence acquisition program, the milestone decision authority for the program shall submit to the appropriate congressional committees a report containing a brief summary of the following:

''(1) The estimated cost and schedule for the program established by the military department concerned, including—

''(A) the dollar values estimated for the program acquisition unit cost, average procurement unit cost, and total life-cycle cost; and

''(B) the planned dates for initial operational test and evaluation and initial operational capability.

''(2) The independent estimated cost for the program established pursuant to section 2334(a)(6) of title 10, United States Code, and any independent estimated schedule for the program, including—

''(A) the dollar values estimated for the program acquisition unit cost, average procurement unit cost, and total life-cycle cost; and

''(B) the planned dates for initial operational test and evaluation and initial operational capability.

''(3) The cost and schedule estimates approved by the milestone decision authority for the program.

''(4) A summary of the production, manufacturing, and fielding risks, including cybersecurity risks and supply chain risks, associated with the program.

''(5) Any other information the milestone decision authority considers relevant.

''(d) INITIAL OPERATING CAPABILITY OR FULL OPERATING CAPABILITY.—Not later than 15 days after a major defense intelligence acquisition program reaches initial operating capability or full operating capability, the milestone decision authority for the program shall notify the appropriate congressional committees of the program reaching such capability.

''(e) ADDITIONAL INFORMATION.—At the request of any of the appropriate congressional committees, the milestone decision authority shall submit to the appropriate congressional committees further information or underlying documentation for the information in a report submitted under subsection (a), (b), or (c), including the independent cost and schedule estimates and the independent technical risk assessments referred to in those subsections.

''(f) NONDUPLICATION OF EFFORT.—If any information required under this section has been included in another report or assessment previously submitted to the congressional intelligence committees under sections 506A, 506C, or 506E, the milestone decision authority may provide a list of such reports and assessments at the time of submitting a report required under this section instead of including such information in such report.

''(g) DEFINITIONS.—In this section:

''(1) The term 'appropriate congressional committees' means the congressional intelligence committees and the congressional defense committees (as defined in section 101(a)(16) of title 10, United States Code).

''(2) The term 'major defense intelligence acquisition program' means a major defense acquisition program (as defined in section 2430 of title 10, United States Code) that relates to intelligence or intelligence-related activities.

''(3) The term 'Milestone A approval' has the meaning given that term in section 2366a(d) of title 10, United States Code.

''(4) The terms 'Milestone B approval' and 'Milestone C approval' have the meaning given those terms in section 2366(e) of such title.

''(5) The term 'milestone decision authority' has the meaning given that term in section 2366a(d) of such title.''.

(b) CLERICAL AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 506J the following new item:

''Sec. 506K. Reports on major defense intelligence acquisition programs at each milestone approval.''.

SEC. 306. MODIFICATIONS TO CERTAIN REQUIREMENTS FOR CONSTRUCTION OF FACILITIES.

(a) INCLUSION IN BUDGET REQUESTS OF CERTAIN PROJECTS.—Section 8131 of the Department of Defense Appropriations Act, 1995 (Public Law 103–335; 50 U.S.C. 3303) is repealed.

(b) NOTIFICATION.—Section 602(a)(2) of the Intelligence Authorization Act for Fiscal Year 1995 (Public Law 103–359; 50 U.S.C. 3304(a)(2)) is amended by striking ''improvement project to'' and inserting ''project for the improvement, repair, or modification of''.

SEC. 307. INFORMATION ON ACTIVITIES OF PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD.

Section 1061(d) of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee(d)) is further amended by adding at the end the following new paragraph:

''(5) INFORMATION.—

''(A) ACTIVITIES.—In addition to the reports submitted to Congress under subsection (e)(1)(B), the Board shall ensure that each official and congressional committee specified in subparagraph (B) is kept fully and currently informed of the activities of the Board, including any significant anticipated activities.

''(B) OFFICIALS AND CONGRESSIONAL COMMITTEES SPECIFIED.—The officials and congressional committees specified in this subparagraph are the following:

''(i) The Director of National Intelligence.

''(ii) The head of any element of the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)) the activities of which are, or are anticipated to be, the subject of the review or advice of the Board.

''(iii) The Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.''.

SEC. 308. CLARIFICATION OF AUTHORIZATION OF CERTAIN ACTIVITIES OF THE DEPARTMENT OF ENERGY.

Funds appropriated for fiscal year 2016 for intelligence and intelligence-related activities of the Department of Energy shall be deemed to be authorized to be appropriated for such activities, including for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 3094).

SEC. 309. TECHNICAL CORRECTION TO EXECUTIVE SCHEDULE.

Section 5313 of title 5, United States Code, is amended by striking the item relating to ''Director of the National Counter Proliferation Center.''.

SEC. 310. MAXIMUM AMOUNT CHARGED FOR DECLASSIFICATION REVIEWS.

In reviewing and processing a request by a person for the mandatory declassification of information pursuant to Executive Order 13526, a successor executive order, or any other provision of law, the head of an element of the intelligence community—

(1) may not charge the person reproduction fees in excess of the amount of fees that the head would charge the person for reproduction required in the course of processing a request for information under section 552 of title 5, United States Code (commonly referred to as the ''Freedom of Information Act''); and

(2) may waive or reduce any processing fees in the same manner as the head waives or reduces fees under such section 552.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

SEC. 401. ANALYSES AND IMPACT STATEMENTS BY DIRECTOR OF NATIONAL INTELLIGENCE REGARDING ACTIONS BY COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.

Section 721(b)(4) of the Defense Production Act of 1950 (50 U.S.C. 4565) is amended by adding at the end the following new subparagraphs:

''(E) SUBMISSION TO CONGRESSIONAL INTELLIGENCE COMMITTEES.—Not later than 5 days after the completion of a review or an investigation of a covered transaction under this

subsection that concludes action under this section, the Director shall submit to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate an analysis under subparagraph (A) relating to such covered transaction previously provided to the Committee, including any supplements or amendments to such analysis made by the Director.

''(F) IMPACT STATEMENTS.—Not later than 60 days after the completion of a review or an investigation of a covered transaction under this subsection that concludes action under this section, the Director shall determine whether the covered transaction will have an operational impact on the intelligence community, and, if so, shall submit a report on such impact to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate. Each such report shall—

''(i) describe the operational impact of the covered transaction on the intelligence community; and

''(ii) describe any actions that have been or will be taken to mitigate such impact.''.

SEC. 402. NATIONAL COUNTERINTELLIGENCE AND SECURITY CENTER.

(a) REDESIGNATION OF OFFICE OF NATIONAL COUNTERINTELLIGENCE EXECUTIVE.—Section 904 of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3383) is amended—

(1) by striking ''Office of the National Counterintelligence Executive'' each place it appears (including in the section heading) and inserting ''National Counterintelligence and Security Center'';

(2) by striking ''National Counterintelligence Executive'' each place it appears and inserting ''Director of the National Counterintelligence and Security Center'';

(3) in the headings of subsections (b) and (c), by striking ''of Office'' both places it appears and inserting ''Center'';

(4) in subsection (d)—

(A) in paragraph (5)(C), by striking ''by the Office'' and inserting ''by the Center''; and

(B) in paragraph (6), by striking ''that the Office'' and inserting ''that the Center'';

(5) in subsection (f)(1), by striking ''by the Office'' and inserting ''by the Center'';

(6) in subsection (g), by striking ''of the Office'' and inserting ''of the Center''; and

(7) in subsection (h), by striking ''of the Office'' each place it appears and inserting ''of the Center''.

(b) REDESIGNATION OF NATIONAL COUNTERINTELLIGENCE EXECUTIVE.—Section 902 of such Act (50 U.S.C. 3382) is amended—

(1) by striking subsection (a) and inserting the following new subsection:

''(a) ESTABLISHMENT.—There shall be a Director of the National Counterintelligence and Security Center (referred to in this section as 'the Director'), who shall be appointed by the President, by and with the advice and consent of the Senate.'';

(2) by striking ''National Counterintelligence Executive'' each place it appears (including the section heading) and inserting ''Director of the National Counterintelligence and Security Center''; and

(3) by striking ''Office of the National Counterintelligence Executive'' each place it appears and inserting ''National Counterintelligence and Security Center''.

(c) CONFORMING AMENDMENTS.—

(1) NATIONAL SECURITY ACT OF 1947.—The National Security Act of 1947 (50 U.S.C. 3001 et seq.) is amended—

(A) in section 102A(f)(2), by inserting after ''Counterterrorism Center'' the following: '', the National Counterproliferation Center, and the National Counterintelligence and Security Center,'';

(B) in section 103(c)(8), by striking ''National Counterintelligence Executive (including the Office of the National Counterintelligence Executive)'' and inserting ''Director of the National Counterintelligence and Security Center''; and

(C) in section 103F, by striking ''National Counterintelligence Executive'' each place it appears (including in the headings) and inserting ''Director of the National Counterintelligence and Security Center''.

(2) INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 1995.—Section 811 of the Counterintelligence and Security Enhancements Act of 1994 (title VIII of Public Law 103–359; 50 U.S.C. 3381) is amended—

(A) in subsections (b) and (c)(1), by striking ''The National Counterintelligence Executive'' and inserting ''The Director of the National Counterintelligence and Security Center''; and

(B) in subsection (d)(1)(B)(ii)—

(i) by striking ''to the National Counterintelligence Executive'' and inserting ''to the Director of the National Counterintelligence and Security Center''; and

(ii) by striking ''Office of the National Counterintelligence Executive'' and inserting ''National Counterintelligence and Security Center''.

(3) INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2004.—Section 341(b) of the Intelligence Authorization Act for Fiscal Year 2004 (Public Law 108–177; 28 U.S.C. 519 note) is amended by striking ''Office of the National Counterintelligence Executive'' and inserting ''National Counterintelligence and Security Center''.

(d) CLERICAL AMENDMENT.—The table of sections in the first section of the National Security Act of 1947 is amended by striking the item relating to section 103F and inserting the following:

''Sec. 103F. Director of the National Counterintelligence and Security Center.''.

(e) CONFORMING STYLE.—Any new language inserted or added to a provision of law by the amendments made by this section shall conform to the typeface and typestyle of the matter in which the language is so inserted or added.

(f) TECHNICAL EFFECTIVE DATE.—The amendment made by subsection (a) of section 401 of the Intelligence Authorization Act for Fiscal Year 2016 (division M of Public Law 114–113) shall not take effect, or, if the date of the enactment of this Act is on or after the effective date specified in subsection (b) of such section, such amendment shall be deemed to not have taken effect.

SEC. 403. ASSISTANCE FOR GOVERNMENTAL ENTITIES AND PRIVATE ENTITIES IN RECOGNIZING ONLINE VIOLENT EXTREMIST CONTENT.

(a) ASSISTANCE TO RECOGNIZE ONLINE VIOLENT EXTREMIST CONTENT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall publish on a publicly available Internet website a list of all logos, symbols, insignia, and other markings commonly associated with, or adopted by, an organization designated by the Secretary of State as a foreign terrorist organization under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)).

(b) UPDATES.—The Director shall update the list published under subsection (a) every 180 days or more frequently as needed.

Subtitle B—Central Intelligence Agency and Other Elements

SEC. 411. ENHANCED DEATH BENEFITS FOR PERSONNEL OF THE CENTRAL INTELLIGENCE AGENCY.

Section 11 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3511) is amended to read as follows:

''BENEFITS AVAILABLE IN EVENT OF THE DEATH OF PERSONNEL

''SEC. 11. (a) AUTHORITY.—The Director may pay death benefits substantially similar to those authorized for members of the Foreign Service pursuant to the Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.) or any other provision of law. The Director may adjust the eligibility for death benefits as necessary to meet the unique requirements of the mission of the Agency.

''(b) REGULATIONS.—Regulations issued pursuant to this section shall be submitted to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate before such regulations take effect.''.

SEC. 412. PAY AND RETIREMENT AUTHORITIES OF THE INSPECTOR GENERAL OF THE CENTRAL INTELLIGENCE AGENCY.

(a) IN GENERAL.—Section 17(e)(7) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(e)(7)) is amended by adding at the end the following new subparagraph:

''(C)(i) The Inspector General may designate an officer or employee appointed in accordance with subparagraph (A) as a law enforcement officer solely for purposes of subchapter III of chapter 83 or chapter 84 of title 5, United States Code, if such officer or employee is appointed to a position with responsibility for investigating suspected offenses against the criminal laws of the United States.

''(ii) In carrying out clause (i), the Inspector General shall ensure that any authority under such clause is exercised in a manner consistent with section 3307 of title 5, United States Code, as it relates to law enforcement officers.

''(iii) For purposes of applying sections 3307(d), 8335(b), and 8425(b) of title 5, United States Code, the Inspector General may exercise the functions, powers, and duties of an agency head or appointing authority with respect to the Office.''.

(b) RULE OF CONSTRUCTION.—Subparagraph (C) of section 17(e)(7) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(e)(7)), as added by subsection (a), may not be construed to confer on the Inspector General of the Central Intelligence Agency, or any other officer or employee of the Agency, any police or law enforcement or internal security functions or authorities.

SEC. 413. CLARIFICATION OF AUTHORITY, DIRECTION, AND CONTROL OVER THE INFORMATION ASSURANCE DIRECTORATE OF THE NATIONAL SECURITY AGENCY.

Section 142(b)(1) of title 10, United States Code, is amended—

(1) in subparagraph (B), by striking the semicolon and inserting ''; and'';

(2) in subparagraph (C), by striking ''; and'' and inserting a period; and

(3) by striking subparagraph (D).

SEC. 414. LIVING QUARTERS ALLOWANCE FOR EMPLOYEES OF THE DEFENSE INTELLIGENCE AGENCY.

(a) PROHIBITION.—Notwithstanding sections 1603 and 1605 of title 10, United States Code, and subchapter III of chapter 59 of title 5, a civilian employee of the Defense Intelligence

Agency who is assigned to a directorate of a geographic combatant command that is headquartered outside of the United States may not receive a living quarters allowance.

(b) APPLICATION.—Subsection (a) shall apply with respect to a pay period beginning on or after the date that is one year after the date of the enactment of this Act.

SEC. 415. PLAN ON ASSUMPTION OF CERTAIN WEATHER MISSIONS BY THE NATIONAL RECONNAISSANCE OFFICE.

(a) PLAN.—

(1) IN GENERAL.—The Director of the National Reconnaissance Office shall develop a plan for the National Reconnaissance Office to address how to carry out covered space-based environmental monitoring missions. Such plan shall include—

(A) a description of the related national security requirements for such missions;

(B) a description of the appropriate manner to meet such requirements; and

(C) the amount of funds that would be necessary to be transferred from the Air Force to the National Reconnaissance Office during fiscal years 2018 through 2022 to carry out such plan.

(2) ACTIVITIES.—In developing the plan under paragraph (1), the Director may conduct pre-acquisition activities, including with respect to requests for information, analyses of alternatives, study contracts, modeling and simulation, and other activities the Director determines necessary to develop such plan.

(3) SUBMISSION.—Not later than the date on which the President submits to Congress the budget for fiscal year 2018 under section 1105(a) of title 31, United States Code, the Director shall submit to the appropriate congressional committees the plan under paragraph (1).

(b) INDEPENDENT COST ESTIMATE.—The Director of the Cost Assessment Improvement Group of the Office of the Director of National Intelligence, in coordination with the Director of Cost Assessment and Program Evaluation of the Department of Defense, shall certify to the appropriate congressional committees that the amounts of funds identified under subsection (a)(1)(C) as being necessary to transfer are appropriate and include funding for positions and personnel to support program office costs.

(c) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the congressional intelligence committees; and

(B) the congressional defense committees (as defined in section 101(a)(16) of title 10, United States Code).

(2) The term ''covered space-based environmental monitoring missions'' means the acquisition programs necessary to meet the national security requirements for cloud characterization and theater weather imagery.

SEC. 416. MODERNIZATION OF SECURITY CLEARANCE INFORMATION TECHNOLOGY ARCHITECTURE.

(a) IN GENERAL.—The Director of National Intelligence shall support the Director of the Office of Personnel Management and the Secretary of Defense in the efforts of the Secretary to develop and implement an information technology system (in this section referred to as the ''System'') to—

(1) modernize and sustain the security clearance information architecture of the National Background Investigations Bureau and the Department of Defense;

(2) support decisionmaking processes for the evaluation and granting of personnel security clearances;

(3) improve cybersecurity capabilities with respect to sensitive security clearance data and processes;

(4) reduce the complexity and cost of the security clearance process;

(5) provide information to managers on the financial and administrative costs of the security clearance process;

(6) strengthen the ties between counterintelligence and personnel security communities; and

(7) improve system standardization in the security clearance process.

(b) GUIDANCE.—The Director of National Intelligence shall support the Director of the Office of Personnel Management and the Secretary of Defense in the efforts of the Director of the Office of Personnel Management and the Secretary to issue guidance establishing the respective roles, responsibilities, and obligations of the Director of the Office of Personnel Management, the Secretary, and the Director of National Intelligence, with respect to the development and implementation of the System.

TITLE V—MATTERS RELATING TO UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA

SEC. 501. DECLASSIFICATION OF INFORMATION ON PAST TERRORIST ACTIVITIES OF DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, AFTER SIGNING OF EXECUTIVE ORDER 13492.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall—

(1) in the manner described in the classified annex that accompanies this Act—

(A) complete a declassification review of intelligence reports prepared by the National Counterterrorism Center prior to Periodic Review Board sessions or detainee transfers on the past terrorist activities of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, who were transferred or released from United States Naval Station, Guantanamo Bay, Cuba, after the signing of Executive Order 13492 (relating to the closure of the detention facility at United States Naval Station, Guantanamo Bay, Cuba); and

(B) make available to the public any information declassified as a result of the declassification review; and

(2) submit to the congressional intelligence committees a report setting forth—

(A) the results of the declassification review; and

(B) if any information covered by the declassification review was not declassified pursuant to the review, a justification for the determination not to declassify such information.

(b) PAST TERRORIST ACTIVITIES.—For purposes of this section, the past terrorist activities of an individual shall include the terrorist activities conducted by the individual before the transfer of the individual to the detention facility at United States Naval Station, Guantanamo Bay, Cuba, including, at a minimum, the following:

(1) The terrorist organization, if any, with which affiliated.

(2) The terrorist training, if any, received.

(3) The role in past terrorist attacks against the interests or allies of the United States.

(4) The direct responsibility, if any, for the death of citizens of the United States or members of the Armed Forces.

(5) Any admission of any matter specified in paragraphs (1) through (4).

TITLE VI—REPORTS AND OTHER MATTERS

SEC. 601. REPORT ON INTELLIGENCE COMMUNITY EMPLOYEES DETAILED TO NATIONAL SECURITY COUNCIL.

Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report listing, by year, the number of employees of an element of the intelligence community who have been detailed to the National Security Council during the 10-year period preceding the date of the report.

SEC. 602. INTELLIGENCE COMMUNITY REPORTING TO CONGRESS ON FOREIGN FIGHTER FLOWS.

(a) REPORTS REQUIRED.—Not later than 60 days after the date of the enactment of this Act, and every 180 days thereafter, the Director of National Intelligence, consistent with the protection of intelligence sources and methods, shall submit to the appropriate congressional committees a report on foreign fighter flows to and from terrorist safe havens abroad.

(b) CONTENTS.—Each report submitted under subsection (a) shall include, with respect to each terrorist safe haven, the following:

(1) The total number of foreign fighters who have traveled or are suspected of having traveled to the terrorist safe haven since 2011, including the countries of origin of such foreign fighters.

(2) The total number of United States citizens present in the terrorist safe haven.

(3) The total number of foreign fighters who have left the terrorist safe haven or whose whereabouts are unknown.

(c) FORM.—The reports submitted under subsection (a) may be submitted in classified form. If such a report is submitted in classified form, such report shall also include an unclassified summary.

(d) SUNSET.—The requirement to submit reports under subsection (a) shall terminate on the date that is two years after the date of the enactment of this Act.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) in the Senate—

(A) the Committee on Armed Services;

(B) the Select Committee on Intelligence;

(C) the Committee on the Judiciary;

(D) the Committee on Homeland Security and Governmental Affairs;

(E) the Committee on Banking, Housing, and Urban Affairs;

(F) the Committee on Foreign Relations; and

(G) the Committee on Appropriations; and

(2) in the House of Representatives—

(A) the Committee on Armed Services;

(B) the Permanent Select Committee on Intelligence;

(C) the Committee on the Judiciary;

(D) the Committee on Homeland Security;

(E) the Committee on Financial Services;

(F) the Committee on Foreign Affairs; and

(G) the Committee on Appropriations.

SEC. 603. REPORT ON INFORMATION RELATING TO ACADEMIC PROGRAMS, SCHOLARSHIPS, FELLOWSHIPS, AND INTERNSHIPS SPONSORED, ADMINISTERED, OR USED BY THE INTELLIGENCE COMMUNITY.

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to Congress a report by the intelligence community regarding covered academic programs. Such report shall include—

(1) a description of the extent to which the Director and the heads of the elements of the intelligence community independently collect information on covered academic programs, including with respect to—

(A) the number of applicants for such programs;

(B) the number of individuals who have participated in such programs; and

(C) the number of individuals who have participated in such programs and were hired by an element of the intelligence community after completing such program;

(2) to the extent that the Director and the heads independently collect the information described in paragraph (1), a chart, table, or other compilation illustrating such information for each covered academic program and element of the intelligence community, as appropriate, during the three-year period preceding the date of the report; and

(3) to the extent that the Director and the heads do not independently collect the information described in paragraph (1) as of the date of the report—

(A) whether the Director and the heads can begin collecting such information during fiscal year 2017; and

(B) the personnel, tools, and other resources required by the Director and the heads to independently collect such information.

(b) COVERED ACADEMIC PROGRAMS DEFINED.—In this section, the term ''covered academic programs'' means—

(1) the Federal Cyber Scholarship-for-Service Program under section 302 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7442);

(2) the National Security Education Program under the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1901 et seq.);

(3) the Science, Mathematics, and Research for Transformation Defense Education Program under section 2192a of title 10, United States Code;

(4) the National Centers of Academic Excellence in Information Assurance and Cyber Defense of the National Security Agency and the Department of Homeland Security; and

(5) any other academic program, scholarship program, fellowship program, or internship program sponsored, administered, or used by an element of the intelligence community.

SEC. 604. REPORT ON CYBERSECURITY THREATS TO SEAPORTS OF THE UNITED STATES AND MARITIME SHIPPING.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Homeland Security for Intelligence and Analysis, in consultation with the Director of National Intelligence, and consistent with the protection of sources and methods, shall submit to the appropriate congressional committees a report on the cybersecurity threats to, and the cyber vulnerabilities within, the software, communications networks, computer networks, or other systems employed by—

(1) entities conducting significant operations at seaports in the United States;

(2) the maritime shipping concerns of the United States; and

(3) entities conducting significant operations at transshipment points in the United States.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include the following:

(1) A description of any recent and significant cyberattacks or cybersecurity threats directed against software, communications networks, computer networks, or other systems employed by the entities and concerns described in paragraphs (1) through (3) of subsection (a).

(2) An assessment of—

(A) any planned cyberattacks directed against such software, networks, and systems;

(B) any significant vulnerabilities to such software, networks, and systems; and

(C) how such entities and concerns are mitigating such vulnerabilities.

(3) An update on the status of the efforts of the Coast Guard to include cybersecurity concerns in the National Response Framework, Emergency Support Functions, or both, relating to the shipping or ports of the United States.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional intelligence committees; and

(2) the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

SEC. 605. REPORT ON COUNTER-MESSAGING ACTIVITIES.

(a) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Under Secretary of Homeland Security for Intelligence and Analysis, consistent with the protection of sources and methods, shall submit to the appropriate congressional committees a report on the counter-messaging activities of the Department of Homeland Security with respect to the Islamic State and other extremist groups.

(b) ELEMENTS.—The report under subsection (a) shall include the following:

(1) A description of whether, and to what extent, the Secretary of Homeland Security, in conducting counter-messaging activities with respect to the Islamic State and other extremist groups, consults or coordinates with the Secretary of State, regarding the counter-messaging activities undertaken by the Department of State with respect to the Islamic State and other extremist groups, including counter-messaging activities conducted by the Global Engagement Center of the Department of State.

(2) Any criteria employed by the Secretary of Homeland Security for selecting, developing, promulgating, or changing the counter-messaging approach of the Department of Homeland Security, including any counter-messaging narratives, with respect to the Islamic State and other extremist groups.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional intelligence committees; and

(2) the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

SEC. 606. REPORT ON REPRISALS AGAINST CONTRACTORS OF THE INTELLIGENCE COMMUNITY.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community, consistent with the protection of sources and methods, shall submit to the appropriate congressional committees a report on reprisals made against covered contractor employees.

(b) ELEMENTS.—The report under subsection (a) shall include the following:

(1) Identification of the number of known or suspected reprisals made against covered contractor employees during the five-year period preceding the date of the report.

(2) An evaluation of the usefulness of establishing in law a prohibition on reprisals against covered contractor employees as a means of encouraging such contractors to make protected disclosures.

(3) A description of any challenges associated with establishing in law such a prohibition, including with respect to the nature of the relationship between the Federal Government, the contractor, and the covered contractor employee.

(4) A description of any approaches taken by the Federal Government to account for reprisals against non-intelligence community contractors who make protected disclosures, including pursuant to section 2409 of title 10, United States Code, and sections 4705 and 4712 of title 41, United States Code.

(5) Any recommendations the Inspector General determines appropriate.

(c) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the congressional intelligence committees; and

(B) the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

(2) The term ''covered contractor employee'' means an employee of a contractor of an element of the intelligence community.

(3) The term ''reprisal'' means the discharge, demotion, or other discriminatory personnel action made against a covered contractor employee for making a disclosure of information that would be a disclosure protected by law if the contractor were an employee of the Federal Government.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. NUNES) and the gentleman from California (Mr. SCHIFF) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. NUNES).

GENERAL LEAVE

Mr. NUNES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill, H.R. 5077.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. NUNES. Mr. Speaker, I yield myself such time as I may consume.

Passing an annual intelligence authorization bill is the most important tool Congress has to conduct effective oversight of the intelligence activities of the U.S. Government. Today, Ranking Member SCHIFF and I are bringing the seventh consecutive intelligence authorization bill to the floor. I am pleased to say that, as in past years, this bill is a bipartisan product that reflects the contributions of all of the committee's members. It was reported out of the committee by a unanimous voice vote.

Because most of the intelligence budget involves highly classified programs, the bulk of the committee's

schedule of authorization and direction are found in the classified annex to the bill. The classified annex has been available in HVC–304 for all Members to review since Friday, April 29.

At the unclassified level, I can report that the overall funding authorized by this bill is slightly above the President's budget request, but still below last year's enacted level. The overall funding is also consistent with the Bipartisan Budget Act of 2015. Furthermore, the bill funds the Military Intelligence Program in line with the levels of the House-passed National Defense Authorization Act for Fiscal Year 2017.

The bill funds high-priority initiatives not included in the President's request, trims requested increases that lack clear justifications, and reflects the committee's determinations of which programs represent the best value for intelligence dollars in a challenging budget environment.

Mr. Speaker, today the threat level facing America is higher than at any time since 9/11. ISIL has established safe havens in Syria, Iraq, and Libya, and the group hopes to create caliphates stretching from Lebanon to Iraq, including Jordan and Israel. The goal of our counterterrorism strategy should be to deny safe havens from which terrorists can plot attacks against the United States and our allies. Regrettably, we have not prevented ISIL from establishing a safe haven, and the group has become skilled at hiding from Western intelligence services. ISIL members have used that breathing room to plan attacks in Europe, North Africa, and the Middle East, and they are undoubtedly planning attacks against the homeland here in the United States.

This bill will ensure that the dedicated men and women of our intelligence community have the funding, authorities, and support they need to carry out their mission and to keep us safe.

Before closing, I want to take a moment to thank the men and women of this country who serve in our intelligence community. I am honored to get to know so many of them in the course of the committee's oversight work.

I would like to thank all of the committee's members—majority and minority—for their contributions to our oversight over the past year, and especially our subcommittee chairmen and ranking members for their expertise on the programs within their subcommittees' jurisdiction. The many hearings, briefings, and oversight visits our members carry out during the year provide the inputs for the authorization and direction in this annual bill.

I would also like to thank the staff of the committee for their hard work on the bill and for their daily oversight of the intelligence community.

In particular, I would like to thank Shannon Stuart, Nick Ciarlante, Scott Glabe, Bill Flanigan, Lisa Major, Geof Kahn, Chelsey Campbell, Andrew House, Doug Presley, Steve Keith, George Pappas, Jack Langer, Crystal Weeks, Jake Crisp, and Diane Rinaldo. I would also like to thank our two fellows from the Los Alamos National Laboratory, Alex Kent and Philip Tubesing. All of these staff members spent long hours working on the legislative text and its classified annex, and the bill is stronger for it.

Mr. Speaker, I urge passage of H.R. 5077, as amended.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, May 20, 2016.

Hon. DEVIN NUNES,
Chairman, Permanent Select Committee on Intelligence, Washington, DC.

DEAR CHAIRMAN NUNES: I am writing to you concerning the jurisdictional interest of the Committee on Homeland Security in H.R. 5077, the ''Intelligence Authorization Act for Fiscal Year 2016.'' The bill includes provisions that fall within the jurisdiction of the Committee on Homeland Security.

I recognize and appreciate the desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Committee on Homeland Security will forego action on this bill. However, this is conditional based on our mutual understanding that foregoing consideration of H.R. 5077 at this time does not prejudice this Committee with respect to the appointment of conferees or any fixture jurisdictional claim over the subject matter contained in this bill or similar legislation.

This waiver is also given with the understanding that the Committee on Homeland Security expressly reserves its authority to seek conferees on any provision within its jurisdiction during any House-Senate conference that may be convened on this or any similar legislation, and requests your support for such a request.

I would appreciate your response to this letter confirming this understanding with respect to H.R. 5077, and ask that a copy of this letter and your response be included in the Congressional Record during consideration of this bill on the House floor. I look forward to working with the Permanent Select Committee on Intelligence as this bill moves through the legislative process.

Sincerely,

MICHAEL T. MCCAUL,
Chairman.

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, WASHINGTON, DC,
MAY 23, 2016.

Hon. MICHAEL MCCAUL,
Chairman, Committee on Homeland Security, Washington, DC.

DEAR CHAIRMAN MCCAUL: Thank you for your letter regarding H.R. 5077, the Intelligence Authorization Act for Fiscal Year 2017. As you noted, certain provisions of the bill are related to the jurisdictional interests of the Committee on Homeland Security. I agree that your letter in no way diminishes or alters the jurisdiction of the Committee on the Homeland Security with respect to the appointment of conferees or any future jurisdictional claim over the subject matters contained in the bill or any similar legislation.

I appreciate your willingness to assist in expediting this legislation for floor consideration. I will include a copy of your letter and this response in the Congressional Record during consideration of the legislation on the House floor. Thank you for your assistance with this matter.

Sincerely,

DEVIN NUNES,
Chairman.

Mr. SCHIFF. Mr. Speaker, I yield myself such time as I may consume.

First, I would like to thank Chairman NUNES, who has once again proven an invaluable partner on the Permanent Select Committee on Intelligence.

The Intelligence Authorization Act for Fiscal Year 2017 is the fourth major piece of bipartisan legislation that we advanced together in less than 18 months. That is no small feat. Working together, we have proven yet again what this body can achieve when the country's interests are put first: solving real problems for each and every American, as well as for people around the world; supporting the men and women of the largest and most capable intelligence community—who work day and night to keep us safe—while ensuring strict oversight of even the most highly classified activities.

Chairman NUNES and I do not agree on everything, nor should we. We have different perspectives and speak for an even broader group of Representatives in the body as a whole. There are provisions I wish had been in this bill and some I wish were not in the bill. I know my majority colleagues feel the same way about other provisions. I also believe we could have done this bill under a more open rule. But because we all rolled up our sleeves and worked together, the bill before us today is an exceptional work product, and I am very proud to support it.

It is also an honest bill. There are no budget gimmicks to evade spending commitments. While the bill contains a classified annex and schedule of authorizations, each and every page has been available, and will remain available, to every Member for review.

This bill also reaffirms one of my core convictions, borne out by the other three bills our committee has passed: that privacy and security can and must coexist.

The bill funds and authorizes vital programs and activities of the U.S. intelligence community, including the Department of Defense intelligence elements. At the same time, the IAA's several hundred pages provide detailed guidance, strict authorization, and clear limitations on the IC's activities.

Turning to more specifics, this year's IAA authorizes intelligence funding nearly equivalent to the President's budget request, which is about the same level as fiscal year 2016's enacted budget level. The base budget authorization is nearly equal to the President's request, and the overseas contingency operations authorization is roughly 1.5 percent above the request.

The bill trims some unnecessary funding and reprioritizes resource allocations, adds money to underfunded programs, and provides congressional direction to ensure greater accountability, transparency, and efficiency within the IC. It also fences, or restricts the spending of, significant amounts of money to better ensure continuous IC accountability throughout the year.

The IAA also addresses the key strategic questions that we have been asking over the course of the year: First, are we focusing too much on the threats of the day at the expense of the threats of tomorrow?

We do not have the luxury of choosing our challenges. Over the years, we have spent significant resources on counterterrorism priorities in the Middle East and South Asia, and, of course, we must continue to focus on counterterrorism, particularly with the enduring threat of ISIL.

But at the same time, we cannot disregard our near-peer competitors, such as China and Russia, whose increasing adventurism challenges our interests and influence abroad and threatens our allies and partners. I am pleased this year's IAA strikes a better balance between the near-term threats and longer term challenges that we face.

Second, are we sufficiently protecting what we currently have, whether in space, at sea, or in the cyber realm?

Our space, cyber, and sea assets are the most advanced in the world, but unless we are careful, they will become increasingly vulnerable. To better secure them, this bill wisely invests in cyber and supply chain security, as well as in resilience and other means of protection.

Third, are we leveraging commercial products and services while, at the same time, making investments in revolutionary technologies that do not yet have commercial application?

We have the world's most productive and innovative private sector, particularly when it comes to space. We must leverage and support it wherever we can, which I am pleased the IAA does. At the same time, this bill recognizes that government must invest in the most advanced, game-changing technologies that do not yet have a market.

Fourth, are we recruiting, training, and developing the most effective and diverse workforce, as well as leveraging foreign intelligence relationships and building foreign partner capacity?

The U.S. has the most advanced, capable, and reliable intelligence community in the world. Wherever I travel, I am continually impressed and inspired when I meet these brave and talented women and men. This bill identifies ways to further support and improve the workforce by expanding diversity in the IC, promoting travel, and supporting language training. It also provides critical support to build the capacity of foreign partner services and does so strategically, in a way that helps ensure the utmost professionalism and respect for the rule of law.

As is the case in nearly all legislation, as I mentioned at the outset, this bill is not perfect.

For years, I have pushed the administration and Congress to support the publication of an annual report on the number of combatants and noncombatants killed in lethal strikes. Despite our best efforts to ensure to a near certainty that no civilians will be killed or injured, sometimes strikes do result in civilian casualties, and it is important that we acknowledge these accidents, learn from them, and be open about them. At the same time, greater transparency can help narrow the perception gap between what really happens and what is reported or sent out as propaganda.

Soon, the administration will release the first accountability report on noncombatant casualties and injuries. This is a good thing. But I also believe that there is a value and a statutory requirement to make this executive action permanent, ensuring that our commitment to transparency extends beyond the term of the current administration. This is an issue that I believe the IAA or NDAA should have addressed, and I will continue to work with my colleagues to push for this change to be codified into law.

As I said at the outset, this bill is truly bipartisan, carefully refined, and an honest effort to secure our Nation while safeguarding privacy and civil liberties. I am proud to support this year's Intelligence Authorization Act, and I urge my colleagues to do the same.

Once again, I want to thank Chairman NUNES and all of the members of HPSCI. I look forward to working with the Senate, the administration, and with all my colleagues throughout the remainder of this Congress to further improve the bill as it progresses to the President's desk.

Mr. Speaker, I reserve the balance of my time.

Mr. NUNES. Mr. Speaker, I yield 3 minutes to the gentleman from Utah (Mr. STEWART).

Mr. STEWART. Mr. Speaker, I thank the chairman for allowing me to speak in support of the Intelligence Authorization Act.

Fifteen years or so ago, I was piloting the B–1, which is one of the most sophisticated aircraft or weapons systems ever developed. At the time, I was preparing to take on the global threats that we were dealing with, but I was reminded that we live in a dangerous world and that the fundamental responsibility of the Federal Government is to protect Americans and to provide for our mutual defense.

In the many years since then, I would argue that our Nation faces even greater threats than those I faced during the times that I flew in the Air Force.

□ 1530

Russia is, again, increasing its role in Eurasia through formulating strategic partnerships, co-opting local officials, and utilizing its military to establish strongholds in ways we really haven't seen since the height of the cold war.

China has dramatically expanded its militaristic sphere in the South China Sea and in other locations.

Rogue states like Iran and North Korea continue to develop and expand their weapons of mass destruction programs.

And, of course, there is always the Middle East, a thing that we often think about and that we spend so much time worrying about, that requires so much of our resources.

It is only through the intelligence community that we are able to identify and then respond to these threats. In fact, as we all know, just yesterday we learned of a U.S. air strike that killed Mullah Mansoor, the head of the Taliban. Successful operations like this are made possible because of the great work of our intelligence community.

That is why we must pass the Intelligence Authorization Act. This bill continues to authorize critical national security programs at a time when we face the most significant threat levels since World War II.

In my travels around the world, I have this great blessing of working with members from the intelligence community. I see what they do is dangerous. It is exhausting. It is the dirty work down in the trenches, but it is critical to our national security.

That is why I ask my colleagues to join with me in supporting this important legislation.

Mr. SCHIFF. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. SWALWELL), who is one of our subcommittee ranking members.

Mr. SWALWELL of California. Mr. Speaker, I thank my esteemed colleague, the ranking member from California, for yielding the time today, and for leading and presiding on our side over this bill.

I would also like to thank the staff on both sides for their hard work on this year's Intelligence Authorization Act, or the IAA.

I also appreciate the opportunity to stand here in support of this year's bipartisan IAA. We ask a lot of our intelligence community when it comes to collaboration. When they collaborate, they best keep us safe. What we are doing today is we are sending to the floor a bill that reflects our own collaboration and shows that what we expect of them, we can also deliver to the House floor.

I am pleased that this bill promotes our national security around the globe and, in particular, our human intelligence capabilities, which still, I believe, remain at risk and could benefit from an even greater focus within the IC.

I am also pleased that the IAA includes, as a stand-alone provision, the Tracking Foreign Fighters in Terrorist Safe Havens Act that Representative LOBIONDO and I brought to the floor earlier this year, which passed the House unanimously and helps track the foreign fighter flows to and from terrorist safe havens abroad, a growing problem in today's world.

This year's IAA committee report also includes a provision I added requiring a report from the Office of the Director of National Intelligence, analyzing the status of student loan forgiveness and debt counseling programs across the IC and the viability of IC-wide programs. As student debt continues to cripple this generation, we must determine the best incentive packages available to young intelligence officers abroad and here at home in order to continue to recruit and retain the best, brightest, and most diverse to public service, regardless of their financial situation because they went to college.

I am also pleased that this bill calls for a report from the Department of Homeland Security and the Department of Energy on their current utilization of national labs expertise, and opportunities for areas of expansion. My own congressional district is home to two of these labs—Lawrence Livermore and Sandia. I have seen firsthand how they work to strengthen our national security. Just as we must train and retain the best and brightest of the IC, we must continue to leverage the great talent found in our national labs.

I encourage all of our Members to support this year's collaborative bipartisan IAA.

Mr. NUNES. Mr. Speaker, I continue to reserve the balance of my time.

Mr. SCHIFF. Mr. Speaker, I yield 2 minutes to the gentlewoman from Alabama (Ms. SEWELL), also one of our subcommittee ranking members.

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to support this year's Intelligence Authorization Act.

Our national security is truly a bipartisan issue, and this legislation is a reflection of both parties' shared commitment to the safety and security of all Americans. This bill helps provide our intelligence community with the necessary resources and capabilities to defend our Nation against ongoing and emerging threats around the world.

As a ranking member on the DOD Intelligence and Overhead Architecture Subcommittee, I am pleased that the language and direction in this bill continues to advance our capabilities on the ground and in space, and provides necessary oversight of many critical DOD, NRO, and NGA programs. Additionally, this legislation takes important steps towards enhancing thorough oversight of our surveillance capabilities while continuing to make calculated investments in critically important strategic efforts.

In the IAA, we also invest in our greatest national resource—our people. By accepting provisions that I drafted to promote diversity in the IC workforce, we are now able to provide a summer internship program to students from the existing Centers of Academic Excellence. We also now hold the IC more accountable for doing a better job of developing a matrix to assess how minority fellowship and internship programs actually achieve their desired results.

This past weekend I had the pleasure, along with Congressman ANDRÉ CARSON, to attend and be honored at the 3rd Annual African American National Security and Intelligence Leadership Summit. This annual event serves as a rare opportunity for African Americans in the IC to gain leadership insights from top national security officials. It was also a great occasion and further reaffirmed my commitment to helping ensure robust diversity throughout the entire IC.

We were also successful in this year's IAA to include bipartisan language that promotes accountability and transparency in all IC federally funded academic programs by requiring agencies to report on their recruitment and retention efforts. Increasing diversity and accountability in the IC is a good governance issue and makes all of us better because it ensures unique and creative ways of problem-solving, which is increasingly necessary as we face more complex intelligence challenges.

As a committee, I am extremely proud of the work we did. We took great pains to cut unnecessary funding while prioritizing the need to improve upon processes and promote efficiencies in the IC. The reality is that we live in a world where potential threats to our Nation are constantly developing and changing. As our military missions and intelligence objectives continue to evolve, we need an intelligence community that is diverse, agile, and adequately funded.

I am proud to support this year's Intelligence Authorization Act. I want to commend my chairman and ranking member and all of the staff for all of their hard work on this bill.

I urge my colleagues to support this critically important piece of legislation.

Mr. NUNES. Mr. Speaker, I continue to reserve the balance of my time.

Mr. SCHIFF. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. HIMES), also a subcommittee ranking member, and one of the leaders on many issues in the committee but, in particular, on privacy issues related to the Privacy and Civil Liberties Oversight Board.

Mr. HIMES. Mr. Speaker, I would like to start by thanking the chairman and the ranking member of the committee for the terrific, open, and bipartisan process that led to the adoption of this bill in committee, and urge my colleagues here in this room to support it.

I would also like to add my plaudits and thanks to staff on both sides of the aisle without whom this would never have been possible.

I support this bill because, most importantly, it well funds the remarkable work of our intelligence community in all that they do against the ongoing and all-too-present threats of terrorism and all that they do in keeping us apprised and keeping our options available to address the many threats that face, or could face, this Nation coming out of places like Russia, North Korea, Iran, and plenty of other locales around the world.

At the same time, and critical for my own support, this bill is supportive of the essential activities that the intelligence community and that we must do to preserve and defend the civil liberties that are so important to us and, even more importantly, the values, the values embodied in this country that, at the end of the day, are the qualitative difference between this country and our adversaries.

Mr. Speaker, I would note, in particular, some conversation came up, as the ranking member alluded to, with respect to the President's Privacy and Civil Liberties Oversight Board. In committee, I stressed that this is one of a couple of groups that provide oversight for these terribly important activities. When you think about it, internally there are the inspector generals and the checks within the executive agency; there are a couple of dozen Members and Senators of Congress who provide some oversight; and then there is this outside group which produces opinions, which have been cited in FISA court opinions, which have been cited by the amicus that was set up as a result of the good work of this body in doing the USA Freedom Act. I will continue to say that it is an important part of the overall intelligence community.

Maintaining this balance between our national security, which is critical, and, again, those values, which are the qualitative difference that we have with our adversaries, is important. It is enshrined in this bill, and I am delighted to offer my support.

Mr. NUNES. Mr. Speaker, I continue to reserve the balance of my time.

Mr. SCHIFF. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. QUIGLEY), another one of the leaders on the committee.

Mr. QUIGLEY. Mr. Speaker, I want to join the chorus in thanking the staff on both sides of the aisle, and the ranking member and the chairman for their extraordinary work in support of the Intelligence Authorization Act. Indeed, it is something of a model for how we can work on a bipartisan basis.

This year's Intelligence Authorization Act provides funding and oversight to vital collection and analysis programs. It also provides guidance of how best to support and leverage our partners and allies, which is critical in the world of shrinking budgets and ever-increasing threats.

Specifically, I am pleased that the IAA continues to support security services in Ukraine. I have long advocated for U.S. assistance to Ukraine given the strategic relationship and shared value between our two countries.

Russia remains a significant threat to its neighbors and to the U.S. Bolstering our partners in Eastern Europe is one key way to check Russia's increasing adventurism.

Looking ahead, we must stay focused on this threat and continue to focus on our national security programs at home. We cannot simply allow ourselves to get lulled into a false sense of security simply because of lack of information about specific threats against soft targets like stadiums and airports.

Since 9/11, we have made significant and important enhancements to U.S. intelligence capabilities, but that was 15 years ago. We must continuously reassess our risks and take appropriate steps to stop terrorist attacks before they occur.

Mr. NUNES. Mr. Speaker, I continue to reserve the balance of my time.

Mr. SCHIFF. Mr. Speaker, I yield myself such time as I may consume.

In closing, to describe the world as dangerous is not an overstatement or a political statement—it is a reality.

Thankfully, we have the world's most talented, capable, and committed intelligence community to warn and defend us. From leaders like Director Clapper, who has served this Nation exceptionally for more than 5 decades, to those men and women just beginning their careers in intelligence; from case officers to analysts; support and logistics personnel to inspectors general; from acquisition professionals to lawyers; seismologists to cryptologists; from mathematicians to linguists; particle physicists to special forces; to all in the IC: You have our most sincere thanks and admiration.

I again thank Chairman NUNES, for his leadership, his hard work, and his commitment to bipartisanship.

To my majority and minority colleagues, I thank you for your unwavering commitment to conduct rigorous and continuous oversight of the IC that helps protect our country as well as our privacy and civil liberties.

And I thank our excellent committee staff, including on the Democratic side, Carly Blake, Linda Cohen, Bob Minehart, Amanda Rogers Thorpe, Wells Bennett, Rheanne Wirkkala, Thomas Eager, as well as our shared staff, Kristin Jepson, Brandon Smith, and Kevin Klein. I also want to thank my staff director, Michael Bahar, deputy staff director, Tim Bergreen, and Patrick Boland.

I urge my colleagues to support this critically important bipartisan bill, and I look forward to improving it further on its way to becoming law.

Mr. Speaker, I yield back the balance of my time.

Mr. NUNES. Mr. Speaker, I yield myself such time as I may consume.

In closing, I want to thank all of the members of our committee, and, again, thank the staff from both the minority and the majority side.

As Mr. QUIGLEY said, it would not be possible if it wasn't for the strong Member involvement and engagement that makes a bipartisan work product like this, gives it the ability to come to the House floor, and to be passed overwhelmingly on a bipartisan basis. So I want to thank all of the members on my committee from both sides for their active participation. As the ranking member said, we will continue to try to make this product better; we will work out our differences with the Senate; and hopefully by the end of the year, we will have a product that we can all be proud of.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. NUNES) that the House suspend the rules and pass the bill, H.R. 5077, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SCHIFF. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

□ 1545

S.A.F.E. MORTGAGE LICENSING ACT OF 2008 AMENDMENT

Mr. LUETKEMEYER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2121) to amend the S.A.F.E. Mortgage Licensing Act of 2008 to provide a temporary license for loan originators transitioning between employers, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2121

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ELIMINATING BARRIERS TO JOBS FOR LOAN ORIGINATORS.

(a) IN GENERAL.—The S.A.F.E. Mortgage Licensing Act of 2008 (12 U.S.C. 5101 et seq.) is amended by adding at the end the following:

''SEC. 1518. EMPLOYMENT TRANSITION OF LOAN ORIGINATORS.

''(a) TEMPORARY AUTHORITY TO ORIGINATE LOANS FOR LOAN ORIGINATORS MOVING FROM A DEPOSITORY INSTITUTION TO A NON-DEPOSITORY INSTITUTION.—

''(1) IN GENERAL.—Upon employment by a State-licensed mortgage company, an individual who is a registered loan originator shall be deemed to have temporary authority to act as a loan originator in an application State for the period described in paragraph (2) if the individual—

''(A) has not had an application for a loan originator license denied, or had such a license revoked or suspended in any governmental jurisdiction;

''(B) has not been subject to or served with a cease and desist order in any governmental jurisdiction or as described in section 1514(c);

''(C) has not been convicted of a felony that would preclude licensure under the law of the application State;

''(D) has submitted an application to be a State-licensed loan originator in the application State; and

''(E) was registered in the Nationwide Mortgage Licensing System and Registry as a loan originator during the 12-month period preceding the date of submission of the information required under section 1505(a).

''(2) PERIOD.—The period described in paragraph (1) shall begin on the date that the individual submits the information required under section 1505(a) and shall end on the earliest of—

''(A) the date that the individual withdraws the application to be a State-licensed loan originator in the application State;

''(B) the date that the application State denies, or issues a notice of intent to deny, the application;

''(C) the date that the application State grants a State license; or

''(D) the date that is 120 days after the date on which the individual submits the application, if the application is listed on the Nationwide Mortgage Licensing System and Registry as incomplete.

''(b) TEMPORARY AUTHORITY TO ORIGINATE LOANS FOR STATE-LICENSED LOAN ORIGINATORS MOVING INTERSTATE.—

''(1) IN GENERAL.—A State-licensed loan originator shall be deemed to have temporary authority to act as a loan originator in an application State for the period described in paragraph (2) if the State-licensed loan originator—

''(A) meets the requirements of subparagraphs (A), (B), (C), and (D) of subsection (a)(1);

''(B) is employed by a State-licensed mortgage company in the application State; and

''(C) was licensed in a State that is not the application State during the 30-day period preceding the date of submission of the information required under section 1505(a) in connection with the application submitted to the application State.

''(2) PERIOD.—The period described in paragraph (1) shall begin on the date that the State-licensed loan originator submits the information required under section 1505(a) in connection with the application submitted to the application State and end on the earliest of—

''(A) the date that the State-licensed loan originator withdraws the application to be a State-licensed loan originator in the application State;

''(B) the date that the application State denies, or issues a notice of intent to deny, the application;

''(C) the date that the application State grants a State license; or

''(D) the date that is 120 days after the date on which the State-licensed loan originator submits the application, if the application is listed on the Nationwide Mortgage Licensing System and Registry as incomplete.

''(c) APPLICABILITY.—

''(1) Any person employing an individual who is deemed to have temporary authority to act as a loan originator in an application State pursuant to this section shall be subject to the requirements of this title and to applicable State law to the same extent as if such individual was a State-licensed loan originator licensed by the application State.

''(2) Any individual who is deemed to have temporary authority to act as a loan originator in an application State pursuant to this section and who engages in residential mortgage loan origination activities shall be subject to the requirements of this title and to applicable State law to the same extent as if such individual was a State-licensed loan originator licensed by the application State.

''(d) DEFINITIONS.—In this section, the following definitions shall apply:

''(1) STATE-LICENSED MORTGAGE COMPANY.—The term 'State-licensed mortgage company' means an entity licensed or registered under the law of any State to engage in residential mortgage loan origination and processing activities.

''(2) APPLICATION STATE.—The term 'application State' means a State in which a registered loan originator or a State-licensed loan originator seeks to be licensed.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in section 1(b) of the Housing and Economic Recovery Act of 2008 (42 U.S.C. 4501 note) is amended by inserting after the item relating to section 1517 the following:

''Sec. 1518. Employment transition of loan originators.''.

SEC. 2. AMENDMENT TO CIVIL LIABILITY OF THE BUREAU AND OTHER OFFICIALS.

Section 1513 of the S.A.F.E. Mortgage Licensing Act of 2008 (12 U.S.C. 5112) is amended by striking ''are loan originators or are applying for licensing or registration as loan originators'' and inserting ''are applying for licensing or registration using the Nationwide Mortgage Licensing System and Registry''.

SEC. 3. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect on the date that is 18 months after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. LUETKEMEYER) and the gentlewoman from Alabama (Ms. SEWELL) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. LUETKEMEYER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. LUETKEMEYER. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 2121, the S.A.F.E. Transitional Licensing Act of 2015, introduced by the gentleman from Ohio. (Mr. STIVERS).

H.R. 2121 would establish that a mortgage loan originator who is employed by a federally insured depository institution and who leaves to join a State-licensed mortgage company would have temporary authority to originate mortgages. The bill stipulates that, in order to qualify for this transitional license, the individual must have filed an application with the State to be a licensed loan originator.

More simply, this bill allows flexibility to workers who are looking to make a career change. This bill does not allow for unregulated, unlicensed mortgage originators to have a free pass.

The S.A.F.E. Transitional Licensing Act makes clear that the temporary license—good for a maximum of 120 days—can apply only to a registered loan originator.

Further, H.R. 2121 stipulates that the originator must be registered with the Nationwide Mortgage Licensing System, or NMLS, and be employed by a licensed and supervised mortgage lender, banker, or servicer.

H.R. 2121 includes other safeguards that are important to point out. The bill makes clear that the temporary authority would automatically expire should the originator withdraw his or her application or if the State denies the application.

This is a highly bipartisan bill that will ensure workers who originate mortgages at depository institutions are able to move to non-depository institutions with a minimal amount of work disruption.

At the end of the day, this bill is about jobs. It is about streamlining the government processes to make sure that people can continue to put food on the table. Folks shouldn't be prevented from working for months at a time simply because they want to change jobs or employers. Our regulatory structure should foster not only consumer protection, but job growth and efficient marketplaces. The current licensing requirements do the exact opposite.

I thank the gentleman from Ohio for his hard work on this legislation. I ask my colleagues to join me in supporting this commonsense, employee-friendly bill.

Mr. Speaker, I reserve the balance of my time.

Ms. SEWELL of Alabama. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 2121, the S.A.F.E. Transitional Licensing Act of 2015.

I am proud to serve as an original Democratic cosponsor of this commonsense, yet critically important, legislation. I also applaud my colleagues, led by Representative STIVERS, for working in a bipartisan way to draft this legislation that we are considering here today.

Homeownership continues to be and remains a dream for millions of Americans across the country. This legislation is an important step towards helping to ensure that this dream becomes a reality. H.R. 2121 helps to facilitate a loan originator's job mobility while ensuring that State regulators continue to have the ability to protect consumers and the marketplace.

This legislation offers a narrowly tailored and pragmatic solution that provides a transitional authority to originate mortgages for individuals who move from a federally insured institution to a nonbank lender. During this transition, these individuals will also work to meet the S.A.F.E. Act's licensing and testing requirements.

Over the past several years, State regulators, key industry stakeholders, and Members of Congress have been engaged in an extensive dialogue on ways to eliminate job barriers for loan originators as well as to help to promote homeownership for qualified buyers.

I am committed to continuing to ensure that our housing finance and mortgage system continues to deliver fair, sustainable, and responsible financing to meet the ever-changing needs of homeownership.

H.R. 2121 is truly a reflection of what can be achieved when we all work together towards a unified and shared goal. I urge my colleagues to support this critically important piece of legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, I yield 3½ minutes to the gentleman from Ohio (Mr. STIVERS), a distinguished member of the Financial Services Committee.

Mr. STIVERS. Mr. Speaker, I thank the gentleman for yielding me time, and I thank him for all of the work that he has done as the chair of the subcommittee.

It is work that is making a difference as it allows people to get access to their own versions of the American Dream. This is a piece of that, as the Representative told you. I thank Representative SEWELL and Representative BEATTY for all of their hard work.

Mr. Speaker, this is a bipartisan bill. This is a commonsense bill. This is a jobs bill. This was a unanimous bill in the Financial Services Committee. It passed 56–0 on March 2, and I am so proud of that.

The S.A.F.E. Act passed in 2008 as part of the Housing and Economic Recovery Act, and it created two different sets of requirements for qualifications on mortgage loan originators, depending on whether they worked for a State-licensed nondepository or a federally regulated depository.

The problem with that is it kept people captive working for the same kind

of company that they worked for yesterday. If they try to change between the two, they don't have a license and they can't help people achieve their versions of the American Dream, of owning a home.

This will allow people to be more mobile in moving between depository and nondepository institutions. It is a jobs issue for that very reason. It will help make sure that the workforce can go where the jobs are and that they can help people get loans to own a home. We all believe in homeownership, and this is a small way we can be for it today.

Representatives SEWELL and BEATTY worked very hard with me with industry stakeholders and with State regulators in getting the bill that we have today, which, as I said, passed unanimously out of the Financial Services Committee.

H.R. 2121, as amended, would foster an efficient marketplace of competition between banks and nonbanks and allow mortgage loan originators to help all Americans achieve homeownership. It would provide them with a transitional authority if you move from a depository to a nondepository or the other way around.

Under the proposal, an individual who is employed by a financial institution that has been a registered loan originator under the S.A.F.E. Act for the preceding 12 months can originate loans after submitting a background check and credit information to his State regulator until the application is either approved, denied, withdrawn, or even if it is just deemed incomplete.

At that point, the transitional authority ceases, so he has to submit a full application. Once he does that, he gets a chance to continue to work under this transitional period.

Again, this is a jobs issue. It will help people move between the two types of institutions, which most Americans don't think about. They just want to make sure they get a mortgage. That is what we need to make sure we facilitate here with commonsense rules.

Sadly, some States have had transitional license authority, but the CFPB does not allow them now to exercise that authority. That is why this bill is necessary. I am really glad that we can allow for that now to make sure that all Americans can get access to homeownership.

I thank Representative SEWELL, Representative BEATTY, all of the members of the House Financial Services Committee, the gentleman from Missouri for his leadership, the gentleman from Texas—the chair of the full committee—for his leadership, and the ranking member of the committee, the gentlewoman from California.

This is indeed a unanimous bill. I urge my colleagues to support it.

Mr. LUETKEMEYER. Mr. Speaker, again, I thank the sponsor of the bill, the gentleman from Ohio (Mr. STIVERS), as well as Ms. SEWELL and Mrs. BEATTY from the other side for their fine work and their support. I appreciate all of the work that was done.

Mr. Speaker, I yield back the balance of my time.

Mrs. BEATTY. Mr. Speaker, I rise today to express support for the SAFE Transitional Licensing Act, H.R. 2121 introduced by my good friend from Ohio, Mr. STIVERS. This bipartisan bill provides much needed, common-sense regulatory relief for mortgage loan originators that levels the playing field, creates job mobility and allows independent mortgage lenders to recruit a talented workforce.

The SAFE Transitional Licensing Act requires states to provide a temporary, transitional license for registered loan originators that move from a financial institution to a state-licensed non-bank originator or move interstate to a state-licensed loan originator. These individuals will be allowed to continue to work and originate loans in their new capacity for up to 120 days, while seeking the appropriate state licenses. This bill addresses the unintended consequences of some of the provisions in the Secure and Fair Enforcement for Mortgage Licensing Act of 2008, which created difficulties when a mortgage loan officer decided to switch jobs from a bank to a nonbank lender, or when a mortgage loan officer decided to move across state lines.

Under current law, mortgage loan originators are required to wait until they receive their new licenses before they can originate loans. Often times, mortgage loan originators are forced to wait weeks, even months, before their new licenses are approved. This unfairly inhibits job mobility for mortgage loan originators and puts independent mortgage lenders at a disadvantage in recruiting talented staff. The SAFE Transitional Licensing Act amends the SAFE Mortgage Licensing Act to give relief to loan officers, while also allowing state regulators the authority to continue to keep bad actors out of the industry and enforce applicable state laws.

The State of Ohio was the first state to enact a transitional license for out-of-state licensed mortgage loan originators. Now, it is time for Congress to follow Ohio's lead and provide regulatory relief that levels the playing field, creates job mobility and allows independent mortgage lenders to recruit a talented workforce. I urge my colleagues to vote "Yes" for this common-sense piece of legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill, H.R. 2121, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

FOSTERING INNOVATION ACT OF 2015

Mr. LUETKEMEYER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4139) to amend the Sarbanes-Oxley Act of 2002 to provide a temporary exemption for low-revenue issuers from certain auditor attestation requirements.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4139

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Fostering Innovation Act of 2015''.

SEC. 2. TEMPORARY EXEMPTION FOR LOW-REVENUE ISSUERS.

Section 404 of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7262) is amended by adding at the end the following:

''(d) TEMPORARY EXEMPTION FOR LOW-REVENUE ISSUERS.—

''(1) LOW-REVENUE EXEMPTION.—Subsection (b) shall not apply with respect to an audit report prepared for an issuer that—

''(A) ceased to be an emerging growth company on the last day of the fiscal year of the issuer following the fifth anniversary of the date of the first sale of common equity securities of the issuer pursuant to an effective registration statement under the Securities Act of 1933;

''(B) had average annual gross revenues of less than $50,000,000 as of its most recently completed fiscal year; and

''(C) is not a large accelerated filer.

''(2) EXPIRATION OF TEMPORARY EXEMPTION.—An issuer ceases to be eligible for the exemption described under paragraph (1) at the earliest of—

''(A) the last day of the fiscal year of the issuer following the tenth anniversary of the date of the first sale of common equity securities of the issuer pursuant to an effective registration statement under the Securities Act of 1933;

''(B) the last day of the fiscal year of the issuer during which the average annual gross revenues of the issuer exceed $50,000,000; or

''(C) the date on which the issuer becomes a large accelerated filer.

''(3) DEFINITIONS.—For purposes of this subsection:

''(A) AVERAGE ANNUAL GROSS REVENUES.—The term 'average annual gross revenues' means the total gross revenues of an issuer over its most recently completed three fiscal years divided by three.

''(B) EMERGING GROWTH COMPANY.—The term 'emerging growth company' has the meaning given such term under section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c).

''(C) LARGE ACCELERATED FILER.—The term 'large accelerated filer' has the meaning given that term under section 240.12b–2 of title 17, Code of Federal Regulations, or any successor thereto.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. LUETKEMEYER) and the gentlewoman from Alabama (Ms. SEWELL) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. LUETKEMEYER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. LUETKEMEYER. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 4139, the Fostering Innovation Act, introduced by the gentlewoman from Arizona (Ms. SINEMA) and the gentleman from Pennsylvania (Mr. FITZPATRICK).

H.R. 4139 extends a narrow exemption to comply with section 404(b) of the Sarbanes-Oxley Act for emerging growth companies that would otherwise lose their exempt status at the end of a 5-year period allowed under current law.

As such, H.R. 4139 is consistent with the bipartisan aims of the JOBS Act to eliminate the one-size-fits-all regulatory structure for public companies.

Under Sarbanes-Oxley, or SOX, section 404(b) requires an independent and external assessment of a public company's internal controls over financial reporting.

While important, this translates into significant legal and compliance costs, driving up an entity's accounting and auditing expenses. In fact, the costs to comply with section 404(b) have far exceeded the original estimates done by the SEC, and even a 2011 SEC study found that the average costs for companies can exceed $1 million annually.

This burden disproportionately impacts small and emerging growth companies, such as biotech firms that are engaging in lifesaving research and development. My home State of Missouri alone has over 1,300 biotech companies that employ over 28,000 people who conduct groundbreaking research.

Section 404(b)'s costs divert the resources of emerging growth companies to regulatory compliance costs, which harms the ability of those firms to compete in the global marketplace and to even invest in creating lifesaving treatments and technologies.

Brian Hahn, the chief financial officer of GlycoMimetics, which is a small, public biotech company, testified at a subcommittee hearing on H.R. 4139 on December 2, 2015, that section 404(b) ''provides little-to-no insight into the health of an emerging biotech company—but is extremely costly for a pre-revenue innovator to comply with.''

□ 1600

Recognizing these issues, the JOBS Act created an exemption to these external control attestation requirements, which allows small companies to focus on growing their business, going public, and still comply with SOx's other provisions. Nevertheless, the smallest of public companies still struggle to comply with the significant costs stemming from SOx section 404(b).

Despite claims to the contrary, H.R. 4139 is narrowly tailored to provide regulatory relief to the smallest of public companies, those with less than $50 million in annual revenue. This legislation provides those companies with an additional on-ramp for section 404(b) compliance. As Mr. Hahn further testified in the Financial Services Committee: ''Legislation like the Fostering Innovation Act will ensure that growing companies have the opportunity to be successful on the public market without being forced to siphon off innovation capital to spend on costly compliance burdens that do not inform emerging biotech investors.''

I thank Ms. SINEMA and Mr. FITZPATRICK for their diligent work on the bill, which passed the Financial Services Committee by a broad bipartisan vote.

I encourage my colleagues to provide this badly needed regulatory relief to our Nation's small innovative companies and join me in supporting H.R. 4139.

Mr. Speaker, I reserve the balance of my time.

Ms. SEWELL of Alabama. Mr. Speaker, I yield myself such time as I may consume.

Today I rise in opposition to H.R. 4139, the Fostering Innovation Act. This bill permits certain public companies that would be valued at more than half a billion dollars to avoid an independent audit required by the Sarbanes-Oxley Act of 2002 for up to a decade.

While I support legislation that would enable emerging growth companies to use valuable resources to remain competitive, stable, and, ultimately, successful, I believe that this bill, as currently drafted, is overly broad and would potentially undermine critical investor protections and impede confidence in our capital markets.

Ultimately, these auditor reports on public companies provide substantial benefits to investors and to companies. They promote confidence in the U.S. markets, strengthen internal controls, and, ultimately, prevent fraud.

I urge my colleagues to oppose this legislation.

I reserve the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, I yield 3½ minutes to the gentleman from Pennsylvania (Mr. FITZPATRICK), who is a distinguished member of the Financial Services Committee and chairs the Task Force to Investigate Terrorism Financing.

Mr. FITZPATRICK. Mr. Speaker, I thank Chairman LUETKEMEYER for yielding time to highlight the importance of this bipartisan legislation to assist the innovators and the job creators who drive our economy and are those who continue to position the United States as a global leader in research and a global leader in development.

Mr. Speaker, during a previous Congress, the Financial Services Committee heard testimony from one of my constituents, the CEO of a Philadelphia-based pharmaceutical and biotechnology firm which, at the time, employed around 55 individuals. For this firm and for many emerging growth companies focused on groundbreaking technologies, it could take more than a decade to see a profit; but because of top-line numbers, these companies are required to comply with costly regulations meant to ensure that the largest corporations are playing by the rules.

While Congress has made some efforts to reduce some of these regulatory burdens in the past, like the JOBS Act of 2012, it created an effective yet one-size-fits-all approach to exempt certain companies for up to 5 years from section 404(b) of Sarbanes-Oxley, which, of course, as we heard, requires the hiring of an external auditor in some cases. Unfortunately, a small group of companies remain unprofitable even after this period of time.

This bipartisan Fostering Innovation Act works to address this shortcoming by providing targeted relief from these costly regulations and requirements, allowing our American firms to focus on what they do best: innovation, breakthroughs, and curing diseases. By extending the waiver period for smaller companies that meet specific requirements, Washington gets out of the way and allows these firms to better compete in critical research and development in an increasingly globalized and competitive world. That is it.

I want to applaud Chairman HENSARLING and the rest of the committee, especially my colleagues, Ms. SINEMA of Arizona, who is the bill's sponsor, and Representative DELANEY. We came together to find bipartisan solutions that address regulatory burdens for our emerging growth companies, and it is my hope that, with this spirit of cooperation, we will be able to find new issues to tackle and continue to show the American people that this House can govern and foster an economy that works for everyone.

I urge my colleagues to support this measure.

Ms. SEWELL of Alabama. Mr. Speaker, I include in the RECORD letters of opposition from Americans for Financial Reform, Public Citizen, and the SEC Investor Advocate.

AMERICANS FOR FINANCIAL REFORM,
Washington, DC, May 23, 2016.

DEAR REPRESENTATIVE: On behalf of Americans for Financial Reform, we are writing to reiterate our opposition to H.R. 4139, the ''Fostering Innovation Act''

This legislation would double the length of the existing exemption from compliance with Sarbanes Oxley Section 404(b) for ''emerging growth companies'', from five years to ten years. The exemption granted in H.R. 4139 applies to companies with $50 million or less in annual gross revenues.

Section 404(b) of Sarbanes-Oxley requires the auditor of a public company to attest to the accuracy of the company's financial reporting. This requirement was passed in response to the accounting scandals of the late 1990s, which revealed widespread deception and fraud in financial reporting. More recent research by the GAO has found that companies exempted from auditor attestation requirements have a higher frequency of accounting restatements, indicating that the financial reporting at such companies is deficient. Such accounting restatements are harmful both to investors and to the companies themselves, by virtue of making it harder to raise capital.

We believe that the five year exemption provided for in the JOBS Act is already ample time for a publicly held company with tens of millions of dollars in revenue to develop the capacity to provide fully reliable and accurate financial statements. Ten years is an excessively long exemption. This is especially true given the significance to the public and the financial markets of accurate financial reporting. Congress should reject H.R. 4139.

Thank you for your consideration.

Sincerely,

AMERICANS FOR FINANCIAL REFORM.

Following are the Partners of Americans for Financial Reform—All the organizations support the overall principles of AFR and are working for an accountable, fair and secure financial system. Not all of these organizations work on all of the issues covered by the coalition or have signed on to every statement.

AARP, A New Way Forward, AFL-CIO, AFSCME, Alliance For Justice, American Income Life Insurance, American Sustainable Business Council, Americans for Democratic Action, Inc, Americans United for Change, Campaign for America's Future, Campaign Money, Center for Digital Democracy, Center for Economic and Policy Research, Center for Economic Progress, Center for Media and Democracy, Center for Responsible Lending, Center for Justice and Democracy, Center of Concern, Center for Effective Government, Change to Win, Clean Yield Asset Management, Coastal Enterprises Inc., Color of Change, Common Cause, Communications Workers of America, Community Development Transportation Lending Services, Consumer Action, Consumer Association Council, Consumers for Auto Safety and Reliability, Consumer Federation of America, Consumer Watchdog, Consumers Union, Corporation for Enterprise Development, CREDO Mobile, CTW Investment Group, Demos, Economic Policy Institute, Essential Action.

Green America, Greenlining Institute, Good Business International, Government Accountability Project, HNMA Funding Company, Home Actions, Housing Counseling Services, Home Defenders League, Information Press, Institute for Agriculture and Trade Policy, Institute for Global Communications, Institute for Policy Studies: Global Economy Project, International Brotherhood of Teamsters, Institute of Women's Policy Research, Krull & Company, Laborers' International Union of North America, Lawyers' Committee for Civil Rights Under Law, Main Street Alliance, Move On, NAACP, NASCAT, National Association of Consumer Advocates, National Association of Neighborhoods, National Community Reinvestment Coalition, National Consumer Law Center (on behalf of its low-income clients), National Consumers League, National Council of La Raza, National Council of Women's Organizations, National Fair Housing Alliance, National Federation of Community Development Credit Unions, National Housing Resource Center, National Housing Trust, National Housing Trust Community Development Fund, National NeighborWorks Association, National Nurses United, National People's Action, National Urban League, Next Step, OpenTheGovemment.org, Opportunity Finance Network, Partners for the Common Good, PICO National Network, Progress Now Action, Progressive States Network.

Poverty and Race Research Action Council, Public Citizen, Sargent Shriver Center on Poverty Law, SEIU, State Voices, Taxpayer's for Common Sense, The Association for Housing and Neighborhood Development, The Fuel Savers Club, The Leadership Conference on Civil and Human Rights, The Seminal, TICAS, U.S. Public Interest Research Group, UNITE HERE, United Food and Commercial Workers, United States Student Association, USAction, Veris Wealth Partners, Western States Center, We the People Now, Woodstock Institute, World Privacy Forum, UNET, Union Plus, Unitarian Universalist for a Just Economic Community.

LIST OF STATE AND LOCAL PARTNERS

Alaska PIRG, Arizona PIRG, Arizona Advocacy Network, Arizonans For Responsible Lending, Association for Neighborhood and Housing Development, NY, Audubon Partnership for Economic Development LDC, New York, NY, BAC Funding Consortium Inc., Miami, FL, Beech Capital Venture Corporation, Philadelphia, PA, California PIRG, California Reinvestment Coalition, Century Housing Corporation, Culver City, CA, CHANGER, NY, Chautauqua Home Rehabilitation and Improvement Corporation (NY), Chicago Community Loan Fund, Chicago, IL, Chicago Community Ventures, Chicago, IL, Chicago Consumer Coalition, Citizen Potawatomi CDC, Shawnee, OK.

Colorado PIRG, Coalition on Homeless Housing in Ohio, Community Capital Fund, Bridgeport, CT, Community Capital of Maryland, Baltimore, MD, Community Development Financial Institution of the Tohono O'odham Nation, Sells, AZ, Community Redevelopment Loan and Investment Fund, Atlanta, GA, Community Reinvestment Association of North Carolina, Community Resource Group, Fayetteville A, Connecticut PIRG, Consumer Assistance Council, Cooper Square Committee (NYC), Cooperative Fund of New England, Wilmington, NC, Corporacion de Desarrollo Economico de Ceiba, Ceiba, PR, Delta Foundation, Inc., Greenville, MS, Economic Opportunity Fund (EOF), Philadelphia, PA, Empire Justice Center, NY, Empowering and Strengthening Ohio's People (ESOP), Cleveland, OH, Enterprises, Inc., Berea, KY, Fair Housing Contact Service, OH, Federation of Appalachian Housing, Fitness and Praise Youth Development, Inc., Baton Rouge, LA, Florida Consumer Action Network, Florida PIRG, Funding Partners for Housing Solutions, Ft. Collins, CO, Georgia PIRG, Grow Iowa Foundation, Greenfield, IA, Homewise, Inc., Santa Fe, NM, Idaho Nevada CDFI, Pocatello, ID, Idaho Chapter, National Association of Social Workers, Illinois PIRG, Impact Capital, Seattle, WA, Indiana PIRG, Iowa PIRG, Iowa Citizens for Community Improvement, JobStart Chautauqua, Inc., Mayville, NY, La Casa Federal Credit Union, Newark, NJ, Low Income Investment Fund, San Francisco, CA, Long Island Housing Services, NY, MaineStream Finance, Bangor, ME, Maryland PIRG, Massachusetts Consumers' Coalition, MASSPIRG, Massachusetts Fair Housing Center, Michigan PIRG.

Midland Community Development Corporation, Midland, TX, Midwest Minnesota Community Development Corporation, Detroit Lakes, MN, Mile High Community Loan Fund, Denver, CO, Missouri PIRG, Mortgage Recovery Service Center of L.A., Montana Community Development Corporation, Missoula, MT, Montana PIRG, New Economy Project, New Hampshire PIRG, New Jersey Community Capital, Trenton, NJ, New Jersey Citizen Action, New Jersey PIRG, New Mexico PIRG, New York PIRG, New York City Aids Housing Network, New Yorkers for Responsible Lending, NOAH Community Development Fund, Inc., Boston, MA, Nonprofit Finance Fund, New York, NY, Nonprofits Assistance Fund, Minneapolis, MN, North Carolina PIRG, Northside Community Development Fund, Pittsburgh, PA, Ohio Capital Corporation for Housing, Columbus, OH, Ohio PIRG, OligarchyUSA Oregon State PIRG, Our Oregon.

PennPIRG, Piedmont Housing Alliance, Charlottesville, VA, Michigan PIRG, Rocky Mountain Peace and Justice Center, CO, Rhode Island PIRG, Rural Community Assistance Corporation, West Sacramento, CA, Rural Organizing Project, OR, San Francisco Municipal Transportation Authority, Seattle Economic Development Fund, Community Capital Development, TexPIRG, The Fair Housing Council of Central New York, The Loan Fund, Albuquerque, NM, Third Reconstruction Institute, NC, Vermont PIRG, Village Capital Corporation, Cleveland, OH, Virginia Citizens Consumer Council, Virginia Poverty Law Center, War on Poverty—Florida, WashP1RG, Westchester Residential Opportunities Inc., Wigamig Owners Loan Fund, Inc., Lac du Flambeau, WI, WISPIRG.

SMALL BUSINESSES

Blu, Bowden-Gill Environmental, Community MedPAC, Diversified Environmental Planning, Hayden & Craig, PLLC, Mid City Animal Hospital, Phoenix, AZ, UNET.

PUBLICCITIZEN,

Washington, DC, May 23, 2016.

Re Vote NO on H.R. 4139 Fostering Innovation Act of 2015.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR HONORABLE MEMBER: On behalf of more than 400,000 members and supporters of Public Citizen, we ask to you to vote no on H.R. 4139 Fostering Innovation Act of 2015. This bill would allow certain firms with up to $50 million in revenue and $700 million in capital floats to escape critical scrutiny in audits by doubling the length of their exemption from the requirements set forth in 404(b) of the SarbanesOxley law.

A firm where investors have trusted $700 million should be willing to be scrutinized under a Section 404(b) audit. A firm that does not want to withstand such scrutiny is the very firm that likely needs such scrutiny to ensure its financial reporting is not being doctored.

Already the Dodd-Frank Wall Street Reform and Consumer Protection Act provides relief for smaller companies from the audit requirements of Sarbanes-Oxley. Capital markets thrive when companies are held to reasonable standards. That works both for investors as well as entrepreneurs who hope to avail themselves of the capital markets. Extending firms' exemptions from necessary oversight will only lead to less compliance with standards, and more risk.

For questions, please contact Bartlett Naylor, financial policy advocate, at bnaylor@citizen.org.

Sincerely,

PUBLIC CITIZEN.

UNITED STATES SECURITIES AND EXCHANGE COMMISSION,
Washington, DC, May 23, 2016.

Hon. PAUL RYAN,
Speaker of the House, House of Representatives, Washington, DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives, Washington, DC.

DEAR SPEAKER RYAN AND MINORITY LEADER PELOSI: H.R. 4139, cited as the ''Fostering Innovation Act of 2015,'' is ill-advised, and I urge Members of Congress to vote against it. The bill would allow smaller public companies to avoid the auditor attestation requirement of the Sarbanes-Oxley Act for up to 10 years following an initial public offering.

In a small company, as in a large one, it is management's job to maintain a system of internal controls to help ensure that the financial statements are reliable. A key reform of the Sarbanes-Oxley Act, which followed on the heels of the Enron implosion and other accounting scandals that wreaked havoc on American investors, was to require that a company's auditor attest to management's assessment of the effectiveness of its internal control over financial reporting. This ''second set of eyes'' helps to identify potential risks of material misstatements and is designed to prevent or detect fraud. Unfortunately, H.R. 4139 would chip away further at the requirement for a second set of eyes, even though auditor attestation enhances reliability of financial reporting for investors, which has been shown to reduce the cost of capital for businesses.

Credible empirical research has established that both investors and companies benefit from having auditors attest to the effectiveness of internal controls. For example, institutional investors rely on the auditor's opinion. Auditor testing uncovers more deficiencies than does management's assessment alone. Moreover, there is a positive correlation between a material weakness in internal control and the future revelation of fraud. Indeed, companies with more serious control problems tend to be smaller, less mature, growing, or rapidly changing. All of this academic research is described at length in the testimony of University of Tennessee professor Joseph V. Carcello on this bill before the Subcommittee on Capital Markets and Government Sponsored Enterprises of the House Financial Services Committee. In addition, a 2011 study published by the staff of the U.S. Securities and Exchange Commission fund that companies that do not have an auditor attestation tend to have significantly more material weaknesses in their internal controls and more financial restatements.

Since the adoption of the Sarbanes-Oxley Act in 2002, several steps have already been taken to significantly reduce the burden on smaller companies from the auditor attestation requirement in Section 404(b). In 2007, for example, the SEC and the Public Company Accounting Oversight Board took steps to reduce the costs of 404(b) compliance. Later, the Dodd-Frank Act exempted approximately 60 percent of companies from this requirement, and the JOBS Act waived the requirement for emerging growth companies for up to five years. H.R. 4139 would extend this exemption for up to 10 years for certain issuers, and I believe it is a step too far.

Aside from weakening an important investor protection, H.R. 4139 further compounds the complexity of securities law reporting requirements by creating yet another category of issuers. The development of scaled reporting requirements has resulted in multiple overlapping issuer categories, each eligible for different rules, and that complexity itself adds to the cost of raising capital.

In short, the independent audit of internal controls provides important protections to investors and the companies in which they invest. It strengthens internal controls, prevents fraud, and promotes confidence in U.S. capital markets. I oppose H.R. 4139 because it would further deteriorate the benefits of Section 404, and I strongly encourage you to oppose it as well. Please call me at if you have any questions.

Sincerely,

RICK A. FLEMING,
Investor Advocate.

Ms. SEWELL of Alabama. Mr. Speaker, I yield back the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, I yield 3 minutes to the gentlewoman from Arizona (Ms. SINEMA), a distinguished member of the Financial Services Committee and a sponsor of the bill.

Ms. SINEMA. Mr. Speaker, I thank Chairman HENSARLING and Congressman FITZPATRICK for working with me on this narrow, targeted exemption to provide commonsense, regulatory relief for companies on the cutting edge of scientific and medical research.

I have heard from companies throughout my district that burdensome and unnecessary regulations continue to stifle their ability to grow and succeed. The Fostering Innovation Act allows certain emerging growth companies, including some biopharmaceutical companies, to spend valuable resources on product research and development instead of costly and unnecessary external audits.

Currently, EGCs are exempt from certain regulatory requirements for 5 years after their initial public offering. One of the requirements that EGCs are exempt from is Sarbanes-Oxley section 404(b), which requires public companies to obtain an external audit on the effectiveness of their internal controls for financial reporting. This reporting requirement is costly and unnecessary because management is still required to assess internal controls, and these EGCs, by definition, have very limited public exposure.

H.R. 4139 is a very narrow fix that temporarily extends the Sarbanes-Oxley section 404(b) exemption for an additional 5 years for a small subset of EGCs with an annual average revenue of less than $50 million and less than $700 million in public float. This will enable these EGCs to use valuable resources to remain competitive, stable, and, ultimately, successful.

In the biopharma market, making it easier and less costly means greater competition and results in potentially lower drug prices for consumers. Further, nothing in this bill prohibits an external audit if a company or a majority of its shareholders determine an audit is beneficial

I urge my colleagues to join us in helping to ensure that costly regulations don't stand in the way of success for biopharmaceutical and other companies on the cutting edge of scientific and medical research.

Mr. LUETKEMEYER. Mr. Speaker, I thank Ms. SINEMA and Mr. FITZPATRICK for their fine work on this piece of legislation, which basically is a commonsense piece of legislation to help a lot of our small, biotech companies to be able to do a better job of managing their own funds.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill, H.R. 4139.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

LOREN R. KAUFMAN VA CLINIC

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1762) to name the Department of Veterans Affairs community-based outpatient clinic in The Dalles, Oregon, as the ''Loren R. Kaufman Memorial Veterans' Clinic'', as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1762

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. NAME OF DEPARTMENT OF VETERANS AFFAIRS COMMUNITY-BASED OUTPATIENT CLINIC, THE DALLES, OREGON.

The Department of Veterans Affairs community-based outpatient clinic located at 704 Veterans Drive, The Dalles, Oregon, shall after the date of the enactment of this Act be known and designated as the ''Loren R. Kaufman VA Clinic''. Any reference to such community-based outpatient clinic in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Loren R. Kaufman VA Clinic.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentlewoman from Florida (Ms. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 1762, as amended. This legislation was sponsored by my good friend and colleague, Congressman GREG WALDEN of Oregon. It would designate the Department of Veterans Affairs community-based outpatient clinic at The Dalles, Oregon, the Loren R. Kaufman Memorial Veterans' Clinic.

Born and raised in The Dalles, Oregon, Sergeant First Class Loren Kaufman answered the call to serve by enlisting in the United States Army just 1 week after the attack on Pearl Harbor. He went on to serve in combat in both World War II and in Korea, until his death in action on the 10th of February 1951.

Following his death, Sergeant First Class Kaufman was posthumously awarded the Medal of Honor for his actions in Korea in September of 1950, when his company was attacked by an enemy battalion and his platoon was ordered to reinforce the company.

According to the U.S. Army Center of Military History, during the battle that followed, the ''dauntless courage and resolute intrepid leadership of Sergeant First Class Kaufman were directly responsible for the success of his company in regaining its positions, reflecting distinct credit upon himself and upholding the esteemed traditions of the military service.''

In recognition of that, it is entirely fitting and appropriate that Sergeant First Class Kaufman's life and service be memorialized by naming the VA community-based outpatient clinic in his hometown after him.

H.R. 1762, as amended, satisfies the committee's naming criteria. It is supported by the Oregon congressional delegation. It is supported by many veterans service organizations, including the American Legion, the Veterans of Foreign Wars, the Paralyzed Veterans of America, the Vietnam Veterans of America, and the Military Order of the Purple Heart. I understand that this bill is also supported by the Oregon County Veterans Service Officers Association and the American Red Cross.

I am grateful to Congressman WALDEN for cosponsoring H.R. 1762, as amended, to recognize a true American hero.

I would urge my colleagues to join me in supporting this bill.

I reserve the balance of my time.

Ms. BROWN of Florida. Mr. Speaker, I yield myself such time as I may consume.

I support H.R. 1762, as amended, which names the new veterans clinic in The Dalles, Oregon, in honor of Loren R. Kaufman, a soldier in the United States Army during World War II and the Korean war.

Sergeant First Class Kaufman joined the Army the week after the attack on Pearl Harbor and served in North Africa and Europe during World War II. Later, during the Korean war, he earned the Medal of Honor for his quick counterattack on enemy combatants, which so surprised the enemy that they retreated in confusion. At the age of 28 years old, while serving in Company G, 9th Infantry Regiment, the 2nd Infantry Division, Sergeant Kaufman was killed in action.

As stated in the citation for his Medal of Honor award, the leadership of Sergeant Kaufman was ''directly responsible for the success of his company in regaining its positions, reflecting distinct credit upon himself and upholding the esteemed traditions of the military service.''

Mr. Speaker, I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from the Second District of Oregon (Mr. WALDEN), the sponsor of this piece of legislation.

Mr. WALDEN. Mr. Speaker, I thank the chairman of the Veterans' Affairs Committee. He has done such an incredible job leading that committee and trying to make sure our veterans get both the recognition and the care that they have earned and so deserve. I thank the ranking member for her support of this very timely and important piece of legislation to name the VA clinic in The Dalles, Oregon, after Loren R. Kaufman.

This is actually a photo of Mr. Kaufman.

Sergeant First Class Kaufman was a true American hero, as my colleagues have said. He was born and raised in The Dalles. Sergeant Kaufman served in the Army during World War II, and he also served in the Korean war.

While in Korea, Sergeant Kaufman's company was attacked by the enemy. His platoon was 2 miles away, protecting the battalion flank, and was ordered to come and reinforce the company.

□ 1615

On their way to their new location, they came under fire. Selflessly, Sergeant Kaufman ran forward, engaged the enemy, and forced them to retreat in confusion.

Once Sergeant Kaufman's platoon rejoined their company, they found the enemy had taken commanding ground and pinned the company down in a draw. Without hesitation, Sergeant Kaufman again charged the enemy lines, firing his rifle, throwing grenades, using his bayonet, and seizing an unmanned machine gun. Because of his fast thinking and fearlessness, the enemy fled and the company regained their position.

It was for these actions and conspicuous gallantry and intrepidity above and beyond the call that Sergeant Kaufman was awarded the Medal of Honor by President Harry S. Truman. In his citation it was written, ''The dauntless courage and resolute intrepid leadership of Sergeant First Class Kaufman were directly responsible for the success of his company in regaining its positions, reflecting distinct credit upon himself and upholding the esteemed traditions of the military service.''

Tragically, though, Sergeant Kaufman received this incredible honor posthumously. He was killed in action on February 10, 1951, and was laid to rest in Willamette National Cemetery, Portland, Oregon.

I strongly agreed with our local veterans and public officials that the community should honor this native son's heroism by renaming the local VA clinic in his honor.

I want to thank the Veterans Ad Hoc Committee, Les Cochenour, the Mid-Columbia Veterans Memorial Committee, and the Wasco County Commission for their efforts to support renaming this clinic. I also want to thank the entire Oregon congressional delegation and the Committee on Veterans' Affairs for their support.

Finally, I would like to offer a special thanks to Loren Kaufman's family from The Dalles, his cousin Gerald, Gerald's wife Marilyn, and their daughter Sharon. I am proud to help honor Loren Kaufman by working to rename this clinic in his honor so he can be a continuing inspiration for the community and the country.

Ms. BROWN of Florida. Mr. Speaker, I urge my colleagues to join me in supporting H.R. 1762, as amended.

I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I again urge all Members to support this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, H.R. 1762, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: ''A bill to name the Department of Veterans Affairs community-based outpatient clinic in The Dalles, Oregon, as the 'Loren R. Kaufman VA Clinic'.''.

A motion to reconsider was laid on the table.

DANIEL L. KINNARD VA CLINIC

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 960) to designate the Department of Veterans Affairs community based outpatient clinic in Newark, Ohio, as the Daniel L. Kinnard Department of Veterans Affairs Community Based Outpatient Clinic, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 960

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

Congress finds the following:

(1) Daniel L. Kinnard was born on October 21, 1949, in Mount Vernon, Ohio.

(2) While residing in Newark, Ohio, Daniel L. Kinnard enlisted in the Army at Fort Hayes, Ohio, on November 14, 1966, and served as a Specialist Fourth Class in the 101st Airborne Division.

(3) Specialist Kinnard was awarded the National Defense Service Medal, Vietnam Service Medal, Vietnam Campaign Medal, Parachutist Badge, Sharpshooter Badge with Rifle Bar, Bronze Star for Valor, Purple Heart, Good Conduct Medal, and the Combat Medical Badge.

(4) Specialist Kinnard's citation for the Bronze Star said, ''For heroism in combat against a hostile force in the Republic of Vietnam on 17 February 1968. Specialist Four Kinnard distinguished himself while attached as a medic on a combat operation near Quang Tri, Republic of Vietnam. The point platoon made contact with enemy positions in a hedgerow and two of the point men were seriously wounded. Without hesitation, Specialist Kinnard rushed through the heavy volume of enemy fire to reach the wounded men. With complete disregard for his own personal safety, Specialist Kinnard remained exposed to enemy fire while he treated the wounded men. Once he administered first aid to the wounded, Specialist Kinnard organized their evacuation under fire. His personal bravery and devotion to duty were in keeping with the highest traditions of the military service and reflect great credit upon himself, his unit, and United States Army.''.

(5) Specialist Kinnard was killed in action on March 9, 1968, while rendering aid to his fellow paratroopers.

SEC. 2. DANIEL L. KINNARD VA CLINIC.

(a) DESIGNATION.—The Department of Veterans Affairs community-based outpatient clinic located in Newark, Ohio, shall after the date of the enactment of this Act be known and designated as the ''Daniel L. Kinnard VA Clinic''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Department of Veterans Affairs community-based outpatient clinic referred to in subsection (a) shall be deemed to be a reference to the Daniel L. Kinnard VA Clinic.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentlewoman from Florida (Ms. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise this afternoon in support of H.R. 960, as amended, which would name the Department of Veterans Affairs community-based outpatient clinic in Newark, Ohio, the Daniel L. Kinnard VA Clinic.

Specialist Fourth Class Daniel L. Kinnard was born in October of 1949 in Mount Olive, Ohio. During the Vietnam war, Specialist Kinnard served with distinction in the 101st Airborne, the famed Screaming Eagles. On March 9, 1968, he was tragically killed in action while rendering aid to his fellow paratroopers.

During the course of his service, Specialist Kinnard was awarded the Purple Heart, the National Defense Service Medal, the Vietnam Service Medal, the Parachutist Badge, the Sharpshooter Badge with Rifle Bar, the Bronze Star for Valor, the Good Conduct Medal, and the Combat Medical Badge.

Given his valiant service and his ultimate sacrifice, it is only appropriate that we gather here today to recognize him by naming the VA community-based outpatient clinic in Ohio, his home State, after him.

H.R. 960, as amended, satisfies our committee's criteria for naming bills and is supported by the Ohio congressional delegation and a number of veterans service organizations, including the AMVETS, the Veterans of Foreign Wars, the Disabled American Veterans, and the Military Order of Purple Heart.

I am grateful to the gentleman from Ohio (Mr. TIBERI), my good friend, for sponsoring this legislation. I urge all my colleagues to join me in supporting it.

Mr. Speaker, I reserve the balance of my time.

Ms. BROWN of Florida. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 960, as amended, to designate the Department of Veterans Affairs community-based outpatient clinic in Newark, Ohio, as the Daniel L. Kinnard Department of Veterans Affairs Community Based Outpatient Clinic.

Specialist Kinnard served in the Alpha Company, 1st Battalion, 502nd Infantry, the 101st Airborne Division, better known as the Screaming Eagles. As a Vietnam medic, he was awarded the Bronze Star for Valor in 1968 for dodging enemy bullets to reach two wounded men and providing first aid while remaining exposed to enemy fire.

Specialist Kinnard died at the age of 18 in March 1968 while providing care to fellow paratroopers. In addition to the Bronze Star, he was awarded numerous other medals.

Specialist Kinnard made the ultimate sacrifice while serving his country in the Vietnam war. We are grateful to Specialist Kinnard for acting with courage and dignity in looking after his brothers in combat.

I am pleased to support H.R. 960, as amended, in his memory today.

Mr. Speaker, I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I yield such time as he may consume to the gentleman from Galena, Ohio (Mr. TIBERI), the sponsor of this legislation.

Mr. TIBERI. Mr. Speaker, I want to thank Chairman MILLER and his committee members for supporting my bill, H.R. 960, to designate the VA community-based outpatient clinic in Newark, Ohio, as the Daniel L. Kinnard VA Clinic.

Born in Knox County and a resident of Newark, Specialist Daniel Kinnard served bravely as a medic in the 101st Army Airborne Division, the famed Screaming Eagles, during the Vietnam war.

On February 17, 1968, he rushed through hostile enemy fire to treat and rescue wounded soldiers. For his bravery, as was mentioned, and his heroism on that day, he was awarded the Bronze Star for Valor. Twenty-one short days later, Specialist Kinnard was killed in action rendering aid to his fellow paratroopers. He was just 18 years old.

Mr. Speaker, next Monday is Memorial Day, a time we pause to honor those who gave the ultimate sacrifice for our great Nation. Today I urge my colleagues to support H.R. 960 to honor Specialist Kinnard and those who served courageously beside him and rename this clinic in the 12th District Ohio town of Newark, Ohio.

I appreciate the leadership of our chairman and the committee's work on this.

Ms. BROWN of Florida. Mr. Speaker, I want to take this opportunity to thank all of our Vietnam veterans. When they came home from the war, we did not properly recognize them, as we should have, as a Nation. I want to say that we are very grateful for their service and their sacrifice.

When we hear that 22 veterans a day commit suicide, only three of five of them are involved in the VA, and many of them are Vietnam veterans. At this time, I think that we all should soldier up, reach out to those Vietnam veterans, let them know that we appreciate their service, and recommend that they get involved in the VA.

Mr. Speaker, I urge my colleagues to support H.R. 960, as amended.

I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I associate myself with the remarks of the gentlewoman from Florida (Ms. BROWN), my colleague, the ranking member. I urge all my colleagues to support this legislation as well.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, H.R. 960, as amended.

The question was taken; and (two-thirds being in the affirmative) the

rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: ''A bill designate the Department of Veterans Affairs community-based outpatient clinic in Newark, Ohio, as the Daniel L. Kinnard VA Clinic.''.

A motion to reconsider was laid on the table.

IMPROVING ADULT DAY HEALTH CARE SERVICES FOR VETERANS

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2460) to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2460

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PROVISION OF ADULT DAY HEALTH CARE SERVICES FOR VETERANS.

(a) IN GENERAL.—Section 1745 of title 38, United States Code, is amended—

(1) by adding at the end the following new subsection:

''(d)(1) The Secretary shall enter into an agreement under section 1720(c)(1) of this title or a contract with each State home for payment by the Secretary for adult day health care provided to a veteran who is eligible for, but does not receive, nursing home care pursuant to subsection (a).

''(2) Payment under each agreement or contract between the Secretary and a State home under paragraph (1) for each veteran who receives care under such paragraph shall be made at a rate that is equal to 65 percent of the payment that the Secretary would pay to the State home pursuant to subsection (a)(2) if the veteran received nursing home care under subsection (a) rather than under paragraph (1) of this subsection.

''(3) Payment by the Secretary under paragraph (1) to a State home for adult day health care provided to a veteran described in that paragraph constitutes payment in full to the State home for such care furnished to that veteran.''; and

(2) in the heading, by inserting ''**, adult day health care,**'' after ''**home care**''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by striking the item relating to section 1745 and inserting the following new item:

''1745. Nursing home care, adult day health care, and medications for veterans with service-connected disabilities.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentlewoman from Florida (Ms. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MILLER of Florida. I yield myself such time as I may consume.

Mr. Speaker, I do rise today in support of H.R. 2460. The bill is sponsored by the gentleman from New York (Mr. ZELDIN), a member of the Committee on Veterans' Affairs, the Subcommittee on Economic Opportunity, and the Subcommittee on Disability Assistance and Memorial Affairs. I am grateful to him for sponsoring this piece of legislation.

This bill actually directs the Department of Veterans Affairs to enter into an agreement or a contract with State veterans homes to pay for adult day health care for a veteran eligible for, but not receiving, nursing home care.

It would also stipulate that payment under each agreement or contract between the VA and a State home cover the cost of adult day care for eligible veterans at a rate equal to 65 percent of the payment that the VA would otherwise pay to the State home if the veteran were receiving nursing home care.

Adult day health care programs provide veterans in need of skilled services, case management, or assistance with activities of daily living with valuable social activities, peer support, medical monitoring, companionship, and recreation during the day and provide caregivers with needed respite.

However, according to the National Association of State Veterans Homes, veterans face barriers accessing adult health care programs each day due to costs. This bill would help address those cost concerns and increase the degree of access for veterans who are eligible for VA-paid nursing home care due to their 70 percent or higher service-connected rating.

As the veteran population ages, Mr. Speaker, it is increasingly important that the VA provide a wide variety of geriatric and long-term care services and supports, and adult day health care programs can serve as an important component of that.

I urge all of my colleagues to join me in supporting this piece of legislation.

Mr. Speaker, I reserve the balance of my time.

Ms. BROWN of Florida. Mr. Speaker, I yield myself such time as I may consume.

According to the VA, adult day health care is a program which veterans can go to during the day for social activities, peer support, companionship, and recreation.

The program is for veterans who need skilled services, case management, and help with activities of daily living. Examples include helping with bathing, dressing, fixing meals, or taking medication.

This program is also for veterans who are isolated or their caregiver is experiencing burdens. Adult day health care can be used in combination with other home and community-based services.

Health services such as care from nurses, therapists, social workers, and others may also be available. Adult day health care can provide respite care for a family caregiver and also help veterans and their caregivers gain skills to manage the veteran's care at home.

This legislation would authorize the Department of Veterans Affairs to enter into agreement with State veterans homes to provide adult health care for a veteran who is eligible for but does not receive nursing home care.

Mr. Speaker, I support this legislation and urge its passage.

I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I yield such time as he may consume to the gentleman from the First District of New York (Mr. ZELDIN), the sponsor of this piece of legislation.

□ 1630

Mr. ZELDIN. Mr. Speaker, I rise today in support of my bill, H.R. 2460, which would expand disabled veterans' access to adult day health care, a daily program for disabled veterans who need extra assistance and special attention in their day-to-day lives. Those veterans who are 70 percent or more disabled from a service-connected injury often require significant assistance from others in order to carry out basic everyday tasks.

Despite various care options for veterans, their choices are often limited and can come at a great expense. One such program that is currently available is adult day health care. This program provides disabled veterans and their families with a high-quality alternative to nursing home care, providing quality outpatient services for those suffering from debilitating illnesses or disabilities.

These programs provide a range of services from daily activities such as bathing to full medical services like physical therapy. The focus of the program is on improving disabled veterans' quality of life through an individualized plan specific to their needs while still allowing them to maintain their independence.

Adult day health care programs don't only benefit the veteran, they also benefit the family members and caregivers as well. This model allows caregivers to tend to their day-to-day activities without worrying about the well-being of their spouse, child, or friend, allowing the veteran to lead a much more fulfilling life, while keeping families together and strong.

Adult day health care, however, is only currently offered at three facilities in the entire country. My district is fortunate to have one of these facilities, the Long Island State Veterans

Home in Stony Brook, New York, but this program could easily be offered at any of the 153 State veterans homes across the country.

Since the Department of Veterans Affairs does not currently cover the cost of participation in this program, the expense must be paid out of pocket by the veteran and their family, which significantly limits the number of veterans who can enroll.

My bill, H.R. 2460, would ensure that 70 percent or more service-connected disabled veterans are able to receive adult day health care at no cost to the veteran and their family by defining the program as a reimbursable treatment option through the VA. This would expand this great option of care for our veterans.

Currently, 52 Republicans and Democrats in this Chamber have signed on as cosponsors of this bill. I would like to thank the chairman of the House Committee on Veterans' Affairs, JEFF MILLER, for his leadership as chairman of the committee and for recognizing the urgency in passing this bill. Myself, the committee, many Members of this Congress, his constituents, and this country will miss him following his service this year.

I would also like to thank House Majority Leader KEVIN MCCARTHY for having this bill placed on the calendar for today.

Ms. BROWN of Florida. Mr. Speaker, I urge my colleagues to support H.R. 2460.

I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I, too, ask all my colleagues to support this piece of legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, H.R. 2460.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FINAL FAREWELL ACT OF 2016

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3715) to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to permit interments, funerals, memorial services, and ceremonies of deceased veterans at national cemeteries and State cemeteries receiving grants from the Department of Veterans Affairs during certain weekends if requested for religious reasons, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3715

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Final Farewell Act of 2016''.

SEC. 2. AUTHORIZATION OF INTERMENTS, FUNERALS, MEMORIAL SERVICES, AND CEREMONIES AT NATIONAL CEMETERIES AND STATE CEMETERIES RECEIVING GRANTS DURING WEEKENDS.

(a) NATIONAL CEMETERIES.—Section 2404 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(i) The Secretary shall permit the interment or funeral, memorial service, or ceremony of a deceased veteran at a national cemetery during weekends, other than Federal holiday weekends, upon a request of the next-of-kin of the veteran.''.

(b) STATE CEMETERIES.—Section 2408(c) of such title is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2) In addition to the conditions specified in subsection (b) and paragraph (1), any grant to a State under this section to assist such State in establishing a veterans' cemetery shall be made on the condition that such cemetery shall permit the interment or funeral, memorial service, or ceremony of a deceased veteran at the cemetery during weekends, other than Federal holiday weekends, upon a request of the next-of-kin of the veteran.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to deaths occurring on or after the date of the enactment of this Act.

(d) NOTICE REQUIREMENT.—Upon receipt of a request for an application for burial or interment in a national cemetery, the Secretary of Veterans Affairs shall provide notice to the individual submitting the request of the opportunity to request the interment or funeral, memorial service, or ceremony of a deceased veteran at a national cemetery during weekends, other than Federal holiday weekends, as authorized by subsection (i) of section 2404 of title 38, United States Code, as added by subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentlewoman from Florida (Ms. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3715, as amended, the Final Farewell Act of 2016.

We know that it can sometimes be a challenge to take time away from work to attend a funeral or a memorial service for a loved one. This bill, which is sponsored by the ranking member of the Committee on Veterans' Affairs, Congresswoman CORRINE BROWN of Florida, would lessen that challenge for those arranging to attend the funeral service of a veteran buried in a national cemetery.

This bill would require VA, upon the request of the family of the deceased, to permit weekend funerals and memorial services. In doing so, this bill would allow more family members and friends to pay final respects to their loved ones as they are laid to rest.

Our veterans—the men and women who sacrificed so much for us—have earned the right to be treated with honor and respect after they pass on. Although I support this bill, I understand that some of the State Directors of Veterans Affairs have raised concerns with the restriction it contains on grants to State and tribal cemeteries who receive Federal grants. I look forward to working with the ranking member to address these concerns during the upcoming negotiations with the Senate.

I want to thank Ms. BROWN once again for sponsoring this legislation and bringing this very important issue to our attention. I urge all of my colleagues to support it.

Mr. Speaker, I reserve the balance of my time.

Ms. BROWN of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3715, as amended, the Final Farewell Act. This bill is of great importance to many families who traditionally hold funerals on weekends.

While the VA has the authority to provide weekend services to veterans and their families, they rarely do. This has been a particular challenge for various religions and cultures who bury their loved ones on Saturday. Furthermore, these families are forced to bear the cost of storing their loved one's remains over the weekend. However, this bill, as amended, makes weekend burials available to all veterans, regardless of their reasoning and need for a weekend burial.

This benefit for our veterans is to honor their service to our country. Their loved ones should have the opportunity to mourn their loss at a time that works for them. I thank all Members for their consideration and support for this commonsense change.

Mr. Speaker, I want to thank Chairman MILLER for his support of this important legislation, and I urge passage of this very important bill.

Mr. Speaker, I yield back the balance of my time.

Mr. MILLER of Florida. Once again, Mr. Speaker, I urge all of my colleagues to support this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules

and pass the bill, H.R. 3715, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: ''A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to permit interments, funerals, memorial services, and ceremonies of deceased veterans at national cemeteries and State cemeteries receiving grants from the Department of Veterans Affairs during certain weekends.''.

A motion to reconsider was laid on the table.

SUPPORT OUR MILITARY CAREGIVERS ACT

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3989) to amend title 38, United States Code, to improve the process for determining the eligibility of caregivers of veterans to certain benefits administered by the Secretary of Veterans Affairs, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3989

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Support Our Military Caregivers Act''.

SEC. 2. EXTERNAL CLINICAL REVIEW OF DENIED APPLICATIONS BY CAREGIVERS OF VETERANS.

(a) IN GENERAL.—Section 1720G of title 38, United States Code, is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) EXTERNAL CLINICAL REVIEW OF APPLICATIONS.—(1) Using amounts otherwise appropriated to carry out this section, an individual may elect to have an independent contractor described in paragraph (2) perform an external clinical review of any of the following:

''(A) The denial by the Secretary of an application by an individual to be a caregiver or family caregiver eligible for the program of comprehensive assistance administered by the Secretary pursuant to this section.

''(B) With respect to such an application that the Secretary has granted, a determination by the Secretary of the level or amount of personal care services that a veteran requires.

''(C) A request by a caregiver or family caregiver for a reconsideration of the level or amount of personal care services that a veteran requires based on changes to the health or abilities of the veteran occurring since the Secretary granted such an application.

''(D) The revocation by the Secretary of assistance administered by the Secretary pursuant to this section.

''(2) An independent contractor described in this paragraph is an independent contractor that—

''(A) is awarded a contract by the Secretary to carry out this section pursuant to full and open competition under the Federal Acquisition Regulation;

''(B) has no direct or indirect financial relationship with any non-Department provider of services to caregivers and family caregivers pursuant to this title;

''(C) has not otherwise conducted an external clinical review of benefits administered by the Secretary pursuant to this title other than this section;

''(D) has sufficient training and expertise in medical science and other appropriate health, educational, and vocational training and legal matters to perform the reviews described in paragraph (1); and

''(E) employs a panel of physicians or other appropriate health care professionals who do not provide health care to the individual who makes an election under paragraph (1).

''(3) Each external clinical review conducted pursuant to paragraph (1) shall—

''(A) be based on applicable information included in the application for assistance described in such paragraph, including clinical expertise, medical, technical, and scientific evidence;

''(B) include an opportunity for both the individual who elects for such review and, to the extent possible, the veteran for whom care is being provided to offer opinions and supporting data as to the level of care required; and

''(C) include a review of the initial clinical review of such veteran and any other review made by the Secretary.

''(4) In carrying out the external clinical reviews pursuant to paragraph (1), the independent contractor shall, as determined appropriate by the Secretary—

''(A) collect and maintain information required; and

''(B) share such information with the Secretary.

''(5) The Secretary shall take into account, but is not bound by, any determination made by the independent contractor pursuant to paragraph (1) in determining the final decision with respect to the application for assistance. The Secretary may make a final decision that is contrary to such a determination if the Secretary includes clinically supported documentation with the decision.

''(6) The Secretary shall ensure that each external clinical review conducted by the independent contractor pursuant to paragraph (1) is completed and the Department is notified in writing of the results of the review by not later than 120 days after the date on which the individual makes the election under such paragraph. Not later than 30 days after the delivery of the determination recommended by the independent contractors, the Secretary shall ensure that the veteran and the individual making the election under such paragraph is notified in writing of the final decision of the Secretary. In accordance with paragraph (5), such notification shall include an explanation of the recommended decision, a discussion of the facts and applicable regulations, and an explanation of the clinical rationale for the final decision.

''(7) The Secretary shall notify individuals who submit an application to be a caregiver or family caregiver eligible for the program of comprehensive assistance administered by the Secretary pursuant to this section of the ability of the individual to make an election under paragraph (1).

''(8) Nothing in this subsection may be construed to affect claims made by veterans for disability compensation under chapter 11 of this title.''.

(b) APPLICATION.—The amendments made by subsection (a) shall apply with respect to elections under subsection (d) of section 1720G of title 38, United States Code, as added by subsection (a)(2), that are for applications or revocations for assistance for caregivers and family caregivers pursuant to such section for which the Secretary of Veterans Affairs has not made a final decision as of the date of the enactment of this Act.

SEC. 3. PROCESS TO DETERMINE ELIGIBILITY FOR CAREGIVERS OF VETERANS.

(a) DIRECTIVES.—The Secretary of Veterans Affairs shall issue directives regarding the policies, procedures, and operational requirements for the Family Caregiver Program, including with respect to determining the eligibility of an individual to participate in the Family Caregiver Program.

(b) GAO REPORT.—The Comptroller General of the United States shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a report on the processes of the Secretary of Veterans Affairs with respect to—

(1) determining the eligibility of an individual to participate in the Family Caregiver Program;

(2) adjudicating appeals to such determinations; and

(3) the periodic eligibility reevaluation of an individual participating in such program and the communication of any changes as a result of such reevaluations to the veteran and caregiver.

(c) FAMILY CAREGIVER PROGRAM DEFINED.—In this section, the term ''Family Caregiver Program'' either the program of comprehensive assistance for family caregivers or the program of general caregiver support services established by section 1720G of title 38, United States Code.

SEC. 4. MODIFICATION TO LIMITATION ON AWARDS AND BONUSES.

Section 705 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 703 note) is amended to read as follows:

''SEC. 705. LIMITATION ON AWARDS AND BONUSES PAID TO EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS.

''The Secretary of Veterans Affairs shall ensure that the aggregate amount of awards and bonuses paid by the Secretary in a fiscal year under chapter 45 or 53 of title 5, United States Code, or any other awards or bonuses authorized under such title or title 38, United States Code, does not exceed the following amounts:

''(1) With respect to each of fiscal years 2017 through 2021, $230,000,000.

''(2) With respect to each of fiscal years 2022 through 2024, $360,000,000.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentlewoman from Florida (Ms. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3989, as amended, Support Our Military Caregivers Act.

Congress created the Family Caregivers Program in 2010 to support those family members and friends who put their own lives and careers on hold to care for those veterans who have been gravely wounded in service to our Nation following September 11, 2001. At the time, VA expected 3,000 family caregivers would apply for the program. However, in fiscal year 2015 alone, more than 24,000 caregivers participated in and received at least one stipend payment through the program.

Unsurprisingly, in 2014, the GAO found that staffing for the Family Caregivers Program was insufficient to meet higher-than-expected demand, and staffing shortages impeded the timeliness of the program and negatively impacted services to veterans and caregivers. This is unacceptable.

H.R. 3989, as amended, would provide a safety valve for understaffed VA caregiver support coordinators by allowing veterans and caregivers to elect to have an independent entity provide a clinical review of eligibility for the Family Caregivers Program in certain instances. VA would be required to take the external clinical review into account and to provide clinical justification if VA's ultimate decision is contrary to the findings contained in the external clinical review.

To increase transparency and ensure the program is functioning as Congress intended, it would also require VA to issue directives outlining the policies, procedures, and operational requirements for the Family Caregivers Program and would require GAO to report to Congress on VA's processes for determining eligibility for the Family Caregivers Program, adjudicating appeals for the Family Caregivers Program, and periodically reevaluating eligibility for program participants and communicating any changes that result from such reevaluation to the veteran or caregiver in question.

Finally, the bill would also limit the amount of taxpayer dollars that VA can spend on awards and bonuses to VA employees.

H.R. 3989, as amended, is sponsored by Congresswoman ELISE STEFANIK of New York, and I thank her for her hard work and advocacy in introducing this bill on behalf of our veterans and caregivers.

Mr. Speaker, I reserve the balance of my time.

Ms. BROWN of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3989, as amended. I know firsthand how difficult it is to deal with the illness of a loved one. I was blessed with the continued vibrant presence of Big Mama, my grandmother, until just a few years ago. My mother is with me now in Florida.

I want to say that the work of a caregiver is God's work. I cannot think of anything more rewarding, pleasing, tiring, exhausting or mentally draining than taking care of a family member.

I was pleased to support the Caregiver Assistance and Resource Enhancement Act in the 111th Congress. President Obama signed into law the Caregivers and Veterans Omnibus Health Services Act on May 5, 2010.

The law requires the Secretary of Veterans Affairs to establish caregiver support services to veterans. Family caregivers are the foundation of the long-term care system, with more than 50 million people who provide informal caregiving for a chronically ill, disabled, or aging family member or friend in any given year in the United States. In fact, it is estimated that about 80 percent of adults living in the community and in need of long-term care depend on family caregivers, therefore, costly institutional nursing home care.

The one issue I have with the legislation is that the bill asks the VA to report on expanding the caregiver program. We all know about the program. It works.

Why have another report when we should just expand the program?

Let me repeat that. We already know that the program works. We don't need another report. What we need is to just expand the program.

I would ask that the Speaker allow us to bring up H.R. 2894, the Caregivers Access and Responsible Expansion for All Veterans Act.

□ 1645

This bill expands the caregivers programs to veterans of all eras. The caregivers program works, and we need to expand the program.

Mr. Speaker, I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I yield such time as she may consume to the gentlewoman from the 21st District of New York (Ms. STEFANIK), the sponsor of this important piece of legislation.

Ms. STEFANIK. Mr. Speaker, I rise today regarding H.R. 3989, the Support Our Military Caregivers Act.

After working with a constituent who was having trouble with the bureaucratic Military Caregiver system at the VA, I was proud to introduce this legislation last November.

Military caregivers are loved ones who selflessly care for our Nation's heroes behind the scenes to enhance their everyday lives.

Thankfully, the Family Caregiver Program, implemented in 2011, was designed to ensure caregivers were not forgotten. My bill would guarantee that those who dedicate their lives as caregivers receive the support they so desperately need and they so desperately deserve.

My district has the largest veteran population of any district in New York State. This has provided me with a greater understanding of the selfless sacrifice our veterans and their families provide to our community and our Nation.

Over the last 15 years of war, our servicemembers have served bravely and their families have sacrificed an immeasurable amount. So it is vital that we ensure they receive the best possible care available.

Unfortunately, the VA has had a difficult time managing the high demand of Family Caregiver enrollees, which is much larger than originally accounted for.

VA medical centers lack sufficient caregiver support coordinators and the necessary clinical staff to carry out medical assessments for eligibility. Application deadlines are not being met by their own internal standards, and the staff is still shorthanded.

This bill would ensure that military caregivers have access to an objective third party to conduct clinical reviews in the event of an appeal. It also ensures that the process is transparent so that our veterans and caregivers are never left with an unanswered question.

Military caregivers are truly silent heroes in our communities and deserve the respect and benefits proportionate to their significant contributions.

Mr. Speaker, I am truly humbled to represent the veterans in my district and will continue to work to improve their lives.

I want to thank Chairman BENISHEK of the Veterans' Affairs Health Subcommittee for working with me on this legislation as well as Chairman MILLER and Ranking Member BROWN for their leadership and bipartisan support of this bill.

I urge all my colleagues to support this important bill to improve the lives of our veterans and their caregivers.

Ms. BROWN of Florida. Mr. Speaker, I urge passage of H.R. 3989, as amended, a bill that is designated to create a process for external clinical review of the VA caregivers program.

I am hoping that the chairman, as we move forward, will work with the Senate and try to come up with a way that we can at least have a pilot program to expand the caregivers program.

Mr. Speaker, I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I have one remaining speaker. I yield 1 minute to the gentleman from Iowa (Mr. YOUNG).

Mr. YOUNG of Iowa. Mr. Speaker, I rise today in support of the Support Our Military Caregivers Act, of which I am a proud cosponsor.

Congress established the Family Caregiver Program to assist military caregivers and, yet, many face delays in getting the support they need to effectively care for our wounded veteran heroes.

The Support Our Military Caregivers Act would streamline the process, allowing the Department of Veterans Affairs to contract with a third party to reduce the claims backlog.

Rather than leave care to strangers, some family members choose to quit their job and make other significant life changes to care for their loved ones. We need to do more to support them.

More and more of our veterans are returning from war with battle scars or invisible wounds of war. I often meet with Iowa veterans who have been wounded while serving our country. We have all met with them. These brave servicemembers deserve the best care and assistance we can give.

I am proud to support this bill to support our wounded veterans and their dedicated caregivers. I urge my colleagues to join me in passing this bipartisan, important bill.

I want to thank my colleague, Ms. STEFANIK, for her bipartisan leadership on this bill.

Mr. MILLER of Florida. Mr. Speaker, I have no further speakers at this time. So I would urge my colleagues to support this piece of legislation.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. WESTERMAN). The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, H.R. 3989, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: ''A bill to amend title 38, United States Code, to improve the process for determining the eligibility of caregivers of veterans to certain benefits administered by the Secretary of Veterans Affairs, and for other purposes.''.

A motion to reconsider was laid on the table.

IMPROVING TRANSITION PROGRAMS FOR ALL VETERANS ACT

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5229) to direct the Secretary of Veterans Affairs to carry out a study to evaluate the effectiveness of programs, especially in regards to women veterans and minority veterans, in transitioning to civilian life, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5229

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Improving Transition Programs for All Veterans Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The rate of unemployment for women veterans is higher than the rate for male veterans. In 2015, the unemployment rate for women veterans remained relatively unchanged at 5.4 percent, while the rate for male veterans declined to 4.5 percent.

(2) Women veterans, on average, earn less than male veterans. In 2013, the median income for women veterans was $35,264, while the median income for male veterans was $41,310.

(3) Women veterans and veterans with disabilities are more likely to become homeless.

(4) Service-connected disabled veterans with relatively high disability ratings have a higher unemployment rate than those with relatively low disability ratings. In 2015, the unemployment rate for veterans with a service-connected disability rating of 60 percent or higher was 9.6 percent, much higher than the 4.0 percent rate for veterans with a service-connected disability rating of 30 percent or lower.

(5) In 2013, American Indian and Alaska Native veterans had the lowest median personal incomes of any group of minority veterans.

(6) In 2013, American Indian and Alaska Native veterans were less likely to have finished an advanced degree than other veterans.

(7) American Indian and Alaska Native veterans were more likely to have a service-connected disability rating compared to all other veterans. In 2013, the rate of American Indian and Alaska Native veterans with a service-connected disability rating was about 26 percent compared to 18.2 percent for all other veterans.

(8) There is a lack of data on, and an understanding of, the challenges and needs of veterans who are residents of a territory of the United States and veterans who are part of the indigenous population of a territory of the United States.

SEC. 3. STUDY ON THE EFFECTIVENESS OF VETERANS TRANSITION EFFORTS.

(a) STUDY.—The Secretary of Veterans Affairs, in coordination with the Secretaries of Labor and Defense, shall carry out a study to evaluate programs to assist veterans of the Armed Forces in their transition to civilian life. Such study shall be designed to determine the effectiveness of current programs, especially in regards to the unique challenges faced by women veterans, veterans with disabilities, Native American veterans, veterans who are residents of a territory of the United States, veterans who are part of the indigenous population of a territory of the United States, and other groups of minority veterans identified by the Secretaries, including whether such programs—

(1) effectively address the challenges veterans face in pursuing higher education, especially the challenges faced by women veterans, veterans with disabilities, Native American veterans, veterans who are residents of a territory of the United States, veterans who are part of the indigenous population of a territory of the United States, and other groups of minority veterans identified by the Secretaries;

(2) effectively address the challenges such veterans face entering the civilian workforce and in translating experience and skills from military service to the job market; and

(3) effectively address the challenges faced by the families of such veterans transitioning to civilian life.

(b) REPORT.—Eighteen months after the enactment of this Act, the Secretary of Veterans Affairs shall submit a report to the Committees on Veterans' Affairs of the Senate and House of Representatives regarding the findings and recommendations of the study required under subsection (a) of this section.

SEC. 4. PROHIBITION ON AUTHORIZATION OF APPROPRIATIONS.

No additional funds are authorized to carry out the requirements of this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentlewoman from Florida (Ms. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5229, as amended, the Improving Transition Programs for All Veterans Act.

The transition from military life to civilian life is not always a smooth one. The Transition Assistance Program that is run by the Departments of Veterans Affairs, Defense, and Labor does a pretty good job alleviating some of the stress that can occur before a servicemember leaves the military, and it is a good opportunity to inform outgoing servicemembers of what benefits they may be entitled to from Veterans Affairs and how to prepare for civilian life.

Although TAP continues to improve, it still is a struggle to fully prepare servicemembers for this short 5-day period, let alone address the specific needs each individual has in each program.

The bill before us today would be a first step in examining how TAP can further be improved to address the specific needs of minority veterans, women veterans, disabled veterans, Native American veterans, and veterans from U.S. territories.

It is important that, as a Nation, we prepare our men and women of all backgrounds for life after uniform, and the study required by this bill will give the VA, DOD, and Department of Labor the ability to review TAP and to better understand how it can be improved to ensure that we properly transition all servicemembers and address their specific needs as they prepare for life after the military.

I want to thank my colleague, the gentleman from California (Mr. TAKANO), and the gentlewoman from American Samoa (Ms. Radewagen) for

their work on this legislation. It does have my full support. I would urge all of my colleagues to support H.R. 5229, as amended.

Mr. Speaker, I reserve the balance of my time.

Ms. BROWN of Florida. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of Mr. Takano's bill, H.R. 5229, as amended, the bipartisan Improving Transition Programs for All Veterans Act.

Data from the Bureau of Labor Statistics indicates that veteran unemployment is at a 7-year low. As of April 2016, veterans faced an overall unemployment rate of 3.9 percent, which is better than the Nation's unemployment rate of 4.5 percent. This is excellent news.

I am proud that the numbers have improved under the leadership of our committee, the administration, and the Secretary of the VA; yet the overall unemployment rate for all veterans does not tell the whole story. Some subgroups of veterans are still struggling to find fulfilling careers that pay them well and provide an opportunity for growth.

According to the Advisory Committee on Veterans' Employment, Training, and Employer Outreach at the Department of Labor, certain veteran populations face challenges and aspire to career paths that differ from the broader population of transitioning servicemembers.

To ensure that we as policymakers are ahead of developing trends regarding the unique needs of these subgroups of transitioning veterans, this bill will determine the degree to which their needs are different and look for innovative approaches toward meeting their unique challenges.

H.R. 5229 requires the VA to initiate a research program, in collaboration with DOL and DOD, to better understand if and how current veterans transition programs address what may be differentiated needs, challenges, and post-service aspirations of women veterans, veterans with disabilities, Native American veterans who are veterans from the U.S. territories, and other subgroups that the Secretary identifies.

When we, as a Nation, sent individual members of the Armed Forces to war, Congress promised to support all servicemembers when they made the transition back into civilian life.

The makeup of our modern military forces is changing, and in a few short years there will be a substantially greater percentage of female veterans than there are now.

Thanks to modern-day medicine, more veterans survive injuries to return to productive life, even with service-connected disabilities.

But women veterans face a higher unemployment rate than their male counterparts, and veterans with high disability rates have an unemployment rate much higher than those of veterans with low disability ratings.

What is more, Native American veterans earn the lowest median personal income and are less likely to have finished an advanced degree than other veterans. There is much more we don't know about how these trends impact veterans from the U.S. territories.

As policymakers, we must first understand the different needs of these groups of veterans and then be ready to adapt VA policies and programs to help all veterans access the resources they need to be successful. This bill will enable us to do that.

I want to thank the leadership on this important issue and my colleague from across the aisle for being an original cosponsor of this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I don't have any speakers on this. So I reserve the balance of my time.

Ms. BROWN of Florida. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentlewoman has 16½ minutes remaining.

Ms. BROWN of Florida. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. TAKANO).

Mr. TAKANO. Mr. Speaker, I thank the gentlewoman from Florida for yielding.

I rise in support of my bill, H.R. 5212, as amended.

Mr. Speaker, the initial transition from military to civilian life is often the most difficult time for returning veterans. The Federal Transition Assistance Program, otherwise known as TAP, is designed to ease that shift by teaching veterans about their benefits and preparing them to enter the workforce, attend school, or both.

As the ranking member noted, the program has largely been successful. Veteran unemployment is at a 7-year low.

However, supporting transitioning veterans requires more than a one-size-fits-all program. There are more than 135,000 former servicemembers in my district, and just one approach cannot meet the needs of every individual. Certain veteran communities are still being left behind.

Women veterans, Native American veterans, veterans from the U.S. territories, and veterans with disabilities face challenges and aspire to jobs that differ from the broader population of returning servicemembers. We cannot be satisfied with a program that allows large groups of veterans to slip through the cracks.

The Improving Transition Programs for All Veterans Act is a bipartisan bill that requires the VA to launch a research program examining if and how the current program meets the needs of minority veterans groups.

In collaboration with the Departments of Labor and Defense, the bill would require the VA to recommend changes to TAP that would address barriers and better serve these veterans in their pursuit of meaningful employment following their military service.

More than ever before, our military reflects America's diverse mix of people and cultures. Each of these transitioning servicemembers, regardless of gender, race, or disability, has made the same commitment to defending this Nation.

□ 1700

All of them deserve our full support when they return home.

I am proud to have introduced this bill with the gentlewoman from American Samoa (Mrs. RADEWAGEN).

I want to thank Mr. WENSTRUP, chair of the Economic Opportunity Subcommittee, and Chairman MILLER for their support in moving this forward.

Mr. Speaker, I call on my colleagues to promptly pass this legislation.

Ms. BROWN of Florida. Mr. Speaker, I yield 4 minutes to the gentlewoman from New Hampshire (Ms. KUSTER).

Ms. KUSTER. Mr. Speaker, today I rise to discuss bipartisan efforts to improve the work our Nation does to care for our veterans.

Next week we will be honoring those who gave their lives for this country on Memorial Day. We will commemorate the lives and the sacrifices of those who died while wearing the uniform of the United States of America. We will rightly recognize their courage and commitment, but we must also ensure we continue to recognize the same courage and dedication found in our veterans and Active-Duty personnel and the challenges that many of them face as they transition into civilian life.

The Improving Transition Programs for All Veterans Act will allow Congress, the VA, and the Departments of Labor and Defense to better understand these challenges. The study created by this bill will allow us to understand what is working, what is not working, and how veterans can best be placed in a position to succeed once they transition to civilian life.

It will allow us to better understand the challenges, the unique challenges, faced by the growing number of female veterans in our population, a group that generally has a higher unemployment rate and lower post-military salaries than their male counterparts.

Mr. Speaker, I urge my colleagues to support this bill so that we can more effectively allocate resources dedicated to assisting veterans in their transition out of uniform and support several other great veterans bills on the floor today that would assist veteran caregivers and ensure that the VA develops plans to hire permanent medical center directors.

Ms. BROWN of Florida. Mr. Speaker, again, I want to thank the bipartisan committee for coming up with this bill.

Mr. Speaker, I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I urge all Members to support this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill (H.R. 5229), as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

VA HEALTH CENTER MANAGEMENT STABILITY AND IMPROVEMENT ACT

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3956) to direct the Secretary of Veterans Affairs to develop and implement a plan to hire directors of the medical centers of the Department of Veterans Affairs, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3956

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''VA Health Center Management Stability and Improvement Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) According to data from the Department of Veterans Affairs, several medical centers of the Department are managed by acting or temporary directors.

(2) Some of these medical centers have not been managed by a permanent director for a long period.

(3) Pursuant to section 317.903 of title 5, Code of Federal Regulations, a member of the senior executive service who is detailed to a temporary position in a department or agency of the Federal Government may not serve in that position for periods longer than 120-day increments, and no member of the senior executive service may be detailed to an unclassified position for a period longer than 240 days.

(4) The inability of the Department of Veterans Affairs to recruit qualified, permanent candidates as directors of medical centers, combined with the policies described in paragraph (3), leads to frequent turnover of directors at the medical centers which impedes the ability of system management to engage in long-term planning and other functions necessary to improve service delivery to veterans.

(5) The Secretary of Veterans Affairs should develop a comprehensive plan to recruit permanent directors at each medical center that lacks a permanent director.

SEC. 3. PLAN TO HIRE DIRECTORS OF MEDICAL CENTERS OF DEPARTMENT OF VETERANS AFFAIRS.

(a) PLAN.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall develop and implement a plan to hire highly qualified directors for each medical center of the Department of Veterans Affairs that lacks a permanent director as of the date of the plan. The Secretary shall prioritize the hiring of such directors for the medical centers that have not had a permanent director for the longest periods.

(b) MATTERS INCLUDED.—The plan developed under subsection (a) shall include the following:

(1) A deadline to hire the directors of the medical centers of the Department as described in such subsection.

(2) Identification of the possible impediments to such hiring.

(3) Identification of opportunities to promote and train candidates from within the Department to senior executive positions in the Department, including as directors of medical centers.

(c) SUBMISSION.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate the plan developed under subsection (a).

(d) SEMIANNUAL REPORTS.—Not later than 180 days after the date of the enactment of this Act, and each 180-day period thereafter until January 1, 2018, the Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a list of each medical center of the Department that lacks a permanent director as of the date of the report.

SEC. 4. COMPLIANCE WITH SCHEDULING REQUIREMENTS.

(a) ANNUAL CERTIFICATION.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall ensure that the director of each medical facility of the Department of Veterans Affairs annually certifies to the Secretary that the medical facility is in full compliance with all provisions of law and regulations relating to scheduling appointments for veterans to receive hospital care and medical services, including pursuant to Veterans Health Administration Directive 2010–027, or any successor directive.

(2) PROHIBITION ON WAIVER.—The Secretary may not waive any provision of the laws or regulations described in paragraph (1) for a medical facility of the Department if such provision otherwise applies to the medical facility.

(b) EXPLANATION OF NONCOMPLIANCE.—If a director of a medical facility of the Department does not make a certification under subsection (a)(1) for any year, the director shall submit to the Secretary a report containing—

(1) an explanation of why the director is unable to make such certification; and

(2) a description of the actions the director is taking to ensure full compliance with the laws and regulations described in such subsection.

(c) PROHIBITION ON BONUSES BASED ON NONCOMPLIANCE.—

(1) IN GENERAL.—If a director of a medical facility of the Department does not make a certification under subsection (a)(1) for any year, each covered official described in paragraph (2) may not receive an award or bonus under chapter 45 or 53 of title 5, United States Code, or any other award or bonus authorized under such title or title 38, United States Code, during the year following the year in which the certification was not made.

(2) COVERED OFFICIAL.—A covered official described in this paragraph is each official who serves in the following positions at a medical facility of the Department during a year, or portion thereof, for which the director does not make a certification under subsection (a)(1):

(A) The director.

(B) The chief of staff.

(C) The associate director.

(D) The associate director for patient care.

(E) The deputy chief of staff.

(d) ANNUAL REPORT.—The Secretary shall annually submit to the Committees on Veterans' Affairs of the House of Representative and the Senate a report containing, with respect to the year covered by the report—

(1) a list of each medical facility of the Department for which a certification was made under subsection (a)(1); and

(2) a list of each medical facility of the Department for which such a certification was not made, including a copy of each report submitted to the Secretary under subsection (b).

SEC. 5. UNIFORM APPLICATION OF DIRECTIVES AND POLICIES OF DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall ensure that the directives and policies of the Department of Veterans Affairs apply to each office or facility of the Department in a uniform manner.

(b) NOTIFICATION.—If the Secretary does not uniformly apply the directives and policies of the Department pursuant to subsection (a), including by waiving such a directive or policy with respect to an office, facility, or element of the Department, the Secretary shall notify the Committees on Veterans' Affairs of the House of Representative and the Senate of such nonuniform application, including an explanation for the nonuniform application.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentlewoman from Florida (Ms. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3956, as amended, the VA Health Center Management Stability and Improvement Act. H.R. 3956, as amended, is sponsored by my good friend, colleague, and fellow committee member, Congressman BOST of Illinois.

H.R. 3956, as amended, also contains provisions from H.R. 4977, the VA Scheduling Accountability Act, which is sponsored by Congresswoman JACKIE WALORSKI from Indiana, who is also an active Veterans' Affairs Committee member.

There has been a tremendous amount of turnover among the Department of Veterans Affairs medical center leaders

in the last few years. According to the Deputy Secretary of VA Sloan Gibson, over half of Veterans Health Administration senior leader positions turned over from October 2013 to October 2015. Without consistent, high-quality leadership in VA medical centers, our veterans aren't being served as well as they could be or they should be.

H.R. 3956, as amended, would direct VA to develop and implement a plan to hire a director for each VA medical center without a permanent director and prioritize hiring at VA medical centers that have not had a permanent director for the longest periods of time. Once stable leadership is in place, we need to ensure that they are held accountable.

One of the contributing factors behind the access to care crisis that plagued the VA healthcare system in 2014 was the failure of VA medical centers to comply with VA scheduling policies. To avoid that in the future, H.R. 3956, as amended, would require VA to ensure that directives and policies apply uniformly across the entire department and require VA medical center directors to annually certify compliance with the scheduling directive or any successor directive that replaces it. If a facility fails to comply, leaders at that facility would be prohibited from receiving a bonus.

I am grateful to both Congressman BOST and Congresswoman WALORSKI for their efforts on this legislation on behalf of our Nation's veterans.

Mr. Speaker, I urge my colleagues to support the passage of H.R. 3956, as amended.

I reserve the balance of my time.

Ms. BROWN of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3956, as amended. This bill finds that multiple VA centers are managed by acting or temporary directors—some of these centers have lacked a permanent director for a long time; there are time limits as to how long a Senior Executive Service employee can be placed in a temporary position—that there is frequent turnover of medical center directors, impeding the medical center's ability to engage in long-term planning and other necessary functions; and that the VA should develop a comprehensive plan to recruit permanent directors at each medical center that lacks a permanent director.

This bill requires the VA to come up with a plan to fill all of the positions that are not currently held by a permanent director. They then will report back to Congress on their progress.

Mr. Speaker, I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from the 12th District of Illinois (Mr. BOST), the sponsor of this legislation.

Mr. BOST. Mr. Speaker, as a marine and the father of a marine, I understand it takes leadership to win a battle. However, at VA medical centers across this country, we have seen a revolving door of temporary directors that has made it difficult to implement the long-term reforms our heroes deserve. This first came to my attention in my own backyard.

Many southern Illinois veterans receive treatment at the VA Medical Center in St. Louis. This facility has struggled to find a permanent director since July 14, 2013. That is 34 months ago. It is a similar story at roughly three dozen other VA hospitals nationwide.

Part of the problem is rooted in the fact that the Office of Personnel Management only allows temporary directors to serve a term of 120 to 240 days. How are we ever going to clean up the VA if no one is around long enough to do it?

That is why I introduced H.R. 3956, the VA Health Center Management Stability and Improvement Act. My bipartisan legislation, introduced with Congressman COSTA, will help close the revolving door at the VA clinics. It requires the VA to report to Congress on any unfilled vacancies and identify roadblocks that may have led to the problem to begin with. It requires the VA to develop a plan of action for hiring highly qualified and permanent directors for each and every opening. It tells the VA to access opportunities for promoting and training high-performing candidates from within the organization.

The status quo is unacceptable, as it determines the quality, consistency, and speed of care that our veterans receive. Mr. Speaker, I urge my colleagues to join The American Legion, AMVETS, Disabled Veterans of America, and other service organizations by supporting this legislation.

Ms. BROWN of Florida. Mr. Speaker, I urge passage of H.R. 3956, as amended.

I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I yield 3 minutes to the gentlewoman from the Second District of Indiana (Mrs. WALORSKI)

Mrs. WALORSKI. I thank the chairman for all his hard work on many VA issues in reference to veterans.

Mr. Speaker, I rise today in support of H.R. 3956, the VA Health Center Management Stability and Improvement Act. This legislation includes my bill, the VA Scheduling Accountability Act, which locks in a crucial measure of oversight over VA scheduling practices.

Hearings held by the Veterans' Affairs Committee and investigations by the VA inspector general and the GAO have, unfortunately, substantiated many of the allegations of manipulated schedules and falsified wait time data at VA facilities across the country.

VA Directive 2010–027 contains the VA's policy for appointment scheduling processes and procedures. It contains a checklist with 19 different items, such as ensuring that a patient's desired appointment date is not altered and that the staff have appropriate training.

Importantly, the directive requires each facility to annually certify its full compliance with all 19 items. However, an August 2014 VA Office of Inspector General report uncovered that in May of 2013, a senior VA official waived the certification requirement for FY 2013. This essentially put facilities on the honor system by allowing them to only self-certify. Without this crucial accountability mechanism, bad actors were given free rein to manipulate the wait time data and allow compliance with scheduling practices to deteriorate. Meanwhile, veterans died waiting for appointments while others faced delays in getting the critical care they needed. I am glad that the VA has reinstated the certification requirement, but I am concerned there is nothing stopping them from waiving it again.

H.R. 3956, the VA Scheduling Accountability Act, requires each facility director to annually certify compliance with the scheduling directive, or any successive directive that replaces it, and, most importantly, prohibits any future waivers. In addition, it prohibits the VA from giving bonuses to directors if their facility fails to certify compliance, and it requires the VA to report to Congress a list of facilities not in compliance. This will provide more oversight of the VA, ensure Congress is aware on noncompliant facilities, and end the reckless practice of self-certification.

Mr. Speaker, I urge my colleagues to support this commonsense bill and the underlying legislation.

Mr. MILLER of Florida. Mr. Speaker, I ask my colleagues to support this important piece of legislation.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, H.R. 3956, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: ''A bill to direct the Secretary of Veterans Affairs to develop and implement a plan to hire directors of the medical centers of the Department of Veterans Affairs, and for other purposes.''.

A motion to reconsider was laid on the table.

□ 1715

SERGEANT FIRST CLASS WILLIAM ''KELLY'' LACEY POST OFFICE

Mr. WALKER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4987) to designate the facility of the United States Postal Service located at 3957 2nd Avenue in Laurel Hill, Florida, as the ''Sergeant First Class William 'Kelly' Lacey Post Office''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4987

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SERGEANT FIRST CLASS WILLIAM "KELLY" LACEY POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 3957 2nd Avenue in Laurel Hill, Florida, shall be known and designated as the ''Sergeant First Class William 'Kelly' Lacey Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in section 1 shall be deemed to be a reference to the ''Sergeant First Class William 'Kelly' Lacey Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. WALKER) and the gentlewoman from Michigan (Mrs. LAWRENCE) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. WALKER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WALKER. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 4987, introduced by Congressman JEFF MILLER of Florida.

H.R. 4987 designates the post office located at 3957 2nd Avenue in Laurel Hill, Florida, as the Sergeant First Class William ''Kelly'' Lacey Post Office.

Sergeant Kelly Lacey enlisted in the Army on October 16, 2002, and he served with dedication for nearly 12 years. Sergeant Lacey was on a tour of duty in Afghanistan when he was killed in action on January 4, 2014.

During his time in the Army, Sergeant Lacey earned more than 30 military awards and decorations, including a Bronze Star with Valor and two more Bronze Star Medals.

Mr. Speaker, Sergeant Lacey exemplified leadership throughout his career. Just months before his death, he fulfilled one of his lifelong dreams by reaching the rank of E–7, the same rank that his father achieved in his service.

I urge all Members to honor Lacey's great sacrifice by naming a post office in his honor. I will soon yield to the bill's sponsor, and my friend, Congressman JEFF MILLER, to tell us more about Sergeant First Class William ''Kelly'' Lacey.

I reserve the balance of my time.

Mrs. LAWRENCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to join my colleagues in the consideration of H.R. 4987, a bill to designate the facility in Laurel Hill, Florida, as the Sergeant First Class William ''Kelly'' Lacey Post Office.

Sergeant First Class Lacey is remembered as a wonderful family man by those he leaves behind, particularly his wife, Ashley, daughter, Lily, three stepdaughters, and parents.

Sergeant First Class Kelly's military honor includes three Bronze Stars, including one with valor, a Purple Heart, and a Humanitarian Award for his relief work following Hurricane Katrina.

We should pass this bill to remember Sergeant First Class Lacey's heroic deeds on the battlefield as well as his compassion for others at home.

I urge its passage.

I reserve the balance of my time.

Mr. WALKER. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. MILLER).

Mr. MILLER of Florida. Mr. Speaker, I thank my good friend, Mr. WALKER.

A little over 2 years ago, northwest Florida and our Nation lost a warrior and a patriot upon the death of Army Sergeant First Class William ''Kelly'' Lacey. Kelly was assigned to the 201st Brigade Support Battalion, 3rd Brigade Combat Team of the 1st Infantry Division out of Fort Knox, Kentucky, and was killed on January 4, 2014, in Nangarhar province, Afghanistan, while in support of Operation Enduring Freedom.

Today I stand before you to honor this true American hero by designating the facility of the United States Postal Service, located at 3957 2nd Avenue in Laurel Hill, Florida, as the Sergeant First Class William ''Kelly'' Lacey Post Office.

Kelly had served three tours in Iraq and was completing his second tour in Afghanistan when his life was tragically taken. During the mission that took his life, Kelly protected fellow soldiers during an attack where a car bomb had breached his base perimeter, allowing multiple combatants, many bearing suicide vests, to initiate an assault. Kelly took a guard tower and began providing cover fire, killing three assailants before a rocket-propelled grenade took his life. He was scheduled to return home just 2 weeks from the time of his death.

We must never forget, nor take for granted, the many liberties we enjoy as Americans—liberties earned and fortified by soldiers like Kelly, who never hesitate when called upon. Kelly bravely dedicated his life to protect our freedom. While there is nothing we can do today to bring Kelly back to us and take away the pain that is felt by his loved ones that have been left behind, we can help memorialize his ultimate sacrifice.

America's sovereignty and democracy is deeply rooted in the courageous acts of our men and women in the Armed Forces, who willingly serve knowing that at any time they could pay the ultimate sacrifice. Renaming the post office will help ensure that future generations forever remember that sacrifice and understand the true cost of freedom.

I ask my colleagues for your support on this legislation.

Mrs. LAWRENCE. Mr. Speaker, I yield back the balance of my time.

Mr. WALKER. Mr. Speaker, I urge adoption of the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. WALKER) that the House suspend the rules and pass the bill, H.R. 4987.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SPECIALIST ROSS A. MCGINNIS MEMORIAL POST OFFICE

Mr. WALKER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 433) to designate the facility of the United States Postal Service located at 523 East Railroad Street in Knox, Pennsylvania, as the ''Specialist Ross A. McGinnis Memorial Post Office''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 433

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

Congress finds the following:

(1) Ross Andrew McGinnis was born and raised in Knox, Pennsylvania, the son of Tom and Romayne McGinnis.

(2) Specialist McGinnis joined the Army in 2004 and following his training, was assigned to 1st Platoon, C Company, 1st Battalion, 26th Infantry Regiment, 2nd Brigade Combat Team, 1st Infantry Division.

(3) On December 4, 2006, McGinnis was killed in action while serving in Iraq. For his actions that day, he was awarded the Congressional Medal of Honor by President George W. Bush on June 2, 2008.

(4) From the official Medal of Honor Army Citation:

(A) Private First Class Ross A. McGinnis, United States Army. For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty.

(B) Private First Class Ross A. McGinnis distinguished himself by acts of gallantry

and intrepidity above and beyond the call of duty while serving as an M2 .50-caliber Machine Gunner, 1st Platoon, C Company, 1st Battalion, 26th Infantry Regiment, in connection with combat operations against an armed enemy in Adhamiyah, Northeast Baghdad, Iraq, on 4 December 2006.

(C) That afternoon his platoon was conducting combat control operations in an effort to reduce and control sectarian violence in the area. While Private McGinnis was manning the M2 .50-caliber Machine Gun, a fragmentation grenade thrown by an insurgent fell through the gunner's hatch into the vehicle. Reacting quickly, he yelled ''grenade,'' allowing all four members of his crew to prepare for the grenade's blast. Then, rather than leaping from the gunner's hatch to safety, Private McGinnis made the courageous decision to protect his crew. In a selfless act of bravery, in which he was mortally wounded, Private McGinnis covered the live grenade, pinning it between his body and the vehicle and absorbing most of the explosion.

(D) Private McGinnis' gallant action directly saved four men from certain serious injury or death. Private First Class McGinnis' extraordinary heroism and selflessness at the cost of his own life, above and beyond the call of duty, are in keeping with the highest traditions of the military service and reflect great credit upon himself, his unit, and the United States Army.

SEC. 2. SPECIALIST ROSS A. MCGINNIS MEMORIAL POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 523 East Railroad Street in Knox, Pennsylvania, shall be known and designated as the ''Specialist Ross A. McGinnis Memorial Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Specialist Ross A. McGinnis Memorial Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. WALKER) and the gentlewoman from Michigan (Mrs. LAWRENCE) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. WALKER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WALKER. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 433, introduced by Congressman GLENN THOMPSON of Pennsylvania.

H.R. 433 designates the post office located at 523 East Railroad Street, in Knox, Pennsylvania, as the Specialist Ross A. McGinnis Memorial Post Office.

This bill honors a remarkably brave soldier and Medal of Honor recipient, Army Specialist Ross McGinnis. This young man's story is one of incredible sacrifice. When enemy combatants launched a grenade into the vehicle occupied by Specialist McGinnis and his fellow soldiers, Specialist McGinnis' reaction was one of inconceivable bravery. He thrust his own body on top of the grenade to save the lives of his comrades.

In a moment I will ask my colleague, Congressman THOMPSON, the sponsor of this bill, to share more about this hero and his incredible story. In the meantime, I want to urge Members to support this bill to name a post office to honor McGinnis' life and his sacrifice.

I reserve the balance of my time.

Mrs. LAWRENCE. Mr. Speaker, I yield myself such time as I may consume.

I am pleased to join my colleagues in the consideration of H.R. 433, a bill to designate the facility of the United States Postal Service located at 523 Railroad Street in Knox, Pennsylvania, as the Specialist Ross A. McGinnis Memorial Post Office.

There are a number of post offices that we are bringing forward today, recognizing the sacrifice and the commitment of our American citizens to our country. It is noteworthy to put into the RECORD that Ross McGinnis was promoted after death to Specialist and received the Bronze Star, the Purple Heart, and the prestigious Medal of Honor for his heroic actions.

Mr. Speaker, we should pass this bill to commemorate the ultimate sacrifice that Specialist Ross McGinnis made to our country. I urge its passage.

I reserve the balance of my time.

Mr. WALKER. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Mr. Speaker, in just a few days, people across the Nation will pause on Memorial Day to remember the men and women who paid the ultimate sacrifice, losing their lives as members of America's Armed Forces.

As a Member of Congress and an Army dad, with my son, Logan, being wounded in Iraq, I know some of the struggles our military families go through every day. I also know how courageous and strong our fighting men and women are, and the bravery of those who did not make it home.

I rise in support of H.R. 433, which renames the United States Post Office in Knox, Pennsylvania, as the Specialist Ross A. McGinnis Memorial Post Office, a designation which will honor an exceptionally brave young man.

Medal of Honor recipient Ross A. McGinnis was born June 14, 1987, Flag Day, in Meadville, Pennsylvania, the son of Tom and Romayne McGinnis. He was killed in the line of duty on December 4, 2006, while serving in Iraq.

Ross grew up in the community of Knox, located in Pennsylvania's Fifth Congressional District. He attended Clarion County Public Schools and was a member of the Boy Scouts, along with participating in basketball, soccer, and Little League Baseball. He was a member of the St. Paul's Lutheran Church in Knox, and a 2005 graduate of Keystone Junior-Senior High School.

Ross had long wanted to be a soldier, and in 2004, on his 17th birthday, he visited an Army recruiting center and joined the delayed entry program.

Following his initial training, Ross was deployed to eastern Baghdad in August of 2006. He served as an M2 .50-caliber machine gunner in the 1st Platoon, C Company, 1st Battalion, 26th Infantry Regiment, in support of operations intended to combat an intense insurgency in that region.

On December 4, 2006, McGinnis' platoon was on mounted patrol in Adhamiyah. During the course of the patrol, an insurgent on a nearby rooftop threw a grenade into the vehicle Ross was riding in. Without hesitation or regard for his own life, McGinnis threw his body on top of the grenade, saving the lives of his fellow soldiers. Posthumously, he was promoted to Specialist and was awarded the Silver Star.

On June 2, 2008, he was awarded the Medal of Honor. In part, his citation reads his ''extraordinary heroism and selflessness at the cost of his own life, above and beyond the call of duty, are in keeping with the highest traditions of the military service and reflect great credit upon himself, his unit, and the United States Army.''

It is my hope that through the naming of this post office, his heroism and selflessness will live long through the ages.

Mrs. LAWRENCE. Mr. Speaker, again, I urge the passage of H.R. 433.

I yield back the balance of my time.

Mr. WALKER. Mr. Speaker, I urge adoption of the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. WALKER) that the House suspend the rules and pass the bill, H.R. 433.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CHIEF PETTY OFFICER ADAM BROWN UNITED STATES POST OFFICE

Mr. WALKER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3931) to designate the facility of the United States Postal Service located at 620 Central Avenue Suite 1A in Hot Springs National Park, Arkansas, as the ''Chief Petty Officer Adam Brown United States Post Office''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3931

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CHIEF PETTY OFFICER ADAM BROWN UNITED STATES POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 620 Central Avenue Suite 1A in Hot Springs National Park, Arkansas, shall be known and designated as the ''Chief Petty Officer Adam Brown United States Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Chief Petty Officer Adam Brown United States Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. WALKER) and the gentlewoman from Michigan (Mrs. LAWRENCE) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

□ 1730

GENERAL LEAVE

Mr. WALKER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WALKER. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 3931, introduced by Congressman BRUCE WESTERMAN of Arkansas. H.R. 3931 designates the post office located at 620 Central Avenue, Suite 1A, in Hot Springs National Park, Arkansas, as the Chief Petty Officer Adam Brown United States Post Office.

Chief Petty Officer Adam Brown was a true American hero and someone who I hope will serve as an inspiration to many. Adam went from drug addiction, theft, and prison time to a life devoted to faith, family, and country.

A decorated Navy SEAL, Adam served multiple tours of duty and lost an eye and multiple fingers, but returned to duty nonetheless. One tour in Afghanistan was not just to fight for his country. He went to give away 500 pairs of shoes to Afghan children that he had collected as a personal project.

Adam's legacy should live on in our hearts and minds as well as in physical remembrance. I urge Members to support this bill and name a post office after this hero, Chief Petty Officer Adam Brown.

I reserve the balance of my time.

Mrs. LAWRENCE. Mr. Speaker, I yield myself such time as I may consume.

I join my colleagues in the consideration of H.R. 3931, a bill to designate the facility of the United States Postal Service, located in Hot Springs National Park, Arkansas, as the Chief Petty Officer Adam Brown United States Post Office.

Adam Brown never did anything halfway. He was always ready to push aside his own needs to help others. Adam joined the Navy in 1998. It was not long before he became a Navy SEAL and eventually served as a member of the elite SEAL Team Six and a special operations task force deployed to Afghanistan.

Again, we have the opportunity here in Congress to recognize sometimes the quiet, but amazing, contributions of our military and of this individual we bring forward to be named today. We should pass this bill to remember the tenacity of Chief Petty Officer Brown and to honor his valiant military service.

Mr. Speaker, I reserve the balance of my time.

Mr. WALKER. Mr. Speaker, I yield 3 minutes to the fine gentleman from Arkansas (Mr. WESTERMAN).

Mr. WESTERMAN. Mr. Speaker, Jesus said: ''Greater love has no one than this, that he lay down his life for his friends.'' This poignant verse is inscribed on the headstone of Arkansas and American hero and Hot Springs native Chief Petty Officer Adam Brown. Adam's story is a story of loyalty and dedication to the American way of life, and it is an inspiring testament to overcoming adversity through faith.

True to the Navy SEAL creed, Adam's strength and leadership abilities were forged by adversity. Although Adam's eagerness for risk led to trouble in his youth, his determination to do the right thing, fueled by a love for his family, faith, and country, led him to become a member of the elite SEAL Team Six.

On March 17, 2010, while conducting a raid on an enemy stronghold in Komar province, Afghanistan, Chief Petty Officer Adam Brown selflessly placed himself in the enemy's line of fire to protect and assist his brothers in arms.

Though his brave actions relieved the fire on his teammates and ultimately led to the capture of the stronghold, Adam was struck and killed by enemy fire. Many Members of this body as well as countless others have read Adam's inspiring life story in the best-selling book ''Fearless.''

Mr. Speaker, during this week before Memorial Day, it is my hope that this piece of legislation will not only serve to honor Chief Petty Officer Brown, but that it will also honor all of the men and women from Arkansas' Fourth Congressional District who have laid down their lives in defense of the United States of America and freedom.

As we remember the fallen, let us also remember those who gave mentally, physically, and emotionally, people like Lieutenant Colonel Hugh Mills, Jr., who survived his helicopter being shot down 16 times and who was awarded three Silver Stars for his heroic actions in Vietnam.

I thank Chairman CHAFFETZ and Ranking Member CUMMINGS and the Oversight and Government Reform Committee for their attention to this piece of legislation.

Mrs. LAWRENCE. Mr. Speaker, I urge the passage of H.R. 3931.

I yield back the balance of my time.

Mr. WALKER. Mr. Speaker, I urge the adoption of the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. WALKER) that the House suspend the rules and pass the bill, H.R. 3931.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PRIVATE FIRST CLASS FELTON ROGER FUSSELL MEMORIAL POST OFFICE

Mr. WALKER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3953) to designate the facility of the United States Postal Service located at 4122 Madison Street, Elfers, Florida, as the ''Private First Class Felton Roger Fussell Memorial Post Office''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3953

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PRIVATE FIRST CLASS FELTON ROGER FUSSELL MEMORIAL POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 4122 Madison Street, Elfers, Florida, shall be known and designated as the ''Private First Class Felton Roger Fussell Memorial Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Private First Class Felton Roger Fussell Memorial Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. WALKER) and the gentlewoman from Michigan (Mrs. LAWRENCE) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. WALKER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WALKER. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 3953, introduced by Congressman GUS BILIRAKIS of Florida. H.R. 3953 designates the post office located at 4122 Madison Street, in Elfers, Florida, as the Private First Class Felton Roger Fussell Memorial Post Office.

Roger Fussell enlisted in the Marine Corps in 1969 at the age of 18 and left for Vietnam in that same year. Exactly 1 year after he enlisted, Fussell was tragically killed by enemy fire. Private First Class Felton Roger Fussell volunteered his service and lost his life all too soon while fighting for a country he believed in.

I urge Members to support this bill that names a post office in his honor. In a moment, I will yield to its sponsor, my friend, Congressman BILIRAKIS, to tell us more about Private First Class Felton Roger Fussell.

I reserve the balance of my time.

Mrs. LAWRENCE. Mr. Speaker, I yield myself such time as I may consume.

I join with my colleagues in the consideration of H.R. 3953, a bill to designate the facility of the United States Postal Service, located in Elfers, Florida, as Private First Class Felton Roger Fussell Memorial Post Office.

Roger Fussell received numerous awards for his honorable service, including an Expert Marksman Medal, a Vietnamese Military Merit Medal, the Republic of Vietnam Gallantry Cross, and a Purple Heart.

I urge my colleagues to join me in supporting this bill to create and preserve the memory of Private First Class Fussell's achievements and to honor the ultimate sacrifice he made on behalf of this country.

I reserve the balance of my time.

Mr. WALKER. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Mr. Speaker, I rise in support of H.R. 3953, legislation to designate the Elfers post office as the Private First Class Felton Roger Fussell Memorial Post Office.

I never had a chance to meet Private First Class Felton Roger Fussell, but after working on this legislation with his family and friends, I wish I had.

Private Fussell was born in New Port Richey, Florida, and graduated from Gulf High School in 1968. Despite his love for hunting, fishing, and repairing old cars, Private Fussell pursued his calling by enlisting in the Marine Corps.

On June 6, 1968, Private Fussell entered the service along with his friend, Jack Mathison, under the Buddy System program. They went to basic training at Parris Island, South Carolina, where Roger was the high shooter for his platoon.

He also was honored with the Expert Marksman Medal for superior scores in rifle range shooting. Private Fussell then continued on to advanced infantry training at Camp Lejeune and Camp Pendleton.

Private Fussell departed for Vietnam in March of 1969 and served with honor and distinction. On the 1-year anniversary of his enlistment, he was killed by mortar fire in service of his country.

For his bravery and sacrifice, Private Fussell earned several awards, including the Republic of Vietnam Gallantry Cross, which is awarded for acts of valor and heroic conduct during an armed conflict.

He also received the Vietnamese Military Merit Medal, which is the highest military decoration that was bestowed by South Vietnam during the Vietnam war.

Clearly, Private First Class Felton Roger Fussell is a hero who is deserving of having his hometown's post office in Elfers, Florida, dedicated in his honor.

I have worked closely with Roger's family and with the entire Elfers community on this legislation to help solidify the memory of Private Fussell's bravery, American spirit, and optimism.

His actions served as an inspiration for his brother, Timothy, who has gone on to serve his community as chief of the Port Richey Fire Department.

Honoring Private Fussell with the Elfers post office's designation also honors the work of his sister, Myra. Myra served her community in this very post office for 20 years.

Let's honor this American hero and his family by passing H.R. 3953 and by designating the Elfers post office as the Private First Class Felton Roger Fussell Memorial Post Office.

Mrs. LAWRENCE. Mr. Speaker, I urge the passage of H.R. 3953.

I yield back the balance of my time.

Mr. WALKER. Mr. Speaker, I urge the adoption of the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. WALKER) that the House suspend the rules and pass the bill, H.R. 3953.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

MAJOR GREGORY E. BARNEY POST OFFICE BUILDING

Mr. WALKER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4747) to designate the facility of the United States Postal Service located at 6691 Church Street in Riverdale, Georgia, as the ''Major Gregory E. Barney Post Office Building''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4747

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MAJOR GREGORY E. BARNEY POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 6691 Church Street in Riverdale, Georgia, shall be known and designated as the ''Major Gregory E. Barney Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Major Gregory E. Barney Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. WALKER) and the gentlewoman from Michigan (Mrs. LAWRENCE) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. WALKER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WALKER. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 4747, introduced by Congressman DAVID SCOTT of Georgia. H.R. 4747 designates the post office located at 6691 Church Street, in Riverdale, Georgia, as the Major Gregory E. Barney Post Office Building.

Major Greg Barney was a Riverdale police officer for 26 years before he was tragically shot and killed in the line of duty earlier this year. Major Barney was a United States Navy veteran, and we are thankful for his service to our country and to his community.

I will soon yield to my colleagues to tell us more about Major Barney's life and sacrifice. For now, I urge Members to support this bill to name a post office after Major Greg Barney in honor of his valiant service.

I reserve the balance of my time.

□ 1745

Mrs. LAWRENCE. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. DAVID SCOTT), the sponsor of the bill.

Mr. DAVID SCOTT of Georgia. Mr. Speaker, first of all, let me thank Chairman JASON CHAFFETZ, chairman of the Oversight and Government Reform Committee, for helping me, for working with me, and for taking time with me in getting this bill through the Oversight and Government Reform Committee and here on the House floor for a vote before we break for the Memorial Day holiday observance.

Chairman CHAFFETZ and I had a wonderful conversation, and we both

agreed that we wanted to get this bill out before the Memorial Day observance because this bill represents a most appropriate way for us to begin the observance of Memorial Day.

I thank Ranking Member ELIJAH CUMMINGS. I want to thank, also, the committee members of the Oversight and Government Reform Committee. I want to thank Majority Leader KEVIN MCCARTHY and Speaker PAUL RYAN for their help in moving expeditiously with this bill.

Mr. Speaker, I want to tell you that the idea for this bill came to me directly from the heart and the soul of the wonderful people of Riverdale, Georgia, who truly love and endear Major Barney.

Riverdale, Georgia, is an extraordinary city with a rich history. It is led by Mayor Evelyn Wynn-Dixon, Police Chief Todd Spivey, council members Cynthia Stamps-Jones, An'Cel Davis, Wanda Wallace, and Kenny Ruffin. As a matter of fact, Mr. Speaker, council members Stamps-Jones and An'Cel Davis stopped by my office in Jonesboro and presented this idea to me.

I want to thank my chief of staff, Michael Andel, and my senior staffer here in Washington, William Burriss, for their tremendous work in helping. I also thank my district director, Chandra Harris, and deputy district director, Isaac DoDoo, for working with us in Georgia.

Now I want to say the other important thing about this bill. This is truly a bipartisan bill. This bill honoring Major Barney is cosponsored by all 14 members of the Georgia congressional delegation, Democrats and Republicans, and by both of our United States Senators, JOHNNY ISAKSON and DAVID PERDUE, who will handle this in the Senate.

I want to thank, as I look over and I see some of my Republican friends and colleagues on the floor, TOM PRICE, LYNN WESTMORELAND, and JODY HICE for joining us here for this important bill.

Now, Mr. Speaker, why are we here?

On February 11, 2016, Major Gregory E. Barney, who also, notably, was the very first African American interim police chief in the history of Riverdale, Georgia, was fatally shot in the line of duty while he was serving a warrant for the arrest of a drug dealer, the dregs of our community right now. Major Barney stepped up and responded. He was working with a detail of the Clayton County Police, their narcotics unit and their SWAT team; and they were there to put forward this warrant for this arrest, and the drug dealer shot Mr. Barney.

Now, the day of this tragic death, also, Mr. Speaker, the 11th of February, there was something else significant. It also marked the anniversary of his 25-year career. Major Barney was shot on the 25th anniversary of his 25 years of service to the Clayton County and Riverdale police forces.

So I know, with a heavy heart and deep condolences, that each of us in this United States Congress takes this moment to extend our heartfelt condolences to the family of Major Barney: his lovely wife, Lisa, and his two sons, Gregory and Robert. Mr. Speaker, these were twin boys who have lost their father.

It is most fitting, also, Mr. Speaker, that the post office that we are naming for Major Barney is located directly across the street from the Riverdale Police Department headquarters now. Mr. Speaker, it is also within the view of the apartment complex where the drug raid took place where Major Barney lost his life.

Mr. Speaker, Major Barney became the first police officer in Riverdale, Georgia, to be slain in the line of duty.

Mr. Speaker, as we are here and we look forward to that day when we name this post office, we hope that in some small way that, to the family, to his children, to the people of Riverdale, Georgia, and the people of this Nation, when they pass by this post office, they will be able to pass by with a sense of great pride, great respect, and great gratitude for Major Barney, who was truly a Georgia hero.

Not only was Major Barney a Georgia hero, he was an American hero. For, as you and I and all of us here in Congress know, when we recognize Major Barney, we are recognizing so many of our brave men and women who put their lives on the line every single day to protect us in law enforcement and in the military.

Mr. Speaker, Jesus Christ, just a few hours before he was crucified, said to his disciples: This is my commandment: that you love one another as I loved you.

And then Jesus said: Greater love hath no man than this, that a man lay down his life for his friend.

Mr. Speaker, such a man was Major Gregory E. Barney.

I ask this House for a unanimous ''yes'' vote.

God bless you.

Mr. WALKER. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. TOM PRICE).

Mr. TOM PRICE of Georgia. Mr. Speaker, I am so pleased to join my colleagues today to honor Major Greg Barney, who was tragically shot and killed, as has been defined, in the line of duty on February 11, this year, while serving in the city of Riverdale, Georgia.

Major Barney was a United States Navy veteran and had served with the Riverdale Police Department for over 25 years, including as a school resource officer at Riverdale High School. We all know what a selfless role that is, a true labor of love. Major Barney embodied the kind of courageous and valiant men and women we all want on our police forces.

Mr. Speaker, on behalf of Georgia's Sixth District, I offer our deepest condolences to his wife, Lisa, and their 15-year-old twin boys, Robert and Greg, and their family and friends. I offer our heartfelt gratitude for his service and sacrifice. It is because of his type of heroism that we all feel protected in our communities.

So this is a fitting tribute, Mr. Speaker, and I ask my colleagues to join us in support of H.R. 4747, to designate the facility of the United States Postal Service located on Church Street in Riverdale, Georgia, as the Major Gregory E. Barney Post Office Building.

My colleague DAVID SCOTT has worked tirelessly on this bill, and I am proud to be a cosponsor. I thank Congressman SCOTT for his efforts and this House for your support.

Mrs. LAWRENCE. Mr. Speaker, I yield myself such time as I may consume.

I am pleased to join my colleagues in the consideration of H.R. 4747, a bill to designate the facility of the United States Postal Service located in Riverdale, Georgia, as the Major Gregory E. Barney Post Office Building.

Mr. Speaker, we should pass this bill to honor Major Gregory Barney's 25 years of service to his community, in addition to his service to his country and to commemorate the life that he led. I urge its passage.

I reserve the balance of my time.

Mr. WALKER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Georgia (Mr. JODY B. HICE).

Mr. JODY B. HICE of Georgia. Mr. Speaker, I thank the gentleman from North Carolina for yielding.

I also rise in support of H.R. 4747, to designate the U.S. post office in honor of Riverdale Police Major Gregory E. Barney.

I also sincerely want to thank Congressman DAVID SCOTT from Georgia's 13th District for his great leadership on this bill.

As has been spoken already, Major Barney led a life of service both to his community and of devotion to his family. Starting his career as a firefighter and then later serving in an ambulance squad, Major Barney joined the Riverdale Police Department in 1990. There he served for the next 25 years, as has already been mentioned, serving, ultimately, as the first African American chief of police in Riverdale.

Tragically, as we have heard tonight, his life ended in a shooting while trying to execute a no-knock warrant. On that tragic night of February 11, he gave his life trying to bring drug dealers to justice. Although I did not know him personally, from all accounts, Major Greg Barney died just as he

lived: going above and beyond the call of duty to make his community a better place.

It is fitting that the Riverdale Post Office that we are discussing is directly across the street from the Riverdale Police Department. It will serve as a daily reminder to all who enter those buildings of Major Barney's dedication to the community and of his valor in the line of duty.

Also, as has been mentioned, I would like for us to remember his loving wife, Lisa, and twin teenage boys, Robert and Greg, in our thoughts and prayers while they continue to mourn his passing.

I urge our colleagues to support H.R. 4747.

Mrs. LAWRENCE. Mr. Speaker, I yield back the balance of my time.

Mr. WALKER. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. Mr. Speaker, I am honored today that my colleague, Congressman DAVID SCOTT, asked me to participate in this.

My father was a firefighter for 26 years in the city of Atlanta, and he died answering an alarm in 1972. So I understand the heartache of a family when a loved one goes to do their job, to be that first responder, that first person on the scene, and does not come back.

□ 1800

I think it is particularly interesting that, in this case, this officer and his colleagues were serving a no-knock warrant. No-knock warrants are issued by a judge because they are basically the most protective type of warrant for a police officer because they go in, and they know there is criminal activity or there are drug sales, gambling, or whatever the circumstance is, that they can go in.

Major Barney was out in the field and happened to give chase to a gentleman who ran out the back door. A lot of times when these first responders put their lives on the line, I don't think people understand that they have got a wife, such as he had, Lisa, sons, Robert and Greg, who he wanted to go home to that night. Those boys wanted their daddy to come home, and that wife wanted her husband to come home. He was out serving the community.

I think that is one of the great attributes that, if you look at Major Barney and how other people looked at him, it is what he did for his family, what he did for his community and all the different services that have already been mentioned here tonight. A lot of times, for some reason, the public does not want to understand that these law enforcement officers, these first responders, these medics who go out and do this, they do this for the protection of all of us—at the risk of their lives. Major Barney gave the ultimate sacrifice.

The SPEAKER pro tempore (Mr. BOST). The time of the gentleman has expired.

Mr. WALKER. Mr. Speaker, I yield an additional 1 minute to the gentleman from Georgia.

Mr. WESTMORELAND. Mr. Speaker, I think, as we remember his family and the other families tonight, we should remember them for a while and thank them.

We have just recently had another officer who was killed. We have to remember these people and their families and not only pray for the protection of the public servant, but pray for those families that, when that loved one leaves their house, like in my case, and you don't know whether your loved one is coming back, pray for them that they would have that strength and that encouragement and that love to let that loved one go do their job.

How appropriate, as has been mentioned, that this post office is right across the street from the Riverdale Police Department. A post office is somewhere where the community comes and gathers and talks. I don't think there is any more honorable tribute. I have lived in Riverdale. I know that area. I know that post office. I know how the community respects that, so there could be no greater tribute than to have a post office named after you.

I want to encourage all my colleagues to help us send a great message to this hero's family and support H.R. 4747.

Again, I thank the gentleman from Georgia (Mr. DAVID SCOTT), my friend, for letting me participate in this.

Mr. WALKER. Mr. Speaker, I urge adoption of the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. WALKER) that the House suspend the rules and pass the bill, H.R. 4747.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

LCPL GARRETT W. GAMBLE, USMC POST OFFICE BUILDING

Mr. WALKER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4877) to designate the facility of the United States Postal Service located at 3130 Grants Lake Boulevard in Sugar Land, Texas, as the ''LCpl Garrett W. Gamble, USMC Post Office Building''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4877

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LCPL GARRETT W. GAMBLE, USMC POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 3130 Grants Lake Boulevard in Sugar Land, Texas, shall be known and designated as the ''LCpl Garrett W. Gamble, USMC Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''LCpl Garrett W. Gamble, USMC Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. WALKER) and the gentlewoman from Michigan (Mrs. LAWRENCE) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. WALKER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WALKER. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 4877, introduced by the gentleman from Texas (Mr. OLSON). H.R. 4877 designates the post office located at 3130 Grants Lake Boulevard in Sugar Land, Texas, as the LCpl Garrett W. Gamble, USMC Post Office Building.

Lance Corporal Gamble was a determined young man. Before he even graduated high school, he already decided to join the Marines. Less than a year after being deployed in Afghanistan, Gamble was killed when he stepped on an enemy land mine.

Mr. Speaker, Garrett Gamble's life was taken far too soon. Naming a post office after him is just a small honor we can give to a man who gave his life for his country. I urge Members to support this bill to name a post office in Gamble's honor.

I will soon yield to the gentleman from Texas (Mr. OLSON), my colleague and the bill's sponsor, to tell us more about the honorable soldier Lance Corporal Garrett W. Gamble.

Mr. Speaker, I reserve the balance of my time.

Mrs. LAWRENCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I join my colleagues in the consideration of H.R. 4877, a bill to designate the facility of the United States Postal Service in Sugar Land, Texas, as LCpl Garrett W. Gamble, USMC Post Office Building.

It has been stated that this amazing young man was only 20 years old when he gave the ultimate sacrifice in Afghanistan. Garrett will be remembered

for his bravery, his determination, and, it has been said, a big personality. He is survived by his parents, stepfather, and two younger brothers.

Mr. Speaker, I think, again, we are seeing multiple examples of our brave, dedicated citizens in the United States giving the ultimate sacrifice. I feel strongly that we should pass this bill to commemorate Lance Corporal Gamble's sacrifice for his country.

I reserve the balance of my time.

Mr. WALKER. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Texas (Mr. OLSON).

Mr. OLSON. Mr. Speaker, I thank my colleague from North Carolina. I would also like to thank the chairman of the full committee, Mr. CHAFFETZ, the ranking member, Mr. CUMMINGS, and the entire committee for getting H.R. 4877 to the House floor this afternoon.

This bill names a post office a few miles from my home after Lance Corporal Garrett Gamble, United States Marine Corps. Garrett died defending our freedom on March 11, 2010, in Afghanistan. He was 20 years young.

Garrett died before I could meet him, but I will never forget him because of the stories I was told after God called him home. His mother, Chelle, told me about a 10-year-old boy who got very angry when he saw those towers fall, the plane crash into the Pentagon, and the plane go down in rural Pennsylvania on 9/11. He never wanted to see his homeland attacked like that again. The drive to join the Marine Corps had started, and that drive would never end.

Garrett wanted to destroy evil. He knew that joining the Marine Corps was his calling when he saw al Qaeda's evil firsthand. Garrett and some marines were on a foot patrol in a small Afghan village. Garrett must have flashed that big smile because a young Afghan boy waved at Garrett. Garrett waved back and held up a small mint for the boy to have.

The boy walked up slowly, took the mint, and ran to his father to show him what the American had given him. Garrett watched in horror as the dad beat the tar out of his son. He kicked him; he punched him; he knocked him senseless. Garrett wanted to shoot, but he could not. He got back to base and asked the old-timers what the heck happened. Why did that boy get beat for this small mint?

The old-timers told him, al Qaeda was watching. When we left, they may go to that man's home and kill that man—the father, his boy, his mother, his sisters, his brothers. That was a plea from the father: Don't kill my family. My boy did wrong by taking this small mint. Please leave us alone.

Garrett knew he was no longer fighting for America; he was fighting for people all over the world who craved freedom.

The final story says everything about Garrett. When he finally enlisted, he was a junior in high school—Austin High School, the Bulldogs. He told his best friend: I have done it. I have joined the Marine Corps.

His best friend became irate. He never thought Garrett would do that. He never thought he would join the Marine Corps. He said: I can't believe you joined the Marine Corps. You may get killed. I would never, ever join the Corps.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WALKER. Mr. Speaker, I yield an additional 1 minute to the gentleman from Texas.

Mr. OLSON. I thank my friend from North Carolina.

Garrett, in an act of true human love, put his arms on his best friend's shoulders, looked him square in the eye, and whispered: That is why I did it. That is why I did it.

Garrett did not earn this honor by his death; he earned it by his life. Because of this bill, Garrett's love will be on permanent display at 3130 Grants Lake Boulevard in Sugar Land, Texas, the Garrett W. Gamble Post Office.

Mrs. LAWRENCE. Mr. Speaker, I urge the passage of H.R. 4877.

I yield back the balance of my time.

Mr. WALKER. Mr. Speaker, I urge adoption of the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. WALKER) that the House suspend the rules and pass the bill, H.R. 4877.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PETTY OFFICER 1ST CLASS CALEB A. NELSON POST OFFICE BUILDING

Mr. WALKER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4975) to designate the facility of the United States Postal Service located at 5720 South 142nd Street in Omaha, Nebraska, as the ″Petty Officer 1st Class Caleb A. Nelson Post Office Building''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H. R. 4975

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PETTY OFFICER 1ST CLASS CALEB A. NELSON POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 5720 South 142nd Street in Omaha, Nebraska, shall be known and designated as the ''Petty Officer 1st Class Caleb A. Nelson Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Petty Officer 1st Class Caleb A. Nelson Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. WALKER) and the gentlewoman from Michigan (Mrs. LAWRENCE) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. WALKER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WALKER. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 4975, introduced by the gentleman from Nebraska (Mr. ASHFORD).

Petty Officer Nelson was a Navy SEAL who served a tour of duty in Iraq and, later, another tour in Afghanistan. On his 2011 tour in Afghanistan, he was killed when his vehicle struck an explosive device.

His friends and family remember him as a cherished teammate, a gifted SEAL operator, and a loving husband and father.

Mr. Speaker, Petty Officer Nelson made a great sacrifice by giving his life in the service of his country. I urge Members to honor his sacrifice by naming a post office in his honor.

Mr. Speaker, I reserve the balance of my time.

Mrs. LAWRENCE. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. ASHFORD), the sponsor of this bill.

□ 1815

Mr. ASHFORD. Mr. Speaker, I thank the chairman of the committee and the ranking member for helping us get this legislation through today. I also thank my fellow Nebraskans, Congressman FORTENBERRY and Congressman SMITH, for their cosponsorship of this important legislation.

Today I stand with a heavy heart and great pride to honor the life and legacy of Omaha native, Petty Officer 1st Class Caleb A. Nelson.

On October 1, 2011, Petty Officer Nelson gave his life in service to his country when he was killed on a combat patrol by an explosive device that struck his vehicle in Zabul province, Afghanistan. His selfless and courageous service to our country will never be forgotten. Though we cannot repay the ultimate sacrifice that Petty Officer Nelson made while protecting our Nation, his legacy will now have a permanent physical memory through H.R. 4975.

This legislation will designate the post office located a 5720 South 142nd

Street, near my home in Omaha, Nebraska, as the Petty Officer 1st Class Caleb A. Nelson Post Office Building.

Our Nation is defended by men and women who sacrifice to keep us free, protect our liberty, and strengthen our country. We have lost many brave men and women who have left this country to protect our life, and I am proud and humbled to stand here before this House to honor the life and bravery of one of those men today.

Petty Officer Nelson entered the Navy in the engineering career field and graduated from boot camp on October 11, 2005. After graduating from Navy technical training, Petty Officer Nelson was accepted to attend Basic Underwater Demolition SEAL training. He graduated from SEAL training in November 2006.

As a member of the elite team of Navy SEALs, Petty Officer Nelson continued to serve his country as a seasoned combat veteran, with a deployment to Iraq in 2009, and a deployment to Afghanistan in March 2011.

Petty Officer Nelson's awards and decorations speak to his selfless heroism. These awards include the Bronze Star with Valor, Purple Heart Navy and Marine Corps Achievement Medal, Good Conduct Medal, National Defense Service Medal, Afghanistan Campaign Medal, Global War on Terrorism Service Medal, Sea Service Ribbon, NATO Service Medal, Expert Rifle Ribbon, and Expert Pistol Ribbon.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mrs. LAWRENCE. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. ASHFORD. To those who knew Petty Officer Nelson best—his parents, wife, and two sons—he will be remembered as a loving son, husband, and father. To his fellow Navy SEALs, he will be remembered as a cherished teammate and a gifted SEAL operator. To this country, he will be remembered as an embodiment of the Navy's motto: ''Not for self, but for country.''

Mrs. LAWRENCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we should pass this bill to commemorate the courage and the valor exhibited by Petty Officer 1st Class Caleb Nelson and honor the ultimate sacrifice he made.

Mr. Speaker, I urge passage of H.R. 4975.

I yield back the balance of my time.

Mr. WALKER. Mr. Speaker, I urge adoption of the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. WALKER) that the House suspend the rules and pass the bill, H.R. 4975.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

LOUIS VAN IERSEL POST OFFICE

Mr. WALKER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4761) to designate the facility of the United States Postal Service located at 61 South Baldwin Avenue in Sierra Madre, California, as the ''Louis Van Iersel Post Office''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4761

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LOUIS VAN IERSEL POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 61 South Baldwin Avenue in Sierra Madre, California, shall be known and designated as the ''Louis Van Iersel Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Louis Van Iersel Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. WALKER) and the gentlewoman from Michigan (Mrs. LAWRENCE) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. WALKER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WALKER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 4761, introduced by Congresswoman JUDY CHU of California.

Louis Van Iersel's story is an unbelievable one. Louis came to the United States from the Netherlands, and he served his new home with fervor. On his first day in the United States, he enlisted in the Army and soon after was deployed to Europe as part of World War I. He was awarded the Medal of Honor for saving hundreds of Americans' lives during the war.

At the start of World War II, Louis tried to enlist in the Army alongside his sons, but he was turned away because of his age.

So what did he do?

He enlisted with the Marines instead. Through his life, Van Iersel truly wanted to serve the United States, the country he adopted as his home.

I urge Members to support the bill to name a post office in Van Iersel's honor.

Mr. Speaker, I reserve the balance of my time.

Mrs. LAWRENCE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. JUDY CHU).

Ms. JUDY CHU of California. Mr. Speaker, I rise today to honor the life of Sergeant Louis Van Iersel, a decorated veteran of both World Wars, by offering a bill to designate the U.S. Post Office in the city of Sierra Madre, California, the Louis Van Iersel Post Office.

Sergeant Van Iersel was the true embodiment of an American hero. An immigrant from the Netherlands, his acts of heroism began even before he sat foot on American soil. On his voyage to the United States in 1917, he assisted in the rescue of 27 shipwrecked British soldiers torpedoed by a German vessel.

On the very day he arrived in the United States, Mr. Van Iersel registered for the draft and enlisted in the Army. He didn't speak a word of English, but he learned while working in the Army kitchen. He was eventually assigned to the 2nd Infantry Division and was deployed to France at the end of World War I.

It was in France that Mr. Van Iersel showed extraordinary heroism time and time again. He first gained notice when he and a comrade braved German gunfire to carry 17 soldiers to safety. He was then promoted to sergeant, when he led a small reconnaissance patrol and found enemy trenches. It was there that he was able to use his native language of German to infiltrate them and convince the officer in charge to surrender 60 German soldiers.

From there, Mr. Van Iersel increased his efforts to gain information on German troop movements. In one particularly treacherous situation, Mr. Van Iersel braved heavy fire to swim across the icy Seine River. He overheard German soldiers discussing a heavy artillery barrage that would have wiped out the whole American battalion.

With this critical information, he swam back across the river and reported his findings, enabling the American troops to take cover before the attack began. Because of his actions, he saved 1,000 American lives. For all his efforts, he was awarded dozen of medals, including two military medals, the French Croix de Guerre and the American Medal of Honor. These are the highest honors that both countries can bestow.

At the end of the World War I, Mr. Van Iersel moved to the city of Sierra Madre, California, in my district. He became a citizen, got married, and started a family. But then World War II broke out, and Mr. Van Iersel knew he could not sit idly by. He and his three sons all reported to the Army to enlist and to serve their country. But Mr. Van Iersel was turned away, because the Army told him he was too old to serve.

While he would not let this stop him, undeterred, Mr. Van Iersel talked his way into the Marine Corps. He served with the 3rd Marine Division in the Pacific, and safely returned home in 1945.

Mr. Van Iersel passed away at the age of 93. But as a longtime resident of Sierra Madre, Mr. Van Iersel exemplified the American Dream, raising his family after he left military service, volunteering with his local Veterans of Foreign Wars chapter, and remaining an active member of the community.

I encourage you to honor his extraordinary legacy and vote ''yes'' on H.R. 4761.

Mr. WALKER. Mr. Speaker, I reserve the balance of my time.

Mrs. LAWRENCE. Mr. Speaker, we should pass this bill to recognize Louis Van Iersel's unparalleled dedication to our country.

I urge passage of H.R. 4761.

I yield back the balance of my time.

Mr. WALKER. Mr. Speaker, I urge adoption of the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. WALKER) that the House suspend the rules and pass the bill, H.R. 4761.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SPECIAL WARFARE OPERATOR MASTER CHIEF PETTY OFFICER (SEAL) LOUIS ''LOU'' J. LANGLAIS POST OFFICE BUILDING

Mr. WALKER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3218) to designate the facility of the United States Postal Service located at 836 Anacapa Street, Santa Barbara, California as the ''Special Warfare Operator Master Chief Petty Officer (SEAL) Louis 'Lou' J. Langlais Post Office Building'', as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3218

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SPECIAL WARFARE OPERATOR MASTER CHIEF PETTY OFFICER (SEAL) LOUIS "LOU" J. LANGLAIS POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1221 State Street, Suite 12, Santa Barbara, California, shall be known and designated as the ''Special Warfare Operator Master Chief Petty Officer (SEAL) Louis 'Lou' J. Langlais Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Special Warfare Operator Master Chief Petty Officer (SEAL) Louis 'Lou' J. Langlais Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. WALKER) and the gentlewoman from Michigan (Mrs. LAWRENCE) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. WALKER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WALKER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 3218, introduced by Congresswoman LOIS CAPPS of California.

Master Chief Lou Langlais served in the military for 25 years. He was in his final tour in Afghanistan when enemy fire shot down his helicopter, killing him and 29 other Americans.

I will ask my colleague and the sponsor of this bill, Congresswoman LOIS CAPPS, to share the incredible story of Master Chief Langlais, but I first want to urge Members to support this bill and name a post office after Special Warfare Operator Master Chief Petty Officer Louis ''Lou'' J. Langlais. Hearing his story of lifelong service is inspiring, and I am hopeful that permanently naming the post office in the remembrance of his sacrifice will serve to inspire generations to come.

Mr. Speaker, I reserve the balance of my time.

Mrs. LAWRENCE. Mr. Speaker, I yield 4 minutes to the gentlewoman from California (Mrs. CAPPS), the sponsor of this bill.

Mrs. CAPPS. I thank the gentlewoman for yielding.

Mr. Speaker, I rise in strong support of my bill, H.R. 3218, which would designate the United States Postal Service facility that is actually on State Street in Santa Barbara as the Special Warfare Operator Master Chief Petty Officer (SEAL) Louis ''Lou'' J. Langlais Post Office Building.

Lou was a soldier and beloved family man. He dedicated his life to protecting our freedom and our country. This is an important bill not only for my community of Santa Barbara, but for the memory of a brave member of our armed services we lost way too soon. Naming the Santa Barbara post office in honor of Lou Langlais is a fitting tribute.

Born in Quebec, Lou grew up on the central coast. He was an avid rock and mountain climber who spent much of his free time rock climbing some of California's most renowned and challenging locations, including Yosemite National Park and Joshua Tree National Park.

After graduating from Santa Barbara High School, Lou joined the Navy in 1986. He spent 3 years on a warship before being accepted into and graduating from SEAL training class 162 in February 1989. He was a member of the Navy Parachute Team, the Leap Frogs, and served in the Persian Gulf War with distinction and valor.

Then in 2000, Lou joined the highly selective Naval Special Warfare Development Group, where he eventually rose to become a troop leader in the Navy SEALs' elite Team Six before serving multiple tours in Afghanistan and Iraq.

During his 25-year military career, Lou earned many personal and unit decorations, including five Bronze Stars with Valor, the Purple Heart, a Defense Meritorious Service Medal, three Navy and Marine Corps Achievement Medals, and three Presidential Unit Citations, as well as several other campaign and unit decorations.

It is also important to note that he is most remembered as a trusted friend, family member, and teammate for so many.

On August 6, 2011, Master Chief Special Warfare Operator Langlais was one of 30 Americans killed in action when their helicopter was shot down in eastern Afghanistan. At the time, he was serving what was supposed to be his very last deployment. He had plans to return home to his family and continue his service as a trainer in the Navy SEAL program. But alas, he made the ultimate sacrifice.

□ 1830

Lou is survived by his wife, Anya, and their two sons, Gabe and Jake, who also have given so much for their country. This bill honors them for their sacrifice and perseverance in the face of tragedy.

As our community and Nation still mourn, I am proud to have authored this legislation. The naming of the Santa Barbara post office after Master Chief Lou Langlais is a fitting tribute and a way for Santa Barbara to remember and honor one of our own.

I urge my colleagues to support this important legislation.

Mr. WALKER. Mr. Speaker, I reserve the balance of my time.

Mrs. LAWRENCE. Mr. Speaker, we should pass this bill to recognize the incredible achievements of Special Warfare Operator Chief Petty Officer Lou Langlais as well as the ultimate sacrifice he made for this country.

I urge the passage of H.R. 3218.

Mr. Speaker, I yield back the balance of my time.

Mr. WALKER. Mr. Speaker, I urge adoption of the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from North Carolina (Mr. WALKER) that the House suspend the rules and pass the bill, H.R. 3218, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: ''A bill designate the facility of the United States Postal Service located at 1221 State Street, Suite 12, Santa Barbara, California, as the 'Special Warfare Operator Master Chief Petty Officer (SEAL) Louis ''Lou'' J. Langlais Post Office Building'.''.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 4889, by the yeas and nays;

H.R. 3998, by the yeas and nays;

H.R. 4167, de novo;

H.R. 2589, de novo.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

KELSEY SMITH ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4889) to amend the Communications Act of 1934 to require providers of a covered service to provide call location information concerning the telecommunications device of a user of such service to an investigative or law enforcement officer in an emergency situation involving risk of death or serious physical injury or in order to respond to the user's call for emergency services, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 229, nays 158, not voting 46, as follows:

[Roll No. 229]

YEAS—229

Abraham
Aderholt
Aguilar
Amodei
Ashford
Barletta
Barr
Benishek
Bera
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Boyle, Brendan F.
Brady (TX)
Brooks (IN)
Brown (FL)
Brownley (CA)
Bucshon
Burgess
Bustos
Byrne
Calvert
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Castor (FL)
Chabot
Clay
Cleaver
Clyburn
Coffman
Cohen
Collins (NY)
Comstock
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Davis, Rodney
Delaney
Denham
Dent
DeSantis
DeSaulnier
Deutch
Diaz-Balart
Dold
Donovan
Duffy
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Fitzpatrick
Fleischmann
Flores
Forbes
Fortenberry
Franks (AZ)
Frelinghuysen
Fudge
Garamendi
Gibbs
Goodlatte
Gowdy
Graham
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hahn
Hardy
Harris
Hartzler
Hastings
Heck (NV)
Higgins
Hill
Holding
Hudson
Hultgren
Hurd (TX)
Israel
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Joyce
Katko
Kelly (IL)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
Lamborn
Lance
Latta
Lipinski
LoBiondo
Loebsack
Long
Love
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
MacArthur
Maloney, Sean
Marino
McCarthy
McCaul
McHenry
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Moolenaar
Mullin
Murphy (FL)
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palmer
Paulsen
Peterson
Pittenger
Pitts
Poliquin
Pompeo
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Roby
Roe (TN)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruppersberger
Rush
Russell
Scalise
Schiff
Schrader
Scott, Austin
Scott, David
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Swalwell (CA)
Thompson (PA)
Thornberry
Tiberi
Titus
Torres
Trott
Turner
Upton
Valadao
Veasey
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (AK)
Young (IA)
Young (IN)
Zinke

NAYS—158

Adams
Amash
Babin
Becerra
Beyer
Blumenauer
Bonamici
Brady (PA)
Brat
Brooks (AL)
Buchanan
Buck
Butterfield
Capps
Capuano
Cartwright
Chaffetz
Chu, Judy
Clark (MA)
Clarke (NY)
Clawson (FL)
Conaway
Connolly
Conyers
Courtney
Crowley
Cummings
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DesJarlais
Dingell
Doyle, Michael F.
Duncan (SC)
Edwards
Eshoo
Farenthold
Farr
Fleming
Foster
Foxx
Frankel (FL)
Gabbard
Gallego
Garrett
Gibson
Gosar
Grayson
Hanna
Harper
Heck (WA)
Hensarling
Hice, Jody B.
Himes
Hinojosa
Honda
Hoyer
Huffman
Issa
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Jordan
Kaptur
Keating
Kelly (MS)
Kennedy
Kildee
Kilmer
Kind
Labrador
LaMalfa
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lieu, Ted
Lofgren
Lowenthal
Lowey
Lynch
Massie
Matsui
McClintock
McCollum
McDermott
McGovern
McNerney
McSally
Meng
Mooney (WV)
Moore
Moulton
Mulvaney
Nadler
Napolitano
Neal
Nolan
Norcross
Palazzo
Pallone
Pascrell
Payne
Pearce
Pelosi
Perlmutter
Perry
Pingree
Pocan
Poe (TX)
Polis
Posey
Price (NC)
Price, Tom
Rice (NY)
Rice (SC)
Richmond
Rigell
Rogers (AL)
Rokita
Roybal-Allard
Ruiz
Ryan (OH)
Sánchez, Linda T.
Sanford
Sarbanes
Schakowsky
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Sherman
Smith (WA)
Speier
Stutzman
Takano
Thompson (CA)
Thompson (MS)
Tipton
Tonko
Tsongas
Van Hollen
Velázquez
Walz
Wasserman Schultz
Watson Coleman
Weber (TX)
Welch
Wilson (FL)
Yarmuth
Yoho
Zeldin

NOT VOTING—46

Allen
Barton
Bass
Beatty
Bridenstine
Cárdenas
Castro (TX)
Cicilline
Cole
Collins (GA)
Curbelo (FL)
Davis (CA)
Doggett
Duckworth
Ellison
Engel
Esty
Fattah
Fincher
Gohmert
Granger
Green, Al
Grijalva
Gutiérrez
Herrera Beutler
Huelskamp
Huizenga (MI)
Hunter
Hurt (VA)
Lewis
Loudermilk
Maloney, Carolyn
Marchant
Meeks
Miller (MI)
O'Rourke
Peters
Rangel
Rohrabacher
Salmon
Sanchez, Loretta
Sires
Takai
Vargas
Visclosky
Waters, Maxine

□ 1854

Mrs. CAPPS, Mr. BROOKS of Alabama, Ms. CLARKE of New York, Messrs. NEAL, GIBSON, PEARCE, HARPER, BUCHANAN, and HANNA changed their vote from ''yea'' to ''nay.''

Mr. BURGESS, Ms. SEWELL of Alabama, Messrs. LoBIONDO, VEASEY, DEUTCH, and Ms. SLAUGHTER changed their vote from ''nay'' to ''yea.''

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

CONGRESSIONAL SPORTSMEN'S CAUCUS ANNUAL MEMBER SHOOT-OUT

(Mr. WITTMAN asked and was given permission to address the House for 1 minute.)

Mr. WITTMAN. Mr. Speaker, recently, the Congressional Sportsmen's Caucus held its annual Member Shoot-Out at Prince George's County Trap and Skeet Center. This is a friendly competition between Republicans and Democrats where we get out there and we shoot trap, skeet, and sporting clays.

I am pleased to announce that this year, Team Republican will retain the Shoot-Out trophy, with a winning score of 253–222.

Our Congressional Sportsmen's Caucus is a bipartisan caucus made up of

Members of the Republican and Democratic Parties that all come together to support our Nation's great shooting sports heritage, fishing and recreational shooting heritage, as well as all of us that love to hunt.

Mr. Speaker, I now yield to the gentleman from Minnesota (Mr. WALZ). He is the co-chair of the caucus and winner of the Democratic Top Gun award.

Mr. WALZ. Mr. Speaker, I would like to thank my co-chair of the Congressional Sportsmen's Caucus, the gentleman from Virginia, and congratulate the Republican team for a strong showing this year. You certainly raised the bar for next year.

This event highlights that, in the largest bipartisan caucus in Congress, we collaboratively work together to protect this Nation's hunting, fishing, and outdoor heritage. I am proud of the Members who come out there. They give to the great cause of this, and we continue that heritage.

So again, I congratulate the Republicans for some fine shooting. I look forward to next year and the work we do together.

SECURING ACCESS TO NETWORKS IN DISASTERS ACT

The SPEAKER pro tempore (Mr. WOMACK). Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3998) to direct the Federal Communications Commission to commence proceedings related to the resiliency of critical telecommunications networks during times of emergency, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 389, nays 2, not voting 42, as follows:

[Roll No. 230]

YEAS—389

Abraham
Adams
Aderholt
Aguilar
Amash
Amodei
Ashford
Babin
Barletta
Barr
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Chabot
Chaffetz
Chu, Judy
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Dold
Donovan
Doyle, Michael F.
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Eshoo
Farenthold
Farr
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huffman
Hultgren
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meng
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Sánchez, Linda T.
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Veasey
Vela
Velázquez
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—2

Massie
McClintock

NOT VOTING—42

Allen
Barton
Bass
Beatty
Bridenstine
Cárdenas
Castro (TX)
Cicilline
Cole
Collins (GA)
Curbelo (FL)
Davis (CA)
Doggett
Duckworth
Engel
Esty
Fattah
Fincher
Granger
Green, Al
Grijalva
Gutiérrez
Herrera Beutler
Huelskamp
Huizenga (MI)
Hunter
Lewis
Loudermilk
Maloney, Carolyn
Meeks
Miller (MI)
O'Rourke
Peters
Rangel
Rohrabacher
Salmon
Sanchez, Loretta
Sires
Takai
Vargas
Visclosky
Waters, Maxine

□ 1904

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: ''A bill to direct the Federal Communications Commission to conduct a study on network resiliency during times of emergency, and for other purposes.''.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. AL GREEN of Texas. Mr. Speaker, today I missed the following votes:

1. H.R. 4889, Kelsey Smith Act. Had I been present, I would have voted ''yes'' on this bill.

2. H.R. 3998, Securing Access to Networks in Disasters Act. Had I been present, I would have voted ''yes'' on this bill.

KARI'S LAW ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 4167) to amend the Communications Act of 1934 to require multi-line telephone systems to have a default configuration that permits users to directly initiate a call to 9–1–1 without dialing any additional digit, code, prefix, or post-fix, and for other purposes, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: ''A bill to amend the Communications Act of 1934 to require multi-line telephone systems to have a configuration that permits users to directly initiate a call to 9–1–1 without dialing any additional digit, code, prefix, or post-fix, and for other purposes.''.

A motion to reconsider was laid on the table.

TIMELY AVAILABILITY OF ITEMS ADOPTED BY VOTE OF THE FEDERAL COMMUNICATIONS COMMISSION

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 2589) to amend the Communications Act of 1934 to require the Federal Communications Commission to publish on its Internet website changes to the rules of the Commission not later than 24 hours after adoption, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: ''A bill to amend the Communications Act of 1934 to require the Federal Communications Commission to publish on its Internet website the text of any item that is adopted by vote of the Commission not later than 24 hours after receipt of dissenting statements from all Commissioners wishing to submit such a statement with respect to such item.''.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on additional motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

MASTER CHIEF PETTY OFFICER JESSE DEAN VA CLINIC

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3969) to designate the Department of Veterans Affairs community-based outpatient clinic in Laughlin, Nevada, as the ''Master Chief Petty Officer Jesse Dean Department of Veterans Affairs Community-Based Outpatient Clinic'', as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3969

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MASTER CHIEF PETTY OFFICER JESSE DEAN VA CLINIC.

(a) DESIGNATION.—The Department of Veterans Affairs community-based outpatient clinic in Laughlin, Nevada, shall after the date of the enactment of this Act be known and designated as the ''Master Chief Petty Officer Jesse Dean VA Clinic''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the community-based outpatient clinic referred to in subsection (a) shall be deemed to be a reference to the ''Master Chief Petty Officer Jesse Dean VA Clinic''.

The SPEAKER pro tempore (Mr. DONOVAN). Pursuant to the rule, the gentleman from Florida (Mr. BILIRAKIS) and the gentlewoman from Florida (Ms. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BILIRAKIS. Mr. Speaker, I yield myself such time as I may consume.

This bill is sponsored by Congressman JOE HECK from Nevada, and I thank him for introducing this piece of legislation.

Master Chief Petty Officer Jesse Dean was born on August 11, 1947, and enlisted in the United States Navy when he was just 17 years old. Throughout his time in the Navy, Master Chief Petty Officer Dean served on numerous ships and on several overseas assignments and earned several awards and commendations.

Master Chief Petty Officer Jesse Dean served our Nation both in and out of uniform. He served his fellow veterans and neighbors in Nevada. It is entirely fitting that with the passage of H.R. 3969, as amended, we name the VA community-based outpatient clinic in Laughlin, Nevada, the Master Chief Petty Officer Jesse Dean Department of Veterans Affairs Community-Based Outpatient Clinic.

Mr. Speaker, I reserve the balance of my time.

Ms. BROWN of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3969, as amended, which would designate the Department of Veterans Affairs community-based outpatient clinic in Laughlin, Nevada, as the Master Chief Petty Officer Jesse Dean Department of Veterans Affairs Community-Based Outpatient Clinic.

Master Chief Petty Officer Dean, who passed away in 2014, was a highly decorated Vietnam veteran who served 27 years in the Navy before retiring in 1992. He settled in Laughlin and joined the American Legion where he was revered by fellow members for his selfless service and dedication. By all accounts, Master Chief Petty Officer Dean was an exemplary sailor and beloved citizen, husband, and father.

I understand that when Congressman HECK asked his constituents to recommend a veteran to name this clinic after, Officer Dean was the only name mentioned.

Mr. Speaker, Master Chief Petty Officer Dean's dedication to duty, his community, and his country reflected great credit upon himself and was in keeping with the finest ideals of service, selflessness, and giving, making him the ideal namesake for the new veterans clinic in Laughlin, Nevada.

Mr. Speaker, I reserve the balance of my time.

□ 1915

Mr. BILIRAKIS. Mr. Speaker, I yield such time as he may consume to the gentleman from Nevada (Mr. HECK).

Mr. HECK of Nevada. I thank the gentleman for yielding.

Mr. Speaker, I come to the floor today to urge the House to adopt H.R. 3969, legislation I introduced to name the Department of Veterans Affairs community-based outpatient clinic in Laughlin, Nevada, in honor of Master Chief Petty Officer Jesse Dean.

On February 19, 2015, I helped cut the ribbon at the grand opening of the Department of Veterans Affairs community-based outpatient clinic in Laughlin, Nevada. Shortly after the clinic was completed, members of the American Legion Richard Springston Post 60 in Laughlin came to me with an idea that the clinic should be named for a prominent Laughlin veteran. As we started the search, one name stood out amongst the rest: Master Chief Petty Officer Jesse Dean.

From the time he was a boy, Jesse Dean only wanted to do one thing—serve his country as a member of the United States military. In 1965, at the age of 17, he enlisted in the Navy. Jesse would go on to serve 27 years, achieving the highest grade for an enlisted sailor, that of master chief petty officer.

His first sea duty assignment was aboard the aircraft carrier USS *Hornet*, and during Vietnam he served as part of the brown-water navy. Over his 27-year career, Jesse earned numerous awards and commendations, including three Navy Commendation Medals, two Navy Achievement Medals, a Combat Action Ribbon, a Vietnam Service Medal, and an Overseas Service Ribbon.

Upon his retirement from the Navy in 1992, Jesse moved to Laughlin and promptly joined American Legion Post 60. As a member of the Legion, Jesse was revered by fellow members for his selfless service and dedication to the Post and his fellow veterans. He did the majority of the maintenance work on the Post. He drove fellow veterans to medical appointments and to the store. He even donated a trailer that he owned to be used as a shelter for homeless veterans. Jesse did all of these things and more for the Post and his fellow veterans, but he never accepted compensation for his tireless work.

Mr. Speaker, I did not have the privilege of knowing Master Chief Jesse Dean, but it is clear from speaking with community members and veterans in Laughlin that naming the new VA clinic in his honor is a fitting tribute.

The master chief was called to his final duty station in 2014. Today we have a chance to repay him with a resounding Bravo Zulu for his years of dedication to Laughlin American Legion Post 60, to the veteran community of Laughlin, and to the United States Navy by naming the new VA health clinic in his honor.

I thank all of the members of the Nevada Congressional Delegation for backing this building naming as well as to thank the members of the American Legion Richard Springston Post 60 in Laughlin for working with us on this bill.

I urge my colleagues to support H.R. 3969 to name the Department of Veterans Affairs community-based outpatient clinic in Laughlin, Nevada, in honor of Master Chief Petty Officer Jesse Dean.

Ms. BROWN of Florida. Mr. Speaker, I yield myself such time as I may consume.

As we enter into the Memorial Day celebration, I want to point out that, like Master Chief Petty Officer Dean and many Vietnam veterans, when they returned, this country did not receive them as we should have and thank them for their service.

Of the 22 veterans who commit suicide every day, only 3 of them are part of the VA system. I would like for all of us to reach out to the Vietnam veterans and to first thank them all for their service and then for all of us to soldier up and man up and to let them know we love them, that we appreciate them, and that we appreciate their service.

I urge my colleagues to join me in supporting H.R. 3969, as amended.

Mr. Speaker, I yield back the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, I yield myself such time as I may consume.

This bill satisfies the committee's naming criteria, and, as Dr. HECK said, it is supported by the entire Nevada Congressional Delegation as well as by veterans service organizations, including the American Legion and the VFW.

I urge my colleagues to join me in supporting this great bill. I would appreciate it very much.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the bill, H.R. 3969, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: ''A bill to designate the Department of Veterans Affairs community-based outpatient clinic in Laughlin, Nevada, as the 'Master Chief Petty Officer Jesse Dean VA Clinic'.''.

A motion to reconsider was laid on the table.

EUGENE J. McCARTHY POST OFFICE

Mr. WALKER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4425) to designate the facility of the United States Postal Service located at 110 East Powerhouse Road in Collegeville, Minnesota, as the ''Eugene J. McCarthy Post Office''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4425

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EUGENE J. MCCARTHY POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 110 East Powerhouse Road in Collegeville, Minnesota, shall be known and designated as the ''Eugene J. McCarthy Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Eugene J. McCarthy Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. WALKER) and the gentlewoman from Michigan (Mrs. LAWRENCE) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. WALKER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WALKER. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 4425, which was introduced by Congressman TOM EMMER of Minnesota. H.R. 4425 designates the post office located at 110 East Powerhouse Road in Collegeville, Minnesota, as the Eugene J. McCarthy Post Office.

Former Senator Eugene McCarthy dedicated much of his life to service. Senator McCarthy served his faith through his work at St. Thomas College, and he served his country as a code breaker for the Army in the War Department.

After leaving the Army, he continued to serve in the public sector as a Representative in the House and then in the Senate for the Democratic-Farmer-Labor Party. Near the end of his life, Senator McCarthy had a post office named after him in Twin Cities, Minnesota. That post office has since been closed.

We will soon hear more about Senator McCarthy from my colleague, Congressman TOM EMMER, the bill's sponsor. For now, I urge Members to support this bill to rename a post office in remembrance of Eugene J. McCarthy.

I reserve the balance of my time.

Mrs. LAWRENCE. Mr. Speaker, I yield myself such time as I may consume.

I am pleased to join my colleagues in the consideration of H.R. 4425, a bill to designate the facility of the United States Postal Service in Collegeville, Minnesota, as the Eugene J. McCarthy Post Office.

Mr. McCarthy had many successes. He served as a politician. He served in the military. He taught and was an educator. He was one of our colleagues in the U.S. House of Representatives and later in the Senate.

Ultimately, he entered the Presidential race to become President of the United States. Although he did not win that nomination, I feel strongly in urging the passage of H.R. 4425.

I reserve the balance of my time.

Mr. WALKER. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Minnesota (Mr. EMMER).

Mr. EMMER of Minnesota. Mr. Speaker, I thank Eugene McCarthy's daughter, Ellen, and St. John's University president Dr. Michael Hemesath and Dr. Matthew Lindstrom from the Eugene J. McCarthy Center for Public Policy & Civic Engagement at the College of Saint Benedict and St. John's University for their help in making this dedication possible. The staff and students of this center provide valuable events, lectures, and discussions that engage the entire community surrounding Collegeville, Minnesota.

I rise today to honor Senator Eugene McCarthy, a man who is remembered for shaking up the D.C. establishment and for being a driving force behind the level of civic engagement Minnesota has today.

In the year which would have been his 100th birthday, I am proud to have the full Minnesota delegation's support

for dedicating the post office at St. John's University—the college where McCarthy grew up, studied, and taught—after this great public servant.

If recent years in politics have taught us anything, it is that the American people are tired of the status quo. They value independent thinking and honest, plain-spoken leaders. Eugene McCarthy was a patriotic American who valued his faith and his country, but who was not afraid to speak out when he believed our Nation was headed down the wrong path.

He left his Benedictine studies to serve his country in World War II as a code breaker in the Military Intelligence Division of the War Department. Serving in the Army gave McCarthy a firsthand perspective on the level of dedication and sacrifice our Nation's servicemembers give in furtherance of a just cause.

McCarthy is best known for effectively ending the political career of his party's presumptive Presidential nominee. As the country tired of watching their sons die in Vietnam without there being a winning strategy, McCarthy challenged Lyndon Johnson for the Presidential nomination in 1968.

In a party that struggled to justify its failed foreign policies, McCarthy garnered a substantial percentage of the New Hampshire primary, causing a severe blow to then-President Johnson's prospects as well as opening a door for Robert Kennedy, a young Senator from New York, to challenge the sitting President. Johnson ended his campaign within the same month.

Although Nixon won the election, McCarthy had done the groundwork to inject public opinion into the national election process. Eugene McCarthy revived the idea that those who were truly committed to self-government could participate and impact the process to correct injustice and improve citizens' lives in Minnesota and around the country.

McCarthy served as a Representative and Senator from our great State from 1949 to 1971. When McCarthy left the Senate, he returned to his life as a reluctant Minnesota leader, prolific poet, and educator. He authored over 20 books on public policy, political theory, and economics, including memories from growing up in Minnesota.

McCarthy continued to strongly influence Minnesota's politics; yet, he never clung to a party line. McCarthy was publicly critical of Jimmy Carter, and he supported Reagan's Strategic Defense Initiative.

Eugene McCarthy's father, a postmaster himself and a proud Republican, once said: Gene is a good boy, but he's in the wrong party.

In Minnesota, we pride ourselves on being able to disagree without necessarily being disagreeable. We pride ourselves on working together from different perspectives, politically and otherwise, toward common goals. Personally, I don't like the term ''bipartisan,'' but not for the reason you may think.

You see, I think the instant we refer to something as ''bipartisan'' we immediately make an issue about our different points of view instead of about the fact that we all want, essentially, the same things.

For instance, we all want clean air, clean water, good schools, good jobs, safe communities, and a better life for our children than we have enjoyed. The list goes on and on.

Again, for the most part, we all want the same things. Sometimes we just have different perspectives on how to best achieve the things we all want.

Senator McCarthy was not afraid to do the right thing for the right reason even if that meant working with someone who did not have the same political affiliation or religious views.

In my book, that is not just called independence. That is called leadership. Naming a post office after Eugene McCarthy is a worthy dedication for a man who shook the foundation of the political establishment at a national level.

I thank Chairman CHAFFETZ and the committee for their work to officially honor this great Minnesotan, Eugene McCarthy.

Mrs. LAWRENCE. Mr. Speaker, I yield myself such time as I may consume.

Today we have named post offices after some great individuals—public servants, members of our military, politicians, community leaders—and we have done it in the name of respecting their legacies and in honoring them so that their families are honored as well.

I just want to go through the names again: Ross McGinnis, Adam Brown, Roger Fussell, Gregory Barney, Garrett Gamble, Caleb Nelson, William Lacey, Louis Van Iersel, Louis Langlais, and Eugene McCarthy.

Mr. Speaker, I urge the passage of H.R. 4425 and say, as it has been said earlier, that post offices are gathering places in our communities. I gave 30 years of service to the United States Postal Service at various levels of service.

I know that the Postal Service is a place at which people trust their mail will be handled, for the commerce of our country rests in those post offices, and in small rural communities, it is the community center.

Today we have done a great thing, and we have done it bipartisanly. I hear that word, and I sigh a breath of relief in knowing that this body—the Members of Congress—can come together. We have come together to recognize people not because of their parties, but because they are Americans and they have served this great country.

I yield back the balance of my time.

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Mr. WALKER. Mr. Speaker, I thank the distinguished Congresswoman LAWRENCE for her service, for her time, and for her work this evening.

I urge adoption of the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. WALKER) that the House suspend the rules and pass the bill, H.R. 4425.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FEDERAL ASSETS SALE AND TRANSFER ACT OF 2016

Mr. BARLETTA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4465) to decrease the deficit by consolidating and selling Federal buildings and other civilian real property, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4465

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Federal Assets Sale and Transfer Act of 2016''.

(b) TABLE OF CONTENTS.—

SEC. 2. PURPOSES.

The purpose of this Act is to reduce the costs of Federal real estate by—

(1) consolidating the footprint of Federal buildings and facilities;

(2) maximizing the utilization rate of Federal buildings and facilities;

(3) reducing the reliance on leased space;

(4) selling or redeveloping high value assets that are underutilized to obtain the highest and best value for the taxpayer and maximize the return to the taxpayer;

(5) reducing the operating and maintenance costs of Federal civilian real properties;

(6) reducing redundancy, overlap, and costs associated with field offices;

(7) creating incentives for Federal agencies to achieve greater efficiency in their inventories of civilian real property;

(8) facilitating and expediting the sale or disposal of unneeded Federal civilian real properties;

(9) improving the efficiency of real property transfers for the provision of services to the homeless; and

(10) assisting Federal agencies in achieving the Government's sustainability goals by reducing excess space, inventory, and energy consumption, as well as by leveraging new technologies.

SEC. 3. DEFINITIONS.

In this Act, unless otherwise expressly stated, the following definitions apply:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of General Services.

(2) BOARD.—The term ''Board'' means the Public Buildings Reform Board established by section 4.

(3) CERCLA.—The term ''CERCLA'' means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(4) FEDERAL AGENCY.—The term ''Federal agency'' means an executive department or independent establishment in the executive branch of the Government, and a wholly owned Government corporation.

(5) FEDERAL CIVILIAN REAL PROPERTY AND CIVILIAN REAL PROPERTY.—

(A) IN GENERAL.—The terms ''Federal civilian real property'' and ''civilian real property'' refer to Federal real property assets, including public buildings as defined in section 3301(a) of title 40, United States Code, occupied and improved grounds, leased space, or other physical structures under the custody and control of any Federal agency.

(B) EXCLUSIONS.—Subparagraph (A) shall not be construed as including any of the following types of property:

(i) Properties that are on military installations (including any fort, camp, post, naval training station, airfield proving ground, military supply depot, military school, or any similar facility of the Department of Defense).

(ii) A base, camp, post, station, yard, center, or homeport facility for any ship or activity under the jurisdiction of the Coast Guard.

(iii) Properties that are excluded for reasons of national security by the Director of the Office of Management and Budget.

(iv) Properties that are excepted from the definition of the term ''property'' under section 102 of title 40, United States Code.

(v) Indian and Native Alaskan properties, including—

(I) any property within the limits of an Indian reservation to which the United States owns title for the benefit of an Indian tribe; and

(II) any property title that is held in trust by the United States for the benefit of an Indian tribe or individual or held by an Indian tribe or individual subject to restriction by the United States against alienation.

(vi) Properties operated and maintained by the Tennessee Valley Authority pursuant to the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831 et seq.).

(vii) Postal properties owned by the United States Postal Service.

(viii) Properties used in connection with Federal programs for agricultural, recreational, or conservation purposes, including research in connection with the programs.

(ix) Properties used in connection with river, harbor, flood control, reclamation, or power projects.

(x) Properties located outside the United States operated or maintained by the Department of State or the United States Agency for International Development.

(6) FIELD OFFICE.—The term ''field office'' means any Federal office that is not the headquarters office location for the Federal agency.

(7) HUD.—The term ''HUD'' means the Department of Housing and Urban Development.

(8) OMB.—The term ''OMB'' means the Office of Management and Budget.

(9) VALUE OF TRANSACTIONS.—The term ''value of transactions'' means the sum of the estimated proceeds and estimated costs, based on the accounting system developed or identified under section 12(e), associated with the transactions included in Board recommendations.

SEC. 4. BOARD.

(a) ESTABLISHMENT.—There is established an independent board to be known as the Public Buildings Reform Board.

(b) DUTIES.—The Board shall carry out the duties as specified in this Act.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Board shall be composed of a Chairperson appointed by the President, by and with the advice and consent of the Senate, and 6 members appointed by the President.

(2) APPOINTMENTS.—In selecting individuals for appointments to the Board, the President shall consult with—

(A) the Speaker of the House of Representatives concerning the appointment of 2 members;

(B) the majority leader of the Senate concerning the appointment of 2 members;

(C) the minority leader of the House of Representatives concerning the appointment of 1 member; and

(D) the minority leader of the Senate concerning the appointment of 1 member.

(3) TERMS.—The term for each member of the Board shall be 6 years.

(4) VACANCIES.—Vacancies shall be filled in the same manner as the original appointment.

(5) QUALIFICATIONS.—In selecting individuals for appointment to the Board, the President shall ensure that the Board contains individuals with expertise representative of the following:

(A) Commercial real estate and redevelopment.

(B) Space optimization and utilization.

(C) Community development, including transportation and planning.

SEC. 5. BOARD MEETINGS.

(a) OPEN MEETINGS.—Each meeting of the Board, other than meetings in which classified information is to be discussed, shall be open to the public. Any open meeting shall be announced in the Federal Register and the Federal Web site established by the Board at least 14 calendar days in advance of a meeting. For all public meetings, the Board shall release an agenda and a listing of materials relevant to the topics to be discussed.

(b) QUORUM AND MEETINGS.—Five Board members shall constitute a quorum for the purposes of conducting business and 3 or more Board members shall constitute a meeting of the Board.

(c) TRANSPARENCY OF INFORMATION.—All the proceedings, information, and deliberations of the Board shall be open, upon request, to the Chairperson and ranking minority party member, and their respective subcommittee Chairperson and subcommittee ranking minority party member, of—

(1) the Committee on Transportation and Infrastructure of the House of Representatives;

(2) the Committee on Oversight and Government Reform of the House of Representatives;

(3) the Committee on Homeland Security and Governmental Affairs of the Senate;

(4) the Committee on Environment and Public Works of the Senate; and

(5) the Committees on Appropriations of the House of Representatives and the Senate.

(d) GOVERNMENT ACCOUNTABILITY OFFICE.—All proceedings, information, and deliberations of the Board shall be open, upon request, to the Comptroller General of the United States.

SEC. 6. COMPENSATION AND TRAVEL EXPENSES.

(a) COMPENSATION.—

(1) RATE OF PAY FOR MEMBERS.—Each member, other than the Chairperson, shall be paid at a rate equal to the daily equivalent of the minimum annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties vested in the Board.

(2) RATE OF PAY FOR CHAIRPERSON.—The Chairperson shall be paid for each day referred to in paragraph (1) at a rate equal to the daily equivalent of the minimum annual rate of basic pay payable for level III of the Executive Schedule under section 5314 of title 5, United States Code.

(b) TRAVEL.—Members shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

SEC. 7. EXECUTIVE DIRECTOR.

(a) APPOINTMENT.—The Board shall appoint an Executive Director, who may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service.

(b) RATE OF PAY.—The Executive Director shall be paid at the rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

SEC. 8. STAFF.

(a) ADDITIONAL PERSONNEL.—Subject to subsection (b), the Executive Director may request additional personnel detailed from Federal agencies.

(b) REQUESTS FOR DETAIL EMPLOYEES.—Upon request of the Executive Director and approval of the Board and the Director of OMB, the head of any Federal agency shall detail the requested personnel of that agency to the Board to assist the Board in carrying out its duties under this Act.

(c) QUALIFICATIONS.—Appointments shall be made with consideration of a balance of expertise consistent with the qualifications of representatives described in section 4(c)(5).

SEC. 9. CONTRACTING AUTHORITY.

(a) EXPERTS AND CONSULTANTS.—The Board, to the extent practicable and subject

to appropriations Acts, shall use contracts, including nonappropriated contracts, entered into by the Administrator for services necessary to carry out the duties of the Board.

(b) OFFICE SPACE.—The Administrator, in consultation with the Board, shall identify and provide, without charge, suitable office space within the existing Federal space inventory to house the operations of the Board.

(c) PERSONAL PROPERTY.—The Board shall use personal property already in the custody and control of the Administrator.

SEC. 10. TERMINATION.

The Board shall cease operations and terminate 6 years after the date of enactment of this Act.

SEC. 11. DEVELOPMENT OF RECOMMENDATIONS TO BOARD.

(a) SUBMISSIONS OF AGENCY INFORMATION AND RECOMMENDATIONS.—Not later than 120 days after the date of enactment of this Act, and not later than 120 days after the first day of each fiscal year thereafter until the termination of the Board, the head of each Federal agency shall submit to the Administrator and the Director of OMB the following:

(1) CURRENT DATA.—Current data of all Federal civilian real properties owned, leased, or controlled by the agency, including all relevant information prescribed by the Administrator and the Director of OMB, including data related to the age and condition of the property, operating costs, history of capital expenditures, sustainability metrics, number of Federal employees and functions housed in the respective property, and square footage (including gross, rentable, and usable).

(2) AGENCY RECOMMENDATIONS.—Recommendations of the agency on the following:

(A) Federal civilian real properties that can be sold for proceeds or otherwise disposed of, reported as excess, declared surplus, outleased, or otherwise no longer meeting the needs of the agency, excluding leasebacks or other such exchange agreements where the property continues to be used by the agency.

(B) Federal civilian real properties that can be transferred, exchanged, consolidated, co-located, reconfigured, or redeveloped, so as to reduce the civilian real property inventory, reduce the operating costs of the Government, and create the highest value and return for the taxpayer.

(C) Operational efficiencies that the Government can realize in its operation and maintenance of Federal civilian real properties.

(b) STANDARDS AND CRITERIA.—

(1) DEVELOPMENT OF STANDARDS AND CRITERIA.—Not later than 60 days after the deadline for submissions of agency recommendations under subsection (a), the Director of OMB, in consultation with the Administrator, shall—

(A) review the agency recommendations;

(B) develop consistent standards and criteria against which the agency recommendations will be reviewed; and

(C) submit to the Board the recommendations developed pursuant to paragraph (2).

(2) RECOMMENDATIONS TO BOARD.—The Director of OMB and the Administrator shall jointly develop recommendations to the Board based on the standards and criteria developed under paragraph (1).

(3) FACTORS.—In developing the standards and criteria under paragraph (1), the Director of OMB, in consultation with the Administrator, shall incorporate the following factors:

(A) The extent to which the civilian real property could be sold (including property that is no longer meeting the needs of the Government), redeveloped, outleased, or otherwise used to produce the highest and best value and return for the taxpayer.

(B) The extent to which the operating and maintenance costs are reduced through consolidating, co-locating, and reconfiguring space, and through realizing other operational efficiencies.

(C) The extent to which the utilization rate is being maximized and is consistent with non-governmental industry standards for the given function or operation.

(D) The extent and timing of potential costs and savings, including the number of years, beginning with the date of completion of the proposed recommendation.

(E) The extent to which reliance on leasing for long-term space needs is reduced.

(F) The extent to which a civilian real property aligns with the current mission of the Federal agency.

(G) The extent to which there are opportunities to consolidate similar operations across multiple agencies or within agencies.

(H) The economic impact on existing communities in the vicinity of the civilian real property.

(I) The extent to which energy consumption is reduced.

(J) The extent to which public access to agency services is maintained or enhanced.

(c) SPECIAL RULE FOR UTILIZATION RATES.—Standards developed by the Director of OMB pursuant to subsection (b) shall incorporate and apply clear standard utilization rates to the extent that such standard rates increase efficiency and provide performance data. The utilization rates shall be consistent throughout each applicable category of space and with nongovernment space utilization rates. To the extent the space utilization rate of a given agency exceeds the utilization rates to be applied under this subsection, the Director of OMB may recommend realignment, colocation, consolidation, or other type of action to improve space utilization.

(d) SUBMISSION TO BOARD.—

(1) IN GENERAL.—The Director of OMB shall submit the standards, criteria, and recommendations developed pursuant to subsection (b) to the Board with all supporting information, data, analyses, and documentation.

(2) PUBLICATION.—The standards, criteria, and recommendations developed pursuant to subsection (b) shall be published in the Federal Register and transmitted to the committees listed in section 5(c) and to the Comptroller General of the United States.

(3) ACCESS TO INFORMATION.—The Board shall also have access to all information pertaining to the recommendations developed pursuant to subsection (b), including supporting information, data, analyses, and documentation submitted pursuant to subsection (a). Upon request, a Federal agency shall provide to the Board any additional information pertaining to the civilian real properties under the custody, control, or administrative jurisdiction of the Federal agency. The Board shall notify the committees listed in section 5(c) of any failure by an agency to comply with a request of the Board.

SEC. 12. BOARD DUTIES.

(a) IDENTIFICATION OF PROPERTY REDUCTION OPPORTUNITIES.—The Board shall identify opportunities for the Government to reduce significantly its inventory of civilian real property and reduce costs to the Government.

(b) IDENTIFICATION OF HIGH VALUE ASSETS.—

(1) IDENTIFICATION OF CERTAIN PROPERTIES.—Not later than 180 days after Board members are appointed pursuant to section 4, the Board shall—

(A) identify not fewer than 5 Federal civilian real properties that are not on the list of surplus or excess as of such date with a total fair market value of not less than $500,000,000 and not more than $750,000,000; and

(B) transmit the list of the Federal civilian real properties to the Director of OMB and Congress as Board recommendations and subject to the approval process described in section 13.

(2) INFORMATION AND DATA.—In order to meet the goal established under paragraph (1), each Federal agency shall provide, upon request, any and all information and data regarding its civilian real properties to the Board. The Board shall notify the committees listed in section 5(c) of any failure by an agency to comply with a request of the Board.

(3) FACTORS.—In identifying properties pursuant to paragraph (1), the Board shall consider the factors listed in section 11(b)(3).

(4) LEASEBACK RESTRICTIONS.—None of the existing improvements on properties sold under this subsection may be leased back to the Government.

(5) REPORT OF EXCESS.—Not later than 60 days after the approval of Board recommendations pursuant to paragraph (1), Federal agencies with custody, control, or administrative jurisdiction over the identified properties shall submit a Report of Excess to the General Services Administration.

(6) SALE.—

(A) INITIATION OF SALE.—Not later than 120 days after the acceptance by the Administrator of the Report of Excess and notwithstanding any other provision of law (including section 501 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411), but except as provided in section 14(g)), the General Services Administration shall initiate the sale of the civilian real properties described in paragraph (1).

(B) COMPLETION OF SALE.—Not later than 1 year after the acceptance of the Report of Excess, the Administrator shall sell the civilian real properties at fair market value at highest and best use, unless the Director of OMB determines it is in the financial interest of the Government to execute a sale more than a year after the acceptance of the Report of Excess, but not greater than two years after the acceptance of the Report of Excess.

(c) ANALYSIS OF INVENTORY.—The Board shall perform an independent analysis of the inventory of Federal civilian real property and the recommendations submitted pursuant to section 11. The Board shall not be bound or limited by the recommendations submitted pursuant to section 11. If, in the opinion of the Board, an agency fails to provide needed information, data, or adequate recommendations that meet the standards and criteria, the Board shall develop such recommendations as the Board considers appropriate based on existing data contained in the Federal Real Property Profile or other relevant information.

(d) INFORMATION AND PROPOSALS.—

(1) RECEIPT.—Notwithstanding any other provision of law, the Board may receive and consider proposals, information, and other data submitted by State and local officials and the private sector.

(2) CONSULTATION.—The Board shall consult with State and local officials on information, proposals, and other data that the officials submit to the Board.

(3) AVAILABILITY.—Information submitted to the Board shall be made publicly available.

(e) ACCOUNTING SYSTEM.—Not later than 120 days after the date of enactment of this Act, the Board shall identify or develop and implement a system of accounting to be used to independently evaluate the costs of and returns on the recommendations. Such accounting system shall be applied in developing the Board's recommendations and determining the highest return to the taxpayer. In applying the accounting system, the Board shall set a standard performance period of not less than 15 years.

(f) PUBLIC HEARING.—The Board shall conduct public hearings. All testimony before the Board at a public hearing under this subsection shall be presented under oath.

(g) REPORTING OF INFORMATION AND RECOMMENDATIONS.—

(1) IN GENERAL.—Subject to the schedule and limitations specified in paragraph (2), the Board shall transmit to the Director of OMB, and publicly post on a Federal Web site maintained by the Board, reports containing the Board's findings, conclusions, and recommendations for—

(A) the consolidation, exchange, co-location, reconfiguration, lease reductions, sale, outlease, and redevelopment of Federal civilian real properties; and

(B) other operational efficiencies that can be realized in the Government's operation and maintenance of such properties.

(2) SCHEDULE AND LIMITATIONS.—

(A) FIRST ROUND.—Not later than 2 years after the date of transmittal of the list of properties recommended pursuant to subsection (b), the Board shall transmit to the Director of OMB the first report required under paragraph (1). The total value of transactions contained in the first report may not exceed $2,500,000,000.

(B) SECOND ROUND.—Not earlier than 3 years after the date of transmittal of the first report, the Board shall transmit to the Director of OMB the second report required under paragraph (1). The total value of transactions contained in the second report may not exceed $4,750,000,000.

(3) CONSENSUS IN MAJORITY.—The Board shall seek to develop consensus recommendations, but if a consensus cannot be obtained, the Board may include in the reports required under this subsection recommendations that are supported by a majority of the Board.

(h) FEDERAL WEB SITE.—The Board shall establish and maintain a Federal Web site for the purposes of making relevant information publicly available.

(i) REVIEW BY GAO.—The Comptroller General of the United States shall transmit to Congress and the Board a report containing a detailed analysis of the recommendations and selection process.

SEC. 13. REVIEW BY OMB.

(a) REVIEW OF RECOMMENDATIONS.—Upon receipt of the Board's recommendations pursuant to subsections (b) and (g) of section 12, the Director of OMB shall conduct a review of the recommendations.

(b) REPORT TO BOARD AND CONGRESS.—Not later than 30 days after the receipt of the Board's recommendations, the Director of OMB shall transmit to the Board and Congress a report that sets forth the Director of OMB's approval or disapproval of the Board's recommendations.

(c) APPROVAL AND DISAPPROVAL.—

(1) APPROVAL.—If the Director of OMB approves the Board's recommendations, the Director of OMB shall transmit a copy of the recommendations to Congress, together with a certification of such approval.

(2) DISAPPROVAL.—If the Director of OMB disapproves the Board's recommendations, in whole or in part, the Director of OMB shall transmit a copy of the recommendations to Congress and the reasons for disapproval of the recommendations to the Board and Congress.

(3) REVISED RECOMMENDATIONS.—Not later than 30 days after the receipt of reasons for disapproval under paragraph (2), the Board shall transmit to the Director of OMB revised recommendations for approval.

(4) APPROVAL OF REVISED RECOMMENDATIONS.—If the Director of OMB approves the revised recommendations received under paragraph (3), the Director of OMB shall transmit a copy of the revised recommendations to Congress, together with a certification of such approval.

(d) TERMINATION OF PROCESS FOR GIVEN ROUND.—If the Director of OMB does not transmit to Congress an approval and certification described in paragraph (1) or (4) of subsection (c) on or before the 30th day following the receipt of the Board's recommendations or revised recommendations, as the case may be, the process shall terminate until the following round, as described in section 12.

SEC. 14. IMPLEMENTATION OF BOARD RECOMMENDATIONS.

(a) DEADLINES.—

(1) PREPARATION.—Federal agencies shall—

(A) not later than 60 days after the Director of OMB transmits the Board's recommendations to Congress pursuant to paragraph (1) or (4) of section 13(c), immediately begin preparations to carry out the Board's recommendations; and

(B) not later than 2 years after such transmittal, initiate all activities necessary to carry out the Board's recommendations.

(2) COMPLETION.—Not later than 6 years after the Director of OMB transmits the Board's recommendations to Congress pursuant to paragraph (1) or (4) of section 13(c), Federal agencies shall complete all recommended actions. All actions shall be economically beneficial, cost neutral, or otherwise favorable to the Government.

(3) EXTENUATING CIRCUMSTANCES.—For actions that will take longer than the 6-year period described in paragraph (2) due to extenuating circumstances, Federal agencies shall notify the Director of OMB and Congress, as soon as the extenuating circumstance presents itself, with an estimated time to complete the relevant action.

(b) ACTIONS OF FEDERAL AGENCIES RELATED TO CIVILIAN REAL PROPERTIES.—In taking actions related to any civilian real property under this Act, Federal agencies may take, pursuant to subsection (c), all such necessary and proper actions, including—

(1) acquiring land, constructing replacement facilities, performing such other activities, and conducting advance planning and design as may be required to transfer functions from a Federal asset or property to another Federal civilian property;

(2) reimbursing other Federal agencies for actions performed at the request of the Board; and

(3) taking such actions as are practicable to maximize the value of Federal civilian real property to be sold by clarifying zoning and other limitations on use of such property.

(c) ACTIONS OF FEDERAL AGENCIES TO IMPLEMENT BOARD RECOMMENDATIONS.—

(1) USE OF EXISTING LEGAL AUTHORITIES.—

(A) IN GENERAL.—Except as provided in paragraph (2), when acting on a recommendation of the Board, a Federal agency shall—

(i) in consultation with the Administrator, continue to act within the Federal agency's existing legal authorities, including legal authorities delegated to the Federal agency by the Administrator; or

(ii) work in partnership with the Administrator to carry out such actions.

(B) NECESSARY AND PROPER ACTIONS.—The Administrator may take such necessary and proper actions, including the sale, conveyance, or exchange of civilian real property, as required to implement the Board's recommendations in the time period required under subsection (a).

(2) EXPERTS.—A Federal agency may enter into no cost, nonappropriated contracts for expert commercial real estate services to carry out the Federal agency's responsibilities pursuant to the recommendations.

(d) DISCRETION OF ADMINISTRATOR REGARDING TRANSACTIONS.—For any transaction identified, recommended, or commenced as a result of this Act, any otherwise required legal priority given to, or requirement to enter into, a transaction to convey a Federal civilian real property for less than fair market value, for no consideration at all, or in a transaction that mandates the exclusion of other market participants, shall be at the discretion of the Administrator.

(e) RELATIONSHIP TO OTHER LAWS.—Any recommendation or commencement of a sale, disposal, consolidation, reconfiguration, colocation, or realignment of civilian real property under this Act shall not be subject to—

(1) section 545(b)(8) of title 40, United States Code;

(2) sections 550, 553, and 554 of title 40, United States Code;

(3) any section of the Act entitled ''An Act Authorizing the transfer of certain real property for wildlife, or other purposes'' (16 U.S.C. 667b);

(4) section 47151 of title 49, United States Code;

(5) sections 107 and 317 of title 23, United States Code;

(6) section 1304(b) of title 40, United States Code;

(7) section 13(d) of the Surplus Property Act of 1944 (50 U.S.C. App. 1622(d));

(8) any other provision of law authorizing the conveyance of real property owned by the Government for no consideration; and

(9) any congressional notification requirement other than that in section 545 of title 40, United States Code.

(f) PUBLIC BENEFIT.—

(1) SUBMISSION OF INFORMATION TO HUD.—The Director of OMB shall submit to the Secretary of HUD, on the same day the Director of OMB submits the Board's recommendations to Congress pursuant to paragraphs (1) and (4) of section 13(c), all known information on Federal civilian real properties that are included in the recommendations (except those recommended under section 12(b)).

(2) HUD TO REPORT TO BOARD.—Not later than 30 days after the submission of information on Federal properties under paragraph (1), the Secretary shall identify any suitable civilian real properties for use as a property benefiting the mission of assistance to the homeless for the purposes of further screening pursuant to section 501 of the McKinney-

Vento Homeless Assistance Act (42 U.S.C. 11411).

(3) ADDITIONAL AUTHORITY.—Following the review under paragraph (2), with respect to a civilian real property that is not identified by the Secretary as suitable for use as a property benefiting the mission of assistance to the homeless and that has been recommended for sale by the Board, the Director of OMB may exclude the property from the Board's recommendations if the Director determines that the property is suitable for use as a public park or recreation area by a State or local government and it is in the best interest of taxpayers.

(g) ENVIRONMENTAL CONSIDERATIONS.—

(1) TRANSFERS OF REAL PROPERTY.—

(A) IN GENERAL.—When implementing the recommended actions for civilian real properties that have been identified in the Board's report, as specified in section 12(g), and subject to paragraph (2) and in compliance with CERCLA, including section 120(h) of CERCLA (42 U.S.C. 9620(h)), Federal agencies may enter into an agreement to transfer by deed, pursuant to section 120(h)(3) of that Act (42 U.S.C. 9620(h)(3)), civilian real property with any person.

(B) ADDITIONAL TERMS AND CONDITIONS.—The head of the disposing agency may require any additional terms and conditions in connection with an agreement authorized by subparagraph (A) as the head of the disposing agency considers appropriate to protect the interests of the United States. Such additional terms and conditions shall not affect or diminish any rights or obligations of the Federal agencies under section 120(h) of CERCLA (including, without limitation, the requirements of subsections (h)(3)(A) and (h)(3)(C)(iv) of that section).

(2) CERTIFICATION CONCERNING COSTS.—A transfer of Federal civilian real property may be made under paragraph (1) only if the head of the disposing agency certifies to the Board and Congress that—

(A) the costs of all environmental restoration, waste management, and environmental compliance activities otherwise to be paid by the disposing agency with respect to the property are equal to or greater than the fair market value of the property to be transferred, as determined by the head of the disposing agency; or

(B) if such costs are lower than the fair market value of the property, the recipient of the property agrees to pay the difference between the fair market value and such costs.

(3) PAYMENTS TO RECIPIENTS.—In the case of a civilian real property covered by a certification under paragraph (2)(A), the disposing agency may pay the recipient of such property an amount equal to the lesser of—

(A) the amount by which the costs incurred by the recipient of such property for all environmental restoration, waste management, and environmental compliance activities with respect to such property exceed the fair market value of such property as specified in such certification; or

(B) the amount by which the costs (as determined by the head of the disposing agency) that would otherwise have been incurred by the Secretary for such restoration, waste management, and environmental compliance activities with respect to such property exceed the fair market value of such property as so specified.

(4) INFORMATION TO BE PROVIDED TO RECIPIENTS.—As part of an agreement under paragraph (1), the head of the disposing agency shall disclose, in accordance with applicable law, to the person to whom the civilian real property will be transferred information possessed by the disposing agency regarding the environmental restoration, waste management, and environmental compliance activities that relate to the property. The head of the disposing agency shall provide such information before entering into the agreement.

(5) CONSIDERATION OF ENVIRONMENTAL REMEDIATION IN GRANTING TIME EXTENSIONS.—For the purposes of granting time extensions under subsection (a), the Director of OMB shall give the need for significant environmental remediation to a civilian real property more weight than any other factor in determining whether to grant an extension to implement a Board recommendation.

(6) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this Act may be construed to modify, alter, or amend CERCLA, the National Environmental Policy Act of 1969, or the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

SEC. 15. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this Act an initial appropriation of—

(1) $2,000,000 for salaries and expenses of the Board; and

(2) $40,000,000 to be deposited into the Asset Proceeds and Space Management Fund for activities related to the implementation of the Board's recommendations.

SEC. 16. FUNDING.

(a) SALARIES AND EXPENSES ACCOUNT.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States an account to be known as the ''Public Buildings Reform Board Salaries and Expenses Account'' (in this subsection referred to as the ''Account'').

(2) NECESSARY PAYMENTS.—There shall be deposited into the Account such amounts, as are provided in appropriations Acts, for those necessary payments for salaries and expenses to accomplish the administrative needs of the Board.

(b) ASSET PROCEEDS AND SPACE MANAGEMENT FUND.—

(1) ESTABLISHMENT.—There is established within the Federal Buildings Fund established under section 592 of title 40, United States Code, an account to be known as the Public Buildings Reform Board—Asset Proceeds and Space Management Fund (in this subsection referred to as the ''Fund'').

(2) USE OF AMOUNTS.—Amounts in the Fund shall be used solely for the purposes of carrying out actions pursuant to the Board recommendations approved under section 13.

(3) DEPOSITS.—The following amounts shall be deposited into the Fund and made available for obligation or expenditure only as provided in advance in appropriations Acts (subject to section 3307 of title 40, United States Code, to the extent an appropriation normally covered by that section exceeds $20,000,000) for the purposes specified:

(A) Such amounts as are provided in appropriations Acts, to remain available until expended, for the consolidation, co-location, exchange, redevelopment, reconfiguration of space, disposal, and other actions recommended by the Board for Federal agencies.

(B) Amounts received from the sale of any civilian real property action taken pursuant to a recommendation of the Board.

(4) USE OF AMOUNTS TO COVER COSTS.—As provided in appropriations Acts, amounts in the Fund may be made available to cover necessary costs associated with implementing the recommendations pursuant to section 14, including costs associated with—

(A) sales transactions;

(B) acquiring land, construction, constructing replacement facilities, and conducting advance planning and design as may be required to transfer functions from a Federal asset or property to another Federal civilian property;

(C) co-location, redevelopment, disposal, and reconfiguration of space; and

(D) other actions recommended by the Board for Federal agencies.

(c) ADDITIONAL REQUIREMENT FOR BUDGET CONTENTS.—The President shall transmit along with the President's budget submitted pursuant to section 1105 of title 31, United States Code, an estimate of proceeds that are the result of the Board's recommendations and the obligations and expenditures needed to support such recommendations.

SEC. 17. CONGRESSIONAL APPROVAL OF PROPOSED PROJECTS.

Section 3307(b) of title 40, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (6);

(2) by striking the period at the end of paragraph (7) and inserting ''; and''; and

(3) by adding at the end the following:

''(8) a statement of how the proposed project is consistent with the standards and criteria developed under section 11(b) of the Federal Assets Sale and Transfer Act of 2016.''.

SEC. 18. PRECLUSION OF JUDICIAL REVIEW.

The following actions shall not be subject to judicial review:

(1) Actions taken pursuant to sections 12 and 13.

(2) Actions of the Board.

SEC. 19. IMPLEMENTATION REVIEW BY GAO.

Upon transmittal of the Board's recommendations from the Director of OMB to Congress under section 13, the Comptroller General of the United States at least annually shall monitor and review the implementation activities of Federal agencies pursuant to section 14, and report to Congress any findings and recommendations.

SEC. 20. AGENCY RETENTION OF PROCEEDS.

(a) IN GENERAL.—Section 571 of title 40, United States Code, is amended by striking subsections (a) and (b) and inserting the following:

''(a) PROCEEDS FROM TRANSFER OR SALE OF REAL PROPERTY.—

''(1) DEPOSIT OF NET PROCEEDS.—Net proceeds described in subsection (c) shall be deposited into the appropriate real property account of the agency that had custody and accountability for the real property at the time the real property is determined to be excess.

''(2) EXPENDITURE OF NET PROCEEDS.—The net proceeds deposited pursuant to paragraph (1) may only be expended, as authorized in annual appropriations Acts, for activities described in sections 543 and 545, including paying costs incurred by the General Services Administration for any disposal-related activity authorized by this chapter.

''(3) DEFICIT REDUCTION.—Any net proceeds described in subsection (c) from the sale, lease, or other disposition of surplus real property that are not expended under paragraph (2) shall be used for deficit reduction. Any net proceeds not obligated within 3 years after the date of deposit and not expended within 5 years after such date shall be deposited as miscellaneous receipts in the Treasury.

''(b) EFFECT ON OTHER SECTIONS.—Nothing in this section is intended to affect section 572(b), 573, or 574.

''(c) NET PROCEEDS.—The net proceeds described in this subsection are proceeds under

this chapter, less expenses of the transfer or disposition as provided in section 572(a), from a—

''(1) transfer of excess real property to a Federal agency for agency use; or

''(2) sale, lease, or other disposition of surplus real property.''.

(b) EFFECTIVE DATE.—The provisions of this section, including the amendments made by this section, shall take effect upon the termination of the Board pursuant to section 10 and shall not apply to proceeds from transactions conducted under section 14.

SEC. 21. FEDERAL REAL PROPERTY DATABASE.

(a) DATABASE REQUIRED.—Not later than 1 year after the date of enactment of this section, the Administrator of General Services shall publish a single, comprehensive, and descriptive database of all Federal real property under the custody and control of all executive agencies, other than Federal real property excluded for reasons of national security, in accordance with subsection (b).

(b) REQUIRED INFORMATION FOR DATABASE.—The Administrator shall collect from the head of each executive agency descriptive information, except for classified information, of the nature, use, and extent of the Federal real property of each such agency, including the following:

(1) The geographic location of each Federal real property of each such agency, including the address and description for each such property.

(2) The total size of each Federal real property of each such agency, including square footage and acreage of each such property.

(3) Whether the Federal real property is currently, or will in the future be, needed to support agency's mission or function.

(4) The utilization of each Federal real property for each such agency, including whether such property is excess, surplus, underutilized, or unutilized.

(5) The number of days each Federal real property is designated as excess, surplus, underutilized, or unutilized.

(6) The annual operating costs of each Federal real property.

(7) The replacement value of each Federal real property.

(c) ACCESS TO DATABASE.—

(1) FEDERAL AGENCIES.—The Administrator, in consultation with the Director of OMB, shall make the database established and maintained under this section available to other Federal agencies.

(2) PUBLIC ACCESS.—To the extent consistent with national security and procurement laws, the database shall be accessible by the public at no cost through the Web site of the General Services Administration.

(d) TRANSPARENCY OF DATABASE.—To the extent practicable, the Administrator shall ensure that the database—

(1) uses an open, machine-readable format;

(2) permits users to search and sort Federal real property data; and

(3) includes a means to download a large amount of Federal real property data and a selection of such data retrieved using a search.

(e) APPLICABILITY.—Nothing in this section may be construed to require an agency to make available to the public information that is exempt from disclosure pursuant to section 552(b) of title 5, United States Code.

SEC. 22. STREAMLINING MCKINNEY-VENTO HOMELESS ASSISTANCE ACT.

Section 501 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411) is amended—

(1) in subsection (b)(2)—

(A) by striking ''(2)(A)'' and inserting ''(2)'';

(B) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively;

(C) in subparagraph (A) (as so redesignated) by striking ''and'' at the end;

(D) in subparagraph (B) (as so redesignated) by striking the period at the end and inserting ''; and''; and

(E) by adding at the end the following:

''(C) in the case of surplus property, the provision of permanent housing with or without supportive services is an eligible use to assist the homeless under this section.'';

(2) in subsection (c)(1)(A) by striking ''in the Federal Register'' and inserting ''on the Web site of the Department of Housing and Urban Development or the General Services Administration'';

(3) in subsection (d)—

(A) in paragraph (1) by striking ''period of 60 days'' and inserting ''period of 30 days'';

(B) in paragraphs (2) and (4) by striking ''60-day period'' and inserting ''30-day period''; and

(C) in paragraph (3) by adding at the end the following: ''If no such review of the determination is requested within the 20-day period, such property will not be included in subsequent publications unless the landholding agency makes changes to the property (e.g. improvements) that may change the unsuitable determination and the Secretary subsequently determines the property is suitable.'';

(4) in subsection (e)—

(A) in paragraph (2)—

(i) by striking ''(2)'' and inserting ''(2)(A)'';

(ii) in subparagraph (A) (as so designated)—

(I) by striking ''90 days'' and inserting ''75 days''; and

(II) by striking ''a complete application'' and inserting ''an initial application''; and

(iii) by adding at the end the following:

''(B) An initial application shall set forth—

''(i) the services that will be offered;

''(ii) the need for the services; and

''(iii) the experience of the applicant that demonstrates the ability to provide the services.'';

(B) in paragraph (3) by striking ''25 days after receipt of a completed application'' and inserting ''10 days after receipt of an initial application''; and

(C) by adding at the end the following:

''(4) If the Secretary of Health and Human Services approves an initial application, the applicant has 45 days in which to provide a final application that sets forth a reasonable plan to finance the approved program.

''(5) No later than 15 days after receipt of the final application, the Secretary of Health and Human Services shall review, make a final determination, and complete all actions on the final application. The Secretary of Health and Human Services shall maintain a public record of all actions taken in response to an application.''; and

(5) in subsection (f)(1) by striking ''available by'' and inserting ''available, at the applicant's discretion, by''.

SEC. 23. ADDITIONAL PROPERTY.

Section 549(c)(3)(B)(vii) of title 40, United States Code, is amended to read as follows:

''(vii) a museum attended by the public, and, for purposes of determining whether a museum is attended by the public, the Administrator shall consider a museum to be public if the nonprofit educational or public health institution or organization, at minimum, accedes to any request submitted for access during business hours;''.

SEC. 24. SALE OF 12TH AND INDEPENDENCE.

(a) DEFINITION.—In this section, the term ''property'' means the property located in the District of Columbia, subject to survey and as determined by the Administrator of General Services, generally consisting of Squares 325 and 326 and a portion of Square 351 and generally bounded by 12th Street, Independence Avenue, C Street, and the James Forrestal Building, all in Southwest Washington, District of Columbia, and shall include all associated air rights, improvements thereon, and appurtenances thereto.

(b) SALE.—Not later than December 31, 2018, the Administrator of General Services shall sell the property at fair market value at highest and best use.

(c) NET PROCEEDS.—Any net proceeds received shall be paid into an account in the Federal Buildings Fund established under section 592 of title 40, United States Code. Upon deposit, the net proceeds from the sale may be expended only subject to a specific future appropriation.

SEC. 25. SALE OF COTTON ANNEX.

(a) DEFINITION.—In this section, the term ''property'' means property located in the District of Columbia, subject to survey and as determined by the Administrator, generally consisting of Square 326 south of C Street, all in Southwest Washington, District of Columbia, including the building known as the Cotton Annex.

(b) SALE.—Not later than December 31, 2018, the Administrator of General Services shall sell the property at fair market value at highest and best use.

(c) NET PROCEEDS.—Any net proceeds received shall be paid into an account in the Federal Buildings Fund established under section 592 of title 40, United States Code. Upon deposit, the net proceeds from the sale may be expended only subject to a specific future appropriation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BARLETTA) and the gentleman from Indiana (Mr. CARSON) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material on H.R. 4465, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BARLETTA. Mr. Speaker, I yield myself such time as I may consume.

H.R. 4465, as amended, includes reforms that will reduce the deficit through the consolidation and selling of Federal buildings and improving the management of Federal real property. I am pleased to be a cosponsor of this legislation.

I want to recognize the tireless work of the gentleman and former chair of the Economic Development, Public Buildings, and Emergency Management Subcommittee, Mr. DENHAM, for his leadership on this issue, along with the chairman of the Committee on Oversight and Government Reform, Mr.

CHAFFETZ. This bipartisan legislation incorporates critical provisions crafted by both committees to address decades-old problems related to Federal real property.

H.R. 4465, as amended, establishes a pilot program that includes an independent review of the Federal real property inventory and development of recommendations for the disposition of vacant and underutilized properties. We have had hearings highlighting Federal buildings sitting vacant, costing the taxpayer through maintenance costs and unrealized sale proceeds. These buildings are often eyesores in local communities and provide no local tax benefits.

Agencies have been slow in getting rid of unneeded properties. For example, the Old Georgetown Heating Plant, in one of the most expensive areas of D.C., sat vacant for 11 years and was only sold after our committee held a hearing spotlighting the vacant property. The pilot included in this legislation will result in an independent look across agencies at opportunities to sell, redevelop, and consolidate Federal properties.

Following the pilot, H.R. 4465, as amended, would then allow agencies to retain a portion of the disposal proceeds to offset the up-front cost of property disposal.

The legislation will also codify the Federal real property database, providing for better congressional oversight of the real property inventory. If this bill works as intended, we can make significant strides in reducing the cost to the taxpayer and putting underused properties back on local tax rolls for redevelopment.

I urge my colleagues to support passage of this important legislation.

I reserve the balance of my time.

Mr. CARSON of Indiana. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 4465, the Federal Assets Sale and Transfer Act of 2016. This bill begins the process of reforming GSA's public building services.

I would like to, first of all, recognize wholeheartedly my very good friend, whom I had an opportunity to travel with, my colleague from California (Mr. DENHAM) for his work in bringing this bill before the Transportation Committee and now the full House, and also my colleague Chairman BARLETTA.

Today's legislation, Mr. Speaker, really has the potential to be a valuable tool in right-sizing our Federal footprint. It authorizes an independent board that could provide a source of revenue for the Federal Government to invest in its existing buildings and to better manage its real estate portfolio. The board would make recommendations to dispose of unneeded and underutilized real estate, and it would make recommendations to consolidate Federal real estate functions where appropriate.

H.R. 4465 is consistent with several governmentwide memoranda issued by the President that ordered agencies to reduce and freeze their real estate footprints. These directives represent the administration's sustained priority of improving the management of Federal real estate. I believe H.R. 4465 dovetails well with the administration's priorities and begins to address the issue in very meaningful ways.

Both the Transportation Committee and the Government Accountability Office, or GAO, have repeatedly raised concerns about the way Federal real property has been managed. The proposed board would be highly instrumental in reconfiguring, co-locating, and even realigning the Federal real estate portfolio with best practices.

Although I believe the board can serve an important role in disposing of unneeded real estate, I also urge the board to not sell real estate assets in a soft market or sell properties that hamstring the government's ability to house Federal employees in the future. Expert and specialized skill is still very necessary to dispose of underutilized real estate assets while avoiding selling property the government could need in the future. Without this expertise, we could end up with transactions leading to future long-term leasing because of the haphazard disposal of underutilized real estate.

It is very important to note that today's legislation contains several checks and balances. As a result of the concerns expressed on my side of the aisle, there were several changes to the bill while negotiating the final version. Instead of the bill requiring six annual recommendations, as originally proposed, the board will now make three sets of detailed recommendations over 6 years so that Congress can conduct oversight of the board's actions and properly gauge the alignment of the board's goals with congressional priorities.

In addition, the aggregate value of transactions is capped at no more than $8 billion. Each potential real estate action with a value above $20 million will require an appropriation that will go through the normal GSA prospectus approval process.

Now, Mr. Speaker, Federal agencies will be required to coordinate construction and alteration projects with GSA. I appreciate that the sponsors of this important legislation were willing to work with us to address these concerns, and we look forward to continuing this great work as it is being implemented.

In conclusion, Mr. Speaker, I support today's legislation. It creates an independent board to make recommendations on how to meet the goal of right-sizing the Federal real estate portfolio and saving taxpayers millions of dollars.

I intend to conduct vigorous oversight of this board and the actions taken by GSA in order to make it a success.

Mr. Speaker, I reserve the balance of my time.

Mr. BARLETTA. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. DENHAM).

Mr. DENHAM. Mr. Speaker, I rise today in support of legislation I have authored to help reduce the size of the Federal footprint.

I first would like to thank Chairman SHUSTER and Chairman BARLETTA for their ongoing support in this effort, as well as Ranking Member DEFAZIO and Ranking Member CARSON for their help also.

This is truly a bipartisan bill. It is a bill that has garnered a lot of support because we have worked with both sides of the aisle, as well as with groups that have a vested interest in making sure that this happens correctly.

I also thank Chairman CHAFFETZ and Ranking Member CUMMINGS of the Committee on Oversight and Government Reform for working to bridge the differences between our two committees.

Given our trillion-dollar deficit and skyrocketing debt, we have to examine every area of government and look for ways to continue to cut spending. This bill has taken 5 years in the making. It was one of the first actions when I, as a chair of this subcommittee, initially, we held a hearing in the Old Post Office in D.C. It was a January morning with freezing temperatures. We went in to show that this vacant building was sitting there and could be revitalized. Now we are going to see that building not only reopen as a hotel and retail space, but it is going to generate millions in profits for the Federal Government.

We continued to hold hearings like this in abandoned buildings all across the country, ones that were neglected, underutilized buildings, just to highlight the failed state of failed property management. We were successful in pressuring GSA in selling the long vacant Georgetown West Heating Plant. That netted $20 million to the American taxpayer. Sadly, this has got to be done across the entire country.

Every year since 2003, GAO, the Government Accountability Office, has found that the Federal Government fails to manage hundreds of thousands of buildings across the entire country. According to the GAO, the Federal Government continues to maintain too much excess and underutilized property, relies too heavily on costly leased space, and maintains unreliable and misleading real property lists. The GAO agrees and has stated before this committee that legislation like the Federal Assets Sale and Transfer Act would go a long way toward fixing the problems with Federal real property.

The President has also continued to support reforms to Federal real estate

since speaking on it in his 2011 State of the Union. He has included it in his budget since then, and I am also pleased to have secured the commitment of this administration to advance legislation and work with myself and Chairman CHAFFETZ to see real reforms signed into law. Additionally, both Houses of Congress have included this idea in their annual budget documents.

I believe that we have the potential to save billions of dollars in real estate property. To be successful, this board will need to consolidate the Federal footprint, house more Federal employees in less overall space, reduce our reliance on costly lease space, sell or redevelop high-value assets that are underutilized, and dispose of surplus property much, much quicker. This bill creates an environment that will achieve these goals and creates a reliable and comprehensive real property database so the public can actually see government's progress.

Additionally, as I said, we worked with other groups. One of those was dealing with the McKinney-Vento Act to better facilitate access to unneeded Federal real property to serve our Nation's homeless population. I am proud that these changes have led to the endorsement of this legislation by the National Law Center on Homelessness and Poverty. I am pleased to work with the Law Center throughout this process and look forward to continuing to work with them to address our Nation's most vulnerable citizens.

Again, this is a good bill. This has been done in a bipartisan fashion, and it is going to save billions of dollars for the taxpayer.

Mr. CARSON of Indiana. Mr. Speaker, I yield back the balance of my time.

Mr. BARLETTA. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN of Tennessee. Mr. Speaker, I thank Chairman BARLETTA for yielding me this time.

I rise in support of both H.R. 4465, the bill by Chairman DENHAM, and H.R. 4487 by Chairman BARLETTA.

We need to realize, Mr. Speaker, that private ownership of property is a very important, even vital, part of our freedom and our prosperity.

Today, the Federal Government owns almost 30 percent of the land in this Nation, and State and local governments and quasi-governmental agencies own almost 20 percent. So today, close to half of the land in this country is under some type of public governmental ownership. But you can never satisfy government's appetite for money or land. They always want more.

I first became interested in this issue when I read in USA Today several years ago that governments keep adding land equal to half the size of the State of New Jersey each year through direct purchases or through indirect purchases through land conservancies. Then I read that the Federal Bureau of Land Management had about 3 million acres they didn't even want.

I first introduced a bill on this subject in 2001, during the 107th Congress, called the Federal Lands Improvement Act. I reintroduced it in the next Congress. Then, in the 110th Congress, I introduced a similar bill with my colleague from the other side, Congressman Dennis Moore of Kansas, called the Federal Real Property Disposal Enhancement Act. In a similar bipartisan fashion, Senator TOM CARPER of Delaware and Senator Tom Coburn of Oklahoma introduced companion legislation in the Senate.

Several years ago, the Office of Management and Budget had found 21,000 Federal properties that the Federal Government no longer wanted or needed worth, at that time, $18 billion, and $9 billion of those were real property assets that the Federal Government wanted to dispose of.

□ 1945

Jim Nussle, who was the Office of Management and Budget Director at the time, wrote a letter endorsing legislation to do what these bills are attempting to do here tonight.

He said: ''To reach this objective, I believe we must improve and streamline the current process that Federal agencies face in disposing of real property assets.''

Some extremists never want the government to sell any property, and government at all levels continues to acquire more and more land every year. But we keep shrinking the tax base, Mr. Speaker, at the time that schools and policemen and all these other government employees want and need more funding.

This legislation, we have worked on this through both the Committee on Transportation and Infrastructure, on which I serve, and the Committee on Oversight and Government Reform, on which I also serve. I want to commend, again, Chairman BARLETTA and Chairman DENHAM because, with so many needs and so many good things that we can do for the American people, it simply makes no sense to force the government to keep properties that it no longer needs or wants. We can and should put those assets to much better use.

Mr. BARLETTA. Mr. Speaker, I yield 5 minutes to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Speaker, I have to thank the chairman, the gentleman from Pennsylvania (Mr. BARLETTA), for taking this measure this far. I want to thank the gentleman from Indiana (Mr. CARSON) also. I have to also thank Mr. DENHAM and others for bringing this legislation forward.

My involvement as a member and former chair of the Committee on Transportation and Infrastructure was that we had the Subcommittee on Economic Development, Public Buildings, and Emergency Management, which the distinguished gentleman from Pennsylvania (Mr. BARLETTA) chairs and the gentleman from Indiana (Mr. CARSON) is the ranking member. They have taken this proposal that we thought about for sometime, and we heard Mr. DUNCAN's work for years and brought it forward to a great piece of legislation that can save billions of dollars for the taxpayers.

The Federal Government and the American people are, by far, the largest landowners of anyone anywhere. The American people own more Federal property than anyone. There are some problems, though, and we identified those. When we were in the minority several years back, we had more time to do studies and reports. Mr. Speaker, we produced a report that was called ''Sitting on Our Assets: The Federal Government's Misuse of Taxpayer-Owned Assets.''

What we did is we went through some of the public buildings and properties that are sitting idle. One highlighted in the report—you can look the report up—is the old post office two blocks from the White House sitting there idle, 400,000 square feet. Half of it is empty. Behind it there is a newer annex. The old building was built in the 1890s. It was half empty, costing the taxpayers $6 million to $8 million a year in losses, to underwrite the losses.

It took us two hearings. The first hearing we held was in the empty annex, empty for 15 years. We brought the committee down there. The staff said: Should we do it in the heated part half empty or should we do it in the cold part?

It was 32 degrees outside, 38 degrees inside. We did the hearing in the cold part. We made the bureaucrats shiver.

For a year they still didn't do anything. We got it put up for tender. Guess who won against the competition of the best hotels. Ritz Carlton, Marriott, and all of the other majors, Hilton, they all competed openly. Mr. Trump and his organization won. He is turning that asset that has been sitting idle, costing taxpayers from $6 million to $8 million a year in losses, into about a quarter of a million dollars revenue, plus a percentage of some of the profits. Now, that is what you do in turning government properties around. That is one example.

You could go throughout the District. Behind the Ritz Carlton in Georgetown there is a property, a power station. We did a hearing in the empty building there. We got it up for sale. Actually, the ''for sale'' sign went up the day before the hearing. It sold for $19 million. It was costing us $1 million a year to maintain empty.

One of the greatest victories is going to occur on June 3. Since 2008, the Federal courthouse, which is a beautiful,

historic building in downtown Miami, empty, costing more than $1.5 million to keep empty, deteriorating. We held a hearing there in the empty courthouse several years back. Nothing happened. Then I heard from the president of Miami Dade Community College, my alma mater, across the street.

He said: I have written GSA, and we can't get them to do anything.

Well, on June 3, we will transfer that vacant property sitting idle since 2008 to Miami Dade Community College, stemming losses.

These are just a few examples. Up in Mr. HOYER's district, we have got thousands of acres between the two major thoroughfares vacant at the Department of Agriculture.

At Cape Kennedy, we have been private there for 5 years. We took the committee down, and we did a hearing there, 177,000 acres, five times the size of Manhattan. There are another 16,000 acres adjacent with the Air Force, sitting there with 400 buildings, half of them empty. All I need is 400 acres from the Air Force to do a cargo container port, and you could employ 5,000 people. That is what the port director testified.

So we have assets across this Nation sitting idle because no bureaucrat has the beanie up here to make that into a producing asset. We haven't even gotten into VA. This doesn't include the Postal Service or DOD. We have thousands of properties, buildings sitting idle. This bill starts the process.

If you owned property, would you give it to the Federal Government to manage?

I always ask groups that. People look at me like I have been smoking marijuana.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BARLETTA. Mr. Speaker, I yield an additional 1 minute to the gentleman.

Mr. MICA. People look at you like you are dumb.

Would you consider giving your property—any of the Members—to the Federal Government to manage?

No way, Jose; they would not do it. So this bill has people who really know how to deal and manage real estate look at the properties. We don't even have an inventory of these properties, as some of this gets beyond the pale.

But we will get an inventory, we will get a recommendation, and then hopefully do something, make agencies do something. Bureaucrats will do nothing with those properties. They don't think. Their brains are not wired to think. They do nothing smart. They are getting their paycheck. They don't think.

So this is the beginning of getting out of the dumb ages into the smart ages, taking those hard-earned public assets, the poor person out there who is dogging it, trying to put food on the table, gas in the car, kids in school, and the government is sitting on huge Federal assets doing nothing.

Thank you for coming forward with this bill. Let's get it done. Let's get it passed.

Mr. BARLETTA. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and pass the bill, H.R. 4465, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF THE SENATE AMENDMENT TO H.R. 2576, TSCA MODERNIZATION ACT OF 2015, AND PROVIDING FOR CONSIDERATION OF H.R. 897, REDUCING REGULATORY BURDENS ACT OF 2015

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 114–590) on the resolution (H. Res. 742) providing for consideration of the Senate amendment to the bill (H.R. 2576) to modernize the Toxic Substances Control Act, and for other purposes, and providing for consideration of the bill (H.R. 897) to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5055, ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 114–591) on the resolution (H. Res. 743) providing for consideration of the bill (H.R. 5055) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2017, and for other purposes, which was referred to the House Calendar and ordered to be printed.

PUBLIC BUILDINGS REFORM AND SAVINGS ACT OF 2016

Mr. BARLETTA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4487) to reduce costs of Federal real estate, improve building security, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4487

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Public Buildings Reform and Savings Act of 2016''.

SEC. 2. STREAMLINED LEASING PILOT PROGRAM.

(a) EXECUTION OF LEASES.—The Administrator of General Services shall establish and conduct a pilot program to execute lease agreements pursuant to authority provided under section 585 of title 40, United States Code, using alternative procedures.

(b) ADOPTION.—The Administrator shall prescribe alternative procedures to enter into lease agreements in accordance with section 585 of title 40, United States Code, pursuant to the provisions of this section.

(c) GOALS OF PROCEDURES.—The goals of the alternative procedures are—

(1) reducing the costs to the Federal Government of leased space, including—

(A) executing long-term leases with firm terms of 10 years or more and reducing costly holdover and short-term lease extensions, including short firm term leases;

(B) improving office space utilization rates of Federal tenants; and

(C) streamlining and simplifying the leasing process to take advantage of real estate markets; and

(2) significantly reducing or eliminating the backlog of expiring leases over the next 5 years.

(d) LEASEHOLD INTERESTS IN REAL PROPERTY.—

(1) SIMPLIFIED PROCEDURES.—Notwithstanding section 3305(b) of title 41, United States Code, but otherwise in accordance with such section, the Administrator shall provide special simplified procedures for acquisitions of leasehold interests in real property at rental rates that do not exceed the simplified lease acquisition threshold, as defined in paragraph (2). The rental rate under a multiyear lease does not exceed the simplified lease acquisition threshold if the average annual amount of the rent payable for the period of the lease does not exceed the simplified lease acquisition threshold.

(2) ACQUISITION THRESHOLD.—For purposes of this section, the simplified lease acquisition threshold is $500,000.

(e) CONSOLIDATED LEASE PROSPECTUSES.—The Administrator may, when acquiring leasehold interests subject to section 3307 of title 40, United States Code, transmit, pursuant to subsection (b) of such section, to the committees designated in such section for approval a prospectus to acquire leased space, and waive the requirements pursuant to paragraphs (3) and (6) of section 3307(b), subject to the following requirements:

(1) COST PER SQUARE FOOTAGE.—The cost per square footage does not exceed the maximum proposed rental rate designated for the respective geographical area.

(2) SPACE UTILIZATION.—The Administrator ensures the overall space utilization rate is 170 usable square feet per person or better based on actual agency staffing levels when occupied.

(3) LEASE TERM.—The lease term, including the firm term, is not less than 10 years.

(4) GEOGRAPHIC LOCATION.—The geographical location is identified as having a large amount of square footage of Federal office space and lease turnover and will likely result in providing for the ability, on a timely basis, of the agency to consolidate space

effectively or meet any requirements for temporary or interim space required for planned consolidations.

(f) CONSOLIDATIONS GENERALLY.—The Administrator may consolidate more than 1 project into a single prospectus submitted pursuant to section 3307(b), title 40, United States Code, if such consolidation will facilitate efficiencies and reductions in overall space and improved utilization rates.

(g) WAIVER AUTHORITY.—The Administrator may—

(1) waive notice and comment rulemaking, if the Administrator determines the waiver is necessary to implement this section expeditiously; and

(2) carry out the alternative procedures under this section as a pilot program.

(h) REPORTS.—

(1) ANNUAL REPORTS.—During the period in which the pilot program is conducted under this section, the Administrator shall submit, annually, to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a progress report that provides updates on the number and square footage of leases expiring in the 5-year period beginning on the date of enactment of this Act, by agency and region, and which shall include for the expiring leases—

(A) an average of the lease terms, including firm terms, for leases executed; and

(B) the percentage of leases managed in-house or through the use of commercial real estate leasing services.

(2) FINAL REPORT.—Not later than 180 days after termination of the pilot program, the Administrator shall submit a final report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate. The final report shall include—

(A) a review and evaluation of the lease agreements executed under the alternative procedures established pursuant to this section in comparison to those agreements not executed pursuant to the alternative procedures;

(B) recommendations on any permanent changes to the General Services Administration's leasing authority; and

(C) a progress evaluation in meeting the goals described in subsection (c).

(i) TERMINATION.—The authorities under this section shall terminate on December 31, 2021.

SEC. 3. EXCHANGE AUTHORITY.

(a) LIMITATION ON EXCHANGE AUTHORITY.—Section 3307(a) of title 40, United States Code, is amended—

(1) in paragraph (1), by inserting ''(including by exchange)'' after ''acquire''; and

(2) by adding at the end the following:

''(4) An appropriation for any costs and expenses associated with administering an acquisition by exchange involving real property or in-kind consideration, including services, with a fair market value of $2,850,000 or more.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall not apply to projects in which a procurement has already begun.

SEC. 4. FEDERAL PROTECTIVE SERVICE.

(a) Section 1315 of title 40, United States Code, is amended by adding at the end the following new subsection:

''(h) CONTRACT SECURITY PERSONNEL.—

''(1) AUTHORITIES FOR CONTRACT SECURITY PERSONNEL.—

''(A) CARRYING OF FIREARMS.—The Secretary may authorize contract security personnel engaged in the protection of buildings and grounds that are owned, occupied, or secured by the General Services Administration Public Buildings Service to carry firearms to carry out their official duties.

''(B) DETENTION WITHOUT A WARRANT.—A person authorized to carry a firearm under this subsection may, while in the performance of, and in connection with, official duties, detain an individual without a warrant for any offense against the United States committed in that person's presence or for any felony cognizable under the laws of the United States if that person has reasonable grounds to believe that the individual to be detained has committed or is committing such felony. The detention authority conferred by this paragraph is in addition to any detention authority provided under other laws.

''(2) LIMITATIONS.—The following limitations apply:

''(A) DETENTION.—Contract security personnel authorized to carry firearms under this section may detain an individual only if the individual to be detained is within, or in direct flight from, the area of such offense.

''(B) ENFORCEMENT OF CERTAIN LAWS.—A person granted authority to detain under this section may exercise such authority only to enforce laws regarding any building and grounds and all property located in or on that building and grounds that are owned, occupied, or secured by the General Services Administration Public Buildings Service.

''(3) GUIDANCE.—The Secretary, with the approval of the Attorney General, shall issue guidelines to implement this section.''.

(b) Section 1315(b) of title 40, United States Code, is amended—

(1) by inserting ''and'' at the end of subparagraph (D);

(2) by striking ''; and'' at the end of subparagraph (E) and inserting a period; and

(3) by striking subparagraph (F).

(c) Section 1315(b) of title 40, United States Code, is amended by adding at the end the following new paragraphs:

''(3) MINIMUM TRAINING STANDARDS.—The Secretary, in consultation with the Director of the Federal Protective Service and in accordance with guidelines issued by the Attorney General, shall establish minimum and uniform training standards for any employee designated as an officer or agent to carry out and exercise authority pursuant to this section. Such minimum standards shall include ongoing training certified by the Director of the Federal Protective Service.

''(4) NOTIFICATION OF DESIGNATIONS AND DELEGATIONS.—The Secretary shall submit written notification of any approved designations or delegations of any authority provided under this section, including the purposes and scope of such designations or delegations, not within the Federal Protective Service, to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, including the purpose for such designations or delegations, oversight protocols established to ensure compliance with any requirements, including compliance with training requirements, and other specifics regarding such designations and delegations.''.

SEC. 5. EVALUATION OF FEDERAL PROTECTIVE SERVICE PERSONNEL NEEDS.

(a) PERSONNEL AND FUNDING NEEDS OF FEDERAL PROTECTIVE SERVICE.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act and after review by a qualified consultant pursuant to paragraph (2), the Secretary shall submit a report to the appropriate congressional committees on the personnel needs of the Federal Protective Service that includes recommendations on the numbers of Federal Protective Service law enforcement officers and the workforce composition of the Federal Protective Service needed to carry out the mission of such Service during the 10-fiscal-year period beginning after the date of enactment of this Act.

(2) REVIEW AND COMMENT.—The Secretary shall provide the report prepared under this section to a qualified consultant for review and comment before submitting the report to the appropriate congressional committees. The Secretary shall provide the comments of the qualified consultant to the appropriate congressional committee with the report.

(3) CONTENTS.—The report under this section shall include an evaluation of—

(A) the option of posting a full-time equivalent Federal Protective Service law enforcement officer at each level 3 or 4 Federal facility, as determined by the Interagency Security Committee, that on the date of enactment of this Act has a protective security officer stationed at the facility;

(B) the potential increase in security of any option evaluated under subparagraph (A);

(C) the immediate and projected costs of any option evaluated under such subparagraph; and

(D) the immediate and projected costs of maintaining the current level of protective security officers and full-time Federal Protective Service law enforcement officers.

(b) REPORT ON FUNDING.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on the best method of funding for the Federal Protective Service, which shall include recommendations regarding whether the Federal Protective Service should—

(1) continue to be funded by a collection of fees and security charges;

(2) be funded by appropriations; or

(3) be funded by a combination of fees, security charges, and appropriations.

SEC. 6. ZERO-BASED SPACE JUSTIFICATION.

Section 3307(b) of title 40, United States Code, is amended—

(1) in paragraph (5), by inserting before the semicolon the following: ''including a cost comparison between leasing space or constructing space'';

(2) in paragraph (6) by striking ''and'' at the end;

(3) in paragraph (7) by striking the period and inserting ''; and''; and

(4) by adding at the end the following:

''(8) with respect to any prospectus, including for replacement space, lease renewal, or lease extension, the Administrator shall include a justification for such space, including an explanation of why such space could not be consolidated or colocated into other owned or leased space.''.

SEC. 7. ELIMINATING PROJECT ESCALATIONS.

Section 3307(c) of title 40, United States Code, is amended by adding at the end the following: ''The Administrator shall notify, in writing, the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate of any increase of more than 5 percent of an estimated maximum cost or of any increase or decrease in the scope or size of a project of 5 or more percent. Such notification shall include an explanation regarding any such increase or decrease. The scope or size of a

project shall not increase or decrease by more than 10 percent unless an amended prospectus is submitted and approved pursuant to this section.''.

SEC. 8. LIMITATION ON AUTHORIZATIONS.

Section 3307 of title 40, United States Code, is amended by adding at the end the following:

''(i) EXPIRATION OF COMMITTEE RESOLUTIONS.—Unless a lease is executed or a construction, alteration, repair, design, or acquisition project is initiated not later than 5 years after the resolution approvals adopted by the Committee on Transportation and Infrastructure of the House of Representatives or the Committee on Environment and Public Works of the Senate pursuant to subsection (a), such resolutions shall be deemed expired. This subsection shall only apply to resolutions approved after the date of enactment of this subsection.''.

SEC. 9. DEPARTMENT OF ENERGY HEADQUARTERS REPLACEMENT.

(a) SALE OF CERTAIN PROPERTY.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator of General Services is directed to sell, exchange, or some combination thereof, a portion of the Forrestal Complex necessary to generate the funds necessary to construct a new Department of Energy headquarters on Government-owned land in a manner consistent with the SW Ecodistrict Plan if the Administrator determines that the new Department of Energy headquarters can be constructed with no net costs to the Government.

(2) DEFINITIONS.—For purposes of this section, the following definitions apply:

(A) DEPARTMENT OF ENERGY FORRESTAL COMPLEX.—The term ''Forrestal Complex'' means the land, including the buildings and other improvements thereon, that—

(i) subject to survey and as determined by the Administrator, is—

(I) located in the District of Columbia;

(II) generally bounded by Independence Avenue, Southwest, 12th Street, Southwest, Maryland Avenue, Southwest, and 9th Street, Southwest; and

(III) generally consisting of Squares 351–N, 351, 383, 384, and 385 and portions of Squares 325 and 352; and

(ii) is under the jurisdiction and control of the General Services Administration.

(B) SW ECODISTRICT PLAN.—The term ''SW Ecodistrict Plan'' means the plan of the National Capital Planning Commission titled ''The SW Ecodistrict: A Vision Plan For A More Sustainable Future'' and dated January 2013.

(b) REPLACEMENT OF HEADQUARTERS.—Not later than 2 years after the disposal of the necessary portions of the Forrestal Complex, the Administrator shall replace the Department of Energy headquarters located on the Forrestal Complex in a Government-owned building on Government-owned land.

(c) CERTAIN PROHIBITIONS.—The Administrator shall not lease a new Department of Energy headquarters or engage in a leaseback of the current headquarters.

(d) SALE.—If the Administrator is unable to meet the conditions of subsection (a), the Administrator shall sell any underutilized or vacant property on the Forrestal Complex for cash.

(e) NET PROCEEDS.—Any net proceeds received, exceeding the expenses of implementing subsection (b) or (d), shall be paid into an account in the Federal Buildings Fund established under section 592 of title 40, United States Code. Upon deposit, the net proceeds from the sale may only be expended subject to a specific future appropriation.

SEC. 10. LIMITATION ON DISCOUNTED PURCHASE OPTIONS.

Section 585 of title 40, United States Code, is amended by adding at the end the following:

''(d) Any bargain-price option to purchase at less than fair market value contained in any lease agreement entered into on or after January 1, 2016, pursuant to this section may be exercised only to the extent specifically provided for in subsequent appropriation Acts or other Acts of Congress.''.

SEC. 11. ENERGY SAVINGS.

To the extent practicable and when cost effective, the Administrator of General Services shall consider the direct purchase of energy and other utilities in bulk or otherwise for leased facilities.

SEC. 12. SIMPLIFIED REFORMS.

(a) IN GENERAL.—For the purpose of section 863 of Public Law 110–417, an individual acquisition for commercial leasing services shall not be construed as a purchase of property or services if such individual acquisition is made on a no cost basis and pursuant to a multiple award contract awarded in accordance with requirements for full and open competition.

(b) AUDIT.—The Comptroller General of the United States shall—

(1) conduct biennial audits of the General Services Administration National Broker Contract to determine—

(A) whether brokers selected under the program provide lower lease rental rates than rates negotiated by General Services Administration staff; and

(B) the impact of the program on the length of time of lease procurements;

(2) conduct a review of whether the application of section 863 of Public Law 110–417 to acquisitions for commercial leasing services resulted in rental cost savings for the Government during the years in which such section was applicable prior to the date of enactment of this section; and

(3) not later than September 30, 2018, and September 30, 2020, submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that—

(A) summarizes the results of the audit and review required by paragraphs (1) and (2);

(B) includes an assessment of whether the National Broker Contract provides greater efficiencies and savings than the use of General Services Administration staff; and

(C) includes recommendations for improving General Services Administration lease procurements.

(c) TERMINATION.—This section shall terminate on December 31, 2021.

SEC. 13. NATIONAL CAPITAL REGION RENTAL RATES.

Not later than 120 days after the date of enactment of this Act, the Administrator of General Services shall submit a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate justifying the use of 3 lease rental caps per fiscal year and their impacts in the National Capital Region. The Administrator shall also evaluate and make recommendations related to whether the current rental caps adequately provide for maximum competition for build-to-suit leased space.

SEC. 14. REDUCTION OF ADMINISTRATIVE REQUIREMENTS ON CERTAIN PROGRAMS.

Section 601(d)(2) of the Public Works and Economic Development Act of 1965, as amended (42 U.S.C. 3211), is amended—

(1) by striking ''(2) RELEASE.—'' and inserting the following:

''(2) RELEASE.—

''(A) IN GENERAL.—''; and

(2) by adding at the end the following:

''(B) REVOLVING LOAN FUND PROGRAM.—The Secretary may release, subject to terms and conditions the Secretary determines appropriate, the Federal Government's interest in connection with a grant under section 209(d) not less than 7 years after final disbursement of the grant, if—

''(i) the recipient has carried out the terms of the award in a satisfactory manner;

''(ii) any proceeds realized from the release of the Federal Government's interest will be used for one or more activities that continue to carry out the economic development purposes of this Act; and

''(iii) the recipient shall provide adequate assurance to the Secretary that at all times after release of the Federal Government's interest in connection with the grant, the recipient will be responsible for continued compliance with the requirements of section 602 in the same manner it was responsible prior to release of the Federal Government's interest and that the recipient's failure to comply shall result in the Secretary taking appropriate action, including, but not limited to, rescission of the release and recovery of the Federal share of the grant.''.

SEC. 15. LACTATION ROOM IN PUBLIC BUILDINGS.

(a) LACTATION ROOM IN PUBLIC BUILDINGS.—Chapter 33 of title 40, United States Code, is amended by adding at the end the following new section:

''§ 3317. Lactation room in public buildings

''(a) DEFINITIONS.—In this section the following definitions apply:

''(1) APPROPRIATE AUTHORITY.—The term 'appropriate authority' means the head of a Federal agency, the Architect of the Capitol, or other official authority responsible for the operation of a public building.

''(2) COVERED PUBLIC BUILDING.—The term 'covered public building' means a public building (as defined in section 3301) that is open to the public and contains a public restroom, and includes a building listed in section 6301 or 5101.

''(3) LACTATION ROOM.—The term 'lactation room' means a hygienic place, other than a bathroom, that—

''(A) is shielded from view;

''(B) is free from intrusion; and

''(C) contains a chair, a working surface, and, if the public building is otherwise supplied with electricity, an electrical outlet.

''(b) LACTATION ROOM REQUIRED.—Except as provided in subsection (c), the appropriate authority of a covered public building shall ensure that the building contains a lactation room that is made available for use by members of the public to express breast milk.

''(c) EXCEPTIONS.—A covered public building may be excluded from the requirement in subsection (b) at the discretion of the appropriate authority if—

''(1) the public building—

''(A) does not contain a lactation room for employees who work in the building; and

''(B) does not have a room that could be repurposed as a lactation room or a space that could be made private using portable materials, at a reasonable cost; or

''(2) new construction would be required to create a lactation room in the public building and the cost of such construction is unfeasible.

''(d) NO UNAUTHORIZED ENTRY.—Nothing in this section shall be construed to authorize an individual to enter a public building or

portion thereof that the individual is not otherwise authorized to enter.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 33 of title 40, United States Code, is amended by inserting after the item related to section 3316 the following new item:

''3317. Lactation room in public buildings.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect one year after the date of the enactment of this Act.

SEC. 16. USE OF RECLAIMED REFRIGERANTS.

Not later than 180 days after the date of enactment of this Act, the Administrator of General Services shall issue a report examining the feasibility of giving preference to the use of reclaimed refrigerants to service existing equipment of Federal buildings.

SEC. 17. SALES AND SAVINGS.

(a) DEFINITION.—In this section, the term ''property'' means the following:

(1) The property located in the District of Columbia, subject to survey and as determined by the Administrator of General Services, generally consisting of Squares 325 and 326 and a portion of Square 351 and generally bounded by 12th Street, Independence Avenue, C Street, and the James Forrestal Building, all in Southwest Washington, District of Columbia, including all associated air rights, improvements thereon, and appurtenances thereto.

(2) The property located in the District of Columbia, subject to survey and as determined by the Administrator, generally consisting of Square 326 south of C Street, including the building known as the Cotton Annex.

(b) SALE.—Not later than December 31, 2018, the Administrator shall sell the property at fair market value at highest and best use.

(c) NET PROCEEDS.—Any net proceeds of a sale under subsection (b) shall be paid into an account in the Federal Buildings Fund established under section 592 of title 40, United States Code. Upon deposit, the net proceeds from the sale may be expended only subject to a specific future appropriation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BARLETTA) and the gentleman from Indiana (Mr. CARSON) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4487, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BARLETTA. I yield myself such time as I may consume.

Mr. Speaker, H.R. 4487, as amended, includes reforms that will reduce the cost of Federal real estate and improve Federal building security. I am pleased to be the sponsor of this important legislation. I want to thank Chairman SHUSTER and Ranking Member DEFAZIO of the Committee on Transportation and Infrastructure and our subcommittee Ranking Member CARSON for working with me on crafting this important legislation.

The Subcommittee on Economic Development, Public Buildings, and Emergency Management held a series of hearings, roundtables, and listening sessions to examine the General Services Administration's lease portfolio. What we found was, within 5 years, half of all GSA leases will expire.

To give some perspective on how much space that represents, that is 100 million square feet of space or 32 new World Trade Centers in New York. More than half of GSA's total real estate inventory is in commercial leased space, costing the taxpayer more than $5.5 billion each year.

How we replace these leases has a huge impact on the costs to the taxpayer. For larger leases and projects requiring committee authorization, we have already taken steps to reduce the cost of Federal real estate to the taxpayer.

Since last Congress, the committee has worked with GSA to reduce the Federal footprint through consolidating space and improving space utilization. Through those efforts, we have saved the taxpayer more than $3 billion in avoided lease costs. Those are real savings.

When we reduce the amount of office space agencies are leasing, it directly reduces the cost to the taxpayer. With the large number of leases expiring in the near future, we now have a ripe opportunity to save even more by negotiating better rental rates and concessions.

To take advantage of this opportunity, the Public Buildings Reform and Savings Act establishes a leasing pilot program. This pilot program will allow GSA to streamline the leasing process to work through expiring leases more quickly and lock in good deals for the long term. The legislation gives GSA flexible pilot authority to address roadblocks to reducing costs so that space acquisition can be based on the best deal and not on arbitrary factors like unusually high ceiling heights that reduce competition.

The legislation could result in a 20 percent reduction in lease costs and save taxpayers more than $500 million annually, without even accounting for savings through reduction in space. The legislation also includes language that will give GSA a better ability, where appropriate, to use public-private partnerships to meet space needs, leveraging private dollars to offset costs.

In addition to these reforms, H.R. 4487, as amended, includes provisions that will improve building security by clarifying requirements related to the training and accountability of the Federal Protective Service. H.R. 4487, as amended, also includes other provisions that will improve Congress' oversight of public building projects to ensure building projects make sense and stay within budget and on time.

I urge my colleagues to support the passage of this important legislation.

Mr. Speaker, I reserve the balance of my time.

COMMITTEE ON HOMELAND SECURITY,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 23, 2016.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN SHUSTER: I am writing to you concerning the jurisdictional interest of the Committee on Homeland Security in H.R. 4487, the ''Public Buildings Reform and Savings Act of 2016.'' The bill contains provisions that fall within the jurisdiction of the Committee on Homeland Security.

I recognize and appreciate the desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Committee on Homeland Security will forego action on this bill. The Committee takes this action with the mutual understanding that by foregoing consideration of H.R. 4487 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction.

The waiver is also given with the understanding that the Committee on Homeland Security expressly reserves its authority to seek conferees on any provision within its jurisdiction during any House-Senate conference that may be convened on this or any similar legislation, and requests your support for such a request

I would appreciate your response to this letter confirming this understanding with respect to H.R. 4487, and ask that a copy of this letter and your response be included in the Congressional Record during consideration of this bill on the House floor.

Sincerely,

MICHAEL T. MCCAUL,
Chairman.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,
Washington, DC, May 23, 2016.

Hon. MICHAEL T. MCCAUL,
Chairman, Committee on Homeland Security, Washington, DC.

DEAR CHAIRMAN MCCAUL: Thank you for your letter regarding H.R. 4487, the Public Buildings Reform and Savings Act of 2016. I appreciate your willingness to support expediting the consideration of this legislation on the House Floor.

I acknowledge that by waiving consideration of this bill, the Committee on Homeland Security does not waive any future valid jurisdictional claim it may have to provisions in this or similar legislation. In addition, should a conference on the bill be necessary, I would cooperate as you seek appointment of an appropriate number of conferees to any House-Senate conference involving provisions within this legislation on which the Committee on Homeland Security has demonstrated a valid jurisdictional claim.

I will include our letters on H.R. 4487 in the Congressional Record during House floor

consideration of the bill. I appreciate your cooperation regarding this legislation.

Sincerely,

BILL SHUSTER,
Chairman.

Mr. CARSON of Indiana. Mr. Speaker, I thank Chairman BARLETTA, Chairman SHUSTER, and Ranking Member DEFAZIO.

I rise in support of H.R. 4487, the Public Buildings Reform and Savings Act of 2016.

Mr. Speaker, this bill begins the process of reforming GSA, Public Buildings Service, and the Federal Protective Service. I would like to thank my colleagues, again, for being a partner in developing this very important piece of legislation directing GSA to improve the management of Federal real estate. The GAO has consistently listed the management of Federal real property an area of high risk.

The provisions contained in today's legislation will address many of the concerns that GAO has documented. Specifically, the bill will direct GSA to reform the leasing process and tighten oversight of the construction program.

□ 2000

The centerpiece of this legislation is a 5-year pilot program designed to streamline the GSA leasing procurement process. Mr. Speaker, by raising the threshold for simplified lease acquisitions, I believe GSA will be able to reduce their workload on smaller leases and focus their staff on the execution of larger leases that can provide even more savings to taxpayers.

While owning is often the most cost-effective option for housing Federal agencies, there will also be a need for the Federal Government to lease space. The pilot program, and the GAO reports authorized by this bill, is expected to provide the Committee on Transportation with definitive data about the most efficient way to lease Federal office space. The interim reports on the pilot program and the effectiveness of GSA's use of commercial brokers will be instructive as to which new authorities Congress should let expire in 5 years and which we should keep.

I am also pleased that today's bill includes several reforms authored in H.R. 1850, the Federal Protective Service Improvement Act of 2015. Mr. Speaker, in the aftermath of the 1995 Murrah Building bombing in Oklahoma City, the Department of Justice, or DOJ, assessed the vulnerability of Federal buildings in the United States, particularly related to acts of terrorism and other forms of violence.

The Department of Justice made several recommendations, including upgrading the Federal Protective Service and bringing each Federal facility up to higher minimum standards for its security levels.

The reforms in today's legislation include creating a national framework for the 13,000 contract guards who protect Federal buildings, employees, and visitors each and every day. It mandates a minimum level of training for Protective Service Officers, or PSOs, while at the same time providing authority for PSOs to carry firearms and detain suspects accused of a felony on Federal property. As a former police officer, I can't overstate the importance of a strong training standard for security personnel at every Federal facility across our great Nation.

The bill also requires the Secretary of the Department of Homeland Security to study whether it has a sufficient number of law enforcement officers and inspectors necessary to regularly conduct security assessments of Federal facilities. Another provision requires a study of whether FPS' fee structure is sufficient to fund the strong law enforcement presence needed today. Mr. Speaker, I expect that when these reports are completed, they will help guide the Committee's efforts to address FPS' long-term funding and staffing issues.

Mr. Speaker, I believe it is critically important that we do everything possible to protect the millions of Federal workers and daily visitors to Federal buildings. With increased oversight and additional legislative authority, I believe the FPS can fulfill its mission.

I hope, in closing, that we can continue to work in a bipartisan manner on these matters. I thank the chair and ranking member of the full committee, who both cosponsored and supported this important piece of legislation. Together, we can put forth commonsense reforms that allow both GSA and FPS to be good stewards of our Nation's public buildings.

Mr. Speaker, I yield 3 minutes to the gentlewoman from the District of Columbia (Ms. NORTON), who is an American icon and legend.

Ms. NORTON. Mr. Speaker, I thank my good friend for his overly generous introduction, and I thank my friend from Pennsylvania and my friend from Indiana for this bill.

This bill, which I strongly support, the Public Buildings Reform and Savings Act of 2016, may seem quite technical to those who have heard it described, but I do want to congratulate my friends, the chairman and the ranking member, for a bill that will have great substantive impact on the way that GSA does its business. I particularly appreciate the bipartisan way in which both of them have always performed. I also thank them both for accepting my amendments: one, in keeping with both this bill and the prior bill, for a new, federal footprint here, and a smaller Department of Energy; and then an amendment that is not related to any of this, for lactation space for visitors to Federal buildings.

I appreciate the acceptance of an amendment that allows the GSA to sell or exchange the Department of Energy Forrestal Complex that is right in the heart of The Mall area, at 1000 Independence Avenue, in accordance with the so-called Southwest Ecodistrict Plan, which means that all the appropriate planning has been done, given where this location is and how important it is to official Washington.

My amendment has two purposes. Because the DOE building is larger than necessary and results in wasteful spending, we now require a smaller footprint. It allows the Cotton Annex, close to the Department of Energy on The Mall, to be sold, and gives the GSA what a developer needs—that is what GSA is, a developer—the flexibility to develop this priceless land and assures that development will occur soon—GSA has to come back by June, and we are almost there—with a process for disposing of the Cotton Annex.

I want to thank both gentlemen for agreeing to my amendment that I call the ''motherhood'' bill. GSA already requires that employees be given lactation space, but we discovered that some employees at the Smithsonian were not getting it. When I called the Smithsonian, they immediately provided the regional space. It is not new space, only existing space for a mother to pump or to nurse a baby, if she is a Federal employee. I simply added visitors and guests to Federal facilities as those that can use this space.

The Nation's capital is a tourist mecca, so there will be some nursing mothers.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. CARSON of Indiana. Mr. Speaker, I yield the gentlewoman an additional 3 minutes.

Ms. NORTON. Mr. Speaker, the benefits of breastfeeding are well documented. Children's immune systems build up. Studies have shown that even risks of asthma, diabetes, and the like are reduced in breastfed babies. There are benefits also to nursing mothers as well. The risk of diabetes and cancer are reduced.

This bill isn't very much related to the important substance of the underlying bill, but the relationship is clear enough. I very much thank my two good friends for accepting these two amendments to the underlying bill. I strongly support the underlying bill this evening.

Mr. CARSON of Indiana. Mr. Speaker, I yield back the balance of my time.

Mr. BARLETTA. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. ZINKE). The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and pass the bill, H.R. 4487, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

REMEMBERING JUDGE EDMUND V. LUDWIG

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FITZPATRICK. Mr. Speaker, tonight my constituents back home in Pennsylvania are gathering to remember and celebrate the life of a wonderful citizen. Judge Edmund V. Ludwig will be remembered for his contributions to the community and the courtroom, and for his leadership as a jurist, educator, mentor, and historian.

Judge Ludwig died on May 17, 2016, at the age of 87. He will also be remembered for his wit and wisdom. His legal accomplishments include leading the way to improve access to counsel for the poor, reformation of the juvenile system, and improvement to State services for the mentally ill.

Judge Ludwig founded many of these organizations and served on several of the boards. His well-known affinity for history led to the founding in 1955 of the Doylestown Historical Society, where he served as chairman until 2011.

The former judge of the Bucks County Court of Common Pleas was appointed in 1985 to the United States District Court by President Ronald Reagan. He was honored with the William J. Brennan Jr. Distinguished Jurist Award by the Philadelphia Bar Association in 2005.

Judge Ludwig's life of service is imprinted in the history of Bucks County, Pennsylvania.

COMBATING THE ZIKA VIRUS

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, it is certainly time for Congress to do its job.

Just last week we were briefed by the Centers for Disease Control regarding the Zika virus. Earlier today in my congressional district in Houston, one of the infectious disease specialists called Houston and the Gulf region the epicenter of the Zika virus.

It is well known that treatment for any child that is infected will cost $10 million. Frankly, the brain is literally destroyed by the virus. So the deformity is the fact that there is no brain functioning in these children.

This map indicates the whole Gulf region. That is clearly in the eye of the storm. This map indicates that Houston, among other big cities, is number one as it relates to the Zika virus.

So my call today is for us to fully fund the President's emergency supplemental. This is a picture of the mosquito causing these impacts. We discussed today a task force, which I created in my district.

Finally, just to leave this information, this is the mosquito. Use DEET. This is a serious matter. We need full funding to combat the Zika virus and save lives.

COMMENDING PENN STATE

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, last Friday I visited Penn State University for their annual Energy Days program—focused efforts in research and education involving America's energy sectors.

As many people from Pennsylvania know, the university was founded as one of our Nation's first colleges of agricultural science. Now under the leadership of Penn State President Eric Barron, the university is taking strides to become known as the energy university.

Courses of study are already being offered that prepare students for careers in the Marcellus Shale industry, many of which offer a starting wage that can support a family.

I applaud the efforts of Penn State in striving to meet the needs of our energy sector, combining expertise in energy-related research, teaching, and service with contributions from leaders in the energy industries.

The new initiative will greatly expand efforts in energy policy, fossil fuels, renewable energy, systems and technology, and environmental impact. More importantly, those efforts will be expanded across the State at the university's 24 campuses.

Our energy industries, such as coal, natural gas, and oil, are vital to the history, heritage, and future of Pennsylvania.

ISIS MURDERS CHRISTIAN GIRL

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, last week, ISIS terrorists came to the house of a Christian family in Iraq to collect the religious tax imposed on all non-Muslims.

ISIS told the mother of the home: You have two choices. You are to leave now or you are to pay the tax.

The mother pled: I will pay, but give me a few seconds because my daughter is in the shower.

But the ISIS terrorists did not wait. Instead, they set fire to the house. The mother, clutching a small child, escaped. But the girl was trapped in the burning home. Later, she was found. She had such severe burns, she died in her mother's arms. The last thing she said to her mother was: Forgive them.

The girl is a better person than most of us.

From beheading to burning little Christian girls alive, ISIS' evil genocide knows no bounds. ISIS murders in the name of religious jihad.

Will we allow this evil to continue? Or shall all religions unite and hold ISIS accountable?

We must stop ISIS' malicious murder of the innocent. Justice demands it. And, Mr. Speaker, justice is what we are supposed to do.

And that is just the way it is.

□ 2015

DEMOCRACY IN CRISIS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from New York (Mr. JEFFRIES) is recognized for half of the remaining time until 10 p.m. as the designee of the minority leader.

GENERAL LEAVE

Mr. JEFFRIES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include any extraneous material on the subject of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JEFFRIES. Mr. Speaker, it is once again an honor and a privilege to stand on the floor of the House of Representatives to help anchor the Congressional Black Caucus' Special Order hour, this hour of power, where, for the next 60 minutes, members of the Congressional Black Caucus have the opportunity to speak directly to the American people on an issue of great significance.

Today's Special Order hour topic is Democracy in Crisis: The Reckless, Republican Assault on the Right to Vote in America.

It is with great dismay that many of us come to the House floor today to speak to an issue of significance to the American people and our democracy.

There is nothing more sacred to the integrity of the democratic process than the right to vote. There are people throughout the years who died trying to secure the ability to participate in the franchise to help execute upon that great American promise of a government of the people, by the people, and for the people, to vote for those individuals who would represent them at the city, State or Federal level, regardless of race or religion, ethnicity, immigration status.

While we undeniably have made tremendous progress in America, clearly there has been an effort by some, unfortunately, led, in part, by people on the other side of the aisle, to stop

something so fundamentally American as the unfettered right to participate in our democracy by voting.

Today we are going to explore some of the history connected to the Voting Rights Act of 1965, widely regarded as one of the most significant pieces of legislation ever enacted by this august body.

Of course, we know that, in 2013, in the Shelby County v. Holder decision, the Supreme Court effectively gutted section 5 of the Voting Rights Act, widely known as the preclearance provision, in a manner that has adversely impacted the ability of voting rights advocates and others to protect the ability of people to participate without obstacle or obstruction.

It is my honor, as one of the anchors of the Congressional Black Caucus Special Order, to join in that responsibility with my coanchor, who, from the moment which she arrived in the Congress, has been a tremendous force for the district that she represents, a voice for the voiceless, someone who is both fierce in her beliefs, but willing to reach out to others across the aisle in order to get things done on behalf of the American people.

It is now my honor and my privilege to yield to my distinguished colleague from Ohio, Representative JOYCE BEATTY.

Mrs. BEATTY. Mr. Speaker, tonight I rise this evening proud to stand with my coanchor, my classmate, the gentleman from the Eighth Congressional District of New York (Mr. JEFFRIES). I say to the gentleman that I look forward to tonight's Special Order hour.

Mr. Speaker, Congressman JEFFRIES and I, along with our colleagues from the Congressional Black Caucus, will have scholarly debate on how our democracy is in crises because of the assault on the right to vote in America.

As we just heard from Mr. JEFFRIES and we will hear from others, voting is the voice of the people. The Voting Rights Act of 1965 passed with bipartisan support, established strong Federal protections for the freedom to vote, banning or limiting many of the discriminatory election policies and practices of the Jim Crow South.

Combined with subsequent legislation such as the National Voter Registration Act, which requires State agencies to provide opportunities for voter registration, the Voting Rights Act has helped our Nation make significant progress in boosting voting for African Americans and other historically marginalized groups.

But we find ourselves, Mr. Speaker, today facing our first Presidential election in 50 years without the full protection of the Voting Rights Act.

As Mr. JEFFRIES referenced in Shelby, the Supreme Court decision reversed over 50 years of progress made to expand access to the voting booth and opened a pathway to new voting laws that discriminate against African American voters.

As a result of Shelby, new voting restrictions have been put in place in 22 States, 18 of them, Mr. Speaker, Republican-led since 2010, making it harder for millions of Americans to exercise their right to vote.

The way States have been able to reduce the voting power of minority communities and put in place new voting restrictions in an effort to make it harder for millions of Americans to vote is appalling.

Mr. Speaker, our democracy is in crisis. Our right to vote is under assault.

Mr. Speaker, why would we want to make it harder for Americans to vote?

I believe we should be making it easier for Americans to have access to the ballot box. But, apparently, some of my colleagues on the other side of the aisle do not agree.

We need to put forth a vote on the Voting Rights Act now. New laws range from strict photo ID requirements to early voting cutbacks, to registration restriction.

Among these 16 States with new voting restrictions is my home State of Ohio. In Ohio, in 2014, lawmakers cut 6 days of early voting and eliminated the golden week, during which voters could register and cast a ballot all in one trip, Mr. Speaker.

Of course, Ohio is not alone in its efforts to make it harder for Americans to vote. Mr. Speaker, the freedom to vote is one of America's most constitutionally guaranteed rights, and it should be easily accessible to those who want to exercise it.

That is why I am honored this Congress to serve as the deputy vice chair of the newly created Congressional Voting Rights Caucus, a caucus dedicated to protecting our democracy by ensuring the fundamental right to vote is safeguarded for all Americans.

However, after a longstanding tradition of bipartisanship on voting protections, House Republicans now refuse to bring either bill to the floor for a vote.

This is unthinkable, Mr. Speaker. The Voting Rights Act of 1965 has been reauthorized with bipartisan support five times. Congress has a duty to ensure elections are free and transparent so that all eligible voters feel comfortable and welcome.

I would echo President Obama's February 13, 2013, statement on the Voting Rights Act, and let me quote:

''We must all do our part to make sure our God-given rights are protected . . . That includes one of the most fundamental right of a democracy: the right to vote. When any American, no matter where they live or what their party, are denied that right . . . we are betraying our ideals.''

There are 168 days until the Presidential election, and our democracy still has far too many missing voices, particularly among those who are already at a disadvantage due to deeply rooted racial and class barriers in our society.

We must ensure that voter suppression is not the new normal. In order to have a truly vibrant democracy, the United States must take steps to ensure inclusive voting by reducing barriers to voting.

Efforts to suppress voting turnout undermine democracy, and those efforts, Mr. Speaker, are on the wrong side of history.

As I close, Mr. Speaker, the time is now. I am calling on all people, including our community and national leaders, to join me in working to eliminate voter suppression and to restore what so many people fought for, marched for, died for. Mr. Speaker, that is the Voting Rights Act.

Human rights organizations like the NAACP and the Leadership Conference on Civil and Human Rights have been at the forefront of these issues along with my colleagues, members of the Congressional Black Caucus, encouraging and training poll workers and poll protectors.

It is up to all of us, Mr. Speaker, to protect the most at risk among us and to expand opportunity for all.

Mr. JEFFRIES. I thank the distinguished gentlewoman for making several extremely important observations about the urgency of restoring the Voting Rights Act, of Congress voting up or down.

All we are asking for is for Members of this House to act on bipartisan legislation that has been introduced in this Congress that would respond to the Supreme Court's decision, adopt a new coverage formula, and allow us to move forward in advance of this consequential Presidential election with a system that we can all be confident in will fairly allow everyone who wants to vote the opportunity to vote.

Mr. Speaker, it is now my honor and my privilege to yield to the gentleman from North Carolina (Mr. BUTTERFIELD), chairman of the Congressional Black Caucus, someone who had a distinguished record prior to his service in the House as a jurist on the bench as a civil rights lawyer in North Carolina and has continued his fight here on the floor of the House of Representatives for the last 10 years on behalf of fairness, justice, and equality, particularly in his capacity as chairman of the Congressional Black Caucus.

Mr. BUTTERFIELD. I thank the gentleman for yielding time this evening, and I thank him for his incredible work not just in the Congressional Black Caucus, but on behalf of the people that he represents in that great borough of Brooklyn, New York.

And I thank the gentlewoman from Ohio (Mrs. BEATTY) for all the work that she does. She is an incredible leader in this Congress, and we appreciate her so very much.

I want to thank my colleagues for selecting the topic for discussion tonight. It is certainly an appropriate topic.

There are so many of us who have been working on enforcement and extension of the 1965 Voting Rights Act. They are too numerous to mention, but I will certainly single out Congressman JOHN LEWIS, Congresswoman TERRI SEWELL, Congressman MARC VEASEY, Congressman JOHN CONYERS, Congresswoman SHEILA JACKSON LEE, and so many others, who have just worked tirelessly to enforce the right to vote not just for African Americans, but for all Americans.

□ 2030

Mr. Speaker, on August 6, 1965—and I remember it so very well; it was a few days after I had graduated from high school—this Congress, this House of Representatives where we are seated tonight, and the Senate, which is just a few steps down the hall, together passed the Voting Rights Act. This act was signed by the President of the United States immediately, and it has had a profound impact on empowering African American communities all across the country to participate in the electoral process.

Prior to the Voting Rights Act, it was a sad state of affairs, Mr. JEFFRIES, in North Carolina, in South Carolina, and in Alabama. It was a very sad state of affairs. In order to register to vote, one had to be able to read and to write. But not just that. They had to be able to satisfy a registrar. In all cases, it was a White registrar. African American citizens had to satisfy a registrar who, in many cases, discriminated that he or she was competent and able to be able to read and to write; and, in most instances, those would-be voters were denied the right to vote.

In addition to that, laws were passed all across the South that disenfranchised minority groups. Redistricting schemes were drawn to disenfranchise, at-large elections and staggered terms and all of the rest. So there was a necessity—a necessity—Congressman, for the Voting Rights Act. It was just not a good idea; it was actually a necessity in order to enforce the right to vote. Congress enacted this tool, and it has been very effective.

One of the most effective parts of the Voting Rights Act—there are many parts of the Voting Rights Act. Section 2 is that part that gives minority communities the right to bring lawsuits, and that applies to every county in the United States. It is a permanent law. It is on the books permanently. It also eliminated the literacy tests.

But there is another provision that kind of goes unnoticed from time to time, and it is called section 5. Section 5 is an oversight provision. It gives the Federal Government the right to preclear election changes before they go into effect to determine whether or not these changes would have a discriminatory result in their community.

Section 5, Mr. Speaker, does not apply to every county in America. Section 5 only applies to certain States that had a long history of voter discrimination. In my State, for example, North Carolina, the whole State was not included under section 5. Only 40 counties were included for preclearance. So it has been a good law, and it has worked quite well. As the previous speaker said, it has been extended from time to time.

But, Mr. Speaker, on June 25, 2013, the Supreme Court ruled that section 5—first of all, the Supreme Court ruled that section 5 is a proper exercise of legislative authority. But the Supreme Court surprised us. It determined that the formula used to determine which counties or which States should be subject to section 5 is outdated. The Court suggested that it needed fixing.

So the Court called on us here in this Congress to fix it, and the Congressional Black Caucus has been fighting every day since that Court decision to try to put together a bipartisan agreement to fix the formula.

No one in this Congress has worked harder than Congresswoman TERRI SEWELL of Alabama. Her bill is now pending before this House, and we need to fix the formula, and we need to do it now.

When you look at the 2013 discriminatory election law changes and the 2011 legislative and congressional redistricting, you must conclude—anyone must conclude—that there is a concerted effort in many parts of the country to disenfranchise particular groups of voters from participating in the process.

The absence of section 5 protection allows States—allows States, my State included—to pass discriminatory laws that disenfranchise African American voters and other groups. We have seen these laws enacted in State after State all across the country.

On July 25, 2013, Mr. JEFFRIES, the North Carolina General Assembly passed—now, remember, the Supreme Court decision was June 25, 2013—30 days later. I don't know why they didn't do it 30 days earlier. Well, I do know why, and that is because there was a section 5. But after section 5 was suspended by the Supreme Court, 30 days later, the general assembly passed a sweeping voting law that discriminates not only against African Americans, but other minority groups. It discriminates against students and seniors.

This law has also cut back on early voting. That is a big deal in our communities. It cut back on early voting by a week and barred same-day voter registration. The law went into effect upon passage, and there is no oversight in section 5 to protect us.

This is disappointing. This law is regressive and absolutely disgusting. We have to let our State lawmakers know that our voices matter and that all citizens—all citizens—in this country should be able to participate in democracy through unfettered access to the ballot box.

So, in closing, the Congressional Black Caucus, of which I am honored to chair, vows to continue our fight to restore section 5 of the Voting Rights Act to stop the assault on access to the ballot box because every citizen deserves the right to vote.

Mr. JEFFRIES. Mr. Speaker, I thank the distinguished chairman of the Congressional Black Caucus for his eloquent words and for explaining the practical realities of the Supreme Court's decision to strike down the coverage formula and effectively invalidate section 5 and the implications that that has had on people all across the country, in North Carolina and beyond.

I also note that the Voting Rights Act in section 5 and the coverage formula in section 4, upon passage in 1965, didn't just impact States in the South. There are five counties in New York City that constitute the Big Apple, and three of those counties in the Bronx, Manhattan, and Brooklyn, were covered by section 5.

We recognize that there had been challenges all across the country with respect to the right to vote, and many of us, even beyond the South, have now lost that critical protection. That is why it is time for Congress to act.

I thank the chairman for his continued leadership.

It is now my honor to yield to the distinguished gentlewoman from the great State of Alabama (Ms. SEWELL). She has been a tremendous proponent of the right to vote. We were all in awe of her leadership last year when we were down in Selma, Alabama, to commemorate the 50th anniversary of Bloody Sunday and are thankful for all that she continues to do to uphold that great American tradition that sprang forth from that small city down in Alabama where the distinguished gentlewoman hails from. She currently is a sponsor—the lead sponsor—of the Voting Rights Advancement Act, which would fix the problem that the Supreme Court created.

It is now my honor to yield to Representative TERRI SEWELL.

Ms. SEWELL of Alabama. Mr. Speaker, I would like to commend my distinguished colleague from New York and my distinguished colleague, the gentlewoman from Ohio, for this wonderful hour of power on voting. It is my great honor to stand with them, to rise today and to join with my CBC colleagues to discuss the reckless Republican assault on the right to vote in America.

We began tonight by bringing attention to the ever-evolving crisis brewing in our democracy. Since the Supreme Court in the Shelby decision gutted the

preclearance provision of the Voting Rights Act of 1965, there has been nothing short of an assault on the right to vote—the most sacred right to vote. This 2016 election will be the first time in my lifetime and, I daresay, in the lifetime of the gentleman from New York, that we will have a Presidential election in which there will not be the full protections of the Voting Rights Act of 1965.

As the gentleman so rightly acknowledged, I welcomed, in 2015, 100 Members of Congress, both Republican and Democratic, to my hometown of Selma, Alabama, in recognition of the 50th anniversary of the historic Bloody Sunday march from Selma to Montgomery, where people shed blood and tears. Our own colleague, JOHN LEWIS, was bludgeoned on that bridge, the Edmund Pettus Bridge, 50-some years ago in order to have the right to vote for all Americans.

On that day, Republicans and Democrats held hands as we crossed the Edmund Pettus Bridge one more time, as JOHN LEWIS likes to say, this time on the 50th anniversary of Bloody Sunday. We all had a Kumbaya moment, if you will, but we came back to Congress and did nothing to try to restore the Voting Rights Act of 1965.

I ask my colleagues, Mr. Speaker, have we really gone so far in the last 10 years? After all, the Voting Rights Act of 1965 was amended and reauthorized five times, most recently in 2006 under a Republican President, President George Bush, who was with us on that glorious day on the 50th anniversary of the Selma to Montgomery march to make sure that his support for the Voting Rights Act of 1965 was there.

So I say to you, in 10 years since 2006 when we reauthorized the Voting Rights Act of 1965, overwhelmingly, in both Houses of Congress—overwhelmingly—we reauthorized the Voting Rights Act for 25 years. Had it not been for the Shelby decision which gutted section 5, which provided that preclearance formula, and made the full protections of the Voting Rights Act null and void, we would still be living under a regime where, as the gentleman so rightfully said, it was not only the Deep South States that were part of the coverage formula, but New York was part of the coverage formula as well.

So the Supreme Court, in the Shelby decision, really issued a challenge to Congress to come up with a modern-day formula. The challenge was that we shouldn't hold States like Alabama and the Deep South for past discriminations that were so long ago, back in the 1950s and the 1960s and the 1940s, but, rather, we should come up with a modern-day formula.

The Voting Rights Advancement Act of 2015 does just that. I was privileged to introduce that bill along with my colleagues LINDA SÁNCHEZ and JUDY CHU; and Senator LEAHY, on the Senate side, introduced that bill. It has a lookback not since the 1950s or 1960s, but it has a lookback of 25 years, since 1990 going forward. It says that if there have been five violations, statewide violations, that a State would be, then, opted in to preclearance if they had five.

Do you know, Mr. Speaker, that not 1, but 13 States have had violations of voting discrimination over the last 25 years? Those States include California, New York, Arizona, Alabama, Mississippi, Louisiana, Texas, and Florida. Thirteen States would actually fall under the rubric.

I think that it is really telling that we, in 2016, saw such long lines wrapped around Maricopa County, Arizona, most recently in March, during their Presidential election primary in March. Do you know why? Because Maricopa County used to be covered under the coverage formula for the 1965 Voting Rights Act; and since it no longer has any teeth and has been gutted, they could summarily close down polling stations.

It shouldn't surprise you, Mr. Speaker, that in 2008, Maricopa County had 800 polling stations, in 2012 it went down to 400 polling stations, and for 2016, 60 polling stations—and those 60 polling stations covered the whole county of Maricopa County, Phoenix, Arizona. It was clearly not enough to get all of the folks who wanted to vote to be able to vote. They could close down those polling stations without any advance notification because there was no more Voting Rights Act of 1965.

My own State of Alabama was one of those States that, after the Shelby decision, decided to institute a photo ID law. So many of my constituents came up to me and said: We need a photo ID to get on the plane these days. We need a photo ID to get a passport. Why shouldn't we need a photo? How is that in some way discriminatory?

I had to remind many of our constituents that so many of our elderly, especially in the rural communities that I represent, many of whom were born by midwives, don't have birth certificates and can't actually readily prove a birth certificate in order to get a photo ID law. Some seniors and those who are disabled, like my father who no longer drives, therefore, he doesn't have a driver's license. He was a nine-time stroke victim—actually, a survivor. He is still with us today.

But my dad was determined to get that photo ID in 2014 when Alabama's law came into effect. He was highly motivated, Mr. Speaker, because his daughter's name was on a ballot, and he wanted to be able to vote. I want you to know that it took my dad 5 hours to get a photo ID. Now, if that is not a barrier—you say to yourself: Five hours. Why would it take 5 hours?

Well, Dallas County Courthouse is a courthouse that actually was grandfathered into the ADA laws and so did not have to have a ramp by which people who have wheelchairs can get readily into the courthouse. It had been grandfathered in. We were very blessed to have a gentleman help us get my dad up those seven stairs into the courthouse. But when we got into the courthouse, because the voter registration was on the second floor, we had to take an elevator upstairs.

□ 2045

Lo and behold, that particular day, the one elevator bank was what?

Actually out of service. Out of service.

Now, my mom, having been a former member of the City Council in Selma and, obviously, a very well-known member of the citizens of Selma, she could go across the hall and talk to the probate judge's office and say: Look, we are here today to get this photo ID, this nondriving photo voter ID, so that my husband can vote.

It took 1½ hours, but they got someone to service that elevator. And by the time that elevator was working and we got up to the second floor, lo and behold, it was 11:30. And guess what? Lunchtime.

Now, I say to you, Mr. Speaker, we no longer have to count how many marbles are in a jar, we no longer have to recite all 67 counties in the State of Alabama in order to get a voter registration card, but we should not in America have to go through so many hoops in order to exercise the most fundamental right, the most sacred right of our democracy—the right to vote.

And I say to you, Mr. Speaker, that any denial of access to the ballot box, to me, totally obfuscates and really undermines the integrity of the electoral process. If one person who wants to go out and vote has to stand in line for hours upon hours and can't actually physically stand in line because they have other obligations like children and day care and jobs, then it is unfair. We are actually limiting access to the ballot box, which actually goes to the integrity of our electoral process. It is fundamental to our democracy.

So I say to you tonight, I am honored to join my CBC colleagues as we fight for the opportunity of all Americans to have equal access to the ballot box.

Mr. Speaker, my State of Alabama, after having a photo ID requirement and during the State budgetary process, had the gall to actually decide to close down 30 Department of Motor Vehicle offices, which, as all of us know, the most popular form of photo ID is a driver's license. So to actually require a citizen to have a photo ID and then to close down DMV offices in rural parts of my district in the State of Alabama was really unconscionable.

Mr. JEFFRIES. Isn't it the case that a disproportionately high number of

those DMV offices that the State of Alabama just happened to decide to close were in predominantly African American parts of the State of Alabama?

Ms. SEWELL of Alabama. They were. Those DMV offices, as the gentleman from New York so aptly recited, were mostly located in heavily African American parts of the State of Alabama, but they were also predominantly rural parts of the State of Alabama. Those same areas have a hard time having transportation, public transportation, to get around in those areas.

They said, of course, that the reason why they were closing down these DMV offices had nothing to do with voting, of course, but had to do with the fact that there were serious budgetary restraints. Obviously, one of the consequences of the closures of those DMV offices was to limit access to those people getting photo IDs, the most popular form of photo ID, which is a driver's license, and, therefore, limiting their ability to go vote.

I did speak with our Governor, and he did open up those DMV offices on a limited basis, but only on a limited basis. And I say to you that it is unacceptable in America to have any limitations on the right to vote.

I really ask all of my colleagues, especially those who have come to Selma over the years with JOHN LEWIS on these pilgrimages, to really search deep in their hearts. If they are really about access to the ballot box and being able to make sure that all Americans have an opportunity to exercise this fundamental right, then why would we not make it easier for people to vote?

Instead of going the way of Alabama and having these photo ID laws, it seems to me that all of us should be adopting laws like the State of Oregon, which has mail-in ballots and same-day registration. There are ways that we can make it much easier for every American to exercise that most fundamental right to vote.

So tonight I ask my colleagues on both sides of the aisle to join in with the 168 cosponsors of the Voting Rights Advancement Act, and join us in this fight to make sure that we do a modern-day formula, a modern-day formula, with a look back, since 1990 going forward, to look at whether or not there have been discriminatory acts that have limited people's access to the ballot box.

I also ask my colleagues to join us every Tuesday that we are in session. We have declared it to be Restoration Tuesday. And on those Tuesdays, since Tuesdays are the days that we vote, we go to the well of the floor, and we talk about why it is important to restore the vote.

So I want to thank my colleagues, the gentleman from New York and the gentlewoman from Ohio, for leading us in this charge tonight. I hope that it will spill over to tomorrow, which is Restoration Tuesday, where we can really talk about the modern-day examples of people being denied access to the ballot box because of people's inability to actually get the credentials that people require them to have, or because they have to work late. They don't have the ability to be able to drop everything and go and vote and stand in long lines if those polling stations have been closed.

I say all this to say that it is really imperative, I think, that we put real action behind our talk. We do a lot of talking about our democracy and upholding our Constitution. This is an opportunity for this august body to actually do something about it.

In closing, I want to quote one of our Republican colleagues, who has been in this fight for a very long time, Republican Congressman SENSENBRENNER from Wisconsin, who I think really best summed it up when he wrote in an oped in the New York Times after witnessing those long lines in Maricopa County, Arizona, the following:

''Ensuring that every eligible voter can cast a ballot without fear, deterrence, and prejudice is a basic American right. I would rather lose my job than suppress votes to keep it.''

I have to repeat that.

''I would rather lose my job than suppress votes to keep it.''

My Republican colleague went on to say:

''Our credibility as elected officials depends on the fairness of our elections.''

Mr. Speaker, voting rights transcend partisan agendas. It really solidifies that equality in voting is the Democratic way.

I ask my colleagues to join all of us in this fight, this fight for our democracy. This crisis that we are in is a crisis that we can fix in Congress by coming up with a modern-day formula.

We already have several bills in the House. Congressmen SENSENBRENNER and CONYERS introduced the Voting Rights Amendment Act. I have introduced the Voting Rights Advancement Act. There are several bills—two bills, in fact—that would actually come up with a modern-day formula. I dare this august body to actually act on one. I am here to tell you that the American people will be stronger, and this Republic will be stronger, because of it.

Mr. JEFFRIES. Mr. Speaker, I thank the distinguished gentlewoman from Alabama, my good friend, TERRI SEWELL, for a very compelling, comprehensive, and complete analysis of the situation that we find ourselves in in the practical consequences of the Supreme Court's decision. And the fact that there are people all across this country, in Alabama, and in other parts of this great Republic, who are determined to elevate themselves by suppressing the ability of others to participate in the Democratic process, that is a shame, it is a stain on our democracy, and it is time for this Congress to act.

Mr. Speaker, I yield to the gentleman from Texas (Mr. VEASEY), my classmate and good friend, who himself has been championing the issue of fair redistricting, who has personally been impacted in terms of his capacity as a representative, to make sure that lines are fairly drawn, and most recently has announced the formulation of the Voting Rights Caucus here in the Congress. He has been a tremendous leader in this area. A great Member of the House of Representatives.

Mr. VEASEY. Mr. Speaker, I thank Congressman HAKEEM JEFFRIES from New York and Congresswoman JOYCE BEATTY from Ohio for everything that they are doing on raising this issue tonight. It is very timely, considering everything that we are going through right now. When you think about the Voting Rights Act, it is literally the single most important piece of legislation that has ever been passed in the history of the United States as it deals with an individual's right to vote.

But as you know, 3 years ago, the Supreme Court regressed and sent us back by gutting section 4 of the Voting Rights Act. Not only was that bad because it hurt the Voting Rights Act, but it was also bad because of everything that it did to propel States around the country from also retrogressing and sending us back in the area of voting rights.

You are starting to hear so many stories of States and localities that are passing more and more laws to restrict the right to vote, making it harder for young people to vote—seniors, the disabled, people that move around a lot and are transient, people that don't necessarily have the money that they need in order to obtain the proper identification.

And you heard Congresswoman SEWELL when she so eloquently talked about the fact that oftentimes, particularly in the South, people were born by midwives. We have a lot of baby boomers that are out there. People think these things happened a long time ago. That is the thing that you hear all the time. But there are people that are living here today, a lot of baby boomers, that were born down in the piney woods of east Texas, that were born in other parts of the South, that don't have the proper documentation that they need in order to be able to vote.

I have met people since I have been involved in campaigns and elections and as an elected official that didn't have the proper ID to vote. I have to tell you that there are many of them out there.

Just hours after the Supreme Court made the decision in 2013 that my

home State of Texas implemented the most egregious voter ID law in the entire country, just hours after the Supreme Court gutted section 4, they moved to reimplement the law. That was very disappointing, considering that an appeals court had already said that the voter ID law in Texas was one of the worst in the country.

Mr. JEFFRIES. Isn't it a fact that the case as it relates to that particular ID law in Texas, that individuals are able to vote if they have a gun license identification card, but are not able to vote under that draconian Texas law with a college ID?

Mr. VEASEY. That is correct. If you have an ID that is issued to you by the University of Texas, or Texas A&M, or Prairie View A&M University, that same ID, that same student ID that can be used to identify yourself to campus police officers, that can be used to identify yourself for other things that you would need an ID for, it will not work in order for you to go and vote. But if you have a concealed handgun license, then you can vote. Concealed handgun licenses are mostly used by White males in the State. It is really unfair that a more diverse form of ID, like the student ID, is not allowed under Texas laws.

That was one of the reasons why I became the lead plaintiff on the voter ID lawsuit, Congressman JEFFRIES. It is Veasey v. Abbott. We are going to continue to fight. We just got news today that the Fifth Circuit Court is going to take up our case. I am going to continue to work here in Congress, continue to work in Texas, continue to work in the Dallas-Fort Worth area to protect the voting rights of individuals that have been wronged.

I also want to point out that, again, you oftentimes hear people say that we have progressed as a country and we don't need these laws. But when you look at what is going on in Texas and when you look at what is going on across the South, I just think we can't sit back anymore. We can't sit back and be idle and say: Oh, no, well, we are doing a little bit better, so these people that are going to be discriminated against—the transients, the college students, the people that don't necessarily have their birth documentation in order like other people may have—we just can't sit back and say we are going to just move on and forget about them. We have to fight for those individuals as well because it is their right to vote, and we must protect it.

In 2016, I just think we should be making it easier for citizens to vote. We should be talking about things like same-day registration. We should be working together, Democrats and Republicans, on ways to ease lines when it comes to voting in places. We should be looking at ways that we can make it to where we have more days to vote early. You are starting to hear about laws around the country to scale back the number of in-person early voting days. I just think that is wrong.

Again, I want to thank you for your leadership on this issue. I also want to thank you for pointing out that I have introduced the first Congressional Voting Rights Caucus to help aid and fight in the battle, along with so many other task forces and organizations that are here in Congress that are working on those issues.

□ 2100

We want to continue to make sure together again—and we need to do it in a bipartisan manner—that we all protect the right to vote.

I thank the gentleman and the Congresswoman from Ohio, Representative BEATTY, for their work and passion on this issue.

Mr. JEFFRIES. I thank my good friend for his leadership on this very important issue and for the steps that he has taken both here in Congress, with the initiation of the Voting Rights Caucus, as well as down in Texas as the lead plaintiff in the Veasey v. Abbott lawsuit to challenge the voter ID requirements—the draconian requirements—that have been imposed by the State of Texas.

It should shock the conscience of every American that a State would impose a restriction that allows licensed gun owners to vote who disproportionately happen to be of a certain demographic—white male—but would deny the legitimacy of IDs that the State of Texas itself issues.

Texas A&M, the University of Texas at Austin, the University of Houston, and other institutions are all public universities, and these individuals—these students—pay tuition to go to these public universities, and, in response, they are issued identification vehicles, identification cards, but the State of Texas has seen fit to say that that is not valid in order to vote.

I think that one example—and we have heard several others—basically exposes the fact that the movement to impose voter identification requirements is fraud in itself. It is a sham.

The whole argument behind it is that: We are trying to protect the integrity of the voting system. But here is the problem: you are protecting the integrity of the voting system by imposing a solution in search of a problem because none of these individuals in any of these States has been able to produce a scintilla of evidence of fraud.

In fact, there are studies that have shown that there have been over a billion instances of Americans exercising their right to vote without any evidence of misrepresentation—over a billion times. The number of instances of questionable voting is less than 50; yet, in State after State, we see voter identification laws being imposed on the people.

It is not designed to protect the integrity of anything. It is designed to protect certain individuals and maintain their power in the face of troubling demographic changes that are occurring in America. Let's call it like it is.

Let me ask the Chair how much time we have remaining in this Special Order.

The SPEAKER pro tempore. The gentleman has 4 minutes remaining.

Mr. JEFFRIES. Mr. Speaker, let me now yield to someone who has been a tremendous champion from the great State of Texas in representing her people in Houston and is a phenomenal member of the Judiciary Committee, Representative SHEILA JACKSON LEE.

Ms. JACKSON LEE. Let me thank the distinguished gentleman from New York, who shows that the issues of voter empowerment are nationwide.

Let me also thank the gentlewoman from Ohio, who has been steadfast on important issues that deal with the empowerment of all Americans.

Mr. Speaker, I note that my colleague from Texas made his presentation, Congressman VEASEY, who everyone knows was the plaintiff in Texas for the voter ID law.

I wanted to come this evening very briefly to, one, submit a full statement into the RECORD and to make this point. And let me read the headline or the topic again: Democracy in Crisis: The Reckless Republican Assault on the Right to Vote in America.

It did not have to be, for it is evident that we have dealt with voter empowerment in a bipartisan way. It is the very difficult journey that Lyndon Baines Johnson took in 1965 after the foot soldiers and Dr. Martin Luther King and others made their momentous march and statement, including a letter from a Birmingham jail that captured the history or the sentiment and the movement of the civil rights movement in the very basic words: Injustice anywhere is injustice everywhere.

With that power behind him, he was able to frame the Voting Rights Act in a bipartisan manner with Republicans from the North and with whom we used to call Dixiecrats from the South. It can be done.

Then, in 2006 and 2007, I was privileged to have another Texan, George W. Bush, as a member of the House Judiciary Committee, after 15,000 pages of testimony with a Republican chairman, and we went and passed a vote reauthorization of the 1965 Voting Rights Act.

Let me close with these points about the pointedness, Mr. JEFFRIES, of what voting power actually means.

What it means is that we would not have the North Carolina set of voting laws, if you will, that cut Sunday voting or early voting. It had one of the most horrific voter ID laws.

We would not have the Texas voter ID law that disenfranchised thousands

upon thousands of Hispanics because of no DPS officers—Department of Public Safety officers—in their locations.

We would not have an attempt to cut billions of dollars from food stamps and an attempt to cut trillions of dollars from education for our children and the status that we are in right now of trying to seek the full funding of the President's emergency funding of $1.9 billion for the Zika virus. This is what ''voting power'' means.

Finally, after the Supreme Court instructed the Congress or told the Congress that we needed to have a new bill, we would not have the predicament we are in now. We need voting power, and that is what voting rights are all about.

Mr. Speaker, I am pleased to join my colleagues of the Congressional Black Caucus, Congressman HAKEEM JEFFRIES (D–NY) and Congresswoman JOYCE BEATTY (D–OH) who are anchoring this Special Order on Democracy in America and the Reckless Assault on Minority Voting Rights.

I thank all of my colleagues on the Congressional Black Caucus for their leadership on fighting back against voter suppression and holding this important special order to discuss what we can do to protect our voices and democracy.

I applaud my colleagues here today for their commitment to being the change that we all wish to see in America—today and for generations to come.

I also want to thank my colleague from Texas, Mr. VEASEY for his leadership in forming the Voting Rights Caucus. As a Vice Co-Chair, I look forward to working with the Members of this new Caucus and my colleagues of the CBC Voting Rights Task Force as we continue in this movement to elevate our voices and rights as citizens that we have long fought for and earned.

We are at a pivotal time to protect and embrace the power that we hold in restoring and maintaining our democracy.

The 2016 election season is already in full swing.

As voters in a number of states face new restrictions for the first time in a presidential election, we've already seen problems in primaries across the country.

A new photo ID requirement led to long lines in Wisconsin. A reduction in polling places forced some to wait five hours to vote in Arizona. New rules created confusion in North Carolina.

And in my home state of Texas, last minute changes to polling locations in Harris County resulted in long lines, confusion and for some, the inability to vote.

The challenge of voting in fewer polling locations without adequate notice, along with the implementation of long-contested voter ID law changes, created unnecessary and burdensome obstacles for voters in a county that is home to more minorities and non-English speaking residents than that of greater state of Texas or the nation.

In a county that ranks third in the nation in terms of population, critical changes impacting the ability of individuals to exercise their right to vote must be reviewed to ensure that any violation of federal law is addressed and corrected.

This could be an early glimpse of problems in November—as voters face the first presidential election in 50 years without the full protections of the Voting Rights Act, which was designed to prevent discrimination in voting.

In 2016, 17 states will have restrictive voting laws in effect for the first time in a presidential election.

Restrictions in most of these 17 were passed before this year.

The new measures range from strict photo ID requirements to early voting cutbacks to registration restrictions.

Those 17 states are: Alabama, Arizona, Georgia, Indiana, Kansas, Mississippi, Nebraska, New Hampshire, North Carolina, North Dakota, Ohio, Rhode Island, South Carolina, Tennessee, Texas, Virginia, and Wisconsin.

We cannot afford to turn back the clock—we must continue to forge ahead and push back against these egregious and painful laws.

The Voting Rights Act is still needed.

Let me put it this way: in the same way that the vaccine invented by Dr. Jonas Salk in 1953 eradicated the crippling effects but could not eliminate the cause of polio, the Voting Rights Act succeeded in stymying the practices that resulted in the wholesale disenfranchisement of African Americans and language minorities but did not eliminate entirely.

Or as Supreme Court Justice Ruth Bader Ginsburg stated in her dissent of the Court's ruling:

> Throwing out preclearance when it has worked and is continuing to work to stop discriminatory changes is like throwing away your umbrella in a rainstorm because you are not getting wet.

As stated by my predecessor, Barbara Jordan, a civil rights and voting rights icon and a woman of many firsts—I know that perhaps the greatest and most important battle to be fought is on behalf of the right to vote, the most precious right of all because it is a preservative and passage of all other rights.

We must be vigilant in this movement to elevate our voices and rights as citizens that we have long fought for and earned.

Fifty years ago, America was preparing for the first national election following passage of the Voting Rights Act—the crucial legislation for which Martin Luther King, Jr. and civil rights activists toiled for years.

Today, we're preparing for our first election in half a century in which these essential voter protections will not be available.

Voting rights were ascendant in 1966—today voter suppression tactics are spreading throughout the nation.

Congress was increasingly an ally in 1966—now in 2016, it's conspicuously absent.

Regressive state voter suppression laws—including Voter ID laws, Voter caging, elimination of polling places, elimination of early or Sunday voting, refusal to locate sites in low-income areas, last-minute changes to polling locations—are the clear culprits.

In the immediate aftermath of the Supreme Court's disastrous Shelby ruling—which eliminated the requirement that areas with histories of discrimination receive preclearance for any changes to voting laws—there was hope that Congress would act to mitigate the damage.

But those hopes have been diminished.

There has been no Congressional action to repair the VRA to date.

At face value, a voter ID law might not look as egregious as a poll tax.

But, considering the hurdles that they present—including the need to procure a birth certificate or visit a far-away DMV during severely-limited operating hours—the obstacles are comparable.

These laws are especially prohibitive for elderly or low-income people who have difficulty traveling.

Recent studies reveal that state voter suppression could stop approximately 1.3 million from voting in competitive election states.

Thirty-six states have promulgated new laws that disproportionately impact minority citizens in response to fabricated issue of ''voter impersonation.''

Sixteen of these states will see their plans go into effect for the first time in the 2016 elections.

An analysis by Nate Silver for the New York Times shows that these laws can decrease turnout by between 0.8 and 2.4 percent—a potentially decisive amount in highly competitive elections.

As The Nation's Ari Berman and others have methodically reported, the efforts to suppress votes through Voter ID laws, the purging of voter rolls, and the elimination of polling places are already having their impacts.

The 2016 primaries have been marked by long lines in several states and severe hurdles to voting.

According to Ari Berman, voters disenfranchised by new laws include: a man born in a German concentration camp who lost his birth certificate in a fire; a woman who lost use of her hands but was not allowed to use her daughter as power of attorney at the DMV; and a 90-year-old veteran of Iwo Jima, who was not allowed to vote with his Veterans ID.

We need to translate widespread outrage about voter suppression into momentum for an actionable voting rights agenda.

While proponents of voter ID laws point constantly to a looming ''crisis'' of voter impersonation to justify barriers to accessing the polls, they've yet to demonstrate empirical evidence. Where is the proof?

We now have empirical evidence, gathered from academic experts at University of California at San Diego and other leading institutions, that voter suppression laws disproportionately impact minorities and immigrants.

Fixing the VRA is just the start of the fight to secure voting rights.

We must also deal with issues including aging and insecure voting machines, problems with absentee ballots, willful misinformation, felon disenfranchisement, partisan election administration, untrained election staff, and many others.

As we know, the Voting Rights Act is one of the most fundamental pieces of American legislation, designed to prevent the disenfranchisement of black and minority voters by prohibiting voting practices and procedures that discriminate on the basis of race, color, or membership in a language minority group.

In signing the Voting Rights Act on August 6, 1965, President Lyndon Johnson said:

The vote is the most powerful instrument ever devised by man for breaking down injustice and destroying the terrible walls which imprison men because they are different from other men.

Since its passage in 1965, and through four reauthorizations signed by Republican presidents (1970, 1975, 1982, 2006), more Americans, especially those in the communities we represent, have been empowered by the Voting Rights Act than any other single piece of legislation.

Section 5 of the Act requires covered jurisdictions to submit proposed changes to any voting law or procedure to the Department of Justice or the U.S. District Court in Washington, D.C. for pre-approval, hence the term ''preclearance.''

Under Section 5, the submitting jurisdiction has the burden of proving that the proposed change(s) are not retrogressive, i.e. that they do not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color.

In announcing his support for the 1982 extension of the Voting Rights Act, President Reagan said, ''the right to vote is the crown jewel of American liberties.''

And Section 5 is the ''crown jewel'' of the Voting Rights Act.

But a terrible blow was dealt to the Voting Rights Act on June 25, 2013, when the Supreme Court handed down the decision in Shelby County v. Holder, 537 U.S. 193 (2013), which invalidated Section 4(b), the provision of the law determining which jurisdictions would be subject to Section 5 ''pre-clearance.''

In 2006, the City of Calera, which lies within Shelby County, Alabama, enacted a discriminatory redistricting plan without complying with Section 5, leading to the loss of the city's sole African-American councilman, Ernest Montgomery.

In compliance with Section 5, however, the City of Calera was required to draw a non-discriminatory redistricting plan and conduct another election in which Mr. Montgomery regained his seat.

In 2010, Shelby County filed suit in federal court in Washington, D.C., seeking to have Section 5 declared unconstitutional.

In 2011, the U.S. District Court for the District of Columbia upheld the constitutionality of Section 5, holding that Congress acted appropriately in 2006 when it reauthorized the statute.

And in 2012, the U.S. Court of Appeals for the District of Columbia Circuit affirmed the district court ruling by a vote of two to one.

However, on June 25, 2013, the U.S. Supreme Court held that Section 4 of the Voting Rights Act, which sets out the formula that is used to determine which state and local governments must comply with Section 5's preapproval requirement, is unconstitutional and can no longer be used.

Thus, although the Court did not invalidate Section 5, it will have no actual effect unless and until Congress can enact a new statute to determine who should be covered by it.

According to the Supreme Court majority, the reason for striking down Section 4(b): ''Times change.''

Now, the Court was right; times have changed. But what the Court did not fully appreciate is that the positive changes it cited are due almost entirely to the existence and vigorous enforcement of the Voting Rights Act.

And that is why the Voting Rights Act is still needed.

Let me put it this way: in the same way that the vaccine invented by Dr. Jonas Salk in 1953 eradicated the crippling effects but could not eliminate the cause of polio, the Voting Rights Act succeeded in stymying the practices that resulted in the wholesale disenfranchisement of African Americans and language minorities but did not eliminate entirely.

Or as Supreme Court Justice Ruth Bader Ginsburg stated in her dissent of the Court's ruling:

Throwing out preclearance when it has worked and is continuing to work to stop discriminatory changes is like throwing away your umbrella in a rainstorm because you are not getting wet.

Before the Voting Rights Act was passed in 1965, the right to vote did not exist in practice for most African Americans.

And until 1975, most American citizens who were not proficient in English faced significant obstacles to voting, because they could not understand the ballot.

Even though the Indian Citizenship Act gave Native Americans the right to vote in 1924, state law determined who could actually vote, which effectively excluded many Native Americans from political participation for decades.

Asian Americans and Asian immigrants also suffered systematic exclusion from the political process.

In 1964, the year before the Voting Rights Act became law, there were approximately 300 African-Americans in public office, including just three in Congress. Few, if any, black elected officials were elected anywhere in the South.

Because of the Voting Rights Act, there are now more than 10,000 black elected officials, including 46 members of Congress, the largest number ever.

The Voting Rights Act opened the political process for many other minorities, including over 6,000 Latino elected officials and almost 1,000 Asian American elected officials.

Native Americans and others who have historically encountered harsh barriers to full political participation also have benefited greatly.

Aided by Section 5, the Voting Rights Act was successful in preventing the states with the worst and most egregious records of voter suppression and intimidation from disenfranchising minority voters.

So successful in fact that the Supreme Court apparently saw no harm in invalidating the provision that subjected those states to the federal supervision responsible for the success it celebrated.

Now to be sure, the Supreme Court did not invalidate the preclearance provisions of Section 5; it only invalidated Section 4(b).

But that is like leaving the car undamaged but destroying the key that unlocks the doors and starts the engine.

According to the Court, the coverage formula in Section 4(b) had to be struck down because the data upon which it was based—registration rates and turn-out gaps—was too old and outdated.

But my colleagues in Congress and I refused to let the Voting Rights Act die—as states all across the nation had already begun implementing restrictive voting laws that would keep thousands of citizens away from the polls.

After months of hard work, consultation, negotiation, and collaboration, we were able to produce the ''Voting Rights Amendment Act'' which sets out to achieve these goals.

I was an original cosponsor when this bill was first introduced in 2014 (H.R. 3899), and again when it was reintroduced in 2015 (H.R. 885).

To be sure, this legislation is not perfect, no bill ever is.

But—and this is important—the bill represents an important step forward because it: is responsive to the concern expressed by the Supreme Court; and establishes a new coverage formula that is carefully tailored but sufficiently potent to protect the voting rights of all Americans.

First, the Voting Rights Amendment Act specifies a new coverage formula that is based on current problems in voting and therefore directly responds to the Court's concern that the previous formula was outdated.

The importance of this feature is hard to overestimate. Legislators and litigators understand that the likelihood of the Court upholding an amended statute that fails to correct the provision previously found to be defective is very low and indeed.

The Voting Rights Amendment Act replaces the old ''static'' coverage formula with a new dynamic coverage formula, or ''rolling trigger,'' which works as follows:

For states, it requires at least one finding of discrimination at the state level and at least four adverse findings by its sub-jurisdictions within the previous 15 years;

For political subdivisions, it requires at least three adverse findings within the previous 15 years; but

Political subdivisions with ''persistent and extremely low a minority voter turnout,'' can also be covered if they have a single adverse finding of discrimination.

The effect of the ''rolling trigger'' mechanism effectively gives the legislation nationwide reach because any state and any jurisdiction in any state potentially is subject to being covered if the requisite number of violations are found to have been committed.

Prior to Shelby Co. v. Holder, the Voting Rights Act covered 16 states in whole or in part, including most of the states in the Deep South.

The states that would be covered initially under the new bill are: Texas, North Carolina, Louisiana, Florida, and South Carolina.

To compensate for the fact that fewer jurisdictions are covered, our bill also includes several key provisions that are consistent with the needs created by a narrower Section 5 trigger.

For example, the Voting Rights Amendment Act:

Expands judicial ''bail-in'' authority under Section 3 so that it applies to voting changes that result in discrimination (not just intentional discrimination);

Requires nationwide transparency of ''late breaking'' voting changes; allocation of poll place resources; and changes within the boundaries of voting districts;

Clarifies and expands the ability of plaintiffs to seek a preliminary injunction against voting discrimination; and

Clarifies and expands Attorney General's authority to send election observers to protect against voting discrimination.

This bipartisan compromise legislation is not ideal—but on the balance, it represents a step forward as we continue to fight for enforcement of our most fundamental right: the right to vote.

Additional measures introduced to help protect and enforce our right to vote include the Voter Empowerment Act and the Coretta Scott King Mid-Decade Redistricting Prohibition Act.

The Voting Empowerment Act was introduced to help ensure equal access to the ballot for every eligible voter.

The Voting Empowerment Act was designed to protect voters from suppression, deception and other forms of disenfranchisement by modernizing voter registration, promoting access to voting for individuals with disabilities, and protecting the ability of individuals to exercise the right to vote in elections for Federal office.

This legislation would expand and protect citizens' access to the polls and would increase accountability and integrity among elected officials and poll workers.

It would also expand eligibility to allow all ex-offenders who have been released from prison (even those who may still be on probation on parole) the opportunity to register and vote in federal elections.

Outlined in 13 Title sections, this bill prioritizes access, integrity and accountability for voters.

I have also introduced H.R. 75 (originally introduced in 2013 as H.R. 2490) which prohibits any state whose congressional districts have been redistricted after a decennial census from carrying out another redistricting until after the next decennial census, unless a court requires such state to conduct a subsequent redistricting to comply with the Constitution or enforce the Voting Rights Act of 1965.

The Voting Rights Act of 1965 is no ordinary piece of legislation.

For millions of Americans, and many of us in Congress, the Voting Rights Act of 1965 is a sacred treasure, earned by the sweat and toil and tears and blood of ordinary Americans who showed the world it was possible to accomplish extraordinary things.

Please know that I am as committed to the preservation of the Voting Rights Act and I will not rest until the job is done.

As I stated in 2006, during the historic debate in Congress to reauthorize the Voting Rights Act of 1965:

I stand today an heir of the Civil Rights Movement, a beneficiary of the Voting Rights Act. I would be breaking faith with those who risked all and gave all to secure for my generation the right to vote if I did not do all I can to strengthen the Voting Rights Act so that it will forever keep open doors that shut out so many for so long.

With these legislative priorities and principles at the forefront, I intend to work with my colleagues and advocates to do all I can to protect the voting rights of all Americans.

Mr. JEFFRIES. I thank the distinguished gentlewoman.

The right to vote is fundamental to the integrity of our democracy, and, as Lyndon Baines Johnson said from this very Chamber shortly before the Voting Rights Act was passed into law a few months later, ''We shall overcome.''

Mr. Speaker, I yield back the balance of my time.

Ms. LEE. Mr. Speaker, tonight I rise with my colleagues in the Congressional Black Caucus to urge our Republican colleagues to stop their reckless assault on the right to vote in America.

First, let me thank my colleagues, Congresswoman JOYCE BEATTY and Congressman HAKEEM JEFFRIES, for organizing this important special order and for their dedicated leadership in ensuring equality and liberty for all.

I'd also like to thank Chairman G. K. BUTTERFIELD for his mighty leadership of our caucus as we work to ensure all Americans have an equal voice at the ballot box.

At the signing of the Voting Rights Act in 1965, President Johnson told the American people: ''The vote is the most powerful instrument ever devised by man for breaking down injustice and destroying the terrible walls which imprison men because they are different from other men.''

And Dr. King, our drum major for peace and justice, agreed saying: ''Voting is the foundation stone for political action.''

I am proud to say that we have come a long way in the 50 years since the signing of the Voting Rights Act. In April, the Supreme Court unanimously upheld ''one person one vote'' with its 8–0 ruling, in Evenwel v. Abbott. The ruling affirmed that legislative districts must continue to be drawn based on total population, not just the total number of voters. This will ensure that the concerns of all constituents will be equally represented.

However, we must confront the fact that our voting rights are once again under attack. There are many working to turn back the clock, so we must continue working to ensure that each man and woman has an equal voice at the ballot box.

We cannot allow the victories of the Civil Rights Movement to be undone.

In 2013, the Supreme Court opened the door to these voting rights attacks. In its Shelby v. Holder decision, the Court carelessly and callously gutted the milestone the Voting Rights Act.

In the three years following this ruling, we've watched Republican state legislatures fall over themselves to erect new and undemocratic barriers to the ballot box.

This year, 16 states instituted new restrictions for the first time

Let me repeat—for the first time, during a presidential election year, 16 states instituted new voting restrictions. And the clearly partisan nature of these voting rights attacks is not lost on the American people.

These new barriers range from unnecessary voter ID laws, to ending same-day voter registration and reducing or completing eliminating early voting.

Since 2010, 21 states have implemented new restrictions.

Mr. Speaker, this is a crisis; our democracy is in crisis.

While states have put up barriers, Speaker RYAN, Judiciary Chairman GOODLATTE and some Congressional Republicans have ignored the clear, bipartisan conscience to fix the Voting Rights Act and restore voting rights protections for all Americans.

Republican Congressman JAMES SENSENBRENNER has introduced the bipartisan Voting Rights Amendment Act (H.R. 885), which I am proud to co-sponsor with 105 of my colleagues, including 14 Republican Members representing 11 different states.

But let me be clear—simply fixing the Voting Rights Act is not enough.

We need to empower voters and Congresswoman SEWELL'S bill—the Voting Rights Advancement Act (H.R. 2867)—would do just that.

Now—we often talk about how states in the south like Alabama have laws threatening voting rights. But this is still an issue around the country, including in California.

While California has implemented many policies that improve access to the ballot box, including vote-by-mail, automatic voter registration and expanded absentee voting—we are not perfect.

Three California counties—Kings County, Monterey County and Yuba County—were covered by the section 5 of the Voting Rights Act before the Shelby decision—meaning they needed preclearance from the Justice Department before changing voting rules or jurisdiction.

Mr. Speaker, we must restore the preclearance process to prevent voter discrimination and disenfranchisement before it happens—not after.

It is clear—our democracy is in a crisis. There is an assault against voting rights and we must come together to stop it.

My Democratic colleagues and the Congressional Black Caucus are serious about protecting voting rights and pass the Voting Rights Advancement Act. It is past time that all Republicans in Congress join our efforts to protect the foundation of our democracy: the right to vote.

Our work is not over until the voice of EVERY American is equally heard.

1–YEAR ANNIVERSARY FOR JUSTICE FOR VICTIMS OF TRAFFICKING ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Texas (Mr. POE) is recognized for the remaining time until 10 p.m. as the designee of the Majority Leader.

GENERAL LEAVE

Mr. POE of Texas. Mr. Speaker, I ask unanimous consent that all Members be allowed 5 days to file remarks and revise and extend those remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POE of Texas. Mr. Speaker, this Sunday, May 29, marks the 1-year anniversary for the Justice for Victims of Trafficking Act being signed into law, or the JVTA, as we refer to it.

This is a vital piece of legislation that the House and Senate passed and

that was signed by the President a year ago that takes this scourge of human slavery that is taking place internationally, but also here in the United States, and Congress weighs in on this to deal with this issue, I think, in a very good way.

It is impressive to me as a Member of the House how many Members of Congress on both sides were involved in drafting legislation over a year ago that came to the House and passed. In the House itself, there were 11 pieces of legislation that dealt with sex trafficking. All of those bills came up to the House floor in the same week, and all of them passed with overwhelming numbers.

They went down the hallway to the U.S. Senate. The Senate combined those bills into one bill, and it passed that legislation. It came back to the House, we passed that, and it was signed by the President. I want to thank all of those Members of Congress—Republicans and Democrats—who worked on this.

Just by way of background, I got involved in this issue in several ways. One way was when I was in Eastern Europe several years ago and found out about the human trafficking, sex trafficking, and labor trafficking that was taking place in Eastern Europe and how young women were lured into thinking they were going to get a better job—or have a job—in Africa and the next thing they knew they were in sex slavery in northern Africa. Most of those women just disappeared over the years.

Then, back here in the United States, we have the problem of the crime and the scourge of trafficking, and it happens in two areas. There is international sex trafficking into the United States. About 20 percent of the trafficking here in America is international, primarily coming from the southern border.

You see those drug traffickers, those drug dealers, who come across the southern border of Texas. They bring anybody into the United States, and they will do anything for money.

They will bring young girls, young women, and traffic them into the United States and turn them over to the criminal gangs, like the MS–13 gang, and then they are trafficked throughout the United States.

That is about 20 percent of the trafficking. The other 80 percent is trafficking by domestic or young girls, young women. They are trafficked throughout the United States in the same crime—sex slavery, sex trafficking.

I had an opportunity to meet a lot of these trafficking victims in my work as chairman and co-chairman with JIM COSTA of the Crime Victims Caucus. I will tell you about three of those, and those three women helped get the minds straight of Members of Congress on this issue that is taking place.

''T,'' as her nickname is, was in foster care. She spent 18 years of her life in foster care. In foster care, she was abused, treated like an animal, hardly fed by some of the individuals who were in the foster care system. All she wanted was a family, someone to love and care for her.

She met an older boy, and that individual made her feel special. He promised to love her and take care of her. But as soon as she left with him, she became a sex slave, and her innocence was crushed. She was sold around the country in massage parlors, strip clubs, in hotels, and on the Internet. She was treated like property for 7 years, Mr. Speaker.

I mentioned that she was in foster care. We now understand that about two-thirds of the sex trafficking victims in the United States, at some time in their lives, were in foster care. That is an issue we have to deal with. Congress has to deal with that.

Finally, ''T'' was rescued, and now she tells her story wherever she can. Even Time magazine featured her and her life and her story and her recovery.

Brooke Axtell I met in Texas. Her mother was extremely ill when she was about 7 years of age. So the mother turned Brooke over to a nanny, but the nanny did not protect her. In fact, the nanny did just the opposite. The nanny sexually abused Brooke and then trafficked her.

It is common with child trafficking victims, as with Brooke, to also be victims of child pornography. After Mom got out of the hospital, Brooke was slow to tell Mom what happened, but she finally did. In working with her mother, she was able to be rescued and get out of this scourge of sex trafficking. Now she works with Allies Against Slavery in Texas.

The third person I want to mention very briefly is Cheryl Briggs. She grew up in an abusive home. She was sexually abused by her father. Things were so bad in the home that Mama left when Cheryl was very young to escape the abuse.

At the age of 12, Cheryl didn't know what else to do except get away from her father. So she ran away. She began hitchhiking with truck drivers or with anybody who would take her. It led her to get involved with a motorcycle group, and she started a career, unfortunately, in sex trafficking hell.

This individual took her to a biker club that was filled with men who sexually assaulted her. They raped her. She became a trafficked victim and was forced to do all kinds of just awful, horrible things. She was trapped in this scourge of human trafficking and didn't know how to get help.

She was finally able to get help when a patron of the strip club figured out on his own that she was too young and helped her get rescued. Now Cheryl works to help those who are in this sex trafficking in the United States.

Those are just three stories, Mr. Speaker. Let me tell you about one bill, and then I want other Members of Congress who are here at this late hour to make comments as well.

CAROLYN MALONEY and I worked on the Justice for Victims of Trafficking Act. Now, you know CAROLYN MALONEY. She is a New York liberal Democrat who talks a little funny. She teamed up with me, a Texas conservative who talks a little funny, according to her.

The two of us got together and started working on this with lots of Members of Congress. The Justice for Victims of Trafficking Act, thanks to the hard work of Mrs. MALONEY and others—and especially of the women in the U.S. House of Representatives—passed the House. It does three things.

□ 2115

It does three things. It goes after the trafficker, the slave master, and makes sure that when prosecutors—Mr. Speaker, as you know about prosecutors—when they prosecute those cases, that person goes away to the penitentiary, the do right hotel, for as long as the judge can send them.

It then goes to the other end and looks at the trafficking victim. For years, society looked at this victim as a criminal, a child prostitute. Children cannot be prostitutes. It is impossible, legally impossible. So rather than treat them like criminals and put them in the criminal justice system, it rescues those victims and treats them like victims of crime rather than criminals. This is a major change in society's thought and thought process about these children and young women.

Also, Mr. Speaker, it goes after the money, the consumer, the buyer in the middle. Too long, these buyers of trafficking victims who pay money to do these awful things to children have kind of skated under the criminal justice system. Not anymore. Those days are over. The days of boys being boys are over, and these buyers can be prosecuted to the same extent of the law as the trafficker.

So the bill does three things: it goes after the trafficker; it goes after the demand, the money; and it rescues the victims.

How do we pay for this? It is kind of a novel approach. Federal judges now can impose fines and fees on the trafficker and the buyer because a lot of them have a lot of money. And that money goes into a fund, and that fund is used and given as grants to different organizations, nonprofits throughout the country in States to help trafficking victims and also to educate police and educate the public.

So it is a good piece of legislation. That was just one of several pieces of legislation that came to the House floor.

As I mentioned, this was a bipartisan effort. Mrs. JOYCE BEATTY of Ohio is

here. She filed legislation called Improve the Response to Victims of Child Sex Trafficking. All of that legislation was included in the Senate bill and came back to the House and then passed. What it does is decriminalize child sex and makes it easier for people to report potential incidences of crimes against children.

I yield to the gentlewoman from Ohio (Mrs. BEATTY), a great advocate on behalf of crime victims and trafficking victims.

Mrs. BEATTY. Mr. Speaker, I thank Judge POE, chairman of the Victims' Rights Caucus and Representative of Texas' Second Congressional District, for organizing this evening's important Special Order hour and for all of his hard work on behalf of the victims of human trafficking.

I am also very pleased to have the opportunity to partner with my good friend, Congresswoman ANN WAGNER of Missouri, who is my classmate and a friend. We share the same priority of eradicating human trafficking.

It is kind of odd, as Judge POE talked about his relationship with CAROLYN MALONEY. They are two people who seem, on paper, very different. One might say the same about ANN WAGNER and me. But, Mr. Speaker, there is that common thread that puts us together to not only advocate and fight for something that we need to fight for, but we have been able to make a difference.

That is why I come to the House floor this evening to recognize and celebrate a very important anniversary: the 1-year anniversary of bipartisan, comprehensive legislation, Justice for Victims of Trafficking Act, that was signed into law.

The Justice for Victims of Trafficking Act, or JVTA, was a landmark bill, as you have heard, that updated America's effort to combat the scourge of human trafficking and provided essential resources to survivors and law enforcement officials. I am so proud to have had my bill be included in this legislation and to have been able to take part in its drafting, passage, and enactment.

Mr. Speaker, in the year since JVTA's enactment, we have witnessed important achievements. For example, the JVTA has reinvigorated Americans' commitment to protecting our children from cruel exploitation. And, Mr. Speaker, these children still need our protection.

Human trafficking, as we have heard, is an estimated multibillion-dollar-a-year international enterprise that forces the most at risk among us, both here at home and abroad, into modern-day slavery. It is one of the fastest growing crimes in the world.

According to the United States State Department, human trafficking is among the world's top three criminal enterprises. It is forced prostitution, domestic slavery, and forced labor, which is why enactment and, now, the implementation of the JVTA is so important. We must continue to work to eradicate human trafficking and support the victims.

In the year since the JVTA's enactment, we have seen educators, law enforcement officials, and service providers working together, Democrats and Republicans, Mr. Speaker, raising awareness in our communities that human trafficking is not merely an international phenomenon. It, unfortunately, happens all too often in our backyards, just as we have heard Judge POE talk about ''T'' and talk about Brooke. And the stories could go on and on.

In fact, in my home State of Ohio, for example, each year, an estimated 1,000 children become victims of human trafficking, and over 3,000 more are at risk. Ohio is the fifth leading State for human trafficking because of its proximity to waterways that lead to an international border and the I–75 interstate that allows anyone to exit the State, within 2 hours, to almost anywhere.

Lastly, I am very thankful for having amazing advocates in Ohio for victims of human trafficking, like Theresa Flores, the founder of SOAP, Save Our Adolescents from Prostitution, and State Representative Teresa Fedor, a member of the Ohio House of Representatives, who has made a lifetime commitment to working to protect our victims.

We must remain vigilant in the implementation of JVTA, as we were when we passed it, so every child, every woman and man is free from this form of modern-day slavery, which is why I am proud to have joined Judge POE and Congresswomen WAGNER and MALONEY of New York in leading a letter to United States Attorney General Loretta Lynch supporting the Department of Justice's implementation thus far of the JVTA and requesting needed information on what more can be done within the confines of the current law.

Mr. Speaker, this is what happens when we work together. This is a great example of what we can do when Democrats and Republicans come together to change lives.

And that is just the way it is.

Mr. POE of Texas. Mr. Speaker, I thank the gentlewoman from Ohio. I like your tag line. I might use it myself.

You point out several good things, and I think everybody listening can understand why legislation like this got passed because of your passion and—I will say it again—because of the women in the U.S. House that pushed this last year and were relentless until all this legislation came up.

You point out many good things. There are two things, though, that I want to point out myself that you mentioned. One is about the money.

People may ask, Mr. Speaker, why is there so much money involved in this? Well, drug dealers, when they sell drugs, you sell drugs one time. The cost of apprehension, the consequences, are great, and the chances of getting caught are great.

On the other end, you have sex trafficking. Unfortunately, these children are sold multiple times a day—sometimes 20, 25 times a day. The risk of getting caught is very low, and the punishment, up until now, has been very low. So that is why it is the second or third biggest monetary system of criminal enterprises anywhere.

That, Mr. Speaker, in itself is a disgrace to us as a people to allow this to happen, where slavery is the second or third money maker for the criminal gangs who primarily run all of these enterprises.

I yield to another gentleman from Texas (Mr. WEBER). He has been in the antitrafficking movement a long time. He worked in the Texas Legislature and helped Texas get ahead of the curve on the movement before we actually did here in the House.

I yield to the gentleman from southeast Texas (Mr. WEBER).

Mr. WEBER of Texas. Mr. Speaker, it is a pleasure to be here and to work in a bipartisan fashion across the aisle for this very worthwhile cause.

I will tell you, Judge POE is exactly correct. In Texas, we like to say that things are bigger in Texas. But, unfortunately, Texas has one record that we really didn't want, and that is that we have 25 percent of the sex trafficking in the country. We are 1 of 50 States, and yet we have 25 percent of the victims of sex trafficking going on right there in Texas.

We were able to pass Texas House Bill 4009, which did a number of things. It actually instructed the enforcement officials to take a look at some of these young girls that were picked up—and, I guess, for that matter, young men as well—and to not just assume that they were willfully participating in the sex trade, but to look deeper into the background there.

Some of these girls we found out were actually held against their will, were drugged and beat into submission. Some, as young as 12, were dancing in some of these strip clubs and, like Judge POE said, some of the patrons would take notice of that and would actually get them help.

In Texas, we did identify that pretty early on, about 5 or 6 years ago now, and were able to pass legislation to get the HHSC to put law enforcement together, to get some training for these officers, to get these NGOs together to say, look, we need to get some programs for these young girls to rehabilitate them. How in the world do you ever get them back to normal life after something like this? We needed more facilities, more beds, more training. So

I am proud to say that, in Texas, we actually did take the lead on that.

One of my favorites was in the town of Waco. You mentioned three things: going after the perpetrators; going after the demand, the money; and, of course, helping the victims. Well, the town of Waco had a way of dealing with the johns. What they did was, when someone was arrested in Waco, they would put that john's picture on a billboard in the city with the headline, ''Arrested for solicitation of prostitution.''

Now, that will ruin your family life at home and in a little town like Waco. So we took some lessons from that to say, look, we are going after the demand, after the johns, to try to dry up that money stream

Mr. Speaker, Judge POE ought to be commended. It has been almost a year since the Justice for Victims of Trafficking Act was signed into law. This comprehensive legislation tackled a number of issues to combat human trafficking. It took a stand against the seller, which we have been talking about, and the buyer by criminally pressing charges on both for the first time.

It also provided smart solutions to help victims of trafficking get back on their feet, which is what I said from my days in the Texas Legislature. They needed a program. They needed people to understand. They needed counseling. Good Lord, how do those young girls ever get back to some semblance of normalcy after something like that?

Thanks to the JVTA, States are now incentivized to draft and pass what we call safe harbor legislation, which helps victims of trafficking expunge their criminal records in an effort to start fresh without the ghosts of their past haunting them.

Legislation like this also addresses the need for shelter, for more beds, for facilities for those NGOs, a place for rehabilitation.

As you know, currently, 34 out of the 50 States have versions of safe harbor legislation, which is an increase of 14 States just since the passage of the act. Training on the identification of trafficking victims has also increased within the airline, the hotel, and even in the medical industries.

□ 2130

Mr. Speaker, victims of human trafficking are men, women, and children. This is not a victimless crime, I might add. We all have undoubtedly passed these victims in an airport, at a hotel, or maybe even at the fuel station. Until society at large stops sexualizing our children, we will be unable to prevent the predators' interest in our minors.

We have made crucial steps, Mr. Speaker, toward combating human trafficking, as evidenced by the very success of the Justice for Victims of Trafficking Act we are talking about here tonight. Yet, we still have a long way to go to eradicate this scourge of human slavery. But we have a good start on it, and we are committed to seeing it through to the end and making a difference. Mr. Speaker, you know I am right.

Mr. POE of Texas. Mr. Speaker, I thank the gentleman from Texas for his several important comments that he made about facilities to take the victims once they are rescued by law enforcement or by nonprofit organizations.

Mr. Speaker, there is no place to put them. Sometimes that is why the police arrest these young girls and put them in juvenile detention, is because there is no facility to take them. I am not blaming the police. They have no other place for them to go.

There have been some studies done on how many beds are available for trafficking victims. The latest comes out of the State of Illinois. They did some research, and there are about 600 to 700 beds nationwide for trafficking victims—600 to 700 beds; that is it—in a country of 350 million people.

Compare that to animal shelters. I love animal shelters. I have got three Dalmatians. I call them the weapons of mass destruction. I got one of them from a Dalmatian rescue in Dallas. But there are 5,000 animal shelters in the United States, and that is good. We need every one of them.

Six hundred to seven hundred beds for trafficking victims is not near enough. That is one thing this legislation does. It provides resources so we can have places to take these crime victims, and that is what they are.

They are victims of crime. They are not criminals. They are hard to deal with. They are not easy to help. They have had their whole lives destroyed in front of them. So it takes time, it takes facilities, and it takes resources.

One other comment you made about the signs. Of course, I am a big fan of criminals carrying signs in front of businesses that they commit crimes in. I did that as a judge and some other things.

You are exactly right. If we could add an amendment to this legislation—and I think we should—to give Federal judges the option to allow the posting in the county in which the crime was committed on a billboard or a sign of a photograph of the child molester who has been convicted of trafficking children, that would get the attention of some of those folks out there who are trying to hide their criminal conduct.

And maybe those billboards ought to pop up right before some big sporting event that cities have as well. That is just a thought, Mr. Speaker. I think we ought to work on that.

We also have with us another person who has worked on this whole issue of trafficking victims and justice for them. Mr. YOHO is one of our newer Members of Congress, TED YOHO from the Third District of the State of Florida. I yield to the gentleman at this time.

Mr. YOHO. Mr. Speaker, I would like to thank my colleague from Texas. You wouldn't have hurt my feelings if you would have said one of the younger Members, but that wouldn't have been true.

Mr. Speaker, I rise today in solidarity with the growing army that is fighting human trafficking worldwide. I rise to speak out against this heinous crime known as human trafficking, the scourge of our time in the 21st century, a $32 billion industry.

The statistics are overwhelming, as we have heard all the estimates of over 22 million people being trafficked worldwide. Sometimes, though, they seem far away. It is estimated that the individuals in the adult entertainment are often victims of human trafficking, people in farm camps, people in domestic servitude. There are people being trafficked for human body parts. It goes on every day.

People often say, ''That kind of stuff happens overseas'' or, ''That doesn't happen here.'' There is an acronym called NIMBY, not in my backyard. People don't think this happens. No, it happens in our own backyards. It happens here at home. It happens in your State, in your county, and more than likely it happens in your town.

Human trafficking happens as we speak. Human trafficking knows no skin color, no gender, no socioeconomic background. It only knows how to exploit, abuse, and victimize.

Who is guilty of this? Well, nation-states are guilty of this, criminal gangs, drug cartels, people needing labor, and terrorist organizations. People are doing this for greed, profit, and power. They are the scum of humanity, the people who are involved in this.

ISIS, as we all know today, traffics people for terrorist reasons. They sell children from 1 to 9 years of age. Children 1 to 9 years of age bring the most for ISIS, $168. Young women between 9 and 18 have dropped in value. They are worth $128. ISIS even gives away slaves for rewards of deeds that we deem are bad deeds.

The alarming estimate of more than 1 million teenagers run away every year in the United States. Runaways are the most at-risk youth and susceptible of trafficking. Runaways are the most at risk when they leave. In fact, runaways are typically picked up by the pimps or traffickers within the first 48 hours.

Who does this sort of thing? Well, the perpetrators aren't of a certain stereotype. They are of all backgrounds. I don't want to name any backgrounds, but they are people of low, no, and high profiles.

This year in my hometown of Gainesville a trafficking ring was discovered and six people were arrested.

Last week a person of high profile, one of the leaders of the Black Lives Matter movement, was arrested for sexually trafficking a minor in New York.

Just last year a 15-year-old girl was discovered by police in a motel room being sexually abused and trafficked several times a day. When I say several times a day, we are talking 15 to 20 times a day their body is being sold, like an amusement ride.

Her parents had been handing out missing child flyers in the neighborhood when somebody recognized her picture from an online ad. That young girl went from being a runaway to a trafficking victim in less than a month. That 15-year-old girl could be the son or daughter of you, your friends. It could be your niece or nephew, your brother or sister.

However, it is not just runaways that become victims of trafficking. Traffickers don't discriminate based on economic class, race, gender, or age. Traffickers are motivated by profit. The average cost of a slave worldwide—worldwide—is less than $90. That is the value the scum of the earth puts on the value of a human's life.

As the world's fastest growing and third largest criminal enterprise, it is shocking how little people know about this horrendous practice. Further, it is appalling how little is put toward the effort to stop it.

In my district, we have created the North Central Florida Human Trafficking Task Force, which is aimed at bringing together community partners from the Federal, State, and local levels to combat trafficking.

For many, education awareness is half the battle. We teamed up with the Department of Homeland Security and used their Blue Campaign to raise awareness. This week here on Capitol Hill we celebrate the 1-year anniversary of the Justice for Victims of Trafficking Act sponsored by Judge TED POE of Texas, and I am a proud cosponsor of this important legislation. I thank my colleagues for their support of this bill as well.

This issue, the issue of human trafficking, is not a Republican or Democratic issue. Back in January, several of us took to this very House floor to speak of the horrors of this crime.

But taking a stand on one particular day or highlighting the issue once a month doesn't even begin to cover what the victims experience on a daily basis or the horrors and nightmares they have for a lifetime.

We must always, always be vigilant and active in our fight. If we become aware and educate just one other person to know what the signs are, we can help end this horrific tragedy.

Mr. Speaker, no neighborhood is immune. No city is exempt. These slaves, or victims, are a part of our daily lives quietly suffering, but being traded like livestock and treated beyond comprehension.

We cannot in good conscience continue our daily routines without making every effort to stamp out the practice of forced labor, domestic servitude, sex trafficking, or the selling of body parts. Whether you are a college student, businessowner, or stay-at-home parent, we all play a role.

First, I ask my colleagues to stand with me as we take another step in taking down trafficking. Thank you to all those both here at home and abroad who are fighting every day to make this modern-day slavery a thing of the past. All it takes for evil to succeed is for good men, women, or people to do nothing.

Finally, thank you to my colleague, the gentleman from Texas (Mr. POE), for hosting this Special Order.

Mr. POE of Texas. Mr. Speaker, I thank the gentleman from Florida. I appreciate his comments. He made several excellent points, the NIMBY attitude that some people have, not in my backyard.

I met with a father last week. He came to my office and told me the story of how his daughter had been trafficked. He went to the local sheriff in another part of the State and told the sheriff what had happened. The sheriff said: It doesn't happen here.

It does. It happens everywhere. It is in our backyard. It is everywhere. We need to recognize that. The gentleman worked on his own, then, to find his daughter and take her back home.

The gentleman from Florida (Mr. YOHO) makes another good comment about how these young kids are prey. A trafficked child, like the one I just mentioned, they had been working on her for 18 months, seducing her, talking to her, using the Internet. She thought these people were her friends. They were not her friends. They were all involved in the trafficking process.

We need to understand that traffickers are not old guys in trench coats wandering around and snatching kids. They are not. Many times they are young people, young, good-looking guys who will strike up a conversation with a middle schooler at the mall and then talk to them again later and then later and then, finally, that individual gets in the vehicle or meets the individual, the trafficker, someplace, and then she is gone.

This father that I talked to knew the statistics, that, if you have a child that is trafficked, you have about 3 weeks to find her or she is gone because those traffickers move those kids all over the country, selling them every day. It is in our backyard, unfortunately.

I yield to another Texan, the gentlewoman from Houston, Texas, Ms. SHEILA JACKSON LEE, who has worked on this issue of trafficking here and also back home in our hometown of Houston.

Ms. JACKSON LEE. Mr. Speaker, let me thank the gentleman from Texas for his persistence, his determination, and for this exciting commemoration of the Justice for All Reauthorization Act of 2016.

Let me thank the Congressional Victims' Rights Caucus and co-chair JIM COSTA, along with Congressman POE, Judge POE, who famously has said, ''And that is just the way it is,'' and I see all of us seemingly adopting those words. So he has now put the English language in a form that we just can't help ourselves. So I thank Judge POE so very much.

I remember his beginning. I want to thank him for a year or 2 ago when he joined me and Chairman MCCAUL for a Committee on Homeland Security human trafficking hearing in Houston, Texas.

I believe we have had other hearings since then because we know that Houston, Texas, Harris County, and in Texas has been called one of the center points of human trafficking, to our dismay. Many stories have come to our attention.

I think it was about 2 years ago, Judge POE, when they found a stash house out in the county. I actually went to that site where teams of—when I say teams, tens upon tens of individuals, including children, were in that particular place. We had to shut down a cantina in and around the inner city that had been used for human trafficking in the city of Houston.

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The one point that is very important that I will make—and I will comment on some other aspects that are in this bill—is that human trafficking is profitable. Human trafficking is profitable. That means that slavery is not dead. Human trafficking is profitable.

The reason is, tragically, the young child, the young teenager, the preteen, the young woman, or the young man or boy is recycled, tragically, over and over again, which makes human trafficking more than profitable and vicious and vile. They have to keep that human being who needs to be free and enjoy the freedom of being a child and enjoy the various special things of being a child, like being loved and nurtured, going to picnics, going to school, they have to keep that young woman, that young man in bondage.

That is what this bill, as spoken of previously, and certainly among other things, speaks to today. In the many bills that were incorporated in this bill, it was to eliminate, if you will, the pain and viciousness of human trafficking.

Let me quickly say that I want to congratulate the fact that this bill reduces the rape kit backlog and provides resources for forensic labs in cities all

over America. As a member of the Judiciary Committee, we were hearing the stories about backlogs of rape kits. So this bill requires at least 75 percent of amounts made available to the DOJ for forensic testing and to be used for direct testing of crime scene evidence, including rape kits.

It improves the sexual assault nurse examiner program by incentivizing the hiring of full-time nurses, particularly in rural and underserved areas, and reauthorizes and improves the Paul Coverdell Forensic Science Improvement Grants, which awards grants to States and local governments to improve the quality of forensic science services, which is so very important.

I also say that I acknowledge that numerous studies have shown that at least 75 percent of youths involved in the justice system have experienced traumatic victimization, making them vulnerable to mental health disorders and perceived behavioral and noncompliance and misconduct.

This legislation deals with best-evidence research to be able to help our youth as well, and to ensure that they get the kind of treatment they need, particularly after sexual assault, which is what human trafficking mostly is, besides the heinousness of being held by another human being.

So I am very glad that we are moving forward on the reauthorization for Justice for All for 2016. So many things have been made better.

I want to cite one example as I close. I am reminded of this because of the floods that we dealt with recently. There were incidences of women living in places where their name was not on the lease. So, for example, if a man gets evicted for abusing his live-in girlfriend, the girlfriend who is not a named tenant on the lease, but is a resident, would automatically be evicted. That is so very important. Many times, that girlfriend is living there with her children. She would be permitted to stay for a reasonable time to establish her own eligibility to remain in the public housing unit.

Let me say this: this is not a one-size-fits-all, but it is not one community. It is not any race of people, it is not any economic level of people. It is people who are egregiously abusing and violating another human being. In many instances, Judge POE, it is a child.

So I want to thank you for this legislation. Let us continue to walk this pathway together in a bipartisan manner. Certainly, as a very valued member of the Judiciary Committee, a lot of your work is part of that legislative agenda, and I am very glad to join in. A lot of your work is also on the Foreign Affairs Committee.

Let us work together to save lives and to protect our children.

Mr. Speaker, I am pleased to join my colleagues of the Congressional Victims' Rights Caucus, Congressman TED POE (R–TX) and Congressman JIM COSTA (D–CA) who are anchoring this Special Order in support of the Justice for All Reauthorization Act of 2016.

The Justice for All Act, which I co-sponsored in 2004, enhanced protections for victims of Federal crimes, provided resources to improve the use of DNA and forensic technology to combat crimes, and established safeguards to prevent and reverse wrongful convictions.

This legislation reauthorizes and improves many of the programs created by the original law and responsibly reduces overall funding in response to current economic conditions.

The bipartisan Justice for All Act of 2004 increased resources devoted to DNA and other forensic technology, established safeguards to prevent wrongful convictions, and enhanced protections for crime victims.

This legislation builds on the Justice for All Act to improve the criminal justice system and ensure public confidence in it.

The Justice for All Act of 2016 increases access to restitution for crime victims and requires that interpreters be available to all federal crime victims who wish to participate in a court proceeding.

Reauthorizing important programs used to notify crime victims of their right to be heard in court, this legislation provides them with legal assistance.

Additionally, the bill improves housing rights for domestic violence victims and protects Violence Against Women Act (VA–WA) funding from federal penalties.

The bill makes payment of restitution a mandatory condition of supervised release for any defendant convicted of a Federal felony or misdemeanor and ordered to pay restitution.

The bill will also amend the Federal Rules of Criminal Procedure to give the court authority to appoint an interpreter for any victim present during proceedings.

Importantly, this legislation supports programs that inform crime victims of their rights and helps ensure that those rights are enforced by reauthorizing the Crime Victims Legal Assistance Grants and Crime Victims Notification Grants.

Reducing current Rape Kit Backlog, the Justice for All Act requires that at least 75% of amounts made available to the Attorney General for local, state, and Federal forensic activities must be used for direct testing activities described in the Debbie Smith DNA Backlog Grant Program.

Requiring law enforcement agencies to conduct audits of their backlogged rape kits, this law also creates tracking mechanisms, and prioritizes testing in cases in which the statute of limitations will soon expire.

The Act also amends the Sexual Assault Forensic Exam Program Grants to give preference to entities which will: operate or expand forensic nurse examiner programs in rural areas or for underserved populations, hire full-time forensic nurse examiners, or support training programs for forensic nurse examiners.

Critically, the Act provides community health centers, colleges and hospitals with information about resources available to address domestic violence, sexual assault, and elder abuse.

Clarifying requirements for housing protections in the Violence Against Women Act, the act will extend protection against automatic eviction to any ''resident'' in a public housing unit—who is not a tenant listed on the lease—in situations where the named tenant is evicted.

For example, if a man gets evicted for abusing his live-in girlfriend, the girlfriend, who is not a named tenant on the lease but is a resident, would not automatically be evicted. She would be permitted to stay for a reasonable time to establish her own eligibility to remain in the public housing unit.

The Justice for All Reauthorization Act of 2016 strengthens the Prison Rape Elimination Act (PREA).

PREA currently requires that all states to comply with its requirements or suffer a 5% reduction in DOJ funds they would receive for ''prison purposes.''

States can still receive the funds however, even if they are not in compliance, if the Governor submits an ''assurance'' that the state will reallocate 5% of those funds to PREA implementation.

To ensure compliance, states are required to have all of their prisons audited for at least once every three years.

The bill requires Governors to submit with their annual certification or assurance information about the state's PREA implementation efforts, including which correctional facilities were audited in the most recent audit year, a proposed schedule for completing an audit of all prison during the next three audit years, and all final audit reports.

Numerous studies have also shown that at least 75% of youth involved in the justice system have experienced traumatic victimization, making them vulnerable to mental health disorders and perceived behavioral non-compliance and misconduct.

Over the years, clear evidence has emerged from federal investigations, class-action lawsuits or authoritative reports written by reputable media outlets or respected public or private agencies showing that youth corrections facility across the country have repeatedly failed to protect youth from violence by staff or other youth, sexual assaults and/or excessive use of isolation or restraints. (Annie E. Casey Foundation—Maltreatment Report, 2015).

Despite costly law suits and periods of federal supervision, inhumane conditions of youth confinement remains rampant and a national epidemic.

Despite national outcry for compliance with PREA, Many states have failed to implement and enforce its standards for youth in correctional and detention facilities.

Current law provides that states not conforming to required protocols will lose 5% of all funds they receive from the U.S. DOJ grant programs.

However, financial penalties will not begin until 2017, and expected that DOJ will extend deadline and/or disperse funds to non-compliant states (provided they use the money toward implementing PREA requirements). (AECF Report).

Further, the bill requires the Attorney General to post all final audit reports on its website and to update the site at least annually.

Expanding the reach of these valiant efforts, the Justice for All Reauthorization Act of 2016

clarifies that grants authorized for victim assistance may be used to support nonprofit entities which assist victims of crime on a nationwide basis or Americans abroad who are victims of crimes committed outside of the United States.

Truly, improving the administration of criminal justice programs, the bill increases accountability for federal funds spent by state and local governments by requiring that states receiving funds under the Edward Byrne Memorial Justice Assistance Grant Program develop a strategic plan detailing how the funds will be spent.

The bill directs the National Institute of Justice (NIJ) to promulgate best practices for evidence retention within eighteen months of enactment and requires NIJ to assist state, local, and tribal governments wishing to adopt those best practices.

Because this bill has tremendous potential to improve victims' access to justice, support law enforcement, exonerate the innocent, and strengthen and improve the criminal justice system, we urge the committee to bring this bill up for timely consideration and passage.

As a member of the Congressional Victims' Rights Caucus, I thank my colleagues Congressman TED POE (R–TX) and Congressman JIM COSTA (D–CA) for hosting this Special Order in support of the Justice for All Reauthorization Act of 2016.

It is an invaluable and much needed effort.

Mr. POE of Texas. I thank the gentlewoman for her comments. As the gentlewoman knows and has been mentioned on the House floor, I think, by Mr. WEBER, Houston, Texas, is a hub for child sex trafficking in the United States, and it is because of our location. We are using that, though, to change the dynamics of the city, working with our new mayor, Sylvester Turner, who was in the State legislature for a long time.

Our new mayor has now come up with a protocol for the city of Houston to work to eliminate this scourge. I think it is a protocol that cities throughout the country will be able to use themselves to address the issue, admit the problem, and then deal with it on a multilayer basis, working with all the nonprofits and all the government agencies and different types of law enforcement.

So I know that the gentlewoman is working with the mayor on this project. I want to congratulate you and the mayor for taking this issue and solving it so that Houston now will be an example of what to do in solving this scourge.

I also thank you for being on the Victims' Rights Caucus. As you mentioned, it is bipartisan. JIM COSTA and I started this in 2005. There are 80 members: 40 Republicans, 40 Democrats.

Mr. Speaker, the Victims' Rights Caucus promotes victims of crime before Congress.

Ms. JACKSON LEE. I express my appreciation for being a member of the Victims' Right Caucus because it is bipartisan. I should say it is multicommunities. All different people.

Let me thank the gentleman for mentioning Mayor Turner. This is an exciting effort. If you don't take notice, you are not going to be able to solve the problem. And that is what the city is doing. It is taking notice and putting in infrastructure for being helpful.

Let me close by simply saying that, as Judge POE knows, in the last couple of days of Houston we have been mourning the killing of an 11-year-old child on his way home from school. We have not determined who it is, but all I can say to you is that even our children are vulnerable, whether by a heinous individual that maybe was trying to pick the child up—we don't know—but the child is now deceased. My sympathies to his family, the Flores family in my congressional district. All I can say is that it is our responsibility to protect these children and not for little Josue to have died in vain in the tragic way that he lost his life.

Again, I thank the gentleman for allowing me to offer sympathy to his family and his community and say that we are doing the right thing by trying to protect those who are most vulnerable.

Mr. POE of Texas. The gentlewoman is exactly correct. That is really what we are supposed to be doing, is helping those that are the least fortunate, the most vulnerable in our community. And there is no more vulnerable people than our children.

Mr. Speaker, I also want to recognize numerous Members of Congress who have worked on all this legislation. Before I do that, though, I want to recognize a person on my staff, Blair Bjellos, who is leaving the Hill and going to work for one of these groups that is trying to save the world, which is great. They are.

Blair has worked for me for almost 6 years. She is my victim advocate. I think I am the only Member of Congress that has a victim advocate who works on victims' issues. She was, in large part, responsible for drafting this legislation, Justice for Victims of Trafficking Act. I want to thank her publicly for the work she has done on the victims' movement, working on the Victims' Rights Caucus, this legislation, and for other victims' issues as well. I am fortunate to have a person who is so passionate working to help those who are most vulnerable in our community, and that is victims of crime. So I want to thank her for doing that.

I want to mention some other Members of Congress and just put in the RECORD some of the things they have been doing. It is not all of them, but in limited time, I am going to mention the ones I can.

Two Members, bipartisan—one Republican, one Democrat—RENEE ELLMERS and DEBBIE WASSERMAN SCHULTZ—introduced the Trafficking Awareness Training for Health Care Act.

Remember, Mr. Speaker, all these bills were combined, passed the House, go to the Senate, and Senator CORNYN and Senator WYDEN combined them into one bill, it came back to House after it passed the Senate, and was signed by the President.

Also, ERIK PAULSEN, a Republican, and Representative GWEN MOORE, a Democrat, introduced the Stop Exploitation Through Trafficking Act.

JOE HECK of Nevada, who was going to be here tonight to speak, introduced Enhancing Services for Runaway and Homeless Victims of Youth Trafficking Act.

ANN WAGNER, as has been mentioned already, introduced the SAVE Act; MARK WALKER, Human Trafficking Detection Act; KRISTI NOEM, Human Trafficking Prevention, Intervention, and Recovery Act; TOM MARINO and KAREN BASS—one Republican, one Democrat—Strengthening Child Welfare Response for Human Trafficking; JOYCE BEATTY, who has spoken here tonight, also worked with ANN WAGNER and also introduced Improve the Response to Victims of Child Sex Trafficking Act; and SEAN MALONEY introduced the Human Trafficking Prevention Act.

There were lots of individuals, lots of folks who helped in the House. Then we had support from over 200 organizations throughout the country, trying to get this legislation passed. Some of those are Rights4Girls, Coalition Against Trafficking in Women, Shared Hope International, End Child Prostitution and Trafficking in the USA, National Children's Alliance, National Association to Protect Children, Equality Now, National Conference of State Legislatures, and the National Criminal Justice Association were all on the same page of the hymnal singing the same song, Mr. Speaker, and that song is that we are going to do everything we can to stop this scourge of human trafficking.

We want those folks to know that trafficked young children have no place to hide and that those customers that buy those kids have no place to hide. There is no safe place for them. And we want victims to know there is a safe place and that we will help them to recover from what has happened to them and hold people accountable for what they do, especially when they commit crimes against the most vulnerable people in our culture.

And if we are not to help kids, why are we here, Mr. Speaker?

I want to thank Members of Congress for passing this legislation overwhelmingly. Many of these bills passed the House unanimously. That doesn't happen a lot over here.

We are all working on this. We are not through. But we want people to

know—victims of crime—that there is hope and there is rescue.

And that is just the way it is.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CURBELO of Florida (at the request of Mr. MCCARTHY) for today on account of a family commitment in the district.

Mr. AL GREEN of Texas (at the request of Ms. PELOSI) for today.

Mr. O'ROURKE (at the request of Ms. PELOSI) for today and the balance of the week on account of traveling with the President to Vietnam.

Mr. PETERS (at the request of Ms. PELOSI) for today on account of flight delayed.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2814. An act to name the Department of Veterans Affairs community-based outpatient clinic in Sevierville, Tennessee, the Dannie A. Carr Veterans Outpatient Clinic.

ADJOURNMENT

Mr. POE of Texas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 56 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, May 24, 2016, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5435. A letter from the Acting Director, Legislative Affairs, Natural Resources Conservation Service, Department of Agriculture, transmitting the Department's interim rule adopted as final with changes — Environmental Quality Incentives Program (EQIP) [Docket No.: NRCS-2014-0007] (RIN: 0578-AA62) received May 16, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

5436. A letter from the Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing Rear Admiral (lower half) Timothy J. White, United States Navy, to wear the insignia of the grade of rear admiral, pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

5437. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Duty-Free Entry Threshold (DFARS 2015-D036) [Docket No.: DARS-2015-0052] (RIN: 0750-A176) received May 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

5438. A letter from the Administrator, Rural Housing Service, Department of Agriculture, transmitting the Department's final rule — Single Family Housing Guaranteed Loan Program (RIN: 0575-AD04) received May 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5439. A letter from the Assistant Secretary for Legislative Affairs, Department of the Treasury, transmitting proposed legislation related to financial transparency; to the Committee on Financial Services.

5440. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final and temporary regulations — Self-employment Tax Treatment of Partners in a Partnership that Owns a Disregarded Entity [TD 9766] (RIN: 1545-BM87) received May 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5441. A letter from the Regulations Coordinator, Office for Civil Rights, Department of Health and Human Services, transmitting the Department's Major final rule — Nondiscrimination in Health Programs and Activities (RIN: 0945-AA02) received May 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5442. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Maleic anhydride; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2014-0853; FRL-9945-82] received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5443. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Source Determination for Certain Emission Units in the Oil and Natural Gas Sector [EPA-HQ-OAR-2013-0685; FRL-9946-55-OAR] (RIN: 2060-AS06) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5444. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Quaternary ammonium compounds, benzylbis(hydrogenated tallow alkyl)methyl, bis(hydrogenated tallow alkyl)dimethylammonium salts with sepiolite; and Quaternary ammonium compounds, benzylbis(hydrogenated tallow alkyl)methyl, bis(hydrogenated tallow alkyl)dimethylammonium salts with saponite; Exemptions from the Requirement of a Tolerance [EPA-HQ-OPP-2015-0018, EPA-HQ-OPP-2015-0020; FRL-9945-76) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5445. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Partial Approval and Partial Disapproval of Air Quality State Implementation Plans; Arizona; Infrastructure Requirements to Address Interstate Transport for the 2008 Ozone NAAQS [EPA-R09-OAR-2015-0793; FRL-9946-58-Region 9] received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5446. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Arkansas; New Mexico; Oklahoma; Disapproval of Greenhouse Gas Biomass Deferral, Step 2 and Minor Source Permitting Requirements [EPA-R06-OAR-2015-0783; FRL-9946-66-Region 6] received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5447. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Alaska: Updates to Incorporation by Reference and Miscellaneous Revisions [EPA-R10-OAR-2015-0353; FRL-9946-49-Region 10] received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5448. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Belarus that was declared in Executive Order 13405 of June 16, 2006, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

5449. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12170 of November 14, 1979, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

5450. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-392, ''Repeal of Outdated and Unnecessary Audit Mandates Amendment Act of 2016'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

5451. A letter from the Senior Vice President, Controller and Chief Accounting Officer, Federal Home Loan Bank of Boston, transmitting the 2015 management report of the Federal Home Loan Bank of Boston, pursuant to the Chief Financial Officers Act of 1990; to the Committee on Oversight and Government Reform.

5452. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the Skokomish River Basin Ecosystem Restoration project in Mason County, Washington for April 2015, pursuant to Public Law 87-874, Sec. 209; (76 Stat. 1197) (H. Doc. No. 114—139); to the Committee on Transportation and Infrastructure and ordered to be printed.

5453. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the Army's determination on the Cano Martin Pena Ecosystem Restoration Project, Puerto Rico, pursuant to Public Law 110-114, Sec. 5127; to the Committee on Transportation and Infrastructure.

5454. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the recommendation for

modifying the total project first cost of the authorized Blue River Basin, Kansas City, Missouri project, pursuant to Public Law 99-662, Sec. 902; to the Committee on Transportation and Infrastructure.

5455. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the recommendation for modifying the total project first cost of the authorized Turkey Creek Basin, Kansas City, Kansas and Kansas City, Missouri project, pursuant to Public Law 99-662, Sec. 902; to the Committee on Transportation and Infrastructure.

5456. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the recommendation for modifying the total project first cost of the authorized Ohio River Shoreline, Paducah, Kentucky project, pursuant to Public Law 99-662, Sec. 902; to the Committee on Transportation and Infrastructure.

5457. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the Kansas Citys, Missouri and Kansas Flood Risk Management Project Report for May 2014 (H. Doc. No. 114—138); to the Committee on Transportation and Infrastructure and ordered to be printed.

5458. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2015-0075; Directorate Identifier 2014-NM-202-AD; Amendment 39-18461; AD 2016-07-16] (RIN: 2120-AA64) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5459. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2015-4817; Directorate Identifier 2014-NM-115-AD; Amendment 39-18465; AD 2016-07-20] (RIN: 2120-AA64) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5460. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2015-2464; Directorate Identifier 2014-NM-195-AD; Amendment 39-18476; AD 2016-07-31] (RIN: 2120-AA64) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5461. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbofan Engines [Docket No.: FAA-2015-4076; Directorate Identifier 2015-NE-30-AD; Amendment 39-18483; AD 2016-08-07] (RIN: 2120-AA64) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5462. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; GE Aviation Czech s.r.o. Turboprop Engines [Docket No.: FAA-2016-3692; Directorate Identifier 2016-NE-05-AD; Amendment 39-18458; AD 2016-07-13] (RIN: 2120-AA64) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5463. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2015-2959; Directorate Identifier 2015-NM-008-AD; Amendment 39-18470; AD 2016-07-25] (RIN: 2120-AA64) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5464. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the FY 2014 Annual Report to the Congress on the Child Support Program, pursuant to 42 U.S.C. 652(a)(10); Aug. 14, 1935, ch. 531, title IV, Sec. 452 (as amended by Public Law 93-647, Sec. 101(a)); (88 Stat. 2352); to the Committee on Ways and Means.

5465. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — List of Automatic Changes in Method of Accounting (Rev. Proc. 2016-29) received May 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5466. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulations — Additional Limitation on Suspension of Benefits Applicable to Certain Pension Plans Under the Multiemployer Pension Reform Act of 2014 [TD 9767] (RIN: 1545-BN24) received May 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5467. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Diversification Requirements for Variable Annuity, Endowment, and Life Insurance Contracts under Section 817(h) [Notice 2016-32] received May 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5468. A letter from the Chief, Publications Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — United States and Area Median Gross Income Figures for 2016 (Rev. Proc. 2016-26) received May 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5469. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Temporary Relief for Money Market Funds (Revenue Procedure 2016-31) received May 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5470. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final and temporary regulations — Certified Professional Employer Organizations [TD 9768] (RIN: 1545-BN20) received May 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5471. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Obtaining Final Medicare Secondary Payer Conditional Payment Amounts via Web Portal [CMS-6054-F] (RIN: 0938-AR90) received May 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

5472. A letter from the Assistant Attorney General, Department of Justice, transmitting Anti-Corruption Legislative Proposals; jointly to the Committees on the Judiciary and Financial Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 4465. A bill to decrease the deficit by consolidating and selling Federal buildings and other civilian real property, and for other purposes (Rept. 114–578, Pt. 1) Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 4465. A bill to decrease the deficit by consolidating and selling Federal buildings and other civilian real property, and for other purposes; with an amendment (Rept. 114–578, Pt. 2). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 4167. A bill to amend the Communications Act of 1934 to require multi-line telephone systems to have a default configuration that permits users to directly initiate a call to 9–1–1 without dialing any additional digit, code, prefix, or post-fix, and for other purposes; with amendments (Rept. 114–579). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 4889. A bill to amend the Communications Act of 1934 to require providers of a covered service to provide call location information concerning the telecommunications device of a user of such service to an investigative or law enforcement officer in an emergency situation involving risk of death or serious physical injury or in order to respond to the user's call for emergency services; with an amendment (Rept. 114–580). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 2589. A bill to amend the Communications Act of 1934 to require the Federal Communications Commission to publish on its Internet website changes to the rules of the Commission not later than 24 hours after adoption; with amendments (Rept. 114–581). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 4111. A bill to include skilled nursing facilities as a type of health care provider under section 254(h) of the Communications Act of 1934; with an amendment (Rept. 114–582). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 3998. A bill to direct the Federal Communications Commission to commence proceedings related to the resiliency of critical telecommunications networks during times of emergency, and for

other purposes; with amendments (Rept. 114–583, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 2121. A bill to amend the S.A.F.E. Mortgage Licensing Act of 2008 to provide a temporary license for loan originators transitioning between employers, and for other purposes; with an amendment (Rept. 114–584). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 1838. A bill to establish the Clear Creek National Recreation Area in San Benito and Fresno Counties, California, to designate the Joaquin Rocks Wilderness in such counties, to designate additional components of the National Wild and Scenic Rivers System, and for other purposes; with an amendment (Rept. 114–585). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 5233. A bill to repeal the Local Budget Autonomy Amendment Act of 2012, to amend the District of Columbia Home Rule Act to clarify the respective roles of the District government and Congress in the local budget process of the District government, and for other purposes; (Rept. 114–586). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 4904. A bill to require the Director of the Office of Management and Budget to issue a directive on the management of software licenses, and for other purposes; (Rept. 114–587). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 4139. A bill to amend the Sarbanes-Oxley Act of 2002 to provide a temporary exemption for low-revenue issuers from certain auditor attestation requirements (Rept. 114–588). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 4487. A bill to reduce costs of Federal real estate, improve building security, and for other purposes; with an amendment (Rept. 114–589, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. WOODALL: Committee on Rules. House Resolution 742. Resolution providing for consideration of the Senate amendment to the bill (H.R. 2576) to modernize the Toxic Substances Control Act, and for other purposes, and providing for consideration of the bill (H.R. 897) to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes (Rept. 114–590). Referred to the House Calendar.

Mr. NEWHOUSE: Committee on Rules. House Resolution 743. Resolution for consideration of the bill (H.R. 5055) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2017, and for other purposes (Rept. 114–591). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Transportation and Infrastructure discharged from further consideration. H.R. 3998 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Financial Services discharged from further consideration. H.R. 4487 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SHUSTER (for himself, Mr. DEFAZIO, Mr. GIBBS, and Mrs. NAPOLITANO):

H.R. 5303. A bill to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VEASEY (for himself, Mr. GALLEGO, and Ms. GABBARD):

H.R. 5304. A bill to amend title 10, United States Code, to extend health care coverage under the Transitional Assistance Management Program; to the Committee on Armed Services.

By Mr. SMITH of Missouri:

H.R. 5305. A bill to establish the Ste. Genevieve National Historic Site in the State of Missouri, and for other purposes; to the Committee on Natural Resources.

By Mr. MESSER (for himself, Mr. BYRNE, Mr. STIVERS, Mr. FRANKS of Arizona, Mrs. MCMORRIS RODGERS, Mr. POLIS, Mr. LIPINSKI, and Mr. RATCLIFFE):

H.R. 5306. A bill to require the Archivist of the United States to compile all applications, and rescissions of applications, made to the Congress to call a convention, pursuant to article V of the Constitution, and certain related materials, and to transmit them to Congress, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Oversight and Government Reform, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ABRAHAM (for himself, Mr. DUNCAN of South Carolina, and Mr. ROGERS of Alabama):

H.R. 5307. A bill to amend title IX of the Education Amendments of 1972 to define the term ''sex'' for purposes of such title; to the Committee on Education and the Workforce.

By Mr. DONOVAN (for himself, Mr. SIRES, Mr. POE of Texas, and Mr. MCCAUL):

H.R. 5308. A bill to require the Secretary of the Treasury to confiscate interest paid on certain frozen bank accounts, to require the Secretary to confiscate certain frozen assets, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KELLY of Mississippi (for himself, Mr. THOMPSON of Mississippi, Mr. HARPER, and Mr. PALAZZO):

H.R. 5309. A bill to designate the facility of the United States Postal Service located at 401 McElroy Drive in Oxford, Mississippi, as the ''Army First Lieutenant Donald C. Carwile Post Office Building''; to the Committee on Oversight and Government Reform.

By Ms. LORETTA SANCHEZ of California (for herself, Mr. CÁRDENAS, Ms. JUDY CHU of California, Mr. COSTA, Mr. CUMMINGS, Mr. DEFAZIO, Mr. DELANEY, Ms. EDWARDS, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Mr. GRIJALVA, Ms. MOORE, Mr. HASTINGS, Mr. HONDA, Mr. KILMER, Mr. LANGEVIN, Mrs. LAWRENCE, Ms. LEE, Ms. LOFGREN, Mr. LOWENTHAL, Mrs. CAROLYN B. MALONEY of New York, Mr. MCDERMOTT, Mr. MEEKS, Mr. NADLER, Mrs. NAPOLITANO, Mr. NOLAN, Ms. NORTON, Ms. PINGREE, Mr. RUSH, and Mr. SERRANO):

H.R. 5310. A bill to improve college affordability; to the Committee on Education and the Workforce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SHUSTER:

H.R. 5303.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (related to general Welfare of the United States), and Clause 3 (related to regulation of Commerce with foreign Nations, and among the several States, and with Indian tribes).

By Mr. VEASEY:

H.R. 5304.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: The Congress shall have the power to provide for the common defense.

By Mr. SMITH of Missouri:

H.R. 5305.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. MESSER:

H.R. 5306.

Congress has the power to enact this legislation pursuant to the following:

Article V of the Constitution requires Congress to call a convention for proposing amendments ''on the application of the legislatures of two thirds of the several states.'' In order to fulfill this obligation, Congress has the authority to enact legislation to ensure accurate recordkeeping of state applications submitted pursuant to Article V.

By Mr. ABRAHAM:

H.R. 5307.

Congress has the power to enact this legislation pursuant to the following:

Article I, clause 8, section 18 of the Constitution of the United States.

By Mr. DONOVAN:
H.R. 5308.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution
By Mr. KELLY of Mississippi:
H.R. 5309.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 7 of the Constitution of the United States.
By Ms. LORETTA SANCHEZ of California:
H.R. 5310.
Congress has the power to enact this legislation pursuant to the following:
Spending Authorization
Article I, Section 8, Clause I
The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 239: Mr. CARSON of Indiana and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 315: Mrs. CAROLYN B. MALONEY of New York.
H.R. 448: Mr. SIRES.
H.R. 483: Mrs. CAROLYN B. MALONEY of New York.
H.R. 556: Mr. SMITH of New Jersey.
H.R. 605: Mrs. NAPOLITANO.
H.R. 612: Mr. CHABOT, Mr. MCCAUL, and Mrs. MIMI WALTERS of California.
H.R. 624: Mr. CONNOLLY.
H.R. 711: Mr. FORBES and Mr. NOLAN.
H.R. 835: Mr. TONKO.
H.R. 865: Mr. MOONEY of West Virginia, Mrs. BLACK, and Mr. JENKINS of West Virginia.
H.R. 969: Mr. JORDAN.
H.R. 985: Mr. PRICE of North Carolina and Mr. WALKER.
H.R. 1095: Mr. TAKAI, Mr. BRADY of Pennsylvania, Ms. BONAMICI, Mr. DAVID SCOTT of Georgia, Mr. PETERS, and Ms. WASSERMAN SCHULTZ.
H.R. 1151: Mr. WENSTRUP, Mr. WALDEN, Mr. HECK of Nevada, Mr. RUPPERSBERGER, Mr. BARR, Mr. POMPEO, and Mr. CULBERSON.
H.R. 1188: Ms. MAXINE WATERS of California, Mr. CHABOT, and Mr. UPTON.
H.R. 1198: Mr. PERLMUTTER.
H.R. 1309: Mr. SIMPSON.
H.R. 1342: Mr. MURPHY of Pennsylvania and Mr. BEYER.
H.R. 1422: Ms. MAXINE WATERS of California.
H.R. 1559: Mr. JODY B. HICE of Georgia.
H.R. 1625: Ms. SPEIER.
H.R. 1713: Mr. POLIS.
H.R. 1904: Mr. GALLEGO.
H.R. 1905: Mr. GALLEGO.
H.R. 1911: Mr. ROTHFUS.
H.R. 1963: Ms. SLAUGHTER, Mr. BLUMENAUER, Ms. BROWN of Florida, Mr. TONKO, Mr. TAKANO, Mr. DESAULNIER, and Ms. DELBENE.
H.R. 2058: Mr. DUNCAN of Tennessee and Mr. HUIZENGA of Michigan.
H.R. 2087: Ms. DUCKWORTH.
H.R. 2142: Mr. POE of Texas.
H.R. 2290: Mr. GRAVES of Missouri.
H.R. 2315: Mr. THORNBERRY, Mr. LONG, and Mr. MCCAUL.
H.R. 2342: Mr. SMITH of New Jersey.
H.R. 2430: Ms. KELLY of Illinois and Mr. SWALWELL of California.
H.R. 2434: Mrs. BEATTY and Mr. ISRAEL.
H.R. 2460: Mr. POSEY.
H.R. 2488: Mr. LOEBSACK.
H.R. 2500: Mr. WENSTRUP and Mr. HINOJOSA.
H.R. 2622: Mr. SEAN PATRICK MALONEY of New York.
H.R. 2646: Mr. YOUNG of Alaska.
H.R. 2656: Mr. TOM PRICE of Georgia and Mr. COSTELLO of Pennsylvania.
H.R. 2698: Mr. MCCAUL.
H.R. 2739: Mr. HULTGREN and Mrs. NAPOLITANO.
H.R. 2799: Mr. SMITH of Missouri.
H.R. 2804: Mr. GRIJALVA.
H.R. 2812: Mr. FITZPATRICK.
H.R. 2896: Mr. JODY B. HICE of Georgia.
H.R. 2903: Ms. KELLY of Illinois and Mr. CLEAVER.
H.R. 2992: Mr. JOHNSON of Ohio, Mr. DIAZ-BALART, Mr. THOMPSON of Pennsylvania, Mr. BISHOP of Michigan, Mr. TROTT, Mr. RATCLIFFE, Mr. MOOLENAAR, Mr. ROSKAM, Mr. LAHOOD, Mr. PAULSEN, Mr. SENSENBRENNER, Ms. JENKINS of Kansas, Mr. OLSON, Mr. DOLD, Mr. DUNCAN of South Carolina, Mr. BOUSTANY, Mr. PALAZZO, Mr. ZINKE, Mr. KING of Iowa, Mr. BISHOP of Utah, Mr. BYRNE, Mr. PITTENGER, Mr. CURBELO of Florida, Mr. RODNEY DAVIS of Illinois, Mr. GRAVES of Louisiana, Mr. GRAVES of Missouri, Ms. MAXINE WATERS of California, Mr. ENGEL, Mr. JEFFRIES, and Mr. SMITH of Missouri.
H.R. 3119: Mr. FLORES and Mr. LEWIS.
H.R. 3159: Ms. MCCOLLUM.
H.R. 3222: Mr. PITTS and Mrs. ROBY.
H.R. 3229: Mr. BLUMENAUER, Mr. GRAVES of Georgia, and Mr. COHEN.
H.R. 3297: Mr. BUTTERFIELD.
H.R. 3308: Mr. NUGENT.
H.R. 3365: Mr. ISRAEL.
H.R. 3381: Mr. BARR, Mr. VELA, Mr. FARR, and Mr. CARNEY.
H.R. 3463: Mr. OLSON.
H.R. 3514: Mr. BECERRA, Mrs. TORRES, and Mr. BISHOP of Georgia.
H.R. 3516: Mr. POMPEO.
H.R. 3551: Ms. SPEIER.
H.R. 3582: Ms. JACKSON LEE.
H.R. 3619: Mr. MEEKS.
H.R. 3636: Mr. BUCK.
H.R. 3706: Ms. MATSUI and Ms. BROWN of Florida.
H.R. 3742: Mrs. LOVE.
H.R. 3765: Mr. SESSIONS and Mr. WILLIAMS.
H.R. 3870: Mrs. BEATTY and Mr. LARSEN of Washington.
H.R. 4013: Mr. SWALWELL of California and Ms. LINDA T. SÁNCHEZ of California.
H.R. 4137: Ms. GABBARD.
H.R. 4172: Mr. DESAULNIER.
H.R. 4184: Mr. LARSEN of Washington.
H.R. 4247: Mr. ROSS.
H.R. 4248: Mr. PITTENGER, Mr. MACARTHUR, and Mr. HILL.
H.R. 4275: Mr. BLUMENAUER and Mr. SENSENBRENNER.
H.R. 4365: Mrs. WAGNER, Mr. TED LIEU of California, and Mr. CUMMINGS.
H.R. 4376: Mr. LARSEN of Washington.
H.R. 4442: Mrs. KIRKPATRICK.
H.R. 4526: Mr. WELCH.
H.R. 4543: Ms. WILSON of Florida and Mr. MEEKS.
H.R. 4559: Mr. MEADOWS.
H.R. 4575: Mr. LUETKEMEYER.
H.R. 4585: Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, and Mr. GUTIÉRREZ.
H.R. 4614: Mr. MARCHANT.
H.R. 4620: Mr. CARNEY.
H.R. 4636: Mr. CHAFFETZ.
H.R. 4657: Mr. SMITH of Washington and Mr. HECK of Washington.
H.R. 4683: Ms. TSONGAS and Mr. AGUILAR.
H.R. 4702: Mr. FARENTHOLD.
H.R. 4715: Mr. MEADOWS and Mr. LOBIONDO.
H.R. 4729: Mr. DESAULNIER.
H.R. 4768: Mr. CARTER of Texas, Mr. GRAVES of Louisiana, Mr. TIPTON, and Mr. HILL.
H.R. 4773: Mr. THORNBERRY, Mr. HOLDING, Mr. ADERHOLT, and Mr. MCCAUL.
H.R. 4775: Mr. GROTHMAN.
H.R. 4806: Mr. CARTWRIGHT.
H.R. 4827: Mr. HASTINGS.
H.R. 4828: Mr. FORBES.
H.R. 4848: Mr. DONOVAN.
H.R. 4950: Mr. RENACCI and Mr. CARNEY.
H.R. 4956: Mr. DUFFY, Mr. MULLIN, and Mr. ABRAHAM.
H.R. 4959: Mr. CRAMER, Mr. WENSTRUP, and Mr. SMITH of New Jersey.
H.R. 5001: Mr. DONOVAN.
H.R. 5014: Ms. NORTON.
H.R. 5015: Mr. WESTERMAN.
H.R. 5022: Mr. BEN RAY LUJÁN of New Mexico.
H.R. 5047: Mr. ROSS.
H.R. 5066: Mr. POE of Texas and Mr. LOWENTHAL.
H.R. 5073: Ms. WASSERMAN SCHULTZ.
H.R. 5082: Mr. JENKINS of West Virginia.
H.R. 5094: Mr. HARRIS and Mr. PASCRELL.
H.R. 5112: Mr. ROSS.
H.R. 5130: Mr. ELLISON and Mr. MEEKS.
H.R. 5131: Mr. TED LIEU of California.
H.R. 5143: Mr. NEUGEBAUER.
H.R. 5157: Mr. MCDERMOTT and Mr. TONKO.
H.R. 5166: Mr. CÁRDENAS, Mr. SEAN PATRICK MALONEY of New York, Mr. GALLEGO, and Mr. RATCLIFFE.
H.R. 5167: Mr. LARSON of Connecticut and Mr. GIBSON.
H.R. 5182: Ms. ADAMS.
H.R. 5187: Mr. SMITH of Missouri.
H.R. 5188: Mrs. MCMORRIS RODGERS.
H.R. 5207: Ms. TSONGAS.
H.R. 5210: Mr. SHUSTER, Mrs. ROBY, Mr. KING of Iowa, Mr. BISHOP of Utah, Mrs. HARTZLER, and Mr. MASSIE.
H.R. 5214: Ms. CLARKE of New York.
H.R. 5216: Ms. SCHAKOWSKY, Ms. SLAUGHTER, and Ms. PINGREE.
H.R. 5221: Ms. ADAMS, Ms. BASS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BISHOP of Georgia, Ms. BROWN of Florida, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Ms. EDWARDS, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Ms. LEE, Mr. MEEKS, Mr. PAYNE, Mr. RANGEL, Mr. RUSH, Mr. THOMPSON of Mississippi, Mrs. WATSON COLEMAN, and Ms. KELLY of Illinois.
H.R. 5224: Mr. JODY B. HICE of Georgia.
H.R. 5230: Mr. THOMPSON of Mississippi, Mrs. ELLMERS of North Carolina, Mr. WALBERG, and Mrs. LAWRENCE.
H.R. 5245: Mr. LIPINSKI and Mr. SIRES.
H.R. 5249: Ms. CLARKE of New York.
H.R. 5254: Mr. PETERS and Mrs. DINGELL.
H.R. 5258: Mr. MARINO, Ms. JACKSON LEE, and Mr. RICHMOND.
H.R. 5262: Mr. OLSON.
H.R. 5283: Mr. LABRADOR.
H.R. 5294: Mr. FLEMING, Mr. DUNCAN of South Carolina, Mr. FRANKS of Arizona, and Mr. SMITH of Missouri.
H.R. 5296: Mr. SMITH of Missouri.
H. Con. Res. 19: Mr. ASHFORD.
H. Con. Res. 40: Mr. PASCRELL.
H. Con. Res. 132: Mr. KILMER, Mr. THOMPSON of California, and Mr. CICILLINE.
H. Res. 14: Mr. ZINKE and Mr. DEFAZIO.
H. Res. 110: Mr. DEUTCH.
H. Res. 210: Mrs. CAPPS and Mr. MEADOWS.

H. Res. 569: Mr. GARAMENDI.

H. Res. 591: Mr. COLE, Mr. HULTGREN, Mr. ZELDIN, Mr. BUCSHON, Mr. WHITFIELD, Mr. POSEY, Mr. HUELSKAMP, and Mr. BUCK.

H. Res. 665: Mr. MOULTON and Mr. WELCH.

H. Res. 728: Mr. SHERMAN, Mr. KEATING, and Mr. KILMER.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. SHUSTER

The provisions that warranted a referral to the Committee on Transportation and Infrastructure in H.R. 897, the Zika Vector Control Act do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

HOUSE AMENDMENT TO S. 2012

OFFERED BY: MR. ENGEL

Page 101, before line 13, insert the following:

SEC. 1117. CONSIDERATION OF NATIONAL SECURITY IN SITING OF NEW NATURAL GAS PIPELINES.

Section 7 of the Natural Gas Act (15 U.S.C. 717f) is amended by adding at the end the following:

''(i) In issuing a certificate of public convenience and necessity for a proposed natural gas pipeline under this section, the Commission shall consult with the Department of Homeland Security on matters of national security relating to the proposed natural gas pipeline, including with respect to terrorism, cybersecurity, and the siting of the proposed pipeline.''.

H.R. 5055

OFFERED BY: MR. FARR

AMENDMENT NO. 1: Page 79, beginning on line 24, strike section 506.

H.R. 5055

OFFERED BY: MR. BABIN

AMENDMENT NO. 2: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act under the heading ''Defense Nuclear Nonproliferation'' may be made available to enter into new contracts with, or new agreements for Federal assistance to, the Islamic Republic of Iran, except for contracts or agreements that require the Islamic Republic of Iran to cease the pursuit, acquisition, and development of nuclear weapons technology.

H.R. 5055

OFFERED BY: MR. BABIN

AMENDMENT NO. 3: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act under the heading ''Defense Nuclear Nonproliferation'' may be made available to enter into new contracts with, or new agreements for Federal assistance to, the Islamic Republic of Iran, except for contracts or agreements that require the Islamic Republic of Iran to cease the pursuit, acquisition, and development of intercontinental ballistic missile technology.

H.R. 5055

OFFERED BY: MR. BABIN

AMENDMENT NO. 4: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be made available to enter into new contracts with, or new agreements for Federal assistance to, the Islamic Republic of Iran, except for contracts or agreements that require the Islamic Republic of Iran to cease the pursuit, acquisition, and development of intercontinental ballistic missile technology.

H.R. 5055

OFFERED BY: MR. BABIN

AMENDMENT NO. 5: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be made available to enter into new contracts with, or new agreements for Federal assistance to, the Islamic Republic of Iran.

H.R. 5055

OFFERED BY: MR. ENGEL

AMENDMENT NO. 6: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Department of Energy, the Department of the Interior, or any other Federal agency to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

H.R. 5055

OFFERED BY: MR. GRAYSON

AMENDMENT NO 7: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to enter into a contract with any offeror or any of its principals if the offeror certifies, as required by Federal Acquisition Regulation, that the offeror or any of its principals:

(A) within a three-year period preceding this offer has been convicted of or had a civil judgment rendered against it for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contract or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property; or

(B) are presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated above in subsection (A); or

(C) within a three-year period preceding this offer, has been notified of any delinquent Federal taxes in an amount that exceeds $3,000 for which the liability remains unsatisfied.

EXTENSIONS OF REMARKS

HONORING ROCCO CHIAVUZZO OF BAYVILLE, NEW JERSEY FOLLOWING HIS PASSING ON FEBRUARY 25, 2016

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mr. GUINTA. Mr. Speaker, I would like to extend my sincerest condolences and sympathy to the family of Rocco Chiavuzzo of Bayville, New Jersey. Rocco was a dear member of my extended family in New Jersey and a true patriot, who loved the United States and all the opportunities it provided to both him and his family over the years.

Originally from Italy, Rocco moved to America following his required military service with the Italian government to join the love of his life, his wife of more than fifty years, Michelina. After immigrating to the U.S., Rocco found a suitable home and earned enough money to bring his parents and four siblings to America.

Before retiring to the beach in Bayville, Rocco worked as a butcher in Elizabeth, New Jersey and raised his two children with Michelina, Vito and Maria. He is survived by his wife, two children and two grandchildren, Michelle and Julian, who I know will think back on their time with Rocco and cherish the wonderful memories they created together.

Rocco will always be remembered as a loving and caring man, whose greatest accomplishment was his family and the joys they shared together. To his immediate and extended family, especially to Michelina, Vito, Maria, Michelle and Julian, as well as Rocco's siblings Sal, Carmine, Renato, Ugo and Geraldina, I offer my sincerest condolences for your loss.

On behalf of Rocco's entire family, I am proud to share his story with my colleagues in the U.S. House of Representatives and to pay tribute to the life of such a great man.

RECOGNIZING THE 150TH ANNIVERSARY OF BOYERTOWN BOROUGH

HON. RYAN A. COSTELLO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today to recognize Boyertown, Berks County as the community commemorates the Borough's 150th Anniversary.

Incorporated in 1866, Boyertown takes its name from founding brothers Henry and Daniel Boyer—two of the many visionaries during the past century and a half who have called Boyertown their home.

The Boyer brothers were business owners and a robust spirit of ingenuity and entrepreneurship has always been part of the Borough's rich history. Whether it was mining iron ore, rolling cigars, building caskets, assembling carriages, founding a national bank or operating small shops and inns, residents always have demonstrated an incredible work ethic and exuded extraordinary pride in "building a better Boyertown."

As the community pays tribute to the defining moments and key figures of the past 150 years, the future of Boyertown is equally worth celebrating. The rebirth of the Colebrookdale Railroad, a revitalized downtown with unique boutiques and restaurants and a renewed appreciation for vibrant historical and cultural attractions, such as the Boyertown Museum of Historic Vehicles, are all reasons to believe Boyertown's future will be bright.

Mr. Speaker, I ask that my colleagues join me in congratulating the residents, business owners and community leaders as Boyertown celebrates this memorable milestone.

OFFERING A WARM WELCOME AND CONGRATULATIONS TO THE NEW PRESIDENT OF THE REPUBLIC OF CHINA, TSAI ING-WEN

HON. PAUL A. GOSAR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mr. GOSAR. Mr. Speaker, I rise today to congratulate Tsai Ing-wen, who will soon be sworn in as the new President of the Republic of China (ROC or sometimes Taiwan). I cannot overstate the importance of the U.S.-Taiwan strategic relationship. This relationship is not built on just mutual security and peace; it also involves extensive trade, tourism and cultural awareness.

Taiwan has undergone many changes over the decades since World War II, and its peaceful democratic transition of power is a testament to the progress and development of this hard-working country. Ms. Tsai Ing-wen will take the reins of a government that has provided peace and economic security for its people and has made Taiwan a household name throughout the world.

Arizona is blessed to have a strong connection with Taiwan, including Phoenix as a sister city with Taipei.

I extend my sincere congratulations to President Tsai Ing-wen and I am confident that she will excel and exceed the expectations of the voters that put her in office. I look forward to great things from Taiwan in the years to come.

RECOGNIZING THE DEDICATION AND SERVICE OF DR. DAVID SPENCER UPON HIS RETIREMENT AS PASTOR OF FIRST BAPTIST CHURCH OF MILTON

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mr. MILLER of Florida. Mr. Speaker, on behalf of the United States Congress, it is an honor for me to rise and recognize Dr. David Spencer upon his retirement from First Baptist Church of Milton, Florida. Throughout his more than forty-five years as a pastor, including twenty years as the Senior Pastor at the First Baptist Church of Milton, Dr. Spencer tirelessly served the Lord and communities all along the Gulf Coast, and his leadership will be deeply missed.

Dr. Spencer was born in Senatobia, Mississippi and graduated from Senatobia High School in 1965. He earned his Bachelor of Arts from William Carey University in 1969, his Master of Divinity from Southeastern Baptist Theological Seminary in 1973, and his Doctor of Ministry from New Orleans Baptist Theological Seminary in 1979. Over the last 45 years, Dr. Spencer has served throughout the Southeastern United States, including North Carolina, Alabama, Mississippi, and Florida, with his wife of 46 years, Connie, at his side.

Dr. Spencer answered the call in 1996 for what would be his final assignment. After 16 years of service at the First Baptist Church of Long Beach, Mississippi, the First Baptist Church of Milton welcomed Dr. Spencer as pastor. In addition to being known for his love for preaching and his ability to capture his congregation through storytelling, Dr. Spencer played a major part in inspiring his congregation to give back to the local community. Under his leadership, the church grew both spiritually and physically. Countless individuals in Northwest Florida and overseas have been touched by the passion and service of First Baptist Church of Milton. The dedication of its people is evidenced by the eight churches they helped establish in Santa Rosa County, Florida, and the churches and foster homes they built and renovated as part of their mission trips.

In addition to his seminary work, Dr. Spencer has served on the Mississippi Baptist Convention Board, as a trustee for William Carey College, and as an adjunct professor at the William Carey campus in Gulfport, Mississippi. In 2007, Dr. Spencer was also elected to the State Board of Missions as a representative of Santa Rosa County, where he served until 2013.

While Dr. Spencer's time as pastor has officially come to a close, he understands that God's work is never done, and in addition to spending time with his family, pursuing his

love of writing, music, wood-working, and golf, Dr. Spencer hopes to continue playing a role in the success of the Church.

Mr. Speaker, on behalf of the United States Congress, I am privileged to recognize Dr. Spencer for his dedication and service to Northwest Florida. My wife Vicki and I wish him and Connie, their two sons, and two grandchildren all the best as they embark on this next journey in their lives. May the Spirit of the Lord continue to bless the Spencer family and the congregation of the First Baptist Church of Milton.

COMMEMORATING TERENCE J. O'SULLIVAN

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize and remember an extraordinary advocate for workers of all kinds, Mr. Terence J. O'Sullivan.

Terence dedicated his life to advocating on behalf of workers and, more important, negotiating collective bargaining agreements that helped workers earn pay to support their families, good benefits, and the opportunity for advancement and better lives. He was the General Secretary-Treasurer of the Laborers International Union of North America (LIUNA), one of the most diverse and effective unions representing public service employees.

Terence dedicated his life to fighting for workers' rights and for social and economic justice. He chose this path because of the strong working tradition that grew out of his Irish heritage and a dedication to assisting those in need, which he found as a man of deep faith. Following in his stead, his son Terry continues as the General President of LIUNA, continuing his father's strong leadership tradition and example for the American labor movement.

Terence was a positive force in the lives of thousands, if not millions, of workers across the nation through his advocacy and the positive changes he supported. Terence recently passed away in the 11th District of Virginia in what would have been his 86th year. Although he will be greatly missed, his legacy will endure through those he touched, those he helped, and the societal changes he championed.

40TH ANNIVERSARY OF THE AMERICAN FOLKLIFE CENTER AT THE LIBRARY OF CONGRESS

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mr. BLUMENAUER. Mr. Speaker, today I ask my colleagues to join me in recognizing the important work of the American Folklife Center at the Library of Congress in its 40th anniversary year. The American Folklife Center was created by Congress in 1976 to ''preserve and present American folklife'' through research, documentation, archival preservation, reference service, live performance, exhibitions, publications, and training. The Center collects and preserves living traditional culture and makes its valuable resources available to researchers and the general public in a celebration of American culture.

Many of my colleagues are familiar with the work of the American Folklife Center because of the Veterans History Project, created with unanimous, bipartisan support in 2000. In this model oral history project—now the largest oral history project in America—volunteers across the country are recording interviews and collecting diaries, photographs, letters, and scrapbooks about veterans' wartime experiences, from WWI to the present day. The growing collection tells the personal stories of more than 100,000 veterans and enables current and future generations of Americans to understand their sacrifices.

A similar Congressional initiative through the American Folklife Center is the Civil Rights History Project, concluding this year. The Folklife Center partnered with the Smithsonian's National Museum of African American History and Culture on a project to record the experiences and memories of heroes across the country who participated in the historic struggles to secure freedom, equality and full citizenship for African Americans.

The American Folklife Center's archive is the largest of its kind in the world, preserving the cultural practices of American families, ethnicities, religions, occupations and other groups and historical material from every state in the union. The collection contains more than 6,000 recordings of American Indian songs, chants, and prayers first recorded on wax cylinders dating as far back as 1890, and uses digital technology to preserve and ensure tribal access to this material.

During its forty-year history, the American Folklife Center has worked closely with state and local folklife programs, local scholars, and cultural institutions, and has engaged the general public to provide expertise on preservation, archiving and public programming, enabling diverse ways to understand our history and cultural heritage.

These projects and collections are just a sampling of the important work done in the Folklife Center by its wonderful staff to preserve and present American folklife and cultural history. I commend the good work of the American Folklife Center, and offer congratulations on forty years of service to this nation.

HONORING ANETTE L. HARRIS

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Ms. SPEIER. Mr. Speaker, I rise to honor Anette Harris, an exceptional philanthropist and civic leader who is being recognized by the Junior League of San Francisco for her lifelong commitment to volunteerism and community leadership. I have had the great privilege to work with Anette over the last decade and to call her a close friend.

Anette has dedicated her life and career to improving the lives of others. While she had been the principal and owner of Loupé & Associates, a public relations firm in San Francisco, for 20 years, Anette has always made it a priority to serve organizations advocating for education, equality, health and the arts. Her broad range of interests is a reflection of her giant heart and mind.

Anette is a member of the Board of Trustees of the National Public Radio Foundation based in Washington, DC. She serves on NARAL's Power of Choice Leadership Council in San Francisco. In 2000, she was the first African-American elected to the Junior League of San Francisco in its 90 year history. Today she serves as its president and just last year received its Sustainer of the Year Award. Anette also is the co-chair of San Francisco Achievers Advisory Council, a program dedicated to the educational successes of the University of Dallas, and now is an advisor to the new College of Podiatric Medicine of Western University. She is the president of the San Francisco Symphony Marine League, the Women's Political Fund, a nonpartisan group supporting female candidates, the vice president of the San Francisco Black Chamber of Commerce and Alumnae Resources, a career search group, and a board member of the Friends of the San Francisco Public Library.

You may wonder how one person has the energy to do all these jobs, but Anette does and then some. Until recently, she also served for over ten years on the Board of Governors of the San Francisco Symphony. She has been instrumental in many fundraising efforts to address breast cancer, HIV, arthritis and literacy for some of the most respected organizations and foundations.

The roots of Anette's passion and support of women's health, education and business and the arts go back to her parents who were married for 53 years. Her father, Edwin Lee, played many instruments and is in the Houston Museum of Jazz and Blues Musicians. He also taught her invaluable lessons about business and entrepreneurship. Anette's mom, Florence Harris, was the inspiration for her deep involvement in education. A full time homemaker with a creole heritage, Anette's mom believed that education didn't just occur in the classroom, but at home.

Born and raised in Houston, Texas, Anette earned her BA from the University of Dallas and her Master's at Boston College. She immediately landed a job at Holy Cross where she was instrumental in admitting the first class of women to the formerly all-male college. She later attended the Executive Program in Strategy & Organization at the Graduate School of Business at Stanford University.

Anette moved to San Francisco in 1976 and worked as the Director of Admissions and Public Relations at the California College of Podiatric Medicine. Three years later she married Marc Loupé her partner in life and business. In the rare moments when they are not working, Anette and Marc share an interest in wine, a hobby they began while dating. Anette also enjoys gardening and landscaping.

Mr. Speaker, I ask the House of Representatives to join me in honoring Anette Harris for her countless contributions to our community.

She is an extraordinary leader, mentor and role model who never tires in her efforts to make the world a better place.

CELEBRATING THE UKRAINIAN NATIONAL MUSEUM

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mr. QUIGLEY. Mr. Speaker, I rise today to honor and recognize the founding of the Ukrainian National Museum in 1952 by three displaced scholars, Olexa Hankewych, Julian Kamenetsky, and Orest Horodysky.

The Ukrainian National Museum is dedicated to the collection of documents, presentation and exhibition of artifacts sharing Ukrainian culture and heritage. Its collection consists of more than 100,000 museum archives related to the history and legacy of Ukraine and Chicago's Ukrainian community, and 10,000 artifacts related to traditional folk and fine arts.

Today, the Ukrainian National Museum is highlighted as one of the finest achievements of the Ukrainian American community in the U.S. It features an important part of Chicago's history and is a respected institution for Ukrainian Americans throughout the United States.

The Ukrainian National Museum occupies a vital place in the cultural world of the Ukrainian Diaspora in America. It is visited and appreciated by people of many ethnic backgrounds coming from all over the world.

A main reason the Ukrainian National Museum is such an impressive institution is due to the hard work of many devoted individuals, one of whom is Jaroslaw J. Hankewych, son of one of UNM's founders, Olexa Hankewych. Mr. Jaroslaw J. Hankewych served on the Museum Executive Board for over 40 years, and from 2000 to 2014, served as President of the Ukrainian National Museum.

Mr. Speaker, I ask my colleagues to join me in recognizing and celebrating Jaroslaw Hankewych's work and accomplishments, and also the many contributions of the Ukrainian American community.

PERSONAL EXPLANATION

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mr. HUDSON. Mr. Speaker, on roll call no. 222 I was inadvertently detained. Had I been present, I would have voted Yes.

IN RECOGNITION OF THE 199TH INFANTRY BRIGADE

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to pay tribute to the 199th Infantry Brigade unit of Fort Benning for their accomplishments in Southeast Asia during the Vietnam war. The 50th anniversary of the activation of this courageous and noble unit is on June 1, 2016.

The 199th Infantry Brigade, also known as the Redcatchers, was reactivated on June 1, 1966 at Fort Benning, Georgia as the only ''separate'' and ''light'' infantry brigade to serve in Southeast Asia during the Vietnam war. It also became the first integrated combat command in the history of the United States Army when Frederic E. Davison was named Brigade Commander on September 1, 1968. He went on to become the first African American to be promoted to Major General in the Army and commanded the 8th Infantry Division and the Military District of Washington. General Davison was the first African American to command a combat brigade, a division, and the Military District of Washington, in addition to being the first African American to attend and graduate from the Army War College. The members of 199th Infantry Brigade were truly groundbreaking in the way they helped to integrate the U.S. Army.

The Redcatchers were a distinguished and honorable brigade that received many merits. The brigade earned several unit awards including the Presidential Unit Citation, Valorous Unit Award, the Meritorious Unit Commendation, the Republic of Vietnam Gallantry Cross with Palm, and the Republic of Vietnam Civil Actions Honor Medal. Four members of the brigade were awarded the Medal of Honor, including Captain Angelo J. Liteky, a battalion chaplain, for his actions in saving the lives of wounded soldiers. Brigade General William R. Bond was the only commanding general killed in ground combat in the Vietnam War.

The 199th Infantry Brigade was disbanded in 1970 but on June 27, 2007, the 11th Infantry Regiment was redesignated as the 199th Infantry Brigade at Fort Benning, Georgia. Today, the Brigade is responsible for the Infantry and Armor Branch Basic Officer Leadership Courses. The Brigade trains all the maneuver company commanders for all of the U.S. Army combat formations. In addition, the Brigade is responsible for the International Military Student Office, the Directorate of Training, and the Maneuver Center of Excellence Band.

Mr. Speaker, I ask my colleagues to join me today in recognizing the members of the 199th Infantry Brigade for their steadfast courage and commitment to serving our country during the Vietnam war. The Redcatchers made significant contributions in safeguarding our liberties fifty years ago and we honor their outstanding valor and patriotic service that has helped make America the great nation it is today.

RECOGNIZING THE FORT WORTH ALUMNI CHAPTER OF KAPPA ALPHA PSI FRATERNITY, INC.

HON. MARC A. VEASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mr. VEASEY. Mr. Speaker, I rise today to recognize the gentlemen of the Kappa Alpha Psi Fraternity, Incorporated, Fort Worth Alumni Chapter, for their outstanding work in community service.

Since its founding in 1947, the Kappa Fort Worth Alumni Chapter has dedicated themselves to the Tarrant County community by empowering our local youth and providing important resources for the most vulnerable residents in our community.

To lead the change in our youth, the Kappas began the ''Kappa Kut'' program, providing free haircuts to young men in Tarrant County and amplifying the influential role barbers play in our community. By connecting young men to local barbers, barbers share their life experiences and encourage positive change in our community. The Kappa Kut program has expanded through partnership made possible by the Dunbar Pyramid, now providing 200 free haircuts and giving away over 2,000 free backpacks full of school supplies, immunizations, and educational sessions for community parents and their children.

To fight against food insecurity within our community, the gentlemen of Kappa Alpha Psi developed two key programs that continue to assist families across Tarrant County. For three years, the ''Kan Food Drive,'' with cooperation of 13 area schools and 15 businesses, has collected 35,000 canned goods and raised $9,700 for the Community Food Bank. At the same time, the Kappas created the ''Kappagiving'' program, where over 300 local families receive a turkey and a box containing canned foods and dry goods, so that families have the opportunity to celebrate the Thanksgiving holiday.

In addition, the Kappas have continued their unwavering support for the improvement of their community by partnering with the Union Gospel Mission to raise money, build fellowship with male residents, and donate blankets, sheets, clothes, coats, toys and toiletries for the homeless. To date, the Kappas have donated over $30,000 to deserving young men so that they can attend college and have continued their mentorship of young males under the chapter's Kappa League program.

In honor of the Fort Worth Alumni Chapter of Kappa Alpha Psi Fraternity, Incorporated, and their commitment to providing humanitarian services, volunteer hours and financial contributions to the Fort Worth community, this statement is submitted today, Monday, May 23, 2016.

RECOGNIZING TECHNICAL SERGEANT BRENT C. YOUNG, AS THE 2015 OKALOOSA COUNTY, FLORIDA, LAW ENFORCEMENT OFFICER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mr. MILLER of Florida. Mr. Speaker, I rise to recognize Technical Sergeant Brent C. Young, as the 2015 Okaloosa County, Florida, Law Enforcement Officer of the Year. Since 1998, Sergeant Young has served our great Nation with honor and distinction, and Northwest Florida is blessed to have him as part of

her community keeping a faithful watch over her citizens.

Born in Midland, Michigan on January 9, 1980, Sergeant Young attended Bullock Creek High School, where he lettered in wrestling his first two years. In 1998, Sergeant Young graduated and enlisted in the United States Air Force. Following completion of Basic Military Training and Security Forces Technical Training, Sergeant Young was assigned to Wright Patterson Air Force Base, during which he deployed five times to Southeast Asia in support of the Global War on Terror. Sergeant Young then joined the Northwest Florida community upon his selection as a Ground Combat Instructor at Eglin Air Force Base, a position he held for six years. Attached to the 96th Security Forces Squadron, Sergeant Young now has taken on the responsibilities of a Flight Sergeant.

Through his unwavering courage and acts of heroism, Sergeant Young has earned the Higher Headquarters' 2015 Noncommissioned Officer Association's Vanguard Award and the 2015 Okaloosa Law Enforcement Officer of the Year. Whether providing critical first aid to stabilize a spinal injury and preventing another victim from going into shock from a partial finger amputation, leading rescue efforts and expediting medical treatment to distressed swimmers, or assisting in the apprehension of an intoxicated driver, Sergeant Young's keen awareness of his surroundings and skills he has honed throughout his military career has without question helped prevent the tragic loss of life.

While his accomplishments and heroic acts are not limited to those aforementioned, Sergeant Young has proven himself to be among the best. As with most accomplished and dedicated leaders, Sergeant Young's passion for service does not end when he leaves work. He is very much involved in the local community. As a local Den Leader, he leads Cub Scouts through their Boy Scouts of America certifications, including more than 100 merit badges. He has also volunteered more than fifty hours at a local nursing home, participating in grounds and facility maintenance.

Mr. Speaker, on behalf of the Northwest Florida community and a grateful Nation, I am privileged to honor Technical Sergeant Brent C. Young for his outstanding achievements. We are fortunate to have individuals with a strong character and sense of selflessness willing and able to stand up strong in defense of America and her citizens. My wife Vicki and I thank Sergeant Young for his commitment to service and wish him all the best for continued success. May God continue to bless him, all of our Nation's Law Enforcement Officers who keep us safe, and may God continue to bless the United States of America.

RECOGNIZING MARSHALL KAPLAN

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to recognize Marshall Kaplan, who has been an Advisor at El Sol Academy for eleven years. El Sol Academy currently serves over 900 high-achieving students and has increased family participation in its new Wellness Center, on-site social services, and adult evening classes.

Mr. Kaplan has an outstanding record of working in the non-profit, government and education sectors. He is the President of the new nonprofit group, Pathways to Opportunities. For the past seven years, Mr. Kaplan was also the Executive Director of the Merage Foundation.

Marshall Kaplan is the former Dean of the University of Colorado, Graduate School of Public Affairs, where he also headed the Wirth Chair and Institute for Public Policy. Mr. Kaplan also served in the Carter and Kennedy administrations, as an Advisor to Assistant Secretary Floyd Hyde when George Romney was Secretary of the U.S. Department of Housing and Urban Development (HUD). Mr. Kaplan also was a senior official at HUD, and a principal in the national policy advisory firm Marshall Kaplan, Gans & Khan. He has written several books and numerous articles on regional and urban policy, environment and social welfare policy, and poverty.

I am honored to recognize Mr. Marshall Kaplan for his commitment to El Sol Academy in my district.

COMMEMORATING THE LIFE OF WILLIAM R. SNEAD

HON. ROBERT HURT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mr. HURT of Virginia. Mr. Speaker, I submit these remarks to commemorate the life of William R. Snead of Danville, Virginia, who passed away May 7, 2016 at age 92.

Mr. Snead was drafted into the United States Army in 1943 during World War II and trained in Fort Bragg, N.C., where he was part of the 5th Brigade of Amphibious Engineers which was attached to the 29th Infantry Division that landed on Omaha Beach on D-Day June 6, 1944. Snead was a company engineer with the 5th Division that landed after the first wave of infantry hit the beaches of Normandy to carry out the logistical and supply tasks that were essential to the Allied conquest of Europe.

Upon Mr. Snead's return from the war, he dedicated his life to farming in Pittsylvania County, later moving to South Boston, where he began to learn the trade of house painting, in which he would eventually start his own company, W.R. Snead Painting Company in Halifax until his retirement in 1984. Mr. Snead also served our community as a council member of the South Boston Church of God for many years, as well as a trustee, and taught their Adult Sunday school class for over 50 years.

In 2013, I was honored to see Mr. Snead receive the French Legion of Honor for his service during the Second World War and participate in a ceremony honoring Mr. Snead in Halifax. We remain forever grateful for Mr. Snead's bravery and sacrifices—may he rest in peace.

On the occasion of the passing of William R. Snead, I ask that the members of this House of Representatives join with me, Mr. Snead's wife Frances Jones Snead, his four children, ten grandchildren, seven great grandchildren, three great, great grandchildren, and the communities of Halifax and Pittsylvania in honoring the memory of a great American hero.

IN RECOGNITION OF LINDA JOYCE JORDAN

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mr. BISHOP of Georgia. Mr. Speaker, it is with great pleasure that I extend my sincere congratulations to Ms. Linda Joyce Jordan for being this year's recipient of the National Association of Securities Professionals (NASP) Joyce Johnson Award. The Joyce Johnson Award was created by NASP as a tribute to co-founder Joyce Johnson whose mission was to make a difference for minority and women professionals in the securities industry. Ms. Jordan will be honored with this award at a luncheon during the NASP 27th Annual Pension and Financial Services Conference on Tuesday, June 14, 2016 at 12:30 p.m. at the Loews Atlanta Hotel in Atlanta, Georgia.

Linda Jordan has been a financial services executive for more than twenty-five years. When she started her career, there were few women and few minorities in the financial services industry. She joined NASP shortly thereafter and has since helped the organization promote opportunities for women and minorities in this field. Ms. Jordan has served on NASP's Board of Directors since 2003 and currently serves as secretary to the Board. She serves also as co-chair of NASP's Plan Sponsor Outreach Committee and she helped form NASP's Legislative Committee and the NASP Institute.

Ms. Jordan most recently served as Managing Director with Mesirow Financial, an independent financial services firm headquartered in Chicago. For ten years, Ms. Jordan managed the Atlanta office and was successful in developing the firm's institutional relationships and improving its marketing and investment capabilities. She was instrumental in helping to grow Mesirow's $92.4 billion in assets under management to date. Ms. Jordan holds a Bachelor's degree in mathematics from Clark Atlanta University and a Bachelor's degree in electrical engineering from Georgia Tech. She also earned a Master of Business Administration degree in finance from Duke University's Fuqua School of Business.

In addition to Ms. Jordan's career, she is also actively involved in the community outside of work. She served the City of Atlanta and Fulton County Recreation Authority for more than twelve years. She also was the Chair of the Government Relations Committee of the Atlanta Chapter of the National Black MBA Association and the Chair of the Corporate Advisory committee for the National Forum of Black Public Administrators (NFBPA). In addition, she served as President

of the Board of Directors for the YWCA of Greater Atlanta. She is an active member of the Atlanta Alumni Chapter of Delta Sigma Theta Sorority, Inc.

A major milestone for Ms. Jordan was her induction into the Academy of Distinguished Engineering Alumni at Georgia Tech, making her the first African-American female to receive this distinction.

Mr. Speaker, I ask my colleagues to join me today in recognizing Linda Jordan for her contributions to the financial services industry, the NASP, and the community.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $19,212,451,626,242.62. We've added $8,585,574,577,329.54 to our debt in 6 years. This is over $7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

IN RECOGNITION OF ST. PAUL MISSIONARY BAPTIST CHURCH AND DR. EPHRAIM WILLIAMS AND MRS. CARRIE SUE WILLIAMS

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Ms. MATSUI. Mr. Speaker, I rise today in recognition of St. Paul Missionary Baptist Church, Dr. Ephraim Williams, and the late Mrs. Carrie Sue Williams. Dr. Williams has served for 45 years as the Pastor of St. Paul Missionary Baptist Church. As the St. Paul's congregation gathers together to celebrate the leadership of Dr. Williams and his late wife, I ask all my colleagues to join me in honoring their important roles in the Oak Park neighborhood and in the larger Sacramento community.

Under the leadership of Dr. Williams, St. Paul Missionary Baptist Church has grown from 100 members to over 3,500 members today. Dr. Williams and the members of his congregation continue to be a valuable community resource, offering social services, vocational programs, educational support for Sacramento's local youth, and help for the homeless. St. Paul's community center, the Family Life Center, offers programs for all ages focusing on health and wellness through physical fitness and proper nutrition. The leadership and service to our community displayed by Dr. and Mrs. Williams are and have been nothing short of exemplary. The Williams' dedication has made the St. Paul Missionary Baptist Church a staple in the City of Sacramento.

Mr. Speaker, I am honored to pay tribute to St. Paul Missionary Baptist Church, to Dr. Ephraim Williams, and to the late Mrs. Carrie Sue Williams, as they celebrate Dr. Williams's 45th anniversary as Pastor. I ask all my colleagues to join me in honoring their outstanding work in providing the Sacramento community with invaluable services.

LIEUTENANT COLONEL WALTER HELM (RETIRED UNITED STATES AIR FORCE)

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Ms. SPEIER. Mr. Speaker, I rise today to recognize the passing of an uncommon American, Lieutenant Colonel Walter Helm. On June 1st, Walter Helm will be buried at Arlington National Cemetery amidst his countrymen who, like Lt. Colonel Helm, loved this nation in all its glory.

Walter Helm grew up in Bellmore, New York, born July 31, 1933, as the second of four children. Thanks to his parents, he learned the rewards of hard work, faith and charity. He also learned to love flying and in 1954 joined the Air Force, serving our nation with distinction and heroism for the next 20 years during some of its most difficult overseas actions.

However, for Walter Helm, military service was not entirely about overseas action—it was also about domestic relations of a very specific kind. While serving, Walter met another officer and decided to marry her. He and Janet eventually had four daughters. With Janet's service to our country as a major example, the couple encouraged each daughter to pursue their educations and dreams, always mindful of their duties to the broader community. Ultimately, he and Janet were rewarded for their patience in raising four daughters when they became the loving grandparents of two grandsons, Hunter and Harrison Fazlollahi.

The Vietnam War was one of nation's most difficult conflicts. Like many of his comrades in arms at the time, Walter, a patriot and helicopter pilot, performed his duties under some of the most difficult circumstances ever encountered by our nation's troops. On one of these days, June 19, 1968, he piloted a CH–3E deep within enemy territory. On that day, then-Major Walter Helm encountered heavy ground fire while attempting to extricate seven friendly personnel. Although his helicopter was damaged, he continued his approach and then hovered for twelve minutes, despite threat of immediate and renewed attack, until the personnel were hoisted aboard. For his heroic service, Major Helm earned the Distinguished Flying Cross and the government of the Republic of Vietnam awarded him the Gallantry Cross with Palm.

Upon retirement, Walter and Janet visited many countries to experience their cultures, and he encouraged his daughters to learn about the needs of people in distant lands. They gave generously to their community through various charitable organizations. America, he believed, was a great country and one individual, whether in the armed services or as a private citizen, could make a difference through many forms of service.

On June 1st, at the moment when the bugler's solemn farewell is heard by mourners, America will realize that yet another patriot has passed. In war and peace, he set the standard for character, faith and dedication to family and our nation.

Mr. Speaker, this nation is not mighty or just because of its laws or force of arms, but rather because men and women of character quietly dedicate their lives to our common good. Walter Helm was such a man, and our nation is forever grateful that he led his life with courage and honor so that we might live in peace and justice for generations yet to come.

RECOGNIZING THE 50TH ANNIVERSARY OF CARONDELET HIGH SCHOOL

HON. MARK DeSAULNIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mr. DESAULNIER. Mr. Speaker, I rise to recognize the 50th anniversary of the founding of Carondelet High School located in my congressional district in Concord, California. Carondelet High School has served thousands of Contra Costa County's brightest young women during its long and successful run.

Since its founding in 1965 by three Sisters of St. Joseph and three lay women, it has been the only all-women's high school in Contra Costa County and one of just a handful in the San Francisco Bay Area. As such, it is an important part of the East Bay community.

Carondelet High School's mission statement—To inspire excellence by preparing young women to live with heart, faith and courage in the Catholic tradition and spirit of the Sisters of St. Joseph—reflects their longstanding tradition of providing young women with a 21st Century education grounded in values that are critical to our community.

Congratulations to the Carondelet High School family on a successful first 50 years of service to your students and the community.

AMIN DAVID

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Ms. LORETTA SANCHEZ of California. Mr. Speaker, on Saturday, May 21, 2016, Orange County lost an outstanding citizen who was a shining example of citizenry and advocacy. After months of battling lymphoma Mr. Amin David died in his Anaheim home at the age of 83.

Mr. David was born in the state of Chihuahua, Mexico, and came to California where he became a U.S. citizen. In 1978 he helped found Los Amigos of Orange County, a group that tackled issues such as policing, civil

rights, education, and public safety. Their motto was "Nos gusta ayudar," which translates to "We love to help." And that is what Mr. David did, helping everyone from all walks of life and with any problem, big or small. To this day Los Amigos of Orange County continues to have its weekly Wednesday meetings.

Mr. David was known in Orange County as an incredible activist for Latinos and other marginalized communities. He stood tall for the voiceless and stood against prejudices like Islamophobia and anti-Semitism. Mr. David was a human rights defender through and through.

In 1971 Mr. David became the chair of the Orange County Human Relations Commission and in 1977 was the first Latino appointed to the Anaheim Planning Commission. He was also a founding member of the Orange County Communities Organized for Responsible Development and Orange County Community Housing Corporation.

Mr. David was an active member of the Anaheim police chief's advisory board and throughout his life made it his mission to advocate for Latinos and change the way police interacted with communities of color.

Mr. David is survived by his wife and four children. His passing is a great loss for Orange County, but his legacy and accomplishments will live on in our community.

RECOGNIZING OLDER AMERICANS MONTH AND DIABETES AWARENESS

HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mrs. BEATTY. Mr. Speaker, as our nation marks Older Americans Month this May, it is critically important that we raise awareness about the challenges that face our nation's older adults and how we can work together towards solutions.

Today, older Americans are living longer than ever.

Unfortunately, more seniors are also developing chronic illnesses.

Among the most prevalent of these illnesses is diabetes.

The Centers for Disease Control estimates that 11.2 million Americans over the age of 65 are living with diabetes.

Diabetes is a costly medical condition/disease that can lead to heart disease, blindness, kidney disease, amputations, and even death.

This is especially true in Ohio, where, according to 2013 data from the Ohio Behavioral Risk Factor Surveillance System, it is estimated that 10.4 percent of the State has diabetes, exceeding the national average of 9.3 percent.

Nationally, one out of five older Americans with diabetes have vision problems, and people with diabetes over age 75 are twice as likely to visit the emergency room for low blood sugar.

Diabetes is especially acute for African American adults who are 80 percent more likely than non-Hispanic white adults to be diagnosed with this disease.

Medicare spends one out of every three dollars on people with diabetes.

We owe it to our nation's seniors to improve diabetes prevention, detection, and treatment.

As a member of the Congressional Caucus on Diabetes, I am proud to work to advance legislation such as the Medicare Diabetes Prevention Act of 2015, H.R. 2102; the Minority Diabetes Initiative Act, H.R. 4209; and the National Diabetes Clinical Care Commission Act, H.R. 1192, to help curb the effects of diabetes.

Congress must make diabetes prevention and care a priority and enact legislation that would improve the health and well-being of all of our nation's seniors.

RECOGNIZING BILL SPURGIN FOR 50 YEARS OF TEACHING

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mr. SMITH of Texas. Mr. Speaker, today I want to recognize one of my constituents who has dedicated his career to education. Bill Spurgin will retire at the end of the 2015–2016 school year after having taught for 50 years. Mr. Spurgin has spent his entire career teaching in the Blanco Independent School District.

I have long considered teaching to be one of the most honorable professions in America. And there is nothing more valuable to a student than a great teacher. Mr. Spurgin's career is a testament to his dedication to education and his commitment to Blanco ISD.

Mr. Spurgin came to Blanco ISD in 1966 as a business teacher. He has taught at three separate locations in Blanco and has worked with eight different principals and six superintendents. In appreciation for all Mr. Spurgin has done, the lives he has shaped, and his commitment to education, I join all of his family, colleagues, and students, past and present, in congratulating him on his outstanding career.

REMEMBERING THE LIFE OF ANTHONY ''TJ'' FREEMAN

HON. AUSTIN SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, today, I join my constituents in Middle Georgia in remembering Anthony ''TJ'' Freeman, who tragically passed away in the line of duty, protecting the people of Macon-Bibb County.

TJ was an investigator who served with the Bibb County Sheriff's Office for seven years after joining the Macon Police Department in 2009. TJ has been described as a hard-working family man, a friend, and someone who was always striving to be better for his community. Police work and defending the innocent was in his blood. TJ even had a tattoo that read, ''Blessed are the peacekeepers'', a constant reminder of his daily work. TJ was a hero in the truest sense, bravely giving his life to serve and protect his community.

TJ leaves behind his wife, Jessica, and their two children, Braden and Blaiklyn. Additionally, I want to take this time to thank all of our law enforcement officers in Georgia's Eighth Congressional District for your service. You are true public servants, and our communities can rest a little bit easier each night knowing you are protecting us. Thank you, TJ, and God Bless.

HONORING DAGMAR DOLBY

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Ms. SPEIER. Mr. Speaker, I rise to honor Dagmar Dolby, an exceptional philanthropist and tireless advocate for social justice, health and the arts. She is being recognized for her contributions and commitment to our community by the Junior League of San Francisco. I am very proud to call Dagmar a close friend.

Dagmar did not grow up in a culture where volunteering was commonplace. She grew up in Frankfurt, Germany, lived in India for a year and then spent ten years in London before she and her late husband moved to San Francisco where she deeply immersed herself in volunteer work for a long list of auxiliaries and boards, starting with her son's school. She served on the Town School Board of Trustees & Parents' Association for nine years and the San Francisco School Volunteers Advisory Council for twelve years.

In 1986 she joined the Board of Directors for the Northern California Chapter of Achievement Rewards for College Scientists (ARCS), a group of women who have raised more than $90 million for graduate students in science, technology and medicine across the country. From 1990 through 1992, Dagmar was the President of the Board. At the same time, she served on the board of San Francisco University High School and later as the Parent Trustee at Cate School in Carpinteria.

Dagmar also has a passion for the arts. She volunteered her time and boundless energy on the boards of the Fine Arts Museum of San Francisco and the American Conservatory Theatre.

In the mid-90s, Dagmar founded the San Francisco Power of Choice Luncheon for NARAL Pro-Choice America on whose board she has served for 16 years. Dagmar redoubled her efforts towards finding a cure for Alzheimer's disease when her late husband, Ray Dolby, started showing symptoms of the disease in 2011. Tragically, he passed away in 2013.

Ray Dolby, the inventor and founder of Dolby Laboratories, was joined by his wife in many philanthropic efforts. After graduating from the University of Heidelberg in 1966, Dagmar worked as a public relations specialist at Dolby Laboratories and a translator in German, English and French. They have two sons, Tom and David. Dagmar is now the President of the Ray and Dagmar Dolby Family Fund.

The Dolbys' generous philanthropic contributions have benefited science and medicine for decades. They supported the Stem

Cell Initiative and the California Institute for Regenerative Medicine leading to a seed grant at UCSF for the Ray and Dagmar Dolby Regeneration Medicine Building. They founded the Ray Dolby Brain Health Center at California Pacific Medical Center under the directorship of Dr. Catherine Madison. They increased funding of Alzheimer's research at UCSF, Stanford, the Buck Institute, the Gladstone Institute and the Salk Institute. They funded the Zenith Society of the Alzheimer's Association which works on raising awareness.

More recently, Dagmar provided funding of new faculty positions at the UCSF Department of Psychology. In collaboration with her son, David, and daughter-in-law, Natasha, she is engaged in increasing funding for the empowerment of women and girls.

Mr. Speaker, I ask the House of Representatives to rise with me to recognize the tremendous achievements and contributions that Dagmar Dolby has made to society and the well-being of others. Her altruism and fearlessness when taking on difficult and controversial issues demonstrate her leadership and determination to make the world a better place. In San Francisco where philanthropy is widespread no one comes close to Dagmar's generosity.

IN HONOR OF LOREN C. AND ELOUISE COLLINS SUTTON'S 60TH WEDDING ANNIVERSARY

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention to recognize the 60th wedding anniversary of Loren C. and Elouise Collins Sutton.

The Suttons met at Southeastern Bible College in September of 1953 and were married in Birmingham, Alabama on June 8, 1956.

Loren and Elouise have been blessed with four children: Lorna Sutton Roberts and her husband Dr. Don Roberts, Elizabeth Anne Sutton, Timothy J. Sutton and his wife Glenda Houston Sutton and Dr. John Robert Sutton and two grandchildren: Dr. Michael Roberts and his wife Nicole Dunn Roberts, and Allyson Roberts Schnarr and her husband Brian Schnarr. Additional blessings include their four great-grandchildren: Austin and Luke Roberts and Livi Elise and Charli Delilah Schnarr.

The Suttons have served in the ministry for 58 years.

Mr. Speaker, please join me in recognizing the 60th wedding anniversary of Loren and Elouise.

COMMEMORATING THE 2016 GRADUATING CLASS OF LINCOLN COLLEGE

HON. DARIN LaHOOD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mr. LAHOOD. Mr. Speaker, today, I would like to honor a remarkable institution, Lincoln College, located in Lincoln, Illinois. For more than 150 years, this school has uniquely equipped students with the tools necessary to realize their full potential and achieve their dreams.

In 1853, commissioners began searching for a new location for the university. It became evident that the best place would be Lincoln, Illinois, the first city in the United States to be named after Abraham Lincoln before his presidency. On February 12, 1865, President Lincoln's last living birthday, construction of the first college building began.

Today, students from all over the country attend Lincoln College to benefit from the institution's leadership-style teaching and various degree programs. This year, 273 students graduated from the college and have become proud Lynx alumni. These students had the honor of welcoming Mr. Hal Holbrook as the commencement speaker and honorary degree recipient at their commencement this year. Holbrook is known for his Emmy Award winning portrayal of Abraham Lincoln in the TV miniseries, Carl Sandburg's Lincoln.

I am humbled to represent such an outstanding institution with a faculty that prepares each student to become a leader in our society. Lincoln College has upheld President Lincoln's virtue of learning and self-improvement with each graduating class. I applaud the institution's service to our community as they educate those who will assume roles of leadership, responsibility, and service in our society. Congratulations to all 2016 graduates from Lincoln College.

HONORING DR. STEVEN VANAUSDLE ON HIS RETIREMENT AS PRESIDENT OF WALLA WALLA COMMUNITY COLLEGE

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mrs. MCMORRIS RODGERS. Mr. Speaker, I rise to honor Dr. Steven VanAusdle on his retirement as President of Walla Walla Community College.

Mr. Speaker, Dr. Steven VanAusdle, who is retiring at the end of this academic year, has served Walla Walla Community College for 45 years, 31 of those as President. During his highly successful tenure, Dr. VanAusdle has positioned Walla Walla as one of the top community colleges in the nation.

As President, he has established a culture that fosters innovation and entrepreneurialism on the campuses and in the communities served by the college. Dr. VanAusdle has developed programs that meet the unique needs of Walla Walla's students, developing young men and women who have achieved and succeeded to the benefit of communities throughout Eastern Washington. His vision and actions have helped a rural region experiencing economic decline transform itself into a diverse regional economy highlighted by a thriving wine industry.

President VanAusdle has focused on student success and championed practices that increase participation, retention, and completion rates, especially for at-risk students. Walla Walla Community College's successful initiatives include workforce training as well as programs in healthcare, energy technology, water management and viticulture. Under his leadership, Walla Walla Community College was named the 2013 co-winner of the Top Community College in the Nation by the Aspen Institute for Community College Excellence.

The White House named Dr. VanAusdle a Champion of Change in 2011, recognizing his contribution to advance stronger communities and a stronger nation. Dr. VanAusdle was presented with the Washington State University Alumni Association Alumni Achievement Award in 2010, honoring his legacy of outstanding leadership and dedication to higher education. Dr. VanAusdle has served as a member of the Council on Competitiveness, was appointed vice chair of the Washington State Economic Development Commission by Governor Christine Gregoire, represented Washington State on the Pacific Power Regional Advisory Board, and served on the Port of Walla Walla Economic Development Advisory Committee.

Mr. Speaker, Dr. VanAusdle has transformed the lives of the students with whom he has come into contact over his more than four decades as Walla Walla Community College. He has had an immeasurably positive impact on the College, its students, and communities around Eastern Washington. I commend him on his more than forty years of academic excellence at Walla Walla Community College and wish him and his family health and happiness in their future endeavors.

IN HONOR OF THE HUMANITARIAN EFFORTS OF KIMSE YOK MU (''KYM'')

HON. PAUL A. GOSAR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mr. GOSAR. Mr. Speaker, I rise today to acknowledge Kimse Yok Mu ("KYM"). The KYM is a Turkish-based international, non-profit humanitarian aid and development organization that provides humanitarian relief in more than 113 countries. It has enlisted the help of over 180,000 volunteers assisting its operations around the globe.

The KYM has achieved United Nations ECOSOC Special Consultative Status as an international charity. It has been recognized for providing aid in the form of social services, medical services, housing, disaster relief, and emergency response. It monitors disasters through a sophisticated operations center and is able to quickly respond to natural disasters. Much like the American Red Cross, it provides timely response and recovery efforts as well as disaster relief throughout much of the world.

It has been reported that several million people have been helped by KYM. Their efforts include aid in the form of 1,622 fresh water drinking wells in 17 African countries which provide clean water to more than a million people. The KYM has helped orphans worldwide and renovated numerous orphanages to provide better living conditions.

The world is a better place because of such humanitarian efforts, and on behalf of the people of Arizona and the United States we thank them.

ABBY REMMERS NAMED TO NATIONAL TEAM

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mr. OLSON. Mr. Speaker, I rise today to recognize First Colony SynchroStar's Abby Remmers, who was named to the 13–15 U.S. National Swim Team 2.

Abby Remmers competed against the top 30 athletes ages 13 through 15. Remmers outperformed them all, and earned-a spot on the National Team. The final phase of the competition took place in Mesa, Arizona. Remmers will spend her summer training in both Riverside and Moraga, California and will represent the United States in early September at the Pan-American Championships in San Juan, Puerto Rico.

On behalf of the Twenty-Second Congressional District of Texas, I would like to congratulate Abby Remmers for earning a spot on the 13 through 15 U.S. National Team. She is making Sugar Land proud and we look forward to seeing her represent both our district and country this upcoming September.

RECOGNIZING THE DEDICATION AND SERVICE OF PASTOR GORDON GODFREY, JR. ON THE OCCASION OF HIS TWENTY–FIFTH ANNIVERSARY AS PASTOR OF MARCUS POINTE BAPTIST CHURCH IN PENSACOLA, FLORIDA

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mr. MILLER of Florida. Mr. Speaker, on behalf of the United States Congress, it is an honor for me to rise today to recognize Pastor Gordon Godfrey, Jr. for his twenty-five years of service as pastor of Marcus Pointe Baptist Church in Pensacola, Florida.

Pastor Godfrey was called by the grace of God from his full-time ministry in Panama City, Florida to Fundamental Baptist Church in Pensacola, Florida in 1991. By the time Pastor Godfrey arrived, Fundamental Baptist Church had undergone multiple leadership changes and experienced great discouragement. The congregation needed a new direction and a renewed sense of hope.

Pastor Godfrey was thriving at his church in Panama City when he was contacted by Fundamental's deacon board. He felt the will of God to move and lead Fundamental Baptist Church to a brighter future. The year he arrived, the Church was transformed. The church moved to their current location and changed its name to Marcus Pointe Baptist Church. Ever since, Pastor Godfrey has demonstrated his extraordinary faith by delivering his inspirational preaching, and has brought people a fresh understanding of God's Word while challenging them to dedicate themselves to follow the tenets of the Lord.

In addition to Sunday services and the various spiritual activities held at the church, Pastor Godfrey has expanded Marcus Pointe's mission to include a Christian elementary school, a thrift store benefitting military families, and an online Christian Academy for grades 3 through 12. His weekly messages of faith have reached countless individuals, and it is believed that the church has averaged more than 500 salvations while climbing from 63 to more than 1600 members.

Mr. Speaker, on behalf of the United States Congress, I am proud to celebrate Pastor Gordon Godfrey, Jr. for his twenty-five years of dedicated service. I know that this important milestone is only the first of many to come. My wife Vicki and I wish him, his wife June; their children, Becky Meredith and her husband Keith, Greg and his wife Brittany, and Bobby and his wife Aly; and their six grandchildren, all the best for continued success. May the Spirit of the Lord continue to bless Pastor Godfrey, his family and the congregation of Marcus Pointe Baptist Church.

LUTHERAN SOUTH ACADEMY BAND WINS STATE CHAMPIONSHIP

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate The Lutheran South Academy band in Houston for winning the state championship.

The Lutheran South Academy band made school history by winning the state championship for the first time. The band competed in the Texas Association of Private and Parochial Schools Large Ensemble contest, and was awarded superior ratings along with the state Sweepstakes Award. In addition, the school's jazz ensemble was also awarded an excellent score at the competition.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to The Lutheran South Academy band for winning their first ever state championship. We look forward to hearing more beautiful music from these young musicians and wish them success in their future endeavors.

HONORING MS. TONI MOMBERGER

HON. PETE AGUILAR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mr. AGUILAR. Mr. Speaker, today I rise to recognize Toni Momberger, a dedicated former editor and journalist who recently retired from our local paper, the Redlands Daily Facts in Redlands, California, after a sterling career. Ms. Momberger has been a staple in the Inland Empire community as an advocate for civic engagement, accountability and transparency in San Bernardino County.

In 2011, Ms. Momberger was named editor of the Redlands Daily Facts and was soon after recognized for her efforts when she was awarded Journalist of the Year by Digital First Media. Her ability to engage the Redlands community and to give a voice to our region has been an invaluable service for which we will always be grateful.

As a loyal reader of the Redlands Daily Facts and as a Redlands resident raising my family in this community, I thank Ms. Momberger for her hard work and accomplishments that have pushed our region forward. I also commend her on her achievements as a journalist and community leader, and thank her for bringing important resources and stories from our region into Redlands households each and every day. She leaves behind a legacy of journalistic excellence that will be remembered by all who read and appreciated her work.

TRIBUTE TO ELIZABETH (LISA) JOYCE FREEMAN ON THE OCCASION OF HER RETIREMENT AS DIRECTOR OF THE VETERANS AFFAIRS PALO ALTO HEALTH CARE SYSTEM

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Ms. ESHOO. Mr. Speaker, I rise today to honor Elizabeth (Lisa) Joyce Freeman, the Director of the Veterans Affairs Palo Alto Health Care System. Appointed to the position on February 11, 2001, we will celebrate her retirement on June 7, 2016.

Lisa is a 1983 graduate of the University of Notre Dame where she earned a bachelor's degree in Civil Engineering. She received a master's degree in Business Administration from Louisiana Tech University in 1987, and is a licensed civil engineer in the state of Virginia. She and her husband live in the Willows neighborhood of Menlo Park, California.

Lisa Freeman began her VA career in 1983 as a Resident Engineer at the VA Medical Center in Oklahoma City, Oklahoma. Later positions include Senior Resident Engineer, Shreveport, Louisiana; Project Manager, Southern Region, VA Central Office; Health Systems Specialist, Southern Region Field Support Office, VA Central Office; Health System Administrator Trainee, VA Palo Alto Health Care System; Chief Operating Officer, VA Sierra Pacific Network Office, San Francisco, California; Associate Director, VA Palo Alto Health Care System; and Acting Director, VA Palo Alto Health Care System.

In addition to her VA responsibilities, Lisa Freeman is a Fellow in the American College of Health Care Executives and serves as a formal mentor to numerous VA emerging leaders. She is a member of the California Hospital Association's Santa Clara County Section and served on the 2006 Board of Directors for the Hospital Council. In 2005, she received the VA Alumni Association's Honorary Leadership Award. She also received a Presidential

Rank Award at the Meritorious Level in 2005 and at the Distinguished Level in 2009 and was named one of the top 100 influential women in Silicon Valley in 2011. She also completed the Brookings Institution Certificate in Public Leadership Program in 2012.

When the shocking failures at various VA facilities in the country became public in 2014, there was a beacon of light and excellence at the Palo Alto VA, the institution led by Lisa Freeman. Veterans surveyed about their satisfaction with the Palo Alto VA consistently scored it above the national average and in the top 25 percent in the region for access to outpatient care. This level of excellence is why Lisa Freeman was called on by the Secretary of the Department of Veterans Affairs to lead the effort to reform the Southwest VA system in Arizona to correct widespread failures in service to veterans, including hidden wait lists.

During Lisa Freeman's tenure as Director of the Palo Alto VA she has managed 3 inpatient clinics, 7 outpatient clinics, 800 beds including 3 nursing homes and a 100 bed homeless shelter. A Fisher House, a Defenders Lodge and a new Mental Health building were built and dedicated under her leadership, and funds were secured for a second Fisher House to be built on the premises. Lisa Freeman's duties included overseeing one of the most complex health care systems in the country with an annual budget of over $1 billion, a capital portfolio of $2.6 billion and more than 7,000 staff and volunteers. She was also responsible for initiating and maintaining a cooperative relationship with the Stanford University School of Medicine, other local health care systems and the neighboring VA Health Care Systems. Lisa was instrumental in the creation of a new rehabilitation facility set to open in late 2016, and the joint VA/DoD facility opening in Monterey in late 2016. She also implemented a system improvement model that utilizes LEAN principles to improve the manner in which the Palo Alto VA cares for its veterans.

Lisa Freeman has served our nation's veterans with extraordinary professionalism and with the care and compassion they've earned and deserve. She is a gifted leader who has led the VA Palo Alto Health Care System with great distinction. I'm very proud to have worked with her and like all those who have had the good fortune to know her, I will miss her wise counsel, her effectiveness and her love for country and those she served.

Mr. Speaker, I ask the entire House of Representatives to join me in honoring Lisa Freeman's great work and in thanking her for her extraordinary service to our nation's veterans.

SABLATURA MIDDLE SCHOOL ADVANCES TO NATIONAL SEAPERCH CHALLENGE

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate two Sablatura Middle School teams, Aqua Tronz and Hydro Tech, for advancing to the National SeaPerch Challenge at Louisiana State University.

The U.S. Navy National SeaPerch Challenge is an underwater robotics competition. Both Sablatura teams qualified for nationals by finishing as two of the top seven overall teams at the regional competition. The teams build and operate their own remotely-operated vehicles that function underwater and are designed to complete an obstacle course. The SeaPerch Challenge competition judges the students' underwater vehicles in poster and interview first, and then two underwater challenges follow. The first being an obstacle course and the second being an orbs challenge where the students move different sized balls into submerged containers. The students develop problem-solving, teamwork and technical skills through their work. Both teams are coached by Marc Smith, and we are very proud of what he and his teams of bright young students have accomplished.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to the two SeaPerch teams, Aqua Tronz and Hydro Tech. Keep up the great work.

TRIBUTE TO WINSTON THOMAS

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mr. CLYBURN. Mr. Speaker, I rise today in remembrance of Winston Thomas, a distinguished public servant in the states of South and North Carolina.

Born August 20, 1942, Winston was a native of Detroit and a graduate of its prestigious Cass Tech High school with a concentration in Electrical Engineering. He came to South Carolina to attend Benedict College in Columbia, graduating with a degree in Chemistry. He was a gifted athlete, attending Benedict on a football scholarship and also competing in basketball, baseball, and track, where he was part of a record-setting 4x200 relay team.

While Winston passed up a professional athletic career when he declined a free agent offer from the Philadelphia Eagles, sports remained his lifelong passion. He participated in three all-state softball teams, was a member of the first all-black team to play in the Columbia Softball League, and competed in the United States Softball Association State Championship. At Benedict, Winston was an athletic institution, working as an assistant basketball coach, helping to start a swim team, and creating an Athletic Hall of Fame (into which he was deservedly inducted).

Even more impressive than Winston's athletic accomplishments was his tenure in public service. His career began as a science teacher and a coach at Booker T. Washington High School. He subsequently served as Director of the Aging Program at the Columbia Urban League and as a Representative for the South Caroline Deferred Compensation Commission. From 1983 to 1988, he served as a Program Information Coordinator on the staffs of two South Carolina governors of different parties. Democrat Richard W. Riley and Republican Carroll A. Campbell. The fact that he was trusted by leaders on both sides of the aisle is a testament to his diligence and public-spiritedness.

I had the great pleasure of seeing these qualities firsthand in 1988 when he became my Executive Assistant at the South Carolina Human Affairs Commission. Winston played an instrumental role in the Commission's work, and countless South Carolinians benefited from his service there. Though he left the Commission and moved to Charlotte shortly before I left the Commission to serve in Congress, our region continued to benefit from his commitment to public service, with stints at the Urban League of Central Carolina and 100 Black Men of Greater Charlotte, which was selected as chapter of the year three times under his leadership. After leaving 100 Black Men in 2004, Winston started another career as an antique store owner, his store MAMALU, named after his mother, Lula Ballard, was recognized as a North Carolina Treasure.

Winston's love of sports and community leadership was synthesized in the Rudolph Canzater Memorial Classic, an annual golf tournament which we started over 30 years ago and renamed for our mutual friend Rudolph Canzater. That tournament is sponsored by the James E. Clyburn Research and Scholarship Foundation to raise money for college scholarships for students in South Carolina. Thousands of young people are grateful for Winston's generosity, as am I.

Mr. Speaker, I ask that you and my colleagues join me in offering condolences to Winston's daughter, Alanna Thomas of Baltimore, his cousins, Wesley Ballard and Angela Dixon of Detroit, and all of the rest of his family and many friends. He will be sorely missed, but he lives on in the countless people whose lives were improved by his selfless service and loyal friendship.

PEARLAND HIGH SCHOOL INDOOR DRUMLINE WIN STATE TITLE

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Pearland High School's indoor drumline for winning the state championship.

The Pearland High School Indoor Drumline won the Scholastic Marching A Championship in the Texas Color Guard Circuit Percussion State Championship. Notably, this is the first year since 2005 that Pearland High School has had an indoor drumline. The drumline is directed by Nicholas Guiliano.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to the Pearland High School's Indoor Drumline for winning the state championship in their first year. We look forward to hearing great things from these students and are proud of them for representing Pearland so well.

THE PASSING OF HARRY WU

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mr. SMITH of New Jersey. Mr. Speaker, it is with great sadness that I rise today to honor the passing of a deeply committed human rights activist and friend, Mr. Harry Wu. Harry is survived by his son, Harrison, and his former wife, Ching Lee. I offer my sincerest condolences to his family. Harry is also mourned today by the many friends and colleagues who will remember him as a tireless and determined advocate for freedom and justice.

Harry was born into a comfortable life in Shanghai, but this life was turned upside down when the Communist Party came to power in 1949. His father lost his job and his family's possessions were taken away. In college, Harry made the mistake of criticizing the Soviet Union, and for this mistake he suffered for 19 years in the Laogai—the system of forced labor prison camps used by the Communist Party to control the Chinese people. Harry worked to expose the horrors of the Laogai. Unfortunately, a system of arbitrary detention remains in place in China today, under different names.

During his 19 year detention, Harry endured unimaginable hardship and horror. Surviving such an ordeal is itself a testament to Harry's toughness and tenacity. Harry was driven by this hardship to spend the remainder of his life fighting for the victims of Chinese Communism, exposing its abuses to the world.

After emigrating to the United States, Harry risked his freedom on multiple trips back to China to document forced labor in China's prison camps. In 1995, Harry was caught. I remember that time well, as Ching Lee worked with me and other Members of Congress to call publicly for Harry's release. The Chinese government gave Harry a show trial and then sentenced him to exile. He was never able to go home to China again.

Harry remained undaunted by his exile. He poured his time and energy into his organization, the Laogai Research Foundation, continuing to raise awareness of forced prison labor in China. He published several books about his own ordeal. He published the Black Series, the riveting memoirs of other survivors of the Laogai labor camps. In 2008 he opened the Laogai Museum, documenting human rights abuses in China, both past and present.

Harry was also a passionate voice against China's heinous population control policy—the ''One-Child Policy'' and helped this Congress expose the abuses of forced abortions and sterilizations. Harry saw clearly that the violence used to control the vital instinct of parenthood was a great crime, and a lasting black mark on Chinese history.

Until his death, Harry continued to be the conscience of this Congress. He constantly reminded Members of Congress about the abuses heaped on the Chinese people by China's leaders and predicted that U.S. trade with China would not bring political reform—sadly history has proven him correct.

As a Catholic, he was a staunch advocate for freedom of religion, and spoke out against the persecution of Tibetan Buddhists and Uyghur Muslims in China.

Harry's work lives on today even if he is no longer here with us. Because of his work, the brutal truth about the Laogai saw the light of day. Because of Harry's commitment to the truth, the stories of survivors were not silenced, but were published for the world to see.

When China eventually becomes a free nation, Harry Wu will be lauded as a hero, because he worked so hard, and so long, for freedom and for justice.

TIRR MEMORIAL HERMANN ADULT HOTWHEELS WIN NATIONAL CHAMPIONSHIP

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate the TIRR Memorial Hermann Adult Hotwheels basketball team for winning the National Championship in the National Wheelchair Basketball Association's Division III.

The TIRR Memorial Hermann Adult Hotwheels basketball team defeated the Fort Lauderdale Sharks 60–33 to claim the title. The championship took place in Louisville, Kentucky. The Hotwheels have defeated teams from Tennessee, Indiana, North Carolina, and Florida to earn this coveted title. This is the first national championship for the team.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to the TIRR Memorial Hermann Adult Hotwheels basketball team for winning this prestigious national title. We thank the team for representing TIRR Memorial Hermann so well and for bringing this title home.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, May 24, 2016 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 25

10 a.m.

Committee on Foreign Relations

Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy

To hold hearings to examine international cybersecurity strategy, focusing on deterring foreign threats and building global cyber norms.

SD–419

Committee on Homeland Security and Governmental Affairs

Business meeting to consider S. 2834, to improve the Governmentwide management of unnecessarily duplicative Government programs and for other purposes, S. 1378, to strengthen employee cost savings suggestions programs within the Federal Government, S. 2849, to ensure the Government Accountability Office has adequate access to information, S. 2480, to amend title 5, United States Code, to protect unpaid interns in the Federal Government from workplace harassment and discrimination, S. 461, to provide for alternative financing arrangements for the provision of certain services and the construction and maintenance of infrastructure at land border ports of entry, S. 2852, to expand the Government's use and administration of data to facilitate transparency, effective governance, and innovation, H.R. 4902, to amend title 5, United States Code, to expand law enforcement availability pay to employees of U.S. Customs and Border Protection's Air and Marine Operations, S. 2465, to designate the facility of the United States Postal Service located at 15 Rochester Street in Bergen, New York, as the Barry G. Miller Post Office, S. 2891, to designate the facility of the United States Postal Service located at 525 North Broadway in Aurora, Illinois, as the ''Kenneth M. Christy Post Office Building'', H.R. 136, to designate the facility of the United States Postal Service located at 1103 USPS Building 1103 in Camp Pendleton, California, as the ''Camp Pendleton Medal of Honor Post Office'', H.R. 1132, to designate the facility of the United States Postal Service located at 1048 West Robinhood Drive in Stockton, California, as the ''W. Ronald Coale Memorial Post Office Building'', H.R. 2458, to designate the facility of the United States Postal Service located at 5351 Lapalco Boulevard in Marrero, Louisiana, as the ''Lionel R. Collins, Sr. Post Office Building'', H.R. 2928, to designate the facility of the United States Postal Service located at 201 B Street in Perryville, Arkansas, as the ''Harold George Bennett Post Office'', H.R. 3082, to designate the facility of the United States Postal Service located at 5919 Chef Menteur Highway in New Orleans, Louisiana, as the ''Daryle Holloway Post Office Building'', H.R. 3274, to designate the facility of the United States Postal Service located at 4567 Rockbridge Road in Pine Lake, Georgia, as the ''Francis Manuel Ortega Post Office'', H.R. 3601, to designate the facility of the United States Postal Service located at 7715 Post Road, North Kingstown, Rhode Island, as the ''Melvoid J. Benson Post Office Building'', H.R. 3735, to designate the facility of the United States Postal Service located at 200 Town Run Lane

in Winston Salem, North Carolina, as the ''Maya Angelou Memorial Post Office'', H.R. 3866, to designate the facility of the United States Postal Service located at 1265 Hurffville Road in Deptford Township, New Jersey, as the ''First Lieutenant Salvatore S. Corma II Post Office Building'', H.R. 4046, to designate the facility of the United States Postal Service located at 220 East Oak Street, Glenwood City, Wisconsin, as the Second Lt. Ellen Ainsworth Memorial Post Office, H.R. 4605, to designate the facility of the United States Postal Service located at 615 6th Avenue SE in Cedar Rapids, Iowa as the ''Sgt. 1st Class Terryl L. Pasker Post Office Building'', an original bill entitled, ''DHS Accountability Act of 2016'', an original bill entitled, ''Biodefense Strategy Act of 2016'', an original bill entitled, ''Disaster Management Act of 2016'', an original bill entitled, ''Office of Special Counsel Reauthorization Act of 2016'', an original bill entitled, ''GAO Mandates Revision Act of 2016'', an original bill entitled, ''District of Columbia Judicial Financial Transparency and Courts Improvement Act'', an original bill entitled, ''National Urban Search and Rescue Response System Act of 2016'', an original bill entitled, ''Grant Reform and New Transparency Act of 2016'', and an original bill entitled, ''Federal Information Systems Safeguards Act of 2016''.

SD–342

2 p.m.

Committee on Commerce, Science, and Transportation

Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard

To hold hearings to examine improvements in hurricane forecasting and the path forward.

SR–253

Commission on Security and Cooperation in Europe

To hold hearings to examine combating corruption in Bosnia and Herzegovina.

SVC–212

Joint Economic Committee

To hold hearings to examine the transformative impact of robots and automation.

SD–106

2:30 p.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine understanding the role of sanctions under the Iran Deal, focusing on Administration perspectives.

SD–538

4:30 p.m.

Committee on Foreign Relations

To receive a closed briefing on trafficking in persons, focusing on preparing the 2016 annual report.

S–116

MAY 26

9 a.m.

Committee on Foreign Relations

Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women's Issues

To hold hearings to examine cartels and the United States heroin epidemic, focusing on combating drug violence and the public health crisis.

SD–419

10 a.m.

Committee on Agriculture, Nutrition, and Forestry

To hold hearings to examine a review of the United States livestock and poultry sectors, focusing on marketplace opportunities and challenges.

SH–216

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine protecting America from the threat of ISIS.

SD–342

Committee on the Judiciary

Business meeting to consider S. 247, to amend section 349 of the Immigration and Nationality Act to deem specified activities in support of terrorism as renunciation of United States nationality, S. 356, to improve the provisions relating to the privacy of electronic communications, and S. 2944, to require adequate reporting on the Public Safety Officers' Benefit program.

SD–226

Committee on Small Business and Entrepreneurship

To hold an oversight hearing to examine the Small Business Administration's 7(a) loan guaranty program.

SR–428A

10:30 a.m.

Committee on Appropriations

Business meeting to mark up an original bill entitled, ''Department of Defense Appropriations Act, 2017'', and an original bill entitled, ''Department of Homeland Security Appropriations Act, 2017''.

SD–106

2 p.m.

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH–219

JUNE 8

10:30 a.m.

Committee on Appropriations

Subcommittee on Military Construction and Veterans Affairs, and Related Agencies

To hold hearings to examine a review of the Department of Veterans Affairs' electronic health record (VistA), progress toward interoperability with the Department of Defense's electronic health record, and plans for the future.

SD–124

2:15 p.m.

Committee on Indian Affairs

To hold an oversight hearing to examine improving interagency forest management to strengthen tribal capabilities for responding to and preventing wildfires.

SD–628

SENATE—*Tuesday, May 24, 2016*

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, our strength, we take refuge in You. Thank You for watching over us, surrounding us. Surround us on every side with Your might.

Give our lawmakers such vision of the vast sweep of Your purposes that they will be delivered from the bondage of irritating trifles. Keep them from being disturbed by life's little annoyances. Infuse them with such wisdom and serenity that no external forces will disturb the peace they have received from You. Give them an awareness of Your Divine sovereignty, without which no government can long endure.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The majority leader is recognized.

LABOR DEPARTMENT FIDUCIARY RULE

Mr. MCCONNELL. Mr. President, this administration has been on a long regulatory march for years now, and too often its regulations end up hurting the very Americans they purport to help.

Although issued in the name of greater equality, it is actually the well-off and well-connected who are best positioned to deal with these new regulatory schemes. Meanwhile, purported beneficiaries—like working and middle-class Americans—too often end up with higher costs and less access to things they actually need. We have seen it happen with ObamaCare. We have seen it happen to families and businesses that can't get a loan due to Dodd-Frank.

In the case of the so-called fiduciary rule, we are talking about a set of regulations that will reduce access to investment advice for those struggling to save for retirement. I have sincere concerns about what this could mean, not only for the ability of investment advisers to provide quality financial advice but also for the ability of consumers to seek affordable retirement options.

Today the Senate will have a chance to stand up for smaller savers and middle-class families by voting for a disapproval measure before us—a disapproval measure to overturn a set of regulations many believe will make it harder for these families to save for retirement. Some have estimated that investment fees could more than double under this regulation. What this means is that many consumers could risk losing access to quality, low-cost retirement advice, and many financial advisers may not be able to offer sound financial products that provide peace of mind to their clients.

But don't take my word for it; many Kentuckians have voiced their concerns as well. I have received thousands of pieces of correspondence from constituents who fear the potential effects of this regulation. I received one letter from Prospect, from someone with a small, independent insurance marketing company. Obviously, given the historic regulatory burden this rule places on the financial services and insurance industries, particularly on small businesses, he is concerned about the impact of this rule on his small firm, but he also worries about the impact this rule will have on the families he is helping to prepare for retirement. This is what he wrote:

This rule makes it virtually impossible for . . . independent life insurance agents to provide valuable guidance to middle-class America, and will cause irreparable harm to the citizens the rule was designed to protect.

The regulation could potentially discourage investment advisers from taking on clients with smaller accounts. These smaller accounts represent everyday Americans who are trying to plan for their future and who now could have less access to sound investment advice. The notices are coming from small savers, who are likely to hear something like ''Sorry, but due to new regulations, we will no longer be able to service your account.'' And again, if you make a lot of money, you are likely to do just fine and still have plenty of access to retirement advice, but it is the little guy who is likely to be harmed. That is why, from the moment these regulations were proposed, there were so many bipartisan concerns raised about it.

When this regulation goes into effect, too many Americans may be in danger of not receiving the financial advice they need for their retirement. One report projects the regulation could result in up to $80 billion worth of lost savings every single year.

Local chambers of commerce, small businesses, associations, and organizations joined in a letter voicing their concerns that ''this rule disproportionately disadvantages small businesses and those businesses with assets of less than $50 million, and stifles retirement savings for millions of employees by placing additional burdens on America's leading job creators, small businesses, which will likely substantially reduce retirement savings for many Americans.''

The administration has heard these protests over this regulation, but these officials don't seem to care about the harm it will cause. According to a report released by the Senate Homeland Security and Governmental Affairs chairman, the administration has ''disregarded . . . concerns and declined to implement recommendations'' from career nonpartisan staff and government officials. Not for the first time, this administration is rolling roughshod right over the concerns of too many Americans, including the people it should be working to protect, such as working families and low-income seniors.

That is why I am proud to support this disapproval resolution to block enforcement of this rule. For several years now, letter after letter from Republicans and Democrats went to the administration and the Department of Labor, urging them to rethink this rule. Unfortunately, you can sign on to all the letters in the world opposing a rule, but it all means nothing if you are not there to oppose a rule when it counts—when it comes time to vote. That time is now.

I urge my colleagues on both sides of the aisle to consider the consequences of this rule on middle-class families and our economy and join me in standing up for the middle class by voting for the resolution of disapproval.

Mr. President, I particularly want to commend the senior Senator from Georgia for taking the lead on the effort to overturn this unfortunate rule. He has been the leader on a variety of different issues that are extremely important to his State and to our country, and I commend him for his work on this matter we will be voting on later today.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

LABOR DEPARTMENT FIDUCIARY RULE

Mr. REID. Mr. President, this is a new tack here. The Republican leader appears to say—doesn't appear to say; it is what he said—that a rule would require investment advisers to act in the best interests of their investors. Is there something wrong with that? I don't see it. Imagine, Republicans want investment advisers to act in someone else's interests—namely, their own.

The reason this came to be is that investment advisers are more interested in how much they can make rather than the people who are trying to acquire some assets in their retirement age. This is widely accepted as being important. The only people who oppose it are the investment advisers who are putting money in their own pockets instead of those of the people they represent. They have a fiduciary rule which is unwritten—of course, now it will be written—that you should take your clients' interests first, and that is the way doctors have to operate, as well as lawyers and accountants. There is no reason that investment advisers shouldn't also be in a position where they are more concerned about their client rather than themselves.

NOMINATION OF MERRICK GARLAND AND THE SENATE SCHEDULE

Mr. REID. Mr. President, tomorrow is the 100th day that there has been a vacancy in the Supreme Court. To his credit, President Obama didn't rush into nominating someone; he took his time and interviewed scores of candidates recommended to him by his staff and Senators and many people around the country. So 30 days after the vacancy appeared, President Obama came forward with Merrick Garland.

If ever there were a consensus nominee, Merrick Garland is that. The head of the Judiciary Committee at the time, the senior Senator from Utah, said: He is a consensus nomination. Why doesn't the President do that?

When the President does, he is suddenly not interested—''he,'' meaning the senior Senator from Utah.

For 70 days Senate Republicans have refused to do anything to move along Merrick Garland's nomination. They will not look at Garland's questionnaire or study his record. They will not give him a hearing, and they are certainly not going to give him a vote. They are absolutely committed to blocking a vote on this good man. So that is 10 full weeks of Republicans running away from their constitutional duty to provide their advice and consent to President Obama's Supreme Court nomination.

Given Senate Republicans' light work schedule, perhaps it is no surprise that they have not found time to schedule a hearing and a vote on Merrick Garland. They are never here. News outlets are already reporting how little time the Republican Senate will spend in session this year. As one publication, Politico, said a few days ago, ''The chamber is on pace to work the fewest days in 60 years.''

This is what the Senate calendar looks like for 2016, this schedule released by the Republican leader. This is it. If you are wondering about these blocked-out days, that is when we are not in session. That doesn't include the rest of the time around here—or, I should say, barely around here. Mondays—the few Mondays that we are in—basically, nothing happens on Mondays. We get here and vote at 5:30. Fridays, we don't work. As you can see, once in a while they schedule a Friday, but we don't work on Fridays. We are so desperate to get out of here on Thursdays that votes are now scheduled at a quarter to 2—not until 2. We all have caucuses, but we can't wait to jump-start it and get out of here at a quarter until 2.

As I indicated, we see the blacked-out days. These are recess days, days when the full Senate will not be in session and, of course, not working, not voting. To say we have had a lot of recesses lately is kind of an understatement.

For example, the Republican Senate has worked just 27 days since Merrick Garland was nominated. He was nominated March 16. Remember, on Mondays we don't do much around here. Thursday afternoons, we don't. So we work Tuesdays, Wednesdays, and half a day on Thursday. That is quite a schedule. Had the Senate worked on any of these blacked-out days, we could have had a hearing for Merrick Garland, and we could have scheduled a vote. We also could have worked on any number of important issues Republicans have been ignoring.

What about this Zika virus that is such a concern to health officials around the world? In March, we worked a little bit but not much. But at least in those days, perhaps we could have done something to fund Zika but, no, still playing around with that over here. A big cheer went up when a bill was passed, an appropriations bill, and it had in it a provision for Zika. One problem: That legislation will not be approved until the fall or even the winter. Mosquitoes are now breeding. It is getting warmer. It is going to be 90 degrees in Washington, DC, on Friday. But no one on the Republican side seems to be too worried about that.

We could look again at March. We can pick any month you want, but let's try March. What about Flint, MI? Because of some manipulation by the Governor of the State and others, the people of Flint, MI, suddenly were asked to drink water from a new source. They did not know that water was tainted with heavy volumes of lead. What a shame.

I will never forget what I watched on ''PBS NewsHour.'' A mother was there crying, saying: I wanted to have my two children healthy, so they could not drink any soda pop ever. I helped poison my children because they drank the water of Flint, MI.

We could have done something about that in March, April. Look at the months. But we have done nothing. Not a single penny has gone to Flint, MI. They are using bottled water.

The opioid epidemic—there was a big cheer here: We did something on opioids. The problem is that there is no money. As we speak here today, in the hour we will take up here on the floor this morning before we get to the business of the day, in America about 20 people will die from opioid overdoses. We should be doing something about that, but we are not.

The American people have been saying that the Republicans should simply do their jobs, but, as we have seen from the schedule, it is difficult to do your job when you don't bother to show up to work. The theme for this year's Republican Senate should be ''The Republican Senate was not in session.'' That quote is from me. Remember, this is the lightest Senate work calendar in some six decades. The Republican leader has the Senate on pace for almost no work and for the most days off in 60 years.

Look at the summer vacation. I think we should be able to get in a few days of leisure during the summer vacation. What do you think? Look at it—7 weeks, including the first week in September. Seven consecutive weeks off—the longest summer recess in many decades. The population of the country has increased in 60 years but not the Senate schedule. The problems of the country have increased in 60 years but not the Senate schedule. The Republican leader didn't have to set such a light schedule. There is no archaic Senate rule that requires the world's greatest deliberative body to go dark for an entire summer. This was his choice.

Do we need all this time off in July for the conventions? I don't think so. We have so many Republicans who are saying they are not even going to the convention. They are embarrassed to be there with Trump, I guess. If they are not going to Cleveland, stay here and work.

The Senate Republicans have already wasted the last 70 days doing nothing on Merrick Garland's nomination. These days are lost. We can't go back to them. But what about the rest of the year? We have all this time to give Judge Garland a hearing and a vote, but we can't consider the nomination if we are not here. The Senate should stay in session until our work is completed.

The President said we shouldn't go home on Thursday. We shouldn't go home until we fund Zika. That is a menace the American people are facing, especially American women. We shouldn't leave town unless we fully fund the President's request of $1.9 billion. We should not take this summer off while a vacancy remains on the Supreme Court. The Republican leader should not have this body scheduled to work less than any Senate in the last 60 years while so many issues that are important to the American people go unresolved.

Mr. President, will the Chair announce what the Senate is going to do the rest of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

The Senator from Georgia.

DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF LABOR—MOTION TO PROCEED

Mr. ISAKSON. Mr. President, I move to proceed to H.J. Res. 88.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 460, H.J. Res. 88, a joint resolution disapproving the rule submitted by the Department of Labor relating to the definition of the term ''Fiduciary.''

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF LABOR

The PRESIDING OFFICER. The clerk will report the resolution.

The senior assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 88) disapproving the rule submitted by the Department of Labor relating to the definition of the term ''Fiduciary.''

The PRESIDING OFFICER. Pursuant to the provisions of the Congressional Review Act, 5 USC 801, and following, there will be up to 10 hours of debate, equally divided between those favoring and opposing the resolution.

The Senator from Georgia.

Mr. ISAKSON. Mr. President, H.J. Res. 88 is exactly the same as the resolution of disapproval I introduced in the Senate, but it has already passed the House. So today if we could take a vote and pass it, we could send it to the President, hopefully, for his signature or at least for him to express himself one way or another.

There are nine letters in the word ''fiduciary.'' There are 672 pages of definitions describing that one 9-letter word. This is a solution in search of a problem. It is bad for America, bad for our savers, and makes ''too big to fail'' even bigger in America today.

I ask unanimous consent to have printed in the RECORD a letter from 461 people of the United States of America who are opposed to this bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MAY 23, 2016.

TO THE MEMBERS OF THE UNITED STATES SENATE: The undersigned associations, chambers of commerce, organizations, and small businesses are writing to express our deep concerns regarding the U.S. Department of Labor's (DOL) final rule on the Definition of a Fiduciary. This rule disproportionately disadvantages small businesses and those businesses with assets of less than $50 million, and stifle retirement savings for millions of employees by placing additional burdens on America's leading job creators, small businesses. This will substantially reduce retirement savings for many Americans, and therefore we urge you to support S.J. Res. 33.

On April 6, 2016, the DOL issued a final rulemaking that expands what is considered fiduciary investment advice under the Employee Retirement Income Security Act (ERISA), negatively impacting small business retirement plans and savers with less than $50 million in assets. Through SEP IRAs and SIMPLE IRAs, small business owners and their employees have accumulated approximately $472 billion of retirement savings covering more than 9 million U.S. households. The DOL final rule threatens the continued success of these plans and the ability of small businesses to provide retirement security at a time when millions of Americans have reached or are approaching retirement age. Ultimately, it may even encourage additional saving losses for those who will not be able to access meaningful investment assistance.

First, the final rule makes it harder to provide retirement plans to small businesses or any business that has less than $50 million in assets (small plans). The broadened definition of investment advice includes routine communications where no intention to provide individualized fiduciary advice has been expected, such as ''sales'' communications and certain educational materials. However, despite this broad definition, the proposal carves out large plan advisors from this definition. If a fiduciary has $50 million or more in assets, the advisor to that large plan is exempt from being a fiduciary, while an advisor to a fiduciary with less than $50 million in assets, which primarily constitutes small businesses, is not.

Because an advisor to plans with less than $50 million are not carved out of the rule, the advisor who is trying to market retirement savings option to a small plan is considered to be providing investment advice and must determine how to comply with the rule. Due to these additional burdens advisors to small plans are likely to incur additional costs, which will be passed on to the plan. Further, some advisors to small plans may be incentivized to no longer offer their services to small plans if they determine that the small-scale of such plans means the expense and risk of changing business models and fee structures is not justified.

Second, advisors to small plans must either change their fee arrangement or qualify for a special rule called an ''exemption'' in order to provide services on the same terms as before. The new exemption called the ''Best Interest Contract'' incorporates many new challenging conditions and requirements that would substantially increase costs for advisors that may ultimately get passed down to small plans or small business employees.

Finally, the final rule limits investment education to IRA owners, including small business employees participating in a SEP IRA or SIMPLE IRA plan. While advisors are permitted to provide model asset allocations appropriate for IRA owners, they are not permitted to help identify specific funds or investment options that correlate to the model asset allocations. This restriction will make it more challenging for small business employees, and may ultimately deter them from saving for retirement altogether.

More complex regulations mean more hurdles and compliance costs and a greater likelihood of litigation. Main Street advisors will have to review how they do business and likely will decrease services, increase costs, or both. Under the final rule, small business SEP IRA and SIMPLE IRA arrangement will become more expensive to serve, meaning that small businesses will ultimately lose access to their advisors and disproportionately bear the costs of excessive regulation. Consequently the DOL's fiduciary rule ultimately harms the very small businesses and workers they are intended to protect. We strongly urge the Senate to take action to help preserve retirement savings for Americans.

Mr. ISAKSON. I want to read one paragraph from the letter because it says better than anything I could say what is wrong with the fiduciary rule that is proposed by the Department of Labor.

First, the final rule makes it harder to provide retirement plans to small businesses or any business that has less than $50 million in assets. . . . The broadened definition of investment advice includes routine communications where no intention to provide individualized fiduciary advice has been expected.

It exempts anybody with over $50 million in assets from being applied to the rule and includes everybody with under $50 million.

The President of the United States has said, as have so many of us on the floor of the Senate, that it is time for us to end too big to fail. Since what happened in 2008 to our people and our economy, we know that businesses get so large, they get unwieldy, and that they get so strong, sometimes the little guy can get crushed. But here is a rule that is proposed to help the little guy, and what does it do? Under the law, it exempts the big guys if they have $50 million or more in assets, but if they have $50 million or less in assets, it imposes 672 pages of new definitions of fiduciary rules.

Again, it is a solution in search of a problem that does not exist.

It also has a broad number of restrictions on IRA investment advice that investment adviser can give to an IRA saver. We know there are a lot of people around this town, in Washington, who want to end the IRAs and put government savings accounts in charge of

everybody. This may be a part of that motivation to drive a fiduciary rule that creates more government savings accounts, more government savings programs, and fewer decisions the individual can make. The rule singles out the IRA for these new regulations that did not previously apply to them, and that is another reason this is a problem. In fact, to tell you the honest truth, what this bill does is it promotes less advice or no advice at all to a small saver and free exemption under the law to a big company managing their savings.

We need to get the American people saving money. We need to get them planning for their future. Let's think about this for a second. We have a safety net today in America. We have a safety net of housing. We have a safety net of food stamps. We have rent subsidies. We have SSI disability. We have all kinds of welfare and benefits for people who have fallen through the cracks. Every person who falls through the cracks deserves the help of this country, but every person who can save for their future and avoid becoming dependent on the government is money in the bank for us, and it is money in the bank and freedom for them.

To put more restrictions on a small saver, more restrictions on those who provide business to small savers—all we are doing is causing more people to go on the safety net of American Government benefits and less people to provide for themselves.

If ever there were one reason and one reason alone that we should disapprove this resolution, it is this: Secretary Perez proposed this in 2010 and dropped it because there was so much opposition.

They came back with this new proposal in 2016, and they propounded the rule, and the rule is now before us in this 672 pages. But the Senate can take the initiative today to join the House in rescinding this rule and recalling this rule and not letting it go into effect.

A vote to recall this rule and rescind this rule is a vote for small business, a vote for freedom, a vote for equity, and a vote for the American people. A vote to reinstate or keep this rule instated is a vote against the small guy and for the big corporate financial interests in Washington and New York City. I don't think we want to do that. I think we want Americans saving for themselves—free Americans giving good advice to citizens who invest and seeing to it that every American citizen is planning for their future.

Today I join the 461 folks who signed this letter to the Senate. I join my 41 colleagues in the Senate who joined me in sponsoring the Senate resolution. I join the majority in the House of Representatives who say this rule goes too far. And I plea with each and every Member of the Senate, when they vote today, to vote to rescind the fiduciary rule propounded by the Department of Labor. Let's send it to the President, and let's send him a message. If he wants to end too big to fail, then let's start passing laws that cause too big to fail not to get bigger and instead empower small business, the American people, and the small saver.

I urge my colleagues to vote yes in favor of the resolution of disapproval.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, after a lifetime of hard work, all seniors should have the chance to live out their golden years on firm financial footing and with peace of mind. A secure retirement is also important to strengthening our Nation's middle class and ensuring that our country works for all Americans and not just the wealthiest few, but for too long the deck has been stacked against people trying to save up for their retirement. That is especially true for far too many people seeking retirement advice. Until now, financial advisers and brokers were under no legal obligation to work in their client's best interest, and without this requirement, some financial advisers have lined their own pockets by steering clients toward complicated investments. Some have recommended that retirees make transactions that come with hidden fees and some advisers get a commission when they sell a financial product, even if it doesn't make sense for the client.

We finally have a new protection that would right that wrong. It is called the fiduciary rule, and it is pretty simple. It says: If you are going to give people advice on their retirement accounts, you should put the client's best interest in front of your own. Unfortunately, we are here because Republicans want to block that new rule from helping families, and that is just wrong. It is not fair to people all over the country who are trying to put money away for retirement.

Let's understand this new important protection and how it will help families. Many Americans are not financially prepared for retirement. Middle-class wages have been stagnant for decades, and it is getting harder and harder for people to make ends meet let alone save for their retirement. In fact, more than half of Americans have less than $10,000 in savings. Households with people between the ages of 55 and 64 only have a little more than $14,000 in their retirement savings account, and that is the group of people closest to retirement.

Today families need every dollar they save for retirement to count. When people seek out retirement investment advice, many financial advisers do the right thing and put their clients first. They hold themselves to a higher standard than what the new law currently requires, but some others do not.

Take the man who worked for 50 years as an electrical engineer for a utility company. His daughter shared his story anonymously, but I think it is an important illustration for anyone who wants to save for their retirement. The man built a retirement nest egg in stocks and savings. When he was 80 years old, he sought out advice from a financial adviser—someone he thought he could trust. That financial adviser recommended he switch his savings to more complicated investment products. Those products came with a commission, so the adviser was paid with each and every transaction. Those transactions ultimately whittled down the retiree's savings by more than two-thirds—two-thirds of his retirement savings. A few years of bad, biased advice from a financial adviser decimated 50 years of savings.

The new fiduciary rule from the Department of Labor would close the loopholes that allow brokers and financial advisers to give their clients biased advice. Advisers will now make a legally binding commitment to the families they work with. Families today have enough to worry about. Questioning the advice they get on their retirement accounts should not have to be one of them.

Unfortunately, instead of standing up for retirement savers across the country, my Republican colleagues are dead set on saving the status quo. Republicans want to roll back this new protection that would help retirees keep more of their retirement savings, and they want to make sure the Department of Labor can never again create a protection to prevent financial advisers from bilking savers out of their hard-earned money. We know what the Republicans will say to defend this outrageous position, so let me go ahead and address those issues point by point. Contrary to what my Republican colleagues will argue, this is a workable solution. The Department of Labor went to great lengths to create a deliberate process and took the feedback from consumer groups and the financial industry itself to make it easier for them to implement this new rule. Many firms and advisers are already, by the way, putting families first, so we know working in the client's best interest can work. That is No. 1.

No. 2, the Department of Labor absolutely has the authority to create this important protection for families. In 1974, Congress passed the Employee Retirement Income Security Act, and that law gives the Department of

Labor clear authority to define a fiduciary as it relates to retirement savings.

Finally, this rule will help savers regardless of how big their retirement savings account is. Some of my Republican colleagues are arguing that financial firms will cut off advice for low- and middle-income savers, but I want to remind my friends across the aisle that many firms have already figured out how to help these so-called small savers, and these firms are doing it while also adhering to the fiduciary standard. Republicans say their opposition to the rule is all about helping small savers, but I guarantee these savings are not small to these families who rely on that money in their retirement. In fact, they have the most to lose through financial advisers' hidden fees and complicated financial products with lower returns.

It is time we protect these so-called small savers from conflicted, biased advice. Over the years, millions of families have worked hard. They put their money away for retirement and have invested their savings to grow their retirement nest eggs. In short, they have tried to do everything right. Unfortunately, some financial advisers have not always done the right thing because they haven't had to, and that needs to change, but the resolution the Republicans are offering today would be a major step backward.

I urge my colleagues to reject this resolution. Instead of attacking a family's best chance of getting guaranteed, unbiased retirement advice, I hope my Republican colleagues will work with Democrats to ensure that more seniors can have a secure retirement, expand their economic security, and help our economy grow from the middle out, not from the top down.

I thank the Presiding Officer, and I yield the floor to my colleague.

The PRESIDING OFFICER. The Senator from Minnesota.

ADAM WALSH REAUTHORIZATION BILL

Ms. KLOBUCHAR. Mr. President, I come to the floor to speak in favor of the Adam Walsh Reauthorization Act, which I am pleased to say passed the Senate yesterday. I thank my colleagues Senator GRASSLEY and Senator SCHUMER for their work on this issue.

I was proud to be a cosponsor of this bipartisan legislation which reauthorizes key provisions of the Adam Walsh Child Protection and Safety Act. This bill was named for Adam Walsh, who was abducted from a Sears department store and murdered when he was just 6 years old. We need to work harder to prevent horrific crimes like this from happening again.

In this regard, Federal support is vital to State and local law enforcement efforts to make sure sex offenders can be tracked and monitored. This legislation creates a safer environment for our children by providing needed resources for those on the frontlines. In particular, this legislation assists State and local law enforcement in improving sex offender registries and information sharing and aids them in locating and apprehending sex offenders. It also authorizes resources for the U.S. Marshals to aid State and local law enforcement.

We know sex offenders are not afraid to move across State lines, and that is why it is critical to provide the resources needed to fight to keep our children safe from criminal predators and other influences that are dangerous to their safety and well-being.

As a former prosecutor, I know the importance of sex offender registries in equipping our law enforcement officers with every tool available to prevent sex crimes.

When I was county attorney for Minnesota's most populous county, I saw firsthand the pain and heartbreak caused by sexual abuse to survivors and their families. During that time, I made aggressive prosecution of those who victimize children a top priority.

I wish I could say the tragedy that befell Adam Walsh was an isolated, one-time incident, but it is still happening across the country. Just earlier this month in St. Paul, MN, a 7-year-old girl was abducted within 1 minute of being out of her father's sight. That girl was luckier than some. Police found her and arrested her alleged abductor within hours of her abduction, but still the scars of the traumatic event will haunt her for the rest of her life.

I am hopeful we can come together to prevent these horrible crimes and ensure that the Adam Walsh Reauthorization Act becomes law. Now that the Senate passed this commonsense legislation on a bipartisan basis, the House should do the same.

EXPORT-IMPORT BANK

Mr. President, I now rise to speak on another topic; that is, my strong support for the Ex-Im Bank—the Export-Import Bank. With the leadership of many in this Chamber, including Senators CANTWELL, HEITKAMP, BROWN, GRAHAM, and many others on both sides of the aisle, we have worked very hard and were able to reauthorize the Ex-Im Bank late last year.

Currently, only two of the five Ex-Im Board seats are filled, and that is not functional. As a result, the Ex-Im Board cannot approve loan guarantees and other financing tools for medium- and long-term transactions valued in excess of $10 million, and the Board cannot put the reforms in place that were an important part of the reauthorization bill. Some of my colleagues who actually voted for this bill—and some who didn't—said it should be reformed and that there should be changes. We put those reforms in place and had it reauthorized. It was the will of the Senate, Congress, and President to get it reauthorized, and it was reauthorized, but it still cannot function for any new transactions of any significant size nor can any of the reforms be put in place. Why? Because of the dysfunctional situation of only having two of the five Board seats filled.

In January, Mark McWatters was nominated to serve on the Ex-Im Board. He is qualified, and by confirming Mr. McWatters, we can give the Ex-Im Bank the quorum it needs to support American businesses that want to sell products overseas.

The Export-Import Bank Reform and Reauthorization Act of 2015, which was included in the Fixing America's Surface Transportation bill, or the FAST Act, included several changes to the existing structure of the Ex-Im Bank, including risk management policies, fraud controls, and ethics reforms, as well as promoting exports for small businesses.

Under these reforms, small business financing would be increased, electronic document systems would be modernized, the Bank's fraud controls would be reviewed, and the risk to taxpayers would be reduced. But without a quorum and Board approval, without having this additional person confirmed—the Republican nominee—the Ex-Im Bank is not able to adopt the accountability measures or update the loan limits so that American businesses have access to the financing they need to compete globally.

The governance measures in the Ex-Im Bank reauthorization strengthen the oversight of the Bank's operations and procedures. They would establish the Office of Ethics, headed by a chief ethics officer who reports directly to the Ex-Im Bank Board. They would also create a chief risk officer and a risk management committee which are designed to oversee the Bank's operations, conduct stress tests of the Bank's portfolio, monitor exposure levels and review Ex-Im Bank's default rate reports. These were all issues that were raised by those who wanted either to get rid of the Bank or greatly change the Bank—right? So we put a number of these reforms in place.

Why didn't we adopt these reforms? Because my colleagues on the other side of the aisle are not allowing a Republican nominee to get on this Board. That is the definition of dysfunction. These reforms will help the Bank function better and protect taxpayer resources, which is what my colleagues are wanting to do to protect taxpayer resources, but yet we cannot put the reforms in place.

The Ex-Im reauthorization also modified certain loan terms and increased the threshold for midterm and long-term financing and for small business working capital loans and guarantees. The increased financing amounts will help U.S. businesses access international markets.

When our companies are competing against overseas companies for contracts, they need the Ex-Im Bank. In 2015, the Ex-Im Bank provided support for $17 billion in U.S. exports—not million, but $17 billion in U.S. exports. That is a lot of jobs. That means $17 billion of products from our country, made in the United States and made by American workers.

It sounds like a lot. The cap that we have in place now is $135 billion for total outstanding financing. But a recent article in the Financial Times shows that the China Development Bank and the Export-Import Bank of China combined had an estimated $684 billion in total development financing. We are out there at $17 billion with a cap of $135 billion.

We need to make Ex-Im fully functioning so that it can approve all deals just like its counterpart in China, just like our counterparts in other developed nations. We also want to put these important reforms in place that many of our friends on the other side of the aisle want to see in place. If we don't, countries like China are going to eat our lunch.

It is not just China. There are 85 credit export agencies in over 60 other countries, including all major exporting countries. Our companies are competing against foreign businesses that are backed by their own countries' credit export programs and often receive other government subsidies. Why would we want to make it harder for our own companies—American companies—to create jobs right here at home? That is what we are doing.

We, the Congress, and certainly the President realized that we needed to reauthorize the Bank. But now we are not able to function and to put on simply one more Board member, and we don't have a quorum to make decisions. That Board member is a Republican nominee. If we want a level playing field for our businesses, we need to have our Export-Import Bank open and running.

This is about jobs. In 2015, the Ex-Im Bank provided $17 billion in financing that supported 109,000 U.S. jobs. This is despite the fact that the charter lapsed between July and December of last year, meaning that they literally could only do their work for half the year.

We need to make sure that the Ex-Im Bank is able to make small businesses and American businesses grow and reach markets all over the world.

The Ex-Im Bank offers loans, loan guarantees, and export credit insurance. Increased accountability and oversight are needed to make sure these programs are strong.

Since we reauthorized the Ex-Im Bank, 649 transactions worth $1.8 billion have been approved, supporting hundreds of U.S. small businesses. These small business owners, such as the many I have met with in Minnesota, told me that the Ex-Im Bank is essential for their ability to access new and emerging markets all over the world.

Balzer is an example of an agricultural equipment manufacturer with 75 employees and based in Mountain Lake, MN, a town of 2,000 people. They now export 15 percent of the total sales with the help of the Ex-Im Bank. Over the past 5 years Ex-Im financing has supported $1.7 million in exports. But guess what. What if Balzer got bigger and became a medium-size company wanting to do something over $10 million. What if they wanted to do something new and get a new bigger loan, but they can't get it approved because we only have two of the five members on the Ex-Im Bank Board. So we cannot get the new financing approved. Do we think they are doing that in China? Do we think they are doing that in any other developed nation where they say: Well, we are just going to have two of the five people on this Board to do some of the work with some of the smaller companies, which are important, but we are not going to be able to do anything when they are competing for a major contract. That is what we are doing right now.

Take Ralco, a small animal feed manufacturer in Marshall, a town of 13,500. Ralco is a third-generation family business that just celebrated its 45th anniversary. Ralco exports to over 20 countries. Over the last 5 years, Ex-Im has provided financing that supports nearly $11.7 million in exports for Ralco. If that was just in one contract that was over $10 million in new financing, they wouldn't be able to get it approved because of the fact that the Banking Committee and this Congress has decided to stall out and approve the Ex-Im Bank but cut off its ability for any major new financing. That is what is happening right now.

How about Superior Industries in Morris, MN? Superior manufactures bulk-material processing and handling systems. There are 5,000 people in this town, and 500 people in Morris work at that company. That is 10 percent of the population. Ex-Im has provided financing that supports nearly $3.1 million in exports for Superior over the last 5 years.

The list goes on. These are not large corporations. These are family businesses and smaller companies that are essential to the economic well-being of the towns and counties. The Ex-Im Bank helps these small businesses from all over my State compete and export globally. These are success stories, and we need more of them.

These are the stories we are hearing from every State. These are the stories we want to hear—not the stories that we are now hearing about companies that are closing down operations or that are laying off employees because they are not able to access the new financing they need to make major deals. They are going to foreign companies whose countries have the foresight and have their act together in their governments or in their congresses so they don't leave three of five positions open on their financing authority boards.

Ex-Im has many transactions waiting for Board approval. There are about $10 billion of deals waiting in this pipeline. So when my colleagues talk about creating jobs, there are $10 billion in private deals in the pipeline simply waiting to have one Board member confirmed so that we can get this done.

The Ex-Im Bank reauthorization passed with broad bipartisan support. We need to confirm J. Mark McWatters and put in place these important reforms to start approving transactions so our businesses can export to the world.

Usually, people sometimes stall on a confirmation because someone is viewed as too extreme or there is some problem with their record. This is a Republican nominee to fill a Republican slot on the Board. We need to get this done. Our workers, our businesses, and our country are counting on us to get this done.

I ask my colleagues to urge the Banking Committee to get this nominee through or somehow through some other procedural genius way bring this to the floor so that we can get this done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, the Congressional Review Act resolution of disapproval is about protecting the right of ordinary Americans to retire. That is what this is about.

We are trying to stop the Labor Department's so-called fiduciary rule, which will restrict access to basic retirement planning advice for all but the wealthiest Americans and will force ordinary Americans to go it alone and to try to make the best guess they can about how to manage their money for retirement. Here is how. The administration's new rule updates the rules and requirements for retirement advisers, now requiring them to act as ''fiduciaries.'' That, like many of the administration's rules, sounds good and sounds helpful, but in practice it is going to cause great harm.

The administration has created new legal liability, and that liability is so risky that advisers will only take on that liability and risk if they are advising individuals with big assets, so that the potential return outweighs the risk. In other words, good retirement advice will be available only to the rich under this rule.

We know this because a similar rule was implemented in the United Kingdom in 2013. The result was that people with smaller savings accounts lost access to retirement advice. Many firms

quit providing face-to-face advice for small accounts. A quarter of all small firms were forced to close shop altogether. The United Kingdom's four largest banks have all raised the minimum levels of assets for clients to receive advice—$80,000 at one bank, $160,000 at another, $355,000 at a third, and $800,000 at a fourth—due to the new rules. So to access retirement accounts at the United Kingdom's biggest banks, you have to have at least $80,000 in your account.

So what would that look like here in the United States? Well, 77 percent of 401(k) balances in the United States are below $80,000, the lowest threshold, and 99.2 percent of the 401(k) balances in the United States are below the $800,000 threshold. So if the banks of the United States respond like the United Kingdom's banks did to this rule, we might find that less than 1 percent of Americans will be rich enough to receive retirement advice at one of our Nation's largest banks.

We should call this ''Only the Rich Retire'' rule.

Americans with smaller retirement savings or Americans who are just getting started saving for retirement are at the greatest risk for losing access to affordable retirement advice. Unless you have at least $80,000, you may not be able to get advice. Your small amount may not be worth the liability to the adviser. This will force middle- and low-income Americans to invest on their own without advice. This means they may not save at all or may make poor decisions at critical times like market downturns. Younger Americans, minorities, and women are the most likely to be hurt. Ninety-five percent of Americans between the ages of 25 and 34 with 401(k) plans have balances under $80,000. Seventy-five percent of Black households and 80 percent of Latino households age 25 to 64 have less than $10,000 in retirement savings, compared with 50 percent of White households. The median IRA balance is $25,969 for American women compared to $81,700 for men. Even left-leaning economists estimate that this rule would cost middle-class Americans as much as $80 billion in lost savings.

The late Chet Atkins, the prominent guitarist from Nashville, said: ''In life you have to be mighty careful where you aim because you are likely to get there.'' Well, retirement is all about planning. If you don't know how to plan, it is going to be pretty hard to retire. In Chet Atkins' terms, if you are not able to make a plan, it is hard to retire.

Retirement planning is complicated. Our tax system is a mess. Most working Americans don't have time to learn about all the financial vehicles available for them to save and to understand exactly what steps they must take to have enough money to enjoy life when they end their careers. This rule comes at a time when many Americans are beginning to save money again after surviving the worst recession since the Great Depression and the slowest recovery since the Great Depression. This rule is allegedly to protect individuals from misleading investment advice, but in practice the new rule will make retirement planning unaffordable for lower to middle-income Americans whose accounts are not valuable enough for advisers to take on the new legal liability created by this rule.

One of the most radical and out-of-touch aspects of the Obama administration's agenda has been its labor policies. Take the overtime rule. At colleges, this rule could force students to pay more tuition. One Tennessee college estimates $850 more per student. The President is running around talking about keeping college costs down. Why is it that this administration is coming out with a rule that would raise tuition $850 per student?

At workplaces, this overtime rule could result in workers having their hours and benefits cut, fewer opportunities for advancement, less flexibility, and less control over their work arrangements.

Then there is the joint employer decision. Through this National Labor Relations Board decision, the administration is trying to steal the American dream from owners of the Nation's 780,000 franchise businesses and from millions of contractors by destroying the franchise model that has helped so many Americans go from cashier to business owner.

Then there is ObamaCare. The health care law defines full-time work as only 30 hours. That really sounds more like France than the United States. It has forced employers to cut their workers' hours or reduce hiring altogether in order to escape ObamaCare's mandate and its unaffordable penalties.

Then there are micro-unions. This National Labor Relations Board decision will allow collective bargaining units made up of subsets of employees within the same company. It will divide workplaces. It will make it harder and more expensive for employers to manage their workplace and do business.

The U.S. Chamber of Commerce noted recently:

> ''The overtime regulation joins the recently finalized fiduciary rule which will reduce the ability of small business to provide retirement benefits; the EEOC's proposed revised EEO–1 form that will explode the burden on employers for reporting compensation by micro-demographics; OSHA's just-released injury reporting regulation that will result in sensitive employer data being posted on the Internet for use by unions and trial lawyers; and the Department of Labor's recently issued 'persuader' regulation that is intended to chill the ability of employers to retain competent labor counsel during union organizing campaigns.''

This retirement rule is only the most recent in a series of actions that make it much harder for employers to add jobs and much harder for workers to climb the economic ladder of opportunity.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FLAKE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak as in morning business for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

MOSAIC LIFE CARE INVESTIGATION

Mr. GRASSLEY. Mr. President, I wish to address an important investigation that has produced significant results for low-income people and that the Republican majority in the Senate helped bring about.

In late December 2014, news reports indicated that a nonprofit hospital chain in Missouri and Kansas, Mosaic Life Care, had been aggressively suing low-income patients. These news reports further indicated that many of these patients qualified for financial assistance and were wrongly placed in collection.

Let me be clear. Nonprofit hospitals should not be in the business of aggressively suing their patients. As recipients of a tax-exempt status, these hospitals have a heightened duty to assist patients in qualifying for financial assistance. That means these hospitals must implement a financial-assistance policy where low-income persons receive free- or reduced-cost care. Further, these types of hospitals must assist low-income persons in ensuring that the proper paperwork for government assistance or private insurance is properly filed. In essence, because of the favorable tax treatment these hospitals receive, they have a duty to help our Nation's most vulnerable.

For these reasons, I began my investigation into Mosaic to determine what, if anything, went wrong. On January 16 of last year, I sent a letter to Mosaic to begin my inquiry. Over the past year, my staff has met with Mosaic representatives, exchanged numerous emails, and had many phone calls to get a better idea of the process at issue. It became clear that Mosaic was lacking the right number of personnel to manage financial assistance intake.

Common sense tells me that when anyone visits a hospital, it is often a scary event under any condition. When we go to hospitals, it is generally because something has gone wrong. In that moment of need, we put our lives in the hands of professionals to help us get healthy. In those moments of pain and fear, we put our trust in medical

professionals to give us the right care. In other words, we place our trust in the hospital to have hired the right people. And, as normally happens, after treatment is provided, here comes the bill.

Again, common sense tells me nothing in life is free. Someone, not always the patient, will always have to pay the bill. It is common sense; there is no free lunch. But when it involves low-income persons and a nonprofit charity hospital has provided the treatment, that hospital should provide some type of financial assistance or help to get financial assistance if it is available. That obligation exists simply because of the tax-exempt status.

If you want that status of tax exemption, you are supposed to help those who are less fortunate. So when that bill comes, the hospital must ensure that it has people in place to assist the patient in filing for financial assistance if it is available. If the patient doesn't have any coverage, but his or her income is so low that they qualify for free- or reduced-cost care, the hospital should ensure that patients know help is available.

It is common sense. Employees should explain the process and patients' rights. Tax-exempt hospitals cannot be in business to profit from poor people who may not know what form to file. That is not what Congress intended to happen when we created the tax exemption.

During the course of my investigation into Mosaic, I made clear that they must have adequate personnel. In response to my overtures, Mosaic has hired seven resource advocates to assist with Medicaid, supplemental assistance, and Social Security disability applications. Two additional financial counselors were reassigned to focus solely on assisting patients navigate the financial assistance process. Importantly, Mosaic will hire an additional financial counselor dedicated to its outpatient clinic. Finally, five patient financial service representatives have been assigned with the duty of ensuring the timely processing of financial assistance applications.

These are very important as well as productive steps to take. It just makes sense for a charitable health care institution to help its low-income patients rather than sending debt collectors after them and suing them. It is common sense. You cannot get blood out of a turnip.

Further, during the course of my investigation, I made clear that charging interest on accounts prior to final judgment would further burden the poor. Nonprofits need to take steps to reduce debt burdens, not increase that debt.

In response, Mosaic will no longer charge interest on accounts until a final court judgment. Further, to provide even more opportunity for patients to receive financial assistance, Mosaic has extended its four-statement bill cycle to six. That will allow more opportunities for patients to receive notice of their ability to receive financial assistance. These steps will help patients in the long run.

Again, common sense tells me it is important, and it is important to note that there is a certain amount of self-responsibility to be accepted when someone incurs a bill for services rendered. But that doesn't mean hospitals shouldn't lend a helping hand. Just look at any Medicare and/or health insurance bill that you get. You know then how intimidating that document can be.

The changes I just mentioned are not the end of this, however. I wish to note a much more profound result. I repeatedly urged Mosaic to look at low-income patients already in the collection system or the court system. Over the course of several months, I urged them to consider forgiving their debt when it was obvious that people didn't have the income to pay.

In response, Mosaic instituted a 3-month debt-forgiveness period running from October 1, 2015, to December 31, 2015. Importantly, during this forgiveness period, Mosaic lowered the threshold by which a patient could qualify for financial assistance. When a patient was already in collection or already subject to a court judgment, they could apply for debt forgiveness.

Mosaic recently informed me of the results of their change of policy. The debt forgiveness program resulted in 5,542 financial assistance applications, of which 5,070 were approved. A total of $16.9 million in debt, interest, and legal fees were forgiven. Over 5,000 people no longer have to worry about their debt burden; 5,000 people are free from the vice grip of almost $17 million.

Medical debt is vicious. It is a mental and emotional drain that can bring the strongest among us to our knees. For some patients, they will never be able to pay off their debt.

Mosaic eventually did the right thing. It deserves credit for that. Considering where I started in this investigation, it probably shocks Mosaic that I would compliment them. But I speak from the heart that when they make these changes, they ought to be complimented.

Now, thousands of people have a new lease on life, thanks to Mosaic's meeting nonprofit tax-exempt responsibilities. That is where we are coming from. If it hadn't been for the tax exemption and accepting the responsibilities of tax exemption, there would be no way we could complain about Mosaic.

I wish to point out a lesson to all 535 Members of Congress. That is why oversight is so important. That is why I take my responsibilities as chairman of the Judiciary Committee so seriously. Results matter.

Mr. President, I ask unanimous consent that all time spent in quorum calls be charged equally to both sides during debate in relation to H.J. Res. 88.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. GRASSLEY. I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Mr. President, I rise today to join my colleagues in supporting the conflict-of-interest rule that was recently finalized by the Department of Labor. This is a fair and balanced rule that protects our Nation's retirees and savers. In fact, it is a rule that makes sure that in the midst of a retirement crisis in this country, where people are having a harder and harder time making sure that after working a lifetime they have the money they need to retire—it is bringing common sense back to that process.

I firmly believe that the conflict-of-interest rule should not be a partisan issue. That is because this rule comes down to those fundamental ideas that really know no party bounds. Again, the idea for me is about honor and common sense.

By honor, I mean the idea that we are a country that believes every American deserves a fair opportunity to succeed. Fairness is at the core of our Nation's ideals—this idea that we are all bound to do what we can to identify and change systems that stack the deck against hard-working families that play by the rules.

This body and its history have done so much to level the playing field and make sure that we have a free market and a fair market. It is because we as a nation value dignity and stand against those who seek to exploit or take advantage of others. In fact, we understand that we have an obligation to our country men and women. We have an obligation to each other to ensure that there is a level playing field that no one can take advantage of or exploit.

We participate in, abide by, and are meant to benefit from this social contract and understand that a social contract and a vibrant economy are not mutually exclusive. Actually, they reinforce one another.

These principles make America exceptional. They empower and embolden our free-market economy. They generate strength and security for more families. They ensure abundance and allow us to strive for ideals of life, liberty, and the ability to pursue happiness. So I believe we are honor bound to uphold these principles, to ensure fairness and opportunity for all. We also must understand that fairness is a key ingredient in broad-based economic growth and strength.

When I talk about common sense, I mean people have a reasonable expectation, in a free market, to be treated

fairly and justly, especially in those areas that are most critical to their lives. It is rational, therefore, and just common sense, for us to insist that when we are treated by a doctor, that the doctor is going to place the interest of our health over their own financial interests. It is understandable that when we go to see a doctor, what is paramount is what is in our best interest. It is also understandable that we have that standard when it comes to the law; and, when we seek legal counsel, we are right to expect our lawyers to act in our best interest. That is the standard for doctors and for lawyers, for our health and well-being and for those legal decisions that will affect our lives profoundly.

When we seek advice on an issue as serious as our health, our livelihoods, and our finances, we expect to be treated with the highest standards of care, and those professionals—those lawyers or doctors—shouldn't in any way be inhibited in their ability to make a livelihood. Indeed, in many cases, they should flourish.

While the vast majority in the financial industry are strong advisers who put the interests of their clients first, the challenge we have right now is that unlike doctors and lawyers, those financial advisers are not required to put the interest of their clients at the high level of a fiduciary standard. As a result of not having that same high standard of care as doctors and lawyers, there are some within that industry who actually take advantage of families trying to plan for their retirement.

A large money market manager recently said: ''As active equity managers we have all been on the hook lately to justify our value proposition. And we should be, since the facts clearly show that as an industry, we have not consistently provided the performance that investors deserve.''

Here are folks who have incredible financial knowledge, sophistication, and acumen talking to everyday Americans and putting forth this idea that they are going to help them retire with security, but they have no obligation to do what is in their best interest, to uphold the highest standard of care. That is problematic, and industry leaders understand that. They understand we cannot allow space for those who might seek to exploit families, struggling to retire, for their own financial interest.

It is this idea that is at the root of the conflict-of-interest rule—the idea that hard-working Americans saving for retirement deserve to be treated with fairness, with honor, and with a mutual obligation Americans should have toward each other, so that if they seek advice from a financial adviser, they deserve to get advice that prioritizes their needs above all others. This is about fairness. This is about common sense.

I was proud to stand with the Secretary of Labor, Secretary Perez, and my colleagues Senator WARREN and Senator MURRAY when this final rule was announced. I am proud that prior to that, the rule went through a very lengthy and diligent process that allowed for robust feedback from all types of stakeholders. Throughout the rulemaking process, the Department of Labor demonstrated patience and inclusiveness of all perspectives, and, most of all, an unyielding commitment to protecting our Nation's workers and retirees—protecting the bedrock of our country and the very idea of the middle class; that if you work hard and play by the rules, you can retire with security and dignity.

The result of all the work of the Department of Labor and their commitment to this ideal is a fair and balanced rule based on the ideas of common sense and honor. The fact is, for so many Americans, it could not come at a more important time. In fact, it could not come at a more urgent time. We have a retirement crisis in our country. So many people are working harder and harder but are finding themselves with more month at the end of their money than money at the end of their month.

Many people are finding it harder and harder to save for retirement. In fact, right now one in three aren't saving for retirement. The Federal Reserve found that a whopping 47 percent of Americans don't have the savings to even cover a $400 emergency expense. Since the financial crisis, retirement readiness for the average American has actually decreased.

Families are seeing greater challenges now in securing their own future. They are seeing greater difficulties securing the American dream of being able to work hard, play by the rules, and retire with dignity and security. I know this personally, and my office does because we hear from constituents all the time about their real stories, not just of the difficulties of planning for retirement but in dealing with a financial industry that often takes advantage of their clients.

Last year I heard from one of my constituents in Lakewood who wrote to tell me about his mother. After losing her husband, she went to seek advice from a financial adviser to help her sort out her finances and plan for her retirement. She put her trust and her livelihood in the hands of this adviser, but the conflicted advice she received ended up costing her tens of thousands of dollars.

Saving for retirement is stressful. At kitchen tables in every town, every city across the country, families are struggling to figure out how best to save for retirement, and here was an adviser who provided conflicted advice, costing my resident in Lakewood tens of thousands of dollars because they trusted and relied on the fact that the advice the financial retirement adviser was giving them was in their best interest. This is wrong, and it is unfair.

Especially for those Americans who don't have much to begin with, the way they manage their retirement savings means so much. Huge gulfs continue to persist in retirement savings between men and women, the poor and the wealthy, and minority families and their White peers. This is a problem for all Americans, from all different backgrounds. It is a crisis in our country.

For so many Americans, in regard to this rule, there is so much at stake. Good advice from a retirement adviser can make a world of difference. In fact, it can be the difference between security and financial crisis. It can be the difference between retiring with ease versus retiring with stress and dependence. That is why the advice of a trusted retirement professional is so important.

There are many good actors in this space who know that increased transparency, increased accountability, and the idea of profitability don't need to be mutually exclusive. In fact, there are people making extraordinary livings in this space by doing the right thing for their clients. Honest, hard-working brokers know that updating the standards expected of retirement advisers is common sense, fair, and it actually helps America as a whole become stronger.

That is why industry leaders are already making changes to prepare for this rule's implementation and why the CEO of a major money management firm recently implored his industry colleagues by saying: Let's not lose sight of why clients engage us in the first place: to help them save the money they need to buy a house, send their kids to college, retire comfortably and meet any other long-term financial goals they have.

This CEO is 100 percent right, and I am happy many companies are beginning to ensure their retirement plans make the most of their employees' savings. According to a recent Wall Street Journal report, the administrative cost of retirement plans fell to their lowest level in a decade in 2015 and with this rule, they will continue to fall.

The needle is moving in the right direction. To attempt to block this rule now would be a step backward, and it would send a message to hard-working Americans and retirees that they simply don't matter enough to this body; that this body cares more about special interests than hard-working families. It cares more about financial advisers on Wall Street and their ability to exploit middle-class Americans than it does those middle-class Americans who believe in the American dream that is being put at risk. To not support this rule would be to roll back what we all know; that we can create a win-win

and a fair economy that doesn't exploit people who are vulnerable but uplifts them, where both financial adviser and middle-class retirees can have success. I know men and women in our country—and many who serve here—who know and understand the challenges of planning for retirement.

Look, on the day this rule was announced earlier this year, I understood some people would try to fight this, and I turned to the folks listening and said: Look, this fight is not over. We are going to have to continue. Let us as a nation fight for what is right, not for the special interests of the wealthy few. Let's not allow people to feast upon the retirement savings from the hard work of others, but let's fight to affirm the middle-class dream in America. Let's fight to make sure we are doing right by folks. Let's create a level playing field.

This is a fight for people like the constituent of mine who not only lost her husband but too much of her savings and now is trying to pick up the pieces. This fight is not over for hard-working families across this country who are diligently saving for retirement and for whom these hidden fees, unfortunately, threaten to undermine decades of hard work. These hidden fees are insidious. These hidden fees allow some advisers to exploit people for their own enrichment. These hidden fees are un-American.

We must continue to make sure those hard-working advisers who provide exemplary levels of service, who prioritize their clients' interests, are the ones being elevated in this fairer system and not being maligned by those few bad actors who feast upon the savings of other people.

This fight has to be about what it means to be an American. That is what this body did when it passed the Employee Retirement Income Security Act 40 years ago. We believed in the idea that America is a place where if you work hard and you play by the rules, you can retire with dignity and don't have to worry that your doctor or your lawyer or your financial adviser will exploit you and thrust you into insecurity or worse.

This is what we must do in this body now. In the spirit of past actions, we must put the interest of our middle-class constituents first, plain and simple. This rule is fair. This rule is balanced. This rule helps our free market economy. This rule ensures that the highest standard will be applied to something as precious and fundamental as our retirement savings. It preserves honor in this business. It preserves honor for America. The needle has already moved forward. We cannot afford to go back.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Republican whip.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. CORNYN. Mr. President, we will be voting on something known around here as the fiduciary rule, which the Senator from New Jersey just spoke on, and later we will be voting on inspection of catfish.

Now, people might wonder, as significant as those two issues are, why we are not dealing with the Defense authorization bill that Senator MCCAIN has been pressing our Democratic friends to allow us to get started with. For my money, there is simply nothing more important for the Congress to do than to make sure our men and women in uniform have the support and the resources and the training they need in order to fight our Nation's fights and win our Nation's wars. But because of the objection of the Democratic leader yesterday, here we are.

I have to say to my friend, the Senator from New Jersey, talking in support of this fiduciary rule that was created by Dodd-Frank, to me, this just exemplifies this paternalism which has typified this administration when dealing with the economy. They don't actually believe consumers know how to make good choices for themselves, so they are going to force a Federal regulation and rule and a one-size-fits-all standard on the financial services industry.

I have to say that I don't think it is any coincidence that our economy grew at one half of 1 percent last quarter. That is pathetic economic growth, and it is simply not fast enough for our economy to create jobs in order to allow people to work full time instead of part time and for those who have left the labor force to join the labor force and to provide for their families and pursue their dreams. But it is unfortunately typical of the regulatory approach of the Obama administration, which I think helps strangle the economy and economic recovery.

Economists and many people much more knowledgeable than I have said that after the 2008 fiscal crisis, we should have seen a bounce, a V-shaped bounce. We hit bottom; we should have bounced back up. Unfortunately, we have been at a very flat recovery—if you can call it much of a recovery—since 2008, primarily because people are in doubt whether their plans for small business, medium-sized business, or large business, for that matter, will be put in political peril because of the uncertainty of the regulatory approach of the Obama administration. That is why we need to disapprove this fiduciary rule and to get the government out of the way, particularly when it comes to people who choose their own financial advisers. It is just another example of the wet blanket the regulatory approach of the Obama administration has been on the economy in general—just one small example.

As I said at the outset, we should be talking about the national defense authorization bill, which passed out of the Armed Services Committee with overwhelming bipartisan support. Only three members of the Armed Services Committee voted against it. But rather than be debating that, here we are.

We should be talking about and voting on the Defense authorization bill because of obviously how important it is to our country's safety and security. As I mentioned, it provides our military the funding and authorities they need in order to protect and defend us, and it ensures that our warfighters are equipped for success on the battlefield.

The President's senior adviser, Ms. Valerie Jarrett, claimed recently that President Obama had ended two wars and that this was part of his legacy. I am wondering which wars she was referring to because, frankly, the world is on fire. The Director of National Intelligence, James Clapper, has said that never in his long career—and I think it goes back 50 years or more—in the intelligence community has he seen a more diverse and a more threatening environment. We know we have conventional threats like a newly emboldened Vladimir Putin threatening Europe and the NATO alliance there. Then we have terrorist groups like ISIS, the Islamic State, which has morphed from Al Qaeda—the radical religious ideology which has told them that in the name of their religion, they can murder innocent men, women, and children.

A few weeks ago I had the chance to travel with some of my colleagues from the House side to visit some of our troops stationed in the Middle East. It was obviously an honor to visit with those serving our country so selflessly in remote parts of the world, where they are separated from their families and putting service to country above self. We had a chance to visit the U.S. Navy's Fifth Fleet in Bahrain and the Multinational Force & Observers, the MFO, an international peacekeeping group at the North Camp in the Sinai Peninsula. Quite a few members of the Texas National Guard served there until they ended their tour just recently. In meeting with those folks on the ground and learning more about the situation, one thing is clear: The Middle East continues to be a region racked by instability and violence at every turn.

I have previously spoken about how the imprudent drawdown of U.S. troops in Iraq without getting a status of forces agreement, which would have allowed a larger U.S. presence there, much as we had after the war in Germany, in Japan, and elsewhere, where we frankly have seen thriving economies and stable countries spring up after the wake of terrible wars—unfortunately, President Obama did not see that as a priority. And because of the precipitous drawdown in Iraq, a power vacuum was left.

If there is one thing we should have learned on 9/11, it is that power vacuums are breeding grounds for terrorists, and that is as true today as it was back then.

So now the Islamic State—the latest iteration of Islamic extremism—has carved out a safe haven in Iraq and Syria, virtually wiping off the map the border between those two countries, and it continues to grow in north Africa and the Middle East. The terrorist group's influence in the region couldn't be clearer.

As I mentioned, on the Sinai Peninsula, I had a chance to visit with some of our soldiers about the threats they face from ISIS-affiliated groups every day, including the use of improvised explosive devices by some of the groups who have now pledged allegiance to the Islamic State.

Back in March, it was reported that an ISIS-linked group killed more than a dozen of Egypt's security forces in the Sinai, and unfortunately that carnage continues.

There is no doubt that ISIS is continuing to work against U.S. interests and against our allies, targeting not only Egyptian forces in this instance but, at times, U.S. forces on the ground as well.

Unfortunately, ISIS has taken advantage of a power vacuum left in Libya after the President led a coalition to topple Libyan strongman Muammar Qadhafi and unfortunately created another power vacuum there which continues to this day. We would have thought we would have learned something from our experience in Iraq, but apparently President Obama did not because he had no real plan for a post-Qadhafi Libya, no plan and no strategy in place on how to move forward afterward. As I said, now Libya is a failed state and a breeding ground for ISIS.

In Tunisia, we actually had the chance to visit with the U.S. Ambassador to Libya. Unfortunately, as the Ambassador and his country team said, we haven't actually been to Libya. They are literally an embassy in exile in Tunisia but doing the best they can to try to figure a way forward in Libya.

One thing we know for sure is that Libya plays host to an increasing number of ISIS fighters. Some even estimate that the ranks of ISIS have doubled in Libya in the past year alone. Left unchecked, this ISIS safe haven in Libya, a country which is obviously strategically located across the Mediterranean from Europe, where it is pretty easy passage up into the EU, movement around the EU and then in countries—38 countries in total have visa waiver agreements with the United States, and people can travel to the United States from those countries without a visa. But this jumping-off point in Libya to Europe and then to other places is a real threat and provides another base from which ISIS can continue to terrorize and target the United States and our friends and partners.

As I mentioned, we were able to travel to Tunisia and visit with the relatively newly democratically elected President there. Tunisia touts itself as one of the rare success stories of the Arab spring—maybe the only success story—but their hold on the country is enormously fragile, primarily because the terrorist threat has killed the tourist activity that has been part of the economic lifeblood of that beautiful country right on the Mediterranean Sea in north Africa. Unfortunately, Tunisia is seeing an influx of its own citizens traveling to Libya to join ISIS, and today Tunisia remains one of the major sources of foreign fighters for this terrorist army.

After its campaign of rape and genocide against the Yazidis, Christians, and Shia Muslims, ISIS continues to expand across north Africa and the Middle East, all the while working against U.S. interests, not only in the region by inciting violence and terrorist attacks but also in Europe and in places like San Bernardino, CA.

Of course, our military serves in dangerous places all over the world, as do other people who bravely serve in a civilian capacity with our intelligence community and others. Today the threats extend all the way from an aggressive Russia, as I mentioned earlier, to NATO's doorstep, to an increasingly belligerent China in the South China Sea—a topic the President, no doubt, is discussing during his visit in Hanoi—and then there are the repeated unchecked provocations of North Korea. These are all areas marked by volatility and unpredictability.

Given these threats, given this danger, given this need, we would think there would be bipartisan support for doing our work here and actually debating and voting on the Defense authorization bill.

The bottom line is that our military men and women must be prepared for all potential contingencies, and the Defense authorization bill is our chance here in Congress to make sure they have the training and equipment to do just that.

It is pretty clear that the administration's disengagement around the world over the last 7 years has not been working, and I have been saying that for some time. But the Defense authorization bill we will move to tomorrow is an opportunity for Congress to provide for our troops to the greatest extent possible and ensure that they are ready to face all of these threats. The Defense authorization bill would authorize resources to fight ISIS and to counter Russian aggression and shore up U.S. and NATO capabilities.

As we begin this debate and discussion, let's keep at the forefront of the conversation the men and women who are out there in harm's way facing these myriad of threats, separated many times from their family and their community and their friends, and let's work in good faith to get this bipartisan bill passed as soon as we can.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WYDEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. FISCHER). Without objection, it is so ordered.

Mr. WYDEN. Madam President, last month the Department of Labor laid out new safeguards that will help middle-class savers in a rule pertaining to advice given by financial advisers. Today the Senate has taken up a resolution of disapproval that will undo that progress. I urge my colleagues to oppose it. The Senate ought to be doing everything it can to help middle-class workers save for retirement. Instead, this resolution would go in the opposite direction.

Workers from Oregon and across the Nation are facing a savings crisis. Fewer and fewer people have access to the type of simple, reliable pensions that were once commonplace. The ''Leave it to Beaver'' ideal of getting a family-wage job, working your way up in a company, and retiring with a pension and a gold watch is not the prospect in front of many American workers today.

For most Americans, the road to retirement now takes many more twists and turns. The burden of figuring out how to save, which seems to get tougher all the time, often falls directly on the workers themselves. First come the tough questions, and they come right up front: when to start saving, how much to set aside, when to retire, and how much to draw down each month. What happens if you outlive your savings? You have to study the markets, stocks and bonds, mutual funds, exchange-traded funds, index funds. You have to decide what kind of risks you can afford to take on. It is even complicated for employers who have to pick from a long list of different kinds of retirement plans: 401(k)s, SIMPLE IRAs, SEPs, employee stock ownership plans, stock bonus plans—to name just a few.

It should come as no surprise to anybody that Americans frequently turn to financial planners to help figure out these issues. It is my view that the overwhelming majority of these advisers are honest individuals who act in the best interest of their clients, but without modern protections in place, some bad actors, unfortunately, choose to push their clients toward products with higher fees and lower returns. It

could mean the loss of tens of thousands of dollars from a retirement account over a lifetime of savings.

To be clear, this is not some kind of esoteric issue that hardly anybody faces. It is a very substantial drain on middle-class savings. One estimate by the Council of Economic Advisers said that conflicts of interest in retirement advice cost Americans $17 billion every single year. That is where the Labor Department's new rule comes in. The rules pertaining to fiduciary investment advisers who act solely in the interest of their clients date back to 1975. Obviously, in the more than 40 years since then, there have been very large changes in the retirement world. Many more 401(k)s, fewer professionally managed pension funds, and many more individuals and employers—especially small employers—lean on advisers for help determining how to invest their funds.

It seems to me the law ought to be modernized to reflect those changes. The new rule seeks to lay out modern safeguards that are going to help protect middle-class savers and small business owners. What it says is that going forward, all retirement savers will be able to get advice that is in their best interest. It is a simple principle. My hope is, policymakers on both sides of the aisle will give it strong support.

It is important to recognize that the Labor Department made a number of changes based on legitimate concerns that were raised as this rule came together. For example, last summer I wrote a letter to Secretary Perez with a number of my colleagues from the Senate Finance Committee that flagged a number of issues, asking the Secretary to ensure that any final rule would work effectively. As I said—a group of us Democratic members on the Senate Finance Committee—there were a number of issues that we thought needed a bit more work.

I am pleased to see that the Secretary took many of our suggestions. For example, our Senate Finance Committee letter highlighted the importance of a smooth transition to the new rule, and the Secretary actually took steps that included an extended implementation period. Instead of finding fresh approaches to help Americans prepare for retirement, colleagues on the other side have brought forward a resolution of disapproval under the Congressional Review Act that would, in effect, block these new protections. In the 20 years since it became law, there has only been one successful disapproval resolution under the Congressional Review Act. Under no circumstances should this extreme tool be used to make it harder for middle-class Americans to get sound retirement advice.

We have a situation where the rules of the road date back for more than 40 years. The bottom line is that we ought to come together and update those rules so we can protect our small businesses, the middle class, and build a stronger ethic of saving in America. That is what this is all about.

I strongly urge my colleagues to oppose the resolution of disapproval.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IHS ACCOUNTABILITY ACT

Mr. THUNE. Madam President, if you asked Native Americans in my home State of South Dakota how they felt about the Indian Health Service, you would be hard pressed to find a positive review. Indian Health Service patients in the Great Plains area, which encompasses North Dakota, South Dakota, Nebraska, and Iowa, have been receiving substandard medical care for years. Too often, clean exam rooms appear to be a luxury for South Dakota's Native American patients. Dirty facilities and dirty, unsanitized equipment are common, and patient care is often slipshod at best.

One health service facility was in such disarray that a pregnant mother gave birth on a bathroom floor without a single medical professional nearby, which shockingly wasn't the first time this had happened at this facility. Another patient at the same facility who had suffered a severe head injury was discharged from the hospital mere hours after checking in, only to be called back later the same day once his test results arrived. The patient's condition was so serious that he was immediately flown to another facility for care.

A patient at Pine Ridge Hospital in Pine Ridge, SD, was discharged from the emergency department and died from cardiac arrest 2 hours later. An investigation by the Centers for Medicare and Medicaid Services found that the patient had failed to receive an adequate evaluation before his discharge.

The situation in South Dakota has gotten so bad that there is a real chance the Federal Government will terminate its Medicare provider agreements with—as of yesterday—three Indian Health Service facilities in my State.

Yesterday, my office was notified that yet a third IHS emergency department in the Great Plains area had been found in violation of Medicare's conditions of participation. In other words, these three emergency departments have been delivering such a poor level of care that the government isn't sure it can trust them to care for Medicare patients. The associate regional administrator for the Centers for Medicare and Medicaid Services noted that the problems at this third hospital are ''so serious that they constitute an immediate and serious threat to the health and safety of any individual who comes to your hospital to receive services.'' To describe the level of care at Indian Health Service facilities as substandard is an understatement. The government is failing in its treaty responsibility to our tribes.

I have been working on legislation to increase accountability and improve patient care at the Indian Health Service. Last week, my friend and colleague from Wyoming, who chairs the Indian Affairs Committee here in the Senate, and I introduced our bill, the IHS Accountability Act. Our bill takes a number of important steps to start the process of reforming the Indian Health Service.

First, we create an expedited procedure for firing senior leaders at the agency who aren't doing their jobs. The Indian Health Service has suffered from mismanagement problems for years. To name just one example, the Indian Health Service settled an $80 million lawsuit with unions that came about because IHS could not manage the basic administrative task of dealing with overtime pay. The money that IHS used to settle this lawsuit was, in part, from funds that should have been used for patients. Some $6.2 million alone came from money originally destined for IHS facilities in the Great Plains area.

Unfortunately, the Indian Health Service frequently responded to mismanagement by shifting staff between positions and offices instead of simply firing incompetent staff. We are not going to clean up the agency's problems that way.

If a member of the Indian Health Service's leadership is standing in the way of providing quality care to patients, then that person needs to find another line of work. The bill I drafted with my colleague from Wyoming will help make sure that happens. Our bill also streamlines the hiring process at IHS and ensures that tribes will be consulted when the agency is hiring for important positions. This will help IHS get dedicated, high-quality employees on the job faster.

Our bill also addresses the problem IHS has had in retaining quality employees. A provision in our bill gives the Secretary of the Department of Health and Human Services, which oversees the Indian Health Service, increased flexibility to reward employees for good performance and to set the kinds of salaries that will keep good employees on the job longer.

Finally, our bill directs the Government Accountability Office to review the whistleblower protections that are

currently in place at IHS and determine whether we need to add any additional layers of protection.

One of the obstacles to improving care for our tribes has been less-than-honest reporting from the Indian Health Service. Time and again we found that conditions on the ground have not matched up to information reported to Congress.

On December 4, 2015, for example, officials from the Indian Health Service stated that a majority of the concerns at the floundering Rosebud Hospital in Rosebud, SD, had been addressed or abated. Yet mere hours later, I was informed that the Rosebud Hospital emergency department was functioning so poorly that emergency patients would be diverted to other hospitals beginning the next day. As of today, it has been 171 days since that emergency department was placed on diverted status—171 days. Clearly, the issues at Rosebud had not been addressed or abated on December 4.

In 2014, I requested a status update on the Great Plains area from the then-Acting Director of the Indian Health Service. In her response, she stated: ''The Great Plains Area has shown marked improvement in all categories,'' and ''significant improvements in health care delivery and program accountability have also been demonstrated.'' Yet we continue to receive frequent reports of abysmal patient care.

I am pretty sure that sending a man home with bleeding in his brain and having a mother give birth prematurely on a bathroom floor are not signs of significant improvement. Having a realistic picture of what is going on in Indian Health Service facilities is absolutely essential if we hope to start improving the standard of care that our tribes receive, and that is why whistleblower protections are so important.

Our bill will help make sure that the system protects those who come forward to expose the problems facing patients.

I am proud of the bill that my colleague and I have introduced, and I hope the Senate will take it up in the near future. While this is an important step, it is still just the first step. I will continue to consult with the nine tribes in South Dakota and with others to see what additional steps we need to take to fix the problems at the Indian Health Service once and for all. Our tribes deserve better than what they have been receiving, and I am not going to rest until all of our tribes are getting the quality care they deserve.

AVIATION SAFETY AND SECURITY

Madam President, before I conclude, I wish to take a minute to talk about some aviation security issues that were brought into sharp relief by the recent crash of an Egyptair flight.

Last week, 66 people died when Egyptair flight 804 from Paris, France, to Cairo, Egypt, crashed into the Mediterranean Sea off the Egyptian coast. With investigators still recovering evidence, it is too soon to come to any conclusions as to the cause of this tragic accident, but with the absence of evidence indicating an obvious technical failure, U.S. and Egyptian officials have suggested terrorism as a potential cause of the crash even without a credible claim of responsibility from any group.

Given the global risk environment and previous acts of terror, investigators are focusing their attention on anyone who may have had access to the Egyptair aircraft while it was sitting on the ground, including baggage handlers, caterers, cleaners, and fuel-truck workers.

At the Senate Commerce Committee, we have been very focused on this type of aviation safety and security issue over the last year.

In December of 2015, the committee advanced legislation to address insider threats posed by airport workers and enhanced vetting of airline passengers. As the Senate took up the FAA Reauthorization Act of 2016, we engaged in a constructive and open process to consider amendments. Ultimately, the Senate adopted a number of aviation security amendments, including a security amendment that I cosponsored with Commerce Committee Ranking Member NELSON, Senator AYOTTE, and Senator CANTWELL that would strengthen security at international airports with direct flights into the United States.

The amendment added a security title to the FAA bill that included legislation marked up in the Commerce Committee, as well as other initiatives. Among other things, the amendment requires TSA to conduct a comprehensive risk assessment of all foreign last-point-of-departure airports—foreign airports with direct flights to the United States. The amendment also requires TSA to develop a security coordination enhancement plan with domestic and foreign partners, including foreign governments and airlines, and to conduct a comprehensive assessment of TSA's workforce abroad. It also authorizes TSA to help foreign partners by donating security screening equipment to foreign last-point-of-departure airports and to assist in evaluating foreign countries' air cargo security programs to prevent any shipment of nefarious materials via air cargo. These provisions are similar to those of H.R. 4698, the SAFE GATES Act of 2016, and, together with the other security provisions adopted, take concrete steps to confront the real terrorist threat that we are facing.

I believe these provisions in the FAA reauthorization bill will help make air travel from foreign countries to the United States safer and more secure. The Senate passed this legislation in April, and now it is time for the House of Representatives to act. The House of Representatives should take up our FAA bill without delay so that we can get a final bill with timely security and safety reforms onto the President's desk before the summer State work period.

Every day countless terrorists are plotting their next attack against the United States. There are measures we can take today that will help make Americans safer at home and while traveling from destinations abroad. Several of those measures are included in the FAA bill that we passed with over 90 votes in the U.S. Senate.

I call again on the House of Representatives to take up this bill so that we can continue our work to keep Americans safe.

I yield the floor.

RECESS

Mr. THUNE. Madam President, I ask unanimous consent that the Senate recess until 2:15 p.m. and that the time during the recess be charged to the proponents' side on H.J. Res. 88.

There being no objection, the Senate, at 12:32 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF LABOR—Continued

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I rise today in favor of the Congressional Review Act resolution regarding the Department of Labor's new fiduciary rule. This resolution, which provides Congress with an opportunity to express its disapproval with the administration's regulations, is important for a number of reasons.

On the substance, DOL's new rule is extremely problematic. As a number of my colleagues have already attested, the rule, on its face, would unnecessarily impose a new set of regulations under the Employment Retirement Income Security Act, or ERISA, on a greatly expanded number of people.

Under current law, brokers and dealers who provide services to retirement plans are already heavily regulated. They are not automatically considered labor law fiduciaries, and, therefore, they are not subject to the increased liability provided under ERISA. Instead, these service providers are subject to regulations issued by the Securities and Exchange Commission to protect investors from fraud and to ensure transparency.

Under the new DOL rule, virtually any broker who provides investment advice of any kind to individuals regarding their individual retirement accounts, or IRAs, will be considered a

pension plan fiduciary, subject to higher standards and greater liability.

As my colleagues have aptly noted, this rule will reduce the availability of investment advice for retirees and make the advice that is available more expensive, which will have a disproportionately negative effect on low- and middle-income retirees. Higher costs and a more burdensome system also mean more expenses for small businesses trying to sponsor retirement plans for their employees.

A 2014 study found that, as a result of these rules, many affected retirees—who, once again, are predominantly middle class or lower-income retirees—will see their lifetime retirement savings drop by between 20 and 40 percent, which will translate into a reduction of between $20 billion and $32 billion in systemwide retirement savings every year.

DOL's own analysis indicates that the rule will have a compliance cost. That is deadweight loss to the system of between $2.4 billion and $5.7 billion over the first 10 years, virtually all of which will be passed onto American retirees. I think it should go without saying that if anyone has an interest in understanding the cost of the DOL's regulations, it is the DOL itself.

All of these problems—and they are real problems—with the DOL's fiduciary rule are within the substance of the rule itself. I wish to take just a few minutes, however, to talk about the process by which the rule came into existence because it is no less problematic.

This regulation is an attempt to rewrite ERISA-prohibited transaction regulations for IRAs that have been in place since 1975. However, the prohibited transaction rules for IRAs are codified in the Internal Revenue Code which, generally speaking, would give Treasury regulatory jurisdiction over the matter.

That was the understanding in 1975 when the current regulations were first established. However, a 1978 Executive order transferred some of the Treasury's jurisdiction over prohibited transaction rules—rules generally directed at preventing self-dealing and conflicts of interest—to the Department of Labor. In other words, the rule that DOL has rewritten with this new fiduciary regulation predated the Department's grant of jurisdiction.

While this might be a little arcane and in the weeds, this distinction is important, given the reported disputes between agencies on this rule. Indeed, according to a report released by the Senate Committee on Homeland Security and Governmental Affairs, career officials at the SEC and Treasury have expressed concern over DOL's course of action with regard to this rule. They also offered suggestions for improvements, most of which were disregarded by DOL in favor of a quicker resolution to the rulemaking process. Not surprisingly, this report found that political appointees at the White House played an outsized role in the rulemaking process.

Given these procedural concerns, not to mention the substantive concerns with the rule itself, I think that at the very least we should revisit whether DOL should have jurisdiction in this area in the first place. Put simply: IRAs, which are at the heart of these regulations, are creatures of the Tax Code. They should, therefore, be governed by the agencies responsible for overseeing the implementation of the Tax Code and not by officials outside of those agencies who, far more often than not, have agendas that are geared more toward business pension plans and not tax-deferred savings accounts set up at the individual level.

Toward that end, I have drafted legislation that would restore Treasury's rulemaking authority in this area in order to ensure that the proper expertise is brought to bear on these issues and that future rules governing financial advice and marketing are, at the very least, crafted with the broader financial regulatory framework in mind.

As it is, we have a rule that appears to have been drafted by those who lack expertise about the retail investment industry in order to achieve a goal that is, to put it kindly, at odds with the purpose of that industry and the interests of the individual savers who rely on it in order to obtain a secure retirement.

I urge my colleagues to support the resolution before us as it is the best near-term vehicle we have to putting the administration in check with regard to this rule. For the long term, I am hoping we can have a reasonable discussion about DOL's role in regulating IRAs to begin with. Ultimately, if that discussion takes place, I think more and more people will realize that the Labor Department should not be responsible for crafting what is essentially tax policy.

I plan to vote yes on this resolution, and I hope that all of my colleagues will do the same.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, as Senator HATCH has mentioned, in April the Department of Labor just issued its final conflict-of-interest, or fiduciary, rule, putting in place a framework of meaningful protections for Americans saving for retirement. The rule helps families save for retirement at a time when fewer and fewer workers have traditional pensions. Today my Republican colleagues are trying to block this rule.

I join Ranking Member MURRAY of the HELP Committee and Ranking Member WYDEN of the Finance Committee—on which the Presiding Officer and I both sit—to recommend that you vote no on the joint resolution.

It is important to remember why this rule is necessary. Since the enactment of ERISA and the creation of 401(k) plans and individual retirement accounts in the 1970s, there has been a dramatic shift from traditional pension plans run by employers—that is where when you retire, there is a so-called defined benefit where you can count on a certain number of dollars a month for the rest of your life and perhaps for your spouse—to defined contribution plans that workers are left to manage themselves.

Maximizing retirement savings and avoiding high fees and costs are more critical than ever. But most American workers need advice on how to prepare for retirement and navigate these plans, which can be both complicated and, maybe more importantly, risky.

The DOL's rule—the Labor Department's rule—makes sure brokers and advisers act ''in the best interest'' of their customers and minimize the potential for conflicts of interest that could eat away at a saver's nest egg. This doesn't mean that diligent brokers and advisers have not been helping their customers, but the rule creates structural protections to make sure that is always the case.

It is that simple: Customers come first. There is no alternative to that basic principle. Whether you are visiting your doctor or going to a lawyer, your interests come first.

Following the rule proposal in 2015, the DOL reviewed hundreds of comments, held days of hearings, and issued a final rule with extensive changes that address a variety of concerns that many of us have heard. The major changes include extending the implementation period, simplifying disclosure requirements, and clarifying the difference between education and advice. The full list of changes is much longer and resulted in significant improvement. Most of the industry recognizes that and has said so. Thankfully, banks and brokers are already working on implementation. The Department of Labor is committed to helping companies figure out how to make the necessary changes and adapt to the rule.

Industry and some in Congress have called for the SEC to issue its own fiduciary rule before the Labor Department. The Wall Street reform bill required the SEC, the Securities and Exchange Commission, to consider its own rule. I urge them to move forward as well, but there is no reason for the Department of Labor to wait for the sometimes-too-slow SEC.

Congress gave retirement accounts tax-favored status and significant protections under ERISA. The Labor Department's rules build on the statutory framework under ERISA, and now the fiduciary rule reflects the reality of the modern retirement landscape. It is time to move forward to help protect this generation and future generations of American savers.

I urge my colleagues to vote no on the resolution so the implementation of this rule can continue to move forward to protect the interests of millions of hard-working Americans who are saving for retirement.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—H.R. 5243

Mrs. MURRAY. Mr. President, last week the CDC announced it is monitoring nearly 300 pregnant women in the United States and territories for possible Zika infections. That means nearly 300 families across our country are living through a true nightmare for expecting parents. They are waiting for news about whether their newborn will be safe and healthy.

Unfortunately, with almost 1,400 cases of Zika already reported, the number of expecting moms and dads in this awful position is only expected to grow. As a mother, a grandmother, and a United States Senator, I strongly believe it is our responsibility to act as quickly as possible for these families and the families who will unfortunately be impacted by the Zika virus in the weeks and months ahead.

Just to be clear, mosquito season has already started in some parts of our country, and we do not have any time to waste. In fact, we should have been able to act much sooner. President Obama's emergency funding proposal to support the Zika response has been available for everyone to see since February. Similar to many of my colleagues, I was disappointed the Republican leader refused to even consider it and that instead they came up with one excuse after another to delay, even though public health experts and researchers have made it very clear this is truly an urgent public health crisis.

Some Republicans said Zika wasn't something they were willing to give the administration a penny more for, others said they would think about more money to fight Zika but only in return for partisan spending cuts, and others spent more time thinking about how to get political cover than actually trying to address this problem, but many of us knew how important this was and we didn't give up.

So I am very glad that after a lot of pressure from women, families, Governors, and scientists, and after a lot of pushing Republicans to get serious about dealing with this emergency, many of our Republican colleagues in the Senate finally joined us at the table last week to open a path for an important step forward.

I appreciate the work of Chairman BLUNT, who joined me to get this done, as well as all the Senators on both sides of the aisle who voted for it. While Democrats didn't get the full amount we had hoped for in this compromise, I am glad the Senate was able to pass a $1.1 billion downpayment on the President's proposal as an emergency bill, without offsets.

Our agreement would accelerate the administration's work, and it would allow money to start flowing to address this crisis even as we continue fighting for more as needed. This agreement was supported by every Democrat and a little less than half of the Republicans in the Senate. So the Senate has a strong bipartisan first step ready to go.

Unfortunately, House Republicans went in a very different direction. They released an underfunded, partisan, and, in my opinion, mean-spirited bill that would provide only $622 million—less than one-third of what is needed in this emergency—without any funding for preventive health care, family planning, or outreach even to those who are at risk of getting Zika. They are still insisting that funding for this public health emergency be fully offset, and the administration should somehow siphon money away from their critical Ebola response and other essential activities in order to fund the Zika efforts. House Republicans clearly feel this health care crisis is an appropriate moment to somehow nickel-and-dime and that it is a good opportunity to prioritize Heritage Action over women and families, but if you are 1 of nearly 300 mothers the CDC is monitoring for likely Zika infection or one of the almost 1,400 people infected so far or one of the millions of expecting mothers nationwide, I bet you would like to know your government is doing everything it can now to tackle this virus. So I am continuing to call on Senate Republicans to get our bipartisan Zika agreement to the House as quickly as possible. Senate Republicans have already said they would be willing to do this if we exchange it for Affordable Health Care Act cuts, and I think they should be just as willing to do it for the sake of women and families who are at risk.

This agreement has strong bipartisan support. It can move through the House, and it can get to the President to be signed into law so our researchers, our scientists, and those in the field can get to work. This Republican-controlled Congress has already waited far too long to act on Zika. We should not wait any longer.

Mr. President, I ask unanimous consent that when the Senate receives from the House H.R. 5243, that all after the enacting clause be stricken; that the Blunt-Murray substitute amendment to provide $1.1 billion in funding to enhance the Federal response and preparedness with respect to the Zika virus be agreed to; that there be up to 1 hour of debate, equally divided between the two leaders or their designees; that upon the use or yielding back of time, the bill, as amended, be read a third time, and the Senate vote on passage of the bill, as amended, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senate majority whip.

Mr. CORNYN. Mr. President, reserving the right to object.

I wish our Democratic colleagues would spend as much time working with us to try to solve problems as they do engaged in political theater and posturing.

Mrs. MURRAY, the Senator from Washington, has done good work working with the chairman of the Appropriations subcommittee, Senator BLUNT, in coming up with a piece of legislation that funds the Zika response at $1.1 billion. That legislation has already passed the Senate. What remains to be done is the House and the Senate need to come together in a conference committee—which is the typical way where differences of approach are reconciled—to come up with a responsible piece of legislation.

In the meantime, I am glad the President has taken up our suggestion initially that until this can happen, they reprogram money—$589 million—from the Ebola response that had not yet been expended and transfer that to the Zika response. I am confident that money has not been spent yet and plenty is available to deal with it while Congress does its business in an orderly sort of way.

I would have to say to my friend from Washington, my State is going to be directly in the crosshairs because this mosquito is not native to Washington State but it is to the warmer parts of our country—Texas and Louisiana. Thank goodness no one so far has gotten the Zika virus from a mosquito. It is people who have traveled to South America, Puerto Rico, or elsewhere and come back to the United States, but we all agree on a bipartisan basis that this is a very serious matter and we can't waste time. There is $589 million available to deal with it now.

Secondly, we are working—as we typically do—with the House to try to

reconcile our differences and to do our work in a responsible sort of way. In the meantime, our Democratic colleagues are blocking legislation, like the Defense authorization bill. They are throwing obstacles in the way of our getting the Senate back to work in every way they possibly can, including this—which, I am sorry to say, is just political theater and posturing.

With that, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Washington.

Mrs. MURRAY. Mr. President, let me just say this. This Zika virus is an emergency now, and though my constituents don't live in Texas, we have people in Washington State who have traveled to infected countries, gotten Zika transmitted through mosquito, have come home, and now they need to have tests to determine whether they have been infected. Those tests will not be available until we provide this money. The Ebola response money that was just referred to needs to be there because Ebola is not eradicated and can come back at any minute, and we are doing everything we can as a nation to protect American citizens.

What we are trying to do is move the bipartisan bill that has been approved in the Senate quickly to the House. Yes, it has been attached to an appropriations bill, but for us to sit back and wait until a conference committee is appointed on that and does the long negotiations over the summer into the fall is too late. We can deal with this now. That is what I ask to do today, and we will continue to push until we can assure people in our States across the country that we are doing everything we can as a nation to help protect our citizens from the Zika virus, particularly expectant mothers or possibly expectant mothers and families.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOOZMAN. Mr. President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

USDA CATFISH INSPECTION RULE

Mr. BOOZMAN. Mr. President, I rise today to address the bait-and-switch being pulled on the American people in this Congress regarding catfish inspection. We have all been told by lobbyists for fish importers and the Socialist Republic of Vietnam that the catfish inspection program is ''duplicative and trade distorting,'' but that simply isn't true. This rule is not duplicative, this rule is not distorting, and the program is working to keep food safe for Americans. There is nothing duplicative about this rule. The FDA no longer inspects any catfish. USDA's Food Safety and Inspection Service is the only agency inspecting catfish. Additionally, the USDA and the FDA operate under a memorandum of understanding to prevent duplication. For decades, USDA and FDA coordinated to prevent duplicative inspections with regard to seafood, beef, pork, and poultry.

The fact is that the FDA did not adequately inspect catfish. The FDA inspected less than 2 percent of catfish, and it lab tested an even smaller percentage. It would not be a stretch to argue that we had very little inspection at all. In contrast, the USDA's Food Safety and Inspection Service inspects all catfish, as they do with other farmed-raised meat.

This rule is not a WTO violation. Equivalent standards are applied to imported and domestic fish.

The USDA has been inspecting beef, pork, and poultry with this system for decades. Is that too much to ask for? Why should American consumers be subjected to harmful contaminants that we can prevent?

Contrary to what you may hear, this program is not costly. I have heard many different numbers thrown around, but the bottom line is that the Congressional Budget Office has determined that this resolution would not save the taxpayer a single penny.

If Congress votes to disapprove the USDA's catfish inspection rule, the food safety of the American people will be significantly undermined. This is a health and safety issue, pure and simple. With only a few weeks of inspection under its belt, the USDA has already denied entry of two shipments of imported catfish because they found crystal violet in one shipment and malachite green in another. Both are dangerous carcinogens.

Earlier today the American Cancer Society said they support keeping farm-raised fish inspection at USDA.

Overturning the USDA's catfish inspection rule would set a bad precedent. Congress has never used the Congressional Review Act to overturn a rule that Congress explicitly directed by law. Additionally, if the rule is overturned, the law requiring USDA catfish inspection would remain in place. USDA simply would not have a rule to implement the law, which would lead to significant trade disruption.

Catfish farming is an important industry to Arkansas. Arkansas producers are proud to supply a safe product for American consumers. The bottom line is that our farmers aren't afraid of competition. They just want the security of knowing the domestic industry and imports are all safe.

Voting to disprove this rule would put consumers at risk. I strongly urge my colleagues who share my concerns about the security of our food system to let this important food safety program continue to operate and continue to keep harmful carcinogens out of the food supply of Americans.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. ERNST). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ROBERTS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTS. Madam President, I rise in opposition to the resolution of disapproval of the Department of Agriculture's catfish inspection program on several grounds. This has become a rather heated issue. I think there are some issues we need to clear up, especially speaking from the privilege of being the chairman of the Senate Committee on Agriculture.

The amendment seeks to make changes to food safety inspection by eliminating the Department of Agriculture's inspection program of domestic and foreign-raised catfish. This program just started in March. Some of the comments about the expense of this program have been made as if they were on an annual basis. Most of the costs that were cited in the General Accounting Office report did not mention the fact that these were startup costs.

The program was created due to concerns related to food safety. The USDA has a very strong record of requiring meat that is imported to the United States to be processed in foreign facilities that are ''equivalent'' to U.S. meat processing facilities. The Department of Agriculture visits these facilities and conducts audits to ensure that their practices are in line with what we require in the United States. This is done to ensure that food coming into the United States is safe. That product is also inspected once it arrives at U.S. ports of entry.

Simply put, what we have here is a program that requires the same equivalency determination for foreign raised and processed catfish as we require for beef, chicken, lamb, pork, and all the other commodities or all the other animal products that you could imagine.

Just last week I was notified by the Department of Agriculture that their inspections of Vietnamese catfish found illegal drug residues in two shipments destined for the United States. I am sure that others who have spoken to this issue, especially Senator BOOZMAN and Senator COCHRAN, have repeated this. Had this program not been in place, this violation would not have been caught and the product would have been allowed to enter into commerce.

I am very surprised. I know this is an easy issue to bring up with regard to a

GAO report for 10 years that said this duplicating what the Food and Drug Administration does. It is, but it is no longer because the Department of Agriculture is taking it over because they have a much more robust program. The Food and Drug Administration really only inspects 2 percent of the catfish. We are talking about a much higher percentage by the Department of Agriculture.

I hope those in the Senate who are trying to remove this important safeguard just 2 months into the program being enforced and on the tails of it paying off and preventing adulterated catfish from entering commerce—I remind my colleagues that this program was authorized in the 2008 and 2014 farm bills. That was delayed for a while. Startup costs started last year. Again, those costs that are mentioned in the General Accounting Office are not pertinent to what is happening today.

I want to say one other thing. Farm bills are developed through 5 years of thoughtful discussions and also negotiations. When a farm bill is passed, any producer of any product, including any animal product, expects—almost as if it is a contract—to be able to depend on it. If you have a burgeoning industry of domestic catfish, you want to make doggone sure that it is safe and that there are no imports that represent a health hazard, and that is exactly what happened in this particular instance. You do not want to open up farm bills willy-nilly on a specific issue that may make a headline or may make a good TV spot—to quote the General Accountability Office—which has not taken into consideration that this is just a startup kind of situation in terms of the money.

It is interesting to me that this was scored at zero. The Congressional Budget Office has scored it at zero. I think I understand all of this talk about wasting money. I don't know anybody in the Congress—House or Senate—who is for wasting money. One person's wasteful spending of money is another person's viable investment. So we have to look pretty close.

I ask that my colleagues vote no on the resolution and to maintain these important food safety protections and the carefully crafted 2014 farm bill. This is not the time to open up the farm bill. We will certainly begin discussions on that in the next year, and we will take up these matters in the following year and go over it with a fine-tooth comb.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COCHRAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COCHRAN. Madam President, I strongly urge the Senate to reject the motion to proceed to S.J. Res. 28. This resolution would overturn a catfish inspection rule that is working to protect American consumers. Congress directed the Department of Agriculture to write this rule in both the 2008 and 2014 farm bills. It did so based on evidence that the inspection regime then in place was inadequate.

Almost all catfish consumed in the United States is raised on farms in controlled environments. The Department of Agriculture, or the USDA, is the most experienced and well-equipped agency to ensure that farm-raised meat products, including catfish, are as safe as possible.

Since assuming responsibility of catfish inspection just a few week ago, the Department of Agriculture has intercepted and impounded two large shipments of foreign catfish contaminated with cancer-causing chemicals banned for use in the United States. Prior to the implementation of the rule, less than 2 in 1,000 catfish products entering the United States was laboratory tested. If it were not for the rule that S.J. Res. 28 seeks to nullify, this dangerous foreign fish would be in the U.S. food supply today.

Sponsors of this resolution have said that the catfish rule is costly. This is not true. The Congressional Budget Office has said that this resolution won't save a dime. Sponsors of this resolution have said that the catfish rule is duplicative. This is untrue. The Food and Drug Administration ceased all catfish inspections on March 1 of this year. The Department of Agriculture is the only agency charged with inspecting catfish. Sponsors of this resolution have said that the catfish rule creates an artificial trade barrier. This is untrue. The Department has stated that the rule is compliant with the World Trade Organization's equivalency standard and would not violate its principles.

Adoption of this resolution would not change the law. It would only call into question and potentially halt the ability of the U.S. Government to carry on important activities authorized by law to keep American consumers safe.

It is clear that the inspection rule is working as intended to protect U.S. consumers. Congress was right in twice mandating these inspections, and reconsidering that decision would be a poor use of the Senate's time.

I hope Senators will reject the motion to proceed to this resolution.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NELSON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—H.R. 5243

Mr. NELSON. Madam President, I have been on this floor many times talking about Zika. I think some people believe in the old adage ''out of sight out of mind.'' It is equally as much, if not more, of a crisis—an international crisis—as was the Ebola crisis. Yet do you remember how everyone became so suddenly concerned about Ebola when there were only a couple of cases that showed up in the United States? Remember how we in this body suddenly rushed in and appropriated on an emergency basis several multiples of billions of dollars to address the Ebola crisis? I remember how successful that was even though Ebola is still raging in parts of western Africa. We are continuing to try to help out those African nations so it will not spread across the world and especially to keep it from coming here to our shores.

The same thing is happening with the Zika virus, but people are not recognizing it. That is why this Senator continues to talk about it—because we need the resources necessary to stop the spread of Zika. It is only a matter of time before there is a local transmission in the continental United States. What is a local transmission? Well, we know they put a fancy name on it. It is called vector. What is vector? The vector is a strain of mosquito called the aegypti. And, by the way, it is math. What happens across a lot of the coastal United States and southern United States in June? It gets hot, the rains come, and what comes along with that? Swarms of mosquitoes.

Since this particular strain, the aegypti, is prevalent across the United States, up the west coast, the Pacific coast, up the Atlantic seaboard—much further than what you consider to be southern States—lo and behold, this strain of mosquito carries the Zika virus, and when it sticks its sticker into a human being and starts drawing blood, the virus is transmitted into the blood of the human being. Now you have a human carrier of the Zika virus that can be transmitted through sexual contact. But, lo and behold, if the carrier is a pregnant female, then that Zika virus—and the virus itself sometimes doesn't manifest itself in many ways; it might be like a mild form of the flu. But if it is a pregnant female, then there are some disastrous consequences coming ahead. Those are the horrible pictures we have seen—the microcephaly. The virus gets in and attacks the fetus and does not allow the fetus to develop, particularly with regard to the structure of the head and the brain, and that is what causes these terrible family tragedies.

Last week we voted for $1.1 billion as part of an appropriations bill. We turned down Senator RUBIO's and my proposal of $1.9 billion.

By the way, did you notice a Republican and a Democrat coming together, saying: This is tough in our State. In our State there are well over 120 cases. There are also multiple pregnant women in Florida who are infected.

Nationwide there are 1,200 Americans in 48 States that we know of who have been infected with the virus. We know that in Puerto Rico—the Centers for Disease Control tells us that 25 percent of that island's population of our fellow American citizens is going to be infected. That is in Puerto Rico alone—800,000 people. As a result of that infection in Puerto Rico, we saw the first case of microcephaly linked to the Zika virus reported in Puerto Rico. That was determined because of a miscarriage, and the fetus had all the markings of microcephaly. Prior to that, the CDC had confirmed the first Zika-related death in the United States that had also occurred in Puerto Rico.

While we here in the Senate last week turned down $1.9 billion, which was the administration's request, we appropriated $1.1 billion. But guess what they did down at the other end of the hallway in the U.S. Capitol Building. They did only $622 million. And they want this to go to a conference committee to be worked out over time? Folks, it is late May and summer is upon us. These cases are going to become increasingly apparent.

Now why don't we add Brazil into the mix? It is hot and humid. By the way, there is something happening in a few months in Brazil: People from all over the world are going to Brazil for the Olympics, and right now Brazil has more than 100,000 cases of Zika virus this year alone.

This is a very dangerous emergency, and we are playing around and delaying. Congress has not stepped up and is failing the American people by not treating it as an emergency. It ought to be clear that it is up to us to protect our constituents, to stop the spread of the virus, and to do everything the administration has requested, including replacing the multiple hundreds of millions they raided out of the Ebola fund to try to get a jump-start on this because the Congress was sitting around on its hands, not willing to give the money. They borrowed from the Ebola fund, and we need to replenish that fund. That is a part of the $1.9 billion request.

So, Madam President, I am going to ask unanimous consent that we proceed to a vote on this emergency. We ought to be trying to do the right thing. We ought to give the President and the public health experts the resources they need, that they tell us they have to have to stop the spread of this virus.

Madam President, I ask unanimous consent that when the Senate receives from the House H.R. 5243, that all after the enacting clause be stricken; that the Nelson-Rubio substitute amendment to provide the $1.9 billion in funding to enhance the Federal response and preparedness with respect to the Zika virus be agreed to; that there be up to 1 hour of debate equally divided between the two leaders or their designees; and that upon the use or yielding back of time, the bill, as amended, be read a third time and the Senate vote on passage of the bill, as amended, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Wyoming.

Mr. ENZI. Madam President, reserving the right to object, this was debated extensively and considerably for more than 1 hour, equally divided, just last week, and was resolved by a vote in this body.

I don't think there is anyone in this body who isn't worried about the Zika virus and who doesn't want to do everything that can be done in the quickest way possible. It was determined to be an emergency and was put into the bill that way. There was Senator NELSON's bill for $1.9 billion, but it lacked specificity on how that was to be spent, so the $1.1 billion was the one that got the vote.

I was hoping it would be the Cornyn vote that was passed because it was offset with health prevention money we already have. Those funds can be used for just this kind of need. I don't know why there would be an objection to using that for the Zika virus, but there was. Even so, we resolved it. We resolved it without offsetting it, adding another $1.1 billion to the deficit, and were able to move that project forward. So in light of that, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Florida.

Mr. NELSON. Madam President, the Senator from Wyoming knows my affection for him as a friend. The Senator from Wyoming is a great Senator from the State of Wyoming, and Wyoming does not have the threat as the southern States do in the United States as the summer comes upon us.

The Senator has referred to the Cornyn amendment. The Cornyn amendment allowed for $1.1 billion, which was voted down. It was paid for by raiding the Affordable Care Act, and that is just not going to happen.

Whenever an emergency happens, the tradition of the U.S. Congress is, in fact, to provide for that emergency on a basis that you don't have to go and rob some other piece of funding in order to pay for it. When a hurricane hits and if it hits Florida, I certainly hope you all are going to appropriate emergency funds. If there is an earthquake or the eruption of a volcano, fires—whatever the natural or manmade disaster that occurs—that is what a government does. One of the functions of government is to protect the health and welfare of the people, and sometimes that calls for the funding of an emergency.

We don't have a lot of children with microcephaly that have been born from pregnant women here, but that is coming. We have already seen it. Wait until all of the Americans, including in the northern tier of States and the western United States, go to Rio for the Olympics. Wait until there is a further migration out of Puerto Rico, which is causing a brain drain because of the financial condition of that island and which we are not helping them with as we continue to dither about their financial distress. Wait until that migration of American citizens comes more and more from Puerto Rico to the continental United States and brings with them those infected with the Zika virus. All of this is about to happen, and it is about to explode. This Senator suspects that a lot of the people who are objecting to moving on this on an emergency basis are going to rue the day when they see the consequences.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Madam President, I have a fondness for the Senator from Florida, as well, and recognize that he is further south and that they, perhaps, have more mosquitoes than we do, although even Alaska would have a competition with that.

But we did pass emergency money for this. We did declare it an emergency and pass $1.1 billion. That is $1,100 million to work on this problem.

Before, we had the Ebola problem. That was the crisis of the year, and we allocated money to that. We allocated more money to that than it needed. That is why some of that money was brought over as an emergency into solving the Zika problem.

I have been doing some research as the Budget Chairman, and I found that we have about $6 billion worth of emergencies every year. We ought to budget for what we know is consistent. Unfortunately, I had them look it up, and I found that we actually spend $26 billion in emergencies every year. That ought to be a part of the budget and not just passed on to future generations. They are going to have their own emergencies that they are going to need to solve. Somehow we are going to have to get control of this. I am pleased we have a bipartisan effort going to see if there aren't some solutions that can be built into the budget process. But that is not what I came over here for to begin with.

Madam President, we have the right, when a government rule is finalized, if we don't agree with it, we can get a petition. If we can get enough Senators on a petition, we can get a guaranteed 10 hours of debate and an up-or-down vote on that rule. In America, we are trying to get people to save more for

retirement, to invest more—and now this administration makes it harder to do so.

I rise to speak in support of H.J. Res. 88, expressing congressional disapproval of the rule submitted by the Department of Labor with respect to investment advice. How many people do you think are going to be willing to seek investment advice if they have to sign a contract before they can even see if that is the person they want to work with?

It is called the fiduciary and conflict of interest rule. We are all against conflict of interest. There aren't even a lot of people who know how to spell ''fiduciary.'' That is to confuse people about what this is about.

We do have a retirement coverage gap in America. There are tens of millions of Americans who are not prepared for retirement. The regulation put forward by the Obama administration that we are debating today will limit the advice that individuals seeking access to retirement plans can receive. That will increase the size of this retirement gap.

This regulation will significantly impede the ability of low- and middle-income Americans to save for retirement. They will simply not have anyone to answer their questions and provide advice.

For many years, I have heard the goal of this regulation is to force financial advisers to work in the best interest of their clients. I am completely in favor of financial advisers doing so. I have cosponsored legislation requiring that practice in law. I have cosponsored it and tried to pass it. In fact, in my almost 20 years of working on retirement policy in the U.S. Senate, I have never met anyone who doesn't agree that financial advisers should act in the best interests of their customers.

The problem with this rule is, it goes far beyond requiring a best interest standard. It goes so far as to effectively prohibit the means by which low- and middle-income Americans receive retirement advice. A massive regulatory regime has been created by this rule. It will undoubtedly raise the costs in a $24 trillion—or to put it in numbers that are easier to understand, a $24 thousand billion industry. Sure, large companies and retirement savers with large assets will probably be able to deal with the increased costs, but what about the small investors, the small advisers, the people interested in retirement savings, the ones who have modest assets—like most of the cities and towns in Wyoming. This rule will negatively impact the services and choices available to investors. I can't imagine why limiting options, limiting choices, and limiting services is being touted as a victory for anyone.

My home State of Wyoming is hurting. Our energy-based economy is declining significantly, largely due to regulations added by the Obama administration. Now that same administration is issuing a regulation that will hurt the future savings of my constituents.

Wealthy Americans across America will not be affected by this rule. Yes, wealthy Americans will not be affected. They can go about receiving their retirement advice the same way they always have. However, many of my constituents will be affected by this rule. Their retirement savings will suffer. It is as simple as that.

There are approximately 28.8 million small businesses in America. Those businesses create two out of every three new private sector jobs and employ nearly half of America's workforce. I am a former small business owner. I know well what it takes to run a small business. This rule will hurt retirement coverage among small businesses. It will create burdens, limits, and options for small businesses trying to offer retirement plans. In my experience, that will result in one of two things—either increased costs or no access to retirement advice.

The Obama administration is going to force small businesses to choose between paying increased fees, which could jeopardize the success of the business and therefore the jobs of the employees, or not providing access to retirement savings for their employees, which jeopardizes the lifelong income of those employees. It is a no-win situation for small employers that are trying to take care of their employees and grow their business.

I always say to learn from the mistakes of others as there is not time enough to make them all yourself. This regulation has been tried before. We have precedent to look to when examining the impact this rule will have on our economy. A very similar change was made in the United Kingdom just a few years ago, but this March the United Kingdom released a study which confirmed that there is a very disturbing retirement advice gap for low- and middle-income individuals, the very ones I am talking about that will be affected here in America.

I have read how this administration—as well as some of my friends on the other side of the aisle—has said that rule is different than that issued by the United Kingdom. Here is the thing: it is not all that different. The impact will be the same, and this is what has happened: Wealthy individuals are getting access to retirement advice while middle- and lower income individuals are not. I have not understood, nor will I understand, why this regulation was put forward and finalized.

The Department of Labor itself admitted on February 29 that relatively little is known about how people make planning and financial decisions before and during retirement, but that didn't stop them. The Department of Labor, which is the proponent of this rule, does not know how people make financial and planning decisions before and during retirement. Why would they go ahead with such a disastrous regulation? Why should such a seemingly disastrous regulation be put forward when it is unknown how many people it will affect? Perhaps they should start by finding out how average people make investment and retirement savings decisions.

The regulation we are debating today has been lauded as one that will help low- and middle-income individuals save for retirement. I refute that claim with two main points. First, an analysis of a very similar change to a retirement system has proven that the opposite has occurred. Second, the authors of this regulation know little or nothing about how many people this will impact or even in what ways. People who give investment advice give it just fine right now, but they can see what is coming. That is why they have been to my office and visited with me about what they are going to have to do with the people who come to them for investment advice—or the people they want to provide services to.

There will likely be unintended consequences of this new regulation, and as we have seen those will likely be painful consequences. As I stated in the beginning of my remarks, we have a retirement coverage gap in America. I have been working for almost 20 years in the Senate to help close that gap. All this new regulation will do is limit retirement advice for the people who need it the most. I urge my colleagues to support this resolution of disapproval.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ZIKA VIRUS

Mr. CARDIN. Madam President, on Monday I hosted a roundtable discussion at the Johns Hopkins School of Medicine in Baltimore to review, with experts from my community, the strategy we need to employ with regard to the Zika virus.

I pointed out at the beginning of that roundtable discussion that the World Health Organization has labeled the Zika virus as a public health urgency of international concern. The World Health Organization has estimated that as many as 4 million will be affected in the Americas. We know the current numbers of reported cases in the United States. As of last week, we had over 1,300 cases in the United States and our territories. Almost all

of those that we have in the United States, in the Continental United States, are travel related.

We have 17 confirmed cases in Maryland. Those cases are going to go up dramatically. We know that. As the summer months and the warm, wet weather occurs, with the mosquito population occurring, we know the number of people affected by the Zika virus is going to go up dramatically.

This is the challenge. We know it is transmitted primarily through mosquito bites, through mosquitoes. For example, we know that in Puerto Rico, it is going to be very active. We also know in the United States the mosquito population could very well act as a major transmitter of the Zika virus, but the Zika virus is also transmitted through sexual intercourse. Therefore, people who have the Zika virus and who may not know they have the Zika virus—because many individuals who are infected don't know they have the virus—this could become a major problem in the United States.

What is at stake? We do know the Zika virus is directly linked to the birth defect microcephaly. That is a tragic circumstance affecting fetuses that could present a lifetime challenge for the child who is born with microcephaly. We know it from the small skull. What I learned at this roundtable discussion is that the complications from microcephaly include lifetime disabilities. The brain is much smaller. It is not capable. In many cases, it leads to blindness and death. It is not unusual to have not only the human cost involved in this birth defect, but the actual lifetime cost is estimated as high as $10 million for each child born with microcephaly. This is a huge challenge to our country with the spread of the Zika virus.

There are also other conditions that have been associated with the Zika virus, including Guillain-Barre syndrome. That is a nervous condition, a nerve damage condition that can lead to death.

What is the answer? In this roundtable discussion, we had the public health officers from Baltimore City, Anne Arundel County, Howard Country, and Frederick County. We had experts dealing with mosquito control. We had experts who were dealing with the development of vaccines and treatments. We had a robust discussion as to what can be done.

First and foremost, there was strong understanding that public awareness is going to be critically important to dealing with the Zika virus. The public needs to know. If you are pregnant or intend to start a family, you need to know the risk factors.

It would be nice if you could have a test done to know whether you have the Zika virus, but the problem is the current state of development for the tests has produced two tests that the FDA has made available upon an emergency basis. One looks at the person's immune system that shows certain signs that person has the Zika virus. As I said before, it is not clear whether you will have any symptoms, even though you may have the virus. This one test looks at your immune system and is not 100 percent reliable by any stretch of the imagination, but it at least gives some indication. In many cases, you have to take the test more than once.

There is another test that can be given that if you actually have the virus in your system, it will show that, but there is a problem. The virus does not stay long in your system, but you still have the impact of the virus. So that could come back negative, but you still have the effects of the Zika virus.

Also, we are not sure as to how long the Zika virus can be transmitted through sexual contact. That issue is still being studied. So it is very possible that a person may have been infected by the Zika virus, does not realize they have been infected, and several months later, through sexual intercourse, transmits the Zika virus to his or her partner.

So these are all areas we want the public to know more about, and we are developing more and more scientific information on tests that can help us identify those who have the Zika virus, and hopefully we will develop some way of dealing with those who are infected.

Obviously, we want people who want to start a family to recognize they should try to avoid areas where there is a large vulnerability to the Zika virus. That will be particularly important this summer.

Lastly, we want to develop a vaccine. I must tell you that I was very encouraged by the individuals involved in actual vaccine development who were at the roundtable discussion I had—I was encouraged about the fact that later this summer they will start clinical trials on vaccines that they hope will produce a way to immunize a population from being subject to the Zika virus.

That is very exciting, but before we get too excited, I was sobered by the discussion in which I was told that the first rounds of these vaccines are going to be rather difficult, that you may have to take it several times, that it may be of a very short duration, and that it will take more time before we can develop the types of vaccines that are efficient and where it will be perhaps once in a lifetime that you would need to take them to protect you from the Zika virus indefinitely.

And this is also the challenge: The experts who were there on Monday said this is not just a one-time-only situation; we can expect that the Zika virus will be with us in the future.

So let me give you some of the takeaways from this discussion that took place at Johns Hopkins Hospital, and Dr. Wen, who is the health commissioner for Baltimore City, made this point when we were talking about the money. I went through the $1.9 billion the administration has requested. I went through the different agencies, both domestic and international, that would benefit from that $1.9 billion. I then compared it to the $1.1 billion which has been acted on by the Senate and showed the differences.

For example, if my math is correct, NIH would receive $77 million less under the $1.1 billion than the $1.9 billion. We had people from NIH at that roundtable talking about the research being done right now to develop medicines and treatments that we hope will minimize the risk of a birth defect for those who have been affected. No, we don't know how to cure it. We don't have a treatment that can cure the Zika virus, but we are hopeful that we will be able to develop the medical protocols to minimize for those who are infected the risk of having a child with a birth defect or developing the neurological damage. We certainly don't want to slow that down, and so what I take away from that discussion is that we want to make sure they have all the tools they need in order to deal with this crisis.

Dr. Wen pointed out that if you take a look at some of the action in the House of Representatives where they are taking additional monies away from the funds that go to our local health departments, that is counterproductive. Dr. Wen pointed out that the money she receives from the public health emergency preparedness funding has been cut—cut—in order to pay for the Zika funds. Well, it is the emergency preparedness funds that are used by our local health departments to reach out and deal with the vulnerable populations, to make sure they understand the risk factors and do what they can to prevent the risk factors.

I must also tell you that I was talking to our representative from Maryland at the Department of Agriculture, which does mosquito control. Several people talked to me about mosquito control. One of the things you want to do is have a comprehensive plan to eradicate mosquitoes during the season. That is very effective. The problem is that these budgets are capped. They do not have the resources to do what they need to do. And they were telling me that we were better prepared a couple of years ago than we are today in dealing with mosquito control. So we need to coordinate that effort and do a better job on mosquito control. We can't take money away from these programs.

Mr. President, they made this point very clearly: The crisis is now. It is here. It is here in America today, and it is going to get worse every month. We know that. We need to act now on

the funding in an emergency supplemental appropriations bill that can get to the President's desk today, not in an appropriations bill that has to go through the process, and that usually takes until the fall before we can make those funds available.

I want to just go over a point that was made to me by one of the individuals who was at this roundtable and who is an expert on cost issues. He was explaining the mathematics to me. Dr. Bruce Lee, a Johns Hopkins University associate professor of international health, modeled the cost issues. He used the most conservative estimates and said that our delay in dealing with the Zika virus will add an additional $2 billion in cost. As I said, for every child born with a birth defect, we estimate the cost to be about $10 million. If we can avoid 100 of these children born with a birth defect, that is $1 billion. The first issue, of course, is the human cost of the Zika virus and the impact it has on families and on those who are directly affected.

This, as Dr. Lee said, is an investment. The money we are making available is an investment. What do we need to do? We need to make sure money is available for mosquito control. That is one way we can stop the spread of the Zika virus. We have to make sure money is available for our local health departments because they are reaching out to pregnant women.

Dr. Wen made a very important point to me: In many cases, we are dealing with low-income families. They do not have air-conditioners. In some cases, they do not even have screens. And they are going to be more susceptible to the Zika virus because of mosquitoes. So they have to reach out and do the things local health departments can do. And the Baltimore City Health Department has a leader on all of this, but they need their resources. So we need to make certain we fund our local health departments. We certainly can't cut the funds being made available.

We are also proud of the work done at NIH and the Centers for Disease Control. We have to make sure they have the funds they need so they can develop the ways we can test to make sure we know who has the Zika virus and hopefully develop protocols for people who have the virus and develop a vaccine as quickly as possible that is efficient and can be widely used to prevent the Zika virus from moving forward.

All that is possible. I left the discussion in Baltimore with hope. There is a way of dealing with it, but we have to express the urgency this crisis demands. And, yes, we need to be an international leader. Part of this is U.S. leadership globally. This is not the last crisis we are going to have. U.S. leadership helped avoid a worse international crisis than we saw with Ebola. As a result, we have now developed health capacities in many countries around the world to deal with the next pandemic. We know there will be another episode in the future. We need to prepare today for this.

There is no more fundamental responsibility of the government than to keep our people safe. We have the opportunity to respond in the right way to the Zika virus, but it requires Congress to provide the tools so that the experts in this area can do their work and develop the medical protocols that deal with this, get the information out to the public so they can protect themselves in the best way possible using pesticides, using insect repellants, using common sense, and not traveling to areas that are high-risk areas, particularly if they are pregnant or intending to start a family. They can take the right precautions, and we can develop a vaccine that will protect people not only in this country but globally from this health care crisis. I am convinced we can get it done. Let's start today by passing the funding necessary so our agencies can do the work.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. Mr. President, I rise today to discuss the Department of Labor's fiduciary rule.

Over the past year Nebraska's small business owners, retirees, insurance and financial professionals, and individuals in a wide range of other industries have expressed their concerns regarding this fiduciary rule. Unfortunately, the negative feedback I hear has only grown since the final version of this rule was published last month.

This dense and complicated rule would change the definition of a fiduciary and what constitutes investment advice. In short, the rule could make it more difficult for many individuals to open and to maintain IRAs. It could also lead to fewer companies offering 401(k) plans for their employees.

If the rule is implemented, lower income savers may face a disadvantage compared to wealthier consumers with higher account balances. It is often convenient for regulators in Washington to claim they are protecting the middle class, but that is the very segment which stands to lose the most from this new rule. Wealthier consumers and larger businesses often have the resources to comply with costly regulations, but small businesses are already struggling to stay afloat. This rule could further hamper their operations by pricing them out of the market.

Because of these and other concerns, I joined my colleagues to cosponsor the Senate version of the joint resolution of disapproval of this rule. An identical resolution passed the House on April 28 by a wide margin, and later today the Senate will vote to pass the House resolution and send it to President Obama's desk.

Congress has already offered responsible solutions to the problems this rule is trying to address. For example, I am a cosponsor of legislation introduced by Senator MARK KIRK, the Strengthening Access to Valuable Education and Retirement Support—or SAVERS—Act, as well as legislation introduced by Senator ISAKSON, the Affordable Retirement Advice Protection Act. Both of these bills would protect Americans who are saving for retirement without forcing them into the fixed-fee arrangements the fiduciary rule would, in many circumstances, mandate. These arrangements could create new roadblocks, making it harder—it will make it harder for consumers to receive financial advice.

Nebraskans depend on this financial guidance to plan their futures and also to provide for their families. Washington bureaucrats should not be dictating whom you can hire and what investments you can make. It is time to draw the line and to stop this injection of government into the free market.

I am proud to fight on behalf of Nebraskans and their families for their freedom to make the best financial decisions for their own future, and I urge my colleagues to vote with me in support of this resolution of disapproval.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. RUBIO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LANKFORD). Without objection, it is so ordered.

ZIKA VIRUS

Mr. RUBIO. Mr. President, a poll last month found that 4 in 10 Americans had heard little or nothing about the Zika virus, and many others were unaware that it was a risk to the United States. The likely reason for this is that the virus isn't yet being transmitted locally here in the United States.

But for all of us in Congress, this is not an excuse for inaction. Our job is to anticipate threats, not just to respond to them. We have all the information we need to know that the Zika virus is bad and is potentially about to get worse.

In fact, I believe it won't be long before virtually all of our people have heard of this virus, are concerned about it, and want to know why their leaders aren't doing more to fight it. They want to know what we are doing now. Sadly, the answer is not enough. Even though the problem has been steadily getting worse, Congress has refused to treat it with the urgency I believe it deserves.

There was a time when Zika was considered a foreign virus, but that is no longer the case. As of today, there are now 544 cases in the mainland United States, with more being confirmed almost daily. All of those so far are travel related, but there are also 832 cases locally transmitted in American territories, mostly in Puerto Rico. If the problem is there, it won't be long before it is here on the mainland.

Just this week, the National Institute of Allergy and Infectious Diseases, which is the government's top authority on these issues, warned that mosquitoes carrying Zika will begin infecting Americans in the next ''month or so.'' Once those mosquitoes are here, they are going to reproduce. As soon as we have one case of Zika transmitted locally by a mosquito, there will be others that will follow shortly thereafter.

Just a few days ago, the Centers for Disease Control announced that 157 pregnant women in the United States and another 122 in U.S. territories have shown signs of infection from the Zika virus. This should be another wake-up call for the Congress. Knowing that there are at least 279 pregnant women in the United States with likely Zika virus infections means we also potentially have at least 279 unborn children at risk of microcephaly, and we should be doing all we can to save these human beings.

So we have a limited amount of time to brace ourselves and get a headstart on confronting this threat. Keep in mind that there is not yet a vaccine for Zika. There is no cure for the conditions and for the birth defects it causes. So for all of us as Americans but especially for all of us as elected leaders, it is long past due to take this virus seriously, because the virus is not just serious; this virus is deadly serious, and so far the Congress is failing this test.

I am proud of the work done here in the Senate to pass a funding measure. It may not have been as much as we may ultimately need, but at least at $1.1 billion, a significant amount of money is going to go toward fighting this threat.

To date, in the House, the story is different. Last week, the House passed a $622 million package. This is about a third of what was originally requested. The funds were secured by redirecting money approved to respond to the Ebola outbreak in 2014. I want to be wrong about this, but I fear that $622 million is simply not going to be enough to deal with this problem if it heads in the direction that the doctors and the experts are telling us it is headed.

So I come here on the floor of the Senate today to urge our colleagues in the House and its leadership to realize that this threat is knocking on our door and the opportunity to get out ahead of this problem is quickly slipping away. Within a month, we are likely to have a very different situation on our hands with regards to Zika. Not only have we delayed action for far too long already, but we are not expecting any action this week before Congress goes into recess next week. In other words, it is likely Congress will let at least—at least—another 2 weeks go by on this issue without any action.

So I urge the American people to make next week a tough one on those who are home from Congress who have refused to take meaningful action to confront Zika because they need to hear from you.

To any Members of Congress who don't receive pressure at home next week, you should know that you soon enough will. While only a portion of our constituents are currently concerned about Zika, that will change the moment the first case locally transmitted by a mosquito is confirmed in the mainland United States. Then we are going to have to answer to those who want to know why we didn't act, and, quite frankly, we are not going to have a satisfying answer. Waiting to act until we have a panic on our hands is not leadership.

So I encourage the House to act on the scale the American people need it to act, and I urge Congress to send a bill to the President as soon as possible regarding this matter. I hope we will properly fund this fight so we can win it.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at 4:45 p.m., all time be expired on H.J. Res. 88.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. For the information of all of our colleagues, we expect two votes at 4:45 this afternoon. The first vote will be on the passage of H.J. Res. 88, and the second vote will be on the motion to proceed to S.J. Res. 28.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. AYOTTE). Without objection, it is so ordered.

Mrs. MURRAY. Madam President, today Americans have enough to worry about. Questioning the advice they get for their retirement savings accounts should not have to be one of them.

We finally have a new protection on the books that would help protect seniors' retirement savings from biased retirement advice. It is called the fiduciary rule, and it is pretty simple. It says if financial advisers are giving people advice on their retirement accounts, they should put their clients' best interests ahead of their own. But with the resolution that is before us, Republicans want to prevent that rule from ever helping people to save up for retirement. Instead, they are dead set on saving the status quo that has allowed financial advisers to line their own pockets at the expense of people trying to save for their retirement. After a lifetime of hard work, all seniors should have the chance to live out their golden years on firm financial footing and with peace of mind.

Once again, I urge my colleagues to vote no.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. RUBIO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, all time has expired on H.J. Res. 88.

The joint resolution was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

Mr. RUBIO. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Texas (Mr. CRUZ).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. CARPER) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 41, as follows:

[Rollcall Vote No. 84 Leg.]

YEAS—56

Alexander	Capito	Cornyn
Ayotte	Cassidy	Cotton
Barrasso	Coats	Crapo
Blunt	Cochran	Daines
Boozman	Collins	Donnelly
Burr	Corker	Enzi

Ernst	Kirk	Rubio
Fischer	Lankford	Sasse
Flake	Lee	Scott
Gardner	McCain	Sessions
Graham	McConnell	Shelby
Grassley	Moran	Sullivan
Hatch	Murkowski	Tester
Heitkamp	Paul	Thune
Heller	Perdue	Tillis
Hoeven	Portman	Toomey
Inhofe	Risch	Vitter
Isakson	Roberts	Wicker
Johnson	Rounds	

NAYS—41

Baldwin	Heinrich	Nelson
Bennet	Hirono	Peters
Blumenthal	Kaine	Reed
Booker	King	Reid
Boxer	Klobuchar	Schatz
Brown	Leahy	Schumer
Cantwell	Manchin	Shaheen
Cardin	Markey	Stabenow
Casey	McCaskill	Udall
Coons	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Franken	Murphy	Wyden
Gillibrand	Murray	

NOT VOTING—3

Carper	Cruz	Sanders

The joint resolution (H.J. Res. 88) was passed.

The PRESIDING OFFICER. The Senator from Arizona.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE SECRETARY OF AGRICULTURE—MOTION TO PROCEED

Mr. MCCAIN. Madam President, I move to proceed to S.J. Res. 28.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 479, S.J. Res. 28, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Secretary of Agriculture relating to inspection of fish of the order Siluriformes.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

Mr. MCCAIN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Texas (Mr. CRUZ).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. CARPER) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 57, nays 40, as follows:

[Rollcall Vote No. 85 Leg.]

YEAS—57

Alexander	Flake	Menendez
Ayotte	Franken	Murray
Baldwin	Gardner	Nelson
Bennet	Grassley	Peters
Blumenthal	Hatch	Reed
Booker	Heinrich	Reid
Burr	Heller	Risch
Cantwell	Hirono	Rubio
Cardin	Isakson	Sasse
Casey	Johnson	Schumer
Coats	Kaine	Shaheen
Coons	King	Sullivan
Corker	Kirk	Tillis
Cornyn	Klobuchar	Toomey
Crapo	Lankford	Udall
Daines	Lee	Warner
Enzi	Markey	Warren
Ernst	McCain	Whitehouse
Feinstein	McCaskill	Wyden

NAYS—40

Barrasso	Graham	Portman
Blunt	Heitkamp	Roberts
Boozman	Hoeven	Rounds
Boxer	Inhofe	Schatz
Brown	Leahy	Scott
Capito	Manchin	Sessions
Cassidy	McConnell	Shelby
Cochran	Merkley	Stabenow
Collins	Mikulski	Tester
Cotton	Moran	Thune
Donnelly	Murkowski	Vitter
Durbin	Murphy	Wicker
Fischer	Paul	
Gillibrand	Perdue	

NOT VOTING—3

Carper	Cruz	Sanders

The motion was agreed to.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE SECRETARY OF AGRICULTURE

The PRESIDING OFFICER. The clerk will report the joint resolution.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 28) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Secretary of Agriculture relating to inspection of fish of the order Siluriformes.

The PRESIDING OFFICER (Mr. GARDNER). Pursuant to the provisions of the Congressional Review Act, 5 USC 801, and following, there will be up to 10 hours of debate, equally divided between those favoring and opposing the resolution.

The Senator from Arizona.

Mr. MCCAIN. Mr. President, I thank my colleagues for their vote to move to this resolution. I think we can count this, frankly, as a victory for the American taxpayer rather than certain special interests.

I would like to begin by making clear in the RECORD the groups that are supporting this resolution: the National Retail Federation, the Food Marketing Institute, Taxpayers for Protection Alliance, National Taxpayers Union, Taxpayers for Common Sense, the Heritage Foundation, FreedomWorks, Small Business & Entrepreneurship Council, Citizens Against Government Waste, Center for Individual Freedom, Independent Women's Voice, R Street Institute, Campaign for Liberty, the Retail Industry Leaders Association, the American Frozen Food Institute, and the list goes on and on and on.

Ten times—ten times—the Government Accountability Office has said the same thing over and over, and that is that this program is duplicative and it is unnecessary. It is unfortunate we are spending tens of millions of dollars every year on a program that is duplicative and unnecessary.

I ask unanimous consent to have printed in the RECORD a Wall Street Journal editorial entitled ''Ending the Catfish Fight.''

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, May 24, 2016]

ENDING THE CATFISH FIGHT

THE SENATE CAN ROLL BACK A PROTECTIONIST BARRIER TO FREER TRADE WITH ASIA

President Obama is in Vietnam and Japan this week, where he'll probably be getting an earful about America's rising antitrade sentiment and the threat that poses to the Trans-Pacific Partnership trade deal. So here's hoping the U.S. Senate can provide at least some leadership by ending the protectionist treatment of one of Vietnam's most valuable exports: catfish.

Vietnamese exporters have competed with U.S. catfish farmers from the Mississippi Delta since the 1990s. Trouble began in 2002, when Mississippi Republican Thad Cochran and other Southern lawmakers barred foreigners from calling their product ''catfish'' because technically it's pangasius, also called basa or swai, an Asian cousin with similar taste, texture and whiskers.

This didn't stop Americans from buying the tasty, cheaper imports, and neither did a round of spurious antidumping tariffs imposed on the Vietnamese fish in 2003.

So Mr. Cochran went further, using the 2008 farm bill to transfer oversight of catfish to the Department of Agriculture from the Food and Drug Administration, even though the meat and poultry experts at the USDA regulate no other fish. This required classifying pangasius as catfish after all, and claiming that there was a public-health risk where none existed. The true motive was to impose high new compliance costs on Vietnamese exporters, who might then be priced out of the U.S. market.

The Government Accountability Office has slammed the new inspection regime 10 times, estimating its cost at $30 million to start and $14 million annually to operate, as compared with $700,000 a year for the original program. Repeal would ''save taxpayers millions of dollars annually without affecting the safety of catfish intended for human consumption,'' says the GAO. It would also let Americans keep buying the fish they prefer, while eliminating the likelihood that Vietnam and others will sue at the World Trade Organization and retaliate against U.S. exports of beef, soybeans and other products.

Yet multiple bipartisan efforts at repeal have failed, so the wasteful program took effect in March, beginning an 18–month phase-in period. Exporters in Vietnam are already feeling squeezed, and our sources say that Vietnam's top leader planned to raise the issue with Mr. Obama in Hanoi, echoing years of complaints from lower-level officials.

The good news is that more than 30 Senators from both parties introduced a measure Monday to repeal the program in a

straight up-or-down vote under the Congressional Review Act. That may be easier than attaching it to larger bills, as in the past, that Mr. Cochran and his allies could block. A vote could come before Mr. Obama leaves Asia. Repeal would boost U.S. credibility in a region that needs trade leadership.

Mr. McCAIN. Mr. President, quoting from that article:

President Obama is in Vietnam and Japan this week, where he'll probably be getting an earful about America's rising antitrade sentiment and the threat that poses to the Trans-Pacific Partnership trade deal. So here's hoping the U.S. Senate can provide at least some leadership by ending the protectionist treatment of one of Vietnam's most valuable exports: catfish.

This is from the Wall Street Journal. Most of us—at least on this side of the aisle—have a great deal of respect for the opinions that are on the editorial page of the Wall Street Journal.

The article goes on to say:

Vietnamese exporters have competed with U.S. catfish farmers from the Mississippi delta since the 1990s. Trouble began in 2002, when Mississippi Republican Thad Cochran and other southern lawmakers barred foreigners from calling their product ''catfish'' because technically it's pangasius, also called basa or swai, an Asian cousin with similar taste, texture and whiskers. This didn't stop Americans from buying the tasty, cheaper imports, and neither did a round of spurious antidumping tariffs imposed on the Vietnamese fish in 2003.

So Mr. Cochran went further, using the 2008 farm bill to transfer oversight of catfish to the Department of Agriculture from the Food and Drug Administration, even though the meat and poultry experts at the USDA regulate no other fish. This required classifying pangasius as catfish after all, and claiming that there was a public-health risk where none existed. The true motive was to impose high new compliance costs on Vietnamese exporters, who might then be priced out of the U.S. market.

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The good news is that more than 30 Senators from both parties introduced a measure Monday to repeal the program in a straight up-or-down vote under the Congressional Review Act. That may be easier than attaching it to larger bills, as in the past, that Mr. Cochran and his allies could block. A vote could come before Mr. Obama leaves Asia. Repeal would boost U.S. credibility in a region that needs trade leadership.

It is pretty clear that we have the highest regard for the Government Accountability Office. Now, sometimes we don't always agree, but this is why 10 times the Government Accountability Office has found this program duplicative and a waste of tax dollars. This is why the Citizens Against Government Waste, the Taxpayers for Common Sense, the National Taxpayers Union, Heritage Foundation, FreedomWorks, and the Center for Individual Freedom—literally every watchdog organization in this town and in America—support this resolution.

The disapproval resolution is the means to stop this wasteful rule because all efforts to work within the normal procedures have been blocked. Whether it be the farm bill or TPA, efforts for the Senate to debate this issue have been shut off. The sole time the Senate voted on this program, it voted overwhelmingly to eliminate the program.

I think at least on this side of the aisle there is an organization we are pretty respectful of, and it is the Heritage Foundation.

Mr. President, I ask unanimous consent to have printed in the RECORD a statement from Heritage Action for America, which weighs in regularly, as we know, on this issue.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Heritage Action for America, May 24, 2016]

''YES'' ON CRA TO BLOCK THE CATFISH PROGRAM (S.J. RES. 28)

(By Dan Holler)

On Tuesday, the Senate is expected to vote on S.J. Res. 28, a resolution offered by Sen. John McCain under the Congressional Review Act (CRA) that would block the U.S. Department of Agriculture's (USDA's) catfish inspection rule.

For over a century, the Food and Drug Administration (FDA) has been responsible for inspecting and regulating the nation's food supply, including both domestic and imported seafood. That was, however, until the 2008 Farm Bill carved out catfish to instead be regulated by the USDA. As a result, facilities that process seafood will now have to comply with both USDA (for catfish) and FDA (for all other seafood) regulations. These overlapping, duplicative, and possibly conflicting regulatory regimes will cost taxpayers an unnecessary $140 million.

There is no policy justification for carving out catfish from the broader seafood regulatory structure. To wit, the Government Accountability Office (GAO), a non-partisan group generally reserved and measured in its conclusions, entitled its report on the program: ''Responsibility for Inspecting Catfish Should Not Be Assigned to USDA.'' GAO has elsewhere concluded (as part of it's ''High Risk'' of waste series) that the catfish program results in duplication and wasted spending while in no way enhancing food safety.

The duplicative regulatory requirements also have trade implications, as foreign exporters selling catfish would also have to abide by both the FDA and USDA's regulatory structures, and specifically would require imports alone to abide by a new ''equivalency'' test that would effectively block out foreign catfish for years. This could harm consumers by limiting competition and choice in the catfish market. In fact, this appears to be precisely the motivation: To use a non-tariff trade barrier to burden foreign competitors in an attempt to help domestic providers corner the market. As the New York Times reported, Vietnam has taken particular offense to the new rule, and rightly so:

''Vietnam, a large exporter of catfish and one of the nations in the trade talks, says it is nothing more than a trade barrier in disguise.

'And it's not even a good disguise; it's clearly a thinly veiled attempt designed to keep out fish from countries like Vietnam,' said Le Chi Dzung, who heads the economics section at the Vietnamese Embassy in Washington.''

While this $140 million program may appear small relative to the overall budget picture, it nevertheless looms large as a poster child of government cronyism, with special interests benefiting at the expense of everyone else. It is difficult to state it better than former FDA seafood inspection chief, Bryon Truglio, who stated:

''[A] group of lobbyists and a trade association representing elements of the American catfish producers . . . has bullied Congress into moving catfish regulation to the USDA, making it harder for their foreign competitors to enter the US market. This move is a win for US catfish producers, but ultimately, a loss for American taxpayers and consumers.''

Fortunately, Congress may actually have the chance to block the catfish rule this year. The Obama Administration acknowledges the duplication inherent in the USDA's catfish inspection program, and proposed eliminating it in a recent budget. Despite having advanced the rule—apparently agreeing (for once) it must abide by clear congressional statute and intent—Obama Administration opposes the rule. By sending the President this CRA for him to sign, Congress will allow this duplicative and wasteful catfish inspection rule to be blocked consistent with the rule of law.

Heritage Action supports S.J. Res. 28 and will include it as a key vote on our legislative scorecard.

Mr. McCAIN. Mr. President, quoting from the statement of Heritage Action for America, they say:

There is no policy justification for carving out catfish from the broader seafood regulatory structure.

The statement goes on to say:

While this $140 million program may appear small relative to the overall budget picture, it nevertheless looms large as a poster child of government cronyism, with special interests benefiting at the expense of everyone else. It is difficult to state it better than former FDA seafood inspection chief Bryon Truglio, who stated: ''[A] group of lobbyists and a trade association representing elements of the American catfish producers . . . has bullied Congress into moving catfish regulation to the USDA, making it harder for their foreign competitors to enter the U.S. market. This move is a win for U.S. catfish producers, but ultimately, a loss for American taxpayers and consumers.''

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eliminating it in a recent budget. By sending the President this CRA for him to sign, Congress will allow this duplicative and wasteful catfish inspection rule to be blocked consistent with the rule of law.

That is from the Heritage Foundation.

Now, this is FreedomWorks:

As one of our over 5.7 million FreedomWorks activists nationwide, I urge you to contact your Senators and ask them to vote YES on S.J. Res. 28, a resolution that would repeal the U.S. Department of Agriculture's catfish inspection rule.

The FreedomWorks statement goes on to say:

The program was developed to assess the risks associated with catfish consumption.

And it goes on as to how they want it overruled.

Also, I have a statement from the Taxpayers Protection Union, the Campaign for Liberty, the Center for Individual Freedom, Independent Women's Forum, the National Taxpayers Union, R Street Institute, Taxpayers for Common Sense, and the list goes on and on.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter to Senator AYOTTE which is signed by David Williams, president, Taxpayers Protection Alliance; Norm Singleton, president, Campaign For Liberty; Jeff Mazzella, president, Center for Individual Freedom; Tom Schatz, president, Council for Citizens Against Government Waste; Sabrina Schaffer, executive director, Independent Women's Forum; Heather R. Higgins, president and CEO, Independent Women's Voice; Brandon Arnold, executive vice president, National Taxpayers Union; Andrew Moylan, executive director, R Street Institute; Karen Kerrigan, president and CEO, Small Business & Entrepreneurship Council; and Steve Ellis, vice president, Taxpayers for Common Sense.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MAY 23, 2016.

Hon. KELLY AYOTTE,
Russell Senate Office Building,
Washington, DC.

DEAR SENATOR AYOTTE, As organizations that represent millions of taxpayers across the country, we write to support your efforts to repeal the United States Department of Agriculture (USDA) catfish inspection program. We are pleased to see you and your cosponsors, Sens. John McCain (R–Ariz.) and Jeanne Shaheen (D–N.H.), using the Congressional Review Act to repeal one of the most demonstrably wasteful and duplicative programs ever enacted.

The unnecessary and duplicative bureaucracy created by this program has now been targeted by the Government Accountability Office (GAO) a record ten times: February 2011, March 2011, May 2012, February 2013, April 2013, April 2014, December 2014, February 2015, April 2015, and April 2016.

The USDA spent $19.9 million to develop and study the catfish inspection program, then told GAO it would cost the federal government an additional ''$14 million annually'' to run the program. This after GAO found the Food and Drug Administration (FDA) currently spends ''less than $700,000 annually to inspect catfish.'' If the cost of other, similar regulatory programs is any guide, the USDA program will cost far more than the estimated $14 million.

The GAO also notes that it not only wastes taxpayer dollars and duplicates work already being done by the FDA, it actually weakens, rather than strengthens, our food safety systems:

''. . . the agency's proposed catfish inspection program further fragments the federal oversight system for food safety without demonstrating that there is a problem with catfish or a need for a new federal program.''

Eliminating wasteful federal spending and burdensome regulation is a very difficult task, especially when proceeding one program at a time. But the value to taxpayers of doing so is undeniable. Thus, as you gather support for S.J. Res 28, please know we strongly support this effort to close the book on this now infamous and embarrassing example of government waste.

The USDA catfish work is an embarrassing waste of tax dollars and so overtly duplicative a program it belongs in the annals of Washington waste history.

Sincerely,

David Williams, President, Taxpayers Protection Alliance; Norm Singleton, President, Campaign for Liberty; Jeff Mazzella, President, Center for Individual Freedom; Tom Schatz, President, Council for Citizens Against Government Waste; Sabrina Schaffer, Executive Director, Independent Women's Forum; Heather R. Higgins, President & CEO, Independent Women's Voice; Brandon Arnold, Executive Vice President, National Taxpayers Union; Andrew Moylan, Executive Director & Senior Fellow, R Street Institute; Karen Kerrigan, President & CEO, Small Business & Entrepreneurship Council; Steve Ellis, Vice President, Taxpayers for Common Sense.

Mr. MCCAIN. In other words, literally every watchdog organization has supported what we are trying to do here.

Here is one from the National Retail Federation. Mr. President, I ask unanimous consent that this letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MAY 23, 2016.

Hon. MITCH MCCONNELL,
Majority Leader, U.S. Senate,
Washington, DC.
Hon. HARRY REID
Minority Leader, U.S. Senate,
Washington, DC.

DEAR SENATORS MCCONNELL AND REID: We understand the Senate may soon consider a resolution of disapproval of the United States Department of Agriculture (''USDA'') catfish inspection program. We support this resolution and write to explain the negative impacts this program will have if fully implemented by the USDA Food Safety and Inspection Service (''FSIS'').

The USDA program was created in 2008 and shifts food safety regulatory authority over certain domestic and imported seafood from the Food and Drug Administration (''FDA'') to FSIS. The program applies to imported pangasius, a mild white fish that is today the sixth most popular seafood item in the United States. FSIS issued a final rule in December 2015, and a resolution of disapproval was filed in the Senate soon thereafter.

The USDA program is of great concern to our member companies. The shift of food safety oversight from FDA to FSIS for this specific product establishes a nontariff trade barrier against imported pangasius. Exporting countries will have to obtain an ''equivalency'' determination from FSIS if they wish to preserve their producers'' ability to export to the United States. Because the FSIS equivalency process routinely takes five years and sometimes over a decade to complete, this will create for those producers an insurmountable barrier to the U.S. market.

Thus in a single stroke more than a fifth of the ''value white fish'' supply in the United States—about 250 million pounds a year—will disappear. This reduction in supply will cause a dramatic increase in prices for our companies and our customers who rely on an affordable product for fish sticks in the freezer aisle and popular fish and chips menu items in restaurants. In addition, we are aware of persistent calls for expansion of the program to even more popular tilapia and shrimp. Such calls suggest that the existing USDA program is just the beginning.

Nor is the program justified on a food safety basis. USDA concedes that not a single case of Salmonella has been attributed to pangasius (or, for that matter, to domestic catfish) since establishment of the current FDA seafood regulatory approach in 1998. The Government Accountability Office has concluded that the USDA program will harm Federal food safety oversight by fracturing seafood regulation between two different regulatory agencies. For that and other reasons, GAO on ten different occasions has identified the program as a waste of tens of millions of taxpayer dollars and has urged the Congress to eliminate it.

The United States must have a rigorous, effective food safety system. That system, however, should not prevent retailers and restaurants from sourcing the seafood that meets the demand of middle class American families for affordable, accessible protein. We urge you to support the resolution of disapproval of the USDA catfish inspection program, under the Congressional Review Act.

Sincerely,

JENNIFER HATCHER,
Senior Vice President, Food Marketing Institute.
DAVID FRENCH,
Senior Vice President, National Retail Federation.
JENNIFER SAFAVIAN,
Executive Vice President, Retail Industry Leaders Association.

Mr. MCCAIN. Mr. President, the National Restaurant Association strongly supports what we are trying to do, and the list goes on and on.

I know there are my colleagues who want to speak on this issue, but this is more than a vote on catfish, I would say to my colleagues. What this is all about is government overriding the taxpayers of America, which is why we are seeing so many of these watchdog organizations supporting what we are trying to do.

Some of us, including this Member, have been surprised—been surprised by the American people's votes recently for both parties, both for Mr. Trump, who has never stood for public office before and has based his campaign, to a

large degree, on campaigning against Washington, DC, and those of us who serve here, and of course on the other side is Senator SANDERS, a Member of this body, but clearly one who is running his campaign against the status quo. So we have been surprised to see this uprising of the American voter, and I don't believe there is a Member of this body on either side of the aisle who would have predicted 6 months ago that we would be where we are today.

This kind of program is exactly what our hard-working citizenry who work hard and pay their taxes—they don't get it. They don't get it, when the GAO 10 times—10 times—said that this program is wasteful and duplicative, and tens of millions of dollars are being wasted on behalf of one industry, and that is the catfish industry—and it has been done by powerful appropriators, powerful members of the Appropriations Committee. There was never a debate. There was never a bill before this body. There was never amendments proposed. It was put in a large omnibus appropriations bill and kept there.

So sometimes we wonder why the American people have had it, why they are fed up. This is the best example I can come up with recently, $30 million per year being wasted on a duplicative—10 times—10 times that the GAO has said it is not only unneeded but unnecessary: a special catfish office, $14 million a year.

I don't know how many low-income taxpayers make $14 million, but I know this; that when I go back to Arizona and tell my constituents that we have a program GAO 10 times has said is totally unnecessary and duplicative and the government is spending $14 million of their tax dollars on it, they don't get it. They don't get it.

Then, after they don't get it for a while, they say: We have had it. They say: We have had it. We have had it with programs that nobody ever debated, nobody ever discussed. There was never a vote. It has been in existence since 2012, but it began in 2002.

So this is why Americans are fed up. This is why our hard-working citizenry does not understand why we would ever have such a program that wastes $12 million per year and, I believe, was $30 million to set up. That is chickenfeed to us. It is in the margins. To them, it is something. It means, to them, that we are not taking care of them. It means we are taking care of a powerful interest called the catfish industry, which happens to be in a number of Southern States.

There was a large number of Republican votes against this proposal—as I recall, a majority of Republican votes, Republicans who say: We are watchdogs of the Treasury. We don't waste money the way the Democrats do. But on the resolution just taken, if it had been only up to Republican Members, we wouldn't be debating this right now. Isn't that a little embarrassing? Isn't that a little embarrassing that a majority of Members on this side would not even vote to at least debate this?

All I can say is I have been fighting this issue for about 12 or 13 years. We finally now have a chance to get rid of it. Does it make the debt and the deficit any less? Is it a huge undertaking that somehow is going to save the taxpayers billions of dollars? I will tell you what. If we keep this program in, with a majority vote of the United States Senate, I tell my colleagues on this side of the aisle: Just don't go back and say you are a fiscal conservative. Say you take care of the fat catfish industry. Maybe some people like that. But don't go back and call yourself a fiscal conservative.

I know others want to speak. They are going to raise problems; that there could be contamination, there could be all these kinds of things, that it is the end of Western civilization as we know it, it is going to be worse than Ebola; that it means we don't trust the Food and Drug Administration, the people who are supposed to be inspecting all seafood—and if that is true of catfish, don't we have to worry about all the other seafood that the Food and Drug Administration inspects? Of course not.

So we are going to hear that it is the end of Western civilization, that there has been some pollution detected, et cetera. All we have to do is have the Food and Drug Administration do their job and inspect all seafood, just as they do today, including catfish. We don't have to have a new $30 million bureaucracy set up at a cost of $14 million per year.

I have a lot more to say, but the hour grows late. I just hope we will show the American taxpayer that we are at least willing, in a small way, to eliminate some government duplication and waste. I say that there is a lot of symbolic aspects of this vote that far exceed $14 million per year. It is now going to be a vote on how we do business in the United States Senate. If we don't succeed in eliminating this program, I then think we would be embarrassed.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. Mr. President, I ask unanimous consent to speak as in morning business and have my time charged for the proponents of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FLAKE. Mr. President, I agree completely with my fellow Senator from Arizona on this catfish issue. We have a lot of fiscal challenges ahead. If we hope to tackle the immense fiscal challenges ahead, we have to vote right on issues like this. Where there is duplication and waste going on, we have to tackle it. So I commend those who are sponsoring this initiative.

TRIBUTE TO MATTHEW SPECHT

Mr. President, I rise to recognize Matthew Specht as the longest serving member of my staff. He has dedicated the past 15 years of his life in service to the people of Arizona.

In that time, Matt has established himself as both a top-tier political strategist and one of my most trusted advisers. He has done so without fanfare and without self-promotion. That kind of modesty is refreshing in this line of work. So I obviously had to write this speech about him without telling him about it.

I first met Matt back in the year 2000, when he volunteered for my first campaign. Now, at that time, the main area of advertising for us was the 4-by-8 big signs that we put by the side of the road. Trying to get them to stay by the side of the road was difficult. Arizona is dry, the ground is hard, and we had to get big post pounders and pound big stakes, big posts in the ground. Matt was out there with the post pounder, lifted a little too high over the post, and it came down on his head, creating a large wound that bled profusely. Another campaign staffer ran over to help him and immediately fainted at the sight of blood. So there we had two campaign workers on the side of the road. It looked like a crime scene, when it was just a campaign activity, but Matt gratefully recovered—a few stitches and he was back on the job.

After helping me win that race, Matt came to Washington as my first legislative correspondent and systems administrator. Now, if you want to test someone under pressure, put them in charge of troubleshooting BlackBerrys in the early time of BlackBerrys. It was a tough thing, but Matt handled it like a pro. To his relief and our great benefit, he was soon promoted to press secretary.

It was in communications that Matt really came into his own. In the early days of the fight against congressional earmarks, Matt's foresight and creativity played a big role in raising awareness in the media. You can thank or blame Matt for many of the gut-wrenching bad puns that were part of my ''Egregious Earmark of the Week'' series. Of course, I claim all the good puns as mine and all the bad ones were his, but he knows that is not the case.

Let me just say, as a press secretary, if you can handle doing a segment on the ''Daily Show,'' you can handle just about anything, and Matt did it well.

He would eventually rise to the top of my staff, serving as chief of staff during my final years in the House and through my election to the Senate.

When I took this seat in the Senate, Matt—who never intended to stay in Washington for more than a couple years—returned home to Arizona after 10 years in Washington.

Being director of my State office in Arizona is no easy task. There are

countless veterans issues, loads of immigration casework, endless border issues, and a myriad of public lands disputes, but Matt has handled it all in stride.

Truly a man of few words, Matt has long been a steady and calming leader on my staff. He is well known on my staff for his amazing quick wit as well. His pranks have become the stuff of legend among my staff. Fortunately, for Matt, none of the pranks are appropriate to detail in a setting like this. Suffice it to say that birthdays in my office are celebrated with a mixture of fear and trepidation.

Matt is truly a staffer's staffer, it goes without saying, but his calm, steady leadership, his wealth of knowledge, his informed, dispassionate advice, and his sense of humor will be dearly missed as he moves to the private sector.

The only consolation with Matt leaving is that he will have more time to spend with his beloved cats. He is a proud cat guy, something I will never understand. I am glad I will still be able to call on Matt for his wise counsel.

Thank you, Matt, for your 15 years of honorable service. You will be missed.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, I rise in opposition to S.J. Res. 28, and I have to comment on a number of allegations made by my friend from Arizona and by other people who support the resolution.

I have in my hand a statement from the Budget Committee that is required for resolutions of this sort.

Mr. President, I ask unanimous consent that this statement be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FROM BUDGET COMMITTEE: CONGRESSIONAL REVIEW ACT ON MANDATORY SILURIFORMES (CATFISH) INSPECTION

S.J. Res. 28, A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Secretary of Agriculture relating to inspection of fish of the order Siluriformes (Senator McCain).

The Republican staff of the Senate Budget Committee concludes that S.J. Res. 28 (Senator John McCain, R–AZ), a joint resolution providing for congressional disapproval of a rule submitted by the Department of Agriculture relating to mandatory Siluriformes (catfish) inspection, is not subject to a budgetary point of order.

S.J. Res. 28 disapproves of the rule submitted by the Department of Agriculture on ''Mandatory Inspection of Fish of the Order Siluriformes and Products Derived From Such Fish'' that was published in the Federal Register on December 2, 2015. The rule implements Siluriformes inspection under the jurisdiction of the Agriculture Department's Food Safety and Inspection Service (FSIS). Enactment of the resolution means such rule shall have no force or effect and may not be reissued in substantially the same form.

This memo is for informational purposes only. The Congressional Review Act, which provides for expedited consideration of a resolution of disapproval in the Senate, waives all points of order against such a resolution, which includes any potential budget points of order (5 U.S.C. 802(d)(1)).

POINTS OF ORDER

Under the Congressional Review Act, budget points of order are waived against resolutions of disapproval. Based on staff analysis of the direct spending estimate provided by the Congressional Budget Office (CBO), S.J. Res. 28 would not trigger any budget points of order. A revenue estimate is not available at this time.

COST

CBO has determined that S.J. Res. 28 would not have any impact on direct spending, but has not produced a complete estimate of the budgetary effects of this resolution at this time.

PROCEDURAL STATUS

The Senate is expected to consider S.J. Res. 28 this week, possibly as early as Tuesday, May 24, 2016.

Mr. WICKER. From the Budget Committee, with regard to S.J. Res. 28, we get down to the place where it says ''COST,'' and it says that ''CBO has determined that S.J. Res. 28 would not have any impact on direct spending. . . .''

So I would submit to my colleagues that they can say as many times as they want to, they can say until they are blue in the face that this program at USDA is costly and we are saving money, but it doesn't square with the information we have from the Budget Committee, quoting CBO that says you don't save any money by passing S.J. Res. 28. There may be other reasons, but certainly it doesn't save money, according to the Budget Committee information, which I have now entered into the RECORD.

Why do we inspect catfish at all? We inspect it for the consumer. We want to make sure that at restaurants, in grocery stores, and in our homes, we are not consuming contaminated and adulterated product. Every bit of domestically raised, American farm-raised catfish is inspected by USDA. It is inspected just as other farm-raised meats are inspected by the USDA.

Until this new procedure went into effect in April, FDA inspected imported catfish. So you had the strange situation of 100 percent of farm-raised American catfish being inspected by USDA, but our foreign competitors—Vietnam sending in catfish and FDA inspecting only 2 percent of that. Only 2 percent of imported Vietnamese catfish was inspected by the U.S. Government until this new inspection procedure went into effect April 15. Since it has gone into effect, 100 percent of imported catfish has been inspected, just like 100 percent of American-raised catfish. Isn't that fair? If we are going to inspect all American-produced catfish, isn't it fair to inspect our competitors'?

What has USDA found? This is what my colleagues seem to be missing. In the short time USDA has been inspecting 100 percent of Vietnamese catfish, they have found contaminated substances that would have been consumed by Americans at restaurants and in homes, catfish purchased in supermarkets. On May 12, USDA found crystal violet. Crystal violet causes bladder cancer. Because USDA inspected the catfish coming in from Vietnam, American consumers were protected from this cancer-causing substance. I think we ought to be grateful for the new law because it protected us from crystal violet, which causes bladder cancer.

A week later, on May 19, the USDA—once again inspecting, as they have been required to do under the last two farm bills—found malachite green in Vietnamese catfish. Malachite green causes thyroid cancer, it causes liver cancer, and it causes mammary gland cancer.

I would say to my colleagues who are so pleased we might go back to the old regime, shouldn't we be proud of USDA for protecting Americans from cancer-causing substances—bladder cancer, thyroid cancer, liver cancer, mammary gland cancer? I take this seriously. I think Americans take this seriously.

Since we find that this Vietnamese catfish comes in in contaminated form, aren't we glad we are inspecting more than 2 percent of it? No one contends that I am wrong on this. FDA only inspected 2 percent. Now we are inspecting the vast majority, if not all of it.

Again, my friends can say this is a duplicative program, but it simply is not a duplicative program. FDA formerly did the inspections. They ceased inspecting at the end of February of this year and USDA took it over. That is not duplicative. According to the last two farm bills, FDA quit; USDA picked it up. Where is the duplication there?

We are told that the rule is a violation of trade policy, a WTO violation. In fact, USDA has pointed out that equivalent standards are applied both to imported and domestic fish. There is no different treatment. If we are going to look at all American catfish, we need to look at all Vietnamese catfish. For the life of me, I cannot understand why we would want to do otherwise, particularly when you have crystal violet and malachite green coming in.

Also, my friends on the other side of this issue say over and over again that this is costly. As a matter of fact, USDA—which will implement the program, is prepared to implement the program—says it will cost $1.1 million annually to implement this new inspection program. That is a reasonable amount, and it is far different from the figures that other agencies that are not

going to actually be doing this are talking about. USDA is going to do it, and they said we can do it for $1.1 million a year. That is not costly.

Once again, I would go back to what the Budget Committee said. There are no savings. There is no difference in direct spending if we pass this rule or not. But there is a great deal of protection from not only crystal violet, not only from malachite, but from enrofloxacin and fluoroquinolone. A 2009 draft version of the catfish inspection rule said the rule would yield ''a reduction of roughly 175,000 lifetime cancers.'' They are talking about saving Americans from contracting cancer, to the tune of 175,000 Americans, a reduction of 91.8 million exposures to antimicrobials and 23.2 million heavy metal exposures. So we are not talking about something theoretical. We are not talking about something that has to do with trade or good government. We are talking about adulterated, contaminated catfish coming in and threatening the consuming public.

Now that we have an inspection procedure that is working, we are told that somehow it is good government to go back to the old way of only looking at 2 percent of this suspect product coming in. I would hope that, upon reflection, my colleagues would conclude that the farm bill was right in 2008, that the farm bill was right in 2012, and that the Ag Department was correct to follow the congressional dictates.

This is not an example of an agency—as we have seen so many times in the Obama administration, this is not an example of the agency coming up with something they would like to do. They were following a House and Senate directive based on legislation passed here, passed down at the other end of the building, and signed by the President on two occasions. This is not USDA overreach; this is USDA doing what has been required under law.

Let's prevent cancer-causing substances from coming into the United States, let's vote no on this rule, and let's keep this new program, which is already working to protect the consuming public from very harsh chemicals that cause cancer.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

If no one yields time, the time will be charged equally to each side.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I rise today in support of what, frankly, is an egregious example of why folks get very frustrated with Washington and what happens here; that is, what has been described as one of Washington's most wasteful programs—the duplicative USDA catfish inspection program, which was slipped in the farm bill in 2008.

All other fish species are inspected not by USDA but are inspected in this country by the FDA. Yet, added to the 2008 farm bill was a provision to create a special office within the USDA for the one species of catfish. We know they are bottom dwellers, but this was something that was done to protect domestic catfish producers, and it was something that is wasting taxpayer dollars.

There have been 10 GAO reports, each finding that this inspection regime—set up especially for catfish but no other species—is duplicative and is a waste of taxpayer dollars.

The good-government groups, such as Citizens Against Government Waste, Taxpayers for Common Sense, the National Taxpayers Union, and many of the other groups that my colleague Senator MCCAIN cited on the floor that are supporting the resolution to disapprove this duplicative rule, have called this program one of the most demonstrably wasteful and duplicative programs ever created. Boy, in Washington, that says a lot, to call something one of the most demonstrably wasteful and duplicative programs ever created. These groups have written that the GAO also notes that it not only wastes taxpayer dollars and duplicates work already done by the FDA, but it actually weakens rather than strengthens our food safety systems.

The agency's proposed catfish inspection program further fragments Federal oversight over our system for food safety without demonstrating that there is a problem with catfish or a need for a new Federal program.

With all respect, I heard my colleague from Mississippi on the floor citing the most recent findings by the newly stood up USDA office for the inspection of catfish talking about harmful contaminants in catfish that the USDA intercepted. There are some facts that are conveniently missing from this argument. First of all, when the FDA was inspecting catfish—like they inspect all other fish in the country—at times, they were also able to intercept contaminants found not only in catfish but in other fish species. So the notion that the FDA couldn't find these very same contaminants—well, guess what, folks, they did, just as they do every day when they are looking at ensuring that all of our fish species are appropriate for our public health and for us to consume.

One of the interesting things about it is that not only would the FDA find this in the catfish coming from overseas, but they have actually intercepted contaminants in the domestic catfish supply at times as well. I think that is important for people to understand.

This notion that somehow we need to set up a special program within the USDA for just catfish because that is the only way we can find contaminants and protect the public health—apparently the FDA is able to do it for every other fish species, was able to do it before 2008, and yet we now have a separate office for the catfish, and the GAO found that it cost us nearly $20 million extra to set up this special office to inspect catfish for the one species.

In fact, my colleague from Mississippi serves on the Budget Committee, as I do, and he mentioned on the floor the fact that the CBO said that there will not be additional spending on this program. One thing that is important for people to understand—and those of us who serve on the Budget Committee understand this—is that the Budget Committee said that there is no additional mandatory spending. That means mandatory spending that has already been set aside in the budget. We separate spending in the Federal Government—mandatory versus discretionary spending. Guess what? Yes, there isn't mandatory spending on this, but, conveniently, what has been left out is that there is absolutely discretionary spending on this program.

In fact, GAO has found that it not only cost $20 million to set up this new inspection regime, but they have estimated that it costs $14 million a year in discretionary spending to run this new inspection regime for catfish.

I just want to make sure that people understand, for the record, that this budget opinion that is being cited is really meaningless because it is saying there is no mandatory spending. Well, guess what? I could come to the floor on almost any kind of domestic spending, whether it is on an issue of DOD, a weapons system, or anything we are talking about here, and tell you that there is no mandatory spending on this, and the Budget Committee would issue the same opinion.

What really matters is this: Are we spending any taxpayer dollars? The answer at the end of the day is absolutely, because the dollars that go to the USDA or the FDA are actually discretionary spending.

I hope my colleagues who are listening to this understand that this budget opinion really means nothing. We are still spending taxpayer dollars that matter to you and me, and we could spend these millions of dollars much more effectively elsewhere than on a duplicative program for catfish.

In fact, former FDA Safety Chief David Acheson commented that this duplicative program is ''everything that's wrong about the food-safety system. . . . It's food politics. It's not public health.'' For all the claims that have been made on this floor about somehow needing to set up a separate inspection regime for catfish, the USDA itself said: ''The true effectiveness of FSIS inspection for reducing catfish-associated human illnesses is unknown.'' This is the USDA itself: ''unknown.'' ''Also, the rate at which FSIS inspection will achieve its ultimate reductions is unknown. . . .

There is substantial uncertainty regarding the actual effectiveness of an FSIS''—meaning the USDA inspection regime—''catfish inspection program.''

That is not very promising. We already had an inspection regime in place, as we do for every other fish species under the FDA, and that costs us roughly $700,000 a year, according to the GAO reports, and now, under what we have done with the duplicative inspection regime with the USDA, it costs roughly $20 million to build a new inspection regime with new infrastructure in a different agency, and then roughly $14 million, according to the GAO. We just asked them again if they could confirm the numbers that are being cited of it only costing $1.5 million. No, they can't confirm those numbers. There were 10 GAO reports defining duplicative and wasteful spending, yet here we are.

I was really shocked by the vote on the Senate floor. I was very shocked that my colleagues would have 10 GAO reports in front of them that say this is a duplicative and wasteful program, and we already have every other fish species inspected by the FDA. Yet we are going to set up a separate office for catfish. Almost every good government group that focuses on addressing wasteful spending in Washington has called this duplicative program egregious and really cited this as an example of what is wrong when we are worried about taxpayer dollars and what happens in Washington.

I hope, as I look at the votes on the Senate floor, that as we proceed to this measure, my colleagues will look at these GAO reports, listen to these good government organizations that have basically said that this program is really a waste of taxpayer dollars, and that they will support the resolution to disapprove this duplicative inspection program.

Before 2008, the FDA was inspecting catfish, and they were doing their job just like they do with every other fish species. They can continue to do that rather than have an entire separate program just to inspect one fish species under the USDA. By the way, the focus of the USDA is actually on meat and poultry. They don't regulate any other fish. They don't have fish experts like the FDA, and that is one of the reasons it costs so much more to set up this new program.

There is a lot of talk about why people are frustrated with Washington; right? They are very frustrated. They want to make sure their taxpayer dollars are spent wisely. My constituents complain to me about wasteful spending and duplicative programs. Yet here we have such an obvious example. As I look at what we have pending on the Senate floor—if we don't pass this resolution of disapproval for this duplicative program after so many groups have said that they have looked at this and concluded that it is wasteful and duplicative—and 10 years of GAO reports saying the same thing, that we don't need a separate inspection regime for catfish, I don't know how we are ever going to address $19 trillion in debt. I don't know how we are ever going to take on the big burning issues that the American people want us to address.

I know a lot of bad things have been said about Congress. I personally think we might be called bottom dwellers if we don't pass this legislation. I am hoping that as we look at the duplicative program of catfish inspections, we will understand that one fish species does not deserve a separate office just to look at the catfish, that the FDA can handle this inspection as it does for every other fish species, that we could save millions of taxpayer dollars by doing this, and that we can let the American people know that we get it and we want to wisely spend their money wisely, we want to eliminate wasteful spending, we want to get our fiscal house in order, and we want good government. We don't want protectionist government that is just trying to protect one industry, crony capitalism, and all the bad things. What we want is common sense.

I hope my colleagues will join me. I thank Senator MCCAIN and Senator SHAHEEN for their efforts in helping us bring this important resolution for disapproval forward, and I hope we can take a small step forward in this body for good government, eliminating wasteful spending, eliminating duplicative programs, and tell the American people: We are not bottom dwellers. We really get it, and we want to make sure we do the right thing by them.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from New Jersey.

PUERTO RICO

Mr. MENENDEZ. Mr. President, I rise to speak about the ongoing crisis affecting the 3.5 million citizens who call Puerto Rico their home and to comment on the legislation that is pending in the House of Representatives.

We are facing a critical moment in the history of Puerto Rico. The island is sinking under a mountain of debt. I said it before, but it bears repeating. Just servicing the government's $72 billion debt swallows 36 percent of all of the island's revenue. That means that for every dollar Puerto Rico takes in, they immediately send over one-third to bondholders. This is not sustainable for any government, especially one that has been mired in a decade-long recession. Congress is faced with an immediate and serious choice. Indeed, the decisions we make in the next month will have profound consequences on the people of Puerto Rico for over a generation, and the stakes are high. We simply have to get it right.

I said from the beginning that any fix needs to provide a clear path to restructuring with an oversight board that represents the people of Puerto Rico and their democratic rights. If we truly want to help the economic situation on the island, we also need to provide parity for health care funds and worker tax credits that all 3.5 million American citizens living in Puerto Rico have access to once they move to the American mainland.

I must say I have been encouraged by Speaker RYAN and Chairman BISHOP's acknowledgement that Congress needs to act to prevent this fiscal crisis from becoming a full-blown humanitarian catastrophe, but, unfortunately, the legislation that is being marked up tomorrow falls far short on several fronts. Instead of offering a clear path to restructuring, the legislation creates a number of obstacles that could derail the island's attempt to achieve sustainable debt payments. Most strikingly, it requires a 5-to-2 supermajority vote by the control board to access this necessary restructuring authority—an authority that Puerto Rico had years ago and somehow—in the dark of night, in some legislation several years ago—was eliminated. Nobody seems to understand why. But it had the authority to restructure its debt. Now, restructuring its debt isn't a bailout because no one gives them money. They ultimately have to restructure the debt they have.

While most reasonable people agree it is absolutely vital for Puerto Rico to be able to restructure its debt, this authority can be blocked by a simple minority on the board. That is right. A simple minority on the board could block the pathway to restructure. Without the authority to restructure its debt, this legislation does virtually nothing to help Puerto Rico dig out of the hole they are in.

Exacerbating this concern is the composition and scope of power endowed to the control board. The fact that the people of Puerto Rico will have absolutely no say over who is appointed or what action they decide to take is blatant neocolonialism. It is OK to say to Puerto Ricans: Yes, please, wear the uniform of the United States, as they have done in World War II, Korea, and Vietnam. If you went with me to the Mall, you would see a disproportionate number of names of Puerto Ricans who gave their lives on behalf of the United States. Recently, the Speaker awarded the Congressional Gold Medal to the Borinqueneers, the 65th Infantry Division, which was one of the most decorated in U.S. military history. Yes, it is OK. Please put on the uniform of the United States and go fight for your country. Die for America. But it is not OK for you to have a voice in your future. It is not OK for you to have self-governance.

If that control board—with no Puerto Rican representation—uses its superpowers under the bill as drafted and decides to close more schools and hospitals than have been closed, cut pensions to the bone, sell Puerto Rico's natural assets without any say by the elected representatives of the 3.5 million U.S. citizens in Puerto Rico, I am sure some would suggest we look the other way and say Puerto Ricans are worth less than any other U.S. citizen.

While there is some fancy language to pretend that the President will get to pick the board members, this is all a figleaf to hide the real levers of power. The board will be composed of four Republican appointees and three Democratic appointees, and in addition to being the gatekeeper to restructuring, it will have the power to veto laws and regulations, override budgets, determine the level of debt payments, and make in essence what is the governing body of any State, any municipality, or of the people Puerto Rico totally obsolete. They will decide—unelected, they will decide. To me, it is simply wrong and un-American to take away the basic democratic rights of the people of Puerto Rico.

The bill even puts speculating hedge funds above pensioners, including language to ensure that in any restructuring deal, the people who worked their entire lives—their entire lives—to help the island are put at the back of the line behind Wall Street.

I remind my colleagues that each and every Puerto Rican is an American citizen, many of whom have fought and died, as I said, for our country in every war over the past century. They deserve the same rights and respect as citizens in New Jersey or Wisconsin or Utah or any other State in the Nation. If they can do this in Puerto Rico, why not see any other State that sees a crisis have it become a reality as well.

Finally, the proposed legislation sensibly cuts minimum wage rules and new overtime protections that would apply to workers in Puerto Rico. At a time when cities and States across the Nation are moving toward increasing the minimum wage, I cannot fathom why anyone would support decreasing it for Puerto Rico. With the poverty rate of approximately 45 percent, lowering people's wages is not a pro-growth strategy, as some have called it. It is a pro-migration strategy. We already see an incredible migration from Puerto Rico to places in the United States—most particularly Florida, New Jersey, New York, and other places in the country. Why? Because as an American citizen they have every right to reside anywhere in the United States. They also have a right to receive any right or privilege that any citizen has in the United States. So there is a brain drain leaving Puerto Rico coming to the mainland, which only exacerbates the problem in Puerto Rico. These unrelated riders are counterproductive and will only drive more Puerto Ricans to migrate to the mainland, where they will not have to work for subminimum wages.

I am afraid this bill provides little more than a bandaid on a bullet hole with regard to Puerto Rico's unsustainable debt. Mark my words, if we don't seize this opportunity to address the crisis in a meaningful way and in the right way, we will be back here a year from now, but we will be picking up the pieces because there will not be much left. So while it is absolutely clear that we need to act and act decisively and expediently to help our fellow citizens in Puerto Rico, just as important, we also need to get it right.

Working together and helping each other in a time of need is what this country is all about. When a hurricane hits the gulf coast or a tornado ravages the Midwest, I don't ask how many of my constituents in New Jersey were affected. Rather, I stand with my fellow Americans and fight to provide relief regardless of what State or territory they are from. That is why we call this country the United States of America.

Let's continue to honor that timeless American tradition. Let's honor our country's motto of ''e pluribus unum,'' out of many, one. Let us provide our fellow Americans in Puerto Rico with the tools they need to help themselves. It is not a bailout. We are not going to give them any money. They are going to have to restructure and figure out themselves how they will get out of the mess, without taking away their self-governance. You can't preach democracy and human rights and then deny it to the American citizens of Puerto Rico.

With that, Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DAINES). Without objection, it is so ordered.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO LYUSHUN SHEN

Mr. REID. Mr. President, in the coming weeks, Representative Lyushun Shen from the Taipei Economic and Cultural Representative Office will be leaving his post and returning to Taiwan. Having worked with Representative Shen during his tenure in Washington DC, I would like to express my gratitude to him for his service.

As West Africa battled the ravages of Ebola and the world united to help address the epidemic in 2014, Representative Shen and the Taiwanese rose to the occasion. On behalf of the Taiwanese, Representative Shen pledged $1 million to the Centers for Disease Control and Prevention to help the U.S. combat the Ebola virus and stabilize the region. This act of generosity came at a critical time and further demonstrated Taiwan's solidarity with the United States.

During his post in Washington, Representative Shen made important contributions to the Global Cooperation and Training Framework, GCTF. Representative Shen is a valued friend of the United States, and I thank him for his work and wish him well in all his future endeavors.

DEPARTMENT OF LABOR FIDUCIARY RULE

Mr. DURBIN. Mr. President, retirement savings are crucial for our economic security, but too many Americans have little to no retirement savings because of low wages and the need to provide for their families.

Those who have been able to save for retirement are often confused by the unknowns of retirement planning and investing and depend on financial advisers to provide advice that is in their best interest.

However, loopholes in the retirement advice rules have allowed some advisers to recommend products that put profits ahead of their clients' best interest, hurting workers and their families, and jeopardizing our economic security.

The Department of Labor set out to update these decades-old rules to address conflicts of interest and require that financial advisers put their clients first, which is just plain common sense. Unfortunately, my Republican colleagues have voted to roll back this important consumer protection and voted to block the Department's fiduciary rule, an effort I did not and would not support.

While most advisers operate under a best interest standard, some advisers steered their customers into investments that award big commissions and incentives to the adviser but are not in the best interest of the customer.

No one knows this better than the Toffels of Lindenhurst, IL.

Merlin Toffel was a Navy veteran and an electrician, and his wife, Elaine, was an accountant. After more than 40 years of work, they had built up an impressive nest egg, but when Merlin was diagnosed with Alzheimer's and could

no longer manage their finances, Elaine sought investment advice from an investment broker at their local retail bank.

The broker told her to liquidate their retirement account and sold them variable annuities to the tune of $650,000. Elaine trusted his advice because she thought that it was in her best interest. She later found out that those annuities charged fees in excess of $26,000 a year, and if she needed to access the money right away for an emergency, she would be charged a surrender charge of more than $45,000.

In the end, the Toffels lost more than $50,000 because of the broker's conflicted advice. Unfortunately, they are not alone. This is unconscionable and should not be allowed.

The fiduciary rule will require advisers to disclose their fees and ensure access to quality financial advice, restore confidence to savers, and protect them from receiving conflicted advice, which has the potential to erode billions from retirement accounts of hard-working Americans.

The bottom line is that we need to support policies that safeguard worker retirement savings and help them prepare for retirement, and the fiduciary rule does just that.

It saddens me that my Republican colleagues have acted to undermine American workers and families by blocking this rule. Thankfully, their efforts here today will not prevail because the President will veto this attempt to dismantle this important rule.

REMEMBERING BOB BENNETT

Mr. LEAHY. Mr. President, all of us mourn the passing of a distinguished former Member of this body, Senator Bob Bennett of Utah, who died of an illness on May 4.

I doubt that there were any in the Senate who did not truly like and admire Bob Bennett. His gentle spirit, his kindness, his civility, and his empathy for others were reflected in his work here for the people of Utah and for the Nation. Marcelle and I are fortunate to have called Bob and Joyce Bennett our friends while we served together.

Senator Bennett and I were poles apart on many issues that came before the Senate, but, as with many others in this body, we were able to work together in good faith to find ways forward through many issues, knowing how important it was to our constituents, to the country, and to the Senate for us to do that. He followed the tradition of other highly respected Senators when I joined this body: He always kept his word.

At the very end of his life, as he lay in a hospital bed in Salt Lake City, we now have heard from his family of yet another sign of his decency and humanity, as he specially sought out Muslim members of the hospital staff to thank them and to personally apologize to them for what they have heard of the divisive and hateful messages and the pandering to fear that has spilled out from the current Presidential campaign. He wanted them to know that he and most Americans welcome them, appreciate them, and recognize the pain that these invectives have caused and continue to cause.

Reading and hearing his son's description of his dad's outreach in his final days touched me deeply, as I am sure is the case for all of us here and for all Americans of goodwill everywhere. All of us can learn from his poignant gestures, and we can resolve to deepen our own commitment to the eternal values—and the American values—that motivated him. What a powerful lesson he leaves for us all.

I ask unanimous consent that an article from the Salt Lake City Deseret News about this remarkable and telling episode from the final days of Senator Bennett's life be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The Deseret News, May 19, 2016]

FORMER UTAH SEN. BOB BENNETT'S APOLOGY TO MUSLIMS RECEIVING ATTENTION FROM NEWS OUTLETS WORLDWIDE

(By Scott Stevens)

Weeks after former Utah Sen. Bob Bennett's death, several national news media outlets have published stories praising the Utah politician for comments he made regarding Muslims and their acceptance in America shortly before his death on May 4, 2016.

In the weeks following former Utah Sen. Bob Bennett's death, several national news media outlets published stories praising the Utah politician for comments he made about Muslims and their acceptance in America, shortly before his death.

In late April the Deseret News reported about Bennett's battle with pancreatic cancer and a stroke. He told the Deseret News ''I want to go to every Muslim and say thank you for being in our country . . . ,'' and, like many other politicians, Bennett expressed his distaste in the tone and tenor of the Republican presidential race as he remarked ''I want to apologize on behalf of the Republican Party for Donald Trump.''

The Daily Beast picked up on the Deseret News' interview with the Bennetts a few weeks after the former senator's death and followed up with their own interview with Bennett's family. ''He would go to people with the hijab (on) and tell them he was glad they were in America, and they were welcome here,'' Bennett's wife Joyce told The Daily Beast. ''He wanted to apologize on behalf of the Republican Party.''

Quartz followed suit, citing the Deseret News and Daily Beast interviews with the Bennetts, and adding that Bennett's thoughts on the treatment of Muslims seemed to be frequently on his mind in the weeks and months leading up to his death.

NBC News echoed the report that in Bennett's last days he approached Muslims to offer his well-wishes to them—even going as far as to ask his son, Jim, if there were any Muslims in the same hospital as him so he could thank them for their residence in the United States.

An active member of The Church of Jesus Christ of Latter-day Saints, Bennett's faith was also at the forefront of his thoughts as cancer and a stroke left him partially paralyzed. Bennett ''recognized parallel between the Mormon experience and the Muslim experience,'' The Week reported, and he ''wanted to see these people treated with kindness and not ostracized.''

RECOGNIZING KING ARTHUR FLOUR

Mr. LEAHY. Mr. President, on May 19, 2016, hundreds of guests flooded the Senate's Kennedy Caucus Room for the eleventh annual Taste of Vermont, an event that brings together over 60 businesses that showcase the best Vermont has to offer. From microbreweries to distilleries, farms to creameries, bake shops to chocolatiers, these business represent the best of Vermont's many unique, homegrown products. All of these businesses deserve acknowledgment for their contributions to our great State and for putting Vermont's business-friendly environment on the map. I want to take a minute to shine the spotlight on one company in particular.

On the eve of this year's Taste of Vermont, the Employee Stock Ownership Plan, ESOP, Association named King Arthur Flour the 2016 Company of the Year. Founded in 1790, King Arthur Flour epitomizes Vermont values. A business leader within the community, the company is focused on providing quality products to its loyal customers. After relocating to Norwich, VT, in 1984, owners Frank and Brinna Sands sold their company to their employees. They became 100 percent employee-owned in 2004 and have helped numerous other Vermont companies transition to ESOP status, including Heritage Aviation, the most recent Vermont-based company to join the ESOP ranks.

King Arthur Flour has long been dedicated to bettering itself and its community, a laudable and often uncommon commitment from businesses. Currently in the midst of a large expansion of their facilities and programming, King Arthur Flour has adapted to meet the needs of their customers and introduced award-winning gluten-free baking mixes in 2010. The life skills bread baking program recently taught its 120,000th student, and classes from the baking education center have reached over 4,600 bakers.

In King Arthur Flour, I see a commitment to being on the cutting edge of new ideas and developments, while remaining true to what their customers deserve. Congratulations to King Arthur Flour for this outstanding achievement and to everyone who was involved.

VOTE EXPLANATION

Mr. MENENDEZ. Mr. President, I was unavoidably detained for rollcall

vote No. 83 on passage of S. 2613. Had I been present, I would have voted yea.

ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD–423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16–24, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Oman for defense articles and services estimated to cost $260 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,
Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 16–24

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Oman.

(ii) Total Estimated Value:
Major Defense Equipment* $0 million.
Other $260 million.
Total $260 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Non-MDE: Follow-on support for Oman's existing F–16 fleet that includes support equipment, communications equipment, personnel training, spare and repair parts, publications, Electronic Combat International Security Assistance Program (ECISAP), Contractor Engineer Technical Services (CETS), Technical Coordination Group (TCG), International Engine Management Program (IEMP), Precision Measurement Equipment Laboratory (PMEL) calibration and technical orders. The estimated value of this possible sale is $260 million.

(iv) Military Department: USAF (QAO).

(v) Prior Related Cases, if any: MU–D–SDC–$693,191,686–5 June 2002; MU–D–QAJ–$186,003,411–22 September 2009; MU–D–SAB–$1,418,883,494–2 December 2011.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: May 24, 2016.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Oman—Continuation of Logistics Support Services and Equipment

The Government of Oman requests follow-on support for its existing F–16 fleet that includes support equipment, communications equipment, personnel training, spare and repair parts, publications, Electronic Combat International Security Assistance Program (ECISAP), Contractor Engineer Technical Services (CETS), Technical Coordination Group (TCG), International Engine Management Program (IEMP), Precision Measurement Equipment Laboratory (PMEL) calibration and technical orders. The estimated value of this possible sale is $260 million.

The proposed sale of support services will enable the Royal Air Force of Oman to ensure the reliability and performance of its F–16 aircraft. Oman will have no difficulty absorbing this support into its armed forces.

This proposed sale contributes to the foreign policy and national security of the United States by helping to improve the security of a friendly country which has been, and continues to be, an important force for political stability and economic progress in the Middle East.

The proposed sale allows the U.S. military to support the Royal Air Force of Oman, further strengthen the U.S.–Omani military-to-military relationship, and ensure continued interoperability of forces and opportunities for bilateral training and exercises with Oman's military forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractors for this sale are: Lockheed Martin Aero, Fort Worth, TX; ITT (EXCELIS-Harris), Fort Wayne, IN; BAE Systems, Austin, TX; Honeywell, Clearwater, FL; Northrop Grumman, Linthicum Heights, MD; Marvin Engineering, Inglewood, CA; Lockheed Martin Missile and Fire Control, Orlando, FL; Goodrich Corp, Westford, MA. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale does not require the assignment of any additional U.S. Government or contractor representatives to Oman.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

All defense articles and services have been approved for release to the Government of Oman.

TRANSMITTAL NO. 16–24

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

Annex Item No. vii

(vii) Sensitivity of Technology:

1. This case involves the sustainment of sensitive technology previously released to Oman in the sales of their F–16C/D aircraft. The F–16C/D Block 50/52 weapon system is UNCLASSIFIED, except as noted below. The aircraft uses the F–16 airframe and features advanced avionics and systems including the Pratt and Whitney F–100–PW–229 or the General Electric F–110–GE–129 engine, AN/APG–68V(9) radar, digital flight control system, external electronic warfare equipment, Advanced Identification Friend or Foe (AIFF), Link–16 datalink, and software computer programs.

2. Sensitive or classified (up to SECRET) elements of the proposed F–16C/D include hardware, accessories, components, and associated software: AN/APG–68V(9) Radar, Have Quick I/II Radios, AN/APX–113 A1FF with Mode IV capability, AN/ALE–47 Countermeasures (Chaff and Flare) set, LINK–16 Advanced Data Link Group A provisions only, Embedded Global Positioning System/Inertial Navigation System, Joint Helmet-Mounted Cueing System (JHMCS), ALQ–211(V)4 Advanced Integrated Defensive Electronic Warfare Suite (AIDEWS) without Digital Radio Frequency Memory, AN/ALQ–211(V)4 Countermeasures Set, Modular Mission Computer, Have Glass I/II without infrared top coat, and Digital Flight Control System. Additional sensitive areas include operating manuals and maintenance technical orders containing performance information, operating and test procedures, and other information related to support operations and repair. The hardware, software, and data identified are classified to protect vulnerabilities, design, and performance parameters and other similar critical information.

3. Software, hardware, and other data, which is classified or sensitive, is reviewed prior to release to protect system vulnerabilities, design data, and performance parameters. Some end-item hardware, software, and other data identified above are classified at the CONFIDENTIAL and SECRET level. Potential compromise of these systems is controlled through management of the basic software programs of highly sensitive systems and software-controlled weapon system on a case-by-case basis.

4. Oman is both willing and able to protect U.S. classified military information. Oman's physical and document security standards are equivalent to U.S. standards.

5. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification. Moreover, the benefits to be derived from this sale outweigh the potential damage that could result if the sensitive technology were revealed to unauthorized persons.

6. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Oman.

DEFENSE SECURITY COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16–20, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to Qatar for defense articles and services estimated to cost $20 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,
Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 16–20

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Qatar.

(ii) Total Estimated Value:

Major Defense Equipment* $15 million.

Other $5 million.

Total $20 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Fifty (50) Javelin Guided Missiles (Category I) with Containers.

Ten (10) Command Launch Units (CLUs) with Integrated Day/Thermal Sights (Category III Sensitive) with Containers.

Non-MDE: Ten (10) Javelin Missile Simulation Rounds, one (1) Enhanced Basic Skills Trainer (EPBST), and twelve (12) Batteries, Non-Rechargeable, six (6) Batteries, Storage, Rechargeable, Battery Discharger, Battery Charger for #9, and ten (10) Battery Coolant Units. Also included in this possible sale are U.S. Government Technical Information and Assistance and Life Cycle Contractor support (LCCS) for twenty-four (24) months or until funds are exhausted. This support provides for personnel, services, materials, facilities, equipment, maintenance, supply support, Integrated Support Plan, product assurance, and configuration management. The estimated cost is $20 million.

(iv) Military Department: U.S. Army.

(v) Prior Related Cases, if any: QA–B–UAR–$113,894,777–11 SEP 14.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: May 24, 2016.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Qatar-Javelin Guided Missiles

The Government of Qatar has requested a possible sale of fifty (50) Javelin Guided Missiles (Category I), and ten (10) Command Launch Units (CLUs) with Integrated Day/Thermal Sight (Category III Sensitive) with Container. Also included in this possible sale are: ten (10) Javelin Missile Simulation Rounds, one (1) Enhanced Basic Skills Trainer (EPBST), and twelve (12) Battery, Non-Rechargeable, six (6) Battery, Storage, Rechargeable, Battery Discharger, Battery Charger for #9, and ten (10) Battery Coolant Units. Also included in this possible sale are U.S. Government Technical Information and Assistance and Life Cycle Contractor support (LCCS) for twenty-four (24) months or until funds are exhausted. This support provides for personnel, services, materials, facilities, equipment, maintenance, supply support, Integrated Support Plan, product assurance, and configuration management. The total estimated value of Major Defense Equipment is $15 million. The overall total estimated value is $20 million.

This proposed sale contributes to the foreign policy and national security of the United States by helping to improve the security of a regional partner. Qatar is an important force for political stability and economic progress in the Persian Gulf region. This proposed sale strengthens U.S. efforts to promote regional stability by enhancing the defense to a key U.S. ally.

The proposed sale will improve Qatar's capability to meet current and future threats and provide greater security for its critical oil and natural gas infrastructure. Qatar will use the enhanced capability to strengthen its homeland defense. Qatar will have no difficulty absorbing these missiles into its armed forces.

The proposed sale will not alter the basic military balance in the region.

The principal contractor will be Lockheed Martin, Troy, AL. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require multiple trips by U.S. Government and contractor representatives to travel to Qatar for up to twenty-four (24) months for equipment de-processing, fielding, system checkout, training, and technical logistics support.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 16–20

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The Javelin Weapon System is a medium-range, man-portable, shoulder-launched, fire-and-forget, anti-tank system for infantry, scouts, and combat engineers. It may also be mounted on a variety of platforms including vehicles, aircraft and watercraft. The system weighs 49.5 pounds and has a maximum range in excess of 2,500 meters. The system is highly lethal against tanks and other systems with conventional and reactive armors. The system possesses a secondary capability against bunkers.

2. Javelin's key technical feature is the use of fire-and-forget technology which allows the gunner to fire and immediately relocate or take cover. Additional special features are the top attack and/or direct fire modes, an advanced tandem warhead and imaging infrared seeker, target lock-on before launch, and soft launch from enclosures or covered fighting positions. The Javelin missile also has a minimum smoke motor thus decreasing its detection on the battlefield.

3. The Javelin Weapon System comprises two major tactical components, which are a reusable Command Launch Unit (CLU) and a round contained in a disposable launch tube assembly. The CLU incorporates an integrated day-night sight that provides a target engagement capability in adverse weather and countermeasure environments. The CLU may also be used in a stand-alone mode for battlefield surveillance and target detection. The CLU's thermal sight is a second generation Forward-Looking Infrared (FLIR) sensor. To facilitate initial loading and subsequent updating of software, all on-board missile software is uploaded via the CLU after mating and prior to launch.

4. The missile is autonomously guided to the target using an imaging infrared seeker and adaptive correlation tracking algorithms. This allows the gunner to take cover or reload and engage another target after firing a missile. The missile has an advanced tandem warhead and can be used in either the top attack or direct fire modes (for targets undercover). An onboard flight computer guides the missile to the selected target.

5. The Javelin Missile System hardware and the documentation are UNCLASSIFIED. The missile software which resides in the CLU is considered SENSITIVE. The sensitivity is primarily in the software programs which instruct the system how to operate in the presence of countermeasures. The overall hardware is also considered SENSITIVE in that the infrared wavelengths could be useful in attempted countermeasure development. The benefits to be derived from the sale, as outlined in the Policy Justification of the notification, outweigh the potential damage that could result if sensitive technology was revealed to unauthorized persons.

6. If a technologically advanced adversary were to obtain knowledge of the specific hardware or software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

7. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Qatar.

DEFENSE SECURITY COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16–16, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Kuwait for defense articles and services estimated to cost $420 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,
Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 16–16

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Kuwait

(ii) Total Estimated Value:

Major Defense Equipment* $0 million.

Other $420 million.

Total $420 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Non-Major Defense Equipment (MDE): This request includes the following Non-MDE: continuation of contractor engineering technical services, contractor maintenance services, Hush House (an enclosed, noise-suppressed aircraft jet engine testing facility) support services, and Liaison Office Support for the Government of Kuwait F/A–18 C/D program. This will include F/A–18 avionics software upgrades, engine component improvements, ground support equipment, engine and aircraft spares and repair parts, publications and technical documentation, Engineering Change Proposals (ECP), U.S. Government and contractor programmatic, financial, and logistics support. Also included are: maintenance and engineering support, F404 engine and engine test cell support, and Liaison Office support for five (5) Kuwait Liaison Offices. There is no MDE associated with this possible sale. The total overall estimated cost is $420 million.

(iv) Military Department: U.S. Navy (GHI, GHJ).

(v) Prior Related Cases, if any: FMS Cases: GGZ–$134,425,825–16 JUN 14 GGW–$177,181,190–25 DEC 13.

(vi) Sales Commission, Fee. etc., Paid. Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None.

(viii) Date Report Delivered to Congress: May 24, 2016.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

The Government of Kuwait–F/A–18 C/D Services and Support

The Government of Kuwait has requested a possible sale of the following Non-Major Defense Equipment (MDE): continuation of contractor engineering technical services, contractor maintenance services, Hugh House support services, and Liaison Office Support for the Government of Kuwait F/A–18 C/D program. This will include F/A–18 avionics software upgrades, engine component improvements, ground support equipment, engine and aircraft spares and repair parts, publications and technical documentation, Engineering Change Proposals (ECP), U.S. Government and contractor programmatic, financial, and logistics support. Also included are: maintenance and engineering support, F404 engine and engine test cell support, and Liaison Office support for five (5) Kuwait Liaison Offices. There is no MDE associated with this possible sale. The total overall estimated value is $420 million.

The proposed sale of support services will enable the Kuwait Air Force to ensure the reliability and performance of its F/A–18 C/D aircraft. Kuwait will have no difficulty absorbing this support into its armed forces.

This proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a friendly country that has been, and continues to be, an important force for political stability and economic progress in the Middle East. Kuwait plays a large role in U.S. efforts to advance stability in the Middle East, providing basing, access, and transit for U.S. forces in the region.

The proposed sale of support and services will not alter the basic military balance in the region.

The principal contractors will be Kay and Associates Incorporated in Buffalo Grove, Illinois; The Boeing Company in St. Louis, Missouri; Industrial Acoustics Corporation in Winchester, England; General Electric in Lynn, Massachusetts; and Sigmatech in Huntsville, Alabama. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require two-hundred and seventy-five (275) contractor representatives to travel to Kuwait for a period of three (3) years to provide support.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

EVERY STUDENT SUCCEEDS ACT

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of my opening statement last week to the HELP Committee regarding oversight of the Every Student Succeeds Act.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OVERSIGHT OF THE EVERY STUDENT SUCCEEDS ACT

Mr. ALEXANDER. I'm delighted to have the witnesses here. This is an extraordinary group of individuals with broad prospective of children and elementary and secondary education. And we welcome your comments on how to implement the new reauthorization of the Elementary and Secondary Education Act.

This is our third of six hearings to discuss the implementation of the Every Student Succeeds Act, which the President signed in December.

It's the second opportunity for this committee to hear from the states, school districts, teachers, principals, and others that helped us pass this overwhelmingly bipartisan law and are today working together to implement it in a way that is consistent with congressional intent.

I want to focus my remarks on the administration's proposed ''Supplement Not Supplant'' regulation.

This is the very first opportunity the administration has to write regulations on our new law. And in my view, they earned an 'F.'

The reason for that is that the regulation violates the law as implemented since 1970, and seeks to do it in a way that is specifically prohibited in the new law.

In writing the new law last year, Congress debated and ultimately chose to leave unchanged a provision in the law referred to as ''comparability.'' That's section 1605.

This provision says: school districts have to provide at least comparable services with state and local funding to Title I schools and non-Title I schools.

But—the law plainly states that school districts shall not include teacher pay when they measure spending for purposes of comparability. That's been the law since 1970. We didn't change it last year.

There's an entirely separate provision, known as ''Supplement Not Supplant'' that's intended to keep local school districts from using federal Title I dollars as a replacement for state and local dollars in low-income schools.

What the department's proposed ''Supplement Not Supplant'' regulation attempts to do is to change ''comparability'' by writing a new regulation governing ''Supplement Not Supplant.''

In other words, their proposal would force school districts to include teacher salaries in how they measure state and local spending, and would require that state and local spending in each Title I school be at least equal to the average spent in non-Title I schools.

The effect of this would be to violate the law as implemented since 1970, section 1605.

So, the administration may get an ''A'' for cleverness, but an ''F'' for following the law, in my opinion.

The negotiated rulemaking committee couldn't agree on the proposal. At least one member, Tony Evers, a witness today, said that ''Congressional intent isn't necessarily being followed here.''

Last week, the nonpartisan Congressional Research Service said the same thing.

CRS issued a report that said quote, ''the Department's interpretation appears to go beyond what would be required under a plain language reading of the statute.''

CRS found that the proposed [supplement, not supplant regulations ''appear to directly conflict'' with statutory language that ''seems to place clear limits on [the Department's] authority'' and ''thus raises significant doubts about [the Department's] legal basis for proposed regulations.''

Today, I am looking forward to hearing from witnesses whether what I have been hearing from principals, teachers, and education leaders across the country is true. Here's what I've been hearing:

1. That the department's proposed regulation could turn upside down the funding formulas of almost all the state and local school systems across the country.

Most states and local districts allocate K–12 finding to schools based on staffing ratios.

This often results in different amounts going to different schools in the same district because teacher salaries vary from school-to-school for reasons having nothing to do with a school's participation in Title I.

Instead, salaries vary because of teacher experience, merit pay, or the subject or grade level they teach.

2. I've been hearing that proposed regulation could effectively require wholesale transfers of teachers and the breaking of collective bargaining agreements.

3. I've been hearing that school districts won't receive enough funds to comply with the proposed regulation.

4. That students could be forced to change schools.

5. That the proposed regulation could increase the segregation of low-income and high-income students.

6. That it could require states and local school districts to move back to the burdensome practice of detailing every individual cost on which they spend money to provide a basic education program to all students, which is exactly what we were trying to free states and districts from, when we passed the law.

According to the Council of Great City Schools, the proposed regulation would cost $3.9 billion a year, just for their 69 urban school systems to eliminate the differences in spending between schools.

What the department has done for the first time is to try to put together two major provisions of the law that have always been separate.

On comparability, (which is the first one):

Members of this committee discussed and debated changing this provision at great length over the past 6 years. We discussed it at great length over the last six years.

Senator Bennet of Colorado has lots of experience with this, had one proposal. I had another.

We ultimately decided not to make any changes in comparability.

Instead, we included more transparency, in the form of public reporting, on the amount districts are spending on each student, including teacher salaries, so that parents and teachers know how much money is being spent and can make their own decisions about what to do, rather than the federal government mandating it be used in comparability calculations.

Then on the second provision in the law, on ''Supplement Not Supplant'':

We addressed this provision and made changes with an effort to simplify the law, and not make it more complicated.

By no stretch of the imagination did we intend, does any of the language in the law say, that ''Supplement Not Supplant'' would be used to modify the ''comparability'' provision.

In fact, we specifically prohibited that. We prohibited expressly:

The Secretary from requiring local school districts to identify individual costs or services as supplemental

We Prohibited the Secretary from prescribing any specific methodology that local school districts use to distribute state and local funds

Most importantly, we prohibited the Secretary from requiring a state, local school district, or school to equalize spending.

The proposed regulation is nothing less than a brazen effort to deliberately ignore a law that passed the Senate 85 to 12, passed the House 359–64, and was signed by the president.

No one has to guess what the law says. As the Congressional Research Service says—we can just read its plain language.

And if the administration can't follow language on this, it raises grave questions about what we might expect from future regulations.

ADDITIONAL STATEMENTS

REMEMBERING JOE PRESTON JOSLIN, JR.

● Mr. BOOZMAN. Mr. President, today I wish to remember the life of Joe Preston Joslin, Jr., who passed away on May 14, 2016, after living an extraordinary life of service.

Joe Joslin was born in Dallas, TX, on September 26, 1947. He served in the 11th Armored Cavalry Regiment as a track mechanic and forward observer in Vietnam. After the war, he lived in Dallas and Austin until 1995, when he and his his wife of 30 years, Sharon, moved to Mountain View, AR. For the last 13 years, they lived in Leslie, AR, where Joe left a lasting mark on the community.

This January, after nearly 50 years, Joe was finally given the recognition he deserved. He received the Bronze Star with Valor for putting the lives of his fellow soldiers before his own and dismounting his armored vehicle to help those in need. This, along with the Army Medal of Commendation, accompany his many distinguished medals while serving in the U.S. Army.

Like many veterans, his selfless acts have gone far past the battlefield. Joe dedicated his life to helping his fellow veterans. He served as a past commander of American Legion Post 131 and American Legion District 2. He also served as commander of Veterans of Foreign Wars Post 12127, and in October of 2015, he retired after serving as the Searcy County veteran service officer for 3 years.

Joe enjoyed sharing his passion for the community with others. He had a soft spot for animals and shared his love of dogs with other members of the Searcy County Humane Society.

A true family man and dear friend, Joe leaves behind many loved ones, including his wife, Sharon; his mother, Helen Loftin; five children; nine grandchildren; and five great-grandchildren. I want to offer my prayers and sincere condolences to his loved ones on their loss. Joe was a true American hero. I would like to take this opportunity to recognize him and join with his family and friends in showing gratitude for his life and legacy.●

TRIBUTE TO COLONEL ROBERT ERICKSON

● Mr. DAINES. Mr. President:

Whereas, Colonel Erickson served in the United States Air Force for twenty-five years and is retiring from his current position as the Air National Guard Advisor to the Commander, Headquarters Air Education and Training Command, Joint Base San Antonio—Randolph, Texas; and,

Whereas, he is husband to Colonel Megan Erickson and father to Margaret Jean and John William; and,

Whereas, he ascended Montana mountain peaks in his youth with his cousin Steve Daines, current United States Senator for Montana; and,

Whereas, Colonel Erickson graduated from the United States Air Force Academy in 1991 as a Cadet Wing Commander and with a Bachelor of Science degree in Political Science with a minor in Russian Language; and,

Whereas, Colonel Erickson has logged more than 3,100 flight hours since he first earned his wings in April 1993 and has subsequently served in various flying assignments, including instructor pilot and flight commander; and,

Whereas, his call sign was Leif, in honor of his Norwegian grandfather Harold Erickson;

Whereas, from July 1999 to July 2002 he served as Assistant Director of Operations and Flight Commander, Instructor Pilot and Evaluation Pilot in the 12th and 44th Fighter Squadrons out of Kadena Air Base, Japan; and,

Whereas, upon Colonel Erickson's return from Japan in 2002, he joined the Oregon Air National Guard at Kingsley Field, Klamath Falls, Oregon. During his time there, he served as an Instructor Pilot, Evaluation Pilot, Assistant Weapons Officer, Chief of Academics, Chief of Scheduling, Chief of Standardization and Evaluation, Director of Operations, and Squadron Commander of the 114th Fighter Squadron; and,

Whereas, Colonel Erickson summited Mount Rainier with three combat injured veterans in 2009—Ryan Job, former Navy SEAL; Chad Jukes, Army reservist; and Jose Martinez, former Marine; and,

Whereas, in March 2011 Colonel Erickson was selected as the Director of Operations (A3) for the Oregon Air National Guard and served in that position for six months. In September 2011, he then served for the next three years as the Air National Guard Advisor to the Director of Intelligence, Operations and Nuclear Integration at Air Education and Training Command in Joint Base San Antonio—Randolph, Texas; and,

Whereas, his incredible hard work, leadership and dedication to the Air Force has earned him sixteen major awards and decorations, some of which are the Air Force Commendation Medal with oak leaf cluster, Air Force Outstanding Unit Award with four oak leaf clusters, Armed Forces Expeditionary Medal, Global War on Terrorism Service Medal and Air Force Longevity Service with four oak leaf clusters.

Now, Therefore, be it Resolved, this twenty-sixth day of May, in the year of our Lord two thousand sixteen, and of the Independence of the United States of America the two hundred and fortieth, we honor Colonel Robert Erickson.●

RECOGNIZING THE NATIONAL ROOFING CONTRACTORS ASSOCIATION

● Mr. KIRK. Mr. President, I would like to honor the National Roofing Contractors Association, NRCA, headquartered in Rosemont, IL, and support recognizing the week of June 5–11, 2016, as National Roofing Week.

NRCA's 3,800 members, located across all 50 States, play a key role in the installation and maintenance of roofing systems. In rain, snow, or wind, the roof is the first line of defense against natural elements for any home or business. However, until a roof falls into disrepair, its importance is often overlooked.

National Roofing Week is a valuable reminder of the significance that quality roofing has on our communities and honors the thousands of contractors in the roofing industry across the United States. The NRCA's vast network of roofing contractors and industry-related members handle a majority of new construction and replacement roof systems on commercial and residential structures across the United States. However, the organization's activities extend beyond its construction duties.

National Roofing Week offers an opportunity to distinguish the thousands of NRCA members and their commitment to supporting their local communities. I commend the NRCA for their efforts and ask all my colleagues to join me in acknowledging their contributions to our communities during National Roofing Week.●

100TH ANNIVERSARY OF THE MICHIGAN MILK PRODUCERS ASSOCIATION

● Mr. PETERS. Mr. President, today I wish to recognize the Michigan Milk Producers Association on the occasion of its 100th anniversary. Over a century ago, on May 23, 1916, some 400 dairy farmers from across southern Michigan met in East Lansing at the Michigan Agricultural College, spurred into action by their peers from Livingston County, who had just a month before raised a critical issue: the establishment of a fair price for their product. The result of their meeting was Michigan Milk Producers Association, MMPA.

In the early 1900s, Michigan dairy farmers faced a variety of pressures, including the increasing costs of land, labor, and feed, which threatened the livelihood of many producers. Without a unified voice, farmers were confronted with growing difficulties in negotiating prices for their products which would cover their production costs. For many, the severity of these challenges was leading to the real possibility of the collapse of Michigan's dairy farm industry.

Engaging in a cooperative endeavor, dairy farmers from Michigan sought to speak with one voice in their mission to secure a fair price for their products. As an organization for dairy farmers, open only to dairy farmers, MMPA immediately embarked on finding a resolution to this existential crisis. Within

its first 5 months, MMPA membership swelled from just under 200 to nearly 1,000 milk producers from almost every county in southern Michigan. Within a year, MMPA successfully ensured a cost for milk that would support the livelihood of its members. With this vital goal met, MMPA stretched its efforts to include increasing the quality of its members' products, an effort that was vital to counter prevailing public opinion. By joining together, Michigan dairy farmers were also well positioned to work with the Federal Food and Drug Administration in its efforts to accommodate producers' price demands.

As with all Americans, MMPA faced considerable hardship during the Great Depression. An overproduction of milk coupled with decreasing urban density, MMPA labored to formulate solutions for their crisis and create new innovations in the marketing of milk. Thanks to its efforts, many of MMPA's members were able to survive the Great Depression.

From its early challenges, MMPA and its members have persevered. Today MMPA is a respected and recognized advocate for dairy farmers, representing 2,100 members across 1,400 farms from Michigan, Indiana, Ohio, and Wisconsin. It is the eleventh largest dairy cooperative in the United States, and its members market 4 billion pounds of milk annually.

Again, I am pleased to rise today to ask my colleagues to join me in recognizing such an auspicious milestone for the Michigan Milk Producers Association. On its 100th anniversary, MMPA and its members have much to celebrate, and I wish them continuing success and prosperity in the years ahead.●

MESSAGES FROM THE HOUSE

At 10:03 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 184. An act to amend the Indian Child Protection and Family Violence Prevention Act to require background checks before foster care placements are ordered in tribal court proceedings, and for other purposes.

ENROLLED BILL SIGNED

The message further announced that the Speaker has signed the following enrolled bill:

H.R. 2814. An act to name the Department of Veterans Affairs community-based outpatient clinic in Sevierville, Tennessee, the Dannie A. Carr Veterans Outpatient Clinic.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

At 2:19 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 433. An act to designate the facility of the United States Postal Service located at 523 East Railroad Street in Knox, Pennsylvania, as the ''Specialist Ross A. McGinnis Memorial Post Office''.

H.R. 496. An act to establish the Alabama Hills National Scenic Area in the State of California, and for other purposes.

H.R. 960. An act designate the Department of Veterans Affairs community-based outpatient clinic in Newark, Ohio, as the Daniel L. Kinnard VA Clinic.

H.R. 1762. An act to name the Department of Veterans Affairs community-based outpatient clinic in The Dalles, Oregon, as the ''Loren R. Kaufman VA Clinic''.

H.R. 2121. An act to amend the S.A.F.E. Mortgage Licensing Act of 2008 to provide a temporary license for loan originators transitioning between employers, and for other purposes.

H.R. 2460. An act to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

H.R. 2589. An act to amend the Communications Act of 1934 to require the Federal Communications Commission to publish on its Internet website the text of any item that is adopted by vote of the Commission not later than 24 hours after receipt of dissenting statements from all Commissioners wishing to submit such a statement with respect to such item.

H.R. 3218. An act designate the facility of the United States Postal Service located at 1221 State Street, Suite 12, Santa Barbara, California, as the ''Special Warfare Operator Master Chief Petty Officer (SEAL) Louis 'Lou' J. Langlais Post Office Building''.

H.R. 3715. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to permit interments, funerals, memorial services, and ceremonies of deceased veterans at national cemeteries and State cemeteries receiving grants from the Department of Veterans Affairs during certain weekends.

H.R. 3931. An act to designate the facility of the United States Postal Service located at 620 Central Avenue Suite 1A in Hot Springs National Park, Arkansas, as the ''Chief Petty Officer Adam Brown United States Post Office''.

H.R. 3953. An act to designate the facility of the United States Postal Service located at 4122 Madison Street, Elfers, Florida, as the ''Private First Class Felton Roger Fussell Memorial Post Office''.

H.R. 3956. An act to direct the Secretary of Veterans Affairs to develop and implement a plan to hire directors of the medical centers of the Department of Veterans Affairs, and for other purposes.

H.R. 3969. An act to designate the Department of Veterans Affairs community-based outpatient clinic in Laughlin, Nevada, as the ''Master Chief Petty Officer Jesse Dean VA Clinic''.

H.R. 3989. An act to amend title 38, United States Code, to improve the process for determining the eligibility of caregivers of veterans to certain benefits administered by the Secretary of Veterans Affairs, and for other purposes.

H.R. 3998. An act to direct the Federal Communications Commission to conduct a study on network resiliency during times of emergency, and for other purposes.

H.R. 4139. An act to amend the Sarbanes-Oxley Act of 2002 to provide a temporary exemption for low-revenue issuers from certain auditor attestation requirements.

H.R. 4167. An act to amend the Communications Act of 1934 to require multi-line telephone systems to have a configuration that permits users to directly initiate a call to 9–1–1 without dialing any additional digit, code, prefix, or post-fix, and for other purposes.

H.R. 4425. An act to designate the facility of the United States Postal Service located at 110 East Powerhouse Road in Collegeville, Minnesota, as the ''Eugene J. McCarthy Post Office''.

H.R. 4465. An act to decrease the deficit by consolidating and selling Federal buildings and other civilian real property, and for other purposes.

H.R. 4487. An act to reduce costs of Federal real estate, improve building security, and for other purposes.

H.R. 4747. An act to designate the facility of the United States Postal Service located at 6691 Church Street in Riverdale, Georgia, as the ''Major Gregory E. Barney Post Office Building''.

H.R. 4761. An act to designate the facility of the United States Postal Service located at 61 South Baldwin Avenue in Sierra Madre, California, as the ''Louis Van Iersel Post Office''.

H.R. 4877. An act to designate the facility of the United States Postal Service located at 3130 Grants Lake Boulevard in Sugar Land, Texas, as the ''LCpl Garrett W. Gamble, USMC Post Office Building''.

H.R. 4975. An act to designate the facility of the United States Postal Service located at 5720 South 142nd Street in Omaha, Nebraska, as the ''Petty Officer 1st Class Caleb A. Nelson Post Office Building''.

H.R. 4987. An act to designate the facility of the United States Postal Service located at 3957 2nd Avenue in Laurel Hill, Florida, as the ''Sergeant First Class William 'Kelly' Lacey Post Office''.

H.R. 5229. An act to direct the Secretary of Veterans Affairs to carry out a study to evaluate the effectiveness of programs, especially in regards to women veterans and minority veterans, in transitioning to civilian life, and for other purposes.

At 5:41 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House agrees to the amendment of the Senate to the bill (H.R. 2576) to modernize the Toxic Substances Control Act and for other purposes, with an amendment, in which it requests the concurrence of the Senate.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 433. An act to designate the facility of the United States Postal Service located at 523 East Railroad Street in Knox, Pennsylvania, as the ''Specialist Ross A. McGinnis Memorial Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 496. An act to establish the Alabama Hills National Scenic Area in the State of California, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 960. An act designate the Department of Veterans Affairs community-based outpatient clinic in Newark, Ohio, as the Daniel

L. Kinnard VA Clinic; to the Committee on Veterans' Affairs.

H.R. 1762. An act to name the Department of Veterans Affairs community-based outpatient clinic in The Dalles, Oregon, as the ''Loren R. Kaufman VA Clinic''; to the Committee on Veterans' Affairs.

H.R. 2121. An act to amend the S.A.F.E. Mortgage Licensing Act of 2008 to provide a temporary license for loan originators transitioning between employers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2460. An act to amend title 38, United States Code, to improve the provision of adult day health care services for veterans; to the Committee on Veterans' Affairs.

H.R. 2589. An act to amend the Communications Act of 1934 to require the Federal Communications Commission to publish on its Internet website the text of any item that is adopted by vote of the Commission not later than 24 hours after receipt of dissenting statements from all Commissioners wishing to submit such a statement with respect to such item; to the Committee on Commerce, Science, and Transportation.

H.R. 3218. An act designate the facility of the United States Postal Service located at 1221 State Street, Suite 12, Santa Barbara, California, as the ''Special Warfare Operator Master Chief Petty Officer (SEAL) Louis 'Lou' J. Langlais Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3715. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to permit interments, funerals, memorial services, and ceremonies of deceased veterans at national cemeteries and State cemeteries receiving grants from the Department of Veterans Affairs during certain weekends; to the Committee on Veterans' Affairs.

H.R. 3931. An act to designate the facility of the United States Postal Service located at 620 Central Avenue Suite 1A in Hot Springs National Park, Arkansas, as the ''Chief Petty Officer Adam Brown United States Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3953. An act to designate the facility of the United States Postal Service located at 4122 Madison Street, Elfers, Florida, as the ''Private First Class Felton Roger Fussell Memorial Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3956. An act to direct the Secretary of Veterans Affairs to develop and implement a plan to hire directors of the medical centers of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 3969. An act to designate the Department of Veterans Affairs community-based outpatient clinic in Laughlin, Nevada, as the ''Master Chief Petty Officer Jesse Dean VA Clinic''; to the Committee on Veterans' Affairs.

H.R. 3989. An act to amend title 38, United States Code, to improve the process for determining the eligibility of caregivers of veterans to certain benefits administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

H.R. 3998. An act to direct the Federal Communications Commission to conduct a study on network resiliency during times of emergency, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 4139. An act to amend the Sarbanes-Oxley Act of 2002 to provide a temporary exemption for low-revenue issuers from certain auditor attestation requirements; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 4167. An act to amend the Communications Act of 1934 to require multi-line telephone systems to have a configuration that permits users to directly initiate a call to 9–1–1 without dialing any additional digit, code, prefix, or post-fix, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 4425. An act to designate the facility of the United States Postal Service located at 110 East Powerhouse Road in Collegeville, Minnesota, as the ''Eugene J. McCarthy Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4747. An act to designate the facility of the United States Postal Service located at 6691 Church Street in Riverdale, Georgia, as the ''Major Gregory E. Barney Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4761. An act to designate the facility of the United States Postal Service located at 61 South Baldwin Avenue in Sierra Madre, California, as the ''Louis Van Iersel Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4877. An act to designate the facility of the United States Postal Service located at 3130 Grants Lake Boulevard in Sugar Land, Texas, as the ''LCpl Garrett W. Gamble, USMC Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4975. An act to designate the facility of the United States Postal Service located at 5720 South 142nd Street in Omaha, Nebraska, as the ''Petty Officer 1st Class Caleb A. Nelson Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4987. An act to designate the facility of the United States Postal Service located at 3957 2nd Avenue in Laurel Hill, Florida, as the ''Sergeant First Class William 'Kelly' Lacey Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5229. An act to direct the Secretary of Veterans Affairs to carry out a study to evaluate the effectiveness of programs, especially in regards to women veterans and minority veterans, in transitioning to civilian life, and for other purposes; to the Committee on Veterans' Affairs.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–5544. A communication from the Acting Director of the Legislative Affairs Division, Natural Resources Conservation Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Environmental Quality Incentives Program (EQIP)'' (RIN0578–AA62) received in the Office of the President of the Senate on May 18, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5545. A communication from the Director of the Regulatory Review Group, Commodity Credit Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Margin Protection Program for Dairy'' (RIN0560–AI36) received in the Office of the President of the Senate on May 18, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5546. A communication from the Director of the Issuances Staff, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Classes of Poultry'' (RIN0583–AD60) received in the Office of the President of the Senate on May 18, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5547. A communication from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the report of a rule entitled ''Regulatory Capital Rules: Regulatory Capital, Implementation of Tier 1/Tier 2 Framework'' (RIN3052–AC81) received in the Office of the President pro tempore of the Senate; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5548. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General William H. Etter, Air National Guard of the United States, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–5549. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the continuation of a national emergency declared in Executive Order 13222 with respect to the lapse of the Export Administration Act of 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC–5550. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13712 of November 22, 2015, with respect to Burundi; to the Committee on Banking, Housing, and Urban Affairs.

EC–5551. A communication from the Assistant Director for Regulatory Affairs, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Burmese Sanctions Regulations'' (31 CFR Part 537) received in the Office of the President of the Senate on May 18, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC–5552. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program: Test Procedure for Battery Chargers'' ((RIN1904–AD45) (Docket No. EERE–2014–BT–TP–0044)) received during adjournment of the Senate in the Office of the President of the Senate on May 20, 2016; to the Committee on Energy and Natural Resources.

EC–5553. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Federal Implementation Plan for True Minor Sources in Indian Country in the Oil and Natural Gas Production and Natural Gas Processing Segments of the Oil and Natural Gas Sector; Amendments to the Federal Minor New Source Review Program in Indian Country to Address Requirements for True Minor Sources in the Oil and Natural Gas Sector'' (FRL No. 9946–56–OAR) received during adjournment of the Senate in the Office of the President of the Senate on May 20, 2016; to the Committee on Environment and Public Works.

EC–5554. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Connecticut; Infrastructure Requirements for Lead, Ozone, Nitrogen Dioxide, Sulfur Dioxide, and Fine Particulate Matter'' (FRL No. 9940–14–Region 1) received during adjournment of the Senate in the Office of the President of the Senate on May 20, 2016; to the Committee on Environment and Public Works.

EC–5555. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Quality Plan Approval; South Carolina; Infrastructure Requirements for the 2010 Sulfur Dioxide National Ambient Air Quality Standard'' (FRL No. 9946–82–Region 4) received during adjournment of the Senate in the Office of the President of the Senate on May 20, 2016; to the Committee on Environment and Public Works.

EC–5556. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Disapprovals; MS; Prong 4–2008 Ozone, 2010 NO2, SO2, and 2012 PM2.5'' (FRL No. 9946–77–Region 4) received during adjournment of the Senate in the Office of the President of the Senate on May 20, 2016; to the Committee on Environment and Public Works.

EC–5557. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; North Carolina; Regional Haze'' (FRL No. 9946–76–Region 4) received during adjournment of the Senate in the Office of the President of the Senate on May 20, 2016; to the Committee on Environment and Public Works.

EC–5558. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; New Hampshire; Ozone Maintenance Plan'' (FRL No. 9946–69–Region 1) received during adjournment of the Senate in the Office of the President of the Senate on May 20, 2016; to the Committee on Environment and Public Works.

EC–5559. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Connecticut; Sulfur Content of Fuel Oil Burned in Stationary Sources'' (FRL No. 9939–63–Region 1) received during adjournment of the Senate in the Office of the President of the Senate on May 20, 2016; to the Committee on Environment and Public Works.

EC–5560. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources'' (FRL No. 9944–75–OAR) received during adjournment of the Senate in the Office of the President of the Senate on May 20, 2016; to the Committee on Environment and Public Works.

EC–5561. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Beginning of Construction for Sections 45 and 48'' (Notice 2016–31) received during adjournment of the Senate in the Office of the President of the Senate on May 20, 2016; to the Committee on Finance.

EC–5562. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates—June 2016'' (Rev. Rul. 2016–13) received during adjournment of the Senate in the Office of the President of the Senate on May 20, 2016; to the Committee on Finance.

EC–5563. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Removal of Allocation Rule for Disbursements from Designated Roth Accounts to Multiple Destinations'' ((RIN1545–BK08) (TD 9769)) received during adjournment of the Senate in the Office of the President of the Senate on May 20, 2016; to the Committee on Finance.

EC–5564. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Obtaining Final Medicare Secondary Payer Conditional Payment Amounts via Web Portal'' (RIN0938–AR90) received in the Office of the President of the Senate on May 19, 2016; to the Committee on Finance.

EC–5565. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15–121); to the Committee on Foreign Relations.

EC–5566. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Nondiscrimination in Health Programs and Activities'' (RIN0945–AA02) received in the Office of the President of the Senate on May 19, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC–5567. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Requirements for the Submission of Data Needed to Calculate User Fees for Domestic Manufacturers and Importers of Cigars and Pipe Tobacco'' ((RIN0910–AG81) (Docket No. FDA–2012–N–0920)) received in the Office of the President of the Senate on May 17, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC–5568. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–379, ''DMPED Procurement Clarification Temporary Amendment Act of 2016''; to the Committee on Homeland Security and Governmental Affairs.

EC–5569. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–380, ''Higher Education Licensure Commission Clarification Temporary Amendment Act of 2016''; to the Committee on Homeland Security and Governmental Affairs.

EC–5570. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–381, ''Business Improvement Districts Sunset Repeal Temporary Amendment Act of 2016''; to the Committee on Homeland Security and Governmental Affairs.

EC–5571. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–382, ''Civic Associations Public Space Permit Fee Waiver Temporary Amendment Act of 2016''; to the Committee on Homeland Security and Governmental Affairs.

EC–5572. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–383, ''Tax Sale Resource Center Clarifying Temporary Amendment Act of 2016''; to the Committee on Homeland Security and Governmental Affairs.

EC–5573. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–384, ''Revised Synthetics Abatement and Full Enforcement Drug Control Temporary Amendment Act of 2016''; to the Committee on Homeland Security and Governmental Affairs.

EC–5574. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–385, ''Caregiver Advise, Record, and Enable Amendment Act of 2016''; to the Committee on Homeland Security and Governmental Affairs.

EC–5575. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–386, ''Tree Canopy Protection Amendment Act of 2016''; to the Committee on Homeland Security and Governmental Affairs.

EC–5576. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–387, ''Closing of a Public Alley in Square 342, S.O. 14–21629, Act of 2016''; to the Committee on Homeland Security and Governmental Affairs.

EC–5577. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–388, ''Made in DC Program Establishment Act of 2016''; to the Committee on Homeland Security and Governmental Affairs.

EC–5578. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–389, ''Closing of a Public Alley in Square 697, S.O. 15–26230, Act of 2016''; to the Committee on Homeland Security and Governmental Affairs.

EC–5579. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–390, ''Notary Public Fee Enhancement Amendment Act of 2016''; to the Committee on Homeland Security and Governmental Affairs.

EC–5580. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–391, ''Marijuana Possession Decriminalization Clarification Amendment Act of 2016''; to the Committee on Homeland Security and Governmental Affairs.

EC–5581. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–393, ''Home Purchase Assistance Program Amendment Act of 2016''; to the Committee on Homeland Security and Governmental Affairs.

EC–5582. A communication from the Director of the Office of Regulatory Affairs and

Collaborative Action, Bureau of Indian Affairs, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Title Evidence for Trust Land Acquisitions'' (RIN1076–AF28) received in the Office of the President of the Senate on May 19, 2016; to the Committee on Indian Affairs.

EC–5583. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to the Department's activities under the Civil Rights of Institutionalized Persons Act during fiscal year 2015; to the Committee on the Judiciary.

EC–5584. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the second semi-annual report of fiscal year 2015 of the Department of Justice's Office of Privacy and Civil Liberties activities; to the Committee on the Judiciary.

EC–5585. A communication from the Deputy General Counsel, Office of Grants Management, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled ''Surety Bond Guarantee Program; Miscellaneous Amendments'' (RIN3245–AG70) received in the Office of the President of the Senate on May 18, 2016; to the Committee on Small Business and Entrepreneurship.

EC–5586. A communication from the Attorney-Advisor, Office of the Secretary, Department of Transportation, transmitting, pursuant to law, the report relative to a vacancy for the position of Assistant Secretary for Aviation and International Affairs, received in the office of the President of the Senate on May 18, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5587. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Comprehensive Ecosystem-Based Amendment 1; Amendments to the Fishery Management Plans for Coastal Pelagic Species, Pacific Coast Groundfish, U.S. West Coast Highly Migratory Species, and Pacific Coast Salmon'' (RIN0648–BF15) received in the Office of the President of the Senate on May 19, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5588. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Economic Exclusive Zone Off Alaska; Deep-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska'' (RIN0648–XE604) received in the Office of the President of the Senate on May 19, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5589. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Framework Adjustment 27'' (RIN0648–BF59) received in the Office of the President of the Senate on May 19, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5590. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Groundfish Fishery; Framework Adjustment 55'' (RIN0648–BF62) received in the Office of the President of the Senate on May 19, 2016; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. VITTER, from the Committee on Small Business and Entrepreneurship, with an amendment in the nature of a substitute:

S. 2812. A bill to amend the Small Business Act to reauthorize and improve the Small Business Innovation Research Program and the Small Business Technology Transfer Program, and for other purposes.

S. 2831. A bill to amend the Small Business Investment Act of 1958 to provide priority for applicants for a license to operate as a small business investment company that are located in a disaster area.

By Mr. VITTER, from the Committee on Small Business and Entrepreneurship, with amendments:

S. 2838. A bill to improve the HUBZone program.

By Mr. VITTER, from the Committee on Small Business and Entrepreneurship, without amendment:

S. 2846. A bill to amend the Small Business Act to expand intellectual property education and training for small businesses, and for other purposes.

S. 2847. A bill to require greater transparency for Federal regulatory decisions that impact small businesses.

By Mr. VITTER, from the Committee on Small Business and Entrepreneurship, with amendments:

S. 2850. A bill to amend the Small Business Act to provide for expanded participation in the microloan program, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. MCCAIN for the Committee on Armed Services.

Marine Corps nominations beginning with Col. Scott F. Benedict and ending with Col. Matthew G. Trollinger, which nominations were received by the Senate and appeared in the Congressional Record on February 22, 2016.

Army nomination of Brig. Gen. Linda L. Singh, to be Major General.

Navy nomination of Capt. Jon C. Kreitz, to be Rear Admiral (lower half).

Air Force nomination of Maj. Gen. Maryanne Miller, to be Lieutenant General.

Air Force nomination of Maj. Gen. Kenneth S. Wilsbach, to be Lieutenant General.

Air Force nomination of Lt. Gen. Charles Q. Brown, Jr., to be Lieutenant General.

Army nomination of Maj. Gen. Darryl A. Williams, to be Lieutenant General.

Army nomination of Maj. Gen. Michael D. Lundy, to be Lieutenant General.

Army nomination of Maj. Gen. Jeffrey S. Buchanan, to be Lieutenant General.

Army nomination of Col. Cindy R. Jebb, to be Brigadier General.

Air Force nomination of Col. Sidney N. Martin, to be Brigadier General.

Navy nomination of Vice Adm. William F. Moran, to be Admiral.

Navy nomination of Rear Adm. (lh) Robert P. Burke, to be Vice Admiral.

Navy nomination of Rear Adm. Thomas J. Moore, to be Vice Admiral.

Navy nomination of Vice Adm. Jan E. Tighe, to be Vice Admiral.

Army nominations beginning with Brig. Gen. David G. Bassett and ending with Brig. Gen. Eric J. Wesley, which nominations were received by the Senate and appeared in the Congressional Record on May 18, 2016. (minus 1 nominee: Brig. Gen. Robert P. Walters, Jr.)

Navy nomination of Adm. Michelle J. Howard, to be Admiral.

Mr. MCCAIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nomination of Christopher R. McNulty, to be Colonel.

Air Force nominations beginning with Zachary P. Augustine and ending with Brian A. Young, which nominations were received by the Senate and appeared in the Congressional Record on May 18, 2016.

Air Force nominations beginning with William J. Fecke and ending with Janet K. Urbanski, which nominations were received by the Senate and appeared in the Congressional Record on May 18, 2016.

Air Force nominations beginning with Michael Christopher Ahl and ending with Lisa Marie Wotkowicz, which nominations were received by the Senate and appeared in the Congressional Record on May 18, 2016.

Air Force nominations beginning with Timothy James Anderson and ending with Justin L. Wolthuizen, which nominations were received by the Senate and appeared in the Congressional Record on May 18, 2016.

Air Force nominations beginning with Victoria D. Ables and ending with Matthew G. Zinn, which nominations were received by the Senate and appeared in the Congressional Record on May 18, 2016.

Army nomination of Fany L. Rivera, to be Major.

Army nomination of Todd E. Schroeder, to be Colonel.

Army nomination of Monica J. Milton, to be Major.

Army nominations beginning with Michelle M. Agpalza and ending with D012971, which nominations were received by the Senate and appeared in the Congressional Record on April 28, 2016.

Army nominations beginning with Jacob I. Abrami and ending with G010400, which nominations were received by the Senate and appeared in the Congressional Record on April 28, 2016.

Army nominations beginning with Richard R. Aaron and ending with D012923, which nominations were received by the Senate and appeared in the Congressional Record on April 28, 2016.

Army nomination of Carl J. Wojtaszek, to be Lieutenant Colonel.

Army nomination of G010339, to be Lieutenant Colonel.

Army nomination of Michael A. Izzo, to be Colonel.

Army nomination of Joshua R. Pounders, to be Major.

Army nomination of Ernest C. Lee, Jr., to be Colonel.

Army nominations beginning with Terrance W. Adams and ending with Cynthia M. Zapotoczny, which nominations were received by the Senate and appeared in the Congressional Record on May 11, 2016.

Army nominations beginning with Jennifer L. Adamsbuckhouse and ending with Melvin W. Zimmer, Jr., which nominations were received by the Senate and appeared in the Congressional Record on May 11, 2016.

Army nominations beginning with Jeffrey A. Abele and ending with James M. Zieba, which nominations were received by the Senate and appeared in the Congressional Record on May 11, 2016.

Army nomination of Kathryn A. Katz, to be Major.

Army nomination of Bryan P. Hendren, to be Major.

Army nomination of Weston C. Goring, to be Major.

Army nomination of Srilalitha Donepudi, to be Major.

Army nomination of Daniel P. Fisher, to be Lieutenant Colonel.

Army nomination of Darin J. Blatt, to be Colonel.

Army nomination of Zoltan L. Krompecher, to be Colonel.

Army nomination of John D. Wingeart, to be Lieutenant Colonel.

Army nomination of Janelle V. Kutter, to be Lieutenant Colonel.

Army nomination of Kevin T. Reeves, to be Lieutenant Colonel.

Army nomination of Ankita B. Patel, to be Major.

Army nomination of Marshall H. Smith, to be Colonel.

Marine Corps nomination of David M. Sousa, to be Lieutenant Colonel.

Marine Corps nominations beginning with Jeffrey J. Abramaitys and ending with Erich H. Wagner, which nominations were received by the Senate and appeared in the Congressional Record on January 28, 2016.

Marine Corps nominations beginning with Richard T. Anderson and ending with Seth E. Yost, which nominations were received by the Senate and appeared in the Congressional Record on January 28, 2016.

Marine Corps nominations beginning with Victor M. Abelson and ending with Matthew P. Zummo, which nominations were received by the Senate and appeared in the Congressional Record on February 1, 2016.

Navy nomination of Jason A. Grant, to be Commander.

Navy nomination of Darren J. Donley, to be Captain.

Navy nomination of Marc D. Boran, to be Captain.

Navy nomination of Scott P. Smith, to be Captain.

Navy nominations beginning with Joseph F. Abrutz III and ending with Michael P. Wolchko, which nominations were received by the Senate and appeared in the Congressional Record on April 28, 2016.

Navy nomination of David H. McAlister, to be Captain.

Navy nomination of Devin D. Burns, to be Lieutenant Commander.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MANCHIN (for himself, Ms. KLOBUCHAR, Mrs. SHAHEEN, Mr. KING, Ms. HEITKAMP, Ms. BALDWIN, Mr. NELSON, Ms. WARREN, Mr. SCHATZ, and Mr. HEINRICH):

S. 2977. A bill to amend the Internal Revenue Code of 1986 to establish an excise tax on the production and importation of opioid pain relievers, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BLUNT (for himself, Mr. BARRASSO, Mr. BOOZMAN, Mrs. CAPITO, Mr. COATS, Mr. COCHRAN, Mr. COTTON, Mr. CRUZ, Mr. ENZI, Mr. HATCH, Mr. HOEVEN, Mr. INHOFE, Mr. LANKFORD, Mr. LEE, Mr. MANCHIN, Mr. MCCONNELL, Mr. PAUL, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SCOTT, Mr. SESSIONS, Mr. THUNE, Mr. VITTER, and Mr. WICKER):

S. Res. 472. A resolution expressing the sense of the Senate that a carbon tax would be detrimental to the economy of the United States; to the Committee on Finance.

By Mr. CARDIN (for himself, Ms. COLLINS, Mr. LEAHY, Ms. AYOTTE, Mr. WYDEN, and Mr. PETERS):

S. Res. 473. A resolution expressing appreciation of the goals of American Craft Beer Week and commending the small and independent craft brewers of the United States; considered and agreed to.

By Mr. GARDNER:

S. Con. Res. 40. A concurrent resolution expressing the sense of Congress that the Federal excise tax on heavy-duty trucks should not be increased; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 299

At the request of Mr. FLAKE, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 299, a bill to allow travel between the United States and Cuba.

S. 386

At the request of Mr. THUNE, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 386, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 857

At the request of Ms. STABENOW, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 857, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of an initial comprehensive care plan for Medicare beneficiaries newly diagnosed with Alzheimer's disease and related dementias, and for other purposes.

S. 979

At the request of Mr. NELSON, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 979, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 1374

At the request of Mr. DURBIN, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 1374, a bill to amend the Higher Education Act of 1965 to establish fair and consistent eligibility requirements for graduate medical schools operating outside the United States and Canada.

S. 1631

At the request of Mrs. BOXER, her name was added as a cosponsor of S. 1631, a bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to modify certain provisions relating to multiemployer pensions, and for other purposes.

S. 1838

At the request of Mr. LEAHY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1838, a bill to amend the Federal Election Campaign Act of 1971 to clarify the treatment of coordinated expenditures as contributions to candidates, and for other purposes.

S. 2151

At the request of Mr. THUNE, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 2151, a bill to amend the Public Health Service Act to provide liability protections for volunteer practitioners at health centers under section 330 of such Act.

S. 2210

At the request of Mr. BLUMENTHAL, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2210, a bill to require the Secretary of Veterans Affairs to carry out a program to establish peer specialists in patient aligned care teams at medical centers of the Department of Veterans Affairs, and for other purposes.

S. 2238

At the request of Mr. MERKLEY, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 2238, a bill to prohibit drilling in the outer Continental Shelf, to prohibit coal leases on Federal land, and for other purposes.

S. 2292

At the request of Mr. TESTER, the names of the Senator from South Dakota (Mr. THUNE) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 2292, a bill to reform laws relating to small public housing agencies, and for other purposes.

S. 2373

At the request of Ms. CANTWELL, the name of the Senator from California

(Mrs. FEINSTEIN) was added as a cosponsor of S. 2373, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 2457

At the request of Mr. WARNER, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2457, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion for employer-provided education assistance to employer payments of student loans.

S. 2464

At the request of Mr. PAUL, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 2464, a bill to implement equal protection under the 14th Amendment to the Constitution of the United States for the right to life of each born and preborn human person.

S. 2531

At the request of Mr. KIRK, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 2531, a bill to authorize State and local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.

S. 2540

At the request of Mr. REID, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2540, a bill to provide access to counsel for unaccompanied children and other vulnerable populations.

S. 2588

At the request of Mr. CARDIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2588, a bill to provide grants to eligible entities to reduce lead in drinking water.

S. 2595

At the request of Mr. CRAPO, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 2595, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 2779

At the request of Mr. COONS, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2779, a bill to reauthorize the Hollings Manufacturing Extension Partnership, and for other purposes.

S. 2800

At the request of Mr. COONS, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2800, a bill to amend the Internal Revenue Code of 1986 and the Higher Education Act of 1965 to provide an exclusion from income for student loan forgiveness for students who have died or become disabled.

S. 2815

At the request of Mr. CASEY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2815, a bill to establish the United States Semiquincentennial Commission, and for other purposes.

S. 2849

At the request of Mr. SASSE, the names of the Senator from Iowa (Mrs. ERNST), the Senator from West Virginia (Mrs. CAPITO) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. 2849, a bill to ensure the Government Accountability Office has adequate access to information.

S. 2873

At the request of Mr. HATCH, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2873, a bill to require studies and reports examining the use of, and opportunities to use, technology-enabled collaborative learning and capacity building models to improve programs of the Department of Health and Human Services, and for other purposes.

S. 2877

At the request of Mrs. CAPITO, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 2877, a bill to amend title 32, United States Code, to specify the availability of certain funds provided by the Department of Defense to States for drug interdiction and counter-drug activities.

S. 2904

At the request of Mr. WHITEHOUSE, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2904, a bill to amend title II of the Social Security Act to eliminate the five month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 2932

At the request of Mr. CASEY, the names of the Senator from Illinois (Mr. KIRK) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 2932, a bill to amend the Controlled Substances Act with respect to the provision of emergency medical services.

S. 2953

At the request of Mr. BARRASSO, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 2953, a bill to promote patient-centered care and accountability at the Indian Health Service, and for other purposes.

S. 2965

At the request of Mr. PORTMAN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2965, a bill to designate the facility of the United States Postal Service located at 229 West Main Cross Street in Findlay, Ohio, as the ''Michael Garver Oxley Memorial Post Office Building''.

S. 2971

At the request of Mr. PORTMAN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 2971, a bill to authorize the National Urban Search and Rescue Response System.

S.J. RES. 28

At the request of Mrs. SHAHEEN, the names of the Senator from New Jersey (Mr. BOOKER), the Senator from Washington (Ms. CANTWELL), the Senator from Pennsylvania (Mr. CASEY), the Senator from California (Mrs. FEINSTEIN), the Senator from Minnesota (Mr. FRANKEN), the Senator from Massachusetts (Mr. MARKEY), the Senator from Florida (Mr. NELSON), the Senator from Rhode Island (Mr. REED), the Senator from Virginia (Mr. WARNER), the Senator from Massachusetts (Ms. WARREN), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Oregon (Mr. WYDEN), the Senator from Virginia (Mr. KAINE), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Maine (Mr. KING) were added as cosponsors of S.J. Res. 28, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Secretary of Agriculture relating to inspection of fish of the order Siluriformes.

S. CON. RES. 36

At the request of Mr. NELSON, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. Con. Res. 36, a concurrent resolution expressing support of the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to reaffirm its commitment to that goal through a financial commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs.

S. CON. RES. 39

At the request of Mr. RUBIO, the names of the Senator from Idaho (Mr. RISCH) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. Con. Res. 39, a concurrent resolution honoring the members of the United States Air Force who were casualties of the June 25, 1996, terrorist bombing of the United States Sector Khobar Towers military housing complex on Dhahran Air Base.

S. RES. 199

At the request of Mr. NELSON, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. Res. 199, a resolution expressing the sense of the Senate regarding establishing a National Strategic Agenda.

S. RES. 459

At the request of Mrs. FEINSTEIN, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator

from South Dakota (Mr. ROUNDS) were added as cosponsors of S. Res. 459, a resolution recognizing the importance of cancer research and the vital contributions of scientists, clinicians, cancer survivors, and other patient advocates across the United States who are dedicated to finding a cure for cancer, and designating May 2016, as ''National Cancer Research Month''.

S. RES. 465

At the request of Mr. HEINRICH, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. Res. 465, a resolution supporting the United States solar energy industry in its effort to bring low-cost, clean, 21st-century solar technology into homes and businesses across the United States.

S. RES. 466

At the request of Mr. GRASSLEY, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Louisiana (Mr. VITTER), the Senator from Wyoming (Mr. ENZI), the Senator from Colorado (Mr. BENNET) and the Senator from Oklahoma (Mr. LANKFORD) were added as cosponsors of S. Res. 466, a resolution recognizing National Foster Care Month as an opportunity to raise awareness about the challenges of children in the foster-care system, and encouraging Congress to implement policy to improve the lives of children in the foster-care system.

AMENDMENT NO. 4067

At the request of Mr. WARNER, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of amendment No. 4067 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 472—EXPRESSING THE SENSE OF THE SENATE THAT A CARBON TAX WOULD BE DETRIMENTAL TO THE ECONOMY OF THE UNITED STATES

Mr. BLUNT (for himself, Mr. BARRASSO, Mr. BOOZMAN, Mrs. CAPITO, Mr. COATS, Mr. COCHRAN, Mr. COTTON, Mr. CRUZ, Mr. ENZI, Mr. HATCH, Mr. HOEVEN, Mr. INHOFE, Mr. LANKFORD, Mr. LEE, Mr. MANCHIN, Mr. MCCONNELL, Mr. PAUL, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SCOTT, Mr. SESSIONS, Mr. THUNE, Mr. VITTER, and Mr. WICKER) submitted the following resolution; which was referred to the Committee on Finance:

S. RES. 472

Whereas a carbon tax is a Federal tax on carbon released from fossil fuels;

Whereas a carbon tax would increase energy prices, including the price of gasoline, electricity, natural gas, and home heating oil;

Whereas a carbon tax would cause families and consumers to pay more for essential items such as food, gasoline, and electricity;

Whereas a carbon tax would cause the greatest hardship for the poor, the elderly, and individuals living on fixed incomes;

Whereas a carbon tax would lead to more jobs and businesses moving overseas;

Whereas a carbon tax would lead to less economic growth;

Whereas families in the United States would be harmed the most from a carbon tax;

Whereas, according to the Energy Information Administration, fossil fuels have made up not less than 80 percent of the total energy consumption of the United States since 1990;

Whereas a carbon tax would increase the cost of every good that is manufactured in the United States;

Whereas a carbon tax would impose disproportionate burdens on certain industries, jobs, States, and geographic regions and would further restrict the global competitiveness of the United States;

Whereas the ingenuity of the United States has led to innovations in energy exploration and development and has increased production of domestic energy resources on private and State-owned land, which has created significant job growth and private capital investment;

Whereas the energy policy of the United States should encourage continued private sector innovation and development and not increase the existing tax burden on manufacturers;

Whereas the production of the energy resources of the United States increases the ability of the United States to maintain a competitive advantage in the global economy;

Whereas a carbon tax would reduce the global competitiveness of the United States and would encourage development abroad in countries that do not impose that exorbitant tax burden; and

Whereas Congress and the President should focus on pro-growth solutions that encourage increased development of domestic resources: Now, therefore, be it

Resolved, That it is the sense of the Senate that a carbon tax—

(1) would be detrimental to families and businesses in the United States; and

(2) is not in the best interest of the United States.

SENATE RESOLUTION 473—EXPRESSING APPRECIATION OF THE GOALS OF AMERICAN CRAFT BEER WEEK AND COMMENDING THE SMALL AND INDEPENDENT CRAFT BREWERS OF THE UNITED STATES

Mr. CARDIN (for himself, Ms. COLLINS, Mr. LEAHY, Ms. AYOTTE, Mr. WYDEN, and Mr. PETERS) submitted the following resolution; which was considered and agreed to:

S. RES. 473

Whereas American Craft Beer Week is celebrated annually in breweries, brew pubs, restaurants, and beer stores by craft brewers, home brewers, and beer enthusiasts nationwide;

Whereas, in 2016, American Craft Beer Week is celebrated from May 16 to May 22;

Whereas craft brewers are a vibrant affirmation and expression of the entrepreneurial traditions of the United States—

(1) operating as community-based small businesses and cooperatives;

(2) providing employment for more than 120,000 full- and part-time workers;

(3) generating annually more than $3,000,000,000 in wages and benefits; and

(4) often leading the redevelopment of economically distressed areas;

Whereas the United States has craft brewers in every State and more than 4,400 craft breweries nationwide, each producing fewer than 6,000,000 barrels of beer annually;

Whereas, in 2015, 620 new breweries opened in the United States, creating jobs and improving economic conditions in communities across the United States;

Whereas, in 2015, craft breweries in the United States sustainably produced more than 24,500,000 barrels of beer, which is 2,800,000 more barrels than craft breweries produced in 2014;

Whereas the craft brewers of the United States now export more than 446,000 barrels of beer and are establishing new markets abroad, which creates more domestic jobs to meet the growing international demand for craft beer from the United States;

Whereas the craft brewers of the United States support United States agriculture by purchasing barley, malt, and hops that are grown, processed, and distributed in the United States;

Whereas the craft brewers of the United States produce more than 100 distinct styles of flavorful beers, including many sought-after new and unique styles ranging from amber lagers to American IPAs that—

(1) contribute to a favorable balance of trade by reducing the dependence of the United States on imported beers;

(2) support exports from the United States; and

(3) promote tourism in the United States;

Whereas craft beers from the United States consistently win international quality and taste awards;

Whereas the craft brewers of the United States strive to educate the people of the United States who are of legal drinking age about the differences in beer flavor, aroma, color, alcohol content, body, and other complex variables, the gastronomic qualities of beer, beer history, and historical brewing traditions dating back to colonial times and earlier;

Whereas the craft brewers of the United States champion the message of responsible enjoyment to their customers and work within their communities and the industry to prevent alcohol abuse and underage drinking;

Whereas the craft brewers of the United States are frequently involved in local communities through philanthropy, volunteerism, and sponsorship opportunities, including parent-teacher associations, Junior Reserve Officers' Training Corps (commonly known as ''JROTC''), hospitals for children, chambers of commerce, humane societies, rescue squads, athletic teams, and disease research;

Whereas the craft brewers of the United States are fully vested in the future success, health, welfare, and vitality of their communities, as local employers that—

(1) provide a diverse array of quality local jobs that will not be outsourced;

(2) contribute to the local tax base; and

(3) keep money in the United States by reinvesting in their businesses; and

Whereas increased Federal, State, and local support of craft brewing is important to fostering the continued growth of an industry of the United States that creates jobs, greatly benefits local economies, and brings international accolades to small businesses in the United States: Now, therefore, be it

Resolved, That the Senate—

(1) appreciates the goals of American Craft Beer Week, established by the Brewers Association, which represents the small craft brewers of the United States;

(2) recognizes the significant contributions of the craft brewers of the United States to the economy and to the communities in which the craft brewers are located; and

(3) commends the craft brewers of the United States for providing jobs, supporting United States agriculture, improving the balance of trade, and educating the people of the United States and beer lovers around the world about the history and culture of beer while promoting the legal and responsible consumption of beer.

SENATE CONCURRENT RESOLUTION 40—EXPRESSING THE SENSE OF CONGRESS THAT THE FEDERAL EXCISE TAX ON HEAVY-DUTY TRUCKS SHOULD NOT BE INCREASED

Mr. GARDNER submitted the following concurrent resolution; which was referred to the Committee on Finance:

S. CON. RES. 40

Whereas there is a 12 percent Federal excise tax on new tractor trailer trucks and certain other heavy-duty trucks;

Whereas the 12 percent Federal excise tax is the highest percentage rate of any Federal ad valorem excise tax;

Whereas the Federal excise tax was first levied by Congress in 1917 to help finance the involvement of the United States in World War I;

Whereas, in 2015, the average manufacturer suggested retail price for a heavy-duty truck was more than $178,000;

Whereas the 12 percent Federal excise tax adds, on average, an additional $21,360 to the cost of a heavy-duty truck;

Whereas the average in-use, heavy-duty truck is 9.3 years old, close to the historical all-time high;

Whereas the Federal excise tax, by significantly increasing the cost of new heavy-duty trucks, keeps older, less environmentally clean, and less fuel efficient heavy-duty trucks in service for longer periods of time;

Whereas the model year 2002–2010 tailpipe emissions rules of the Environmental Protection Agency (in this preamble referred to as the ''EPA'') account for $20,000 of the average price of a new heavy-duty truck;

Whereas, according to the 2011 EPA and National Highway Traffic Safety Administration Regulatory Impact Analysis entitled ''Final Rulemaking to Establish Greenhouse Gas Emissions Standards and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles'', model year 2014–2018 EPA-Department of Transportation fuel economy rules will add approximately $8,000 to the price of a new heavy-duty truck;

Whereas the $28,000 average per truck cost of these regulatory mandates results, on average, in an additional $3,360 in Federal excise taxes;

Whereas achieving the goal of deploying cleaner, more fuel efficient heavy-duty trucks, given the $30,000 average per truck regulatory cost, would be slowed even further if the Federal excise tax were increased;

Whereas achieving the goal of deploying heavy-duty trucks with the latest safety technologies, such as lane departure warning systems, electronic stability control, and automatic braking for reduced stopping distance, would be slowed if the Federal excise tax were increased;

Whereas all of the heavy-duty trucks sold in the United States are manufactured in North America; and

Whereas more than 8,000,000 people in the United States are employed in the United States trucking industry: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That—

(1) the Federal excise tax under section 4051 of the Internal Revenue Code of 1986 on new tractor trailer trucks and certain other heavy-duty trucks inhibits the sale of the cleanest, safest, and most fuel efficient heavy-duty trucks and trailers;

(2) the Federal excise tax on new tractor trailer trucks and certain other heavy-duty trucks adds uncertainty and volatility to the Highway Trust Fund due to the cyclical nature of heavy-duty truck and trailer sales;

(3) the Federal excise tax on new truck tractors, heavy-duty trucks, and certain truck trailers should not be increased; and

(4) Congress should carefully review the detrimental impacts of the Federal excise tax when considering future transportation policy.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4082. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 4083. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4084. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4085. Mr. LANKFORD (for himself, Mr. KIRK, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4086. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4087. Ms. KLOBUCHAR (for herself, Mr. TILLIS, Mrs. GILLIBRAND, and Mr. ROUNDS) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4088. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4089. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4090. Mr. BURR (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4091. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4092. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4093. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4094. Mr. INHOFE (for himself and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4095. Mrs. ERNST submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4096. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4097. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4098. Mr. MORAN (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4099. Mrs. ERNST submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4100. Mrs. ERNST submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4101. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4102. Mr. PERDUE (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4103. Mr. PERDUE (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4104. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4105. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4106. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4107. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4108. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4109. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4110. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4111. Mrs. ERNST (for herself and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4112. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4113. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4114. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4115. Mrs. GILLIBRAND (for herself and Mrs. ERNST) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4116. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4117. Mrs. ERNST (for herself and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4118. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4119. Mr. ROBERTS submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4120. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4121. Ms. KLOBUCHAR (for herself and Mr. TILLIS) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4122. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4123. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4124. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4125. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4126. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4127. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4128. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4129. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4130. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4131. Mr. GARDNER (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4132. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4133. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4134. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4135. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4136. Mr. HOEVEN (for himself, Mr. TESTER, Mr. DAINES, and Ms. HEITKAMP) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4137. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4138. Mr. PETERS (for himself, Mr. DAINES, Mr. TILLIS, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4139. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4140. Mr. DAINES (for himself, Mrs. ERNST, Mr. CRUZ, Mr. MORAN, Mr. KIRK, Mr. INHOFE, Mr. GARDNER, Mr. ROBERTS, and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4141. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4082. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. ENHANCED PENALTIES.

Section 401(b)(1) of the Controlled Substances Act (21 U.S.C. 841(b)(1)) is amended—

(1) in subparagraph (A)(vi)—

(A) by striking ''400 grams'' and inserting ''20 grams''; and

(B) by striking ''100 grams'' and inserting ''5 grams''; and

(2) in subparagraph (B)(vi)—

(A) by striking ''40 grams'' and inserting ''2 grams''; and

(B) by striking ''10 grams'' and inserting ''0.5 grams''.

SEC. 1098. GAO REPORT ON FENTANYL SUPPLY CHAINS.

Not later than 270 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on fentanyl supply chains, focusing on Federal efforts to—

(1) identify and track precursor chemicals of fentanyl; and

(2) assess where and how illicit fentanyl is produced, trafficked, and consumed.

SA 4083. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. ENHANCED PENALTIES.

Section 401(b)(1) of the Controlled Substances Act (21 U.S.C. 841(b)(1)) is amended—

(1) in subparagraph (A)(vi)—

(A) by striking ''400 grams'' and inserting ''20 grams''; and

(B) by striking ''100 grams'' and inserting ''5 grams''; and

(2) in subparagraph (B)(vi)—

(A) by striking ''40 grams'' and inserting ''2 grams''; and

(B) by striking ''10 grams'' and inserting ''0.5 grams''.

SA 4084. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. GAO REPORT ON FENTANYL SUPPLY CHAINS.

Not later than 270 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on fentanyl supply chains, focusing on Federal efforts to—

(1) identify and track precursor chemicals of fentanyl; and

(2) assess where and how illicit fentanyl is produced, trafficked, and consumed.

SA 4085. Mr. LANKFORD (for himself, Mr. KIRK, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1031. REDUCTION IN ASSISTANCE FOR FOREIGN COUNTRIES LOSING CONTROL OF TRANSFEREES FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, DURING FISCAL YEAR 2017.

(a) REDUCTION IN ASSISTANCE.—Notwithstanding any other provision of this Act, the amount of assistance provided during fiscal year 2017 to a foreign country to which an individual detained at Guantanamo is transferred or released during the period beginning on October 1, 2016, and ending on September 30, 2017, shall be—

(1) the aggregate amount otherwise available for United States assistance for such country during fiscal year 2017; minus

(2) $10,000,000 or an amount equal to 10 percent of the amount described in paragraph (1), whichever is less, for each individual so transferred or released who, during such period—

(A) escapes from confinement by the country or otherwise ceases to be under the custody or control of the country; or

(B) reengages in international terrorism.

(b) DEFINITIONS.—In this section:

(1) The term ''individual detained at Guantanamo'' means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(2) The term ''international terrorism''—

(A) has the meaning given the term in section 2331 of title 18, United States Code; and

(B) does not include any act of war (as defined in that section).

SA 4086. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XXVIII, add the following:

SEC. 2826. LEASE, JOINT BASE ELMENDORF-RICHARDSON, ALASKA.

(a) LEASES AUTHORIZED.—

(1) LEASE TO MUNICIPALITY OF ANCHORAGE.—The Secretary of the Air Force may lease to the Municipality of Anchorage, Alaska, certain real property, to include improvements thereon, at Joint Base Elmendorf-Richardson (''JBER''), Alaska, as more particularly described in subsection (b) for the purpose of permitting the Municipality to use the leased property for recreational purposes.

(2) LEASE TO MOUNTAIN VIEW LIONS CLUB.—The Secretary of the Air Force may lease to the Mountain View Lions Club certain real property, to include improvements thereon, at JBER, as more particularly described in subsection (b) for the purpose of the installation, operation, maintenance, protection, repair and removal of recreational equipment.

(b) DESCRIPTION OF PROPERTY.—

(1) The real property to be leased under subsection (a)(1) consists of the real property described in Department of the Air Force Lease No. DACA85-1-99-14.

(2) The real property to be leased under subsection (a)(2) consists of real property described in Department of the Air Force Lease No. DACA85-1-97-36.

(c) TERM AND CONDITIONS OF LEASES.—

(1) TERM OF LEASES.—The term of the leases authorized under subsection (a) shall not exceed 25 years.

(2) OTHER TERMS AND CONDITIONS.—Except as otherwise provided in this section—

(A) the remaining terms and conditions of the lease under subsection (a)(1) shall consist of the same terms and conditions described in Department of the Air Force Lease No. DACA85-1-99-14; and

(B) the remaining terms and conditions of the lease under subsection (a)(2) shall consist of the same terms and conditions described in Department of the Air Force Lease No. DACA85-1-97-36.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the leases under this section as the Secretary considers appropriate to protect the interests of the United States.

SA 4087. Ms. KLOBUCHAR (for herself, Mr. TILLIS, Mrs. GILLIBRAND, and Mr. ROUNDS) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. ESTABLISHMENT OF CENTER OF EXCELLENCE IN PREVENTION, DIAGNOSIS, MITIGATION, TREATMENT, AND REHABILITATION OF HEALTH CONDITIONS RELATING TO EXPOSURE TO BURN PITS AND OTHER ENVIRONMENTAL EXPOSURES.

(a) IN GENERAL.—Subchapter II of chapter 73 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 7330B. Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures

''(a) ESTABLISHMENT.—(1) The Secretary shall establish within the Department a center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures to carry out the responsibilities specified in subsection (d).

''(2) The Secretary shall establish the center of excellence under paragraph (1) through the use of—

''(A) the directives and policies of the Department in effect as of the date of the enactment of this section;

''(B) the recommendations of the Comptroller General of the United States and Inspector General of the Department in effect as of such date; and

''(C) guidance issued by the Secretary of Defense under section 313 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 1074 note).

''(b) SELECTION OF SITE.—In selecting the site for the center of excellence established under subsection (a), the Secretary shall consider entities that—

''(1) are equipped with the specialized equipment needed to study, diagnose, and treat health conditions relating to exposure to burn pits and other environmental exposures;

''(2) have a track record of publishing information relating to post-deployment health exposures among veterans who served in the Armed Forces in support of Operation Iraqi Freedom and Operation Enduring Freedom;

''(3) have developed animal models and in vitro models of dust immunology and lung injury consistent with the injuries of members of the Armed Forces who served in support of Operation Iraqi Freedom and Operation Enduring Freedom; and

''(4) have expertise in allergy and immunology, pulmonary diseases, and industrial and management engineering.

''(c) COLLABORATION.—The Secretary shall ensure that the center of excellence collaborates, to the maximum extent practicable, with the Secretary of Defense, institutions of higher education, and other appropriate public and private entities (including international entities) to carry out the responsibilities specified in subsection (d).

''(d) RESPONSIBILITIES.—The center of excellence shall have the following responsibilities:

''(1) To provide for the development, testing, and dissemination within the Department of best practices for the treatment of health conditions relating to exposure to burn pits and other environmental exposures.

''(2) To provide guidance for the health systems of the Department and the Department of Defense in determining the personnel required to provide quality health care for members of the Armed Forces and veterans with health conditions relating to exposure to burn pits and other environmental exposures.

''(3) To establish, implement, and oversee a comprehensive program to train health professionals of the Department and the Department of Defense in the treatment of health conditions relating to exposure to burn pits and other environmental exposures.

''(4) To facilitate advancements in the study of the short-term and long-term effects of exposure to burn pits and other environmental exposures.

''(5) To disseminate within medical facilities of the Department best practices for training health professionals with respect to health conditions relating to exposure to burn pits and other environmental exposures.

''(6) To conduct basic science and translational research on health conditions relating to exposure to burn pits and other environmental exposures for the purposes of understanding the etiology of such conditions and developing preventive interventions and new treatments.

''(7) To provide medical treatment to all veterans identified as part of the open burn pit registry established under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

''(e) USE OF BURN PITS REGISTRY DATA.—In carrying out its responsibilities under subsection (d), the center shall have access to and make use of the data accumulated by the burn pits registry established under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

''(f) DEFINITIONS.—In this section:

''(1) The term 'burn pit' means an area of land located in Afghanistan or Iraq that—

''(A) is designated by the Secretary of Defense to be used for disposing solid waste by burning in the outdoor air; and

''(B) does not contain a commercially manufactured incinerator or other equipment specifically designed and manufactured for the burning of solid waste.

''(2) The term 'other environmental exposures' means exposure to environmental hazards, including burn pits, dust or sand, hazardous materials, and waste at any site in

Afghanistan or Iraq that emits smoke containing pollutants present in the environment or smoke from fires or explosions.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $30,000,000 for each of the first five fiscal years beginning after the date of the enactment of this section.''.

(b) USE OF FUNDS.—In carrying out section 7330B of title 38, United States Code, as added by subsection (a), the Secretary of Veterans Affairs may use amounts appropriated or otherwise made available to the Department of Veterans Affairs for any other purpose.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 73 of such title is amended by inserting after the item relating to section 7330A the following new item:

''7330B. Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures.''.

SA 4088. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title V, add the following:

SEC. 526. PILOT PROGRAM ON DIRECT EMPLOYMENT FOR MEMBERS OF THE NATIONAL GUARD AND RESERVES.

(a) PILOT PROGRAM AUTHORIZED.—The Secretary of Defense may conduct a pilot program to assess the feasibility and advisability for providing job placement assistance and related employment services directly to members of the National Guard and the Reserves as a means of enhancing the efforts of the Department of Defense to assist such members in obtaining employment.

(b) ADMINISTRATION.—

(1) DISCHARGE THROUGH ADJUTANTS GENERAL.—The pilot program shall be conducted through the adjutants general of the States under section 314 of title 32, United States Code.

(2) OUTREACH.—In conducting the pilot program, the adjutants general shall take appropriate actions to facilitate participation in the pilot program by members of the National Guard and the Reserves, including through outreach to unit commanders.

(c) COST-SHARING REQUIREMENT.—As a condition on the provision of funds under this section to a State to support the conduct of the pilot program in the State, the State shall contribute an amount, derived from non-Federal sources, equal to at least 30 percent of the funds provided by the Secretary to conduct the pilot program in the State.

(d) ASSISTANCE AND SERVICES.—In conducting the pilot program, the Secretary shall—

(1) identify unemployed and underemployed members of the National Guard and the Reserves; and

(2) provide job placement assistance and related employment services to members so identified who participate in the pilot program on an individualized basis, including assistance and services in connection with resume writing, interview preparation, job placement, post-employment follow-up, and such other employment-related matters as the Secretary considers appropriate for purposes of the pilot program.

(e) EVALUATION.—The Secretary shall develop outcome measurements to evaluate the success of the pilot program.

(f) REPORTING REQUIREMENTS.—

(1) REPORT REQUIRED.—Not later than January 31, 2022, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report describing the results of the pilot program. The Secretary shall prepare the report in coordination with the Chief of the National Guard Bureau.

(2) ELEMENTS OF REPORT.—The report under paragraph (1) shall include the following:

(A) A description and assessment of the effectiveness and achievements of the pilot program, including the number of members of the National Guard and the Reserves assisted under the pilot program who obtained employment and the cost-per-placement of such members.

(B) An assessment of the impact of the pilot program, and any increase in employment levels among members of the National Guard and the Reserves as a result of the pilot program, on the readiness of members of the reserve components of the Armed Forces.

(C) Such recommendations for improvement or extension of the pilot program as the Secretary considers appropriate.

(D) Any other matters the Secretary considers appropriate.

(g) DURATION OF AUTHORITY.—

(1) IN GENERAL.—Except as provided in paragraph (2), the authority to conduct the pilot program expires September 30, 2020.

(2) EXTENSION.—Upon the expiration of the authority under paragraph (1), the Secretary may extend the pilot program for not more than two additional fiscal years.

SA 4089. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1266. ENHANCEMENT OF EFFORTS FOR THE RECRUITMENT AND ADVANCEMENT OF WOMEN IN THE SECURITY SECTOR AS PART OF DEFENSE INSTITUTION BUILDING PROGRAMS AND ACTIVITIES OF THE DEPARTMENT OF DEFENSE.

In carrying out programs and activities for defense institution building of foreign countries under the security cooperation programs and activities of the Department of Defense, the Secretary of Defense shall, in coordination with the Secretary of State, include policies to strengthen and facilitate the efforts of countries participating in such defense institution building programs and activities to recruit, retain, professionalize, and advance women in their security sectors.

SA 4090. Mr. BURR (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

After section 578, insert the following:

SEC. 578A. CRIMINAL BACKGROUND CHECKS OF EMPLOYEES OF THE MILITARY CHILD CARE SYSTEM AND PROVIDERS OF CHILD CARE SERVICES AND YOUTH PROGRAM SERVICES FOR MILITARY DEPENDENTS.

(a) EMPLOYEES OF MILITARY CHILD CARE SYSTEM.—Section 1792 of title 10, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) CRIMINAL BACKGROUND CHECK.—The criminal background check of child care employees under this section that is required pursuant to section 231 of the Crime Control Act of 1990 (42 U.S.C. 13041) shall be conducted pursuant to regulations prescribed by the Secretary of Defense in accordance with the provisions of section 658H of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858f).''.

(b) PROVIDERS OF CHILD CARE SERVICES AND YOUTH PROGRAM SERVICES.—Section 1798 of such title is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) CRIMINAL BACKGROUND CHECK.—A provider of child care services or youth program services may not provide such services under this section unless such provider complies with the requirements for criminal background checks under section 658H of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858f) for the State in which such services are provided.''.

SA 4091. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XXVIII, add the following:

SEC. 2804. REVITALIZATION OF JUNGLE OPERATIONS TRAINING RANGES.

(a) AUTHORITY.—For the revitalization of jungle operations training ranges under the jurisdiction of the Secretary of the Army, the Secretary may obligate and expend—

(1) from appropriations available to the Secretary for operation and maintenance, amounts necessary to carry out an unspecified minor military construction project costing not more than $6,780,000, notwithstanding section 2805(c) of title 10, United States Code; or

(2) from appropriations available to the Secretary for military construction not otherwise authorized by law, amounts necessary to carry out an unspecified minor military construction project costing not more than $6,780,000.

(b) NOTIFICATION REQUIREMENT.—When a decision is made to carry out an unspecified

minor military construction project to which subsection (a) is applicable, the Secretary shall notify in writing the congressional defense committees of that decision, of the justification for the project, and of the estimated cost of the project in accordance with section 2805(b) of title 10, United States Code.

(c) SUNSET.—The authority to carry out a project under subsection (a) shall expire at the close of September 30, 2018.

SA 4092. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 314. AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDING TO CONVERT REAL PROPERTY FACILITIES, SYSTEMS, AND COMPONENTS TO NEW FUNCTIONAL PURPOSES WITHOUT INCREASING EXTERNAL DIMENSIONS.

Section 2811(e) of title 10, United States Code, is amended—

(1) by striking ''means a project to restore'' and inserting the following: ''means a project—

''(1) to restore'';

(2) by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following new paragraph:

''(2) to convert a real property facility, system, or component to a new functional purpose without increasing its external dimensions.''.

SA 4093. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1247. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON UNITED STATES INTERESTS IN THE FREELY ASSOCIATED STATES.

(a) REPORT REQUIRED.—Not later than December 1, 2017, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth the results of a study, conducted by the Comptroller General for purposes of the report, on United States security and foreign policy interests in the Freely Associated States of the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.

(b) ELEMENTS.—The study required pursuant to subsection (a) shall address the following:

(1) The role of the Compacts of Free Association in promoting United States defense and foreign policy interests, and the status of the obligations of the United States and the Freely Associated States under the Compacts of Free Association.

(2) The economic assistance practices of the People's Republic of China in the Freely Associated States, and the implications of such practices for United States defense and foreign policy interests in the Freely Associated States and the Pacific region.

(3) The economic assistance practices of other countries in the Freely Associated States, as determined by the Comptroller General, and the implications of such practices for United States defense and foreign policy interests in the Freely Associated States and the Pacific region.

(4) Any other matters the Comptroller General considers appropriate.

SA 4094. Mr. INHOFE (for himself and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

SEC. 221. MICRO-PURCHASE THRESHOLD FOR UNIVERSITIES, INDEPENDENT RESEARCH INSTITUTES, AND NONPROFIT RESEARCH ORGANIZATIONS.

Section 1902 of title 41, United States Code, is amended—

(1) in subsection (a), as amended by section 215(b)—

(A) by inserting ''(1)'' before ''Except as provided'';

(B) by inserting ''and paragraph (2)'' after ''section 2338 of title 10''; and

(C) by adding at the end the following new paragraph:

''(2) For purposes of this section, the micro-purchase threshold for procurement activities administered under sections 6303 through 6305 of title 31, United States Code, by institutions of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)), or related or affiliated nonprofit entities, or by nonprofit research organizations or independent research institutes is—

''(A) $10,000; or

''(B) such higher threshold as determined appropriate by the head of the relevant executive agency and consistent with clean audit findings under chapter 75 of title 31, United States Code, internal institutional risk assessment, or State law.''; and

(2) in subsections (d) and (e), by striking ''not greater than $3,000'' and inserting ''with a price not greater than the micro-purchase threshold''.

SA 4095. Mrs. ERNST submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. PROJECT MANAGEMENT.

(a) DEPUTY DIRECTOR FOR MANAGEMENT.—

(1) ADDITIONAL FUNCTIONS.—Section 503 of title 31, United States Code, is amended by adding at the end the following:

''(c) PROGRAM AND PROJECT MANAGEMENT.—

''(1) REQUIREMENT.—Subject to the direction and approval of the Director, the Deputy Director for Management or a designee shall—

''(A) adopt governmentwide standards, policies, and guidelines for program and project management for executive agencies;

''(B) oversee implementation of program and project management for the standards, policies, and guidelines established under subparagraph (A);

''(C) chair the Program Management Policy Council established under section 1126(b);

''(D) establish standards and policies for executive agencies, consistent with widely accepted standards for program and project management planning and delivery;

''(E) engage with the private sector to identify best practices in program and project management that would improve Federal program and project management;

''(F) conduct portfolio reviews to address programs identified as high risk by the Government Accountability Office;

''(G) not less than annually, conduct portfolio reviews of agency programs in coordination with Project Management Improvement Officers designated under section 1126(a)(1) to assess the quality and effectiveness of program management; and

''(H) establish a 5-year strategic plan for program and project management.

''(2) APPLICATION TO DEPARTMENT OF DEFENSE.—Paragraph (1) shall not apply to the Department of Defense to the extent that the provisions of that paragraph are substantially similar to or duplicative of the provisions of chapter 87 of title 10.''.

(2) DEADLINE FOR STANDARDS, POLICIES, AND GUIDELINES.—Not later than 1 year after the date of enactment of this Act, the Deputy Director for Management of the Office of Management and Budget shall issue the standards, policies, and guidelines required under section 503(c) of title 31, United States Code, as added by paragraph (1).

(3) REGULATIONS.—Not later than 90 days after the date on which the standards, policies, and guidelines are issued under paragraph (2), the Deputy Director for Management of the Office of Management and Budget, in consultation with the Program Management Policy Council established under section 1126(b) of title 31, United States Code, as added by subsection (b)(1), and the Director of the Office of Management and Budget, shall issue any regulations as are necessary to implement the requirements of section 503(c) of title 31, United States Code, as added by paragraph (1).

(b) PROGRAM MANAGEMENT IMPROVEMENT OFFICERS AND PROGRAM MANAGEMENT POLICY COUNCIL.—

(1) AMENDMENT.—Chapter 11 of title 31, United States Code, is amended by adding at the end the following:

''§ 1126. Program Management Improvement Officers and Program Management Policy Council

''(a) PROGRAM MANAGEMENT IMPROVEMENT OFFICERS.—

''(1) DESIGNATION.—The head of each agency described in section 901(b) shall designate a senior executive of the agency as the Program Management Improvement Officer of the agency.

''(2) FUNCTIONS.—The Program Management Improvement Officer of an agency designated under paragraph (1) shall—

''(A) implement program management policies established by the agency under section 503(c); and

''(B) develop a strategy for enhancing the role of program managers within the agency that includes the following:

''(i) Enhanced training and educational opportunities for program managers that shall include—

''(I) training in the relevant competencies encompassed with program and project manager within the private sector for program managers; and

''(II) training that emphasizes cost containment for large projects and programs.

''(ii) Mentoring of current and future program managers by experienced senior executives and program managers within the agency.

''(iii) Improved career paths and career opportunities for program managers.

''(iv) A plan to encourage the recruitment and retention of highly qualified individuals to serve as program managers.

''(v) Improved means of collecting and disseminating best practices and lessons learned to enhance program management across the agency.

''(vi) Common templates and tools to support improved data gathering and analysis for program management and oversight purposes.

''(3) APPLICATION TO DEPARTMENT OF DEFENSE.—This subsection shall not apply to the Department of Defense to the extent that the provisions of this subsection are substantially similar to or duplicative of the provisions of chapter 87 of title 10.

''(b) PROGRAM MANAGEMENT POLICY COUNCIL.—

''(1) ESTABLISHMENT.—There is established in the Office of Management and Budget a council to be known as the 'Program Management Policy Council' (in this subsection referred to as the 'Council').

''(2) PURPOSE AND FUNCTIONS.—The Council shall act as the principal interagency forum for improving agency practices related to program and project management. The Council shall—

''(A) advise and assist the Deputy Director for Management of the Office of Management and Budget;

''(B) review programs identified as high risk by the General Accountability Office and make recommendations for actions to be taken by the Deputy Director for Management of the Office of Management and Budget or a designee;

''(C) discuss topics of importance to the workforce, including—

''(i) career development and workforce development needs;

''(ii) policy to support continuous improvement in program and project management; and

''(iii) major challenges across agencies in managing programs;

''(D) advise on the development and applicability of standards governmentwide for program management transparency; and

''(E) review the information published on the website of the Office of Management and Budget pursuant to section 1122.

''(3) MEMBERSHIP.—

''(A) COMPOSITION.—The Council shall be composed of the following members:

''(i) Five members from the Office of Management and Budget as follows:

''(I) The Deputy Director for Management.

''(II) The Administrator of the Office of Electronic Government.

''(III) The Administrator of Federal Procurement Policy.

''(IV) The Controller of the Office of Federal Financial Management.

''(V) The Director of the Office of Performance and Personnel Management.

''(ii) The Program Management Improvement Officer from each agency described in section 901(b).

''(iii) Other individuals as determined appropriate by the Chairperson.

''(B) CHAIRPERSON AND VICE CHAIRPERSON.—

''(i) IN GENERAL.—The Deputy Director for Management of the Office of Management and Budget shall be the Chairperson of the Council. A Vice Chairperson shall be elected by the members and shall serve a term of not more than 1 year.

''(ii) DUTIES.—The Chairperson shall preside at the meetings of the Council, determine the agenda of the Council, direct the work of the Council, and establish and direct subgroups of the Council as appropriate.

''(4) MEETINGS.—The Council shall meet not less than twice per fiscal year and may meet at the call of the Chairperson or a majority of the members of the Council.

''(5) SUPPORT.—The head of each agency with a Project Management Improvement Officer serving on the Council shall provide administrative support to the Council, as appropriate, at the request of the Chairperson.

''(6) COMMITTEE DURATION.—Section 14(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Council.''.

(2) REPORT REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Director of the Office of Management and Budget, in consultation with each Program Management Improvement Officer designated under section 1126(a)(1) of title 31, United States Code, shall submit to Congress a report containing the strategy developed under section 1126(a)(2)(B) of such title, as added by paragraph (1).

(c) PROGRAM AND PROJECT MANAGEMENT PERSONNEL STANDARDS.—

(1) DEFINITION.—In this subsection, the term ''agency'' means each agency described in section 901(b) of title 31, United States Code.

(2) REGULATIONS REQUIRED.—Not later than 180 days after the date on which the standards, policies, and guidelines are issued under section 503(c) of title 31, United States Code, as added by subsection (a)(1), the Director of the Office of Personnel Management, in consultation with the Director of the Office of Management and Budget, shall issue regulations that—

(A) identify key skills and competencies needed for a program and project manager in an agency;

(B) establish a new job series, or update and improve an existing job series, for program and project management within an agency; and

(C) establish a new career path for program and project managers within an agency.

(d) GAO REPORT ON EFFECTIVENESS OF POLICIES ON PROGRAM AND PROJECT MANAGEMENT.—Not later than 3 years after the date of enactment of this Act, the Government Accountability Office shall issue, in conjunction with the High Risk list of the Government Accountability Office, a report examining the effectiveness of the following on improving Federal program and project management:

(1) The standards, policies, and guidelines for program and project management issued under section 503(c) of title 31, United States Code, as added by subsection (a)(1).

(2) The 5-year strategic plan established under section 503(c)(1)(H) of title 31, United States Code, as added by subsection (a)(1).

(3) Program Management Improvement Officers designated under section 1126(a)(1) of title 31, United States Code, as added by subsection (b)(1).

(4) The Program Management Policy Council established under section 1126(b)(1) of title 31, United States Code, as added by subsection (b)(1).

SA 4096. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

After section 502, insert the following:

SEC. 502A. REDUCTION IN NUMBER OF GENERAL AND FLAG OFFICERS.

(a) PLAN FOR ACHIEVEMENT OF REDUCTION.—

(1) IN GENERAL.—Commencing not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall implement a plan to reduce the number of general and flag officers authorized by sections 525 and 526 of title 10, United States Code, by a number that is not less than 25 percent of the aggregate authorized baseline number of general and flag officers specified in paragraph (2).

(2) BASELINE.—The aggregate authorized baseline number of general and flag officers specified in this paragraph is the aggregate number of general and flag offices authorized by sections 525 and 526 of title 10, United States Code, as of December 31, 2015, and without regard to either of the following:

(A) A reduction in the authorized number of general and flag officer billets by reason of an amendment or repeal made by section 502.

(B) A reduction in the number of general and flag officer billets in connection with the consolidation of the medical departments of the Army, Navy, and Air Force into the Defense Health Agency pursuant to section 721.

(3) ELEMENTS.—The plan under this subsection shall achieve the following:

(A) The total aggregate strength of officers in the grade of general or admiral may not exceed the number equal to the number of officers serving in the positions as follows:

(i) Chairman of the Joint Chiefs of Staff.

(ii) Vice Chairman of the Joint Chiefs of Staff.

(iii) Commander of each unified or specified combatant command.

(iv) Commander, United States Forces Korea.

(v) An additional officer serving in a position designated pursuant to section 526(b) of title 10, United States Code.

(vi) Chief of Staff of the Army.

(vii) Chief of Naval Operations.

(viii) Chief of Staff of the Air Force.

(ix) Commandant of the Marine Corps.

(x) Chief of the National Guard Bureau.

(xi) Three positions in each of the Army, the Navy, and the Air Force designated by the Secretary for purposes of this subsection.

(B) The total aggregate strength of officers in the grade of lieutenant general or vice admiral may not exceed a number equal to 25 percent of the aggregate number of officers serving in the grade of brigadier general or rear admiral (lower half).

(C) The total aggregate strength of officers in the grade of brigadier general or rear admiral (lower half) may not exceed the number equal to 50 percent of the aggregate authorized baseline number of general and flag officers specified in paragraph (2).

(4) TIME FOR COMPLETION.—The plan shall be implemented so as to achieve the requirements in paragraph (3) by not later than December 31, 2017.

(5) ORDERLY TRANSITION.—

(A) IN GENERAL.—In order to provide an orderly transition for personnel in billets to be eliminated pursuant to the plan, each general or flag officer who has not completed 24 months in a billet to be eliminated pursuant to the plan as of December 31, 2017, may remain in such billet until the last day of the month that is 24 months after the month in which such officer assumed the duties of such billet.

(B) REPORT TO CONGRESS ON COVERED OFFICERS.—The Secretary shall include in the annual report required by section 526(j) of title 10, United States Code, in 2017 a description of the billets in which an officer will remain pursuant to subparagraph (A), including the latest date on which the officer may remain in such billet pursuant to that subparagraph.

(C) NOTICE TO CONGRESS ON DETACHMENT OF COVERED OFFICERS.—The Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a notice on the date on which each officer covered by subparagraph (A) is detached from such officer's billet pursuant to that subparagraph.

(6) REPORTS ON PROGRESS IN IMPLEMENTATION.—The Secretary shall include with the budget for the Department of Defense for each of fiscal year 2018 and 2019, as submitted to Congress pursuant to section 1105 of title 31, United States Code, a report describing and assessing the progress of the Department in implementing the plan and in achieving the requirements of paragraph (3).

(b) REDUCTIONS.—

(1) IN GENERAL.—In order to achieve the requirements of the plan required by subsection (a), effective 30 days after the commencement of the implementation of the plan, the Secretary of Defense shall include with each nomination of an officer to a grade above colonel or captain (in the case of the Navy) that is forwarded by the President to the Senate for appointment, by and with the advice and consent of the Senate, a certification to the Committee on Armed Services of the Senate that the appointment of the officer to the grade concerned will not result in either of the following:

(A) An aggregate number of general and flag officers in excess of the reduced aggregate number of general and flag officers required by subsection (a)(1).

(B) A number of general and flag officers in excess of the limitations on numbers in grade specified in subparagraphs (A), (B), and (C) of subsection (a)(3).

(2) IMPLEMENTATION.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall revise applicable guidance of the Department of Defense on general and flag officer authorizations in order to ensure that—

(A) the achievement of the reductions required by subsection (a) in incorporated into the planning for the execution of promotions by the military departments and for the joint pool;

(B) to the extent practicable, the resulting grades for general and flag officer billets are uniformly applied to billets of similar duties and responsibilities across the military departments and the joint pool; and

(C) planning achieves a reduction in the headquarters functions and administrative and support activities and staffs of the Department of Defense and the military departments as identified pursuant to the review required by subsection (c).

(c) COMPREHENSIVE REVIEW OF HEADQUARTERS STAFF AND ADMINISTRATIVE AND SUPPORT ACTIVITIES.—

(1) IN GENERAL.—The Secretary of Defense shall conduct a comprehensive review of the headquarters functions and administrative and support activities and staffs of the Department of Defense and the military departments in light of the reductions required by subsection (a), including executive assistants, aides-de-camp, enlisted aides, and similar support authorized for billets that will be eliminated pursuant to that plan required by that subsection.

(2) ELEMENTS.—The review required by paragraph (1) shall determine the following:

(A) The validated direct support staff requirements for each general and flag officer billet that will remain after the reduction pursuant to subsection (a).

(B) The extent, if any, to which the direct support staff requirements of the general and flag officer billet covered by subparagraph (A) may be consolidated with geographically co-located authorized general and flag officer billets to achieve efficiencies and personnel cost savings.

(C) The requirements and justification, if any, for each general and flag officer billet covered by subparagraph (A) to be authorized any of the following:

(i) To have an assigned personal protective detail.

(ii) To be assigned personnel on a permanent and dedicated support basis as follows:

(I) An aide to provide access to continuous and secure communications.

(II) An executive assistant.

(III) An aide-de-camp.

(IV) An enlisted aide,

(iii) To be a required-use user of military aircraft.

(iv) To be provided domicile-to-work transportation.

(v) To use armored or specialized motor vehicle support in the performance of official duties.

(vi) To control for the officer's official use any aircraft, boat, or similar military conveyance.

(vii) To be required to occupy Government quarters.

(D) The extent, if any, to which each billet covered by subparagraph (A) qualifies for joint duty credit.

(E) A frequency for the regular review of each billet covered by subparagraph (A) for the matters specified in subparagraphs (A) through (D), including such a review each time an officer detaches from such billet.

(F) To the extent that the reductions required by subsection (a) are likely to result in reductions in headquarters functions and administrative and support activities and staffs as described in paragraph (1), mechanisms to accomplish reductions in such staffs in a manner that, to the extent practicable, avoids adverse professional and personnel consequences for the personnel of such staffs.

(G) The extent, if any, to which reductions in military and civilian end-strength associated with general or flag officer billets could be used to create, build, or fill shortages in force structure for operational units.

(3) CONSULTATION.—The Secretary shall, to the extent practicable and as the Secretary considers appropriate, conduct the review required by paragraph (1) in consultation with the Joint Chiefs of Staff and experts on matters covered by the review who are independent of the Department of Defense.

(4) REPORT.—Not later than March 1, 2017, the Secretary shall submit to the congressional defense committees a report setting forth the results of the review required by paragraph (1).

SA 4097. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. INCLUSION OF RESERVE SERVICE ON ACTIVE DUTY FOR PREPLANNED MISSIONS AS SERVICE THAT QUALIFIES AS ACTIVE DUTY FOR POST-9/11 EDUCATIONAL ASSISTANCE.

Section 3301(1)(B) of title 38, United States Code, is amended by striking ''or 12304'' and inserting ''12304, or 12304b''.

SA 4098. Mr. MORAN (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title XII, add the following:

SEC. 1277. LIMITATION ON AVAILABILITY OF FUNDS TO IMPLEMENT THE ARMS TRADE TREATY.

(a) LIMITATION.—

(1) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Department of Defense may be obligated or expended to sustain a domestic prosecution based on any charge related to the Arms Trade Treaty, to make assessed payments for the Treaty's Conference of States Parties or to meet in any other way expenses sustained by the Treaty Secretariat, to make voluntary contributions to any international organization or foreign nation for any purpose related to attendance at the Conference, or to implement the Treaty until the Senate approves a resolution advising and consenting to ratification of the Treaty and there is enacted legislation implementing the Treaty.

(2) EXCEPTIONS.—The limitation in paragraph (1) shall not apply to a United States delegation attending the Treaty's Conference of State Parties, subsidiary bodies, or extraordinary meetings, or to the payment, to entities other than the Treaty Secretariat, of an attendance fee towards the cost of preparing and holding the Conference of State Parties, or subsidiary body meeting as applicable.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preclude the Department of Defense from assisting

foreign countries in bringing their laws, regulations, and practices related to export control up to United States standards.

SA 4099. Mrs. ERNST submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XVI, add the following:

Subtitle G—Modernization of Intelligence Functions of the Armed Forces

SEC. 1681. SHORT TITLE.

This subtitle may be cited as the ''Military Intelligence Modernization Act of 2016''.

SEC. 1682. MODERNIZATION OF THE MILITARY INTELLIGENCE FORCE STRUCTURE OF THE ARMY.

(a) ASSIGNMENT OF MILITARY INTELLIGENCE UNITS TO ARMY COMPONENT COMMANDS.—Not later than one year after the date of the enactment of this Act, the Secretary of the Army shall assign a theater level military intelligence unit to each of the component commands of the Army, except the Army North Command, Army Special Operations Command, Military Surface Deployment and Distribution Command, and the Army Space and Missile Defense Command/Army Forces Strategic Command.

(b) ANNUAL REPORT ON MILITARY INTELLIGENCE REQUIREMENTS ASSIGNED TO RESERVE COMPONENTS.—Not less frequently than once each year, the Secretary of the Army shall submit to the congressional defense committees a report on enduring military intelligence requirements which have been assigned to a reserve component of the Army that were previously assigned to the regular Army.

(c) FUNDING FOR THE FOUNDRY INTELLIGENCE TRAINING PROGRAM OF THE ARMY.—

(1) PROHIBITION ON USE OF FUNDS FOR OPERATIONAL MISSIONS.—No amount appropriated or otherwise made available to or for the Foundry Intelligence Training Program of the Army may be used for any operational mission or assignment of the Armed Forces.

(2) PROHIBITION ON USE OF FUNDS FOR CERTAIN TRAINING.—No amount appropriated or otherwise made available to or for the Foundry Intelligence Training Program of the Army may be used for the following:

(A) Non-military intelligence related training activities.

(B) Training for members of the Army without a military intelligence military occupational specialty (MOS).

(3) TRANSFER OF ACCOUNT.—The Army Foundry Intelligence Training Program account is hereby transferred to the Army Training and Doctrine Command.

SEC. 1683. TERMINATION OF ARMY RESERVE MILITARY INTELLIGENCE READINESS COMMAND.

The Secretary of the Army shall take such actions as may be necessary to wind down and terminate the Army Reserve Military Intelligence Readiness Command before the date that is one year after the date of the enactment of this Act.

SEC. 1684. MATTERS CONCERNING MILITARY INTELLIGENCE PERSONNEL OF THE ARMY.

(a) ESTABLISHMENT OF REGIONAL QUALIFICATION IDENTIFIERS OR REQUIREMENTS.—Not later than one year after the date of the enactment of this Act, the Secretary of the Army shall establish a regional qualification identifier or requirement for military intelligence officers and noncommissioned officers which includes consideration of the following:

(1) Overseas assignments.

(2) Language proficiency.

(3) Such advanced educational degrees as the Secretary considers relevant.

(b) ALIGNMENT OF MILITARY INTELLIGENCE OCCUPATIONAL SPECIALTY ENTRANCE REQUIREMENTS.—Not later than one year after the date of the enactment of this Act, the Secretary of the Army shall align the Army Human Intelligence Collector military occupational specialty (35M) entrance requirements with the entrance requirements of the Army Counterintelligence Agent military occupational specialty (35L).

SEC. 1685. DEPARTMENT OF DEFENSE-WIDE REQUIREMENTS CONCERNING MILITARY INTELLIGENCE.

Not later than one year after the date of the enactment of this Act, the head of each military department shall assign an officer with a military occupational specialty relating to military intelligence to serve as the senior intelligence officer and advisor for such department.

SA 4100. Mrs. ERNST submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 549 and insert the following:

SEC. 549. CAREER MILITARY JUSTICE LITIGATION TRACK FOR JUDGE ADVOCATES.

(a) CAREER LITIGATION TRACK REQUIRED.—

(1) IN GENERAL.—The Secretary of each military department shall establish a career military justice litigation track for judge advocates in the Armed Forces under the jurisdiction of the Secretary.

(2) CONSULTATION.—The Secretary of the Army and the Secretary of the Air Force shall establish the litigation track required by this section in consultation with the Judge Advocate General of the Army and the Judge Advocate General of the Air Force, respectively. The Secretary of the Navy shall establish the litigation track in consultation with the Judge Advocate General of the Navy and the Staff Judge Advocate to the Commandant of the Marine Corps.

(b) ELEMENTS.—Each career litigation track under this section shall provide for the following:

(1) Assignment and advancement of qualified judge advocates in and through assignments and billets relating to the practice of military justice under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice).

(2) Establishing for each Armed Force the assignments and billets covered by paragraph (1), which shall include trial counsel, defense counsel, military trial judge, military appellate judge, academic instructor, all positions within criminal law offices or divisions of such Armed Force, Special Victims Prosecutor, Victims' Legal Counsel, Special Victims' Counsel, and such other positions as the Secretary of the military department concerned shall specify.

(3) For judge advocates participating in such litigation track, mechanisms as follows:

(A) To prohibit a judge advocate from more than a total of four years of duty or assignments outside such litigation track

(B) To prohibit any adverse assessment of a judge advocate so participating by reason of such participation in the promotion of officers through grade O–6 (or such higher grade as the Secretary of the military department concerned shall specify for purposes of such litigation track).

(4) Such additional requirements and qualifications for the litigation track as the Secretary of the military department concerned considers appropriate, including requirements and qualifications that take into account the unique personnel needs and requirement of an Armed Force.

(c) IMPLEMENTATION DEADLINE.—Each Secretary of a military department shall implement the career litigation track required by this section for the Armed Forces under the jurisdiction of such Secretary by not later than 18 months after the date of the enactment of this Act.

(d) REPORT.—Not later than one year after the date of the enactment of this Act, each Secretary of a military department shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the progress of such Secretary in implementing the career litigation track required under this section for the Armed Forces under the jurisdiction of such Secretary.

SA 4101. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 423, strike lines 16 and 17 and insert the following:

(a) IN GENERAL.—Except as provided in subsection (c), not later than 90 days after submitting the report required by subsection (d), or one year after the date of the enactment of this Act, whichever occurs first, the Secretary of Defense

On page 425, strike lines 10 through 18 and insert the following:

(5) The Secretary shall ensure that any covered beneficiary who may be affected by modifications, reductions, or eliminations implemented under this section will be able to receive through the purchased care component of the TRICARE program any medical services that will not be available to such covered beneficiary at a military treatment facility as a result of such modifications, reductions, or eliminations.

(c) EXCEPTION.—The Secretary is not required to implement measures under subsection (a) with respect to overseas military health care facilities in a country if the Secretary determines that medical services in addition to the medical services described in subsection (b)(2) are necessary to ensure that covered beneficiaries located in that country have access to a similar level of care available to covered beneficiaries located in the United States.

(d) REPORT ON MODIFICATIONS.—

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act,

the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the modifications to medical services, military treatment facilities, and personnel in the military health system to be implemented pursuant to subsection (a).

(2) ELEMENTS.—The report required by paragraph (1) shall include, at a minimum, the following:

(A) A description of the medical services and associated personnel capacities necessary for the military medical force readiness of the Department of Defense.

(B) A comprehensive plan to modify the personnel and infrastructure of the military health system to exclusively provide medical services necessary for the military medical force readiness of the Department of Defense, including the following:

(i) A description of the planned changes or reductions in medical services provided by the military health system.

(ii) A description of the planned changes or reductions in staffing of military personnel, civilian personnel, and contractor personnel within the military health system.

(iii) A description of the personnel management authorities through which changes or reductions described in clauses (i) and (ii) will be made.

(iv) A description of the planned changes to the infrastructure of the military health system.

(v) An estimated timeline for completion of the changes or reductions described in clauses (i), (ii), and (iv) and other key milestones for implementation of such changes or reductions.

(e) COMPTROLLER GENERAL REPORT.—

On page 428, between lines 15 and 16, insert the following:

(3) The terms ''covered beneficiary'' and ''TRICARE program'' have the meanings given those terms in section 1072 of title 10, United States Code.

SA 4102. Mr. PERDUE (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title I, add the following:

SEC. 147. SUPPORT FOR E–8C JSTARS FLEET.

The Secretary of Defense shall continue to provide support for the existing E–8C JSTARS fleet in the form of supply parts, operational aircrew, maintenance, and combat training instructors to ensure overseas combat capability and presence until a rapid acquisition plan is in effect for the Joint Surveillance Target Attack Radar System (JSTARS) recapitalization program.

SA 4103. Mr. PERDUE (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title I, add the following:

SEC. 147. FUNDING OF JOINT SURVEILLANCE TARGET ATTACK RADAR SYSTEM (JSTARS) RECAPITALIZATION PROGRAM AS A RAPID ACQUISITION PROGRAM.

The Secretary of Defense shall fund the Joint Surveillance Target Attack Radar System (JSTARS) recapitalization program in fiscal year 2017 as a rapid acquisition program in order to achieve Initial Operating Capability (IOC) by not later than 2023 and Full Operating Capability (FOC) by not later than 2027.

SA 4104. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title X, add the following:

SEC. 1008. REPORT ON EFFORTS OF THE UNITED STATES SOUTHERN COMMAND TO DETECT AND MONITOR DRUG TRAFFICKING.

The Secretary of Defense shall submit to Congress a report setting forth a description and assessment of the effectiveness of the efforts of the United States Southern Command to limit threats to the national security of the United States by detecting and monitoring drug trafficking, including, in particular, trafficking of heroin and fentanyl.

SA 4105. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1227. EXTENSION OF REPORTS ON USE OF CERTAIN IRANIAN SEAPORTS BY FOREIGN VESSELS AND USE OF FOREIGN AIRPORTS BY SANCTIONED IRANIAN AIR CARRIERS.

Section 1252(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2017; 22 U.S.C. 8808(a)) is amended in the matter preceding paragraph (1) by striking ''2016'' and inserting ''2019''.

SA 4106. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1227. REPORTS ON USE BY THE GOVERNMENT OF IRAN OF COMMERCIAL AIRCRAFT AND RELATED SERVICES FOR ILLICIT MILITARY OR OTHER ACTIVITIES.

(a) REPORTS.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the President, in coordination with the Secretary of Defense and the Secretary of State, shall submit to the appropriate committees of Congress a report on the use by the Government of Iran of commercial aircraft and related services for illicit military or other activities during the five-year period ending on the date of such report.

(b) ELEMENTS.—Each report under subsection (a) shall include, for the period covered by such report, the following:

(1) A description of the extent to which the Government of Iran has used commercial aircraft or related services to transport illicit cargo to or from Iran, including military goods, weapons, military personnel, military-related electronic parts and mechanical equipment, and rocket or missile components.

(2) A description of the extent to which the commercial aviation sector of Iran has provided financial, material, and technological support to the Islamic Revolutionary Guard Corps (IRGC).

(3) An identification of the foreign governments and persons that facilitated the activities described pursuant to paragraph (1), including by permitting the use of airports, services, or other resources for such activities.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SA 4107. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1227. DEPARTMENT OF DEFENSE REPORT ON COOPERATION BETWEEN IRAN AND THE RUSSIAN FEDERATION.

(a) REPORT REQUIRED.—The Secretary of Defense and the Secretary of State shall jointly submit to Congress a report on cooperation between Iran and the Russian Federation and how and to what extent such cooperation affects United States national security and strategic interests.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include the following elements:

(1) A description of how and to what extent the Governments of Iran and the Russian Federation cooperate on matters relating to Iran's space program, including how and to what extent such cooperation strengthens Iran's ballistic missile program.

(2) A description of how and to what extent Iran's interests and actions and the Russian Federation's interests and actions overlap with respect to Latin America.

(3) A description and analysis of the intelligence-sharing center established by Iran, the Russian Federation, and Syria in Baghdad, Iraq and whether such center is being used for purposes other than the purposes of the joint mission of such countries in Syria.

(4) A description and analysis of—

(A) naval cooperation between Iran and the Russian Federation, including joint naval exercises between the two countries; and

(B) the implications of—

(i) an increased Russian Federation naval presence in the Eastern Mediterranean; and

(ii) an Iranian naval presence in the Persian Gulf.

(5) A description of the increased cooperation between Iran and the Russian Federation since the start of the current conflict in Syria.

(6) A description of the steps Iran has taken to adopt the Russian Federation model of hybrid warfare against potential targets such as Gulf Cooperation Council states with sizeable Shiite populations.

(7) An assessment of the extent of Russian Federation cooperation with Hezbollah in Syria, Lebanon, and Iraq, including cooperation with respect to training and equipping and joint operations.

(8) A description of the weapons that have been provided by the Russian Federation to Iran that have violated relevant United Nations Security Council resolutions imposing an arms embargo on Iran.

(c) SUBMISSION PERIOD.—The report required by subsection (a) shall be submitted not later than 120 days after the date of the enactment of this Act, and annually thereafter, for such period of time as the Joint Comprehensive Plan of Action remains in effect.

(d) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(e) JOINT COMPREHENSIVE PLAN OF ACTION DEFINED.—In this section , the term ''Joint Comprehensive Plan of Action'' means the Joint Comprehensive Plan of Action signed at Vienna on July 14, 2015, by Iran and by France, Germany, the Russian Federation, the People's Republic of China, the United Kingdom, and the United States.

SA 4108. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1227. SEMIANNUAL REPORT ON IRAN AND NORTH KOREA NUCLEAR AND BALLISTIC MISSILE COOPERATION.

(a) FINDINGS.—Congress makes the following findings:

(1) Iran developed a close working relationship with North Korea on many ballistic missile programs, dating back to an acquisition of Scud missiles from North Korea in the mid-1980s.

(2) By the mid-1980s North Korea reverse-engineered Scud B missiles originally received from Egypt, and developed the 500-kilometer range Scud C missile in 1991, and sold both the Scud B and Scud C, as well as missile production technology, to Iran.

(3) In 1992, then-Director of the Central Intelligence Robert Gates, in testimony to Congress, identified Iran as a recipient of North Korean Scud missiles.

(4) In 1993, then-Director of Central Intelligence James Woolsey provided more detail, stating that North Korea had sold Iran extended range Scud C missiles and agreed to sell other forms of missile technology.

(5) Annual threat assessments from the intelligence community during the 1990s showed that North Korea's ongoing export of ballistic missiles provided a qualitative increase in capabilities to countries such as Iran.

(6) The same threat assessments noted that Iran was using North Korean ballistic missile goods and services to achieve its goal of self-sufficiency in the production of medium-range ballistic missiles.

(7) The intelligence community assessed in the 1990s that Iran's acquisition of missile systems or key missile-related components could improve Iran's ability to produce an intercontinental ballistic missile (ICBM).

(8) Throughout the 2000s, the intelligence community continued to assess that North Korean cooperation with Iran's ballistic missile program was ongoing and significant.

(9) In 2007 a failed missile test in Syria caused the death of Syrian, Iranian, and North Korean experts.

(10) North Korea built the nuclear reactor in Syria that was bombed in 2007. Syria failed to report the construction of the reactor to the International Atomic Energy Agency (IAEA), which was Syria's obligation under its safeguards agreement with the agency.

(11) Official sources confirm that Iran and North Korea have engaged in various forms of clandestine nuclear cooperation.

(12) North Korea and Iran obtained designs and materials related to uranium enrichment from a clandestine procurement network run by Abdul Qadeer Khan.

(13) In the early 2000s, North Korea exported, with the assistance of Abdul Qadeer Khan, uranium hexafluoride (UF6) gas to Libya, which was intended to be used in Libya's clandestine nuclear weapons program.

(14) On January 6, 2016, North Korea conducted its fourth nuclear weapons test.

(15) Iranian officials reportedly traveled to North Korea to witness its three previous nuclear tests in 2006, 2009, and 2013.

(16) Before North Korea's 2013 test, a senior American official was quoted as saying ''it's very possible that North Koreans are testing for two countries''.

(17) In September 2012, Iran and North Korea signed an agreement for technological and scientific cooperation.

(18) In an April 2015 interview with CNN, Secretary of Defense Ashton Carter said that North Korea and Iran ''could be'' cooperating to develop a nuclear weapon.

(19) On February 9, 2016, Director of National Intelligence Jim Clapper provided written testimony to Congress that stated that Pyongyang's ''export of ballistic missiles and associated materials to several countries, including Iran and Syria, and its assistance to Syria's construction of a nuclear reactor . . . illustrate its willingness to proliferate dangerous technologies''.

(20) A 2016 Congressional Research Service report confirmed that ''ballistic missile technology cooperation between the two [Iran and North Korea] is significant and meaningful''.

(21) Admiral Bill Gortney, Commander of United States Northern Command, testified to Congress on April 14, 2016, that ''Iran's continuing pursuit of long-range missile capabilities and ballistic missile and space launch programs, in defiance of United Nations Security Council resolutions, remains a serious concern''.

(22) Iran has engaged in nuclear technology cooperation with North Korea.

(23) It has been suspected for over a decade that Iran and North Korea are working together on nuclear weapons development.

(24) Since the Intelligence Authorization Act for Fiscal Year 2013 (Public Law 112–277) repealed requirements for the intelligence community to provide unclassified annual report to Congress on the ''Acquisition of Technology Relating to Weapons of Mass Destruction and Advanced Conventional Munitions'', the number of unclassified reports to Congress on nuclear-weapons issues decreased considerably.

(25) North Korea's cooperation with Iran on nuclear weapon development is widely suspected, but has yet to be detailed by the President to Congress.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the ballistic missile programs of Iran and North Korea represent a serious threat to allies of the United States in the Middle East, Europe, and Asia, members of the Armed Forces deployed in those regions, and ultimately the United States;

(2) further cooperation between Iran and North Korea on nuclear weapons or ballistic missile technology is not in the security interests of the United States or our allies;

(3) the testing and production by Iran of ballistic missiles capable of carrying a nuclear device is a clear violation of United Nations Security Council Resolution 2231 (2015), which was unanimously adopted by the United Nations Security Council and supported by the international community; and

(4) Iran is using its space launch program to develop the capabilities necessary to deploy an intercontinental ballistic missile that could threaten the United States, and the Director of National Intelligence has assessed that Iran would use ballistic missiles as its ''preferred method of delivering nuclear weapons''.

(c) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the President, in coordination with the Secretary of Defense, the Secretary of State, and the heads of other relevant agencies, shall submit to the appropriate committees of Congress a report on nuclear and ballistic missile cooperation between the Government of Iran and the Government of the Democratic People's Republic of North Korea, including the identity of Iranian and North Korean persons that have knowingly engaged in or directed the provision of material support or the exchange of information between the Government of Iran and the Government of the Democratic People's Republic of North Korea on their respective nuclear programs.

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 4109. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title X, add the following:

SEC. 1004. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON MECHANISMS TO ELIMINATE EXCESSIVE AND UNNECESSARY END-OF-FISCAL YEAR SPENDING.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth recommendations for mechanisms to reduce or eliminate excessive spending by the Department of Defense in September as a means of ensuring that future fiscal year appropriations are not reduced for lack of use of current budgetary resources. The recommendations shall include recommendations on the following:

(1) Mechanisms to enhance flexibility in spending by the Chiefs of Staff of the Armed Forces, and by tactical units of the Armed Forces, with respect to end-of-fiscal-year obligations.

(2) Mechanisms to encourage long-term savings and more efficient spending practices.

(3) Such other mechanisms as the Comptroller General considers appropriate.

SA 4110. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 341. LIMITATION ON FUNDS FOR DEFENSE CONTRACT MANAGEMENT AGENCY.

(a) PROHIBITION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for operation and maintenance for the Defense Contract Management Agency, $10,000,000 may not be obligated or expended until a period of 30 days has elapsed following the date on which the Director of the Defense Contract Management Agency submits to the congressional defense committees a report on the Defense Contract Management Agency's plan to foster the adoption, implementation, and verification of the Department of Defense's revised Item Unique Identification policy across the Department and the defense industrial base.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Director of the Defense Contract Management Agency shall submit to the congressional defense committees a report that provides a detailed plan on the Agency's new policies, procedures, staff training, and equipment—

(1) to ensure contract compliance with the Item Unique Identification policy for all items that require unique item level traceability at any time in their lifecycle;

(2) to support counterfeit material risk reduction; and

(3) to provide for systematic assessment and accuracy of item unique identification marks as set forth by Department of Defense Instruction 8320.04.

SA 4111. Mrs. ERNST (for herself and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1224. TEMPORARY EMERGENCY AUTHORIZATION OF DEFENSE ARTICLES, DEFENSE SERVICES, AND RELATED TRAINING DIRECTLY TO THE KURDISTAN REGIONAL GOVERNMENT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Islamic State of Iraq and the Levant (ISIL) poses an acute threat to the people and territorial integrity of Iraq, including the Iraqi Kurdistan Region, and the security and stability of the Middle East and the world;

(2) defeating the Islamic State of Iraq and the Levant is critical to maintaining a unified Iraq in which all faiths, sects, and ethnicities are afforded equal protection and full integration into the Government and society of Iraq; and

(3) any outstanding issues between the Government of Iraq and the Kurdistan Regional Government should be resolved by the two parties expeditiously.

(b) STATEMENT OF POLICY.—It is the policy of the United States to promote a stable and unified Iraq, including by directly providing the Kurdistan Regional Government military and security forces associated with the Government of Iraq with defense articles, defense services, and related training, on an emergency and temporary basis, to more effectively partner with the United States and other international coalition members to defeat the Islamic State of Iraq and the Levant (ISIL).

(c) AUTHORIZATION.—

(1) MILITARY ASSISTANCE.—The President, in consultation with the Government of Iraq, is authorized to provide defense articles, defense services, and related training directly to Kurdistan Regional Government military and security forces associated with the Government of Iraq for the purpose of supporting international coalition efforts against the Islamic State of Iraq and the Levant (ISIL) and any successor group or associated forces.

(2) DEFENSE EXPORTS.—The President is authorized to issue licenses authorizing United States exporters to export defense articles, defense services, and related training directly to the Kurdistan Regional Government military and security forces described in paragraph (1). For purposes of processing applications for such export licenses, the President is authorized to accept End Use Certificates approved by the Kurdistan Regional Government.

(3) TYPES OF ASSISTANCE.—Assistance authorized under paragraph (1) and exports authorized under paragraph (2) may include anti-tank and anti-armor weapons, armored vehicles, long-range artillery, crew-served weapons and ammunition, secure command and communications equipment, body armor, helmets, logistics equipment, excess defense articles and other military assistance that the President determines to be appropriate.

(d) RELATIONSHIP TO EXISTING AUTHORITIES.—

(1) RELATIONSHIP TO EXISTING AUTHORITIES.—Assistance authorized under subsection (c)(1) and licenses for exports authorized under subsection (c)(2) shall be provided pursuant to the applicable provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.) and the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), notwithstanding any requirement in such applicable provisions of law that a recipient of assistance of the type authorized under subsection (c)(1) shall be a country or international organization. In addition, any requirement in such provisions of law applicable to such countries or international organizations concerning the provision of end use retransfers and other assurance required for transfers of such assistance should be secured from the Kurdistan Regional Government.

(2) CONSTRUCTION AS PRECEDENT.—Nothing in this section shall be construed as establishing a precedent for the future provision of assistance described in subsection (c) to organizations other than a country or international organization.

(e) REPORTS.—

(1) INITIAL REPORT.—Not later than 45 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that includes the following:

(A) A timeline for the provision of defense articles, defense services, and related training under the authority of subsections (c)(1) and (c)(2).

(B) A description of mechanisms and procedures for end-use monitoring of such defense articles, defense services, and related training.

(C) How such defense articles, defense services, and related training would contribute to the foreign policy and national security of the United States, as well as impact security in the region.

(2) UPDATES.—Not later than 180 days after the submittal of the report required by paragraph (1), and every 180 days thereafter through the termination pursuant to subsection (h) of the authority in subsection (c), the President shall submit to the appropriate congressional committees a report updating the previous report submitted under this subsection. In addition to any matters so updated, each report shall include a description of any delays, and the circumstances surrounding such delays, in the delivery of defense articles, defense services, and related training to the Kurdistan Regional Government pursuant to the authority in subsections (c)(1) and (c)(2).

(3) FORM.—Any report under this subsection shall be submitted in unclassified form, but may include a classified annex.

(4) DEFINITION.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Appropriations, the Committee on Armed Services, and the Select

Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Appropriations, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

(f) NOTIFICATION.—The President should provide notification to the Government of Iraq, when practicable, not later than 15 days before providing defense articles, defense services, or related training to the Kurdistan Regional Government under the authority of subsection (c)(1) or (c)(2).

(g) ADDITIONAL DEFINITIONS.—In this section, the terms ''defense article'', ''defense service'', and ''training'' have the meanings given those terms in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

(h) TERMINATION.—The authority to provide defense articles, defense services, and related training under subsection (c)(1) and the authority to issue licenses for exports authorized under subsection (c)(2) shall terminate on the date that is three years after the date of the enactment of this Act.

SA 4112. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle D of title V, add the following:

SEC. 554. MEDICAL EXAMINATION BEFORE ADMINISTRATIVE SEPARATION FOR MEMBERS WITH POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY IN CONNECTION WITH SEXUAL ASSAULT.

Section 1177(a)(1) of title 10, United States Code, is amended—

(1) by inserting '', or sexually assaulted,'' after ''deployed overseas in support of a contingency operation''; and

(2) by inserting ''or based on such sexual assault,'' after ''while deployed,''.

SA 4113. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. ELIMINATION OF REQUIREMENT THAT CERTAIN SERVICE IN THE ARMED FORCES BE CONSECUTIVE FOR PURPOSES OF ELIGIBILITY FOR VETERANS HIRING PREFERENCES.

Section 2108(1) of title 5, United States Code, is amended by striking ''180 consecutive days'' each place it appears and inserting ''180 cumulative days''.

SA 4114. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. ELIGIBILITY FOR AIRPORT DEVELOPMENT GRANTS OF AIRPORTS THAT ENTER INTO CERTAIN LEASES WITH COMPONENTS OF THE ARMED FORCES.

Section 47107 of title 49, United States Code, amended by adding at the end the following:

''(t) AIRPORTS THAT ENTER INTO CERTAIN LEASES WITH THE ARMED FORCES.—The Secretary of Transportation may not disapprove a project grant application under this subchapter for an airport development project at an airport solely because the airport renews a lease for the use, at a nominal rate, of airport property by a regular or reserve component of the Armed Forces, including the National Guard, without regard to whether that component operates aircraft at the airport.''.

SA 4115. Mrs. GILLIBRAND (for herself and Mrs. ERNST) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 549, add the following:

(e) COAST GUARD.—

(1) IN GENERAL.—The Secretary of Homeland Security shall carry out a pilot program under subsection (a) with respect to commissioned officers of the Coast Guard designated for special duty (law).

(2) REFERENCES.—Any reference in this section to the Secretary of a miliary department shall be deemed to refer also to the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy, and any reference to judge advocates shall be deemed to refer also to commissioned officers of the Coast Guard designated for special duty (law).

(3) REPORT.—The report under subsection (d) shall also include the information required under that subsection with respect to the pilot program carried out under this subsection. The Secretary of Defense shall coordinate with the Secretary of Homeland Security for purposes of the inclusion in the report under subsection (d) of information with respect to the pilot program carried out under this subsection.

SA 4116. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V, add the following:

SEC. ___. REPORT ON DEMOGRAPHICS AND OUTCOMES OF THE JUNIOR RESERVE OFFICERS' TRAINING CORPS PROGRAMS.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the demographics and outcomes of the Junior Reserve Officers' Training Corps programs under chapter 102 of title 10, United States Code.

(b) ELEMENTS.—The report required by subsection (a) shall include information on the cadets enrolled in Junior Reserve Officers' Training Corps programs during the five-year period ending on the date of the report, as follows:

(1) Race.

(2) Gender.

(3) Ethnicity

(4) Post-Junior Reserve Officers' Training Corps military service.

(5) Appointment to military service academies.

(6) Receipt of scholarships to Senior Reserve Officers' Training Corps programs.

(7) Acceptance to two-year and four year institutions of higher education.

SA 4117. Mrs. ERNST (for herself and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1224. TEMPORARY EMERGENCY AUTHORIZATION OF PROVISION OF NON-LETHAL DEFENSE ARTICLES, DEFENSE SERVICES, AND RELATED TRAINING DIRECTLY TO THE KURDISTAN REGIONAL GOVERNMENT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Islamic State of Iraq and the Levant (ISIL) poses an acute threat to the people and territorial integrity of Iraq, including the Iraqi Kurdistan Region, and the security and stability of the Middle East and the world;

(2) defeating the Islamic State of Iraq and the Levant is critical to maintaining a unified Iraq in which all faiths, sects, and ethnicities are afforded equal protection and full integration into the Government and society of Iraq; and

(3) any outstanding issues between the Government of Iraq and the Kurdistan Regional Government should be resolved by the two parties expeditiously.

(b) STATEMENT OF POLICY.—It is the policy of the United States to promote a stable and unified Iraq, including by directly providing the Kurdistan Regional Government military and security forces associated with the Government of Iraq with non-lethal defense articles, defense services, and related training, on an emergency and temporary basis, to more effectively partner with the United States and other international coalition members to defeat the Islamic State of Iraq and the Levant (ISIL).

(c) AUTHORIZATION.—

(1) ASSISTANCE.—The President, in consultation with the Government of Iraq, is authorized to provide non-lethal defense articles, non-lethal defense services, and related training directly to Kurdistan Regional Government military and security forces associated with the Government of Iraq for the purpose of supporting international coalition efforts against the Islamic State of Iraq and the Levant (ISIL) and any successor group or associated forces.

(2) DEFENSE EXPORTS.—The President is authorized to issue licenses authorizing United States exporters to export non-lethal defense articles, non-lethal defense services, and related training directly to the Kurdistan Regional Government military and security forces described in paragraph (1). For purposes of processing applications for such export licenses, the President is authorized to accept End Use Certificates approved by the Kurdistan Regional Government.

(3) TYPES OF ASSISTANCE.—Assistance authorized under paragraph (1) and exports authorized under paragraph (2) may include medical supplies and equipment, medical logistical support (including aerial medical evacuation support), secure command and communications equipment, force protection equipment, body armor, helmets, logistics equipment, other non-lethal excess defense articles and non-lethal defense service, and other military assistance that the President considers appropriate for purposes of this section.

(d) CONSTRUCTION AS PRECEDENT.—Nothing in this section shall be construed as establishing a precedent for the future provision of assistance described in subsection (c) to organizations other than a country or international organization.

(e) REPORTS.—

(1) INITIAL REPORT.—Not later than 45 days after the date of the enactment of this Act, the President shall submit to the appropriate committees of Congress a report that includes the following:

(A) A timeline for the provision of non-lethal defense articles, non-lethal defense services, and related training under the authority of subsections (c)(1) and (c)(2).

(B) A description of mechanisms and procedures for end-use monitoring of such non-lethal defense articles, non-lethal defense services, and related training.

(C) How such non-lethal defense articles, non-lethal defense services, and related training would contribute to the foreign policy and national security of the United States, as well as impact security in the region.

(2) UPDATES.—Not later than 180 days after the submittal of the report required by paragraph (1), and every 180 days thereafter through the termination pursuant to subsection (i) of the authority in subsection (d), the President shall submit to the appropriate congressional committees a report updating the previous report submitted under this subsection. In addition to any matters so updated, each report shall include a description of any delays, and the circumstances surrounding such delays, in the delivery of non-lethal defense articles, non-lethal defense services, and related training to the Kurdistan Regional Government pursuant to the authority in subsections (c)(1) and (c)(2).

(3) FORM.—Any report under this subsection shall be submitted in unclassified form, but may include a classified annex.

(f) NOTIFICATION.—The President should provide notification to the Government of Iraq, when practicable, not later than 15 days before providing non-lethal defense articles, non-lethal defense services, or related training to the Kurdistan Regional Government under the authority of subsection (c)(1) or (c)(2).

(g) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Foreign Relations, the Committee on Appropriations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Appropriations, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term ''training'' has the meaning given that terms in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

(h) TERMINATION.—The authority to provide non-lethal defense articles, non-lethal defense services, and related training under subsection (c)(1) and the authority to issue licenses for exports authorized under subsection (c)(2) shall terminate on the date that is three years after the date of the enactment of this Act.

SA 4118. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

After section 1028, insert the following:

SEC. 1028A. DECLASSIFICATION OF INFORMATION ON PAST TERRORIST ACTIVITIES OF DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall, consistent with the protection of intelligence sources and methods—

(1) complete a declassification review of intelligence reports prepared by the National Counterterrorism Center prior to Periodic Review Board sessions or detainee transfers on the past terrorist activities of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, who were transferred or released from United States Naval Station, Guantanamo Bay;

(2) make available to the public any information declassified as a result of the declassification review; and

(3) submit to the appropriate committees of Congress a report setting forth—

(A) the results of the declassification review; and

(B) if any information covered by the declassification review was not declassified pursuant to the review, a justification for the determination not to declassify such information.

(b) PAST TERRORIST ACTIVITIES.—For purposes of this section, the past terrorist activities of an individual, if any, shall include the terrorist activities conducted by the individual before the transfer of the individual to the detention facility at United States Naval Station, Guantanamo Bay, including the following:

(1) The terrorist organization, if any, with which affiliated.

(2) The terrorist training, if any, received.

(3) The role, if any, played in past terrorist attacks against the interests or allies of the United States.

(4) The direct responsibility, if any, for the death of citizens of the United States or members of the Armed Forces.

(5) Any admission of any matter specified in paragraphs (1) through (4).

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 4119. Mr. ROBERTS submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

After section 1022, insert the following:

SEC. 1022A. PROHIBITION ON REPROGRAMMING REQUESTS FOR FUNDS FOR TRANSFER OR RELEASE, OR CONSTRUCTION FOR TRANSFER OR RELEASE, OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

While the prohibitions in sections 1031 and 1032 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 968) are in effect, the Department of Defense may not submit to Congress a reprogramming request for funds to carry out any action prohibited by either such section.

SA 4120. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. LIMITATION ON TREATMENT BY SECRETARY OF VETERANS AFFAIRS OF CERTAIN INDIVIDUALS AS ADJUDICATED AS A MENTAL DEFECTIVE.

(a) IN GENERAL.—Chapter 55 of title 38, United States Code, is amended by inserting after section 5501 the following new section:

''§ 5501A. Limitation on treatment by Secretary of certain individuals as adjudicated as a mental defective

''In any case arising out of the administration by the Secretary of any law administered by the Secretary, the Secretary shall not treat an individual as adjudicated as a mental defective for purposes of subsection (d)(4) or (g)(4) of section 922 of title 18 without the order or finding of a judge, magistrate, or other judicial authority of competent jurisdiction that such person is a danger to himself or herself or others.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by inserting after the item relating to section 5501 the following new item:

''5501A. Limitation on treatment by Secretary of certain individuals as adjudicated as a mental defective.''.

SA 4121. Ms. KLOBUCHAR (for herself and Mr. TILLIS) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. IMPROVEMENT OF HEALTH CARE SERVICES PROVIDED TO NEWBORN CHILDREN BY DEPARTMENT OF VETERANS AFFAIRS.

Section 1786 of title 38, United States Code, is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking ''seven days'' and inserting ''14 days''; and

(2) by adding at the end the following new subsection:

''(c) ANNUAL REPORT.—Not later than 31 days after the end of each fiscal year, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the health care services provided under subsection (a) during such fiscal year, including the number of newborn children who received such services during such fiscal year.''.

SA 4122. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 565. MANDATORY PARTICIPATION IN ACCESSING HIGHER EDUCATION ELEMENT OF TRANSITION ASSISTANCE PROGRAM FOR MEMBERS OF THE ARMED FORCES INTENDING TO USE VETERANS EDUCATION BENEFITS AFTER MILITARY SERVICE.

(a) IN GENERAL.—Each member of the Armed Forces who notifies the Secretary having jurisdiction over such member of an intention to use educational benefits available through the Department of Veterans Affairs (including educational benefits under chapter 30 or 33 of title 38, United States Code) after discharge, separation, or release from the Armed Forces shall be required to participate in the Accessing Higher Education element of the Transition Assistance Program (TAP) of the Department of Defense.

(b) TIMING OF PARTICIPATION.—A member required to participate in the Accessing Higher Education element of the Transition Assistance Program pursuant to subsection (a) shall complete participation in the element not later than one year before the scheduled date of the member's discharge, separation, or release from the Armed Forces.

(c) NOTIFICATION PROCEDURES.—Members shall make notifications for purposes of subsection (a) in accordance with such procedures as each Secretary of a military department, and the Secretary of Homeland Security with respect to the Coast Guard, shall establish for such purposes.

SA 4123. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 764. STUDY ON EFFECTS OF CONCUSSIONS IN SPORTS AND TRAINING ACTIVITIES AT UNITED STATES SERVICE ACADEMIES.

(a) STUDY.—The Secretary of Defense shall conduct a study on the effects of concussions in sports and training activities, including hockey, football, lacrosse, soccer, boxing, and martial arts, at the United States service academies.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall examine, at a minimum, the following:

(1) Current efforts by the Department of Defense to investigate the link between repetitive brain trauma and concussions and sports and training activities at the United States service academies.

(2) If any investigations by the Department at the United States service academies have led to findings that link repetitive brain trauma and concussions.

(3) A determination as to whether policies have been put into place to prevent and limit concussions at the United States service academies in sports and training activities, including hockey, football, lacrosse, soccer, boxing, and martial arts.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the study conducted under subsection (a).

(d) UNITED STATES SERVICE ACADEMIES DEFINED.—In this section, the term ''United States service academies'' means the United States Military Academy, the United States Air Force Academy, the United States Naval Academy, the United States Coast Guard Academy, and the United States Merchant Marine Academy.

SA 4124. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

After section 536, insert the following:

SEC. 536A. REPEAL OF STATUTE OF LIMITATIONS ON CLAIMS BEFORE DISCHARGE REVIEW BOARDS.

Section 1553(a) of title 10, United States Code, is amended by striking the second sentence.

SA 4125. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 870, between lines 19 and 20, insert the following:

(G) How the current military selective service process impacts citizens across the demographic spectrum, including by socioeconomic status and race, and whether the process needs to be improved to equitably impact all citizens.

SA 4126. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 764. ASSESSMENT OF ABILITY OF DEPARTMENT OF DEFENSE TO USE MODELING AND SIMULATION CAPABILITIES TO ADDRESS MEDICAL TRAINING REQUIREMENTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine under which the National Academies assess the ability of the Department of Defense to use modeling and simulation capabilities to address medical training requirements of the Department.

(b) ALTERNATE ORGANIZATION.—

(1) IN GENERAL.—If the Secretary is unable to enter into an agreement described in subsection (a) with the National Academies of Sciences, Engineering, and Medicine on terms acceptable to the Secretary, the Secretary shall seek to enter into such an agreement with another appropriate organization that—

(A) is not part of the Federal Government;

(B) operates as a not-for-profit entity; and

(C) has expertise and objectivity comparable to that of the National Academies of Sciences, Engineering, and Medicine.

(2) TREATMENT.—If the Secretary enters into an agreement with another organization as described in paragraph (1), any reference in this section to the National Academies of Sciences, Engineering, and Medicine shall be treated as a reference to the other organization.

(c) ELEMENTS.—In conducting the assessment under subsection (a), the National Academies of Sciences, Engineering, and Medicine shall—

(1) assess—

(A) the modeling and simulation technology available to the Federal Government and the private sector;

(B) research and development programs that the Department may be able to undertake to enhance the modeling and simulation technology available to the Department;

(C) programs to transition modeling and simulation technology into operational use by the Department; and

(D) the advantages and disadvantages of using modeling and simulation as compared to live animal training, including fiscal and educational advantages and disadvantages; and

(2) make recommendations to the Secretary on—

(A) improvements to policies and programs of the Department to increase the use of modeling and simulation technology;

(B) research and development priorities of the Department that will enhance modeling and simulation capabilities; and

(C) the development of specific technical metrics to compare modeling and simulation to live animal training.

SA 4127. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title XII, add the following:

SEC. 1277. REPORT ON MAINTENANCE BY ISRAEL OF A ROBUST INDEPENDENT CAPABILITY TO REMOVE EXISTENTIAL SECURITY THREATS.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States-Israel Enhanced Security Cooperation Act of 2012 (22 U.S.C. 8601 et seq.) established the policy of the United States to support the inherent right of Israel to self-defense.

(2) The United States-Israel Enhanced Security Cooperation Act of 2012 expresses the sense of Congress that the Government of the United States should transfer to the Government of Israel defense articles and defense services.

(3) The inherent right of Israel to self-defense necessarily includes the ability to defend against threats to its security and defend its vital national interests.

(b) SENSE OF CONGRESS.—It is the sense of Congress that air refueling tankers and advanced bunker-buster munitions should immediately be transferred to Israel to ensure our democratic ally has an independent capability to remove any existential threat posed by the Iranian nuclear program and defend its vital national interests.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter for a period not to exceed four years, the President shall submit to the specified congressional committees a report that—

(A) identifies all long range defensive capabilities and platforms that would contribute significantly to the maintenance by Israel of a robust independent capability to remove existential security threats, including nuclear and ballistic missile facilities in Iran, and defend its vital national interests;

(B) assesses the availability for sale or transfer of items necessary for Israel to maintain the capability described in subparagraph (A), including the legal authorities available for making such transfers; and

(C) describes the steps the President is taking to immediately transfer the items described in subparagraph (B) for Israel to maintain the capability described in subparagraph (A).

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may contain a classified annex if necessary.

(3) DEFINITION.—In this subsection, the term ''specified congressional committees'' means—

(A) the congressional defense committees; and

(B) the Committee on Foreign Relations of the Senate and the Committee of Foreign Affairs of the House of Representatives.

SA 4128. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 565. REPORTS ON READY, RELEVANT LEARNING INITIATIVE OF THE NAVY.

(a) IN GENERAL.—Not later than September 1, 2016, and March 1 of each of 2017, 2018, and 2019, the Secretary of the Navy shall submit to the congressional defense committees a report on the Ready, Relevant Learning (RRL) initiative of the Navy.

(b) ELEMENTS.—Each report under subsection (a) shall include the following:

(1) An assessment of the performance of the Ready, Relevant Learning initiative during the preceding 12 months under the metrics developed to evaluate the initiative.

(2) A description of current lessons learned through the transition to the Ready, Relevant Learning initiative.

(3) A description of the actions relating to the transition to the Ready, Relevant Learning initiative completed in the last fiscal year ending before the year in which such report is submitted, and anticipated in the fiscal year in which such report is submitted and each of the next five fiscal years, as follows:

(A) Ratings analysis and content reengineering, by rating or course of instruction.

(B) Decision points of Navy leadership relating to transitions to the initiative, by rating, from the pre-initiative model to the initiative model.

(C) Reductions in Individuals Account by end strength and funding.

(D) Reductions in A-school and C-school billets.

(E) Funding realignments from the military personnel, Navy (MPN) account to the operation and maintenance, Navy (OMN) account in connection.

SA 4129. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. SENSE OF CONGRESS ON CHEYENNE MOUNTAIN AIR FORCE STATION.

It is the sense of Congress that—

(1) Cheyenne Mountain Air Force Station (CMAFS) is an indispensable national security asset that is vital to the defense of North America;

(2) CMAFS, which celebrated its 50th anniversary on April 15, 2016, remains one of the greatest engineering marvels of our time, an American cultural icon, and relevant both now and in the future;

(3) CMAFS is an Electromagnetic Pulse-Hardened facility and operates as the alternate command center for the NORAD and United States Northern Command (NORTHCOM);

(4) since the establishment of the North American Defense Command (NORAD) in 1958, the U.S. and Canada have jointly invested in significant and irreplaceable infrastructure and capabilities to support NORAD in executing its assigned missions, including irreplaceable investment in CMAFS;

(5) CMAFS facilitates integration and operational synergy with NORAD for defense of the homeland, and the significant fixed and unique infrastructure at this location enables daily and contingency operations execution of NORTHCOM's missions;

(6) NORAD and NORTHCOM rely heavily on various communications and data feeds that go through CMAFS, which enable NORAD and NORTHCOM to continue to operate throughout a conflict or other national crisis; and

(7) portions of the Integrated Tactical Warning / Attack Assessment (ITW/AA) system that reside in CMAFS receive, process, and provide national leadership with information on air, missile, and space threats, which is a critical component of the Nuclear Command and Control System, and is required to provide unambiguous, timely, accurate, and continuous tactical warning and attack assessment information to senior leaders of the United States and Canada throughout conflict or national crisis.

SA 4130. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XVI, add the following:

SEC. 1641. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON DEPARTMENT OF DEFENSE CRITICAL TELECOMMUNICATIONS EQUIPMENT OR SERVICES OBTAINED FROM SUPPLIERS CLOSELY LINKED TO A LEADING CYBER-THREAT ACTOR.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this

Act, the Comptroller General of the United States shall submit to the congressional defense committees a report on any critical telecommunications equipment, technologies, or services obtained or used by the Department of Defense or its contractors or subcontrators that is—

(1) manufactured by a foreign supplier, or a contractor or subcontractor of such supplier, that is closely linked to a leading cyber-threat actor; or

(2) from an entity that incorporates or utilizes information technology manufactured by a foreign supplier, or a contractor or subcontractor of such supplier, that is closely linked to a leading cyber-threat actor.

(b) FORM.—The report shall be submitted in unclassified form, but may include a classified annex.

(c) DEFINITIONS.—In this section:

(1) The term ''leading cyber-threat actor'' means a country identified as a leading threat actor in cyberspace in the report entitled ''Worldwide Threat Assessment of the US Intelligence Community'', dated February 9, 2016, and includes the People's Republic of China, the Islamic Republic of Iran, the Democratic People's Republic of Korea, and the Russian Federation.

(2) The term ''closely linked'', with respect to a foreign supplier, contractor, or subcontrator and a leading cyber-threat actor, means the foreign supplier, contractor, or subcontractor—

(A) has ties to the military forces of such actor;

(B) has ties to the intelligence services of such actor;

(C) is the beneficiary of significant low interest or no-interest loans, loan forgiveness, or other support of such actor; or

(D) is incorporated or headquartered in the territory of such actor.

SA 4131. Mr. GARDNER (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. MODIFICATION OF LAND CONVEYANCE, ROCKY MOUNTAIN ARSENAL NATIONAL WILDLIFE REFUGE.

Section 5(d)(1) of the Rocky Mountain Arsenal National Wildlife Refuge Act of 1992 (16 U.S.C. 668dd note; Public Law 102–402) is amended by adding at the end the following new subparagraph:

''(C)(i) Notwithstanding clause (i) of subparagraph (A), the restriction attached to any deed to any real property designated for disposal under this section that prohibits the use of the property for residential or industrial purposes may be modified or removed if it is determined, through a risk assessment performed pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), that the property is protective for the proposed use.

''(ii) The Secretary of the Army shall not be responsible or liable for any of the following:

''(I) The cost of any risk assessment described in clause (i) or any actions taken in response to such risk assessment.

''(II) Any damages attributable to the use of property for residential or industrial purposes as the result of the modification or removal of a deed restriction pursuant to clause (i), or the costs of any actions taken in response to such damages.''.

SA 4132. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XVI, add the following:

SEC. 1667. SENSE OF CONGRESS ON THE BALLISTIC MISSILE THREAT OF NORTH KOREA AND THE DEPLOYMENT OF TERMINAL HIGH ALTITUDE AREA DEFENSE IN SOUTH KOREA.

It is the sense of Congress—

(1) that the short-range, medium-range, and long-range ballistic missile programs of the Democratic People's Republic of Korea (DPRK) represent an imminent and growing threat to the Republic of Korea (ROK), Japan, and the United States homeland;

(2) that, according to open sources, the Democratic People's Republic of Korea currently fields an estimated 700 short-range ballistic missiles, 200 Nodong medium-range ballistic missiles, and 100 Musudan intermediate-range ballistic missiles;

(3) that, in February 2016, the United States and Republic of Korea officially began formal consultations regarding the deployment of the Terminal High Altitude Area Defense (THAAD) missile defense system to the Republic of Korea;

(4) that the Terminal High Altitude Area Defense missile defense system would effectively complement and significantly strengthen the existing missile defense capabilities of the United States on the Korean Peninsula;

(5) that the Terminal High Altitude Area Defense missile defense system is a limited defensive system that does not represent a threat to any of the neighbors of the Republic of Korea;

(6) to welcome deployment consultation talks between United States and the Republic of Korea on the Terminal High Altitude Area Defense missile defense system and to consider the deployment of that system as a sovereign choice of the Republic of Korean Government and a bilateral decision of the alliance between the United States and the Republic of Korea to protect the citizens of the Republic of Korea against the growing ballistic missile threat from the Democratic People's Republic of Korea and provide further protection to United States Armed Forces currently deployed to the Korean Peninsula; and

(7) to welcome joint missile defenses exercises between the United States, the Republic of Korea, and Japan against the ballistic missile threat from the Democratic People's Republic of Korea and encourage further trilateral defense cooperation between the United States, the Republic of Korea, and Japan.

SA 4133. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

After section 502, insert the following:

SEC. 502A. REDUCTION IN NUMBER OF GENERAL AND FLAG OFFICERS.

(a) PLAN FOR ACHIEVEMENT OF REDUCTION.—Commencing not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall implement a plan to reduce the number of general and flag officers authorized by sections 525 and 526 of title 10, United States Code, in order to comply with sections 501 and 502 of this Act.

(b) TIME FOR COMPLETION.—The plan shall be implemented so as to comply with the requirements in sections 501 and 502 of this Act by not later than December 31, 2017.

(c) ORDERLY TRANSITION.—

(1) IN GENERAL.—In order to provide an orderly transition for personnel in billets to be eliminated pursuant to the plan, each general or flag officer who has not completed 24 months in a billet to be eliminated pursuant to the plan as of December 31, 2017, may remain in such billet until the last day of the month that is 24 months after the month in which such officer assumed the duties of such billet.

(2) REPORT TO CONGRESS ON COVERED OFFICERS.—The Secretary shall include in the annual report required by section 526(j) of title 10, United States Code, in 2017 a description of the billets in which an officer will remain pursuant to paragraph (1), including the latest date on which the officer may remain in such billet pursuant to that paragraph.

(3) NOTICE TO CONGRESS ON DETACHMENT OF COVERED OFFICERS.—The Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a notice on the date on which each officer covered by paragraph (1) is detached from such officer's billet pursuant to that paragraph.

(d) REPORTS ON PROGRESS IN IMPLEMENTATION.—The Secretary shall include with the budget for the Department of Defense for each of fiscal year 2018 and 2019, as submitted to Congress pursuant to section 1105 of title 31, United States Code, a report describing and assessing the progress of the Department in implementing the plan and in achieving compliance with the requirements of sections 501 and 502 of this Act.

SA 4134. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. 1059. AUTHORITY OF THE AIR FORCE TO CONTRACT FOR TRAINING OF AIR FORCE PERSONNEL IN PILOTING AND MAINTAINING REMOTELY PILOTED AIRCRAFT.

(a) AUTHORITY.—The Secretary of the Air Force may enter into contracts with qualified entities to provide training for Air Force personnel in piloting and maintaining remotely piloted aircraft.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report setting forth the following:

(1) The number and scope of any current contracts entered into pursuant to subsection (a).

(2) A justification for the determination of the Secretary to enter or not enter, as the case may be, into contracts authorized by subsection (a), including, if the Secretary has not entered into such contracts—

(A) whether the number of remotely piloted aircraft pilots and maintenance crews of the Air Force is sufficient to meet the stated goal of 60 combat lines using such aircraft without such contracts; and

(B) a description of any legal or financial impediments to the utility of such contracts.

SA 4135. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. REPORT ON THE INTEGRATION OF DEPARTMENT OF DEFENSE UNMANNED AIRCRAFT INTO THE NATIONAL AIRSPACE SYSTEM.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Administrator of the Federal Aviation Administration, shall submit to Congress a report on how the Department of Defense will ensure the safe integration of its unmanned aircraft with any civilian unmanned aircraft system traffic management system that may be part of the national airspace system after such date of enactment.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An assessment of—

(A) the potential for civilian unmanned aircraft traffic below 400 feet above sea level to affect the safety of military training routes, special use airspace, and airport terminal operating areas;

(B) the potential for civilian unmanned aircraft traffic above 400 feet above sea level, whether operating legally or illegally, to affect military training routes and special use airspace; and

(C) the technology the Department of Defense employs to provide unmanned aircraft operators with airspace situational awareness and the degree to which that technology could enable the Department of Defense to comply with current and expected future safety requirements in the United States national airspace system.

(2) A description of—

(A) the cases in which unmanned aircraft of the Department of Defense may need to be interoperable with any civilian unmanned aircraft system traffic management system that may be part of the national airspace system after the date of the enactment of this Act; and

(B) the efforts of the Department of Defense efforts to coordinate with the Federal Aviation Administration and the National Aeronautics and Space Administration on—

(i) research, development, testing, and evaluation of concepts, technologies, and systems required to ensure that unmanned aircraft systems of the Department of Defense meet civilian technical and safety standards; and

(ii) the development of technology and standards for any civilian unmanned aircraft system traffic management system that may be part of the national airspace system after such date of enactment.

(3) A strategy for ensuring that the unmanned aircraft of the Department of Defense are interoperable with any civilian unmanned aircraft system traffic management system that may be part of the national airspace system after such date of enactment.

(c) DEFINITIONS.—In this section, the terms ''unmanned aircraft'' and ''unmanned aircraft system'' have the meanings given those terms in section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note).

SA 4136. Mr. HOEVEN (for himself, Mr. TESTER, Mr. DAINES, and Ms. HEITKAMP) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XVI, add the following:

SEC. 1655. IDENTIFICATION AND CORRECTION OF CAPABILITIES SHORTFALLS WITH RESPECT TO ENSURING THE SECURITY OF UNITED STATES INTERCONTINENTAL BALLISTIC MISSILE SITES.

(a) IDENTIFICATION OF CAPABILITIES SHORTFALLS.—Not later than 15 days after the date of the enactment of this Act, the Commander of the United States Strategic Command shall submit to the congressional defense committees a classified report that includes the following:

(1) A description of extant and potential threats to the security of United States intercontinental ballistic missile sites.

(2) A list of requirements for capabilities to ensure the security of all United States intercontinental ballistic missile sites.

(3) A description of capabilities shortfalls within the forces assigned, allocated, or otherwise provided to the United States Strategic Command as of the date of the report to ensure the security of all United States intercontinental ballistic missile sites.

(4) An assessment of the severity of risk associated with any shortfalls identified under paragraph (3).

(b) CORRECTION OF CAPABILITIES SHORTFALLS.—

(1) IN GENERAL.—Not later than 45 days after the date of the enactment of this Act, the Secretary of Defense shall—

(A) take action to mitigate any capabilities shortfalls identified in the report required by subsection (a);

(B) begin a process, pursuant to section 1535 of title 31, United States Code, to procure HH–60 helicopters for which contracts can be entered into by fiscal year 2018; and

(C) obtain a certification from the Commander of the United States Strategic Command that the action described in subparagraph (A) will effectively mitigate any capabilities shortfalls identified in the report required by subsection (a) until the helicopters described in subparagraph (B) can be procured and fielded.

(2) REPORT REQUIRED.—

(A) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the actions taken pursuant to paragraph (1).

(B) FORM OF REPORT.—The report required by subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

SA 4137. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

SEC. 221. ENHANCEMENT OF SITUATIONAL AWARENESS IN THE ARCTIC USING RQ–4 GLOBAL HAWK AIRCRAFT.

(a) REPORT ON USE TO ENHANCE SITUATIONAL AWARENESS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use of RQ–4 Global Hawk aircraft to increase situational awareness in the Arctic.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of the ability of the Air Force to fulfill the intelligence, surveillance, and reconnaissance requirements of the combatant commands in the Arctic

(2) An assessment of the ability of RQ–4 Global Hawk aircraft to provide capabilities necessary to meet the requirements described in paragraph (1).

(3) An assessment whether the capabilities of RQ–4 Global Hawk aircraft identified pursuant to paragraph (2) could be employed in the Arctic while the RQ–4 Global Hawk aircraft is being flown for training purposes.

(4) A description of any efforts to enable the RQ–4 Global Hawk aircraft to conduct missions in the Arctic within existing satellite communications capacity.

SA 4138. Mr. PETERS (for himself, Mr. DAINES, Mr. TILLIS, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

After section 536, insert the following:

SEC. 536A. TREATMENT BY DISCHARGE REVIEW BOARDS OF CLAIMS ASSERTING POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY IN CONNECTION WITH COMBAT OR SEXUAL TRAUMA AS A BASIS FOR REVIEW OF DISCHARGE.

Section 1553(d) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3)(A) In addition to the requirements of paragraph (1) and (2), in the case of a former member described in subparagraph (B), the Board shall—

''(i) review medical evidence of the Secretary of Veterans Affairs or a civilian health care provider that is presented by the former member; and

''(ii) review the case with liberal consideration to the former member that post-traumatic stress disorder or traumatic brain injury potentially contributed to the circumstances resulting in the discharge of a lesser characterization.

''(B) A former member described in this subparagraph is a former member described in paragraph (1) or a former member whose application for relief is based in whole or in part on matters relating to post-traumatic stress disorder or traumatic brain injury as supporting rationale, or as justification for priority consideration, whose post-traumatic stress disorder or traumatic brain injury is related to combat or military sexual trauma, as determined by the Secretary concerned.''.

SA 4139. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1665.

SA 4140. Mr. DAINES (for himself, Mrs. ERNST, Mr. CRUZ, Mr. MORAN, Mr. KIRK, Mr. INHOFE, Mr. GARDNER, Mr. ROBERTS, and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1031. SENSE OF SENATE ON TRANSFER TO UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, OF INDIVIDUALS CAPTURED BY THE UNITED STATES FOR SUPPORTING THE ISLAMIC STATE OF IRAQ AND THE LEVANT.

It is the sense of the Senate that—

(1) the Islamic State of Iraq and the Levant (ISIL) has declared war on the United States;

(2) the United States Armed Forces are currently engaged in combat operations against ISIL;

(3) in conducting combat operations against ISIL, the United States has captured and detained individuals associated with ISIL and will likely capture and hold additional ISIL detainees;

(4) following the horrific terrorist attacks on September 11, 2001, the United States determined that it would detain at United States Naval Station, Guantanamo Bay, Cuba, individuals who had engaged in, aided, or abetted, or conspired to commit, acts of international terrorism, or acts in preparation therefor, that have caused, threaten to cause, or have as their aim to cause, injury to or adverse effects on the United States, its citizens, national security, foreign policy, or economy;

(5) members of ISIL captured by the United States during combat operations against ISIL meet such criteria for continued detention at United States Naval Station, Guantanamo Bay; and

(6) all individuals captured by the United States during combat operations against ISIL that meet such criteria by their affiliation with ISIL must be detained outside the United States and its territories and should be transferred to United States Naval Station, Guantanamo Bay.

SA 4141. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

DIVISION F—DEPARTMENT OF STATE AUTHORIZATIONS

SEC. 6001. SHORT TITLE.

This division may be cited as the ''Department of State Authorization Act, Fiscal Year 2017''.

SEC. 6002. DEFINITIONS.

In this division:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Appropriations of the House of Representatives.

(2) CAPITAL MASTER PLAN.—The term ''Capital Master Plan'' means the capital construction project at the United Nations Headquarters in New York City for which funding was approved by the United Nations General Assembly on December 22, 2006 (A/RES/61/251).

(3) CONSULAR AFFAIRS.—The term ''Consular Affairs'' means the Bureau of Consular Affairs of the Department of State.

(4) DEPARTMENT.—Unless otherwise specified, the term ''Department'' means the Department of State.

(5) FOREIGN SERVICE.—The term ''Foreign Service'' has the meaning given the term in section 102 of the Foreign Service Act of 1980 (22 U.S.C. 3902).

(6) GLOBAL AFFAIRS BUREAUS.—The term ''global affairs bureaus'' means the following bureaus of the Department:

(A) Bureaus reporting to the Under Secretary for Economic Growth, Energy, and the Environment.

(B) Bureaus reporting to the Under Secretary for Arms Control and International Security.

(C) Bureaus reporting to the Under Secretary for Public Diplomacy and Public Affairs.

(D) Bureaus reporting to the Under Secretary for Civilian Security, Democracy, and Human Rights.

(E) The Bureau of International Organization Affairs.

(7) GLOBAL AFFAIRS POSITION.—The term ''global affairs position'' means any position funded with amounts appropriated to the Department under the heading ''Diplomatic Policy and Support''.

(8) INSPECTOR GENERAL.—Unless otherwise specified, the term ''Inspector General'' means the Office of Inspector General of the Department of State.

(9) PEACEKEEPING ABUSE COUNTRY OF CONCERN.—The term ''peacekeeping abuse country of concern'' means a country so designated by the Secretary pursuant to section 6102(a).

(10) PEACEKEEPING CREDITS.—The term ''peacekeeping credits'' means the amounts by which United States assessed peacekeeping contributions exceed actual expenditures, apportioned to the United States, of peacekeeping operations by the United Nations during a United Nations peacekeeping fiscal year.

(11) SECRETARY.—Unless otherwise specified, the term ''Secretary'' means the Secretary of State.

(12) STRATEGIC HERITAGE PLAN.—The term ''Strategic Heritage Plan'' means the capital construction project at the United Nations' Palais des Nations building complex in Geneva, Switzerland, as discussed in the Secretary–General's ''Second annual progress report on the strategic heritage plan of the United Nations Office at Geneva'' (A/70/394), which was published on September 25, 2015.

TITLE LXXI—INTERNATIONAL ORGANIZATIONS

SEC. 6101. OVERSIGHT OF AND ACCOUNTABILITY FOR PEACEKEEPER ABUSES.

(a) STRATEGY TO ENSURE REFORM AND ACCOUNTABILITY.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit, in unclassified form, to the appropriate congressional committees—

(1) a United States strategy for combating sexual exploitation and abuse in United Nations peacekeeping operations; and

(2) an implementation plan for achieving the objectives set forth in the strategy described in paragraph (1).

(b) ELEMENTS.—The strategy required under subsection (a) shall include the following elements and objectives:

(1) The United States shall use its vote and influence at the United Nations to seek—

(A) the establishment of onsite courts-martial, as appropriate, for the prosecution of crimes committed by peacekeeping personnel, which is consistent with each peacekeeping mission's status of forces agreement with its host country;

(B) the creation of a United Nations Security Council ombudsman office that—

(i) is authorized to conduct ongoing oversight of peacekeeping operations;

(ii) reports directly to the Security Council on—

(I) offenses committed by peacekeeping personnel or United Nations civilian staff or volunteers; and

(II) the actions taken in response to such offenses; and

(iii) provides reports to the Security Council on the conduct of personnel in each peacekeeping operation not less frequently than annually and before the expiration or renewal of the mandate of any such peacekeeping operation;

(C) guidance from the United Nations on the establishment of a standing claims commission for each peacekeeping operation—

(i) to address any grievances by a host country's civilian population against United

Nations personnel in cases of alleged abuses by peacekeeping personnel; and

(ii) to provide means for the government of the country of which culpable United Nations peacekeeping or civilian personnel are nationals to compensate the victims of such crimes;

(D) the adoption of a United Nations policy that—

(i) establishes benchmarks for the identification of sexual exploitation or abuse; and

(ii) ensures proper training of peacekeeping personnel (including officers and senior civilian personnel) in recognizing and avoiding such offenses;

(E) the adoption of a United Nations policy that bars troop- or police-contributing countries that fail to fulfill their obligation to ensure good order and discipline among their troops from providing any further troops for peace operations or restricts peacekeeper reimbursements to such countries until training, institutional reform, and oversight mechanisms have been put in place that are adequate to prevent such problems from reoccurring; and

(F) appropriate risk reduction policies, including refusal by the United Nations to deploy uniformed personnel from any troop- or police-contributing country that does not adequately—

(i) investigate allegations of sexual exploitation or abuse involving nationals of such country; and

(ii) ensure justice for the personnel determined to be responsible for such sexual exploitation or abuse.

(2) The United States shall deny further United States peacekeeper training or related assistance, except for training specifically designed to reduce the incidence of sexual exploitation or abuse, or to assist in its identification or prosecution, to any troop- or police-contributing country that does not—

(A) implement and maintain effective measures to improve such country's ability to monitor for sexual exploitation and abuse offenses committed by peacekeeping personnel who are nationals of such country;

(B) adequately respond to allegations of such offenses by carrying out effective disciplinary action against the personnel determined to be responsible for such offenses; and

(C) provide detailed reporting to the ombudsman described in paragraph (1)(B) (or other appropriate United Nations official) that describes the offenses committed by its nationals and its responses to such offenses.

(3) The United States shall develop support mechanisms to assist troop- or police-contributing countries—

(A) to improve their capacity to investigate allegations of sexual exploitation and abuse offenses committed by their nationals while participating in a United Nations peacekeeping operation; and

(B) to appropriately hold accountable any individual who commits an act of sexual exploitation or abuse.

(4) In coordination with the ombudsman described in paragraph (1)(B) (or other appropriate United Nations official), the Secretary shall identify, in the Department's annual country reports on human rights practices, the countries of origin of any peacekeeping personnel or units that—

(A) are characterized by patterns of sexual exploitation or abuse; or

(B) have failed to institute appropriate institutional and procedural reforms after being made aware of any such patterns.

(c) OPTIONAL DNA SAMPLING.—The United States may encourage a troop- or police-contributing country—

(1) to develop its own system to obtain and maintain DNA samples, consistent with the laws of such country, from each national of such country who is a member of a United Nations military contingent or formed police unit; and

(2) to make the DNA samples referred to in paragraph (1) available to such country's investigators if there is a credible allegation of sexual exploitation or abuse involving nationals described in paragraph (1).

(d) SENSE OF CONGRESS.—It is the sense of Congress that none of the DNA samples contained in the Armed Forces Repository of Specimen Samples for the Identification of Remains should be shared with the United Nations, a United Nations specialized agency, or a United Nations affiliated organization.

SEC. 6102. DESIGNATION AND REPORTING.

(a) DESIGNATION OF COUNTRIES WITH RECORDS OF PEACEKEEPING ABUSE.—If credible information indicates that personnel from any United Nations peacekeeping troop- or police-contributing country have engaged in sexual exploitation or abuse and credible allegations of such misconduct indicate a pattern of sexual exploitation or abuse, the Secretary shall—

(1) designate the country in question as a ''peacekeeping abuse country of concern''; and

(2) promptly notify the country in question of its designation under this subsection.

(b) DURATION.—A designation under subsection (a)(1) shall remain in effect until the Secretary determines that—

(1) the pattern of sexual exploitation or abuse that led to such designation has ceased; and

(2) the country in question has taken appropriate steps—

(A) to prevent acts of sexual exploitation or abuse in the future; and

(B) to bring to justice the perpetrators of any such sexual exploitation or abuse.

(c) PUBLIC LIST.—The Secretary shall maintain a publicly-accessible list of all countries that are designated as a peacekeeping abuse country of concern.

(d) INFORMATION.—The Secretary shall promptly inform the appropriate congressional committees whenever the Secretary—

(1) designates a country as a peacekeeping abuse country of concern; or

(2) determines that a country no longer qualifies as a peacekeeping abuse country of concern as a result of meeting the criteria set forth in subsection (b).

(e) CREDIBLE INFORMATION.—In assessing whether credible information indicates a pattern of sexual exploitation or abuse, the Secretary should consider all credible information, including—

(1) the contents of the annual United Nations Secretary General's Bulletin entitled ''Special measures for protection from sexual exploitation and sexual abuse'';

(2) classified and unclassified information residing in Federal Government databases or other relevant records;

(3) open-source records, including media accounts and information available on the Internet;

(4) information available from international organizations, foreign governments, and civil society organizations; and

(5) information obtained directly from victims or their advocates.

SEC. 6103. WITHHOLDING OF ASSISTANCE.

(a) STATEMENT OF UNITED STATES POLICY.—It is the policy of the United States that assistance to security forces should not be provided to any unit of the security forces of a foreign country that has engaged in a gross violation of human rights or in acts of sexual exploitation or abuse, including while serving in a United Nations peacekeeping operation.

(b) CLARIFICATION.—A gross violation of human rights referred to in section 620M of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d) shall include any gross violation of human rights committed by a unit serving in a United Nations peacekeeping operation.

(c) WITHHOLDING OF ASSISTANCE.—The Secretary is authorized—

(1) to withhold any or all of the assistance to security forces described in subsection (d) from any unit of the security forces of a foreign country for which the Secretary has determined that credible information exists that the unit has engaged in acts of sexual exploitation or abuse, including while serving on a United Nations peacekeeping operation; and

(2) to continue to withhold such assistance until effective steps have been taken—

(A) to investigate, identify, and punish such exploitation or abuse; and

(B) to prevent similar incidents from occurring in the future.

(d) ASSISTANCE SPECIFIED.—The assistance to security forces described in this subsection is the assistance authorized under—

(1) sections 481, 516, 524, and 541 of the Foreign Assistance Act of 1961 (22 U.S.C. 2291, 2321j, 2344, and 2347);

(2) chapter 6 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2348 et seq.); and

(3) section 23 of the Arms Export Control Act (22 U.S.C. 2763).

(e) ALLOCATION OF WITHHELD FUNDS.—If funding is withheld under subsection (c) or a country has been designated as a ''peacekeeping abuse country of concern'' under section 6102(a)(1), the President may make such funds available to assist the foreign government to strengthen civilian and military mechanisms of accountability to bring the responsible members of the security forces to justice and to prevent future incidents provided that a notification is submitted to Congress in accordance with the procedures applicable to reprogramming notifications under section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706).

(f) NOTIFICATION.—If the Secretary withholds assistance to security forces from a unit of the security forces of a foreign country pursuant to subsection (c), the Secretary shall—

(1) promptly notify the government of such country that such unit is ineligible for certain military assistance from the United States; and

(2) provide written notification of such withholding to the appropriate congressional committees not later than 10 days after the Secretary has determined to withhold such assistance or sales from such unit.

SEC. 6104. REPORT ON FEDERAL GOVERNMENT CONTRIBUTIONS TO THE UNITED NATIONS.

(a) IN GENERAL.—Section 4(c)(1) of the United Nations Participation Act of 1945 (22 U.S.C. 287b(c)) is amended—

(1) by amending subparagraph (A) to read as follows:

''(A) A description of all assistance from the United States to the United Nations to support peacekeeping operations that—

''(i) was provided during the previous calendar year;

''(ii) is expected to be provided during the current fiscal year; or

''(iii) is included in the annual budget request to Congress for the budget year.'';

(2) by amending subparagraph (D) to read as follows:

''(D) For assessed or voluntary contributions described in subparagraph (B)(iii) or (C)(iii) that exceed $100,000 in value, including in-kind contributions—

''(i) the total amount or estimated value of all such contributions to the United Nations and to each of its affiliated agencies and related bodies;

''(ii) the nature and estimated total value of all in-kind contributions in support of United Nations peacekeeping operations and other international peacekeeping operations, including—

''(I) logistics;

''(II) airlift;

''(III) arms and materiel;

''(IV) nonmilitary technology and equipment;

''(V) personnel; and

''(VI) training;

''(iii) the approximate percentage of all such contributions to the United Nations and to each such agency or body when compared with all contributions to the United Nations and to each such agency or body from any source; and

''(iv) for each such United States Government contribution to the United Nations and to each such agency or body—

''(I) the amount or value of the contribution;

''(II) a description of the contribution, including whether it is an assessed or voluntary contribution;

''(III) the purpose of the contribution;

''(IV) the department or agency of the United States Government responsible for the contribution; and

''(V) the United Nations or United Nations affiliated agency or related body that received the contribution.''; and

(3) by adding at the end the following:

''(E) The report required under this subsection shall be submitted in unclassified form, but may include a classified annex.''.

(b) PUBLIC AVAILABILITY OF INFORMATION.—Not later than 14 days after submitting each report under section 4(c) of the United Nations Participation Act of 1945 (22 U.S.C. 287b(c)), the Director of the Office of Management and Budget shall post a text-based, searchable version of any unclassified information described in paragraph (1)(D) of such section on a publicly available website.

SEC. 6105. REIMBURSEMENT OR APPLICATION OF CREDITS.

Notwithstanding any other provision of law, the President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to seek and timely obtain a commitment from the United Nations to make available to the United States any peacekeeping credits that are generated from a closed peacekeeping operation.

SEC. 6106. REIMBURSEMENT OF CONTRIBUTING COUNTRIES.

It is the policy of the United States that—

(1) the present formula for determining the troop reimbursement rate paid to troop- and police-contributing countries for United Nations peacekeeping should be clearly explained and made available to the public on the United Nations Department of Peacekeeping Operations website;

(2) regular audits of the nationally-determined pay and benefits given to personnel from troop- and police-contributing countries participating in United Nations peacekeeping operations should be conducted to help inform the reimbursement rate; and

(3) the survey mechanism developed by the United Nations Secretary-General's Senior Advisory Group on Peacekeeping Operations for collecting troop- and police-contributing country data on common and extraordinary expenses associated with deploying personnel to peacekeeping missions should be coordinated with the audits described in paragraph (2) to ensure proper oversight and accountability.

SEC. 6107. UNITED NATIONS PEACEKEEPING ASSESSMENT FORMULA.

(a) INDEPENDENT ASSESSMENT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a study of the formula and methods by which the United Nations assesses member states for financial support to peacekeeping operations to determine an appropriate standard by which the United Nations should assess such member states in proportion to their capacity to contribute financially to such operations; and

(2) submit the results of the study conducted under paragraph (1) to the appropriate congressional committees.

(b) ELEMENTS.—The study required under subsection (a) shall include—

(1) an explanation and analysis of the formula and methods used by the United Nations to determine the peacekeeping assessments for each member state, including—

(A) whether it is appropriate to use per capita gross domestic product as the method of calculation for determining a member country's capacity to contribute;

(B) whether, and to what degree, member countries should qualify for discounts through the United Nations regular budget, the peacekeeping budget, or both; and

(C) a survey and analysis of various methods of calculating capacity to contribute including—

(i) the relative share of quota subscription and voting shares at international financial institutions such as the World Bank Group and the International Monetary Fund;

(ii) the size and nature of the country's reserves, including the size and composition of its other external assets; and

(iii) whether the country runs large and prolonged current account surpluses; and

(2) recommendations, based on the analysis conducted under paragraph (1), for improving the formula used by the United Nations to determine the peacekeeping assessments for each member state to better reflect each state's capacity to contribute and appropriate burden-sharing among member states.

SEC. 6108. STRATEGIC HERITAGE PLAN.

(a) REPORT.—Not later than 1 year after the date of the enactment of this Act, and every 2 years thereafter until the Strategic Heritage Plan is complete, the Comptroller General of the United States shall submit a report to the appropriate congressional committees on the Strategic Heritage Plan that includes—

(1) an update on the status of the project's budget and schedule, including any changes to scope, total project cost, or schedule;

(2) an update on financing plans for the project, including the amount contributed by each member state; and

(3) an assessment of the United Nations' management of the project, including whether lessons learned during the implementation of the Capital Master Plan are used to develop documented guidance for the Strategic Heritage Plan.

(b) AUTHORIZATION.—Not later than 30 days before the adoption of a budget for the Strategic Heritage Plan by the United Nations General Assembly, the Secretary shall certify to the appropriate congressional committees whether—

(1) the United Nations has updated its policies and procedures for capital projects to incorporate lessons learned from the Capital Master Plan;

(2) the Department—

(A) has conducted a cost-benefit analysis of the United Nations financing options for the Strategic Heritage Plan, including the possibility of special assessments on member states and a long-term loan from the Government of Switzerland; and

(B) has determined which option is most financially advantageous for the United States; and

(3) the United Nations has reviewed viable options for securing alternative financing to offset the total project cost.

SEC. 6109. WHISTLEBLOWER PROTECTIONS.

(a) CERTIFICATION OF WHISTLEBLOWER PROTECTIONS.—Not more than 85 percent of the annual contributions by the United States to the United Nations (including contributions to the Department of Peacekeeping Operations) for any United Nations agency, or for the Organization of American States, may be obligated for such organization, department, or agency until the Secretary certifies to the appropriate congressional committees that the organization, department, or agency receiving such contributions is—

(1) posting on a publicly available website, consistent with applicable privacy regulations and due process, regular financial and programmatic audits of such organization, department, or agency;

(2) providing the United States Government with necessary access to the financial and performance audits described in paragraph (1); and

(3) effectively implementing and enforcing policies and procedures that reflect best practices for the protection of whistleblowers from retaliation, including—

(A) protection against retaliation for internal and lawful public disclosures;

(B) the establishment of appropriate legal burdens of proof in disciplinary or other actions taken against employees and the maintenance of due process protections for such employees;

(C) the establishment of clear statutes of limitation for reporting retaliation against whistleblowers;

(D) appropriate access to independent adjudicative bodies, including external arbitration; and

(E) prompt disciplinary action, as appropriate, against any officials who have engaged in retaliation against whistleblowers.

(b) RELEASE OF WITHHELD CONTRIBUTIONS.—The Secretary may obligate the remaining 15 percent of the applicable United States contributions to an organization, department, or agency subject to the certification requirement described in subsection (a) after the Secretary submits such certification to the appropriate congressional committees.

(c) WAIVER.—

(1) IN GENERAL.—The Secretary may waive the requirements under subsection (a) with respect to a particular agency, organization, or department, if the Secretary determines and reports to the appropriate congressional committees that such a waiver is necessary for the particular agency, organization, or department to avert or respond to a humanitarian crisis.

(2) RENEWAL.—A waiver under paragraph (1) may be renewed if the Secretary determines and reports to the appropriate congressional committees that such waiver remains necessary for that particular agency, organization, or department to avert or respond to a humanitarian crisis.

SEC. 6110. UNITED NATIONS HUMAN RIGHTS COUNCIL.

(a) FUNDING PROHIBITION.—No funding from the United States Government may be made available to support the United Nations Human Rights Council until after the Secretary certifies to the appropriate congressional committees that—

(1) participation in the United Nations Human Rights Council is in the national interest of the United States; and

(2) the United Nations Humans Rights Council is taking steps to remove ''Human rights situation in Palestine and other occupied Arab territories'' and any other specific item targeted at Israel as permanent items on the United Nations Human Rights Council's agenda.

(b) REQUIREMENT.—The certification under subsection (a) shall include—

(1) an explanation of the reasoning behind the certification; and

(2) the steps that have been taken to remove ''Human rights situation in Palestine and other occupied Arab territories'' and any other specific item targeted at Israel as permanent agenda items.

(c) ADDITIONAL INFORMATION.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit a report to the appropriate congressional committees that describes—

(1) the resolutions that were considered in the United Nations Human Rights Council during the previous 12 months; and

(2) steps that have been taken during that 12-month period to remove ''Human rights situation in Palestine and other occupied Arab territories'' and any other specific item targeted at Israel as permanent agenda items for the United Nations Human Rights Council.

(d) WAIVER.—The Secretary may waive the restrictions imposed under subsection (a), on an annual basis, if the Secretary—

(1) determines that such a waiver is in the foreign policy or national security interests of the United States; and

(2) submits a written explanation to the appropriate congressional committees of the reasoning behind such determination.

(e) TERMINATION.—The funding limitation under subsection (a) shall terminate after the Secretary certifies pursuant to that subsection that ''Human rights situation in Palestine and other occupied Arab territories'' and any other specific item targeted at Israel have been removed as permanent items on the United Nations Human Rights Council's agenda.

SEC. 6111. COMPARATIVE REPORT ON PEACEKEEPING OPERATIONS.

Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to the appropriate congressional committees on the costs, strengths, and limitations of United States and United Nations peacekeeping operations, which shall include—

(1) a comparison of the costs of current United Nations peacekeeping missions and the estimated cost of comparable United States peacekeeping operations; and

(2) an analysis of the strengths and limitations of—

(A) a peacekeeping operation led by the United States; and

(B) a peacekeeping operation led by the United Nations.

SEC. 6112. ADDRESSING MISCONDUCT IN UNITED NATIONS PEACEKEEPING MISSIONS.

(a) REFORMS.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations—

(1) to seek to alter the model memorandum of understanding for troop-contributing countries participating in United Nations peacekeeping missions to strengthen accountability measures related to the investigation, prosecution, and discipline of their troops in cases of misconduct;

(2) to seek to ensure that for each United Nations peacekeeping mission mandate renewal that is approved and for any new peacekeeping mission, the memorandum of understanding with the troop-contributing countries contains strong provisions that ensure an investigation and response to allegations of sexual exploitation and abuse offenses and the execution of swift and effective disciplinary action against personnel found to have committed the offenses is taken; and

(3) to seek to require the immediate repatriation of a particular military unit or formed police unit of a troop- or police-contributing country in a United Nations peacekeeping operation when there is credible information of widespread or systemic sexual exploitation or abuse by that unit and to prevent the deployment of that particular unit in a peacekeeping capacity until demonstrable progress has been made to prevent similar offenses from occurring in the future, to strengthen command and control, and to investigate and hold accountable those found guilty of sexual exploitation or abuse.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to Congress a report with recommendations for changing the model memorandum of understanding for troop-contributing countries participating in United Nations peacekeeping missions that strengthen accountability measures and prevent sexual exploitation and abuse by United Nations personnel.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) A plan to ensure the recommendations described in such paragraph are incorporated into the model memorandum of understanding.

(B) Specific recommendation on ways to track the progress and process by which a troop-contributing country investigates, prosecutes, and holds personnel accountable for misconduct.

SEC. 6113. WHISTLEBLOWER PROTECTIONS FOR UNITED NATIONS PERSONNEL.

The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations—

(1) to call for the removal of any official at the United Nations whom the Department of State determines has failed to uphold the highest standards of ethics and integrity established by the United Nations, and whose conduct, with respect to preventing sexual exploitation and abuse by United Nations peacekeepers, has resulted in the erosion of public confidence in the United Nations;

(2) to ensure that effective whistleblower protections are extended to United Nations peacekeepers, United Nations police officers, United Nations staff, contractors, and victims of misconduct involving United Nations personnel; and

(3) to ensure that the United Nations establishes and implements effective protection measures for whistleblowers who report significant allegations of wrongdoing by United Nations officials.

TITLE LXXII—PERSONNEL AND ORGANIZATIONAL ISSUES

SEC. 6201. MARKET DATA FOR COST-OF-LIVING ADJUSTMENTS.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that examines the feasibility and cost effectiveness of using private sector market data to determine cost of living adjustments for foreign service officers and Federal Government civilians who are stationed abroad.

(b) CONTENT.—The report required under subsection (a) shall include—

(1) a list of at least 4 private sector providers of international cost-of-living data that the Secretary determines are qualified to provide such data;

(2) a list of cities in which the Department maintains diplomatic posts for which private sector cost-of-living data is not available;

(3) a comparison of—

(A) the cost of purchasing cost-of-living data from each provider listed in paragraph (1); and

(B) the cost (including Department labor costs) of producing such rates internally; and

(4) for countries in which the Department provides a cost-of-living allowance greater than zero and the World Bank estimates that the national price level of the country is less than the national price level of the United States, a comparison of cost-of-living allowances, excluding housing costs, of the private sector providers referred to in paragraph (1) to rates constructed by the Department's Office of Allowances.

(c) WAIVER.—If the Secretary determines that compliance with subsection (b)(4) at a particular location is cost-prohibitive, the Secretary may waive the requirement under subsection (b)(4) for that location if the Secretary submits written notice and an explanation of the reasons for the waiver to the appropriate congressional committees.

SEC. 6202. OVERSEAS HOUSING.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to the appropriate congressional committees that analyzes and compares—

(1) overseas housing policies and rates for civilians, as set by the Department; and

(2) overseas housing policies and rates for military personnel, as set by the Department of Defense.

(b) CONTENT.—The report required under subsection (a) shall include—

(1) a comparison of overseas housing policies, pertaining to the size and quality of government-provided housing and the rates for individually leased housing, for Federal Government civilians and military personnel;

(2) a comparison of rates for individually leased overseas housing for civilians and military personnel by comparable rank and family size;

(3) an analysis of any factors specific to the civilian population or military population that warrant separate housing policies and rates;

(4) a recommendation on the feasibility and cost-effectiveness of consolidating civilian and military policies and rates for individually-leased housing into a single approach for all United States personnel who are stationed overseas; and

(5) additional policy recommendations based on the Comptroller General's analysis.

SEC. 6203. LOCALLY-EMPLOYED STAFF WAGES.

(a) MARKET-RESPONSIVE STAFF WAGES.—Not later than 180 days after the date of enactment of this Act, and periodically thereafter, the Secretary shall establish and implement a prevailing wage rates goal for positions in the local compensation plan, as described in section 408 of the Foreign Service Act of 1980 (22 U.S.C. 3968), at each diplomatic post that—

(1) is based on the specific recruiting and retention needs of the post and local labor market conditions, as determined annually; and

(2) is not less than the 50th percentile of the prevailing wage for comparable employment in the labor market surrounding the post.

(b) EXCEPTION.—The prevailing wage rate goal established under subsection (a) may differ from the requirements under such subsection if required by law in the locality of employment.

(c) RECORDKEEPING REQUIREMENT.—The analytical assumptions underlying the calculation of wage levels at each diplomatic post under subsection (a), and the data upon which such calculation is based—

(1) shall be filed electronically and retained for not less than 5 years; and

(2) shall be made available to the appropriate congressional committees upon request.

SEC. 6204. EXPANSION OF CIVIL SERVICE OPPORTUNITIES.

It is the sense of Congress that the Department should—

(1) expand the Overseas Development Program from 20 positions to not fewer than 40 positions within 1 year after the date of the enactment of this Act;

(2) analyze the costs and benefits of expanding the Overseas Development Program; and

(3) expand the Overseas Development Program to more than 40 positions if the benefits identified in paragraph (2) outweigh the costs identified in such paragraph.

SEC. 6205. PROMOTION TO THE SENIOR FOREIGN SERVICE.

Section 601(c) of the Foreign Service Act of 1980 (22 U.S.C. 4001(c)) is amended by adding at the end the following:

''(6)(A) The promotion of any individual joining the Service on or after January 1, 2017, to the Senior Foreign Service shall be contingent upon the individual completing at least 1 tour in—

''(i) a global affairs bureau; or

''(ii) a global affairs position.

''(B) In this paragraph:

''(i) The term 'global affairs bureaus' means the following bureaus of the Department:

''(I) Bureaus reporting to the Under Secretary for Economic Growth, Energy, and Environment.

''(II) Bureaus reporting to the Under Secretary for Arms Control and International Security.

''(III) Bureaus reporting to the Under Secretary for Public Diplomacy and Public Affairs.

''(IV) Bureaus reporting to the Under Secretary for Civilian, Security, Democracy, and Human Rights.

''(V) The Bureau of International Organization Affairs.

''(ii) The term 'global affairs position' means any position funded with amounts appropriated to the Department of State under the heading 'Diplomatic Policy and Support'.

''(C) The requirements under subparagraph (A) shall not apply if the Secretary of State certifies that the individual proposed for promotion to the Senior Foreign Service—

''(i) has met all other requirements applicable to such promotion; and

''(ii) was unable to complete a tour in a global affairs bureau or global affairs position because there was not a reasonable opportunity for the individual to be assigned to such a posting.''.

SEC. 6206. LATERAL ENTRY INTO THE FOREIGN SERVICE.

(a) POLICY OF THE UNITED STATES.—It is the policy of the United States to maximize the ability of the Foreign Service to draw upon the talents of the American people to most effectively promote the foreign policy interests of the United States.

(b) FINDING.—Congress finds that—

(1) the Foreign Service practice of grooming generalists for careers in the Foreign Service, starting with junior level directed assignments, is effective for most officers; and

(2) the practice described in paragraph (1) precludes the recruitment of many patriotic, highly-skilled, talented, and experienced mid-career professionals who wish to join public service and contribute to the work of the Foreign Service, but are not in a position to restart their careers as entry-level government employees.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the Foreign Service should permit mid-career entry into the Foreign Service for qualified individuals who are willing to bring their outstanding talents and experiences to the work of the Foreign Service.

(d) PILOT PROGRAM.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a 3-year pilot program for lateral entry into the Foreign Service that—

(1) targets mid-career individuals from the civil service and private sector who have skills and experience that would be extremely valuable to the Foreign Service;

(2) is in full comportment with current Foreign Service intake procedures, including the requirement to pass the Foreign Service exam;

(3) offers participants in the pilot program placement in the Foreign Service at a grade level higher than FS–4 if such placement is warranted by their education and qualifying experience;

(4) requires only 1 directed assignment in a position appropriate to the pilot program participant's grade level;

(5) includes, as part of the required initial training, a class or module that specifically prepares participants in the pilot program for life in the Foreign Service, including conveying to them essential elements of the practical knowledge that is normally acquired during a Foreign Service officer's initial assignments; and

(6) includes an annual assessment of the progress of the pilot program by a review board consisting of Department officials with appropriate expertise, including employees of the Foreign Service, in order to evaluate the pilot program's success and direction in advancing the policy set forth in subsection (a) in light of the findings set forth in subsection (b).

(e) ANNUAL REPORTING.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for the duration of the pilot program, the Secretary shall submit a report to the appropriate congressional committees that describes—

(1) the cumulative number of accepted and unaccepted applicants to the pilot program established under subsection (d);

(2) the cumulative number of pilot program participants placed into each Foreign Service cone;

(3) the grade level at which each pilot program participant entered the Foreign Service;

(4) information about the first assignment to which each pilot program participant was directed;

(5) the structure and operation of the pilot program, including—

(A) the operation of the pilot program to date; and

(B) any observations and lessons learned about the pilot program that the Secretary considers relevant.

(f) LONGITUDINAL DATA.—The Secretary shall—

(1) collect and maintain data on the career progression of each pilot program participant for the length of the participant's Foreign Service career; and

(2) make the data described in paragraph (1) available to the appropriate congressional committees upon request.

SEC. 6207. REEMPLOYMENT OF ANNUITANTS.

(a) WAIVER OF ANNUITY LIMITATIONS.—Section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)) is amended—

(1) in paragraph (1)(B), by striking ''to facilitate the'' and all that follows through ''Afghanistan,'';

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

(b) REPEAL OF SUNSET PROVISION.—Section 61(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2733(a)) is amended to read as follows:

''(a) AUTHORITY.—The Secretary of State may waive the application of section 8344 or 8468 of title 5, United States Code, on a case-by-case basis, for employment of an annuitant in a position in the Department of State for which there is exceptional difficulty in recruiting or retaining a qualified employee, or when a temporary emergency hiring need exists.''.

SEC. 6208. CODIFICATION OF ENHANCED CONSULAR IMMUNITIES.

Section 4 of the Diplomatic Relations Act (22 U.S.C. 254c) is amended—

(1) by striking ''The President'' and inserting the following:

''(a) IN GENERAL.—The President''; and

(2) by adding at the end the following:

''(b) CONSULAR IMMUNITY.—

''(1) IN GENERAL.—The Secretary of State, with the concurrence of the Attorney General, may, on the basis of reciprocity and under such terms and conditions as the Secretary may determine, specify privileges and immunities for a consular post, the members of a consular post, and their families which result in more favorable or less favorable treatment than is provided in the Vienna Convention.

''(2) CONSULTATION.—Before exercising the authority under paragraph (1), the Secretary shall consult with the appropriate congressional committees on the circumstances that may warrant the need for privileges and immunities providing more favorable or less favorable treatment than is provided in the Vienna Convention.''.

SEC. 6209. ACCOUNTABILITY REVIEW BOARD RECOMMENDATIONS RELATED TO UNSATISFACTORY LEADERSHIP.

Section 304(c) of the Diplomatic Security Act (22 U.S.C. 4834(c)) is amended—

(1) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively;

(2) by striking ''Whenever'' and inserting the following:

''(1) BREACH OF DUTY.—Whenever'';

(3) by striking ''In determining'' and inserting the following:

''(2) FACTORS.—In determining''; and

(4) by adding at the end the following:

''(3) UNSATISFACTORY LEADERSHIP.—

''(A) GROUNDS FOR DISCIPLINARY ACTION.—Unsatisfactory leadership by a senior official with respect to a security incident involving loss of life, serious injury or significant destruction of property at or related to a United States Government mission abroad may be grounds for disciplinary action.

''(B) RECOMMENDATION.—If a Board finds reasonable cause to believe that a senior official provided unsatisfactory leadership (as described in subparagraph (A)), the Board may recommend disciplinary action subject to the procedures set forth in paragraphs (1) and (2).''.

SEC. 6210. PERSONAL SERVICES CONTRACTORS.

(a) IN GENERAL.—Subject to subsections (b) and (c), the Secretary may establish a pilot program (referred to in this section as the ''Program'') for hiring United States citizens or aliens as personal services contractors. Personal services contractors hired under this section may provide services in the United States and outside of the United States to respond to new or emerging needs or to augment existing services.

(b) CONDITIONS.—The Secretary may hire personal services contractors under the Program if—

(1) the Secretary determines that existing personnel resources are insufficient;

(2) the period in which services are provided by a personal services contractor under the Program, including options, does not exceed 2 years, unless the Secretary determines that exceptional circumstances justify an extension of up to 1 additional year;

(3) not more than 200 United States citizens or aliens are employed as personal services contractors under the Program at any time; and

(4) the Program is only used to obtain specialized skills or experience or to respond to urgent needs.

(c) STATUS OF PERSONAL SERVICE CONTRACTORS.—

(1) NOT A GOVERNMENT EMPLOYEE.—Subject to paragraph (2), an individual hired as a personal services contractor under the Program shall not, by virtue of such hiring, be considered to be an employee of the United States Government for purposes of any law administered by the Office of Personnel Management.

(2) APPLICABLE LAW.—An individual hired as a personal services contractor pursuant to this section shall be covered, in the same manner as a similarly-situated employee, by—

(A) the Ethics in Government Act of 1978 (5 U.S.C. App.);

(B) chapter 73 of title 5, United States Code;

(C) sections 201, 203, 205, 207, 208, and 209 of title 18, United States Code;

(D) section 1346 and chapter 171 of title 28, United States Code; and

(E) chapter 21 of title 41, United States Code.

(3) SAVINGS PROVISION.—Except as provided in paragraphs (1) and (2), nothing in this section may be construed to affect the determination of whether an individual hired as a personal services contractor under the Program is an employee of the United States Government for purposes of any Federal law.

(d) TERMINATION OF AUTHORITY.—

(1) IN GENERAL.—The authority to award personal services contracts under the Program shall terminate on September 30, 2019.

(2) EFFECT ON EXISTING CONTRACTS.—A contract entered into before the termination date set forth in paragraph (1) may remain in effect until the date on which it is scheduled to expire under the terms of the contract.

SEC. 6211. TECHNICAL AMENDMENT TO FEDERAL WORKFORCE FLEXIBILITY ACT.

Chapter 57 of title 5, United States Code, is amended—

(1) in section 5753(a)(2)(A), by inserting '', excluding members of the Foreign Service other than chiefs of mission and ambassadors at large'' before the semicolon at the end; and

(2) in section 5754(a)(2)(A), by inserting '', excluding members of the Foreign Service other than chiefs of mission and ambassadors at large'' before the semicolon at the end.

SEC. 6212. TRAINING SUPPORT SERVICES.

Section 704(a)(4)(B) of the Foreign Service Act of 1980 (22 U.S.C. 4024(a)(4)(B)) is amended by striking ''language instructors, linguists, and other academic and training specialists'' and inserting ''education and training specialists, including language instructors and linguists, and other specialists who perform work directly relating to the design, delivery, oversight, or coordination of training delivered by the institution''.

SEC. 6213. LIMITED APPOINTMENTS IN THE FOREIGN SERVICE.

Section 309 of the Foreign Service Act (22 U.S.C. 3949), is amended—

(1) in subsection (a) by striking ''subsection (b)'' and inserting ''subsections (b) and (c)'';

(2) in subsection (b)—

(A) in paragraph (3)—

(i) by striking ''if continued service'' and inserting the following: ''if—

''(A) continued service''; and

(B) by adding at the end the following: ''or

''(B) the individual is serving in the uniformed services (as defined in section 4303 of title 38, United States Code) and the limited appointment expires in the course of such service'';

(C) in paragraph (4), by striking ''and'' at the end;

(D) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following:

''(6) in exceptional circumstances if the Secretary determines the needs of the Service require the extension of—

''(A) a limited noncareer appointment for a period not to exceed 1 year; or

''(B) a limited appointment of a career candidate for the minimum time needed to resolve a grievance, claim, investigation, or complaint not otherwise provided for in this section.''; and

(3) by adding at the end the following:

''(c)(1) Noncareer employees who have served for 5 consecutive years under a limited appointment may be reappointed to a subsequent noncareer limited appointment if there is at least a 1-year break in service before such new appointment.

''(2) The Secretary may waive the 1-year break requirement under paragraph (1) in cases of special need.''.

SEC. 6214. HOME LEAVE AMENDMENT.

(a) LENGTH OF CONTINUOUS SERVICE ABROAD.—Section 903(a) of the Foreign Service Act of 1980 (22 U.S.C. 4083) is amended by inserting ''(or after a shorter period of such service if the member's assignment is terminated for the convenience of the Service)'' after ''12 months of continuous service abroad''.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that recounts the number of instances during the 3-year period ending on such date of enactment that the Foreign Service permitted home leave for a member after fewer than 12 months of continuous service abroad.

SEC. 6215. FOREIGN SERVICE WORKFORCE STUDY.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that contains the results of a study on workforce issues and challenges to career opportunities pertaining to tandem couples in the Foreign Service.

SEC. 6216. REPORT ON DIVERSITY RECRUITMENT, EMPLOYMENT, RETENTION, AND PROMOTION.

(a) IN GENERAL.—The Secretary should provide oversight to the employment, retention, and promotion of underrepresented groups.

(b) ADDITIONAL RECRUITMENT AND OUTREACH REQUIRED.—The Department should conduct recruitment activities that—

(1) develop and implement effective mechanisms to ensure that the Department is able effectively to recruit and retain highly qualified candidates from minority-serving institutions; and

(2) improve and expand recruitment and outreach programs at minority-serving institutions.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, and quadrennially thereafter, the Secretary of State shall submit a comprehensive report to Congress that describes the efforts, consistent with existing law, including procedures, effects, and results of the Department since the period covered by the prior such report, to promote equal opportunity and inclusion for all American employees in direct hire and personal service contractors status, particularly employees of the Foreign Service, to include equal opportunity for all races, ethnicities, ages, genders, and service-disabled veterans, with a focus on traditionally underrepresented minority groups.

SEC. 6217. FOREIGN RELATIONS EXCHANGE PROGRAMS.

(a) EXCHANGES AUTHORIZED.—Title I of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a et seq.) is amended by adding at the end the following:

''SEC. 63. FOREIGN RELATIONS EXCHANGE PROGRAMS.

''(a) AUTHORITY.—The Secretary may establish exchange programs under which officers or employees of the Department of State, including individuals appointed under title 5, United States Code, and members of the Foreign Service (as defined in section 103 of the Foreign Service Act of 1980 (22 U.S.C. 3903)), may be assigned, for not more than one year, to a position with any foreign government or international entity that permits an employee to be assigned to a position with the Department of State.

''(b) SALARY AND BENEFITS.—

''(1) MEMBERS OF FOREIGN SERVICE.—During a period in which a member of the Foreign Service is participating in an exchange program authorized pursuant to subsection (a),

the member shall be entitled to the salary and benefits to which the member would receive but for the assignment under this section.

''(2) NON-FOREIGN SERVICE EMPLOYEES OF DEPARTMENT.—An employee of the Department of State other than a member of the Foreign Service participating in an exchange program authorized pursuant to subsection (a) shall be treated in all respects as if detailed to an international organization pursuant to section 3343(c) of title 5, United States Code.

''(3) FOREIGN PARTICIPANTS.—The salary and benefits of an employee of a foreign government or international entity participating in a program established under this section shall be paid by such government or entity during the period in which such employee is participating in the program, and shall not be reimbursed by the Department of State.

''(c) NON-RECIPROCAL ASSIGNMENT.—The Secretary may authorize a non-reciprocal assignment of personnel pursuant to this section, with or without reimbursement from the foreign government or international entity for all or part of the salary and other expenses payable during the assignment, if it is in the interests of the United States.

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to—

''(1) authorize the appointment as an officer or employee of the United States of—

''(A) an individual whose allegiance is to any country, government, or foreign or international entity other than to the United States of America; or

''(B) an individual who has not met the requirements of sections 3331, 3332, 3333, and 7311 of title 5, United States Code, or any other provision of law concerning eligibility for appointment as, and continuation of employment as, an officer or employee of the United States.''.

TITLE LXXIII—CONSULAR AUTHORITIES

SEC. 6301. INFORMATION ON PASSPORTS, EXPEDITED PASSPORTS, AND VISAS ISSUED BY CONSULAR AFFAIRS.

The President's annual budget submitted under section 1105(a) of title 31, United States Code, shall identify—

(1) the number of passports, expedited passports, and visas issued by Consular Affairs during the 3 most recent fiscal years; and

(2) the number of passports, expedited passports, and visas that Consular Affairs estimates, for purposes of such annual budget, will be issued during the next fiscal year.

SEC. 6302. PROTECTIONS FOR FOREIGN EMPLOYEES OF DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANIZATIONS.

Section 203(a)(2) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1375c(a)(2)) is amended—

(1) by striking ''Notwithstanding'' and inserting the following:

''(A) IN GENERAL.—Notwithstanding''; and

(2) by adding at the end of the following:

''(B) CREDIBLE EVIDENCE OF ABUSE OR EXPLOITATION.—For purposes of subparagraph (A), credible evidence that 1 or more employees of a mission or international organization have abused or exploited 1 or more nonimmigrants holding an A–3 visa or a G–5 visa should be deemed to exist if—

''(i) a final court judgment, including a default judgment, has been issued against a current or former employee of such mission or organization, and the time period for appeal of such judgment has expired;

''(ii) a nonimmigrant visa has been issued pursuant to section 101(a)(15)(T) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(T)) to the victim of such abuse or exploitation; or

''(iii) the Secretary has requested that a country waive diplomatic immunity for a diplomat or a family member of a diplomat to permit criminal prosecution of the diplomat or family member for the abuse or exploitation.

''(C) TRAFFICKING IN PERSONS REPORT.—If credible evidence is deemed to exist pursuant to subparagraph (B) for a case of trafficking in persons involving the holder of an A–3 visa or a G–5 visa, the Secretary shall include a concise summary of such case in the next annual report submitted under section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)).

''(D) PAYMENT OF JUDGMENT.—If a holder of an A–3 visa or a G–5 visa has obtained a final court judgment finding such holder was a victim of abuse or exploitation by an employee of a diplomatic mission or international organization, the Secretary should assist such victim in obtaining payment on such judgment, including by encouraging the country that sent the employee to such mission or organization to provide compensation directly to such victim.''.

SEC. 6303. BORDER CROSSING FEE FOR MINORS.

Section 410(a)(1)(A) of title IV of the Department of State and Related Agencies Appropriations Act, 1999 (division A of Public Law 105–277) is amended by striking ''a fee of $13'' and inserting ''a fee equal to one-half of the fee that would otherwise apply for processing a machine readable combined border crossing identification card and nonimmigrant visa''.

SEC. 6304. SIGNED PHOTOGRAPH REQUIREMENT FOR VISA APPLICATIONS.

Section 221(b) of the Immigration and Nationality Act (8 U.S.C. 1201(b)) is amended by striking ''his application, and shall furnish copies of his photograph signed by him'' and inserting ''his or her application, and shall furnish copies of his or her photograph''.

SEC. 6305. ELECTRONIC TRANSMISSION OF DOMESTIC VIOLENCE INFORMATION TO VISA APPLICANTS.

Section 833(a)(5)(A) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (8 U.S.C. 1375a(a)(5)(A)) is amended by adding at the end the following:

''(vi) Subject to such regulations as the Secretary of State may prescribe, mailings under this subparagraph may be transmitted by electronic means.''.

SEC. 6306. AMERASIAN IMMIGRATION.

(a) REPEAL.—Section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988 (8 U.S.C. 1101 note) is repealed effective September 30, 2017.

(b) EFFECT ON PENDING VISA APPLICATIONS.—

(1) ADJUDICATION.—An application for a visa under the provision of law repealed by subsection (a) that was properly submitted before October 1, 2017, by an alien described in subsection (b)(1)(A) of such provision of law or an accompanying spouse or child may be adjudicated in accordance with the terms of such provision of law.

(2) ADMISSION.—If an application described in paragraph (1) is approved, the applicant may be admitted to the United States during the 1-year period beginning on the date on which such application was approved.

SEC. 6307. TECHNICAL AMENDMENT TO THE IMMIGRATION AND NATIONALITY ACT.

Section 212(a)(3)(G) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(G)) is amended by striking ''in violation of section 2442 of title 18, United States Code'' and inserting ''(as described in section 2442(a) of title 18, United States Code)''.

TITLE LXXIV—MISCELLANEOUS PROVISIONS

SEC. 6401. REPORTS ON EMBASSY CONSTRUCTION AND SECURITY UPGRADE PROJECTS.

(a) INITIAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a comprehensive report to the appropriate congressional committees regarding all embassy construction projects and major embassy security upgrade projects completed during the 10-year period ending on the date of the enactment of this Act, including, for each such project—

(1) the initial cost estimate;

(2) the amount actually expended on the project;

(3) any additional time required to complete the project beyond the initial timeline; and

(4) any cost overruns incurred by the project.

(b) SEMI-ANNUAL REPORTS.—Not later than 180 days after the submission of the report required under subsection (a), and semi-annually thereafter, the Secretary shall submit a comprehensive report to the appropriate congressional committees on the status of all ongoing and recently completed embassy construction projects and major embassy security upgrade projects, including, for each project—

(1) the initial cost estimate;

(2) the amount expended on the project to date;

(3) the projected timeline for completing the project; and

(4) any cost overruns incurred by the project.

SEC. 6402. UNITED STATES HUMAN RIGHTS DIALOGUE REVIEW.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary, in consultation with other appropriate departments and agencies, shall—

(1) conduct a review of all human rights dialogues; and

(2) submit a report to the appropriate congressional committees containing the findings of the review conducted under paragraph (1).

(b) CONTENTS.—The report submitted under subsection (a)(2) shall include—

(1) a list of all human rights dialogues held during the prior year;

(2) a list of all bureaus and Senate confirmed officials of the Department of State that participated in each dialogue;

(3) a list of all the countries that have refused to hold human rights dialogues with the United States; and

(4) for each human rights dialogue held to the prior year, an assessment of the role of the dialogue in advancing United States foreign policy goals.

(c) DEFINED TERM.—In this section, the term ''human rights dialogue'' means an agreed upon and regular bilateral meeting between the Department of State and a foreign government for the primary purpose of pursuing a defined agenda on the subject of human rights.

SEC. 6403. SENSE OF CONGRESS ON FOREIGN CYBERSECURITY THREATS.

(a) FINDINGS.—Congress makes the following findings:

(1) The Department of State International Cyberspace Policy Strategy (referred to in this section as the ''Strategy''), which was released in March 2016, states—

(A) ''Cyber threats to United States national and economic security are increasing

in frequency, scale, sophistication, and severity''; and

(B) ''The United States works to counter threats in cyberspace through a whole-of-government approach that brings to bear its full range of instruments of national power and corresponding policy tools – diplomatic, informational, military, economic, intelligence, and law enforcement – as appropriate and consistent with applicable law''.

(2) The 2016 Worldwide Threat Assessment of the U.S. Intelligence Community (''Threat Assessment''), released on February 6, 2016—

(A) names Russia, China, Iran, and North Korea as ''leading threat actors'' in cyberspace;

(B) states ''China continues to have success in cyber espionage against the US Government, our allies, and US companies''; and

(C) states ''North Korea probably remains capable and willing to launch disruptive or destructive cyberattacks to support its political objectives''.

(3) On April 1, 2015, the President issued Executive Order 13694, entitled ''Blocking the Property of Certain Persons Engaging in Significant Malicious Cyber-Enabled Activities''.

(4) On February 18, 2016, the President signed into law the 2016 North Korea Sanctions and Policy Enhancement Act of 2016 (Public Law 114–122), which codified into law the policy set forth in Executive Order 13694.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) threats in cyberspace from state and nonstate actors have emerged as a serious threat to the national security of the United States;

(2) the United States Government should use all diplomatic, economic, legal, and military tools to counter cyber threats; and

(3) the United States Government should impose economic sanctions under existing authorities against state and nonstate actors that have engaged in malicious cyber-enabled activities.

(c) SEMI-ANNUAL REPORTS ON CYBERSECURITY AGREEMENT BETWEEN THE UNITED STATES AND CHINA.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary shall submit a report to the appropriate congressional committees, with a classified annex if necessary, that describes the status of the implementation of the cybersecurity agreement between the United States and the People's Republic of China, which was concluded on September 25, 2015, including an assessment of the People's Republic of China's compliance with its commitments under the agreement.

(d) RULE OF CONSTRUCTION.—Nothing in this Act or any amendment made by this Act may be construed as authorizing the use of military force for any purpose, including as a specific authorization for the use of military force under the War Powers Resolution (Public Law 93–148; 50 U.S.C. 1541 et seq.), or as congressional intent to provide such authorization.

SEC. 6404. REPEAL OF OBSOLETE REPORTS.

(a) ANNUAL REPORT ON THE ISRAELI-PALESTINIAN PEACE, RECONCILIATION AND DEMOCRACY FUND.—Section 10 of the Palestinian Anti-Terrorism Act of 2006 (Public Law 109–446; 22 U.S.C. 2378b note) is amended—

(1) by striking subsection (b); and

(2) by redesignating subsection (c) as subsection (b).

(b) ANNUAL REPORT ON ASSISTANCE PROVIDED FOR INTERDICTION ACTIONS OF FOREIGN COUNTRIES.—Section 1012 of the National Defense Authorization Act for Fiscal Year 1995 (22 U.S.C. 2291–4) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (b).

(c) REPORTS RELATING TO SUDAN.—The Sudan Peace Act (Public Law 107–245; 50 U.S.C. 1701 note) is amended—

(1) by striking section 8; and

(2) in section 11, by striking subsection (b).

(d) ANNUAL REPORT ON OUTSTANDING EXPROPRIATION CLAIMS.—Section 527 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236; 22 U.S.C. 2370a) is amended—

(1) by striking subsection (f); and

(2) by redesignating subsections (g), (h), and (i) as subsections (f), (g), and (h), respectively.

SEC. 6405. SENSE OF THE SENATE REGARDING THE RELEASE OF INTERNATIONALLY ADOPTED CHILDREN FROM THE DEMOCRATIC REPUBLIC OF CONGO.

(a) FINDINGS.—The Senate makes the following findings:

(1) In September 2013, the Government of the Democratic Republic of Congo suspended the issuance of exit permits to children adopted by international parents.

(2) In February 2016, after continuous efforts by the Department of State, the President, and Congress, the Government of the Democratic Republic of Congo began issuing exit permits to internationally adopted children and committed to reviewing all unresolved cases by the end of March 2016.

(3) As of March 31, 2016, more than 300 children had been authorized to apply for exit permits, but many adopted children remain stranded in the Democratic Republic of Congo, including at least two children adopted by Wisconsin families.

(b) SENSE OF THE SENATE.—The Senate—

(1) urges the Government of the Democratic Republic of Congo to complete its review of all unresolved international adoption cases as soon as possible; and

(2) calls upon the United States Government to continue to treat the release of internationally adopted children from the Democratic Republic of Congo as a priority until all cases have been resolved.

SEC. 6406. COMMUNICATION WITH GOVERNMENTS OF COUNTRIES DESIGNATED AS TIER 2 WATCH LIST COUNTRIES ON THE TRAFFICKING IN PERSONS REPORT.

(a) IN GENERAL.—Not less frequently than annually, the Secretary shall provide, to the foreign minister of each country that has been designated as a ''Tier 2 Watch List'' country pursuant to section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b))—

(1) a copy of the annual Trafficking in Persons Report; and

(2) information pertinent to such country's designation, including—

(A) confirmation of the country's designation to the Tier 2 Watch List;

(B) the implications associated with such designation and the consequences for the country of a downgrade to Tier 3;

(C) the factors that contributed to the designation; and

(D) the steps that the country must take to be considered for an upgrade in status of designation.

(b) SENSE OF CONGRESS REGARDING COMMUNICATIONS.—It is the sense of Congress that, given the gravity of a Tier 2 Watch List designation, the Secretary should communicate the information described in subsection (a) to the foreign minister of any country designated as being on the Tier 2 Watch List.

SEC. 6407. AUTHORITY TO ISSUE ADMINISTRATIVE SUBPOENAS.

Section 3486 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)(A)—

(i) in clause (ii), by striking ''or'' at the end; and

(ii) in clause (iii), by striking the comma at the end and inserting a semicolon; and

(iii) by inserting after clause (iii) the following:

''(iv) an offense under section 878, or a threat against a person, foreign mission, or organization authorized to receive protection by special agents of the Department of State and the Foreign Service under section 37 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2709), if the Assistant Secretary for Diplomatic Security or the Director of the Diplomatic Security Service determines that the threat constituting the offense or threat against the person or place protected is imminent, the Secretary of State; or

''(v) an offense under chapter 75, the Secretary of State,'';

(B) in paragraph (9), by striking ''paragraph (1)(A)(i)(II) or (1)(A)(iii)'' and inserting ''clause (i)(II), (iii), (iv), or (v) of paragraph (1)(A)''; and

(C) in paragraph (10), by adding at the end the following: ''As soon as practicable following the issuance of a subpoena under paragraph (1)(A)(iv), the Secretary of State shall notify the Attorney General of its issuance.''; and

(2) in subsection (e)(1)—

(A) by striking ''unless the action or investigation arises'' and inserting the following: ''unless the action or investigation—

''(A) arises''; and

(B) by striking ''or if authorized'' and inserting the following:

''(B) directly relates to the purpose for which the subpoena was authorized under paragraph (1); or

''(C) is authorized''.

SEC. 6408. EXTENSION OF PERIOD FOR REIMBURSEMENT OF SEIZED COMMERCIAL FISHERMEN.

Section 7(e) of the Fishermen's Protective Act of 1967 (22 U.S.C. 1977(e)) is amended by striking ''2008'' and inserting ''2018''.

SEC. 6409. SPECIAL AGENTS.

(a) IN GENERAL.—Section 37(a)(1) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2709(a)(1)) is amended to read as follows:

''(1) conduct investigations concerning—

''(A) illegal passport or visa issuance or use;

''(B) identity theft or document fraud affecting or relating to the programs, functions, and authorities of the Department of State; or

''(C) Federal offenses committed within the special maritime and territorial jurisdiction of the United States (as defined in section 7(9) of title 18, United States Code), except as that jurisdiction relates to the premises of United States military missions and related residences;''.

(b) CONSTRUCTION.—Nothing in the amendment made by subsection (a) may be construed to limit the investigative authority of any Federal department or agency other than the Department of State.

SEC. 6410. ENHANCED DEPARTMENT OF STATE AUTHORITY FOR UNIFORMED GUARDS.

The State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a et seq.) is amended by inserting after section 37 (22 U.S.C. 2709) the following:

''SEC. 37A. PROTECTION OF BUILDINGS AND AREAS IN THE UNITED STATES BY UNIFORMED GUARDS.

''(a) ENFORCEMENT AUTHORITIES FOR UNIFORMED GUARDS.—The Secretary of State may authorize uniformed guards of the Department of State to protect buildings and areas within the United States for which the Department of State provides protective services, including duty in areas outside the property to the extent necessary to protect the property and persons in that area.

''(b) POWERS OF GUARDS.—While engaged in the performance of official duties as a uniformed guard under subsection (a), a guard may—

''(1) enforce Federal laws and regulations for the protection of persons and property;

''(2) carry firearms; and

''(3) make arrests without warrant for any offense against the United States committed in the guard's presence, or for any felony cognizable under the laws of the United States, to the extent necessary to protect the property and persons in that area, if the guard has reasonable grounds to believe that the person to be arrested has committed or is committing such felony in connection with the buildings and areas, or persons, for which the Department of State is providing protective services.

''(c) RULEMAKING.—

''(1) IN GENERAL.—The Secretary of State, in consultation with the Secretary of Homeland Security, may prescribe regulations necessary for the administration of buildings and areas within the United States for which the Department of State provides protective services.

''(2) PENALTIES.—Subject to subsection (d), the regulations prescribed under paragraph (1) may include reasonable penalties for violations of the regulations.

''(3) POSTING.—The regulations prescribed under paragraph (1) shall be posted and shall remain posted in a conspicuous place on each property described in paragraph (1).

''(d) PENALTIES.—A person violating a regulation prescribed under subsection (c) shall be fined under title 18, United States Code, imprisoned for not more than 6 months, or both.

''(e) ATTORNEY GENERAL APPROVAL.—The powers granted to uniformed guards under this section shall be exercised in accordance with guidelines approved by the Attorney General.

''(f) RELATIONSHIP TO OTHER AUTHORITY.—Nothing in this section may be construed to affect the authority of the Secretary of Homeland Security, the Administrator of General Services, or any Federal law enforcement agency.''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on May 24, 2016, at 10:30 a.m., to conduct a hearing entitled ''Understanding the role of Sanctions Under the Iran Deal.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 24, 2016, at 10 a.m., in room SR–253 of The Russell Senate Office Building to conduct a hearing entitled ''Examining the Multistakeholder Plan for Transitioning the Internet Assigned Number Authority.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 24, 2016, at 10 a.m., in room SD–215 of the Dirksen Senate Office Building to conduct a hearing entitled ''Debt versus Equity: Corporate Integration Considerations.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 24, 2016, at 10 a.m., to conduct a hearing entitled ''U.S.-India Relations: Balancing Progress and Managing Expectations.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on May 24, 2016, at 2:15 p.m., in room SR–418 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. THUNE. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 24, 2016, at 2:30 p.m., in room SH–219 of the Hart Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FISHERIES, WATER, AND WILDLIFE

Mr. THUNE. Mr. President, I ask unanimous consent that the Subcommittee on Fisheries, Water, and Wildlife of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on May 24, 2016, at 2:30 p.m., in room SD–406 of the Dirksen Senate Office Building, to conduct a hearing entitled, ''Erosion of Exemptions and Expansion of Federal Control Implementation of the Definition of Waters of the United States.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the defense legislative fellow in my office, Senior MSG Trey Walker, be granted floor privileges for the duration of the consideration of the National Defense Authorization Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXPRESSING APPRECIATION OF THE GOALS OF AMERICAN CRAFT BEER WEEK

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 473, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 473) expressing appreciation of the goals of American Craft Beer Week and commending the small and independent craft brewers of the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 473) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR WEDNESDAY, MAY 25, 2016

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow, Wednesday, May 25; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of S.J. Res. 28, with the time equally divided between opponents and proponents until 11 a.m., with Senator SHAHEEN controlling 10 minutes of the proponents' time; finally, that notwithstanding the provisions of rule XXII and the CRA, all time on S.J. Res. 28 be deemed expired at 11 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:43 p.m., adjourned until Wednesday, May 25, 2016, at 10 a.m.

HOUSE OF REPRESENTATIVES—*Tuesday, May 24, 2016*

The House met at 10 a.m. and was called to order by the Speaker.

MORNING-HOUR DEBATE

The SPEAKER. Pursuant to the order of the House of January 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

HONORING LIEUTENANT COLONEL MICHAEL McLAUGHLIN

The SPEAKER. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, earlier this month, my congressional office in Titusville Pennsylvania, participated in a bridge naming service for Lieutenant Colonel Michael McLaughlin of Tionesta, Forest County, located in Pennsylvania's Fifth Congressional District. Thanks to the efforts of State Representative Kathy Rapp, the bridge was renamed the Lt. Col. Michael McLaughlin/AMVETS Post 113 Memorial Bridge.

Lieutenant Colonel Michael McLaughlin was actually born in Germany, but raised in Forest County. He graduated from the West Forest High School in Tionesta, and later attended Clarion University. It was there he became an ROTC cadet, and was commissioned a second lieutenant in 1982.

Starting his military career in the Army Reserves, Lieutenant Colonel McLaughlin went on to earn a master's degree from the University of Pittsburgh, and later became the president of his own company in Mercer, Pennsylvania, all while serving in the Pennsylvania Army National Guard. Throughout his service, he was highly honored, earning many ribbons and medals throughout his 26 years of service.

Unfortunately, Lieutenant Colonel Michael McLaughlin was killed in the line of duty on January 5, 2006, in Ramadi, Iraq, as the result of a suicide bomber. He was just 44 years old, and left behind his wife and two daughters.

McLaughlin was honored posthumously with the Purple Heart and the Combat Action Badge. He was the first field grade officer of the Pennsylvania Army National Guard to die in action since World War II.

I was proud to see members of Lieutenant Colonel Michael McLaughlin's community come together to honor him with this bridge naming. It is so fitting that it came in May, the same month as Memorial Day, when we honor the men and women who lost their lives in service to our great Nation.

I am the proud father of an Army soldier. America's servicemen and -women are very important to me. With Memorial Day coming up on Monday, I want to not only recognize the sacrifice of men and women such as Lieutenant Colonel McLaughlin who have given the ultimate sacrifice, but all of the members of our Armed Forces serving across the globe and all of our Nation's veterans.

CLIMATE CHANGE AND NATIONAL SECURITY

The SPEAKER pro tempore (Mr. WESTMORELAND). The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, as the world hurdles toward an era where climate change impacts our everyday life, we must recognize the consequences of our inaction.

Secretary Hagel said it best when he stated: ''Climate change is a global problem. Its impacts do not respect national borders.''

Despite this, we continue to live in a bubble of denial. It is abundantly clear that climate change is rapidly altering the world around us, contributing to higher temperatures, changing seasonal patterns, and driving the loss of species and habitats.

The scientific evidence demonstrating the realities of climate change is vast and ever-growing. Just this week, NASA reported that April 2016 was the warmest April ever recorded. In fact, NASA said there is a ''99 percent chance that 2016 will be the hottest year ever recorded.''

If this proves to be true, 2016 will beat our previous record holder, 2015. And 2015 beat our previous record holder, 2014. Sensing a trend here?

Earth's changing temperature does not just threaten the existence of plants and animals: climate change also affects our national security at home and abroad. As a Member of the House Intelligence Committee, I am briefed weekly on our most pressing and urgent threats, and it is abundantly clear that climate change is one of those threats.

Climate change is what we consider a threat multiplier, meaning it is exacerbating many of the challenges we confront around the world today, and will produce new challenges for us in the future. As a global power with strategic interests around the world, climate change is immensely important to us because of the impact it has on the regional stability of our allies.

Internationally, climate change is already causing humanitarian disasters and resource scarcity that accelerates instability, contributes to political violence, and undermines weak governments. Examples of these repercussions are being seen around the world today. Climate change-induced drought in the Middle East and Africa is leading to conflicts over food and water, escalating longstanding regional and ethnic tensions into violent clashes. Rising sea levels are putting people and food supplies in vulnerable coastal regions at risk, threatening to displace countless people.

The increasing scarcity of resources in regions across the globe is stressing governments that are trying to provide basic needs for their citizens. In already volatile regions of the world, these are highly dangerous conditions that can enable terrorist activity and exacerbate refugee crises. As these threats around the world continue to multiply due to climate change, the U.S. is forced to extend our limited resources in humanitarian aid and military security to more locations in an effort to keep the peace, protect our interests and allies, and avoid major conflicts.

It is not just the wonky scientists and policymakers that are sounding the alarm. The Department of Defense declared that the threat of climate change will affect the Pentagon's ability to defend the Nation and poses immediate risk to U.S. national security. The CIA and the Department of State have already identified climate change as a national security challenge, yet Congress continues to refuse to act on this issue.

We are already experiencing the impacts of climate change from superstorms in the U.S. to devastating droughts in the Middle East. As climate change continues to strain economies and societies across the world, it will only create additional resource burdens and impact the way our military executes its missions, forcing our

military to spend more on crisis prevention, humanitarian assistance, and government stabilization.

This is why we have to act now. It is time for my colleagues to realize that the debate is over and that now is the time to deal with the very real consequences of climate change. As President Obama said: ''To make collective decisions on behalf of a common good, we have to use our heads. We have to agree that facts and evidence matter. And we got to hold our leaders and ourselves accountable . . .''

While we can't reverse climate change, we can work with our partners around the world to slow the process, assist in adaptation, and protect our national security interests. The health and security of future generations depends on our actions today.

WASTE, FRAUD, AND ABUSE OF AMERICAN RESOURCES IN AFGHANISTAN NEEDS TO STOP

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, I am again on the floor—I don't know how many times I have been on the floor—to talk about the waste, fraud, and abuse in Afghanistan. It just keeps going on and on.

Last week there was a great article—I don't think it was really great, but a very disturbing article—in The Washington Post, and the title was ''Afghanistan Paid 11,000 Militants to Lay Down Their Arms. Now the Money Has Run Out.'' It was the American taxpayer who paid the militants to stop fighting and killing Americans.

Somewhere along the way this doesn't make a whole lot of sense to me. We, the American taxpayers, have been paying fringe Taliban fighters not to fight for years. The article explained that there is little accountability of how that money is spent and where. We do not even know if paying fringe Taliban fighters not to fight is working. Further, committed Taliban fighters get money from other sources and still get money from the American taxpayer, and they are there to kill Americans. Somewhere along the way this just makes no sense at all.

Mr. Speaker, I include in the RECORD my letter to Speaker RYAN about the great work of John Sopko, Special Inspector General for Afghanistan Reconstruction.

HOUSE OF REPRESENTATIVES,
Washington, DC, April 14, 2016.

Hon. PAUL D. RYAN,
Speaker of the House of Representatives, Washington, DC.

DEAR MR. SPEAKER, During the Easter District Work Period, I read an Associated Press article about your support for numerous spending cuts to the FY 2017 budget in order to secure additional votes. While I support such efforts, it remains difficult for me to comprehend why congressional leadership continues to support the waste, fraud, and abuse in Afghanistan.

After over 14 years, and over $800 billion dollars, the waste is more obvious today than ever before. I have enclosed two articles for your review that detail the severity of the situation. First is a USA Today story regarding Mr. John Sopko's testimony before the Senate Armed Services Committee that details the mysterious case of ''Schrodinger's goats,'' in which $6 million was spent on nine male goats meant to start a cashmere industry in Afghanistan, and whose status as dead or alive cannot be confirmed. Second is an NBC story, ''12 Ways Your Tax Dollars Were Squandered in Afghanistan'' which, unfortunately, is only a small sample of the waste.

Surprisingly, many in the Republican Party question why the American public is so frustrated with our leadership. A cursory look at the multitude of reports of the wasted billions of dollars in Afghanistan should easily rationalize the American people's frustration. Adding Afghanistan spending to the chopping block will go a long way toward gaining the support of the American people and restoring fiscal sanity to Washington, DC. Nothing is changing in Afghanistan—it continues to be the graveyard of empires and with a growing debt surpassing $19 trillion, I believe that America is heading for the graveyard.

Mr. Speaker, I also encourage you to personally meet with Mr. John Sopko, the Special Inspector General of Afghanistan Reconstruction (SIGAR). The valuable work of SIGAR has uncovered billions of dollars of waste, fraud, and abuse in Afghanistan, which we must stop.

Thank you for your continued leadership and consideration of this request. I look forward to hearing from you soon.

Sincerely,

WALTER B. JONES,
Member of Congress.

Mr. JONES. Mr. Speaker, in the letter to Mr. RYAN, I ask him, the Speaker of the House, if he would find 45 minutes in the very busy schedule that he has to meet with John Sopko. I have been in meetings, both formal and informal, with John Sopko, and other Members of Congress have, and his group, known as SIGAR, have given full reports every year for the past few years to talk about the failure of our policy in Afghanistan. I don't know why we in Congress continue to fund Afghanistan. It is nothing but a waste of life and money, and it needs to stop.

Mr. Speaker, it is true now that we have fewer Americans killed in Afghanistan, but they still are being killed and wounded. I have a poster beside me that I have carried down to my district in North Carolina, as well as here in the House. For every one American that dies, I write a letter to the family. I have sent over 11,000 letters to families in this country. I started this when we had the war in Iraq, on which I failed to vote my conscience. I bought the misinformation from the Bush administration, and I voted to send our troops to Iraq.

This picture is of a little girl standing there with her hand holding her mother's hand, with her finger in her mouth kind of wondering why her daddy is in a flag-draped coffin. This will continue to go on. There will be families across this Nation until we pull out of Afghanistan. Let Afghanistan take care of its own problems. We cannot buy friendship in Afghanistan.

I close with this, Mr. Speaker. It was said many, many years ago about Afghanistan that Afghanistan is the graveyard of empires. With our $19 trillion debt, there will soon be a headstone in Afghanistan that says: ''USA.'' It is time to get out of Afghanistan.

OLDER AMERICANS MONTH AND SENIOR HUNGER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, as we celebrate the contributions of our seniors during Older Americans Month this month, I rise to draw attention to an issue that often goes overlooked in our communities, and that is the terrible problem of hunger among aging adults.

Food insecurity among seniors has doubled since 2001, and is expected to increase significantly as the baby boomer generation ages. Today, food insecurity impacts 5 million seniors across the country, forcing them to make impossible decisions between food, medical care, home heating, and other necessities.

We know that hunger is a health issue, and that is especially true among seniors over the age of 60. Research from Feeding America suggests that, compared to their food-secure neighbors, seniors suffering from hunger are 60 percent more likely to experience depression, 53 percent more likely to report a heart attack, 52 percent more likely to develop asthma, and 40 percent more likely to report an experience of congestive heart failure.

Baby boomers spend twice as much on health care as young adults do. Ensuring seniors have access to nutritious food is vitally important. We know that seniors have unique nutritional needs, and I am pleased to see scientists collaborating to create nutritional guidance for seniors.

Researchers at the Jean Mayer USDA Human Nutrition Research Center on Aging at Tufts University, with support from the AARP Foundation, recently unveiled an updated MyPlate for Older Adults graphic to help seniors visualize what foods cover the nutritional needs that make up a healthy plate for adults their age. The new icon also encourages them to follow healthy eating patterns.

I was pleased to join scientists from Tufts as well as representatives of AARP last week at a briefing on Capitol Hill to unveil the new MyPlate icon and educate congressional staff on the importance of senior nutrition.

But if we want to ensure seniors have access to nutritious foods, we must also ensure that they have the ability to afford fruits, vegetables, and other healthy options. One critical step we can take toward the goal of ending senior hunger is closing what is referred to as the ''senior SNAP gap.''

While millions of our parents, grandparents, teachers, and friends are facing hunger, only a fraction of low-income seniors eligible for food assistance through SNAP are accessing the benefits, presumably because of the stigma associated with assistance, or because seniors are unaware they qualify for benefits.

□ 1015

Many seniors also suffer from limited mobility or may have issues completing benefit applications, which can be complex and very time-consuming. In fact, seniors are more likely than any other age group to be eligible for SNAP, but they are not enrolled to receive the benefits.

That is why I am pleased to see so many advocacy organizations using Older Americans Month to call attention to the issue of senior hunger. Through their hashtag Solve Senior Hunger campaign, Feeding America and other antihunger and -aging organizations across the country are reaching out to seniors and their loved ones to raise awareness and ensure that those seniors who are eligible to receive SNAP benefits are connected to the appropriate resources.

We should do all we can to help solve senior hunger by talking to our family members and friends about senior hunger and by partnering with leaders in our communities who work to improve access to nutritious food for senior populations.

During my years in Congress, I have had the opportunity to visit food banks and other organizations in my district that are working to end hunger among seniors. Last year I had the privilege of spending a day with a Meals on Wheels program that is based in Northampton, Massachusetts, which is part of my congressional district. I helped to prepare and deliver meals and had the opportunity to speak with seniors who were served through this incredible program.

Members of Congress have an important role in ensuring our Nation's seniors don't go hungry. I encourage all of my colleagues to spend time with similar programs in their districts.

Congress must adequately fund programs like Meals on Wheels, which provides nutritious food to seniors, and reject harmful cuts to SNAP, which will disproportionately harm the most vulnerable among us: children, seniors, and the disabled.

That hunger is still a big problem in America, the richest country in the history of the world, and it should make us all ashamed. But, in working together, we have the power to end hunger now, especially among our senior population. Let's act now.

VENEZUELA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to discuss the ongoing crisis in Venezuela due to the incompetence of its leader, Nicolas Maduro. No matter what Maduro says, the crisis is his fault, not the fault of the U.S., not the fault of the Organization of American States. Maduro and his corrupt cronies are the ones to blame for this disaster—no one else.

While the Obama administration has sometimes tried to concede to the Maduro regime, it has only been reciprocated with no real positive change or any way forward by Maduro. Even now, the U.S. Embassy in Caracas has had to suspend appointments for Venezuelans who seek first-time tourist and business visas due to staff shortages that it blames on Maduro.

This is just the tip of the iceberg, Mr. Speaker. For a country that is rich in oil reserves, it is the sign of incompetence and corruption that Venezuela is struggling with empty grocery stores, shortages of medicine, high inflation, and a plummeting economy.

Now Maduro is trying desperately to receive assistance from other countries to save his corrupt regime. India has offered medicine in exchange for Venezuelan oil, and China may offer loans to Venezuela in exchange for oil. But these attempts are possibly too late, and Venezuela may not be able to survive this incredible economic downward spiral.

To put it simply, Mr. Speaker, Venezuela is on the verge of total collapse, and what an impact that will have throughout our hemisphere. It is not a matter of if. It is a matter of when.

On top of that, Venezuela is also facing medical shortages that have become a humanitarian crisis. Recently, a group of Venezuelan legislative members were in D.C., meeting with us to ask for humanitarian assistance for their people and for medical supplies to take care of the sick in Venezuela.

Now, these members are the opposition of Nicolas Maduro, but they know that Maduro doesn't care about helping the people, so they are rising up to the chore.

The Venezuelan Medical Federation has asked the Maduro regime to accept humanitarian aid in order to handle the massive shortages of medicine in the country, a request that has not been agreed upon by Maduro. The Venezuelan Neurology Society reported that the shortage of medicines for neurological conditions has reached around 90 percent.

The Venezuelan National Assembly has declared a humanitarian health crisis that includes the lack of 872 essential medications. In April, the Venezuelan newspaper El Nacional reported that the Venezuelan Pharmaceutical Federation declared that the shortage of medicines in pharmacies has reached 85 percent.

The lack of medicine, Mr. Speaker, impacts people from all walks of life, from the elderly, to the sick, to the mentally ill, to the children who cannot receive lifesaving care.

Individuals with serious illnesses have to go from pharmacy to pharmacy, looking for the medicines. If they don't find them, they either have to leave the country or try to smuggle the medicines in through the underground black market. The situation in Venezuela can also quickly become more violent and even more dangerous if the crisis is not resolved quickly.

Maduro has issued emergency decrees, even though the National Assembly rejected it, that will help him consolidate even more of his power. Power? Maduro doesn't care about the food and medicine for the people. All he cares about is having more power.

Last week Venezuela launched its biggest military exercise. Who is invading Venezuela? Why did he do it? To scare the population and to show the Venezuelan people his military might so as to prevent any protests by the people. At the same time, the Venezuelan National Assembly has called for its own country to be suspended from the Organization of American States.

The crisis in Venezuela must wake up others in the region. The new leaders of Argentina and Brazil are needed to bring the Southern Cone together in the name of regional stability.

Where is the leadership in the United States? President Obama has yet to add more names of human rights violators in Venezuela. Adding names would prevent them from coming to the United States. This is a list that is based on a law that I passed along with my Senate colleague, Senator MARCO RUBIO. That law is going to expire, and we need to extend it a few more years because those rights are being violated every day.

I talked about the economic hardships, but let's talk about the political and human rights violations that are going on every day in Maduro's Venezuela—they are committed by the Maduro regime—including the unconscionable imprisonment of Leopoldo Lopez and scores of pro-democracy activists.

The dire situation in Venezuela, Mr. Speaker, is out of control. Let's see what we can do because the Venezuelan people deserve better than a corrupt Maduro.

ASIAN PACIFIC AMERICAN HERITAGE MONTH

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. JUDY CHU) for 5 minutes.

Ms. JUDY CHU of California. Mr. Speaker, the month of May is recognized as Asian Pacific American Heritage Month, an important time to celebrate our Nation's rich cultural diversity as well as the many accomplishments and contributions of Asian Americans and Pacific Islanders all across our country.

Asian Americans and Pacific Islanders are now the fastest growing racial group in the country, and today more immigrants come from Asia than from any other region in the world.

As chair of the Congressional Asian Pacific American Caucus, or CAPAC, I have seen these growing numbers reflected here in Congress, where we now have 14 Asian American and Pacific Islander Members of Congress, which is a historic high.

We have also seen these numbers reflected in the diversity of our Federal workforce as well as in the Federal judiciary, where we have more than tripled the number of Asian Pacific American judges who serve on the Federal bench.

This includes the historic nomination of Sri Srinivasan to the U.S. District Court of Appeals, which is extremely notable because it is the court from which many U.S. Supreme Court Justices have risen, and we know that it is only a matter of time before we have our first Asian American Supreme Court Justice.

In addition to working to diversify our Federal workforce, we in CAPAC have the privilege to advocate for the priorities and concerns of Asian Pacific Americans on a broad range of issues, from combating racial profiling, to keeping immigrant families together through comprehensive immigration reform, to ensuring that all Americans can access the ballot box and have a voice in our democracy.

Today far too many in the Asian Pacific American community are being profiled because of the way they look or the religion they practice, and whether they are Chinese Americans who are being singled out for economic espionage or are Muslim or Sikh Americans who are wrongfully perceived as terrorists, we know that profiling creates a culture of suspicion that not only breeds mistrust, but that also endangers the lives and livelihoods of innocent Americans.

Take the recent case of a Chinese American scientist who was wrongly targeted as a spy for China. One terrible morning, Professor Xiaoxing Xi woke up to see guns pointed at him and 12 FBI agents arresting him in front of his wife, two daughters, and the whole neighborhood. They dragged him off to jail, accused him of being a spy for China, and threatened him with 80 years in jail. It turned out that the FBI agents were wrong. So they dropped all charges, but not before ruining Professor Xi's life.

We have also seen this happen in the case of Sherry Chen, a hydrologist at the National Weather Service of Ohio, who was arrested in front of her coworkers and was accused of being a spy for China, only to have her case dismissed.

Asian American scientists and engineers, who have worked hard to get their advanced degrees and be successful in their careers, now live in fear that they, too, may be next.

As CAPAC's chair, I have made it a priority to fight back against these injustices. We have met with Attorney General Loretta Lynch to demand answers to these cases. We have held press conferences, have written letters, and have questioned the FBI and the Department of Justice during congressional hearings. We know we must speak up.

In fact, we need only to look at the horrors of what happened to innocent Japanese Americans who were imprisoned during World War II to know what can happen when we remain silent. That is why it is so important for diverse communities to have a voice in our democracy.

Today the ability for us to make a difference is enormous, and we in CAPAC are working hard to ensure that Asian Americans and Pacific Islanders have access to the ballot box through our efforts to restore the Voting Rights Act.

Nationally, Asian Pacific Americans have doubled our voter registration numbers over the last decade from 2 million to 4 million people, and, by 2040, we will have doubled even those numbers. We are the sleeping giant. In fact, Asian Pacific Americans have gone from being marginalized to being the margin of victory.

As we celebrate Asian Pacific American Heritage Month this May, let us remember not only the many contributions of the Asian American and Pacific Islander community, but also the challenges that we must continue to confront in order to ensure that all Americans, regardless of race, ethnicity, religion, or language ability, can achieve the American Dream.

Happy Asian Pacific American Heritage Month.

LATINO EMERGENCY COUNCIL'S 10–YEAR ANNIVERSARY

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. DENHAM) for 5 minutes.

Mr. DENHAM. Mr. Speaker, I rise to recognize the Latino Emergency Council as we celebrate their tenth-year anniversary. Since their founding in 2006, they have provided exemplary service in promoting emergency preparedness and communication with the Latino community in Stanislaus County, California.

The LEC was conceived in the fall of 2005 as a partnership between the Stanislaus County Hispanic Leadership Council, El Concilio, and the County of Stanislaus. The initial goal was to formalize a communication channel with leadership from the Latino community and the Stanislaus County Office of Emergency Services in the event of an emergency.

The organization is a leader in emergency communication response as well as in personal emergency preparedness. The LEC distributes emergency preparedness information throughout the community in nonemergency situations and offers training to the community as a means of building community capacity and self-reliance in emergency situations.

The LEC has assisted in multiple emergency responses, such as the H1N1 swine flu outbreak, heat emergencies, the West Nile virus, and cold weather situations.

They also participate in multiple disaster exercises, translate vital information into Spanish, provide training for underserved community members, and perform outreach throughout Stanislaus County by distributing tens of thousands of pieces of literature in Spanish.

Organization members also travel to the FEMA Region IX office in Oakland, California, and in Washington, D.C., and advocate for emergency preparedness capacity in the Latino community.

Mr. Speaker, please join me in honoring and in recognizing the Latino Emergency Council for their service and outstanding contributions to the Latino community as they celebrate their tenth-year anniversary. They are an example of how amazing things can be done when people come together with passion and purpose to make change in the local community.

□ 1030

THANKFUL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. COHEN) for 5 minutes.

Mr. COHEN. Mr. Speaker, today is my birthday, and I chose to take this opportunity to address Congress and the American people on things I am blessed with and thoughtful about.

First, of course, are my parents, who are no longer alive, but they gave me a great education and gave me a lot of love. My mother got the opportunity to see me get elected to Congress, and when I did, she said: What does that make me? I told her it made her the queen that she has always been. She

passed about 5 years ago, so she hasn't been able to see these other years.

I am thankful to my mother, my father, and my grandfather, but especially to my great-grandfather, Simon, who left Lithuania with nothing in about 1884 and came to this country. If he wouldn't have taken that bold step to leave his homeland without anything at all, I probably would have been born into some union that would have led to my being killed in the Holocaust.

Simon was a great man, and this was a great country that accepted him. We have bills dealing with immigration, and I think about Simon leaving Lithuania and giving me the opportunity to be here.

I am most thankful for my constituents for giving me this opportunity to serve in Congress. I love my job. I have been in politics all my life. I got elected for the first time when I was just 27 years old, and I am a lot older than that today.

My constituents have blessed me. My district is the most African American district in the United States of America, and the issue of race and my religion—I am Jewish, which makes me a minority in my district—do not come up any longer. I have not lost a precinct in the Democratic primary because I have the best constituents in America who don't see religion and don't see race, but they simply see somebody who works hard at their job and votes their interests and tries to make Memphis more prosperous, more healthy, and more just. And I will always do that.

I thank my constituents for giving me the opportunity to serve here, which was always something I longed for. I served in the State senate for a long time. I ran for Congress once before and lost. And I used to look at this building and think, ''I didn't get there; I didn't make it.'' I got a second chance, and the District Nine residents gave me that chance. I will be finishing my 10th year this year.

To serve with the men and women I serve with in this Congress, we get a lot of abuse, and some people don't think we do a good job. Sometimes I don't think we do a good job. I will tell you that the people in Congress, the men and women, are all good men and women. They are likeable people. That is why they get elected. They are all winners. They may have a different perspective on what is right for this country, but they come here dedicated, and they work hard and they try to represent their district and make things better for the people in their district. I am thankful for each of you, Democrats and Republicans, for the opportunity to serve with you in this great Hall and to serve America.

I thank District Nine, and I thank all my friends and my parents for giving me this opportunity and giving me life.

ANNIVERSARY OF THE JUSTICE FOR VICTIMS OF TRAFFICKING ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Missouri (Mrs. WAGNER) for 5 minutes.

Mrs. WAGNER. Mr. Speaker, I rise to celebrate the 1-year anniversary of the signing of the Justice for Victims of Trafficking Act. We are grateful for the accomplishments of the legislation over the past year. The JVTA has reinvigorated our Nation's commitment to fighting sex trafficking.

The legislation sought to undercut demand for sex trafficking by holding buyers and advertisers of trafficking accountable for their choices. Under the SAVE Act—my legislation that was signed into law as part of the JVTA legislative package—we have given prosecutors the tools they need to fight these Web sites and businesses that support human trafficking by knowingly advertising victims for profit.

Right now, tens of thousands of demented online advertisements are openly selling children into sexual enslavement. Predators in our communities are going online and having children delivered to their hotel rooms as easily as they would a pepperoni pizza. Today, human trafficking is moving from the streets to the Internet, making it more accessible and more insidious. The SAVE Act fights this sick explosion of trafficking on the Internet.

The SAVE Act is already demonstrating that it is an indispensable tool to attack online trafficking. Backpage.com and other exploitive Web sites, which enable human traffickers by allowing them to post ads selling the bodies and the souls of our children, are angry that the U.S. is now holding the advertisers of human trafficking accountable.

Backpage.com claims that their ability to post children for sex online is a matter of free speech. It is not a matter of free speech, Mr. Speaker. It is a flagrant violation of the dignity and the basic constitutional rights of these abused and vulnerable children. Facilitating the purchase of children for sex is not a right; it is a crime, and it is a crime of the most heartless and evil proportions.

In December 2015, backpage.com filed a lawsuit against the SAVE Act in the United States District Court of the District of Columbia, and they specifically named me, ANN WAGNER, in their case. They are suing us because the SAVE Act has upset their pocketbooks and hindered them from making money off human trafficking sales. I take it as a huge success that we are finally moving in the direction where adults, Web sites, and businesses that exploit victims of human trafficking cannot profit and will not be given a free pass for their despicable crimes.

The Justice for Victims of Trafficking Act creates a legal framework to ensure that those who sell children and young women for sex, those who buy children for sex, and those who profit from human trafficking will be held accountable for their choices. But this law will be rendered useless until the Department of Justice moves to fully implement it. To our knowledge, the Department has not opened any new investigations to target advertisers of trafficking.

The JVTA clarifies those who solicit and patronize victims of trafficking can and should be prosecuted as sex trafficking offenders under 18 U.S. Code section 1591. Failing to prosecute buyers perpetuates demand for trafficking and allows offenders to abuse our children with impunity.

But while buyers have been arrested over the past year, we have seen very few convictions. Exactly how many convictions? We don't know because the Department of Justice has not released this information. We do know that many buyers have inexplicably been allowed to walk.

America's children are not objects to be bought and sold and abused by predators. They are children who we, as adults, have the duty to fiercely, fiercely protect.

We are also waiting on the Department of Justice to levy a $5,000 assessment on convicted human traffickers, convicted buyers who exploit victims, and offenders of similar crimes. We passed the JVTA 1 year ago, but the Department has neglected to assess the vast majority of these offenders—perhaps all of these offenders—despite a number of related convictions.

These fines are meant to help populate the Domestic Trafficking Victims' Fund to provide assistance for victims of trafficking and child pornography and develop prosecution programs. We are waiting on the Department of Justice to establish and populate this fund to get survivors the services that they need.

In short, there is much work to be done and we will not just walk away. It is our most fundamental responsibility to fight to protect our most vulnerable from sexual enslavement. This is our most basic duty.

TSA FUNDS DIVERTED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO) for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, as I speak here today on the comfortable and uncrowded floor of the House of Representatives, all across America, people are standing in lines like cattle, waiting 60 minutes, 90 minutes, sometimes longer, missing their flights to get through airport security. It didn't have to be this way.

We do a lot of things around here that are kind of not quite on the up-and-up, and one of them was a deal at

the end of 2013 December, essentially when Americans are celebrating the holidays and not paying a lot of attention. Congress cut one of those year-end budget deals to fund the whole government and theoretically reduce the deficit.

Now, my friends on the Republican side are totally averse to dealing with the deficit through any sort of revenues: can't raise revenues, can't make hedge fund managers on Wall Street pay taxes like other Americans because that would be bad; can't deal with overseas loopholes, corporations reincorporating in tax havens so they won't have to pay money here, even though they are based here and operate here. We can't deal with any of those issues.

They snuck into that bill a little fee, yeah, just a little tiny fee. They raised the fee for aviation security.

So why are things so bad today? If they just raised the fee in December of 2013, raising an extra $1.2 billion—B, as in billion—a year for aviation security, why are the lines so long?

Well, guess what. They raised the fee, and they diverted the money. So airline passengers are paying more for their tickets ostensibly for aviation security to keep them safe and maybe to mitigate some of their inconvenience of standing in line, but the Republican majority chose to divert that money to deficit reduction and other things—$1.25 billion dollars this year.

Now, I heard the head of the union for the screeners on the radio this morning. He said we need 6,000 more workers. And they said, well, God, how much is that going to cost? Six thousand, how could you possibly afford that?

Guess what. It would cost a heck of a lot less than $1.2 billion to hire 6,000 more screeners so Americans didn't have to stand in 2-hour lines and miss their flights.

What is wrong with this place? Why can't we be on the up-and-up.

If you raise a tax on people to pay for aviation security, both to make them safe and to make it more convenient and predictable, spend the money making it more safe, making it more convenient, and making it more predictable. Don't divert the money to illusory deficit reduction or other things around here. That is incredible.

So all Congress has to do is say: Hmm—of course, I voted against the bill, but the large majority who did—we were wrong. We shouldn't have raised the fees on airline passengers. We shouldn't have diverted the money. We shouldn't have starved TSA from the funds they need to hire more people, both to deal with baggage and lines. Up above and below, we have got problems in both places with lack of staffing.

Now, we will just blame the management of TSA. Oh, it is the management. It is the management. Don't look over here, because we are taxing the passengers and we are spending the money over here, not on security. That is why people are standing in line today.

I hope this place gets honest and says: Let's change the law and let's spend the money, the taxes the passengers are paying, on aviation security and eliminate the excessive waits in lines.

NDAA AND RELIGIOUS FREEDOM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama (Mr. BYRNE) for 5 minutes.

Mr. BYRNE. Mr. Speaker, 2 years ago the gentleman from Oklahoma (Mr. RUSSELL) offered an amendment to the National Defense Authorization Act regarding religious freedom. Many of my colleagues on the other side of the aisle have attempted to use this amendment as a wedge in an effort to divide the American people. I want to take a few minutes to discuss the truth and the facts about its impact.

In September of 1789, the First Congress considered demands made by many participants in the State conventions which called for ratifying the U.S. Constitution. In response to many of those concerns, Congress approved, by a voice vote, the First Amendment to the United States Constitution and sent it to the States for ratification. The States ratified it in December of 1791.

The first two clauses of the First Amendment address religious freedom. The first prohibits an establishment of religion so that citizens would not be forced to support a national church, as was the case in Great Britain.

The second clause prohibits any government act that inhibits the free exercise of religion by a citizen, thereby assuring that the government cannot dictate religious beliefs or interfere with citizens as they practice and live out their faith.

□ 1045

Historically, we have a proud tradition of Republicans and Democrats working together to protect free exercise under the First Amendment. A great example of this is the Religious Freedom Restoration Act, which passed this House by a voice vote in 1993.

Unfortunately, basic principles of free exercise are under attack today. In response, Mr. RUSSELL's limited amendment would extend religious liberty protection to four categories of government contractors.

It is important to note that one doesn't lose constitutional rights if he or she seeks to become a contractor of the government. Hence, contractors are protected in the free exercise of their religious beliefs and practices. The Russell amendment makes explicit these contractors' rights to such protection in the employment of people who work for them.

So let's look at the Russell amendment. It states: ''Any branch or agency of the Federal Government shall, with respect to any religious corporation, religious association, religious educational institution, or religious society that is a recipient of or offeror for a Federal government contract, subcontract, grant, purchase order, or cooperative agreement, provide protections and exemptions consistent with sections 702(a) and 703(e)(2) of the Civil Rights Act of 1964 . . . and section 103(d) of the Americans with Disabilities Act of 1990 . . .''

Again, note that the Russell amendment is limited to these four categories of religious entities, and it does not apply to other private entities or individuals.

Mr. Speaker, the 1964 Civil Rights Act is a landmark civil rights law which bans discrimination on the basis of race, color, religion, sex, or national origin. Title 7 of the act deals with discrimination in the workplace. Section 702 specifically protects the four categories of religious employers listed in the Russell amendment.

Hence, the Russell amendment extends to these four categories of religious entities when they are working for or attempt to work for the government, the same religious liberty rights they have had for over 50 years when operating in the private sector. This approach is neither new nor novel.

The Americans with Disabilities Act of 1990 extends many of the same rights granted under the 1964 act to people with disabilities. Section 103(d) of that act allows the four categories of religious entities to give ''preference in employment to individuals of a particular religion'' and to require that ''all applicants and employees conform to the religious tenets of such organization.''

Again, the Russell amendment extends to these four categories of religious entities the same religious liberty rights they have had for over 25 years when operating in the private sector to when they are doing business in the government.

The opponents of the Russell amendment say it provides for discrimination against the LGBT community. A simple review of the amendment and the underlying statutes demonstrates an absence of any reference to LGBT persons. Indeed, the Russell amendment is narrowly drawn to apply only to the four categories of religious entities in their employment of individuals to carry out their work. Any service or product produced by such an entity in a government contract would have to be provided to whomever the government requires, and that, obviously and appropriately, will include those in the LGBT community.

Mr. Speaker, if the Russell amendment is discriminatory, then so is the First Amendment, the Religious Freedom Restoration Act, the 1964 Civil Rights Act, and the Americans with Disabilities Act.

If allowing a religious entity to employ persons who share its beliefs is discriminatory, then so are all these other Congresses. It is inaccurate to portray the Russell amendment as anything other than a narrowly drawn effort to protect religious freedom.

NEW ENGLAND COMPOUNDING CENTER TRAGEDY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. BISHOP) for 5 minutes.

Mr. BISHOP of Michigan. Mr. Speaker, I rise today to call attention to a public health atrocity that is being ignored by the current administration and the current administration's continued failure to ensure justice for American citizens.

As many Members in this body will recall, in 2012, the New England Compounding Center manufactured and distributed nonsterilized injections to clinics and hospitals around the Nation. After receiving those injections, more than 750 people nationwide developed fungal meningitis. To date, 76 people have died as a result.

As you can see by the illustration to my left, this is a nationwide issue. The epicenter, however, of the outbreak was in Michigan's Eighth District, which I proudly represent. More than 200 people became sick, and 15 people died after receiving the tainted injection from a clinic in our district.

Because of the reckless disregard for the health and safety of the recipients of these drugs, the Department of Justice secured 131 convictions against 14 individuals, including 25 counts of second degree murder against the two main defendants for the deaths occurring in seven States.

Although this outbreak happened almost 4 years ago, the consequences are still very real today. Just the other week I was approached by a gentleman whose wife had died as a result of a lethal injection she received. It was, of course, heart-wrenching to hear the agony he went through and continues to deal with after losing his best friend and wife to this terrible tragedy.

Whether it is someone who has lost a loved one or a victim now living with chronic pain and sickness or a family member caring for an ill victim, this is a national tragedy, and the people need to be heard.

Not only have the day-to-day lives of these victims been irretrievably altered, they have also been financially ruined. Just to give you an idea, copays on some of the drugs for the treatments required for this illness are up to $5,000 per month, and despite multiple bipartisan requests from Members of both this body and the Senate, the Department of Health and Human Services has rejected all requests to waive rights to collect on Medicare liens they have placed on the settlement issued last year. That means that victims will get very little from their compensation funds. In fact, to this date, they have received not a dime.

Not only that, Mr. Speaker, but now the Obama administration, through the Office of Management and Budget, has blocked the ability of victims to get compensation from the Antiterrorism and Emergency Assistance Program, otherwise known as the AEAP for short. The AEAP was created utilizing funds from the Federal crime victims fund, a fund specifically set aside to compensate victims of crimes. The fund gets its resources from not taxpayer dollars, but through a special assessment on convicted criminals. They get it through criminal fines, penalties, and forfeited bail bonds.

Without any explanation, a bureaucrat at the Office of Management and Budget has blocked the decision of a Senate-confirmed Assistant Attorney General to compensate victims of this act which the Department of Justice has recognized as criminal.

These are innocent Americans whose lives have been destroyed by criminals who will never meet them, will never feel their pain, hear the pain in their voices, will never see the irreversible damage they have caused. But, Mr. Speaker, I see it, and the 17 other colleagues of mine who have signed this bipartisan letter to the Office of Management and Budget see it, too.

Justice must be served. If the Attorney General won't speak up to advocate for justice, as secured by the hardworking Assistant Attorneys General on this case, and the administration won't reverse its decision, then the citizens of this country and the victims and their families deserve to know why they have been denied justice.

As a former prosecutor myself for my local community, I understand full well that victims of crimes need an advocate to stand up for them. Nothing—and I mean nothing—will reverse the harm that has been caused by this act. But at the very least, we must ensure justice for the people, and we must hold those responsible accountable for their actions. I urge my colleagues to join me in this effort.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 54 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. RODNEY DAVIS of Illinois) at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

God of mercy, we give You thanks for giving us another day.

We ask Your blessing upon this assembly and upon all to whom the authority of government is given. Help them to attend to the immediate needs and concerns of the moment, all the while enlightened by the majesty of Your creation and Your eternal Spirit.

The season of graduation for millions of American youth is upon us. May our appreciation as a Nation of the value of education among those who are our future be incentive enough to guarantee its importance in our public policy considerations.

May all that is done within the people's House this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from New York (Mr. ZELDIN) come forward and lead the House in the Pledge of Allegiance.

Mr. ZELDIN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

ELEMENTARY SCHOOL ESSAY COMPETITION

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, I am grateful to have held an essay competition for elementary school students throughout the Second

Congressional District of South Carolina. The ''Smiling Faces, Beautiful Places'' essay competition received over 125 submissions where the students described their favorite moment in South Carolina history.

Helen Miller, a third grade student at Brennen Elementary School in Columbia, wrote a winning essay on the Revolutionary Battle of Charleston that took place in 1780. Jack Hinchey, a third grade student at Heathwood Hall Episcopal School, wrote his winning essay on the pirate Blackbeard.

I appreciate all of the other schools that submitted essays to the ''Smiling Faces, Beautiful Places'' essay competition: Pontiac Elementary, Chapin Elementary, Gilbert Elementary, Forts Pond, Timmerman, Lake Carolina, Midway, and Round Top Elementary.

I am inspired to represent so many remarkable young people and dedicated educators in the Second Congressional District, and I was humbled to receive so many submissions.

In conclusion, God bless our troops, and may the President, by his actions, never forgot September the 11th in the global war on terrorism.

HOUSING CRISIS

(Ms. MOORE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MOORE. Mr. Speaker, despite the ongoing economic recovery that has seen the longest streak of private sector job growth in history, since the 2008 crash, the uneven recovery in housing markets has absolutely crushed the poor and working class and has left homeowners in poor areas underwater and has squeezed renters with a lack of units and high rents.

Shamefully, the GOP-controlled House has been an absentee landlord on this issue, and now we find out that the Republican nominee for President wanted the crash because it would be a good thing for rich guys like him to make more money. Maybe that is why the now-failed Trump Mortgage pushed subprime loans.

The American people deserve a Congress and a President who will keep them in their houses and in their homes.

SOCIAL SECURITY MAIL ACT

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, Social Security has made no bones about how important it is for Americans to safeguard their Social Security numbers. Beneficiaries are warned time and again to protect their cards in order to avoid identity theft.

But commonsense safety measures should also be taken by Social Security. Unfortunately, the inspector general's recent report found that this agency is failing Americans in a very dangerous way. How so?

The Social Security Administration is including your Social Security number on the documents it mails. That means any lost or stolen letter from Social Security endangers the security of a beneficiary's identity.

This bad practice needs to stop now, and as the chairman of the Subcommittee on Social Security, I am working to fix it. In fact, this week I will introduce the Social Security MAIL Act. It is a commonsense solution to a problem that shouldn't exist. Let's get it done.

HOW THE WORLD'S LEADING SUPERPOWER SHOULD CONDUCT ITS BUSINESS

(Mr. CLEAVER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLEAVER. Mr. Speaker, I am not sure what it is, but something is wrong with us. It makes me sick to my stomach to see a Presidential campaign that is an embarrassment to most thinking Americans.

I can't imagine any parent with good sense who would say to his or her child: Why don't you look at the Presidential election. Look and learn as to how to debate. Learn how to disagree with someone and remain on a high level.

This is disgusting and it is embarrassing. I just hope the American public is not okay with this. This is not the way the world's leading superpower should conduct its business.

The whole world is watching us, and we are watching TV, looking at the worst kinds of things that could be said by human beings from the United States of America. I certainly hope that the American people are not happy with what is going on.

NO MORE EXCUSES FROM TSA

(Mr. ZELDIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ZELDIN. Mr. Speaker, why does it seem like no one at an airport security checkpoint has been delegated with that awesome, yet shockingly absent, power of common sense? Why is the 80-year-old granny in a wheelchair being harassed? Why is the U.S. military servicemember in uniform with a military ID on military orders having his or her toothpaste confiscated?

As the management and resource allocation issues rise that are plaguing the bureaucracy at the TSA, red flags are going up with the peak travel season nearly upon us. Some airline passengers report wait times of as long as 2 or 3 hours to get through security.

Long lines will only get longer if the TSA doesn't pursue a course correction, that of coordinating with airport authorities and airlines to ensure that staffing levels match peak travel times.

If you have four lanes being occupied and if you have a long wait, maybe you should occupy some more of the available security lanes. Allow law enforcement to do its law enforcement duties to free up more screeners to screen.

Airlines can do their part by knocking off the madness with the hidden baggage fees. The trick might help fill seats on planes, but it is resulting in more people taking their baggage through security.

By the way, the TSA doesn't have a funding issue. Last year this Congress gave it more than it asked for. No one wants to hear the TSA's excuses.

CELEBRATING GENE CONNOLLY

(Ms. KUSTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KUSTER. Mr. Speaker, I rise to recognize and celebrate Gene Connolly, the principal of Concord High School—my alma mater—in Concord, New Hampshire, who will be retiring from his position at the end of this school year.

Over the past 14 years, Principal Connolly has served at the helm of Concord High School, helping to lead the school to multiple State championships and new academic heights. If it weren't for his diagnosis of ALS in July of 2014, there is no doubt that Principal Connolly would continue to serve the students of Concord High.

I had the privilege of meeting with Principal Connolly just last week in D.C. when he came to Congress to advocate for legislation to support ALS patients. It is a testament to his unparalleled leadership and courage that, even in the face of extreme adversity, Principal Connolly is spending his time in advocating for legislation that will benefit ALS patients in the future. He has changed the lives of generations of Concord students.

While we are all sad that Principal Connolly's tenure will come to a close this summer, there is no doubt that his leadership, his courage, and his spirit will continue to inspire future generations of students at Concord High and beyond.

BERTA SOLER

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, it should come as no surprise that President Obama has agreed to arm Communist Vietnam and that he continues

to extend diplomatic niceties and concessions to authoritarian regimes that show no intention of changing their brutal tactics.

These overtures to the Castros in Cuba have resulted in a prominent human rights defender, Berta Soler—right here in this poster—the leader of the peaceful prodemocracy group, the Ladies in White—Las Damas de Blanco—and 27 others being arrested this week and facing charges of resistance because only in Communist regimes and under ruthless dictatorships is nonviolent opposition to the regime considered a crime. Peaceful dissidence, resistance, is a crime in Cuba.

For all of the engagement—the concession after concession to the ruthless dictatorship—it has not moved the Castros even 1 inch toward freedom, toward human rights, toward the rule of law, toward democracy.

The people of Cuba deserve better.

TRUMP MORTGAGE

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, last week we learned that the Republican presumptive nominee, Donald Trump, actually rooted for the collapse of the housing market just before the Great Recession wrecked our economy.

In 2007, before the crash, Donald Trump said he was excited about the housing market crash because ''I've always made more money in bad markets than in good markets.''

Today we don't know if he made money or not because, unlike Presidential candidates for decades, Donald Trump refuses to release his income tax returns. In fact, there is one report that suggests that he paid no income taxes in 1 year.

Even worse, his own company, Trump Mortgage, actually pushed people into subprime mortgages. Millions of people lost their homes in the housing crisis, and 8.4 million Americans lost their jobs, but Donald Trump was the winner.

He is doing what he does best—putting himself above everybody else. He does not want to make America great. Donald Trump wants to make Donald Trump richer.

RELIGIOUS LIBERTY

(Mr. ROTHFUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTHFUS. Mr. Speaker, the first freedom mentioned in our Constitution is the free exercise of religion. The Founders understood the universal right to seek God in accordance with one's conscience and, also, that many sought refuge on these shores because of religious persecution.

Pilgrims, Puritans, Quakers, Catholics—these were just some of the groups who fled persecution. In the old country, in the old days, exercising one's faith could result in lost business opportunities and other forms of discrimination. Some faced imprisonment and even death. The Founders knew that history and sought to guarantee that this new Federal Government would not allow such injustice.

Regrettably, Mr. Speaker, today we are seeing laws, rules, executive orders, and court rulings at different levels of government force some people to choose between following their consciences and pursuing their livelihoods. Such a choice is exactly what the penal laws of 18th century Ireland presented to Catholics in that country: abandon your faith or face severe hardship.

Forcing such a choice is at odds with explicit, fundamental, constitutional liberties and basic human rights. The intolerance of religious freedom will not—cannot—stand in our Nation.

□ 1215

NEVADANS DEMAND APOLOGY

(Ms. TITUS asked and was given permission to address the House for 1 minute.)

Ms. TITUS. Mr. Speaker, I rise today on behalf of Nevadans to demand an apology from presumptive Republican Presidential nominee, Donald Trump.

Last week, news reports revealed that Donald Trump actually bragged about being able to make a lot of money from a housing market that was about to burst. He rooted for that bubble to burst.

Well, the crash of the housing market devastated my hometown of Las Vegas, which was one of the hardest hit in the country. Thousands lost their homes, and 71 percent of homes were underwater, some by over 50 percent. Bank foreclosures put families on the street who had already lost their jobs and their savings.

Slowly we are coming back, though. We have reformed lending policies, demanded accountability, and worked to ensure that families can keep a roof over their heads, but we remember how awful it was.

So we say to Mr. Trump: Keep your short fingers out of the Nevada housing market.

The SPEAKER pro tempore. The Chair would remind Members to refrain from engaging in personalities toward presumptive nominees for the Office of President.

HONORING MAYOR WILLIAM E. TROXELL

(Mr. PERRY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PERRY. Mr. Speaker, today I honor William E. Troxell on his May 31, 2016, retirement as mayor of the borough of Gettysburg.

Mr. Troxell was born in Gettysburg and is a direct descendant of John Troxell, the first settler of Gettysburg. Mr. Troxell is a World War II veteran and served 12 years in the United States Army Reserve.

William is best known, however, as Mayor Troxell of Gettysburg, a position he has held since 1997 and performed with zeal, professionalism, and class. William has left an enduring legacy of service to Gettysburg and our Nation.

On behalf of Pennsylvania's Fourth Congressional District and a grateful nation, I am proud and humbled to congratulate William E. Troxell on his retirement and wish him great health, happiness, and prosperity in his future adventures.

PORT SPENDING TARGETS

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, the Panama Canal expansion is set to open next month, posing challenges for many of our Nation's ports. That is why it is more important than ever that our ports have the funding that they need to prepare for the future and stay globally competitive.

Since coming to Congress, I have led an effort to ensure that money collected at our Nation's ports in the harbor maintenance tax be spent at our Nation's ports. We have set up a glide path to get us to 100 percent spending of the funding by 2025, and each year we have a target to get closer to that goal.

This week, we are voting on the energy and water appropriations bill on the floor, and I want to thank the leadership of the Appropriations Committee—Chairmen ROGERS and SIMPSON and Ranking Members LOWEY and KAPTUR—for recognizing the importance of port spending targets.

This year $1.2 billion is set to go back to our ports and our port communities, making it the third year in a row that we have hit our target. I am proud of this continued achievement. This funding will go to the Ports of Los Angeles and Long Beach, where I come from, and also to ports across this country to create construction jobs and economic opportunities for decades to come.

COLUMNIST MAKES FALSE CLIMATE CHANGE CLAIMS

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, recently a prominent New York Times

columnist recycled disproven assertions to criticize businessman Donald Trump's views on climate change. This type of alarmist rhetoric is what we have come to expect from liberal pundits and the media, but science doesn't back the columnist's claims.

Extreme weather events are not getting weirder. There is no evidence that weather events such as hurricanes, tornados, droughts, and floods have increased in number due to climate change.

Last year, at the Paris climate conference, the President said that fish swim in the streets of Miami because of a downpour caused by climate change. He was immediately contradicted by his own government agency that said the flooding was due to lunar cycles, not climate change.

Climate alarmists should speak the truth, not try to promote a political agenda.

TRUMP'S RECORD OF FAILURE

(Mr. POLIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POLIS. Mr. Speaker, I am here to talk about the failed business record of likely Republican nominee Donald Trump. His own failed company, Trump Mortgage, actually pushed homeowners into subprime mortgages. Donald Trump not only lost money himself and his company went out of business, but millions of hardworking Americans also lost their homes during the housing crisis.

I also want to talk about his scam university that he set up, Trump University. The State of New York said it is illegal to use the name ''university'' because you are not running a university. He then changed the name before it went out of business.

It is also being sued by many of its students, who paid up to $35,000, thinking, as it said in the informercials, that Trump had handpicked the instructors. But according to Donald Trump's own deposition, he never selected the instructors for the program. In fact, he hadn't even met most of them and didn't even know who they were. That is why, in 2014, a New York judge found Donald Trump personally liable for operating the company without the required business license.

Look, what a track record: losing money, forcing subprime loans on Americans and taking money from hardworking Americans, and then going out of business with his fake university company. This is Donald Trump's record of failure.

The SPEAKER pro tempore. The Chair would remind Members to refrain from engaging in personalities toward presumptive nominees for the Office of President.

AMERICAN STROKE MONTH

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, I rise today to recognize May as American Stroke Month.

800,000 Americans suffer a stroke every year, with more than 300,000 stroke survivors living in Illinois today. Stroke research and rehabilitation plays a critical role in helping these 300,000 survivors return to work and lead fulfilling lives.

A strong congressional response to stroke is crucial for the hundreds of thousands of stroke victims, their families, and their friends each year.

My friend and colleague Senator MARK KIRK overcame unbelievable adversity and returned to work representing Illinois in the United States Senate after suffering a life-threatening stroke. His perseverance has been a personal inspiration, and through his Battle Buddies group, he has become an inspiration to countless stroke survivors in Illinois and around the country.

Senator KIRK's Battle Buddies group is raising awareness of the fact that nearly 80 percent of all strokes can be prevented through healthy lifestyle choices and maintaining low blood pressure. By simply recognizing the signs of stroke and taking action, people can save a life and greatly minimize long-term damage.

This month, I ask all my colleagues to join me in raising awareness for this important issue and ensuring that stroke survivors have the absolute best quality of care possible.

ROOTING AGAINST FAMILIES

(Mr. RYAN of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RYAN of Ohio. Mr. Speaker, back in 2005, '06, '07, '08, '09, and '10, in Ohio, we saw a housing crisis unlike anything we had ever seen before. We saw almost 400,000 people in Ohio, families, lose their home. We saw over 400,000 job losses. We saw a 16 percent decrease in housing values in Ohio.

All the while, hundreds of miles away, perched in the gold-plated towers of the Trump building in New York City, there was a billionaire saying: I hope this happens. I hope the housing market collapses. I hope people get thrown from their homes. I hope they file bankruptcy because that will be good for me.

Shame. Shame that we have a major leader of a major party rooting against families in Ohio, in Pennsylvania, in Florida, in Colorado. Shame on you, Mr. Trump. You are supposed to be rooting for the American people, not rooting against them.

The SPEAKER pro tempore. The Chair would like to remind Members, once again, to refrain from engaging in personalities toward presumptive nominees for the Office of President.

HONORING OUR FALLEN HEROES

(Mr. MARCHANT asked and was given permission to address the House for 1 minute.)

Mr. MARCHANT. Mr. Speaker, last week I voted to ensure our brave men and women in uniform receive the proper training and necessary equipment to protect themselves and our country.

Today I rise to honor and offer my prayers to the families of those men and women who have, unfortunately, made the ultimate sacrifice in defending the United States.

This coming Monday, our Nation will observe Memorial Day. As families across the country gather to celebrate this holiday, we must not forget those men and women who gave their lives protecting the rights and freedoms guaranteed by our Constitution. These brave men and women answered the call to serve when our country was in need, and they deserve our honor and gratitude.

I remain forever grateful for their service.

CATERPILLAR CONSTRUCTION'S ATHENS PLANT

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize the success of the Caterpillar Construction Equipment Company's plant in Athens, Georgia.

On April 21, 2016, the Athens branch was named by Governor Nathan Deal as Georgia's 2016 Large Manufacturer of the Year. This award comes directly on the heels of the Athens branch being recognized as the Athens-Clarke County Manufacturer of the Year.

Opened on October 31, 2013, the Caterpillar location touts an 850,000-square-foot state-of-the-art facility with 1,700 employees. The branch specializes in small track-type tractors and mini hydraulic excavators, providing these products to customers throughout North and South America and Europe.

This award illustrates the continued success of Georgia in attracting new businesses. Since 2011, Georgia has attracted 511,000 private sector jobs, with 40,000 in manufacturing. I am extremely proud of these statistics.

I rise today to congratulate Caterpillar Athens on their success, and I wish them the best of luck in their continued success.

HONORING CHIEF KEITH SMITH

(Mrs. BROOKS of Indiana asked and was given permission to address the House for 1 minute.)

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to honor the courage and leadership of Chief Keith Smith, or ''Smitty,'' as many affectionately called him. He was a dedicated firefighter, a leader in the truest sense of the word, and a devoted husband, father, and grandfather. Sadly, Chief Smith passed away recently after a battle with cancer.

A lifelong Hoosier, Smitty spent nearly five decades as a firefighter in the Indianapolis area. He led the Indianapolis, Westfield, and Carmel departments as fire chief during his long career. He retired in 2012 a highly decorated and widely respected leader who, in retirement, continued to champion and advocate for firefighter education and mentorship.

In 2000, I was honored to work with Chief Smith to put on the 2001 World Police and Fire Games in Indianapolis. His remarkable leadership and passion for leading others was truly inspirational.

I feel fortunate to have known him, and I know his legacy lives on through the many lives he saved, the men and women he led, and, most importantly, his family, whom he loved dearly.

I offer my deepest condolences to Keith's family, especially his wife, Cindy, and all the firefighters who mourn his loss and cherish his memory.

GET THE VA WORKING FOR VETERANS

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, one of the most important bills signed into law during the last couple of years was a measure to reform the Department of Veterans Affairs to give our veterans choices.

This law was adopted in response to a national scandal over outrageous wait times at the VA, secret wait lists, and 40 veterans who died while waiting to receive care. In Oakland, the VA regional office discovered over 13,000 initial benefit claims that dated back to the 1990s tucked away in a file cabinet.

The widespread dysfunction and mismanagement of the VA is unacceptable. Our veterans deserve better.

Like many of my colleagues, I was shocked by the recent comments made by VA Secretary Bob McDonald, who made references to Disneyland in an interview about how long veterans must wait in line to see a doctor.

Veterans attempting to schedule medical appointments are not there for entertainment. Indeed, they are on a roller coaster as to whether they are even going to have an appointment when they show up a few days later. They are in need of basic healthcare services that they have risked their lives for.

In my district, I have heard from many veterans who have had their appointments canceled and have experienced significant obstacles in accessing their healthcare benefits.

It is clear that there are veterans all across the country who are not satisfied with the VA, and the only way to get the VA working for veterans is with accountability and strong congressional oversight.

Indeed, the glowing reports we get from VA officials are a fantasyland of the nontruth.

□ 1230

PROVIDING FOR CONSIDERATION OF THE SENATE AMENDMENT TO H.R. 2576, TSCA MODERNIZATION ACT OF 2015, AND PROVIDING FOR CONSIDERATION OF H.R. 897, REDUCING REGULATORY BURDENS ACT OF 2015

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 742 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 742

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 2576) to modernize the Toxic Substances Control Act, and for other purposes, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on Energy and Commerce or his designee that the House concur in the Senate amendment with an amendment inserting the text of Rules Committee Print 114-54 modified by the amendment printed in the report of the Committee on Rules accompanying this resolution in lieu of the matter proposed to be inserted by the Senate. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. The previous question shall be considered as ordered on the motion to its adoption without intervening motion or demand for division of the question.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 897) to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes. All points of order against consideration of the bill are waived. An amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-53 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, you heard the Reading Clerk read. Sometimes it is tough to follow what we do up there in the Committee on Rules. I would remind folks that rules.house.gov has the copy of the rule, and folks can get into all of the details. I am real proud of the work that we did up there yesterday. I am glad to be down here on the floor today representing it.

House Resolution 742, Mr. Speaker, is a standard rule for consideration of a House amendment to the Senate-amended H.R. 2576. That is the Toxic Substances Control Act Modernization Act. It also provides a closed rule for consideration of H.R. 897, the Zika Vector Control Act.

Mr. Speaker, the year was 1976. That was the last time the Congress and the White House dealt in a serious way with the Toxic Substances Control Act. In fact, that is when the bill was first passed.

For the intervening four decades, science has changed, technology has changed, consumer demands have changed, and yet the way that we regulate these chemicals has not. And it is not for lack of trying.

For Pete's sake, Mr. Speaker, long before I arrived in this Chamber 5 years ago, Members were trying to find an agreement on how to deal with the Toxic Substances Control Act, how to update that for late 20th century or early 21st century technology.

In fact, the late Senator Lautenberg, Mr. Speaker, was probably the largest champion for this reform that we had on either side of Capitol Hill. He passed away 3 years ago next week. Three years ago next week, many thought that the opportunities we had to succeed here passed away with him.

Despite the headlines, Mr. Speaker, that read that gridlock controls Washington, D.C., despite the 1-minutes that

you hear down on the floor, Mr. Speaker, where it is their fault and it is their problem or it is his fault and it is his problem, there really are a serious group of Members on both sides of this Capitol who want to get the people's business done. What we have today is one of those efforts, an effort 40 years in the making that culminates here today.

It happened with a lot of serious, hard work on both sides of the Hill, Mr. Speaker. It happened because folks didn't give up when people said it couldn't be done. It happened because nobody said: It is my way or the highway. But they said: How can I work with folks who may disagree with me in order to reach an end that is going to be better for the folks that I serve back home?

We have that product today, Mr. Speaker. In fact, I have it right here. It is also available. It is the Rules Committee print. It is available at rules.house.gov if folks want to give it a read.

I won't confess it is a short read. I won't even suggest that it is an exciting read. But what I will suggest is it is the product of negotiation and consensus building.

You may remember, Mr. Speaker, that when we first dealt with this issue on the House side, it passed 398–1—398–1. It passed by unanimous consent on the Senate side. Now here we are today, having bridged those two bills. Mr. Speaker, that is the TSCA legislation.

The Zika Vector Control Act, Mr. Speaker, is designed to bring those pest control technologies that we have, those pest control opportunities that we have, to bear in the name of public health as soon as safely possible.

Mr. Speaker, for years the EPA has had in its understanding of how to regulate in this country that, as long as it had already certified a pest control as being safe, they did not have to go back and run it through the Clean Water Act approval process as well.

The law of the land, strictly speaking, says, yes, you need to do that. Folks thought it was duplicative. They hadn't been doing it.

This bill today clarifies that. It says: For Pete's sake, the law of the land is the law of the land. You ought to follow the law of the land. The law of the land ought to bring solutions to market as quickly and safely as we possibly can.

Mr. Speaker, we get one bite at this apple. We get one bite at Zika control. We get one bite at making this a public health risk that does not balloon here in the United States of America. This bill gives us an opportunity to put our best foot forward in terms of pest control.

Forty years, Mr. Speaker. For 40 years we have been working as House Members, as Senate Members, as Republicans, as Democrats, trying to look for the next effort to make sure that the chemicals we use in everyday household products are as safe as they can be, as viable as they can be—40 years, Mr. Speaker—and that process culminates here today.

This is a rule that all Members can support, and I would encourage them to do exactly that.

Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. I thank the gentleman for yielding me the customary 30 minutes. I yield myself such time as I may consume.

My friend from Georgia mentioned a Web site a couple times. I want to make sure that you are aware, Mr. Speaker, of democrats.rules.house.gov. That is the Web site that tells what is really going on in the Committee on Rules and in the House.

Democrats.rules.house.gov talks about the fact that there are more closed rules in this Congress than any Congress that precedes it. What does that mean? It means that Republicans have chosen to allow fewer amendments and have had more rules that allow more bills with no amendments than in any prior Congress. That is the kind of facts, Mr. Speaker, that we want to bring to your attention on democrats.rules.house.gov, an excellent Web site.

Mr. Speaker, I also want to rise today—this is the last rule that I will have the opportunity to manage in conjunction with our current Democratic staff director, Miles Lackey, who, after 25 years of public service, will be leaving at the end of this week.

As a member of the Committee on Rules, I have deeply enjoyed the opportunity to work with Mr. Lackey these last several years. Really, there are few who know the institution and its rules as well as Miles Lackey, and I personally will miss him.

Mr. Lackey is a graduate of the University of North Carolina at Chapel Hill. He joined the House of Representatives staff back in 1987. In addition to his work in the House, he has been chief of staff to two United States Senators and a senior official in the Clinton White House. He has contributed to many pieces of landmark legislation over the last three decades.

I join my colleagues in wishing him well as he begins his new adventure on the staff at the historic Trinity Church, an Episcopal parish in New York City.

I want to express my profound gratitude, Mr. Speaker, for having had the opportunity to work with somebody of Mr. Lackey's caliber, as I join my colleagues in wishing him well in his future adventures.

Mr. Speaker, I also rise in opposition to the rule and the first of the two underlying bills, the Zika Vector Control Act, H.R. 897. It has changed its name. It is now called the Reducing Regulatory Burdens Act of 2015.

What it should be called, perhaps, is the Pesticide Trojan Horse Act, which would be a more apt name for what this bill actually does, which I will talk about in a minute.

The second bill that is covered under this rule is the TSCA Modernization Act, which is the product of years of negotiations. It certainly has both bipartisan support as well as bipartisan opposition.

It has problems especially regarding State preemption, which I will talk about, as well as several important attributes that have solved issues that have been facing our country with regard to chemical regulation for some time.

Now, first, with the first bill, we have a bill that, apparently, the Republicans thought they could change the name of and then bring to the floor again. They figured, presumably, that with ''Zika'' in the title it would be harder to vote against.

In reality, this bill has very little to do with the Zika epidemic. It is really another attack on the Environmental Protection Agency and the Clean Water Act. It is really just a pesticide industry Trojan horse bill.

I am very disappointed that we are considering a rule on this bill when there is a very real threat of Zika on our shores. There are already many Americans who have encountered Zika abroad, been infected, and have returned to our country. It is only a matter of time, Mr. Speaker, especially with the changing climate, that Zika will be endemic and will be spread in our own country by mosquitoes.

I had the opportunity to visit the Centers for Disease Control facility in Fort Collins, Colorado, in my district. In the CDC facility in Fort Collins, they conduct all of the vector-borne illness research for the CDC. That is the nexus of vector-borne illness.

What does that mean? It means diseases that are spread by ticks and mosquitoes and fleas, everything from Lyme disease to Rocky Mountain spotted fever, in this case, Zika.

The CDC had been tracking Zika for some time. For close to a decade they knew that Zika existed. However, when it spread in South America and the link was recently made to birth defects, it jumped to the top of their agenda.

Unfortunately, they lack the abilities they need and the resources they need to try to find an effective way to eradicate Zika and provide a vaccination against Zika that would then be made globally available.

That is the kind of Zika bill the Democrats would like to bring forward. It is the kind of Zika bill that Americans expect from a public health perspective. It is the kind of Zika bill that will save lives and prevent a public health catastrophe.

I think there is a better way to do business on the floor of the House of Representatives. It wasn't too long ago that our new Speaker was touting dedication to regular order, but here we are again dealing with secretive, smoky backroom deals with very little time given to open, transparent discussion or amendments.

As you can see at democrats.rules.house.gov, there have been a record number of closed bills in this Congress. Last night in the Committee on Rules, we had a partisan vote where the Democrats sought to open up this rule for amendments and the majority unanimously—the Republicans all sided together—shot down any chances for real discussion. Unfortunately, the Republicans are preventing an open discussion of ideas.

They also know the Reducing Regulatory Burdens Act—that is the pesticide bill or the Zika bill, whatever you call it—won't become law, but they are deciding to bring up yet another partisan attack on the Environmental Protection Agency, somehow saying that actions to keep us safe from harmful pesticides is what has anything to do with Zika or public health.

In fact, the EPA is acting to protect public health by regulating toxic pesticides that not only can hurt humans, but can damage our environment.

□ 1245

I am glad to see we are finally having a busy week on the floor of the House. But the fact is one of these bills was already defeated on suspension last week, and we have so much work to do. There are only 24 days of business in the House of Representatives before Congress gets sent home for a summer break. It shows me that we can use our time better. We can pass immigration reform, we can address our Nation's infrastructure, we can prevent the tax incentives that encourage corporations to offshore jobs, and we can reform our broken tax system.

There is a lot that we could be doing during these limited 24 days besides passing a Trojan horse for the pesticide industry. We have a list of must-do items before July, as well. Congress has to pass an FAA reauthorization. We need to pass comprehensive immigration reform. It won't get any better if Congress doesn't act. We need to address the student debt crisis and make college more affordable.

Mr. Speaker, I—and I believe the American people—would like to see all of these things happen before Congress gets another day or week or 2 months off, as Congress is expected to get in just 24 days.

TSCA reform is long overdue. The law is 40 years old. It has never really been updated, frankly, throughout its history. It has failed at controlling toxic substances, as the title has indicated it was supposed to do.

I am glad to see that a bipartisan, bicameral compromise was struck, which, for the most part, will strengthen the reform in a way that will protect our communities and public health.

There is a broad range of support for the bill, from supporters in the environmental community to labor, to the EPA, to industry groups. However, there are some serious concerns that I think we should take into account, particularly around an issue very near and dear to my heart: State preemption.

For the last 40 years, the EPA has had their hands tied in trying to regulate chemicals, which is why TSCA is considered to be the least effective environmental law out there. This bill will make it more effective and give it some more teeth. But to get any improvement on this law wouldn't take much raising of the bar, as it was the least effective environmental law out there.

The current law requires a cost-benefit analysis by the EPA which is far too high a bar to meet when it comes to protecting our children's safety. When we are talking about chemicals, we need to focus on health. And that is what this bill does. It requires that a minimum safety threshold be met by new chemicals before they are able to enter the marketplace. It makes sense.

It specifically focuses on the health of vulnerable populations like children and pregnant women who are at elevated risk of chemical exposure, which the current law does not.

Most astonishing about the current law is it actually grandfathered in over 60,000 chemicals in 1976. Today they are joined by hundreds of thousands of additional chemicals and many household products and industrial uses. This legislation would require safety reviews for all chemicals currently in use that people are exposed to.

As an example of how ludicrous the current system is, of the 62,000 chemicals on store shelves before 1976, the EPA only has studies on a few hundred. That means there are over 61,000 chemicals currently on store shelves that the EPA has not done any study on their environmental impact or human health impacts.

Even more ridiculous, the EPA's attempted ban on asbestos was struck down in 1991, due to the EPA having such a high standard for unreasonable risk. Yet we know asbestos has killed 107,000 people. It couldn't be banned under the current law, even when the EPA tried. This law will make the burden lower and, consequently, our make communities safer by reviewing far more chemicals.

I should add that the asbestos issue has largely been dealt with by liability and litigation—court cases that have lasted decades. If we could have a regulatory system that prevents unsafe chemicals from being brought to the market and sold, it will also save hundreds of millions of dollars in legal fees and awards that would ensue if the chemicals were brought to market and actually harmed people.

So in addition to preventing the harm, these types of safety regulations can actually save both plaintiffs and defendants, both companies and consumers, significant amounts of resources.

To review these chemicals, the EPA will need funding. This bill collects a fee for new and existing chemicals, which is important to make the program work. The implementation of this new framework will be extremely important for TSCA to work.

There are several other positive aspects of the bill, but the other significant one I want to mention is that it reduces the use of animals for chemical testing, which is why I am proud to say the Humane Society has endorsed the bill.

Unfortunately, however, it is not all good news. There are some negative aspects to the bill that I was hoping we would have the opportunity to address through amendment, but due to this very closed process, we have not.

There are problems with provisions limiting the States' ability to act in an aggressive and proactive manner. There are many States around the country that have or are working to enact strong provisions to protect their residents from exposure to dangerous chemicals.

So, again, in the absence of a meaningful Federal system, many States have taken it upon themselves to protect their citizens from harmful chemicals.

The argument here is, now that the Federal Government does it, we can have some kind of preemption. I personally would like to see the ability of State governments to go above and beyond the Federal regulations without being cumbered by this issue of preemption. Now, it is a nuanced preemption. I am going to talk a little about it.

There have been some improvements to the State preemption language over the last few weeks and compromises written. As drafted, States will not have has much flexibility to protect their residents from unsafe chemicals as they do today. And that is absolutely true, and it is very unfortunate.

This so-called preemption pause period means that States seeking to protect the public from unsafe chemicals may have to wait up to 3 years for the EPA to finish its review. There are also concerns with the ability of the EPA to regulate imported products.

So I believe there was an opportunity to do even more to protect the health of American people and our environment under this bill.

With regard to State preemption standards, the bill can actually take us

backward by preventing thoughtful health and safety standards at the State level. But in other ways, by empowering the Federal Government and finally putting teeth in TSCA, it is a good step forward.

So I urge Members to balance the important new authority the EPA is receiving with the negative parts of the bill around State law preemption. I know this bill will have both bipartisan support and opposition.

Mr. Speaker, I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I sometimes wonder why folks have such a negative opinion of Congress. And then sometimes I listen to my colleagues speak and I understand why folks back home have a negative opinion of Congress—because the folks who serve in this institution seem to have a negative opinion of Congress.

I would say to my friend from Colorado, I am not thrilled about everything in TSCA reform either. Generally speaking, when it takes 40 years to get something done; generally speaking, when Democrats ran the entire show and they failed to get it done, and when Republicans ran the entire show, they failed to get it done; generally speaking, those are really hard things to get done.

It takes serious, serious people working serious, serious hours, struggling with serious, serious issues to come to a conclusion. And candidly, Mr. Speaker, if I loved everything in this bill, I would wonder why we didn't get it done sooner. The easy things have already been done. All that is left for us are the hard things. Candidly, we have a good team on the field to do those hard things.

Mr. Speaker, I hope when we get into the debate on the underlying bill, you are not just going to hear from the Republican chairman of the committee about the good work here, but you are going to hear from the Democratic ranking member about the good work done here.

I am hoping you are not just going to hear from the Republican subcommittee chairman about the good work here, but that you are going to hear from the Democratic ranking member on the subcommittee about the good work here because that is how this bill came before us.

Mr. Speaker, there has been a discussion of partisanship. I hold in my hand a report from the Congressional Research Service. That is the nonpartisan, academic research arm of the United States Congress. The title of this report is ''Congressional Efforts to Amend Title I of the Toxic Substances Control Act,'' the House-and Senate-negotiated bill.

I agree with my friend from Colorado. If he and I were to sit down here and be able to write the bills ourselves—not just this one, but all of the bills ourselves—we would come up with some really great solutions; oftentimes, different solutions from the ones that are presented on the floor.

But the reason no amendments are allowed to this bill is because we have been working on it for 40 years because we couldn't agree. We already passed a bill in the House. They already passed a bill in the Senate. They were different bills. We had to come together and agree on the same language.

Now, to all of my friends who would like to offer their great ideas here at the eleventh hour, I would just tell you there were times before the eleventh hour that those ideas could have been offered, there were opportunities before the eleventh hour to come together. This is the final language. We don't want amendments to the final language.

I believe in an open process. I believe in an amendment process. I am proud that this is a closed rule on this topic because the amendments and the process have gone on in the past. This is the final product here today. That is TSCA, Mr. Speaker.

Now, the Zika Vector Control Act. My friend from Colorado, again, describes smoke-filled backroom deals when he describes this bill.

Again, why do folks have such a negative opinion about what we do?

One man's smoke-filled backroom deal is another man's 30 years of common practice. That is right. This is the bill that codifies what the EPA has been doing for 30 years. This codifies what the EPA, under Democratic administrations and Republican administrations, has already been doing.

They got sued, Mr. Speaker. Folks sued them and said: Hey, we don't think you are doing it right. We don't think that is what the rules allow.

So what did the EPA do?

The EPA came out with a rulemaking process and said: Just to make it clear, this is the way we think we can best protect the public health.

They got sued again. And the court said: No, EPA, you can't make those decisions. Yes, you have been doing it for 30 years, but no, you can't make those decisions. Congress needs to make that decision.

So what did Congress do?

We made that decision, and that bill is before us here today.

It is not a smoke-filled backroom deal, Mr. Speaker. It is light-of-day, common sense, common practice, trying to align the laws of the land with the expectations of our constituencies back home.

Absolutely, Mr. Speaker, every day of the week we could show up in this institution and we could run out somebody about something that is not going the way it is supposed to go. But together, we are succeeding today where previous Republicans and previous Democrats have failed. Together, we are succeeding today where previous Congresses found it too hard. Together, we are about the business that our constituents sent us here to do.

This is not a day to denigrate the institution, Mr. Speaker. This is a day to celebrate those things that we are able to do when we come together in the best traditions of the United States House.

Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from Georgia's remarks have very little to do with anybody who is denigrating the institution. I think he profoundly misunderstands the reason that the American people think that Congress isn't doing its job.

Let's talk about what Congress is doing. Today it is great. We are working. We are debating. We will probably be here until midnight.

Well, guess what?

After 3 more days of work, on Thursday, Congress will actually go on an 11-day vacation. It is working until Thursday, and then an 11-day vacation. We then come back in June, and I think Congress works for 12 days. Of course, in July, I think Congress works an amazing 8 or 9 days out of the entire month. August, zero days.

So what the American people expect is for us to be here hammering away at these issues 5 days a week, 6 days a week, and, if necessary, 7 days a week. That is the kind of work ethic that I brought to the companies that I worked for. When I was starting companies, I was working hard. Whether it was 5 days a week or 6 days a week, we worked as long as we needed to to get the job done. And that is the opposite of the work ethic of this Congress, because there are enormous tasks that this Congress is not doing.

This Congress hasn't worked at all towards balancing the budget. There are deficits of close to half a trillion dollars, thanks to the Republican tax-and-spend Congress. This Congress hasn't done a thing to fix our broken immigration system. Not a thing. It hasn't passed a single immigration bill in the entire Congress.

Let's stay here rather than go on vacation for 11 days. Let's make college more affordable for American families. Let's reduce the deficit. Let's fix our broken immigration system and secure our borders.

Those are the kinds of things I would be proud of as a Member of a Congress. I would be proud to be here 5 days a week working hard on those issues. I would be proud to compromise and work with my colleagues on both sides of the aisle to create a work product that the American people would be confident with and, of course, would increase the confidence of the American

people in this institution and both the Republicans and Democrats who have the honor to serve in it.

Mr. Speaker, I yield 2½ minutes to the gentleman from Texas (Mr. GENE GREEN).

□ 1300

Mr. GENE GREEN of Texas. Mr. Speaker, I thank my Colorado colleague on the Rules Committee for allowing me to speak.

I rise to oppose this rule but in support of the amendment to H.R. 2576, the TSCA Modernization Act.

This bipartisan, bicameral legislation will reform our Nation's broken chemical safety law for the first time since 1976 and directly addresses the Toxic Substance Chemical Act's fundamental flaws.

Congress has worked on reforming TSCA for over a decade, and, as a member of the Energy and Commerce Committee, I have personally been working on fixing the statute since 2008.

Though not perfect, the proposal before the House today is, in the words of President Obama's administration, ''a clear improvement over current TSCA and represents a historic advancement for chemical safety and environmental law.''

The most notable improvements in the bill are replacing the current TSCA's burdensome safety standard with a pure, health-based standard—that makes sense—explicitly requiring the protection of vulnerable populations like children, pregnant women, and workers at chemical facilities like the district I represent; requiring a safety finding before new chemicals are allowed to go onto the market; giving EPA new authority to order testing and ensure chemicals are safe, with a focus on the most risky chemicals.

This legislation responds to the concerns of industry to provide regulatory certainty for the job creators throughout our economy.

This legislation is a win for our congressional district in Eastside Houston and Harris County, home to one of the largest collection of chemical facilities in our country.

The reforms contained in this proposal have protections for the workers at our chemical plants, the fence line communities next to these plants, and benefit chemical manufacturers who will have certainty in a true, nationwide market.

I urge my colleagues on both sides of the aisle to join me in supporting this amendment and help pass the first major environmental legislation in a quarter of a century.

Mr. WOODALL. Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I want to talk a little bit about the worst of these two bills that we are considering under this rule, a bill that has very little or even perhaps no Democratic support, a bill that nearly 150 health, environmental, and fishing groups have made their opposition to. That is the Reducing Regulatory Burdens Act.

It came up last week and failed. They had rebranded it last week as the Zika Vector Control Act. Now they are removing the pretense that somehow this deals with Zika and are just renaming it the Reducing Regulatory Burdens Act. This is the insecticide Trojan horse bill.

This is really a changing game where it is the same bill week after week. It failed last week, and they are bringing it back under a different procedure this week.

Last week, apparently, they tried to use the threat that the Zika virus has posed to attack a very important law that actually protects our health and the health of our environment.

Now, of course, vector control, mosquito control, tick control, et cetera, is a very important part of managing any health crisis. But this bill really isn't about that. It is a thinly veiled ploy to undermine the Clean Water Act.

Certain pesticides are considered by the EPA to be pollutants because they are. They kill fish. They kill birds. They hurt people.

This bill would eliminate the regulatory step of requiring a permit to use these dangerous pesticides near water, effectively undercutting our primary means of protecting our water system.

Once again, if you want to use a pesticide that is considered by the EPA to be a pollutant near a water source—a river or a lake—you have to apply for a special permit. As part of that procedure, you talk about what precautions are made to make sure that it doesn't contaminate the water supply.

Under this bill, were it to become law, you would no longer have to receive a permit and it endangers the water supply.

Coming from the great State of Colorado, we always like to say that water is for fighting over. We value our precious water resources for agriculture, for our residents, and for our environment.

Anything that risks contaminating it is absolutely detrimental to our interests as a State. That is why so many sportsmen and fishermen have also come out against this bill. Zika is the enemy, not the Environmental Protection Agency. We have our priorities all mixed up.

The Centers for Disease Control is not asking for this bill. The entity charged with battling Zika is not. This is just a backdoor attack on the EPA. Public health experts are not asking for this bill.

This bill removes the EPA's ability to regulate pesticide application that is intended to protect water supply when pesticides can, in fact, be one of the worst threats to a community's water, especially for vulnerable mothers and newborns.

Instead of wasting our time with red herrings like this bill, we should be talking about how we can support the world-class research and doctors we have and need to tackle the threat that Zika poses.

So far, Zika has been found in 30 countries throughout the Western Hemisphere. As we head into the summer months, the number of Zika cases will only increase.

Evidence has indicated Zika is linked to microcephaly, which causes a baby's head to develop smaller than normal, which is going to have devastating implications for potentially an entire generation in countries that have been hit hardest by Zika. And, of course, we fear when it reaches our shores.

There are already cases in the U.S. The CDC is monitoring almost 300 pregnant women for cases of microcephaly. We need to prepare for the eventuality that, unless we act, which this bill does not do, there will be more people infected with Zika.

We need to work quickly and aggressively to mitigate the lasting effect. The President has a proposal to do that. The President has requested $1.9 billion to address Zika.

I am offering an amendment to bring up legislation that would provide this funding if we defeat the previous question.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up legislation that fully funds the administration's effort to mount a robust response to the growing Zika crisis instead of just paying lip service to this public health epidemic through cleverly named bills that keep changing their names and very short-term funding commitments.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, I hope that we defeat the previous question. That will allow the President's proposal to actually defeat Zika to come forward for a vote.

This month I had the opportunity to visit the Division of Vector-Borne Diseases at the Centers for Disease Control in Fort Collins. Now, the Division of Vector-Borne Diseases is an HHS-funded laboratory that studies vector-borne diseases, including Zika.

They are an important part of the fight against Zika. We should be supporting their efforts, not wasting precious floor time on a bill that literally endangers our waters, our environment, and our health. Adequate preparation for and, ultimately, a vaccination for Zika will save lives.

The House needs to act. We need to defeat this previous question. That is why we should be voting on comprehensive Zika legislation, not legislation that is a Trojan horse for the insecticide industry that undermines clean water and the health of our children.

Whether it is the impact on the water ecosystem or the fact that water treatment plants spend millions of dollars to clean up surface water from pesticides, Congress has an obligation to fight to keep our waters clean so that pregnant women, children, and all Americans can be healthy.

That is why we need to vote this bill down. That is why we need to defeat the previous question, to actually bring up a real Zika bill to address this public health crisis before more families are affected.

Mr. Speaker, I urge my colleagues to vote ''no'' and defeat the previous question and vote ''no'' on the rule.

I yield back the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, before I go through all of the things the gentleman from Colorado got wrong, I want to talk about what he got absolutely right, which is that this institution is going to miss Miles Lackey when he leaves at the end of this week.

We are going to have more time to talk about Miles' contribution here. But folks like Mr. Lackey we don't need here on the easy days. We need them here on the hard days. We don't need them here to get the little things done. We need them here to get the mammoth things done.

We have a lot of mammoth things left on the calendar, and it is going to be harder to make those happen in your absence, Mr. Lackey. It has been a great, great joy serving with you these 5½ years, and I appreciate your commitment to this institution.

We are what we are here, Mr. Speaker, because of the commitment of individual Members, individual staffers, individual constituents back home, who will not allow us to fail. The two bills that we have before us today are examples of exactly that.

It is hard to cut through the rhetoric sometimes, Mr. Speaker. If we went up to the gallery right now, Mr. Speaker, and polled folks about whether or not this Zika Vector Control Act had failed on the floor of the House, whether we had brought this to the floor and it had failed, I suspect everybody up there would say: Absolutely it failed. I have been hearing about it all morning.

The truth is, Mr. Speaker, because it is Washington, D.C., and sometimes the rules don't work here like they do elsewhere, the definition of failure in this House means that it got 262 votes ''yes'' and 159 votes ''no.'' Let's make that clear.

The bill that we are voting on today that is, apparently, the controversial of the two, is the one that last week when we voted on it got 262 bipartisan ''yes'' votes and 159 solely partisan ''no'' votes.

Now, why is that true, Mr. Speaker? Why can a bill get 262 votes, a clear majority of this institution, and not pass? Well, because it was on the suspension calendar, that calendar used for completely noncontroversial bills to try to move things to conclusion faster.

Why is this a completely noncontroversial bill, Mr. Speaker? Because this has been the practice of the land for three decades, because this has been the EPA's intention for three decades, because this has been the EPA's goal through its rulemaking process.

But courts being what courts are, EPA couldn't get the finality on what it wanted to do by itself, so it needs Congress' approval.

I am in favor of that, Mr. Speaker. I celebrate that. Thank goodness we finally found an Agency downtown in this one very isolated circumstance that doesn't think it can just do whatever it wants to do without Congress' approval.

I am glad we have come together today to give it that approval—262 ''yes'' votes, bipartisan; 159 ''no'' votes, partisan—to codify what has been the practice of the land in the name of safety, in the name of clean water, in the name of trying to do the very best we can for our constituents back home.

I am proud that this bill is a part of this rule today, and I hope the House will move it quickly forward.

The second bill that we are talking about, Mr. Speaker, is the TSCA bill, the Toxic Substances Control Act. TSCA is what folks call it in the industry.

Not a single amendment is being allowed today, Mr. Speaker. Why? Because we have already done the amending, because we have already done the negotiating, because we have already done the heavy lifting that was required to do what no Congress and no White House has been able to do since 1976, the heavy lifting that was started 10 years ago and folks could not get it across the finish line.

We have a group of men and women here today, Mr. Speaker, of House Members and Senate Members today, of Republicans and Democrats today, who wouldn't take ''no'' for an answer.

It is outrageous that we would regulate chemical safety in 2016 in the exact same way we contemplated it in 1976. It is outrageous, but it is hard. It is hard to bring people together.

It is easy to tear people apart, Mr. Speaker. I can come down here. I can lay down the fire and brimstone. We can tear folks apart. That is easy.

We have all been on those home improvement projects, Mr. Speaker. It is tearing out the drywall that is fun. Putting it back up is hard.

Today we are in the construction business. We are in the building business. We are in the bringing people together and making possible what folks thought was impossible.

My friend from Colorado is right, Mr. Speaker. Every day is not the same here in the U.S. House of Representatives. Some days are better than others. This is a good day.

This is a good day not because there is something special about this particular day of the week, Mr. Speaker, but because it is the culmination of days, weeks, months, and years of folks fighting hard for what they believed in, folks fighting hard for what their constituents sent them here to do, folks fighting hard for what they thought was right and finding a way to come together and making a difference for the American people.

□ 1315

Mr. Speaker, I hold here in my hand a Statement of Administration Policy, the President urging Congress to move this bicameral, bipartisan compromise to his desk for his signature.

This isn't a day about show; this isn't a day about politics; this isn't a day about a November election. This is a day about making a difference for the folks who sent us here. With the passage of this rule and the passage of this bill, we will do together what others found too hard to accomplish.

I am proud of that, Mr. Speaker.

Mr. SESSIONS. Mr. Speaker, H. Res. 742, the special order of business governing consideration of H.R. 897, the Reducing Regulatory Burdens Act of 2015, included a prophylactic waiver of points of order against its consideration, and it was described as such in House Report 114–590. The waiver of all points of order now includes a waiver of clause 9 of rule XXI which requires the chair of each committee of initial referral to disclose a list of congressional earmarks, limited tax benefits, or limited tariff benefits to be printed in the CONGRESSIONAL RECORD prior to its consideration. However, it is important to note that one of the two committees of initial referral submitted the required statement and the second committee is expected to submit the required statement prior to the bill's consideration.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 742 OFFERED BY MR. POLIS OF COLORADO

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5044) making supplemental appropriations for fiscal year 2016 to respond to Zika virus. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Appropriations and the chair and

ranking minority member of the Committee on the Budget. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 5044.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WOODALL. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. HARDY). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 24, 2016.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 24, 2016 at 9:13 a.m.:

That the Senate passed S. 2613.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 5055, ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

Mr. NEWHOUSE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 743 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 743

Resolved, That (a) at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5055) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2017, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived.

(b) During consideration of the bill for amendment—

(1) each amendment, other than amendments provided for in paragraph (2), shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent;

(2) no pro forma amendment shall be in order except that the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 10 pro forma amendments each at any point for the purpose of debate; and

(3) the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read.

(c) When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Section 508 of H.R. 5055 shall be considered to be a spending reduction account for purposes of section 3(d) of House Resolution 5.

SEC. 3. During consideration of H.R. 5055 pursuant to this resolution, section 3304 of Senate Concurrent Resolution 11 shall not apply.

The SPEAKER pro tempore. The gentleman from Washington is recognized for 1 hour.

Mr. NEWHOUSE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), a good friend of mine from the Rules Committee, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. NEWHOUSE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. NEWHOUSE. Mr. Speaker, on Monday, the Rules Committee met and reported a rule, House Resolution 743,

providing for consideration of an important piece of legislation, H.R. 5055, the fiscal year 2017 Energy and Water Development Appropriations bill. The rule provides for the consideration of H.R. 5055 under a modified open rule, allowing for consideration of all amendments that are germane to the bill and conform to House rules.

Mr. Speaker, the fiscal year 2017 Energy and Water Development bill appropriates annual funding for national defense nuclear weapons activities, the Army Corps of Engineers, various programs under DOE, and other related agencies.

Over the past few years, we have seen increasing threats to our national security, historic droughts in many regions of the United States, the importance of water, and the need for greater energy security and independence. This legislation addresses all of these issues, as well as many others, and invests in efforts to promote a more secure and prosperous future for our Nation.

With ever-changing global security threats from Russia and Iran to terrorist groups like ISIL and al Qaeda, national security continues—as well it should—to be a top concern for many Americans. Now it is more vital than ever that the U.S. maintain our nuclear security preparedness, and this legislation takes important steps to ensure our nuclear weapons stockpile is modern, secure, stable, and available. It provides a total of $12.9 billion for DOE's nuclear weapons security programs. That is a $327 million increase above the 2016 level. And this funding will uphold the Nation's nuclear deterrence posture, maintain the safety and the readiness of our weapons stockpile, and allow the U.S. to meet any nuclear threat.

Mr. Speaker, H.R. 5055 also addresses the need for reliable water resources. As we have seen from the severe droughts that have impacted many Western States, accessibility to safe and adequate water resources is critical to our local communities. In my home State of Washington, we have seen historic droughts over the past few years, with serious water supply shortages that have impacted the agriculture, energy, and manufacturing sectors as well as many families and small businesses that rely on an adequate and stable supply of water.

Additionally, Washington and much of the Western United States have experienced catastrophic wildfire seasons over the last 2 years, with Washington enduring back-to-back years of record-setting fires which have been fueled by a lack of rainfall and extremely arid conditions. This legislation contains funds for the Department of the Interior and the Bureau of Reclamation to help manage, develop, and protect the water resources of Western States. Further, the measure includes several new provisions to help Western communities by providing relief from the onerous and excessive Federal regulations that have exacerbated this situation.

Energy independence is paramount to the future of our country, and the fiscal year 2017 Energy and Water Development bill invests in an all-of-the-above energy strategy in order to promote a more secure and prosperous future for our Nation. Under the legislation, funding is allocated for DOE energy programs, and the bill prioritizes and increases funding for the programs that encourage U.S. economic competitiveness and help advance the goal of greater domestic energy production and security.

This bill provides funds for research and development to advance coal, natural gas, oil, and other fossil energy technologies which will help the U.S. make better use of our rich national energy resources and help keep energy costs low. Additionally, nuclear energy research, development, and demonstration activities are increased.

Mr. Speaker, while this bill includes funding for many activities that are critical to our country's future, it also appropriates funds to address an important issue from our past, and that is the cleanup of our country's defense nuclear sites that supported our previous nuclear weapons production. These sites played a critical part in our country's ability to win World War II as well as the cold war by producing the basic and complex materials used in the fabrication of nuclear weapons.

It just happens that the largest of these sites is the Hanford Nuclear Reservation, which is located in my central Washington State district. It produced plutonium for nuclear weapons development both during and after World War II. There are many similar sites across the country where the Federal Government has a moral and a legal obligation to clean up the remaining contaminated facilities and hazardous nuclear waste.

A key component of our defense environmental cleanup efforts is the availability of a viable nuclear repository where this waste can be stored. As you know, Mr. Speaker, Yucca Mountain is the country's only legal and permanent nuclear repository, though for years there have been efforts to kill the use of this site, efforts that would hinder defense nuclear cleanup for decades and would waste the Federal Government's $15 billion investment in this repository. This legislation continues congressional efforts to support Yucca Mountain by providing funding for the nuclear waste disposal program and funds for the Nuclear Regulatory Commission to continue the adjudication of DOE's Yucca Mountain license application. Additionally, the bill denies the administration's funding proposals for non-Yucca nuclear waste activities.

Another component of this measure is strong support for our national laboratories, such as the Pacific Northwest National Laboratory located in Washington's Fourth Congressional District. These labs perform critical research on cybersecurity, develop high-performance computing systems, and advance the next generation of energy sources which lay the groundwork for a more secure energy future, helping to reduce the Nation's dependence on foreign energy and ensuring continued economic growth.

Finally, H.R. 5055 includes many conservative policy priorities that are critical to combating the administration's efforts to undermine economic growth through excessive and burdensome regulations. The bill effectively prohibits the EPA and the Corps from implementing the waters of the United States rule and any changes to Federal jurisdiction under the Clean Water Act. It also restricts the application of the Clean Water Act in certain agricultural areas. There is also language prohibiting the administration from changing the definition of ''fill material'' and ''discharge fill material.'' From the beginning, the WOTUS rule has been an unprecedented Federal power grab that expands Federal regulation over ponds, over streams, and over irrigation ditches in the middle of cropland, giving the EPA unprecedented say over what farmers can or cannot do with their land. This bill takes the important step of prohibiting funding for the implementation of this deeply misguided rule which would have devastating economic consequences for farmers, for ranchers, for small businesses, and for communities across our country.

Additionally, the legislation protects Americans' constitutional Second Amendment rights by including language that allows law-abiding Americans to possess firearms on Army Corps of Engineers public lands. In places in my district, these public lands are used heavily by the community.

The bill includes language that I offered along with Congressman GOSAR of Arizona to prevent the removal of any Federal dams, protecting the critical flood control and the hydropower benefits provided by these facilities. Hydropower is a key resource throughout the West, and we must prevent misguided attempts to shut down these dams.

Finally, it continues a restriction from fiscal year 2016 to prevent any funds from being used to start or enter into any new nuclear nonproliferation contracts or agreements with Russia.

Mr. Speaker, this is a good rule that provides for the consideration of H.R. 5055, the fiscal year 2017 Energy and Water Development Appropriations Act.

□ 1330

This is a responsible measure that supports the U.S. national security, safety, and economic competitiveness;

advances an all-of-the-above energy strategy; and makes strategic investments in infrastructure and water resources projects—balancing these critical priorities while still maintaining tight budget caps. These efforts will help promote a more secure and prosperous future for our Nation, which is why I urge all of my colleagues to support the rule and support the underlying bill.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

I thank my colleague from Washington for yielding me the time.

Mr. Speaker, every year, the House comes together to allocate funds for programs across the country. From keeping our waters clean to managing our nuclear arsenal, they all need funding.

Under H.R. 5055, the Energy and Water Development and Related Agencies Appropriations Act, some programs see shortfalls and others windfalls. Balancing these competing priorities is a herculean effort, and I want to commend Chairman SIMPSON and Ranking Member KAPTUR because they have worked so much in tandem to help bring good bills to the floor.

First, the bill provides robust funding for the Army Corps of Engineers, and includes strong funding for the Harbor Maintenance Trust Fund, which keeps our Nation's ports and harbors dredged, maintained, and operational. As the cochair of the Great Lakes Task Force, I know the Harbor Maintenance Trust Fund is an essential component to keeping local economies on the shores of the Great Lakes thriving. We owe a great deal to the Great Lakes. We are, along with Canada, the protectors of 20 percent of the fresh water on the planet, providing drinking water for both Canadians and United States citizens. We owe it to the great thing that we have inherited there, called the Great Lakes, to protect them.

Also included in the bill is increased funding for much-needed nuclear cleanup. The bill provides funding to clear contamination from past nuclear weapons research and production activities, creating usable land and adding to the safety and well-being of our communities.

However, I do remain concerned about the funding levels for our Nation's scientific research. We should be meeting the President's requests, and even adding to them for research funding. The agencies that are covered by this bill are not adequate to really meet the needs of our Nation's scientific research and help us to make up for lost ground and reclaim our global leadership, not pulling on the reins.

One of those programs funded is in my hometown of Rochester, New York. We are a photonics hub, Mr. Speaker—one of the best in the world—and we have recently been named an innovative manufacturing facility in Rochester. Let me tell you what kind of excellent research that we are doing up there and what great things we are already capable of doing.

About 12 engineers, who had previously worked at Eastman Kodak on 35-year-old repurposed Kodak equipment, made the components of the night vision goggles that took down Osama bin Laden. That same small company with 250 employees also made the laser beams that the Navy SEALs used to take down the Somali pirates holding Captain Phillips. That was on 35-year-old equipment. Imagine what they could do if we were able to help them get new machines. Rochester is also famous with Eastman Kodak because the Norden bombsight was made there, which was a great contributor into the winning of World War II.

It is awfully important that we recognize what has happened there now and make sure that we can keep it going. In many cases it is falling apart, and we need much more help for it.

I am grateful for the money for the laser lab because it not only is moving research along, but it is responsible for checking on the supplies that we have of nuclear weapons to make sure that they are in good condition without having to do live testing.

There are bright spots in the bill, but there are some harmful policy riders that stand in the way of strong investments.

These policy riders include one that would prevent the Army Corps of Engineers from clarifying which waters are protected by the Clean Water Act by locking in a widely acknowledged state of confusion about the scope of the law's pollution control programs. While it sounds nice to let everybody just do all of the runoffs that they want into the Great Lakes, the algae pollution problem caused by runoff of pesticide control and other things that are in the water have caused us a great deal of pain up there. That is not a very good idea either in stewardship or for our future. But the runoff of pesticides and other things that they do certainly needs more attention than we are getting. I think in this bill we are going in the wrong direction on that.

Another rider would prevent the Corps from using funds to regulate industry waste, locking in loopholes for polluters, and leaving many of the waterways vulnerable to harmful pollution. We know better than that, too. We know that it is not smart. Remember, many of those are the water that we drink.

Also, I know that my colleague mentioned the one that he liked, the highly partisan and controversial rider that would allow guns to be carried on all Corps of Engineers land. Given the number of Americans killing each other on a daily basis with guns—and one week about 2 weeks ago, four toddlers, who got ahold of guns that were unsecured, killing themselves—more guns on more lands is not my idea of the way that we should be looking at it. I am very much concerned that we don't want to live in a country—that I think we are becoming—where people can leave home to go to work, or to the theater, or to school, and you don't have the assurance, as we all grew up with, that you are going to be safely coming back home. Guns are a descendant of pioneers. The idea of having everybody have a gun—there are 330 million Americans and 320 million guns—that seems to me to be a pretty one-sided equation.

I reserve the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, I just wanted to agree with the gentlewoman from New York. I certainly, too, appreciate the bipartisan effort that was put into this bill on the part of both Chairman SIMPSON as well as Ranking Member KAPTUR. They did an excellent job, which is illustrated in both the committee and the subcommittee. This legislation passed on a voice vote. That is a demonstration of great bipartisan support, and certainly speaks well to this committee doing excellent work together.

Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, I would like to thank Congressman NEWHOUSE and the Rules Committee, as well as Chairman SIMPSON and the Energy and Water Development and Related Agencies Appropriations Subcommittee, for their leadership and progress made on this year's Energy and Water Development and Related Agencies Appropriations bill.

H.R. 5055, the Energy and Water Development and Related Agencies Appropriations Act, is a step forward in updating our Nation's waterborne infrastructure and energy needs.

The First District of Georgia is home to a unique set of resources, with two large ports, various wetlands and islands, and the State's entire coastline. Whether it is the Savannah Harbor Expansion Program, the growth of the Port of Brunswick, or the unique characteristics involved with wetlands permitting, the Energy and Water Appropriations bill has a significant impact on the citizens of the First Congressional District of Georgia.

The Port of Savannah is the second busiest East Coast port, and is rapidly expanding, growing at a substantial rate year after year. The Port of Brunswick is the third busiest roll-on/roll-off cargo port in the country. These ports are the economic engines of Georgia and for the Southeast, reaching as far as the Midwest in cargo imported and exported out of their facilities.

H.R. 5055 is vital to ensuring that projects like the Savannah Harbor Expansion Project continue on time so our Nation's economy continues to grow.

I would like to thank the gentleman, the Rules Committee, and the Energy and Water Development and Related Agencies Subcommittee for their continued devotion to this cause.

I urge my colleagues to support the bill.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Nevada (Ms. TITUS).

Ms. TITUS. Mr. Speaker, I am here to discuss provisions in the underlying bill that relate to the State of Nevada—provisions that are identical to language in last year's bill to try and restart the failed Yucca Mountain nuclear waste dump just outside my Congressional District.

First, with all due respect, let me correct my friend across the aisle. Yucca Mountain is not a defense repository. It is a commercial nuclear power plant repository. Let's be clear about that.

Second, a recent Supplemental Environmental Impact Statement by the NRC confirmed what we in Nevada have known for decades: Yucca Mountain is not a secure repository that would seal dangerous waste safely for a million years. It is, instead, a proposal based on bad science and faulty assumptions.

Specifically, the NRC confirmed that the site is not secure, that it will leak, and that radiation will travel for miles through underground water sources to farming communities in the Amargosa Valley on its way to Death Valley National Park.

But before the radioactive material can leak out of the ground, it first has to be shipped, using untested procedures by truck and by rail through nearly every State and every Congressional District in the lower 48. These shipments will occur for decades, passing homes and schools, parks and hospitals, churches and farms. They will pass through the heart of my Congressional District, along the famed Las Vegas strip where 42 million people come every year to work and play.

We need to stop the Yucca Mountain boondoggle once and for all, and turn, instead, to recommendations from the Blue Ribbon Commission on Nuclear Waste, including my legislation, the Nuclear Waste Informed Consent Act.

Congress must either accept this reality and work towards actual solutions, or we can continue this charade every appropriations season, whereby language to fund Yucca shows up in bills so politicians can continue to collect checks from the nuclear energy industry.

Mr. NEWHOUSE. Mr. Speaker, I yield myself such time as I may consume.

I do want to thank the gentlewoman from New York for her comments as they relate to the moral and legal obligation of the Federal Government to continue the nuclear waste cleanup that we have all over this country.

And then the gentlewoman from Nevada certainly has voiced some concerns that we have heard before that are important to the people in the State of Nevada.

Let me just remind everyone that we are under a modified open rule. If there are changes to this bill, every Member in this body has an opportunity to provide amendments to this bill. Under a modified open rule, everything is on the table. If that is something that she can get the support of the majority of the people on this floor, then that is certainly something that she can take out of this bill.

But I have another opinion, another viewpoint. I have been to Yucca Mountain. I don't know that there is a perfect place in the universe to store nuclear waste, but Yucca Mountain, to me, seems to be about as close to perfect as you can find. In that mountain, we have 1,000 feet of rock above where the waste would be stored, and you have 1,000 feet of rock below where that storage situation would be. And I should remind the body that Yucca Mountain is the country's only legal and permanent nuclear repository. It is for both commercial as well as defense waste, and it is a critical component of our efforts to clean up the defense nuclear waste created during and after World War II.

While I appreciate the gentlewoman's differing opinion, she does have the opportunity to offer amendments, and I would encourage her to do that.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up comprehensive legislation that provides the resources needed to help the families in the city of Flint, Michigan, recover from the water crisis.

The Families of Flint Act, authored by Mr. KILDEE, would provide for long-term investments in infrastructure and care for children affected by the crisis.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan (Mr. KILDEE) to discuss our proposal.

Mr. KILDEE. Mr. Speaker, I thank my friend for offering this amendment and for yielding to me.

I urge my colleagues to vote ''no'' on the previous question so we can immediately bring up H.R. 4479, which, as described, is the Families of Flint Act.

We all know this story. Many Members have heard me talk about it here on the floor of the House before. But in short, the city of Flint had been a struggling community already because of the loss of jobs.

□ 1345

Then the State of Michigan just a few years ago cut one of the three essential elements to keep that city running—State revenue sharing—which threw the city into a financial crisis. The State's response: appoint a financial manager, an emergency manager, to take over the city government, to suspend democracy, and, essentially, to act in dictatorial form.

One of the decisions that that emergency manager made was to move the city from using Great Lakes water as its primary drinking water source to using the Flint River—a highly corrosive river—just to save money, and they did save money. The corrosion from that water, untreated, caused lead to leach into the pipes in Flint and into the homes of 100,000 people.

There are consequences to that decision. The lives of children—the lives of people in Flint—are permanently affected by that. There are 9,000 children under the age of 6 who could potentially bear scars of this poisoning for the rest of their lives and have their development affected.

Lead is a neurotoxin. It affects brain development, and its impact is permanent. But, with help, people can overcome the effects of this kind of lead exposure.

The failure by the Michigan Department of Environmental Quality and the terrible mistakes made by the emergency manager cannot be undone. The effect can't be changed.

What we can do is make it right for the people of Flint. We can prevent another exposure. The Kildee-Upton bill, which I worked on with my friend from across the aisle, Mr. UPTON, would do that.

Just preventing the next Flint isn't enough. We have to make it right for the people of Flint and provide them justice.

The Families of Flint Act would do that. It would provide immediate relief in making sure that they have clean drinking water. It would provide support to get rid of those lead service lines and improve the water distribution system so that this does not happen again.

Importantly, the Families of Flint Act would also provide ongoing support for those families in Flint and give them the kind of health care they need to overcome the effect of lead exposure in the monitoring of their health.

Especially, it would provide for kids, who should have every opportunity to overcome the effect of lead exposure,

by basically providing to those 9,000 children the same thing that any of us would do for our own children if they had a developmental hurdle to overcome—providing the kind of behavioral support and the kind of enrichment opportunities that many of these kids, because they are born into poverty in Flint, don't have access to. This would provide that for them to make sure that they have a chance to overcome this terrible crisis.

Justice for the people of Flint will come in many forms. Some people have resigned. Some have been fired. Some have been criminally charged. None of that does any good for the people of my hometown unless we also do what we can to restore to them the opportunity that the kids in Flint and that the families in Flint—like any other American—expect to have for their kids.

Justice comes in lots of forms. Our job in Congress is to make sure we seek justice for the people in our country. When one community, one group of folks, is struggling, facing a disaster, facing the biggest challenge that the community has ever faced, it is our duty, our job, our responsibility, to come together to help them.

The Families of Flint Act would do that by providing Federal help that would be required to have State support equal to what the Federal Government provides. Basically, rather than litigating who is at fault, we would fix the problem and realize that the people who live in Flint have a right to have their Federal Government step up for them.

Even if it were primarily the State's responsibility for what took place, they are citizens of the United States just like they are citizens of Michigan. When they face the greatest crisis that they have ever had, they have every right to expect that Congress itself would act to provide for them the relief to get through this disaster.

We have done it in other cases. There are times when we all come together as Americans. This is one of those times. Congress must act. Congress should do its job. By defeating the previous question, we can bring up the Families of Flint Act and do that.

Mr. NEWHOUSE. Mr. Speaker, I would just inquire of the gentlewoman from New York if she has any further speakers.

Ms. SLAUGHTER. Mr. Speaker, I have no further requests for time, and I am prepared to close.

Mr. NEWHOUSE. Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

We have today an opportunity to fund groundbreaking, cutting-edge research all across the country, to protect our precious environment, and to support the Army Corps of Engineers. Yet the addition of several harmful, dangerous policy riders will inhibit those goals and have no place in the appropriations process.

Mr. Speaker, I urge my colleagues to vote ''no'' and defeat the previous question and to vote ''no'' on the rule.

I yield back the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, I yield myself such time as I may consume.

I thank the good gentlewoman from New York.

Mr. Speaker, the rule we have considered provides for the consideration of a very important piece of legislation that will protect our country from security threats; that will ensure we have a modern, safe, and reliable U.S. nuclear weapons program; that will promote an all-of-the-above energy strategy; and that will make critical investments in water resources and infrastructure projects. The funds appropriated for national security needs, improvements in our Nation's infrastructure, domestic energy development, and growing our economy will benefit all Americans.

This bill is a responsible measure that supports U.S. national security, energy research, water resource development, and economic competitiveness, balancing these critical priorities while maintaining tight budget caps.

In the current fiscal climate, where our national debt is approaching a staggering $20 trillion, many difficult decisions had to be made by the committee in drafting this measure, and I believe we have a bill that preserves fiscal responsibility, advances sound conservative and progrowth economic policies, and prioritizes funding for our country's most pressing needs.

The past few years have seen the U.S. face growing security threats abroad, highlighting the need to keep our country at the pinnacle of nuclear security preparedness as well as the importance of investing in domestic energy production that takes much-needed steps towards energy independence.

In the Western United States, Americans have endured severe droughts and catastrophic wildfires, which have drastically restricted the availability of water and have devastated ground infrastructure. This legislation addresses these issues as well as many others, and it invests in efforts to promote a more secure and prosperous future for our Nation.

Mr. Speaker, the 2017 Energy and Water Development and Related Agencies Appropriations Act also includes much-needed conservative reforms and policies to counter the administration's issuance of one crippling regulation after another, hindering our domestic energy development and security and undermining overall economic growth.

H.R. 5055 prohibits the EPA and the Army Corps from implementing the excessive WOTUS rule, which would vastly expand Federal jurisdiction over our water resources. It prevents any changes to Federal authority under the Clean Water Act and impedes efforts to apply the Clean Water Act in certain agricultural areas, such as farm ponds and irrigation ditches.

The legislation blocks efforts to remove Federal dams, and it protects Americans' Second Amendment rights by allowing for the possession of firearms on Army Corps lands. Finally, it continues a policy from last year that restricts any funds from being used to enter into any new nuclear nonproliferation contracts or agreements with Russia.

Mr. Speaker, this bill responsibly funds infrastructure, water, and defense programs that are critical to our national security, to our safety, and to our economic competitiveness, all while making tough choices to ensure that taxpayers' funds are spent wisely.

I urge my colleagues to support the rule's adoption and invest in a secure and prosperous future for our country by passing the 2017 Energy and Water Development and Related Agencies Appropriations Act.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 743 OFFERED BY MS. SLAUGHTER OF NEW YORK

At the end of the resolution, add the following new sections:

SEC. 4. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4479) to provide emergency assistance related to the Flint water crisis, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill:

SEC. 5. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 4479.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to

offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. NEWHOUSE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of House Resolution 743, if ordered; ordering the previous question on House Resolution 742; adoption of House Resolution 742, if ordered; and the motion to suspend the rules and pass H.R. 5077.

The vote was taken by electronic device, and there were—yeas 233, nays 174, not voting 26, as follows:

[Roll No. 231]

YEAS—233

Abraham	Gowdy	Mulvaney
Aderholt	Graves (GA)	Murphy (PA)
Amash	Graves (LA)	Neugebauer
Amodei	Graves (MO)	Newhouse
Babin	Griffith	Noem
Barletta	Grothman	Nugent
Barr	Guinta	Nunes
Barton	Guthrie	Olson
Benishek	Hanna	Palazzo
Bilirakis	Hardy	Palmer
Bishop (MI)	Harper	Paulsen
Black	Harris	Pearce
Blackburn	Hartzler	Perry
Blum	Heck (NV)	Pittenger
Bost	Hensarling	Pitts
Boustany	Hice, Jody B.	Poe (TX)
Brady (TX)	Hill	Poliquin
Brat	Holding	Pompeo
Bridenstine	Hudson	Posey
Brooks (AL)	Hultgren	Price, Tom
Brooks (IN)	Hunter	Ratcliffe
Buchanan	Hurd (TX)	Reed
Buck	Hurt (VA)	Reichert
Bucshon	Issa	Renacci
Burgess	Jenkins (KS)	Ribble
Byrne	Jenkins (WV)	Rice (SC)
Calvert	Johnson (OH)	Rigell
Carter (GA)	Johnson, Sam	Roby
Carter (TX)	Jolly	Roe (TN)
Chabot	Jones	Rogers (AL)
Chaffetz	Jordan	Rogers (KY)
Clawson (FL)	Joyce	Rohrabacher
Coffman	Katko	Rokita
Cole	Kelly (MS)	Rooney (FL)
Collins (NY)	Kelly (PA)	Ros-Lehtinen
Comstock	King (IA)	Roskam
Conaway	King (NY)	Ross
Cook	Kinzinger (IL)	Rothfus
Costello (PA)	Kline	Rouzer
Cramer	Knight	Royce
Crawford	Labrador	Russell
Culberson	LaHood	Salmon
Curbelo (FL)	LaMalfa	Sanford
Davis, Rodney	Lamborn	Scalise
Denham	Lance	Schweikert
Dent	Latta	Sensenbrenner
DeSantis	LoBiondo	Sessions
DesJarlais	Long	Shimkus
Diaz-Balart	Love	Shuster
Dold	Lucas	Simpson
Donovan	Luetkemeyer	Smith (MO)
Duffy	Lummis	Smith (NE)
Duncan (SC)	MacArthur	Smith (NJ)
Duncan (TN)	Marchant	Smith (TX)
Ellmers (NC)	Marino	Stefanik
Emmer (MN)	Massie	Stewart
Farenthold	McCarthy	Stivers
Fitzpatrick	McCaul	Stutzman
Fleischmann	McClintock	Thompson (PA)
Fleming	McHenry	Thornberry
Flores	McKinley	Tiberi
Forbes	McMorris Rodgers	Tipton
Fortenberry	McSally	Trott
Foxx	Meadows	Turner
Franks (AZ)	Meehan	Upton
Frelinghuysen	Messer	Valadao
Garrett	Mica	Wagner
Gibbs	Miller (FL)	Walberg
Gibson	Moolenaar	Walden
Gohmert	Mooney (WV)	Walker
Goodlatte	Mullin	Walorski
Gosar		Walters, Mimi
Weber (TX)	Williams	Yoho
Webster (FL)	Wilson (SC)	Young (AK)
Wenstrup	Wittman	Young (IA)
Westerman	Womack	Young (IN)
Westmoreland	Woodall	Zeldin
Whitfield	Yoder	Zinke

NAYS—174

Adams	Fudge	Napolitano
Aguilar	Gabbard	Neal
Ashford	Gallego	Nolan
Beatty	Garamendi	Norcross
Becerra	Graham	Pallone
Bera	Grayson	Pascrell
Beyer	Green, Al	Pelosi
Bishop (GA)	Green, Gene	Perlmutter
Blumenauer	Grijalva	Peters
Bonamici	Gutiérrez	Peterson
Boyle, Brendan F.	Hahn	Pingree
	Hastings	Pocan
Brady (PA)	Heck (WA)	Polis
Brown (FL)	Higgins	Price (NC)
Brownley (CA)	Himes	Quigley
Bustos	Honda	Rangel
Butterfield	Hoyer	Rice (NY)
Capps	Huffman	Richmond
Capuano	Israel	Roybal-Allard
Cárdenas	Jeffries	Ruiz
Carney	Johnson (GA)	Ruppersberger
Carson (IN)	Johnson, E. B.	Rush
Cartwright	Kaptur	Ryan (OH)
Castor (FL)	Keating	Sánchez, Linda T.
Chu, Judy	Kelly (IL)	
Cicilline	Kennedy	Sarbanes
Clark (MA)	Kildee	Schakowsky
Clarke (NY)	Kilmer	Schiff
Clay	Kind	Schrader
Cleaver	Kirkpatrick	Scott (VA)
Clyburn	Kuster	Scott, David
Cohen	Langevin	Serrano
Connolly	Larsen (WA)	Sewell (AL)
Conyers	Larson (CT)	Sherman
Cooper	Lawrence	Sinema
Costa	Lee	Sires
Courtney	Levin	Slaughter
Crowley	Lewis	Smith (WA)
Cuellar	Lieu, Ted	Speier
Cummings	Lipinski	Swalwell (CA)
Davis (CA)	Loebsack	Takano
Davis, Danny	Lofgren	Thompson (MS)
DeFazio	Lowenthal	Titus
DeGette	Lowey	Tonko
Delaney	Lujan Grisham (NM)	Torres
DeLauro		Tsongas
DelBene	Luján, Ben Ray (NM)	Van Hollen
DeSaulnier		Vargas
Deutch	Lynch	Veasey
Dingell	Maloney, Carolyn	Vela
Doggett		Velázquez
Doyle, Michael F.	Maloney, Sean	Visclosky
	Matsui	Walz
Duckworth	McCollum	Wasserman Schultz
Edwards	McDermott	
Ellison	McGovern	Watson Coleman
Eshoo	McNerney	Welch
Esty	Meng	Wilson (FL)
Farr	Moore	Yarmuth
Foster	Murphy (FL)	
Frankel (FL)	Nadler	

NOT VOTING—26

Allen	Granger	Moulton
Bass	Herrera Beutler	O'Rourke
Bishop (UT)	Hinojosa	Payne
Castro (TX)	Huelskamp	Sanchez, Loretta
Collins (GA)	Huizenga (MI)	Scott, Austin
Crenshaw	Jackson Lee	Takai
Engel	Loudermilk	Thompson (CA)
Fattah	Meeks	Waters, Maxine
Fincher	Miller (MI)	

□ 1416

Messrs. CLYBURN, SWALWELL of California, CARSON of Indiana, CLEAVER, Ms. CLARK of Massachusetts, and Mr. JOHNSON of Georgia changed their vote from ''yea'' to ''nay.''

Messrs. GRAVES of Missouri and GROTHMAN changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. MOULTON. Mr. Speaker, on Tuesday, May 24, 2016, I was unable to be present for rollcall vote No. 231 on providing for the consideration of H.R. 5055. Had I been present, I would have voted "nay."

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 237, nays 171, not voting 25, as follows:

[Roll No. 232]

YEAS—237

Abraham
Aderholt
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—171

Adams
Aguilar
Ashford
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—25

Allen
Bass
Castro (TX)
Collins (GA)
Crenshaw
Fattah
Fincher
Frankel (FL)
Granger
Herrera Beutler
Hinojosa
Huelskamp
Huizenga (MI)
Jackson Lee
Loudermilk
Meeks
Miller (MI)
O'Rourke
Payne
Sanchez, Loretta
Scott, Austin
Takai
Thompson (CA)
Vela
Waters, Maxine

□ 1424

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF THE SENATE AMENDMENT TO H.R. 2576, TSCA MODERNIZATION ACT OF 2015, AND PROVIDING FOR CONSIDERATION OF H.R. 897, REDUCING REGULATORY BURDENS ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 742) providing for consideration of the Senate amendment to the bill (H.R. 2576) to modernize the Toxic Substances Control Act, and for other purposes, and providing for consideration of the bill (H.R. 897) to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 234, nays 175, not voting 24, as follows:

[Roll No. 233]

YEAS—234

Abraham
Aderholt
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie

McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—175

Adams
Aguilar
Ashford
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—24

Allen
Bass
Castro (TX)
Collins (GA)
Crenshaw
Fattah
Fincher
Frankel (FL)
Granger
Herrera Beutler
Hinojosa
Huelskamp
Huizenga (MI)
Jackson Lee
Loudermilk
Meeks
Miller (MI)
O'Rourke
Payne
Sanchez, Loretta
Scott, Austin
Takai
Thompson (CA)
Waters, Maxine

□ 1431

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 238, noes 171, not voting 24, as follows:

[Roll No. 234]

AYES—238

Abraham
Aderholt
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schrader
Schweikert
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—171

Adams
Aguilar
Ashford
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—24

Allen
Bass
Castro (TX)
Collins (GA)
Crenshaw
Fattah
Fincher
Frankel (FL)
Granger

Herrera Beutler
Hinojosa
Huelskamp
Huizenga (MI)
Jackson Lee
Loudermilk
Meeks
Miller (MI)
O'Rourke
Payne
Sanchez, Loretta
Scott, Austin
Takai
Thompson (CA)
Waters, Maxine

□ 1437

Ms. WASSERMAN SCHULTZ and Mr. DEUTCH changed their vote from ''aye'' to ''no.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2017

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5077) to authorize appropriations for fiscal year 2017 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. NUNES) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 371, nays 35, answered ''present'' 1, not voting 26, as follows:

[Roll No. 235]

YEAS—371

Abraham
Adams
Aderholt
Aguilar
Amodei
Ashford
Babin
Barletta
Barr
Barton
Beatty
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (NY)
Comstock
Conaway
Connolly
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Duckworth
Duffy
Duncan (SC)
Edwards
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallego
Garamendi
Garrett
Gibbs
Goodlatte
Gowdy
Graham
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Hill
Himes
Holding
Hoyer
Hudson
Huffman
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Levin
Lipinski
LoBiondo
Loebsack
Long
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McClintock
McCollum
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meng
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanford
Sarbanes
Scalise
Schiff
Schrader
Schweikert
Scott (VA)
Scott, David
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Watson Coleman
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—35

Amash
Blumenauer
Capuano
Clark (MA)
Clarke (NY)
DeFazio
DelBene
Doyle, Michael F.
Duncan (TN)
Ellison
Farr
Gabbard
Gibson
Gohmert
Gosar
Grayson
Grijalva
Honda
Jones
Labrador
Lee
Lewis
Lieu, Ted
Lofgren
Lummis
Massie
McDermott
McGovern
Pocan
Polis
Posey
Schakowsky
Sensenbrenner
Takano
Welch

ANSWERED ''PRESENT''—1

Becerra

NOT VOTING—26

Allen
Bass
Castro (TX)
Collins (GA)
Conyers
Crenshaw
Fattah
Fincher
Fitzpatrick
Frankel (FL)
Granger
Herrera Beutler
Hinojosa
Huelskamp
Huizenga (MI)
Jackson Lee
Loudermilk
Meeks
Miller (MI)
O'Rourke
Payne
Sanchez, Loretta
Scott, Austin
Takai
Thompson (CA)
Waters, Maxine

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BYRNE) (during the vote). There are 2 minutes remaining.

□ 1443

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. HINOJOSA. Mr. Speaker, I was unable to be present in the House Chamber for certain rollcall votes this week. Had I been present on May 24, 2016, for the first vote series, I would have voted ''aye'' for rollcall 235 and ''nay'' on rollcalls 231, 232, 233 and 234.

□ 1445

PERMISSION TO POSTPONE PROCEEDINGS ON MOTION TO CONCUR ON H.R. 2576, TSCA MODERNIZATION ACT OF 2015

Mr. SHIMKUS. Mr. Speaker, I ask unanimous consent that the question of adopting a motion to concur in the Senate amendment to H.R. 2576 with an amendment may be subject to postponement as though under clause 8 of rule XX.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

TSCA MODERNIZATION ACT OF 2015

Mr. SHIMKUS. Mr. Speaker, pursuant to House Resolution 742, I call up the bill (H.R. 2576) to modernize the Toxic Substances Control Act, and for other purposes, with the Senate amendment thereto, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendment.

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Frank R. Lautenberg Chemical Safety for the 21st Century Act''.

SEC. 2. FINDINGS, POLICY, AND INTENT.

Section 2(c) of the Toxic Substances Control Act (15 U.S.C. 2601(c)) is amended—

(1) by striking ''It is the intent'' and inserting the following:

''(1) ADMINISTRATION.—It is the intent'';

(2) in paragraph (1) (as so redesignated), by inserting '', as provided under this Act'' before the period at the end; and

(3) by adding at the end the following:

''(2) REFORM.—This Act, including reforms in accordance with the amendments made by the Frank R. Lautenberg Chemical Safety for the 21st Century Act—

''(A) shall be administered in a manner that—

''(i) protects the health of children, pregnant women, the elderly, workers, consumers, the general public, and the environment from the risks of harmful exposures to chemical substances and mixtures; and

''(ii) ensures that appropriate information on chemical substances and mixtures is available to public health officials and first responders in the event of an emergency; and

''(B) shall not displace or supplant common law rights of action or remedies for civil relief.''.

SEC. 3. DEFINITIONS.

Section 3 of the Toxic Substances Control Act (15 U.S.C. 2602) is amended—

(1) by redesignating paragraphs (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), and (14) as paragraphs (5), (6), (7), (8), (9), (10), (12), (13), (17), (18), and (19), respectively;

(2) by inserting after paragraph (3) the following:

''(4) CONDITIONS OF USE.—The term 'conditions of use' means the intended, known, or reasonably foreseeable circumstances the Administrator determines a chemical substance is manufactured, processed, distributed in commerce, used, or disposed of.'';

(3) by inserting after paragraph (10) (as so redesignated) the following:

''(11) POTENTIALLY EXPOSED OR SUSCEPTIBLE POPULATION.—The term 'potentially exposed or susceptible population' means 1 or more groups—

''(A) of individuals within the general population who may be—

''(i) differentially exposed to chemical substances under the conditions of use; or

''(ii) susceptible to greater adverse health consequences from chemical exposures than the general population; and

''(B) that when identified by the Administrator may include such groups as infants, children, pregnant women, workers, and the elderly.''; and

(4) by inserting after paragraph (13) (as so redesignated) the following:

''(14) SAFETY ASSESSMENT.—The term 'safety assessment' means an assessment of the risk posed by a chemical substance under the conditions of use, integrating hazard, use, and exposure information regarding the chemical substance.

''(15) SAFETY DETERMINATION.—The term 'safety determination' means a determination by the Administrator as to whether a chemical substance meets the safety standard under the conditions of use.

''(16) SAFETY STANDARD.—The term 'safety standard' means a standard that ensures, without taking into consideration cost or other nonrisk factors, that no unreasonable risk of injury to health or the environment will result from exposure to a chemical substance under the conditions of use, including no unreasonable risk of injury to—

''(A) the general population; or

''(B) any potentially exposed or susceptible population that the Administrator has identified as relevant to the safety assessment and safety determination for a chemical substance.''.

SEC. 4. POLICIES, PROCEDURES, AND GUIDANCE.

The Toxic Substances Control Act is amended by inserting after section 3 (15 U.S.C. 2602) the following:

''SEC. 3A. POLICIES, PROCEDURES, AND GUIDANCE.

''(a) DEFINITION OF GUIDANCE.—In this section, the term 'guidance' includes any significant written guidance of general applicability prepared by the Administrator.

''(b) DEADLINE.—Not later than 2 years after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, the Administrator shall develop, after providing public notice and an opportunity for comment, any policies, procedures, and guidance the Administrator determines to be necessary to carry out sections 4, 4A, 5, and 6, including the policies, procedures, and guidance required by this section.

''(c) USE OF SCIENCE.—

''(1) IN GENERAL.—The Administrator shall establish policies, procedures, and guidance on the use of science in making decisions under sections 4, 4A, 5, and 6.

''(2) GOAL.—A goal of the policies, procedures, and guidance described in paragraph (1) shall be to make the basis of decisions clear to the public.

''(3) REQUIREMENTS.—The policies, procedures, and guidance issued under this section shall ensure that—

''(A) decisions made by the Administrator—

''(i) are based on information, procedures, measures, methods, and models employed in a manner consistent with the best available science;

''(ii) take into account the extent to which—

''(I) assumptions and methods are clearly and completely described and documented;

''(II) variability and uncertainty are evaluated and characterized; and

''(III) the information has been subject to independent verification and peer review; and

''(iii) are based on the weight of the scientific evidence, by which the Administrator considers all information in a systematic and integrative framework to consider the relevance of different information;

''(B) to the extent practicable and if appropriate, the use of peer review, standardized test design and methods, consistent data evaluation procedures, and good laboratory practices will be encouraged;

''(C) a clear description of each individual and entity that funded the generation or assessment of information, and the degree of control those individuals and entities had over the generation, assessment, and dissemination of information (including control over the design of the work and the publication of information) is made available; and

''(D) if appropriate, the recommendations in reports of the National Academy of Sciences that provide advice regarding assessing the hazards, exposures, and risks of chemical substances are considered.

''(d) EXISTING EPA POLICIES, PROCEDURES, AND GUIDANCE.—The policies, procedures, and guidance described in subsection (b) shall incorporate existing relevant policies, procedures, and guidance, as appropriate and consistent with this Act.

''(e) REVIEW.—Not later than 5 years after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, and not less frequently than once every 5 years thereafter, the Administrator shall—

''(1) review the adequacy of any policies, procedures, and guidance developed under this section, including animal, nonanimal, and epidemiological test methods and procedures for assessing and determining risk under this Act; and

''(2) after providing public notice and an opportunity for comment, revise the policies, procedures, and guidance if necessary to reflect new scientific developments or understandings.

''(f) SOURCES OF INFORMATION.—In carrying out sections 4, 4A, 5, and 6, the Administrator shall take into consideration information relating to a chemical substance, including hazard and exposure information, under the conditions of use that is reasonably available to the Administrator, including information that is—

''(1) submitted to the Administrator pursuant to any rule, consent agreement, order, or other requirement of this Act, or on a voluntary basis, including pursuant to any request made under this Act, by—

''(A) manufacturers or processors of a substance;

''(B) the public;

''(C) other Federal departments or agencies; or

''(D) the Governor of a State or a State agency with responsibility for protecting health or the environment;

''(2) submitted to a governmental entity in any jurisdiction pursuant to a governmental requirement relating to the protection of health or the environment; or

''(3) identified through an active search by the Administrator of information sources that are publicly available or otherwise accessible by the Administrator.

''(g) TESTING OF CHEMICAL SUBSTANCES AND MIXTURES.—

''(1) IN GENERAL.—The Administrator shall establish policies, procedures, and guidance for the testing of chemical substances or mixtures under section 4.

''(2) GOAL.—A goal of the policies, procedures, and guidance established under paragraph (1) shall be to make the basis of decisions clear to the public.

''(3) CONTENTS.—The policies, procedures, and guidance established under paragraph (1) shall—

''(A) address how and when the exposure level or exposure potential of a chemical substance would factor into decisions to require new testing, subject to the condition that the Administrator shall not interpret the lack of exposure information as a lack of exposure or exposure potential; and

''(B) describe the manner in which the Administrator will determine that additional information is necessary to carry out this Act, including information relating to potentially exposed or susceptible populations.

''(4) EPIDEMIOLOGICAL STUDIES.—Before prescribing epidemiological studies of employees, the Administrator shall consult with the Director of the National Institute for Occupational Safety and Health.

''(h) SAFETY ASSESSMENTS AND SAFETY DETERMINATIONS.—

''(1) SCHEDULE.—

''(A) IN GENERAL.—The Administrator shall inform the public regarding the schedule and the resources necessary for the completion of each safety assessment and safety determination as soon as practicable after designation as a high-priority substance pursuant to section 4A.

''(B) DIFFERING TIMES.—The Administrator may allot different times for different chemical substances in the schedules under this paragraph, subject to the condition that all schedules shall comply with the deadlines established under section 6.

''(C) ANNUAL PLAN.—

''(i) IN GENERAL.—At the beginning of each calendar year, the Administrator shall publish an annual plan.

''(ii) INCLUSIONS.—The annual plan shall—

''(I) identify the substances subject to safety assessments and safety determinations to be completed that year;

''(II) describe the status of each safety assessment and safety determination that has been initiated but not yet completed, including milestones achieved since the previous annual report; and

''(III) if the schedule for completion of a safety assessment and safety determination prepared pursuant to subparagraph (A) has changed, include an updated schedule for that safety assessment and safety determination.

''(2) POLICIES AND PROCEDURES FOR SAFETY ASSESSMENTS AND SAFETY DETERMINATIONS.—

''(A) IN GENERAL.—The Administrator shall establish, by rule, policies and procedures regarding the manner in which the Administrator shall carry out section 6.

''(B) GOAL.—A goal of the policies and procedures under this paragraph shall be to make the basis of decisions of the Administrator clear to the public.

''(C) MINIMUM REQUIREMENTS.—The policies and procedures under this paragraph shall, at a minimum—

''(i) describe—

''(I) the manner in which the Administrator will identify informational needs and seek that information from the public;

''(II) the information (including draft safety assessments) that may be submitted by interested individuals or entities, including States; and

''(III) the criteria by which information submitted by interested individuals or entities will be evaluated;

''(ii) require that each draft and final safety assessment and safety determination of the Administrator include a description of—

''(I)(aa) the scope of the safety assessment and safety determination to be conducted under section 6, including the hazards, exposures, and conditions of use of the chemical substance, and potentially exposed and susceptible populations that the Administrator has identified as relevant; and

''(bb) the basis for the scope of the safety assessment and safety determination;

''(II) the manner in which aggregate exposures, or significant subsets of exposures, to a chemical substance under the conditions of use were considered, and the basis for that consideration;

''(III) the weight of the scientific evidence of risk; and

''(IV) the information regarding the impact on health and the environment of the chemical substance that was used to make the assessment or determination, including, as available, mechanistic, animal toxicity, and epidemiology studies;

''(iii) establish a timely and transparent process for evaluating whether new information submitted or obtained after the date of a final safety assessment or safety determination warrants reconsideration of the safety assessment or safety determination; and

''(iv) when relevant information is provided or otherwise made available to the Administrator, require the Administrator to consider the extent of Federal regulation under other Federal laws.

''(D) GUIDANCE.—

''(i) IN GENERAL.—Not later than 1 year after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, the Administrator shall develop guidance to assist interested persons in developing their own draft safety assessments and other information for submission to the Administrator, which may be considered by the Administrator.

''(ii) REQUIREMENT.—The guidance shall, at a minimum, address the quality of the information submitted and the process to be followed in developing a draft safety assessment for consideration by the Administrator.

''(i) PUBLICLY AVAILABLE INFORMATION.—Subject to section 14, the Administrator shall—

''(1) make publicly available a nontechnical summary, and the final version, of each safety assessment and safety determination;

''(2) provide public notice and an opportunity for comment on each proposed safety assessment and safety determination; and

''(3) make public in a final safety assessment and safety determination—

''(A) the list of studies considered by the Administrator in carrying out the safety assessment or safety determination; and

''(B) the list of policies, procedures, and guidance that were followed in carrying out the safety assessment or safety determination.

''(j) CONSULTATION WITH SCIENCE ADVISORY COMMITTEE ON CHEMICALS.—

''(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this section, the Administrator shall establish an advisory committee, to be known as the 'Science Advisory Committee on Chemicals' (referred to in this subsection as the 'Committee').

''(2) PURPOSE.—The purpose of the Committee shall be to provide independent advice and expert consultation, on the request of the Administrator, with respect to the scientific and technical aspects of issues relating to the implementation of this title.

''(3) COMPOSITION.—The Committee shall be composed of representatives of such science, government, labor, public health, public interest, animal protection, industry, and other groups as the Administrator determines to be advisable, including, at a minimum, representatives that have specific scientific expertise in the relationship of chemical exposures to women, children, and other potentially exposed or susceptible populations.

''(4) SCHEDULE.—The Administrator shall convene the Committee in accordance with such schedule as the Administrator determines to be appropriate, but not less frequently than once every 2 years.

''(5) RELATIONSHIP TO OTHER LAW.—All proceedings and meetings of the Committee shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).''.

SEC. 5. TESTING OF CHEMICAL SUBSTANCES OR MIXTURES.

(a) IN GENERAL.—Section 4 of the Toxic Substances Control Act (15 U.S.C. 2603) is amended—

(1) by striking subsections (a), (b), (c), (d), (e), and (g);

(2) in subsection (f)—

(A) in the first sentence—

(i) by striking ''from cancer, gene mutations, or birth defects''; and

(ii) by inserting '', without taking into account cost or other nonrisk factors'' before the period at the end; and

(B) by striking the last sentence; and

(3) by inserting before subsection (f) the following:

''(a) DEVELOPMENT OF NEW INFORMATION ON CHEMICAL SUBSTANCES AND MIXTURES.—

''(1) IN GENERAL.—The Administrator may require the development of new information relating to a chemical substance or mixture in accordance with this section if the Administrator determines that the information is necessary—

''(A) to review a notice under section 5(d) or to perform a safety assessment or safety determination under section 6;

''(B) to implement a requirement imposed in a consent agreement or order issued under section 5(d)(4) or under a rule promulgated under section 6(d)(3);

''(C) pursuant to section 12(a)(4); or

''(D) at the request of the implementing authority under another Federal law, to meet the regulatory testing needs of that authority.

''(2) LIMITED TESTING FOR PRIORITIZATION PURPOSES.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Administrator may require the development of new information for the purposes of section 4A.

''(B) PROHIBITION.—Testing required under subparagraph (A) shall not be required for the purpose of establishing or implementing a minimum information requirement.

''(C) LIMITATION.—The Administrator may require the development of new information pursuant to subparagraph (A) only if the Administrator determines that additional information is necessary to establish the priority of a chemical substance.

''(3) FORM.—The Administrator may require the development of information described in paragraph (1) or (2) by—

''(A) promulgating a rule;

''(B) entering into a testing consent agreement; or

''(C) issuing an order.

''(4) CONTENTS.—

''(A) IN GENERAL.—A rule, testing consent agreement, or order issued under this subsection shall include—

''(i) identification of the chemical substance or mixture for which testing is required;

''(ii) identification of the persons required to conduct the testing;

''(iii) test protocols and methodologies for the development of information for the chemical substance or mixture, including specific reference to any reliable nonanimal test procedures; and

''(iv) specification of the period within which individuals and entities required to conduct the testing shall submit to the Administrator the information developed in accordance with the procedures described in clause (iii).

''(B) CONSIDERATIONS.—In determining the procedures and period to be required under subparagraph (A), the Administrator shall take into consideration—

''(i) the relative costs of the various test protocols and methodologies that may be required;

''(ii) the reasonably foreseeable availability of facilities and personnel required to perform the testing; and

''(iii) the deadlines applicable to the Administrator under section 6(a).

''(5) CONSIDERATION OF FEDERAL AGENCY RECOMMENDATIONS.—The Administrator shall consider the recommendations of other Federal agencies regarding the chemical substances and mixtures to which the Administrator shall give priority consideration under this section.

''(b) STATEMENT OF NEED.—

''(1) IN GENERAL.—In promulgating a rule, entering into a testing consent agreement, or issuing an order for the development of additional information (including information on exposure or exposure potential) pursuant to this section, the Administrator shall—

''(A) identify the need intended to be met by the rule, agreement, or order;

''(B) explain why information reasonably available to the Administrator at that time is inadequate to meet that need, including a reference, as appropriate, to the information identified in paragraph (2)(B); and

''(C) explain the basis for any decision that requires the use of vertebrate animals.

''(2) EXPLANATION IN CASE OF ORDER.—

''(A) IN GENERAL.—If the Administrator issues an order under this section, the Administrator shall issue a statement providing a justification for why issuance of an order is warranted instead of promulgating a rule or entering into a testing consent agreement.

''(B) CONTENTS.—A statement described in subparagraph (A) shall contain a description of—

''(i) information that is readily accessible to the Administrator, including information submitted under any other provision of law;

''(ii) the extent to which the Administrator has obtained or attempted to obtain the information through voluntary submissions; and

''(iii) any information relied on in safety assessments for other chemical substances relevant to the chemical substances that would be the subject of the order.

''(c) REDUCTION OF TESTING ON VERTEBRATES.—

''(1) IN GENERAL.—The Administrator shall minimize, to the extent practicable, the use of vertebrate animals in testing of chemical substances or mixtures, by—

''(A) prior to making a request or adopting a requirement for testing using vertebrate animals, taking into consideration, as appropriate and to the extent practicable, reasonably available—

''(i) toxicity information;

''(ii) computational toxicology and bioinformatics;

''(iii) high-throughput screening methods and the prediction models of those methods; and

''(iv) scientifically reliable and relevant alternatives to tests on animals that would provide equivalent information;

''(B) encouraging and facilitating—

''(i) the use of integrated and tiered testing and assessment strategies;

''(ii) the use of best available science in existence on the date on which the test is conducted;

''(iii) the use of test methods that eliminate or reduce the use of animals while providing information of high scientific quality;

''(iv) the grouping of 2 or more chemical substances into scientifically appropriate categories in cases in which testing of a chemical substance would provide reliable and useful information on other chemical substances in the category;

''(v) the formation of industry consortia to jointly conduct testing to avoid unnecessary duplication of tests; and

''(vi) the submission of information from—

''(I) animal-based studies; and

''(II) emerging methods and models; and

''(C) funding research and validation studies to reduce, refine, and replace the use of animal tests in accordance with this subsection.

''(2) IMPLEMENTATION OF ALTERNATIVE TESTING METHODS.—To promote the development and timely incorporation of new testing methods that are not based on vertebrate animals, the Administrator shall—

''(A) not later than 2 years after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, develop a strategic plan to promote the development and implementation of alternative test methods and testing strategies to generate information under this title that can reduce, refine, or replace the use of vertebrate animals, including toxicity pathway-based risk assessment, in vitro studies, systems biology, computational toxicology, bioinformatics, and high-throughput screening;

''(B) as practicable, ensure that the strategic plan developed under subparagraph (A) is reflected in the development of requirements for testing under this section;

''(C) identify in the strategic plan developed under subparagraph (A) particular alternative test methods or testing strategies that do not require new vertebrate animal testing and are scientifically reliable, relevant, and capable of providing information of equivalent scientific reliability and quality to that which would be obtained from vertebrate animal testing;

''(D) provide an opportunity for public notice and comment on the contents of the plan developed under subparagraph (A), including the criteria for considering scientific reliability, relevance, and equivalent information and the test methods and strategies identified in subparagraph (C);

''(E) beginning on the date that is 5 years after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act and every 5 years thereafter, submit to Congress a report that describes the progress made in implementing this subsection and goals for future alternative test methods implementation;

''(F) fund and carry out research, development, performance assessment, and translational studies to accelerate the development of test methods and testing strategies that reduce, refine, or replace the use of vertebrate animals in any testing under this title; and

''(G) identify synergies with the related information requirements of other jurisdictions to minimize the potential for additional or duplicative testing.

''(3) CRITERIA FOR ADAPTING OR WAIVING ANIMAL TESTING REQUIREMENTS.—On request from a manufacturer or processor that is required to conduct testing of a chemical substance or mixture on vertebrate animals under this section, the Administrator may adapt or waive the requirement, if the Administrator determines that—

''(A) there is sufficient evidence from several independent sources of information to support a conclusion that a chemical substance or mixture has, or does not have, a particular property if the information from each individual source alone is insufficient to support the conclusion;

''(B) as a result of 1 or more physical or chemical properties of the chemical substance or mixture or other toxicokinetic considerations—

''(i) the substance cannot be absorbed; or

''(ii) testing for a specific endpoint is technically not practicable to conduct; or

''(C) a chemical substance or mixture cannot be tested in vertebrate animals at concentrations that do not result in significant pain or distress, because of physical or chemical properties of the chemical substance or mixture, such as a potential to cause severe corrosion or severe irritation to the tissues of the animal.

''(4) VOLUNTARY TESTING.—

''(A) IN GENERAL.—Any person developing information for submission under this title on a voluntary basis and not pursuant to any request or requirement by the Administrator shall first attempt to develop the information by means of an alternative or nonanimal test method or testing strategy that the Administrator has determined under paragraph (2)(C) to be scientifically reliable, relevant, and capable of providing equivalent information, before conducting new animal testing.

''(B) EFFECT OF PARAGRAPH.—Nothing in this paragraph—

''(i) requires the Administrator to review the basis on which the person is conducting testing described in subparagraph (A);

''(ii) prohibits the use of other test methods or testing strategies by any person for purposes other than developing information for submission under this title on a voluntary basis; or

''(iii) prohibits the use of other test methods or testing strategies by any person, subsequent to the attempt to develop information using the test methods and testing strategies identified by the Administrator under paragraph (2)(C).

''(d) TESTING REQUIREMENTS.—

''(1) IN GENERAL.—The Administrator may require the development of information by—

''(A) manufacturers and processors of the chemical substance or mixture; and

''(B) persons that begin to manufacture or process the chemical substance or mixture after the effective date of the rule, testing consent agreement, or order.

''(2) DESIGNATION.—The Administrator may permit 2 or more persons identified in subparagraph (A) or (B) of paragraph (1) to designate 1 of the persons or a qualified third party—

''(A) to develop the information; and

''(B) to submit the information on behalf of the persons making the designation.

''(3) EXEMPTIONS.—

''(A) IN GENERAL.—A person otherwise subject to a rule, testing consent agreement, or order under this section may submit to the Administrator an application for an exemption on the basis that submission of information by the applicant on the chemical substance or mixture would be duplicative of—

''(i) information on the chemical substance or mixture that—

''(I) has been submitted to the Administrator pursuant to a rule, consent agreement, or order under this section; or

''(II) is being developed by a person designated under paragraph (2); or

''(ii) information on an equivalent chemical substance or mixture that—

''(I) has been submitted to the Administrator pursuant to a rule, consent agreement, or order under this section; or

''(II) is being developed by a person designated under paragraph (2).

''(B) FAIR AND EQUITABLE REIMBURSEMENT TO DESIGNEE.—

''(i) IN GENERAL.—If the Administrator accepts an application submitted under subparagraph (A), before the end of the reimbursement period described in clause (iii), the Administrator shall direct the applicant to provide to the person designated under paragraph (2) fair and equitable reimbursement, as agreed to between the applicant and the designee.

''(ii) ARBITRATION.—If the applicant and a person designated under paragraph (2) cannot reach agreement on the amount of fair and equitable reimbursement, the amount shall be determined by arbitration.

''(iii) REIMBURSEMENT PERIOD.—For the purposes of this subparagraph, the reimbursement period for any information for a chemical substance or mixture is a period—

''(I) beginning on the date the information is submitted in accordance with a rule, testing consent agreement, or order under this section; and

''(II) ending on the later of—

''(aa) 5 years after the date referred to in subclause (I); or

''(bb) the last day of the period that begins on the date referred to in subclause (I) and that is equal to the period that the Administrator determines was necessary to develop the information.

''(C) TERMINATION.—If, after granting an exemption under this paragraph, the Administrator determines that no person designated under paragraph (2) has complied with the rule, testing consent agreement, or order, the Administrator shall—

''(i) by order, terminate the exemption; and

''(ii) notify in writing each person that received an exemption of the requirements with respect to which the exemption was granted.

''(4) TIERED TESTING.—

''(A) IN GENERAL.—Except as provided in subparagraph (D), the Administrator shall employ a tiered screening and testing process, under which the results of screening-level tests or assessments of available information inform the decision as to whether 1 or more additional tests are necessary.

''(B) SCREENING-LEVEL TESTS.—

''(i) IN GENERAL.—The screening-level tests required for a chemical substance or mixture may include tests for hazard (which may include in silico, in vitro, and in vivo tests), environmental and biological fate and transport, and measurements or modeling of exposure or exposure potential, as appropriate.

''(ii) USE.—Screening-level tests shall be used—

''(I) to screen chemical substances or mixtures for potential adverse effects; and

''(II) to inform a decision of the Administrator regarding whether more complex or targeted additional testing is necessary.

''(C) ADDITIONAL TESTING.—If the Administrator determines under subparagraph (B) that additional testing is necessary to provide more definitive information for safety assessments or safety determinations, the Administrator may require more advanced tests for potential health or environmental effects or exposure potential.

''(D) ADVANCED TESTING WITHOUT SCREENING.—The Administrator may require more advanced testing without conducting screening-level testing when other information available to the Administrator justifies the advanced testing, pursuant to guidance developed by the Administrator under this section.

''(e) TRANSPARENCY.—Subject to section 14, the Administrator shall make available to the public all testing consent agreements and orders and all information submitted under this section.''.

(b) CONFORMING AMENDMENT.—Section 104(i)(5)(A) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(i)(5)(A)) is amended in the third sentence by inserting ''(as in effect on the day before the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act)'' after ''Toxic Substances Control Act''.

SEC. 6. PRIORITIZATION SCREENING.

The Toxic Substances Control Act is amended by inserting after section 4 (15 U.S.C. 2603) the following:

''SEC. 4A. PRIORITIZATION SCREENING.

''(a) PRIORITIZATION SCREENING PROCESS AND LIST OF SUBSTANCES.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Administrator shall establish, by rule, a risk-based screening process and criteria for identifying existing chemical substances that are—

''(A) a high priority for a safety assessment and safety determination under section 6 (referred to in this Act as 'high-priority substances'); and

''(B) a low priority for a safety assessment and safety determination (referred to in this Act as 'low-priority substances').

''(2) INITIAL AND SUBSEQUENT LISTS OF HIGH- AND LOW-PRIORITY SUBSTANCES.—

''(A) IN GENERAL.—Before the date of promulgation of the rule under paragraph (1) and not later than 180 days after the date of enactment of this section, the Administrator shall publish an initial list of high-priority substances and low-priority substances.

''(B) REQUIREMENTS.—

''(i) IN GENERAL.—The initial list of chemical substances shall contain at least 10 high-priority substances, at least 5 of which are drawn from the list of chemical substances identified by the Administrator in the October 2014 TSCA Work Plan and subsequent updates, and at least 10 low-priority substances.

''(ii) SUBSEQUENTLY IDENTIFIED SUBSTANCES.—Insofar as possible, at least 50 percent of all substances subsequently identified by the Administrator as high-priority substances shall be drawn from the list of chemical substances identified by the Administrator in the October 2014 TSCA Work Plan and subsequent updates, until all Work Plan chemicals have been designated under this subsection.

''(iii) PREFERENCES.—

''(I) IN GENERAL.—In developing the initial list and in identifying additional high-priority substances, the Administrator shall give preference to—

''(aa) chemical substances that, with respect to persistence and bioaccumulation, score high for 1 and either high or moderate for the other, pursuant to the TSCA Work Plan Chemicals Methods Document published by the Administrator in February 2012; and

''(bb) chemical substances listed in the October 2014 TSCA Work Plan and subsequent updates that are known human carcinogens and have high acute and chronic toxicity.

''(II) METALS AND METAL COMPOUNDS.—In prioritizing and assessing metals and metal compounds, the Administrator shall use the Framework for Metals Risk Assessment of the Office of the Science Advisor, Risk Assessment Forum, and dated March 2007 (or a successor document), and may use other applicable information consistent with the best available science.

''(C) ADDITIONAL CHEMICAL REVIEWS.—The Administrator shall, as soon as practicable and not later than—

''(i) 3 years after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, add additional high-priority substances sufficient to ensure that at least a total of 20 high-priority substances have undergone or are undergoing the process established in section 6(a), and additional low-priority substances sufficient to ensure that at least a total of 20 low-priority substances have been designated; and

''(ii) 5 years after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, add additional high-priority substances sufficient to ensure that at least a total of 25 high-priority substances have undergone or are undergoing the process established in section 6(a), and additional low-priority substances sufficient to ensure that at least a total of 25 low-priority substances have been designated.

''(3) IMPLEMENTATION.—

''(A) CONSIDERATION OF ACTIVE AND INACTIVE SUBSTANCES.—

''(i) ACTIVE SUBSTANCES.—In implementing the prioritization screening process established under paragraph (1), the Administrator shall take into consideration active substances, as determined under section 8, which may include chemical substances on the interim list of active substances established under that section.

''(ii) INACTIVE SUBSTANCES.—In implementing the prioritization screening process established under paragraph (1), the Administrator may take into consideration inactive substances, as determined under section 8, that the Administrator determines—

''(I)(aa) have not been subject to a regulatory or other enforceable action by the Administrator to ban or phase out the substances; and

''(bb) have the potential for high hazard and widespread exposure; or

''(II)(aa) have been subject to a regulatory or other enforceable action by the Administrator to ban or phase out the substances; and

''(bb) with respect to which there exists the potential for residual high hazards or widespread exposures not otherwise addressed by the regulatory or other action.

''(iii) REPOPULATION.—

''(I) IN GENERAL.—On the completion of a safety determination under section 6 for a chemical substance, the Administrator shall remove the chemical substance from the list of high-priority substances established under this subsection.

''(II) ADDITIONS.—The Administrator shall add at least 1 chemical substance to the list of high-priority substances for each chemical substance removed from the list of high-priority substances established under this subsection, until a safety assessment and safety determination is completed for all chemical substances not designated as high-priority.

''(B) TIMELY COMPLETION OF PRIORITIZATION SCREENING PROCESS.—

''(i) IN GENERAL.—The Administrator shall—

''(I) except as provided under paragraph (2), not later than 180 days after the effective date of the final rule under paragraph (1), begin the prioritization screening process; and

''(II) make every effort to complete the designation of all active substances as high-priority substances or low-priority substances in a timely manner.

''(ii) DECISIONS ON SUBSTANCES SUBJECT TO TESTING FOR PRIORITIZATION PURPOSES.—Not later than 90 days after the date of receipt of information regarding a chemical substance complying with a rule, testing consent agreement, or order issued under section 4(a)(2), the Administrator shall designate the chemical substance as a high-priority substance or low-priority substance.

''(iii) CONSIDERATION.—

''(I) IN GENERAL.—The Administrator shall screen substances and designate high-priority substances consistent with the ability of the Administrator to schedule and complete safety assessments and safety determinations under section 6 in accordance with the deadlines under subsection (a) of that section.

''(II) ANNUAL GOAL.—The Administrator shall publish an annual goal for the number of chemical substances to be subject to the prioritization screening process.

''(C) SCREENING OF CATEGORIES OF SUBSTANCES.—The Administrator may screen categories of chemical substances to ensure an efficient prioritization screening process to allow for timely and adequate designations of high-priority substances and low-priority substances and safety assessments and safety determinations for high-priority substances.

''(D) PUBLICATION OF LIST OF CHEMICAL SUBSTANCES.—The Administrator shall keep current and publish a list of chemical substances that includes and identifies substances—

''(i) that are being considered in the prioritization screening process and the status of the substances in the prioritization process;

''(ii) for which prioritization decisions have been postponed pursuant to subsection (b)(5), including the basis for the postponement; and

''(iii) that are designated as high-priority substances or low-priority substances, including the bases for such designations.

''(4) CRITERIA.—The criteria described in paragraph (1) shall account for—

''(A) the recommendation of the Governor of a State or a State agency with responsibility for protecting health or the environment from chemical substances appropriate for prioritization screening;

''(B) the hazard and exposure potential of the chemical substance (or category of substances), including persistence, bioaccumulation, and specific scientific classifications and designations by authoritative governmental entities;

''(C) the conditions of use or significant changes in the conditions of use of the chemical substance;

''(D) evidence and indicators of exposure potential to humans or the environment from the chemical substance, including potentially exposed or susceptible populations and storage near significant sources of drinking water;

''(E) the volume of a chemical substance manufactured or processed;

''(F) whether the volume of a chemical substance as reported pursuant to a rule promulgated pursuant to section 8(a) has significantly increased or decreased;

''(G) the availability of information regarding potential hazards and exposures required for conducting a safety assessment or safety determination, with limited availability of relevant information to be a sufficient basis for designating a chemical substance as a high-priority substance, subject to the condition that limited

availability shall not require designation as a high-priority substance; and

''(H) the extent of Federal or State regulation of the chemical substance or the extent of the impact of State regulation of the chemical substance on the United States, with existing Federal or State regulation of any uses evaluated in the prioritization screening process as a factor in designating a chemical substance to be a high-priority or a low-priority substance.

''(b) PRIORITIZATION SCREENING PROCESS AND DECISIONS.—

''(1) IN GENERAL.—In implementing the prioritization screening process developed under subsection (a), the Administrator shall—

''(A) identify the chemical substances being considered for prioritization;

''(B) request interested persons to supply information regarding the chemical substances being considered;

''(C) apply the criteria identified in subsection (a)(4); and

''(D) subject to paragraph (5) and using the information available to the Administrator at the time of the decision, identify a chemical substance as a high-priority substance or a low-priority substance.

''(2) REASONABLY AVAILABLE INFORMATION.—The prioritization screening decision regarding a chemical substance shall consider any hazard and exposure information relating to the chemical substance that is reasonably available to the Administrator.

''(3) IDENTIFICATION OF HIGH-PRIORITY SUBSTANCES.—The Administrator—

''(A) shall identify as a high-priority substance a chemical substance that, relative to other active chemical substances, the Administrator determines has the potential for significant hazard and significant exposure;

''(B) may identify as a high-priority substance a chemical substance that, relative to other active chemical substances, the Administrator determines has the potential for significant hazard or significant exposure; and

''(C) may identify as a high-priority substance an inactive substance, as determined under subsection (a)(3)(A)(ii) and section 8(b), that the Administrator determines warrants a safety assessment and safety determination under section 6.

''(4) IDENTIFICATION OF LOW-PRIORITY SUBSTANCES.—The Administrator shall identify as a low-priority substance a chemical substance that the Administrator concludes has information sufficient to establish that the chemical substance is likely to meet the safety standard.

''(5) POSTPONING A DECISION.—If the Administrator determines that additional information is needed to establish the priority of a chemical substance under this section, the Administrator may postpone a prioritization screening decision for a reasonable period—

''(A) to allow for the submission of additional information by an interested person and for the Administrator to evaluate the additional information; or

''(B) to require the development of information pursuant to a rule, testing consent agreement, or order issued under section 4(a)(2).

''(6) DEADLINES FOR SUBMISSION OF INFORMATION.—If the Administrator requests the development or submission of information under this section, the Administrator shall establish a deadline for submission of the information.

''(7) NOTICE AND COMMENT.—The Administrator shall—

''(A) publish, including in the Federal Register, the proposed decisions made under paragraphs (3), (4), and (5) and the basis for the decisions;

''(B) identify the information and analysis on which the decisions are based; and

''(C) provide 90 days for public comment.

''(8) REVISIONS OF PRIOR DESIGNATIONS.—

''(A) IN GENERAL.—At any time, the Administrator may revise the designation of a chemical substance as a high-priority substance or a low-priority substance based on information available to the Administrator after the date of the determination under paragraph (3) or (4).

''(B) LIMITED AVAILABILITY.—If limited availability of relevant information was a basis in the designation of a chemical substance as a high-priority substance, the Administrator shall reevaluate the prioritization screening of the chemical substance on receiving the relevant information.

''(9) OTHER INFORMATION RELEVANT TO PRIORITIZATION.—

''(A) IN GENERAL.—If, after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, a State proposes an administrative action or enacts a statute or takes an administrative action to prohibit or otherwise restrict the manufacturing, processing, distribution in commerce, or use of a chemical substance that the Administrator has not designated as a high-priority substance, the Governor or State agency with responsibility for implementing the statute or administrative action shall notify the Administrator.

''(B) REQUESTS FOR INFORMATION.—Following receipt of a notification provided under subparagraph (A), the Administrator may request any available information from the Governor or the State agency with respect to—

''(i) scientific evidence related to the hazards, exposures and risks of the chemical substance under the conditions of use which the statute or administrative action is intended to address;

''(ii) any State or local conditions which warranted the statute or administrative action;

''(iii) the statutory or administrative authority on which the action is based; and

''(iv) any other available information relevant to the prohibition or other restriction, including information on any alternatives considered and their hazards, exposures, and risks.

''(C) PRIORITIZATION SCREENING.—The Administrator shall conduct a prioritization screening under this subsection for all substances that—

''(i) are the subject of notifications received under subparagraph (A); and

''(ii) the Administrator determines—

''(I) are likely to have significant health or environmental impacts;

''(II) are likely to have significant impact on interstate commerce; or

''(III) have been subject to a prohibition or other restriction under a statute or administrative action in 2 or more States.

''(D) POST-PRIORITIZATION NOTICE.—If, after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, a State proposes or takes an administrative action or enacts a statute to prohibit or otherwise restrict the manufacturing, processing, distribution in commerce, or use of a high-priority substance, after the date on which the deadline established pursuant to subsection (a) of section 6 for completion of the safety determination under that subsection expires but before the date on which the Administrator publishes the safety determination under that subsection, the Governor or State agency with responsibility for implementing the statute or administrative action shall—

''(i) notify the Administrator; and

''(ii) provide the scientific and legal basis for the action.

''(E) AVAILABILITY TO PUBLIC.—Subject to section 14 and any applicable State law regarding the protection of confidential information provided to the State or to the Administrator, the Administrator shall make information received from a Governor or State agency under subparagraph (A) publicly available.

''(F) EFFECT OF PARAGRAPH.—Nothing in this paragraph shall preempt a State statute or administrative action, require approval of a State statute or administrative action, or apply section 15 to a State.

''(10) REVIEW.—Not less frequently than once every 5 years after the date on which the process under this subsection is established, the Administrator shall—

''(A) review the process on the basis of experience and taking into consideration resources available to efficiently and effectively screen and prioritize chemical substances; and

''(B) if necessary, modify the prioritization screening process.

''(11) EFFECT.—Subject to section 18, a designation by the Administrator under this section with respect to a chemical substance shall not affect—

''(A) the manufacture, processing, distribution in commerce, use, or disposal of the chemical substance; or

''(B) the regulation of those activities.

''(c) ADDITIONAL PRIORITIES FOR SAFETY ASSESSMENTS AND DETERMINATIONS.—

''(1) REQUIREMENTS.—

''(A) IN GENERAL.—The rule promulgated under subsection (a) shall—

''(i) include a process by which a manufacturer or processor of an active chemical substance that has not been designated a high-priority substance or is not in the process of a prioritization screening by the Administrator, may request that the Administrator designate the substance as an additional priority for a safety assessment and safety determination, subject to the payment of fees pursuant to section 26(b)(3)(D);

''(ii) specify the information to be provided in such requests; and

''(iii) specify the criteria (which may include criteria identified in subsection (a)(4)) that the Administrator shall use to determine whether or not to grant such a request, which shall include whether the substance is subject to restrictions imposed by statutes enacted or administrative actions taken by 1 or more States on the manufacture, processing, distribution in commerce, or use of the substance.

''(B) PREFERENCE.—Subject to paragraph (2), in deciding whether to grant requests under this subsection the Administrator shall give a preference to requests concerning substances for which the Administrator determines that restrictions imposed by 1 or more States have the potential to have a significant impact on interstate commerce or health or the environment.

''(C) EXCEPTIONS.—Chemical substances for which requests have been granted under this subsection shall not be subject to subsection (a)(3)(A)(iii) or section 18(b).

''(2) LIMITATIONS.—In considering whether to grant a request submitted under paragraph (1), the Administrator shall ensure that—

''(A) the number of substances designated to undergo safety assessments and safety determinations under the process and criteria pursuant to paragraph (1) is not less than 25 percent, or more than 30 percent, of the cumulative number of substances designated to undergo safety assessments and safety determinations under subsections (a)(2) and (b)(3) (except that if less than 25 percent are received by the Administrator, the Administrator shall grant each request that meets the requirements of paragraph (1));

''(B) the resources allocated to conducting safety assessments and safety determinations for additional priorities designated under this subsection are proportionate to the number of such substances relative to the total number of substances currently designated to undergo safety assessments and safety determinations under this section; and

''(C) the number of additional priority requests stipulated under subparagraph (A) is in addition to the total number of high-priority substances identified under subsections (a)(2) and (b)(3).

''(3) ADDITIONAL REVIEW OF WORK PLAN CHEMICALS FOR SAFETY ASSESSMENT AND SAFETY DETERMINATION.—In the case of a request under paragraph (1) with respect to a chemical substance identified by the Administrator in the October 2014 TSCA Work Plan—

''(A) the 30-percent cap specified in paragraph (2)(A) shall not apply and the addition of Work Plan chemicals shall be at the discretion of the Administrator; and

''(B) notwithstanding paragraph (1)(C), requests for additional Work Plan chemicals under this subsection shall be considered high-priority chemicals subject to section 18(b) but not subsection (a)(3)(A)(iii).

''(4) REQUIREMENTS.—

''(A) IN GENERAL.—The public shall be provided notice and an opportunity to comment on requests submitted under this subsection.

''(B) DECISION BY ADMINISTRATOR.—Not later than 180 days after the date on which the Administrator receives a request under this subsection, the Administrator shall decide whether or not to grant the request.

''(C) ASSESSMENT AND DETERMINATION.—If the Administrator grants a request under this subsection, the safety assessment and safety determination—

''(i) shall be conducted in accordance with the deadlines and other requirements of sections 3A(i) and 6; and

''(ii) shall not be expedited or otherwise subject to special treatment relative to high-priority substances designated pursuant to subsection (b)(3) that are undergoing safety assessments and safety determinations.''.

SEC. 7. NEW CHEMICALS AND SIGNIFICANT NEW USES.

Section 5 of the Toxic Substances Control Act (15 U.S.C. 2604) is amended—

(1) by striking the section designation and heading and inserting the following:

''SEC. 5. NEW CHEMICALS AND SIGNIFICANT NEW USES.'';

(2) by striking subsection (b);

(3) by redesignating subsection (a) as subsection (b);

(4) by redesignating subsection (i) as subsection (a) and moving the subsection so as to appear at the beginning of the section;

(5) in subsection (b) (as so redesignated)—

(A) in the subsection heading, by striking ''IN GENERAL'' and inserting ''NOTICES'';

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''subsection (h)'' and inserting ''paragraph (3) and subsection (h)''; and

(ii) in the matter following subparagraph (B)—

(I) by striking ''subsection (d)'' and inserting ''subsection (c)''; and

(II) by striking ''and such person complies with any applicable requirement of subsection (b)''; and

(C) by adding at the end the following:

''(3) ARTICLE CONSIDERATION.—The Administrator may require notification under this section for the import or processing of a chemical substance as part of an article or category of articles under paragraph (1)(B) if the Administrator makes an affirmative finding in a rule under paragraph (2) that the reasonable potential for exposure to the chemical substance through the article or category of articles subject to the rule warrants notification.'';

(6) by redesignating subsections (c) and (d) as subsections (d) and (c), respectively, and moving subsection (c) (as so redesigned) so as appear after subsection (b) (as redesignated by paragraph (3));

(7) in subsection (c) (as so redesignated)—

(A) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—The notice required by subsection (b) shall include, with respect to a chemical substance—

''(A) the information required by sections 720.45 and 720.50 of title 40, Code of Federal Regulations (or successor regulations); and

''(B) all known or reasonably ascertainable information regarding conditions of use and reasonably anticipated exposures.'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A)—

(I) by striking ''subsection (a)'' and inserting ''subsection (b)''; and

(II) by striking ''or of data under subsection (b)'';

(ii) in subparagraph (A), by adding ''and'' after the semicolon at the end;

(iii) in subparagraph (B), by striking ''; and'' and inserting a period; and

(iv) by striking subparagraph (C); and

(C) in paragraph (3), by striking ''subsection (a) and for which the notification period prescribed by subsection (a), (b), or (c)'' and inserting ''subsection (b) and for which the notification period prescribed by subsection (b) or (d)'';

(8) by striking subsection (d) (as redesignated by paragraph (6)) and inserting the following:

''(d) REVIEW OF NOTICE.—

''(1) INITIAL REVIEW.—

''(A) IN GENERAL.—Subject to subparagraph (B), not later than 90 days after the date of receipt of a notice submitted under subsection (b), the Administrator shall—

''(i) conduct an initial review of the notice;

''(ii) as needed, develop a profile of the relevant chemical substance and the potential for exposure to humans and the environment; and

''(iii) make a determination under paragraph (3).

''(B) EXTENSION.—Except as provided in paragraph (5), the Administrator may extend the period described in subparagraph (A) for good cause for 1 or more periods, the total of which shall be not more than 90 days.

''(2) INFORMATION SOURCES.—In evaluating a notice under paragraph (1), the Administrator shall take into consideration—

''(A) any relevant information identified in subsection (c)(1); and

''(B) any other relevant additional information available to the Administrator.

''(3) DETERMINATIONS.—Before the end of the applicable period for review under paragraph (1), based on the information described in paragraph (2), and subject to section 18(g), the Administrator shall determine that—

''(A) the relevant chemical substance or significant new use is not likely to meet the safety standard, in which case the Administrator shall take appropriate action under paragraph (4);

''(B) the relevant chemical substance or significant new use is likely to meet the safety standard, in which case the Administrator shall allow the review period to expire without additional restrictions; or

''(C) additional information is necessary in order to make a determination under subparagraph (A) or (B), in which case the Administrator shall take appropriate action under paragraphs (4) and (5).

''(4) RESTRICTIONS.—

''(A) DETERMINATION BY ADMINISTRATOR.—

''(i) IN GENERAL.—If the Administrator makes a determination under subparagraph (A) or (C) of paragraph (3) with respect to a notice submitted under subsection (b)—

''(I) the Administrator, before the end of the applicable period for review under paragraph (1) and by consent agreement or order, as appropriate, shall prohibit or otherwise restrict the manufacture, processing, use, distribution in commerce, or disposal (as applicable) of the chemical substance, or of the chemical substance for a significant new use, without compliance with the restrictions specified in the consent agreement or order that the Administrator determines are sufficient to ensure that the chemical substance or significant new use is likely to meet the safety standard; and

''(II) no person may commence manufacture of the chemical substance, or manufacture or processing of the chemical substance for a significant new use, except in compliance with the restrictions specified in the consent agreement or order.

''(ii) LIKELY TO MEET STANDARD.—If the Administrator makes a determination under subparagraph (B) of paragraph (3) with respect to a chemical substance or significant new use for which a notice was submitted under subsection (b), then notwithstanding any remaining portion of the applicable period for review under paragraph (1), the submitter of the notice may commence manufacture for commercial purposes of the chemical substance or manufacture or processing of the chemical substance for a significant new use.

''(B) REQUIREMENTS.—Not later than 90 days after issuing a consent agreement or order under subparagraph (A), the Administrator shall—

''(i) consider whether to promulgate a rule pursuant to subsection (b)(2) that identifies as a significant new use any manufacturing, processing, use, distribution in commerce, or disposal of the chemical substance that does not conform to the restrictions imposed by the consent agreement or order; and

''(ii)(I) initiate a rulemaking described in clause (i); or

''(II) publish a statement describing the reasons of the Administrator for not initiating a rulemaking.

''(C) INCLUSIONS.—A prohibition or other restriction under subparagraph (A) may include, as appropriate—

''(i) subject to section 18(g), a requirement that a chemical substance shall be marked with, or accompanied by, clear and adequate minimum warnings and instructions with respect to use, distribution in commerce, or disposal, or any combination of those activities, with the form and content of the minimum warnings and instructions to be prescribed by the Administrator

''(ii) a requirement that manufacturers or processors of the chemical substance shall—

''(I) make and retain records of the processes used to manufacture or process, as applicable, the chemical substance; or

''(II) monitor or conduct such additional tests as are reasonably necessary to address potential risks from the manufacture, processing, distribution in commerce, use, or disposal, as applicable, of the chemical substance, subject to section 4;

''(iii) a restriction on the quantity of the chemical substance that may be manufactured, processed, or distributed in commerce—

''(I) in general; or

''(II) for a particular use;

''(iv) a prohibition or other restriction of—

''(I) the manufacture, processing, or distribution in commerce of the chemical substance for a significant new use;

''(II) any method of commercial use of the chemical substance; or

''(III) any method of disposal of the chemical substance; or

''(v) a prohibition or other restriction on the manufacture, processing, or distribution in commerce of the chemical substance—

''(I) in general; or

''(II) for a particular use.

''(D) PERSISTENT AND BIOACCUMULATIVE SUBSTANCES.—For a chemical substance the Administrator determines, with respect to persistence

and bioaccumulation, scores high for 1 and either high or moderate for the other, pursuant to the TSCA Work Plan Chemicals Methods Document published by the Administrator in February 2012, the Administrator shall, in selecting among prohibitions and other restrictions that the Administrator determines are sufficient to ensure that the chemical substance is likely to meet the safety standard, reduce potential exposure to the substance to the maximum extent practicable.

''(E) WORKPLACE EXPOSURES.—To the extent practicable, the Administrator shall consult with the Assistant Secretary of Labor for Occupational Safety and Health prior to adopting any prohibition or other restriction under this subsection to address workplace exposures.

''(F) DEFINITION OF REQUIREMENT.—For purposes of this Act, the term 'requirement' as used in this section does not displace common law.

''(5) ADDITIONAL INFORMATION.—If the Administrator determines under paragraph (3)(C) that additional information is necessary to conduct a review under this subsection, the Administrator—

''(A) shall provide an opportunity for the submitter of the notice to submit the additional information;

''(B) may, by agreement with the submitter, extend the review period for a reasonable time to allow the development and submission of the additional information;

''(C) may promulgate a rule, enter into a testing consent agreement, or issue an order under section 4 to require the development of the information; and

''(D) on receipt of information the Administrator finds supports the determination under paragraph (3), shall promptly make the determination.'';

(9) by striking subsections (e) through (g) and inserting the following:

''(e) NOTICE OF COMMENCEMENT.—

''(1) IN GENERAL.—Not later than 30 days after the date on which a manufacturer that has submitted a notice under subsection (b) commences nonexempt commercial manufacture of a chemical substance, the manufacturer shall submit to the Administrator a notice of commencement that identifies—

''(A) the name of the manufacturer; and

''(B) the initial date of nonexempt commercial manufacture.

''(2) WITHDRAWAL.—A manufacturer or processor that has submitted a notice under subsection (b), but that has not commenced nonexempt commercial manufacture or processing of the chemical substance, may withdraw the notice.

''(f) FURTHER EVALUATION.—The Administrator may review a chemical substance under section 4A at any time after the Administrator receives—

''(1) a notice of commencement for a chemical substance under subsection (e); or

''(2) new information regarding the chemical substance.

''(g) TRANSPARENCY.—Subject to section 14, the Administrator shall make available to the public—

''(1) all notices, determinations, consent agreements, rules, and orders submitted under this section or made by the Administrator under this section; and

''(2) all information submitted or issued under this section.''; and

(10) in subsection (h)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''(a) or''; and

(ii) in subparagraph (A), by inserting '', without taking into account cost or other nonrisk factors'' after ''the environment'';

(B) by striking paragraph (2);

(C) by redesignating paragraphs (3) through (6) as paragraphs (2) through (5), respectively;

(D) in paragraph (2) (as so redesignated), in the matter preceding subparagraph (A), by striking ''subsections (a) and (b)'' and inserting ''subsection (b)'';

(E) in paragraph (3) (as so redesignated)—

(i) in the first sentence, by striking ''will not present an unreasonable risk of injury to health or the environment'' and inserting ''will meet the safety standard''; and

(ii) by striking the second sentence;

(F) in paragraph (4) (as so redesignated), by striking ''subsections (a) and (b)'' and inserting ''subsection (b)''; and

(G) in paragraph (5) (as so redesignated), in the first sentence, by striking ''paragraph (1) or (5)'' and inserting ''paragraph (1) or (4)''.

SEC. 8. SAFETY ASSESSMENTS AND SAFETY DETERMINATIONS.

Section 6 of the Toxic Substances Control Act (15 U.S.C. 2605) is amended—

(1) by striking the section designation and heading and inserting the following:

''SEC. 6. SAFETY ASSESSMENTS AND SAFETY DETERMINATIONS.'';

(2) by redesignating subsections (e) and (f) as subsections (h) and (i), respectively;

(3) by striking subsections (a) through (d) and inserting the following:

''(a) IN GENERAL.—The Administrator—

''(1) shall conduct a safety assessment and make a safety determination of each high-priority substance in accordance with subsections (b) and (c);

''(2) shall, as soon as practicable and not later than 6 months after the date on which a chemical substance is designated as a high-priority substance, define and publish the scope of the safety assessment and safety determination to be conducted pursuant to this section, including the hazards, exposures, conditions of use, and potentially exposed or susceptible populations that the Administrator expects to consider;

''(3) as appropriate based on the results of a safety determination, shall establish restrictions pursuant to subsection (d);

''(4) shall complete and publish a safety assessment and safety determination not later than 3 years after the date on which a chemical substance is designated as a high-priority substance;

''(5) shall promulgate any necessary final rule pursuant to subsection (d) by not later than 2 years after the date on which the safety determination is completed;

''(6) may extend any deadline under paragraph (4) for not more than 1 year, if information relating to the high-priority substance, required to be developed in a rule, order, or consent agreement under section 4—

''(A) has not yet been submitted to the Administrator; or

''(B) was submitted to the Administrator—

''(i) within the time specified in the rule, order, or consent agreement pursuant to section 4(a)(4)(A)(iv); and

''(ii) on or after the date that is 120 days before the expiration of the deadline described in paragraph (4); and

''(7) may extend the deadline under paragraph (5) for not more than 2 years, subject to the condition that the aggregate length of all extensions of deadlines under this subsection does not exceed 2 years.

''(b) PRIOR ACTIONS AND NOTICE OF EXISTING INFORMATION.—

''(1) PRIOR-INITIATED ASSESSMENTS.—

''(A) IN GENERAL.—Nothing in this Act prevents the Administrator from initiating a safety assessment or safety determination regarding a chemical substance, or from continuing or completing such a safety assessment or safety determination, prior to the effective date of the policies, procedures, and guidance required to be established by the Administrator under section 3A or 4A.

''(B) INTEGRATION OF PRIOR POLICIES AND PROCEDURES.—As policies and procedures under section 3A and 4A are established, to the maximum extent practicable, the Administrator shall integrate the policies and procedures into ongoing safety assessments and safety determinations.

''(2) ACTIONS COMPLETED PRIOR TO COMPLETION OF POLICIES AND PROCEDURES.—Nothing in this Act requires the Administrator to revise or withdraw a completed safety assessment, safety determination, or rule solely because the action was completed prior to the completion of a policy or procedure established under section 3A or 4A, and the validity of a completed assessment, determination, or rule shall not be determined based on the content of such a policy or procedure.

''(3) NOTICE OF EXISTING INFORMATION.—

''(A) IN GENERAL.—The Administrator shall, where such information is available, take notice of existing information regarding hazard and exposure published by other Federal agencies and the National Academies and incorporate the information in safety assessments and safety determinations with the objective of increasing the efficiency of the safety assessments and safety determinations.

''(B) INCLUSION OF INFORMATION.—Existing information described in subparagraph (A) should be included to the extent practicable and where the Administrator determines the information is relevant and scientifically reliable.

''(c) SAFETY DETERMINATIONS.—

''(1) IN GENERAL.—Based on a review of the information available to the Administrator, including draft safety assessments submitted by interested persons pursuant to section 3A(h)(2)(D), and subject to section 18(g), the Administrator shall determine—

''(A) by order, that the relevant chemical substance meets the safety standard;

''(B) that the relevant chemical substance does not meet the safety standard, in which case the Administrator shall, by rule under subsection (d)—

''(i) impose restrictions necessary to ensure that the chemical substance meets the safety standard under the conditions of use; or

''(ii) if the safety standard cannot be met with the application of other restrictions under subsection (d)(3), ban or phase out the chemical substance, as appropriate; or

''(C) that additional information is necessary in order to make a determination under subparagraph (A) or (B), in which case the Administrator shall take appropriate action under paragraph (2).

''(2) ADDITIONAL INFORMATION.—If the Administrator determines that additional information is necessary to make a safety assessment or safety determination for a high-priority substance, the Administrator—

''(A) shall provide an opportunity for interested persons to submit the additional information;

''(B) may promulgate a rule, enter into a testing consent agreement, or issue an order under section 4 to require the development of the information;

''(C) may defer, for a reasonable period consistent with the deadlines described in subsection (a), a safety assessment and safety determination until after receipt of the information; and

''(D) consistent with the deadlines described in subsection (a), on receipt of information the Administrator finds supports the safety assessment and safety determination, shall make a determination under paragraph (1).

''(3) ESTABLISHMENT OF DEADLINE.—In requesting the development or submission of information under this section, the Administrator

shall establish a deadline for the submission of the information.

''(d) RULE.—

''(1) IMPLEMENTATION.—If the Administrator makes a determination under subsection (c)(1)(B) with respect to a chemical substance, the Administrator shall promulgate a rule establishing restrictions necessary to ensure that the chemical substance meets the safety standard.

''(2) SCOPE.—

''(A) IN GENERAL.—The rule promulgated pursuant to this subsection—

''(i) may apply to mixtures containing the chemical substance, as appropriate;

''(ii) shall include dates by which compliance is mandatory, which—

''(I) shall be as soon as practicable, but not later than 4 years after the date of promulgation of the rule, except in the case of a use exempted under paragraph (5);

''(II) in the case of a ban or phase-out of the chemical substance, shall implement the ban or phase-out in as short a period as practicable;

''(III) as determined by the Administrator, may vary for different affected persons; and

''(IV) following a determination by the Administrator that compliance is technologically or economically infeasible within the timeframe specified in subclause (I), shall provide up to an additional 18 months for compliance to be mandatory;

''(iii) shall exempt replacement parts that are manufactured prior to the effective date of the rule for articles that are first manufactured prior to the effective date of the rule unless the Administrator finds the replacement parts contribute significantly to the identified risk;

''(iv) shall, in selecting among prohibitions and other restrictions, apply such prohibitions or other restrictions to an article or category of articles containing the chemical substance only to the extent necessary to address the identified risks from exposure to the chemical substance from the article or category of articles, in order to determine that the chemical substance meets the safety standard; and

''(v) shall, when the Administrator determines that the chemical substance does not meet the safety standard for a potentially exposed or susceptible population, apply prohibitions or other restrictions necessary to ensure that the substance meets the safety standard for that population.

''(B) PERSISTENT AND BIOACCUMULATIVE SUBSTANCES.—For a chemical substance the Administrator determines, with respect to persistence and bioaccumulation, scores high for 1 and either high or moderate for the other, pursuant to the TSCA Work Plan Chemicals Methods Document published by the Administrator in February 2012, the Administrator shall, in selecting among prohibitions and other restrictions that the Administrator determines are sufficient to ensure that the chemical substance meets the safety standard, reduce exposure to the substance to the maximum extent practicable.

''(C) WORKPLACE EXPOSURES.—The Administrator shall consult with the Assistant Secretary of Labor for Occupational Safety and Health before adopting any prohibition or other restriction under this subsection to address workplace exposures.

''(D) DEFINITION OF REQUIREMENT.—For the purposes of this Act, the term 'requirement' as used in this section does not displace common law.

''(3) RESTRICTIONS.—Subject to section 18, a restriction under paragraph (1) may include, as appropriate—

''(A) a requirement that a chemical substance shall be marked with, or accompanied by, clear and adequate minimum warnings and instructions with respect to use, distribution in commerce, or disposal, or any combination of those activities, with the form and content of the minimum warnings and instructions to be prescribed by the Administrator;

''(B) a requirement that manufacturers or processors of the chemical substance shall—

''(i) make and retain records of the processes used to manufacture or process the chemical substance;

''(ii) describe and apply the relevant quality control procedures followed in the manufacturing or processing of the substance; or

''(iii) monitor or conduct tests that are reasonably necessary to ensure compliance with the requirements of any rule under this subsection;

''(C) a restriction on the quantity of the chemical substance that may be manufactured, processed, or distributed in commerce;

''(D) a requirement to ban or phase out, or otherwise restrict the manufacture, processing, or distribution in commerce of the chemical substance for—

''(i) a particular use;

''(ii) a particular use at a concentration in excess of a level specified by the Administrator; or

''(iii) all uses;

''(E) a restriction on the quantity of the chemical substance that may be manufactured, processed, or distributed in commerce for—

''(i) a particular use; or

''(ii) a particular use at a concentration in excess of a level specified by the Administrator;

''(F) a requirement to ban, phase out, or otherwise restrict any method of commercial use of the chemical substance;

''(G) a requirement to ban, phase out, or otherwise restrict any method of disposal of the chemical substance or any article containing the chemical substance; and

''(H) a requirement directing manufacturers or processors of the chemical substance to give notice of the Administrator's determination under subsection (c)(1)(B) to distributors in commerce of the chemical substance and, to the extent reasonably ascertainable, to other persons in the chain of commerce in possession of the chemical substance.

''(4) ANALYSIS FOR RULEMAKING.—

''(A) CONSIDERATIONS.—In deciding which restrictions to impose under paragraph (3) as part of developing a rule under paragraph (1), the Administrator shall take into consideration, to the extent practicable based on reasonably available information, the quantifiable and nonquantifiable costs and benefits of the proposed regulatory action and of the 1 or more primary alternative regulatory actions considered by the Administrator.

''(B) ALTERNATIVES.—As part of the analysis, the Administrator shall review any 1 or more technically and economically feasible alternatives to the chemical substance that the Administrator determines are relevant to the rulemaking.

''(C) PUBLIC AVAILABILITY.—In proposing a rule under paragraph (1), the Administrator shall make publicly available any analysis conducted under this paragraph.

''(D) STATEMENT REQUIRED.—In making final a rule under paragraph (1), the Administrator shall include a statement describing how the analysis considered under subparagraph (A) was taken into account.

''(5) EXEMPTIONS.—

''(A) IN GENERAL.—The Administrator may, as part of a rule promulgated under paragraph (1) or in a separate rule, exempt 1 or more uses of a chemical substance from any restriction in a rule promulgated under paragraph (1) if the Administrator determines that—

''(i) the restriction cannot be complied with, without—

''(I) harming national security;

''(II) causing significant disruption in the national economy due to the lack of availability of a chemical substance; or

''(III) interfering with a critical or essential use for which no technically and economically feasible safer alternative is available, taking into consideration hazard and exposure; or

''(ii) the use of the chemical substance, as compared to reasonably available alternatives, provides a substantial benefit to health, the environment, or public safety.

''(B) EXEMPTION ANALYSIS.—In proposing a rule under this paragraph, the Administrator shall make publicly available any analysis conducted under this paragraph to assess the need for the exemption.

''(C) STATEMENT REQUIRED.—In making final a rule under this paragraph, the Administrator shall include a statement describing how the analysis considered under subparagraph (B) was taken into account.

''(D) ANALYSIS IN CASE OF BAN OR PHASE-OUT.—In determining whether an exemption should be granted under this paragraph for a chemical substance for which a ban or phase-out is included in a proposed or final rule under paragraph (1), the Administrator shall take into consideration, to the extent practicable based on reasonably available information, the quantifiable and nonquantifiable costs and benefits of the 1 or more alternatives to the chemical substance the Administrator determines to be technically and economically feasible and most likely to be used in place of the chemical substance under the conditions of use.

''(E) CONDITIONS.—As part of a rule promulgated under this paragraph, the Administrator shall include conditions, including reasonable recordkeeping, monitoring, and reporting requirements, to the extent that the Administrator determines the conditions are necessary to protect health and the environment while achieving the purposes of the exemption.

''(F) DURATION.—

''(i) IN GENERAL.—The Administrator shall establish, as part of a rule under this paragraph, a time limit on any exemption for a time to be determined by the Administrator as reasonable on a case-by-case basis.

''(ii) AUTHORITY OF ADMINISTRATOR.—The Administrator, by rule, may extend, modify, or eliminate an exemption if the Administrator determines, on the basis of reasonably available information and after adequate public justification, the exemption warrants extension or is no longer necessary.

''(iii) CONSIDERATIONS.—

''(I) IN GENERAL.—Subject to subclause (II), the Administrator shall issue exemptions and establish time periods by considering factors determined by the Administrator to be relevant to the goals of fostering innovation and the development of alternatives that meet the safety standard.

''(II) LIMITATION.—Any renewal of an exemption in the case of a rule under paragraph (1) requiring the ban or phase-out of a chemical substance shall not exceed 5 years.

''(e) IMMEDIATE EFFECT.—The Administrator may declare a proposed rule under subsection (d)(1) to be effective on publication of the rule in the Federal Register and until the effective date of final action taken respecting the rule, if—

''(1) the Administrator determines that—

''(A) the manufacture, processing, distribution in commerce, use, or disposal of the chemical substance or mixture subject to the proposed rule or any combination of those activities is likely to result in a risk of serious or widespread injury to health or the environment before the effective date; and

''(B) making the proposed rule so effective is necessary to protect the public interest; and

''(2) in the case of a proposed rule to prohibit the manufacture, processing, or distribution in commerce of a chemical substance or mixture because of the risk determined under paragraph

(1)(A), a court has granted relief in an action under section 7 with respect to that risk associated with the chemical substance or mixture.

''(f) FINAL AGENCY ACTION.—Under this section and subject to section 18—

''(1) a safety determination, and the associated safety assessment, for a chemical substance that the Administrator determines under subsection (c) meets the safety standard, shall be considered to be a final agency action, effective beginning on the date of issuance of the final safety determination; and

''(2) a final rule promulgated under subsection (d)(1), and the associated safety assessment and safety determination that a chemical substance does not meet the safety standard, shall be considered to be a final agency action, effective beginning on the date of promulgation of the final rule.

''(g) EXTENSION OF DEADLINES FOR CERTAIN CHEMICAL SUBSTANCES.—The Administrator may not extend any deadline under subsection (a) for a chemical substance designated as a high priority that is listed in the 2014 update of the TSCA Work Plan without adequate public justification that demonstrates, following a review of the information reasonably available to the Administrator, that the Administrator cannot adequately complete a safety assessment and safety determination, or a final rule pursuant to subsection (d), without additional information regarding the chemical substance.''; and

(4) in subsection (h) (as redesignated by paragraph (2))—

(A) by striking paragraph (4); and

(B) by redesignating paragraph (5) as paragraph (4).

SEC. 9. IMMINENT HAZARDS.

Section 7 of the Toxic Substances Control Act (15 U.S.C. 2606) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) CIVIL ACTIONS.—

''(1) IN GENERAL.—The Administrator may commence a civil action in an appropriate United States district court for—

''(A) seizure of an imminently hazardous chemical substance or mixture or any article containing the chemical substance or mixture;

''(B) relief (as authorized by subsection (b)) against any person that manufactures, processes, distributes in commerce, uses, or disposes of, an imminently hazardous chemical substance or mixture or any article containing the chemical substance or mixture; or

''(C) both seizure described in subparagraph (A) and relief described in subparagraph (B).

''(2) RULE, ORDER, OR OTHER PROCEEDING.—A civil action may be commenced under this paragraph, notwithstanding—

''(A) the existence of a decision, rule, consent agreement, or order by the Administrator under section 4, 4A, 5, or 6 or title IV or VI; or

''(B) the pendency of any administrative or judicial proceeding under any provision of this Act.'';

(2) in subsection (b)(1), by striking ''unreasonable'';

(3) in subsection (d), by striking ''section 6(a)'' and inserting ''section 6(d)''; and

(4) in subsection (f), in the first sentence, by striking ''and unreasonable''.

SEC. 10. INFORMATION COLLECTION AND REPORTING.

Section 8 of the Toxic Substances Control Act (15 U.S.C. 2607) is amended—

(1) in subsection (a)—

(A) in paragraph (3)—

(i) in subparagraph (A)(ii)(I)—

(I) by striking ''5(b)(4)'' and inserting ''5'';

(II) by inserting ''section 4 or'' after ''in effect under''; and

(III) by striking ''5(e),'' and inserting ''5(d)(4);''; and

(ii) by adding at the end the following:

''(C) Not later than 180 days after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, and not less frequently than once every 10 years thereafter, the Administrator, after consultation with the Administrator of the Small Business Administration, shall—

''(i) review the adequacy of the standards prescribed according to subparagraph (B);

''(ii) after providing public notice and an opportunity for comment, make a determination as to whether revision of the standards is warranted; and

''(iii) revise the standards if the Administrator so determines.''; and

(B) by adding at the end the following:

''(4) RULES.—

''(A) DEADLINE.—

''(i) IN GENERAL.—Not later than 2 years after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, the Administrator shall promulgate rules requiring the maintenance of records and the reporting of additional information known or reasonably ascertainable by the person making the report, including rules applicable to processors so that the Administrator has the information necessary to carry out this title.

''(ii) MODIFICATION OF PRIOR RULES.—In carrying out this subparagraph, the Administrator may modify, as appropriate, rules promulgated before the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act.

''(B) CONTENTS.—The rules promulgated pursuant to subparagraph (A)—

''(i) may impose different reporting and recordkeeping requirements on manufacturers and processors; and

''(ii) shall include the level of detail necessary to be reported, including the manner by which use and exposure information may be reported.

''(C) ADMINISTRATION.—In implementing the reporting and recordkeeping requirements under this paragraph, the Administrator shall take measures—

''(i) to limit the potential for duplication in reporting requirements;

''(ii) to minimize the impact of the rules on small manufacturers and processors; and

''(iii) to apply any reporting obligations to those persons likely to have information relevant to the effective implementation of this title.'';

(2) in subsection (b), by adding at the end the following:

''(3) NOMENCLATURE.—

''(A) IN GENERAL.—In carrying out paragraph (1), the Administrator shall—

''(i) maintain the use of Class 2 nomenclature in use on the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act;

''(ii) maintain the use of the Soap and Detergent Association Nomenclature System, published in March 1978 by the Administrator in section 1 of addendum III of the document entitled 'Candidate List of Chemical Substances', and further described in the appendix A of volume I of the 1985 edition of the Toxic Substances Control Act Substances Inventory (EPA Document No. EPA–560/7–85–002a); and

''(iii) treat all components of categories that are considered to be statutory mixtures under this Act as being included on the list published under paragraph (1) under the Chemical Abstracts Service numbers for the respective categories, including, without limitation—

''(I) cement, Portland, chemicals, CAS No. 65997–15–1;

''(II) cement, alumina, chemicals, CAS No. 65997–16–2;

''(III) glass, oxide, chemicals, CAS No. 65997–17–3;

''(IV) frits, chemicals, CAS No. 65997–18–4;

''(V) steel manufacture, chemicals, CAS No. 65997–19–5; and

''(VI) ceramic materials and wares, chemicals, CAS No. 66402–68–4.

''(B) MULTIPLE NOMENCLATURE CONVENTIONS.—

''(i) IN GENERAL.—If an existing guidance allows for multiple nomenclature conventions, the Administrator shall—

''(I) maintain the nomenclature conventions for substances; and

''(II) develop new guidance that—

''(aa) establishes equivalency between the nomenclature conventions for chemical substances on the list published under paragraph (1); and

''(bb) permits persons to rely on the new guidance for purposes of determining whether a chemical substance is on the list published under paragraph (1).

''(ii) MULTIPLE CAS NUMBERS.—For any chemical substance appearing multiple times on the list under different Chemical Abstracts Service numbers, the Administrator shall develop guidance recognizing the multiple listings as a single chemical substance.

''(4) CHEMICAL SUBSTANCES IN COMMERCE.—

''(A) RULES.—

''(i) IN GENERAL.—Not later than 1 year after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, the Administrator, by rule, shall require manufacturers and processors to notify the Administrator, by not later than 180 days after the date of promulgation of the rule, of each chemical substance on the list published under paragraph (1) that the manufacturer or processor, as applicable, has manufactured or processed for a nonexempt commercial purpose during the 10-year period ending on the day before the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act.

''(ii) ACTIVE SUBSTANCES.—The Administrator shall designate chemical substances for which notices are received under clause (i) to be active substances on the list published under paragraph (1).

''(iii) INACTIVE SUBSTANCES.—The Administrator shall designate chemical substances for which no notices are received under clause (i) to be inactive substances on the list published under paragraph (1).

''(B) CONFIDENTIAL CHEMICAL SUBSTANCES.—In promulgating the rule established pursuant to subparagraph (A), the Administrator shall—

''(i) maintain the list under paragraph (1), which shall include a confidential portion and a nonconfidential portion consistent with this section and section 14;

''(ii) require a manufacturer or processor that is submitting a notice pursuant to subparagraph (A) for a chemical substance on the confidential portion of the list published under paragraph (1) to indicate in the notice whether the manufacturer or processor seeks to maintain any existing claim for protection against disclosure of the specific identity of the substance as confidential pursuant to section 14; and

''(iii) require the substantiation of those claims pursuant to section 14 and in accordance with the review plan described in subparagraph (C).

''(C) REVIEW PLAN.—Not later than 1 year after the date on which the Administrator compiles the initial list of active substances pursuant to subparagraph (A), the Administrator shall promulgate a rule that establishes a plan to review all claims to protect the specific identities of chemical substances on the confidential portion of the list published under paragraph (1) that are asserted pursuant to subparagraph (B).

''(D) REQUIREMENTS OF REVIEW PLAN.—Under the review plan under subparagraph (C), the Administrator shall—

''(i) require, at the time requested by the Administrator, all manufacturers or processors asserting claims under subparagraph (B) to substantiate the claim unless the manufacturer or processor has substantiated the claim in a submission made to the Administrator during the 5-year period ending on the date of the request by the Administrator;

''(ii) in accordance with section 14—

''(I) review each substantiation—

''(aa) submitted pursuant to clause (i) to determine if the claim warrants protection from disclosure; and

''(bb) submitted previously by a manufacturer or processor and relied on in lieu of the substantiation required pursuant to clause (i), if the substantiation has not been previously reviewed by the Administrator, to determine if the claim warrants protection from disclosure;

''(II) approve, modify, or deny each claim; and

''(III) except as provided in this section and section 14, protect from disclosure information for which the Administrator approves such a claim for a period of 10 years, unless, prior to the expiration of the period—

''(aa) the person notifies the Administrator that the person is withdrawing the claim, in which case the Administrator shall promptly make the information available to the public; or

''(bb) the Administrator otherwise becomes aware that the need for protection from disclosure can no longer be substantiated, in which case the Administrator shall take the actions described in section 14(g)(2); and

''(iii) encourage manufacturers or processors that have previously made claims to protect the specific identities of chemical substances identified as inactive pursuant to subsection (f)(2) to review and either withdraw or substantiate the claims.

''(E) TIMELINE FOR COMPLETION OF REVIEWS.—

''(i) IN GENERAL.—The Administrator shall implement the review plan so as to complete reviews of all claims specified in subparagraph (C) not later than 5 years after the date on which the Administrator compiles the initial list of active substances pursuant to subparagraph (A).

''(ii) CONSIDERATIONS.—

''(I) IN GENERAL.—The Administrator may extend the deadline for completion of the reviews for not more than 2 additional years, after an adequate public justification, if the Administrator determines that the extension is necessary based on the number of claims needing review and the available resources.

''(II) ANNUAL REVIEW GOAL AND RESULTS.—At the beginning of each year, the Administrator shall publish an annual goal for reviews and the number of reviews completed in the prior year.

''(5) ACTIVE AND INACTIVE SUBSTANCES.—

''(A) IN GENERAL.—The Administrator shall maintain and keep current designations of active substances and inactive substances on the list published under paragraph (1).

''(B) CHANGE TO ACTIVE STATUS.—

''(i) IN GENERAL.—Any person that intends to manufacture or process for a nonexempt commercial purpose a chemical substance that is designated as an inactive substance shall notify the Administrator before the date on which the inactive substance is manufactured or processed.

''(ii) CONFIDENTIAL CHEMICAL IDENTITY CLAIMS.—If a person submitting a notice under clause (i) for an inactive substance on the confidential portion of the list published under paragraph (1) seeks to maintain an existing claim for protection against disclosure of the specific identity of the inactive substance as confidential, the person shall—

''(I) in the notice submitted under clause (i), assert the claim; and

''(II) by not later than 30 days after providing the notice under clause (i), substantiate the claim.

''(iii) ACTIVE STATUS.—On receiving a notification under clause (i), the Administrator shall—

''(I) designate the applicable chemical substance as an active substance;

''(II) pursuant to section 14, promptly review any claim and associated substantiation submitted pursuant to clause (ii) for protection against disclosure of the specific identity of the chemical substance and approve, modify, or deny the claim;

''(III) except as provided in this section and section 14, protect from disclosure the specific identity of the chemical substance for which the Administrator approves a claim under subclause (II) for a period of 10 years, unless, prior to the expiration of the period—

''(aa) the person notifies the Administrator that the person is withdrawing the claim, in which case the Administrator shall promptly make the information available to the public; or

''(bb) the Administrator otherwise becomes aware that the need for protection from disclosure can no longer be substantiated, in which case the Administrator shall take the actions described in section 14(g)(2); and

''(IV) pursuant to section 4A, review the priority of the chemical substance as the Administrator determines to be necessary.

''(C) CATEGORY STATUS.—The list of inactive substances shall not be considered to be a category for purposes of section 26(c).

''(6) INTERIM LIST OF ACTIVE SUBSTANCES.—Prior to the promulgation of the rule required under paragraph (4)(A), the Administrator shall designate the chemical substances reported under part 711 of title 40, Code of Federal Regulations (as in effect on the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act), during the reporting period that most closely preceded the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, as the interim list of active substances for the purposes of section 4A.

''(7) PUBLIC INFORMATION.—Subject to this subsection, the Administrator shall make available to the public—

''(A) the specific identity of each chemical substance on the nonconfidential portion of the list published under paragraph (1) that the Administrator has designated as—

''(i) an active substance; or

''(ii) an inactive substance;

''(B) the accession number, generic name, and, if applicable, premanufacture notice case number for each chemical substance on the confidential portion of the list published under paragraph (1) for which a claim of confidentiality was received; and

''(C) subject to subsections (f) and (g) of section 14, the specific identity of any active substance for which—

''(i) a claim for protection against disclosure of the specific identity of the active chemical substance was not asserted, as required under this subsection or subsection (d) or (f) of section 14;

''(ii) a claim for protection against disclosure of the specific identity of the active substance has been denied by the Administrator; or

''(iii) the time period for protection against disclosure of the specific identity of the active substance has expired.

''(8) LIMITATION.—No person may assert a new claim under this subsection for protection from disclosure of a specific identity of any active or inactive chemical substance for which a notice is received under paragraph (4)(A)(i) or (5)(C)(i) that is not on the confidential portion of the list published under paragraph (1).

''(9) CERTIFICATION.—Under the rules promulgated under this subsection, manufacturers and processors shall be required—

''(A) to certify that each notice or substantiation the manufacturer or processor submits complies with the requirements of the rule, and that any confidentiality claims are true and correct; and

''(B) to retain a record supporting the certification for a period of 5 years beginning on the last day of the submission period.'';

(3) in subsection (e)—

(A) by striking ''Any person'' and inserting the following:

''(1) IN GENERAL.—Any person''; and

(B) by adding at the end the following:

''(2) ADDITIONAL INFORMATION.—Any person may submit to the Administrator information reasonably supporting the conclusion that a chemical substance or mixture presents, will present, or does not present a substantial risk of injury to health and the environment.''; and

(4) in subsection (f), by striking ''For purposes of this section, the'' and inserting the following:

''In this section:

''(1) ACTIVE SUBSTANCE.—The term 'active substance' means a chemical substance—

''(A) that has been manufactured or processed for a nonexempt commercial purpose at any point during the 10-year period ending on the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act;

''(B) that is added to the list published under subsection (b)(1) after that date of enactment; or

''(C) for which a notice is received under subsection (b)(5)(C).

''(2) INACTIVE SUBSTANCE.—The term 'inactive substance' means a chemical substance on the list published under subsection (b)(1) that does not meet any of the criteria described in paragraph (1).

''(3) MANUFACTURE; PROCESS.—The''.

SEC. 11. RELATIONSHIP TO OTHER FEDERAL LAWS.

Section 9 of the Toxic Substances Control Act (15 U.S.C. 2608) is amended—

(1) in subsection (a)—

(A) in paragraph (1), in the first sentence—

(i) by striking ''presents or will present an unreasonable risk to health or the environment'' and inserting ''does not or will not meet the safety standard''; and

(ii) by striking ''such risk'' the first place it appears and inserting ''the risk posed by the substance or mixture'';

(B) in paragraph (2)—

(i) in subparagraph (A), by inserting ''within the time period specified by the Administrator in the report'' after ''issues an order'';

(ii) in subparagraph (B), by inserting ''responds within the time period specified by the Administrator in the report and'' before ''initiates, within 90 days''; and

(iii) in the matter following subparagraph (B), by striking ''section 6 or 7'' and inserting ''section 6(d) or section 7'';

(C) by redesignating paragraph (3) as paragraph (6);

(D) in paragraph (6) (as so redesignated), by striking ''section 6 or 7'' and inserting ''section 6(d) or 7''; and

(E) by inserting after paragraph (2) the following:

''(3) The Administrator shall take the actions described in paragraph (4) if the Administrator makes a report under paragraph (1) with respect to a chemical substance or mixture and the agency to which the report was made does not—

''(A) issue the order described in paragraph (2)(A) within the time period specified by the Administrator in the report; or

''(B)(i) respond under paragraph (1) within the time frame specified by the Administrator in the report; and

''(ii) initiate action within 90 days of publication in the Federal Register of the response described in clause (i).

''(4) If an agency to which a report under paragraph (1) does not take the actions described in subparagraphs (A) or (B) of paragraph (3), the Administrator shall—

''(A) if a safety assessment and safety determination for the substance under section 6 has not been completed, complete the safety assessment and safety determination;

''(B) if the Administrator has determined or determines that the chemical substance does not meet the safety standard, initiate action under section 6(d) with respect to the risk; or

''(C) take any action authorized or required under section 7, as appropriate.

''(5) This subsection shall not relieve the Administrator of any obligation to complete a safety assessment and safety determination or take any required action under section 6(d) or 7 to address risks from the manufacture, processing, distribution in commerce, use, or disposal of a chemical substance or mixture, or any combination of those activities, that are not identified in a report issued by the Administrator under paragraph (1).'';

(2) in subsection (d), in the first sentence, by striking ''Health, Education, and Welfare'' and inserting ''Health and Human Services''; and

(3) by adding at the end the following:

''(e) EXPOSURE INFORMATION.—If the Administrator obtains information related to exposures or releases of a chemical substance that may be prevented or reduced under another Federal law, including laws not administered by the Administrator, the Administrator shall make such information available to the relevant Federal agency or office of the Environmental Protection Agency.''.

SEC. 12. RESEARCH, DEVELOPMENT, COLLECTION, DISSEMINATION, AND UTILIZATION OF DATA.

Section 10 of the Toxic Substances Control Act (15 U.S.C. 2609) is amended by striking ''Health, Education, and Welfare'' each place it appears and inserting ''Health and Human Services''.

SEC. 13. EXPORTS.

Section 12 of the Toxic Substances Control Act (15 U.S.C. 2611) is amended—

(1) in subsection (a), by striking paragraph (2) and inserting the following:

''(2) EXCEPTION.—Paragraph (1) shall not apply to—

''(A) any new chemical substance that the Administrator determines is likely to present an unreasonable risk of injury to health within the United States or to the environment of the United States, without taking into account cost or other non-risk factors;

''(B) any chemical substance that the Administrator determines presents or will present an unreasonable risk of injury to health within the United States or to the environment of the United States, without taking into account cost or other non-risk factors; or

''(C) any chemical substance that—

''(i) the Administrator determines is likely to present an unreasonable risk of injury to health within the United States or to the environment of the United States, without taking into account cost or other non-risk factors; and

''(ii) is subject to restriction under section 5(d)(4).

''(3) WAIVERS FOR CERTAIN MIXTURES AND ARTICLES.—For a mixture or article containing a chemical substance described in paragraph (2), the Administrator may—

''(A) determine that paragraph (1) shall not apply to the mixture or article; or

''(B) establish a threshold concentration in a mixture or article at which paragraph (1) shall not apply.

''(4) TESTING.—The Administrator may require testing under section 4 of any chemical substance or mixture exempted from this Act under paragraph (1) for the purpose of determining whether the chemical substance meets the safety standard within the United States.'';

(2) by striking subsection (b) and inserting the following:

''(b) NOTICE.—

''(1) IN GENERAL.—A person shall notify the Administrator that the person is exporting or intends to export to a foreign country—

''(A) a chemical substance or a mixture containing a chemical substance that the Administrator has determined under section 5 is not likely to meet the safety standard and for which a prohibition or other restriction has been proposed or established under that section;

''(B) a chemical substance or a mixture containing a chemical substance that the Administrator has determined under section 6 does not meet the safety standard and for which a prohibition or other restriction has been proposed or established under that section;

''(C) a chemical substance for which the United States is obligated by treaty to provide export notification;

''(D) a chemical substance or mixture containing a chemical substance subject to a proposed or promulgated significant new use rule, or a prohibition or other restriction pursuant to a rule, order, or consent agreement in effect under this Act;

''(E) a chemical substance or mixture for which the submission of information is required under section 4; or

''(F) a chemical substance or mixture for which an action is pending or for which relief has been granted under section 7.

''(2) RULES.—

''(A) IN GENERAL.—The Administrator shall promulgate rules to carry out paragraph (1).

''(B) CONTENTS.—The rules promulgated pursuant to subparagraph (A) shall—

''(i) include such exemptions as the Administrator determines to be appropriate, which may include exemptions identified under section 5(h); and

''(ii) indicate whether, or to what extent, the rules apply to articles containing a chemical substance or mixture described in paragraph (1).

''(3) NOTIFICATION.—The Administrator shall submit to the government of each country to which a chemical substance or mixture is exported—

''(A) for a chemical substance or mixture described in subparagraph (A), (B), (D), or (F) of paragraph (1), a notice of the determination, rule, order, consent agreement, action, relief, or requirement;

''(B) for a chemical substance described in paragraph (1)(C), a notice that satisfies the obligation of the United States under the applicable treaty; and

''(C) for a chemical substance or mixture described in paragraph (1)(E), a notice of availability of the information on the chemical substance or mixture submitted to the Administrator.''; and

(3) in subsection (c), by striking paragraph (3).

SEC. 14. CONFIDENTIAL INFORMATION.

Section 14 of the Toxic Substances Control Act (15 U.S.C. 2613) is amended to read as follows:

''SEC. 14. CONFIDENTIAL INFORMATION.

''(a) IN GENERAL.—Except as otherwise provided in this section, the Administrator shall not disclose information that is exempt from disclosure pursuant to subsection (a) of section 552 of title 5, United States Code, under subsection (b)(4) of that section—

''(1) that is reported to, or otherwise obtained by, the Administrator under this Act; and

''(2) for which the requirements of subsection (d) are met.

''(b) INFORMATION GENERALLY PROTECTED FROM DISCLOSURE.—The following information specific to, and submitted by, a manufacturer, processor, or distributor that meets the requirements of subsections (a) and (d) shall be presumed to be protected from disclosure, subject to the condition that nothing in this Act prohibits the disclosure of any such information, or information that is the subject of subsection (g)(3), through discovery, subpoena, other court order, or any other judicial process otherwise allowed under applicable Federal or State law:

''(1) Specific information describing the processes used in manufacture or processing of a chemical substance, mixture, or article.

''(2) Marketing and sales information.

''(3) Information identifying a supplier or customer.

''(4) Details of the full composition of a mixture and the respective percentages of constituents.

''(5) Specific information regarding the use, function, or application of a chemical substance or mixture in a process, mixture, or product.

''(6) Specific production or import volumes of the manufacturer.

''(7) Specific aggregated volumes across manufacturers, if the Administrator determines that disclosure of the specific aggregated volumes would reveal confidential information.

''(8) Except as otherwise provided in this section, the specific identity of a chemical substance prior to the date on which the chemical substance is first offered for commercial distribution, including the chemical name, molecular formula, Chemical Abstracts Service number, and other information that would identify a specific chemical substance, if the specific identity was claimed as confidential information at the time it was submitted in a notice under section 5.

''(c) INFORMATION NOT PROTECTED FROM DISCLOSURE.—

''(1) IN GENERAL.—Notwithstanding subsections (a) and (b), the following information shall not be protected from disclosure:

''(A) INFORMATION FROM HEALTH AND SAFETY STUDIES.—

''(i) IN GENERAL.—Subject to clause (ii)—

''(I) any health and safety study that is submitted under this Act with respect to—

''(aa) any chemical substance or mixture that, on the date on which the study is to be disclosed, has been offered for commercial distribution; or

''(bb) any chemical substance or mixture for which—

''(AA) testing is required under section 4; or

''(BB) a notification is required under section 5; or

''(II) any information reported to, or otherwise obtained by, the Administrator from a health and safety study relating to a chemical substance or mixture described in item (aa) or (bb) of subclause (I).

''(ii) EFFECT OF SUBPARAGRAPH.—Nothing in this subparagraph authorizes the release of any information that discloses—

''(I) a process used in the manufacturing or processing of a chemical substance or mixture; or

''(II) in the case of a mixture, the portion of the mixture comprised by any chemical substance in the mixture.

''(B) OTHER INFORMATION NOT PROTECTED FROM DISCLOSURE.—

''(i) For information submitted after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, the specific identity of a chemical substance as of the date on which the chemical substance is first offered for commercial distribution, if the person submitting the information does not meet the requirements of subsection (d).

''(ii) A safety assessment developed, or a safety determination made, under section 6.

''(iii) Any general information describing the manufacturing volumes, expressed as specific aggregated volumes or, if the Administrator determines that disclosure of specific aggregated volumes would reveal confidential information, expressed in ranges.

''(iv) A general description of a process used in the manufacture or processing and industrial, commercial, or consumer functions and uses of a chemical substance, mixture, or article containing a chemical substance or mixture, including information specific to an industry or industry sector that customarily would be shared with the general public or within an industry or industry sector.

''(2) MIXED CONFIDENTIAL AND NONCONFIDENTIAL INFORMATION.—Any information that is eligible for protection under this section and is submitted with information described in this subsection shall be protected from disclosure, if the submitter complies with subsection (d), subject to the condition that information in the submission that is not eligible for protection against disclosure shall be disclosed.

''(3) BAN OR PHASE-OUT.—If the Administrator promulgates a rule pursuant to section 6(d) that establishes a ban or phase-out of the manufacture, processing, or distribution in commerce of a chemical substance, subject to paragraphs (2), (3), and (4) of subsection (g), any protection from disclosure provided under this section with respect to the specific identity of the chemical substance and other information relating to the chemical substance shall no longer apply.

''(4) CERTAIN REQUESTS.—If a request is made to the Administrator under section 552(a) of title 5, United States Code, for information that is subject to disclosure under this subsection, the Administrator may not deny the request on the basis of section 552(b)(4) of title 5, United States Code.

''(d) REQUIREMENTS FOR CONFIDENTIALITY CLAIMS.—

''(1) ASSERTION OF CLAIMS.—

''(A) IN GENERAL.—A person seeking to protect any information submitted under this Act from disclosure (including information described in subsection (b)) shall assert to the Administrator a claim for protection concurrent with submission of the information, in accordance with such rules regarding a claim for protection from disclosure as the Administrator has promulgated or may promulgate pursuant to this title.

''(B) INCLUSION.—An assertion of a claim under subparagraph (A) shall include a statement that the person has—

''(i) taken reasonable measures to protect the confidentiality of the information;

''(ii) determined that the information is not required to be disclosed or otherwise made available to the public under any other Federal law;

''(iii) a reasonable basis to conclude that disclosure of the information is likely to cause substantial harm to the competitive position of the person; and

''(iv) a reasonable basis to believe that the information is not readily discoverable through reverse engineering.

''(C) SPECIFIC CHEMICAL IDENTITY.—In the case of a claim under subparagraph (A) for protection against disclosure of a specific chemical identity, the claim shall include a structurally descriptive generic name for the chemical substance that the Administrator may disclose to the public, subject to the condition that the generic name shall—

''(i) be consistent with guidance issued by the Administrator under paragraph (3)(A); and

''(ii) describe the chemical structure of the substance as specifically as practicable while protecting those features of the chemical structure—

''(I) that are considered to be confidential; and

''(II) the disclosure of which would be likely to cause substantial harm to the competitive position of the person.

''(D) PUBLIC INFORMATION.—No person may assert a claim under this section for protection from disclosure of information that is already publicly available.

''(2) ADDITIONAL REQUIREMENTS FOR CONFIDENTIALITY CLAIMS.—Except for information described in subsection (b), a person asserting a claim to protect information from disclosure under this Act shall substantiate the claim, in accordance with the rules promulgated and consistent with the guidance issued by the Administrator.

''(3) GUIDANCE.—The Administrator shall develop guidance regarding—

''(A) the determination of structurally descriptive generic names, in the case of claims for the protection against disclosure of specific chemical identity; and

''(B) the content and form of the statements of need and agreements required under paragraphs (4), (5), and (6) of subsection (e).

''(4) CERTIFICATION.—An authorized official of a person described in paragraph (1)(A) shall certify that the statement required to assert a claim submitted pursuant to paragraph (1)(B) and any information required to substantiate a claim submitted pursuant to paragraph (2) are true and correct.

''(e) EXCEPTIONS TO PROTECTION FROM DISCLOSURE.—Information described in subsection (a)—

''(1) shall be disclosed if the information is to be disclosed to an officer or employee of the United States in connection with the official duties of the officer or employee—

''(A) under any law for the protection of health or the environment; or

''(B) for a specific law enforcement purpose;

''(2) shall be disclosed if the information is to be disclosed to a contractor of the United States and employees of that contractor—

''(A) if, in the opinion of the Administrator, the disclosure is necessary for the satisfactory performance by the contractor of a contract with the United States for the performance of work in connection with this Act; and

''(B) subject to such conditions as the Administrator may specify;

''(3) shall be disclosed if the Administrator determines that disclosure is necessary to protect health or the environment;

''(4) shall be disclosed if the information is to be disclosed to a State or political subdivision of a State, on written request, for the purpose of development, administration, or enforcement of a law, if 1 or more applicable agreements with the Administrator that are consistent with the guidance issued under subsection (d)(3)(B) ensure that the recipient will take appropriate measures, and has adequate authority, to maintain the confidentiality of the information in accordance with procedures comparable to the procedures used by the Administrator to safeguard the information;

''(5) shall be disclosed if a health or environmental professional employed by a Federal or State agency or a treating physician or nurse in a nonemergency situation provides a written statement of need and agrees to sign a written confidentiality agreement with the Administrator, subject to the conditions that—

''(A) the statement of need and confidentiality agreement are consistent with the guidance issued under subsection (d)(3)(B);

''(B) the written statement of need shall be a statement that the person has a reasonable basis to suspect that—

''(i) the information is necessary for, or will assist in—

''(I) the diagnosis or treatment of 1 or more individuals; or

''(II) responding to an environmental release or exposure; and

''(ii) 1 or more individuals being diagnosed or treated have been exposed to the chemical substance concerned, or an environmental release or exposure has occurred; and

''(C) the confidentiality agreement shall provide that the person will not use the information for any purpose other than the health or environmental needs asserted in the statement of need, except as otherwise may be authorized by the terms of the agreement or by the person submitting the information to the Administrator, except that nothing in this Act prohibits the disclosure of any such information through discovery, subpoena, other court order, or any other judicial process otherwise allowed under applicable Federal or State law;

''(6) shall be disclosed if in the event of an emergency, a treating physician, nurse, agent of a poison control center, public health or environmental official of a State or political subdivision of a State, or first responder (including any individual duly authorized by a Federal agency, State, or political subdivision of a State who is trained in urgent medical care or other emergency procedures, including a police officer, firefighter, or emergency medical technician) requests the information, subject to the conditions that—

''(A) the treating physician, nurse, agent, public health or environmental official of a State or a political subdivision of a State, or first responder shall have a reasonable basis to suspect that—

''(i) a medical or public health or environmental emergency exists;

''(ii) the information is necessary for, or will assist in, emergency or first-aid diagnosis or treatment; or

''(iii) 1 or more individuals being diagnosed or treated have likely been exposed to the chemical substance concerned, or a serious environmental release of or exposure to the chemical substance concerned has occurred;

''(B) if requested by the person submitting the information to the Administrator, the treating physician, nurse, agent, public health or environmental official of a State or a political subdivision of a State, or first responder shall, as described in paragraph (5)—

''(i) provide a written statement of need; and

''(ii) agree to sign a confidentiality agreement; and

''(C) the written confidentiality agreement or statement of need shall be submitted as soon as practicable, but not necessarily before the information is disclosed;

''(7) may be disclosed if the Administrator determines that disclosure is relevant in a proceeding under this Act, subject to the condition that the disclosure shall be made in such a manner as to preserve confidentiality to the maximum extent practicable without impairing the proceeding;

''(8) shall be disclosed if the information is to be disclosed, on written request of any duly authorized congressional committee, to that committee; or

''(9) shall be disclosed if the information is required to be disclosed or otherwise made public under any other provision of Federal law.

''(f) DURATION OF PROTECTION FROM DISCLOSURE.—

''(1) IN GENERAL.—

''(A) INFORMATION NOT SUBJECT TO TIME LIMIT FOR PROTECTION FROM DISCLOSURE.—Subject to paragraph (2), the Administrator shall protect from disclosure information described in subsection (b) that meets the requirements of subsections (a) and (d), unless—

''(i) the person that asserted the claim notifies the Administrator that the person is withdrawing the claim, in which case the Administrator shall promptly make the information available to the public; or

''(ii) the Administrator otherwise becomes aware that the information does not qualify or no longer qualifies for protection against disclosure under subsection (a), in which case the Administrator shall take any actions required under subsection (g)(2).

''(B) INFORMATION SUBJECT TO TIME LIMIT FOR PROTECTION FROM DISCLOSURE.—Subject to paragraph (2), the Administrator shall protect from disclosure information, other than information described in subsection (b), that meets the requirements of subsections (a) and (d) for a period of 10 years, unless, prior to the expiration of the period—

''(i) the person that asserted the claim notifies the Administrator that the person is withdrawing the claim, in which case the Administrator shall promptly make the information available to the public; or

''(ii) the Administrator otherwise becomes aware that the information does not qualify or no longer qualifies for protection against disclosure under subsection (a), in which case the Administrator shall take any actions required under subsection (g)(2).

''(C) EXTENSIONS.—

''(i) IN GENERAL.—Not later than the date that is 60 days before the expiration of the period described in subparagraph (B), the Administrator shall provide to the person that asserted the claim a notice of the impending expiration of the period.

''(ii) STATEMENT.—

''(I) IN GENERAL.—Not later than the date that is 30 days before the expiration of the period described in subparagraph (B), a person reasserting the relevant claim shall submit to the Administrator a request for extension substantiating, in accordance with subsection (d)(2), the need to extend the period.

''(II) ACTION BY ADMINISTRATOR.—Not later than the date of expiration of the period described in subparagraph (B), the Administrator shall, in accordance with subsection (g)(1)(C)—

''(aa) review the request submitted under subclause (I);

''(bb) make a determination regarding whether the claim for which the request was submitted continues to meet the relevant criteria established under this section; and

''(cc)(AA) grant an extension of 10 years; or

''(BB) deny the request.

''(D) NO LIMIT ON NUMBER OF EXTENSIONS.—There shall be no limit on the number of extensions granted under subparagraph (C), if the Administrator determines that the relevant request under subparagraph (C)(ii)(I)—

''(i) establishes the need to extend the period; and

''(ii) meets the requirements established by the Administrator.

''(2) REVIEW AND RESUBSTANTIATION.—

''(A) DISCRETION OF ADMINISTRATOR.—The Administrator may review, at any time, a claim for protection of information against disclosure under subsection (a) and require any person that has claimed protection for that information, whether before, on, or after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, to withdraw or reassert and substantiate or resubstantiate the claim in accordance with this section—

''(i) after the chemical substance is identified as a high-priority substance under section 4A;

''(ii) for any chemical substance for which the Administrator has made a determination under section 6(c)(1)(C);

''(iii) for any inactive chemical substance identified under section 8(b)(5); or

''(iv) in limited circumstances, if the Administrator determines that disclosure of certain information currently protected from disclosure would assist the Administrator in conducting safety assessments and safety determinations under subsections (b) and (c) of section 6 or promulgating rules pursuant to section 6(d).

''(B) REVIEW REQUIRED.—The Administrator shall review a claim for protection of information against disclosure under subsection (a) and require any person that has claimed protection for that information, whether before, on, or after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, to withdraw or reassert and substantiate or resubstantiate the claim in accordance with this section—

''(i) as necessary to determine whether the information qualifies for an exemption from disclosure in connection with a request for information received by the Administrator under section 552 of title 5, United States Code;

''(ii) if the Administrator has a reasonable basis to believe that the information does not qualify for protection against disclosure under subsection (a); or

''(iii) for any substance for which the Administrator has made a determination under section 6(c)(1)(B).

''(C) ACTION BY RECIPIENT.—If the Administrator makes a request under subparagraph (A) or (B), the recipient of the request shall—

''(i) reassert and substantiate or resubstantiate the claim; or

''(ii) withdraw the claim.

''(D) PERIOD OF PROTECTION.—Protection from disclosure of information subject to a claim that is reviewed and approved by the Administrator under this paragraph shall be extended for a period of 10 years from the date of approval, subject to any subsequent request by the Administrator under this paragraph.

''(3) UNIQUE IDENTIFIER.—The Administrator shall—

''(A)(i) develop a system to assign a unique identifier to each specific chemical identity for which the Administrator approves a request for protection from disclosure, other than a specific chemical identity or structurally descriptive generic term; and

''(ii) apply that identifier consistently to all information relevant to the applicable chemical substance;

''(B) annually publish and update a list of chemical substances, referred to by unique identifier, for which claims to protect the specific chemical identity from disclosure have been approved, including the expiration date for each such claim;

''(C) ensure that any nonconfidential information received by the Administrator with respect to such a chemical substance during the period of protection from disclosure—

''(i) is made public; and

''(ii) identifies the chemical substance using the unique identifier; and

''(D) for each claim for protection of specific chemical identity that has been denied by the Administrator or expired, or that has been withdrawn by the submitter, provide public access to the specific chemical identity clearly linked to all nonconfidential information received by the Administrator with respect to the chemical substance.

''(g) DUTIES OF ADMINISTRATOR.—

''(1) DETERMINATION.—

''(A) IN GENERAL.—Except as provided in subsection (b), the Administrator shall, subject to subparagraph (C), not later than 90 days after the receipt of a claim under subsection (d), and not later than 30 days after the receipt of a request for extension of a claim under subsection (f), review and approve, modify, or deny the claim or request.

''(B) REASONS FOR DENIAL OR MODIFICATION.—If the Administrator denies or modifies a claim or request under subparagraph (A), the Administrator shall provide to the person that submitted the claim or request a written statement of the reasons for the denial or modification of the claim or request.

''(C) SUBSETS.—The Administrator shall—

''(i) except for claims described in subsection (b)(8), review all claims or requests under this section for the protection against disclosure of the specific identity of a chemical substance; and

''(ii) review a representative subset, comprising at least 25 percent, of all other claims or requests for protection against disclosure.

''(D) EFFECT OF FAILURE TO ACT.—The failure of the Administrator to make a decision regarding a claim or request for protection against disclosure or extension under this section shall not be the basis for denial or elimination of a claim or request for protection against disclosure.

''(2) NOTIFICATION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B) and subsections (c), (e), and (f), if the Administrator denies or modifies a claim or request under paragraph (1), intends to release information pursuant to subsection (e), or promulgates a rule under section 6(d) establishing a ban or phase-out of a chemical substance, the Administrator shall notify, in writing and by certified mail, the person that submitted the claim of the intent of the Administrator to release the information.

''(B) RELEASE OF INFORMATION.—Except as provided in subparagraph (C), the Administrator shall not release information under this subsection until the date that is 30 days after the date on which the person that submitted the request receives notification under subparagraph (A).

''(C) EXCEPTIONS.—

''(i) IN GENERAL.—For information under paragraph (3) or (8) of subsection (e), the Administrator shall not release that information until the date that is 15 days after the date on which the person that submitted the claim or request receives a notification, unless the Administrator determines that release of the information is necessary to protect against an imminent and substantial harm to health or the environment, in which case no prior notification shall be necessary.

''(ii) NOTIFICATION AS SOON AS PRACTICABLE.—For information under paragraphs (4) and (6) of subsection (e), the Administrator shall notify the person that submitted the information that the information has been disclosed as soon as practicable after disclosure of the information.

''(iii) NO NOTIFICATION REQUIRED.—Notification shall not be required—

''(I) for the disclosure of information under paragraph (1), (2), (7), or (9) of subsection (e); or

''(II) for the disclosure of information for which—

''(aa) a notice under subsection (f)(1)(C)(i) was received; and

''(bb) no request was received by the Administrator on or before the date of expiration of the period for which protection from disclosure applies.

''(3) REBUTTABLE PRESUMPTION.—

''(A) IN GENERAL.—With respect to notifications provided by the Administrator under paragraph (2) with respect to information pertaining to a chemical substance subject to a rule as described in subsection (c)(3), there shall be a rebuttable presumption that the public interest in disclosing confidential information related to a chemical substance subject to a rule promulgated under section 6(d) that establishes a ban or phase-out of the manufacture, processing, or distribution in commerce of the substance outweighs the proprietary interest in maintaining the protection from disclosure of that information.

''(B) REQUEST FOR NONDISCLOSURE.—A person that receives a notification under paragraph (2) with respect to the information described in subparagraph (A) may submit to the Administrator,

before the date on which the information is to be released pursuant to paragraph (2)(B), a request with supporting documentation describing why the person believes some or all of that information should not be disclosed.

''(C) DETERMINATION BY ADMINISTRATOR.—

''(i) IN GENERAL.—Not later than 30 days after the Administrator receives a request under subparagraph (B), the Administrator shall determine whether the documentation provided by the person making the request rebuts or does not rebut the presumption described in subparagraph (A), for all or a portion of the information that the person has requested not be disclosed.

''(ii) OBJECTIVE.—The Administrator shall make the determination with the objective of ensuring that information relevant to protection of health and the environment is disclosed to the maximum extent practicable.

''(D) TIMING.—Not later than 30 days after making the determination described in subparagraph (C), the Administrator shall make public the information the Administrator has determined is not to be protected from disclosure.

''(E) NO TIMELY REQUEST RECEIVED.—If the Administrator does not receive, before the date on which the information described in subparagraph (A) is to be released pursuant to paragraph (2)(B), a request pursuant to subparagraph (B), the Administrator shall promptly make public all of the information.

''(4) APPEALS.—

''(A) IN GENERAL.—If a person receives a notification under paragraph (2) and believes disclosure of the information is prohibited under subsection (a), before the date on which the information is to be released pursuant to paragraph (2)(B), the person may bring an action to restrain disclosure of the information in—

''(i) the United States district court of the district in which the complainant resides or has the principal place of business; or

''(ii) the United States District Court for the District of Columbia.

''(B) NO DISCLOSURE.—The Administrator shall not disclose any information that is the subject of an appeal under this section before the date on which the applicable court rules on an action under subparagraph (A).

''(5) REQUEST AND NOTIFICATION SYSTEM.—The Administrator, in consultation with the Director of the Centers for Disease Control and Prevention, shall develop a request and notification system that allows for expedient and swift access to information disclosed pursuant to paragraphs (5) and (6) of subsection (e) in a format and language that is readily accessible and understandable.

''(h) CRIMINAL PENALTY FOR WRONGFUL DISCLOSURE.—

''(1) OFFICERS AND EMPLOYEES OF UNITED STATES.—

''(A) IN GENERAL.—Subject to paragraph (2), a current or former officer or employee of the United States described in subparagraph (B) shall be guilty of a misdemeanor and fined under title 18, United States Code, or imprisoned for not more than 1 year, or both.

''(B) DESCRIPTION.—A current or former officer or employee of the United States referred to in subparagraph (A) is a current or former officer or employee of the United States who—

''(i) by virtue of that employment or official position has obtained possession of, or has access to, material the disclosure of which is prohibited by subsection (a); and

''(ii) knowing that disclosure of that material is prohibited by subsection (a), willfully discloses the material in any manner to any person not entitled to receive that material.

''(2) OTHER LAWS.—Section 1905 of title 18, United States Code, shall not apply with respect to the publishing, divulging, disclosure, making known of, or making available, information reported or otherwise obtained under this Act.

''(3) CONTRACTORS.—For purposes of this subsection, any contractor of the United States that is provided information in accordance with subsection (e)(2), including any employee of that contractor, shall be considered to be an employee of the United States.

''(i) APPLICABILITY.—

''(1) IN GENERAL.—Except as otherwise provided in this section, section 8, or any other applicable Federal law, the Administrator shall have no authority—

''(A) to require the substantiation or resubstantiation of a claim for the protection from disclosure of information reported to or otherwise obtained by the Administrator under this Act before the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act; or

''(B) to impose substantiation or resubstantiation requirements under this Act that are more extensive than those required under this section.

''(2) ACTIONS PRIOR TO PROMULGATION OF RULES.—Nothing in this Act prevents the Administrator from reviewing, requiring substantiation or resubstantiation for, or approving, modifying or denying any claim for the protection from disclosure of information before the effective date of such rules applicable to those claims as the Administrator may promulgate after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act.''.

SEC. 15. PROHIBITED ACTS.

Section 15 of the Toxic Substances Control Act (15 U.S.C. 2614) is amended by striking paragraph (1) and inserting the following:

''(1) fail or refuse to comply with—

''(A) any rule promulgated, consent agreement entered into, or order issued under section 4;

''(B) any requirement under section 5 or 6;

''(C) any rule promulgated, consent agreement entered into, or order issued under section 5 or 6; or

''(D) any requirement of, or any rule promulgated or order issued pursuant to title II;''.

SEC. 16. PENALTIES.

Section 16 of the Toxic Substances Control Act (15 U.S.C. 2615) is amended—

(1) in subsection (a)(1)—

(A) in the first sentence, by striking ''$25,000'' and inserting ''$37,500''; and

(B) in the second sentence, by striking'' violation of section 15 or 409'' and inserting ''violation of this Act''; and

(2) in subsection (b)—

(A) by striking ''Any person who'' and inserting the following:

''(1) IN GENERAL.—Any person that'';

(B) by striking ''$25,000'' and inserting ''$50,000''; and

(C) by adding at the end the following:

''(2) IMMINENT DANGER OF DEATH OR SERIOUS BODILY INJURY.—

''(A) IN GENERAL.—Any person that knowingly or willfully violates any provision of section 15 or 409, and that knows at the time of the violation that the violation places an individual in imminent danger of death or serious bodily injury, shall be subject on conviction to a fine of not more than $250,000, or imprisonment for not more than 15 years, or both.

''(B) ORGANIZATIONS.—An organization that commits a violation described in subparagraph (A) shall be subject on conviction to a fine of not more than $1,000,000 for each violation.

''(C) INCORPORATION OF CORRESPONDING PROVISIONS.—Subparagraphs (B) through (F) of section 113(c)(5) of the Clean Air Act (42 U.S.C. 7413(c)(5)) shall apply to the prosecution of a violation under this paragraph.''.

SEC. 17. STATE-FEDERAL RELATIONSHIP.

Section 18 of the Toxic Substances Control Act (15 U.S.C. 2617) is amended by striking subsections (a) and (b) and inserting the following:

''(a) IN GENERAL.—

''(1) ESTABLISHMENT OR ENFORCEMENT.—Except as provided in subsections (c), (d), (e), (f), and (g), and subject to paragraph (2), no State or political subdivision of a State may establish or continue to enforce any of the following:

''(A) TESTING.—A statute or administrative action to require the development of information on a chemical substance or category of substances that is reasonably likely to produce the same information required under section 4, 5, or 6 in—

''(i) a rule promulgated by the Administrator;

''(ii) a testing consent agreement entered into by the Administrator; or

''(iii) an order issued by the Administrator.

''(B) CHEMICAL SUBSTANCES FOUND TO MEET THE SAFETY STANDARD OR RESTRICTED.—A statute or administrative action to prohibit or otherwise restrict the manufacture, processing, or distribution in commerce or use of a chemical substance—

''(i) found to meet the safety standard and consistent with the scope of the determination made under section 6; or

''(ii) found not to meet the safety standard, after the effective date of the rule issued under section 6(d) for the substance, consistent with the scope of the determination made by the Administrator.

''(C) SIGNIFICANT NEW USE.—A statute or administrative action requiring the notification of a use of a chemical substance that the Administrator has specified as a significant new use and for which the Administrator has required notification pursuant to a rule promulgated under section 5.

''(2) EFFECTIVE DATE OF PREEMPTION.—Under this subsection, Federal preemption of statutes and administrative actions applicable to specific substances shall not occur until the effective date of the applicable action described in paragraph (1) taken by the Administrator.

''(b) NEW STATUTES OR ADMINISTRATIVE ACTIONS CREATING PROHIBITIONS OR OTHER RESTRICTIONS.—

''(1) IN GENERAL.—Except as provided in subsections (c), (d), (e), (f), and (g), beginning on the date on which the Administrator defines and publishes the scope of a safety assessment and safety determination under section 6(a)(2) and ending on the date on which the deadline established pursuant to section 6(a) for completion of the safety determination expires, or on the date on which the Administrator publishes the safety determination under section 6(a), whichever is earlier, no State or political subdivision of a State may establish a statute or administrative action prohibiting or restricting the manufacture, processing, distribution in commerce or use of a chemical substance that is a high-priority substance designated under section 4A.

''(2) EFFECT OF SUBSECTION.—

''(A) IN GENERAL.—This subsection does not restrict the authority of a State or political subdivision of a State to continue to enforce any statute enacted, or administrative action taken, prior to the date on which the Administrator defines and publishes the scope of a safety assessment and safety determination under section 6(a)(2).

''(B) LIMITATION.—Subparagraph (A) does not allow a State or political subdivision of a State to enforce any new prohibition or restriction under a statute or administrative action described in that subparagraph, if the prohibition or restriction is established after the date described in that subparagraph.

''(c) SCOPE OF PREEMPTION.—Federal preemption under subsections (a) and (b) of statutes and administrative actions applicable to specific substances shall apply only to—

''(1) the chemical substances or category of substances subject to a rule, order, or consent agreement under section 4;

''(2) the hazards, exposures, risks, and uses or conditions of use of such substances that are identified by the Administrator as subject to review in a safety assessment and included in the scope of the safety determination made by the Administrator for the substance, or of any rule the Administrator promulgates pursuant to section 6(d); or

''(3) the uses of such substances that the Administrator has specified as significant new uses and for which the Administrator has required notification pursuant to a rule promulgated under section 5.

''(d) EXCEPTIONS.—

''(1) NO PREEMPTION OF STATUTES AND ADMINISTRATIVE ACTIONS.—

''(A) IN GENERAL.—Nothing in this Act, nor any amendment made by this Act, nor any rule, standard of performance, safety determination, or scientific assessment implemented pursuant to this Act, shall affect the right of a State or a political subdivision of a State to adopt or enforce any rule, standard of performance, safety determination, scientific assessment, or any protection for public health or the environment that—

''(i) is adopted or authorized under the authority of any other Federal law or adopted to satisfy or obtain authorization or approval under any other Federal law;

''(ii) implements a reporting, monitoring, disclosure, or other information obligation for the chemical substance not otherwise required by the Administrator under this Act or required under any other Federal law;

''(iii) is adopted pursuant to authority under a law of the State or political subdivision of the State related to water quality, air quality, or waste treatment or disposal, except to the extent that the action—

''(I) imposes a restriction on the manufacture, processing, distribution in commerce, or use of a chemical substance; and

''(II)(aa) addresses the same hazards and exposures, with respect to the same conditions of use as are included in the scope of the safety determination pursuant to section 6, but is inconsistent with the action of the Administrator; or

''(bb) would cause a violation of the applicable action by the Administrator under section 5 or 6; or

''(iv) subject to subparagraph (B), is identical to a requirement prescribed by the Administrator.

''(B) IDENTICAL REQUIREMENTS.—

''(i) IN GENERAL.—The penalties and other sanctions applicable under a law of a State or political subdivision of a State in the event of noncompliance with the identical requirement shall be no more stringent than the penalties and other sanctions available to the Administrator under section 16 of this Act.

''(ii) PENALTIES.—In the case of an identical requirement—

''(I) a State or political subdivision of a State may not assess a penalty for a specific violation for which the Administrator has assessed an adequate penalty under section 16; and

''(II) if a State or political subdivision of a State has assessed a penalty for a specific violation, the Administrator may not assess a penalty for that violation in an amount that would cause the total of the penalties assessed for the violation by the State or political subdivision of a State and the Administrator combined to exceed the maximum amount that may be assessed for that violation by the Administrator under section 16.

''(2) APPLICABILITY TO CERTAIN RULES OR ORDERS.—Notwithstanding subsection (e)—

''(A) nothing in this section shall be construed as modifying the effect under this section, as in effect on the day before the effective date of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, of any rule or order promulgated or issued under this Act prior to that effective date; and

''(B) with respect to a chemical substance or mixture for which any rule or order was promulgated or issued under section 6 prior to the effective date of the Frank R. Lautenberg Chemical Safety for the 21st Century Act with regards to manufacturing, processing, distribution in commerce, use, or disposal of a chemical substance, this section (as in effect on the day before the effective date of the Frank R. Lautenberg Chemical Safety for the 21st Century Act) shall govern the preemptive effect of any rule or order that is promulgated or issued respecting such chemical substance or mixture under section 6 of this Act after that effective date, unless the latter rule or order is with respect to a chemical substance or mixture containing a chemical substance and follows a designation of that chemical substance as a high-priority substance under subsection (b) or (c) of section 4A or as an additional priority for safety assessment and safety determination under section 4A(c).

''(e) PRESERVATION OF CERTAIN LAWS.—

''(1) IN GENERAL.—Nothing in this Act, subject to subsection (g) of this section, shall—

''(A) be construed to preempt or otherwise affect the authority of a State or political subdivision of a State to continue to enforce any action taken before August 1, 2015, under the authority of a law of the State or political subdivision of the State that prohibits or otherwise restricts manufacturing, processing, distribution in commerce, use, or disposal of a chemical substance; or

''(B) be construed to preempt or otherwise affect any action taken pursuant to a State law that was in effect on August 31, 2003.

''(2) EFFECT OF SUBSECTION.—This subsection does not affect, modify, or alter the relationship between Federal law and laws of a State or political subdivision of a State pursuant to any other Federal law.

''(f) WAIVERS.—

''(1) DISCRETIONARY EXEMPTIONS.—Upon application of a State or political subdivision of a State, the Administrator may by rule, exempt from subsection (a), under such conditions as may be prescribed in the rule, a statute or administrative action of that State or political subdivision of the State that relates to the effects of, or exposure to, a chemical substance under the conditions of use if the Administrator determines that—

''(A) compelling conditions warrant granting the waiver to protect health or the environment;

''(B) compliance with the proposed requirement of the State or political subdivision of the State would not unduly burden interstate commerce in the manufacture, processing, distribution in commerce, or use of a chemical substance;

''(C) compliance with the proposed requirement of the State or political subdivision of the State would not cause a violation of any applicable Federal law, rule, or order; and

''(D) in the judgment of the Administrator, the proposed requirement of the State or political subdivision of the State is designed to address a risk of a chemical substance, under the conditions of use, that was identified—

''(i) consistent with the best available science;

''(ii) using supporting studies conducted in accordance with sound and objective scientific practices; and

''(iii) based on the weight of the scientific evidence.

''(2) REQUIRED EXEMPTIONS.—Upon application of a State or political subdivision of a State, the Administrator shall exempt from subsection (b) a statute or administrative action of a State or political subdivision of a State that relates to the effects of exposure to a chemical substance under the conditions of use if the Administrator determines that—

''(A) compliance with the proposed requirement of the State or political subdivision of the State would not unduly burden interstate commerce in the manufacture, processing, distribution in commerce, or use of a chemical substance;

''(B) compliance with the proposed requirement of the State or political subdivision of the State would not cause a violation of any applicable Federal law, rule, or order; and

''(C) the State or political subdivision of the State has a concern about the chemical substance or use of the chemical substance based in peer-reviewed science.

''(3) DETERMINATION OF A WAIVER REQUEST.—The duty of the Administrator to grant or deny a waiver application shall be nondelegable and shall be exercised—

''(A) not later than 180 days after the date on which an application under paragraph (1) is submitted; and

''(B) not later than 110 days after the date on which an application under paragraph (2) is submitted.

''(4) FAILURE TO MAKE DETERMINATION.—If the Administrator fails to make a determination under paragraph (3)(B) during the 110-day period beginning on the date on which an application under paragraph (2) is submitted, the statute or administrative action of the State or political subdivision of the State that was the subject of the application shall not be considered to be an existing statute or administrative action for purposes of subsection (b) by reason of the failure of the Administrator to make a determination.

''(5) NOTICE AND COMMENT.—Except in the case of an application approved under paragraph (9), the application of a State or political subdivision of a State shall be subject to public notice and comment.

''(6) FINAL AGENCY ACTION.—The decision of the Administrator on the application of a State or political subdivision of a State shall be—

''(A) considered to be a final agency action; and

''(B) subject to judicial review.

''(7) DURATION OF WAIVERS.—A waiver granted under paragraph (2) or approved under paragraph (9) shall remain in effect until such time as the Administrator publishes the safety determination under section 6(a)(4).

''(8) JUDICIAL REVIEW OF WAIVERS.—Not later than 60 days after the date on which the Administrator makes a determination on an application of a State or political subdivision of a State under paragraph (1) or (2), any person may file a petition for judicial review in the United States Court of Appeals for the District of Columbia Circuit, which shall have exclusive jurisdiction over the determination.

''(9) APPROVAL.—

''(A) AUTOMATIC APPROVAL.—If the Administrator fails to meet the deadline established under paragraph (3)(B), the application of a State or political subdivision of a State under paragraph (2) shall be automatically approved, effective on the date that is 10 days after the deadline.

''(B) REQUIREMENTS.—Notwithstanding paragraph (6), approval of a waiver application under subparagraph (A) for failure to meet the deadline under paragraph (3)(B) shall not be considered final agency action or be subject to judicial review or public notice and comment.

''(g) SAVINGS.—

''(1) NO PREEMPTION OF COMMON LAW OR STATUTORY CAUSES OF ACTION FOR CIVIL RELIEF OR CRIMINAL CONDUCT.—

''(A) IN GENERAL.—Nothing in this Act, nor any amendment made by this Act, nor any safety standard, rule, requirement, standard of performance, safety determination, or scientific assessment implemented pursuant to this Act,

shall be construed to preempt, displace, or supplant any state or Federal common law rights or any state or Federal statute creating a remedy for civil relief, including those for civil damage, or a penalty for a criminal conduct.

''(B) CLARIFICATION OF NO PREEMPTION.—Notwithstanding any other provision of this Act, nothing in this Act, nor any amendments made by this Act, shall preempt or preclude any cause of action for personal injury, wrongful death, property damage, or other injury based on negligence, strict liability, products liability, failure to warn, or any other legal theory of liability under any State law, maritime law, or Federal common law or statutory theory.

''(2) NO EFFECT ON PRIVATE REMEDIES.—

''(A) IN GENERAL.—Nothing in this Act, nor any amendments made by this Act, nor any rules, regulations, requirements, safety assessments, safety determinations, scientific assessments, or orders issued pursuant to this Act shall be interpreted as, in either the plaintiff's or defendant's favor, dispositive in any civil action.

''(B) AUTHORITY OF COURTS.—This Act does not affect the authority of any court to make a determination in an adjudicatory proceeding under applicable State or Federal law with respect to the admission into evidence or any other use of this Act or rules, regulations, requirements, standards of performance, safety assessments, scientific assessments, or orders issued pursuant to this Act.''.

SEC. 18. JUDICIAL REVIEW.

Section 19 of the Toxic Substances Control Act (15 U.S.C. 2618) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) in the first sentence—

(aa) by striking ''Not'' and inserting ''Except as otherwise provided in this title, not'';

(bb) by striking ''section 4(a), 5(a)(2), 5(b)(4), 6(a), 6(e), or 8, or under title II or IV'' and inserting ''this title or title II or IV, or an order under section 6(c)(1)(A)''; and

(cc) by striking ''judicial review of such rule'' and inserting ''judicial review of such rule or order''; and

(II) in the second sentence, by striking ''such a rule'' and inserting ''such a rule or order''; and

(ii) in subparagraph (B)—

(I) by striking ''Courts'' and inserting ''Except as otherwise provided in this title, courts''; and

(II) by striking ''an order issued under subparagraph (A) or (B) of section 6(b)(1)'' and inserting ''an order issued under this title'';

(B) in paragraph (2), in the second sentence, by striking ''the filing of the rulemaking record of proceedings on which the Administrator based the rule being reviewed'' and inserting ''the filing of the record of proceedings on which the Administrator based the rule or order being reviewed''; and

(C) by striking paragraph (3) and inserting the following:

''(3) JUDICIAL REVIEW OF LOW-PRIORITY DECISIONS.—

''(A) IN GENERAL.—Not later than 60 days after the publication of a designation under section 4A(b)(4), or a designation under section 4A(b)(8) of a chemical substance as a low-priority substance, any person may commence a civil action to challenge the designation.

''(B) JURISDICTION.—The United States Court of Appeals for the District of Columbia Circuit shall have exclusive jurisdiction over a civil action filed under this paragraph.''; and

(2) in subsection (c)(1)(B)—

(A) in clause (i)—

(i) by striking ''section 4(a), 5(b)(4), 6(a), or 6(e)'' and inserting ''section 4(a), 6(d), or 6(g), or an order under section 6(c)(1)(A)''; and

(ii) by striking ''evidence in the rulemaking record (as defined in subsection (a)(3)) taken as a whole;'' and inserting ''evidence (including any matter) in the rulemaking record, taken as a whole; and''; and

(B) by striking clauses (ii) and (iii) and the matter following clause (iii) and inserting the following:

''(ii) the court may not review the contents and adequacy of any statement of basis and purpose required by section 553(c) of title 5, United States Code, to be incorporated in the rule, except as part of the rulemaking record, taken as a whole.''.

SEC. 19. CITIZENS' CIVIL ACTIONS.

Section 20 of the Toxic Substances Control Act (15 U.S.C. 2619) is amended—

(1) in subsection (a)(1), by striking ''or order issued under section 5'' and inserting ''or order issued under section 4 or 5''; and

(2) in subsection (b)—

(A) in paragraph (1)(B), by striking ''or'' at the end;

(B) in paragraph (2), by striking the period at the end and inserting '', except that no prior notification shall be required in the case of a civil action brought to compel a decision by the Administrator pursuant to section 18(f)(3)(B); or''; and

(C) by adding at the end the following:

''(3) in the case of a civil action brought to compel a decision by the Administrator pursuant to section 18(f)(3)(B), after the date that is 60 days after the deadline specified in section 18(f)(3)(B).''.

SEC. 20. CITIZENS' PETITIONS.

Section 21 of the Toxic Substances Control Act (15 U.S.C. 2620) is amended—

(1) in subsection (a), by striking ''an order under section 5(e) or 6(b)(2)'' and inserting ''an order under section 4 or 5(d)''; and

(2) in subsection (b)—

(A) in paragraph (1), by striking ''an order under section 5(e), 6(b)(1)(A), or 6(b)(1)(B)'' and inserting ''an order under section 4 or 5(d)''; and

(B) in paragraph (4), by striking subparagraph (B) and inserting the following:

''(B) DE NOVO PROCEEDING.—

''(i) IN GENERAL.—In an action under subparagraph (A) to initiate a proceeding to issue a rule pursuant to section 4, 5, 6, or 8 or issue an order under section 4 or 5(d), the petitioner shall be provided an opportunity to have the petition considered by the court in a de novo proceeding.

''(ii) DEMONSTRATION.—

''(I) IN GENERAL.—The court in a de novo proceeding under this subparagraph shall order the Administrator to initiate the action requested by the petitioner if the petitioner demonstrates to the satisfaction of the court by a preponderance of the evidence that—

''(aa) in the case of a petition to initiate a proceeding for the issuance of a rule or order under section 4, the information is needed for a purpose identified in section 4(a);

''(bb) in the case of a petition to issue an order under section 5(d), the chemical substance is not likely to meet the safety standard;

''(cc) in the case of a petition to initiate a proceeding for the issuance of a rule under section 6(d), the chemical substance does not meet the safety standard; or

''(dd) in the case of a petition to initiate a proceeding for the issuance of a rule under section 8, there is a reasonable basis to conclude that the rule is necessary to protect health or the environment or ensure that the chemical substance meets the safety standard.

''(II) DEFERMENT.—The court in a de novo proceeding under this subparagraph may permit the Administrator to defer initiating the action requested by the petitioner until such time as the court prescribes, if the court finds that—

''(aa) the extent of the risk to health or the environment alleged by the petitioner is less than the extent of risks to health or the environment with respect to which the Administrator is taking action under this Act; and

''(bb) there are insufficient resources available to the Administrator to take the action requested by the petitioner.''.

SEC. 21. EMPLOYMENT EFFECTS.

Section 24(b)(2)(B)(ii) of the Toxic Substances Control Act (15 U.S.C. 2623(b)(2)(B)(ii)) is amended by striking ''section 6(c)(3),'' and inserting ''the applicable requirements of this Act;''.

SEC. 22. STUDIES.

Section 25 of the Toxic Substances Control Act (15 U.S.C. 2624) is repealed.

SEC. 23. ADMINISTRATION.

Section 26 of the Toxic Substances Control Act (15 U.S.C. 2625) is amended—

(1) by striking subsection (b) and inserting the following:

''(b) FEES.—

''(1) IN GENERAL.—The Administrator shall establish, not later than 1 year after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, by rule—

''(A) the payment of 1 or more reasonable fees as a condition of submitting a notice or requesting an exemption under section 5; and

''(B) the payment of 1 or more reasonable fees by a manufacturer or processor that—

''(i) is required to submit a notice pursuant to the rule promulgated under section 8(b)(4)(A)(i) identifying a chemical substance as active;

''(ii) is required to submit a notice pursuant to section 8(b)(5)(B)(i) changing the status of a chemical substance from inactive to active;

''(iii) is required to report information pursuant to the rules promulgated under paragraph (1) or (4) of section 8(a); or

''(iv) manufactures or processes a chemical substance subject to a safety assessment and safety determination pursuant to section 6.

''(2) UTILIZATION AND COLLECTION OF FEES.—The Administrator shall—

''(A) utilize the fees collected under paragraph (1) only to defray costs associated with the actions of the Administrator—

''(i) to collect, process, review, provide access to, and protect from disclosure (where appropriate) information on chemical substances under this Act;

''(ii) to review notices and make determinations for chemical substances under paragraphs (1) and (3) of section 5(d) and impose any necessary restrictions under section 5(d)(4);

''(iii) to make prioritization decisions under section 4A;

''(iv) to conduct and complete safety assessments and determinations under section 6; and

''(v) to conduct any necessary rulemaking pursuant to section 6(d);

''(B) insofar as possible, collect the fees described in paragraph (1) in advance of conducting any fee-supported activity;

''(C) deposit the fees in the Fund established by paragraph (4)(A); and

''(D) insofar as possible, not collect excess fees or retain a significant amount of unused fees.

''(3) AMOUNT AND ADJUSTMENT OF FEES; REFUNDS.—In setting fees under this section, the Administrator shall—

''(A) prescribe lower fees for small business concerns, after consultation with the Administrator of the Small Business Administration;

''(B) set the fees established under paragraph (1) at levels such that the fees will, in aggregate, provide a sustainable source of funds to annually defray—

''(i) the lower of—

''(I) 25 percent of the costs of conducting the activities identified in paragraph (2)(A), other than the costs to conduct and complete safety

assessments and determinations under section 6 for chemical substances identified pursuant to section 4A(c); or

''(II) $25,000,000 (subject to adjustment pursuant to subparagraph (F)); and

''(ii) the full costs and the 50-percent portion of the costs of safety assessments and safety determinations specified in subparagraph (D);

''(C) reflect an appropriate balance in the assessment of fees between manufacturers and processors, and allow the payment of fees by consortia of manufacturers or processors;

''(D) notwithstanding subparagraph (B) and paragraph (4)(D)—

''(i) for substances designated pursuant to section 4A(c)(1), establish the fee at a level sufficient to defray the full annual costs to the Administrator of conducting the safety assessment and safety determination under section 6; and

''(ii) for substances designated pursuant to section 4A(c)(3), establish the fee at a level sufficient to defray 50 percent of the annual costs to the Administrator of conducting the safety assessment and safety determination under section 6;

''(E) prior to the establishment or amendment of any fees under paragraph (1), consult and meet with parties potentially subject to the fees or their representatives, subject to the condition that no obligation under the Federal Advisory Committee Act (5 U.S.C. App.) or subchapter III of chapter 5 of title 5, United States Code, is applicable with respect to such meetings;

''(F) beginning with the fiscal year that is 3 years after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, and every 3 years thereafter, after consultation with parties potentially subject to the fees and their representatives pursuant to subparagraph (E), increase or decrease the fees established under paragraph (1) as necessary to adjust for inflation and to ensure, based on the audit analysis required under paragraph (5)(B), that funds deposited in the Fund are sufficient to defray—

''(i) approximately but not more than 25 percent of the annual costs to conduct the activities identified in paragraph (2)(A), other than the costs to conduct and complete safety assessments and determinations under section 6 for chemical substances identified pursuant to section 4A(c); and

''(ii) the full annual costs and the 50-percent portion of the annual costs of safety assessments and safety determinations specified in subparagraph (D);

''(G) adjust fees established under paragraph (1) as necessary to vary on account of differing circumstances, including reduced fees or waivers in appropriate circumstances, to reduce the burden on manufacturing or processing, remove barriers to innovation, or where the costs to the Administrator of collecting the fees exceed the fee revenue anticipated to be collected; and

''(H) if a notice submitted under section 5 is refused or subsequently withdrawn, refund the fee or a portion of the fee if no substantial work was performed on the notice.

''(4) TSCA IMPLEMENTATION FUND.—

''(A) ESTABLISHMENT.—There is established in the Treasury of the United States a fund, to be known as the 'TSCA Implementation Fund' (referred to in this subsection as the 'Fund'), consisting of—

''(i) such amounts as are deposited in the Fund under paragraph (2)(C); and

''(ii) any interest earned on the investment of amounts in the Fund; and

''(iii) any proceeds from the sale or redemption of investments held in the Fund.

''(B) CREDITING AND AVAILABILITY OF FEES.—

''(i) IN GENERAL.—Fees authorized under this section shall be collected and available for obligation only to the extent and in the amount provided in advance in appropriations Acts, and shall be available without fiscal year limitation.

''(ii) REQUIREMENTS.—Fees collected under this section shall not—

''(I) be made available or obligated for any purpose other than to defray the costs of conducting the activities identified in paragraph (2)(A);

''(II) otherwise be available for any purpose other than implementation of this Act; and

''(III) so long as amounts in the Fund remain available, be subject to restrictions on expenditures applicable to the Federal government as a whole.

''(C) UNUSED FUNDS.—Amounts in the Fund not currently needed to carry out this subsection shall be—

''(i) maintained readily available or on deposit;

''(ii) invested in obligations of the United States or guaranteed by the United States; or

''(iii) invested in obligations, participations, or other instruments that are lawful investments for fiduciary, trust, or public funds.

''(D) MINIMUM AMOUNT OF APPROPRIATIONS.—Fees may not be assessed for a fiscal year under this section unless the amount of appropriations for the Chemical Risk Review and Reduction program project of the Environmental Protection Agency for the fiscal year (excluding the amount of any fees appropriated for the fiscal year) are equal to or greater than the amount of appropriations for that program project for fiscal year 2014.

''(5) AUDITING.—

''(A) FINANCIAL STATEMENTS OF AGENCIES.—For the purpose of section 3515(c) of title 31, United States Code, the Fund shall be considered a component of an executive agency.

''(B) COMPONENTS.—The annual audit required under sections 3515(b) and 3521 of that title of the financial statements of activities under this subsection shall include an analysis of—

''(i) the fees collected under paragraph (1) and disbursed;

''(ii) compliance with the deadlines established in section 6 of this Act;

''(iii) the amounts budgeted, appropriated, collected from fees, and disbursed to meet the requirements of sections 4, 4A, 5, 6, 8, and 14, including the allocation of full time equivalent employees to each such section or activity; and

''(iv) the reasonableness of the allocation of the overhead associated with the conduct of the activities described in paragraph (2)(A).

''(C) INSPECTOR GENERAL.—The Inspector General of the Environmental Protection Agency shall—

''(i) conduct the annual audit required under this subsection; and

''(ii) report the findings and recommendations of the audit to the Administrator and to the appropriate committees of Congress.

''(6) TERMINATION.—The authority provided by this section shall terminate at the conclusion of the fiscal year that is 10 years after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, unless otherwise reauthorized or modified by Congress.'';

(2) in subsection (e), by striking ''Health, Education, and Welfare'' each place it appears and inserting ''Health and Human Services''; and

(3) adding at the end the following:

''(h) PRIOR ACTIONS.—Nothing in this Act eliminates, modifies, or withdraws any rule promulgated, order issued, or exemption established pursuant to this Act before the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act.''.

SEC. 24. DEVELOPMENT AND EVALUATION OF TEST METHODS AND SUSTAINABLE CHEMISTRY.

(a) IN GENERAL.—Section 27 of the Toxic Substances Control Act (15 U.S.C. 2626) is amended—

(1) in subsection (a), in the first sentence by striking ''Health, Education, and Welfare'' and inserting ''Health and Human Services''; and

(2) by adding at the end the following:

''(c) NATIONAL COORDINATING ENTITY FOR SUSTAINABLE CHEMISTRY.—

''(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, the Director of the Office of Science and Technology Policy shall convene an entity under the National Science and Technology Council with the responsibility to coordinate Federal programs and activities in support of sustainable chemistry, including, as appropriate, at the National Science Foundation, the Department of Energy, the Department of Agriculture, the Environmental Protection Agency, the National Institute of Standards and Technology, the Department of Defense, the National Institutes of Health, and other related Federal agencies.

''(2) CHAIRMAN.—The entity described in paragraph (1) shall be chaired by the Director of the National Science Foundation and the Assistant Administrator for the Office of Research and Development of the Environmental Protection Agency, or their designees.

''(3) DUTIES.—

''(A) IN GENERAL.—The entity described in paragraph (1) shall—

''(i) develop a working definition of sustainable chemistry, after seeking advice and input from stakeholders as described in clause (v);

''(ii) oversee the planning, management, and coordination of the Sustainable Chemistry Initiative described in subsection (d);

''(iii) develop a national strategy for sustainable chemistry as described in subsection (f);

''(iv) develop an implementation plan for sustainable chemistry as described in subsection (g); and

''(v) consult and coordinate with stakeholders qualified to provide advice and information on the development of the initiative, national strategy, and implementation plan for sustainable chemistry, at least once per year, to carry out activities that may include workshops, requests for information, and other efforts as necessary.

''(B) STAKEHOLDERS.—The stakeholders described in subparagraph (A)(v) shall include representatives from—

''(i) industry (including small- and medium-sized enterprises from across the value chain);

''(ii) the scientific community (including the National Academy of Sciences, scientific professional societies, and academia);

''(iii) the defense community;

''(iv) State, tribal, and local governments;

''(v) State or regional sustainable chemistry programs;

''(vi) nongovernmental organizations; and

''(vii) other appropriate organizations.

''(4) SUNSET.—

''(A) IN GENERAL.—On completion of the national strategy and accompanying implementation plan for sustainable chemistry as described in paragraph (3), the Director of the Office of Science and Technology Policy—

''(i) shall review the need for further work; and

''(ii) may disband the entity described in paragraph (1) if no further efforts are determined to be necessary.

''(B) NOTICE AND JUSTIFICATION.—The Director of the Office of Science and Technology Policy shall provide notice and justification, including an analysis of options to establish the Sustainable Chemistry Initiative described in subsection (d) and the partnerships described in subsection (e) within 1 or more appropriate Federal agencies, regarding a decision to disband the entity not less than 90 days prior to the termination date to the Committee on Science,

Space, and Technology and the Committee on Energy and Commerce of the House of Representatives and the Committee on Environment and Public Works and the Committee on Commerce, Science, and Transportation of the Senate.

''(d) SUSTAINABLE CHEMISTRY INITIATIVE.—The entity described in subsection (c)(1) shall oversee the establishment of an interagency Sustainable Chemistry Initiative to promote and coordinate activities designed—

''(1) to provide sustained support for sustainable chemistry research, development, demonstration, technology transfer, commercialization, education, and training through—

''(A) coordination and promotion of sustainable chemistry research, development, demonstration, and technology transfer conducted at Federal and national laboratories and Federal agencies and at public and private institutions of higher education; and

''(B) to the extent practicable, encouragement of consideration of sustainable chemistry in, as appropriate—

''(i) the conduct of Federal, State, and private science and engineering research and development; and

''(ii) the solicitation and evaluation of applicable proposals for science and engineering research and development;

''(2) to examine methods by which the Federal Government can offer incentives for consideration and use of sustainable chemistry processes and products that encourage competition and overcoming market barriers, including grants, loans, loan guarantees, and innovative financing mechanisms;

''(3) to expand the education and training of undergraduate and graduate students and professional scientists and engineers, including through partnerships with industry as described in subsection (e), in sustainable chemistry science and engineering;

''(4) to collect and disseminate information on sustainable chemistry research, development, and technology transfer, including information on—

''(A) incentives and impediments to development, manufacturing, and commercialization;

''(B) accomplishments;

''(C) best practices; and

''(D) costs and benefits; and

''(5) to support (including through technical assistance, participation, financial support, or other forms of support) economic, legal, and other appropriate social science research to identify barriers to commercialization and methods to advance commercialization of sustainable chemistry.

''(e) PARTNERSHIPS IN SUSTAINABLE CHEMISTRY.—

''(1) IN GENERAL.—The entity described in subsection (c)(1), itself or through an appropriate subgroup designated or established by the entity, shall work through the agencies described in subsection (c)(1) to support, through financial, technical, or other assistance, the establishment of partnerships between institutions of higher education, nongovernmental organizations, consortia, and companies across the value chain in the chemical industry, including small- and medium-sized enterprises—

''(A) to establish collaborative research, development, demonstration, technology transfer, and commercialization programs; and

''(B) to train students and retrain professional scientists and engineers in the use of sustainable chemistry concepts and strategies by methods including—

''(i) developing curricular materials and courses for undergraduate and graduate levels and for the professional development of scientists and engineers; and

''(ii) publicizing the availability of professional development courses in sustainable chemistry and recruiting scientists and engineers to pursue those courses.

''(2) PRIVATE SECTOR ENTITIES.—To be eligible for support under this section, a partnership in sustainable chemistry shall include at least 1 private sector entity.

''(3) SELECTION OF PARTNERSHIPS.—In selecting partnerships for support under this section, the entity and the agencies described in subsection (c)(1) shall also consider the extent to which the applicants are willing and able to demonstrate evidence of support for, and commitment—

''(A) to achieving the goals of the Sustainable Chemistry Initiative described in subsection (d); and

''(B) to sustaining any new innovations, tools, and resources generated from funding under the program.

''(4) PROHIBITED USE OF FUNDS.—Financial support provided under this section may not be used—

''(A) to support or expand a regulatory chemical management program at an implementing agency under a State law; or

''(B) to construct or renovate a building or structure.

''(f) NATIONAL STRATEGY TO CONGRESS.—

''(1) IN GENERAL.—Not later than 2 years after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, the entity described in subsection (c)(1) shall submit to the Committee on Science, Space, and Technology and the Committee on Energy and Commerce of the House of Representatives and the Committee on Environment and Public Works and the Committee on Commerce, Science, and Transportation of the Senate, a national strategy that shall include—

''(A) a summary of federally funded sustainable chemistry research, development, demonstration, technology transfer, commercialization, education, and training activities;

''(B) a summary of the financial resources allocated to sustainable chemistry initiatives;

''(C) an analysis of the progress made toward achieving the goals and priorities of the Sustainable Chemistry Initiative described in subsection (d), and recommendations for future initiative activities, including consideration of options to establish the Sustainable Chemistry Initiative and the partnerships described in subsection (e) within 1 or more appropriate Federal agencies;

''(D) an assessment of the benefits of expanding existing, federally supported regional innovation and manufacturing hubs to include sustainable chemistry and the value of directing the establishment of 1 or more dedicated sustainable chemistry centers of excellence or hubs;

''(E) an evaluation of steps taken and future strategies to avoid duplication of efforts, streamline interagency coordination, facilitate information sharing, and spread best practices between participating agencies in the Sustainable Chemistry Initiative; and

''(F) a framework for advancing sustainable chemistry research, development, technology transfer, commercialization, and education and training.

''(2) SUBMISSION TO GAO.—The entity described in subsection (c)(1) shall submit the national strategy described in paragraph (1) to the Government Accountability Office for consideration in future Congressional inquiries.

''(g) IMPLEMENTATION PLAN.—Not later than 3 years after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, the entity described in subsection (c)(1) shall submit to the Committee on Science, Space, and Technology and the Committee on Energy and Commerce of the House of Representatives and the Committee on Environment and Public Works and the Committee on Commerce, Science, and Transportation of the Senate, an implementation plan, based on the findings of the national strategy and other assessments, as appropriate, for sustainable chemistry.''.

(b) SUSTAINABLE CHEMISTRY BASIC RESEARCH.—Subject to the availability of appropriated funds, the Director of the National Science Foundation shall continue to carry out the Green Chemistry Basic Research program authorized under section 509 of the National Science Foundation Authorization Act of 2010 (42 U.S.C. 1862p–3).

SEC. 25. STATE PROGRAMS.

Section 28 of the Toxic Substances Control Act (15 U.S.C. 2627) is amended—

(1) in subsection (b)(1)—

(A) in subparagraphs (A) through (D), by striking the comma at the end of each subparagraph and inserting a semicolon; and

(B) in subparagraph (E), by striking '', and'' and inserting ''; and''; and

(2) by striking subsections (c) and (d).

SEC. 26. AUTHORIZATION OF APPROPRIATIONS.

Section 29 of the Toxic Substances Control Act (15 U.S.C. 2628) is repealed.

SEC. 27. ANNUAL REPORT.

Section 30 of the Toxic Substances Control Act (15 U.S.C. 2629) is amended by striking paragraph (2) and inserting the following:

''(2)(A) the number of notices received during each year under section 5; and

''(B) the number of the notices described in subparagraph (A) for chemical substances subject to a rule, testing consent agreement, or order under section 4;''.

SEC. 28. EFFECTIVE DATE.

Section 31 of the Toxic Substances Control Act (15 U.S.C. 2601 note; Public Law 94–469) is amended—

(1) by striking ''Except as provided in section 4(f), this'' and inserting the following:

''(a) IN GENERAL.—This''; and

(2) by adding at the end the following:

''(b) RETROACTIVE APPLICABILITY.—Nothing in this Act shall be interpreted to apply retroactively to any State, Federal, or maritime legal action commenced prior to the effective date of the Frank R. Lautenberg Chemical Safety for the 21st Century Act.''.

SEC. 29. ELEMENTAL MERCURY.

(a) TEMPORARY GENERATOR ACCUMULATION.—Section 5 of the Mercury Export Ban Act of 2008 (42 U.S.C. 6939f) is amended—

(1) in subsection (a)(2), by striking ''2013'' and inserting ''2019'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by redesignating subparagraphs (A), (B), and (C), as clauses (i), (ii), and (iii), respectively and indenting appropriately;

(ii) in the first sentence, by striking ''After consultation'' and inserting the following:

''(A) ASSESSMENT AND COLLECTION.—After consultation'';

(iii) in the second sentence, by striking ''The amount of such fees'' and inserting the following:

''(B) AMOUNT.—The amount of the fees described in subparagraph (A)'';

(iv) in subparagraph (B) (as so designated)—

(I) in clause (i) (as so redesignated), by striking ''publically available not later than October 1, 2012'' and inserting ''publicly available not later than October 1, 2018'';

(II) in clause (ii) (as so redesignated), by striking ''and'';

(III) in clause (iii) (as so redesignated), by striking the period at the end and inserting '', subject to clause (iv); and''; and

(IV) by adding at the end the following:

''(iv) for generators temporarily accumulating elemental mercury in a facility subject to subparagraphs (B) and (D)(iv) of subsection (g)(2)

if the facility designated in subsection (a) is not operational by January 1, 2019, shall be adjusted to subtract the cost of the temporary accumulation during the period in which the facility designated under subsection (a) is not operational.''; and

(v) by adding at the end the following:

''(C) CONVEYANCE OF TITLE AND PERMITTING.—If the facility designated in subsection (a) is not operational by January 1, 2020, the Secretary—

''(i) shall immediately accept the conveyance of title to all elemental mercury that has accumulated in facilities in accordance with subsection (g)(2)(D), before January 1, 2020, and deliver the accumulated mercury to the facility designated under subsection (a) on the date on which the facility becomes operational;

''(ii) shall pay any applicable Federal permitting costs, including the costs for permits issued under section 3005(c) of the Solid Waste Disposal Act (42 U.S.C. 6925(c)); and

''(iii) shall store, or pay the cost of storage of, until the time at which a facility designated in subsection (a) is operational, accumulated mercury to which the Secretary has title under this subparagraph in a facility that has been issued a permit under section 3005(c) of the Solid Waste Disposal Act (42 U.S.C. 6925(c)).''; and

(B) in paragraph (2), in the first sentence, by striking ''paragraph (1)(C)'' and inserting ''paragraph (1)(B)(iii)''; and

(3) in subsection (g)(2)—

(A) in the undesignated material at the end, by striking ''This subparagraph'' and inserting the following:

''(C) Subparagraph (B)'';

(B) in subparagraph (C) (as added by paragraph (1)), by inserting ''of that subparagraph'' before the period at the end; and

(C) by adding at the end the following:

''(D) A generator producing elemental mercury incidentally from the beneficiation or processing of ore or related pollution control activities, may accumulate the mercury produced onsite that is destined for a facility designated by the Secretary under subsection (a), for more than 90 days without a permit issued under section 3005(c) of the Solid Waste Disposal Act (42 U.S.C. 6925(c)), and shall not be subject to the storage prohibition of section 3004(j) of that Act (42 U.S.C. 6924(j)), if—

''(i) the Secretary is unable to accept the mercury at a facility designated by the Secretary under subsection (a) for reasons beyond the control of the generator;

''(ii) the generator certifies in writing to the Secretary that the generator will ship the mercury to a designated facility when the Secretary is able to accept the mercury;

''(iii) the generator certifies in writing to the Secretary that the generator is storing only mercury the generator has produced or recovered onsite and will not sell, or otherwise place into commerce, the mercury; and

''(iv) the generator has obtained an identification number under section 262.12 of title 40, Code of Federal Regulations, and complies with the requirements described in paragraphs (1) through (4) of section 262.34(a) of title 40, Code of Federal Regulations (as in effect on the date of enactment of this subparagraph).

''(E) MANAGEMENT STANDARDS FOR TEMPORARY STORAGE.—Not later than January 1, 2017, the Secretary, after consultation with the Administrator of the Environmental Protection Agency and State agencies in affected States, shall develop and make available guidance that establishes procedures and standards for the management and short-term storage of elemental mercury at a generator covered under subparagraph (D), including requirements to ensure appropriate use of flasks or other suitable containers. Such procedures and standards shall be protective of human health and the environment and shall ensure that the elemental mercury is stored in a safe, secure, and effective manner. A generator may accumulate mercury in accordance with subparagraph (D) immediately upon enactment of this Act, and notwithstanding that guidance called for by this paragraph (E) has not been developed or made available.''.

(b) INTERIM STATUS.—Section 5(d)(1) of the Mercury Export Ban Act of 2008 (42 U.S.C. 6939f(d)(1)) is amended—

(1) in the fourth sentence, by striking ''in existence on or before January 1, 2013,''; and

(2) in the last sentence, by striking ''January 1, 2015'' and inserting ''January 1, 2020''.

(c) MERCURY INVENTORY.—Section 8(b) of the Toxic Substances Control Act (15 U.S.C. 2607(b)) (as amended by section 10(2)) is amended by adding at the end the following:

''(10) MERCURY.—

''(A) DEFINITION OF MERCURY.—In this paragraph, notwithstanding section 3(2)(B), the term 'mercury' means—

''(i) elemental mercury; and

''(ii) a mercury compound.

''(B) PUBLICATION.—Not later than April 1, 2017, and every 3 years thereafter, the Administrator shall publish in the Federal Register an inventory of mercury supply, use, and trade in the United States.

''(C) PROCESS.—In carrying out the inventory under subparagraph (B), the Administrator shall—

''(i) identify any remaining manufacturing processes or products that intentionally add mercury; and

''(ii) recommend actions, including proposed revisions of Federal law (including regulations), to achieve further reductions in mercury use.

''(D) REPORTING.—

''(i) IN GENERAL.—To assist in the preparation of the inventory under subparagraph (B), any person who manufactures mercury or mercury-added products or otherwise intentionally uses mercury in a manufacturing process shall make periodic reports to the Administrator, at such time and including such information as the Administrator shall determine by rule promulgated not later than 2 years after the date of enactment of this paragraph.

''(ii) COORDINATION.—To avoid duplication, the Administrator shall coordinate the reporting under this subparagraph with the Interstate Mercury Education and Reduction Clearinghouse.

''(iii) EXEMPTION.—This subparagraph shall not apply to a person engaged in the generation, handling, or management of mercury-containing waste, unless that person manufactures or recovers mercury in the management of that waste.''.

(d) PROHIBITION ON EXPORT OF CERTAIN MERCURY COMPOUNDS.—Section 12(c) of the Toxic Substances Control Act (15 U.S.C. 2611(c)) (as amended by section 13(3)) is amended—

(1) in the subsection heading, by inserting ''AND MERCURY COMPOUNDS'' after ''MERCURY''; and

(2) by inserting after paragraph (2) the following:

''(3) PROHIBITION ON EXPORT OF CERTAIN MERCURY COMPOUNDS.—

''(A) IN GENERAL.—Effective January 1, 2020, the export of the following mercury compounds is prohibited:

''(i) Mercury (I) chloride or calomel.

''(ii) Mercury (II) oxide.

''(iii) Mercury (II) sulfate.

''(iv) Mercury (II) nitrate.

''(v) Cinnabar or mercury sulphide.

''(vi) Any mercury compound that the Administrator, at the discretion of the Administrator, adds to the list by rule, on determining that exporting that mercury compound for the purpose of regenerating elemental mercury is technically feasible.

''(B) PUBLICATION.—Not later than 90 days after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, and as appropriate thereafter, the Administrator shall publish in the Federal Register a list of the mercury compounds that are prohibited from export under this paragraph.

''(C) PETITION.—Any person may petition the Administrator to add to the list of mercury compounds prohibited from export.

''(D) ENVIRONMENTALLY SOUND DISPOSAL.—This paragraph does not prohibit the export of mercury (I) chloride or calomel for environmentally sound disposal to member countries of the Organization for Economic Cooperation and Development, on the condition that no mercury or mercury compounds are to be recovered, recycled, or reclaimed for use, or directly reused.

''(E) REPORT.—Not later than 5 years after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, the Administrator shall evaluate any exports of calomel for disposal that occurred since that date of enactment and shall submit to Congress a report that contains the following:

''(i) volumes and sources of calomel exported for disposal;

''(ii) receiving countries of such exports;

''(iii) methods of disposal used;

''(iv) issues, if any, presented by the export of calomel;

''(v) evaluation of calomel management options in the United States, if any, that are commercially available and comparable in cost and efficacy to methods being utilized in the receiving countries; and

''(vi) a recommendation regarding whether Congress should further limit or prohibit the export of calomel for disposal.

''(F) EFFECT ON OTHER LAW.—Nothing in this paragraph shall be construed to affect the authority of the Administrator under Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).''.

SEC. 30. TREVOR'S LAW.

(a) PURPOSES.—The purposes of this section are—

(1) to provide the appropriate Federal agencies with the authority to help conduct investigations into potential cancer clusters;

(2) to ensure that Federal agencies have the authority to undertake actions to help address cancer clusters and factors that may contribute to the creation of potential cancer clusters; and

(3) to enable Federal agencies to coordinate with other Federal, State, and local agencies, institutes of higher education, and the public in investigating and addressing cancer clusters.

(b) DESIGNATION AND INVESTIGATION OF POTENTIAL CANCER CLUSTERS.—Part P of title III of the Public Health Service Act (42 U.S.C. 280g et seq.) is amended by adding at the end the following:

''SEC. 399V–6. DESIGNATION AND INVESTIGATION OF POTENTIAL CANCER CLUSTERS.

''(a) DEFINITIONS.—In this section:

''(1) CANCER CLUSTER.—The term 'cancer cluster' means the incidence of a particular cancer within a population group, a geographical area, or a period of time that is greater than expected for such group, area, or period.

''(2) PARTICULAR CANCER.—The term 'particular cancer' means one specific type of cancer or a type of cancers scientifically proven to have the same cause.

''(3) POPULATION GROUP.—The term 'population group' means a group, for purposes of calculating cancer rates, defined by factors such as race, ethnicity, age, or gender.

''(b) CRITERIA FOR DESIGNATION OF POTENTIAL CANCER CLUSTERS.—

''(1) DEVELOPMENT OF CRITERIA.—The Secretary shall develop criteria for the designation of potential cancer clusters.

''(2) REQUIREMENTS.—The criteria developed under paragraph (1) shall consider, as appropriate—

''(A) a standard for cancer cluster identification and reporting protocols used to determine when cancer incidence is greater than would be typically observed;

''(B) scientific screening standards that ensure that a cluster of a particular cancer involves the same type of cancer, or types of cancers;

''(C) the population in which the cluster of a particular cancer occurs by factors such as race, ethnicity, age, and gender, for purposes of calculating cancer rates;

''(D) the boundaries of a geographic area in which a cluster of a particular cancer occurs so as not to create or obscure a potential cluster by selection of a specific area; and

''(E) the time period over which the number of cases of a particular cancer, or the calculation of an expected number of cases, occurs.

''(c) GUIDELINES FOR INVESTIGATION OF POTENTIAL CANCER CLUSTERS.—The Secretary, in consultation with the Council of State and Territorial Epidemiologists and representatives of State and local health departments, shall develop, publish, and periodically update guidelines for investigating potential cancer clusters. The guidelines shall—

''(1) require that investigations of cancer clusters—

''(A) use the criteria developed under subsection (b);

''(B) use the best available science; and

''(C) rely on a weight of the scientific evidence;

''(2) provide standardized methods of reviewing and categorizing data, including from health surveillance systems and reports of potential cancer clusters; and

''(3) provide guidance for using appropriate epidemiological and other approaches for investigations.

''(d) INVESTIGATION OF CANCER CLUSTERS.—

''(1) SECRETARY DISCRETION.—The Secretary—

''(A) in consultation with representatives of the relevant State and local health departments, shall consider whether it is appropriate to conduct an investigation of a potential cancer cluster; and

''(B) in conducting investigations shall have the discretion to prioritize certain potential cancer clusters, based on the availability of resources.

''(2) COORDINATION.—In investigating potential cancer clusters, the Secretary shall coordinate with agencies within the Department of Health and Human Services and other Federal agencies, such as the Environmental Protection Agency.

''(3) BIOMONITORING.—In investigating potential cancer clusters, the Secretary shall rely on all appropriate biomonitoring information collected under other Federal programs, such as the National Health and Nutrition Examination Survey. The Secretary may provide technical assistance for relevant biomonitoring studies of other Federal agencies.

''(e) DUTIES.—The Secretary shall—

''(1) ensure that appropriate staff of agencies within the Department of Health and Human Services are prepared to provide timely assistance, to the extent practicable, upon receiving a request to investigate a potential cancer cluster from a State or local health authority;

''(2) maintain staff expertise in epidemiology, toxicology, data analysis, environmental health and cancer surveillance, exposure assessment, pediatric health, pollution control, community outreach, health education, laboratory sampling and analysis, spatial mapping, and informatics;

''(3) consult with community members as investigations into potential cancer clusters are conducted, as the Secretary determines appropriate;

''(4) collect, store, and disseminate reports on investigations of potential cancer clusters, the possible causes of such clusters, and the actions taken to address such clusters; and

''(5) provide technical assistance for investigating cancer clusters to State and local health departments through existing programs, such as the Epi-Aids program of the Centers for Disease Control and Prevention and the Assessments of Chemical Exposures program of the Agency for Toxic Substances and Disease Registry.''.

MOTION OFFERED BY MR. SHIMKUS

Mr. SHIMKUS. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. Shimkus moves that the House concur in the Senate amendment to H.R. 2576 with an amendment inserting the text of Rules Committee Print 114–54, modified by the amendment printed in House Report 114–590, in lieu of the matter proposed to be inserted by the Senate.

The text of the House amendment to the Senate amendment to the text is as follows:

In lieu of the matter proposed to be inserted by the Senate, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Frank R. Lautenberg Chemical Safety for the 21st Century Act''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

TITLE I—CHEMICAL SAFETY

SEC. 2. FINDINGS, POLICY, AND INTENT.

Section 2(c) of the Toxic Substances Control Act (15 U.S.C. 2601(c)) is amended by striking ''proposes to take'' and inserting ''proposes as provided''.

SEC. 3. DEFINITIONS.

Section 3 of the Toxic Substances Control Act (15 U.S.C. 2602) is amended—

(1) by redesignating paragraphs (4) through (14) as paragraphs (5), (6), (8), (9), (10), (11), (13), (14), (15), (16), and (17), respectively;

(2) by inserting after paragraph (3) the following:

''(4) The term 'conditions of use' means the circumstances, as determined by the Administrator, under which a chemical substance is intended, known, or reasonably foreseen to be manufactured, processed, distributed in commerce, used, or disposed of.'';

(3) by inserting after paragraph (6), as so redesignated, the following:

''(7) The term 'guidance' means any significant written guidance of general applicability prepared by the Administrator.''; and

(4) by inserting after paragraph (11), as so redesignated, the following:

''(12) The term 'potentially exposed or susceptible subpopulation' means a group of individuals within the general population identified by the Administrator who, due to either greater susceptibility or greater exposure, may be at greater risk than the general population of adverse health effects from exposure to a chemical substance or mixture, such as infants, children, pregnant women, workers, or the elderly.''.

SEC. 4. TESTING OF CHEMICAL SUBSTANCES AND MIXTURES.

Section 4 of the Toxic Substances Control Act (15 U.S.C. 2603) is amended—

(1) by striking ''standards'' each place it appears and inserting ''protocols and methodologies'';

(2) in subsection (a)—

(A) by striking ''If the Administrator finds'' and inserting ''(1) If the Administrator finds'';

(B) in paragraph (1), as so designated—

(i) by striking ''(1)(A)(i)'' and inserting ''(A)(i)(I)'';

(ii) by striking ''(ii)'' each place it appears and inserting ''(II)'';

(iii) by striking ''are insufficient data'' and inserting ''is insufficient information'' each place it appears;

(iv) by striking ''(iii)'' each place it appears and inserting ''(III)'';

(v) by striking ''such data'' and inserting ''such information'' each place it appears;

(vi) by striking ''(B)(i)'' and inserting ''(ii)(I)'';

(vii) by striking ''(I)'' and inserting ''(aa)'';

(viii) by striking ''(II)'' and inserting ''(bb)'';

(ix) by striking ''(2)'' and inserting ''(B)''; and

(x) in the matter following subparagraph (B), as so redesignated—

(I) by inserting '', or, in the case of a chemical substance or mixture described in subparagraph (A)(i), by rule, order, or consent agreement,'' after ''rule'';

(II) by striking ''data'' each place it appears and inserting ''information''; and

(III) by striking ''and which are relevant'' and inserting ''and which is relevant''; and

(C) by adding at the end the following:

''(2) ADDITIONAL TESTING AUTHORITY.—In addition to the authority provided under paragraph (1), the Administrator may, by rule, order, or consent agreement—

''(A) require the development of new information relating to a chemical substance or mixture if the Administrator determines that the information is necessary—

''(i) to review a notice under section 5 or to perform a risk evaluation under section 6(b);

''(ii) to implement a requirement imposed in a rule, order, or consent agreement under subsection (e) or (f) of section 5 or in a rule promulgated under section 6(a);

''(iii) at the request of a Federal implementing authority under another Federal law, to meet the regulatory testing needs of that authority with regard to toxicity and exposure; or

''(iv) pursuant to section 12(a)(2); and

''(B) require the development of new information for the purposes of prioritizing a chemical substance under section 6(b) only if the Administrator determines that such information is necessary to establish the priority of the substance, subject to the limitations that—

''(i) not later than 90 days after the date of receipt of information regarding a chemical substance complying with a rule, order, or consent agreement under this subparagraph, the Administrator shall designate the chemical substance as a high-priority substance or a low-priority substance; and

''(ii) information required by the Administrator under this subparagraph shall not be required for the purposes of establishing or implementing a minimum information requirement of broader applicability.

''(3) STATEMENT OF NEED.—When requiring the development of new information relating to a chemical substance or mixture under paragraph (2), the Administrator shall identify the need for the new information, describe how information reasonably available to the Administrator was used to inform the decision to require new information, explain the basis for any decision that requires the use of vertebrate animals, and, as applicable, explain why issuance of an order is warranted instead of promulgating a rule or entering into a consent agreement.

''(4) TIERED TESTING.—When requiring the development of new information under this subsection, the Administrator shall employ a tiered screening and testing process, under which the results of screening-level tests or assessments of available information inform the decision as to whether 1 or more additional tests are necessary, unless information available to the Administrator justifies more advanced testing of potential health or environmental effects or potential exposure without first conducting screening-level testing.'';

(3) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking ''test data'' and inserting ''information'';

(ii) in subparagraph (C), by striking ''data'' and inserting ''information''; and

(iii) in the matter following subparagraph (C), by striking ''data'' and inserting ''information'';

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking ''test data'' and inserting ''information'';

(II) by inserting ''Protocols and methodologies for the development of information may also be prescribed for the assessment of exposure or exposure potential to humans or the environment.'' after the first sentence; and

(III) by striking ''hierarchical tests'' and inserting ''tiered testing''; and

(ii) in subparagraph (B), by striking ''data'' and inserting ''information'';

(C) in paragraph (3)—

(i) by striking ''data'' each place it appears and inserting ''information'';

(ii) in subparagraph (A), by inserting ''or (C), as applicable,'' after ''subparagraph (B)'';

(iii) by striking ''(a)(1)(A)(ii) or (a)(1)(B)(ii)'' each place it appears in subparagraph (B) and inserting ''(a)(1)(A)(i)(II) or (a)(1)(A)(ii)(II)'';

(iv) in subparagraph (B), in the matter before clause (i), by striking ''subsection (a)'' and inserting ''subsection (a)(1)''; and

(v) by adding at the end the following:

''(C) A rule or order under paragraph (1) or (2) of subsection (a) may require the development of information by any person who manufactures or processes, or intends to manufacture or process, a chemical substance or mixture subject to the rule or order.'';

(D) in paragraph (4)—

(i) by striking ''of data'' each place it appears and inserting ''of information''; and

(ii) by striking ''test data'' each place it appears and inserting ''information''; and

(E) by striking paragraph (5);

(4) in subsection (c)—

(A) in paragraph (1), by striking ''data'' and inserting ''information'';

(B) in paragraph (2), by striking ''data'' each place it appears and inserting ''information'';

(C) in paragraph (3)—

(i) by striking ''test data'' each place it appears and inserting ''information''; and

(ii) by striking ''such data'' each place it appears and inserting ''such information''; and

(D) in paragraph (4) by striking ''test data'' each place it appears and inserting ''information'';

(5) in subsection (d)—

(A) by striking ''test data'' each place it appears and inserting ''information'';

(B) by striking ''such data'' each place it appears and inserting ''such information''; and

(C) by striking ''for which data have'' and inserting ''for which information has'';

(6) in subsection (e)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) by striking ''promulgation of a rule'' and inserting ''development of information''; and

(II) by striking ''data'' each place it appears and inserting ''information''; and

(ii) in subparagraph (B), by striking ''either initiate a rulemaking proceeding under subsection (a) or if such a proceeding is not initiated within such period, publish in the Federal Register the Administrator's reason for not initiating such a proceeding'' and insert ''issue an order, enter into a consent agreement, or initiate a rulemaking proceeding under subsection (a), or, if such an order or consent agreement is not issued or such a proceeding is not initiated within such period, publish in the Federal Register the Administrator's reason for not issuing such an order, entering into such a consent agreement, or initiating such a proceeding''; and

(B) in paragraph (2)(A)—

(i) by striking ''eight members'' and inserting ''ten members''; and

(ii) by adding at the end the following:

''(ix) One member appointed by the Chairman of the Consumer Product Safety Commission from Commissioners or employees of the Commission.

''(x) One member appointed by the Commissioner of Food and Drugs from employees of the Food and Drug Administration.'';

(7) in subsection (f)—

(A) in paragraph (1), by striking ''test data'' and inserting ''information''; and

(B) in the matter following paragraph (2)—

(i) by striking ''or will present'';

(ii) by striking ''from cancer, gene mutations, or birth defects'';

(iii) by striking ''data or'';

(iv) by striking ''appropriate'' and inserting ''applicable''; and

(v) by inserting '', made without consideration of costs or other nonrisk factors,'' after ''publish in the Federal Register a finding'';

(8) in subsection (g)—

(A) by amending the subsection heading to read as follows: ''PETITION FOR PROTOCOLS AND METHODOLOGIES FOR THE DEVELOPMENT OF INFORMATION'';

(B) by striking ''test data'' each place it appears and inserting ''information''; and

(C) by striking ''submit data'' and inserting ''submit information''; and

(9) by adding at the end the following:

''(h) REDUCTION OF TESTING ON VERTEBRATES.—

''(1) IN GENERAL.—The Administrator shall reduce and replace, to the extent practicable, scientifically justified, and consistent with the policies of this title, the use of vertebrate animals in the testing of chemical substances or mixtures under this title by—

''(A) prior to making a request or adopting a requirement for testing using vertebrate animals, and in accordance with subsection (a)(3), taking into consideration, as appropriate and to the extent practicable and scientifically justified, reasonably available existing information, including—

''(i) toxicity information;

''(ii) computational toxicology and bioinformatics; and

''(iii) high-throughput screening methods and the prediction models of those methods; and

''(B) encouraging and facilitating—

''(i) the use of scientifically valid test methods and strategies that reduce or replace the use of vertebrate animals while providing information of equivalent or better scientific quality and relevance that will support regulatory decisions under this title;

''(ii) the grouping of 2 or more chemical substances into scientifically appropriate categories in cases in which testing of a chemical substance would provide scientifically valid and useful information on other chemical substances in the category; and

''(iii) the formation of industry consortia to jointly conduct testing to avoid unnecessary duplication of tests, provided that such consortia make all information from such testing available to the Administrator.

''(2) IMPLEMENTATION OF ALTERNATIVE TESTING METHODS.—To promote the development and timely incorporation of new scientifically valid test methods and strategies that are not based on vertebrate animals, the Administrator shall—

''(A) not later than 2 years after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, develop a strategic plan to promote the development and implementation of alternative test methods and strategies to reduce, refine, or replace vertebrate animal testing and provide information of equivalent or better scientific quality and relevance for assessing risks of injury to health or the environment of chemical substances or mixtures through, for example—

''(i) computational toxicology and bioinformatics;

''(ii) high-throughput screening methods;

''(iii) testing of categories of chemical substances;

''(iv) tiered testing methods;

''(v) in vitro studies;

''(vi) systems biology;

''(vii) new or revised methods identified by validation bodies such as the Interagency Coordinating Committee on the Validation of Alternative Methods or the Organization for Economic Co-operation and Development; or

''(viii) industry consortia that develop information submitted under this title;

''(B) as practicable, ensure that the strategic plan developed under subparagraph (A) is reflected in the development of requirements for testing under this section;

''(C) include in the strategic plan developed under subparagraph (A) a list, which the Administrator shall update on a regular basis, of particular alternative test methods or strategies the Administrator has identified that do not require new vertebrate animal testing and are scientifically reliable, relevant, and capable of providing information of equivalent or better scientific reliability and quality to that which would be obtained from vertebrate animal testing;

''(D) provide an opportunity for public notice and comment on the contents of the plan developed under subparagraph (A), including the criteria for considering scientific reliability and relevance of the test methods and strategies that may be identified pursuant to subparagraph (C);

''(E) beginning on the date that is 5 years after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, and every 5 years thereafter, submit to Congress a report that describes the progress made in implementing the plan developed under subparagraph (A) and goals for future alternative test methods and strategies implementation; and

''(F) prioritize and, to the extent consistent with available resources and the Administrator's other responsibilities under this title, carry out performance assessment, validation, and translational studies to accelerate the development of scientifically valid test methods and strategies that reduce, refine, or replace the use of vertebrate animals, including minimizing duplication, in any testing under this title.

''(3) VOLUNTARY TESTING.—

''(A) IN GENERAL.—Any person developing information for submission under this title on a voluntary basis and not pursuant to any request or requirement by the Administrator shall first attempt to develop the information by means of an alternative test method or strategy identified by the Administrator pursuant to paragraph (2)(C), if the Administrator has identified such a test method or strategy for the development of such information, before conducting new vertebrate animal testing.

''(B) EFFECT OF PARAGRAPH.—Nothing in this paragraph shall, under any circumstance, limit or restrict the submission of any existing information to the Administrator.

''(C) RELATIONSHIP TO OTHER LAW.—A violation of this paragraph shall not be a prohibited act under section 15.

''(D) REVIEW OF MEANS.—This paragraph authorizes, but does not require, the Administrator to review the means by which a person conducted testing described in subparagraph (A).''.

SEC. 5. MANUFACTURING AND PROCESSING NOTICES.

Section 5 of the Toxic Substances Control Act (15 U.S.C. 2604) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''Except as provided in'' and inserting ''(A) Except as provided in subparagraph (B) of this paragraph and'';

(ii) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(iii) by striking all that follows ''significant new use'' and inserting a period; and

(iv) by adding at the end the following:

''(B) A person may take the actions described in subparagraph (A) if—

''(i) such person submits to the Administrator, at least 90 days before such manufacture or processing, a notice, in accordance with subsection (d), of such person's intention to manufacture or process such substance and such person complies with any applicable requirement of, or imposed pursuant to, subsection (b), (e), or (f); and

''(ii) the Administrator—

''(I) conducts a review of the notice; and

''(II) makes a determination under subparagraph (A), (B), or (C) of paragraph (3) and takes the actions required in association with that determination under such subparagraph within the applicable review period.''; and

(B) by adding at the end the following new paragraphs:

''(3) REVIEW AND DETERMINATION.—Within the applicable review period, subject to section 18, the Administrator shall review such notice and determine—

''(A) that the relevant chemical substance or significant new use presents an unreasonable risk of injury to health or the environment, without consideration of costs or other nonrisk factors, including an unreasonable risk to a potentially exposed or susceptible subpopulation identified as relevant by the Administrator under the conditions of use, in which case the Administrator shall take the actions required under subsection (f);

''(B) that—

''(i) the information available to the Administrator is insufficient to permit a reasoned evaluation of the health and environmental effects of the relevant chemical substance or significant new use; or

''(ii)(I) in the absence of sufficient information to permit the Administrator to make such an evaluation, the manufacture, processing, distribution in commerce, use, or disposal of such substance, or any combination of such activities, may present an unreasonable risk of injury to health or the environment, without consideration of costs or other nonrisk factors, including an unreasonable risk to a potentially exposed or susceptible subpopulation identified as relevant by the Administrator; or

''(II) such substance is or will be produced in substantial quantities, and such substance either enters or may reasonably be anticipated to enter the environment in substantial quantities or there is or may be significant or substantial human exposure to the substance,

in which case the Administrator shall take the actions required under subsection (e); or

''(C) that the relevant chemical substance or significant new use is not likely to present an unreasonable risk of injury to health or the environment, without consideration of costs or other nonrisk factors, including an unreasonable risk to a potentially exposed or susceptible subpopulation identified as relevant by the Administrator under the conditions of use, in which case the submitter of the notice may commence manufacture of the chemical substance or manufacture or processing for a significant new use.

''(4) FAILURE TO RENDER DETERMINATION.—

''(A) FAILURE TO RENDER DETERMINATION.—If the Administrator fails to make a determination on a notice under paragraph (3) by the end of the applicable review period and the notice has not been withdrawn by the submitter, the Administrator shall refund to the submitter all applicable fees charged to the submitter for review of the notice pursuant to section 26(b), and the Administrator shall not be relieved of any requirement to make such determination.

''(B) LIMITATIONS.—(i) A refund of applicable fees under subparagraph (A) shall not be made if the Administrator certifies that the submitter has not provided information required under subsection (b) or has otherwise unduly delayed the process such that the Administrator is unable to render a determination within the applicable review period.

''(ii) A failure of the Administrator to render a decision shall not be deemed to constitute a withdrawal of the notice.

''(iii) Nothing in this paragraph shall be construed as relieving the Administrator or the submitter of the notice from any requirement of this section.

''(5) ARTICLE CONSIDERATION.—The Administrator may require notification under this section for the import or processing of a chemical substance as part of an article or category of articles under paragraph (1)(A)(ii) if the Administrator makes an affirmative finding in a rule under paragraph (2) that the reasonable potential for exposure to the chemical substance through the article or category of articles subject to the rule justifies notification.'';

(2) in subsection (b)—

(A) in the subsection heading, by striking ''TEST DATA'' and inserting ''INFORMATION'';

(B) in paragraph (1)—

(i) in subparagraph (A)—

(I) by striking ''test data'' and inserting ''information''; and

(II) by striking ''such data'' and inserting ''such information''; and

(ii) in subparagraph (B)—

(I) by striking ''test data'' and inserting ''information'';

(II) by striking ''subsection (a)(1)(A)'' and inserting ''subsection (a)(1)(A)(i)''; and

(III) by striking ''subsection (a)(1)(B)'' and inserting ''subsection (a)(1)(A)(ii)'';

(C) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking ''test data'' in clause (ii) and inserting ''information'';

(II) by striking ''shall'' and inserting ''may''; and

(III) by striking ''data prescribed'' and inserting ''information prescribed''; and

(ii) in subparagraph (B)—

(I) by striking ''Data'' and inserting ''Information'';

(II) by striking ''data'' both places it appears and inserting ''information'';

(III) by striking ''show'' and inserting ''shows'';

(IV) by striking ''subsection (a)(1)(A)'' in clause (i) and inserting ''subsection (a)(1)(A)(i)''; and

(V) by striking ''subsection (a)(1)(B)'' in clause (ii) and inserting ''subsection (a)(1)(A)(ii)'';

(D) in paragraph (3)—

(i) by striking ''Data'' and inserting ''Information''; and

(ii) by striking ''paragraph (1) or (2)'' and inserting ''paragraph (1) or (2) of this subsection or under subsection (e)''; and

(E) in paragraph (4)—

(i) in subparagraph (A)(i), by inserting '', without consideration of costs or other nonrisk factors'' after ''health or the environment''; and

(ii) in subparagraph (C), by striking '', except that'' and all that follows through ''subparagraph (A)'';

(3) in subsection (c)—

(A) in the subsection heading, by striking ''NOTICE'' and inserting ''REVIEW''; and

(B) by striking ''before which'' and all that follows through ''subsection may begin'';

(4) in subsection (d)—

(A) by striking ''test data'' in paragraph (1)(B) and inserting ''information'';

(B) by striking ''data'' each place it appears in paragraph (1)(C) and paragraph (2) and inserting ''information'';

(C) in paragraph (2)(B), by striking ''uses or intended uses of such substance'' and inserting ''uses of such substance identified in the notice''; and

(D) in paragraph (3)—

(i) by striking ''for which the notification period prescribed by subsection (a), (b), or (c)'' and inserting ''for which the applicable review period''; and

(ii) by striking ''such notification period'' and inserting ''such period'';

(5) in subsection (e)—

(A) in paragraph (1)(A)—

(i) in clause (i), by striking ''; and'' and inserting ''; or'';

(ii) in clause (ii)(I), by inserting ''without consideration of costs or other nonrisk factors, including an unreasonable risk to a potentially exposed subpopulation identified as relevant by the Administrator under the conditions of use;'' after ''health or the environment,''; and

(iii) in the matter after clause (ii)(II)—

(I) by striking ''may issue a proposed order'' and inserting ''shall issue an order'';

(II) by striking ''notification period applicable to the manufacturing or processing of such substance under subsection (a), (b), (c)'' and inserting ''applicable review period''; and

(III) by inserting ''to the extent necessary to protect against an unreasonable risk of injury to health or the environment, without consideration of costs or other nonrisk factors, including an unreasonable risk to a potentially exposed or susceptible subpopulation identified as relevant by the Administrator under the conditions of use, and the submitter of the notice may commence manufacture of the chemical substance, or manufacture or processing of the chemical substance for a significant new use, including while any required information is being developed, only in compliance with the order'' before the period at the end;

(B) in paragraph (1)(B)—

(i) by striking ''A proposed order'' and inserting ''An order'';

(ii) by striking ''notification period applicable to the manufacture or processing of such substance under subsection (a), (b), (c)'' and inserting ''applicable review period''; and

(iii) by striking ''of the proposed order'' and inserting ''of the order'';

(C) by striking paragraph (1)(C); and

(D) by striking paragraph (2);

(6) in subsection (f)—

(A) in paragraph (1)—

(i) by striking ''finds that there is a reasonable basis to conclude that the manufacture, processing, distribution in commerce, use, or disposal of a chemical substance with'' and inserting ''determines that a chemical substance or significant new use with'';

(ii) by striking '', or that any combination of such activities,'';

(iii) by striking ''or will present'';

(iv) by striking ''before a rule promulgated under section 6 can protect against such risk,'' and inserting '', without consideration of costs or other nonrisk factors, including an unreasonable risk to a potentially exposed subpopulation identified as relevant by the Administrator under the conditions of use,''; and

(v) by striking ''notification period applicable under subsection (a), (b), or (c) to the manufacturing or processing of such substance'' and inserting ''applicable review period'';

(B) in paragraph (2), the matter following subparagraph (C), by striking ''Section 6(d)(2)(B)'' and inserting ''Section 6(d)(3)(B)'';

(C) in paragraph (3)—

(i) in subparagraph (A)—

(I) by striking ''Administrator may'' and all that follows through ''issue a proposed order to prohibit the'' and inserting ''Administrator may issue an order to prohibit or limit the''; and

(II) by striking ''under paragraph (1)'' and all that follows through ''processing of such substance.'' and inserting ''under paragraph (1). Such order shall take effect on the expiration of the applicable review period.'';

(ii) by striking subparagraph (B) and redesignating subparagraph (C) as subparagraph (B);

(iii) in subparagraph (B), as so redesignated—

(I) by striking ''subparagraphs (B) and (C)'' and inserting ''subparagraph (B)'';

(II) by striking ''clause (i) of''; and

(III) by striking ''; and the provisions of subparagraph (C) of subsection (e)(2) shall apply with respect to an injunction issued under subparagraph (B)''; and

(iv) by striking subparagraph (D); and

(D) by adding at the end the following:

''(4) TREATMENT OF NONCONFORMING USES.—Not later than 90 days after taking an action under paragraph (2) or (3) or issuing an order under subsection (e) relating to a chemical substance with respect to which the Administrator has made a determination under subsection (a)(3)(A) or (B), the Administrator shall consider whether to promulgate a rule pursuant to subsection (a)(2) that identifies as a significant new use any manufacturing, processing, use, distribution in commerce, or disposal of the chemical substance that does not conform to the restrictions imposed by the action or order, and, as applicable, initiate such a rulemaking or publish a statement describing the reasons of the Administrator for not initiating such a rulemaking.

''(5) WORKPLACE EXPOSURES.—To the extent practicable, the Administrator shall consult with the Assistant Secretary of Labor for Occupational Safety and Health prior to adopting any prohibition or other restriction relating to a chemical substance with respect to which the Administrator has made a determination under subsection (a)(3)(A) or (B) to address workplace exposures.'';

(7) by amending subsection (g) to read as follows:

''(g) STATEMENT ON ADMINISTRATOR FINDING.—If the Administrator finds in accordance with subsection (a)(3)(C) that a chemical substance or significant new use is not likely to present an unreasonable risk of injury to health or the environment, then notwithstanding any remaining portion of the applicable review period, the submitter of the notice may commence manufacture of the chemical substance or manufacture or processing for the significant new use, and the Administrator shall make public a statement of the Administrator's finding. Such a statement shall be submitted for publication in the Federal Register as soon as is practicable before the expiration of such period. Publication of such statement in accordance with the preceding sentence is not a prerequisite to the manufacturing or processing of the substance with respect to which the statement is to be published.'';

(8) in subsection (h)—

(A) in paragraph (1)(A), by inserting '', including an unreasonable risk to a potentially exposed or susceptible subpopulation identified by the Administrator for the specific conditions of use identified in the application'' after ''health or the environment'';

(B) in paragraph (2), by striking ''data'' each place it appears and inserting ''information''; and

(C) in paragraph (4), by striking ''. A rule promulgated'' and all that follows through ''section 6(c)'' and inserting '', including an unreasonable risk to a potentially exposed or susceptible subpopulation identified by the Administrator under the conditions of use''; and

(9) by amending subsection (i) to read as follows:

''(i) DEFINITIONS.—(1) For purposes of this section, the terms 'manufacture' and 'process' mean manufacturing or processing for commercial purposes.

''(2) For purposes of this Act, the term 'requirement' as used in this section shall not displace any statutory or common law.

''(3) For purposes of this section, the term 'applicable review period' means the period starting on the date the Administrator receives a notice under subsection (a)(1) and ending 90 days after that date, or on such date as is provided for in subsection (b)(1) or (c).''.

SEC. 6. PRIORITIZATION, RISK EVALUATION, AND REGULATION OF CHEMICAL SUBSTANCES AND MIXTURES.

Section 6 of the Toxic Substances Control Act (15 U.S.C. 2605) is amended—

(1) by striking the section heading and inserting ''**PRIORITIZATION, RISK EVALUATION, AND REGULATION OF CHEMICAL SUBSTANCES AND MIXTURES**'';

(2) in subsection (a)—

(A) by striking ''finds that there is a reasonable basis to conclude'' and inserting ''determines in accordance with subsection (b)(4)(A)'';

(B) by striking ''or will present'';

(C) by inserting ''and subject to section 18, and in accordance with subsection (c)(2),'' after ''shall by rule'';

(D) by striking ''to protect adequately against such risk using the least burdensome requirements'' and inserting ''so that the chemical substance or mixture no longer presents such risk'';

(E) by inserting ''or otherwise restricting'' after ''prohibiting'' in paragraphs (1)(A) and (2)(A);

(F) by inserting ''minimum'' before ''warnings'' both places it appears in paragraph (3);

(G) by striking ''and monitor or conduct tests'' and inserting ''or monitor or conduct tests'' in paragraph (4); and

(H) in paragraph (7)—

(i) by striking ''such unreasonable risk of injury'' and inserting ''such determination''; and

(ii) by striking ''such risk of injury'' and inserting ''such determination'';

(3) by amending subsection (b) to read as follows:

''(b) RISK EVALUATIONS.—

''(1) PRIORITIZATION FOR RISK EVALUATIONS.—

''(A) ESTABLISHMENT OF PROCESS.—Not later than 1 year after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, the Administrator shall establish, by rule, a risk-based screening process, including criteria for designating chemical substances as high-priority substances for risk evaluations or low-priority substances for which risk evaluations are not warranted at the time. The process to designate the priority of chemical substances shall include a consideration of the hazard and exposure potential of a chemical substance or a category of chemical substances (including consideration of persistence and bioaccumulation, potentially exposed or susceptible subpopulations and storage near significant sources of drinking water), the conditions of use or significant

changes in the conditions of use of the chemical substance, and the volume or significant changes in the volume of the chemical substance manufactured or processed.

''(B) IDENTIFICATION OF PRIORITIES FOR RISK EVALUATION.—

''(i) HIGH-PRIORITY SUBSTANCES.—The Administrator shall designate as a high-priority substance a chemical substance that the Administrator concludes, without consideration of costs or other nonrisk factors, may present an unreasonable risk of injury to health or the environment because of a potential hazard and a potential route of exposure under the conditions of use, including an unreasonable risk to a potentially exposed or susceptible subpopulation identified as relevant by the Administrator.

''(ii) LOW-PRIORITY SUBSTANCES.—The Administrator shall designate a chemical substance as a low-priority substance if the Administrator concludes, based on information sufficient to establish, without consideration of costs or other nonrisk factors, that such substance does not meet the standard identified in clause (i) for designating a chemical substance a high-priority substance.

''(C) INFORMATION REQUEST AND REVIEW AND PROPOSED AND FINAL PRIORITIZATION DESIGNATION.—The rulemaking required in subparagraph (A) shall ensure that the time required to make a priority designation of a chemical substance be no shorter than nine months and no longer than 1 year, and that the process for such designations includes—

''(i) a requirement that the Administrator request interested persons to submit relevant information on a chemical substance that the Administrator has initiated the prioritization process on, before proposing a priority designation for the chemical substance, and provide 90 days for such information to be provided;

''(ii) a requirement that the Administrator publish each proposed designation of a chemical substance as a high- or low-priority substance, along with an identification of the information, analysis, and basis used to make the proposed designations, and provide 90 days for public comment on each such proposed designation; and

''(iii) a process by which the Administrator may extend the deadline in clause (i) for up to three months in order to receive or evaluate information required to be submitted in accordance with section 4(a)(2)(B), subject to the limitation that if the information available to the Administrator at the end of such an extension remains insufficient to enable the designation of the chemical substance as a low-priority substance, the Administrator shall designate the chemical substance as a high-priority substance.

''(2) INITIAL RISK EVALUATIONS AND SUBSEQUENT DESIGNATIONS OF HIGH- AND LOW-PRIORITY SUBSTANCES.—

''(A) INITIAL RISK EVALUATIONS.—Not later than 180 days after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, the Administrator shall ensure that risk evaluations are being conducted on 10 chemical substances drawn from the 2014 update of the TSCA Work Plan for Chemical Assessments and shall publish the list of such chemical substances during the 180 day period.

''(B) ADDITIONAL RISK EVALUATIONS.—Not later than three and one half years after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, the Administrator shall ensure that risk evaluations are being conducted on at least 20 high-priority substances and that at least 20 chemical substances have been designated as low-priority substances, subject to the limitation that at least 50 percent of all chemical substances on which risk evaluations are being conducted by the Administrator are drawn from the 2014 update of the TSCA Work Plan for Chemical Assessments.

''(C) CONTINUING DESIGNATIONS AND RISK EVALUATIONS.—The Administrator shall continue to designate priority substances and conduct risk evaluations in accordance with this subsection at a pace consistent with the ability of the Administrator to complete risk evaluations in accordance with the deadlines under paragraph (4)(G).

''(D) PREFERENCE.—In designating high-priority substances, the Administrator shall give preference to—

''(i) chemical substances that are listed in the 2014 update of the TSCA Work Plan for Chemical Assessments as having a Persistence and Bioaccumulation Score of 3; and

''(ii) chemical substances that are listed in the 2014 update of the TSCA Work Plan for Chemical Assessments that are known human carcinogens and have high acute and chronic toxicity.

''(E) METALS AND METAL COMPOUNDS.—In identifying priorities for risk evaluation and conducting risk evaluations of metals and metal compounds, the Administrator shall use the Framework for Metals Risk Assessment of the Office of the Science Advisor, Risk Assessment Forum, and dated March 2007, or a successor document that addresses metals risk assessment and is peer reviewed by the Science Advisory Board.

''(3) INITIATION OF RISK EVALUATIONS; DESIGNATIONS.—

''(A) RISK EVALUATION INITIATION.—Upon designating a chemical substance as a high-priority substance, the Administrator shall initiate a risk evaluation on the substance.

''(B) REVISION.—The Administrator may revise the designation of a low-priority substance based on information made available to the Administrator.

''(C) ONGOING DESIGNATIONS.—The Administrator shall designate at least one high-priority substance upon the completion of each risk evaluation (other than risk evaluations for chemical substances designated under paragraph (4)(C)(ii)).

''(4) RISK EVALUATION PROCESS AND DEADLINES.—

''(A) IN GENERAL.—The Administrator shall conduct risk evaluations pursuant to this paragraph to determine whether a chemical substance presents an unreasonable risk of injury to health or the environment, without consideration of costs or other nonrisk factors, including an unreasonable risk to a potentially exposed or susceptible subpopulation identified as relevant to the risk evaluation by the Administrator, under the conditions of use.

''(B) ESTABLISHMENT OF PROCESS.—Not later than 1 year after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, the Administrator shall establish, by rule, a process to conduct risk evaluations in accordance with subparagraph (A).

''(C) REQUIREMENT.—The Administrator shall conduct and publish risk evaluations, in accordance with the rule promulgated under subparagraph (B), for a chemical substance—

''(i) that has been identified under paragraph (2)(A) or designated under paragraph (1)(B)(i); and

''(ii) subject to subparagraph (E), that a manufacturer of the chemical substance has requested, in a form and manner and using the criteria prescribed by the Administrator in the rule promulgated under subparagraph (B), be subjected to a risk evaluation.

''(D) SCOPE.—The Administrator shall, not later than 6 months after the initiation of a risk evaluation, publish the scope of the risk evaluation to be conducted, including the hazards, exposures, conditions of use, and the potentially exposed or susceptible subpopulations the Administrator expects to consider, and, for each designation of a high-priority substance, ensure not less than 12 months between the initiation of the prioritization process for the chemical substance and the publication of the scope of the risk evaluation for the chemical substance, and for risk evaluations conducted on chemical substances that have been identified under paragraph (2)(A) or selected under subparagraph (E)(iv)(II) of this paragraph, ensure not less than 3 months before the Administrator publishes the scope of the risk evaluation.

''(E) LIMITATION AND CRITERIA.—

''(i) PERCENTAGE REQUIREMENTS.—The Administrator shall ensure that, of the number of chemical substances that undergo a risk evaluation under clause (i) of subparagraph (C), the number of chemical substances undergoing a risk evaluation under clause (ii) of subparagraph (C) is—

''(I) not less than 25 percent, if sufficient requests are made under clause (ii) of subparagraph (C); and

''(II) not more than 50 percent.

''(ii) REQUESTED RISK EVALUATIONS.—Requests for risk evaluations under subparagraph (C)(ii) shall be subject to the payment of fees pursuant to section 26(b), and the Administrator shall not expedite or otherwise provide special treatment to such risk evaluations.

''(iii) PREFERENCE.—In deciding whether to grant requests under subparagraph (C)(ii), the Administrator shall give preference to requests for risk evaluations on chemical substances for which the Administrator determines that restrictions imposed by 1 or more States have the potential to have a significant impact on interstate commerce or health or the environment.

''(iv) EXCEPTIONS.—(I) Chemical substances for which requests have been granted under subparagraph (C)(ii) shall not be subject to section 18(b).

''(II) Requests for risk evaluations on chemical substances which are made under subparagraph (C)(ii) and that are drawn from the 2014 update of the TSCA Work Plan for Chemical Assessments shall be granted at the discretion of the Administrator and not be subject to clause (i)(II).

''(F) REQUIREMENTS.—In conducting a risk evaluation under this subsection, the Administrator shall—

''(i) integrate and assess available information on hazards and exposures for the conditions of use of the chemical substance, including information that is relevant to specific risks of injury to health or the environment and information on potentially exposed or susceptible subpopulations identified as relevant by the Administrator;

''(ii) describe whether aggregate or sentinel exposures to a chemical substance under the conditions of use were considered, and the basis for that consideration;

''(iii) not consider costs or other nonrisk factors;

''(iv) take into account, where relevant, the likely duration, intensity, frequency, and number of exposures under the conditions of use of the chemical substance; and

''(v) describe the weight of the scientific evidence for the identified hazard and exposure.

''(G) DEADLINES.—The Administrator—

''(i) shall complete a risk evaluation for a chemical substance as soon as practicable, but not later than 3 years after the date on which the Administrator initiates the risk evaluation under subparagraph (C); and

''(ii) may extend the deadline for a risk evaluation for not more than 6 months.

''(H) NOTICE AND COMMENT.—The Administrator shall provide no less than 30 days public notice and an opportunity for comment on a draft risk evaluation prior to publishing a final risk evaluation.'';

(4) by amending subsection (c) to read as follows:

''(c) PROMULGATION OF SUBSECTION (a) RULES.—

''(1) DEADLINES.—If the Administrator determines that a chemical substance presents an unreasonable risk of injury to health or the environment in accordance with subsection (b)(4)(A), the Administrator—

''(A) shall propose in the Federal Register a rule under subsection (a) for the chemical substance not later than 1 year after the date on which the final risk evaluation regarding the chemical substance is published;

''(B) shall publish in the Federal Register a final rule not later than 2 years after the date on which the final risk evaluation regarding the chemical substance is published; and

''(C) may extend the deadlines under this paragraph for not more than two years, subject to the condition that the aggregate length of extensions under this subparagraph and subsection (b)(4)(G)(ii) does not exceed two years, and subject to the limitation that the Administrator may not extend a deadline for the publication of a proposed or final rule regarding a chemical substance drawn from the 2014 update of the TSCA Work Plan for Chemical Assessments or a chemical substance that, with respect to persistence and bioaccumulation, scores high for 1 and either high or moderate for the other, pursuant to the TSCA Work Plan Chemicals Methods Document published by the Administrator in February 2012 (or a successor scoring system), without adequate public justification that demonstrates, following a review of the information reasonably available to the Administrator, that the Administrator cannot complete the proposed or final rule without additional information regarding the chemical substance.

''(2) REQUIREMENTS FOR RULE.—

''(A) STATEMENT OF EFFECTS.—In proposing and promulgating a rule under subsection (a) with respect to a chemical substance or mixture, the Administrator shall consider and publish a statement based on reasonably available information with respect to—

''(i) the effects of the chemical substance or mixture on health and the magnitude of the exposure of human beings to the chemical substance or mixture;

''(ii) the effects of the chemical substance or mixture on the environment and the magnitude of the exposure of the environment to such substance or mixture;

''(iii) the benefits of the chemical substance or mixture for various uses; and

''(iv) the reasonably ascertainable economic consequences of the rule, including consideration of—

''(I) the likely effect of the rule on the national economy, small business, technological innovation, the environment, and public health;

''(II) the costs and benefits of the proposed and final regulatory action and of the 1 or more primary alternative regulatory actions considered by the Administrator; and

''(III) the cost effectiveness of the proposed regulatory action and of the 1 or more primary alternative regulatory actions considered by the Administrator.

''(B) SELECTING REQUIREMENTS.—In selecting among prohibitions and other restrictions, the Administrator shall factor in, to the extent practicable, the considerations under subparagraph (A) in accordance with subsection (a).

''(C) CONSIDERATION OF ALTERNATIVES.—Based on the information published under subparagraph (A), in deciding whether to prohibit or restrict in a manner that substantially prevents a specific condition of use of a chemical substance or mixture, and in setting an appropriate transition period for such action, the Administrator shall consider, to the extent practicable, whether technically and economically feasible alternatives that benefit health or the environment, compared to the use so proposed to be prohibited or restricted, will be reasonably available as a substitute when the proposed prohibition or other restriction takes effect.

''(D) REPLACEMENT PARTS.—

''(i) IN GENERAL.—The Administrator shall exempt replacement parts for complex durable goods and complex consumer goods that are designed prior to the date of publication in the Federal Register of the rule under subsection (a), unless the Administrator finds that such replacement parts contribute significantly to the risk, identified in a risk evaluation conducted under subsection (b)(4)(A), to the general population or to an identified potentially exposed or susceptible subpopulation.

''(ii) DEFINITIONS.—In this subparagraph—

''(I) the term 'complex consumer goods' means electronic or mechanical devices composed of multiple manufactured components, with an intended useful life of 3 or more years, where the product is typically not consumed, destroyed, or discarded after a single use, and the components of which would be impracticable to redesign or replace; and

''(II) the term 'complex durable goods' means manufactured goods composed of 100 or more manufactured components, with an intended useful life of 5 or more years, where the product is typically not consumed, destroyed, or discarded after a single use.

''(E) ARTICLES.—In selecting among prohibitions and other restrictions, the Administrator shall apply such prohibitions or other restrictions to an article or category of articles containing the chemical substance or mixture only to the extent necessary to address the identified risks from exposure to the chemical substance or mixture from the article or category of articles so that the substance or mixture does not present an unreasonable risk of injury to health or the environment identified in the risk evaluation conducted in accordance with subsection (b)(4)(A).

''(3) PROCEDURES.—When prescribing a rule under subsection (a) the Administrator shall proceed in accordance with section 553 of title 5, United States Code (without regard to any reference in such section to sections 556 and 557 of such title), and shall also—

''(A) publish a notice of proposed rulemaking stating with particularity the reason for the proposed rule;

''(B) allow interested persons to submit written data, views, and arguments, and make all such submissions publicly available;

''(C) promulgate a final rule based on the matter in the rulemaking record; and

''(D) make and publish with the rule the determination described in subsection (a).'';

(5) in subsection (d)—

(A) by redesignating paragraph (2) as paragraph (3);

(B) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—In any rule under subsection (a), the Administrator shall—

''(A) specify the date on which it shall take effect, which date shall be as soon as practicable;

''(B) except as provided in subparagraphs (C) and (D), specify mandatory compliance dates for all of the requirements under a rule under subsection (a), which shall be as soon as practicable, but not later than 5 years after the date of promulgation of the rule, except in a case of a use exempted under subsection (g);

''(C) specify mandatory compliance dates for the start of ban or phase-out requirements under a rule under subsection (a), which shall be as soon as practicable, but not later than 5 years after the date of promulgation of the rule, except in the case of a use exempted under subsection (g);

''(D) specify mandatory compliance dates for full implementation of ban or phase-out requirements under a rule under subsection (a), which shall be as soon as practicable; and

''(E) provide for a reasonable transition period.

''(2) VARIABILITY.—As determined by the Administrator, the compliance dates established under paragraph (1) may vary for different affected persons.''; and

(C) in paragraph (3), as so redesignated by subparagraph (A) of this paragraph—

(i) in subparagraph (A)—

(I) by striking ''upon its publication'' and all that follows through ''respecting such rule if'' and inserting '', and compliance with the proposed requirements to be mandatory, upon publication in the Federal Register of the proposed rule and until the compliance dates applicable to such requirements in a final rule promulgated under section 6(a) or until the Administrator revokes such proposed rule, in accordance with subparagraph (B), if''; and

(II) in clause (i)(I), by inserting ''without consideration of costs or other non-risk factors'' after ''effective date''; and

(ii) in subparagraph (B), by striking '', provide reasonable opportunity'' and all that follows through the period at the end and inserting ''in accordance with subsection (c), and either promulgate such rule (as proposed or with modifications) or revoke it.'';

(6) in subsection (e)(4), by striking ''paragraphs (2), (3), and (4)'' and inserting ''paragraph (3)''; and

(7) by adding at the end the following new subsections:

''(g) EXEMPTIONS.—

''(1) CRITERIA FOR EXEMPTION.—The Administrator may, as part of a rule promulgated under subsection (a), or in a separate rule, grant an exemption from a requirement of a subsection (a) rule for a specific condition of use of a chemical substance or mixture, if the Administrator finds that—

''(A) the specific condition of use is a critical or essential use for which no technically and economically feasible safer alternative is available, taking into consideration hazard and exposure;

''(B) compliance with the requirement, as applied with respect to the specific condition of use, would significantly disrupt the national economy, national security, or critical infrastructure; or

''(C) the specific condition of use of the chemical substance or mixture, as compared

to reasonably available alternatives, provides a substantial benefit to health, the environment, or public safety.

''(2) EXEMPTION ANALYSIS AND STATEMENT.—In proposing an exemption under this subsection, the Administrator shall analyze the need for the exemption, and shall make public the analysis and a statement describing how the analysis was taken into account.

''(3) PERIOD OF EXEMPTION.—The Administrator shall establish, as part of a rule under this subsection, a time limit on any exemption for a time to be determined by the Administrator as reasonable on a case-by-case basis, and, by rule, may extend, modify, or eliminate an exemption if the Administrator determines, on the basis of reasonably available information and after adequate public justification, the exemption warrants extension or modification or is no longer necessary.

''(4) CONDITIONS.—As part of a rule promulgated under this subsection, the Administrator shall include conditions, including reasonable recordkeeping, monitoring, and reporting requirements, to the extent that the Administrator determines the conditions are necessary to protect health and the environment while achieving the purposes of the exemption.

''(h) CHEMICALS THAT ARE PERSISTENT, BIOACCUMULATIVE, AND TOXIC.—

''(1) EXPEDITED ACTION.—Not later than 3 years after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, the Administrator shall propose rules under subsection (a) with respect to chemical substances identified in the 2014 update of the TSCA Work Plan for Chemical Assessments—

''(A) that the Administrator has a reasonable basis to conclude are toxic and that with respect to persistence and bioaccumulation score high for one and either high or moderate for the other, pursuant to the TSCA Work Plan Chemicals Methods Document published by the Administrator in February 2012 (or a successor scoring system), and are not a metal or a metal compound, and for which the Administrator has not completed a Work Plan Problem Formulation, initiated a review under section 5, or entered into a consent agreement under section 4, prior to the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act; and

''(B) exposure to which under the conditions of use is likely to the general population or to a potentially exposed or susceptible subpopulation identified by the Administrator, or the environment, on the basis of an exposure and use assessment conducted by the Administrator.

''(2) NO RISK EVALUATION REQUIRED.—The Administrator shall not be required to conduct risk evaluations on chemical substances that are subject to paragraph (1).

''(3) FINAL RULE.—Not later than 18 months after proposing a rule pursuant to paragraph (1), the Administrator shall promulgate a final rule under subsection (a).

''(4) SELECTING RESTRICTIONS.—In selecting among prohibitions and other restrictions promulgated in a rule under subsection (a) pursuant to paragraph (1), the Administrator shall address the risks of injury to health or the environment that the Administrator determines are presented by the chemical substance and shall reduce exposure to the substance to the extent practicable.

''(5) RELATIONSHIP TO SUBSECTION (b).—If, at any time prior to the date that is 90 days after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, the Administrator makes a designation under subsection (b)(1)(B)(i), or receives a request under subsection (b)(4)(C)(ii), such chemical substance shall not be subject to this subsection, except that in selecting among prohibitions and other restrictions promulgated in a rule pursuant to subsection (a), the Administrator shall both ensure that the chemical substance meets the rulemaking standard under subsection (a) and reduce exposure to the substance to the extent practicable.

''(i) FINAL AGENCY ACTION.—Under this section and subject to section 18—

''(1) a determination by the Administrator under subsection (b)(4)(A) that a chemical substance does not present an unreasonable risk of injury to health or the environment shall be issued by order and considered to be a final agency action, effective beginning on the date of issuance of the order; and

''(2) a final rule promulgated under subsection (a), including the associated determination by the Administrator under subsection (b)(4)(A) that a chemical substance presents an unreasonable risk of injury to health or the environment, shall be considered to be a final agency action, effective beginning on the date of promulgation of the final rule.

''(j) DEFINITION.—For the purposes of this Act, the term 'requirement' as used in this section shall not displace statutory or common law.''.

SEC. 7. IMMINENT HAZARDS.

Section 7 of the Toxic Substances Control Act (15 U.S.C. 2606) is amended—

(1) in subsection (b)(1), by inserting ''(as identified by the Administrator without consideration of costs or other nonrisk factors)'' after ''from the unreasonable risk''; and

(2) in subsection (f), by inserting '', without consideration of costs or other nonrisk factors'' after ''widespread injury to health or the environment''.

SEC. 8. REPORTING AND RETENTION OF INFORMATION.

(a) IN GENERAL.—Section 8 of the Toxic Substances Control Act (15 U.S.C. 2607) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking the matter that follows subparagraph (G);

(B) in paragraph (3), by adding at the end the following:

''(C) Not later than 180 days after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, and not less frequently than once every 10 years thereafter, the Administrator, after consultation with the Administrator of the Small Business Administration, shall—

''(i) review the adequacy of the standards prescribed under subparagraph (B); and

''(ii) after providing public notice and an opportunity for comment, make a determination as to whether revision of the standards is warranted.''; and

(C) by adding at the end the following:

''(4) CONTENTS.—The rules promulgated pursuant to paragraph (1)—

''(A) may impose differing reporting and recordkeeping requirements on manufacturers and processors; and

''(B) shall include the level of detail necessary to be reported, including the manner by which use and exposure information may be reported.

''(5) ADMINISTRATION.—In carrying out this section, the Administrator shall, to the extent feasible—

''(A) not require reporting which is unnecessary or duplicative;

''(B) minimize the cost of compliance with this section and the rules issued thereunder on small manufacturers and processors; and

''(C) apply any reporting obligations to those persons likely to have information relevant to the effective implementation of this title.

''(6) NEGOTIATED RULEMAKING.—(A) The Administrator shall enter into a negotiated rulemaking pursuant to subchapter III of chapter 5 of title 5, United States Code, to develop and publish, not later than 3 years after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, a proposed rule providing for limiting the reporting requirements, under this subsection, for manufacturers of any inorganic byproducts, when such byproducts, whether by the byproduct manufacturer or by any other person, are subsequently recycled, reused, or reprocessed.

''(B) Not later than 3 and one-half years after such date of enactment, the Administrator shall publish a final rule resulting from such negotiated rulemaking.''; and

(2) in subsection (b), by adding at the end the following:

''(3) NOMENCLATURE.—

''(A) IN GENERAL.—In carrying out paragraph (1), the Administrator shall—

''(i) maintain the use of Class 2 nomenclature in use on the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act;

''(ii) maintain the use of the Soap and Detergent Association Nomenclature System, published in March 1978 by the Administrator in section 1 of addendum III of the document entitled 'Candidate List of Chemical Substances', and further described in the appendix A of volume I of the 1985 edition of the Toxic Substances Control Act Substances Inventory (EPA Document No. EPA–560/7–85–002a); and

''(iii) treat the individual members of the categories of chemical substances identified by the Administrator as statutory mixtures, as defined in Inventory descriptions established by the Administrator, as being included on the list established under paragraph (1).

''(B) MULTIPLE NOMENCLATURE LISTINGS.—If a manufacturer or processor demonstrates to the Administrator that a chemical substance appears multiple times on the list published under paragraph (1) under different CAS numbers, the Administrator may recognize the multiple listings as a single chemical substance.

''(4) CHEMICAL SUBSTANCES IN COMMERCE.—

''(A) RULES.—

''(i) IN GENERAL.—Not later than 1 year after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, the Administrator, by rule, shall require manufacturers, and may require processors, subject to the limitations under subsection (a)(5)(A), to notify the Administrator, by not later than 180 days after the date on which the final rule is published in the Federal Register, of each chemical substance on the list published under paragraph (1) that the manufacturer or processor, as applicable, has manufactured or processed for a nonexempt commercial purpose during the 10-year period ending on the day before the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act.

''(ii) ACTIVE SUBSTANCES.—The Administrator shall designate chemical substances for which notices are received under clause (i) to be active substances on the list published under paragraph (1).

''(iii) INACTIVE SUBSTANCES.—The Administrator shall designate chemical substances for which no notices are received under clause (i) to be inactive substances on the list published under paragraph (1).

''(iv) LIMITATION.—No chemical substance on the list published under paragraph (1) shall be removed from such list by reason of the implementation of this subparagraph, or be subject to section 5(a)(1)(A)(i) by reason of a change to active status under paragraph (5)(B).

''(B) CONFIDENTIAL CHEMICAL SUBSTANCES.—In promulgating a rule under subparagraph (A), the Administrator shall—

''(i) maintain the list under paragraph (1), which shall include a confidential portion and a nonconfidential portion consistent with this section and section 14;

''(ii) require any manufacturer or processor of a chemical substance on the confidential portion of the list published under paragraph (1) that seeks to maintain an existing claim for protection against disclosure of the specific chemical identity of the chemical substance as confidential pursuant to section 14 to submit a notice under subparagraph (A) that includes such request;

''(iii) require the substantiation of those claims pursuant to section 14 and in accordance with the review plan described in subparagraph (C); and

''(iv) move any active chemical substance for which no request was received to maintain an existing claim for protection against disclosure of the specific chemical identity of the chemical substance as confidential from the confidential portion of the list published under paragraph (1) to the nonconfidential portion of that list.

''(C) REVIEW PLAN.—Not later than 1 year after the date on which the Administrator compiles the initial list of active substances pursuant to subparagraph (A), the Administrator shall promulgate a rule that establishes a plan to review all claims to protect the specific chemical identities of chemical substances on the confidential portion of the list published under paragraph (1) that are asserted pursuant to subparagraph (B).

''(D) REQUIREMENTS OF REVIEW PLAN.—In establishing the review plan under subparagraph (C), the Administrator shall—

''(i) require, at a time specified by the Administrator, all manufacturers or processors asserting claims under subparagraph (B) to substantiate the claim, in accordance with section 14, unless the manufacturer or processor has substantiated the claim in a submission made to the Administrator during the 5-year period ending on the last day of the of the time period specified by the Administrator; and

''(ii) in accordance with section 14—

''(I) review each substantiation—

''(aa) submitted pursuant to clause (i) to determine if the claim qualifies for protection from disclosure; and

''(bb) submitted previously by a manufacturer or processor and relied on in lieu of the substantiation required pursuant to clause (i), if the substantiation has not been previously reviewed by the Administrator, to determine if the claim warrants protection from disclosure;

''(II) approve, approve in part and deny in part, or deny each claim; and

''(III) except as provided in this section and section 14, protect from disclosure information for which the Administrator approves such a claim for a period of 10 years, unless, prior to the expiration of the period—

''(aa) the person notifies the Administrator that the person is withdrawing the claim, in which case the Administrator shall not protect the information from disclosure; or

''(bb) the Administrator otherwise becomes aware that the information does not qualify for protection from disclosure, in which case the Administrator shall take the actions described in section 14(g)(2); and

''(IV) pursuant to section 6(b), review the priority of the chemical substance as the Administrator determines to be necessary.

''(C) CATEGORY STATUS.—The list of inactive substances shall not be considered to be a category for purposes of section 26(c).

''(6) INTERIM LIST OF ACTIVE SUBSTANCES.—Prior to the promulgation of the rule required under paragraph (4)(A), the Administrator shall designate the chemical substances reported under part 711 of title 40, Code of Federal Regulations (as in effect on the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act), during the reporting period that most closely preceded the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, as the interim list of active substances for the purposes of section 6(b).

''(7) PUBLIC INFORMATION.—Subject to this subsection and section 14, the Administrator shall make available to the public—

''(A) each specific chemical identity on the nonconfidential portion of the list published under paragraph (1) along with the Administrator's designation of the chemical substance as an active or inactive substance;

''(B) the unique identifier assigned under section 14, accession number, generic name, and, if applicable, premanufacture notice case number for each chemical substance on the confidential portion of the list published under paragraph (1) for which a claim of confidentiality was received; and

''(C) the specific chemical identity of any active substance for which—

''(i) a claim for protection against disclosure of the specific chemical identity of the active substance was not asserted, as required under this subsection or section 14;

''(ii) all claims for protection against disclosure of the specific chemical identity of the active substance have been denied by the Administrator; or

''(iii) the time period for protection against disclosure of the specific chemical identity of the active substance has expired.

''(8) LIMITATION.—No person may assert a new claim under this subsection or section 14 for protection from disclosure of a specific chemical identity of any active or inactive substance for which a notice is received under paragraph (4)(A)(i) or (5)(B)(i) that is not on the confidential portion of the list published under paragraph (1).

''(9) CERTIFICATION.—Under the rules promulgated under this subsection, manufacturers and processors, as applicable, shall be required—

''(A) to certify that each notice or substantiation the manufacturer or processor submits complies with the requirements of the rule, and that any confidentiality claims are true and correct; and

''(B) to retain a record documenting compliance with the rule and supporting confidentiality claims for a period of 5 years beginning on the last day of the submission period.''.

(b) MERCURY INVENTORY.—Section 8(b) of the Toxic Substances Control Act (15 U.S.C. 2607(b)) (as amended by subsection (a)) is further amended by adding at the end the following:

''(10) MERCURY.—

''(A) DEFINITION OF MERCURY.—In this paragraph, notwithstanding section 3(2)(B), the term 'mercury' means—

''(i) elemental mercury; and

''(ii) a mercury compound.

''(B) PUBLICATION.—Not later than April 1, 2017, and every 3 years thereafter, the Administrator shall carry out and publish in

the Federal Register an inventory of mercury supply, use, and trade in the United States.

''(C) PROCESS.—In carrying out the inventory under subparagraph (B), the Administrator shall—

''(i) identify any manufacturing processes or products that intentionally add mercury; and

''(ii) recommend actions, including proposed revisions of Federal law or regulations, to achieve further reductions in mercury use.

''(D) REPORTING.—

''(i) IN GENERAL.—To assist in the preparation of the inventory under subparagraph (B), any person who manufactures mercury or mercury-added products or otherwise intentionally uses mercury in a manufacturing process shall make periodic reports to the Administrator, at such time and including such information as the Administrator shall determine by rule promulgated not later than 2 years after the date of enactment of this paragraph.

''(ii) COORDINATION.—To avoid duplication, the Administrator shall coordinate the reporting under this subparagraph with the Interstate Mercury Education and Reduction Clearinghouse.

''(iii) EXEMPTION.—Clause (i) shall not apply to a person engaged in the generation, handling, or management of mercury-containing waste, unless that person manufactures or recovers mercury in the management of that waste.''.

SEC. 9. RELATIONSHIP TO OTHER FEDERAL LAWS.

Section 9 of the Toxic Substances Control Act (15 U.S.C. 2608) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''has reasonable basis to conclude'' and inserting ''determines'';

(ii) by striking ''or will present''; and

(iii) by inserting '', without consideration of costs or other nonrisk factors, including an unreasonable risk to a potentially exposed or susceptible subpopulation identified as relevant by the Administrator, under the conditions of use,'' after ''or the environment'';

(B) in paragraph (2)—

(i) in subparagraph (A), by inserting '', within the time period specified by the Administrator in the report,'' after ''issues an order''; and

(ii) in subparagraph (B), by inserting ''responds within the time period specified by the Administrator in the report and'' before ''initiates, within 90'';

(C) by redesignating paragraph (3) as paragraph (6); and

(D) by inserting after paragraph (2) the following:

''(3) The Administrator shall take the actions described in paragraph (4) if the Administrator makes a report under paragraph (1) with respect to a chemical substance or mixture and the agency to which the report was made does not—

''(A) issue the order described in paragraph (2)(A) within the time period specified by the Administrator in the report; or

''(B)(i) respond under paragraph (1) within the timeframe specified by the Administrator in the report; and

''(ii) initiate action within 90 days of publication in the Federal Register of the response described in clause (i).

''(4) If an agency to which a report is submitted under paragraph (1) does not take the actions described in subparagraph (A) or (B) of paragraph (3), the Administrator shall—

''(A) initiate or complete appropriate action under section 6; or

''(B) take any action authorized or required under section 7, as applicable.

''(5) This subsection shall not relieve the Administrator of any obligation to take any appropriate action under section 6(a) or 7 to address risks from the manufacture, processing, distribution in commerce, use, or disposal of a chemical substance or mixture, or any combination of those activities, that are not identified in a report issued by the Administrator under paragraph (1).'';

(2) in subsection (b)—

(A) by striking ''The Administrator shall coordinate'' and inserting ''(1) The Administrator shall coordinate''; and

(B) by adding at the end the following:

''(2) In making a determination under paragraph (1) that it is in the public interest for the Administrator to take an action under this title with respect to a chemical substance or mixture rather than under another law administered in whole or in part by the Administrator, the Administrator shall consider, based on information reasonably available to the Administrator, all relevant aspects of the risk described in paragraph (1) and a comparison of the estimated costs and efficiencies of the action to be taken under this title and an action to be taken under such other law to protect against such risk.''; and

(3) by adding at the end the following:

''(e) EXPOSURE INFORMATION.—In addition to the requirements of subsection (a), if the Administrator obtains information related to exposures or releases of a chemical substance or mixture that may be prevented or reduced under another Federal law, including a law not administered by the Administrator, the Administrator shall make such information available to the relevant Federal agency or office of the Environmental Protection Agency.''.

SEC. 10. EXPORTS.

(a) IN GENERAL.—Section 12(a)(2) of the Toxic Substances Control Act (15 U.S.C. 2611(a)(2)) is amended by striking ''will present'' and inserting ''presents''.

(b) PROHIBITION ON EXPORT OF CERTAIN MERCURY COMPOUNDS.—Section 12(c) of the Toxic Substances Control Act (15 U.S.C. 2611(c)) is amended—

(1) in the subsection heading, by inserting ''AND MERCURY COMPOUNDS'' after ''MERCURY''; and

(2) by adding at the end the following:

''(7) PROHIBITION ON EXPORT OF CERTAIN MERCURY COMPOUNDS.—

''(A) IN GENERAL.—Effective January 1, 2020, the export of the following mercury compounds is prohibited:

''(i) Mercury (I) chloride or calomel.

''(ii) Mercury (II) oxide.

''(iii) Mercury (II) sulfate.

''(iv) Mercury (II) nitrate.

''(v) Cinnabar or mercury sulphide.

''(vi) Any mercury compound that the Administrator adds to the list published under subparagraph (B) by rule, on determining that exporting that mercury compound for the purpose of regenerating elemental mercury is technically feasible.

''(B) PUBLICATION.—Not later than 90 days after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, and as appropriate thereafter, the Administrator shall publish in the Federal Register a list of the mercury compounds that are prohibited from export under this paragraph.

''(C) PETITION.—Any person may petition the Administrator to add a mercury compound to the list published under subparagraph (B).

''(D) ENVIRONMENTALLY SOUND DISPOSAL.—This paragraph does not prohibit the export of mercury compounds on the list published under subparagraph (B) to member countries of the Organization for Economic Co-operation and Development for environmentally sound disposal, on the condition that no mercury or mercury compounds so exported are to be recovered, recycled, or reclaimed for use, or directly reused, after such export.

''(E) REPORT.—Not later than 5 years after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, the Administrator shall evaluate any exports of mercury compounds on the list published under subparagraph (B) for disposal that occurred after such date of enactment and shall submit to Congress a report that—

''(i) describes volumes and sources of mercury compounds on the list published under subparagraph (B) exported for disposal;

''(ii) identifies receiving countries of such exports;

''(iii) describes methods of disposal used after such export;

''(iv) identifies issues, if any, presented by the export of mercury compounds on the list published under subparagraph (B);

''(v) includes an evaluation of management options in the United States for mercury compounds on the list published under subparagraph (B), if any, that are commercially available and comparable in cost and efficacy to methods being utilized in such receiving countries; and

''(vi) makes a recommendation regarding whether Congress should further limit or prohibit the export of mercury compounds on the list published under subparagraph (B) for disposal.

''(F) EFFECT ON OTHER LAW.—Nothing in this paragraph shall be construed to affect the authority of the Administrator under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).''.

(c) TEMPORARY GENERATOR ACCUMULATION.—Section 5 of the Mercury Export Ban Act of 2008 (42 U.S.C. 6939f) is amended—

(1) in subsection (a)(2), by striking ''2013'' and inserting ''2019'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by redesignating subparagraphs (A), (B), and (C), as clauses (i), (ii), and (iii), respectively and indenting appropriately;

(ii) in the first sentence, by striking ''After consultation'' and inserting the following:

''(A) ASSESSMENT AND COLLECTION.—After consultation'';

(iii) in the second sentence, by striking ''The amount of such fees'' and inserting the following:

''(B) AMOUNT.—The amount of the fees described in subparagraph (A)'';

(iv) in subparagraph (B) (as so designated)—

(I) in clause (i) (as so redesignated), by striking ''publically available not later than October 1, 2012'' and inserting ''publicly available not later than October 1, 2018'';

(II) in clause (ii) (as so redesignated), by striking ''and'';

(III) in clause (iii) (as so redesignated), by striking the period at the end and inserting '', subject to clause (iv); and''; and

(IV) by adding at the end the following:

''(iv) for generators temporarily accumulating elemental mercury in a facility subject to subparagraphs (B) and (D)(iv) of subsection (g)(2) if the facility designated in subsection (a) is not operational by January

1, 2019, shall be adjusted to subtract the cost of the temporary accumulation during the period in which the facility designated under subsection (a) is not operational.''; and

(v) by adding at the end the following:

''(C) CONVEYANCE OF TITLE AND PERMITTING.—If the facility designated in subsection (a) is not operational by January 1, 2020, the Secretary—

''(i) shall immediately accept the conveyance of title to all elemental mercury that has accumulated in facilities in accordance with subsection (g)(2)(D), before January 1, 2020, and deliver the accumulated mercury to the facility designated under subsection (a) on the date on which the facility becomes operational;

''(ii) shall pay any applicable Federal permitting costs, including the costs for permits issued under section 3005(c) of the Solid Waste Disposal Act (42 U.S.C. 6925(c)); and

''(iii) shall store, or pay the cost of storage of, until the time at which a facility designated in subsection (a) is operational, accumulated mercury to which the Secretary has title under this subparagraph in a facility that has been issued a permit under section 3005(c) of the Solid Waste Disposal Act (42 U.S.C. 6925(c)).''; and

(B) in paragraph (2), in the first sentence, by striking ''paragraph (1)(C)'' and inserting ''paragraph (1)(B)(iii)''; and

(3) in subsection (g)(2)—

(A) in the undesignated material at the end, by striking ''This subparagraph'' and inserting the following:

''(C) Subparagraph (B)'';

(B) in subparagraph (C) (as designated by subparagraph (A)), by inserting ''of that subparagraph'' before the period at the end; and

(C) by adding at the end the following:

''(D) A generator producing elemental mercury incidentally from the beneficiation or processing of ore or related pollution control activities may accumulate the mercury produced onsite that is destined for a facility designated by the Secretary under subsection (a) for more than 90 days without a permit issued under section 3005(c) of the Solid Waste Disposal Act (42 U.S.C. 6925(c)), and shall not be subject to the storage prohibition of section 3004(j) of that Act (42 U.S.C. 6924(j)), if—

''(i) the Secretary is unable to accept the mercury at a facility designated by the Secretary under subsection (a) for reasons beyond the control of the generator;

''(ii) the generator certifies in writing to the Secretary that the generator will ship the mercury to a designated facility when the Secretary is able to accept the mercury;

''(iii) the generator certifies in writing to the Secretary that the generator is storing only mercury the generator has produced or recovered onsite and will not sell, or otherwise place into commerce, the mercury; and

''(iv) the generator has obtained an identification number under section 262.12 of title 40, Code of Federal Regulations, and complies with the requirements described in paragraphs (1) through (4) of section 262.34(a) of title 40, Code of Federal Regulations (as in effect on the date of enactment of this subparagraph).

''(E) MANAGEMENT STANDARDS FOR TEMPORARY STORAGE.—Not later than January 1, 2017, the Secretary, after consultation with the Administrator of the Environmental Protection Agency and State agencies in affected States, shall develop and make available guidance that establishes procedures and standards for the management and short-term storage of elemental mercury at a generator covered under subparagraph (D), including requirements to ensure appropriate use of flasks or other suitable containers. Such procedures and standards shall be protective of health and the environment and shall ensure that the elemental mercury is stored in a safe, secure, and effective manner. A generator may accumulate mercury in accordance with subparagraph (D) immediately upon enactment of this subparagraph, and notwithstanding that guidance called for by this paragraph has not been developed or made available.''.

(d) INTERIM STATUS.—Section 5(d)(1) of the Mercury Export Ban Act of 2008 (42 U.S.C. 6939f(d)(1)) is amended—

(1) in the fourth sentence, by striking ''in existence on or before January 1, 2013,''; and

(2) in the last sentence, by striking ''January 1, 2015'' and inserting ''January 1, 2020''.

SEC. 11. CONFIDENTIAL INFORMATION.

Section 14 of the Toxic Substances Control Act (15 U.S.C. 2613) is amended to read as follows:

''SEC. 14. CONFIDENTIAL INFORMATION.

''(a) IN GENERAL.—Except as provided in this section, the Administrator shall not disclose information that is exempt from disclosure pursuant to subsection (a) of section 552 of title 5, United States Code, by reason of subsection (b)(4) of that section—

''(1) that is reported to, or otherwise obtained by, the Administrator under this Act; and

''(2) for which the requirements of subsection (c) are met.

In any proceeding under section 552(a) of title 5, United States Code, to obtain information the disclosure of which has been denied because of the provisions of this subsection, the Administrator may not rely on section 552(b)(3) of such title to sustain the Administrator's action.

''(b) INFORMATION NOT PROTECTED FROM DISCLOSURE.—

''(1) MIXED CONFIDENTIAL AND NONCONFIDENTIAL INFORMATION.—Information that is protected from disclosure under this section, and which is mixed with information that is not protected from disclosure under this section, does not lose its protection from disclosure notwithstanding that it is mixed with information that is not protected from disclosure.

''(2) INFORMATION FROM HEALTH AND SAFETY STUDIES.—Subsection (a) does not prohibit the disclosure of—

''(A) any health and safety study which is submitted under this Act with respect to—

''(i) any chemical substance or mixture which, on the date on which such study is to be disclosed has been offered for commercial distribution; or

''(ii) any chemical substance or mixture for which testing is required under section 4 or for which notification is required under section 5; and

''(B) any information reported to, or otherwise obtained by, the Administrator from a health and safety study which relates to a chemical substance or mixture described in clause (i) or (ii) of subparagraph (A).

This paragraph does not authorize the disclosure of any information, including formulas (including molecular structures) of a chemical substance or mixture, that discloses processes used in the manufacturing or processing of a chemical substance or mixture or, in the case of a mixture, the portion of the mixture comprised by any of the chemical substances in the mixture.

''(3) OTHER INFORMATION NOT PROTECTED FROM DISCLOSURE.—Subsection (a) does not prohibit the disclosure of—

''(A) any general information describing the manufacturing volumes, expressed as specific aggregated volumes or, if the Administrator determines that disclosure of specific aggregated volumes would reveal confidential information, expressed in ranges; or

''(B) a general description of a process used in the manufacture or processing and industrial, commercial, or consumer functions and uses of a chemical substance, mixture, or article containing a chemical substance or mixture, including information specific to an industry or industry sector that customarily would be shared with the general public or within an industry or industry sector.

''(4) BANS AND PHASE-OUTS.—

''(A) IN GENERAL.—If the Administrator promulgates a rule pursuant to section 6(a) that establishes a ban or phase-out of a chemical substance or mixture, the protection from disclosure of any information under this section with respect to the chemical substance or mixture shall be presumed to no longer apply, subject to subsection (g)(1)(E) and subparagraphs (B) and (C) of this paragraph.

''(B) LIMITATIONS.—

''(i) CRITICAL USE.—In the case of a chemical substance or mixture for which a specific condition of use is subject to an exemption pursuant to section 6(g), if the Administrator establishes a ban or phase-out described in subparagraph (A) with respect to the chemical substance or mixture, the presumption against protection under such subparagraph shall only apply to information that relates solely to any conditions of use of the chemical substance or mixture to which the exemption does not apply.

''(ii) EXPORT.—In the case of a chemical substance or mixture for which there is manufacture, processing, or distribution in commerce that meets the conditions of section 12(a)(1), if the Administrator establishes a ban or phase-out described in subparagraph (A) with respect to the chemical substance or mixture, the presumption against protection under such subparagraph shall only apply to information that relates solely to any other manufacture, processing, or distribution in commerce of the chemical substance or mixture for the conditions of use subject to the ban or phase-out, unless the Administrator makes the determination in section 12(a)(2).

''(iii) SPECIFIC CONDITIONS OF USE.—In the case of a chemical substance or mixture for which the Administrator establishes a ban or phase-out described in subparagraph (A) with respect to a specific condition of use of the chemical substance or mixture, the presumption against protection under such subparagraph shall only apply to information that relates solely to the condition of use of the chemical substance or mixture for which the ban or phase-out is established.

''(C) REQUEST FOR NONDISCLOSURE.—

''(i) IN GENERAL.—A manufacturer or processor of a chemical substance or mixture subject to a ban or phase-out described in this paragraph may submit to the Administrator, within 30 days of receiving a notification under subsection (g)(2)(A), a request, including documentation supporting such request, that some or all of the information to which the notice applies should not be disclosed or that its disclosure should be delayed, and the Administrator shall review the request under subsection (g)(1)(E).

''(ii) EFFECT OF NO REQUEST OR DENIAL.—If no request for nondisclosure or delay is submitted to the Administrator under this subparagraph, or the Administrator denies such a request under subsection (g)(1)(A), the information shall not be protected from disclosure under this section.

''(5) CERTAIN REQUESTS.—If a request is made to the Administrator under section 552(a) of title 5, United States Code, for information reported to or otherwise obtained by the Administrator under this Act that is not protected from disclosure under this subsection, the Administrator may not deny the request on the basis of section 552(b)(4) of title 5, United States Code.

''(c) REQUIREMENTS FOR CONFIDENTIALITY CLAIMS.—

''(1) ASSERTION OF CLAIMS.—

''(A) IN GENERAL.—A person seeking to protect from disclosure any information that person submits under this Act (including information described in paragraph (2)) shall assert to the Administrator a claim for protection from disclosure concurrent with submission of the information, in accordance with such rules regarding a claim for protection from disclosure as the Administrator has promulgated or may promulgate pursuant to this title.

''(B) INCLUSION.—An assertion of a claim under subparagraph (A) shall include a statement that the person has—

''(i) taken reasonable measures to protect the confidentiality of the information;

''(ii) determined that the information is not required to be disclosed or otherwise made available to the public under any other Federal law;

''(iii) a reasonable basis to conclude that disclosure of the information is likely to cause substantial harm to the competitive position of the person; and

''(iv) a reasonable basis to believe that the information is not readily discoverable through reverse engineering.

''(C) ADDITIONAL REQUIREMENTS FOR CLAIMS REGARDING CHEMICAL IDENTITY INFORMATION.—In the case of a claim under subparagraph (A) for protection from disclosure of a specific chemical identity, the claim shall include a structurally descriptive generic name for the chemical substance that the Administrator may disclose to the public, subject to the condition that such generic name shall—

''(i) be consistent with guidance developed by the Administrator under paragraph (4)(A); and

''(ii) describe the chemical structure of the chemical substance as specifically as practicable while protecting those features of the chemical structure—

''(I) that are claimed as confidential; and

''(II) the disclosure of which would be likely to cause substantial harm to the competitive position of the person.

''(2) INFORMATION GENERALLY NOT SUBJECT TO SUBSTANTIATION REQUIREMENTS.—Subject to subsection (f), the following information shall not be subject to substantiation requirements under paragraph (3):

''(A) Specific information describing the processes used in manufacture or processing of a chemical substance, mixture, or article.

''(B) Marketing and sales information.

''(C) Information identifying a supplier or customer.

''(D) In the case of a mixture, details of the full composition of the mixture and the respective percentages of constituents.

''(E) Specific information regarding the use, function, or application of a chemical substance or mixture in a process, mixture, or article.

''(F) Specific production or import volumes of the manufacturer or processor.

''(G) Prior to the date on which a chemical substance is first offered for commercial distribution, the specific chemical identity of the chemical substance, including the chemical name, molecular formula, Chemical Abstracts Service number, and other information that would identify the specific chemical substance, if the specific chemical identity was claimed as confidential at the time it was submitted in a notice under section 5.

''(3) SUBSTANTIATION REQUIREMENTS.—Except as provided in paragraph (2), a person asserting a claim to protect information from disclosure under this section shall substantiate the claim, in accordance with such rules as the Administrator has promulgated or may promulgate pursuant to this section.

''(4) GUIDANCE.—The Administrator shall develop guidance regarding—

''(A) the determination of structurally descriptive generic names, in the case of claims for the protection from disclosure of specific chemical identity; and

''(B) the content and form of the statements of need and agreements required under paragraphs (4), (5), and (6) of subsection (d).

''(5) CERTIFICATION.—An authorized official of a person described in paragraph (1)(A) shall certify that the statement required to assert a claim submitted pursuant to paragraph (1)(B), and any information required to substantiate a claim submitted pursuant to paragraph (3), are true and correct.

''(d) EXCEPTIONS TO PROTECTION FROM DISCLOSURE.—Information described in subsection (a)—

''(1) shall be disclosed to an officer or employee of the United States—

''(A) in connection with the official duties of that person under any Federal law for the protection of health or the environment; or

''(B) for a specific Federal law enforcement purpose;

''(2) shall be disclosed to a contractor of the United States and employees of that contractor—

''(A) if, in the opinion of the Administrator, the disclosure is necessary for the satisfactory performance by the contractor of a contract with the United States for the performance of work in connection with this Act; and

''(B) subject to such conditions as the Administrator may specify;

''(3) shall be disclosed if the Administrator determines that disclosure is necessary to protect health or the environment against an unreasonable risk of injury to health or the environment, without consideration of costs or other nonrisk factors, including an unreasonable risk to a potentially exposed or susceptible subpopulation identified as relevant by the Administrator under the conditions of use;

''(4) shall be disclosed to a State, political subdivision of a State, or tribal government, on written request, for the purpose of administration or enforcement of a law, if such entity has 1 or more applicable agreements with the Administrator that are consistent with the guidance developed under subsection (c)(4)(B) and ensure that the entity will take appropriate measures, and has adequate authority, to maintain the confidentiality of the information in accordance with procedures comparable to the procedures used by the Administrator to safeguard the information;

''(5) shall be disclosed to a health or environmental professional employed by a Federal or State agency or tribal government or a treating physician or nurse in a nonemergency situation if such person provides a written statement of need and agrees to sign a written confidentiality agreement with the Administrator, subject to the conditions that—

''(A) the statement of need and confidentiality agreement are consistent with the guidance developed under subsection (c)(4)(B);

''(B) the statement of need shall be a statement that the person has a reasonable basis to suspect that—

''(i) the information is necessary for, or will assist in—

''(I) the diagnosis or treatment of 1 or more individuals; or

''(II) responding to an environmental release or exposure; and

''(ii) 1 or more individuals being diagnosed or treated have been exposed to the chemical substance or mixture concerned, or an environmental release of or exposure to the chemical substance or mixture concerned has occurred; and

''(C) the person will not use the information for any purpose other than the health or environmental needs asserted in the statement of need, except as otherwise may be authorized by the terms of the agreement or by the person who has a claim under this section with respect to the information;

''(6) shall be disclosed in the event of an emergency to a treating or responding physician, nurse, agent of a poison control center, public health or environmental official of a State, political subdivision of a State, or tribal government, or first responder (including any individual duly authorized by a Federal agency, State, political subdivision of a State, or tribal government who is trained in urgent medical care or other emergency procedures, including a police officer, firefighter, or emergency medical technician) if such person requests the information, subject to the conditions that such person shall—

''(A) have a reasonable basis to suspect that—

''(i) a medical, public health, or environmental emergency exists;

''(ii) the information is necessary for, or will assist in, emergency or first-aid diagnosis or treatment; or

''(iii) 1 or more individuals being diagnosed or treated have likely been exposed to the chemical substance or mixture concerned, or a serious environmental release of or exposure to the chemical substance or mixture concerned has occurred; and

''(B) if requested by a person who has a claim with respect to the information under this section—

''(i) provide a written statement of need and agree to sign a confidentiality agreement, as described in paragraph (5); and

''(ii) submit to the Administrator such statement of need and confidentiality agreement as soon as practicable, but not necessarily before the information is disclosed;

''(7) may be disclosed if the Administrator determines that disclosure is relevant in a proceeding under this Act, subject to the condition that the disclosure is made in such a manner as to preserve confidentiality to the extent practicable without impairing the proceeding;

''(8) shall be disclosed if the information is required to be made public under any other provision of Federal law; and

''(9) shall be disclosed as required pursuant to discovery, subpoena, other court order, or any other judicial process otherwise allowed under applicable Federal or State law.

''(e) DURATION OF PROTECTION FROM DISCLOSURE.—

''(1) IN GENERAL.—Subject to paragraph (2), subsection (f)(3), and section 8(b), the Administrator shall protect from disclosure information described in subsection (a)—

''(A) in the case of information described in subsection (c)(2), until such time as—

''(i) the person that asserted the claim notifies the Administrator that the person is withdrawing the claim, in which case the information shall not be protected from disclosure under this section; or

''(ii) the Administrator becomes aware that the information does not qualify for protection from disclosure under this section, in which case the Administrator shall take any actions required under subsections (f) and (g); and

''(B) in the case of information other than information described in subsection (c)(2)—

''(i) for a period of 10 years from the date on which the person asserts the claim with respect to the information submitted to the Administrator; or

''(ii) if applicable before the expiration of such 10-year period, until such time as—

''(I) the person that asserted the claim notifies the Administrator that the person is withdrawing the claim, in which case the information shall not be protected from disclosure under this section; or

''(II) the Administrator becomes aware that the information does not qualify for protection from disclosure under this section, in which case the Administrator shall take any actions required under subsections (f) and (g).

''(2) EXTENSIONS.—

''(A) IN GENERAL.—In the case of information other than information described in subsection (c)(2), not later than the date that is 60 days before the expiration of the period described in paragraph (1)(B)(i), the Administrator shall provide to the person that asserted the claim a notice of the impending expiration of the period.

''(B) REQUEST.—

''(i) IN GENERAL.—Not later than the date that is 30 days before the expiration of the period described in paragraph (1)(B)(i), a person reasserting the relevant claim shall submit to the Administrator a request for extension substantiating, in accordance with subsection (c)(3), the need to extend the period.

''(ii) ACTION BY ADMINISTRATOR.—Not later than the date of expiration of the period described in paragraph (1)(B)(i), the Administrator shall, in accordance with subsection (g)(1)—

''(I) review the request submitted under clause (i);

''(II) make a determination regarding whether the claim for which the request was submitted continues to meet the relevant requirements of this section; and

''(III)(aa) grant an extension of 10 years; or

''(bb) deny the request.

''(C) NO LIMIT ON NUMBER OF EXTENSIONS.—There shall be no limit on the number of extensions granted under this paragraph, if the Administrator determines that the relevant request under subparagraph (B)(i)—

''(i) establishes the need to extend the period; and

''(ii) meets the requirements established by the Administrator.

''(f) REVIEW AND RESUBSTANTIATION.—

''(1) DISCRETION OF ADMINISTRATOR.—The Administrator may require any person that has claimed protection for information from disclosure under this section, whether before, on, or after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, to reassert and substantiate or resubstantiate the claim in accordance with this section—

''(A) after the chemical substance is designated as a high-priority substance under section 6(b);

''(B) for any chemical substance designated as an active substance under section 8(b)(5)(B)(iii); or

''(C) if the Administrator determines that disclosure of certain information currently protected from disclosure would be important to assist the Administrator in conducting risk evaluations or promulgating rules under section 6.

''(2) REVIEW REQUIRED.—The Administrator shall review a claim for protection of information from disclosure under this section and require any person that has claimed protection for that information, whether before, on, or after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, to reassert and substantiate or resubstantiate the claim in accordance with this section—

''(A) as necessary to determine whether the information qualifies for an exemption from disclosure in connection with a request for information received by the Administrator under section 552 of title 5, United States Code;

''(B) if the Administrator has a reasonable basis to believe that the information does not qualify for protection from disclosure under this section; or

''(C) for any chemical substance the Administrator determines under section 6(b)(4)(A) presents an unreasonable risk of injury to health or the environment.

''(3) PERIOD OF PROTECTION.—If the Administrator requires a person to reassert and substantiate or resubstantiate a claim under this subsection, and determines that the claim continues to meet the relevant requirements of this section, the Administrator shall protect the information subject to the claim from disclosure for a period of 10 years from the date of such determination, subject to any subsequent requirement by the Administrator under this subsection.

''(g) DUTIES OF ADMINISTRATOR.—

''(1) DETERMINATION.—

''(A) IN GENERAL.—Except for claims regarding information described in subsection (c)(2), the Administrator shall, subject to subparagraph (C), not later than 90 days after the receipt of a claim under subsection (c), and not later than 30 days after the receipt of a request for extension of a claim under subsection (e) or a request under subsection (b)(4)(C), review and approve, approve in part and deny in part, or deny the claim or request.

''(B) REASONS FOR DENIAL.—If the Administrator denies or denies in part a claim or request under subparagraph (A) the Administrator shall provide to the person that asserted the claim or submitted the request a written statement of the reasons for the denial or denial in part of the claim or request.

''(C) SUBSETS.—The Administrator shall—

''(i) except with respect to information described in subsection (c)(2)(G), review all claims or requests under this section for the protection from disclosure of the specific chemical identity of a chemical substance; and

''(ii) review a representative subset, comprising at least 25 percent, of all other claims or requests for protection from disclosure under this section.

''(D) EFFECT OF FAILURE TO ACT.—The failure of the Administrator to make a decision regarding a claim or request for protection from disclosure or extension under this section shall not have the effect of denying or eliminating a claim or request for protection from disclosure.

''(E) DETERMINATION OF REQUESTS UNDER SUBSECTION (b)(4)(C).—With respect to a request submitted under subsection (b)(4)(C), the Administrator shall, with the objective of ensuring that information relevant to the protection of health and the environment is disclosed to the extent practicable, determine whether the documentation provided by the person rebuts what shall be the presumption of the Administrator that the public interest in the disclosure of the information outweighs the public or proprietary interest in maintaining the protection for all or a portion of the information that the person has requested not be disclosed or for which disclosure be delayed.

''(2) NOTIFICATION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B) and subsections (b), (d), and (e), if the Administrator denies or denies in part a claim or request under paragraph (1), concludes, in accordance with this section, that the information does not qualify for protection from disclosure, intends to disclose information pursuant to subsection (d), or promulgates a rule under section 6(a) establishing a ban or phase-out with respect to a chemical substance or mixture, the Administrator shall notify, in writing, the person that asserted the claim or submitted the request of the intent of the Administrator to disclose the information or not protect the information from disclosure under this section. The notice shall be furnished by certified mail (return receipt requested), by personal delivery, or by other means that allows verification of the fact and date of receipt.

''(B) DISCLOSURE OF INFORMATION.—Except as provided in subparagraph (C), the Administrator shall not disclose information under this subsection until the date that is 30 days after the date on which the person that asserted the claim or submitted the request receives notification under subparagraph (A).

''(C) EXCEPTIONS.—

''(i) FIFTEEN DAY NOTIFICATION.—For information the Administrator intends to disclose under subsections (d)(3), (d)(4), (d)(5), and (j), the Administrator shall not disclose the information until the date that is 15 days after the date on which the person that asserted the claim or submitted the request receives notification under subparagraph (A), except that, with respect to information to be disclosed under subsection (d)(3), if the Administrator determines that disclosure of the information is necessary to protect against an imminent and substantial harm to health or the environment, no prior notification shall be necessary.

''(ii) NOTIFICATION AS SOON AS PRACTICABLE.—For information the Administrator intends to disclose under paragraph (6) of subsection (d), the Administrator shall notify the person that submitted the information that the information has been disclosed as soon as practicable after disclosure of the information.

''(iii) NO NOTIFICATION REQUIRED.—Notification shall not be required—

''(I) for the disclosure of information under paragraphs (1), (2), (7), or (8) of subsection (d); or

''(II) for the disclosure of information for which—

''(aa) the Administrator has provided to the person that asserted the claim a notice under subsection (e)(2)(A); and

''(bb) such person does not submit to the Administrator a request under subsection (e)(2)(B) on or before the deadline established in subsection (e)(2)(B)(i).

''(D) APPEALS.—

''(i) ACTION TO RESTRAIN DISCLOSURE.—If a person receives a notification under this paragraph and believes the information is

protected from disclosure under this section, before the date on which the information is to be disclosed pursuant to subparagraph (B) or (C) the person may bring an action to restrain disclosure of the information in—

''(I) the United States district court of the district in which the complainant resides or has the principal place of business; or

''(II) the United States District Court for the District of Columbia.

''(ii) NO DISCLOSURE.—

''(I) IN GENERAL.—Subject to subsection (d), the Administrator shall not disclose information that is the subject of an appeal under this paragraph before the date on which the applicable court rules on an action under clause (i).

''(II) EXCEPTION.—Subclause (I) shall not apply to disclosure of information described under subsections (d)(4) and (j).

''(3) REQUEST AND NOTIFICATION SYSTEM.—The Administrator, in consultation with the Director of the Centers for Disease Control and Prevention, shall develop a request and notification system that, in a format and language that is readily accessible and understandable, allows for expedient and swift access to information disclosed pursuant to paragraphs (5) and (6) of subsection (d).

''(4) UNIQUE IDENTIFIER.—The Administrator shall—

''(A)(i) develop a system to assign a unique identifier to each specific chemical identity for which the Administrator approves a request for protection from disclosure, which shall not be either the specific chemical identity or a structurally descriptive generic term; and

''(ii) apply that identifier consistently to all information relevant to the applicable chemical substance;

''(B) annually publish and update a list of chemical substances, referred to by their unique identifiers, for which claims to protect the specific chemical identity from disclosure have been approved, including the expiration date for each such claim;

''(C) ensure that any nonconfidential information received by the Administrator with respect to a chemical substance included on the list published under subparagraph (B) while the specific chemical identity of the chemical substance is protected from disclosure under this section identifies the chemical substance using the unique identifier; and

''(D) for each claim for protection of a specific chemical identity that has been denied by the Administrator or expired, or that has been withdrawn by the person who asserted the claim, and for which the Administrator has used a unique identifier assigned under this paragraph to protect the specific chemical identity in information that the Administrator has made public, clearly link the specific chemical identity to the unique identifier in such information to the extent practicable.

''(h) CRIMINAL PENALTY FOR WRONGFUL DISCLOSURE.—

''(1) INDIVIDUALS SUBJECT TO PENALTY.—

''(A) IN GENERAL.—Subject to subparagraph (C) and paragraph (2), an individual described in subparagraph (B) shall be fined under title 18, United States Code, or imprisoned for not more than 1 year, or both.

''(B) DESCRIPTION.—An individual referred to in subparagraph (A) is an individual who—

''(i) pursuant to this section, obtained possession of, or has access to, information protected from disclosure under this section; and

''(ii) knowing that the information is protected from disclosure under this section, willfully discloses the information in any manner to any person not entitled to receive that information.

''(C) EXCEPTION.—This paragraph shall not apply to any medical professional (including an emergency medical technician or other first responder) who discloses any information obtained under paragraph (5) or (6) of subsection (d) to a patient treated by the medical professional, or to a person authorized to make medical or health care decisions on behalf of such a patient, as needed for the diagnosis or treatment of the patient.

''(2) OTHER LAWS.—Section 1905 of title 18, United States Code, shall not apply with respect to the publishing, divulging, disclosure, or making known of, or making available, information reported to or otherwise obtained by the Administrator under this Act.

''(i) APPLICABILITY.—

''(1) IN GENERAL.—Except as otherwise provided in this section, section 8, or any other applicable Federal law, the Administrator shall have no authority—

''(A) to require the substantiation or resubstantiation of a claim for the protection from disclosure of information reported to or otherwise obtained by the Administrator under this Act prior to the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act; or

''(B) to impose substantiation or resubstantiation requirements, with respect to the protection of information described in subsection (a), under this Act that are more extensive than those required under this section.

''(2) ACTIONS PRIOR TO PROMULGATION OF RULES.—Nothing in this Act prevents the Administrator from reviewing, requiring substantiation or resubstantiation of, or approving, approving in part, or denying any claim for the protection from disclosure of information before the effective date of such rules applicable to those claims as the Administrator may promulgate after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act.

''(j) ACCESS BY CONGRESS.—Notwithstanding any limitation contained in this section or any other provision of law, all information reported to or otherwise obtained by the Administrator (or any representative of the Administrator) under this Act shall be made available, upon written request of any duly authorized committee of the Congress, to such committee.''.

SEC. 12. PENALTIES.

Section 16 of the Toxic Substances Control Act (15 U.S.C. 2615) is amended—

(1) in subsection (a)(1), by striking ''$25,000'' and inserting ''$37,500''; and

(2) in subsection (b)—

(A) by striking ''Any person'' and inserting the following:

''(1) IN GENERAL.—Any person'';

(B) by striking ''$25,000'' and inserting ''$50,000''; and

(C) by adding at the end the following:

''(2) IMMINENT DANGER OF DEATH OR SERIOUS BODILY INJURY.—

''(A) IN GENERAL.—Any person who knowingly and willfully violates any provision of section 15 or 409, and who knows at the time of the violation that the violation places an individual in imminent danger of death or serious bodily injury, shall be subject on conviction to a fine of not more than $250,000, or imprisonment for not more than 15 years, or both.

''(B) ORGANIZATIONS.—Notwithstanding the penalties described in subparagraph (A), an organization that commits a knowing violation described in subparagraph (A) shall be subject on conviction to a fine of not more than $1,000,000 for each violation.

''(C) INCORPORATION OF CORRESPONDING PROVISIONS.—Subparagraphs (B) through (F) of section 113(c)(5) of the Clean Air Act (42 U.S.C. 7413(c)(5)(B)–(F)) shall apply to the prosecution of a violation under this paragraph.''.

SEC. 13. STATE-FEDERAL RELATIONSHIP.

Section 18 of the Toxic Substances Control Act (15 U.S.C. 2617) is amended—

(1) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—

''(1) ESTABLISHMENT OR ENFORCEMENT.—Except as otherwise provided in subsections (c), (d), (e), (f), and (g), and subject to paragraph (2), no State or political subdivision of a State may establish or continue to enforce any of the following:

''(A) DEVELOPMENT OF INFORMATION.—A statute or administrative action to require the development of information about a chemical substance or category of chemical substances that is reasonably likely to produce the same information required under section 4, 5, or 6 in—

''(i) a rule promulgated by the Administrator;

''(ii) a consent agreement entered into by the Administrator; or

''(iii) an order issued by the Administrator.

''(B) CHEMICAL SUBSTANCES FOUND NOT TO PRESENT AN UNREASONABLE RISK OR RESTRICTED.—A statute, criminal penalty, or administrative action to prohibit or otherwise restrict the manufacture, processing, or distribution in commerce or use of a chemical substance—

''(i) for which the determination described in section 6(i)(1) is made, consistent with the scope of the risk evaluation under section (6)(b)(4)(D); or

''(ii) for which a final rule is promulgated under section 6(a), after the effective date of the rule issued under section 6(a) for the chemical substance, consistent with the scope of the risk evaluation under section (6)(b)(4)(D).

''(C) SIGNIFICANT NEW USE.—A statute or administrative action requiring the notification of a use of a chemical substance that the Administrator has specified as a significant new use and for which the Administrator has required notification pursuant to a rule promulgated under section 5.

''(2) EFFECTIVE DATE OF PREEMPTION.—Under this subsection, Federal preemption of statutes and administrative actions applicable to specific chemical substances shall not occur until the effective date of the applicable action described in paragraph (1) taken by the Administrator.'';

(2) by amending subsection (b) to read as follows:

''(b) NEW STATUTES, CRIMINAL PENALTIES, OR ADMINISTRATIVE ACTIONS CREATING PROHIBITIONS OR OTHER RESTRICTIONS.—

''(1) IN GENERAL.—Except as provided in subsections (c), (d), (e), (f), and (g), beginning on the date on which the Administrator defines the scope of a risk evaluation for a chemical substance under section 6(b)(4)(D) and ending on the date on which the deadline established pursuant to section 6(b)(4)(G) for completion of the risk evaluation expires, or on the date on which the Administrator publishes the risk evaluation under section 6(b)(4)(C), whichever is earlier, no State or

political subdivision of a State may establish a statute, criminal penalty, or administrative action prohibiting or otherwise restricting the manufacture, processing, distribution in commerce, or use of such chemical substance that is a high-priority substance designated under section 6(b)(1)(B)(i).

''(2) EFFECT OF SUBSECTION.—This subsection does not restrict the authority of a State or political subdivision of a State to continue to enforce any statute enacted, criminal penalty assessed, or administrative action taken, prior to the date on which the Administrator defines and publishes the scope of a risk evaluation under section 6(b)(4)(D).''; and

(3) by adding at the end the following:

''(c) SCOPE OF PREEMPTION.—Federal preemption under subsections (a) and (b) of statutes, criminal penalties, and administrative actions applicable to specific chemical substances shall apply only to—

''(1) with respect to subsection (a)(1)(A), the chemical substances or category of chemical substances subject to a rule, order, or consent agreement under section 4, 5, or 6.

''(2) with respect to subsection (b), the hazards, exposures, risks, and uses or conditions of use of such chemical substances included in the scope of the risk evaluation pursuant to section 6(b)(4)(D);

''(3) with respect to subsection (a)(1)(B), the hazards, exposures, risks, and uses or conditions of use of such chemical substances included in any final action the Administrator takes pursuant to section 6(a) or 6(i)(1); or

''(4) with respect to subsection (a)(1)(C), the uses of such chemical substances that the Administrator has specified as significant new uses and for which the Administrator has required notification pursuant to a rule promulgated under section 5.

''(d) EXCEPTIONS.—

''(1) NO PREEMPTION OF STATUTES AND ADMINISTRATIVE ACTIONS.—

''(A) IN GENERAL.—Nothing in this Act, nor any amendment made by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, nor any rule, standard of performance, risk evaluation, or scientific assessment implemented pursuant to this Act, shall affect the right of a State or a political subdivision of a State to adopt or enforce any rule, standard of performance, risk evaluation, scientific assessment, or any other protection for public health or the environment that—

''(i) is adopted or authorized under the authority of any other Federal law or adopted to satisfy or obtain authorization or approval under any other Federal law;

''(ii) implements a reporting, monitoring, or other information obligation for the chemical substance not otherwise required by the Administrator under this Act or required under any other Federal law;

''(iii) is adopted pursuant to authority under a law of the State or political subdivision of the State related to water quality, air quality, or waste treatment or disposal, except to the extent that the action—

''(I) imposes a restriction on the manufacture, processing, distribution in commerce, or use of a chemical substance; and

''(II)(aa) addresses the same hazards and exposures, with respect to the same conditions of use as are included in the scope of the risk evaluation published pursuant to section 6(b)(4)(D), but is inconsistent with the action of the Administrator; or

''(bb) would cause a violation of the applicable action by the Administrator under section 5 or 6; or

''(iv) subject to subparagraph (B), is identical to a requirement prescribed by the Administrator.

''(B) IDENTICAL REQUIREMENTS.—

''(i) IN GENERAL.—The penalties and other sanctions applicable under a law of a State or political subdivision of a State in the event of noncompliance with the identical requirement shall be no more stringent than the penalties and other sanctions available to the Administrator under section 16 of this Act.

''(ii) PENALTIES.—In the case of an identical requirement—

''(I) a State or political subdivision of a State may not assess a penalty for a specific violation for which the Administrator has assessed an adequate penalty under section 16; and

''(II) if a State or political subdivision of a State has assessed a penalty for a specific violation, the Administrator may not assess a penalty for that violation in an amount that would cause the total of the penalties assessed for the violation by the State or political subdivision of a State and the Administrator combined to exceed the maximum amount that may be assessed for that violation by the Administrator under section 16.

''(2) APPLICABILITY TO CERTAIN RULES OR ORDERS.—

''(A) PRIOR RULES AND ORDERS.—Nothing in this section shall be construed as modifying the preemptive effect under this section, as in effect on the day before the effective date of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, of any rule or order promulgated or issued under this Act prior to that effective date.

''(B) CERTAIN CHEMICAL SUBSTANCES AND MIXTURES.—With respect to a chemical substance or mixture for which any rule or order was promulgated or issued under section 6 prior to the effective date of the Frank R. Lautenberg Chemical Safety for the 21st Century Act with respect to manufacturing, processing, distribution in commerce, use, or disposal of the chemical substance or mixture, nothing in this section shall be construed as modifying the preemptive effect of this section as in effect prior to the enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act of any rule or order that is promulgated or issued with respect to such chemical substance or mixture under section 6 after that effective date, unless the latter rule or order is with respect to a chemical substance or mixture containing a chemical substance and follows a designation of that chemical substance as a high-priority substance under section 6(b)(1)(B)(i), the identification of that chemical substance under section 6(b)(2)(A), or the selection of that chemical substance for risk evaluation under section 6(b)(4)(E)(iv)(II).

''(e) PRESERVATION OF CERTAIN LAWS.—

''(1) IN GENERAL.—Nothing in this Act, subject to subsection (g) of this section, shall—

''(A) be construed to preempt or otherwise affect the authority of a State or political subdivision of a State to continue to enforce any action taken or requirement imposed or requirement enacted relating to a specific chemical substance before April 22, 2016, under the authority of a law of the State or political subdivision of the State that prohibits or otherwise restricts manufacturing, processing, distribution in commerce, use, or disposal of a chemical substance; or

''(B) be construed to preempt or otherwise affect any action taken pursuant to a State law that was in effect on August 31, 2003.

''(2) EFFECT OF SUBSECTION.—This subsection does not affect, modify, or alter the relationship between Federal law and laws of a State or political subdivision of a State pursuant to any other Federal law.

''(f) WAIVERS.—

''(1) DISCRETIONARY EXEMPTIONS.—Upon application of a State or political subdivision of a State, the Administrator may, by rule, exempt from subsection (a), under such conditions as may be prescribed in the rule, a statute, criminal penalty, or administrative action of that State or political subdivision of the State that relates to the effects of exposure to a chemical substance under the conditions of use if the Administrator determines that—

''(A) compelling conditions warrant granting the waiver to protect health or the environment;

''(B) compliance with the proposed requirement of the State or political subdivision of the State would not unduly burden interstate commerce in the manufacture, processing, distribution in commerce, or use of a chemical substance;

''(C) compliance with the proposed requirement of the State or political subdivision of the State would not cause a violation of any applicable Federal law, rule, or order; and

''(D) in the judgment of the Administrator, the proposed requirement of the State or political subdivision of the State is designed to address a risk of a chemical substance, under the conditions of use, that was identified—

''(i) consistent with the best available science;

''(ii) using supporting studies conducted in accordance with sound and objective scientific practices; and

''(iii) based on the weight of the scientific evidence.

''(2) REQUIRED EXEMPTIONS.—Upon application of a State or political subdivision of a State, the Administrator shall exempt from subsection (b) a statute or administrative action of a State or political subdivision of a State that relates to the effects of exposure to a chemical substance under the conditions of use if the Administrator determines that—

''(A)(i) compliance with the proposed requirement of the State or political subdivision of the State would not unduly burden interstate commerce in the manufacture, processing, distribution in commerce, or use of a chemical substance;

''(ii) compliance with the proposed requirement of the State or political subdivision of the State would not cause a violation of any applicable Federal law, rule, or order; and

''(iii) the State or political subdivision of the State has a concern about the chemical substance or use of the chemical substance based in peer-reviewed science; or

''(B) no later than the date that is 18 months after the date on which the Administrator has initiated the prioritization process for a chemical substance under the rule promulgated pursuant to section 6(b)(1)(A), or the date on which the Administrator publishes the scope of the risk evaluation for a chemical substance under section 6(b)(4)(D), whichever is sooner, the State or political subdivision of the State has enacted a statute or proposed or finalized an administrative action intended to prohibit or otherwise restrict the manufacture, processing, distribution in commerce, or use of the chemical substance.

''(3) DETERMINATION OF A WAIVER REQUEST.—The duty of the Administrator to grant or deny a waiver application shall be nondelegable and shall be exercised—

''(A) not later than 180 days after the date on which an application under paragraph (1) is submitted; and

''(B) not later than 110 days after the date on which an application under paragraph (2) is submitted.

''(4) FAILURE TO MAKE A DETERMINATION.—If the Administrator fails to make a determination under paragraph (3)(B) during the 110-day period beginning on the date on which an application under paragraph (2) is submitted, the statute or administrative action of the State or political subdivision of the State that was the subject of the application shall not be considered to be an existing statute or administrative action for purposes of subsection (b) by reason of the failure of the Administrator to make a determination.

''(5) NOTICE AND COMMENT.—Except in the case of an application approved under paragraph (9), the application of a State or political subdivision of a State under this subsection shall be subject to public notice and comment.

''(6) FINAL AGENCY ACTION.—The decision of the Administrator on the application of a State or political subdivision of a State shall be—

''(A) considered to be a final agency action; and

''(B) subject to judicial review.

''(7) DURATION OF WAIVERS.—A waiver granted under paragraph (2) or approved under paragraph (9) shall remain in effect until such time as the Administrator publishes the risk evaluation under section 6(b).

''(8) JUDICIAL REVIEW OF WAIVERS.—Not later than 60 days after the date on which the Administrator makes a determination on an application of a State or political subdivision of a State under paragraph (1) or (2), any person may file a petition for judicial review in the United States Court of Appeals for the District of Columbia Circuit, which shall have exclusive jurisdiction over the determination.

''(9) APPROVAL.—

''(A) AUTOMATIC APPROVAL.—If the Administrator fails to meet the deadline established under paragraph (3)(B), the application of a State or political subdivision of a State under paragraph (2) shall be automatically approved, effective on the date that is 10 days after the deadline.

''(B) REQUIREMENTS.—Notwithstanding paragraph (6), approval of a waiver application under subparagraph (A) for failure to meet the deadline under paragraph (3)(B) shall not be considered final agency action or be subject to judicial review or public notice and comment.

''(g) SAVINGS.—

''(1) NO PREEMPTION OF COMMON LAW OR STATUTORY CAUSES OF ACTION FOR CIVIL RELIEF OR CRIMINAL CONDUCT.—

''(A) IN GENERAL.—Nothing in this Act, nor any amendment made by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, nor any standard, rule, requirement, standard of performance, risk evaluation, or scientific assessment implemented pursuant to this Act, shall be construed to preempt, displace, or supplant any State or Federal common law rights or any State or Federal statute creating a remedy for civil relief, including those for civil damage, or a penalty for a criminal conduct.

''(B) CLARIFICATION OF NO PREEMPTION.—Notwithstanding any other provision of this Act, nothing in this Act, nor any amendments made by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, shall preempt or preclude any cause of action for personal injury, wrongful death, property damage, or other injury based on negligence, strict liability, products liability, failure to warn, or any other legal theory of liability under any State law, maritime law, or Federal common law or statutory theory.

''(2) NO EFFECT ON PRIVATE REMEDIES.—

''(A) IN GENERAL.—Nothing in this Act, nor any amendments made by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, nor any rules, regulations, requirements, risk evaluations, scientific assessments, or orders issued pursuant to this Act shall be interpreted as, in either the plaintiff's or defendant's favor, dispositive in any civil action.

''(B) AUTHORITY OF COURTS.—This Act does not affect the authority of any court to make a determination in an adjudicatory proceeding under applicable State or Federal law with respect to the admission into evidence or any other use of this Act or rules, regulations, requirements, standards of performance, risk evaluations, scientific assessments, or orders issued pursuant to this Act.''.

SEC. 14. JUDICIAL REVIEW.

Section 19(a) of the Toxic Substances Control Act (15 U.S.C. 2618(a)) is amended—

(1) in paragraph (1), by adding at the end the following:

''(C)(i) Not later than 60 days after the publication of a designation under section 6(b)(1)(B)(ii), any person may commence a civil action to challenge the designation.

''(ii) The United States Court of Appeals for the District of Columbia Circuit shall have exclusive jurisdiction over a civil action filed under this subparagraph.''; and

(2) by striking paragraph (3).

SEC. 15. CITIZENS' CIVIL ACTIONS.

Section 20(b) of the Toxic Substances Control Act (15 U.S.C. 2619(b)) is amended—

(1) in paragraph (1)(B), by striking ''or'' at the end; and

(2) in paragraph (2), by striking the period at the end and inserting the following: '', except that no prior notification shall be required in the case of a civil action brought to compel a decision by the Administrator pursuant to section 18(f)(3)(B); or

''(3) in the case of a civil action brought to compel a decision by the Administrator pursuant to section 18(f)(3)(B), after the date that is 60 days after the deadline specified in section 18(f)(3)(B).''.

SEC. 16. STUDIES.

Section 25 of the Toxic Substances Control Act (15 U.S.C. 2624) is repealed.

SEC. 17. ADMINISTRATION OF THE ACT.

Section 26 of the Toxic Substances Control Act (15 U.S.C. 2625) is amended—

(1) in subsection (b)(1)—

(A) by striking ''of a reasonable fee'';

(B) by striking ''data under section 4 or 5 to defray the cost of administering this Act'' and inserting ''information under section 4 or a notice or other information to be reviewed by the Administrator under section 5, or who manufactures or processes a chemical substance that is the subject of a risk evaluation under section 6(b), of a fee that is sufficient and not more than reasonably necessary to defray the cost related to such chemical substance of administering sections 4, 5, and 6, and collecting, processing, reviewing, and providing access to and protecting from disclosure as appropriate under section 14 information on chemical substances under this title, including contractor costs incurred by the Administrator'';

(C) by striking ''Such rules shall not provide for any fee in excess of $2,500 or, in the case of a small business concern, any fee in excess of $100.''; and

(D) by striking ''submit the data and the cost to the Administrator of reviewing such data'' and inserting ''pay such fee and the cost to the Administrator of carrying out the activities described in this paragraph'';

(2) in subsection (b)—

(A) in paragraph (2), by striking ''paragraph (1)'' and inserting ''paragraph (4)''; and

(B) by adding at the end the following:

''(3) FUND.—

''(A) ESTABLISHMENT.—There is established in the Treasury of the United States a fund, to be known as the TSCA Service Fee Fund (in this paragraph referred to as the 'Fund'), consisting of such amounts as are deposited in the Fund under this paragraph.

''(B) COLLECTION AND DEPOSIT OF FEES.—Subject to the conditions of subparagraph (C), the Administrator shall collect the fees described in this subsection and deposit those fees in the Fund.

''(C) USE OF FUNDS BY ADMINISTRATOR.—Fees authorized under this section shall be collected and available for obligation only to the extent and in the amount provided in advance in appropriations Acts, and shall be available without fiscal year limitation for use in defraying the costs of the activities described in paragraph (1).

''(D) ACCOUNTING AND AUDITING.—

''(i) ACCOUNTING.—The Administrator shall biennially prepare and submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that includes an accounting of the fees paid to the Administrator under this paragraph and amounts disbursed from the Fund for the period covered by the report, as reflected by financial statements provided in accordance with sections 3515 and 3521 of title 31, United States Code.

''(ii) AUDITING.—

''(I) IN GENERAL.—For the purpose of section 3515(c) of title 31, United States Code, the Fund shall be considered a component of a covered executive agency.

''(II) COMPONENTS OF AUDIT.—The annual audit required in accordance with sections 3515 and 3521 of title 31, United States Code, of the financial statements of activities carried out using amounts from the Fund shall include an analysis of—

''(aa) the fees collected and amounts disbursed under this subsection;

''(bb) the reasonableness of the fees in place as of the date of the audit to meet current and projected costs of administering the provisions of this title for which the fees may be used; and

''(cc) the number of requests for a risk evaluation made by manufacturers under section 6(b)(4)(C)(ii).

''(III) FEDERAL RESPONSIBILITY.—The Inspector General of the Environmental Protection Agency shall conduct the annual audit described in subclause (II) and submit to the Administrator a report that describes the findings and any recommendations of the Inspector General resulting from the audit.

''(4) AMOUNT AND ADJUSTMENT OF FEES; REFUNDS.—In setting fees under this section, the Administrator shall—

''(A) prescribe lower fees for small business concerns, after consultation with the Administrator of the Small Business Administration;

''(B) set the fees established under paragraph (1) at levels such that the fees will, in aggregate, provide a sustainable source of funds to annually defray—

''(i) the lower of—

''(I) 25 percent of the costs to the Administrator of carrying out sections 4, 5, and 6, and of collecting, processing, reviewing, and

providing access to and protecting from disclosure as appropriate under section 14 information on chemical substances under this title, other than the costs to conduct and complete risk evaluations under section 6(b); or

''(II) $25,000,000 (subject to adjustment pursuant to subparagraph (F)); and

''(ii) the costs of risk evaluations specified in subparagraph (D);

''(C) reflect an appropriate balance in the assessment of fees between manufacturers and processors, and allow the payment of fees by consortia of manufacturers or processors;

''(D) notwithstanding subparagraph (B)—

''(i) except as provided in clause (ii), for chemical substances for which the Administrator has granted a request from a manufacturer pursuant to section 6(b)(4)(C)(ii), and which are included in the 2014 update of the TSCA Work Plan for Chemical Assessments, establish the fee at a level sufficient to defray 50 percent of the costs to the Administrator of conducting the risk evaluation under section 6(b); and

''(iii) apply fees collected pursuant to clauses (i) and (ii) only to defray the costs described in those clauses;

''(E) prior to the establishment or amendment of any fees under paragraph (1), consult and meet with parties potentially subject to the fees or their representatives, subject to the condition that no obligation under the Federal Advisory Committee Act (5 U.S.C. App.) or subchapter II of chapter 5 of title 5, United States Code, is applicable with respect to such meetings;

''(F) beginning with the fiscal year that is 3 years after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, and every 3 years thereafter, after consultation with parties potentially subject to the fees and their representatives pursuant to subparagraph (E), increase or decrease the fees established under paragraph (1) as necessary to adjust for inflation and to ensure that funds deposited in the Fund are sufficient to defray—

''(i) approximately but not more than 25 percent of the costs to the Administrator of carrying out sections 4, 5, and 6, and of collecting, processing, reviewing, and providing access to and protecting from disclosure as appropriate under section 14 information on chemical substances under this title, other than the costs to conduct and complete risk evaluations requested under section 6(b)(4)(C)(ii); and

''(ii) the costs of risk evaluations specified in subparagraph (D); and

''(G) if a notice submitted under section 5 is not reviewed or such a notice is withdrawn, refund the fee or a portion of the fee if no substantial work was performed on the notice.

''(5) MINIMUM AMOUNT OF APPROPRIATIONS.—Fees may not be assessed for a fiscal year under this section unless the amount of appropriations for the Chemical Risk Review and Reduction program project of the Environmental Protection Agency for the fiscal year (excluding the amount of any fees appropriated for the fiscal year) are equal to or greater than the amount of appropriations for that program project for fiscal year 2014.

''(6) TERMINATION.—The authority provided by this subsection shall terminate at the conclusion of the fiscal year that is 10 years after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act unless otherwise reauthorized or modified by Congress.''; and

(3) by adding at the end the following:

''(h) SCIENTIFIC STANDARDS.—In carrying out sections 4, 5, and 6, to the extent that the Administrator makes a decision based on science, the Administrator shall use scientific information, technical procedures, measures, methods, protocols, methodologies, or models, employed in a manner consistent with the best available science, and shall consider as applicable—

''(1) the extent to which the scientific information, technical procedures, measures, methods, protocols, methodologies, or models employed to generate the information are reasonable for and consistent with the intended use of the information;

''(2) the extent to which the information is relevant for the Administrator's use in making a decision about a chemical substance or mixture;

''(3) the degree of clarity and completeness with which the data, assumptions, methods, quality assurance, and analyses employed to generate the information are documented;

''(4) the extent to which the variability and uncertainty in the information, or in the procedures, measures, methods, protocols, methodologies, or models, are evaluated and characterized; and

''(5) the extent of independent verification or peer review of the information or of the procedures, measures, methods, protocols, methodologies, or models.

''(i) WEIGHT OF SCIENTIFIC EVIDENCE.—The Administrator shall make decisions under sections 4, 5, and 6 based on the weight of the scientific evidence.

''(j) AVAILABILITY OF INFORMATION.—Subject to section 14, the Administrator shall make available to the public—

''(1) all notices, determinations, findings, rules, consent agreements, and orders of the Administrator under this title;

''(2) any information required to be provided to the Administrator under section 4;

''(3) a nontechnical summary of each risk evaluation conducted under section 6(b);

''(4) a list of the studies considered by the Administrator in carrying out each such risk evaluation, along with the results of those studies; and

''(5) each designation of a chemical substance under section 6(b), along with an identification of the information, analysis, and basis used to make the designations.

''(k) REASONABLY AVAILABLE INFORMATION.—In carrying out sections 4, 5, and 6, the Administrator shall take into consideration information relating to a chemical substance or mixture, including hazard and exposure information, under the conditions of use, that is reasonably available to the Administrator.

''(l) POLICIES, PROCEDURES, AND GUIDANCE.—

''(1) DEVELOPMENT.—Not later than 2 years after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, the Administrator shall develop any policies, procedures, and guidance the Administrator determines are necessary to carry out the amendments to this Act made by the Frank R. Lautenberg Chemical Safety for the 21st Century Act.

''(2) REVIEW.—Not later than 5 years after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, and not less frequently than once every 5 years thereafter, the Administrator shall—

''(A) review the adequacy of the policies, procedures, and guidance developed under paragraph (1), including with respect to animal, nonanimal, and epidemiological test methods and procedures for assessing and determining risk under this title; and

''(B) revise such policies, procedures, and guidance as the Administrator determines necessary to reflect new scientific developments or understandings.

''(3) TESTING OF CHEMICAL SUBSTANCES AND MIXTURES.—The policies, procedures, and guidance developed under paragraph (1) applicable to testing chemical substances and mixtures shall—

''(A) address how and when the exposure level or exposure potential of a chemical substance or mixture would factor into decisions to require new testing, subject to the condition that the Administrator shall not interpret the lack of exposure information as a lack of exposure or exposure potential; and

''(B) describe the manner in which the Administrator will determine that additional information is necessary to carry out this title, including information relating to potentially exposed or susceptible populations.

''(4) CHEMICAL SUBSTANCES WITH COMPLETED RISK ASSESSMENTS.—With respect to a chemical substance listed in the 2014 update to the TSCA Work Plan for Chemical Assessments for which the Administrator has published a completed risk assessment prior to the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, the Administrator may publish proposed and final rules under section 6(a) that are consistent with the scope of the completed risk assessment for the chemical substance and consistent with other applicable requirements of section 6.

''(5) GUIDANCE.—Not later than 1 year after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, the Administrator shall develop guidance to assist interested persons in developing and submitting draft risk evaluations which shall be considered by the Administrator. The guidance shall, at a minimum, address the quality of the information submitted and the process to be followed in developing draft risk evaluations for consideration by the Administrator.

''(m) REPORT TO CONGRESS.—

''(1) INITIAL REPORT.—Not later than 6 months after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, the Administrator shall submit to the Committees on Energy and Commerce and Appropriations of the House of Representatives and the Committees on Environment and Public Works and Appropriations of the Senate a report containing an estimation of—

''(A) the capacity of the Environmental Protection Agency to conduct and publish risk evaluations under section 6(b)(4)(C)(i), and the resources necessary to conduct the minimum number of risk evaluations required under section 6(b)(2);

''(B) the capacity of the Environmental Protection Agency to conduct and publish risk evaluations under section 6(b)(4)(C)(ii), the likely demand for such risk evaluations, and the anticipated schedule for accommodating that demand;

''(C) the capacity of the Environmental Protection Agency to promulgate rules under section 6(a) as required based on risk evaluations conducted and published under section 6(b); and

''(D) the actual and anticipated efforts of the Environmental Protection Agency to increase the Agency's capacity to conduct and publish risk evaluations under section 6(b).

''(2) SUBSEQUENT REPORTS.—The Administrator shall update and resubmit the report described in paragraph (1) not less frequently than once every 5 years.

''(n) ANNUAL PLAN.—

''(1) IN GENERAL.—The Administrator shall inform the public regarding the schedule and the resources necessary for the completion of each risk evaluation as soon as practicable after initiating the risk evaluation.

''(2) PUBLICATION OF PLAN.—At the beginning of each calendar year, the Administrator shall publish an annual plan that—

''(A) identifies the chemical substances for which risk evaluations are expected to be initiated or completed that year and the resources necessary for their completion;

''(B) describes the status of each risk evaluation that has been initiated but not yet completed; and

''(C) if the schedule for completion of a risk evaluation has changed, includes an updated schedule for that risk evaluation.

''(o) CONSULTATION WITH SCIENCE ADVISORY COMMITTEE ON CHEMICALS.—

''(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, the Administrator shall establish an advisory committee, to be known as the Science Advisory Committee on Chemicals (referred to in this subsection as the 'Committee').

''(2) PURPOSE.—The purpose of the Committee shall be to provide independent advice and expert consultation, at the request of the Administrator, with respect to the scientific and technical aspects of issues relating to the implementation of this title.

''(3) COMPOSITION.—The Committee shall be composed of representatives of such science, government, labor, public health, public interest, animal protection, industry, and other groups as the Administrator determines to be advisable, including representatives that have specific scientific expertise in the relationship of chemical exposures to women, children, and other potentially exposed or susceptible subpopulations.

''(4) SCHEDULE.—The Administrator shall convene the Committee in accordance with such schedule as the Administrator determines to be appropriate, but not less frequently than once every 2 years.

''(p) PRIOR ACTIONS.—

''(1) RULES, ORDERS, AND EXEMPTIONS.—Nothing in the Frank R. Lautenberg Chemical Safety for the 21st Century Act eliminates, modifies, or withdraws any rule promulgated, order issued, or exemption established pursuant to this Act before the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act.

''(2) PRIOR-INITIATED EVALUATIONS.—Nothing in this Act prevents the Administrator from initiating a risk evaluation regarding a chemical substance, or from continuing or completing such risk evaluation, prior to the effective date of the policies, procedures, and guidance required to be developed by the Administrator pursuant to the amendments made by the Frank R. Lautenberg Chemical Safety for the 21st Century Act.

''(3) ACTIONS COMPLETED PRIOR TO COMPLETION OF POLICIES, PROCEDURES, AND GUIDANCE.—Nothing in this Act requires the Administrator to revise or withdraw a completed risk evaluation, determination, or rule under this Act solely because the action was completed prior to the development of a policy, procedure, or guidance pursuant to the amendments made by the Frank R. Lautenberg Chemical Safety for the 21st Century Act.''.

SEC. 18. STATE PROGRAMS.

Section 28 of the Toxic Substances Control Act (15 U.S.C. 2627) is amended by striking subsections (c) and (d).

SEC. 19. CONFORMING AMENDMENTS.

(a) TABLE OF CONTENTS.—The table of contents in section 1 of the Toxic Substances Control Act is amended—

(1) by striking the item relating to section 6 and inserting the following:

''Sec. 6. Prioritization, risk evaluation, and regulation of chemical substances and mixtures.'';

(2) by striking the item relating to section 10 and inserting the following:

''Sec. 10. Research, development, collection, dissemination, and utilization of information.'';

(3) by striking the item relating to section 14 and inserting the following:

''Sec. 14. Confidential information.''; and

(4) by striking the item relating to section 25.

(b) SECTION 2.—Section 2(b)(1) of the Toxic Substances Control Act (15 U.S.C. 2601(b)(1)) is amended by striking ''data'' both places it appears and inserting ''information''.

(c) SECTION 3.—Section 3 of the Toxic Substances Control Act (15 U.S.C. 2602) is amended—

(1) in paragraph (8) (as redesignated by section 3 of this Act), by striking ''data'' and inserting ''information''; and

(2) in paragraph (15) (as redesignated by section 3 of this Act)—

(A) by striking ''standards'' and inserting ''protocols and methodologies'';

(B) by striking ''test data'' both places it appears and inserting ''information''; and

(C) by striking ''data'' each place it appears and inserting ''information''.

(d) SECTION 4.—Section 4 of the Toxic Substances Control Act (15 U.S.C. 2603) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) in the paragraph heading, by adding '', ORDER, OR CONSENT AGREEMENT'' at the end; and

(ii) by striking ''rule'' each place it appears and inserting ''rule, order, or consent agreement'';

(B) in paragraph (2)(B), by striking ''rules'' and inserting ''rules, orders, and consent agreements'';

(C) in paragraph (3)(A), by striking ''rule'' and inserting ''rule or order''; and

(D) in paragraph (4)—

(i) by striking ''rule under subsection (a)'' each place it appears and inserting ''rule, order, or consent agreement under subsection (a)'';

(ii) by striking ''repeals the rule'' each place it appears and inserting ''repeals the rule or order or modifies the consent agreement to terminate the requirement''; and

(iii) by striking ''repeals the application of the rule'' and inserting ''repeals or modifies the application of the rule, order, or consent agreement'';

(2) in subsection (c)—

(A) in paragraph (1), by striking ''rule'' and inserting ''rule or order'';

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''a rule under subsection (a) or for which data is being developed pursuant to such a rule'' and inserting ''a rule, order, or consent agreement under subsection (a) or for which information is being developed pursuant to such a rule, order, or consent agreement'';

(ii) in subparagraph (B), by striking ''such rule or which is being developed pursuant to such rule'' and inserting ''such rule, order, or consent agreement or which is being developed pursuant to such rule, order, or consent agreement''; and

(iii) in the matter following subparagraph (B), by striking ''the rule'' and inserting ''the rule or order'';

(C) in paragraph (3)(B)(i), by striking ''rule promulgated'' and inserting ''rule, order, or consent agreement''; and

(D) in paragraph (4)—

(i) by striking ''rule promulgated'' each place it appears and inserting ''rule, order, or consent agreement'';

(ii) by striking ''such rule'' each place it appears and inserting ''such rule, order, or consent agreement''; and

(iii) in subparagraph (B), by striking ''the rule'' and inserting ''the rule or order'';

(3) in subsection (d), by striking ''rule'' and inserting ''rule, order, or consent agreement''; and

(4) in subsection (g), by striking ''rule'' and inserting ''rule, order, or consent agreement''.

(e) SECTION 5.—Section 5 of the Toxic Substances Control Act (15 U.S.C. 2604) is amended—

(1) in subsection (b)—

(A) in paragraph (1)(A)—

(i) by striking ''rule promulgated'' and inserting ''rule, order, or consent agreement''; and

(ii) by striking ''such rule'' and inserting ''such rule, order, or consent agreement'';

(B) in paragraph (1)(B), by striking ''rule promulgated'' and inserting ''rule or order''; and

(C) in paragraph (2)(A)(ii), by striking ''rule promulgated'' and inserting ''rule, order, or consent agreement''; and

(2) in subsection (d)(2)(C), by striking ''rule'' and inserting ''rule, order, or consent agreement''.

(f) SECTION 7.—Section 7(a) of the Toxic Substances Control Act (15 U.S.C. 2606(a)) is amended—

(1) in paragraph (1), in the matter following subparagraph (C), by striking ''a rule under section 4, 5, 6, or title IV or an order under section 5 or title IV'' and inserting ''a determination under section 5 or 6, a rule under section 4, 5, or 6 or title IV, an order under section 4, 5, or 6 or title IV, or a consent agreement under section 4''; and

(2) in paragraph (2), by striking ''subsection 6(d)(2)(A)(i)'' and inserting ''section 6(d)(3)(A)(i)''.

(g) SECTION 8.—Section 8(a) of the Toxic Substances Control Act (15 U.S.C. 2607(a)) is amended—

(1) in paragraph (2)(E), by striking ''data'' and inserting ''information''; and

(2) in paragraph (3)(A)(ii)(I), by striking ''or an order in effect under section 5(e)'' and inserting '', an order in effect under section 4 or 5(e), or a consent agreement under section 4''.

(h) SECTION 9.—Section 9 of the Toxic Substances Control Act (15 U.S.C. 2608) is amended—

(1) in subsection (a), by striking ''section 6'' each place it appears and inserting ''section 6(a)''; and

(2) in subsection (d), by striking ''Health, Education, and Welfare'' and inserting ''Health and Human Services''.

(i) SECTION 10.—Section 10 of the Toxic Substances Control Act (15 U.S.C. 2609) is amended—

(1) in the section heading, by striking ''**DATA**'' and inserting ''**INFORMATION**'';

(2) by striking ''Health, Education, and Welfare'' each place it appears and inserting ''Health and Human Services'';

(3) in subsection (b)—

(A) in the subsection heading, by striking ''DATA'' and inserting ''INFORMATION'';

(B) by striking ''data'' and inserting ''information'' in paragraph (1);

(C) by striking ''data'' and inserting ''information'' in paragraph (2)(A); and

(D) by striking ''a data'' and inserting ''an information'' in paragraph (2)(B); and

(4) in subsection (g), by striking ''data'' and inserting ''information''.

(j) SECTION 11.—Section 11(b)(2) of the Toxic Substances Control Act (15 U.S.C. 2610(b)(2)) is amended—

(1) by striking ''data'' each place it appears and inserting ''information''; and

(2) in subparagraph (E), by striking ''rule promulgated'' and inserting ''rule promulgated, order issued, or consent agreement entered into''.

(k) SECTION 12.—Section 12(b)(1) of the Toxic Substances Control Act (15 U.S.C. 2611(b)(1)) is amended by striking ''data'' both places it appears and inserting ''information''.

(l) SECTION 15.—Section 15(1) of the Toxic Substances Control Act (15 U.S.C. 2614(1)) is amended by striking ''(A) any rule'' and all that follows through ''or (D)'' and inserting ''any requirement of this title or any rule promulgated, order issued, or consent agreement entered into under this title, or''.

(m) SECTION 19.—Section 19 of the Toxic Substances Control Act (15 U.S.C. 2618) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(A)—

(i) by striking ''Not later than 60 days after the date of the promulgation of a rule under section 4(a), 5(a)(2), 5(b)(4), 6(a), 6(e), or 8, or under title II or IV'' and inserting ''Except as otherwise provided in this title, not later than 60 days after the date on which a rule is promulgated under this title, title II, or title IV, or the date on which an order is issued under section 4, 5(e), 5(f), or 6(i)(1),'';

(ii) by striking ''such rule'' and inserting ''such rule or order''; and

(iii) by striking ''such a rule'' and inserting ''such a rule or order'';

(B) in paragraph (1)(B)—

(i) by striking ''Courts'' and inserting ''Except as otherwise provided in this title, courts''; and

(ii) by striking ''subparagraph (A) or (B) of section 6(b)(1)'' and inserting ''this title, other than an order under section 4, 5(e), 5(f), or 6(i)(1),''; and

(C) in paragraph (2)—

(i) by striking ''rulemaking record'' and inserting ''record''; and

(ii) by striking ''based the rule'' and inserting ''based the rule or order'';

(2) in subsection (b)—

(A) by striking ''review a rule'' and inserting ''review a rule, or an order under section 4, 5(e), 5(f), or 6(i)(1),'';

(B) by striking ''such rule'' and inserting ''such rule or order'';

(C) by striking ''the rule'' and inserting ''the rule or order'';

(D) by striking ''new rule'' each place it appears and inserting ''new rule or order''; and

(E) by striking ''modified rule'' and inserting ''modified rule or order''; and

(3) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) by striking ''a rule'' and inserting ''a rule or order''; and

(II) by striking ''such rule'' and inserting ''such rule or order'';

(ii) in subparagraph (B)—

(I) in the matter preceding clause (i), by striking ''a rule'' and inserting ''a rule or order'';

(II) by amending clause (i) to read as follows:

''(i) in the case of review of—

''(I) a rule under section 4(a), 5(b)(4), 6(a) (including review of the associated determination under section 6(b)(4)(A)), or 6(e), the standard for review prescribed by paragraph (2)(E) of such section 706 shall not apply and the court shall hold unlawful and set aside such rule if the court finds that the rule is not supported by substantial evidence in the rulemaking record taken as a whole; and

''(II) an order under section 4, 5(e), 5(f), or 6(i)(1), the standard for review prescribed by paragraph (2)(E) of such section 706 shall not apply and the court shall hold unlawful and set aside such order if the court finds that the order is not supported by substantial evidence in the record taken as a whole; and''; and

(III) by striking clauses (ii) and (iii) and the matter after clause (iii) and inserting the following:

''(ii) the court may not review the contents and adequacy of any statement of basis and purpose required by section 553(c) of title 5, United States Code, to be incorporated in the rule or order, except as part of the record, taken as a whole.''; and

(iii) by striking subparagraph (C); and

(B) in paragraph (2), by striking ''any rule'' and inserting ''any rule or order''.

(n) SECTION 20.—Section 20(a)(1) of the Toxic Substances Control Act (15 U.S.C. 2619(a)(1)) is amended by striking ''order issued under section 5'' and inserting ''order issued under section 4 or 5''.

(o) SECTION 21.—Section 21 of the Toxic Substances Control Act (15 U.S.C. 2620) is amended—

(1) in subsection (a), by striking ''order under section 5(e) or (6)(b)(2)'' and inserting ''order under section 4 or 5(e) or (f)''; and

(2) in subsection (b)—

(A) in paragraph (1), by striking ''order under section 5(e), 6(b)(1)(A), or 6(b)(1)(B)'' and inserting ''order under section 4 or 5(e) or (f)''; and

(B) in paragraph (4)(B)—

(i) in the matter preceding clause (i), by striking ''order under section 5(e) or 6(b)(2)'' and inserting ''order under section 4 or 5(e) or (f)'';

(ii) in clause (i), by striking ''order under section 5(e)'' and inserting ''order under section 4 or 5(e)''; and

(iii) in clause (ii), by striking ''section 6 or 8 or an order under section 6(b)(2), there is a reasonable basis to conclude that the issuance of such a rule or order is necessary to protect health or the environment against an unreasonable risk of injury to health or the environment'' and inserting ''section 6(a) or 8 or an order under section 5(f), the chemical substance or mixture to be subject to such rule or order presents an unreasonable risk of injury to health or the environment, without consideration of costs or other nonrisk factors, including an unreasonable risk to a potentially exposed or susceptible subpopulation, under the conditions of use''.

(p) SECTION 24.—Section 24(b)(2)(B) of the Toxic Substances Control Act (15 U.S.C. 2623(b)(2)(B)) is amended—

(1) by inserting ''and'' at the end of clause (i);

(2) by striking clause (ii); and

(3) by redesignating clause (iii) as clause (ii).

(q) SECTION 26.—Section 26 of the Toxic Substances Control Act (15 U.S.C. 2625) is amended—

(1) in subsection (e), by striking ''Health, Education, and Welfare'' each place it appears and inserting ''Health and Human Services''; and

(2) in subsection (g)(1), by striking ''data'' and inserting ''information''.

(r) SECTION 27.—Section 27(a) of the Toxic Substances Control Act (15 U.S.C. 2626(a)) is amended—

(1) by striking ''Health, Education, and Welfare'' and inserting ''Health and Human Services'';

(2) by striking ''test data'' both places it appears and inserting ''information'';

(3) by striking ''rules promulgated'' and inserting ''rules, orders, or consent agreements''; and

(4) by striking ''standards'' and inserting ''protocols and methodologies''.

(s) SECTION 30.—Section 30(2) of the Toxic Substances Control Act (15 U.S.C. 2629(2)) is amended by striking ''rule'' and inserting ''rule, order, or consent agreement''.

SEC. 20. NO RETROACTIVITY.

Nothing in sections 1 through 19, or the amendments made by sections 1 through 19, shall be interpreted to apply retroactively to any State, Federal, or maritime legal action filed before the date of enactment of this Act.

SEC. 21. TREVOR'S LAW.

(a) PURPOSES.—The purposes of this section are—

(1) to provide the appropriate Federal agencies with the authority to help conduct investigations into potential cancer clusters;

(2) to ensure that Federal agencies have the authority to undertake actions to help address cancer clusters and factors that may contribute to the creation of potential cancer clusters; and

(3) to enable Federal agencies to coordinate with other Federal, State, and local agencies, institutes of higher education, and the public in investigating and addressing cancer clusters.

(b) DESIGNATION AND INVESTIGATION OF POTENTIAL CANCER CLUSTERS.—Part P of title III of the Public Health Service Act (42 U.S.C. 280g et seq.) is amended by adding at the end the following:

''SEC. 399V–6. DESIGNATION AND INVESTIGATION OF POTENTIAL CANCER CLUSTERS.

''(a) DEFINITIONS.—In this section:

''(1) CANCER CLUSTER.—The term 'cancer cluster' means the incidence of a particular cancer within a population group, a geographical area, and a period of time that is greater than expected for such group, area, and period.

''(2) PARTICULAR CANCER.—The term 'particular cancer' means one specific type of cancer or a type of cancers scientifically proven to have the same cause.

''(3) POPULATION GROUP.—The term 'population group' means a group, for purposes of calculating cancer rates, defined by factors such as race, ethnicity, age, or gender.

''(b) CRITERIA FOR DESIGNATION OF POTENTIAL CANCER CLUSTERS.—

''(1) DEVELOPMENT OF CRITERIA.—The Secretary shall develop criteria for the designation of potential cancer clusters.

''(2) REQUIREMENTS.—The criteria developed under paragraph (1) shall consider, as appropriate—

''(A) a standard for cancer cluster identification and reporting protocols used to determine when cancer incidence is greater than would be typically observed;

''(B) scientific screening standards that ensure that a cluster of a particular cancer involves the same type of cancer, or types of cancers;

''(C) the population in which the cluster of a particular cancer occurs by factors such as race, ethnicity, age, and gender, for purposes of calculating cancer rates;

''(D) the boundaries of a geographic area in which a cluster of a particular cancer occurs so as not to create or obscure a potential cluster by selection of a specific area; and

''(E) the time period over which the number of cases of a particular cancer, or the calculation of an expected number of cases, occurs.

''(c) GUIDELINES FOR INVESTIGATION OF POTENTIAL CANCER CLUSTERS.—The Secretary, in consultation with the Council of State and Territorial Epidemiologists and representatives of State and local health departments, shall develop, publish, and periodically update guidelines for investigating potential cancer clusters. The guidelines shall—

''(1) recommend that investigations of cancer clusters—

''(A) use the criteria developed under subsection (b);

''(B) use the best available science; and

''(C) rely on a weight of the scientific evidence;

''(2) provide standardized methods of reviewing and categorizing data, including from health surveillance systems and reports of potential cancer clusters; and

''(3) provide guidance for using appropriate epidemiological and other approaches for investigations.

''(d) INVESTIGATION OF CANCER CLUSTERS.—

''(1) SECRETARY DISCRETION.—The Secretary—

''(A) in consultation with representatives of the relevant State and local health departments, shall consider whether it is appropriate to conduct an investigation of a potential cancer cluster; and

''(B) in conducting investigations shall have the discretion to prioritize certain potential cancer clusters, based on the availability of resources.

''(2) COORDINATION.—In investigating potential cancer clusters, the Secretary shall coordinate with agencies within the Department of Health and Human Services and other Federal agencies, such as the Environmental Protection Agency.

''(3) BIOMONITORING.—In investigating potential cancer clusters, the Secretary shall rely on all appropriate biomonitoring information collected under other Federal programs, such as the National Health and Nutrition Examination Survey. The Secretary may provide technical assistance for relevant biomonitoring studies of other Federal agencies.

''(e) DUTIES.—The Secretary shall—

''(1) ensure that appropriate staff of agencies within the Department of Health and Human Services are prepared to provide timely assistance, to the extent practicable, upon receiving a request to investigate a potential cancer cluster from a State or local health authority;

''(2) maintain staff expertise in epidemiology, toxicology, data analysis, environmental health and cancer surveillance, exposure assessment, pediatric health, pollution control, community outreach, health education, laboratory sampling and analysis, spatial mapping, and informatics;

''(3) consult with community members as investigations into potential cancer clusters are conducted, as the Secretary determines appropriate;

''(4) collect, store, and disseminate reports on investigations of potential cancer clusters, the possible causes of such clusters, and the actions taken to address such clusters; and

''(5) provide technical assistance for investigating cancer clusters to State and local health departments through existing programs, such as the Epi-Aids program of the Centers for Disease Control and Prevention and the Assessments of Chemical Exposures Program of the Agency for Toxic Substances and Disease Registry.''.

TITLE II—RURAL HEALTHCARE CONNECTIVITY

SEC. 201. SHORT TITLE.

This title may be cited as the ''Rural Healthcare Connectivity Act of 2016''.

SEC. 202. TELECOMMUNICATIONS SERVICES FOR SKILLED NURSING FACILITIES.

(a) IN GENERAL.—Section 254(h)(7)(B) of the Communications Act of 1934 (47 U.S.C. 254(h)(7)(B)) is amended—

(1) in clause (vi), by striking ''and'' at the end;

(2) by redesignating clause (vii) as clause (viii);

(3) by inserting after clause (vi) the following:

''(vii) skilled nursing facilities (as defined in section 1819(a) of the Social Security Act (42 U.S.C. 1395i–3(a))); and''; and

(4) in clause (viii), as redesignated, by striking ''clauses (i) through (vi)'' and inserting ''clauses (i) through (vii)''.

(b) SAVINGS CLAUSE.—Nothing in subsection (a) shall be construed to affect the aggregate annual cap on Federal universal service support for health care providers under section 54.675 of title 47, Code of Federal Regulations, or any successor regulation.

(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply beginning on the date that is 180 days after the date of the enactment of this Act.

The SPEAKER pro tempore. The motion shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce.

The gentleman from Illinois (Mr. SHIMKUS) and the gentleman from New Jersey (Mr. PALLONE) each will control 30 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. SHIMKUS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 2576.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SHIMKUS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 2576, the Frank R. Lautenberg Chemical Safety for the 21st Century Act, a bipartisan, bicameral bill to update the way our Nation assesses and manages the risks posed by chemicals and the products that contain them.

This is sweeping legislation, Mr. Speaker, with monumental benefits for virtually every man, woman, and child in the United States. The culmination of a multiyear, multi-Congress effort, this legislation on the floor today will mark the first consequential update of the Toxic Substances Control Act, or TSCA, in 40 years.

Mr. Speaker, I talked at a graduation event over the weekend, and I said this in the Rules Committee last night. In 1976, I was graduating high school. That was the year we wore plaid bellbottoms, silk shirts, platform shoes, and I had an Afro. It was not a pretty sight.

Much like the bill, the Toxic Substances Control Act, well intentioned, was not a pretty sight.

When TSCA was enacted in 1976, it was not meant to examine all chemical manufacturing and uses, but, rather, to create a backstop of protection when potential dangers were otherwise not being addressed.

In the nearly four decades since then, concerns have mounted over the pace of the EPA's evaluation of chemicals, the ability of the Agency to meaningfully use its existing authority, and whether the law permits certain regulatory actions.

In short, Mr. Speaker, there is a widespread acknowledgment and understandable concern that nobody is well served by the current law.

This absence of workable Federal standards has also fostered a patchwork of State regulations. While well intentioned, these State actions have ultimately led to public confusion and a marketplace that has become increasingly uneven, unpredictable, and incompatible with economic and regulatory realities.

To stem the tide of uncertainty and protect Americans in every State, almost 1 year ago this Chamber passed legislation to bring TSCA into the 21st century by an overwhelming 398–1 vote and 6 months later our friends in the other body moved their own package of bipartisan TSCA reforms.

While both efforts were broadly supported, the House and Senate bills were quite different in size and scope. These differences left many issues that needed to be resolved, requiring many hours of complex discussions and difficult decisions to get us where we are today.

The end result of that work is a vast improvement over current law and a careful compromise that is good for consumers, good for jobs, and good for the environment.

So what does the Frank R. Lautenberg Chemical Safety for the 21st Century Act actually do?

The bill gives the EPA more direct tools to obtain testing information on chemical substances, an improvement over the lengthy process they now face.

It restructures the way existing chemicals are evaluated and regulated, allowing a purely scientific evaluation to guide those decisions.

It clarifies the treatment of trade secrets submitted to the EPA and ensures that the Agency uses only high-quality science in their decision-making.

It updates the collection of fees needed to support the EPA's implementation of TSCA.

Finally, it organizes the Federal-State regulatory relationship in a way that promotes interstate and global commerce while recognizing the efforts already taken by several States.

I look forward to this afternoon's debate. I urge my colleagues to support this landmark legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this legislation named after the late Senator Frank R. Lautenberg from New Jersey, a great friend of mine and a longtime environmental champion.

The Toxic Substance Control Act, or TSCA, has not been updated since it was adopted 40 years ago. For decades we have known that the law is broken. So this legislation is long past due, and I hope that it will soon become law.

Had the law worked effectively from the beginning, we might never have had BPA in baby bottles or toxic flame retardants in children's pajamas and in our living room couches. Workers may have also been protected from exposure to asbestos decades ago.

Let me stress that last point. In 1989, after more than 10 years of study and analysis, the EPA banned asbestos under TSCA, but the ban was overturned by the courts because of serious flaws in the statute and serious limitations on the EPA's authority.

That court decision came down 25 years ago. Imagine the lives that could have been saved and the injuries that could have been prevented if that ban had stood.

Now, reforming this law is about preventing injuries and saving lives. It is about protecting vulnerable populations: infants, children, workers, the elderly, and communities that are disproportionately exposed to toxic chemicals.

It is about getting dangerous chemicals like lead, mercury, and asbestos out of our consumer products, out of commerce, and out of the environment.

Mr. Speaker, the bill before us today is a step forward in reaching this important goal. Let me briefly describe some of the improvements.

This bill would make it easier for the EPA to require testing of chemicals by allowing them to act through orders instead of rulemakings.

It will also make it easier for the EPA to regulate chemicals by removing procedural hurdles in current law and providing more resources through user fees.

It will ensure that new chemicals are reviewed and regulated, if necessary, before they go on the market, and it will improve transparency by requiring manufacturers to substantiate their claims that information should be protected as confidential business information.

These are all major improvements over current law, but this is a compromise bill. It is not the bill that Democrats would have written if we were in the majority. I understand that some of my colleagues will oppose this legislation today, and I certainly respect their position.

On the substantive side, the bill could make it harder for the EPA and citizens to use some of the tools that have proven effective under current law, including significant new use rules and citizen petitions. I would have preferred to leave those tools intact, but, hopefully, the new tools we are giving the Agency will more than make up for those changes.

We also work to reduce the role of animal testing in ensuring that chemicals in commerce are safe. While there has long been broad agreement that animal tests should be a last resort, I had concerns, as did others, that past versions of this bill would keep necessary science out of the EPA's hands.

I am pleased that the language has been improved and now states explicitly that scientific studies should not be kept from the EPA once they are done. If the studies are done, animals are not helped by keeping the data from the EPA.

Now, on the issue of preemption, which is so important to so many of my colleagues, including myself, the bill creates a significant new type of preemption which many call pause preemption.

Under the bill, States will be barred from acting when the EPA starts evaluating a chemical instead of when Federal regulations are in place. This is unprecedented and has raised significant concerns from many Members, myself included.

In recent weeks, House Democrats have secured several important changes to reduce the impact of pause preemption. Some were included in the Rules Committee print that was filed on Friday, and some were included in the manager's amendment that was filed yesterday.

I just want to briefly describe these changes.

First, we have made changes to ensure that States would have lead time and notice before EPA begins to study a chemical so that they can propose or finalize restrictions before the pause begins. Those changes particularly benefit States that act through regulation as opposed to legislation.

Second, we worked to exclude from the pause the first group of chemicals that the EPA will review. Since the EPA must begin those reviews in the next 6 months, States will not have lead time to finish their work on those chemicals. This change helps States that are currently working on restrictions for chemicals that are likely to be top EPA priorities.

Third, we were able to exclude top-priority chemicals from the pause if the manufacturer of the chemical requests EPA review. This change is complicated, but important. Without this change, manufacturers would be able to abuse the system and seek EPA review as a way to cut off a pending State action.

Finally, Mr. Speaker, we clarified the scope of preemption in order to make clear that States are only preempted from regulating the uses that the EPA has studied or regulated.

In total, these changes are enough to allow me to support the bill.

So, Mr. Speaker, I want to thank three of my colleagues who worked tirelessly over the last week to get these changes included in this final bill.

First is our Environment and the Economy Subcommittee ranking member, PAUL TONKO. I also want to thank Leader PELOSI and our whip, Mr. HOYER. All three of them played an integral part in strengthening the package before us today.

I am happy to support this bill to move forward with more protection for public health, for the environment, for vulnerable populations, and for vulnerable communities.

While this is a compromise bill, it is a long overdue step forward in protecting families and communities from toxic chemicals.

Mr. Speaker, I reserve the balance of my time.

Mr. SHIMKUS. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. UPTON), the chairman of the full committee.

Mr. UPTON. Mr. Speaker, today really does mark a milestone, a milestone for our majority, a milestone for this Congress, and a milestone for the American people, as we make great strides to update our Nation's chemical safety laws.

Folks said it could not be done, especially with Republicans in Congress and a Democratic President. This was a multiyear effort that dates back to at least the last Congress. But we took the time, and we did the hard work.

We put in countless hours of discussions and negotiations virtually every weekend, and it paid off. This legislation will have monumental impacts for commerce, the environment, and public health.

In 1976, under the leadership of Michigan's great President Jerry Ford, TSCA was a novel approach to regulating interstate commercial activity to address unreasonable risks presented by a chemical.

It was not meant to examine every piece of chemical manufacturing and

use, but, rather, to provide a backstop of protection when suspicions about dangerous chemicals were not being addressed.

In the nearly 40 years since TSCA's enactment, there have been persistent concerns about the pace of the EPA's work on chemicals, the ability of the Agency to meaningfully use its existing authority, and whether the statute prevents certain regulatory efforts.

Over the last 3 years, the House Energy and Commerce Committee has conducted nine hearings, all on the aspects of TSCA. We learned that there is public confusion about chemical-specific safety claims. We learned that people think that the EPA should clear up that confusion and be more diligent on risky chemicals.

Finally, we learned that companies and workers were disadvantaged in a domestic and global marketplace where conflicting regulatory standards, indeed, hamper trade.

Within the last decade, a variety of factors, including the EPA's slow pace in regulating chemicals already on the market, have led to several new State chemical control statutes.

Some States have passed laws ranging from specific chemical restrictions to general chemical labeling requirements, like Prop 65 in California. Meanwhile, some retailers have called out for an objective scientific assessment of chemicals in consumer products.

Almost a year ago our committee unanimously reported this bill and the House passed it 398–1. In December, the Senate approved a package of TSCA reforms. The Senate's bill was quite different from the House, but the compromise agreement—this one—includes many of the Senate policy details.

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The resolution before us gives EPA more direct tools in obtaining testing information on chemical substances, specifying key points in the evaluation and regulatory process where EPA may order testing. In addition, the compromise text reduces animal testing required under TSCA. It restructures the way existing chemicals are evaluated and regulated. The bill clarifies the treatment of trade secrets submitted to EPA.

The SPEAKER pro tempore (Mr. RIBBLE). The time of the gentleman has expired.

Mr. SHIMKUS. Mr. Speaker, I yield the gentleman an additional 2 minutes.

Mr. UPTON. The resolution specifies that EPA must protect trade secrets submitted to it for a renewable period of 10 years. The resolution also creates a new system to claim, substantiate and resubstantiate, review, and adjudicate requests for protection of trade secrets.

Finally, it organizes the Federal-State regulatory relationship in a way that makes sense for promoting interstate and global commerce, but also recognizes the efforts taken by a number of States. The amendment makes accommodations for some existing State requirements and tort actions as well.

Today, we have a landmark, bipartisan, bicameral agreement that makes substantial changes to the existing law. This resolution is supported by a broad coalition of stakeholders, ranging from environmental and public health groups to large and small industrial organizations. It is worthy of every Member's support.

Before I close, I want to say a word of thanks to my colleagues on the other side of the aisle, FRANK PALLONE and PAUL TONKO. I know the last couple of weeks have not exactly been a picnic—a few ants, et cetera—but they know that this is a better bill because of their involvement. But the real impetus behind this whole project has been JOHN SHIMKUS. What a guy. Without his leadership, we simply never would have reached this point.

Also, I want to thank the dedicated and hardworking staff who tirelessly worked to get us where we are today: Dave McCarthy, Jerry Couri, Tina Richards, and Chris Sarley. I thank them all. At times it may not have been a labor of love, but we have got a finished product that will indeed make a difference.

This bill is good for jobs. It is good for consumers. It is good for the environment. It is the most meaningful and impactful update to issues involving the environment and the economy that we have made in many decades, and soon it will be law. The President will sign it, and he will be grateful for all of our hard work, dedication, and legislative achievement that every one of us can be proud of.

Mr. PALLONE. Mr. Speaker, I yield 6 minutes to the gentleman from New York (Mr. TONKO), the ranking member of the subcommittee.

Mr. TONKO. Mr. Speaker, I thank the gentleman from New Jersey, our ranking member, for yielding.

It is with regret that I must stand here today in opposition to this bill to reform the Toxic Substances Control Act. We have negotiated in good faith for many months to try to reach an agreement to fix EPA's chemical program. While there are some positive aspects of this bill, ultimately, I believe it falls short.

Before I go into detail about my concerns, I want to express my appreciation for the work that has been done by both the majority and minority colleagues on the Energy and Commerce Committee. I want to commend the staffs, in particular those with whom I worked most closely from the minority side.

As we just heard from Chairman UPTON, the Senate passed a version in December of last year, after we had voted nearly unanimously to support our version of the bill. There are improvements over the bill passed by the Senate in December with this measure.

I want to be clear that, in some ways, this bill will improve current law: EPA gains new authorities and resources; the regulatory bar to testing is lowered, allowing EPA to acquire more information about chemicals; the least burdensome standard that essentially has prevented EPA from regulating chemicals even when there was overwhelming evidence of harm has been removed; one of our Caucus' top priorities, expediting the review of persistent, bioaccumulative, and toxic substances, or PBTs, was largely retained; and the bill requires the EPA to consider the most vulnerable populations.

But for every positive step to protect public health and the environment, there are numerous steps back that undermine those goals. For example, this bill weakens one of the few parts of TSCA as it stands today that actually works, Significant New Use Rules, or SNURs.

EPA can require companies to provide notice of new uses of a chemical before a company can manufacture or import it. A chemical that might be suitable for industrial uses should not necessarily be in consumer products. This bill would make it more difficult to require notification and, therefore, to track chemicals being used in new ways or in imported products.

Also, there is language on a negotiated rulemaking to limit reporting requirements for inorganic byproducts, a concept that was not in either the House or Senate bills but seems to have been stuck into this version somehow.

The section on nomenclature represents an improvement over the Senate bill, but I still have concerns. This is just one of a number of seemingly benign provisions that are included to create loopholes that undermine the public health and environmental protection goals of TSCA.

The bill retains the Senate's resource-intensive prioritization process that largely duplicates the work EPA has done already to identify chemicals of concern and place them on the work plan.

Finally, there has been a lot of talk about the preemption section. Currently, States are able to restrict a chemical unless EPA decides to impose its own restrictions. Preemption has not often been an issue because EPA has rarely acted, but States today—today—have a number of options when it does happen. They can coenforce restrictions, apply for a waiver, or ban the chemical. Under this bill, States lose those rights to ban a chemical, and a waiver would be more difficult to obtain than under current law.

Without a working Federal program, it has fallen upon States to lead the fight to get the most harmful chemicals out of commerce, and they have proven to be successful. They have been the champions, the driving force.

I understand there are Members from States that have not acted to regulate chemicals. Please do not think this provision does not apply to you as well. When States are able to act aggressively, as they have, they can move industry and they can move EPA to act, which benefits our entire Nation.

Unfortunately, this bill includes provisions that would severely inhibit States' ability to act. In January, 14 State attorneys general expressed their concerns with the preemption section. Those concerns were reiterated as recently as last week by some seven State environmental commissioners. Their concerns largely revolved around what has become known as pause preemption. During the pause period when EPA is evaluating a chemical, up to 3.5 years, States are prohibited from acting.

Last year's House-passed version did not—did not—include the pause. While we accepted that States would be preempted when EPA makes a final determination about a chemical's risks, it would be unprecedented to prevent a State from acting before then.

Overall, and very problematically, the Senate's State preemption framework is largely unchanged. We know a deal was struck in the Senate a few weeks ago, but I believe it is more accurate to call it a deal on prioritization, not preemption, because EPA would have to spend more time going through the unnecessary prioritization process. During this new window of time, States could rush to try to act before the pause kicks in.

We have heard from a number of States that act by legislative action rather than regulations. They have told us that 12 to 18 months is simply not sufficient. The reality is, in most cases, States will not have enough opportunity to protect their citizens from harmful chemicals during the years it can take for EPA to do its own evaluation.

Let us call the pause exactly what it is: unnecessary and precedent setting. It may be decades before we see the health benefits of this bill, but I fear it is only a matter of time before more and more bills come to the floor that prevent State regulation before a final Federal agency action. I can't help but ask: Will we rue the day that we gave a nod of approval to the pause preemption concept?

It is a terrible policy, and we should not encourage it. It opens the door to unwelcome and dangerous precedent.

The core tension of my evaluation of this bill is to balance between new Federal authorities and new restrictions on States. On balance, I do not believe that the modest improvements to the Federal program—not to mention the carve-outs for certain industries, many of which are unnecessarily broad—are sufficiently positive to warrant these new restrictions.

You have heard during this debate that our system is broken and that the improvements, of which there are some, are better than nothing, which is what we have now for existing chemicals. But better than nothing is a very low bar. I think we can and should do better. The public deserves better.

I have no doubt that people on both sides of this debate genuinely want to ensure people are protected from dangerous and toxic chemicals. I do not begrudge my colleagues who choose to support it. However, the RECORD must reflect that this bill is not without its flaws or its controversies.

We must have a strong, national chemical program to protect American families and workers. But the States can and should be strong partners in this effort. This bill severely constrains the States' role in this effort. Ultimately, I am not convinced that the program that will be put into place by this bill justifies the unprecedented limitations of States' authorities.

Mr. Speaker, I urge my colleagues to oppose the bill.

Mr. SHIMKUS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN), the vice chair of the full committee.

Mrs. BLACKBURN. Mr. Speaker, I do rise in support of the amendments to H.R. 2576, and I congratulate Chairman SHIMKUS on the wonderful job he has done.

Mr. Speaker, I yield to the gentleman from Illinois (Mr. SHIMKUS) for the purpose of a brief colloquy to clarify one important element of the legislation.

Mr. Chairman, it is my understanding that this bill reemphasizes Congress' intent to avoid duplicative regulation through the TSCA law. It does so by carrying over two important EPA constraints in section 9 of the existing law while adding a new, important provision that would be found as new section, 9(b)(2).

It is my understanding that, as a unified whole, this language, old and new, limits the EPA's ability to promulgate a rule under section 6 of TSCA to restrict or eliminate the use of a chemical when the Agency either already regulates that chemical through a different statute under its own control and that authority sufficiently protects against a risk of injury to human health or the environment, or a different agency already regulates that chemical in a manner that also sufficiently protects against the risk identified by EPA.

Would the chairman please confirm my understanding of section 9?

Mr. SHIMKUS. Will the gentlewoman yield?

Mrs. BLACKBURN. I yield to the gentleman from Illinois.

Mr. SHIMKUS. The gentlewoman is correct in her understanding.

Mrs. BLACKBURN. I thank the chairman. The changes you have worked hard to preserve in this negotiated bill are important. As the EPA's early-stage efforts to regulate methylene chloride and TCE under TSCA statute section 6 illustrate, they are also timely.

EPA simply has to account for why a new regulation for methylene chloride and TCE under TSCA is necessary since its own existing regulatory framework already appropriately addresses risk to human health. New section 9(b)(2) will force the Agency to do just that.

I thank the chairman for his good work.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. Mr. Speaker, I thank the gentleman for yielding.

Number one, the starting point for analysis of this law is the current law. The current law is a mess. It is the Wild West out there when it comes to regulating chemicals. There are 85,000 chemicals that are on the market that have never been tested, and bad things are going to happen. This law changes that. The EPA is now going to have authority to regulate and review these substances as to their health and safety.

Number two, it requires a safety finding before a new product goes on the market.

Number three, it replaces the cost-benefit analysis for a health-only analysis. When it comes to health and safety, that is absolutely essential. It is not about the cost. The cost in human terms and to communities when you have let something go by for accounting reasons, as opposed to looking vigilantly at health and safety, is not the way to go. It is a very good change.

Next, it protects vulnerable populations: children, pregnant women, and especially workers who are in plants where these products are used.

Finally, it makes the companies come clean with what information they have that allows regulators to come to a conclusion. That is very important.

The preemption issue is a concern. In Vermont, we have had a very active Republican and Democratic Governor, a very active Agency of Natural Resources secretary, and very, very active and aggressive attorneys general. They are concerned about this. But there is, in this legislation, flexibility so that Vermont is going to continue to have the ability to act to protect its citizens, and I am confident they will.

If the EPA is going to put a product on a list that they are going to start reviewing, we are going to get a heads-up in Vermont, as every State is, of about 9 months. I have confidence in

the Vermont General Assembly, in the Vermont Governor, in the Vermont attorney general, and in the Vermont secretary of the Agency of Natural Resources to do what is required to protect the public health and the public safety.

So no law is perfect, but in this institution, we have had a hard time passing laws that we all know need to get done. I thank all the people who have been involved.

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Mr. SHIMKUS. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. PITTENGER).

Mr. PITTENGER. Mr. Speaker, I thank the chairman for this very sensible legislation. I appreciate his efforts in leading a bipartisan effort to reform U.S. chemical safety law that is decades in the making.

I particularly thank him for securing amendments to section 9 of the TSCA law that remain in the negotiated text. These amendments reemphasize and strengthen Congress' intent that TSCA serve as an authority of last resort for the regulation of a chemical when another authority under EPA's jurisdiction, or another Federal agency, already regulates the chemical and the risk identified by EPA.

As a unified whole, TSCA now makes clear that EPA may not promulgate a rule under section 6 of TSCA to restrict or eliminate the use of a chemical when:

Number one, the agency either already regulates that chemical through a different statute under its own control, like the Clean Air Act, and that authority sufficiently protects against a risk of injury to human health or the environment; or

Number two, a different agency already regulates that chemical in a manner that also sufficiently protects against the risk already identified by EPA.

Mr. Speaker, in light of yet another regulatory overreach in the rulemaking at EPA, the new amendments to section 9 of TSCA are a welcome reform with the intent that it will help restrain the agency's unnecessary activities. These are commonsense, but important, protections given what EPA is likely to pursue.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN), ranking member of the Subcommittee on Health.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in support of the amendment to H.R. 2576, the TSCA Modernization Act. That is an abbreviation for the Toxic Substances Control Act.

This bipartisan, bicameral legislation will reform our broken chemical safety law for the first time since 1976, and directly addresses TSCA's fundamental flaws. This legislation is a win-win for our district in East Houston and Harris County, Texas, home to one of the largest collection of chemical facilities in the country. The reforms contained in this proposal will enhance protections for the workers in our chemical plants, the fence-line communities next to these facilities, and will benefit chemical manufacturers who will have certainty in a true, nationwide market.

Congress has worked on reforming TSCA for over a decade, and I personally have been working on fixing the statute since 2008. Though not perfect, the proposal before the House today is, in the words of the Obama administration, ''a clear improvement over current TSCA and represents a historic advancement for both chemical safety and environmental law.''

Let me quote also from the United Steelworkers:

''Overall, the amendments to H.R. 2576, the 'TSCA Modernization Act,' do not result in a bill we would have written. However, there are significant improvements over current law, including a fix of the 1991 'asbestos decision' that crippled the Environmental Protection Agency's (EPA's) ability to act. Now EPA must use a health-only standard to evaluate chemicals and reserve cost-benefit analysis for determining restrictions of harmful chemicals. Additionally, the bill includes increased EPA authority to review chemicals, a fee structure to fund the program, and protection of vulnerable populations, including workers.''

Again, that is from the United Steelworkers.

The most notable improvements in the bill are replacing current TSCA's burdensome safety standard with a pure, health-based standard; explicitly requiring the protection of vulnerable populations, like children, pregnant women, and workers at the plants; requiring a safety finding before new chemicals are allowed to go to market; and giving EPA new authority to order testing and ensure chemicals are safe, with a focus on the most risky chemicals.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. PALLONE. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. GENE GREEN of Texas. This legislation responds to the concerns of industry to provide regulatory certainty for job creators throughout our economy and has the support of the Environmental Defense Fund, the Humane Society, the March of Dimes, and the National Wildlife Federation, along with the machinists union and the building trades.

I urge my colleagues on both sides of the aisle to join me in supporting this amendment, and help pass the first major environmental legislation in a quarter century.

Mr. SHIMKUS. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of the House amendment to the Senate amendment to H.R. 2576, the Frank R. Lautenberg Chemical Safety for the 21st Century Act.

This legislation would combine the policy priorities from H.R. 2576 and S. 697 into a bipartisan bill that would modernize the Toxic Substances Control Act of 1976.

Recognizing the need to ensure that chemicals are safely made and used, Congress passed the Toxic Substances Control Act 40 years ago. This law made protecting human health and the environment a priority in the chemical manufacturing process. However, the Toxic Substances Control Act has not been updated since its inception, and is in dire need of reform. Policies based on this 40-year-old law are disjointed, confusing, and often contradictory for both manufacturers and consumers.

Modernizing the Toxic Substances Control Act would allow for adoption of uniform, science-based chemical safety policies. Manufacturers will have the regulatory certainty they need to develop new and safe products, and consumers can shop with confidence.

This version of the bill also protects intellectual property rights of chemical manufacturers, many of which have invested millions of dollars in research and development.

I urge my colleagues to support this bipartisan bill that greatly improves a landmark consumer and environmental protection law.

Mr. PALLONE. Mr. Speaker, can I inquire as to how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from New Jersey has 14 minutes remaining. The gentleman from Illinois has 16 minutes remaining.

Mr. PALLONE. Mr. Speaker, I yield 3 minutes to the gentlewoman from Colorado (Ms. DEGETTE), the ranking member of the Subcommittee on Oversight and Investigations.

Ms. DEGETTE. Mr. Speaker, I rise today in support of the Frank R. Lautenberg Chemical Safety for the 21st Century Act.

We have been talking a lot about the, admittedly, very arcane details of this bill. I want to talk for a minute about how this bill is going to impact the families of America.

Think about someone you know and love who will probably start a family in the next decade. I think of my own two daughters who are in their 20s. That future parent will be very excited about the arrival of a child. The parents will create a nursery in their home for their new baby, a space that is clean, warm, and safe.

Well, they think it is safe. But right now, under current law, that rocking

chair in the corner could be covered with toxic flame retardants. The fresh paint on the walls could contain harmful volatile organic compounds. The rug beneath the crib probably has been treated with formaldehyde, which is a carcinogen. Parents and children should not have to worry whether the most basic, everyday things they do are toxic to their health.

TSCA has been a flawed piece of legislation since it passed in 1976. Nobody liked it—the environmental community, the chemical industry, or the parents of America. We need to bring some certainty to the regulation of the tens of thousands of chemicals that we have out there, and that is what this bill will do.

Did you know that under this bill, for the first time, EPA will have access to the information it needs on a chemical? For the first time, EPA will regulate the worst chemicals out there, like arsenic? For the first time, the EPA will have deadlines for review so that Americans are protected from dangerous chemicals as soon as practicable? And for the first time, Americans will know exactly what is out there in commerce?

For the first time, every nursery in America will be clean, warm, and safe. That is what America deserves.

Is this bill perfect?

No. But it is what we are expected to do as Members of the House and Senate, Democrats and Republicans—protect the safety of our children and generations to come.

I really want to thank my colleagues. I want to thank Mr. PALLONE and Mr. TONKO on our side of the aisle. I want to thank the rock star, Mr. SHIMKUS, who I have been working with, along with Mr. GREEN, since 2007 to bring this to reality.

This truly is a great day for the families of America, and I am really proud that we are able to get this done. I hope my colleagues will look at the bill in totality; I hope you will see how, finally, we are going to be able to actually regulate these chemicals; and I hope you will vote ''yes.''

Mr. SHIMKUS. Mr. Speaker, I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), the Democratic whip, who has been extremely helpful in the last few days in dealing with this legislation.

Mr. HOYER. Mr. Speaker, I rise in support of this legislation, which is the product of much negotiation—which is an understatement, I think—in an effort to find consensus.

Congress first enacted the Toxic Substances Control Act 40 years ago to protect Americans from the risks posed by chemicals in commerce. It has not been reauthorized since. Since its original enactment, the law has become outdated, and efforts to modernize it have been ongoing for several years with great difficulty. Under current law, it has become hard for the EPA to ban even substances that are known to cause cancer, such as asbestos.

The bill before us today is a breakthrough after a significant amount of work. It represents a compromise that, while not perfect, as everyone has noted, is a great improvement over current law. And it will help the EPA protect Americans from harmful, toxic substances and safeguard our environment.

This bill will require the EPA to evaluate both existing and new chemical substances against a new risk-based, scientific safety standard that includes specific considerations for populations more vulnerable to chemical exposure, such as children, seniors, and pregnant women. It also ensures that the EPA can order testing immediately for substances suspected of placing Americans at risk.

This bill improves public transparency of chemical information, provides for clear and enforceable deadlines to review prioritized chemicals, and takes action to mitigate any identified risk.

In short, this is a bill that reflects the kind of compromise across the aisle we ought to be seeing more of in this House. It is fittingly named after Senator Frank Lautenberg of New Jersey, who spent his career working to make this law more functional.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. PALLONE. I yield the gentleman an additional 1 minute.

Mr. HOYER. I want to first thank the person in my office who worked far harder than I did. I just took her phone calls and talked to Mr. PALLONE and talked to Mr. SHIMKUS from time to time. Mary Frances Repko is one of the hardest working staff members. Mr. Speaker, I want to thank Mary Frances for the work that she did to get us to where we are. It is not perfect, as she and I agree, but it is a bill that will be better than what we have.

I want to thank, of course, Ranking Member PALLONE; my dear friend, Chairman UPTON; my friend, JOHN SHIMKUS, the chairman of the committee; and Mr. TONKO, who is not for this bill. He worked hard to get it to this place. He didn't get there, but he worked hard on that effort.

Mr. Speaker, I urge my colleagues to support this legislation. It is a work product that has been sincerely achieved by people of goodwill, and it is adjudged by the President of the United States and the administration and by the director of the administrator of the Environmental Protection Agency as a significant and important step forward. That is a good deal for the American people.

Mr. SHIMKUS. Mr. Speaker, I continue to reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Speaker, I thank the gentleman.

Mr. Speaker, this body has never passed a law that denied States the ability to act before there is a Federal standard in place. What we are perpetrating today with this vote is a first.

Instead of being preempted to act once an established EPA standard is in place, States are prevented from pursuing critical protections for their communities from dangerous chemicals the moment the EPA decides to review the chemical, not when the EPA has created a new regulation.

□ 1530

By allowing for this so-called pause preemption, we will create an almost 3-year limbo period in which a chemical under review is essentially unregulated by either State or Federal laws.

Meanwhile, the public is subjected to potentially dangerous chemicals. This is unheard of in our existing consumer protection legal standards, and it will be to the detriment of the American people.

However, I do commend the efforts of the Energy and Commerce Committee to take on this Herculean task of updating the existing regulatory regime and reaching a compromise package.

However, I regret that this compromise comes at the expense of the rights of the States to protect the health, safety, and welfare of their citizens.

We should not be preventing local governments from exerting their basic duty to take proactive steps that will protect our communities, our environment, and the public health.

Federal regulations serve as a floor, not as a ceiling, and States should be permitted to pursue laws that fill gaps in existing Federal regulations.

Pause preemption not only increases uncertainty and delay to the rulemaking process, but it further limits communities' abilities to seek redress through our courts when they find themselves the victims of dangerous and unregulated chemicals.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. PALLONE. I yield the gentleman an additional 1 minute.

Mr. JOHNSON of Georgia. I thank the gentleman.

Mr. Speaker, lastly, I thank my colleagues on both sides of the aisle for their tremendous work on this bill and for the time and energy spent by their staffs.

I ask my colleagues to support this bill.

Mr. SHIMKUS. Mr. Speaker, I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I would just inform my colleague that I have no additional speakers.

Mr. SHIMKUS. I have no other speakers, and I will close after the gentleman from New Jersey has closed.

Mr. PALLONE. Mr. Speaker, I yield myself the balance of my time.

So many people have been involved on our staffs in this bill over the last several years, certainly prior to the time that I was the ranking member.

I want to, in particular, thank Jackie Cohen. Jackie is sitting here to my right. She, more than anybody else, worked on this bill and made it possible to bring this bill to fruition. I think she knows more about TSCA than anybody else I know; so, I want to thank her in particular.

I also want to thank Jean Fruci, Rick Kessler, Tuley Wright, Timia Crisp, and Alexander Ratner. From Mr. TONKO's staff, I want to thank Brendan Larkin and Clinton Britt.

Mr. Speaker, this bill is named the Frank R. Lautenberg Chemical Safety Act for the 21st Century. One of the things that was so important to me in the process of negotiating this bill was that it would live up to Senator Lautenberg's legacy.

Senator Lautenberg was always a mentor to me. I worked on his first campaign back in 1982. He was always looking out for the little guy. One of the most important things to him in that respect was health and safety because he always felt that the primary function of the Federal Government was to protect people's health and safety.

One of the biggest things that was important to him was what I call the right to know. He always felt, if we passed laws that allowed people to know what they were facing in the health and environment sphere, that that would be good because they or even their organizations that they might be involved with on an activist level locally—citizen groups—would have the ability, if you will, to effectuate and carry out those laws through their own efforts.

I think one of the greatest regrets that he had was that, when you dealt with toxic chemicals over the time that he was in the Senate—he was the longest serving Senator, actually, in New Jersey history—he was never able to say what chemicals were dangerous and, basically, give people the right to know about toxic chemicals.

I think that this is an important part of his legacy, and I am very proud to say that today we can support a bill that is named in his honor.

Mr. Speaker, I yield back the balance of my time.

Mr. SHIMKUS. Mr. Speaker, I yield myself the balance of my time.

Before us today on the floor, as you have heard, is a bipartisan, bicameral agreement that substantially improves the safety of chemicals that are used by everyone every day.

As you have heard, while this is not the bill that a lot of people would have written if they had had their own way, the reality is that this is how the legislative process is supposed to work.

I think it is very instructive as we go back to our districts and do the ''Schoolhouse Rock!'' on how a bill becomes a law. There is a great dynamic that is in play. That is what happened here, and that is what brings us to the floor today.

This bill represents a balanced and thoughtful compromise that makes long-needed improvements to an outdated and ineffective law. The legislation before us is supported by a broad coalition of stakeholders that ranges from environmental and public health groups to large and small industrial organizations.

It has the support of the National Association of Manufacturers, the Chamber of Commerce, the American Cleaning Institute, the National Association of Chemical Distributors, the Society of Chemical Manufacturers & Affiliates, and the American Chemistry Council. There is a list of 143 different groups that have come out in support of this bill. It is worthy of our support as well.

I want to thank the staff who worked very hard to get us here today: Chris Sarley, in my office; Dave McCarthy; Jerry Couri; Tina Richards; our head chief of staff of the committee, Gary Andres; along with, of course, Chairman FRED UPTON, who allowed all of these people to be at our disposal to get this work done.

Mr. Speaker, we have with us in the Chamber legislative counsel. These are the unknown heroes, the people who actually get the late phone calls, who try to help us figure out the language that we are trying to work with.

Tim Brown and Kakuti Lin are here. They have my gratitude and my thanks. In an era when we kind of question Federal employees and their commitment to excellence and work ethic, they are good examples of what people really do many times.

Thank you very much for your work.

I also want to give a nod to the great work done by the House Democratic staff. You are loyal adversaries, and I believe we will continue to be so, but we were able to do well in this process.

I thank the Senate Republicans on Mr. INHOFE's staff and the Senate Democrats' staff, from Senator UDALL's, Senator BOXER's, Senator MARKEY's, and Senator MERKLEY's offices, who all put in long hours and weekends for several months to get this multiyear effort done.

It has been a multiyear effort, starting since I became chairman of the committee. And you have seen GENE GREEN come down and DIANA DEGETTE, who worked diligently with me in the last Congress.

I also want to mention that the spiritual leader of this, kind of, was Bonnie Lautenberg, who I know called us numerous times. Behind every great man there is a greater woman. I think Bonnie Lautenberg kind of falls into that category, and I know she is very happy with our success today.

Mr. Speaker, as I said in my opening remarks, this bill is good for consumers, it is good for jobs, and it is good for the environment. It is imperative that we pass this bill and get it signed into law without delay.

This is graduation time throughout our country—a lot of commencement exercises—and we are always reminded that, really, ''commencement'' means beginning.

So even though we are kind of getting to the end of the legislative process of the law, the real test will be the commencement by the EPA in our trying to enact this law and in seeing if it does everything that we say it will do.

It is our job on our committee to continue to do oversight to make sure that the things we think are doing well are doing well and that the things that need improvement we look at. You have my support in doing that oversight and overview of this new law as it moves forward.

Mr. Speaker, I yield back the balance of my time.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I am unable to vote on H.R. 2576, the Frank R. Lautenberg Chemical Safety for the 21st Century Act, on May 24, 2016. I plan to vote on H.R. 2576, and I will vote aye.

I strongly support the sensible regulation of toxic chemicals. Under the current Toxic Substances Control Act, the Environmental Protection Agency is extremely limited when regulating toxic chemicals, as the bill has not been significantly updated since its enactment in 1976. The Frank R. Lautenberg Chemical Safety for the 21st Century Act will greatly increase the scope and authority of the EPA to identify and regulate harmful chemicals.

The legislation passed will subject all new and existing chemicals to an EPA review and will further protect the American people by strengthening transparency by requiring EPA to provide the public with more information about toxic chemicals. This legislation also provides EPA with the authority to restrict the use of chemical substances which put the public and our environment at unreasonable risk.

Congress has the responsibility to protect the health and safety of all Americans. This legislation will improve current law and advance our efforts in protecting every American from harmful toxic chemicals.

Mr. LATTA. Mr. Speaker, the House Amendment to the Senate Amendment to H.R. 2576, the Frank R. Lautenberg Chemical Safety for the 21st Century Act, specifies that the Administrator, in selecting among prohibitions and other restrictions for chemical substances that present an unreasonable risk of injury to health or the environment, shall consider an evaluation of alternative substances. In evaluating alterative substances, the Administrator, ''shall consider, to the extent practicable, whether technically and economically feasible alternatives that benefit health or the

environment, compared to the use so proposed to be prohibited or restricted, will be reasonably available as a substitute when the proposed prohibition or other restriction takes effect.''

Additionally, the Administrator may grant an exemption from a prohibition or other restriction on a chemical substance if the ''specific condition of use is a critical or essential use for which no technically and economically feasible safer alternative is available, taking into consideration hazard and exposure.''

A technically feasible alternative substance is intended to mean a chemical for which: the technical knowledge, equipment, materials, and other resources available in the marketplace are expected to be sufficient to develop and implement the alternative, and to meet consumer demand after a phase-in period; the product that contains the alternative substance can continue to comply with all applicable legal requirements; the product that contains the alternative substance can continue to comply with all applicable safety standards and regulatory approval or certification requirements applicable to the product; and, the consumer accepts the product as made with the alternative substance.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 742, the previous question is ordered.

The question is on the motion to concur by the gentleman from Illinois (Mr. SHIMKUS).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. PALLONE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the order of the House of today, further proceedings on this question will be postponed.

ZIKA VECTOR CONTROL ACT

GENERAL LEAVE

Mr. GIBBS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 897.

The SPEAKER pro tempore (Mr. BROOKS of Alabama). Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. GIBBS. Mr. Speaker, pursuant to House Resolution 742, I call up the bill (H.R. 897) to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 742, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–53 is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 897

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Zika Vector Control Act''.

SEC. 2. USE OF AUTHORIZED PESTICIDES.

Section 3(f) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a(f)) is amended by adding at the end the following:

''(5) USE OF AUTHORIZED PESTICIDES.—

''(A) IN GENERAL.—Except as provided in section 402(s) of the Federal Water Pollution Control Act, the Administrator or a State may not require a permit under such Act for a discharge from a point source into navigable waters of a pesticide authorized for sale, distribution, or use under this Act, or the residue of such a pesticide, resulting from the application of such pesticide.

''(B) SUNSET.—This paragraph shall cease to be effective on September 30, 2018.''.

SEC. 3. DISCHARGES OF PESTICIDES.

Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

''(s) DISCHARGES OF PESTICIDES.—

''(1) NO PERMIT REQUIREMENT.—Except as provided in paragraph (2), a permit shall not be required by the Administrator or a State under this Act for a discharge from a point source into navigable waters of a pesticide authorized for sale, distribution, or use under the Federal Insecticide, Fungicide, and Rodenticide Act, or the residue of such a pesticide, resulting from the application of such pesticide.

''(2) EXCEPTIONS.—Paragraph (1) shall not apply to the following discharges of a pesticide or pesticide residue:

''(A) A discharge resulting from the application of a pesticide in violation of a provision of the Federal Insecticide, Fungicide, and Rodenticide Act that is relevant to protecting water quality, if—

''(i) the discharge would not have occurred but for the violation; or

''(ii) the amount of pesticide or pesticide residue in the discharge is greater than would have occurred without the violation.

''(B) Stormwater discharges subject to regulation under subsection (p).

''(C) The following discharges subject to regulation under this section:

''(i) Manufacturing or industrial effluent.

''(ii) Treatment works effluent.

''(iii) Discharges incidental to the normal operation of a vessel, including a discharge resulting from ballasting operations or vessel biofouling prevention.

''(3) SUNSET.—This subsection shall cease to be effective on September 30, 2018.''.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure.

The gentleman from Ohio (Mr. GIBBS) and the gentlewoman from California (Mrs. NAPOLITANO) each will control 30 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. GIBBS. Mr. Speaker, I yield myself such time as I may consume.

It has been 1 year since the first alerts about the Zika virus were issued in Brazil. Since then, the virus has been spreading north.

Many nations to our south have spent the better part of that year in fighting to stop the spread of Zika. It has already affected Puerto Rico and other U.S. Territories as the virus spreads by contact between people.

So far, we have been fortunate to avoid any transmission of Zika by mosquitos inside the United States, but that might change soon. Last week the Director from the National Institutes of Health announced that mosquitos carrying the Zika virus could be arriving in the United States as soon as June.

The World Health Organization has declared Zika to be a worldwide health emergency, and burdensome Federal regulation should not get in the way of addressing a potential emergency in the United States, especially since we have the ability to prevent the spread of mosquitos carrying the virus before they mature.

The Zika virus is a serious health threat to pregnant women. It can cause birth defects, like microcephaly and a paralyzing neurological condition. As of May 11, the CDC reported that there were 503 cases of Zika in the United States and 701 cases in U.S. Territories and 113 pregnant women were reported to have Zika.

Last week this body acted to send additional funds to the Department of Health and Human Services to fight the spread of Zika. We should be investing in research and development to find a treatment and a vaccine for Zika.

We also have the ability to make it easier for States and local governments to stop the spread of this mosquito-borne disease.

Unfortunately, a duplicative and unnecessary permitting regulation is making it more difficult for cities, municipalities, and mosquito control districts to spray for mosquitos.

Because of a bad court decision, time and money that should be spent on eradicating mosquitos will be spent on bureaucratic paperwork instead.

□ 1545

In 2011, a decision by the Sixth Circuit Court of Appeals in The National Cotton Council of America v. United States Environmental Protection Agency reversed 60 years of commonsense regulation by the Environmental Protection Agency and imposed national pollutant discharge elimination system permitting on pesticide use. That case upended a 2006 Environmental Protection Agency rule that codified EPA's 35-year-long interpretation of the law.

The Federal Insecticide, Fungicide, and Rodenticide Act, also known as FIFRA, regulated pesticides for 60 years before the enactment of the Clean Water Act in 1972, and FIFRA

regulated and improved pesticides for decades after the Clean Water Act.

EPA had, for over 80 years, held that the application of a pesticide for its intended purpose and in compliance with the results of FIFRA is not a discharge of a pollutant under the Clean Water Act, and, therefore, no NPDES permit is required, but the court decided otherwise.

In vacating the EPA's longstanding rule, the Sixth Circuit effectively legislated from the bench, negating reasonable agency interpretations of the law. The court undermined the traditional understanding of how the Clean Water Act interacts with other environmental statutes and expanded the scope of the Clean Water Act from the bench and pushed further regulation into areas and activities not originally intended by Congress or interpreted by the EPA.

As a result, Federal and State agencies are expending vital funds to initiate and maintain Clean Water Act permitting programs governing pesticide applications, and a wide range of public and private pesticide users face increased financial and administrative burdens in order to comply with the duplicative permitting process—but the NPDES permit and its cost comes with no additional environmental protection.

My colleagues across the aisle like to call this Groundhog Day, and I agree. We have seen previous public health emergencies that could have been prevented by the removal of the unnecessary NPDES permit. Despite this, many on the other side of the aisle continue to support this regulatory burden.

Last week, some of my colleagues circulated a letter that stated obtaining the NPDES permit was just a ''modest notification and monitoring requirements,'' but the organizations that must apply for it tell a different story. NPDES compliance costs and fears of potentially devastating litigation associated with complying with the new NPDES requirements are forcing States, counties, and mosquito control districts and other pest control programs to reduce operations and redirect resources in order to comply with the regulatory requirements.

I include in the RECORD this statement from the American Mosquito Control Association on the NPDES burden. This statement discusses many examples of this burden across the country, including how the local vector control managers in Oregon have explained repeatedly the negative impacts the permit is having on mosquito control.

AMERICAN MOSQUITO CONTROL ASSOCIATION STATEMENT ON NPDES BURDEN

From the perspective of the agencies charged with suppressing mosquitoes and other vectors of public health consequence, the NPDES burden is directly related to combatting Zika and other exotic viruses.

For over forty years and through both Democratic and Republican administrations, the EPA and states held that these permits did not apply to public health pesticide applications. However, activist lawsuits forced the EPA to require such permits even for the application of EPA-registered pesticides including mosquito control.

AMCA has testified numerous times to establish the burden created by this court ruling. The threat to the public health mission of America's mosquito control districts comes in two costly parts:

ONGOING COMPLIANCE COSTS

Though the activists contend that the NDPES permit has ''modest notification and monitoring requirements'' the experience of mosquito control districts is much different.

Initially obtaining and maintaining an NPDES comes at considerable expense. California vector control districts estimate that it has cost them $3 million to conduct the necessary administration of these permits.

The Gem County Mosquito Abatement District in Idaho has testified that their staff spends three weeks per year tabulating and documenting seasonal pesticide applications associated with permit oversight. Additionally, they have had to invest in a geographic information software program that cost 20% of the district's annual operating budget to maintain this information. That software has no other function than serving the unnecessary NPDES permit.

In Congressman DeFazio's district in Oregon, the local vector control managers have explained the negative impacts the permit was having on their districts. The managers of those districts have met with Rep. DeFazio's staff repeatedly in Washington D.C. over the past several years regarding the burden NPDES is having on mosquito control in Oregon.

The funds to operate districts like those in Oregon, California, Idaho and across the country come from taxpayers for the purpose of mosquito control, but are being diverted into this bureaucratic oversight function.

The fact that the existence of the permit has no additional environmental benefit (since pesticide applications are already governed by FIFRA) makes these taxpayer diversions from vector control unconscionable.

So why would the activist organizations be so adamant that these permits be mandatory for public health pesticide applications . . .?

EXPOSURE TO ACTIVIST LITIGATION

. . . Because it leaves municipal mosquito control programs vulnerable to CWA citizen lawsuits where fines to mosquito control districts may exceed $37,500/day.

Under FIFRA, the activists would need to demonstrate that the pesticides caused harm or were misapplied (because our pesticides are specific to mosquitoes and used in low doses by qualified applicators that would be extremely difficult).

However, the CWA 3rd Party Citizen Suit Provision allows for any third party to sue a government entity. Additionally, the CWA does not require actual evidence of a misapplication of a pesticide or harm to the environment, but rather simple paperwork violations or merely allegations of errors in permit oversight.

Gem County Mosquito Abatement District was the subject of one of these activist lawsuits utilizing the 3rd Party Citizen Suit Provision. It took ten years and the grand total of an entire year's annual operating budget ($450,000) to resolve that litigation against that public health entity.

These ongoing compliance costs and threat of crushing litigation directly refute any activist statements that ''Clean Water Act coverage in no way hinders, delays, or prevents the use of approved pesticides for pest control operations.''

The existence of this unnecessary requirement for mosquito control activities is directly related to our ability to combat the vectors related to Zika. It diverts precious resources away from finding and suppressing mosquito populations.

The American Mosquito Control Association urges rapid action to address this burden.

Mr. GIBBS. Benton County, Washington, Mosquito Control District calculated their compliance with the NPDES permit cost them $37,334. They spent over $37,334 doing paperwork to secure the Federal and State permits. This money was used to update maps to secure the permit. They spent money on the permit fees; they spent this money on software to help with the reporting requirements for the permit; and they spent this money on countless requirements associated with the permit. None of that over $37,000 was spent on spraying for mosquitos.

Benton County estimates they could have treated 2,593 acres of water where mosquitos breed, or they could have paid for over 400 virus lab tests, or they could have hired three seasonal workers. But Benton County was forced to spend over $37,000 to comply with the redundant Federal permit.

The Gem County Mosquito Abatement District in Idaho has testified that their staff spends 3 weeks per year tabulating and documenting seasonal pesticide applications associated with permit oversight. Additionally, they have had to invest in software that costs 20 percent of the district's annual operating budget to maintain this information. That software has no other function than serving the unnecessary NPDES permit.

Mosquito control districts in California estimate that it has cost them $3 million to conduct the necessary administration for their NPDES permits.

Millions of dollars have now been spent on permitting and compliance rather than eradicating mosquitos. On top of the cost of the permit, it also opens up permit holders to the threat of citizen lawsuits where fines may exceed $35,000 a day. Citizen lawsuits under the Clean Water Act have a much lower threshold, and the simple allegation of permit errors and paperwork violations can take mosquito control districts to court.

Gem County Mosquito Abatement District was subjected to one of these lawsuits, which took 10 years and $450,000 to resolve the litigation. This is equal to their entire annual operating budget. We know that the NPDES permits are delaying, hindering, and preventing the use of lifesaving EPA-approved pesticides right now.

In 2012, the first year that this duplicative permitting went into effect, the

number of cases of West Nile virus jumped from 712 to 5,674 cases in the United States. In response to those West Nile outbreaks, many States and communities were forced to declare public emergencies. This allowed them to use the lifesaving pesticides to control mosquitos without the delay caused by the NPDES permitting process. But they were only able to do this after they declared an emergency: West Nile had infected the community; they declared an emergency, and they could spray without having to get any permits. Congress should not be forcing States, cities, and mosquito control agencies to put their own residents, especially pregnant women, at risk of contracting Zika.

H.R. 897 will enable communities to resume conducting routine preventive mosquito control programs by providing a limited and temporary exemption for pesticides that are authorized by FIFRA and used in compliance with its label under EPA guidance. The EPA already reviews, approves, and regulates the use of these pesticides under FIFRA. Exempting them from NPDES permitting is a simple fix to a very bad court decision that added unnecessary red tape.

H.R. 897 was drafted very narrowly to address only the Sixth Circuit Court's decision and gives States and local entities that spray to control mosquito populations the certainty and the ability needed to protect public health. EPA even provided technical assistance in drafting this bill so it can achieve these objectives.

Well over 150 organizations representing a wide variety of public and private entities and thousands of stakeholders support a legislative resolution of this issue. Just to name a few, these organizations include the American Mosquito Control Association, the National Association of State Departments of Agriculture, the National Water Resources Association, the American Farm Bureau Federation, the National Farmers Union, Family Farm Alliance, the National Rural Electric Cooperative Association, CropLife America, Responsible Industry for a Sound Environment, the Agricultural Retailers Association, and the National Agricultural Aviation Association.

I thank Chairman SHUSTER for his leadership at the Transportation and Infrastructure Committee as well as Chairman CONAWAY and Ranking Member PETERSON on the Agriculture Committee for their leadership on this issue.

This is a responsible, commonsense bill that will help ensure public health officials aren't fighting Zika with their hands tied behind their back.

I reserve the balance of my time.

Mrs. NAPOLITANO. Madam Speaker, I yield myself such time as I may consume.

I rise again in strong opposition to H.R. 897. To be clear, H.R. 897 was not created to respond to Zika.

Now, I hear my colleague's information in regard to all that has happened with the EPA and all the budget items. I suggest that we start looking at increasing the budget for EPA so they can do a better job.

Insofar as herbicides and pesticides, I have a lot of information from my own experience in California, where it has created a Superfund that has taken many years and will take many more to create.

Up until 2 weeks ago, the so-called Reducing Regulatory Burdens Act was drafted to relax our laws protecting public health to reduce the paperwork burdens on commercial pesticide spraying operations. If you will notice, most of them were people in the spraying business, in the ag business, and it is to their advantage. What about the public interest? This will be the fourth time in 3 years that we will vote against the legislation.

To be clear, a great number of waterbodies in the U.S. are already impaired or threatened by pesticides; yet for some reason, our Republican majority wants it to be easier for companies to add more of these pesticides to our waters, yet not report these additions nor monitor, for any reason, immediate health impacts that may result.

I am very concerned about the effect these pesticides have on the health of our rivers, on our streams, and especially on the drinking water supply of all our citizens, including pregnant women.

Last week, the majority argued that even though this bill would exempt pesticide applications from the Clean Water Act, public health would not be impacted because FIFRA labeling requirements would remain in place. However, FIFRA labeling does not address the volumes of pesticides being directly or indirectly applied to our rivers, lakes, and streams on an annual basis.

In many cases, we simply do not know the quantities and location of the pesticides being added to our waters because this data is not tracked by Federal or State regulators. And if we don't know what is being added to our waters, we cannot accurately be looking for the potential human health or environmental impacts of these pesticides. In fact, the only way we often learn of a problem is in examples like the gentleman from Oregon cited on the floor: massive fish kills or other environmental catastrophes. It is reckless to rely on a system of catastrophes or massive die-offs to identify where problems may be lurking.

Proponents of this legislation also argue that this legislation would protect the health of pregnant women and their children. How so? I think it is important to note that it could hurt both.

However, this legislation does nothing demonstrable to prevent the spread of Zika in the United States. What I fear, however, is that this legislation will relax standards for pesticide application to the point where even more waterbodies become impaired or threatened by pesticides.

Madam Speaker, we know there are significant health risks associated with exposing pregnant women and young children to pesticides. Let me name a few: birth defects, neurodevelopmental delays and cognitive impairments, childhood brain cancer, autism spectrum disorders, ADHD, endocrine disruption. That is just to name a few.

To be clear, the bill under consideration today will make it easier—I will say it again, easier—to contaminate our drinking water supplies with pesticides known or suspected to pose health risks. The majority will say that FIFRA ensures these chemicals are safe. What the majority cannot say definitely, however, is that continued exposure to these chemicals over and over in the same watershed is also safe.

Peer-reviewed science suggests that there are impacts, and that evidence should be enough for us to be cautious. If my choice is cautious use of pesticides to protect public health or the elimination of the paperwork requirement, I believe protection of health is more important.

Furthermore, according to The Washington Post, of the 544 reported cases of Zika in the United States, nearly all of them involve people who have contracted the disease when they traveled to a country where the disease is prevalent. While a handful of the 544 cases of Zika may have involved sexual transmission of the virus, no one has acquired the disease from mosquitos in this country—I repeat, no one. Let me repeat that. No one has reported acquiring the Zika virus from a mosquito in this country.

We cannot and should not eliminate the role of the Clean Water Act in the regulation of pesticides. Over the past 5 years, this regulatory process has been reasonable and has been workable for pest operations and ag interests alike. It needs to be retained.

Madam Speaker, I oppose this bill. I urge my colleagues on both sides to vote ''no.''

I reserve the balance of my time.

Mr. GIBBS. Madam Speaker, I yield myself such time as I may consume.

I want to reiterate, when I introduced this bill back in 2011, 5 years ago, the Director of the EPA's Office of Pesticide Programs under this current administration said this:

''When used properly, pesticides provide significant benefits to society, such as controlling disease-causing organisms, protecting the environment from invasive species, and fostering a safe and abundant food supply. FIFRA's safety standard requires EPA

to weigh these types of benefits against any potential harm to human health and the environment that might result from using a pesticide.''

He went on to say:

''Under FIFRA, the Agency''—the EPA, in this case—''can impose a variety of risk mitigation measures—ranging, for example, from changes to how the pesticide is used to prohibition of specific uses or cancellation of all products containing a particular active ingredient—that ensure the use of the pesticide will not cause unreasonable adverse effect on the environment. When we are concerned about the risks arising from pesticides in water, we may require a reduction in application frequency or rates, a prohibition of certain application methods, the establishment of no-spray buffer zones around waterbodies, a requirement that limits use only to trained and certified applicators, or other restrictions.''

□ 1600

The important point to remember here, the EPA has full regulatory authority under FIFRA to ensure that the pesticide did not cause unreasonable adverse effects on human health or in the environment, including our Nation's waters.

Madam Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I want to thank my good friend, Chairman GIBBS, for his effort in putting this commonsense legislation forward.

Madam Speaker, we all come here to this House floor, and we work together in a bipartisan way to address many important issues that affect Americans. We have worked closely together with many of our colleagues on the other side of the floor today to help our veterans, to help rebuild our roads and our infrastructure, and I do believe we can work together to stop the spread of the Zika virus.

This is a commonsense piece of legislation that isn't asking to get rid of EPA rules and regulations. It is asking to simply suspend them during this crisis period. I want to tell you why. My colleague, Mr. GIBBS, mentioned earlier that this is the result of a court case that, in 2006, actually created a duplicative and costly regulatory process that many of our small communities and small businesses are still trying to fight when they are dealing with spraying for mosquitoes.

Now, mosquito abatement has changed a lot since I was younger. I can remember my parents and my friends' parents sending us out to ride our bikes behind the fogger.

We wouldn't do that anymore now, would we, Madam Speaker?

Because we now see more rules and regulations. FIFRA, the policies that have been enacted by the EPA have shown that maybe that is not the smart thing to do.

We have processes in place. The very same agency that tells us what is safe and what is not when looking at spraying for mosquitoes that may or may not carry diseases like West Nile and Zika, how to safely use them, but the same agency has put together a process for Illinois, a 35-page document showing us how to get a permit to spray for mosquitoes if you are a small business, if you are a small community, and these 35 pages, these regulatory requirements, we are asking to suspend so we can deal with the Zika virus that we now know is mosquito borne. This 35-page permit had 6 entire pages dedicated to definitions and acronyms. Section 7, the recordkeeping portion alone includes three separate levels of recordkeeping, depending on the size of the annual treatment area, and it does it in there as some permittees are also subject to annual reporting requirements as well.

Madam Speaker, the farmers in my district are spending too much time to try to abate this disease on their own to help so many in our communities, and I am afraid they may say: Enough. Let's figure out how someone else is going to do it.

That doesn't help us solve the problem of eradicating the Zika virus. That is the reason why this bill that will suspend this process is so necessary right now.

I would urge my colleagues on the other side of the aisle to take a look at this commonsense approach and do what Mr. GIBBS is doing. Let's work together. Let's ensure that we can stop a permit process like this to deal with something so important to so many families. Unfortunately, the longer we talk in this institution, Madam Speaker, the less is done to stop the spread of the Zika virus in this country, in our States, and in our districts.

Madam Speaker, I thank Chairman GIBBS for this commonsense piece of legislation.

Mrs. NAPOLITANO. Oh, what I could tell you about the vector control. I served on the board for a few years, and what I know is something else, but, unfortunately, most of the proponents are people who benefit from the pesticide application. So I take exception, where is the public interest in this?

Madam Speaker, I yield 5 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Madam Speaker, I thank the gentlewoman for yielding.

First off, we have to give the chairman a report card, and I am going to give him an A-plus for persistence. This is the fifth time this legislation will have been on the floor of this House. Of course, it is threatened by a veto should it ever pass the Senate, but it won't, so A-plus for persistence.

I will give him an A for creativity because this is the same bill five times under four different guises. First it was for West Nile. Okay. Then it was the Pest Management and Fire Suppression Flexibility Act. So when we had West Nile, they called it a West Nile bill. When we were having a bad fire year, they called it a Fire Suppression Flexibility Act. Then they were honest, and they said it is the Reducing Regulatory Burdens Act, the piece of paper, the report you have to file after you apply the pesticides. So at least that was, from their side, honest. But then now it is the Zika Vector Control Act, renamed 2 weeks ago.

Zika is a serious problem. Of course, on their side, they are refusing to put forward an adequate budget to partner with communities who want to do mosquito reduction and control efforts, but that is a story for another day, and it is a different committee. But that would be a real thing we could do.

Here are a couple of points. Zika is very bad for pregnant women and is also implicated in Guillain-Barre syndrome in both males and females and other potential links to other diseases. Really, really bad stuff. We have to get ahead of it. We also know that pesticides and herbicides are bad for pregnant women.

So is the current state of affairs such that vector control districts can't go out right now today and apply pesticides to deal with a potential Zika with tiger mosquitoes and Aedes aegypti?

No. Actually, they can. Under the law, they can go out and apply whatever they think would be effective. They just need, within 30 days, to send a form—a form, a piece of paper—available online to the EPA saying what they applied and where they applied it.

Now, why would we care about that?

Well, because we are worried about loading up drinking water with stuff that is harmful to pregnant women and to babies and to other living things, just like the 90,000 steelhead that were killed in my district. All we are saying is we would like to keep track, and then when we see certain concentrations in certain areas, we will actually test the water.

Your local water authority does not routinely test—for the most part, very few—for pesticides and herbicides, but if they knew a bunch had been dumped upstream, they might want to do that, or the EPA might want to follow up and do some testing. So what we are saying is we don't want to know. We don't want to know what, where, how this stuff was applied.

Now, the horrible burden of submitting an online form, this horrible, horrible, horrible burden has led to: No, well, we heard last time there may have been an aerial applicator who didn't apply something because of this regulatory burden, or maybe because

they had misapplied it, or maybe the wind was blowing too hard.

Who knows?

We don't know. That was one anecdotal report. But from the 50 States assembled and the EPA, there are no documented instances of delays or prevention of necessary application of pesticides or herbicides because of the reporting requirement to EPA so we will know what, when, where, and how this stuff was applied.

So the gentleman gets an A-plus for persistence, an A for creativity, but, unfortunately, a D for dangerous in terms of what this legislation would lead to.

I include in the RECORD the Statement of Administration Policy. I will put the whole thing in the RECORD, but the administration does not agree with that truncated quote talking about how important this is or something from someone at EPA. ''H.R. 897 would weaken environmental protections under the Clean Water Act by exempting pesticide spraying from the currently required pesticide general permit.'' General permit. ''Creating a new statutory exemption to the permit is unnecessary'' because the permit itself ''was explicitly crafted to allow immediate responses to declared pest emergencies, thereby allowing vector control methods to be applied to the possible influx of disease-carrying mosquitoes.''

STATEMENT OF ADMINISTRATION POLICY

H.R. 897—REDUCING REGULATORY BURDENS ACT OF 2015—REP. GIBBS, R–OH, AND TWO COSPONSORS

The Administration strongly opposes H.R. 897, Reducing Regulatory Burdens Act of 2015, recently rebranded as the Zika Vector Control Act. H.R. 897 would weaken environmental protections under the Clean Water Act by exempting pesticide spraying from the currently required Pesticide General Permit. Creating a new statutory exemption to the Permit is unnecessary, as it was explicitly crafted to allow immediate responses to declared pest emergencies, thereby allowing vector control methods to be applied to the possible influx of disease-carrying mosquitos.

In fact, most mosquito control districts and Federal and State agencies already have authority under the Pesticide General Permit to apply mosquitocides as needed to respond to Zika virus concerns and do not require any additional authorization under the Permit. In rare circumstances where a mosquito control district did not seek prior coverage under the Permit, emergency provisions of the Permit are available that allow instant authorization to spray without the need for prior notification.

The Administration is committed to taking necessary steps, as quickly as possible, to protect the American people from the Zika virus. Rebranding legislation that removes important Clean Water Act protections for public health and water quality is not an appropriate avenue for addressing the serious threat to the Nation that the Zika virus poses.

The SPEAKER pro tempore (Ms. ROS-LEHTINEN). The time of the gentleman has expired.

Mrs. NAPOLITANO. Madam Speaker, I yield an additional 1 minute to the gentleman.

Mr. DEFAZIO. So the current state, there is nothing going on here except this sort of myth that this is a huge impediment to agricultural practices in this country. This is being pushed by the Farm Bureau.

There is joint jurisdiction between the Committee on Transportation and Infrastructure and the Committee on Agriculture. The Committee on Transportation and Infrastructure, despite this bill being on the floor five times, has held zero—zero; count them, zero—hearings on this issue. We wouldn't want to hear from experts.

There was a joint hearing with the Committee on Agriculture. Unfortunately, we were not allowed to have a witness. Only the pro-reform, so-called repeal pesticide-herbicide, witnesses were allowed to testify. There has been no deliberation on this issue. There is a great mythology around it.

It is a very sad day to use a potential national health crisis to put through a lame bill that has gone through five times, which isn't going to pass the Senate. If it did, it will be vetoed.

Mr. GIBBS. Madam Speaker, I just want to address a few comments that were just made. I believe the witness that he was referring to was the head of the EPA under this administration. So that wasn't their witness, I guess. I don't know. It seems odd to me.

Funding. We passed a funding bill out last week, over $600 million to go to the end of this fiscal year, September 30. My side of the aisle is committed to appropriating more money, if need be, during the regular appropriation process for the next fiscal year starting October 1.

Regarding the fish kill, we had a discussion on this last week. It is very unfortunate when there is a fish kill, but we looked into this and concluded that even if this fish kill had happened back—I don't know—in 1996, I believe, the NPDES permit, if it was in place, would not have prevented the fish kill, would not have resolved it.

What we found out from the EPA's own investigation from the Office of Pesticide Programs was that the fish incident was the result of misuse of the pesticide. The EPA goes on to report that with the various species of salmon and steelhead analyzed, if the pesticide had been applied in accordance with all the label requirements and under FIFRA and EPA requirements, they wouldn't have had the Oregon fish kill. So completing the NPDES permit paperwork and paying for permit fees doesn't prevent fish kills or improve water quality. It just adds cost and takes money away from fighting mosquitoes in this case.

At this time I yield 3 minutes to the gentleman from Washington (Mr. NEWHOUSE).

Mr. NEWHOUSE. Madam Speaker, I want to thank the gentleman from Ohio for yielding and also for his hard work on this important piece of legislation. Coming from mosquito country, I am very much interested in this legislation.

Madam Speaker, passing the Zika Vector Control Act is a step that we must take today that will have a major impact on preventing the spread of the Zika virus as well as many other deadly mosquito-borne illnesses.

Right now the Centers for Disease Control is advising Americans to adopt the most commonsense method to avoid contacting Zika, and that is preventing mosquito bites. Since a vaccine does not exist, we need to prevent bites in the first place.

Our Nation's mosquito control districts are on the frontline of reducing mosquito populations that not only carry Zika, but other dangerous diseases such as West Nile virus. I can just tell you that I have a personal friend who passed away from West Nile, and I also know several people in my community whose lives have been changed forever by infection from West Nile. Dengue fever and various forms of encephalitis are huge problems also.

The legislation being offered today by the gentleman from Ohio (Mr. GIBBS) offers a simple, commonsense fix to one of the biggest burdens of our mosquito control districts. For more than 40 years, both Democrat and Republican administrations alike have not required mosquito control districts to seek a permit for treating mosquitoes since the EPA already approves every pesticide and every applicator being used.

However, several years ago, EPA required another permit in addition to the approval processes chemicals and applicators already go through. This duplicative permitting is very costly. The State of California alone—the gentlewoman's State—spends $3 million annually on these duplicative permits. That is $3 million less in resources to combat mosquitoes. To make matters worse, mosquito control districts now face increased legal uncertainty due to these new permits.

□ 1615

One district in my State informed me that they now set aside fully 20 percent of their budget for potential legal challenges related to the permits. Now, that is 20 percent of their budget that is not going to combat mosquitoes. To me, that is an example of government red tape at its worst, and it is putting lives at risk. So I would disagree with my friend from Oregon that it does reduce the amount of control that we do see.

Opponents of this legislation say that this will place our waters at risk. But, Madam Speaker, nothing can be further from the truth. Appropriate regulation already exists. All of the pesticides being used have already been

approved by the EPA for safe use. The only risk to public health that will come from this legislation would be not to pass it.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GIBBS. Madam Speaker, I yield the gentleman an additional 1 minute.

Mr. NEWHOUSE. Not passing this bill will continue to unnecessarily expose millions of Americans to Zika and other mosquito-borne diseases and will restrict resources for those desperately trying to keep the American people safe.

Mrs. NAPOLITANO. Madam Speaker, I include in the RECORD several news editorials from coast to coast, including one from The New York Times that refers to this legislation as a ''pretext to weaken environmental regulations'' and ''a ruse to benefit pesticide manufacturers and farmers who find the regulation burdensome.''

[From the New York Times, May 19, 2016]

STEALING FROM EBOLA TO FIGHT ZIKA

(By the Editorial Board)

Nobody should be surprised when the present House of Representatives, dominated by penurious reactionaries, produces a stingy response to a danger that calls for compassionate largess. But for sheer fecklessness it's hard to top the House's response this week to the Zika virus. The salient feature is that in providing money to fight one health menace, it steals from other funds meant to fight an even more dangerous threat—the Ebola virus.

In February, President Obama asked Congress for $1.9 billion to help fight Zika, a virus that can cause severe birth defects and has been linked to neurological disorders in adults. Transmittable by mosquitoes and through sex, Zika broke out last year in Brazil and has since spread to the United States and other countries. Experts fear there could eventually be hundreds of thousands of infections in Puerto Rico, where nearly half the population lives below the poverty line, with possibly hundreds of babies affected. States in the American South with large mosquito populations are also at particular risk.

On Thursday, the Senate voted for $1.1 billion in emergency funds for research, vaccine development, mosquito control efforts and other programs. The bill does not provide as much money as public health agencies like the Centers for Disease Control and Prevention say they need, but it is a decent start.

The House bill approved Wednesday would provide just over half that—$622 million. Further, the House insisted that even that sum be offset by cuts to other programs, including those aimed at Ebola. That makes no sense. It would shortchange critical efforts to strengthen public health systems in Africa in order to prevent a resurgence of Ebola, which killed more than 11,000 people, and other diseases.

The money in the House bill would be available only until the end of September, when the fiscal year ends. That cutoff seems to assume that Zika will no longer be a problem by then, an absurdly risky line of reasoning that most health experts do not accept. Cutting off funds that early would also severely hamper the effort to create a Zika vaccine, which is expected to take more than a year to develop and test.

Some ultraconservative House Republicans have said that they do not consider Zika a major health crisis. Perhaps they have yet to see (or, more distressingly, they deliberately ignore) the photographs of babies born with small heads because of the virus. Or perhaps they do not think of this as an emergency worthy of their attention because those babies were not born in the United States or to their constituents.

Perversely, while not doing much to contain the virus, some House members have seized upon it as a pretext to weaken environmental regulations. Republicans have introduced a bill that would allow businesses to spray pesticides on or near waterways without first notifying regulators, as now required by law. Once called the Reducing Regulatory Burdens Act, the bill was recently given a more ominous name, the Zika Vector Control Act, the idea being that with Zika lurking around the corner, local governments should be able to use pesticides more easily.

The bill, rejected on Tuesday under a rule that required a two-thirds majority in favor, could come up again under a rule requiring only a simple majority. In any case, it's a ruse to benefit pesticide manufacturers and farmers who find the regulation burdensome. The Environmental Protection Agency says that in emergencies, spraying can occur without prior notification. The House seems incapable of seeing that Zika is a real threat, not a device to satisfy its anti-regulatory zeal.

[From HeraldNet, May 19, 2016]

ADVANCE SENATE'S ZIKA FUNDING PACKAGE

(By the Herald Editorial Board)

Even more annoying than the whine of a mosquito has been the U.S. House Republicans response to the Zika virus.

In February, President Barack Obama made an emergency request for $1.9 billion to fund vaccine research, mosquito control efforts and other work to timely address the growing threat from Zika.

Now prevalent in South and Central America and threatening to move into some southern U.S. states, the mosquito-borne virus is not typically fatal and in most cases results in only mild symptoms. But its threat is much greater for pregnant women and the children they carry. The virus can cause birth defects when pregnant women are infected by mosquitoes or through sexual contact with an infected person. The most common birth defect is microcephaly, which results in infants with abnormally small heads and reduced brain development. But researchers also are investigating Zika's possible association with neurological disorders in adults, including Guillain-Barre syndrome.

An estimated 500 people in the continental U.S. have contracted the virus, almost all during travel abroad. But another 700 in Puerto Rico and other U.S. Territories have been infected by mosquitoes, including more than 100 pregnant women.

When neither the Senate nor the House moved quickly enough to provide funding, the White House instead diverted $510 million that had been allocated to research and fight the Ebola virus, with the hope that Congress would eventually approve the Zika request and allow the restoration of the Ebola funding.

This week, the Senate responded, first with a bipartisan proposal by Florida's senators, including former Republican presidential candidate Marco Rubio, to fund the president's full $1.9 billion request. When that failed to attract enough Republican votes, the Senate approved a compromise negotiated by Sen. Patty Murray, D–Washington, and Sen. Roy Blunt, R–Missouri, that will allocate $1.1 billion.

Murray would have preferred legislation to fund the president's full $1.9 billion request, a spokeswoman said, but as she has before, Washington's senior senator worked across the aisle to find a solution that would win passage. In answer to charges that the president had requested a ''slush fund'' Blunt said in a New York Times story that the package had been trimmed back to address the emergency and will finance research and response through September 2017.

Such responsible compromise is less certain in the House, where Republicans are expected to vote soon on a package that provides only $622 million, much of it again diverted from Ebola work.

That's too little and threatens further delay and a loss of progress on Ebola. While the Ebola epidemic in West Africa is no longer out of control, the disease continues to flare, most recently in Guinea and Liberia.

But adding a maddening itch to that mosquito bite of a funding package is a bill that the House is expected to vote on next week. The Zika Vector Control Act sounds promising, as if the threat is being taken seriously. But House Republicans, as reported by The Hill, have only renamed and changed the effective date for legislation proposed last year that seeks to weaken federal Clean Water Act standards that have little to do with Zika.

Formerly titled the Reducing Regulatory Burdens Act, the rechristened legislation would prohibit the Environmental Protection Agency from requiring permits to spray pesticides near bodies of water, if the pesticide is federally approved and the application has been approved by the state.

Prior federal approval of a particular pesticide doesn't guarantee that its use near a body of water is safe or even effective. Lifting environmental protections—and risking a threat to public health from a lack of oversight on toxic chemicals—is not going to further the fight against Zika.

The White House has threatened to veto the House proposal on Zika funding but appears ready to accept the $1.1 billion Senate package. The House should adopt the Senate package quickly to advance work that is needed now on a potentially devastating health threat.

[From the Hill, May 17, 2016]

GOP REPURPOSES EPA PESTICIDE BILL FOR ZIKA

(By Timothy Cama)

House Republicans are renaming a bill that fights environmental regulations on pesticides and reframing it to fight the Zika virus.

The House is planning to vote Tuesday on the Zika Vector Control Act, which up until late last week was known as the Reducing Regulatory Burdens Act.

With the national spotlight on Zika, and the GOP under harsh criticism for not taking bold action against the virus, Republicans are using the anti-Environmental Protection Agency (EPA) regulation bill to show they care about the Zika fight.

''EPA regulations under the Clean Water Act actually make it harder for our local communities to get the permits they need to go and kill the mosquitoes where they breed by sources of water,'' House Majority Whip Steve Scalise (R-La.) told reporters Tuesday.

''So this is an important bill as part of a package to make sure that we're combating Zika.''

Along with an appropriations bill to redirect $622 million toward fighting Zika and away from Ebola, Republicans say they're taking the virus seriously.

Zika can cause severe birth defects for newborns if the mother gets infected while pregnant. Symptoms are more minor for adults and other patients.

The pesticide bill, introduced last year by Rep. Bob Gibbs (R-Ohio), would prohibit the EPA from requiring permits to spray pesticides near bodies of water as long as the application has been approved by a state and the pesticides themselves are federally approved.

A spokesman for House Minority Leader Nancy Pelosi (D-Calif.) blasted the renaming as ''dishonest.''

''In a brazenly political act, the Republican leadership is trying to mask gutting the Clean Water Act as having something to do with fighting Zika,'' Drew Hammill said in a statement.

''This bill has nothing to do with Zika and everything to do with Republicans'' relentless special interest attacks on the Clean Water Act,'' he said. ''It will do nothing to stem the growing threat of the Zika virus.''

Rep. Peter DeFazio (Ore.), the top Democrat on the House Transportation Committee, said in a letter to colleagues Monday that the bill ''has absolutely nothing to do with preventing the spread of Zika or protecting public health.''

He further argued that the legislation is unnecessary, and the Clean Water Act ''in no way hinders, delays, or prevents the use of approved pesticides for pest control operations.'' The Transportation Committee has jurisdiction over the bill through its authority on the Clean Water Act.

Democrats want the GOP to approve President Obama's request for $1.9 billion in new funding to fight Zika.

But Dallas Gerber, a spokesman for Gibbs, said the reframing is entirely appropriate, since the bill would allow more spraying to kill the mosquitoes that carry Zika.

''It's an appropriate addition to the fight against Zika,'' Gerber said. ''When people are taking up a lot of their time on [National Pollutant Discharge Elimination System] permits, that's money and time that's being spent on paperwork and administration, not on spraying.''

Gerber confirmed that other than the title and a new expiration date, the bill has not changed since it was known as the Reducing Regulatory Burdens Act.

The House vote Tuesday will be under suspension of rules, requiring a two-thirds majority to pass. The bill previously passed the House in 2014 under a standard majority vote.

Mrs. NAPOLITANO. Madam Speaker, I yield 5 minutes to the gentleman from California (Mr. RUIZ).

Mr. RUIZ. Madam Speaker, I thank Ranking Member DEFAZIO and Ranking Member NAPOLITANO for bringing attention to this issue and for giving me time to speak.

I rise today to oppose the so-called Zika Vector Control Act, otherwise known as the pesticide Trojan horse bill.

Madam Speaker, I am disappointed. I am disappointed that, as this body fails to fully fund a meaningful effort to combat the spread of the Zika virus, the Republican majority is using the legitimate concern about Zika to advance its special interest agenda.

This Trojan horse was first called the Reducing Regulatory Burdens Act of 2015 and was only recently named the Zika Vector Control Act to play on fears over the Zika virus. The fact is the majority has been pushing the text of this legislation for years under whatever name happens to be convenient at the time. Each time they rename the bill, they merely find a different problem to manipulate to serve their same agenda.

Let's be frank, this bill has nothing to do with combating Zika. Vector control agencies already have the authority to apply pesticides in emergency situations, like combating the Zika virus epidemic, to prevent the spread of infectious diseases without the need to apply for a permit.

Instead of protecting the public's health, this bill actually does away with critical compliance oversight provisions that allow us to track when and where harmful pesticides are used. Without the ability to track where harmful pesticides are used, we are less able to prevent their negative impact or properly act when a mistake is made or when a harmful pesticide is inappropriately used.

I know, as a physician and public health expert, that pesticides can have a serious and harmful impact on human health, particularly for women and children, and for vulnerable populations who live and work where pesticides are often sprayed. Harmful pesticides can cause infertility, cancer, birth defects, and lifelong developmental delays.

This bill guts the oversight compliance that gives doctors like me the tools they need to track and identify the cluster of symptoms caused by harmful pesticides.

Madam Speaker, the pesticide Trojan horse bill is a farce, a disguise that can only leave our communities, our farm workers, and our drinking water at risk of contamination from harmful pesticides.

If passed, this legislation could harm the public's health. It will expose already vulnerable populations to greater risk, without providing a single dime in funding or scrap of authority that doctors and scientists actually need to combat the spread of Zika.

The pesticide Trojan horse bill is just another instance of political gamesmanship in Congress that could have a disastrous impact on public health. Instead of actually working to control the spread of one public health crisis, this bill could make another public health problem even worse.

Rather than spending our time on this bill that does nothing to strengthen Zika prevention efforts across the country, we should be working to pass legislation to fully fund efforts to contain and stop the virus before we adjourn.

We need to put people above partisanship and solutions above ideology. I have said this time and time again: it is time for Congress to do its job.

We must vote against this pesticide Trojan horse bill and for full funding that will fully combat the spread of Zika, not the partial funding bill that shortchanges American families, which Republicans have recently passed in the House, before it is too late.

Mr. GIBBS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, we know that since this court decision, there has been mosquito control districts, municipalities, that have delayed the preventative mosquito control programs, and then they have waited until epidemic proportions, epidemic levels, especially of the West Nile virus, which is what happened with Zika.

We just heard that you can have emergency provisions. It doesn't matter. You can still do it. Well, even with the emergency provisions, with this court decision in place, they have forgotten that the NPS permit emergency provisions have extensive compliance costs that go along with that provision.

The emergency provisions do not ease the threat of third-party lawsuits in the event a State, Federal, or local government declares an emergency. Pesticide applicators are required to file notice of intent no later than 15 days after the beginning of the application that provides a detailed description of the application and includes the rationale supporting the determination.

A user that fails to file the correct paperwork—this is key—can still be found in violation of the Clean Water Act and fined up to $37,000 a day. Now, you heard me say earlier we have got mosquito control districts where that is their entire annual budget.

Timely paperwork does not protect the mosquito control districts from legal disputes from the third party that argues the appropriate measures that were not taken to avoid potential adverse effects and impacts.

So it is just ridiculous to think that it is okay, delay your preventative programs, but then when you have epidemic proportions of mosquitoes with West Nile or Zika, declare an emergency. Go ahead and spray, but if you don't file your paperwork under the Clean Water Act, you will get fined $37,000 a day.

So guess what happens?

We don't control the mosquitoes and protect the public.

Madam Speaker, I include in the RECORD letters of support for H.R. 897 from the American Mosquito Control Association—by the way, I think their interest is more than just their self-interest; I think it is the interest of the

general public—the Pesticide Policy Coalition, and the National Agricultural Aviation Association.

THE AMERICAN MOSQUITO CONTROL ASSOCIATION,
May 16, 2016.

Hon. BOB GIBBS,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN GIBBS: The American Mosquito Control Association, in concert with mosquito control agencies, programs and regional associations throughout the United States, want to express our enthusiastic support for passage of HR 897 the Zika Vector Control Act clarifying the National Pollutant Discharge Elimination Systems (NPDES) permitting issue facing our public health agencies.

Each year, over one half million people die worldwide from mosquito-transmitted diseases. In the U.S. alone, the costs associated with the treatment of mosquito-borne illness run into the millions of dollars annually.

This amendment addresses a situation that has placed mosquito control activities under substantial legal jeopardy and requires ongoing diversion of taxpayer-supported resources away from their public health mission. Though the NPDES was originally designed to address point source emissions from major industrial polluters such as chemical plants, activist lawsuits have forced US Environmental Protection Agency (EPA) to require such permits even for the application of EPA registered pesticides, including insecticides used for mosquito control. These permits are mandated despite the fact that pesticides are already strictly regulated by the EPA under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA).

Currently, mosquito control programs are vulnerable to lawsuits for simple paperwork violations of the Clean Water Act (CWA) where fines may be up to $35,000 per day for activities that do not involve harm to the environment. In order to attempt to comply with this potential liability, these governmental agencies must divert scarce resources to CWA monitoring. In some cases, smaller applicators have simply chosen not to engage in vector control activities.

Requiring NPDES permits for the discharges of mosquito control products provides no additional environmental protections beyond those already listed on the pesticide label, yet the regulatory burdens are potentially depriving the general public of the economic and health benefits of mosquito control. This occurs at a time when many regions of the country have seen outbreaks of equine encephalitis, West Nile virus, dengue fever and the rapidly spreading new threat of the Zika and chikungunya viruses.

This negative impact on the public health response and needless legal jeopardy requires legislative clarification that the intent of the CWA does not include duplicating FIFRA's responsibilities. HR 897 seeks to achieve that goal and we strongly encourage its passage via any legislative vehicle that enacts its clarifying language into law.

Thank you for your strong leadership on this important public health issue.

Adams County (WA) Mosquito Control District, American Mosquito Control Association, Associated Executives of Mosquito Control Work in New Jersey, Atlantic County Office of Mosquito Control, Baker Valley Vector Control District. Benton County (WA) Mosquito Control District, Columbia Drainage Vector Control District, Davis County (UT) Mosquito Abatement District, Delaware Mosquito Control Section, Florida Mosquito Control Association, Gem County (ID) Mosquito Abatement, Georgia Mosquito Control Association, Idaho Mosquito and Vector Control Association, Jackson County (OR) Vector Control District, Klamath Vector Control District, Louisiana Mosquito Control Association, Magna Mosquito Abatement District, Manatee County (FL) Mosquito Control District.

Matthew C. Ball, Multnomah County (OR) Vector Control Program, New Jersey Mosquito Control Association, North Carolina Mosquito & Vector Control Association, North Morrow Vector Control District, Northeast Mosquito Control Association, North Shore Mosquito Abatement District (Cook County, Illinois), Northwest Mosquito and Vector Control Association, Oregon Mosquito and Vector Control Association, Pennsylvania Vector Control Association, Philip D. Smith, Richmond County (GA) Mosquito Control District, South Salt Lake Valley Mosquito Abatement District, Salt Lake City Mosquito Abatement District, Texas Mosquito Control Association, Teton County (WY) Weed & Pest District, Union County (OR) Vector Control District, Washington County (OR) Mosquito Control.

Members of the Mosquito and Vector Control Association of California:

Alameda County MAD, Alameda County VCSD, Antelope Valley MVCD, Burney Basin MAD, Butte County MVCD, City of Alturas, City of Berkeley, City of Blythe, City of Moorpark/VC, Coachella Valley MVCD, Colusa MAD, Consolidated MAD, Compton Creek MAD, Contra Costa MVCD, County of El Dorado, Vector Control, Delano MAD, Delta VCD, Durham MAD, East Side MAD, Fresno MVCD, Fresno Westside MAD, Glenn County MVCD.

Greater LA County VCD, Imperial County Vector Control, June Lake Public Utility District, Kern MVCD, Kings MAD, Lake County VCD, Long Beach Vector Control Program, Los Angeles West Vector and Vector-borne Disease Control District, Madera County MVCD, Marin/Sonoma MVCD, Merced County MAD, Mosquito and Vector Management District of Santa Barbara County, Napa County MAD, Nevada County Community Development Agency, No. Salinas Valley MAD, Northwest MVCD, Orange County Mosquito and Vector Control District, Oroville MAD, Owens Valley MAP, Pasadena Public Health Department, Pine Grove MAD, Placer MVCD.

Riverside County, Dept. of Environmental Health VCP, Sacramento-Yolo MVCD, Saddle Creek Community Services District, San Benito County Agricultural Commission, San Bernardino County Mosquito and Vector Control Program, San Diego County Dept. of Environmental Health, Vector Control, San Francisco Public Health, Environmental Health Section, San Gabriel Valley MVCD, San Joaquin County MVCD, San Mateo County MVCD, Santa Clara County VCD, Santa Cruz County Mosquito Abatement/Vector Control, Shasta MVCD, Solano County MAD, South Fork Mosquito Abatement District, Sutter-Yuba MVCD, Tehama County MVCD, Tulare Mosquito Abatement District, Turlock MAD, Ventura County Environmental Health Division, West Side MVCD, West Valley MVCD.

[From the American Mosquito Control Association]

AMERICAN MOSQUITO CONTROL ASSOCIATION STATEMENT ON NPDES BURDEN

From the perspective of the agencies charged with suppressing mosquitoes and other vectors of public health consequence, the NPDES burden is directly related to combatting Zika and other exotic viruses.

For over forty years and through both Democratic and Republican administrations, the EPA and states held that these permits did not apply to public health pesticide applications. However, activist lawsuits forced the EPA to require such permits even for the application of EPA-registered pesticides including mosquito control.

AMCA has testified numerous times to establish the burden created by this court ruling. The threat to the public health mission of America's mosquito control districts comes in two costly parts:

ONGOING COMPLIANCE COSTS

Though the activists contend that the NDPES permit has ''modest notification and monitoring requirements'' the experience of mosquito control districts is much different.

Initially obtaining and maintaining an NPDES comes at considerable expense. California vector control districts estimate that it has cost them $3 million to conduct the necessary administration of these permits.

The Gem County Mosquito Abatement District in Idaho has testified that their staff spends three weeks per year tabulating and documenting seasonal pesticide applications associated with permit oversight. Additionally, they have had to invest in a geographic information software program that cost 20% of the district's annual operating budget to maintain this information. That software has no other function than serving the unnecessary NPDES permit.

In Congressman DeFazio's district in Oregon, the local vector control managers have explained the negative impacts the permit was having on their districts. The managers of those districts have met with Rep. DeFazio's staff repeatedly in Washington D.C. over the past several years regarding the burden NPDES is having on mosquito control in Oregon.

The funds to operate districts like those in Oregon, California, Idaho and across the country come from taxpayers for the purpose of mosquito control, but are being diverted into this bureaucratic oversight function.

The fact that the existence of the permit has no additional environmental benefit (since pesticide applications are already governed by FIFRA) makes these taxpayer diversions from vector control unconscionable.

So why would the activist organizations be so adamant that these permits be mandatory for public health pesticide applications . . .?

EXPOSURE TO ACTIVIST LITIGATION

. . . Because it leaves municipal mosquito control programs vulnerable to CWA citizen lawsuits where fines to mosquito control districts may exceed $37,500/day.

Under FIFRA, the activists would need to demonstrate that the pesticides caused harm or were misapplied (because our pesticides are specific to mosquitoes and used in low doses by qualified applicators that would be extremely difficult).

However, the CWA 3rd Party Citizen Suit Provision allows for any third party to sue a government entity. Additionally, the CWA does not require actual evidence of a misapplication of a pesticide or harm to the environment, but rather simple paperwork violations or merely allegations of errors in permit oversight.

Gem County Mosquito Abatement District was the subject of one of these activist lawsuits utilizing the 3rd Party Citizen Suit Provision. It took ten years and the grand total of an entire year's annual operating

budget ($450,000) to resolve that litigation against that public health entity.

These ongoing compliance costs and threat of crushing litigation directly refute any activist statements that ''Clean Water Act coverage in no way hinders, delays, or prevents the use of approved pesticides for pest control operations.''

The existence of this unnecessary requirement for mosquito control activities is directly related to our ability to combat the vectors related to Zika. It diverts precious resources away from finding and suppressing mosquito populations.

The American Mosquito Control Association urges rapid action to address this burden.

PESTICIDE POLICY COALITION

SETTING THE RECORD STRAIGHT ON H.R. 897

H.R. 897 is bi-partisan, would augment state and local governments' ability to combat Zika-carrying mosquitoes, eliminate costly and unnecessary duplicative permit regulations and thereby increase the number of trained applicators deployed each season to fight mosquitoes, and would continue to ensure the nation's waterways are protected against adverse impacts on human health, the environment, or drinking water. The dual regulation of pesticide applications under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Clean Water Act (CWA) National Pollutant Discharge Elimination System (NPDES) program is onerous and does not create additional environmental benefits.

It is our hope that we can make our case to you via this letter and win your support should the issue come up again under regular order. The burdens imposed by duplicative Clean Water Act requirements will remain a costly impediment to mosquito control, and therefore to Zika control, unless Congress addresses them in this legislation.

During last week's floor debate, a significant amount of misleading and false information was used by those opposed to H.R. 897. It's time to set the record straight:

Extensive review of pesticides is required for approval/registration under FIFRA. All pesticides undergo a rigorous review process before being approved for use by the U.S. Environmental Protection Agency (EPA). Only those mosquito control products (larvacides and adulticides) that are EPA-approved and registered are available for use to control mosquitoes. EPA's registration process includes extensive review of studies/data relating to possible health and environmental effects of pesticides. EPA specifically examines the possible risk of the intended use and potential non-target organism impacts and effects on water quality. FIFRA requires that when a pesticide is used according to the label, use ''will perform its intended function without unreasonable adverse effects on the environment; and when used in accordance with widespread and commonly recognized practice it will not generally cause unreasonable adverse effects on the environment''. Any pesticides in use for mosquito control have met this standard and when applied in accordance with the FIFRA label should not harm the environment/water quality.

Previous bills were passed in the House. Contrary to statements made during the May 17 floor discussion, there has been consistent bi-partisan support for this legislation in the House. The history of previous legislative activity is summarized briefly here:

H.R. 1749 (109th Congress): No votes were held during the 109th Congress. A House Agriculture Committee hearing took place on 09/29/05. The bill was sponsored by Rep. Butch Otter (R–Idaho), and had 77 co-sponsors, including over 20 House Democrats.

H.R. 872 (112th Congress): The bill had 137 co-sponsors, including over 20 House Democrats, and passed the House by a vote of 292 to 130. Yes votes include 57 House Democrats.

H.R. 935 (113th Congress): The House Agriculture and Transportation & Infrastructure Committees approved H.R. 935 by voice vote. The House passed H.R. 935 under regular order by a vote of 267 to 161.

The Oregon fish kill incident would not have been prevented by a Clean Water Act NPDES Pesticide General Permit. Statements made on the House floor in reference to a fish kill involving 92,000 steelhead in Oregon's Talent Irrigation District occurred several decades ago in 1996. This incident was litigated in the Headwaters v. Talent Irrigation District 2001 Ninth Circuit decision that triggered debate over CWA regulation of pesticide applications. Not only have regulatory requirements under FIFRA evolved since that time, the Talent incident, and others like it, were later attributed to misuse of the pesticide acrolein, a herbicide used to control aquatic weeds in irrigation canals. In a 2003 EPA Office of Pesticide Programs Report analyzing the potential risks posed by acrolein use for several species of Pacific salmon and steelhead, in reference to the fish kill incidents, EPA states ''[w]here sufficient information has been provided, it appears that the fish incidents are as a result of misuse. The form of misuse is that water was released from the irrigation canals too early. In some cases this was because the gate valves were not properly closed or that they leaked, in other cases the applicator opened them intentionally, but too soon. In one case, boards that helped contain the irrigation canal water may have been removed by children playing.'' EPA goes on in the report to address each of the various species of salmon and steelhead analyzed and repeatedly states ''[i]t is very unlikely that acrolein would affect the [steelhead or salmon species] if it is used in accordance with all label requirements.'' Completing NPDES Pesticide General Permit paperwork and paying a permit fee does not prevent fish kills, nor does it improve water quality. Pesticide applications in accordance with FIFRA pesticide labels will avoid adverse environmental impacts, including fish kill incidents.

USGS reports on decades old pesticide data do not reflect impacts of present day use in accordance with FIFRA. During the House floor discussion, one Member referred to a ''2016 USGS Report'' that includes water quality impairment data that states provide to EPA as showing ''more than 16,000 miles of rivers and streams, 1,380 bays and estuaries, and 370,000 acres of lakes in the United States are currently impaired or threatened by pesticides.'' Unfortunately, the U.S. Geological Service (USGS) continues to use outdated data analyzing pesticide occurrence in U.S. streams dating back to 1992–2001. This does not accurately capture the pesticides that are presently approved for use in the U.S. Further, USGS acknowledges that it's ''analytical methods were designed to measure concentrations as low as economically and technically feasible. By this approach . . . pesticides were commonly detected at concentrations far below Federal or State standards and guidelines for protecting water quality. Detections of pesticides do not necessarily indicate that there are appreciable risks to human health, aquatic life, or wildlife. Most of the 75 products actually studied were not detected or detected very infrequently.

In the Fact Sheet for recent draft 2016 PGP reissuance, EPA points out that during the past four years of pesticide use reporting under the PGP ''EPA found that of the 17 pesticide active ingredients identified on the relevant [CWA] 303(d) lists as causes of water quality impairment, 7 of these pesticides have been cancelled, and others have significant restrictions. Based on annual report data, none of the impairments caused by pesticides in PGP states for the 303(d) reported years were for pesticides applied under the PGP in those respective states.'' This current information is a more accurate representation of pesticides currently being used across the country to combat mosquitos and aquatic weeds etc., and strong evidence that none of these applications are causing impairments to water quality.

Irrespective of the Clean Water Act NPDES Pesticide General Permit, applicators must comply with federal regulations require record-keeping requirements; failure to comply can result in civil and criminal penalties. Under the law, applicators are required to keep detailed records of the type of pesticide, location, time/date, target pests, amount applied, and method/location of any pesticide disposal. Any applicator who ''fails to comply with the provisions of this rule may be subject to civil or criminal sanctions.''

In addition, under FIFRA, pesticide registrants are required to report any knowledge of incidents or problems encountered as a result of the pesticide's use. Specifically, ''if at any time after the registration of a pesticide the registrant has additional factual information regarding unreasonable adverse effects on the environment of the pesticide, the registrant shall submit such information to the Administrator.''

H.R. 897 does not eliminate Clean Water Act protections for the nation's waterways. This bill provides relief from duplicative regulation of pesticide applications under FIFRA and the Clean Water Act Section 402 NPDES Program. Nothing in the legislation would inhibit EPA and states from the continued implementation of the suite of Clean Water Act programs that are governed by other portions of the Act, including establishing and updating water quality standards/criteria and issuing total maximum daily loads (TMDLs). H.R. 897 simply eliminates the need for obtaining a Clean Water Act NPDES permit for pesticide applications that are already regulated under FIFRA in a manner that protects against adverse environmental impacts. In EPA testimony before the House Transportation & Infrastructure, Subcommittee on Water Resources and Environment, Ben Grumbles, former EPA Assistant Administrator for Water, stated ''there are other tools under [the CWA] that we fully intend and continue to use in coordination with State and local water quality officials through the water quality standards programs, through criteria, through pollution reduction and TMDL programs. Those are still in place. If you are lawfully applying a pesticide, and it is a direct application to waters of the U.S., or if it is an application to control pests over or near waters of the U.S., you don't need a Clean Water Act permit.''

NPDES Pesticide General Permits divert state and federal resources away from other Clean Water Act program activities. The federal and state resources required to administer the Pesticide General Permit program

detracts from other agency priorities. In 2011 testimony before a joint hearing of the House Committee on Agriculture, Subcommittee on Nutrition and Horticulture and Transportation and Infrastructure, Subcommittee on Water Resources and Environment, Dr. Andrew Fisk, then President of the Association of State and Interstate Water Pollution Control Administrators (now known as ACWA), stated, ''[t]he general permits being developed must work for over 360,000 (estimated) new permittees brought within the purview of the NPDES program by the National Cotton Council court. Adding sources to the NPDES program carries with it regulatory and administrative burdens for states beyond merely developing and then issuing permits. It goes without saying that a meaningful environmental regulatory program is more than a paper exercise. It is not just a permit. EPA and states must provide technical and compliance assistance, monitoring, and as needed, enforcement. These 360,000 new permittees do not bring with them additional federal or state funding.''

The threat of CWA liability depletes resources available to combat mosquitos. NPDES permitting requirements bring with them the vulnerability for CWA citizen suits. Mosquito control authorities have to set aside resources to defend against potential litigation that could otherwise be used to combat mosquitos and protect public health. In comments on the recent 2016 draft PGP reissuance, the Benton County Mosquito Control District in Washington state commented: The absence of lawsuits does not mean that Mosquito Control Districts (MCD's) have not been affected by the additional liability brought on by the NPDES permit requirement. Benton County Mosquito Control sets aside 20 percent of our annual budget in case we are party to a Clean Water Act related lawsuit The federal facilities in my district are managed by the Army Corps of Engineers, and due to the increased liability that has been put on them, we (the applicator) have been asked to report to their agency on a weekly basis. This is an example of the unseen, ongoing administrative costs of the permit.

Similarly, according to the American Mosquito Control Association (AMCA), ''California vector control districts estimate that it has cost them $3 million'' to conduct administration for NPDES PGPs. A few states away in Idaho, the Gem County Mosquito Abatement District was forced to spend ten years and $450,000 (which is the District's entire annual budget) to resolve an activist lawsuit. The lawsuit was brought under the CWA's 3rd Party Citizen Suit Provision, which doesn't even require evidence of a misapplication of a pesticide or harm to the environment, but can still result in tying up funds that would otherwise be used to fight mosquitoes. AMCA estimates that the total diversion of taxpayer funds nationwide to unnecessary NPDES-PGP compliance is $3 million annually. This does not include additional costs incurred by other commercial applicators performing public health spraying services to municipalities, home owners associations and the like.

Each of these problems would be fixed with the passage of H.R. 897, greatly increasing the funds available for governments to fight public health-threatening mosquitoes.

Municipal water works remove any harmful traces of pesticides from drinking water. Studies by USGS, EPA and states demonstrate that detectable traces of pesticides in source waters rarely exceed human health benchmarks. Public drinking water systems must meet Maximum Contaminant Levels (MCL) set by EPA for dozens of chemicals that may be present in source waters. This includes commonly used pesticides and their breakdown products. These standards are legally enforceable and another layer of regulation that mitigates potential human health risks from pesticide products.

NDPES PGP requirements limit the number of applicators able to perform timely pesticide application services. As a result, some applicators are shutting down their application businesses due to risk of frivolous lawsuit or PGP paperwork costs. Leonard Felix of Olathe Spray Service Inc. in Colorado, who testified in front of the House Small Business Committee, shut down his mosquito spraying operation because of the paperwork costs and for fear of frivolous lawsuits. Dean Mclain, owner and operator of AG Flyers in Torrington, Wyoming, has similarly ceased mosquito control services.

Making the same point, John Salazar, Commissioner of the Colorado Department of Agriculture and former T&I member testified in 2011 to the T&I committee that ''. . . the small businesses and public health entities that represent the majority of those required to obtain permits under this decision will face significant financial difficulties.'' He added ''If Congress does not act, I fear agricultural producers and other pesticide users will be forced to defend themselves against litigation. I might also add that this uncertainty would likely increase the costs to state regulators. . . . Depending on the increase in the cost of an application service or the difficulty to comply with all elements of the permit, there may be those who choose to not make pesticide applications at all.''

NATIONAL AGRICULTURAL AVIATION ASSOCIATION,
May 23, 2016.

Hon. BOB GIBBS,
Chairman, Subcommittee on Water Resources and Environment, Committee on Transportation and Infrastructure, U.S. Senate.

DEAR CHAIRMAN GIBBS: I am writing in support of H.R. 897, the Zika Vector Control Act. This legislation would eliminate a major unfunded mandate and regulatory hurdle that decreases our nation's ability to combat threatening mosquitoes that carry Zika and other viruses.

Following the U.S. Court of Appeals for the 6th Circuit case National Cotton Council, et at, v. EPA, et al., pesticide users have been required to obtain a Clean Water Act National Pollutant Discharge Elimination System (NPDES) pesticide general permit (PGP) from the Environmental Protection Agency (EPA) or delegated states before spraying for mosquitoes.

The development of the PGP, processing of permit applications by the states, and application process to obtain the permit is very costly for state and local governments and pesticide applicators in the private sector.

Additional paperwork costs required under the NPDES PGP and the citizen action suit provision under the Clean Water Act results in frivolous litigation and hinder businesses that could otherwise perform necessary public health work. These stewards of public health face increased legal costs that require a reduction of valuable resources for mosquito abatement needed by small towns and big cities. This duplicative regulation has forced local governments to spend extremely large percentages of their mosquito abatement budgets on these NPDES permits. Costly federal red tape is making it financially impossible for some entities to spray for mosquitoes.

In the private sector, our members like Leonard Felix of Olathe Spray Service Inc. in Colorado, are being forced to shut down their mosquito abatement operations because of the costs of NPDES PGPs and potential associated lawsuits. Dean Mclain, owner and operator of AG Flyers in Torrington, Wyoming, has similarly ceased mosquito control services. In other words, NPDES PGP requirements have reduced the number of small applicators able to perform mosquito abatement. Since small applicators make up 30 percent of America's mosquito abatement businesses, these requirements significantly reduce our nation's ability to fight Zika-carrying mosquitoes.

The worst part about these requirements is that they don't improve water quality. All pesticides that could be used under an NPDES PGP are already currently being reviewed and regulated by EPA under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). This means each pesticide has undergone hundreds of millions of dollars in testing for impacts to aquatic species and water quality, including drinking water. There is no environmental or public health benefit from the PGP requirement, and there is no risk in creating an exemption from this requirement.

There is, however, a real public health threat with Zika-carrying mosquitoes in the U.S. and this threat could be exacerbated if H.R. 897 is not enacted because the unnecessary and duplicative NPDES-PGP requirements have grounded small business applicators that are a vital component of public health spraying. The mosquitoes that are known to carry Zika thrive and are developing as far north as Maine. With these unnecessary regulatory barriers, local governments will have fewer funds and applicators to fight these pests.

By enacting H.R. 897, we can fight Zika and other dangerous viruses without additional cost to the American taxpayers by simply recognizing the duplicative permitting process for pesticides. This legislation would permanently free up funds for state and local governments to combat mosquitoes while allowing mosquito abatement businesses to focus on hiring employees instead of wrestling with regulatory red tape.

Thank you for combatting the spread of Zika, and for protecting public health and small businesses with the Zika Vector Control Act.

Sincerely,

ANDREW MOORE,
Executive Director.

Mr. GIBBS. Madam Speaker, I reserve the balance of my time.

Mrs. NAPOLITANO. Madam Speaker, may I ask how much time I have remaining?

The SPEAKER pro tempore. The gentlewoman from California has 12½ minutes remaining, and the gentleman from Ohio has 8 minutes remaining.

Mrs. NAPOLITANO. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I include in the RECORD a letter in opposition to H.R. 897 from 13 national environmental organizations. They are Earthjustice, League of Conservation Voters, Natural Resources Defense Council, Pacific

Coast Federation of Fishermen's Association, San Francisco Baykeeper, Center for Biological Diversity, Clean Water Action, Defenders of Wildlife, Greenpeace, Beyond Pesticides, Southern Environmental Law Center, Sierra Club, and Friends of the Earth.

Re Oppose H.R. 897 (''Zika Vector Control Act'').

MAY 16, 2016.

DEAR REPRESENTATIVE: On behalf of our millions of members and supporters nationwide, we urge you to oppose H.R. 897 (''Zika Vector Control Act''), which would eliminate Clean Water Act safeguards that protect our waterways and communities from excessive pesticide pollution. The Pesticide General Permit targeted in this legislation has been in place for nearly five years now and alarmist predictions by pesticide manufacturers and others about the impacts of this permit have failed to bear any fruit.

This bill is the same legislation that pesticide manufacturers and other special interests have been pushing for years. It will not improve nor impact spraying to combat Zika virus, contrary to the new, last-minute title given to the bill. The Pesticide General Permit at issue allows for spraying to combat vector-borne diseases such as Zika and the West Nile virus. According to the U.S. Environmental Protection Agency, the permit ''provides that pesticide applications are covered automatically under the permit and may be performed immediately for any declared emergency pest situations'' (emphasis added).

Further, repealing the Pesticide General Permit—as this damaging legislation seeks to do—would allow pesticides to be discharged into water bodies without any meaningful oversight since the federal pesticide registration law (the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)) does not require tracking of such applications.

Now that the Pesticide General Permit is in place, the public is finally getting information that they couldn't obtain before about the types of pesticides being sprayed or discharged into local bodies of water. All across the country, pesticide applicators are complying with the Pesticide General Permit to protect water quality without issue.

Further, the Pesticide General Permit has no significant effect on farming practices. The permit in no way affects land applications of pesticides for the purpose of controlling pests. Irrigation return flows and agricultural stormwater runoff do not require permits, even when they contain pesticides. Existing agricultural exemptions in the Clean Water Act remain.

Nearly 150 human health, fishing, environmental, and other organizations have opposed efforts like H.R. 897 that would undermine Clean Water Act permitting for direct pesticide applications to waterways. We attach a list of these groups for your reference, as well as a one-page fact sheet with more information on the issue.

The Pesticide General Permit simply lays out commonsense practices for applying pesticides directly to waters that currently fall under the jurisdiction of the Clean Water Act. Efforts to block this permit are highly controversial, as evidenced by the attached list of groups opposed.

Please protect the health of your state's citizens and all Americans by opposing H.R. 897.

Sincerely,

Earthjustice; League of Conservation Voters; Natural Resources Defense Council; Pacific Coast Federation of Fishermen's Associations; Sierra Club; San Francisco Baykeeper; Center for Biological Diversity; Southern Environmental Law Center; Clean Water Action; Defenders of Wildlife; Greenpeace; Beyond Pesticides; Friends of the Earth.

Mrs. NAPOLITANO. Madam Speaker, during the debate on H.R. 897 last week, it was suggested that the recordkeeping requirements of the Federal Insecticide, Fungicide, and Rodenticide Act, or FIFRA, were equal to or exceeding those required under the Clean Water Act permit. We checked with EPA and found a very different story.

First, contrary to suggestions otherwise, all private pesticide applicators are not required to keep any pesticide applications under FIFRA or its implementing regulations. Only commercial application of restricted-use pesticides are required to keep application records under FIFRA recordkeeping requirements.

Second, pesticide application records do not have to be filed with the EPA, any State or tribal agency, or person. They are only required to keep and be maintained at a place where pesticides are used, and available for inspection upon request by an authorized regulatory representative.

Yet, in contrast to the clean water requirements, the FIFRA application records are not publicly available. While in some States applicators can be required by State or regulation to lead to more robust recordkeeping requirements, it is not accurate to say those are required under FIFRA.

So in sum, FIFRA requires far fewer pesticide applicators to keep any records, does not require that these records be filed with the Federal, State, or tribal regulatory agency, and does not make these records publicly available.

In my view, then, it is not accurate to say that the recordkeeping requirements of FIFRA and the Clean Water Act are synonymous.

Madam Speaker, I reserve the balance of my time.

Mr. GIBBS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, just to respond a little bit, the EPA sets the label requirements. It sets all the requirements for the certified applicators. And to apply a restricted pesticide, you have to be a certified applicator.

Now, ironically, here, the EPA is the agency, the regulator, that can set what is restricted. In most cases what we are talking about here is the pesticides being used to control mosquitoes and stuff are restricted pesticides, and the certified applicators have to keep records. The regulators can come in and check those records. Those records consist of the date you applied the pesticide, the time of day, the wind speed, the temperature, the humidity—all sorts of things—and, obviously, the location. And so the EPA controls this under FIFRA, and they can come in and require to see those records if there is a problem, and they have absolute control of what is restricted and what is not restricted, and they can add to that list. They have full, broad ability to do that under FIFRA under the current law.

So I want to make that known—that you don't go out and apply restricted pesticides haphazardly. You just open yourself up to all kinds of legal problems and regulatory problems. It is an erroneous argument that that is going to happen.

Madam Speaker, I reserve the balance of my time.

Mrs. NAPOLITANO. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, I listened to the arguments, and I hope that, for the fifth time, this measure is opposed and rejected.

I think of California and its many rivers and streams that are heavily impacted by the pollution of pesticides and herbicides, and I urge my colleagues to consider that this could happen in their area, too.

I ask my colleagues to join me in opposing H.R. 897.

Madam Speaker, I yield back the balance of my time.

□ 1630

Mr. GIBBS. Madam Speaker, I really urge my colleagues to support this bill for several reasons. We need to make sure that we give our local communities and our States all the tools in that tool chest to fight this virus because this could reach epidemic proportions this summer. If we don't do that, it is on us.

What we tried to do here on this bill—viruses, they kind of run a course, and they go through that. We went through it with Ebola and other things. You have seen it with swine flu and other things.

During this virus running its course, we should do everything we can to try to mitigate the effects and the impact to the public's health and safety. So one thing we did in this bill is we put a 2-year sunset provision. So on September 30 of 2018, this provision, H.R. 897, expires. It sunsets.

So, really, to attack the issue here, while this disease runs its course—and, hopefully, it runs its course and we do the right thing and mitigate it by providing the resources to our local communities and our States to fight it; to provide for research, which we are doing in our bill that we passed last week; and, also, to give them the tools so they can spend all the money they have on the mosquito control programs and not on administration and paperwork.

That court decision back in the mid-2000s was a bad court decision. It added redtape and duplication and is delaying

preventive programs from mosquito control. We know that. We have examples of that.

We saw the numbers of West Nile a couple of years ago just explode in West Nile cases because those mosquito programs weren't doing what they were supposed to be doing, because it is important to get in there and attack the issue early, kill the larvae before they grow mosquitoes.

So this is a commonsense bill that gives an additional tool to our local communities and States to fight that.

This argument that applicators go out and just haphazardly apply pesticides and chemicals is just playing on people's emotions. It is just not true.

First of all, these pesticides aren't cheap. They are expensive, and we try to use them in limited amounts to do the best thing.

Under FIFRA, a certified pesticide applicator, like I said, has to document everything they do, and those documents have to be made readily available if their regulator—in this case, the EPA—comes in and says they want to see them.

So if there is an issue with some waterbody, they can come in and find out. We saw that in that spill that was mentioned back in the 1990s in Oregon. That was a spill. It was done by either incompetence or not by a certified applicator. We also got reports that certain irrigation gates were open. Things just didn't happen the way they were supposed to happen.

The NPS permit would not have prevented that spill. We need to make sure that we do everything we can and give the tools to communities to protect the environment, foster and protect public health, and not have to wait to do an emergency declaration and do aerial spraying and everything else.

Let's get those preventive programs going, and then we will give them the resources to do that and head off this potential epidemic before it occurs and protect the safety of our citizens.

I urge my colleagues to support H.R. 897.

Madam Speaker, I yield back the balance of my time.

Mr. GIBBS. Madam Speaker, I submit the following letters of support that we received for the bill last week:

A letter from nearly 100 organizations supporting H.R. 897, including: the National Association of State Departments of Agriculture, the National Farmers Union, the Ohio Professional Applicators for Responsible Regulation, the Pesticide Policy Coalition, and the National Council of Farmer Cooperatives.

The National Pest Management Association.

Responsible Industry for a Sound Environment.

The American Farm Bureau Federation.

HOUSE OF REPRESENTATIVES,
Washington, DC, May 17, 2016.

DEAR MEMBER OF CONGRESS: The nearly one hundred undersigned organizations urge your support for HR 897, the Zika Vector Control Act, which the House will consider today under suspension of the rules.

Pesticide users, including those protecting public health from mosquito borne diseases, are now subjected to the court created requirement that lawful applications over, to or near 'waters of the U.S.' obtain a Clean Water Act (CWA) National Pollutant Discharge Elimination System (NPDES) permit from the Environmental Protection Agency (EPA) or delegated states. HR 897 would clarify that federal law does not require this redundant permit for already regulated pesticide applications.

Under the Federal Insecticide, Fungicide and Rodenticide Act (FIERA), all pesticides are reviewed and regulated for use with strict instructions on the EPA approved product label. A thorough review and accounting of impacts to water quality and aquatic species is included in every EPA review. Requiring water permits for pesticide applications is redundant and provides no additional environmental benefit.

Compliance with the NPDES water permit also imposes duplicative resource burdens on thousands of small businesses and farms, as well as the municipal, county, state and federal agencies responsible for protecting natural resources and public health. Further, and most menacing, the permit exposes all pesticide users—regardless of permit eligibility—to the liability of CWA-based citizen law suits.

In the 112th Congress, the same Reducing Regulatory Burdens Act—then HR 872—passed the House Committee on Agriculture and went on to pass the House of Representatives on suspension. In the 113th Congress, the legislation—then HR 935—passed the both the House Committees on Agriculture and Transportation & Infrastructure by voice vote, and again, the House of Representatives.

The water permit threatens the critical role pesticides play in protecting human health and the food supply from destructive and disease-carrying pests, and for managing invasive weeds to keep open waterways and shipping lanes, to maintain rights of way for transportation and power generation, and to prevent damage to forests and recreation areas. The time and money expended on redundant permit compliance drains public and private resources. All this for no measureable benefit to the environment. We urge you to remove this regulatory burden by voting ''YES'' on HR 897, the Zika Vector Control Act.

Sincerely,

Agribusiness Council of Indiana; Agribusiness & Water Council of Arizona; Agricultural Alliance of North Carolina; Agricultural Council of Arkansas; Agricultural Retailers Association; Alabama Agribusiness Council; American Farm Bureau Federation; Alabama Farmers Federation; American Mosquito Control Association; American Soybean Association; AmericanHort; Aquatic Plant Management Society; Arkansas Forestry Association; Biopesticide Industry Alliance; California Association of Winegrape Growers; California Specialty Crops Council; Cape Cod Cranberry Growers Association; The Cranberry Institute; CropLife America; Council of Producers & Distributors of Agrotechnology.

Family Farm Alliance; Far West Agribusiness Association; Florida Farm Bureau Federation; Florida Fruit & Vegetable Association; Georgia Agribusiness Council; Golf Course Superintendents Association of America; Hawaii Cattlemen's Council; Hawaii Farm Bureau Federation; Idaho Grower Shippers Association; Idaho Potato Commission; Idaho Water Users Association; Illinois Farm Bureau; Illinois Fertilizer & Chemical Association; Kansas Agribusiness Retailers Association; Louisiana Cotton and Grain Association; Louisiana Farm Bureau Federation; Maine Potato Board; Michigan Agribusiness Association; Minnesota Agricultural Aircraft Association; Minnesota Crop Production Retailers.

Minnesota Pesticide Information & Education; Minor Crops Farmer Alliance; Missouri Agribusiness Association; Missouri Farm Bureau Federation; Montana Agricultural Business Association; National Agricultural Aviation Association; National Alliance of Forest Owners; National Alliance of Independent Crop Consultants; National Association of State Departments of Agriculture; National Association of Wheat Growers; National Corn Growers Association; National Cotton Council; National Council of Farmer Cooperatives; National Farmers Union; National Pest Management Association; National Potato Council; National Rural Electric Cooperative Association; National Water Resources Association; Nebraska Agri-Business Association; North Carolina Agricultural Consultants Association.

North Carolina Cotton Producers Association; North Central Weed Science Society; North Dakota Agricultural Association; Northeast Agribusiness and Feed Alliance; Northeastern Weed Science Society; Northern Plains Potato Growers Association; Northwest Horticultural Council; Ohio Professional Applicators for Responsible Regulation; Oregon Potato Commission; Oregonians for Food & Shelter; Pesticide Policy Coalition; Plains Cotton Growers, Inc.; Professional Landcare Network; RISE (Responsible Industry for a Sound Environment); Rocky Mountain Agribusiness Association; SC Fertilizer Agrichemicals Association; South Dakota Agri-Business Association; South Texas Cotton and Grain Association; Southern Cotton Growers, Inc.; Southern Crop Production Association.

Southern Rolling Plains Cotton Growers; Southern Weed Science Society; Sugar Cane League; Texas Ag Industries Association; Texas Vegetation Management Association; United Fresh Produce Association; U.S. Apple Association; USA Rice Federation; Virginia Agribusiness Council; Virginia Forestry Association; Washington Friends of Farm & Forests; Washington State Potato Commission; Weed Science Society of America; Western Growers; Western Plant Health Association; Western Society of Weed Science; Wild Blueberry Commission of Maine; Wisconsin Farm Bureau Federation; Wisconsin Potato and Vegetable Growers Association; Wisconsin State Cranberry Growers Association; Wyoming Ag Business Association; Wyoming Crop Improvement Association; Wyoming Wheat Growers Association.

NATIONAL PEST MANAGEMENT ASSOCIATION

DEAR REPRESENTATIVE: I am writing to you today as a pest management professional requesting your support for H.R. 897, the Zika Vector Control Act. H.R. 897 is scheduled to be considered by the full House of Representatives tomorrow, May 17. H.R. 897 would suspend the need to obtain unnecessary and burdensome permits, allowing our industry to better protect you from the mosquitoes that transmit the Zika virus.

Zika is an emerging mosquito-borne virus that currently has no specific medical treatment or vaccine. Zika virus is spread through the bite of infected mosquitoes in the Aedes genus, the same mosquitoes that carry dengue fever and chikungunya. The Zika virus causes mild flu-like symptoms in about 20 percent of infected people, but the main concern among leading health organizations is centered on a possible link between the virus and microcephaly, a birth defect associated with underdevelopment of the head and brain, resulting in neurological and developmental problems. The World Health Organization (WHO) recently declared Zika virus a global health emergency.

Currently, pest management professionals who apply even small amounts of pesticides in and around lakes, rivers and streams to protect public health and prevent potential disease outbreaks are required to obtain an additional, redundant and burdensome National Pollutant Discharge Elimination System (NPDES) permit prior to application. Under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), all pesticides are reviewed and regulated for use with strict instructions on the U.S. Environmental Protection Agency (EPA) approved product label. A thorough review and accounting of impacts to water quality and aquatic species is included in every EPA review. Requiring water permits for pesticide applications is redundant and provides no additional environmental benefit.

Pest management professionals are on the front lines of protecting the public, using a variety of tools, including pesticides. Requiring pest management applicators to obtain an NPDES permit to prevent and react to potential disease outbreaks wastes valuable time against rapidly moving and potentially deadly pests. Water is the breeding ground for many pests.

The pest management industry strongly urges you temporarily remove this regulatory burden and help us protect people throughout your community from mosquitoes that transmit dangerous and deadly diseases, like Zika, by voting YES on H.R. 897, the Zika Vector Control Act.

RESPONSIBLE INDUSTRY FOR A SOUND ECONOMY,
Washington, DC, May 17, 2016.

Hon. BOB GIBBS,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE GIBBS: Thank you for re-introducing the H.R. 897. RISE (Responsible Industry for a Sound Environment) is a national not-for-profit trade association representing producers and suppliers of specialty pesticides including products used to control mosquitoes and invasive aquatic weeds.

For most of the past four decades, water quality concerns from pesticide applications were addressed within the registration process under the Federal Insecticide, Fungicide and Rodenticide Act (FIERA) rather than a Clean Water Act permitting program. Due to a 2009 decision of the 6th Circuit U.S. Court of Appeals, Clean Water Act National Pollution Discharge Elimination System Permits (NPDES) have been required since 2011 for aquatic pesticide applications. NPDES permits do not provide any identifiable additional environmental benefits, but add significant costs and paperwork requirements which make it more expensive to protect people from mosquitoes that can vector the Zika Virus, West Nile Virus, Dengue Fever and other viruses. Permits also make it more expensive to control invasive aquatic plants that over take our waterways and impede endangered species habitat.

H.R. 897 would clarify that duplicative NPDES permits are not needed for the application of EPA approved pesticides. The elimination of these permits will speed response to public health and other pest pressures, save resources for, states, municipalities, and communities. We support this legislation look forward to working with you and your colleagues to advance this legislation.

Sincerely,

AARON HOBBS,
President.

AMERICAN FARM BUREAU FEDERATION,
Washington, DC, May 16, 2016.

THE HONORABLE HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR MEMBERS OF CONGRESS: Later this week, the House will vote on legislation that clarifies congressional intent regarding regulation of the use of pesticides for control of exotic diseases such as Zika virus and West Nile virus, as well as for other lawful uses in or near navigable waters. The American Farm Bureau Federation (AFBF) strongly supports the Zika Vector Control Act of 2016'' and urges all members of Congress to support this legislation.

AFBF represents rural areas nationwide that will be impacted by the spread of dangerous exotic diseases like Zika. The only control measure at this time is vector control. Our members are aware that local mosquito control districts face tight budgets and are concerned with the operational disruptions and increased costs associated with unnecessary and duplicative permitting requirements. Any disruption in vector control will expose a large portion of Farm Bureau members to mosquitos that may carry diseases like Zika and West Nile virus.

We urge all committee members to vote in favor of the ''Zika Vector Control Act of 2016.''

Thank you very much for your support.

Sincerely,

ZIPPY DUVALL,
President.

Ms. JACKSON LEE. Madam Speaker, I rise to speak in support of full funding for the Zika Response Appropriations, because the House appropriations measure fell short of what is needed to aggressively address the enormity of the Zika Virus threat to the Americas and the United States, with particular concern for Puerto Rico the House needs to act.

I thank President Obama for his leadership in requesting $1.9 billion to address the threat of the Zika Virus, and facing congressional delay he took funds from Ebola response to prepare the nation to face the Zika Virus threat.

Let us not forget—Ebola was on our doorstep last year before Congress acted and there are still Ebola hot spots that are occurring, which have to be addressed, but we now lack the resources to deal with that ever present threat.

I am committed to doing everything I can to address the threat of Zika Virus, but I am not supportive of tricks or misguided strategies to get legislation to the House floor in the name of Zika prevention that will do too little; and funding that will abruptly end on September 30, 2016.

As the founder and Chair of the Children's Caucus and a senior member of the House Committee on Homeland Security, I am acutely aware of how dangerous the Zika Virus is to women who may be pregnant or may become pregnant should they be exposed to the disease.

Houston, Texas, like many cities, towns, and parishes along the Gulf Coast, has a tropical climate hospitable to mosquitoes that carry the Zika Virus like parts of Central and South America, as well as the Caribbean.

For this reason, I am sympathetic to those members who have districts along the Gulf Coast.

These Gulf Coast areas, which include Houston, the third largest city in the nation, are known to have both types of the Zika Virus carrying mosquitoes: the Aedes Aegypti and the Asian Tiger Mosquito; which is why I held a meeting in Houston on March 10, 2016 about this evolving health threat.

I convened this meeting with Houston, Harris County and State officials at every level of responsibility to combat the Zika Virus and to discuss preparations that would mitigate it.

The participants included Dr. Peter Hotez, Dean of the National School of Tropical Medicine and Professor of Pediatrics at Baylor College of Medicine and Dr. Dubboun, Director of the Harris County Public Health Environmental Services Mosquito Control Division who gave strong input on the critical need to address the threat on a multi-pronged approach.

The potential for the Zika Virus outbreaks in the United States if we do not act is real, and the people on the front lines are state and local governments who must prepare for mosquito season, establish community oriented education campaigns, provide Zika Virus prevention resources to women who live in areas where poverty is present, and environmental remediation of mosquito breeding near where people live.

The assumption that everyone has air conditioning; window and door screens that are in good repair or present at all; does not take into consideration the pockets of poverty that are present in every major city including many towns, counties, parishes, and cities along the Gulf Coast.

The 18th Congressional District of Texas, which I represent, has a tropical climate and is very likely to confront the challenge of Zika Virus carrying mosquitoes before mosquito season ends in the fall.

Dr. Dubboun, Director of the Harris County Public Health Environmental Services Mosquito Control Division stressed that we cannot spray our way out of the Zika Virus threat.

He was particularly cautious about the over use of spraying because of its collateral threat to the environment and people.

We should not forget that Flint, Michigan was an example of short-sighted thinking on the part of government decision makers, which resulted in the contamination of that city's water supply.

The participants in the meeting I held in Houston represented the senior persons at every state and local agency with responsibility for Zika Virus response.

The expert view of those present was that we need a unity of effort plan to address the Zika Virus in the Houston and Harris County area that will include every aspect of the community.

The collective wisdom of these experts revealed that we should not let the fear of the Zika Virus control public policy.

Instead we should get in front of the problem, then we can control the Zika Virus from its source—targeting mosquito breeding environments.

The real fight against the Zika Virus will be fought neighborhood by neighborhood and will rely upon the resources and expertise of local government working closely with State governments supported by federal government agencies.

The consensus of Texas, Houston, and Harris County experts is that we make significant strides to stay ahead of the arrival of mosquito transmission of Zika Virus if we act now.

The CDC said that for the period January 1, 2015 to May 11, 2016, the number of cases are as follows:

THE UNITED STATES

Travel-associated cases reported: 503; Locally acquired through mosquito bites reported: 0; Total: 503.

Pregnant: 48; Sexually transmitted: 10; Guillain-Barré syndrome: 1.

U.S. TERRITORIES

Travel-associated cases reported: 3; Mosquito acquired cases reported: 698; Total: 701.

Pregnant: 65; Guillain-Barré syndrome: 5.

There are 49 countries and territories in our hemisphere where mosquito borne transmission of the Zika Virus is the primary way the virus is spread include:

American Samoa; Aruba; Belize; Barbados; Bolivia; Brazil; Bonaire; Cape Verde; Central America; Colombia; Costa Rica; Cuba; Curaçao; Dominica; Dominican Republic; El Salvador; Ecuador; Fiji; French Guiana; Grenada; the Grenadines; Guatemala; Guadeloupe; Haiti; Honduras; Islands Guyana; Jamaica; Martinique; Kosrae (Federated States of Micronesia); Marshall Islands; Mexico; Nicaragua; New Caledonia; the Commonwealth of Puerto Rico, Panama; Papua New Guinea, Paraguay; Peru; Samoa, a U.S. territory; Saint Barthelemy; Saint Lucia; Saint Martin; Saint Vincent; Saint Maarten; Suriname; Tonga; Trinidad and Tobago; U.S. Virgin Islands, Venezuela and particular note is made by the CDC by listing the 2016 Summer Olympics (Rio 2016) separately.

As of May 11, 2016, there were more than 1,200 confirmed Zika cases in the continental United States and U.S. Territories, including over 110 pregnant women with confirmed cases of the Zika virus.

The Zika virus is spreading in Puerto Rico, the U.S. Virgin Islands, American Samoa and abroad, and there will likely be mosquito-borne transmission within the continental United States in the coming summer months.

The most important approach to control the spread of Zika Virus is poverty and the conditions that may exist in poor communities can be of greatest risk for the Zika Virus breeding habitats for vector mosquitoes.

The spread of disease is opportunistic—Zika Virus is an opportunistic disease that is spread by 2 mosquitoes out of the 57 verities.

We should be planning to fight those 2 mosquitoes in a multi-pronged way with every resource we can bring to the battle.

Poverty is where the mosquito will find places to breed in great numbers, but these mosquitoes will not be limited to low income areas nor does the disease care how much someone earns.

The Aedes Aegypti or Yellow Fever mosquito has evolved to feed on people for the blood needed to lay its eggs.

This mosquito can breed in as little as a cap of dirty water; it will breed in aquariums in homes; plant water catching dishes; the well of discarded tires; puddles or pools of water; ditches; and children's wading pools.

Although water may evaporate mosquito eggs will remain viable and when it rains again or water is placed where they are in contact with eggs the process for mosquitos development resumes.

The enablers of Zika Virus are those who illegally dump tires; open ditches, torn screens, or no screens; tropical climates that create heat and humidity that force people without air conditioning to open windows or face heat exhaustion.

It might be hard for people who do not live in the tropical climates along the Gulf Coast to understand what a heat index is—it is a combination of temperature and humidity, which can mean that temperatures in summer are over 100 degrees.

Zika Virus Prevention Kits like those being distributed in Puerto Rico, which are vital to the effort there to protect women, will be essential to the fight against Zika Virus along the Gulf Coast.

These kits should include mosquito nets for beds.

Bed nets have proven to be essential in the battle to reduce malaria by providing protection and reducing the ability of biting insects to come in contact with people.

Mosquito netting has fine holes that are big enough to allow breezes to easily pass through, but small enough to keep mosquitoes and other biting insects out.

The kits should also include DEET mosquito repellant products that can be sprayed on clothing to protect against mosquito bites.

Madam Speaker, there is no need to be alarmed, but we should be preparing aggressively so that this nation does not have a reoccurrence of what happened during the Ebola crisis—when the Federal government seemed unprepared because this Congress was unmoved by the science, until domestic transmission of the disease were recorded.

The Zika Virus is a neurogenic virus that can attack the brain tissue of children in their mother's womb.

The Zika Virus will be difficult to detect and track in all cases because 4 in 5 people who get the disease will have no symptoms.

We know that 33 states have one or both of the vector mosquitoes.

Dr. Peter Hotez said that we can anticipated that the Americas including the United States can expect 4 million Zika Virus cases in the next four months and to date there are over a million cases in Brazil.

The virus has been transmitted through sexual contact.

We know that the evidence of the Zika Virus in newborns in the United States may not become apparent until we are in the late fall or winter of next year.

The most serious outcome the Zika Virus exposure is birth defects that can occur during pregnancy if the mother is exposed to the Zika Virus.

Infections of pregnant women can result in:

Still births;

The rate of Microcephaly based on Zika Virus exposure far exceeds that number.

Microcephaly is brain underdevelopment either at birth or the brain failing to develop properly after birth, which can cause:

Difficulty walking;

Difficulty hearing; and

Difficulty with speech.

Researchers and scientists at the CDC; NIH and HHS do not know how the disease attacks the nervous system of developing babies.

They cannot answer what the long term health prospects are for children born with such a severe brain birth defect.

They have not discovered the right vaccine to fight the disease—which requires care to be sure that it is safe and effective especially in pregnant women or women who may become pregnant.

They do not know what plan will work and to what degree if a tight network of mosquito control is established in areas most likely to have the Zika Virus carrying mosquitoes.

How the Zika Virus may evolve over time and what they may mean for human health.

I urge my colleagues to reject anything less than full support of the President's request for $1.9 billion to fight the Zika Virus threat.

Mr. GENE GREEN of Texas. Madam Speaker, I rise in opposition to H.R. 897, the so-called ''Zika Vector Control Act.''

This legislation, which has appeared four times before this chamber in the past two years, in no way addresses the serious mosquito control or Zika virus concerns confronting communities I have the honor of representing in Houston and Harris County, Texas.

Instead, this bill would create a loophole in the Clean Water Act to exempt pesticide spraying from current permitting requirements that most mosquito control districts and state agencies already have, including Harris County Public Health & Environmental Services.

I hosted an event with my colleague, Congressman AL GREEN, last Friday at El Centro de Corazon health clinic in Houston's East End, where we urged Congress to fully fund the Administration's request for $1.9 billion in emergency funding to combat Zika. Houston and Harris County are particularly exposed to Zika due to our region's climate, many bayous, and the presence of the Aedes mosquito species, the carrier of the Zika virus.

For the people of Houston and Harris County, this emergency finding is essential to protect our nation's fourth largest city from a Zika outbreak that has devastated countless communities in Latin America.

I urge the House Majority to abstain from using the fears over Zika as a Trojan horse for legislation that will create unnecessary loopholes in our environmental laws, and to bring

to the floor H.R. 5044, emergency appropriations for $1.9 billion to combat Zika, for a vote as soon as possible.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 742, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. RUIZ. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. RUIZ. I am opposed in its current form, Madam Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Ruiz moves to recommit the bill H.R. 897 to the Committee on Transportation and Infrastructure with instructions to report the same back to the House forthwith with the following amendment:

At the end, add the following:

SEC. 4. PROTECTING PREGNANT WOMEN AND CHILDREN FROM PESTICIDES KNOWN OR SUSPECTED TO CAUSE ADVERSE HEALTH IMPACTS ON PREGNANT WOMEN, FETAL GROWTH, OR EARLY CHILDHOOD DEVELOPMENT.

This Act, and the amendments made by this Act, shall not apply to the discharge of a pesticide if there is evidence, based on peer-reviewed science, that the pesticide is known or suspected to—

(1) cause adverse health effects on pregnant women;

(2) cause adverse impacts to fetal growth or development; or

(3) cause adverse impacts on early childhood development.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California is recognized for 5 minutes in support of his motion.

Mr. RUIZ. Madam Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Madam Speaker, I offer this amendment because I recognize the critical need to protect women, infants, and developing children from the harmful impact of pesticides.

The underlying bill, the so-called Zika Vector Control Act, is a farce designed to play on public fears over Zika. It has nothing to do with combating Zika.

In fact, Republicans have been pushing the text of the underlying legislation for years under whatever name happens to be convenient at the time.

Otherwise known as the pesticide Trojan horse bill, this legislation attempts to gut our ability to track and report when and where harmful pesticides are sprayed.

Without oversight compliance, physicians and scientists are less able to track and identify the cluster of symptoms caused by pesticides which, in turn, reduces their ability to protect the public's health.

I know, as a physician and public health expert, that pesticides can have serious toxic impacts on human health particularly for women and children.

Pesticides can endanger women and unborn children, cause malformation in infants, hinder early childhood development, endanger reproductive health, and cause cancer.

Madam Speaker, I speak as a physician, but I also speak as the son of farm workers. The underlying bill could expose already vulnerable populations to greater risks of contamination from pesticides. Farm workers would be harmed by the unmonitored use of these harmful pesticides.

No oversight of compliance can harm the public's health. That is why I am offering this commonsense amendment to protect the health safety of our communities and our women and children.

Instead of actually working to control the spread of one public health crisis, the Zika virus, this bill could make another public health problem even worse.

Rather than spending our time on this bill that does nothing to strengthen Zika prevention efforts across the country, we should be working to pass legislation to fully fund efforts to contain and stop the virus before we adjourn.

Madam Speaker, last week we voted on an inadequate and unconscionable Zika funding bill that I opposed. That bill funded only one-third of the request from public health experts.

In medicine, you don't just partially treat a patient. That is called malpractice. You don't take out just a third of the cancer. You don't just give a third of the antibiotic dose for severe pneumonia.

Time is running out. It is past due, Madam Speaker, for you to do your job, protect American families, and fully address the Zika virus threat.

This underlying bill does not contain a dime in funding and no authority to protect public health from the spread of the Zika virus. It is an unnecessary bill because vector control agencies already have the authority to use pesticides under a public health emergency like the spread of the Zika virus epidemic.

So instead of pushing this Trojan horse, which could actually expose vulnerable communities to serious health risks, let's fully fund efforts to protect American families from Zika.

I urge you to vote ''yes'' to protect the health and safety of women and children in this country and to demand that we fully fund efforts to combat the spread of the Zika virus before it is too late.

Madam Speaker, I yield back the balance of my time.

Mr. GIBBS. Madam Speaker, I claim the time in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Ohio is recognized for 5 minutes.

Mr. GIBBS. Madam Speaker, this motion to recommit is unnecessary. The underlying bill, H.R. 897, eliminates the duplicative, expensive, and unnecessary permit process and helps free up resources for States, counties, and local governments to better combat the spread of Zika. But this motion, in effect, aims to undermine those efforts.

There are already adequate protections built in the FIFRA law. The FIFRA review process can restrict or deny. The process is rigorous and requires the EPA to evaluate the human health and environmental effects of pesticides prior to allowing their use.

EPA goes through their process. If there is any risk to the environment or human health, a pesticide will not get registered with an approved label. There won't be a label. It is that simple. It will be a restricted pesticide and won't be approved for use.

There are already enough protections in the current FIFRA law. So all this redundancy is just plain unnecessary. So we need to move ahead and stop creating unnecessary roadblocks and use the products that we have to protect the public.

The argument about harming farm workers is just unbelievable, too, because EPA controls the label. If it is restricted pesticides—which EPA can make all pesticides restricted. It has to be a certified applicator.

So any farm worker has to be under the supervision of a certified applicator, and we have that in effect. So farm workers are not harmed from this. The FIFRA law is adequate.

H.R. 897 is a good bill that will help protect pregnant women and stop mosquitos before they spread the Zika virus to vulnerable populations.

I strongly oppose the motion to recommit, and I urge my colleagues to vote ''no.''

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. RUIZ. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, and the order of the House of today, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 897, if ordered, and the motion to concur in the Senate

amendment to H.R. 2576 with an amendment.

The vote was taken by electronic device, and there were—yeas 182, nays 232, not voting 19, as follows:

[Roll No. 236]

YEAS—182

Adams
Aguilar
Ashford
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blum
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NAYS—232

Abraham
Aderholt
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
DelBene
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—19

Allen
Bass
Castro (TX)
Collins (GA)
Fattah
Fincher
Granger
Herrera Beutler
Huelskamp
Huizenga (MI)
Jackson Lee
Loudermilk
Massie
Miller (MI)
O'Rourke
Sanchez, Loretta
Scott, Austin
Takai
Waters, Maxine

□ 1703

Messrs. RATCLIFFE, FITZPATRICK, HURD of Texas, Mmes. BLACKBURN, LOVE, Messrs. CALVERT, McHENRY, FORBES, TIBERI, DENT, and GOSAR changed their vote from ''yea'' to ''nay.''

Mr. LARSON of Connecticut and Ms. MOORE changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mrs. NAPOLITANO. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 258, noes 156, not voting 19, as follows:

[Roll No. 237]

AYES—258

Abraham
Aderholt
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Carney
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
DelBene
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Loebsack
Long
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Maloney, Sean
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nolan
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perlmutter
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)

Young (IA)
Young (IN)
Zeldin
Zinke

NOES—156

Adams
Aguilar
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Capuano
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kirkpatrick
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Matsui
McCollum
McDermott
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Norcross
Pallone
Pascrell
Payne
Pelosi
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Scott (VA)
Serrano
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Wasserman Schultz
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—19

Allen
Bass
Castro (TX)
Collins (GA)
Fattah
Fincher
Granger
Herrera Beutler
Huelskamp
Huizenga (MI)
Jackson Lee
Loudermilk
McGovern
Miller (MI)
O'Rourke
Sanchez, Loretta
Scott, Austin
Takai
Waters, Maxine

□ 1709

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

TSCA MODERNIZATION ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on the motion to concur in the Senate amendment to the bill (H.R. 2576) to modernize the Toxic Substances Control Act, and for other purposes, with an amendment, offered by the gentleman from Illinois (Mr. SHIMKUS), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to concur.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 403, nays 12, not voting 18, as follows:

[Roll No. 238]

YEAS—403

Abraham
Adams
Aderholt
Aguilar
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Long
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanford
Scalise
Schiff
Schrader
Schweikert
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—12

Buck
Clarke (NY)
Duncan (TN)
Huffman
Lofgren
McClintock
Pingree
Sarbanes
Schakowsky
Slaughter
Speier
Tonko

NOT VOTING—18

Allen
Bass
Castro (TX)
Collins (GA)
Fattah
Fincher
Granger
Herrera Beutler
Huelskamp
Huizenga (MI)
Jackson Lee
Loudermilk
Miller (MI)
O'Rourke
Sanchez, Loretta
Scott, Austin
Takai
Waters, Maxine

□ 1716

So the motion to concur was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF S. 2012, ENERGY POLICY MODERNIZATION ACT OF 2016; PROVIDING FOR CONSIDERATION OF H.R. 5233, CLARIFYING CONGRESSIONAL INTENT IN PROVIDING FOR DC HOME RULE ACT OF 2016; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM MAY 27, 2016, THROUGH JUNE 6, 2016

Mr. BURGESS, from the Committee on Rules, submitted a privileged report (Rept. No. 114–593) on the resolution (H. Res. 744) providing for consideration of the bill (S. 2012) to provide for the modernization of the energy policy of the United States, and for other purposes; providing for consideration of the bill (H.R. 5233) to repeal the Local Budget Autonomy Amendment Act of 2012, to amend the District of Columbia Home Rule Act to clarify the respective roles of the District government and Congress in the local budget process of the District government, and for other purposes; and providing for proceedings during the period from May 27, 2016, through June 6, 2016, which was referred to the House Calendar and ordered to be printed.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3765

Mr. JOLLY. Madam Speaker, I ask unanimous consent that my name be withdrawn as a cosponsor of H.R. 3765.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

GENERAL LEAVE

Mr. SIMPSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 5055 and that I may include tabular material on the same.

The SPEAKER pro tempore (Mr. RODNEY DAVIS of Illinois). Is there objection to the request of the gentleman from Idaho?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 743 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 5055.

The Chair appoints the gentlewoman from Florida (Ms. ROS-LEHTINEN) to preside over the Committee of the Whole.

□ 1720

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5055) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2017, and for other purposes, with Ms. ROS-LEHTINEN in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Idaho (Mr. SIMPSON) and the gentlewoman from Ohio (Ms. KAPTUR) each will control 30 minutes.

The Chair recognizes the gentleman from Idaho.

Mr. SIMPSON. Madam Chair, I yield myself such time as I may consume.

It is my distinct honor to bring this fiscal year 2017 Energy and Water Development and Related Agencies Appropriations Act before you today.

Before I go into the details, I would like to recognize the hard work of Chairman ROGERS and Ranking Member LOWEY on this bill and in the appropriations process in our trying to get back to regular order.

I would also like to thank my ranking member, Ms. KAPTUR. I appreciate her help and her hard work on this bill. This bill is a better bill because of her input on this legislation.

The bill provides $37.4 billion for the activities of the Department of Energy, the Army Corps of Engineers, the Bureau of Reclamation, and other agencies under our jurisdiction. This is $259 million more than last year's funding level and is $168 million above the budget request.

This is a responsible bill that recognizes the importance of investing in this Nation's infrastructure and national defense. As we do each year, we work hard to incorporate priorities and perspectives from both sides of the aisle.

The administration's proposal to cut the programs of the Army Corps of Engineers by $1.4 billion would have led to economic disruptions at our ports and waterways silted in and would have left our communities and businesses vulnerable to flooding. Instead, this bill recognizes the critical work of the Corps and provides $6.1 billion for those activities. This includes $1.8 billion for flood and coastal storm damage reduction projects. These projects prevented damages of $14.8 billion in 2014 alone. Harbor maintenance activities are funded at $1.26 billion, the same as last year, and $122 million more than the fiscal year 2017 target. The bill makes use of all estimated annual revenues from the Inland Waterways Trust Fund.

The Department of Energy's nuclear weapons program is funded at $9.3 billion, which is $438 million more than last year. This increase will support full funding for the stockpile life extension programs. It also includes an additional $106 million above the request to address the growing backlog of deferred maintenance and $30 million above the request to upgrade the security infrastructure where nuclear weapons material is stored. The recommendation for naval reactors is $1.4 billion, an increase of $45 million, and includes full funding for the Ohio-class replacement submarine.

A national energy policy can only be successful if it maintains stability while investing in a secure, independent, and prosperous energy future. This bill makes balanced investments in a true all-of-the-above energy strategy. This bill also takes a strong stand against the regulatory overreach and extreme application of laws that have been the hallmark of this administration.

The bill opposes the administration's actions with regard to the Clean Water Act and includes three provisions that prohibit changes to the definition of ''fill material,'' the definition of ''waters of the United States,'' and the permit requirement for certain agricultural activities.

The bill also includes several provisions to ensure that the Bureau of Reclamation maximizes water deliveries in California to help alleviate the drought while sustaining senior water rights and maintaining environmental protections.

This is a strong bill that will advance our national security interests and our economy, and I urge everyone to support it.

I reserve the balance of my time.

ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, FY 2017 (H.R. 5055)
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF DEFENSE - CIVIL					
DEPARTMENT OF THE ARMY					
Corps of Engineers - Civil					
Investigations	121,000	85,000	120,000	-1,000	+35,000
Construction	1,862,250	1,090,000	1,945,580	+83,330	+855,580
Mississippi River and Tributaries	345,000	222,000	345,000	---	+123,000
Operations and Maintenance	3,137,000	2,705,000	3,157,000	+20,000	+452,000
Regulatory Program	200,000	200,000	200,000	---	---
Formerly Utilized Sites Remedial Action Program (FUSRAP)	112,000	103,000	103,000	-9,000	---
Flood Control and Coastal Emergencies	28,000	30,000	34,000	+6,000	+4,000
Expenses	179,000	180,000	180,000	+1,000	---
Office of Assistant Secretary of the Army (Civil Works)	4,750	5,000	4,750	---	-250
Total, title I, Department of Defense - Civil	5,989,000	4,620,000	6,089,330	+100,330	+1,469,330
Appropriations	(5,989,000)	(4,620,000)	(6,089,330)	(+100,330)	(+1,469,330)
Rescissions	---	---	---	---	---
TITLE II - DEPARTMENT OF THE INTERIOR					
Central Utah Project Completion Account					
Central Utah Project Completion Account	10,000	5,600	11,000	+1,000	+5,400
Bureau of Reclamation					
Water and Related Resources	1,118,972	813,402	982,972	-136,000	+169,570
Central Valley Project Restoration Fund	49,528	55,606	55,606	+6,078	---
California Bay-Delta Restoration	37,000	36,000	36,000	-1,000	---
Policy and Administration	59,500	59,000	59,000	-500	---
Indian Water Rights Settlements	---	106,151	---	---	-106,151
San Joaquin River Restoration Fund	---	36,000	---	---	-36,000
Total, Bureau of Reclamation	1,265,000	1,106,159	1,133,578	-131,422	+27,419
Total, title II, Department of the Interior	1,275,000	1,111,759	1,144,578	-130,422	+32,819
Appropriations	(1,275,000)	(1,111,759)	(1,144,578)	(-130,422)	(+32,819)
Rescissions	---	---	---	---	---
TITLE III - DEPARTMENT OF ENERGY					
Energy Programs					
Energy Efficiency and Renewable Energy	2,073,000	2,898,400	1,825,000	-248,000	-1,073,400
Electricity Delivery and Energy Reliability	206,000	262,300	225,000	+19,000	-37,300
Nuclear Energy	860,000	842,020	875,000	+15,000	+32,980
Defense function	126,161	151,876	136,616	+10,455	-15,260
Subtotal	986,161	993,896	1,011,616	+25,455	+17,720
Fossil Energy Research and Development	632,000	360,000	645,000	+13,000	+285,000
Office of Technology Transitions	---	8,400	7,000	+7,000	-1,400
Naval Petroleum and Oil Shale Reserves	17,500	14,950	14,950	-2,550	---
Strategic Petroleum Reserve	212,000	257,000	257,000	+45,000	---
Northeast Home Heating Oil Reserve	7,600	6,500	6,500	-1,100	---
Energy Information Administration	122,000	131,125	122,000	---	-9,125
Non-defense Environmental Cleanup	255,000	218,400	226,745	-28,255	+8,345
Uranium Enrichment Decontamination and Decommissioning Fund	673,749	---	698,540	+24,791	+698,540
Science	5,350,200	5,572,069	5,400,000	+49,800	-172,069

ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, FY 2017 (H.R. 5055)
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Nuclear Waste Disposal	---	---	150,000	+150,000	+150,000
Advanced Research Projects Agency-Energy	291,000	350,000	305,889	+14,889	-44,111
Office of Indian Energy Policy and Programs	---	22,930	---	---	-22,930
Title 17 Innovative Technology Loan Guarantee Program.	42,000	37,000	37,000	-5,000	---
Offsetting collection	-25,000	-30,000	-30,000	-5,000	---
Proposed change in subsidy cost	---	1,020,000	---	---	-1,020,000
Subtotal	17,000	1,027,000	7,000	-10,000	-1,020,000
Advanced Technology Vehicles Manufacturing Loans program	6,000	5,000	5,000	-1,000	---
Departmental Administration	248,142	270,037	233,971	-14,171	-36,066
Miscellaneous revenues	-117,171	-103,000	-103,000	+14,171	---
Net appropriation	130,971	167,037	130,971	---	-36,066
Office of the Inspector General	46,424	44,424	44,424	-2,000	---
Total, Energy programs	11,026,605	12,339,431	11,082,635	+56,030	-1,256,796
Atomic Energy Defense Activities					
National Nuclear Security Administration					
Weapons Activities	8,846,948	9,285,147	9,285,147	+438,199	---
Rescission	---	-42,000	-42,000	-42,000	---
Budget amendment rescission	---	-8,400	---	---	+8,400
Subtotal	8,846,948	9,234,747	9,243,147	+396,199	+8,400
Defense Nuclear Nonproliferation	1,940,302	1,821,916	1,821,916	-118,386	---
Rescission	---	-14,000	-14,000	-14,000	---
Subtotal	1,940,302	1,807,916	1,807,916	-132,386	---
Naval Reactors	1,375,496	1,420,120	1,420,120	+44,624	---
Federal Salaries and Expenses	383,666	412,817	382,387	-1,279	-30,430
Rescission	-19,900	---	---	+19,900	---
Subtotal	363,766	412,817	382,387	+18,621	-30,430
Total, National Nuclear Security Administration	12,526,512	12,875,600	12,853,570	+327,058	-22,030
Environmental and Other Defense Activities					
Defense Environmental Cleanup	5,289,742	5,226,950	5,226,950	-62,792	---
Budget amendment	---	8,400	---	---	-8,400
Subtotal	5,289,742	5,235,350	5,226,950	-62,792	-8,400
Defense Environmental cleanup (Legislative proposal)	---	155,100	---	---	-155,100
Other Defense Activities	776,425	791,552	776,425	---	-15,127
Total, Environmental and Other Defense Activities	6,066,167	6,182,002	6,003,375	-62,792	-178,627
Total, Atomic Energy Defense Activities	18,592,679	19,057,602	18,856,945	+264,266	-200,657

ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, FY 2017 (H.R. 5055)
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Power Marketing Administrations /1					
Operation and maintenance, Southeastern Power Administration	6,900	1,000	1,000	-5,900	---
Offsetting collections	-6,900	-1,000	-1,000	+5,900	---
Subtotal	---	---	---	---	---
Operation and maintenance, Southwestern Power Administration	47,361	45,643	45,643	-1,718	---
Offsetting collections	-35,961	-34,586	-34,586	+1,375	---
Subtotal	11,400	11,057	11,057	-343	---
Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration	307,714	307,144	307,144	-570	---
Offsetting collections	-214,342	-211,563	-211,563	+2,779	---
Subtotal	93,372	95,581	95,581	+2,209	---
Falcon and Amistad Operating and Maintenance Fund	4,490	4,070	4,070	-420	---
Offsetting collections	-4,262	-3,838	-3,838	+424	---
Subtotal	228	232	232	+4	---
Total, Power Marketing Administrations	105,000	106,870	106,870	+1,870	---
Federal Energy Regulatory Commission					
Salaries and expenses	319,800	346,800	346,800	+27,000	---
Revenues applied	-319,800	-346,800	-346,800	-27,000	---
General Provisions					
Title III Rescissions:					
Department of Energy:					
Energy Efficiency and Energy Reliability	-3,806	---	---	+3,806	---
Science	-3,200	---	---	+3,200	---
Weapons activities (050)	---	---	-64,126	-64,126	-64,126
Defense Nuclear Nonproliferation (050)	---	---	-19,128	-19,128	-19,128
Naval Reactors (050)	---	---	-307	-307	-307
Subtotal	-7,006	---	-83,561	-76,555	-83,561
Total, title III, Department of Energy	29,717,278	31,503,903	29,962,889	+245,611	-1,541,014
Appropriations	(29,744,184)	(31,568,303)	(30,102,450)	(+358,266)	(-1,465,853)
Rescissions	(-26,906)	(-64,400)	(-139,561)	(-112,655)	(-75,161)
TITLE IV - INDEPENDENT AGENCIES					
Appalachian Regional Commission	146,000	120,000	146,000	---	+26,000
Defense Nuclear Facilities Safety Board	29,150	31,000	31,000	+1,850	---
Delta Regional Authority	25,000	15,936	15,000	-10,000	-936
Denali Commission	11,000	15,000	11,000	---	-4,000
Northern Border Regional Commission	7,500	5,000	5,000	-2,500	---
Southeast Crescent Regional Commission	250	---	250	---	+250
Nuclear Regulatory Commission:					
Salaries and expenses	990,000	970,163	936,121	-53,879	-34,042
Revenues	-872,864	-851,161	-786,853	+86,011	+64,308
Subtotal	117,136	119,002	149,268	+32,132	+30,266
Office of Inspector General	12,136	12,129	12,129	-7	---
Revenues	-10,060	-10,044	-10,044	+16	---
Subtotal	2,076	2,085	2,085	+9	---
Total, Nuclear Regulatory Commission	119,212	121,087	151,353	+32,141	+30,266

ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, FY 2017 (H.R. 5055)
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Nuclear Waste Technical Review Board	3,600	3,600	3,600	---	---
Total, title IV, Independent agencies	341,712	311,623	363,203	+21,491	+51,580
Appropriations	(341,712)	(311,623)	(363,203)	(+21,491)	(+51,580)
Grand total	37,322,990	37,547,285	37,560,000	+237,010	+12,715
Appropriations	(37,349,896)	(37,611,685)	(37,699,561)	(+349,665)	(+87,876)
Rescissions	(-26,906)	(-64,400)	(-139,561)	(-112,655)	(-75,161)

1/ Totals adjusted to net out alternative financing costs, reimbursable agreement funding, and power purchase and wheeling expenditures. Offsetting collection totals only reflect funds collected for annual expenses, excluding power purchase wheeling

Ms. KAPTUR. Madam Chair, I yield myself such time as I may consume.

I want to thank Chairman SIMPSON for his bipartisan approach in preparing this bill. I also thank Chairman HAL ROGERS and Ranking Member NITA LOWEY for their efforts throughout.

To our dedicated staff—Donna Shahbaz and Taunja Berquam, the Republican and Democratic clerks, as well as the rest of the committee staff: Matt Anderson, Angie Giancarlo, Loraine Heckenberg, and Perry Yates—their countless long hours, late nights, weekends, and thoughtful insight are so critical to helping America prepare this legislation.

This bill funds transformative programs that unlock America's full economic potential, critical water resource projects, navigation and port operability, and breakthrough science advancements that are necessary for America's strategic and competitive posture. This bill undergirds our national defense through superior weapons, naval reactor research, and nonproliferation activities—all priorities that unite rather than divide us.

Chairman SIMPSON worked hard to incorporate the interests of Members from both parties. As a result, the bill's funding reflects priorities from both sides of the aisle. The chairman's efforts resulted in a bill which, with respect to funding levels, is reasonable; although, the trade-offs are not ideal.

The bill provides an increase of $259 million over the 2016 levels. It allows for stronger investments in the Army Corps of Engineers for critical projects in the Everglades and Great Lakes as well as additional funding to address flooding in areas like Houston. Notably, for the people of northern Ohio, the bill meets the need to comply with State law prior to the open lake disposal of dredged materials. The bill also provides robust funding for many areas at the Department of Energy.

It is sad, however, that the majority would jeopardize this good start by adding in ill-suited ideological or nongermane riders on the Clean Water Act, guns on Army Corps' lands, National Ocean Policy, and the California drought. I should not have to remind our majority colleagues that similar provisions imperiled the passage of this bill in the past. In fiscal year 2016, nearly all of the Democratic Members of the House voted against this bill with far fewer poison pill riders. The administration is on record with veto threats over nearly identical language. As such, I cannot support this bill in its current form.

Every year, this important bill sets the path for America's energy future, and I am happy to note that, more than ever before, America's course is set toward the true north of energy independence. In 2015, America produced 91 percent of the total energy consumed. This represents the 10th consecutive year of declining net energy imports. This translates into freedom.

Significant strides toward America's energy security should be applauded, but we must not lose our momentum by resting on our laurels. To finally free ourselves from our energy dependence, as well as to drastically cut dangerous carbon emissions, we must strongly support the Department of Energy's efforts to embrace the future.

I am disappointed by the $248 million cut, therefore, to the Office of Energy Efficiency and Renewable Energy, which is leading the charge into the new energy economy against stiff global competition from Europe and Asia. The solar energy account, in particular, yields serious benefits, with the solar industry projected to add 9.5 gigawatts of new energy this year—more than any other source. I am proud that my own district is active in this energy revolution, with First Solar, founded in Toledo, Ohio, the Nation's current leading solar company.

Wind energy is also expanding in northern Ohio, where the Great Lakes have the capacity to become the Saudi Arabia of wind, especially Lake Erie. Cleveland is poised to install the first national offshore wind turbines in a freshwater environment, and that is appropriate, given it was Cleveland where the first electric wind turbine was invented a century ago.

I would like to reiterate my concerns over the controversial riders that threaten not only the ultimate enactment of this bill but also our most precious resource—water. These provisions' inclusion does a disservice in our work, particularly given the serious water challenges many parts of our country face.

While I have concerns with the measure before us, I would like to express my deep appreciation for the chairman's hard work with us on so many issues. The gentleman from Idaho has ensured that the Energy and Water Development, and Related Agencies Subcommittee continues its tradition of bipartisanship, and he has been a gentleman throughout, as always.

Madam Chair, I reserve the balance of my time.

□ 1730

Mr. SIMPSON. Madam Chair, I yield such time as he may consume to the gentleman from Kentucky (Mr. ROGERS), the chairman of the full committee that does a great job with this appropriations process.

Mr. ROGERS of Kentucky. Madam Chair, I rise today to support this legislation that invests $37.4 billion in bipartisan priorities: our national security, critical infrastructure, and American energy independence. In total, this is a $259 million increase above current levels for these programs. This increase is directed almost entirely to our nuclear national security. With ever-changing threats that span the globe, it is imperative that our Nation stays at the very pinnacle of preparedness. This funding will help ensure that our stockpile is modern, secure, and ready to face any nuclear threat that may arise.

Another priority in the bill is the infrastructure that helps our economy prosper. This includes robust funding for the Army Corps of Engineers, a total of $6.1 billion, which is $100 million above last year's levels, and $1.5 billion above the President's request. This funding will go to activities that have a direct impact on public safety, that improve commerce and the movement of American products, and that support economic growth and job creation.

Lastly, Madam Chair, this bill advances an all-of-the-above energy strategy that will help the Nation move ever closer to our goal of energy independence. By investing in fossil fuels, nuclear, and other energy sources, we can help keep consumer energy prices affordable and make greater use of our domestic resources. This includes congressional efforts to support the Yucca Mountain nuclear repository for future use.

In order to make these targeted investments, the bill cuts back in other lower priority areas. Renewable energy programs, which have received significant investments in recent years, were cut by $248 million from current levels.

The bill also prohibits tax dollars from being used for a harmful regulatory agenda that hampers our economy. This includes prohibiting funds for the Army Corps of Engineers to make any changes to Federal jurisdiction under the Clean Water Act, protecting American farmers and ranchers and other job creators. The bill also protects coal and other mining operations from onerous efforts to change the definition of ''fill material'' and ''discharge of fill material.''

In sum, this bill is an investment in the growth of our American economy, supporting functioning and safe water resources and continued strides toward energy independence.

I thank and congratulate Subcommittee Chairman SIMPSON, Ranking Member KAPTUR, and the other members of the subcommittee for their hard work on bringing this bill forward. I feel completely safe and comfortable in the work when Chairman SIMPSON is doing the bossing.

I also want to acknowledge the dedicated staff that helped bring this bill before the House today.

I urge my colleagues to help promote a more secure and more prosperous future for our Nation and vote ''aye'' on the bill.

Ms. KAPTUR. Madam Chair, I yield 5 minutes to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Madam Chair, before I begin, I would like to thank Chairman

SIMPSON, Ranking Member KAPTUR, and Chairman ROGERS for their work on the bill.

The energy and water bill is the second bill we will consider on the floor this year. Over and over again, the majority has promised a return to regular order. Well, without a budget resolution and a full slate of 302(b) suballocations, this promise has clearly not been kept.

The fiscal year 2017 Energy and Water Development bill would allocate $37.4 billion in discretionary funding, $260 million above the fiscal year 2016 level and $168 million above the administration's request. While this allocation is an improvement, the majority's continued dysfunction jeopardizes Congress' ability to meet the significant challenges we face, including many in the bill before us.

For instance, the bill does not adequately invest in infrastructure development. The American Society of Civil Engineers estimates the United States must invest $3.6 trillion in our infrastructure to ensure public health and safety, and yet the Army Corps of Engineers is funded at $6.089 billion, which is billions of dollars short of what we need to meet our infrastructure needs.

Additionally, this bill does not adequately fund programs to combat climate change. To truly tackle the challenges posed by climate change, the Federal Government must prioritize investments in research. Yet the energy efficiency and renewable energy account would be reduced to $1.825 billion, a cut of $248 million, and $1.07 billion below the President's request. The Republican majority will continue to bury their heads in the sand and dismiss the science and consequences of climate change instead of taking action to save our planet.

However, the most concerning aspect of this bill is the inclusion of misguided and dangerous policy riders. An annual appropriations bill is not the place to amend or significantly change the Clean Water Act or restrict gun laws. These controversial riders, year after year, imperil the appropriations process.

Yet this year's energy and water bill would impede an effective and timely response to the continuing drought in California, permanently prohibit the Corps from changing the definition of ''fill material,'' which is an interest of mountaintop mining companies, permanently prohibit the Army Corps of Engineers from clarifying the definition of navigable waters, expand the area in which guns can be carried on Corps of Engineers lands, and prevent implementation of the national ocean policy. Neither Democrats in Congress nor President Obama will agree to poison pill riders that harm our environment or public health.

Unfortunately, this bill fails to address our Nation's infrastructure needs, invest in job creation, and take appropriate action to combat climate change.

Given inadequate funding levels and the presence of harmful riders, I urge my colleagues to oppose the bill.

Mr. SIMPSON. Madam Chair, I yield 1½ minutes to the gentleman from New Jersey (Mr. LANCE).

Mr. LANCE. Madam Chair, I rise today in strong support of this energy and water appropriations measure. The measure finally provides the critical funding to complete the Rahway River basin flood risk management feasibility study in New Jersey that will create a lasting solution to protect the communities of Cranford, Kenilworth, Maplewood, Millburn, Rahway, Springfield, Union, and the surrounding areas from severe flooding.

For years, these municipalities have pursued this project on its great merits, and I am proud to have been the champion of these municipalities on the Federal level. This is a critical role for Federal representatives effectively helping municipal, county, and State officials navigate the Federal Government and ensure efficient services to the areas they represent. These municipalities have experienced severe flooding from the Rahway River, and they deserve the completion of the study and the implementation of a plan that will protect life and property.

I thank the Mayors' Council and local leaders for continuing to advocate on behalf of their communities. I deeply thank Chairman SIMPSON and the Appropriations Committee for their thoughtful consideration of the study and their leadership during this process.

I urge a ''yes'' vote on the measure.

Ms. KAPTUR. Madam Chair, I yield 2 minutes to the gentleman from California (Mr. HONDA), a very hardworking member of our subcommittee.

Mr. HONDA. Madam Chairwoman, I thank Chairman SIMPSON and Ranking Member KAPTUR for their hard work on this bill. It is an honor to serve with them on the subcommittee.

This bill contains many positive things that I support, like funding for the Army Corps of Engineers' construction account and programs that provide the Corps with critical oceans and weather data.

It also includes strong funding for energy storage technologies as well as provisions that support increasing access to solar and renewable energy and promote increasing energy efficiency through smart electronics.

However, there are many cuts that are problematic, particularly those to the energy efficiency and renewable energy programs. We have an opportunity now to lead the world in innovating the next generation of energy technologies, but we are hamstringing our ability to be competitive by underfunding critical energy programs

Furthermore, I oppose the prohibition on the Department of Energy and Army Corps participating in marine and coastal planning efforts that are components of the National Ocean Policy. This provision is misguided and reduces our ability to protect our oceans, Great Lakes, and waterways that support our Nation's blue economy.

Coordinated ocean planning that encourages collaboration between stakeholders and Federal agencies will help improve the management of our marine resources, and it is unwise to stop those conversations from happening.

Finally, I would also oppose the rider which would prohibit the Army Corps from enforcing the ban on firearms at water resources development projects. This provision unnecessarily creates an unsafe environment at these sites. Corps rangers are not authorized to carry firearms, and this provision also strips away the discretion that the Secretary of the Army currently has to enforce or revise the policy on a case-by-case basis.

Ultimately, appropriations bills are an exercise in setting spending priorities, and I disagree with many of the prioritizations that this bill makes. I hope we can work together as this bill moves forward to develop a bill that will invest in clean energy.

Ms. KAPTUR. Madam Chair, I just want to inquire how much time remains on this side before we move forward.

The CHAIR. The gentlewoman from Ohio has 19 minutes remaining.

Mr. SIMPSON. Madam Chair, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), the distinguished majority leader.

Mr. MCCARTHY. Madam Chair, I thank the gentleman for the tireless work that he has done on these appropriations.

I want to take a moment to thank another Representative, Representative DAVID VALADAO. It is rare to find a person so tirelessly devoted to his constituents. Every time the House passes legislation to address the drought crisis in California, DAVID VALADAO is at the center of it.

Like Congressman VALADAO, I also represent the people of the Central Valley of California. For too long, our constituents have been suffering, so I am going to put this as simply as possible. We need water.

California Republicans have tried for years—three Congresses now—to get a water bill signed into law to help the people of California. As the drought worsened and its reach grew, we tried last year to get legislation through the Senate that would help all the States in the West facing drought conditions. Unfortunately, Senate Democrats opposed the legislation and blocked it.

So we tried again. We added in provisions from my Republican colleagues and provisions supported by our California Senators, ideas both sides could

support. We worked to make this bill as bipartisan as possible and focused on good policy. Again, our efforts were blocked.

But my constituents can't and won't take no for an answer. Water is not a luxury. It is a necessity, and we need it now more than ever. And it is very clear how we can get more water.

Now, earlier this year, bureaucrats allowed water from storms to flush out into the ocean instead of capturing it for our communities. Regulations and bad laws are keeping water from the people who need it. We need more pumping, and we need more storage capturing more runoff.

□ 1745

Too many times our Senate Democratic colleagues have ignored or blocked action to help the people of California. So today, the Senate can no longer ignore it. They need to come to the table and negotiate with us in conference.

After all, this should not be controversial. We were elected to serve our constituents, and our constituents need water.

My colleagues and I have come back again and again to find an agreement because, as El Nino passes and the drought continues, our homes, our farms, and our people won't see relief until something is done. Now is the moment.

Ms. KAPTUR. Madam Chair, I yield 2 minutes to the gentleman from Illinois (Mr. FOSTER), who is a very hard-working member of the Committee on Financial Services and the Committee on Science, Space, and Technology.

Mr. FOSTER. Madam Chair, this appropriations bill would underfund the Office of Science by $272 million below the President's request for the next fiscal year. Investments in the DOE Office of Science have long supported American innovation and discovery science.

It is unwise and, in fact, impossible to ignore the value of our national labs. They have helped us answer fundamental questions about how our universe works, supported breakthroughs in medicine and developments in industry that drive our economy. The Office of Science is not only an important investment in our future, it is a valuable investment in our economy.

Our national labs and the major user facilities housed at those labs are some of the greatest tools ever created for researchers and industry. The direct economic benefit of Argonne and Fermilab in Illinois alone is estimated to be more than $1.3 billion annually. The indirect benefits of the technologies that they deliver is larger.

Those who seek to underfund and eliminate Federal programs often say that the private sector can do it better, but when it comes to fundamental scientific research, that is simply not the case.

The Office of Science is responsible for building and maintaining research facilities which many private companies rely on but are too big for any single business or university to develop. These user facilities, such as the advanced photon source at Argonne National Laboratory, are a critical research tool to academics and industry alike. For example, AbbVie, recently won FDA approval for a new leukemia drug that was developed because of the groundbreaking crystallography research done at Argonne's APS.

As other world powers are growing and challenging our position as a global leader in science and innovation, we cannot afford to let the number of American scientists and researchers or the quality of their research facilities diminish.

Madam Chair, we must continue to invest in American innovation and fully fund the research and development conducted through the DOE Office of Science.

Mr. SIMPSON. Madam Chair, I yield 2 minutes to the gentleman from California (Mr. COSTA).

Mr. COSTA. Madam Chair, I want to thank the chairman, Mr. SIMPSON, for yielding me this time.

This legislation that is before us gives Congress a new opportunity to give California an ability in the water provisions that are contained within this law that will help relieve the devastating drought that has been impacting Californians both in the short term and in the long term.

In the absence of getting a comprehensive water bill passed into law—which I have not given up hope for, and my colleagues on both sides are still working on a bipartisan basis with Senator FEINSTEIN—I hope my colleagues, in the meantime, will join me in supporting the provisions in this bill that Congressman VALADAO has been able to provide that will, in fact, contain relief to the people of California whom we represent and who have been most impacted by this drought.

Between December of last year and May of this year, hundreds of thousands of acre-feet went out to the bay, to the ocean, that could have been provided for farms and farm communities in the valley, that would have helped farmworkers and farmers. Unfortunately, that water was lost.

The Federal Government cannot allow this to happen again. Congress must pass this bill so that next year, if we do have the water during the rain and snowy seasons between November and April of next year, we will be able to capture that water desperately needed instead of allowing it to flow out to the ocean.

Even under the flawed biological opinions, these amendments make sense. I commend my colleagues for inserting them here.

I want to thank the chairman for yielding me this time.

Ms. KAPTUR. Madam Chair, I rise for a couple reasons. One is to wish my noble brother well back home. The other is to yield to the gentlewoman from New Hampshire (Ms. KUSTER) to enter into a colloquy.

Ms. KUSTER. Madam Chair, I thank Ranking Member KAPTUR.

I rise today to speak about the importance of the funding of the Office of Public Participation within the Federal Energy Regulatory Commission, known fondly to us as the FERC, an office that has never been active despite prior authorization.

With the expansion of natural gas infrastructure in the Northeast and across the country, it makes sense that we finally fund the Office of Public Participation to better incorporate the voices of average citizens in FERC proceedings and provide robust outreach efforts to communities and individuals that are impacted by energy projects.

Considering the broad authority that the FERC has over domestic energy markets and its control over the approval of energy infrastructure projects, average citizens simply do not have a sufficient public interest presence on the national level. With 27 States offering an existing consumer advocacy office, it is imperative that a similar national office be established within the FERC.

Constituents in my home State of New Hampshire are all too familiar with feeling shut out of the FERC process. The recently withdrawn Northeast Energy Direct natural gas pipeline would have impacted 18 small towns across my district and into the neighboring district.

Due in large part to the organizing efforts of citizens within these small towns, the NED pipeline's application within FERC was withdrawn this week, but this reality provides only momentary comfort because we all know that the FERC is in serious need of repair.

I understand that my Republican colleagues have interest in working to bring the Office of Public Participation to fruition and in making additional structural changes to the FERC. I look forward to working closely with my colleagues on both sides of the aisle to move this effort forward.

Ms. KAPTUR. Madam Chair, I would commit to working with the very able gentlewoman from New Hampshire to see what progress we could make on this very important issue.

Mr. SIMPSON. Will the gentlewoman yield?

Ms. KAPTUR. I yield to the gentleman from Idaho.

Mr. SIMPSON. Madam Chair, I look forward to working with the gentlewoman from Ohio (Ms. KAPTUR), the ranking member, and our colleagues on the Committee on Energy and Commerce to see if we can find an appropriate path forward on this issue.

Ms. KAPTUR. Madam Chair, I reserve the balance of my time.

Mr. SIMPSON. Madam Chair, I yield 2 minutes to the gentleman from New York (Mr. GIBSON).

Mr. GIBSON. Madam Chair, let me express my gratitude to the chairman and the ranking member. I am here today to support the bill and to really urge my colleagues to continue to work together so that we can make progress on clean and renewable energy and energy efficiencies. I offer three points as to why.

First of all, it is important to us to be an independent nation. After four combat tours in Iraq, I am very eager to see us become energy independent, and certainly that requires an all-of-the-above energy strategy, including the renewable energy sources: solar power, wind, hydro, geothermal, biomass. All of these in upstate New York are making a significant advance, and I want to see us continue to facilitate this.

We are a country that can do hard things. We have shown that time and again. We put a man on the Moon. We stood up to the Communist challenge. We did so in part because of research, development, and prototyping. The investments we made were so critical to that, and we not only won the cold war, but we also got the supercomputer, we got the Internet, and we ushered in the information age.

I think if we make similar investments—and we will have an amendment here shortly on ARPA-E. I appreciate what the chairman has done to support the program. I think this is very important. It would also offer jobs in my district and all throughout New York. This has been helpful to jobs.

Finally, the environment, how important it is. We want to be good stewards of our resources. To me, a conservative, you are certainly protecting all resources, including natural resources. To me, if conservation isn't conservative, well, then, words have no meaning at all.

So renewable energy sources and also the criticality of energy efficiencies, a kilowatt-hour saved is a kilowatt-hour produced. I know we have made progress. I appreciate the work of the committee. I urge us to continue that and double our efforts going forward.

Finally, I will say that I appreciate what Ms. KUSTER mentioned just moments ago. This is a bill I look forward to working on with her. I think it is a step in the right direction.

Thank you for your great work, Mr. Chairman.

Mr. HONDA. Mr. Chair, I yield back the balance of my time.

Mr. SIMPSON. Mr. Chair, did the gentleman yield back his time?

Mr. HONDA. Yes, I yielded back the balance of my time.

Mr. SIMPSON. Mr. Chairman, I yield myself the balance of my time.

Let me just say that this is an important bill. It is an important bill for our economy, and it is an important bill for our defense.

I did want to say that I appreciate the staff and the hard work that they have put into this legislation, trying to address the requests of many Members. We have had something like—I can't remember the numbers—2,300 different requests from Members for this piece of legislation, and we were able to address, in at least one form or another, about 95 percent of those requests. The staff works very hard to make this a bill that all Members can support.

It has been a pleasure working with the gentlewoman from Ohio (Ms. KAPTUR). She is from Ohio. I am from Idaho. We come from different States and have different perspectives and different points of view and different interests many times, and it is fun to sit in our hearings because oftentimes she brings up issues that I would have never thought of as we have people before us testifying, and I hope I do the same occasionally, too, and all our members do that. That is what really makes this process work.

That is why getting back to regular order and debating bills and marking them up and going to conference, as the Speaker and leader and minority leader have tried to do here, is so important.

Mr. Chairman, I yield back the balance of my time.

Ms. LEE. Mr. Chair, let me thank the Ranking Member and Chair for including language to recognize the importance of workplace diversity in the Department of Energy's National Laboratories and directing the Department to provide a detailed plan on the recruitment and retention with minority-serving institutions, including Historically Black Colleges and Universities (HBCUs).

I am also pleased that the bill includes language on Energy-Water Nexus initiative that I worked on with our Ranking Member MARCY KAPTUR. This language encourages the Department of Energy to enter into an agreement with the Department of Agriculture at various national labs to work on development of affordable and efficient food production systems for our most food insecure communities. This is a critical step towards addressing food insecurity and poverty.

Lastly, I'm pleased that the Advanced Light Source program is fully funded in this bill at the level of $64.95 million in FY2017. This $2 million increase over FY 2016 enacted levels will ensure that these facilities remain fully operational, including the Advanced Light Source and Molecular Foundry at Lawrence Berkeley National Lab in my home district.

However, I remain deeply concerned regarding the many poison pill policy riders and low funding levels included in this spending bill.

We know that California is experiencing an unprecedented drought coupled with the real effects of climate change. The fact that most of H.R. 2898, the Western Water and American Food Security Act of 2015, has shamefully been inserted into this bill is a disgrace. This harmful rider fails to adequately address critical elements of California's complex water challenges and will only worsen the effects of the drought. It would also violate existing laws protecting salmon and other endangered fish in California's Bay-Delta estuary.

I am also concerned regarding the other harmful policy riders that would shamefully allow guns on Army Corps of Engineers land and prevent implementation of the administration's Clean Water Rule.

Mr. Chairman, instead of trying to roll back vital environmental protections, we need to be proactive about preserving our environment for the health and safety of future generations. We need to make more investments in clean energy like solar, wind, and geothermal. Unfortunately, this bill does not do that.

I hope that as the process moves forward, these terrible policy riders and low allocations are resolved.

The Acting CHAIR (Mr. CARTER of Georgia). All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, each amendment shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent. No pro forma amendment shall be in order except that the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 10 pro forma amendments each at any point for the purpose of debate. The chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the CONGRESSIONAL RECORD designated for that purpose. Amendments so printed shall be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 5055

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for energy and water development and related agencies for the fiscal year ending September 30, 2017, and for other purposes, namely:

TITLE I

CORPS OF ENGINEERS—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related efforts.

INVESTIGATIONS

For expenses necessary where authorized by law for the collection and study of basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related needs; for surveys and detailed

studies, and plans and specifications of proposed river and harbor, flood and storm damage reduction, shore protection, and aquatic ecosystem restoration projects, and related efforts prior to construction; for restudy of authorized projects; and for miscellaneous investigations, and, when authorized by law, surveys and detailed studies, and plans and specifications of projects prior to construction, $120,000,000, to remain available until expended: *Provided*, That the Secretary may initiate up to, but not more than, six new study starts during fiscal year 2017: *Provided further*, That the new study starts will consist of five studies where the majority of the benefits are derived from navigation transportation savings or from flood and storm damage reduction and one study where the majority of benefits are derived from environmental restoration: *Provided further*, That the Secretary shall not deviate from the new starts proposed in the work plan, once the plan has been submitted to the Committees on Appropriations of both Houses of Congress.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 5, after the dollar amount, insert ''(increased by $1,000,000)''.

Page 50, line 21, after the dollar amount, insert ''(reduced by $1,000,000)''.

Mr. GOSAR (during the reading). Mr. Chair, I ask unanimous consent that the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise to offer an amendment that will help reduce the large backlog of important Army Corps of Engineers' projects. This amendment transfers $1 million from the Department of Energy's departmental administration budget to the Army Corps of Engineers' investigations account to bring it up to fiscal year 2016 enacted levels.

The investigations account funds the planning and environmental studies required under the law for important Corps projects prior to construction.

□ 1800

There is a backlog of worthwhile Corps projects throughout the country that are essential to improving water infrastructure for communities, improving ecosystem restoration, providing clean water, and expanding much-needed water storage. These projects are especially critical to the drought-stricken communities in the West, and many other parts of the Nation.

The committee showed great insight in recognizing that the administration's request for the Corps' investigation budget was much too low, stating in the committee report: ''Once again, the administration's claims to understand the importance of infrastructure ring hollow when it comes to water resource infrastructure investments. In fact, if enacted, the budget request would represent the lowest level of funding for the Civil Works program since fiscal year 2004.''

At a time of historic drought and major water challenges, we shouldn't be reducing investigation dollars that will allow worthwhile community projects to move forward.

The committee has provided significant safeguards in the report to ensure that the funds transferred by this amendment will go to planning for the most viable projects and ''studies that will enhance the Nation's economic development, job growth, and international competitiveness; are for projects located in areas that have suffered recent natural disasters; or are for projects to address legal requirements.''

Support for this amendment is definitive action we can take to directly support timely development of critical water infrastructure projects.

I urge my colleagues to support this amendment. I thank the distinguished chair and ranking member for their work on this bill.

Mr. Chairman, I ask for a positive vote on this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. VALADAO) assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has agreed to without amendment a Joint Resolution of the House of the following title:

H.J. Res. 88. Joint Resolution disapproving the rule submitted by the Department of Labor relating to the definition of the term ''Fiduciary''.

The SPEAKER pro tempore. The Committee will resume its sitting.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

The Committee resumed its sitting.

AMENDMENT OFFERED BY MR. RODNEY DAVIS OF ILLINOIS

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR (Mr. CARTER of Georgia). The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 5, after the dollar amount, insert ''(reduced by $10,000,000)(increased by $10,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Illinois and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, America's navigation infrastructure is crumbling. Most of the locks and dams on the Upper Mississippi River and Illinois Waterway System were built in the 1920s and 1930s, and have far outlived their life expectancy. Unfortunately, we have not kept up with the maintenance and upgrades necessary to ensure that they can transport 21st century cargo that fuels and feeds the world.

Sixty percent of the grain exported from the United States goes through these locks and dams before hitting the global marketplace. But delays at navigation locks continue to get worse, lasting as long as 12 hours at a given time. And while a 2003 study by the Illinois Farm Bureau estimated these delays to cost midwestern farmers $500 an hour, one can only assume how much more these delays cost today.

In the Water Resources Development Act of 2007, Congress authorized the construction of seven new 1,200-foot locks along the Upper Mississippi River and the Illinois Waterway System. This bill also authorized the Navigation and Ecosystem Sustainability Program, or NESP, an important dual-purposed program that allows the Corps of Engineers to address both navigation and ecosystem restoration in an integrated approach.

It is supported widely by industry as well as conservation groups. In addition, the Governors of five States, from both political parties—Minnesota, Wisconsin, Illinois, Iowa, and Missouri—and more than 50 bipartisan Members of the House and Senate have expressed support advancing NESP.

Unfortunately, the administration has taken few steps to implement NESP, and, once again, did not request any funding to continue pre-construction engineering and design activities for authorized lock projects on the Upper Mississippi River and Illinois Waterway System. If these pre-construction efforts are delayed further, we risk further delays of these projects actually getting off the ground and moving forward at such time as the moneys for them are available.

With this amendment, we tell the Corps that enough is enough. It is time to stop delaying the necessary work. We must ensure these construction projects are ready to go on day one.

I also want to thank my colleague, DARIN LAHOOD, who was going to come speak on this amendment, but I don't

see him here. It started a little sooner, Mr. Chairman, than what we envisioned. But Mr. LAHOOD, I know, would like to reiterate some of the comments I made. And he represents two of these locks that are included in this study.

Mr. Chairman, how much time do I have remaining?

The Acting CHAIRMAN. The gentleman from Illinois has 2½ minutes remaining.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I am going to try and stall until my colleague gets here.

I do want to say this amendment, this project, has wide bipartisan support. This is an opportunity for us to look at the global marketplace and the products that go up and down the Mississippi River and the Illinois Waterway System. This is how we feed the world.

We have some of the most fertile and expensive farmland in Illinois, Missouri, Iowa, Wisconsin, and Minnesota, and so many of these products that use these systems are the ones that are exporting into the global marketplace and also to Third World countries to feed those who need food the most.

As a matter of fact, just a few weeks ago, my colleague, Mr. LAHOOD, and I toured some outdated facilities.

Ms. KAPTUR. Will the gentleman yield?

Mr. RODNEY DAVIS of Illinois. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. I am happy to hear the gentleman's deep interest in that corridor of Illinois and Mississippi, and I would look forward to the gentleman's assistance on trying to prevent the Asian carp from moving further north in those channels and into the entire Great Lakes system, destroying our natural fish population.

So I just wanted to put that on the record, and I thank the gentleman so much for showing an interest in both the infrastructure and the environmental restoration in those corridors.

Mr. RODNEY DAVIS of Illinois. Reclaiming my time, I would like to thank the gentlewoman, too. This is an opportunity to address both of those issues.

Obviously, representing part of the Mississippi River, like I do, we have seen the Asian carp problem firsthand. As a matter of fact, a plant opened in my district not too long ago to process Asian carp to be able to get fish oil and fishmeal that is used for pet food and other commodities. Unfortunately, they didn't anticipate the smell.

So you can't really build a fish processing plant around homes. And I think they figured that out. But we need ingenuous ideas and opportunities like that to be able to address that Asian carp problem, because it is an invasive species and we need to do everything we can in a bipartisan way to work together to put a stop to it entering the Great Lakes or any other waterway.

Ms. KAPTUR. Will the gentleman yield?

Mr. RODNEY DAVIS of Illinois. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, I learned that, in the Peoria region, all the natural fish have disappeared now as a result of the invasion of the Asian carp there.

Mr. RODNEY DAVIS of Illinois. Reclaiming my time, I wouldn't say all the natural fish, but I know that the Asian carp infestation has grown substantially more than what was envisioned when they were brought in.

Mr. Chairman, may I inquire how much time I have remaining?

The Acting CHAIR. The gentleman's time has expired.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. RODNEY DAVIS).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

CONSTRUCTION

For expenses necessary for the construction of river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related projects authorized by law; for conducting detailed studies, and plans and specifications, of such projects (including those involving participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such detailed studies, and plans and specifications, shall not constitute a commitment of the Government to construction); $1,945,580,000, to remain available until expended; of which such sums as are necessary to cover the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund as authorized by Public Law 104µ09303; and of which such sums as are necessary to cover one-half of the costs of construction, replacement, rehabilitation, and expansion of inland waterways projects shall be derived from the Inland Waterways Trust Fund, except as otherwise specifically provided for in law: *Provided*, That the Secretary may initiate up to, but not more than, four new construction starts during fiscal year 2017: *Provided further*, That the new construction starts will consist of three projects where the majority of the benefits are derived from navigation transportation savings or from flood and storm damage reduction and one project where the majority of the benefits are derived from environmental restoration: *Provided further*, That for new construction projects, project cost sharing agreements shall be executed as soon as practicable but no later than August 31, 2017: *Provided further*, That no allocation for a new start shall be considered final and no work allowance shall be made until the Secretary provides to the Committees on Appropriations of both Houses of Congress an out-year funding scenario demonstrating the affordability of the selected new starts and the impacts on other projects: *Provided further*, That the Secretary may not deviate from the new starts proposed in the work plan, once the plan has been submitted to the Committees on Appropriations of both Houses of Congress.

AMENDMENT OFFERED BY MR. CLAWSON OF FLORIDA

Mr. CLAWSON of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 3, after the dollar amount, insert ''(increased by $50,000,000)''.

Page 46, line 16, after the dollar amount, insert ''(reduced by $50,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. CLAWSON of Florida. Mr. Chairman, I offer an amendment to the Energy and Water Development and Related Agencies Appropriations bill. I especially have full appreciation and admiration and respect for the chairman. I know he is going to go against me and this is going to get voted down, but as both a leader and the chairman, I have full admiration for what he does for our country, and he is an example to people like me, by the way.

My amendment would move $50 million from the Strategic Petroleum Reserve account into the Army Corps' construction account, which finances our Nation's water infrastructure projects.

The Strategic Petroleum Reserve account, currently funded at $257 million, has increased by millions of dollars in each omnibus. This funding is currently $68 million higher than it was back in the 2014 omnibus.

There is a management/cost question here because, at the same time the costs have been going up at a significant level, the amount of oil a barrel stored has stayed flat or gone down.

The American taxpayer is paying more and more every year, in a low inflation environment, mind you, for the same amount or less oil. I just think we ought to put the pressure on people to manage within their cost structure as opposed to asking the taxpayer to pay the increase.

Moreover, I want the Army Corps' construction account to increase by $50 million because in South Florida we are suffering a year of ecological and economic disaster. It is an El Nino year, and the rains have raised the levels of stagnant water in Lake Okeechobee beyond the capacity of the Herbert Hoover Dike.

Consequently, unwanted fresh waters flow east and west down the St. Lucie and Caloosahatchee Rivers, polluting the Gulf of Mexico. Countless fish and wildlife pay a price with their lives, and our fishermen and tourism industry pay a major economic price as well, while the cost structure of the Strategic Petroleum Reserve account goes up.

As summer approaches, Lake Okeechobee water levels are, again, rising dangerously and we are about to have another ecological disaster. It is on our doorstep, and it is not right. My people can hardly bear it.

So I say let's do the right thing and move $50 million more into the Army Corps' construction account for projects that will help my district and other districts around the country with similar projects.

To quote the conscience of our Congress, JOHN LEWIS, I think he would say: let's make this place a little cleaner, let's make our environment a little greener, and maybe our country a little kinder. Less money for SG&A costs, more money for fresh water and for our environment and for our economy.

Mr. Chairman, I yield back the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, first, let me say that I appreciate the gentleman's kind words, and I am sympathetic to my colleague's interest in funding the construction account, including the flood and storm damage reduction projects such as the Herbert Hoover Dike.

Unfortunately, because we no longer do earmarks, as Congress used to do, moving $50 million into an account doesn't guarantee that project would necessarily be done by the Army Corps of Engineers. It just increases the total amount in that account. In fact, the underlying bill increases the construction funding by $856 million, or almost 80 percent above the budget request of the administration.

□ 1815

For flood and storm damage reduction activity specifically, the bill more than doubles the budget request. This includes a total of $392 million, for which the Herbert Hoover Dike could compete for additional funding. Since the dike is a DSC1 dam safety project, I am sure it will compete well for the work plan funds if it is able to use additional funding in fiscal year 2017.

However, we must balance all the needs, and that means I cannot support a reduction in the Strategic Petroleum Reserve account. The Strategic Petroleum Reserve stores petroleum to protect the Nation from adverse economic impacts due to petroleum supply interruptions.

The funding in this bill is necessary for the operation and maintenance of the Reserve as well as to address the backlog of deferred maintenance at the Reserve. We must adequately fund these activities to maintain our energy security.

For example, it does us no good to have this petroleum if we can't access it in an emergency. For those reasons, even though I am sympathetic to what the gentleman is trying to do, I urge my colleagues to vote ''no'' on the amendment.

Ms. KAPTUR. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. As with the chairman of the subcommittee, I rise in reluctant opposition to this amendment. I like its intent, but not the means by which the able gentleman from Florida (Mr. CLAWSON) gets to his bottom line.

I think our major objection on this side is cutting the Strategic Petroleum Reserve. While I do support the Corps' construction account—and, just for the RECORD, the account that we have proposed for construction is $855 million over the 2017 budget request and $83.3 million over what is being expended this time.

But we have a $60 billion backlog, $60 billion for what we need to do in the Corps throughout this country. So we have a problem there; so, I would therefore oppose the amendment and recommend a ''no'' vote.

But maybe, in working with the gentleman, we can find ways in future years to increase the overall account again. But I truly appreciate his leadership and his efforts on this important issue.

I thank the chairman for yielding.

Mr. SIMPSON. I appreciate the gentlewoman's comments. Maybe at some point in time this Congress will get back to the point where Members of Congress can actually direct what activities are being done and individual projects in their districts because nobody knows their district better than the Members of Congress do.

When we had earmarks in the past, admittedly, we went too far, did some frivolous things, all that kind of stuff, and I understand why we instituted an earmark ban. But sometimes we go too far in the other direction. That pendulum sometimes swings too far in the other direction.

Members of Congress ought to have a say in what is done in their districts. At this time that is hard to do, but I appreciate what the gentleman is trying to do.

Mr. CLAWSON of Florida. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman from Florida.

Mr. CLAWSON of Florida. With all humility, I appreciate the increase in the projects and understand that you all are doing a great job.

You all have to understand that this is a disaster and everybody gets disaster funding in our country but my district and my State.

So when there is a hurricane somewhere else, the President says it is emergency funding and everybody gets their money. But when it is an El Nino year and all that dirty water comes down that river and my district gets wiped out by it, the President doesn't do anything. We don't do anything.

It is about to happen again in August. You all have to understand, for my constituents, that lake is up high again and it is rainy season. We are going to say, no, my bill is not going to get heard on the floor of the House, and my district is going to be underwater with dirty water. There is going to be fish piled up on the beach, and we are going to be a Congress that hasn't done anything about it.

So I hear you all and understand and agree with it and appreciate it. But we have to have a bias for action, in my view. So I am just going for more.

I hope you all forgive me for wanting a recorded vote, but you all have to understand my folks are suffering right now. I hope Members understand that. This is a big deal to us.

Mr. SIMPSON. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. CLAWSON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CLAWSON of Florida. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT OFFERED BY MR. RICE OF SOUTH CAROLINA

Mr. RICE of South Carolina. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 3, after the dollar amount, insert ''(increased by $2,241,850)''.

Page 50, line 21, after the dollar amount, insert ''(reduced by $2,241,850)''.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from South Carolina and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. RICE of South Carolina. Mr. Chairman, I would like to start by thanking Chairman SIMPSON and Ranking Member KAPTUR for their hard work on this important legislation.

My amendment transfers $2.2 million from the Department of Energy, Departmental Administration account, to the Army Corps of Engineers' construction account.

The intent of this amendment is for additional construction funds to be used for the Army Corps' shore protection mission.

Shore protection projects are critical safeguards for life and property in coastal districts like mine, protecting millions of lives and billions of dollars of property.

These projects protect against storm surge, erosion, and flooding, which are all too common. Not only are our beaches an important safety buffer, but they are also economic drivers.

The State of South Carolina knows this well after suffering the devastating flood event associated with Hurricane Joaquin last October.

As a result of this major disaster, the authorized Myrtle Beach shore protection project suffered damages of approximately 700,000 cubic yards of sand and $17 million. My amendment would protect projects across the country like the Myrtle Beach project.

I want to thank the chairman for working with me in the wake of the disaster on pertinent flood and storm damage accounts in this year's funding bill.

I also want to thank the Army Corps for working with project sponsors for inclusion in this year's work plan.

Two of the reaches of the project fit Public Law 84–99 emergency criteria, resulting in a Corps recommendation of action. The Corps, while they recommended action, did not have available resources to address both reaches this year, imposing a safety and property vulnerability in our area.

For that reason, I think it appropriate to increase the Corps' construction account to allow significant projects like the one in north Myrtle Beach, which lost 241,850 cubic yards of sand in October, to compete for funding.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. RICE).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

MISSISSIPPI RIVER AND TRIBUTARIES

For expenses necessary for flood damage reduction projects and related efforts in the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, $345,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for inland harbors shall be derived from the Harbor Maintenance Trust Fund.

OPERATION AND MAINTENANCE

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; providing security for infrastructure owned or operated by the Corps, including administrative buildings and laboratories; maintaining harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, where authorized by law; surveying and charting northern and northwestern lakes and connecting waters; clearing and straightening channels; and removing obstructions to navigation, $3,157,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors shall be derived from the Harbor Maintenance Trust Fund; of which such sums as become available from the special account for the Corps of Engineers established by the Land and Water Conservation Fund Act of 1965 shall be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; and of which such sums as become available from fees collected under section 217 of Public Law 104–303 shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which such fees have been collected: *Provided*, That 1 percent of the total amount of funds provided for each of the programs, projects, or activities funded under this heading shall not be allocated to a field operating activity prior to the beginning of the fourth quarter of the fiscal year and shall be available for use by the Chief of Engineers to fund such emergency activities as the Chief of Engineers determines to be necessary and appropriate, and that the Chief of Engineers shall allocate during the fourth quarter any remaining funds which have not been used for emergency activities proportionally in accordance with the amounts provided for the programs, projects, or activities.

AMENDMENT OFFERED BY MS. GRAHAM

Ms. GRAHAM. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 5, after the dollar amount, insert ''(increased by $3,000,000)''.

Page 8, line 10, after the dollar amount, insert ''(reduced b y $3,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 743, the gentlewoman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. GRAHAM. Mr. Chairman, I yield myself such time as I may consume.

The Apalachicola, Chattahoochee, and Flint River system is a critically important asset to the Southeastern United States' ecology, economy, and heritage.

Unfortunately, it has also become a point of intense political friction and lengthy, ongoing, and extremely costly litigation. I strongly believe that, if we could get away from the politics and the lawsuits, we would have a much better chance of resolving this issue in a way that brings us together rather than divides us.

That is why I am optimistic about the recent work of the Apalachicola, Chattahoochee, and Flint Stakeholders, a diverse group of private citizens who live and work in the ACF Basin. They represent the whole spectrum of stakeholders, public and private, from Florida, Georgia, and Alabama.

They have been able to unite around the common mission of changing the management of the ACF Basin to create a healthier economy and environment, which will benefit everyone, and they have made a number of recommendations to the Corps of Engineers to meet their goal of a sustainable ACF Basin.

The ACF Stakeholder group has identified significant gaps in fundamental, scientific, and technical knowledge needed to best manage this natural resource. One of those recommendations is that the Corps conduct more basic scientific research on the entire river basin and bay.

My amendment is intended to provide a small amount of money to the Corps so that they can simply do more of that kind of research in the ACF.

In short, there is a whole lot that we still don't know about how water moves throughout the ACF Basin, and I believe it is simply common sense that, if we have better information about this unique natural resource, we, in turn, can manage it better for today and generations to come.

Let's follow the good example of the ACF Stakeholders and work together to get this done.

Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Idaho is recognized for 5 minutes.

There was no objection.

Mr. SIMPSON. Mr. Chairman, I will not oppose this amendment because it does not require the Corps to fund anything in particular.

We have had other similar amendments already tonight, and I would just like to remind my colleagues that these amendments—simply increasing the funding level of a particular account, they do not direct that funding to a particular activity.

If they did fund specific projects, those would be congressional earmarks that are no longer allowed. As we talked about on the last amendment, frankly, that is something I would like to change myself, and I know that the ranking member would, also.

But since this amendment only changes the overall account level, I will not oppose it.

Mr. Chairman, I yield back the balance of my time.

Ms. GRAHAM. Mr. Chairman, I just want to thank the chair and the ranking member for working with me on this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Florida (Ms. GRAHAM).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable

waters and wetlands, $200,000,000, to remain available until September 30, 2018.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites in the United States resulting from work performed as part of the Nation's early atomic energy program, $103,000,000, to remain available until expended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary to prepare for flood, hurricane, and other natural disasters and support emergency operations, repairs, and other activities in response to such disasters as authorized by law, $34,000,000, to remain available until expended.

EXPENSES

For expenses necessary for the supervision and general administration of the civil works program in the headquarters of the Corps of Engineers and the offices of the Division Engineers; and for costs of management and operation of the Humphreys Engineer Center Support Activity, the Institute for Water Resources, the United States Army Engineer Research and Development Center, and the United States Army Corps of Engineers Finance Center allocable to the civil works program, $180,000,000, to remain available until September 30, 2018, of which not to exceed $5,000 may be used for official reception and representation purposes and only during the current fiscal year: *Provided*, That no part of any other appropriation provided in this title shall be available to fund the civil works activities of the Office of the Chief of Engineers or the civil works executive direction and management activities of the division offices: *Provided further*, That any Flood Control and Coastal Emergencies appropriation may be used to fund the supervision and general administration of emergency operations, repairs, and other activities in response to any flood, hurricane, or other natural disaster.

OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS

For the Office of the Assistant Secretary of the Army for Civil Works as authorized by 10 U.S.C. 3016(b)(3), $4,750,000, to remain available until September 30, 2018: *Provided*, That not more than 25 percent of such amount may be obligated or expended until the Assistant Secretary submits to the Committees on Appropriations of both Houses of Congress a work plan that allocates at least 95 percent of the additional funding provided under each heading in this title (as designated under such heading in the report of the Committee on Appropriations accompanying this Act) to specific programs, projects, or activities.

GENERAL PROVISIONS—CORPS OF ENGINEERS—CIVIL

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. (a) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates or initiates a new program, project, or activity;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by this Act;

(4) reduces funds that are directed to be used for a specific program, project, or activity by this Act;

(5) increases funds for any program, project, or activity by more than $2,000,000 or 10 percent, whichever is less; or

(6) reduces funds for any program, project, or activity by more than $2,000,000 or 10 percent, whichever is less.

(b) Subsection (a)(1) shall not apply to any project or activity authorized under section 205 of the Flood Control Act of 1948, section 14 of the Flood Control Act of 1946, section 208 of the Flood Control Act of 1954, section 107 of the River and Harbor Act of 1960, section 103 of the River and Harbor Act of 1962, section 111 of the River and Harbor Act of 1968, section 1135 of the Water Resources Development Act of 1986, section 206 of the Water Resources Development Act of 1996, or section 204 of the Water Resources Development Act of 1992.

(c) The Corps of Engineers shall submit reports on a quarterly basis to the Committees on Appropriations of both Houses of Congress detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

SEC. 102. None of the funds made available in this title may be used to award or modify any contract that commits funds beyond the amounts appropriated for that program, project, or activity that remain unobligated, except that such amounts may include any funds that have been made available through reprogramming pursuant to section 101.

SEC. 103. The Secretary of the Army may transfer to the Fish and Wildlife Service, and the Fish and Wildlife Service may accept and expend, up to $5,400,000 of funds provided in this title under the heading ''Operation and Maintenance'' to mitigate for fisheries lost due to Corps of Engineers projects.

SEC. 104. None of the funds in this Act shall be used for an open lake placement alternative for dredged material, after evaluating the least costly, environmentally acceptable manner for the disposal or management of dredged material originating from Lake Erie or tributaries thereto, unless it is approved under a State water quality certification pursuant to section 401 of the Federal Water Pollution Control Act (33 U.S.C. 1341); *Provided further*, That until an open lake placement alternative for dredged material is approved under a State water quality certification, the Corps of Engineers shall continue upland placement of such dredged material consistent with the requirements of section 101 of the Water Resources Development Act of 1986 (33 U.S.C. 2211).

SEC. 105. None of the funds made available in this title may be used for any acquisition that is not consistent with 48 CFR 225.7007.

SEC. 106. None of the funds made available by this Act may be used to carry out any water supply reallocation study under the Wolf Creek Dam, Lake Cumberland, Kentucky, project authorized under the Act of July 24, 1946 (60 Stat. 636, ch. 595).

SEC. 107. The Secretary of the Army, acting through the Chief of Engineers, may accept from the Trinity River Authority of Texas, if received by September 30, 2016, $31,233,401 as payment in full for amounts owed to the United States, including any accrued interest, for the approximately 61,747.1 acre-feet of water supply storage space in Joe Pool Lake, Texas (previously known as Lakeview Lake) for which payment has not commenced under Article 5.a. (relating to project investment costs) of contract number DACW63-76-C-0106 as of the date of enactment of this section.

SEC. 108. None of the funds made available in this or any other Act making appropriations for Energy and Water Development for any fiscal year may be used by the Corps of Engineers to develop, adopt, implement, administer, or enforce any change to the regulations in effect on October 1, 2012, pertaining to the definitions of the terms ''fill material'' or ''discharge of fill material'' for the purposes of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

□ 1830

AMENDMENT OFFERED BY MR. BEYER

Mr. BEYER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 13, beginning on line 3, strike section 108.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Virginia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. BEYER. Mr. Chairman, this amendment is very simple: it strikes section 108 of this bill. Section 108 would prevent the Army Corps of Engineers from updating the definitions of the terms ''fill material'' or ''discharge of fill material.''

These definitions underlie section 404 of the Clean Water Act which governs dredge and fill permitting, one of the most important components of the act.

To freeze those definition in time, as section 108 does, ties the hands of the implementing agencies, despite evolving scientific understanding and current regulatory insights. Current and future administrations must have discretion to implement key terms and clarify them when needed.

The alternative puts our Nation's waters at risk.

My amendment would remove this anti-Clean Water Act rider.

When Congress first enacted the Clean Water Act, the section 404 permit process was supposed to be used for certain construction projects, like bridges and roads, where raising the bottom elevation of a water body or converting an area into dry land was unavoidable.

But under a 2002 rule change, the definition of ''fill material'' was broadened to include ''rock, sand, soil, clay, plastics, construction debris, wood chips, overburden from mining or other excavation activities.''

The revised rule also removed regulatory language which previously excluded ''waste'' discharges from section 404 jurisdiction, a change that some argue allows the use of 404 permits to authorize certain discharges that harm the aquatic environment.

The Clean Water Act section 404(b)(1) guidelines are not well suited for evaluating the environmental effects of discharging hazardous wastes, such as mining refuse and similar materials, into a water body or wetland.

In sum, the net effect of the 2002 rule change was to alter the Corps permit process in ways that Congress had never intended.

It was not congressional intent to allow mining refuse and similar material—some of it hazardous—to qualify as fill material and, thereby, bypass a more thorough environmental review and meet Federal pollution standards.

Downstream water users have every right to be concerned that the section 404 process fails to protect them from the discharge of hazardous substances.

Lower Slate Lake in Alaska is the perfect example. A permit allows the discharge of toxic wastewater from a gold ore processing mill to go untreated directly into the lake, despite the fact that the discharge violates EPA's standards for the mining industry. Mining waste can contain toxic chemicals known to pose health risks to humans and aquatic animals. Continuing the practice of dumping this waste into our Nation's streams and rivers is dangerous and irresponsible.

EPA estimates that 120 miles per year of headwater streams are buried with the chemical-laden discharge as a result of surface mining operations under existing divisions of ''fill.'' Equally important, a 2008 EPA study found evidence that mining activities can have severe impacts on downstream aquatic life and the biological conditions of a stream. That same study found that 9 out of every 10 streams downstream from surface mining operations were impaired based on assessments of aquatic life.

Mr. Chairman, this provision, section 108, is a preemptive strike against protecting our drinking water. Since there is no time limit on this provision, it would not only block the current administration but any future administration from considering changes.

Mr. Chairman, I urge my colleagues to support my amendment and strike section 108 from this bill.

I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I rise in opposition to this amendment. The language in the bill is intended simply to maintain the status quo regarding what is fill material for the purposes of the Clean Water Act.

The existing definition was put in place through a rulemaking initiated by the Clinton administration and was finalized by the Bush administration. That rule aligned the definitions on the books of the Corps and the EPA so that both agencies were working with the same definition.

Changing the definition again, as some have proposed, could effectively kill mining operations across much of this country. For that reason, I support the underlying language and would oppose this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. BEYER. Mr. Chairman, I yield back the balance of my time.

Ms. KAPTUR. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chair, I support the gentleman's amendment to strike section 108, and I thank Congressman BEYER of Virginia for offering it.

The provision the gentleman seeks to strike is one of three egregious attacks on the Clean Water Act, including locking in place a state of confusion about the scope of pollution control programs and sacrificing water quality for small streams and wetlands that contribute to the drinking water of one in three Americans.

I urge my colleagues to support the Beyer amendment. Freshwater is a precious resource, one which should be protected in the best scientific manner possible.

I thank the gentleman from Virginia for doing something really important for the country through this amendment to clean up this bill.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. BEYER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. SIMPSON. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

The Clerk will read.

The Clerk read as follows:

SEC. 109. Notwithstanding section 404(f)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1344(f)(2)), none of the funds made available by this Act may be used to require a permit for the discharge of dredged or fill material under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) for the activities identified in subparagraphs (A) and (C) of section 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

SEC. 110. None of the funds made available in this or any other Act making appropriations for Energy and Water Development for any fiscal year may be used by the Corps of Engineers to develop, adopt, implement, administer, or enforce any change to the regulations and guidance in effect on October 1, 2012, pertaining to the definition of waters under the jurisdiction of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), including the provisions of the rules dated November 13, 1986, and August 25, 1993, relating to such jurisdiction, and the guidance documents dated January 15, 2003, and December 2, 2008, relating to such jurisdiction.

AMENDMENT OFFERED BY MR. BEYER

Mr. BEYER. Mr. Chairman, Congresswoman EDDIE BERNICE JOHNSON, Congressman MATT CARTWRIGHT, and I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 13, beginning on line 20, strike section 110.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Virginia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. BEYER. Mr. Chairman, much like the previous discussion, our amendment would simply strike section 110.

As it stands, section 110 would prevent the implementation of the Clean Water Rule. The Environmental Protection Agency and the Army Corps of Engineers adopted the Clean Water Rule following a lengthy and inclusive public rulemaking process.

It restores the Clean Water Act protections to streams, wetlands, and other important waters of the United States.

Without the Clean Water Rule, the streams that provide drinking water systems serving one in three Americans will remain at risk.

Almost everyone agreed that clarity was needed in light of the Supreme Court rulings in 2001 and 2006 that interpreted the regulatory scope of the Clean Water Act more narrowly than the agencies and lower courts. Those cases created uncertainty about the scope of waters protected under the Clean Water Act.

Calls for EPA to issue a rule even came from such organizations as the National Cattlemen's Beef Association, the American Farm Bureau Federation, the Western Business Roundtable, and the National Association of Manufacturers.

Prohibiting the EPA from implementing this rule, as section 110 would direct, would perpetrate this confusion. There are countless cases to reiterate this point.

For example, the EPA acknowledged enforcement difficulties in a case in which storm water from construction sites carried oil, grease, and other pollutants into tributaries to the San Pedro River, which is an internationally recognized river ecosystem supporting diverse wildlife, but where the waters in question flow only for part of the year.

The agency stated that it had to discontinue all enforcement cases in this area because it was so time-consuming and costly to prove that the Clean Water Act protects these rivers. So we need to end the confusion.

But, unfortunately, we are left with the Clean Water Rule not currently being enforced because of a Federal Court ruling that blocked its implementation while it is being litigated.

The Corps and the EPA will continue to make Clean Water Act jurisdictional determinations based on the 2010 guidelines, as they did before the promulgation of the 2015 rule, doing the best they can with the ambiguity that they

are forced to work with. So this confusion will continue.

It needs to be said that opponents of the Clean Water Rule have it wrong. The rule respects agriculture and the law by maintaining all of the existing exemptions for agricultural discharges and waters. It identifies specific types of water bodies to which it does not apply—areas like artificial lakes and ponds, and many types of drainage and irrigation ditches. It does not extend Federal protection to any waters not historically protected under the Clean Water Act, and it is fully consistent with the law and the decisions of the Supreme Court.

I want to reiterate. The administration has created a strong, commonsense rule to make clean water a priority by protecting the sources that feed the drinking water for more than 117 million Americans, including 2.3 million Virginians. If we continue to block the rule to protect clean water, at least 57 percent of Virginia's streams and 20 million acres of wetlands nationwide will continue to be at risk.

American businesses need to know when the Federal Government has authority and when it doesn't. Without updated guidance and the clarity it provides, businesses will often not know when they need Army Corps of Engineers' permits. This uncertainty could result in civil and criminal liability and will certainly cost them extra money.

Overall, the Clean Water Act riders are part of an effort to return us to a time when we had no uniform, national, minimum clean water standards, and States had conflicting policies or no policies to protect the public. That was a time when rivers were so polluted they caught fire and when responsible downstream States suffered the consequences of lax or weak upstream State policies.

Mr. Chairman, I urge my colleagues to oppose these Clean Water Act riders and to support my amendment to strike section 110.

I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I strongly oppose this amendment. We have debated this issue for many years now.

The fact is, the gentleman is right in one regard in that the Clean Water Act, in trying to define what waters of the United States by navigable waters, is hard. Navigable to what?

Consequently, every organization that I know of supports a new rule that brings certainty and clarity to it. That is what the Supreme Court said on two different occasions: that the Corps of Engineers and the Environmental Protection Agency had gone too far, and that Federal jurisdiction over the Clean Water Act was not as broad as they had claimed, and that we needed certainty and clarity in this rule. So the EPA took that and said: okay, I know what will give certainty; we will just regulate everything.

That is pretty much what they have done with this rule. Everybody who proposes this as a really good deal is under the assumption that the waters were not regulated before if they didn't fall under the Clean Water Act. The reality is that the EPA didn't regulate them, but the States regulated them, and the States did a darn good job of it in most cases.

We do need some clarity. But as cases have said, as the Supreme Court has said, the EPA has gone too far. Deciding how water should be used is the responsibility of State and local officials who are more familiar with the people and the local issues.

Under the WOTUS rule, the Federal reach of jurisdiction would be so broad that it could significantly restrict landowners' ability to make decisions about their property and a local government's right to plan for its own development. While there may be a desire for clarity on the issue of the Federal jurisdiction, providing clarity does not trump the need to stay within the limits of the law.

Bringing certainty to this, you know, that is a nice thing to say. A hanging brings certainty, but I am not sure it is the result you want, which is what we have got here.

The WOTUS rule would expand Federal jurisdiction far beyond what was ever intended by the Clean Water Act.

The provision in the Energy and Water Development bill does not weaken the Clean Water Act; it stops the administration from expanding Federal jurisdiction. For that purpose, I strongly urge my colleagues to vote ''no'' on this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. BEYER. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Ohio (Ms. KAPTUR), the distinguished ranking member of the subcommittee.

Ms. KAPTUR. Mr. Chair, I thank the gentleman from Virginia for yielding and support his amendment strongly. It strikes a harmful provision that prevents the Corps from addressing deficiencies in regulatory uncertainties related to Clean Water Act regulations. Without this amendment, the bill would contribute to delays, uncertainty, and increased costs both for the government, for companies, and individuals who discharge into wetlands, streams, lakes, and other waters.

It will increase delays in the implementation of important public works projects and lead to protracted litigation on the disparity between existing Federal regulations and two Supreme Court decisions.

The provision that this amendment strikes does not apply to just this year. It applies to any subsequent Energy and Water Development Act precluding potential changes that may be necessary to protect public health and the environment, and ensuring that uncertainty continues indefinitely.

I believe the amendment allows the Corps the needed flexibility to deal with the confusion that has surrounded Clean Water Act jurisdiction in the wake of the two Supreme Court decisions, and we should be allowing the Corps to take actions that address the Supreme Court's ruling, bringing clarity and certainty to the regulatory process, not prolonging the confusion.

□ 1845

If this amendment is not passed, it could mean an estimated one-fifth of wetlands and 2 million miles of small streams will not be protected.

I urge my colleagues to support the Beyer amendment. Freshwater is a precious resource, one which should be protected in the best scientific manner possible. We owe it to future generations.

Mr. BEYER. Mr. Chair, I yield back the balance of my time.

Mr. SIMPSON. Mr. Chairman, they are absolutely right. This would block the implementation of this rule in the future. That is what we are trying to do. We are saying this rule is no good, start again. It doesn't mean that these streams would be in danger or anything else.

We are saying to the Army Corps and to the EPA, go back and start again, because they were wrong in this rule and they far overreached their authority of the Clean Water Act. I think that is what a court is going to decide, and this probably won't be necessary because a court is probably going to throw this out.

The reality is we all want clean water. If this amendment is not adopted and our language goes into effect, it doesn't mean that these wetlands and these streams are going to be unregulated. They will be regulated, as they were before, by the State governments. We have a Federal system. We have Federal law. We have State laws. The State laws do some things. They have regulated water within their States for years and have done a pretty good job of it.

Is the Clean Water Act necessary? You bet it is. You are right. The Cuyahoga River hasn't started a fire for a long time because of the cleanup that has been done, but that doesn't mean that they need to regulate every little mud puddle and stream in the State of Idaho.

I strongly oppose this amendment, as I have in years gone by. And I would say it again: This is telling the EPA and the Army Corps of Engineers to start over again. Follow the intent of

the Clean Water Act and the intent of Congress when it was passed.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. BEYER).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 111. As of the date of enactment of this Act and each fiscal year thereafter, the Secretary of the Army shall not promulgate or enforce any regulation that prohibits an individual from possessing a firearm, including an assembled or functional firearm, at a water resources development project covered under section 327.0 of title 36, Code of Federal Regulations (as in effect on the date of enactment of this Act), if—

(1) the individual is not otherwise prohibited by law from possessing the firearm; and

(2) the possession of the firearm is in compliance with the law of the State in which the water resources development project is located.

AMENDMENT OFFERED BY MR. DESAULNIER

Mr. DESAULNIER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, strike lines 7 through 19.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DESAULNIER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment simply strikes a controversial provision that is irrelevant to the underlying bill.

Section 111 of the bill explicitly prohibits the Secretary of the Army from preventing someone from bringing a loaded weapon onto Federal Army Corps property. This divisive gun policy is nothing more than another attempt by the majority, unfortunately, to promote the interests of the gun lobby. It chips away at the safety and well-being of the Army Corps personnel and surrounding communities.

Not only is this gun rider widely considered bad policy, the Energy and Water Appropriations bill is an inappropriate mechanism for debating the pros and cons of gun possession on Federal lands, and is inconsistent with the majority's promotion of regular order.

Last week, the House debated the National Defense Authorization Act, which is certainly a more appropriate legislative vehicle for a discussion about guns. I offered an amendment to that bill to improve smart gun technology, and the majority didn't even allow it to be debated on the floor. In fact, not a single gun bill has been considered by the House in the 114th Congress. If the majority is eager to debate the merits of carrying loaded weapons on Federal properties, I am certain that many of us on this side of the aisle would be more than willing to participate in that debate.

By virtue of attaching this policy rider to an appropriations bill, and by virtue of the majority dismissing requests to debate gun research and smart gun technology, it seems that the majority would rather force a contentious issue through Congress with no debate at all. This approach is at odds with the purpose for which we are all here: to debate issues important to our constituents and this country and, by virtue of that debate, advance policies to improve our country.

Mr. Chairman, this policy rider is misplaced and misguided.

I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, it is hard to understand that we are doing this without any debate when the gentleman is, in fact, debating. That is what we are doing. That is what we did in committee. That is what we did in subcommittee. That is how this process works.

I rise in opposition to the amendment. The current regulation prohibits citizens from exercising their Second Amendment rights guaranteed in the Constitution on Corps land. Many people don't realize it, but the Army Corps of Engineers is the largest Federal provider of outdoor recreation in the country.

The language in this bill would simply align Corps policy with the policy for national parks and national wildlife refuges established by Congress in 2009. We heard the same debate when we said, no, people ought to be able to exercise their Second Amendment rights in national parks. They shouldn't have to disassemble their guns, put them in their trunk, and everything else when they go through national parks. We instituted that policy, and today you can exercise your Second Amendment rights in national parks. It hasn't been a problem. The same thing with national wildlife refuges.

Therefore, I oppose this amendment. Let's make sure that every American has the right to exercise their Second Amendment rights guaranteed in the Constitution.

I yield back the balance of my time.

Mr. DESAULNIER. Mr. Chairman, while I respect that perspective, I appreciate the gentleman from Idaho's perspective, and hope that we can work together in the future to make sure that public safety is protected on Army Corps of Engineers property.

Mr. Chairman, it is clear today that this is not a day for a breakthrough on gun debate, in my view.

I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida.

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

The Clerk will read.

The Clerk read as follows:

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, $11,000,000, to remain available until expended, of which $1,300,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission: *Provided*, That of the amount provided under this heading, $1,350,000 shall be available until September 30, 2018, for expenses necessary in carrying out related responsibilities of the Secretary of the Interior: *Provided further*, That for fiscal year 2017, of the amount made available to the Commission under this Act or any other Act, the Commission may use an amount not to exceed $1,500,000 for administrative expenses.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES

(INCLUDING TRANSFERS OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, federally recognized Indian tribes, and others, $982,972,000, to remain available until expended, of which $22,000 shall be available for transfer to the Upper Colorado River Basin Fund and $5,551,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund: *Provided*, That such transfers may be increased or decreased within the overall appropriation under this heading: *Provided further*, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 6806 shall be derived from that Fund or account: *Provided further*, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which the funds were contributed: *Provided further*, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: *Provided further*, That of the amounts provided herein, funds may be used for high-priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, $55,606,000, to be derived from such sums as may be collected

in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), and 3405(f) of Public Law 102–575, to remain available until expended: *Provided*, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102–575: *Provided further*, That none of the funds made available under this heading may be used for the acquisition or leasing of water for in-stream purposes if the water is already committed to in-stream purposes by a court adopted decree or order.

CALIFORNIA BAY-DELTA RESTORATION

(INCLUDING TRANSFERS OF FUNDS)

For carrying out activities authorized by the Water Supply, Reliability, and Environmental Improvement Act, consistent with plans to be approved by the Secretary of the Interior, $36,000,000, to remain available until expended, of which such amounts as may be necessary to carry out such activities may be transferred to appropriate accounts of other participating Federal agencies to carry out authorized purposes: *Provided*, That funds appropriated herein may be used for the Federal share of the costs of CALFED Program management: *Provided further*, That CALFED implementation shall be carried out in a balanced manner with clear performance measures demonstrating concurrent progress in achieving the goals and objectives of the Program.

POLICY AND ADMINISTRATION

For expenses necessary for policy, administration, and related functions in the Office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until September 30, 2018, $59,000,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: *Provided*, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed five passenger motor vehicles, which are for replacement only.

GENERAL PROVISIONS—DEPARTMENT OF THE INTERIOR

SEC. 201. (a) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates or initiates a new program, project, or activity;

(2) eliminates a program, project, or activity;

(3) increases funds for any program, project, or activity for which funds have been denied or restricted by this Act;

(4) restarts or resumes any program, project or activity for which funds are not provided in this Act, unless prior approval is received from the Committees on Appropriations of both Houses of Congress;

(5) transfers funds in excess of the following limits—

(A) 15 percent for any program, project or activity for which $2,000,000 or more is available at the beginning of the fiscal year; or

(B) $300,000 for any program, project or activity for which less than $2,000,000 is available at the beginning of the fiscal year;

(6) transfers more than $500,000 from either the Facilities Operation, Maintenance, and Rehabilitation category or the Resources Management and Development category to any program, project, or activity in the other category; or

(7) transfers, where necessary to discharge legal obligations of the Bureau of Reclamation, more than $5,000,000 to provide adequate funds for settled contractor claims, increased contractor earnings due to accelerated rates of operations, and real estate deficiency judgments.

(b) Subsection (a)(5) shall not apply to any transfer of funds within the Facilities Operation, Maintenance, and Rehabilitation category.

(c) For purposes of this section, the term ''transfer'' means any movement of funds into or out of a program, project, or activity.

(d) The Bureau of Reclamation shall submit reports on a quarterly basis to the Committees on Appropriations of both Houses of Congress detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

SEC. 202. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the ''Cleanup Program—Alternative Repayment Plan'' and the ''SJVDP—Alternative Repayment Plan'' described in the report entitled ''Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995'', prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

SEC. 203. Section 205(2) of division D of Public Law 114–113 is amended by striking ''2016'' and inserting ''2017''.

SCIENTIFICALLY SUPPORTED IMPLEMENTATION OF OMR FLOW REQUIREMENTS

SEC. 204. (a) To maximize water supplies for the Central Valley Project and the State Water Project, in implementing the provisions of the smelt biological opinion or salmonid biological opinion, or any successor biological opinions or court orders, pertaining to management of reverse flow in the Old and Middle Rivers, the Secretary of the Interior shall—

(1) consider the relevant provisions of the applicable biological opinions or any successor biological opinions;

(2) manage export pumping rates to achieve a reverse OMR flow rate of -5,000 cubic feet per second unless existing information or that developed by the Secretary of the Interior under paragraphs (3) and (4) leads the Secretary to reasonably conclude, using the best scientific and commercial data available, that a less negative OMR flow rate is necessary to avoid a significant negative impact on the long-term survival of the species covered by the smelt biological opinion or salmonid biological opinion. If the best scientific and commercial data available to the Secretary indicates that a reverse OMR flow rate more negative than -5,000 cubic feet per second can be established without an imminent negative impact on the long-term survival of the species covered by the smelt biological opinion or salmonid biological opinion, the Secretary shall manage export pumping rates to achieve that more negative OMR flow rate;

(3) document, in writing, any significant facts about real-time conditions relevant to the determinations of OMR reverse flow rates, including—

(A) whether targeted real-time fish monitoring pursuant to this section, including monitoring in the vicinity of Station 902, indicates that a significant negative impact on the long-term survival of species covered by the smelt biological opinion or salmonid biological opinion is imminent; and

(B) whether near-term forecasts with available models show under prevailing conditions that OMR flow of -5,000 cubic feet per second or higher will cause a significant negative impact on the long-term survival of species covered by the smelt biological opinion or salmonid biological opinion;

(4) show, in writing, that any determination to manage OMR reverse flow at rates less negative than -5,000 cubic feet per second is necessary to avoid a significant negative impact on the long-term survival of species covered by the smelt biological opinion or salmonid biological opinion, and provide, in writing, an explanation of the data examined and the connection between those data and the choice made, after considering—

(A) the distribution of Delta smelt throughout the Delta;

(B) the potential effects of documented, quantified entrainment on subsequent Delta smelt abundance;

(C) the water temperature;

(D) other significant factors relevant to the determination; and

(E) whether any alternative measures could have a substantially lesser water supply impact; and

(5) for any subsequent smelt biological opinion or salmonid biological opinion, make the showing required in paragraph (4) for any determination to manage OMR reverse flow at rates less negative than the most negative limit in the biological opinion if the most negative limit in the biological opinion is more negative than -5,000 cubic feet per second.

(b) NO REINITIATION OF CONSULTATION.—In implementing or at the conclusion of actions under subsection (a), the Secretary of the Interior or the Secretary of Commerce shall not reinitiate consultation on those adjusted operations unless there is a significant negative impact on the long-term survival of the species covered by the smelt biological opinion or salmonid biological opinion. Any action taken under subsection (a) that does not create a significant negative impact on the long-term survival to species covered by the smelt biological opinion or salmonid biological opinion will not alter application of the take permitted by the incidental take statement in the biological opinion under section 7(o)(2) of the Endangered Species Act of 1973.

(c) CALCULATION OF REVERSE FLOW IN OMR.—Within 90 days of the enactment of this title, the Secretary of the Interior is directed, in consultation with the California Department of Water Resources to revise the method used to calculate reverse flow in Old and Middle Rivers, for implementation of the

reasonable and prudent alternatives in the smelt biological opinion and the salmonid biological opinion, and any succeeding biological opinions, for the purpose of increasing Central Valley Project and State Water Project water supplies. The method of calculating reverse flow in Old and Middle Rivers shall be reevaluated not less than every five years thereafter to achieve maximum export pumping rates within limits established by the smelt biological opinion, the salmonid biological opinion, and any succeeding biological opinions.

AMENDMENT OFFERED BY MR. MCNERNEY

Mr. MCNERNEY. Mr. Chairman, I have an amendment at the desk that amends a portion of the bill not yet read for amendment. I ask unanimous consent to offer it at this point in the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike page 22, line 1, through page 42, line 16.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCNERNEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am submitting an amendment with Representatives Lieu and Garamendi to strike provisions in the underlying legislation that are taken from H.R. 2898.

This important appropriations bill contains policy provisions that would further drain freshwater from the California delta with overpumping. These provisions would damage the delta's ecosystem and would cause serious economic harm to the communities we serve.

These provisions would undermine 40 years of progress in developing a true stewardship over the land and resources. Since these laws, which have helped make this progress possible, there have been countless attempts to scale back or undo them.

The provisions in the bill will weaken the Endangered Species Act and set a precedent of putting aside environmental protections. It misstates California water law and perpetuates a water war in the West at a time when we are working to bridge those divides. Families, farmers, and small businesses north and south of the California delta need water. This is a State issue, not a regional one.

Meanwhile, the results for farmers, families, businesses in the delta, as well as fishermen will be devastating. Fish will vanish and saltwater will intrude, permanently damaging some of the most productive farmland in the world.

Mr. Chairman, California water use seems to rely on an endless supply of freshwater. Unfortunately, there is only a finite amount of freshwater.

Historically, in limited water conditions, water has been taken from one region to supply another region. The Owens Valley and the Colorado River are perfect examples of what happens—one region benefits and another region suffers. That is exactly what is going to happen here. The delta region will suffer. Is that what we really want?

Mr. Chairman, California and Federal officials have been able to increase exports from the California delta. This action has helped maximize use of what little water exists in the State. A lack of water is our biggest threat, not operational flexibility.

It is completely inappropriate for a policy of this magnitude to be included in an annual must-pass appropriations bill. We should not be using an appropriations bill to ram through misguided policies that reward a few powerful stakeholders at the expense of others. This bill should not be included in this year's Energy and Water Appropriations bill. I urge my colleagues to support my amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. VALADAO. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. VALADAO. Mr. Chairman, one of the most interesting things we always hear is water is a finite resource and we shouldn't waste it.

It always blows my mind because this simple graph right here is a very strong example of what happened from one year to the next. Right here is what came into the delta in 2015, and right here is what happened in 2016—the amount of water that came in and the amount of water that was exported to the south of the delta—and this is the amount of water going through the delta this year. So the amount of water that went through the delta and out into the ocean and completely wasted, right here in this graph, and this is how much we are able to capture.

That is a huge difference and a huge waste of water. Communities in my district have been suffering because of a lack of action in this House. This is not a State issue. This is policy that was implemented years ago; and as we watch and see the delta continue to go and continue to decline and the species continue to disappear, doing this has actually not helped the species, has done nothing.

There is language in this bill that actually helps protect the species, the predator species. We have the ability in this bill to start a program that could actually help eliminate the striped bass. We have seen studies. As much as 60 to 90 percent of delta smelt are consumed by striped bass.

Why don't we allow that language to move forward? There was a motion today to strike some of that language, as well, in another bill as there is in this one.

This is a problem. As communities continue to struggle, this is what we end up with. I think this is the most important picture. This is in my district. This is not in a Third World country. This is in the United States of America. This is right here in California, and this is something that is happening in these communities because of this water being wasted.

□ 1900

We are putting people out of work, and we now see shanty towns. These shanty towns are not just regular folks—these are families. You see a stroller here, and you see some children's toys.

Is this what we want to support?

Anybody who supports this amendment is supporting this in the United States of America, and I can't imagine why we would want to do that.

Again, this is commonsense language that helps to address the problem that we have. We try to bring some common sense to the protection of the delta, and we look at it from all different angles. If Members want to continue this debate elsewhere, I am happy to do it. We have passed legislation. It sits in the Senate. The Senate hasn't acted. We are going to keep pushing and looking for a way to bring this to the forefront so we can offer a solution.

Mr. Chair, I reserve the balance of my time.

Mr. MCNERNEY. Mr. Chair, I yield 2 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Mr. Chairman, welcome to California water wars, Members of Congress. Here we are again, back to our water war.

We need to solve the problem of the delta, but you don't do it by gutting the environmental protections of the delta. Have no doubt about it. This is another water war in California that we do not need.

What we need is some wise legislation that actually can solve the problem. Gutting the Endangered Species Act, overriding the biological opinions, taking away the Clean Water Act, and simply turning the pumps on is not a solution. It is, in fact, the death knell of the delta. Along with Governor Brown's twin tunnels, it will destroy the delta. So let's not go that way. Let's find the right solution in which science—that is the realtime monitoring of what is happening in the delta—is how we determine whether to ramp up or to reduce the pumping in the delta. That is not in this bill.

Take a look at the opponents here. We have the two delta interests, Mr.

MCNERNEY and I. We have the San Joaquin Valley interests. Gentlemen and ladies, welcome to California water wars. This is not the way to handle it—not in an appropriation, not in a bill that guts the environmental protections and simply turns the pumps on.

Mr. MCNERNEY. Mr. Chair, how much time do I have remaining?

The Acting CHAIR. The gentleman from California has 30 seconds remaining.

Mr. MCNERNEY. Mr. Chair, we hear about water being wasted in its going out to the ocean, but that water is pushing saltwater away from our farms and the delta. It is allowing salmon fish to go out to the ocean. It is providing jobs all up and down the coast. I don't really accept the word ''waste.''

I implore my colleagues from southern California: let's work together. There are solutions out there. We can recycle; we can store rainwater; we can become more efficient and find wastage and stop evaporations. There are plenty of things we can do to produce new water. These provisions in this bill produce no new water. It just serves one portion of the State to benefit another.

Mr. Chair, I yield back the balance of my time.

Mr. VALADAO. Mr. Chair, how much time do I have remaining?

The Acting CHAIR. The gentleman from California has 2½ minutes remaining.

Mr. VALADAO. Mr. Chair, I yield 1½ minutes to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. I thank the gentleman.

Mr. Chair, water wars. I have been at this for a while, too, as my friend from northern California has. People are suffering right now for no good reason.

According to independent studies, under the existing biological opinions, over a million acre feet of water have been wasted because of non-pumping. What I mean by ''wasted'' is not one fish—not one smelt, not one salmon—would have been lost in the delta because of pumping; but because of overcautiousness on the part of the Department of the Interior and the Department of Fish and Wildlife, we have let that water go. Tell that to the people who live in that shanty town. Tell that to the people who actually import produce from China to live on.

I know that people like to paint us as the party that doesn't care about the Hispanic community. Tell that to the hundreds of thousands of people who have been put out of work in the Central Valley. This is wrong.

I congratulate Mr. VALADAO for the hard work and the passion that he has put into this because he cares about the people he represents, and we should care about them, too.

There is no good reason why we have let this happen. We have allowed this to happen for a number of reasons, most of which don't make any sense to most people who understand this stuff. We have a chance, I think, to fix this and to pass Mr. VALADAO's legislation. Let's move on.

Ms. KAPTUR. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chair, I yield to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. I thank the gentlewoman from Ohio.

Mr. Chair, I just want to follow up on a few things.

We talked about water that goes out to the ocean as being wasted. Again, the delta is becoming more salty every year. We have been exporting 70 percent of the freshwater that comes to the delta. The saltwater has been intruding. We need the freshwater to push out that saltwater for the fishermen who live up and down the coast. I feel for the farmers who are in the south part of the valley—it is devastating; it is horrible—but we also see the same thing happening with fishermen on the north coast.

Basically, we are doing the same thing that has been done historically. At Owens Valley, we are going to take water from one part of the State, and we are going to give it to another. We are going to benefit one part, and we are going to hurt another. That is not the way to do business.

We can find comprehensive solutions that include infrastructure investments, recycling, WaterSMART projects. There are ways to create new water. We don't have to keep grabbing water from one another to grow fruits and vegetables or to have fishermen survive on the north coast.

Ms. KAPTUR. Mr. Chair, I yield to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Mr. Chair, all of us can get pretty excited about water in California, and I see my colleagues from the San Joaquin Valley and beyond who are lined up here to protest what has happened over this last year.

There is no doubt that in this last year the rainy season didn't work for anybody. We can find a solution if we base that solution on solid science, if we base it on the realtime monitoring of where the fish are. I know there is a monitoring provision in this bill. Also, this particular bill, as written, would push aside the environmental protections and simply allow the pumps to be turned on even with the monitoring. What we really need to do is to base the delta operation on the realtime monitoring of where the species are and then adjust the pumps accordingly.

There is a solution. My colleague, Mr. MCNERNEY, just talked in detail about the necessity of building additional infrastructure for water. We need Sites Reservoir in the northern part of the State. We need to rebuild the San Luis Reservoir, and the Los Banos Grandes needs to be built. We need to build the infrastructure, the recycling, and all of the other things.

We do not need to take, as this bill does, the Endangered Species Act, the Clean Water Act, and the biological opinions and push them out of the way and just allow the pumps to turn on. That is not a solution. That is a solution for the destruction of the largest estuary on the west coast of the Western Hemisphere.

I don't doubt for a moment the sincerity of my colleagues from the San Joaquin Valley and from southern California. They are sincere about the concern, and we share that concern. 300,000 acres of my rice farm didn't get planted this last year because of the drought. We also know the damage that a drought can do, but there is a way of solving this problem. This is not the bill. This bill will set off a war. Obviously, we are already at it here on the floor of the House.

Let's put this aside. Let's sit down, as we can do, and develop a solution that keeps in place the environmental laws and allows the flexibility that is present within those laws to be used to the maximum extent and not push the laws and the biological opinions out of the way to the detriment of the largest estuary on the west coast of the Western Hemisphere. It is critical for salmon and other species in the ocean as well as for the agriculture in the delta and the 4 million or 5 million people who depend upon that water from the delta.

I ask my colleagues to work with all of us, and I will take the chair of the subcommittee up on his offer. I will take the gentleman up on his offer and sit down with him, and we will work this out, but not in this way, at this moment on this floor, with a bill that really does gut the environmental laws and that guts the environmental species as well as the Clean Water Act.

Ms. KAPTUR. Mr. Chair, how much time do I have remaining?

The Acting CHAIR (Mr. REED). The gentlewoman from Ohio has 1 minute remaining.

Ms. KAPTUR. Mr. Chair, I yield to the gentleman from California (Mr. MCNERNEY), who has fought so very hard on this issue.

Mr. MCNERNEY. I thank the gentlewoman.

Mr. Chair, I am basically appealing to my colleagues. There are solutions out there. We can find a whole State solution to which all stakeholders have input. Right now that is not what this is. This is pitting one region against the other, and it is going to perpetuate what has been called the California water war. We didn't need to go there. There are solutions.

Ms. KAPTUR. Mr. Chair, I yield back the balance of my time.

Mr. VALADAO. Mr. Chair, I yield the balance of my time to the gentleman from California (Mr. MCCARTHY), the majority leader.

Mr. MCCARTHY. I thank the gentleman for yielding.

Mr. Chair, I am always amazed by the debates on this floor, and I think they are healthy. I like to listen to what people say and what people desire. Let me explain what I have heard as a desire to deal with the water crisis in California.

People request that whatever we do, do not change the Endangered Species Act. Could we work together on both sides? Could we make sure we stay within the biological opinion?

For some of those people who are watching at home, they may not have watched the last three terms of this Congress. This drought is not new. But what is interesting is, if you just go back in this decade of the snowpack in California—let's go back 5 years—we had 160 percent of snowpack, which was an amazing year for California.

But do you know what was allocated from the State Water Project for water?

Eighty percent out of 160 percent. The next year, we had only 55 percent. In 2015, we only had 8 percent of snowpack. This year was an El Nino, so we got up to 87 percent. Yet, if you look at the numbers, we have only pumped about the same amount of water as we did when we had 8 percent.

My parents would always read me bedtime stories. The one I loved the most was one in which they talked about a grasshopper and an ant. It was interesting how one of them would save for that rainy day. In this case, it would be putting the water away. It would be saving for that next year because, as we go through these years, our snowpack is always not the same.

If we are not pumping the water down, where is it going?

It is going to the ocean.

For the last three terms, we have tried to solve the water crisis, and, every time, we have heard these same arguments; so every term we did something different. A term ago, we got together with Republicans and Democrats, and we worked with our Senate leaders on the other side; but when it got time to make a final decision, I was told: no, no, we couldn't do this because it didn't go through committee, and there weren't enough people in the room.

So we said: All right. Well, we will go back to the drawing board.

This time we went through and we put Republicans and Democrats in the room.

Do you know what is interesting?

It just so happens Republicans are in the majority and Democrats are in the minority, but not in that room. There were more Democrats than there were Republicans, and we stayed months in there talking. We came to a lot of agreements. Maybe some people who were in the room won't say that on the outside, but on the inside, they agreed to a lot of the pieces of the legislation.

I will tell you that those pieces that we agreed to are in this bill.

Do you know why?

Because we listened. We don't change the Endangered Species Act. We don't go beyond the biological opinion.

Are you concerned about fish?

We say in this piece of legislation to pump higher unless there is a concern in the harming of the fish. You don't have to come back to Congress to change the level of pumping. So those solutions I hear on the floor are in the bill. I think it is about time that we stop making false accusations and actually stand for what we need.

□ 1915

Do you know what in these rooms I heard a lot about? Desalinization. And I said I will help with that. Because the whole concept of desalinization is we will spend a lot of money with a lot of energy to take that ocean water and take the salt out of it and make it freshwater.

Don't you think it would kind of be smart of us first to make sure that our freshwater is not becoming saltwater first? That is all we are asking here. We are saying let's live within the biological opinion.

We are protecting the Endangered Species Act, but we are doing something different in California. We are planning for the future. We are planning for those years that you won't have the big snowpack. We are planning for the years that California continues to grow. We are also planning for those people who work in the fields. We are planning for the people who want to build the homes.

Central Valley may be a little different than everyplace else, but those jobs are just as important as any job anywhere else in California. So, yes, we have sat in the rooms. Yes, there were more on the minority side than on the majority. Yes, we listened to you and we took what we heard and put it into a bill.

Because the other thing I heard when we couldn't do this is that it had to be regular order. That is why it could not be in the omnibus bill even though that was an idea from my Senate colleague in the other house.

So you know what? This is regular order on the floor of the House with the ideas that we heard, and it is in the bill.

Mr. VALADAO. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. MCNERNEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MCNERNEY. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

The Clerk will read.

The Clerk read as follows:

TEMPORARY OPERATIONAL FLEXIBILITY FOR FIRST FEW STORMS OF THE WATER YEAR

SEC. 205. (a) IN GENERAL.—Consistent with avoiding an immediate significant negative impact on the long-term survival upon listed fish species over and above the range of impacts authorized under the Endangered Species Act of 1973 and other environmental protections under subsection (d), the Secretary of the Interior and the Secretary of Commerce shall authorize the Central Valley Project and the California State Water Project, combined, to operate at levels that result in negative OMR flows at -7,500 cubic feet per second (based on United States Geological Survey gauges on Old and Middle Rivers) daily average as described in subsections (b) and (c) to capture peak flows during storm events.

(b) DAYS OF TEMPORARY OPERATIONAL FLEXIBILITY.—The temporary operational flexibility described in subsection (a) shall be authorized on days that the California Department of Water Resources determines the net Sacramento-San Joaquin River Delta outflow index is at, or above, 13,000 cubic feet per second.

(c) COMPLIANCE WITH ENDANGERED SPECIES ACT AUTHORIZATIONS.—In carrying out this section, the Secretary of the Interior and the Secretary of Commerce may continue to impose any requirements under the smelt biological opinion and salmonid biological opinion during any period of temporary operational flexibility as they determine are reasonably necessary to avoid additional significant negative impacts on the long-term survival of a listed fish species over and above the range of impacts authorized under the Endangered Species Act of 1973, provided that the requirements imposed do not reduce water supplies available for the Central Valley Project and the California State Water Project.

(d) OTHER ENVIRONMENTAL PROTECTIONS.—

(1) STATE LAW.—The actions of the Secretary of the Interior and the Secretary of Commerce under this section shall be consistent with applicable regulatory requirements under State law. The foregoing does not constitute a waiver of sovereign immunity.

(2) FIRST SEDIMENT FLUSH.—During the first flush of sediment out of the Sacramento-San Joaquin River Delta in each water year, and provided that such determination is based upon objective evidence, OMR flow may be managed at rates less negative than -5,000 cubic feet per second for a minimum duration to avoid movement of adult Delta smelt (*Hypomesus transpacificus*) to areas in the southern Sacramento-San Joaquin River Delta that would be likely to increase entrainment at Central Valley Project and California State Water Project pumping plants.

(3) APPLICABILITY OF OPINION.—This section shall not affect the application of the salmonid biological opinion from April 1 to May 31, unless the Secretary of Commerce finds, based on the best scientific and commercial data available, that some or all of such applicable requirements may be adjusted during this time period to provide

emergency water supply relief without resulting in additional adverse effects over and above the range of impacts authorized under the Endangered Species Act of 1973. In addition to any other actions to benefit water supply, the Secretary of the Interior and the Secretary of Commerce shall consider allowing through-Delta water transfers to occur during this period if they can be accomplished consistent with section 3405(a)(1)(H) of the Central Valley Project Improvement Act. Water transfers solely or exclusively through the California State Water Project that do not require any use of Reclamation facilities or approval by Reclamation are not required to be consistent with section 3405(a)(1)(H) of the Central Valley Project Improvement Act.

(4) MONITORING.—During operations under this section, the Commissioner of Reclamation, in coordination with the United States Fish and Wildlife Service, National Marine Fisheries Service, and California Department of Fish and Wildlife, shall undertake expanded monitoring programs and other data gathering to improve Central Valley Project and California State Water Project water supplies, to ensure incidental take levels are not exceeded, and to identify potential negative impacts, if any, and actions necessary to mitigate impacts of the temporary operational flexibility to species listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(e) EFFECT OF HIGH OUTFLOWS.—In recognition of the high outflow levels from the Sacramento-San Joaquin River Delta during the days this section is in effect under subsection (b), the Secretary of the Interior and the Secretary of Commerce shall not count such days toward the 5-day and 14-day running averages of tidally filtered daily Old and Middle River flow requirements under the smelt biological opinion and salmonid biological opinion, as long as the Secretaries avoid significant negative impact on the long-term survival of listed fish species over and above the range of impacts authorized under the Endangered Species Act of 1973.

(f) LEVEL OF DETAIL REQUIRED FOR ANALYSIS.—In articulating the determinations required under this section, the Secretary of the Interior and the Secretary of Commerce shall fully satisfy the requirements herein but shall not be expected to provide a greater level of supporting detail for the analysis than feasible to provide within the short timeframe permitted for timely decision making in response to changing conditions in the Sacramento-San Joaquin River Delta.

(g) OMR FLOWS.—The Secretary of the Interior and the Secretary of Commerce shall, through the adaptive management provisions in the salmonid biological opinion, limit OMR reverse flow to -5,000 cubic feet per second based on date-certain triggers in the salmonid biological opinions only if using real-time migration information on salmonids demonstrates that such action is necessary to avoid a significant negative impact on the long-term survival of listed fish species over and above the range of impacts authorized under the Endangered Species Act of 1973.

(h) NO REINITIATION OF CONSULTATION.—In implementing or at the conclusion of actions under this section, the Secretary of the Interior shall not reinitiate consultation on those adjusted operations if there is no immediate significant negative impact on the long-term survival of listed fish species over and above the range of impacts authorized under the Endangered Species Act of 1973. Any action taken under this section that does not create an immediate significant negative impact on the long-term survival of listed fish species over and above the range of impacts authorized under the Endangered Species Act of 1973 will not alter application of the take permitted by the incidental take statement in those biological opinions under section 7(o)(2) of the Endangered Species Act of 1973.

STATE WATER PROJECT OFFSET AND WATER RIGHTS PROTECTIONS

SEC. 206. (a) OFFSET FOR STATE WATER PROJECT.—

(1) IMPLEMENTATION IMPACTS.—The Secretary of the Interior shall confer with the California Department of Fish and Wildlife in connection with the implementation of this section on potential impacts to any consistency determination for operations of the State Water Project issued pursuant to California Fish and Game Code section 2080.1.

(2) ADDITIONAL YIELD.—If, as a result of the application of this section, the California Department of Fish and Wildlife—

(A) determines that operations of the State Water Project are inconsistent with the consistency determinations issued pursuant to California Fish and Game Code section 2080.1 for operations of the State Water Project; or

(B) requires take authorization under California Fish and Game Code section 2081 for operation of the State Water Project in a manner that directly or indirectly results in reduced water supply to the State Water Project as compared with the water supply available under the smelt biological opinion and the salmonid biological opinion; and as a result, Central Valley Project yield is greater than it otherwise would have been, then that additional yield shall be made available to the State Water Project for delivery to State Water Project contractors to offset that reduced water supply.

(3) NOTIFICATION RELATED TO ENVIRONMENTAL PROTECTIONS.—The Secretary of the Interior and Secretary of Commerce shall—

(A) notify the Director of the California Department of Fish and Wildlife regarding any changes in the manner in which the smelt biological opinion or the salmonid biological opinion is implemented; and

(B) confirm that those changes are consistent with the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(b) AREA OF ORIGIN AND WATER RIGHTS PROTECTIONS.—

(1) IN GENERAL.—The Secretary of the Interior and the Secretary of Commerce, in carrying out the mandates of this section, shall take no action that—

(A) diminishes, impairs, or otherwise affects in any manner any area of origin, watershed of origin, county of origin, or any other water rights protection, including rights to water appropriated before December 19, 1914, provided under State law;

(B) limits, expands or otherwise affects the application of section 10505, 10505.5, 11128, 11460, 11461, 11462, 11463 or 12200 through 12220 of the California Water Code or any other provision of State water rights law, without respect to whether such a provision is specifically referred to in this section; or

(C) diminishes, impairs, or otherwise affects in any manner any water rights or water rights priorities under applicable law.

(2) SECTION 7 OF THE ENDANGERED SPECIES ACT.—Any action proposed to be undertaken by the Secretary of the Interior and the Secretary of Commerce pursuant to both this section and section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) shall be undertaken in a manner that does not alter water rights or water rights priorities established by California law or it shall not be undertaken at all. Nothing in this subsection affects the obligations of the Secretary of the Interior and the Secretary of Commerce under section 7 of the Endangered Species Act of 1973.

(3) EFFECT OF ACT.—

(A) Nothing in this section affects or modifies any obligation of the Secretary of the Interior under section 8 of the Act of June 17, 1902 (32 Stat. 390, chapter 1093).

(B) Nothing in this section diminishes, impairs, or otherwise affects in any manner any Project purposes or priorities for the allocation, delivery or use of water under applicable law, including the Project purposes and priorities established under section 3402 and section 3406 of the Central Valley Project Improvement Act (Public Law 102–575; 106 Stat. 4706).

(c) NO REDIRECTED ADVERSE IMPACTS.—

(1) IN GENERAL.—The Secretary of the Interior and Secretary of Commerce shall not carry out any specific action authorized under this section that will directly or through State agency action indirectly result in the involuntary reduction of water supply to an individual, district, or agency that has in effect a contract for water with the State Water Project or the Central Valley Project, including Settlement and Exchange contracts, refuge contracts, and Friant Division contracts, as compared to the water supply that would be provided in the absence of action under this section, and nothing in this section is intended to modify, amend or affect any of the rights and obligations of the parties to such contracts.

(2) ACTION ON DETERMINATION.—If, after exploring all options, the Secretary of the Interior or the Secretary of Commerce makes a final determination that a proposed action under this section cannot be carried out in accordance with paragraph (1), that Secretary—

(A) shall document that determination in writing for that action, including a statement of the facts relied on, and an explanation of the basis, for the decision;

(B) may exercise the Secretary's existing authority, including authority to undertake the drought-related actions otherwise addressed in this title, or to otherwise comply with other applicable law, including the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(C) shall comply with subsection (a).

(d) ALLOCATIONS FOR SACRAMENTO VALLEY WATER SERVICE CONTRACTORS.—

(1) DEFINITIONS.—In this subsection:

(A) EXISTING CENTRAL VALLEY PROJECT AGRICULTURAL WATER SERVICE CONTRACTOR WITHIN THE SACRAMENTO RIVER WATERSHED.—The term ''existing Central Valley Project agricultural water service contractor within the Sacramento River Watershed'' means any water service contractor within the Shasta, Trinity, or Sacramento River division of the Central Valley Project that has in effect a water service contract on the date of enactment of this section that provides water for irrigation.

(B) YEAR TERMS.—The terms ''Above Normal'', ''Below Normal'', ''Dry'', and ''Wet'', with respect to a year, have the meanings given those terms in the Sacramento Valley Water Year Type (40–30–30) Index.

(2) ALLOCATIONS OF WATER.—

(A) ALLOCATIONS.—Subject to subsection (c), the Secretary of the Interior shall make every reasonable effort in the operation of the Central Valley Project to allocate water provided for irrigation purposes to each existing Central Valley Project agricultural

water service contractor within the Sacramento River Watershed in accordance with the following:

(i) Not less than 100 percent of the contract quantity of the existing Central Valley Project agricultural water service contractor within the Sacramento River Watershed in a ''Wet'' year.

(ii) Not less than 100 percent of the contract quantity of the existing Central Valley Project agricultural water service Contractor within the Sacramento River Watershed in an ''Above Normal'' year.

(iii) Not less than 100 percent of the contract quantity of the existing Central Valley Project agricultural water service contractor within the Sacramento River Watershed in a ''Below Normal'' year that is preceded by an ''Above Normal'' or ''Wet'' year.

(iv) Not less than 50 percent of the contract quantity of the existing Central Valley Project agricultural water service contractor within the Sacramento River Watershed in a ''Dry'' year that is preceded by a ''Below Normal'', ''Above Normal'', or ''Wet'' year.

(v) Subject to clause (ii), in any other year not identified in any of clauses (i) through (iv), not less than twice the allocation percentage to south-of-Delta Central Valley Project agricultural water service contractors, up to 100 percent.

(B) EFFECT OF CLAUSE.—Nothing in clause (A)(v) precludes an allocation to an existing Central Valley Project agricultural water service contractor within the Sacramento River Watershed that is greater than twice the allocation percentage to a south-of-Delta Central Valley Project agricultural water service contractor.

(3) PROTECTION OF ENVIRONMENT, MUNICIPAL AND INDUSTRIAL SUPPLIES, AND OTHER CONTRACTORS.—

(A) ENVIRONMENT.—Nothing in paragraph (2) shall adversely affect—

(i) the cold water pool behind Shasta Dam;

(ii) the obligation of the Secretary of the Interior to make water available to managed wetlands pursuant to section 3406(d) of the Central Valley Project Improvement Act (Public Law 102–575; 106 Stat. 4722); or

(iii) any obligation—

(I) of the Secretary of the Interior and the Secretary of Commerce under the smelt biological opinion, the salmonid biological opinion, or any other applicable biological opinion; or

(II) under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or any other applicable law (including regulations).

(B) MUNICIPAL AND INDUSTRIAL SUPPLIES.—Nothing in paragraph (2)—

(i) modifies any provision of a water Service contract that addresses municipal or industrial water shortage policies of the Secretary of the Interior and the Secretary of Commerce;

(ii) affects or limits the authority of the Secretary of the Interior and the Secretary of Commerce to adopt or modify municipal and industrial water shortage policies;

(iii) affects or limits the authority of the Secretary of the Interior and the Secretary of Commerce to implement a municipal or industrial water shortage policy;

(iv) constrains, governs, or affects, directly or indirectly, the operations of the American River division of the Central Valley Project or any deliveries from that division or a unit or facility of that division; or

(v) affects any allocation to a Central Valley Project municipal or industrial water service contractor by increasing or decreasing allocations to the contractor, as compared to the allocation the contractor would have received absent paragraph (2).

(C) OTHER CONTRACTORS.—Nothing in subsection (b)—

(i) affects the priority of any individual or entity with Sacramento River water rights, including an individual or entity with a Sacramento River settlement contract, that has priority to the diversion and use of Sacramento River water over water rights held by the United States for operations of the Central Valley Project;

(ii) affects the obligation of the United States to make a substitute supply of water available to the San Joaquin River exchange contractors;

(iii) affects the allocation of water to Friant division contractors of the Central Valley Project;

(iv) results in the involuntary reduction in contract water allocations to individuals or entities with contracts to receive water from the Friant division; or

(v) authorizes any actions inconsistent with State water rights law.

SEC. 207. None of the funds in this Act shall be available to implement the Stipulation of Settlement (Natural Resources Defense Council, et al. v. Kirk Rodgers, et al., Eastern District of California, No. Civ. 9 S–88–1658 LKK/GGH) or subtitle A of title X of Public Law 111–11.

SEC. 208. None of the funds in this Act shall be available for the purchase of water in the State of California to supplement instream flow within a river basin that has suffered a drought within the last two years.

SEC. 209. The Commissioner of Reclamation is directed to work with local water and irrigation districts in the Stanislaus River Basin to ascertain the water storage made available by the Draft Plan of Operations in New Melones Reservoir (DRPO) for water conservation programs, conjunctive use projects, water transfers, rescheduled project water and other projects to maximize water storage and ensure the beneficial use of the water resources in the Stanislaus River Basin. All such programs and projects shall be implemented according to all applicable laws and regulations. The source of water for any such storage program at New Melones Reservoir shall be made available under a valid water right, consistent with the State water transfer guidelines and any other applicable State water law. The Commissioner shall inform the Congress within 18 months setting forth the amount of storage made available by the DRPO that has been put to use under this program, including proposals received by the Commissioner from interested parties for the purpose of this section.

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY EFFICIENCY AND RENEWABLE ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy efficiency and renewable energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $1,825,000,000, to remain available until expended: *Provided*, That of such amount, $149,500,000 shall be available until September 30, 2018, for program direction.

AMENDMENT OFFERED BY MR. GRIFFITH

Mr. GRIFFITH. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 43, line 24, after the dollar amount, insert ''(reduced by $50,000,000)''.

Page 45, line 16, after the dollar amount, insert ''(increased by $45,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Virginia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GRIFFITH. Mr. Chairman, this is a fairly simple amendment, and it is a commonsense amendment.

While the technologies could also be used that this amendment will plus up for natural gas or oil, I will focus my attention on coal because that is what happens in my district predominantly.

Over the last several years, as many of us know, there have been numerous burdensome regulations on the coal industry and industries that burn coal.

The very least we can do is to make sure that coal-fired power plants and others dependent on coal, among those most heavily targeted, have the technologies necessary to meet the standards being imposed on them.

In recent months, I have had many conversations and discussions with a number of folks in southwest Virginia, but also folks at the Department of Energy, about ways that we can better do the research necessary to make clean coal technology available.

One thing is very clear. There is a future for coal, and it lies in many ways in the technologies being researched and supported by the Department of Energy's Office of Fossil Energy Research. We would love to get parity. This amendment doesn't bring us to parity, but it gets us a little bit closer.

My amendment would simply add $45 million for fossil energy research and development from the energy efficiency and renewable energy account for the purpose of aiding clean coal technology.

Now, just so you understand, the research money for energy efficiency and renewable energy would still be at $1.775 billion and the research money for fossil fuels, including coal, would only get plussed up to 690.

So you still have a greater amount of money by a little bit more than 2 to 1 going to other energies besides the fossil fuels.

Some of the key power providers in Virginia have made it clear that coal will continue to be a part of their strategy for a long time to come.

Dominion Power, at a recent conference that we had, indicated that, by 2030, they expect that about 30 percent of their energy production will be from coal. American Electric Power indicated that about half of theirs in 2030 would still be from coal.

Now, what we have to do is we have to make sure that we get our technologies in line to make sure that we

can continue to burn coal, but burn it in a cleaner fashion. While there are various clean coal technologies currently in development, they will not be ready for commercial use for years to come unless we change the timeline.

So my amendment would change that timeline. It will shorten that time by putting more money into research for clean coal technologies.

So we have two intersecting interests here. Let's figure out a way we can keep the jobs, particularly in southwest Virginia and central Appalachia, and also burn coal more cleanly.

My amendment gives us a ray of hope, a step forward, to keeping those high-paying coal jobs, at least some of them—we have lost thousands in the last few years—but keeping those jobs while also finding ways to burn the coal more cleanly.

This amendment will support both of these goals by ensuring additional funding for clean coal research. That research can also be used in natural gas. My favorite is chemical looping.

This is a reasonable approach, and I hope that the body will adopt this amendment.

I appreciate that the underlying bill does provide a slight increase in fossil fuel energy research over last year's level. But when you are losing as many jobs as my district has, you have to fight for everything you can get.

I reserve the balance of my time.

Ms. KAPTUR. Mr. Chair, I claim the time in opposition.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chair, I appreciate Congressman GRIFFITH's efforts here, but, unfortunately, I rise in opposition to the amendment.

Let me just say that, in the base bill that we have worked very hard on, there are $645 million in the account for fossil energy. That is about $13 million more over the current fiscal year. In addition, it is $285 million above the budget request.

So I think, if you put it in that frame, we have done quite well with difficult choices inside our bill. The energy efficiency and renewable energy account is already $248 million below this year and more than a billion below the budget request.

So I would say to the gentleman that I don't think the offset you have provided is a very good one.

We know that renewable energy is at the forefront of an energy transformation that is already happening across our country, and we do need a more balanced approach to energy.

While I do support fossil energy research and development and, frankly, transition for communities that have been harmed by the transformation in the energy sector—coal communities and coal-shipping communities across this country—I really can't support this level of disproportionate funding.

So I strongly oppose the amendment and do not agree with its offset. I would urge my colleagues to join me in a ''no'' vote.

I reserve the balance of my time.

Mr. GRIFFITH. Mr. Chairman, may I inquire as to how much time I have remaining?

The Acting CHAIR. The gentleman from Virginia has 1 minute remaining.

Mr. GRIFFITH. Mr. Chair, I appreciate the gentlewoman's comments and recognize that they did plus it up a little bit.

But when you look at the folks that I represent and the thousands of folks who have lost their jobs in the mining industry, we have to do more. We have to do more.

Everybody likes to talk about we are going to help, we are going to transition. But some of my counties, quite frankly, what are you going to transition them to?

There are no great roads. We should work on that as well. Frankly, we have got trees and mountains. Recently, one of my counties had to build a new high school because all of their high schools were in the floodway. We had two pieces of land that were flat enough to build the high school on in the entire county.

So when people say transition, I always say: What are you going to do when you don't have the land to build factories and you don't have the resources to do something else?

They have always done mining. They can continue to do mining. Let's meet and compromise here and put research money in so that they can continue to mine, continue to have jobs, and we can have a cleaner burning fuel, but still use our coal.

I yield back the balance of my time.

Ms. KAPTUR. Mr. Chair, might I inquire how much time I have remaining?

The Acting CHAIR. The gentlewoman from Ohio has 3 minutes remaining.

Ms. KAPTUR. Mr. Chair, I couldn't agree with Congressman GRIFFITH more about the necessity of transitioning communities.

When I look back to the 1990s when something called NAFTA passed—the North American Free Trade Agreement—we were promised that there would be a North American development bank and that any community that was harmed in the South or the North would be helped.

The Federal Government never kept its word. It never kept its word. Go try to find that North American development bank today and we look at hollowed-out communities across this country.

If we look at the coal communities in—and Ohio has a lot of coal. We actually have more Btus under the ground between Virginia, Pennsylvania, Ohio, all the way to Illinois, than the Middle East has oil. It is just a little bit harder. So we look at these communities that have been so devastated, and the Federal Government kind of sat on the side.

Yes, we had the Appalachian Regional Commission terribly underfunded without the kind of bonding and development authority that should exist.

I look at the steel communities that I represent. People in my district are getting pink slips every day at our big steel companies because of imported steel, and the Federal Government sits on its hand here at the Federal level in the International Trade Commission and the National Economic office over at the National Security Council. It upsets me a great deal that we haven't been able to help communities so impacted.

I hope that, for those communities that are suffering because of the transition in the energy sector partly due to the discovery of natural gas, quite frankly, in places like Ohio—and I am not sure about Virginia—we really need the type of transition program that we should have had back in the 1990s for the NAFTA communities and that we should have had for the steel communities. The Federal Government is just too far away from the places where we live to even see it sometimes.

So I share the gentleman's passion on that, but I really don't think that we should take from the accounts that are providing some of the future answers. I hope that regions like yours could move into the new energy economy as well.

Up in the Lake Erie area where I live, we are trying very, very hard to capture the wind. Lake Erie is the Saudi Arabia of wind, and it is part of our new future and part of a new grid. We hope to be very successful there. I hope that some of these new technologies could also burgeon in regions of Virginia. There is no reason that they can't.

I believe the Department of Energy, the Department of Labor, the Department of Commerce, and all of our departments have an obligation to the communities that have been harmed because of policies that happen in the private sector or the public sector, but we haven't been so good at that as the Federal Government.

So I reluctantly oppose the gentleman's amendment, but I understand his motivation. I urge my colleagues to vote ''no'' on the Griffith amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. GRIFFITH).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. KAPTUR. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by

the gentleman from Virginia will be postponed.

□ 1930

AMENDMENT OFFERED BY MR. MCNERNEY

Mr. MCNERNEY. Mr. Chairman, as the designee of the gentleman from Tennessee (Mr. COHEN), I offer an amendment.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 43, line 24, after the dollar amount, insert ''(increased by $2,000,000)''.

Page 50, line 21, after the dollar amount, insert ''(reduced by $2,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCNERNEY. Mr. Chair, I yield myself such time as I may consume.

This amendment would increase funding for the Energy Efficiency and Renewable Energy account by $2 million for the SuperTruck II program. The SuperTruck program was started by the Department of Energy to improve freight and heavy duty vehicle efficiency.

The Committee on Appropriations acknowledged in their committee report the success of the SuperTruck II program but recommended only $20 million of the requested $60 million for the SuperTruck II program to further improve efficiency in these vehicles.

SuperTruck II will continue dramatic improvements in the efficiency of heavy-duty class 8 long-haul and regional-haul vehicles through system-level improvements. These improvements include hybridization, more efficient idling, and high efficiency HVAC technologies. By increasing the funding for the SuperTruck II program by $2 million, it will allow the Department of Energy to better achieve their freight efficiency goals.

This amendment is fully offset by a decrease in the departmental administration account.

I thank my colleague, STEVE COHEN, for his continued work on this important issue. I would also like to thank Chairman SIMPSON and Ranking Member KAPTUR for their hard work on this bill. I urge my colleagues to vote ''yes'' on the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. COHEN. Mr. Chair, I rise in support of an amendment Congressman JERRY MCNERNEY and I are offering today to the Fiscal Year 2017 Energy and Water Appropriations Act.

Our amendment would increase funding for the Energy Efficiency and Renewable Energy account by $2 million for the SuperTruck II program, and it is fully offset.

The SuperTruck program at the Department of Energy (DOE) helps research and develop more fuel efficient long-haul, tractor-trailers, which is important not just for our environment but also for our economy.

The types of improvements we may see as a result of this program include better engine efficiency, aerodynamics, and truck weight.

The Appropriations Committee included $20 million of the requested $60 million for the SuperTruck II program. While I am grateful for the funding, I believe we can do more.

I would like to thank Congressman MCNERNEY for his help on this amendment as well as Chairman SIMPSON and Ranking Member KAPTUR for all their efforts on this bill.

I urge my colleagues to support this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. MCNERNEY).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BUCK

Mr. BUCK. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 43, line 24, after the dollar amount, insert ''(reduced to $0)''.

Page 44, line 1, after the dollar amount, insert ''(reduced to $0)''.

Page 44, line 25, after the dollar amount, insert ''(reduced to $0)''.

Page 45, line 1, after the dollar amount, insert ''(reduced to $0)''.

Page 45, line 16, after the dollar amount, insert ''(reduced to $0)''.

Page 45, line 17, after the dollar amount, insert ''(reduced to $0)''.

Page 80, line 12, after the dollar amount, insert ''(increased by $3,481,616,000)''.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. BUCK. Mr. Chairman, I thank you for the opportunity to speak about this amendment to the Energy and Water Development and Related Agencies Appropriations Act of 2017.

This amendment zeroes out several Federal agency programs that have been in the business of picking winners and losers. Federal bureaucrats are not venture capitalists or R&D specialists. They have no business exposing billions of taxpayer dollars to potentially risky investments.

We must continue to invest in renewable, nuclear, and fossil energy technologies; but the investments in these projects should be left to the private sector, where firms can decide whether or not to take on the risk.

Additionally, the discoveries from these projects are owned by the companies themselves, rather than placed into the private domain to benefit our Nation more fully. Moreover, wherever the Federal Government doles out taxpayer dollars, high-paid lobbyists stand at the ready to collect their share.

The success of companies pursuing new energy technologies should depend on those technologies' merits. This amendment eliminates those crony subsidies.

Mr. Chairman, I reserve the balance of my time.

Ms. KAPTUR. Mr. Chair, I rise in opposition to the amendment.

The Acting Chair. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chair, it is interesting that a Member from Colorado, which is where the National Renewable Energy Laboratory—I would sure like to have that in Ohio—is headquartered. I have actually visited that site and have been so impressed by the basic research that has been done in so many arenas that has brought new products to market.

When I look at the solar industry, for example, were it not for the photovoltaic research of the U.S. Department of Energy back in the early days, it would not now be employing more people than those who work in many of the other energy sectors put together. It is amazing to me that it is one of the fastest growing segments of our market.

But the basic research that had to be done—the thin film research, the work on silicates, on cadmium tellurides, so many of the ingredients—frankly, there was no company that was able to take that risk in the past. And they certainly couldn't get the funding; I can guarantee you that. Some of this research started back in the 1980s. So I think that the energy efficiency and renewable energy programs are just terribly important.

On the nuclear front, there is no private company that has figured out how to really handle the waste product from nuclear. We have to invest in nuclear energy to build a safer world for the future, and the Department of Energy does that. No private company takes that on.

In fact, we have a lot of waste. There are environmental management projects across this country, hundreds of billions of dollars. We have to handle cleanup from past years and the cold war. No private company is able to do that on its own. That is something that is a legacy of our defense structure.

I am really not quite sure what the gentleman's objective is here, but I don't want to take America backwards. I want her to move forward.

We are now at 91 percent in terms of our ability to fund our energy use here in our country, compared to half that just several years ago. That is a real accomplishment. It is something that the public sector and the private sector are able to work on together.

I really think that the gentleman's efforts are misguided, and I would have to oppose this amendment.

Mr. SIMPSON. Will the gentlewoman yield?

Ms. KAPTUR. I yield to the gentleman from Idaho.

Mr. SIMPSON. I thank the gentlewoman for yielding.

Like the ranking member, I would oppose this amendment. It would reduce funds in the following accounts:

EERE, nuclear energy, fossil energy, and other accounts throughout this bill.

We spend an awful lot of time making sure that we continue our responsibility to effectively manage government spending, and we have worked tirelessly to that end. These are targeted funds to provide needed investments and to efficiently and safely utilize our natural resources and invest in the next technological innovations.

It is interesting that years ago, we used to have what were called the Bell Laboratories, and they did a lot of the research and stuff that is now done by government. Because it has gotten too expensive, any individual company can't do a lot of the research that is done.

I will give you an example in the nuclear energy arena. At the Idaho National Lab, we have the advanced test reactors. It is the only one in the United States that does this. Private companies come, as well as government and other organizations, to test new fuels, new designs of fuels, and those types of things. This is not something that can be done by the private sector.

So there are a lot of things that the government does and research that the government does that the private sector, frankly, just doesn't have the resources to do that need to get done. That is what we expect our national laboratories to do. That is what EERE does, what fossil energy research does, and other things.

As I said, some of these programs, like the ATR, some of the funding is paid by the companies that come and use the facility and those types of things, as they have to. And besides that, it is good for our national security.

It is an interesting fact—and I think my numbers are accurate; if they are not exactly accurate, they are pretty close—that when the first nuclear-powered submarine was launched, it was fueled for 6 months and then had to be refueled. But through the research that they have been able to do, the Navy, with the advanced test reactor, we now fuel ships for the life of the ship, which is an incredible advancement. But that is done through government research.

So while it would be nice to say the private sector ought to do all these things, the reality is the private sector can't do all of those things.

I would agree with the gentlewoman and oppose the gentleman's amendment.

Ms. KAPTUR. Mr. Chair, I yield back the balance of my time.

Mr. BUCK. Mr. Chair, the ranking member asked what the purpose is, and I would be glad to answer that.

We have over $19 trillion of debt. We are running up huge annual deficits in this country. We do not have a major war going on right now, and we do not have a recession going on right now, but we continue to overspend.

This is an area where I contend that the private sector has got to do a lot more than it is doing if we are going to try to balance our budget some day. That may seem like folly to some, but I think the impact of going off the fiscal cliff is far greater than the impact of cutting funds for research in this area.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. BUCK).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BUCK. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

VACATING DEMAND FOR RECORDED VOTE ON AMENDMENT OFFERED BY MR. BEYER

Mr. SIMPSON. Mr. Chairman, I ask unanimous consent to withdraw my request for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. BEYER) to the end that the Chair puts the question de novo.

The Acting CHAIR. Is there objection to the request of the gentleman from Idaho?

There was no objection.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. BEYER).

The amendment was rejected.

AMENDMENT OFFERED BY MS. MICHELLE LUJAN GRISHAM OF NEW MEXICO

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 43, line 24, after the dollar amount, insert ''(increased by $25,000,000) (reduced by $25,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 743, the gentlewoman from New Mexico and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New Mexico.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chair, New Mexico is, frankly, very fortunate to have many natural resources, including vast amounts of minerals, oil, and natural gas; but water is, by far, New Mexico's most precious commodity.

As a Representative from New Mexico, I have witnessed the devastating impact that long-term severe drought can have on businesses, communities, and the State. Drought conditions threaten the livelihoods of farmers and ranchers who depend on this natural resource to run their operations.

In addition, there are many communities in New Mexico, both in urban and rural areas, that may not survive without an affordable and a sustainable water source. These conditions go beyond New Mexico and extend, in fact, to the entire Southwest.

Based on the most recent available science, experts believe that this region of the country will continue to experience megadroughts in the future.

It is critical that we make investments now not only to protect and conserve this scare resource but to also research and develop alternative, affordable, and sustainable water technologies to ensure that Southwest communities and businesses can continue to thrive in persistent drought conditions.

My amendment would prioritize $25 million for an energy water desalination hub, as proposed by the Department of Energy. The hub will develop the technology to reduce the cost, energy input, and carbon emission levels of water desalination.

Desalination technology has been around for many years, and I have visited several countries that are currently using desalination technology.

New Mexico would greatly benefit from this technology, since the State has large brackish water reserves that could become viable water resources through desalination. Desalination can also help the State's oil and gas industry to address water shortage and wastewater disposal challenges.

Despite the number of benefits and industry advancements, unfortunately water desalination is still cost-prohibitive for small communities and companies. This is why I think it is crucial that we develop this technology to make it as affordable and energy-efficient as possible.

Making important investments in water technologies like water desalination will be critical in determining the future of Southwest communities and businesses.

Now, I am disappointed, of course, that this is not something that is currently included in the bill. I am looking forward to working with the majority on this really important issue.

At this time, Mr. Chairman, I am prepared to withdraw my amendment.

Ms. KAPTUR. Will the gentlewoman yield?

Ms. MICHELLE LUJAN GRISHAM of New Mexico. I yield to the gentlewoman from Ohio.

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Ms. KAPTUR. I thank the gentlewoman for yielding.

I think Congresswoman LUJAN GRISHAM has done such a phenomenal job here, and I appreciate her interest in the necessity of desalinization work and how important the Department of Energy is in finding a solution that is cost effective and the most advanced energy system we can have to desalinate as we move forward. I share

her interest in finding funding for this important work, and, hopefully, in a conference situation, we can provide a way to provide some resources.

I really applaud the gentlewoman for her path-breaking efforts on behalf of a very important issue.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chair, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentlewoman from New Mexico?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. PERRY

Mr. PERRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 43, line 24, after the dollar amount, insert ''(increased by $15,000,000)''.

Page 50, line 21, after the dollar amount, insert ''(reduced by $15,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. Mr. Chair, the current bill cuts hydropower by $15 million, and this amendment seeks to restore it. It offsets it with Department of Energy, or DOE, administrative costs. Actually, the amendment reduces outlays by $8 million because, Mr. Chair, water power programs are vitally important to reducing our dependence on foreign energy sources.

Hydropower is available in every region of the country, every single region. Literally, 2,200 hydropower plants provide America's most abundant source of clean, renewable energy and account for 67 percent of domestic renewable generation, for a total of 7 percent of the total generation across the country.

This amendment stands to create 1.4 million new jobs by 2025, Mr. Chair, and this would be harnessing a truly renewable and green source of energy.

Let me just talk about some of the advantages of hydro as opposed to wind and solar.

Hydro has a predictable, year-round output. Solar and wind require, often, a battery backup or an alternative power source if they are going to be viable. Even routine maintenance on a windmill way up there is problematic and expensive, where hydro is right down on the ground where we are. It is easy to maintain.

Hydropower facilities are quiet and often unobtrusive. Most of the neighbors don't even know they are there. Oftentimes, we hear complaints about wind generation and the noise it also generates along with the power.

Hydropower—I think this is the most important—is baseload. It is a baseload source of energy. It occurs 24 hours a day, 365 days a year. It is actually what backs up the other intermittent sources of alternative energy. So, it is really important in that context.

Now, hydropower faces a comprehensive regulatory approval process, and some folks don't like that. But the important part about that is everybody is involved: FERC, Federal and State resource agencies, local governments, tribes, NGOs, and the public. Everybody gets buy-in before a hydro plant goes on line. Sixty thousand megawatts of preliminary permits and projects await final approval and are pending currently before the Commission in 45 States.

Mr. Chair, this is not parochial.

There are 80,000 nonpowered dams across the U.S. right now that could accept hydropower. There are 600 that have an immediate capability to produce energy right now. That is 80,000 and 600 across the country right now. Pennsylvania, itself, has 678 megawatts of untapped power in the form of hydro.

Mr. Chair, I thank the chairman for the opportunity to offer the amendment. I understand the $15 million concerns some Members, and I, too, am concerned about spending. So this one is bipartisan, but I am hopeful others will follow.

Mr. Chair, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MS. BONAMICI

Ms. BONAMICI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 43, line 24, after the dollar amount, insert ''(increased by $9,000,000)''.

Page 50, line 21, after the dollar amount, insert ''(reduced by $9,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 743, the gentlewoman from Oregon and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Oregon.

Ms. BONAMICI. Mr. Chairman, I rise today to offer a bipartisan amendment with my colleague from Pennsylvania, Congressman PERRY, and my colleague from Maine, Congresswoman PINGREE, in support of water power technologies.

Mr. Chairman, our amendment would increase funding to the Department of Energy's Water Power Program by $9 million. This increase is offset by an equal amount by the departmental administration account.

As Congress promotes technologies that can help lower our constituents' energy bills, we must invest in new and innovative solutions, and my colleague just made a case for why hydropower is so important.

The Department of Energy has estimated that our Nation's marine energy resources could, in the future, represent a very good portion of U.S. generation needs.

Oregon State University, the University of Washington, and the University of Alaska Fairbanks are leveraging Federal funding from the Water Power Program to support the testing and research activities of the Northwest National Marine Renewable Energy Center, a center that will provide visionary entrepreneurs with the domestic location to test wave energy devices, along with other technology, instead of traveling to Scotland to use their test center.

Without continued Federal investment, Europe will remain the leader. China is investing heavily in these technologies as well.

Federal partnerships with educational institutions and the private sector are necessary to further the research and development efforts already well underway and close the gap for these technologies on the verge of commercial viability.

The National Hydropower Association, along with its Pumped Storage and Marine Energy Councils have endorsed our bipartisan amendment. Investments in these technologies and this source of energy will spur domestic industry and create good-paying jobs and economic opportunities in our communities.

Mr. Chairman, I urge the adoption of this bipartisan amendment.

I reserve the balance of my time.

Mr. PERRY. Mr. Chair, I seek the time in opposition, though I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. PERRY. Mr. Chairman, I want to congratulate my good friend and colleague from Oregon. She has been a champion on this before. She fully understands, as I do, that resources across the country are strained. We don't have a lot of extra money to go around. And for all the reasons that I pointed out and the reasons that she pointed out and the Northwest agreeing with the Northeast, let's work together on what works.

We know this works. It is one of the oldest sources of electric energy in the world. Why are we wasting our time and collective energy in the form of funds and time on these other things that might be nice and they might be great years after the development, but this works right now and doesn't break the bank?

This is a good amendment, and I urge all my colleagues on both sides to support it.

Mr. Chair, I yield back the balance of my time.

Ms. BONAMICI. Mr. Chairman, again, I want to thank my colleague from Pennsylvania and my colleague from Maine for cosponsoring this important amendment. This is a modest increase in the Water Power Program. It supports marine and hydropower energy technology, and I urge all of my colleagues to support this bipartisan amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Oregon (Ms. BONAMICI).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. POLIS

Mr. POLIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 43, line 24, after the dollar amount, insert ''(increased by $9,750,000)''.

Page 45, line 16, after the dollar amount, insert ''(reduced by $13,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, this bill, in its current form, appropriates considerably above the administration's mark for fossil energy research and development. My amendment doesn't take away all of the amount that has been plussed up. It just takes a small amount of that—$13 million out of the $645 million, which is the amount the bill is above last year's appropriations—and directs those funds to the Energy Efficiency and Renewable Energy fund, which is an extremely important fund that funds a lot of important activities across our country.

As an example, the Energy Efficiency and Renewable Energy fund is working with American manufacturers to apply 3–D printing, also called additive manufacturing, to renewable technologies. Blades are one of the most costly components of wind turbines, but additive manufacturing has the promise of reducing costs. There is a lot of important basic research that supports it.

In addition, they are working on—it is funded by EERE—advanced technologies for microgrid projects, coordinated with the Electric Power Research Institute, to have localized grids that are connected to traditional grids—but can also disconnect—to operate autonomously and help mitigate grid disturbances, meaning more security for our national energy system when we can avoid large-scale downtime from large grid outages.

Another example is solar resource maps, leading to solar exports to enhance the quality and accuracy of our research maps across the country, helping to facilitate exports of solar PV products to other countries, like India, by identifying high-quality solar projects in India that are creative and profitable.

Another example of the EERE is the Vehicle Technologies Office to the Clean Cities coalition in support of a project fostering electric vehicle readiness in the Rocky Mountain area to foster State policies to increase the adoption of plug-in electric vehicles.

As we know, plug-in engines powered from the grid are far more efficient at converting energy, whether it comes from a balance of coal and wind and solar, than an internal combustion engine that just runs off gasoline.

So the budget estimate for the fund that we are talking about was $360 million. The plus up recommended was $645 million. This would simply remove $13 million and allocate it to a very important account that I hope we can build bipartisan support for.

Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I rise to oppose this amendment. The amendment would cut funding for the Fossil Energy Research and Development program and increase the EERE program by a similar amount.

Fossil fuels, such as coal, oil, and natural gas, provide for 81 percent of the energy used by the Nation's homes and businesses and generates 67 percent of the Nation's electricity. It will continue to provide for the majority of our energy needs for the foreseeable future.

Let me repeat that. They provide for 81 percent of the energy used by the Nation's homes and businesses and generate 67 percent of the Nation's electricity.

The bill rejects the administration's proposed reductions in fossil energy and, instead, funds these programs at $645 million, or $13 million above last year's request.

With this additional funding, the Office of Fossil Energy will research how to capture emissions from our power plants on how water can be more effectively used in power plants and how coal can be used to produce electric power through fuel cells.

This amendment would reduce the funding for a program that ensures we use our Nation's abundant fossil fuel resources as well and as cleanly as possible. In fact, just increasing the efficiency of fossil fuel by 1 percent would power millions of households, all without using a pound of additional fuel from the ground. That is the kind of research this program represents.

Therefore, I must oppose this amendment, and I urge Members to vote ''no'' on this amendment.

I yield back the balance of my time.

Mr. POLIS. I yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank the gentleman from California for yielding, and I rise in support of the Polis amendment to increase funding for the Office of Energy Efficiency and Renewable Energy. That office is one of the most forward-looking segments within the Department of Energy and the group that is driving the huge surge we are seeing across the country in energy innovation.

The future we all envision is in renewable energy, smart grids, energy storage, and energy efficiency. One hundred and ninety countries made it clear to the world that they support this new future in Paris at the end of the last year, and the funding of EERE is critical to ensuring the U.S. leads the world into that future.

Let me mention the solar energy account, in particular, is yielding serious benefits. The number of workers in this growing renewable sector has doubled over the last 5 years, and its rapid expansion shows no signs of slowing down, with solar projected to add 9.5 gigawatts of new energy this year, more than any other energy source.

□ 2000

It employs more Americans than work on oil rigs and in gas fields, just in the solar sector.

So I support this amendment to expand the Energy Efficiency and Renewable Energy Office and the increase in funding that Congressman POLIS is offering for a clean energy future for all.

Mr. POLIS. Mr. Chairman, I yield myself such time as I may consume.

I am hopeful that this amendment will pass. I have prepared some other amendments that specifically look at the fossil fuel R&D as a wasteful expenditure.

To be clear, this one does not contemplate that. It still increases the level substantially from the budget estimate, which is $360 million for this account. The recommended 2017 level in the chairman's mark is $645 million, so there is a plus-up of $285 million over the President's budget for this line item.

So I think it is entirely appropriate to just take $13 million from that, without prejudice with regard to the rest, put it into the Energy Efficiency Renewable Energy Fund, which I had the opportunity to talk about some of the great advances that it makes for energy security with regard to our grid, for manufacturing, and job creation through 3D printing of wind blades, and many other worthy causes.

I am hopeful that this body chooses to gain from the best of both worlds by adopting this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. POLIS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

AMENDMENT OFFERED BY MR. POLIS

Mr. POLIS. Mr. Chairman, I have an amendment at the desk.

Mr. SIMPSON. Mr. Chairman, I reserve a point of order.

The Acting CHAIR. A point of order is reserved.

The Clerk will report the amendment.

The Clerk read as follows:

Page 43, line 24, after the dollar amount, insert ''(increased by $285,000,000)''.

Page 45, line 16, after the dollar amount, insert ''(decreased by $285,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, look, now let's get serious here. Fossil fuel research and development is simply the wrong direction for our country. Putting more and more money behind oil and gas, which we need to move away from, over time, is only increasing our sunk costs in an economy that leads to climate change and long-term ruin. Not only our economy is ruined by the use of oil and gas, but health and safety for communities, our oceans, our air, and our world.

The fact that this bill has appropriated almost $300 million more than the President requested shows how lopsided the priorities in the bill are. This is an enormous subsidy for the oil and gas industry. One of the most profitable industries in the world is more than capable of funding its own research and development without subsidies from the Federal Government using the taxpayer money from hardworking Americans to further fund them.

This bill would simply reduce the fossil fuel account back to the President's recommended level, and the remainder would go to reduce the budget deficit.

I think that this is an important point to point out, that many of the components of the fossil energy R&D expenditure line make our air dirtier, our water dirtier, and, of course, move to destruction of the climate. So, in many ways, the less we can do the better.

At a time of record budget deficits, finding smart savings by reducing handouts to the oil and gas industry is something that can help restore some semblance of fiscal responsibility to our Nation.

There is an example of an account under the Division of Fossil Energy that creates technology that allows oil and gas companies to drill in oil shale formations where there is less than 50,000 barrels per day.

We should be doing less oil shale drilling, not ways to find more. As a district and a State directly affected by oil shale drilling, we deal with all of the economic externalities and costs every day. Oil shale is one of the most dirty extraction methods that exists, and the distillation for oil shale releases toxic pollutants into the air, like sulfur dioxide, lead, and nitrogen oxide.

If companies want to research new extraction technologies, more power to them, as long as they abide by the EPA and other health and safety guidelines. But for taxpayer money and subsidies to go to developing something that has been devastating for my State and for the country is really an abomination, and I am hopeful that, in the name of reducing a budget deficit and finding smart savings, we can reduce this line significantly back to the $360 million that was in the original budget estimate.

Mr. Chairman, I reserve the balance of my time.

POINT OF ORDER

Mr. SIMPSON. Mr. Chairman, I must insist on my point of order.

The Acting CHAIR. The gentleman will state his point of order.

Mr. SIMPSON. Mr. Chairman, the amendment proposes to amend portions of the bill not yet read.

The amendment may not be considered en bloc under clause 2(f) of rule XXI because the amendment proposes to increase the level of outlays in the bill.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member seek to be heard on the point of order?

Mr. POLIS. I do, Mr. Chairman.

The Acting CHAIR. The gentleman from Colorado is recognized.

Mr. POLIS. Mr. Chairman, it is simply the deficit savings account, so when the money isn't spent, that is where it goes. The deficit savings account is not an outlay. It is simply not being spent in the first place.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

If not, the Chair is prepared to rule.

To be considered en bloc pursuant to clause 2(f) of rule XXI, an amendment must not propose to increase the levels of budget authority or outlays in the bill.

Because the amendment offered by the gentleman from Colorado proposes a net increase in the level of outlays in the bill, as argued by the chairman of the Subcommittee on Appropriations, it may not avail itself of clause 2(f) to address portions of the bill not yet read.

The point of order is sustained. The amendment is not in order.

PARLIAMENTARY INQUIRIES

Mr. POLIS. Mr. Chairman, point of parliamentary inquiry.

The Acting CHAIR. The gentleman will state his parliamentary inquiry.

Mr. POLIS. Mr. Chairman, when would it be in order to present the amendment?

The Acting CHAIR. The Chair has ruled on that particular amendment. The gentleman may seek to offer an amendment at the appropriate point in the reading of the bill.

Mr. POLIS. Mr. Chairman, further point of parliamentary inquiry.

If the deficit reduction account is not cited, what happens to the savings that are designated under the bill?

The Acting CHAIR. The Chair will not respond to a hypothetical. The matter can be addressed in debate.

The Clerk will read.

The Clerk read as follows:

ELECTRICITY DELIVERY AND ENERGY RELIABILITY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for electricity delivery and energy reliability activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $225,000,000, to remain available until expended: *Provided*, That of such amount, $28,000,000 shall be available until September 30, 2018, for program direction.

NUCLEAR ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for nuclear energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion and the purchase of no more than three emergency service vehicles for replacement only, $1,011,616,000, to remain available until expended: *Provided*, That of such amount, $80,000,000 shall be available until September 30, 2018, for program direction.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For Department of Energy expenses necessary in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), $645,000,000, to remain available until expended: *Provided*, That of such amount $59,475,000 shall be available until September 30, 2018, for program direction.

AMENDMENT OFFERED BY MR. POLIS

Mr. POLIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 45, line 16, after the dollar amount, insert ''(reduced by $645,000,000)''.

Page 80, line 12, after the dollar amount, insert ''(increased by $645,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, I believe that the amendment has been revised, and if I might request that the Clerk report the revised amendment.

The Acting CHAIR. Would the gentleman like to withdraw his earlier amendment?

Mr. POLIS. Mr. Chairman, I ask unanimous consent to withdraw the earlier amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. POLIS

Mr. POLIS. Mr. Chairman, I have an amendment at the desk.

Mr. SIMPSON. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

The Clerk will report the amendment.

The Clerk read as follows:

Page 45, line 16, after the dollar amount, insert ''(reduced by $285,000,000)''.

Page 80, line 12, after the dollar amount, insert ''(increased by $285,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, I believe with this new structure of this amendment we have now addressed the procedural issue around deficit reduction. We are now, again, with this amendment, seeking to reduce the fossil energy subsidies back to the level requested by the President and return the savings to our Federal coffers, namely, by not spending them in the first place.

So, again, in previous amendments, we talked about spending some on renewable energy. In this case, it doesn't increase any of those lines. What it does do is simply decrease the subsidies to the fossil energy industry, including some of the research priorities we talked about, which private companies are welcome to pursue.

But I don't want to go back to Mr. and Mrs. Taxpayer in my district and say, guess what, your hard-earned tax money is going to subsidize these multi-billion dollar international corporations to do their research for them.

This amendment would do that. It would then allow the savings to not be spent and to reduce our deficit.

Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I withdraw my reservation of a point of order.

The Acting CHAIR. The reservation of the point of order is withdrawn.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I rise to oppose the gentleman's amendment. He would cut $285 million out of the fossil energy program.

What is interesting about this is that they say that this is an unbalanced bill because we have increased funding for fossil energy. And if you look at the amount of the electricity in this country and the energy that is produced by fossil energy, the research done in fossil energy by those big companies, as the gentleman suggests, is important, and it is proportional to the amount of energy produced by fossil fuels in this country.

To suggest that let's make sure that we don't do any fossil fuel research or we cut it substantially suggests that we don't do any subsidies to any of the other fuels in this country. We don't do any wind subsidies. We don't do any solar subsidies or any of the other types of things for these big companies. In fact, we do loan guarantees for a lot of them that go out of business.

So I think this is important, and striking the majority of these funds—or at least taking it back to what the President recommended—the problem is that the bill created a balanced, all-of-the-above energy policy.

It is the administration's proposal that was unbalanced, and focused mainly on renewable energies and ignored, to a large degree, the majority of the fuel that we use today, the energy sources we use today, and that is the fuel of fossil fuels.

As I said in the last debate on one of the earlier amendments, 81 percent of the fuel we use today, and if you ask most experts, they don't expect that to go down in the near future or even in the long-term future. It is going to remain a major portion of our energy portfolio for years to come.

So I would oppose this amendment. What we do in the fossil energy research program is very important to developing the clean source of energy that we all want.

Mr. Chairman, I reserve the balance of my time.

□ 2015

Mr. POLIS. Mr. Chairman, we have a somewhat ironic situation where the Republicans are saying: President Obama, you don't want to spend enough. President Obama, you have to spend more.

This from the so-called party of fiscal responsibility telling our President's budget: You aren't spending enough, you aren't spending enough on fossil fuels on this case, spend hundreds of billions of dollars more of money we don't have that we are borrowing from China and Saudi Arabia to fund a legacy technology that we are moving away from.

Of course, we still rely on fossil fuels. The gentleman won't have any disagreement, and I am not trying to zero out the account. We are simply reducing it to the level that the President wants to spend at rather than throwing more and more money hand over fist like this Republican tax-and-spend Congress continues to do.

Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I have to say that that is just kind of a bogus argument. It is not that we are saying to the President: You have to spend this money in this area.

We are rebalancing the portfolio. We are not spending any more money than the President recommended in the entire bill—well, we are about $285 million, or $259 million, but most of that is in the weapons activities. But we are rebalancing the portfolio. We are spending less than the President wants to spend in other areas. So to say, oh, we are just trying to spend money is not the case. We have different priorities.

We want an all-of-the-above energy strategy, which is what this bill represents. We spend money in solar, we spend money in wind, we spend money in nuclear, and we spend money in fossil energy. Those are all important. So just because the gentleman doesn't like fossil energy doesn't mean that we ought to do away with the research on it.

Mr. Chairman, I reserve the balance of my time.

Mr. POLIS. Mr. Chairman, what this amendment would do is reduce the budget deficit by $285 million. It gives Congress an opportunity to say: Let's not spend more than the President of the United States wants; let's make some reasonable cutbacks to levels that are in the budget estimate already; and rather than throw subsidies hand over fist to the most profitable industry on the face of the planet, instead of rebalancing, let's move towards balancing our budget.

I came here to reduce our deficit. I support a constitutional amendment to balance our budget. We haven't been able to have a vote on that in this body this session of Congress. By reducing this $285 million of expenditures where we found an area where Congress actually wants to spend $285 million more than President Obama wants to spend, let's just go back to what President Obama wants to spend, okay, rather than be even more profligate throwing money hand over the fist after a legacy industry and research that should be

done by highly profitable private companies, let's simply cut it back to the level in the President's budget and move towards balancing rather than rebalancing.

Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I suggest that if that is the case, then I suspect that the gentleman, if that is his desire, then I suspect that the gentleman supports the Republican plan to not spend as much money in the EERE as the President wanted because we are spending less in EERE, and in some other programs within the Department of Energy we are spending less than the administration wanted. So I am glad to hear that he would support the Republican position on that because we are spending less.

Now, there is one thing we both agree on. I would like to see a balanced budget amendment before us. I think it would be important that we would pass one. That is not what we are debating today. What we are debating today is the Energy and Water Development program. What we do is we have a cap on how much we can spend. That cap is within the bipartisan budget that was agreed to last year. I suspect the gentleman probably voted for it. I don't know that for sure, but I suspect he probably did. This is within that budget.

If the gentleman wants to decrease the funding in EERE and all of the other programs that the Republicans have reduced funding in, then, gee, I will go along with him.

Mr. Chairman, I reserve the balance of my time.

Mr. POLIS. Mr. Chair, I would and I have supported across the board 1 percent cuts and 3 percent cuts. I am happy to do it on this bill, too. I hope that somebody offers one. I haven't prepared one. Usually Mrs. BLACKBURN prepares those. I usually vote for them as long as they are reasonable.

What we have here is a targeted cut that can reduce the budget deficit by $285 million by simply spending as much as President Obama wants to spend. We shouldn't need a balanced budget amendment. I support it. Let's bring it to the floor. I am glad the gentleman agrees. I hope he tells his conference and the majority leader to work with Democrats on a bipartisan amendment to balance our budget.

But in the meantime, we needn't wait for that. Let's start right now. Let's cut $285 million which will actually make a dent in this bill and move towards balancing the budget rather than simply put it off for tomorrow and tomorrow and tomorrow.

Mr. Chairman, I yield back the balance of my time.

Mr. SIMPSON. Mr. Chairman, I would just say that in EERE, the administration requested $2.9 billion. We funded it at 1.8—1.8 something—1.86 or something like that. We saved a billion dollars. So we actually are rebalancing the portfolio in what we think is important. That is what we do.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado.

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. POLIS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

The Clerk will read.

The Clerk read as follows:

OFFICE OF TECHNOLOGY TRANSITIONS

For Department of Energy expenses necessary for technology transitions and commercialization activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), section 1001 of the Energy Policy Act of 2005 (42 U.S.C. 16391), and the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3701 et seq.), $7,000,000, to remain available until September 30, 2018.

NAVAL PETROLEUM AND OIL SHALE RESERVES

For Department of Energy expenses necessary to carry out naval petroleum and oil shale reserve activities, $14,950,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

STRATEGIC PETROLEUM RESERVE

For Department of Energy expenses necessary for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), $257,000,000, to remain available until expended.

NORTHEAST HOME HEATING OIL RESERVE

For Department of Energy expenses necessary for Northeast Home Heating Oil Reserve storage, operation, and management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), $6,500,000, to remain available until expended.

ENERGY INFORMATION ADMINISTRATION

For Department of Energy expenses necessary in carrying out the activities of the Energy Information Administration, $122,000,000, to remain available until expended.

AMENDMENT OFFERED BY MR. KATKO

Mr. KATKO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 47, line 1, after the dollar amount, insert ''(reduced by $3,000,000)''.

Page 72, line 9, after the dollar amount, insert ''(increased by $3,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from New York and a Member opposed each will control 5 minutes.

Mr. SIMPSON. Mr. Chairman, can we get a clarification of what amendment the gentleman is offering?

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reread the amendment.

The Acting CHAIR. The Chair recognizes the gentleman from New York.

Mr. KATKO. Mr. Chairman, over the past several years, the Northern Border Regional Commission has provided vital resources to economically distressed communities along the northern border of New England and New York. Each year, the commission selects a number of projects through a competitive process that are aimed at spurring economic development, improving infrastructure, and increasing access to health care among other things.

This region, like many other communities in our country, has experienced severe economic challenges in recent years. Mills and factories have closed, populations of States are static or have declined in some areas, and some industries are particularly hard-hit, like the nuclear industry, and the change in market dynamics related thereto.

For example, the Vermont Yankee Nuclear Power Plant is closed. The FitzPatrick Nuclear Power Plant in my district is closing and putting out of work 600 individuals with very high-paying jobs in an economically distressed community.

This commission provides a smart, efficient, and targeted way of spurring economic development across this region. My amendment would increase the appropriation level in this bill from $5 million to $8 million in order to maintain the vital work of this commission. This increase is fully offset by a decrease in funding for the Energy Information Administration.

This amendment can give displaced workers job training, give them back work, improve infrastructure, and boost the economy across this challenged region.

At this time, however, I will withdraw my amendment, but I hope I can work with the chairman moving forward to ensure that this vital program is maintained to the benefit of the economies in the northern border region.

Mr. SIMPSON. Will the gentleman yield?

Mr. KATKO. I yield to the gentleman from Idaho.

Mr. SIMPSON. Mr. Chairman, I appreciate the gentleman's, my colleague's, passion for the Northern Border Regional Commission, and I will work with him in conference to see if additional funds can be provided because it provides an important function in that area.

So I thank the gentleman.

Mr. KATKO. Mr. Chair, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from New York?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

The Clerk will read.

The Clerk read as follows:

NON-DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $226,745,000, to remain available until expended.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For Department of Energy expenses necessary in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities of title II of the Atomic Energy Act of 1954 (42 U.S.C. 2297f et seq.) and title A, subtitle X, of the Energy Policy Act of 1992 (42 U.S.C. 2296a et seq.), $698,540,000, to be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, to remain available until expended, of which $32,959,000 shall be available in accordance with title A, subtitle X, of the Energy Policy Act of 1992.

SCIENCE

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not more than 17 passenger motor vehicles for replacement only, including one ambulance and one bus, $5,400,000,000, to remain available until expended: *Provided*, That of such amount, $184,697,000 shall be available until September 30, 2018, for program direction.

NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of the Nuclear Waste Policy Act of 1982 (Public Law 97–425), including the acquisition of real property or facility construction or expansion, $150,000,000, to remain available until expended, and to be derived from the Nuclear Waste Fund: *Provided*, That of the amount provided under this heading, $5,000,000 shall be made available to affected units of local government, as defined in section 2(31) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101(31)), to support the Yucca Mountain geologic repository, as authorized by such Act.

ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

For Department of Energy expenses necessary in carrying out the activities authorized by section 5012 of the America COMPETES Act (42 U.S.C. 16538), $305,889,000, to remain available until expended: *Provided*, That of such amount, $29,250,000 shall be available until September 30, 2018, for program direction.

AMENDMENT OFFERED BY MR. SCHIFF

Mr. SCHIFF. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 49, line 7, after the dollar amount, insert ''(increased by $19,111,000)''.

Page 50, line 21, after the dollar amount, insert ''(reduced by $19,111,000)''.

The Acting CHAIR (Mr. EMMER of Minnesota). Pursuant to House Resolution 743, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. SCHIFF. Mr. Chairman, I rise to offer a bipartisan amendment with Representatives GIBSON, PETERS, DOLD, and SWALWELL of California, to increase funding for the Advanced Research Project Agency-Energy, otherwise known as ARPA-E.

I offered similar bipartisan amendments many times in the past, and they have passed with bipartisan support.

The House bill includes roughly $306 million for ARPA-E this year, which is an improvement over prior years, but it still falls $44 million below the President's request.

This amendment would not make up the full deficit of $44 million, but would increase funding for ARPA-E by $19 million with the offset taken from the administrative account. With this amendment, the House bill would fund ARPA-E at $325 million. That is the same level as the Senate bill, which acted in a bipartisan fashion to increase funding. While passage of the amendment would mean that ARPA-E is still funded well below the President's request, it will reinforce our commitment to supporting high-risk, high-reward, and game-changing research.

ARPA-E is a revolutionary program that advances high-potential, high-impact energy technologies that are simply too early for market investment. ARPA-E projects have the potential to radically improve U.S. economic security, national security, and environmental well-being. ARPA-E empowers America's energy researchers with funding, technical assistance, and market readiness.

ARPA-E is modeled after the highly successful Defense Advanced Research Projects Agency, or DARPA, which has produced groundbreaking inventions for the Department of Defense and the Nation.

Energy is a national security issue. It is an economic imperative. It is a health concern. It is an environmental necessity. Investing wisely in this type of research going on at ARPA-E is exactly the direction we should be going as a nation. We want to lead the energy revolution. We don't want to see this advantage go to China or some other country.

If we are serious about staying in the forefront of the energy revolution, we must continue to fully invest in the kind of cutting-edge work that ARPA-E represents. By providing this additional funding with the offset, we will send a clear signal of the seriousness of our intent to remain the world leader.

I have a couple of my GOP colleagues who wanted to speak, Mr. GIBSON and Mr. DOLD. I don't know if they are present.

Mr. Chairman, I urge support for the bipartisan measure.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. SCHIFF).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

Such sums as are derived from amounts received from borrowers pursuant to section 1702(b) of the Energy Policy Act of 2005 (42 U.S.C. 16512(b)) under this heading in prior Acts, shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: *Provided*, That for necessary administrative expenses to carry out this Loan Guarantee program, $37,000,000 is appropriated, to remain available until September 30, 2018: *Provided further*, That $30,000,000 of the fees collected pursuant to section 1702(h) of the Energy Policy Act of 2005 shall be credited as offsetting collections to this account to cover administrative expenses and shall remain available until expended, so as to result in a final fiscal year 2017 appropriation from the general fund estimated at not more than $7,000,000: *Provided further*, That fees collected under section 1702(h) in excess of the amount appropriated for administrative expenses shall not be available until appropriated: *Provided further*, That the Department of Energy shall not subordinate any loan obligation to other financing in violation of section 1702 of the Energy Policy Act of 2005 or subordinate any Guaranteed Obligation to any loan or other debt obligations in violation of section 609.10 of title 10, Code of Federal Regulations.

AMENDMENT OFFERED BY MR. WEBER OF TEXAS

Mr. WEBER of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 49, line 18, after the dollar amount, insert ''(reduced by $7,000,000)''.

Page 80, line 12, after the dollar amount, insert ''(increased by $7,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

□ 2030

Mr. WEBER of Texas. Mr. Chairman, I yield myself such time as I may consume.

I rise to offer a commonsense amendment to the Energy and Water Appropriations bill that I would think all Members can support.

First, I want to thank Chairman SIMPSON for his work on this legislation and for continuing to prioritize the needs of the Nation's harbors and waterways.

One of the most important responsibilities of the Science, Space, and Technology Committee is to conduct oversight of the DOE programs under the committee's jurisdiction, Mr. Chairman.

This includes the DOE Loan Programs Office. Our commitment to rigorous oversight has led us to request that this office provide us with their internal watch list, which describes each loan in their current portfolio that DOE has determined to have existing or potential challenges that may impact repayment or to be at risk of default. Can you say ''Solyndra,'' Mr. Chairman? This request was made in December, and, to date, the Department of Energy has refused.

The DOE Loan Guarantee Program has a track record of failed loans. In March, reports surfaced that a solar power company with $1.6 billion in taxpayer loan guarantees could fail to meet its contractual obligations and be shut down. This is the kind of potential failure, Mr. Chairman, that taxpayers can least afford. Full congressional oversight of this program is absolutely necessary. The DOE has no justification for withholding this list from Congress.

My amendment, Mr. Chairman, would reduce the program's administrative budget by $7 million of Treasury funds, but leave in place the $30 million the DOE collects from fees generated by existing loan guarantee recipients. These fees are used to monitor and oversee the existing loan guarantee portfolio.

In the past year, DOE has announced several new loan solicitations. However, the Department's failure to respond to a congressional inquiry leaves us seeing red. That is what is wrong with our budget. Now the deficit is in the red.

This requires us to act to protect taxpayer funds, Mr. Chairman. This amendment would simply prevent the Department from issuing new loans until it has complied with our investigation and provides the requested documents to our committee.

I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, while I share my colleague's concern regarding the Loan Guarantee Program and the nonresponse from the Department to the Science, Space, and Technology Committee that has requested the information—and I will guarantee you that I will do all I can to make sure that they do respond to that—the elimination of the funding would hurt Federal oversight of more than $8 billion in loan guarantees that are already out there.

The committee recommendation only provides costs the program needs to monitor loans and conduct the proper oversight to ensure taxpayer funds are being effectively managed, and you should have access to that information that you have requested.

Let me be clear. The funds provided in this bill support administrative operations only. Further, the bill rejects the President's request for new loan guarantee authority.

The loans already committed will require oversight for many years to come. Eliminating these funds for this administrative function is the wrong approach and effectively removes the government's ability to retrieve billions of dollars in loan fees.

Therefore, I have to oppose this amendment, but I understand why the gentleman is offering it. I would say that I will work with you to make sure that the Department is more responsive to the requests of the committees.

Ms. KAPTUR. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, I thank the chairman very much for yielding and join him in opposing this, I think, well-intentioned amendment. The amendment would actually cut funding for the oversight of existing loans. I don't think, in view of some of the things that have happened in the past, that is the best course.

The program has had a significant beneficial impact on innovative energy projects coast to coast that are generating energy today. Therefore, I would agree with the chairman in opposing the amendment.

I urge my colleagues to support our efforts to vote ''no'' at this time.

Mr. SIMPSON. Mr. Chairman, I yield back the balance of my time.

Mr. WEBER of Texas. Mr. Chairman, may I inquire how much time I have remaining?

The Acting CHAIR. The gentleman from Texas has 2½ minutes remaining.

Mr. WEBER of Texas. Mr. Chairman, in my district on the Gulf Coast of Texas, which is laden with energy—and I agree with Mr. SCHIFF of California that energy is a national security issue—we have to have agencies that are focused on energy, on programs, on loan guarantees, where Americans get the most bang for their buck.

These agencies must be accountable. They have to understand that Congress has to be in the driver's seat and is in the driver's seat. We need to hold them accountable. They need to provide us with that list.

While I appreciate my colleague from Idaho's willingness to work with us to make sure that the agency complies, I appreciate the gentlewoman's comments. We are going to have to get their attention. They have fees to continue to run their program that they collect from those companies that they actually make the loan guarantees to.

I have to insist that we get their attention. My colleagues in the 14th Congressional District of the State of Texas want us to rein in some of these agencies and make them accountable to the elected representatives of the American people. So I have to insist that I push forward with this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. WEBER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. WEBER of Texas. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT OFFERED BY MR. WELCH

Mr. WELCH. Mr. Chairman, I have an amendment at the desk, and I ask unanimous consent to offer it at this point in the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from Vermont?

There was no objection.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 46, line 16, after the dollar amount, insert ''(reduced by $2,500,000)''.

Page 72, line 9, after the dollar amount, insert ''(increased by $2,500,000)''.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Vermont and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Vermont.

Mr. WELCH. Mr. Chairman, the northern border region, from Maine, to New Hampshire, to Vermont, to New York, is a particularly hard hit economic area. The Northern Border Regional Commission has been a tremendous asset to help folks across that region—by the way, inhabited by Republicans and Democrats—to start reviving their economy.

The Commission is modeled, by the way, after the Appalachian Regional Commission and provides Federal funds for critical economic and community development projects throughout the Northeast. These lead to new jobs and stronger communities.

Importantly, the Northern Border Regional Commission helps orient Federal appropriations toward State-prioritized projects. The State is very much a player in allocating where this money goes.

Through the collective vote of the Governors of these States, they coordinate with the Federal co-chair to rank

the funding applications. This ensures accountability and effectiveness. It has worked.

In Vermont, for instance, the Commission has helped fund a number of projects: $226,000 for Lyndon State College to establish a new 4-year degree in hospitality and tourism management, one of the big drivers of our economy in the Northern Border Region; $250,000 to the Northern Community Investment Corporation for telecommunications infrastructure that rural areas have to have; and $250,000 to the Vermont Agency of Transportation to connect with the Washington Railroad network in Barton, Vermont.

The Commission is having a similarly positive effect across the Northeast: New York, New Hampshire, Maine, as well as Vermont. Our amendment recognizes the effective work the Commission is doing and the large need that remains unmet by restoring funding for the program to last year's level of $7.5 million.

We are trying to avoid a cut, and we are trying to maintain level funding. The increase in funding will go a long way in the communities across the northern border to help them revitalize their economy.

I yield back the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, first let me say that I understand the gentleman's concerns for the economic hardships of his region and appreciate his passion on this issue. His amendment would be an increase of 50 percent above the funding in the bill.

Additionally, the amendment would pay for that increase with a cut to the Strategic Petroleum Reserve account. The bill funds the Reserve account at the budget request in order to ensure the continued operability of the Reserve. This funding will provide for the basic annual costs as well as addressing some of the deferred maintenance backlog.

I know it doesn't always sound exciting, but the Strategic Petroleum Reserve is a Federal asset that must be properly maintained. It contributes to our Nation's energy security and economic stability.

For these reasons, I must oppose the amendment.

I urge my colleagues to vote ''no.''

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Vermont (Mr. WELCH).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. WELCH. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Vermont will be postponed.

The Clerk will read.

The Clerk read as follows:

ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PROGRAM

For Department of Energy administrative expenses necessary in carrying out the Advanced Technology Vehicles Manufacturing Loan Program, $5,000,000, to remain available until September 30, 2018.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), $233,971,000, to remain available until September 30, 2018, including the hire of passenger motor vehicles and official reception and representation expenses not to exceed $30,000, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): *Provided*, That such increases in cost of work are offset by revenue increases of the same or greater amount: *Provided further*, That moneys received by the Department for miscellaneous revenues estimated to total $103,000,000 in fiscal year 2017 may be retained and used for operating expenses within this account, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of 31 U.S.C. 3302: *Provided further*, That the sum herein appropriated shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2017 appropriation from the general fund estimated at not more than $130,971,000: *Provided further*, That of the total amount made available under this heading, $31,000,000 is for Energy Policy and Systems Analysis.

AMENDMENT OFFERED BY MR. ELLISON

Mr. ELLISON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 50, line 21, after the dollar amount, insert ''(reduced by $1,000,000) (increased by $1,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Minnesota and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. Mr. Chairman, we can raise living standards for working families all across the United States if we use the Federal dollars to create good jobs.

My amendment would reprogram funds to create an Office of Good Jobs in the Department of Energy that would help ensure that the Department's procurement grant making and regulatory decisions encourage the creation of decently paid jobs, collective bargaining rights, and responsible employment practices.

Right now the U.S. Government is America's leading low-wage job creator, funding over 2 million poverty jobs through contracts, loans, and grants with corporate America. That is more than the total number of low-wage workers employed by Walmart and McDonald's combined.

This is a fact, Mr. Chairman, and I think it should alarm all of us. The Federal Government should not lead the race to the bottom for poorly paid low-wage jobs.

U.S. contract workers earn so little that nearly 40 percent use public assistance programs, Mr. Chairman, like food stamps and section 8, to feed and shelter their families.

To add insult to injury, many of these low-wage U.S. contract workers are driven deeper into poverty because their employers steal their wages and break other Federal labor laws. Not all. Many Federal contractors are excellent, but some do steal wages, and they tend to get away with it.

Take, for example, the story of Edilicia Banegas. Edilicia is a single mom. Edilicia worked for 7 years at the Ronald Reagan Building food court, a Federal building.

Her employer stole her wages, paid her with cash under the table, used checks from two different establishments in the same food court to avoid paying her overtime, and retaliated against her when she and her coworkers stood up for their rights.

Edilicia has been on strike several times to highlight the plight of low-wage Federal contract workers in Washington, D.C., and across the country.

Well, what about the story of Mayra Tito. Mayra is a Pentagon food court worker who was fired for challenging her managers to comply with labor laws and for going on strike multiple times.

She is a first-generation immigrant struggling to pay her tuition at George Mason University and now works odd jobs to make ends meet. Her experience at the Pentagon has inspired her to go to law school to help workers defend their rights.

Mr. Chairman, research shows that Federal contractors break Federal laws somewhat on a regular basis. A U.S. Senate report, for example, found that over 30 percent of the biggest penalties for lawbreaking were filed against the biggest U.S. contractors, people who the procurement process got money from the U.S. taxpayer.

□ 2045

But workers aren't the only ones who would benefit from this new office. This new office would also benefit law-abiding businesses and high-road employers—employers who play by the rules but who get put at a competitive disadvantage because they obey the law. The Office of Good Jobs would direct taxpayer dollars to American businesses that play by the rules and ensure that cheaters don't get a leg up.

It is unfair to make law-abiding companies compete with contractors who

are willing to cut corners. Think about it: you are a law-abiding company that fought hard for that contract, but now the Federal Government is going to give it to your competitors who are willing to steal from their workers?

Plus, we know that contractors who consistently adhere to labor laws are more likely to have greater productivity and an increased likelihood of timely, predictable, and successful delivery of goods and services to the Federal Government. Bad contractors usually not only cheat workers, but they cheat the Federal Government by poor performance.

In conclusion, Mr. Chair, these are tax dollars that should be used to build the middle class, to support high-road employers, and to provide the best possible service to the American public. An Office of Good Jobs would achieve that. Abandon the days when the U.S. Government was the leading funder of low-wage jobs. After all, Mr. Chair, when you and I and all of the other taxpayers have to fund low-wage workers with section 8 and food stamps, that comes out of our pockets. Make these folks pay their workers right. Let's set up an Office of Good Jobs.

I reserve the balance of my time.

Mr. SIMPSON. Mr. Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chair, this amendment, basically, is duplicative and ignores the existing responsible contractor award system that is already in place. Contracting officers must already consult the System for Award Management to ensure a contractor can be awarded a contract. Businesses on the Excluded Parties List System have been suspended or debarred through a due process system and may not be eligible to receive or renew contracts for such cited offenses.

The best way to ensure the government contracts or provides grants to the best employers is to enforce the existing suspension and debarment system. Bad actors who are in violation of basic worker protections should not be awarded Federal contracts. We all agree with that. That is why the Federal Government already has a system in place to deny Federal contracts to bad actors. If a contractor fails to maintain high standards of integrity and business ethics, agencies already have the authority to suspend or debar the employer from government contracting. In 2014, Federal agencies issued more than 1,000 suspensions and nearly 2,000 debarments to employers who bid on Federal contracts.

The amendment will delay the procurement process with harmful consequences to our Nation's nuclear safety and security. On numerous occasions, the nonpartisan Government Accountability Office has highlighted costly litigation stemming from the complex regulatory rules, including from the Fair Labor Standards Act. This amendment punishes employers who may unknowingly or unwillingly get caught in the Federal Government's maze of bureaucratic rules and reporting requirements.

The procurement process is already plagued by delays and inefficiencies. This amendment will make these problems worse for the Department of Energy—the second largest contracting agency outside of the Department of Defense—further delaying critical support for national nuclear security operations.

This amendment will work against those who are working hard to protect the Department of Energy and the Army Corps of Engineers assets, which is inconceivable given the safety needs of our Nation.

I urge my colleagues to oppose this amendment.

Mr. Chair, I yield back the balance of my time.

Mr. ELLISON. Mr. Chair, how much time is remaining?

The Acting CHAIR. The gentleman from Minnesota has 15 seconds remaining.

Mr. ELLISON. Mr. Chair, let's have an Office of Good Jobs that makes sure that the Federal Government leads the example in creating good jobs, not encourages a race to the bottom as we are doing now. This is a good amendment, and if we want to restore the American middle class, all Members should vote ''yes.''

Mr. Chair, it is intended that the appropriation for Departmental Administration be used to establish an Office of Good Jobs in the Department aimed at ensuring that the Department's procurement, grant-making, and regulatory decisions encourage the creation of decently paid jobs, collective bargaining rights, and responsible employment practices. The office's structure shall be substantially similar to the Centers for Faith-Based and Neighborhood Partnerships located within the Department of Education, Department of Housing and Urban Development, Department of Homeland Security, Department of Health and Human Services, Department of Labor, Department of Agriculture, Department of Commerce, Department of Veterans Affairs, U.S. Department of State, Small Business Administration, Environmental Protection Agency, Corporation for National and Community Service, and U.S. Agency for International Development.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. ELLISON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. ELLISON. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Minnesota will be postponed.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, $44,424,000, to remain available until September 30, 2018.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

(INCLUDING RESCISSION OF FUNDS)

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $9,285,147,000, to remain available until expended: *Provided*, That of such amount, $97,118,000 shall be available until September 30, 2018, for program direction: *Provided further*, That of the unobligated balances from prior year appropriations available under this heading, $42,000,000 is hereby rescinded: *Provided further*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

DEFENSE NUCLEAR NONPROLIFERATION

(INCLUDING RESCISSION OF FUNDS)

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $1,821,916,000, to remain available until expended: *Provided*, That funds provided by this Act for Project 99–D–143, Mixed Oxide Fuel Fabrication Facility, and by prior Acts that remain unobligated for such Project, may be made available only for construction and program support activities for such Project: *Provided further*, That of the unobligated balances from prior year appropriations available under this heading, $14,000,000 is hereby rescinded: *Provided further*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

AMENDMENT OFFERED BY MR. LANGEVIN

Mr. LANGEVIN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 53, line 11, after the dollar amount, insert ''(reduced by $5,000,000)''.

Page 54, line 14, after the dollar amount, insert ''(increased by $5,000,000)''.

Mr. SIMPSON. Mr. Chair, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 743, the gentleman from Rhode Island and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. LANGEVIN. Mr. Chair, I offer this amendment with my good friend and colleague, Congressman LARSEN of Washington, to support the continued assessment of the feasibility of using low-enriched uranium, or LEU, in naval reactor fuel that would meet military requirements for aircraft carriers and submarines.

Using low-enriched uranium in naval reactor fuel brings significant national security benefits related to nuclear nonproliferation; it could lower security costs and support naval reactor research and development at the cutting edge of nuclear science.

As we continue to face the threat of nuclear terrorism and as countries continue to develop naval fuel for military purposes, the imperative to reduce the use of highly enriched uranium, or HEU, will become increasingly important over the next several decades.

Using LEU for naval reactors is not an impossible task. France's nuclear navy already has converted from HEU to LEU fuel. We must evaluate the feasibility for the U.S. Navy as well and take into account the potential benefits to U.S. and international security of setting a norm for using LEU instead of nuclear bomb-grade material. Furthermore, the U.S. Navy will eventually exhaust its supply of highly enriched uranium.

Unless an alternative to using low-enriched uranium fuel is developed in the coming decades, the United States would have to resume its production of bomb-grade uranium for the first time since 1992, ultimately undermining U.S. nonproliferation efforts.

Last year, on a bipartisan basis, Congress authorized and appropriated first-year funding in FY16 for naval LEU fuel R&D. Already, this year, the House Armed Services Committee and the Senate Appropriations Committee have again supported LEU R&D efforts. It is now critical that the full House provide funding for this critical research that is paramount to our national security interests. This $5 million in funding would support the early testing and manufacturing development that is required to advance the LEU technology for use in naval fuel, yielding significant benefits for nuclear nonproliferation as well as security cost savings.

The time has come to invest in new technologies to address this threat and to reduce the reliance on highly enriched uranium. I urge my colleagues to support this amendment, and I hope that the majority will join with me in supporting this.

Mr. Chair, I reserve the balance of my time.

POINT OF ORDER

Mr. SIMPSON. Mr. Chair, I must insist on my point of order.

The Acting CHAIR. The gentleman will state his point of order.

Mr. SIMPSON. The amendment proposes to amend portions of the bill not yet read.

The amendment may not be considered en bloc under clause 2(f) of rule XXI because the amendment proposes to increase the level of outlays in the bill.

I ask for a ruling from the Chair.

Mr. LANGEVIN. Mr. Chair, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. LANGEVIN

Mr. LANGEVIN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 53, line 11, after the dollar amount, insert ''(increased by $5,000,000)''.

Page 54, line 14, after the dollar amount, insert ''(reduced by $5,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Rhode Island and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. LANGEVIN. Mr. Chair, now that the technical correction was made to the amendment, my argument stands as to the previous amendment.

As I said, the goal of the amendment is to allow R&D to take place using LEU, low-enriched uranium, for naval reactor fuel that would meet military requirements for aircraft carriers and submarines. As I said, this is already done by France in their nuclear navy, which has already converted from using HEU to LEU fuel. This is a much more secure and stable fuel than using HEU.

Again, the Navy will exhaust its fuel at some point in the coming decades, and unless we have an alternative fuel that would power our nuclear aircraft carriers and nuclear submarines, we would have to start producing weapons-grade uranium, once again, for fuel in powering our aircraft carriers and submarines. By switching over to LEU, it would, ultimately, reduce costs, be more secure, and provide a long-term fuel for powering our Navy. This is a commonsense approach, as I said with regard to the previous amendment before the technical correction was made.

Last year, the Congress, on a bipartisan basis, authorized and appropriated first-year funding for FY16 for Navy LEU fuel in R&D. Already, this year, the House Armed Services Committee and the Senate Appropriations Committee have again supported LEU R&D efforts.

I believe now the time is critical that the full House provide funding for this critical research that is paramount to our national security interests. It supports R&D, and it gives our Navy options for powering our nuclear carriers and submarines.

I would ask that my colleagues support the amendment.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. LANGEVIN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GARAMENDI

Mr. GARAMENDI. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 53, lines 11 through 16, strike ''*Provided*'' through ''*Provided further*'' and insert ''*Provided*''.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Chair, I yield myself such time as I may consume.

I just heard the most interesting discussion a few moments ago about highly enriched uranium. In fact, we are in the process of spending several billions of dollars in rebuilding our highly enriched uranium facility so that we can produce more nuclear weapons.

The subject of this amendment is about old nuclear weapons. We have some 30-plus metric tons of unused plutonium that is sitting in various storage facilities around the United States. We have designed, in an agreement with Russia, to dispose of about 30 metric tons of that plutonium, and Russia has agreed to dispose of a little bit more than we are going to dispose of. This was all supposed to be done at the Mixed Oxide Fuel Facility in South Carolina, at the Savannah River facility.

□ 2100

It is going to cost about a billion dollars back in 2001. The estimate in 2014 was $7.7 billion. And in 2015, the estimate is some $30 billion, and most people say it isn't going to work.

So we have sinkholes for money, and we have black holes for money. And this is the ultimate black hole into which perhaps $30 billion will be spent. And, at the end of the day, it will probably create more problems and not solve the problem of the 30-or-so metric tons of plutonium that actually came out of various bombs that have been dismantled over the last several years.

So why are we continuing?

In the appropriation bill, it calls for $340 million to be spent on construction of a facility that the Department

of Energy says shouldn't be built. But, hey, we are the Congress and we can throw around $340 million with great aplomb and not even worry about it.

So this is a very simple amendment. It doesn't save us the $340 million, which is what we really ought to do. What this amendment really does is say: don't spend it on further constructing this useless—well, not useless—but totally expensive facility, the MOX facility. Don't waste the money on this boondoggle.

And we can spend the money on maybe what the Department of Energy thinks we ought to do, which is to dilute and dispose or maybe we could build a fast reactor, which we actually have built in the past and which Russia is actually using to dispose of its plutonium. They are generating energy in doing so while disposing of their unused plutonium.

So why don't we just accept this amendment and eliminate the construction clause? Keep the $340 million in South Carolina so that they could be happy and maybe they could spend it on something that might actually work.

I reserve the balance of my time.

Mr. WILSON of South Carolina. Mr. Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. WILSON of South Carolina. Mr. Chair, I thank Chairman MIKE SIMPSON for his leadership.

I rise today in opposition to the amendment and in support of the mixed oxide fuel fabrication facility, or the MOX project, which is located at the Savannah River site in Aiken and Barnwell, South Carolina, adjacent to Augusta, Georgia.

I support the facility for a very simple reason. It is the only viable method of permanently disposing of weapons-grade plutonium and turning it into green fuel for nuclear reactors.

Furthermore, it is the only means of upholding our nuclear nonproliferation agreement with the Russian Federation. I say so with the background of myself having served as the Deputy General Counsel of the Department of Energy and the only person currently serving in Congress who has ever worked at the Savannah River site.

The citizens of South Carolina accepted nuclear waste under the pledge by the Department of Energy that there would be a facility to process and remove the plutonium. After years of empty promises, the actions by this administration to close MOX with no viable alternative makes South Carolina a repository for nuclear waste, putting the people of South Carolina and Georgia at risk.

The facility is nearly 70 percent completed. There has been a shortsighted decision to terminate the MOX project without appropriate considerations. The administration has failed to complete a rebaselining of the MOX project, as required by law.

The administration has failed to consult key partners, including the EPA or the State of New Mexico as a receiving location. The administration cannot definitely state that the Waste Isolation Pilot Plant has the capacity for 34 tons of weapons-grade plutonium or even if it will reopen.

The administration has failed to communicate with Russia about the plan to close MOX, causing Vladimir Putin to not attend the recent nuclear summit in Washington. Putin himself stated:

''This is not what we agreed on.

''But serious issues, especially with regard to nuclear arms, are quite a different matter and one should be able to meet one's obligations.''

MOX is a proven technology. It has worked overseas. It is crucial for our national security, and any decision to halt or alter its mission should only be carried out after a thorough and careful evaluation.

I urge my colleagues to support MOX, to stand up for our national security initiatives, to support the only viable alternative for plutonium disposition, and to reject the amendment.

I am grateful that today the U.S. Chamber of Commerce has issued a letter in support of MOX:

''The Chamber opposes any efforts to reduce funding for National Nuclear Security Administration's mixed-oxide (MOX) fuel facility at the Department of Energy's Savannah River Site. This project is critical to honoring the United States' Plutonium Disposition Protocol and the advancement of domestic nuclear fuel production.''

I yield back the balance of my time.

Mr. GARAMENDI. Mr. Chair, how much time do I have remaining?

The Acting CHAIR. The gentleman from California has 1¾ minutes remaining.

Mr. GARAMENDI. Mr. Chair, with great respect for my friend from South Carolina, who is a most able advocate for his neighborhood, the MOX facility is the ultimate sinkhole for Federal dollars.

In fact, there is a viable alternative, and there are quite possibly two different viable alternatives. One is the Russian fast reactor. We have our own fast reactor. It clearly is disposing of the plutonium stockpile in Russia and creating energy along the way that they are using. We also have our own fast reactor systems that have been built in the past, and they could be viable and could be located at the Savannah River facility to dispose of the plutonium.

We are going to need to come to some conclusion here. This is a debate that we really must have. The Senate has two different versions, and the House has two different versions about what to do. Maybe the gentleman and I could wrestle and we could decide which one is the version we would actually take on here.

This does not stop the facility. It simply says to stop construction, use the money to look at designs, use the money to look for ongoing solutions, which the gentleman, I believe, is incorrect. But if he is right, it could be the MOX facility.

But we need to solve this problem. It is a very, very serious problem. We are required by a treaty with Russia to dispose of our unused plutonium, which is another amendment that I will take up at the end of the day, but I will talk about that much later tonight.

Mr. WILSON of South Carolina. Will the gentleman yield?

Mr. GARAMENDI. I yield to the gentleman from South Carolina.

Mr. WILSON of South Carolina. Mr. Chair, usually Congressman GARAMENDI and I agree on issues like small monitor reactors.

The Acting CHAIR. The time of the gentleman from California has expired.

Mr. SIMPSON. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chair, this debate has been going on for a while. I appreciate what the gentleman is saying.

I have been having this debate with the Secretary of Energy for some time. I understand where the people from South Carolina are coming from. We are talking about jobs and we are talking about the economy.

I don't have a dog in this fight, but what I do have is responsibility as chairman of this committee. Five years from now, we are not sitting up here talking about the same thing, another chairman and another Secretary of Energy and another President.

The Department of Energy is famous for starting programs and getting halfway down and then spending billions of dollars and then walking away from them. Yucca Mountain is the biggest hole in the ground—they spent $14 billion to build—than anything I have ever seen. And it is not the only thing that the Department of Energy has done.

But they come to us now and say: Hey, we have a plan and it is going to be cheaper. We think that MOX is going to cost $30 billion. Other people say: Nah, that is a stretch. We are looking more like 20 or something like that.

Nobody can get the numbers right, so we ask them to rebaseline it. They haven't done that. But they come to us and say: We have a plan. We think that what we ought to do is just dilute this stuff and then dispose of it.

Okay. Great. What is that going to take?

Well, first of all, we have a treaty with Russia.

Have the Russians agreed to this?

Well, no, but we think they will.

Well, you know, there are a lot of things I think that my wife will agree to that she doesn't in the long run.

So we are going to go out and we are going to stop construction of this on the hope that the Russians are going to agree with us. Of course, we have such a good relationship going on with them right now. But the Department says: Oh, I think they will be okay, and they have indicated they are willing to talk.

Okay. We are going to dispose of it.

Where are we going to dispose of it? WIPP?

WIPP is shut down right now, but we are going to get WIPP reopened.

Is that where we are going to put it? Is WIPP large enough to hold this? Are we going to have to do another land withdrawal in New Mexico? Is the State of New Mexico okay with this?

Well, we don't know. We haven't talked to them yet.

So what you want to do is stop this before you have a plan of what you want to do with it, and that is just crazy. And that is my problem.

If the Department would come to us and say that the Russians have agreed to amend the treaty, and New Mexico has agreed that they will take the stuff, then maybe we could have a serious discussion. But right now, it is just all pie in the sky.

I will tell you that if you really don't care about the treaty and you really don't care about where they dispose of it—dispose of it in New Mexico—the cheapest thing to do is just store it, but nobody wants to do that.

So all we are saying is let's be reasonable on this and let's recognize that you have a facility here that is 67 percent complete. I think we ought to go down the same road. Although there are others, I have to admit, that look at $340 million—and probably it will be $500 million when it gets going as we continue, as construction ramps up—but look at that as: Oh, that is taking money out of my programs in my town, and I don't want that to happen. So let's stop MOX, and that means my favorite project will get more money.

I know there is a lot of that going on, too. So I understand where the gentleman is coming from. There are other people that agree with him.

There are people on my side of the aisle that come up and ask why are we spending money on that boondoggle?

It is not a boondoggle. The fact is it is supposed to create MOX fuel.

While the Department says there are no energy companies that want the MOX fuel, that is not true. There are some who would sign long-term agreements. The problem is they see this debate and are wondering whether we are going to have any or not. But the problem is the Department won't come to us with a solid proposal that we can rely on that is an alternative that we could weigh one against the other.

I don't want 5 years or 10 years from now a chairman of the Subcommittee on Energy and Water Development, and Related Agencies at that time and a Secretary of Energy to be down on the street corner arguing about: Well, gee, we stopped MOX. We got that big cement pile out there. We stopped construction on that. We have a problem with New Mexico, and the Russians are on our back. They won't do anything about the treaty. What are we going to do? Let's think of something else.

So until somebody has a reasonable alternative that they could compare it to and the cost to, we need to continue with this MOX project. And that is why the funding is in there for this bill and that is why we will fight for it in conference, even though the Senate, I know, wants to stop it and do other things.

So, anyway, that is why that is there. I appreciate what the gentleman is doing. I understand his concerns. Other people have those concerns, but the right path for us to follow is to continue the project that currently exists.

I yield back the balance of my time.

Ms. KAPTUR. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chair, I have great respect for Congressman GARAMENDI. I know how thoughtful he is, and normally I do support his efforts.

I have to say that, in this instance, I think the priority has to be on completing construction of MOX. I think there was a reference made tonight that 67 percent of the construction is already completed. 90 percent of the equipment has been procured. 50 percent of the equipment is onsite. 1,800 people are directly employed. 4,000 American contractors and suppliers are being utilized in 43 States. And MOX is the only proven pathway we have for disposing of the 34 metric tons of U.S. weapons-grade plutonium in a pragmatic way.

I have to say that one of my goals in supporting this effort—having worked now with the Department of Energy on a number of programs, my goodness, it seems never to be able to finish anything. So we talk about Yucca Mountain—the chairman of the subcommittee made significant reference to that—billions of dollars and a hole sits in the ground unused.

Back when Jimmy Carter was President, he had a goal of putting solar panels on the Department of Energy. It didn't happen until recently. I mean, it has been three decades, four decades, before they could even finish something like that.

□ 2115

We look at Hanford and the cleanup that is necessary there. I mean, how many more centuries is it going to take? The one thing we can say about MOX, yes, it is treaty required and we are trying to meet our treaty obligations, but it is moving toward completion.

I mean, this is a miracle for the Department of Energy. Perhaps fast reactor might be better. But how do we know it won't cost an equal amount or more? We know South Carolina wants this. The Congressman from the region is here.

If we talk about WIPP, how do we know they even want the material? We have all these problems like Yucca Mountain. We have material we want to bury in the ground, and then the people say in the State that you build the facility: Well, now we don't want it.

So, frankly, of all the subcommittees I have served on or full committee—I have served on a majority of them—I have never seen a department that can't get its act together and get the work done.

So as much as I respect you, Congressman GARAMENDI, and you are right on so many efforts, I think to stop this project now with more than two-thirds of it constructed and hundreds of contracts let with vendors in 43 States—canceling those would expose our government to major liability and court costs from lawsuits and so forth.

The House bill prioritizes funds for national security to allow the United States to uphold its worthy nonproliferation and disarmament goals, which we share, and focuses on completing the MOX facility at the Savannah River site in the most cost-effective manner that the Department is capable of doing. I really think that we need to get it done. We are close to doing that.

We don't need another disaster sitting out there that is unused or this delay and stop and delay and hesitation and uncertainty and so forth. We need to complete this. We need to take care of the spent plutonium in a very responsible manner.

I share the chairman's perspective on this and continue to hold the author of the amendment—Congressman GARAMENDI—in the highest regard. I share your desire for nonproliferation. I think one of the best things we can do is get this material processed and leave the world a safer place in our time and generation.

I do oppose the amendment.

I yield back the balance of my time.

Mr. JODY B. HICE of Georgia. Mr. Chair, I rise in opposition to the gentleman's amendment.

The MOX facility at the Savannah River Site is absolutely crucial to our environmental clean-up missions, which produces green fuel, and national security.

The MOX facility is already over 70% completed, and is the best way to uphold the Plutonium Management and Disposition Agreement, our nuclear non-proliferation agreement with Russia.

The Waste Isolation Pilot Plant facility has been absolutely riddled with problems and shutdowns in recent years.

Not only would we be unable to fulfill our international obligations, but eliminating the MOX facility would make the Savannah River Site a de facto permanent repository for nuclear waste.

This is absurd—we need to deposit our nuclear waste at a geographically stable site in a largely uninhabited area. We have already identified the best location for permanent storage—Yucca Mountain in Nevada.

Until we restart the process for storing our nuclear waste at the Yucca Mountain site, it would be incredibly irresponsible to allow the nuclear waste to build up at a less safe and less stable site when we could be processing this material at the MOX facility and convert our plutonium into fuel that can be used at our commercial nuclear reactors.

Unfortunately, this amendment to eliminate funding to the MOX facility is counterproductive and short-sighted.

I urge my colleagues to vote against this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. GARAMENDI).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, $1,420,120,000, to remain available until expended: *Provided*, That of such amount, $44,100,000 shall be available until September 30, 2018, for program direction.

FEDERAL SALARIES AND EXPENSES

For expenses necessary for Federal Salaries and Expenses in the National Nuclear Security Administration, $382,387,000, to remain available until September 30, 2018, including official reception and representation expenses not to exceed $12,000.

AMENDMENT OFFERED BY MR. POLIS

Mr. POLIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 54, line 14, after the dollar amount, insert ''(reduced by $1,000,000)''.

Page 56, line 1, after the dollar amount, insert ''(increased by $500,000)''.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, the $500,000 in funds will be for sites where remediation is currently being conducted by the Office of Legacy Management at DOE in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act, called CERCLA—these are called CERCLA sites—and/or the Resource Conservation and Recovery Act, RCRA.

So it is CERCLA sites and RCRA sites. There are eight of them in seven different States. There are two in Ohio, one in California, one in Kentucky, one in Utah, one in Florida, one in Colorado, and one in Mississippi.

In Colorado, Rocky Flats, which is a now-shuttered nuclear weapons plant, has oversight by DOE. They do some water testing, but downwind and downstream communities have concerns about potential contamination.

These funds will help complete testing, which is vital for scientific knowledge, for public confidence, and for public health. We need them as we move forward with various uses of the land and properties in the area, including, in the case of Rocky Flats, opening to extensive public visitation.

Several municipalities and communities in my district have voted to ask for more soil samples. The portion they have asked for this regarding is both on Fish and Wildlife- and DOE-managed areas.

I personally have heard from many scientists, residents, even somebody who investigated the former Rocky Flats plant 30 years ago, who feel that it is very important that we make sure that the downstream areas and the site are not still contaminated and not hazardous for human visitors.

We need to have the proper science by testing the air, water and soil, relatively low-cost propositions that would be funded by this small change from administrative accounts. These funds, to be clear, would be applied to all CERCLA lands, such as Rocky Flats and the others.

Mr. Chairman, to conclude, I am very grateful to work with the committee and their staff on this important testing for CERCLA and RCRA lands like those at Rocky Flats and in the other seven States.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed one fire apparatus pumper truck, one aerial lift truck, one refuse truck, and one semi-truck for replacement only, $5,226,950,000, to remain available until expended: *Provided*, That of such amount, $290,050,000 shall be available until September 30, 2018, for program direction: *Provided further*, That of such amount, $26,800,000 shall be available for the purpose of a payment by the Secretary of Energy to the State of New Mexico for road improvements in accordance with section 15(b) of the Waste Isolation Pilot Plant Land Withdrawal Act (Public Law 102–579): *Provided further*, That the amount made available by the previous proviso shall be separate from any appropriations of funds for the Waste Isolation Pilot Plant.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $776,425,000, to remain available until expended: *Provided*, That of such amount, $254,230,000 shall be available until September 30, 2018, for program direction.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for official reception and representation expenses in an amount not to exceed $5,000: *Provided*, That during fiscal year 2017, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For expenses necessary for operation and maintenance of power transmission facilities and for marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $1,000,000, including official reception and representation expenses in an amount not to exceed $1,500, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944, up to $1,000,000 collected by the Southeastern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the Southeastern Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2017 appropriation estimated at not more than $0: *Provided further*, That notwithstanding 31 U.S.C. 3302, up to $60,760,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For expenses necessary for operation and maintenance of power transmission facilities and for marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 in carrying out section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the Southwestern Power Administration, $45,643,000, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), up to $34,586,000 collected by the Southwestern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Southwestern Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2017 appropriation estimated at not more than $11,057,000: *Provided further*, That notwithstanding 31 U.S.C. 3302, up to $73,000,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, $307,144,000, including official reception and representation expenses in an amount not to exceed $1,500, to remain available until expended, of which $299,742,000 shall be derived from the Department of the Interior Reclamation Fund: *Provided*, That notwithstanding 31 U.S.C. 3302, section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and section 1 of the Interior Department Appropriation Act, 1939 (43 U.S.C. 392a), up to $211,563,000 collected by the Western Area Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Western Area Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2017 appropriation estimated at not more than $95,581,000, of which $88,179,000 is derived from the Reclamation Fund: *Provided further*, That notwithstanding 31 U.S.C. 3302, up to $367,009,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $4,070,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 2 of the Act of June 18, 1954 (68 Stat. 255): *Provided*, That notwithstanding the provisions of that Act and of 31 U.S.C. 3302, up to $3,838,000 collected by the Western Area Power Administration from the sale of power and related services from the Falcon and Amistad Dams shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the hydroelectric facilities of these Dams and associated Western Area Power Administration activities: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2017 appropriation estimated at not more than $232,000: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred: *Provided further*, That for fiscal year 2017, the Administrator of the Western Area Power Administration may accept up to $323,000 in funds contributed by United States power customers of the Falcon and Amistad Dams for deposit into the Falcon and Amistad Operating and Maintenance Fund, and such funds shall be available for the purpose for which contributed in like manner as if said sums had been specifically appropriated for such purpose: *Provided further*, That any such funds shall be available without further appropriation and without fiscal year limitation for use by the Commissioner of the United States Section of the International Boundary and Water Commission for the sole purpose of operating, maintaining, repairing, rehabilitating, replacing, or upgrading the hydroelectric facilities at these Dams in accordance with agreements reached between the Administrator, Commissioner, and the power customers.

FEDERAL ENERGY REGULATORY COMMISSION SALARIES AND EXPENSES

For expenses necessary for the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, official reception and representation expenses not to exceed $3,000, and the hire of passenger motor vehicles, $346,800,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, not to exceed $346,800,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2017 shall be retained and used for expenses necessary in this account, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as revenues are received during fiscal year 2017 so as to result in a final fiscal year 2017 appropriation from the general fund estimated at not more than $0.

GENERAL PROVISIONS—DEPARTMENT OF ENERGY

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

SEC. 301. (a) No appropriation, funds, or authority made available by this title for the Department of Energy shall be used to initiate or resume any program, project, or activity or to prepare or initiate Requests For Proposals or similar arrangements (including Requests for Quotations, Requests for Information, and Funding Opportunity Announcements) for a program, project, or activity if the program, project, or activity has not been funded by Congress.

(b)(1) Unless the Secretary of Energy notifies the Committees on Appropriations of both Houses of Congress at least 3 full business days in advance, none of the funds made available in this title may be used to—

(A) make a grant allocation or discretionary grant award totaling $1,000,000 or more;

(B) make a discretionary contract award or Other Transaction Agreement totaling $1,000,000 or more, including a contract covered by the Federal Acquisition Regulation;

(C) issue a letter of intent to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B); or

(D) announce publicly the intention to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B).

(2) The Secretary of Energy shall submit to the Committees on Appropriations of both Houses of Congress within 15 days of the conclusion of each quarter a report detailing each grant allocation or discretionary grant award totaling less than $1,000,000 provided during the previous quarter.

(3) The notification required by paragraph (1) and the report required by paragraph (2) shall include the recipient of the award, the amount of the award, the fiscal year for which the funds for the award were appropriated, the account and program, project, or activity from which the funds are being drawn, the title of the award, and a brief description of the activity for which the award is made.

(c) The Department of Energy may not, with respect to any program, project, or activity that uses budget authority made available in this title under the heading ''Department of Energy—Energy Programs'', enter into a multiyear contract, award a multiyear grant, or enter into a multiyear cooperative agreement unless—

(1) the contract, grant, or cooperative agreement is funded for the full period of performance as anticipated at the time of award; or

(2) the contract, grant, or cooperative agreement includes a clause conditioning the Federal Government's obligation on the availability of future year budget authority and the Secretary notifies the Committees on Appropriations of both Houses of Congress at least 3 days in advance.

(d) Except as provided in subsections (e), (f), and (g), the amounts made available by this title shall be expended as authorized by law for the programs, projects, and activities specified in the ''Bill'' column in the ''Department of Energy'' table included under the heading ''Title III—Department of Energy'' in the report of the Committee on Appropriations accompanying this Act.

(e) The amounts made available by this title may be reprogrammed for any program, project, or activity, and the Department shall notify the Committees on Appropriations of both Houses of Congress at least 30

days prior to the use of any proposed reprogramming that would cause any program, project, or activity funding level to increase or decrease by more than $5,000,000 or 10 percent, whichever is less, during the time period covered by this Act.

(f) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates, initiates, or eliminates a program, project, or activity;

(2) increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act; or

(3) reduces funds that are directed to be used for a specific program, project, or activity by this Act.

(g)(1) The Secretary of Energy may waive any requirement or restriction in this section that applies to the use of funds made available for the Department of Energy if compliance with such requirement or restriction would pose a substantial risk to human health, the environment, welfare, or national security.

(2) The Secretary of Energy shall notify the Committees on Appropriations of both Houses of Congress of any waiver under paragraph (1) as soon as practicable, but not later than 3 days after the date of the activity to which a requirement or restriction would otherwise have applied. Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver.

SEC. 302. The unexpended balances of prior appropriations provided for activities in this Act may be available to the same appropriation accounts for such activities established pursuant to this title. Available balances may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 303. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 3094) during fiscal year 2017 until the enactment of the Intelligence Authorization Act for fiscal year 2017.

SEC. 304. None of the funds made available in this title shall be used for the construction of facilities classified as high-hazard nuclear facilities under 10 CFR Part 830 unless independent oversight is conducted by the Office of Enterprise Assessments to ensure the project is in compliance with nuclear safety requirements.

SEC. 305. None of the funds made available in this title may be used to approve critical decision-2 or critical decision-3 under Department of Energy Order 413.3B, or any successive departmental guidance, for construction projects where the total project cost exceeds $100,000,000, until a separate independent cost estimate has been developed for the project for that critical decision.

SEC. 306. (a) None of the funds made available in this or any prior Act under the heading ''Defense Nuclear Nonproliferation'' may be made available to enter into new contracts with, or new agreements for Federal assistance to, the Russian Federation.

(b) The Secretary of Energy may waive the prohibition in subsection (a) if the Secretary determines that such activity is in the national security interests of the United States. This waiver authority may not be delegated.

(c) A waiver under subsection (b) shall not be effective until 15 days after the date on which the Secretary submits to the Committees on Appropriations of both Houses of Congress, in classified form if necessary, a report on the justification for the waiver.

SEC. 307. (a) NEW REGIONAL RESERVES.—The Secretary of Energy may not establish any new regional petroleum product reserve unless funding for the proposed regional petroleum product reserve is explicitly requested in advance in an annual budget submission and approved by the Congress in an appropriations Act.

(b) The budget request or notification shall include—

(1) the justification for the new reserve;

(2) a cost estimate for the establishment, operation, and maintenance of the reserve, including funding sources;

(3) a detailed plan for operation of the reserve, including the conditions upon which the products may be released;

(4) the location of the reserve; and

(5) the estimate of the total inventory of the reserve.

SEC. 308. (a) Any unobligated balances available from amounts appropriated in prior fiscal years for the following accounts that were apportioned in Category C (as defined in section 120 of Office of Management and Budget Circular No A–11), are hereby rescinded in the specified amounts:

(1)''Atomic Energy Defense Activities—National Nuclear Security Administration—Weapons Activities'', $64,126,393.

(2) ''Atomic Energy Defense Activities—National Nuclear Security Administration—Defense Nuclear Nonproliferation'', $19,127,803.

(3) ''Atomic Energy Defense Activities—National Nuclear Security Administration—Naval Reactors'', $307,262.

(b) No amounts may be rescinded under subsection (a) from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 309. Not to exceed $2,000,000, in aggregate, of the amounts made available by this title may be made available for project engineering and design of the Consolidated Emergency Operations Center.

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, notwithstanding 40 U.S.C. 14704, and for expenses necessary for the Federal Co-Chairman and the Alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $146,000,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For expenses necessary for the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, $31,000,000, to remain available until September 30, 2018.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For expenses necessary for the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, notwithstanding sections 382C(b)(2), 382F(d), 382M, and 382N of said Act, $15,000,000, to remain available until expended.

DENALI COMMISSION

For expenses necessary for the Denali Commission including the purchase, construction, and acquisition of plant and capital equipment as necessary and other expenses, $11,000,000, to remain available until expended, notwithstanding the limitations contained in section 306(g) of the Denali Commission Act of 1998: *Provided*, That funds shall be available for construction projects in an amount not to exceed 80 percent of total project cost for distressed communities, as defined by section 307 of the Denali Commission Act of 1998 (division C, title III, Public Law 105–277), as amended by section 701 of appendix D, title VII, Public Law 106–113 (113 Stat. 1501A–280), and an amount not to exceed 50 percent for non-distressed communities.

NORTHERN BORDER REGIONAL COMMISSION

For expenses necessary for the Northern Border Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, $5,000,000, to remain available until expended: *Provided*, That such amounts shall be available for administrative expenses, notwithstanding section 15751(b) of title 40, United States Code.

SOUTHEAST CRESCENT REGIONAL COMMISSION

For expenses necessary for the Southeast Crescent Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, $250,000, to remain available until expended.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Commission in carrying out the purposes of the Energy Reorganization Act of 1974 and the Atomic Energy Act of 1954, $936,121,000, including official representation expenses not to exceed $25,000, to remain available until expended, of which $20,000,000 shall be derived from the Nuclear Waste Fund: *Provided*, That of the amount appropriated herein, not more than $7,500,000 may be made available for salaries, travel, and other support costs for the Office of the Commission, to remain available until September 30, 2018, of which, notwithstanding section 201(a)(2)(c) of the Energy Reorganization Act of 1974 (42 U.S.C. 5841(a)(2)(c)), the use and expenditure shall only be approved by a majority vote of the Commission: *Provided further*, That revenues from licensing fees, inspection services, and other services and collections estimated at $786,853,000 in fiscal year 2017 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: *Provided further*, That of the amounts appropriated under this heading, not less than $5,000,000 shall be for activities related to the development of regulatory infrastructure for advanced nuclear technologies, and $18,000,000 shall be for international activities, except that the amounts provided under this proviso shall not be derived from fee revenues, notwithstanding 42 U.S.C. 2214: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2017 so as to result in a final fiscal year 2017 appropriation estimated at not more than $149,268,000: *Provided further*, That of the amounts appropriated under this heading, $10,000,000 shall be for university research and development in areas relevant to the Commission's mission, and $5,000,000 shall be for a Nuclear Science and Engineering Grant

Program that will support multiyear projects that do not align with programmatic missions but are critical to maintaining the discipline of nuclear science and engineering.

AMENDMENT OFFERED BY MR. KEATING

Mr. KEATING. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 72, line 24, after the dollar amount, insert ''(reduced by $1,000,000) (increased by $1,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Massachusetts and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. KEATING. Mr. Chairman, I rise today to offer an amendment with the gentleman from Vermont (Mr. WELCH), a champion of these issues.

Our amendment is simple and straightforward. It seeks to provide adequate resources for the Nuclear Regulatory Commission in order to ensure the safe and effective decommissioning of nuclear power plants.

Last year Entergy Corporation, the owner and operator of the Pilgrim Nuclear Power Plant in Plymouth, Massachusetts, after facing severe losses in revenue and plagued by serious safety concerns, announced that the plant would be decommissioned by 2019.

Since coming to Congress, I have been concerned about the safety of Pilgrim's day-to-day operations as well as the security of its spent fuel storage.

Following Entergy's announcement, I have worked with State and local representatives from southeastern Massachusetts to prioritize the safety of the decommissioning process, security of the plant's spent fuel, and displacement of over 600 workers employed at this site.

Just this week, attention has focused on the NRC's recent report that revealed that the Pilgrim Nuclear Power Station came up short yet again during an investigation of their follow-through on critical systems maintenance.

While this infraction ultimately falls on the responsibility of Entergy, it is equally important that the NRC has the necessary resources to address concerns as they arise, including through cooperation with local communities.

As we have often cited, decommissioning of nuclear power plants has an enormous economic and financial impact on host communities. We have urged that decommissioning funds be used strictly for removal of spent fuel from wet storage to dry cask storage, restoration and remediation of the site, and maintenance of emergency preparedness and security resources throughout the entire process.

Finally, it is my hope that the NRC prioritizes workforce development opportunities. As the number of decommissioned plants increases, so, too, will thousands of high-skilled, well-paying jobs.

I thank my colleagues for their consideration of this amendment and urge their support.

I yield such time as he may consume to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. Mr. Chairman, I thank the gentleman. We have a lot of merchant nuclear plants that are now starting to get decommissioned. The first one that got decommissioned was in Vernon, Vermont. We have now got Pilgrim.

The communities there face enormous challenges. One, we lose a lot of good jobs. Number two, there is the question: How do you get that asset back in production? That is where the local community, like select boards, citizen groups, are enormously concerned, and rightly so. It is their community, and they want to get it back operational.

The purpose of this amendment is to try to get the NRC the resources it needs and, also, the process it needs for citizen community involvement to be accepted. They are in a new era.

Generally, the NRC has been about regulating the safety of the plant. Now we are moving into the era where they have to deal with the decommissioning of the plant.

Safety issues continue to be of paramount concern, but economic vitality in the future is an urgent concern. Our goal here is to make certain that those folks who are in the community and their elected representatives have the capacity for significant input.

□ 2130

We are very pleased that the NRC is starting a rulemaking process to try to open it up a bit. We want to encourage them to do so. This legislation is a big step towards that.

Mr. KEATING. I also want to thank Chairman SIMPSON and Ranking Member KAPTUR for their consideration of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. KEATING).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $12,129,000, to remain available until September 30, 2018: *Provided*, That revenues from licensing fees, inspection services, and other services and collections estimated at $10,044,000 in fiscal year 2017 shall be retained and be available until September 30, 2018, for necessary salaries and expenses in this account, notwithstanding section 3302 of title 31, United States Code: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2017 so as to result in a final fiscal year 2017 appropriation estimated at not more than $2,085,000: *Provided further*, That of the amounts appropriated under this heading, $969,000 shall be for Inspector General services for the Defense Nuclear Facilities Safety Board, which shall not be available from fee revenues.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For expenses necessary for the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $3,600,000, to be derived from the Nuclear Waste Fund, to remain available until September 30, 2018.

GENERAL PROVISIONS—INDEPENDENT AGENCIES

SEC. 401. The Nuclear Regulatory Commission shall comply with the July 5, 2011, version of Chapter VI of its Internal Commission Procedures when responding to Congressional requests for information.

SEC. 402. (a) The amounts made available by this title for the Nuclear Regulatory Commission may be reprogrammed for any program, project, or activity, and the Commission shall notify the Committees on Appropriations of both Houses of Congress at least 30 days prior to the use of any proposed reprogramming that would cause any program funding level to increase or decrease by more than $500,000 or 10 percent, whichever is less, during the time period covered by this Act.

(b)(1) The Nuclear Regulatory Commission may waive the notification requirement in subsection (a) if compliance with such requirement would pose a substantial risk to human health, the environment, welfare, or national security.

(2) The Nuclear Regulatory Commission shall notify the Committees on Appropriations of both Houses of Congress of any waiver under paragraph (1) as soon as practicable, but not later than 3 days after the date of the activity to which a requirement or restriction would otherwise have applied. Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver and shall provide a detailed report to the Committees of such waiver and changes to funding levels to programs, projects, or activities.

(c) Except as provided in subsections (a), (b), and (d), the amounts made available by this title for ''Nuclear Regulatory Commission—Salaries and Expenses'' shall be expended as directed in the report of the Committee on Appropriations accompanying this Act.

(d) None of the funds provided for the Nuclear Regulatory Commission shall be available for obligation or expenditure through a reprogramming of funds that increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act.

(e) The Commission shall provide a monthly report to the Committees on Appropriations of both Houses of Congress, which includes the following for each program, project, or activity, including any prior year appropriations—

(1) total budget authority;

(2) total unobligated balances; and

(3) total unliquidated obligations.

TITLE V

GENERAL PROVISIONS

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or

indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 502. (a) None of the funds made available in title III of this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the report of the Committee on Appropriations accompanying this Act, or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(b) None of the funds made available for any department, agency, or instrumentality of the United States Government may be transferred to accounts funded in title III of this Act, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the report of the Committee on Appropriations accompanying this Act, or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(c) The head of any relevant department or agency funded in this Act utilizing any transfer authority shall submit to the Committees on Appropriations of both Houses of Congress a semiannual report detailing the transfer authorities, except for any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality, used in the previous 6 months and in the year-to-date. This report shall include the amounts transferred and the purposes for which they were transferred, and shall not replace or modify existing notification requirements for each authority.

SEC. 503. None of the funds made available by this Act may be used in contravention of Executive Order No. 12898 of February 11, 1994 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations).

SEC. 504. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 505. None of the funds made available by this Act may be used to conduct closure of adjudicatory functions, technical review, or support activities associated with Yucca Mountain geologic repository license application, or for actions that irrevocably remove the possibility that Yucca Mountain may be a repository option in the future.

SEC. 506. None of the funds made available by this Act may be used to further implementation of the coastal and marine spatial planning and ecosystem-based management components of the National Ocean Policy developed under Executive Order No. 13547 of July 19, 2010.

AMENDMENT NO. 1 OFFERED BY MR. FARR

Mr. FARR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 79, beginning on line 24, strike section 506.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. FARR. Mr. Chair, I rise once again because every year we face this amendment and it does get knocked out in conference. But I rise with concern that it keeps coming back, because I think it is based on a lot of misunderstanding, and it really can cause serious problems.

For many years, Congress has been struggling with all these sorts of conflicts at the sea. Different Federal entities have different responsibilities—some for mineral management, some for fishing, some for coastal zone protection, Coast Guard for buoys. And when we were in the State legislature, State after State complained that there was a conflict of seas.

Congress actually appointed a commission to review these, a bipartisan commission. The membership was appointed by President Bush. The commission came back with an oceans report indicating that we had to avoid these conflicts among agencies. What we would do is create a National Ocean Policy, which required all the Federal agencies to look at their responsibilities and to make sure that they were all coordinated so that they carry out the functions that they have been responsible for, but carry them out in a timely fashion.

What this language in this bill says is you can't carry out these responsibilities under the National Ocean Policy. It is really stupid to knock it out, because what it will do is cost the people who want permits from the Federal Government a lot more time and money. And in fact, what it really does is jeopardize our national security because, believe it or not, one of the ways that people are sneaking into our exclusive economic zone is through fishing boats. And fishing boats are the responsibility more of National Marine Fisheries and the Coast Guard, and they have to be able to communicate with each other on issues.

So it is just one thing after another. I am really saying let's knock this language out.

The other thing I would like to say is that I hate to make this thing partisan, but I was just at a huge Oceans conference in Monterey, in the district I represent, with a lot of national scientists and NGOs.

The one thing that they pointed out time after time is how the Republicans are just attacking issues on the oceans, on marine fisheries, on oil and gas development, and so on.

And a policy like this is not something that is not actually beneficial to try to get bureaucracy to work in knocking it out so that it goes back to the old bureaucracy. It is harmful for the government, it is harmful for users of ocean resources, and it is more harmful for people that are trying to get a handle on what is killing our oceans and killing our fish.

So we spend absolutely no money on oceans planning. The National Ocean Policy does not supersede any local or State regulations or create any new Federal regulations. It just creates a mechanism by which 41 numerous ocean agencies, departments, working groups, and committees can coordinate and communicate to manage effectively. It is a bottom-up, not top-down project.

National Ocean Policy leverages taxpayer dollars by reducing duplication between Federal, State, and local agencies, by streamlining data collection, by strengthening public involvement, by actually resulting in better decisionmaking and more decisionmaking, less costly decisionmaking.

National Ocean Policy is a tool for planning, not a mandate to strip local and stakeholder control from our oceans' resource. It was supported by President Bush. It has been supported by President Obama. It is bipartisan, bicameral, bi-everything, and this language just makes it impossible to carry on the responsibilities that we have in using our natural resources in a responsible fashion.

I ask that the amendment be adopted.

I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chair, I rise in opposition to the amendment.

While there may be instances in which the greater coordination would be helpful to ensure our ocean and coastal resources are available to future generations, any such coordination must be done carefully to protect against Federal overreach.

As we have seen recently with the proposed rule to redefine waters of the United States, strong congressional oversight is needed to ensure that we protect private property rights.

Unfortunately, the way this administration developed its National Ocean Policy increases the opportunities for overreach. The implementation plan is so broad and so sweeping that it may allow the Federal Government to affect agricultural practices, mining, energy producers, fishermen, and anyone else whose actions may have an impact directly or indirectly on the oceans.

The fact is the administration did not work with Congress to develop this plan and has even refused to provide relevant information to Congress, so

we can't be sure how sweeping it actually will be. That is why I support the language in the underlying bill and, therefore, oppose the amendment and suggest that the Committee on Natural Resources is the one that should be taking this up if they want to develop a National Ocean Policy.

Mr. FARR. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman from California.

Mr. FARR. First, whoever wrote your statement is wrong on the facts. I was here. This report that was done by the Bush administration was brought to the United States Congress, to the Natural Resources Committee. I was a member. Mr. Pombo was the chairman. He would not allow Admiral Watkins, who was chair of the committee, to testify on it. He would not allow a bill, carried by Republican members—Mr. Greenwood, Mr. Saxton, and others—to be heard. Every attempt was made to bring that report to Congress to enact as a bill, and the Natural Resources Committee rejected it, just slammed the door.

What President Obama does, there was more in the recommendations because there was actually a way of governing regional areas, much like the National Marine Fisheries does with their regional fishery boards. None of that was allowed. He only uses executive order to get all the Federal agencies together so they can come up with a National Ocean Policy, and not a thing in that policy mentions any of that.

Mr. SIMPSON. Reclaiming my time, in fact, we were not wrong. Congress did not approve a national ocean plan.

Now, we can argue about it whether they should have or whether they shouldn't have or whether Chairman Pombo should have brought it up or shouldn't have brought it up, or whatever, but that is way the process works around here. There are things that aren't brought up that I think ought to be brought up.

I have got a wildfire funding bill that hasn't been brought up. I think it ought to be brought up. That doesn't mean the administration can go out and say: Hey, that is the right thing to do. We are going to do it by executive order.

That is the problem with this administration, that they have got a phone and they have got a pen if they don't get what they want out of Congress and Congress decides not to act for whatever reason. We didn't act on immigration. I think that was wrong. I think we should have. But guess what. We didn't. That doesn't free the President to say: Well, if you won't do it, I am going to do it.

That is kind of what he did with the National Ocean Policy, and that is the problem we have here. That is why I oppose the amendment, even though it might be the right thing for us to do in the long run.

I urge a ''no'' vote on this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. FARR. Mr. Chair, I yield 1 minute to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. I thank the gentleman for yielding go.

Mr. Chair, I rise in strong support of the amendment offered by my colleague from California, which would strike this misguided provision to prohibit funding of the National Ocean Policy, which permits better coordination among Federal agencies responsible for coastal planning.

This provision in particular would undermine the National Oceanic and Atmospheric Administration's participation in planning; would hurt States, communities, and businesses; and would keep States like Rhode Island from managing resources in a way that best fits their needs and priorities.

The administration has made it clear that the National Ocean Policy does not create new regulations, supercede current regulations, or modify any agency's established mission, jurisdiction, or authority. Rather, it helps coordinate the implementation of existing regulations by Federal agencies to establish a more efficient and effective decisionmaking process.

In the Northeast, our Regional Ocean Council has allowed our States to pool resources and businesses to have a voice in decisionmaking and has coordinated with Federal partners to ensure all stakeholders have a voice in the process, and it was the first in the Nation to release a draft regional ocean plan.

It is astounding to me that, since 2012, more than 15 riders undermining ocean planning have been introduced to House bills, including riders on several previous appropriations bills.

I urge my colleagues to support this amendment.

Mr. FARR. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. FARR).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FARR. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 507. None of the funds made available by this Act may be used for the removal of any federally owned or operated dam.

SPENDING REDUCTION ACCOUNT

SEC. 508. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is $0.

AMENDMENT OFFERED BY MS. BROWNLEY OF CALIFORNIA

Ms. BROWNLEY of California. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. _____. None of the funds made available by this Act may be used in contravention of section 2102 of the Water Resources Reform and Development Act of 2014 or section 210 of the Water Resources Development Act of 1986.

The Acting CHAIR. Pursuant to House Resolution 743, the gentlewoman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. BROWNLEY of California. Mr. Chairman, I rise to offer a very brief amendment to the bill. I offer this amendment on behalf of myself and my good friend from California (Mrs. NAPOLITANO).

Many of my colleagues, especially those who are members of the Congressional Ports Caucus, have worked very hard in recent years to ensure that the Army Corps of Engineers has the funding necessary for operations and maintenance of our waterways. We achieved a great victory in WRRDA 2014, which set annual targets for the harbor maintenance trust fund usage.

□ 2145

It is vitally important that we not only hit the WRRDA targets, but that we also ensure that the Army Corps and the White House Office of Management and Budget allocate harbor maintenance trust fund resources properly, according to the authorizing statute.

The Brownley-Napolitano amendment simply directs that none of the funds in the bill can be spent contrary to existing law.

Our amendment is supported by the American Association of Port Authorities. I urge my colleagues to support this commonsense amendment to ensure that the Army Corps and the OMB follow the direction provided by Congress in the 2014 law which passed the House in a vote of 412–4.

Mr. Chairman, again, it is critically important for Congress to ensure that the administration follows the law.

This amendment is intended to ensure that the Corps and the administration and the OMB implement the law as directed by Congress.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. BROWNLEY).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BURGESS

Mr. BURGESS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following new section:

SEC. ____. None of the funds made available in this Act may be used—

(1) to implement or enforce section 430.32(x) of title 10, Code of Federal Regulations; or

(2) to implement or enforce the standards established by the tables contained in section 325(i)(1)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6295(i)(1)(B)), or to implement or enforce section 430.32(n) of title 10, Code of Federal Regulations, with respect to BPAR incandescent reflector lamps, BR incandescent reflector lamps, and ER incandescent reflector lamps.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BURGESS. Mr. Chairman, I rise today to offer an amendment that will actually maintain current law.

Since its passage in 2007, I have heard from tens of thousands of constituents about how the language of the 2007 Energy Independence Security Act takes away consumer choice when deciding what type of light bulb to use in their homes.

Mr. Chairman, they are right. While the government has passed energy efficiency standards in other realms over the years, they never moved so far and lowered standards so drastically.

It is to a point where technology is still years away from making bulbs that are compliant with the law at a price point that the average American can afford.

Opponents to my amendment will claim that the 2007 language did not ban the incandescent bulb. That is true. It bans the sale of the 100-watt, the 60-watt and then the 45-watt bulb.

The replacement bulbs are far from economically efficient even if they may be regarded as energy efficient. A family living paycheck to paycheck simply cannot afford the replacement cost of these bulbs.

But the economics of the light bulb mandate are only part of the story. With the extreme expansion of Federal powers undertaken by the Obama administration during the first 2 years of the Obama administration, Americans woke up to just how far the Constitution's Commerce Clause has been manipulated from its original intent. The light bulb mandate is the perfect example of this.

The Commerce Clause was intended by our Founding Fathers to be a limitation to Federal authority, not a catch-all nod to allow for any topic to be regulated by Washington.

Indeed, it is clear that the Founding Fathers never intended this clause to be used to allow the Federal Government to regulate and pass mandates on consumer products that do not pose a risk to either human health or safety.

This exact amendment has been accepted for the past 4 years by the House. The first 3 years it was accepted by a voice vote. It has been included in the annual appropriations legislation signed into law by President Obama every year since its first inclusion in 2011.

It allows consumers to continue to have a choice and to have a say about what they put in their homes. It is just common sense.

Mr. Chairman, I reserve the balance of my time.

Ms. KAPTUR. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chairman, I strongly oppose this damaging rider which would block the Department of Energy from implementing or enforcing commonsense energy efficiency standards for light bulbs. I have the highest respect for Dr. BURGESS, but not on this particular topic.

This rider was a bad idea when it was first offered 5 years ago, and it is even more unsupportable now. Every claim made by proponents of this rider has been proven wrong.

Dr. BURGESS told us that the energy efficiency standards would ban incandescent light bulbs. That is simply false. You can go to any store today and see shelves of modern, energy-efficient, incandescent light bulbs that meet the standard. I have bought them myself.

They are the same as the old bulbs except that they last longer, they use less electricity, and they save consumers money.

We have heard for years that the energy efficiency standards restrict consumer choice. But if you have shopped for light bulbs lately, you know that simply isn't true.

Modern incandescent bulbs, compact fluorescent light bulbs, and LEDs of every shape, size, and color are now available. Consumers have never had more choice. The efficiency standards spurred innovation that dramatically expanded options for consumers.

Critics of the efficiency standards claimed that they would cost consumers money. In fact, the opposite is true. When the standards are in full effect, the average American family will save about $100 every year. That comes to $13 billion in savings nationwide every year. But this rider threatens those savings, and that is why consumer groups have consistently opposed this rider.

Here is the reality. The 2007 consensus energy efficiency standards for light bulbs were enacted with bipartisan support and continue to receive overwhelming industry support.

U.S. manufacturers are already meeting the efficiency standards. The effect of the rider is to allow foreign manufacturers to sell old, inefficient light bulbs in the United States that violate the efficiency standards.

That is unfair to domestic manufacturers who have invested millions of dollars in the United States in those plants to make efficient bulbs here that meet the standards.

Why on earth would we want to pass a rider that favors foreign manufacturers who ignore our laws and penalizes U.S. manufacturers who are following our laws?

But it even gets worse. The rider now poses an additional threat to U.S. manufacturing. The bipartisan 2007 energy bill requires the Department of Energy to establish updated light bulb efficiency standards by January 1 of next year.

It also provided that, if final updated standards are not issued by then, a more stringent standard of 45 lumens per watt automatically takes effect. Incandescent light bulbs currently cannot meet this backstop standard.

This rider blocks DOE from issuing the required efficiency standards and ensures that the backstop will kick in. Ironically, it is this rider that could effectively ban the incandescent light bulb.

The Burgess rider directly threatens existing light bulb manufacturing jobs in Pennsylvania, Ohio, Illinois, across our region. It would stifle innovation and punish companies that have invested in domestic manufacturing.

This rider aims to reverse years of technological progress only to kill jobs, increase electricity bills for our constituents, and worsen pollution.

It is time to choose common sense over rigid ideology, and it is time to listen to the manufacturing companies, consumer groups, and efficiency advocates, who all agree that that rider is harmful.

I urge all Members to vote ''no'' on the Burgess light bulb rider, no matter how well intended.

Mr. Chairman, I reserve the balance of my time.

Mr. BURGESS. Mr. Chairman, I would merely observe that, in calendar year 2007, the political analyst George Will opined at the end of that year that the American Congress essentially had two mandates, to deliver the mail and defend the borders, that it had failed miserably at both jobs.

Instead of performing either of those jobs, it banned the incandescent bulb, probably the single greatest invention to have occurred in America in the 1800s.

This is a commonsense bill. Our constituents have asked for this. The Congress has supported it. The amendment, in fact, maintains current law.

I urge all Members to support it.

Mr. Chairman, I yield back the balance of my time.

Ms. KAPTUR. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. BURGESS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GARAMENDI

Mr. GARAMENDI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to expand plutonium pit production capacity at the PF–4 facility at Los Alamos National Laboratory.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Chairman, about an hour and a half ago we had a very important debate on this floor concerning some 30-plus metric tons of unused surplus plutonium to be disposed of in South Carolina at the mixed oxide fuel facility. The debate went on.

I want to thank my colleagues on the majority side for elucidating the issue and bringing to our attention, as did I, that we have some 34 metric tons of plutonium lying around in various depositories around the United States. And from our discussion earlier, it is pretty clear it is not going to be disposed of any time soon.

Now, this bill would set about the United States putting together facilities that would create even more plutonium somewhere in the range of 80 nuclear bomb pits. This is the essential element in a nuclear bomb. For what purpose?

Well, we really probably can't talk about it here in this public setting, but it appears to be a rather unclear purpose as to why we would need to build a new facility at a multibillion dollar cost for the production of more plutonium pits when we have 34 metric tons of them sitting in various repositories.

So I guess I just kind of ask: Why are we doing that?

Well, this amendment would simply limit the PF–4 facility in Los Alamos, New Mexico, to no more than 10 pits a year, which they can produce. Probably a little bit of refurbishing will be necessary as the years progress, but we really do not need to spend a few billion dollars on a brand-new facility to make brand-new atomic bomb plutonium pits.

Why would we do that? Well, I don't think we do need to do that. We can get by with 10 a year. And I suppose, if we really got into a situation where we need to build more, we could run 2 shifts a day, maybe even 3 shifts a day, and get production up to some 20.

Nobody has really bothered to explain in detail why we need more than 10, and certainly nobody has explained in detail why we need 80.

So that is what this amendment does. It simply says: Let's save our money. Let's not put it into a facility that we don't need and go about our business of making just 9 or 10 new nuclear plutonium pits a year.

Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I oppose this amendment because I am concerned that the amendment would limit the activities that may be necessary to maintain our nuclear weapons stockpile. That is basically it.

We need to be modernizing the legacy facilities of the National Nuclear Security Administration. And these are old facilities, if we are going to have a credible nuclear deterrent.

That is what this is all about, is keeping our nuclear deterrent and making sure that we have the facilities to produce those things that are necessary. It is as simple as that.

I urge Members to vote ''no'' on this amendment.

Mr. Chairman, I yield back the balance of my time.

□ 2200

The Acting CHAIR. The gentleman from California has 2 minutes remaining.

Mr. GARAMENDI. Mr. Chairman, 2 minutes is probably insufficient to persuade my colleagues on the majority side that my argument is worthy of support; but nonetheless, I will take a shot at it.

We can build 9 or 10 pits a year now. If we go to two shifts, we could build 20. The only reason we would need 80 has to do with a revamped, refurbished nuclear bomb, which I will talk about tomorrow morning, because at the request of the majority, I was asked to put it off until tomorrow morning.

In any case, where are we today?

We have enough nuclear weapons to pretty much destroy the entire world or any enemy that would like to take us on.

Do we need to have 80 new nuclear pits a year?

In all the testimony I have heard in the various classified sessions, the answer is: We would like to have it. We would like to have that capability because sometime maybe somehow we may have a nuclear war, and we will expend all of our existing bombs and we will need to somehow make more.

I am not exactly sure why we would be making more after a nuclear war, but there are some who would argue that would be necessary.

I don't get it. I really don't understand when we have the capability to build sufficient nuclear bomb components, the pit, the plutonium pit, why we would want to spend a few billion dollars—an unknown number, by the way, not unlike the MOX facility, it is likely to rapidly escalate.

But our Los Alamos scientists would like to have something new and fancy when something old is quite necessary. My wife always said that there is a choice between nice and necessary. I have yet to hear the argument for necessary, why we should set our path on spending several billion dollars on a new pit production facility. I am sure there is some argument to be made. In any case, I have a sense that I might lose this vote on the floor when I will ask for a vote.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. GARAMENDI).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GARAMENDI. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

Mr. SIMPSON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WILSON of South Carolina) having assumed the chair, Mr. EMMER of Minnesota, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5055) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2017, and for other purposes, had come to no resolution thereon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PAYNE (at the request of Ms. PELOSI) for the first series of votes today on account of medical appointments.

Ms. MAXINE WATERS of California (at the request of Ms. PELOSI) for May 23.

Ms. MAXINE WATERS of California (at the request of Ms. PELOSI) for today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2613. An act to reauthorize certain programs established by the Adam Walsh Child Protection and Safety Act of 2006; to the Committee on the Judiciary.

ADJOURNMENT

Mr. EMMER of Minnesota. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 5 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, May 25, 2016, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5473. A letter from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's final rule — Regulatory Capital Rules: Regulatory Capital, Implementation of Tier 1/Tier 2 Framework (RIN: 3052-AC81) received May 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

5474. A letter from the Acting Director, Office of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting the Commission's final rule — Genetic Information Nondiscrimination Act (RIN: 3046-AB02) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

5475. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test Procedure for Battery Chargers [Docket No.: EERE-2014-BT-TP-0044] (RIN: 1904-AD45) received May 20, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5476. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Connecticut; Sulfur Content of Fuel Oil Burned in Stationary Sources [EPA-R01-OAR-2014-0364; A-1-FRL-9939-63-Region 1] received May 20, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5477. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; New Hampshire; Ozone Maintenance Plan [EPA-R01-OAR-2012-0289; FRL-9946-69-Region 1] received May 20, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5478. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; North Carolina; Regional Haze [EPA-R04-OAR-2015-0518; FRL-9946-76-Reigon 4] received May 20, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5479. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Disapprovals; MS; Prong 4-2008 Ozone, 2010 NO2, SO2, and 2012 PM2.5 [EPA-R04-OAR-2015-0798; FRL-9946-77-Region 4] received May 20, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5480. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Quality Plan Approval; South Carolina; Infrastructure Requirements for the 2010 Sulfur Dioxide National Ambient Air Quality Standard [EPA-R04-OAR-2015-0151; FRL-9946-82-Region 4] received May 20, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5481. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Connecticut; Infrastructure Requirements for Lead, Ozone, Nitrogen Dioxide, Sulfur Dioxide, and Fine Particulate Matter [EPA-R01-OAR-2015-0198; FRL-9940-14-Region 1] received May 20, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5482. A letter from the Director, Office of Regulatory Affairs and Collaborative Action, Bureau of Indian Affairs, Department of the Interior, transmitting the Department's final rule — Title Evidence for Trust Land Acquisitions [167A2100DD/AAKC001030/A0A501010.999 900 253G] (RIN: 1076-AF28) received May 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5483. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Federal Implementation Plan for True Minor Sources in Indian Country in the Oil and Natural Gas Production and Natural Gas Processing Segments of the Oil and Natural Gas Sector; Amendments to the Federal Minor New Source Review Program in Indian Country to Address Requirements for True Minor Sources in the Oil and Natural Gas Sector [EPA- HQ-OAR-2014-0606; FRL-9946-56-OAR] (RIN: 2060-AS27) received May 20, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5484. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's Major final rule — Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources [EPA-HQ-OAR-2010-0505; FRL-9944-75-OAR] (RIN: 2060-AS30) received May 20, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5485. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Comprehensive Ecosystem-Based Amendment 1; Amendments to the Fishery Management Plans for Coastal Pelagic Species, Pacific Coast Groundfish, U.S. West Coast Highly Migratory Species, and Pacific Coast Salmon [Docket No.: 150629565-6224-02] (RIN: 0648-BF15) received May 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5486. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Groundfish Fishery; Fishing Year 2016; Recreational Management Measures [Docket No.: 160120042-6337-02] (RIN: 0648-BF69) received May 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5487. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — International Fisheries; Pacific Tuna Fisheries; Fishing Restrictions for the Area of Overlap Between the Convention Areas of the Inter-American Tropical Tuna Commission and the Western and Central Pacific Fisheries Commission [Docket No.: 150924885-6324-02] (RIN: 0648-BF38) received May 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5488. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Pacific Halibut Fisheries; Catch Sharing Plan [Docket No.: 160127057-6280-02] (RIN: 0648-BF60) received May 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5489. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Herring Fishery; Framework Adjustment 4 [Docket No.: 150304214-6231-02] (RIN: 0648-BE94) received May 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5490. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Beginning of Construction for Sections 45 and 48 [Notice 2016-31] received May 20, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5491. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Applicable Federal Rates — June 2016 (Rev. Rul. 2016-13) received May 20, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5492. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulations — Removal of Allocation Rule for Disbursements from Designated Roth Accounts to Multiple Destinations [TD 9769] (RIN: 1545-BK08) received May 20, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-

121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 1769. A bill to establish in the Department of Veterans Affairs a national center for research on the diagnosis and treatment of health conditions of the descendants of veterans exposed to toxic substances during service in the Armed Forces that are related to that expose, to establish an advisory board on such health conditions, and for other purposes; with an amendment (Rept. 114–592, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. BURGESS: Committee on Rules. House Resolution 744. Resolution providing for consideration of the bill (S. 2012) to provide for the modernization of the energy policy of the United States, and for other purposes; providing for consideration of the bill (H.R. 5233) to repeal the Local Budget Autonomy Amendment Act of 2012, to amend the District of Columbia Home Rule Act to clarify the respective roles of the District government and Congress in the local budget process of the District government, and for other purposes; and providing for proceedings during the period from May 27, 2016, through June 6, 2016 (Rept. 114–593). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Armed Services discharged from further consideration. H.R. 1769 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DUFFY (for himself and Mr. CARNEY):

H.R. 5311. A bill to improve the quality of proxy advisory firms for the protection of investors and the U.S. economy, and in the public interest, by fostering accountability, transparency, responsiveness, and competition in the proxy advisory firm industry; to the Committee on Financial Services.

By Mr. LAHOOD (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SMITH of Texas, Mr. LIPINSKI, Mr. LUCAS, Mrs. COMSTOCK, Mr. MOOLENAAR, and Mr. ABRAHAM):

H.R. 5312. A bill to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. CONYERS (for himself, Mrs. LAWRENCE, Ms. MOORE, Mrs. BUSTOS, Mr. GRIJALVA, Mr. JOHNSON of Georgia, Mr. POCAN, and Ms. SCHAKOWSKY):

H.R. 5313. A bill to establish a trust fund to provide for adequate funding for water and sewer infrastructure; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESAULNIER (for himself and Mr. CARTER of Georgia):

H.R. 5314. A bill to provide for the development and dissemination of programs and materials for training pharmacists, health care providers, and patients on the circumstances under which a pharmacist may decline to fill a prescription for a controlled substance because the pharmacist suspects the prescription is fraudulent, forged, or otherwise indicative of abuse or diversion, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GUTHRIE (for himself, Mr. BURGESS, and Mrs. MIMI WALTERS of California):

H.R. 5315. A bill to amend the Federal Trade Commission Act to require annual reports to Congress regarding the status of investigations of unfair or deceptive acts or practices, and of unfair methods of competition, in or affecting commerce; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUFFMAN:

H.R. 5316. A bill to establish a carbon sequestration pilot program under which the Secretary of the Interior may make grants for projects to evaluate methods to increase the amount of carbon captured on qualified public lands in order to achieve a wide range of benefits, including reductions in greenhouse gases, increased water retention and water quality in watersheds, nutrient cycling, reduced erosion, and forage quality; to the Committee on Natural Resources.

By Mr. KELLY of Pennsylvania (for himself, Mr. BRADY of Pennsylvania, Mr. FATTAH, Mr. PERRY, Mr. THOMPSON of Pennsylvania, Mr. COSTELLO of Pennsylvania, Mr. MEEHAN, Mr. FITZPATRICK, Mr. SHUSTER, Mr. MARINO, Mr. BARLETTA, Mr. ROTHFUS, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. DENT, Mr. PITTS, Mr. CARTWRIGHT, and Mr. MURPHY of Pennsylvania):

H.R. 5317. A bill to designate the Department of Veterans Affairs health care center in Center Township, Butler County, Pennsylvania, as the ''Abie Abraham VA Clinic''; to the Committee on Veterans' Affairs.

By Mr. POMPEO (for himself, Mr. BURGESS, Mr. BISHOP of Michigan, Mr. MULLIN, Mr. HARPER, Mrs. BLACKBURN, and Mr. LANCE):

H.R. 5318. A bill to amend the Federal Trade Commission Act to specify certain effects of guidelines, general statements of policy, and similar guidance issued by the Federal Trade Commission; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALKER (for himself, Mr. RATCLIFFE, Mrs. LOVE, Mr. HENSARLING, Mr. LOUDERMILK, and Mr. BRAT):

H.R. 5319. A bill to amend the Congressional Budget Act of 1974 to establish a Federal regulatory budget and to impose cost controls on that budget, and for other purposes; to the Committee on the Budget, and in addition to the Committees on Rules, the Judiciary, Oversight and Government Reform, and Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MILLER of Florida:

H. Con. Res. 133. Concurrent resolution honoring the members of the United States Air Force who were casualties of the June 25, 1996, terrorist bombing of the United States Sector Khobar Towers military housing complex on Dhahran Air Base; to the Committee on Armed Services.

By Mr. BRADY of Pennsylvania (for himself, Mr. FATTAH, Mr. PAYNE, Mr. FITZPATRICK, Mr. MEEHAN, Mr. MACARTHUR, Mr. PASCRELL, Mr. NORCROSS, Mr. COSTELLO of Pennsylvania, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. LOBIONDO, Mr. MURPHY of Pennsylvania, and Mr. BRENDAN F. BOYLE of Pennsylvania):

H. Res. 745. A resolution congratulating Einstein Healthcare Network on their 150th anniversary; to the Committee on Energy and Commerce.

By Ms. DELAURO (for herself, Ms. JUDY CHU of California, Mr. NADLER, Ms. KAPTUR, Ms. SPEIER, Mr. LANGEVIN, Mr. PASCRELL, Ms. CLARK of Massachusetts, Mrs. DINGELL, Ms. LEE, Ms. NORTON, Mr. NORCROSS, Mr. HASTINGS, Mrs. WATSON COLEMAN, Mr. BLUMENAUER, Ms. EDWARDS, Mr. HINOJOSA, Ms. PINGREE, Mr. TED LIEU of California, Mr. CÁRDENAS, Mrs. NAPOLITANO, Mr. MURPHY of Florida, Ms. WASSERMAN SCHULTZ, Ms. SLAUGHTER, Mr. HONDA, Mr. PALLONE, Mrs. LOWEY, Ms. MATSUI, Mr. JOHNSON of Georgia, Mr. VAN HOLLEN, Mr. LOWENTHAL, Ms. DELBENE, Mr. BEYER, Ms. SCHAKOWSKY, and Mr. SABLAN):

H. Res. 746. A resolution urging the United States Soccer Federation to immediately eliminate gender pay inequity and treat all athletes with the same respect and dignity; to the Committee on Education and the Workforce.

By Ms. DELAURO (for herself, Mr. DEUTCH, Mr. CONYERS, and Mr. MCGOVERN):

H. Res. 747. A resolution supporting the goals and ideals of May 23 as the ''International Day to End Obstetric Fistula'' to significantly raise awareness and intensify actions towards ending obstetric fistula; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

223. The SPEAKER presented a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial 1017, urging the Congress of the United States to enact the Diné College Act of 2015; to the Committee on Education and the Workforce.

224. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial 1007, urging the United States Environmental Protection Agency to reinstate the previous ozone concentration

standard of 75 parts per billion; to the Committee on Energy and Commerce.

225. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial 1016, urging the United States Congress to oppose the implementation of certain rules for existing electric utility generating units; to the Committee on Energy and Commerce.

226. Also, a memorial of the Legislature of the State of Arizona, relative to House Concurrent Memorial 2010, urging the President, Secretary of State and Congress of the United States to secure the safe release of Robert Levinson from Iran; to the Committee on Foreign Affairs.

227. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial 1013, urging the United States Congress to continue to take action to prevent the United States from entering into the United Nations Arms Trade Treaty or other similar treaties; to the Committee on Foreign Affairs.

228. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Memorial 1001, urging the members of the United States Congress from the state of Arizona to officially recognize the persecution of Christians and other religious minorities in the Middle East as genocide; to the Committee on Foreign Affairs.

229. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial 1009, urging the United States Congress to protest and take action to fully restore the Tucson postal processing and distribution center; to the Committee on Oversight and Government Reform.

230. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial 1014, urging the Congress of the United States to act to prohibit federal agencies from recommending and identifying Arizona's public lands as wilderness areas without express congressional consent; to the Committee on Natural Resources.

231. Also, a memorial of the Legislature of the State of Arizona, relative to House Concurrent Memorial 2009, urging the United States Congress to direct the American Legion to expand its membership eligibility; to the Committee on the Judiciary.

232. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial 1008, urging the Congress of the United States to enact the Regulatory Integrity Protection Act; to the Committee on Transportation and Infrastructure.

233. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial 1006, urging the United States Congress to act to increase the number of United States customs and border protection personnel at the ports of entry in Arizona; to the Committee on Homeland Security.

234. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial 1011, urging the Congress of United States to enact the Resilient Federal Forests Act; jointly to the Committees on Agriculture and Natural Resources.

235. Also, a memorial of the Legislature of the State of Arizona, relative to House Concurrent Memorial 2006, urging the United States Congress to adopt legislation similar to the Toxic Exposure Research Act of 2015; jointly to the Committees on Armed Services and Veterans' Affairs.

236. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial 1012, urging the United States Congress to direct the appropriate federal agencies to secure the borders of the United States; jointly to the Committees on the Judiciary and Homeland Security.

237. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial 1015, urging the United States Congress to enact the Stopping EPA Overreach Act; jointly to the Committees on Energy and Commerce, Natural Resources, Transportation and Infrastructure, and Agriculture.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. DUFFY:

H.R. 5311.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. LAHOOD:

H.R. 5312.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18:

The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.

By Mr. CONYERS:

H.R. 5313.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of Article I of the Constitution of the United States which states, ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . .'' and clause 3 of section 8 of Article I, which provides that, Congress shall have power to ''regulate Commerce with foreign Nations, and among several States, and with the Indian Tribes.'' In addition, clause 1 of section 8 of Article I provides that ''Congress shall have the Power . . . to pay the Debts and provide for the common Defense and general Welfare of the United States . . .'' and clause 18 of section 8 of Article I that states that Congress shall have power to ''make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States . . .'' Together, these specific constitutional provisions establish the congressional power to establish and appropriate funds, to determine its purpose, amount, period of availability, means of access, and to set forth terms and conditions governing its use.

By Mr. DESAULNIER:

H.R. 5314.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. GUTHRIE:

H.R. 5315.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause ''to regulate Commerce with foreign Nations, and among the several States, and with Indian tribes.''

By Mr. HUFFMAN:

H.R. 5316.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 of the United States Constitution: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be son construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. KELLY of Pennsylvania:

H.R. 5317.

Congress has the power to enact this legislation pursuant to the following:

the United States Constitution Article I, Section 8.

By Mr. POMPEO:

H.R. 5318.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause ''to regulate Commerce with foreign Nations, and among the several States, and with Indian tribes.''

By Mr. WALKER:

H.R. 5319.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 3(d)(1) of Rule XIII of the Rules of the House of Representatives, the Committee finds the Constitutional authority for this legislation in Article I, Section 1, Clause 1 and Article 1, Section 9, Clause 7.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 27: Mr. SMITH of Missouri.

H.R. 183: Mr. MCCAUL.

H.R. 266: Mr. KELLY of Pennsylvania and Mr. MULVANEY.

H.R. 446: Ms. DUCKWORTH.

H.R. 589: Mr. GRAYSON.

H.R. 592: Mr. ROKITA.

H.R. 664: Mr. HECK of Washington.

H.R. 703: Mr. GARRETT.

H.R. 704: Mr. SCHWEIKERT.

H.R. 711: Mr. COLLINS of New York, Mr. BEYER, Mr. LOBIONDO, and Mr. WILLIAMS.

H.R. 713: Mrs. ELLMERS of North Carolina.

H.R. 835: Mr. POLIS.

H.R. 836: Mr. MCCAUL.

H.R. 921: Ms. LOFGREN, Mr. DONOVAN, Mr. BURGESS, Mr. HARPER, Mr. SMITH of Texas, and Ms. JACKSON LEE.

H.R. 923: Mr. JODY B. HICE of Georgia.

H.R. 969: Mr. GARRETT.

H.R. 1062: Mr. LATTA.

H.R. 1101: Mr. KENNEDY.

H.R. 1130: Mr. CASTRO of Texas.

H.R. 1188: Mr. HUIZENGA of Michigan.

H.R. 1197: Mr. CASTRO of Texas and Mr. DONOVAN.

H.R. 1198: Mrs. BEATTY.

H.R. 1220: Mr. GUTIÉRREZ.

H.R. 1221: Mr. ROKITA.

H.R. 1233: Mr. RIGELL.

H.R. 1247: Mr. CASTRO of Texas.

H.R. 1309: Mr. CRAMER.

H.R. 1427: Mr. BOUSTANY.

H.R. 1459: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1559: Mr. DUNCAN of South Carolina.
H.R. 1571: Mr. DAVID SCOTT of Georgia.
H.R. 1748: Mr. MACARTHUR.
H.R. 1859: Ms. CLARKE of New York and Mr. FOSTER.
H.R. 1877: Mrs. NAPOLITANO.
H.R. 2132: Mr. CONNOLLY.
H.R. 2144: Mr. ROGERS of Kentucky.
H.R. 2173: Ms. PINGREE and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 2218: Mr. SWALWELL of California.
H.R. 2254: Mrs. BEATTY.
H.R. 2296: Mr. SCOTT of Virginia and Ms. PINGREE.
H.R. 2315: Mrs. WALORSKI and Mr. SAM JOHNSON of Texas.
H.R. 2461: Mr. BISHOP of Utah.
H.R. 2631: Mr. BRIDENSTINE.
H.R. 2694: Ms. EDDIE BERNICE JOHNSON of Texas and Ms. PINGREE.
H.R. 2737: Mr. CARSON of Indiana, Mrs. CAROLYN B. MALONEY of New York, Mr. CONYERS, Mr. RYAN of Ohio, and Mr. CASTRO of Texas.
H.R. 2739: Mr. FORBES and Mr. MCGOVERN.
H.R. 2846: Ms. PINGREE.
H.R. 2849: Mrs. DAVIS of California and Ms. KAPTUR.
H.R. 2903: Mr. ROUZER, Mr. COURTNEY, and Mr. FLEMING.
H.R. 2980: Mr. LOEBSACK.
H.R. 2992: Mr. MCHENRY, Mr. ABRAHAM, Mr. BILIRAKIS, Mr. POSEY, Mr. WESTMORELAND, Mr. NUGENT, Mr. SHUSTER, and Mr. TURNER.
H.R. 2999: Mr. COHEN.
H.R. 3012: Mr. GRAVES of Georgia.
H.R. 3029: Mr. FARR.
H.R. 3099: Ms. CLARKE of New York.
H.R. 3119: Mr. BENISHEK, Ms. BROWNLEY of California, and Mr. FORTENBERRY.
H.R. 3222: Mr. TROTT.
H.R. 3229: Mr. BOUSTANY and Mr. JONES.
H.R. 3235: Mr. MOULTON, Mr. BEYER, Ms. SCHAKOWSKY, Mrs. ELLMERS of North Carolina, and Mr. MCGOVERN.
H.R. 3299: Mr. SHIMKUS.
H.R. 3323: Mr. SMITH of New Jersey.
H.R. 3355: Ms. LOFGREN and Mrs. WALORSKI.
H.R. 3365: Mr. MCGOVERN.
H.R. 3397: Mr. LUETKEMEYER and Mr. CARTWRIGHT.
H.R. 3516: Mr. DESJARLAIS, Mr. MESSER, and Mr. MEADOWS.
H.R. 3643: Mr. PETERSON.
H.R. 3687: Mr. THOMPSON of Pennsylvania and Mr. MEADOWS.
H.R. 3720: Mr. GRIJALVA.
H.R. 3815: Mr. SMITH of Texas and Ms. ROS-LEHTINEN.
H.R. 3870: Ms. DUCKWORTH and Mr. MEEKS.
H.R. 3957: Mr. FRANKS of Arizona.
H.R. 4019: Mr. CICILLINE.
H.R. 4177: Mr. NOLAN and Mr. VARGAS.
H.R. 4219: Mr. KELLY of Mississippi.
H.R. 4223: Mrs. DINGELL.
H.R. 4247: Mr. GIBSON, Mr. MACARTHUR, Mrs. RADEWAGEN, Mrs. COMSTOCK, and Mr. ASHFORD.
H.R. 4262: Mr. GUTHRIE.
H.R. 4352: Ms. TSONGAS, Mr. MCHENRY, and Mr. FINCHER.
H.R. 4365: Mrs. WALORSKI, Ms. DELBENE, Mr. WALBERG, and Mr. MCCAUL.
H.R. 4381: Mr. RENACCI, Mr. OLSON, Mr. ROUZER, and Mr. MARCHANT.
H.R. 4400: Mr. COHEN.
H.R. 4435: Mrs. CAPPS.
H.R. 4445: Mr. TED LIEU of California.
H.R. 4448: Mr. RATCLIFFE.
H.R. 4461: Mr. SAM JOHNSON of Texas.
H.R. 4479: Ms. DUCKWORTH and Ms. WILSON of Florida.
H.R. 4514: Mr. ROKITA, Mr. MCKINLEY, Mr. HUELSKAMP, and Mr. ROGERS of Alabama.
H.R. 4553: Mrs. KIRKPATRICK.
H.R. 4575: Mr. STIVERS.
H.R. 4592: Mr. Mr. COHEN, Ms. JENKINS of Kansas, Mr. MOOLENAAR, Mr. SCHRADER, Mr. GRAYSON, Mr. LIPINSKI, Ms. BONAMICI, Ms. JUDY CHU of California, Ms. DUCKWORTH, Mr. ELLISON, Mr. HONDA, Mr. HUFFMAN, and Ms. MOORE.
H.R. 4606: Mr. SERRANO.
H.R. 4614: Mr. GUTHRIE.
H.R. 4622: Mr. KING of New York.
H.R. 4625: Mrs. WALORSKI.
H.R. 4626: Mrs. BEATTY.
H.R. 4632: Mr. JENKINS of West Virginia, Mr. RIBBLE, Mr. RUPPERSBERGER, Mr. ASHFORD, and Mr. POMPEO.
H.R. 4640: Mr. SMITH of New Jersey and Mr. RATCLIFFE.
H.R. 4677: Mr. CASTRO of Texas.
H.R. 4683: Mr. ABRAHAM.
H.R. 4684: Mr. ASHFORD.
H.R. 4696: Mr. LARSON of Connecticut.
H.R. 4731: Mr. RATCLIFFE.
H.R. 4740: Mr. ENGEL.
H.R. 4764: Mr. DOLD, Mr. RYAN of Ohio, and Mr. GOWDY.
H.R. 4775: Mr. TROTT.
H.R. 4828: Mr. ROKITA and Ms. FOXX.
H.R. 4893: Mr. HUFFMAN.
H.R. 4907: Ms. JENKINS of Kansas and Mrs. BEATTY.
H.R. 4924: Mr. EMMER of Minnesota.
H.R. 4928: Mr. LATTA, Mr. POMPEO, Mr. HARRIS, Mr. DUNCAN of South Carolina, Mr. LAMALFA, Mr. BENISHEK, and Mr. YOUNG of Alaska.
H.R. 4956: Mr. LATTA, Mr. JENKINS of West Virginia, Mr. HUIZENGA of Michigan, Mr. GROTHMAN, Mr. DUNCAN of Tennessee, and Mr. NEUGEBAUER.
H.R. 4989: Mr. LANGEVIN and Mr. ASHFORD.
H.R. 5008: Mr. ASHFORD and Ms. MCCOLLUM.
H.R. 5025: Ms. SEWELL of Alabama.
H.R. 5053: Mr. GROTHMAN, Mr. HENSARLING, Mr. BARLETTA, and Mr. CHAFFETZ.
H.R. 5073: Ms. JUDY CHU of California, Mr. RIGELL, Mr. PETERSON, and Mr. DOLD.
H.R. 5121: Ms. NORTON.
H.R. 5133: Mrs. Radewagen.
H.R. 5166: Mr. KING of Iowa, Mr. SIRES, Mr. FLORES, Mr. DENHAM, and Mr. REED.
H.R. 5170: Mr. FITZPATRICK.
H.R. 5180: Mr. MCKINLEY, Mr. CARTER of Texas, Mr. JONES, Mr. POMPEO, Mr. BRIDENSTINE, Mr. WEBER of Texas, Mr. HARRIS, Mr. POSEY, Mr. OLSON, Mr. DESJARLAIS, Mr. SCHRADER, Mr. SENSENBRENNER, Mr. SCHWEIKERT, Mr. LONG, and Mr. FARENTHOLD.
H.R. 5183: Ms. PINGREE, Mr. SWALWELL of California, Mr. POCAN, Mr. ENGEL, and Mr. JONES.
H.R. 5185: Mr. LAMBORN.
H.R. 5191: Mr. HURD of Texas.
H.R. 5199: Mr. GROTHMAN.
H.R. 5203: Mr. RATCLIFFE.
H.R. 5207: Mrs. BEATTY.
H.R. 5210: Mr. ROKITA and Mr. RIGELL.
H.R. 5215: Ms. LEE and Mr. HINOJOSA.
H.R. 5254: Ms. BROWN of Florida and Ms. NORTON.
H.R. 5259: Mr. MCCLINTOCK and Mr. SMITH of Missouri.
H.R. 5275: Mr. FORTENBERRY, Mrs. BLACKBURN, Mr. SHIMKUS, Mr. OLSON, Mr. POSEY, and Mr. BRAT.
H.R. 5283: Mr. NADLER.
H.R. 5285: Ms. BASS and Mr. SENSENBRENNER.
H.R. 5287: Ms. JUDY CHU of California and Mr. PETERSON.
H.R. 5288: Mr. RYAN of Ohio.
H.R. 5292: Mr. HASTINGS, Mr. YOUNG of Alaska, Mr. KNIGHT, Mr. PETERSON, Mr. SESSIONS, Mr. NOLAN, Mr. DENHAM, Mr. COSTELLO of Pennsylvania, Mr. GRAYSON, Mr. CUELLAR, Mr. KING of New York, Mr. SCHRADER, Mr. GENE GREEN of Texas, Mr. HANNA, Mr. PAULSEN, Ms. SPEIER, and Mr. GALLEGO.
H.R. 5307: Mr. PITTENGER and Mr. BABIN.
H.J. Res. 9: Mr. SMITH of New Jersey.
H.J. Res. 90: Mr. JOHNSON of Georgia, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. GARAMENDI, and Mr. GRIJALVA.
H. Con. Res. 33: Mr. GRIFFITH.
H. Con. Res. 40: Mrs. RADEWAGEN.
H. Con. Res. 100: Mr. PAULSEN.
H. Con. Res. 122: Mr. GOSAR and Mr. COOK.
H. Con. Res. 128: Mrs. COMSTOCK and Ms. MCSALLY.
H. Con. Res. 132: Mr. MOULTON and Mr. GRIJALVA.
H. Res. 14: Mr. CICILLINE and Ms. ROS-LEHTINEN.
H. Res. 393: Mr. AGUILAR.
H. Res. 464: Mr. MACARTHUR.
H. Res. 590: Mr. GOODLATTE, Mr. TIPTON, Ms. DELAURO, and Mr. SCOTT of Virginia.
H. Res. 660: Mr. MCCLINTOCK, Mr. DEUTCH, Mr. GARAMENDI, Mr. MEADOWS, Mr. COHEN, Mr. PITTS, and Mr. MARINO.
H. Res. 717: Mr. VAN HOLLEN and Mr. ROKITA.
H. Res. 726: Mr. TAKANO, Mr. GRIJALVA, and Mr. HINOJOSA.
H. Res. 729: Mr. COFFMAN, Mrs. NOEM, Mr. GIBBS, Mr. KATKO, Mr. MCHENRY, Mr. DOLD, Ms. MCSALLY, Mr. SCHWEIKERT, Mr. MCKINLEY, Mr. SEAN PATRICK MALONEY of New York, Mr. ISRAEL, Mr. ROKITA, Mr. SARBANES, Ms. SINEMA, Mr. BRAT, Ms. KUSTER, Mr. FARENTHOLD, and Mr. GRAVES of Missouri.
H. Res. 739: Mr. DOLD.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. K. MICHAEL CONAWAY

The provisions that warranted a referral to the Committee on Agriculture in H.R. 897 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the House of Representatives.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 3765: Mr. JOLLY.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 5055

OFFERED BY: MR. GOSAR

AMENDMENT NO. 8: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to prepare, propose, or promulgate any regulation or guidance that references, relies on, or otherwise considers the analysis contained in—

(1) ''Technical Support Document: Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866'', published

by the Interagency Working Group on Social Cost of Carbon, United States Government, in February 2010;

(2) ''Technical Support Document: Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866'', published by the Interagency Working Group on Social Cost of Carbon, United States Government, in May 2013 and revised in November 2013; or

(3) ''Revised Draft Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in NEPA Reviews'', published by the Council on Environmental Quality on December 24, 2014 (79 Fed. Reg. 77801).

H.R. 5055

OFFERED BY: MR. GOSAR

AMENDMENT NO. 9: At the end of title III, add the following new section:

SEC. 310. (a) Not later than 30 days after the date of enactment of this Act, the Administrator of the Western Area Power Administration shall submit to the appropriate committees of Congress a report that—

(1) examines the use of a provision described in subsection (b) in any power contracts of the Western Area Power Administration that were executed before or on the date of enactment of this Act; and

(2) explains the circumstances for not including a provision described in subsection (b) in power contracts of the Western Area Power Administration executed before or on the date of enactment of this Act.

(b) A provision referred to in subsection (a) is a termination clause described in section 11 of the general power contract provisions of the Western Area Power Administration, effective September 1, 2007.

H.R. 5055

OFFERED BY: MR. GOSAR

AMENDMENT NO. 10: At the end of title II, insert the following:

SEC. ____. (a) The Secretary of the Interior, in coordination with the Secretary of the Army and the Secretary of Agriculture, may enter into an agreement with the National Academy of Sciences under which the National Academy of Sciences shall conduct a comprehensive study, to be completed not later than 1 year after the date of enactment of this Act, on the effectiveness and environmental impact of salt cedar control efforts (including biological control) in increasing water supplies, restoring riparian habitat, and improving flood management.

(b) Not later than 1 year after the date of completion of the study under subsection (a), the Secretary of the Interior, in coordination with the Secretary of Agriculture, may prepare a plan for the removal of salt cedar from all Federal land in the Lower Colorado River basin based on the findings and recommendations of the study conducted by the National Academy of Sciences that includes—

(1) provisions for revegetating Federal land with native vegetation;

(2) provisions for adapting to the increasing presence of biological control in the Lower Colorado River basin;

(3) provisions for removing salt cedar from Federal land during post-wildfire recovery activities;

(4) strategies for developing partnerships with State, tribal, and local governmental entities in the eradication of salt cedar; and

(5) budget estimates and completion timelines for the implementation of plan elements.

H.R. 5055

OFFERED BY: MS. CASTOR OF FLORIDA

AMENDMENT NO. 11: Page 43, line 24, after the dollar amount, insert ''(increased by $44,600,000)''.

Page 45, line 16, after the dollar amount, insert ''(reduced by $59,500,000)''.

H.R. 5055

OFFERED BY: MR. PETERS

AMENDMENT NO. 12: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used in contravention of Executive Order No. 13693 of March 19, 2015.

H.R. 5055

OFFERED BY: MR. PETERS

AMENDMENT NO. 13: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to prevent the use of estimates of the social cost of carbon under Executive Order No. 12866 of September 30, 1993.

H.R. 5055

OFFERED BY: MRS. BLACKBURN

AMENDMENT NO. 14: At the end of the bill (before the short title), insert the following:

SEC. ____. Each amount made available by this Act is hereby reduced by 1 percent.

H.R. 5055

OFFERED BY: MR. CLAWSON OF FLORIDA

AMENDMENT NO. 15: Page 4, line 3, after the dollar amount, insert ''(increased by $50,000,000)''.

Page 46, line 16, after the dollar amount, insert ''(reduced by $50,000,000)''.

H.R. 5055

OFFERED BY: MR. CONNOLLY

AMENDMENT NO. 16: Page 43, line 24, after the dollar amount, insert ''(increased by $5,000,000)''.

Page 45, line 16, after the dollar amount, insert ''(reduced by $7,000,000)''.

H.R. 5055

OFFERED BY: MR. DESAULNIER

AMENDMENT NO. 17: Page 14, strike lines 7 through 19.

H.R. 5055

OFFERED BY: MR. ENGEL

AMENDMENT NO. 18: Page 43, line 24, after the dollar amount, insert ''(increased by $5,450,000)''.

Page 45, line 16, after the dollar amount, insert ''(reduced by $5,450,000)''.

H.R. 5055

OFFERED BY: MR. FRANKS OF ARIZONA

AMENDMENT NO. 19: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to purchase heavy water produced in Iran.

H.R. 5055

OFFERED BY: MR. LOEBSACK

AMENDMENT NO. 20: Page 43, line 24, after the dollar amount, insert ''(increased by $5,450,000)''.

Page 45, line 16, after the dollar amount, insert ''(reduced by $7,270,000)''.

H.R. 5055

OFFERED BY: MR. BEYER

AMENDMENT NO. 21: Page 13, beginning on line 3, strike section 108.

H.R. 5055

OFFERED BY: MR. BEYER

AMENDMENT NO. 22: Page 13, beginning on line 20, strike section 110.

H.R. 5055

OFFERED BY: MS. BONAMICI

AMENDMENT NO. 23: Page 43, line 24, after the dollar amount, insert ''(increased by $9,000,000)''.

Page 50, line 21, after the dollar amount, insert ''(reduced by $9,000,000)''.

H.R. 5055

OFFERED BY: MR. AL GREEN OF TEXAS

AMENDMENT NO. 24: At the end of the bill (before the short title), insert the following:

SEC. ____. In addition to the amounts otherwise provided under the heading ''Department of the Army—Corps of Engineers-Civil—Construction'', there is appropriated $311,000,000 for fiscal year 2017, to remain available through fiscal year 2026, for an additional amount for flood control projects and storm damage reduction projects to save lives and protect property in areas affected by flooding on April 19th, 2016, that have received a major disaster declaration pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act: *Provided*, That such amount is designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

H.R. 5055

OFFERED BY: MR. GRIFFITH

AMENDMENT NO. 25: Page 43, line 24, after the dollar amount, insert ''(reduced by $50,000,000)''.

Page 45, line 16, after the dollar amount, insert ''(increased by $45,000,000)''.

H.R. 5055

OFFERED BY: MR. ELLISON

AMENDMENT NO. 26: Page 50, line 21, after the dollar amount, insert ''(reduced by $1,000,000) (increased by $1,000,000)''.

H.R. 5055

OFFERED BY: MR. GARAMENDI

AMENDMENT NO. 27: Page 53, lines 11 through 16, strike ''*Provided*'' through ''*Provided further*'' and insert ''*Provided*''.

H.R. 5055

OFFERED BY: MR. GARAMENDI

AMENDMENT NO. 28: At the end of the bill (before the short title), insert the following:

SEC. ____. (a) For an additional amount for ''Bureau of Reclamation—Water and Related Resources'' for an additional amount for WaterSMART programs, as authorized by subtitle F of title IX of the Omnibus Public Land Management Act of 2009 (42 U.S.C. ch. 109B), section 6002 of such Act (16 U.S.C. 1015a), title XVI of the Reclamation Projects Authorization and Adjustment Act of 1992 (42 U.S.C. 390h et seq.), and the Reclamation States Emergency Drought Relief Act (43 U.S.C. ch. 40), there is hereby appropriated, and the amount otherwise made available by this Act for ''National Nuclear Security Administration—Defense Nuclear Nonproliferation'' is hereby reduced by, $70,000,000.

(b) None of the funds made available by this Act for ''National Nuclear Security Administration—Defense Nuclear Nonproliferation'' in excess of $270,000,000 may be used for the Mixed Oxide Fuel Fabrication Facility project.

H.R. 5055

OFFERED BY: MR. GARAMENDI

AMENDMENT NO. 29: At the end of the bill (before the short title), insert the following:

SEC. ____. (a) For an additional amount for ''Bureau of Reclamation—Water and Related Resources'' for an additional amount for WaterSMART programs, as authorized by

subtitle F of title IX of the Omnibus Public Land Management Act of 2009 (42 U.S.C. ch. 109B), section 6002 of such Act (16 U.S.C. 1015a), title XVI of the Reclamation Projects Authorization and Adjustment Act of 1992 (42 U.S.C. 390h et seq.), and the Reclamation States Emergency Drought Relief Act (43 U.S.C. ch. 40), there is hereby appropriated, and the amount otherwise made available by this Act for ''National Nuclear Security Administration—Weapons Activities'' is hereby reduced by, $100,000,000.

(b) None of the funds made available by this Act for ''National Nuclear Security Administration—Weapons Activities'' in excess of $120,253,000 may be used for the W80–4 Life Extension Program.

H.R. 5055

OFFERED BY: MR. PERRY

AMENDMENT NO. 30: Page 43, line 24, after the dollar amount, insert ''(increased by $15,000,000)''.

Page 50, line 21, after the dollar amount, insert ''(reduced by $15,000,000)''.

H.R. 5055

OFFERED BY: MR. PITTENGER

AMENDMENT NO. 31: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to withhold or revoke funding previously awarded, or prevent funding under this Act from being awarded, to or within the State of North Carolina.

H.R. 5055

OFFERED BY: MR. GARAMENDI

AMENDMENT NO. 32: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to expand plutonium pit production capacity at the PF–4 facility at Los Alamos National Laboratory.

H.R. 5055

OFFERED BY: MR. BURGESS

AMENDMENT NO. 33: At the end of the bill, before the short title, insert the following new section:

SEC. ____. None of the funds made available in this Act may be used—

(1) to implement or enforce section 430.32(x) of title 10, Code of Federal Regulations; or

(2) to implement or enforce the standards established by the tables contained in section 325(i)(1)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6295(i)(1)(B)), or to implement or enforce section 430.32(n) of title 10, Code of Federal Regulations, with respect to BPAR incandescent reflector lamps, BR incandescent reflector lamps, and ER incandescent reflector lamps.

H.R. 5055

OFFERED BY: MR. PITTENGER

AMENDMENT NO. 34: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to revoke funding previously awarded, to or within the State of North Carolina.

EXTENSIONS OF REMARKS

HONORING FLORENCE SHUTSY-REYNOLDS AND THE WOMEN AIRFORCE SERVICE PILOTS

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. SHUSTER. Mr. Speaker, I rise today to salute the service of Florence Shutsy-Reynolds, who served her country with great honor and distinction in World War II as a member of the Women Airforce Service Pilots (WASPs). The WASPs stepped up and answered the call of duty at a time when their country needed them most, with no expectation of praise or recognition.

When the U.S. military needed more male pilots, these women signed up to fly noncombat missions so that their male counterparts could be deployed in combat. Florence Shutsy-Reynolds was one of these brave women who stood up to serve her country.

When she was still in grade school in Dunbar, Pennsylvania, she told her parents she wanted to learn how to fly. Her parents laughed at the time, but in 1941, Shutsy-Reynolds became the first woman to earn her pilot's license at the local Connellsville airport. Not yet old enough to meet the minimum age requirement of 21, she wrote letter after letter to the director of the WASPs until the age requirement was lowered to 18 and she was permitted to apply. She then took the military oath, endured six rigorous months of training, and flew aircraft that were damaged in the war, at times pieces of her planes falling off mid-flight. These brave women flew more than 60 million miles, trained male pilots for combat, test piloted aircraft, and 38 gave the ultimate sacrifice to our country, perishing in the line of duty.

After the war ended, Shutsy-Reynolds remained committed to her comrades by helping lead the charge for WASP members to receive veteran status, and later, a Congressional Gold Medal. She also assisted with designing the WASP flag, which has 38 stars in memory of the 38 women who died serving our country.

Ms. Shutsy-Reynolds has never stopped advocating for the respect she and her fellow WASPs are due for their critical role in the war effort. Even to this day, at 92 years of age, Shutsy-Reynolds is still fighting for recognition and military benefits for the WASPs.

Mr. Speaker, Florence Shutsy-Reynolds and the Women Airforce Service Pilots truly lived in the wind and sand, with their eyes on the stars, and I thank them for their service to our country.

CELEBRATING THE COMMERCIAL BANK OF GRAYSON'S 125TH ANNIVERSARY

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to commend the leaders of The Commercial Bank of Grayson on 125 years of financial service to the people of Carter County and the surrounding area.

The Commercial Bank of Grayson began business in early 1891, filling a void as Grayson had no financial institution. On May 1, 1891, the bank's first available statement of condition showed total assets of over $15,000. The need for the bank and its acceptance by the community was demonstrated by its early success. The first cash dividend was paid to stockholders in 1894. Since that date, a cash dividend has been paid every year. No additional stock has ever been sold; increases have come through retained earnings.

Twenty-six local citizens invested in the original capital stock of the bank. Dr. John Wilson Strother was the principal stockholder and became the chairman of the bank's first Board of Directors and the bank's first president. He was also an active physician, farmer and lay preacher. Dr. Strother served as bank president until his death on January 8, 1935. Today, his great-great-grandson, Mark Strother, serves as the bank's president and chief executive officer. This fifth-generation banker and his executive team works with a staff of 70 professionals whose top priority remains the same as it was in 1891—quality service for their customers and communities.

Since the bank began business during the term of Benjamin Harrison, it has served its customers continuously. The doors of The Commercial Bank have remained open through recessions, money panics, and the Great Depression. The Commercial Bank has continued to provide its customers with a wide array of financial services. Times have changed and so have the products desired by, and made available to, customers. The Commercial Bank has remained at the forefront of the financial industry's modernization in order to better serve current customers and attract new ones. Today, the bank remains independent and locally-owned, as well as being Grayson's second oldest business.

Mr. Speaker, I ask my colleagues to join me in celebrating the spirit of entrepreneurship, partnership, and achieving the American Dream. For 125 years, The Commercial Bank of Grayson has created jobs and supported local businesses in their effort to help make Carter County a better place to live. I commend the vision of the founders and those who continue to support the mission of this institution and their dedication to serve the people of Eastern Kentucky and the Appalachian region.

CHRISTIAN LIEHR

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Christian Liehr for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Christian Liehr is an 8th grader at Moore Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Christian Liehr is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Christian Liehr for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

RECOGNIZING MR. JOHN LAZARSKY UPON RECEIVING LIFETIME MEMBERSHIP WITH THE AMERICAN LEGION POST 473

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. BARLETTA. Mr. Speaker, it is my privilege to honor Mr. John Lazarsky for receiving lifetime membership after his 50 years of involvement with the American Legion Post 473 in Freeland, Pennsylvania. The American Legion was chartered and incorporated by Congress in 1919 and has continually worked to advance core principles aimed at promoting the well-being of current and former service members, the communities in which they reside, and the next generation of patriotic Americans. John has time and again exemplified this spirit, and after 50 years of dedicated engagement, has become an integral part of Post 473's commitment to the service members, veterans, and civilians in my district.

After graduating from Freeland High School where he excelled as a two-sport athlete in basketball and baseball, John was drafted into the U.S. Army. John was stationed in Germany from 1964 to 1966, and upon his return to Pennsylvania, he joined Post 473. Having served at various levels within his local post,

John knows firsthand the impact that the American Legion can have for service members and veterans. A strong sense of obligation to community, state, and nation are the underpinnings of all legionnaires, and John's service has provided innumerable contributions at each of these levels.

Mr. Speaker, it is with great admiration that I recognize Mr. John Lazarsky upon receiving lifetime membership in the American Legion Post 473 after 50 years of selfless engagement. The American Legion's success depends on active participation in the post and volunteerism in the community, both of which have been embodied by John's dedication to Post 473. I wish him all the best as he continues to work on behalf of all legionnaires and their communities.

STATEMENT RECOGNIZING THE 50TH ANNIVERSARY OF CAP SERVICES

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. KIND. Mr. Speaker, I rise today to honor and celebrate the 50th anniversary of CAP Services. For fifty years CAP Services has valiantly fought on the front lines of the war on poverty by empowering individuals to become economically and emotionally self-sustainable. To empower individuals, CAP Services has offered a rich variety of programs designed to train and educate workers for higher employment, ensure equal childhood development opportunities, and foster environments suitable to entrepreneurship and homeownership.

In addition to providing educational and training opportunities to both adults and children, CAP Services also provides innovative programs to low income families so that they may better participate in the economy. One such example is their Work-n-Wheels program where CAP Services provides interest free car loans to individuals who need reliable transportation to get to work. Another innovative program CAP Services provides is their Home Weatherization program where they help low income families reduce heating costs and improve energy efficiency by enabling individuals to weatherproof their homes or apartments.

Empowering individuals to become financially independent through human, child, and business development is one of the most efficient ways to lift people out of poverty. I am proud to have this Stevens Point based community action agency in Wisconsin's Third Congressional District and I hope the great work they are conducting will serve as a model for the rest of the country.

RESTORE THE VOTE

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Ms. SEWELL of Alabama. Mr. Speaker, today I rise to address the ongoing problem of voter suppression in this country. The Voting Rights Act was passed in 1965 and sadly today—over 50 years later, Americans continue to be blocked from the ballot box. This ongoing suppression absolutely must stop—now. Congress must lead the way in upholding democracy and equal rights in this great nation. This is why I'm so proud to join my colleagues and serve as co-chair of the first ever Congressional Voting Rights Caucus.

The importance and great need of the Congressional Voting Rights Caucus cannot be overstated. The purpose of the Congressional Voting Rights Caucus is to educate the public on local voter suppression tactics, inform constituents on their rights as voters and to create and advance legislations such as the Voting Rights Advancement Act of 2015 that help prevent current and future discriminatory and suppressive tactics that would deny American citizens the sacred right to vote.

This 2016 Election will be the first time in over 50 years—that a presidential election will occur without the full protections of the Voting Rights Act. As a daughter of Selma, Alabama, I am painfully aware that injustices suffered on the Edmund Pettus Bridge over 50 years ago have not been fully vindicated. Though we may not be counting marbles in a jar, in over 30 states such as Alabama, Arizona, North Carolina, Texas and Wisconsin—there remains example after example of modern day barriers that are keeping eligible Americans from the ballot box.

We are desperately in need to join together and restore the vote. These threats to our democracy and civil rights bar thousands of Americans from their right to the voting polls. Along with Representative MARC VEASEY and my fellow colleagues, I am committed to push for improving and strengthening Voting Rights legislation that makes voting easier, not harder for the American people. I believe this Caucus is a symbol of great hope for change, however—I do look forward to the day it is no longer needed. This is America, this is a democracy and eligible voters should have full and free access to the polls.

I ask that not only members of this new Caucus, but that all my colleagues stand up and speak out in order to restore the vote. We all must fight against voter suppression and discrimination at the polls. We all must protect the principles of this great country and the integrity of the Voting Rights Act of 1965. We must restore the vote.

On this Restoration Tuesday, I give us all the charge to battle against the continued suppression of the American vote and stand strong by our principles of democracy, liberty and justice for all. Mr. Speaker, my Republican colleagues should join the 168 members of Congress and support H.R. 2867—the Voting Rights Advancement Act of 2015. Let's restore the Voting Rights Act of 1965. It is the right thing to do.

TAIWAN PRESIDENTIAL INAUGURATION

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Ms. GRANGER. Mr. Speaker, on May 20, the 23 million people of Taiwan inaugurated their democratically elected president, Dr. Tsai Ing-wen. It was a nation-wide celebration.

I ask my colleagues to join me in congratulating President Tsai on her election. I also congratulate the people of Taiwan for successfully conducting another presidential election. They continue to show that their country is a strong and vibrant democracy.

This latest presidential election is further proof of the Taiwanese people's enduring commitment to the ideas of freedom, self-determination and self-government. These principles are the foundation on which both our nations were built, providing the basis for long-term peace and prosperity.

Taiwan is also an important friend and strategic economic and security partner of the United States. We should celebrate the reaffirmation of the ties that bind our two countries.

I look forward to working together with Taiwan's new government to further strengthen the U.S.-Taiwan relationship.

DAYSIAH MCPHERSON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Daysiah McPherson for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Daysiah McPherson is an 8th grader at Moore Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Daysiah McPherson is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Daysiah McPherson for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

RECOGNIZING COLORADO'S FOURTH CONGRESSIONAL DISTRICT MILITARY APPOINTMENTS

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. BUCK. Mr. Speaker, I rise today to recognize this year's Military Appointees from

Colorado's Fourth Congressional district. America's brave men and women in uniform have always been our nation's greatest asset. These individuals make an incredible sacrifice for our country and they deserve our utmost support for their service. It is with great pleasure that I endorse the following individuals to attend some of our nation's most prestigious institutions.

To the United States Air Force Academy, I nominate Jack Beebe, Kelly Grier, Rebecca Kholos, and Andrew Voydat.

To the United States Merchant Marine Academy, I nominate Micah Grissom and Kyleigh Kappas.

To the United States Military Academy, I nominate Angus Pfister-Paradice and Levi Walters.

To the United States Naval Academy, I nominate Andriann Oakley.

Our nation owes no greater debt of gratitude than to those who fight to protect our freedom and liberty. They, and their families, should be commended. On behalf of the 4th Congressional District of Colorado, I extend my best wishes to these individuals.

Mr. Speaker, it is an honor to recognize these appointees for their commitment to protect and serve our nation.

CONGRATULATING LISA NIEVES

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to congratulate Lisa Nieves on earning the 2016 Illinois Mother of the Year award.

Over eighty years ago, a group of powerful moms, including Eleanor Roosevelt and Mamie Eisenhower, started American Mothers to champion the importance of motherhood and recognize mothers for their leadership at home, at work, and in the world.

Each year, American Mothers honors one outstanding mother in each state. This year, Lisa was chosen as the Illinois Mother of the Year. I am proud to represent Lisa and the many hard-working moms in my district.

As a mother of five, Lisa spends the majority of her time shuttling her children to and from dance lessons, music lessons, and tumbling classes. While she has very little time to spare, she selflessly uses her free time to help empower young women by putting on local pageants to teach girls the importance of self-confidence.

I am thankful for the many important contributions and sacrifices mothers like Lisa make every day. She is more than deserving of the Mother of the Year award and I wish her and her family many happy years to come.

H.R. 5003, ''IMPROVING CHILD NUTRITION AND EDUCATION ACT OF 2016''

HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. HINOJOSA. Mr. Speaker, Chairman KLINE and Ranking Member SCOTT, I regret that I could not be present for the Education and Workforce Committee's full committee markup of H.R. 5003 on May 18th, 2016 due to the death of my nephew, a beloved minister who worked tirelessly to provide services to many struggling families across the Rio Grande Valley of South Texas.

As a senior member of the Education and Workforce Committee and a longtime champion of federal child nutrition programs, I believe that Congress must reauthorize federal child nutrition programs through a strong bipartisan reauthorization bill. Signed into law by President Harry S. Truman in 1946, the Richard B. Russell National School Lunch Act created the National School Lunch Program (NSLP) ''as a measure of national security, to safeguard the health and well-being of the Nation's children.'' Serving 7.1 million students annually in 1946, the program has grown to over 30 million students per day in 2015.

For many students in congressional districts like mine, having access to nutritious meals is extremely important. Today, approximately 15 million children live in households facing food insecurity and receive a majority of their calories for the day at school. The Community Eligibility provision in current law provides free, nutritious meals to 8.5 million low-income children in 18,000 higher-poverty schools and eliminates the burdensome application requirements for districts, schools, and families. Under this provision, high-poverty school districts are able to offer universal school meals to all students without the addition of complex paperwork for families, as long as the school district demonstrates that 40 percent of their students already qualify for other federally certified free meals programs, such as the Supplemental Nutrition Assistance Program (SNAP).

Had I been present at the full committee markup, I would have joined my House Democratic colleagues in expressing concerns and opposing H.R. 5003, the ''Improving Child Nutrition and Education Act of 2016.'' This highly partisan bill contains harmful provisions that would make it more difficult for low-income schools to feed their students. We must keep in mind that nutrition programs for children and families impact our nation's economy, national security, and classrooms. Our most vulnerable children and families deserve more from the federal government, which I have always believed has a responsibility to help those most in need.

To be sure, H.R. 5003 is a misguided piece of legislation that would weaken the nutrition safety net for our nation's students and families. I am deeply concerned that this bill significantly alters the Community Eligibility Provision (CEP), lacks meaningful investments for the Summer Electronic Benefit Transfer program, adds barriers to the school meals verification process, and rolls back important evidenced-based criteria to school nutrition standards.

By passing the Republican proposed 2016 CNR legislation, the CEP threshold would be raised to 60 percent and cause too many vulnerable students, including up to nearly 47,000 students in my district, to potentially lose access to free school meals. These districts do not have the framework, funding or capacity to deal with the considerable amount of administrative work that comes with increasing the CEP.

For these reasons, I will continue to urge my colleagues to oppose H.R. 5003 in its current form and instead work to ensure that children and families have access to robust federal nutrition programs. My Democratic colleagues and I strongly believe that Congress must work to address food insecurity and hunger in America by making it easier for more needy children to access federal child nutrition programs. Our nation's most vulnerable children deserve nothing less.

RECOGNIZING MARINE CORPORAL JASON HALLETT

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. BUCK. Mr. Speaker, I rise today to recognize the service and sacrifice made by Marine Corporal Jason Hallett.

On October 23rd, 2010, Corporal Hallet was serving as part of the 3rd Battalion, 5th Marine in Sangin, Afghanistan. While clearing a compound of IEDs, a device detonated, severely injuring Corporal Hallet. In the explosion he lost both legs above the knees, his right arm above the elbow, and suffered severe damage to his left hand. Under heavy fire from insurgents, Corporal Hallett was carried across an open field and transported back to the closest Forward Operating Base (FOB) where life-saving measures were performed.

During medical treatment and rehabilitation, Corporal Hallet never lost the motivation and dedication to succeed. Since returning to his home in Colorado, Corporal Hallet has begun studying finance at Colorado State University, a passion he developed during his recovery.

It is inspiring to see the dedication Corporal Hallet shows to helping fellow veterans. Corporal Hallet embodies the values that make America exceptional. He has shown true leadership in his community, and the impact of his story has been profound. He is an inspiration to us all. I would like to extend my sincerest thanks for his service and continued efforts to improve the lives of veterans.

Mr. Speaker, it is an honor to recognize Marine Corporal Jason Hallett for his commitment to family, community, and the United States of America.

HANNAH HOFFMAN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Hannah Hoffman for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Hannah Hoffman is an 8th grader at Moore Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Hannah Hoffman is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Hannah Hoffman for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes on Monday, May 23, 2016. Had I been present, I would have voted ''nay'' on roll call vote 229 and ''yea'' on roll call vote 230.

PERSONAL EXPLANATION

HON. ROBERT HURT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. HURT of Virginia. Mr. Speaker, I was not present for Roll Call vote Number 229 on the Motion to Suspend the Rules and Pass the Bill (H.R. 4889), the Kelsey Smith Act. Had I been present, I would have voted ''yea.''

RECOGNIZING STUDENTS ENTERING OUR ARMED FORCES

HON. RICHARD L. HANNA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. HANNA. Mr. Speaker, I proudly rise today to honor high school graduates from the Broome-Tioga Board of Cooperative Educational Services area who are entering the United States Armed Forces. These young men and women have made an admirable decision to defend our country. I join the Conklin Kiwanis Club in honoring them.

The Conklin Kiwanis Club will hold a special celebration to honor these graduating high school seniors. ''The First to Say Thank You'' event will take place on Tuesday, May 24th at Susquehanna Valley High School in Conklin.

Mr. Speaker, I would ask you join me in honoring the following students entering the Army National Guard: Sabrina Robinson, Afton; Cydney Mallory, Chenango Valley; Jonathan White, Downsville; Tyler Festa, Dryden; Debick Wilson, Harpursville; Chris Thornton, Oneonta; Jacob Johannessen-Butler, Roscoe; Kaitlyn Howard, Sherburne-Earlville; Rebecca Urda, Trumansburg; Dan Spring, Tully; Zach Abdullah, Windsor; Zach Emmons, Windsor.

Honoring the students entering the United States Air Force: Katherine M. Colwell, New Milford, PA; Ryan T. Simmons, Chenango Forks.

Honoring the students entering the United States Army: Sean Sousa, Binghamton; Dylan Bean, Candor; Dylan Jumper, Chenango Forks; Izaiah Cabello, Chenango Valley; Michael Doan, Chenango Valley; Nicholas Mace, Chenango Valley; Donald Moore, Chenango Valley; Robert McDowell, Hancock; Ashlyn Dudek, Harpursville; Tyler Lavergne, Harpursville; Joshua Wagoner, Johnson City; Sydney Aleba, Whitney Point; Nytice Saunders, Whitney Point; Mr. Isaac Hyde, Windsor; Mr. Jefrey Colwell, Windsor.

Honoring the students entering the United States Marines: Joseph Cardenas, Afton; Ray Zukowsky, Bainbridge; Rebecca Wlasiuk, Bainbridge; Dylan Frey, Chenango Forks; Shawn Hurd, Binghamton; Cordell Deperiis, Chenango Forks; Nathan Deordio, Chenango Forks; Alex Lent, Cortland; Jacob Gombas, Dryden; Chris Lum, Greene; Derek McWeeney, Franklin; Ian Stoddard, Homer; Zachary Hulbert, Homer; Dylan Bush, Homer; Daniel Sager, Maine-Endwell; Stephanie Wales, Marathon; Alex Wilcox, Newark Valley; Kasimeir Card, Newark Valley; Raymond Wright, McGraw; Nicholas Murphy, Norwich; Robert Meek, Oxford; Tyler Phillips, Roxbury; Robert Kozak, South Kortright; Samuel Cohen, Sidney; Michael Pelicci, Susquehanna High School (PA); Trevor Passetti, Susquehanna High School (PA); Cody ODell, Susquehanna High School (PA); Lucian Derzanovich, Susquehanna Valley; James Fish, Susquehanna Valley; Drake Winnicki, Unadilla Valley; Dwight Cook, Unadilla Valley; Dominic Spinelli, Union-Endicott; Lauryl Pheil, Union-Endicott; Anthony Johnson, Union-Endicott; Alex Gaskin, Union-Endicott; Michael Kakusian, Vestal; Zachary Simerson, Whitney Point; Dante Pultz, Windsor.

Honoring the students entering the United States Navy: Abigail Proppe, Binghamton; Robert Crisell, Deposit; Ian Scaglione, Groton; Isaiah Brand, Johnson City; Mark Nicosia, Johnson City; Kevin Finkbeiner, Maine-Endwell; Benjamin Judkiewicz, Maine-Endwell; Shea Osovski, Maine-Endwell; Austin Fiske, Marathon; Matthew Harrington, Norwich; Samuel Rickenback, Vestal.

Honoring the students entering the United States Coast Guard: Liam Cornell, Union-Endicott.

HONORING THE EL PASO YOUTH SYMPHONY ORCHESTRA

HON. BETO O'ROURKE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. O'ROURKE. Mr. Speaker, I am honored to rise today in recognition of the 23rd Anniversary of the El Paso Youth Symphony Orchestra (EPYSO), presided over by Maestro Phillip Gabriel Garcia of my district in El Paso, Texas. I am pleased to recognize EPYSO as an innovative youth group dedicated to serving the El Paso community through their hard work and musical talents.

Since 1993, EPYSO has provided young El Pasoans who are passionate about music an opportunity to perform in El Paso and communities throughout the United States with the intention of raising awareness about social justice issues. EPYSO has performed at various El Paso venues, including the Child Crisis Center, the Battered Women Shelter, Fort Bliss, and the La Fe Community Health Center. Most recently, EPYSO performed at the University of Texas at El Paso's Sun Bowl stadium during Pope Francis' historic February 2016 visit to Ciudad Juarez, Mexico. This summer, EPYSO will embark on the ''America United Tour'', where they will perform in New York City and in Washington, D.C.

With over 250 concerts performed and 3,500 musicians hosted, EPYSO instills a sense of pride and confidence in young individuals through their personal achievements as musicians. I am proud that programs such as EPYSO exist in my district, and I am confident that EPYSO will serve as a positive role model in helping to inspire youth to serve their communities.

CONNOR DENNY

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Connor Denny for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Connor Denny is an 8th grader at North Arvada Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Connor Denny is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Connor Denny for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

IN RECOGNITION OF THE SISTER JEANNE FELION AND THE 5TH ANNIVERSARY OF THE CARL R. HANSEN TEEN CENTER

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Ms. MATSUI. Mr. Speaker, I rise today in recognition of the 40th anniversary of Sister Jeanne Felion as Executive Director at the Stanford Settlement Neighborhood Center. Additionally, I rise today to recognize the 5th anniversary of the Carl R. Hansen Teen Center and of Erika Elizarrarás, a social worker who is celebrating her 5th anniversary working at the Teen Center. As the friends and supporters of Sister Jeanne Felion and the Stanford Settlement Neighborhood Center gather to celebrate these milestones, I ask all my colleagues to join me in honoring her leadership in the Sacramento region.

It is a great pleasure to recognize Sister Jeanne Felion. Thanks to her leadership and vision over the past four decades, Stanford Settlement Neighborhood Center continues to be a valuable community resource providing social services to thousands of people in our North Sacramento communities. Programs offered benefit the health and well-being of all and include senior and children services, neighborhood outreach, and emergency assistance.

The Sisters of Social Services began the Stanford Settlement Neighborhood Center 80 years ago when they took charge of the former residence of Governor Leland Stanford. The Sisters later moved their programs to the Gardenland Northgate area. Their work was instrumental in obtaining City water, parks, street lights, sidewalks and gutters for the area. The facility grew to include both the Sister Jeanne Felion Senior Center and the Carl R. Hansen Teen Center.

Mr. Speaker, I am honored to pay tribute to Sister Jeanne Felion and to the Stanford Settlement Neighborhood Center as they celebrate Sister Jeanne's 40th anniversary as executive director. While Stanford Settlement Neighborhood Center's staff, supporters, and friends gather together to celebrate Sister Jeanne and the 5th anniversary of the Carl R. Hansen Teen Center, I ask all my colleagues to join me in honoring her outstanding work in providing the community with much-needed social services.

PERSONAL EXPLANATION

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Ms. GRANGER. Mr. Speaker, on Roll Call 229, I would like to be recorded as voting Yea. On Roll Call 230, I would like to be recorded as voting Yea.

PERSONAL EXPLANATION

HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. HINOJOSA. Mr. Speaker, I was unable to be present in the House chamber for certain roll call votes this past week. Had I been present on May 17 through 19, 2016, I would have voted 'aye' for roll calls 198, 203, 204, 210, 212, 213, 215, 221, 223, 226 and 228 and 'nay' on roll calls 196, 197, 199, 200, 201, 202, 205, 206, 207, 208, 209, 211, 214, 216, 217, 218, 219, 220, 222, 224, 225, and 227.

PERSONAL EXPLANATION

HON. TIM HUELSKAMP

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. HUELSKAMP. Mr. Speaker, yesterday, May 23, 2016, I was not present for roll call vote numbers 229 and 230 due to a family obligation. If I had been in attendance, I would have voted yes on the Kelsey Smith Act, roll call vote 229. On the Securing Access to Networks in Disasters Act, roll call vote 230, I also would have voted yes.

HAILEY INNES

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Hailey Innes for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Hailey Innes is an 8th grader at Moore Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Hailey Innes is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Hailey Innes for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

CONGRATULATING RAY AND KAYSE PAUL ON THEIR 50TH WEDDING ANNIVERSARY

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. MARCHANT. Mr. Speaker, it is with a sense of joy that I rise today to congratulate Ray and Kayse Paul, two esteemed citizens of Farmers Branch, Texas, on the occasion of their 50th wedding anniversary.

Ray and Kayse met while at Jerry's restaurant in Louisville, Kentucky. This fateful encounter grew into a blossoming relationship and the two were married on June 11, 1966, at Holy Name Catholic Church in Louisville.

Early in their marriage, Ray worked as an accountant, and Kayse as an administrative assistant and bookkeeper. They have lived in several states throughout the country, including Kentucky, Indiana, Ohio, and Texas. The two currently reside in Farmers Branch, where Ray still works part-time as an accountant and Kayse serves as a grant administrator for a non-profit in Dallas.

Their half-century of marriage has provided a lifetime of memories and a beautiful family. During their time together, Ray and Kayse have had one son, David, who has given them two grandchildren, Alexander and Elizabeth.

As Ray and Kayse's journey together continues to unfold, may their commitment and devotion to one another continue to serve as an example of how true love and dedication may enrich our lives through the blessings of family and companionship.

Mr. Speaker, I ask all of my distinguished colleagues to join me in recognizing this truly noteworthy milestone, the 50 year wedding anniversary of Ray and Kayse Paul.

IN RECOGNITION OF RIVERGATE TERRACE FOR SERVICE TO OUR COMMUNITY

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mrs. DINGELL. Mr. Speaker, I rise today to recognize and congratulate Rivergate Terrace on their 45th anniversary and celebrating the milestone of having served twenty-five thousand residents. The accomplishment of this long-standing senior care facility exemplifies the importance and strength of healthcare partnerships in our communities.

Founded in 1971, Rivergate Terrace and the Rivergate Health Center has become a pillar of service and support in the Riverview community. It has grown throughout the years, and today the combined facility houses over five hundred beds and is the largest employer in the city of Riverview. Rivergate has a strong track record of giving back to the wider community. The Rivergate staff provides educational programming throughout the community on a wide array of health care topics, volunteer at local churches, community centers, and hospitals, and host the annual Downriver Arthritis Walk which attracts hundreds of walkers and raises critical resources for Arthritis research each year. Serving the community is at the heart of what Rivergate does, both on the clock, and off the clock.

Since its founding, Rivergate has held itself to the highest standards of excellence to ensure that our community continues to have a high quality skilled care facility to turn to. They offer twenty-four hours a day, seven days a week, three hundred and sixty-five days a

year high quality individualized services and programming. The services offered at Rivergate run the spectrum of challenges that our seniors face today, with the goal of getting residents the care they need to lead the fullest and most productive lives imaginable. The Rivergate team takes pride in the fact that over two hundred and fifty patients return home after rehabilitation services each year.

Mr. Speaker, I ask my colleagues to join me today in honoring Rivergate Terrace and the Rivergate Health Center on serving twenty-five thousand people on their 45th Anniversary. We wish them many years of continued success and service in our community.

TRIBUTE TO THE BRIDESBURG BOYS & GIRLS CLUB

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to honor the Bridesburg Boys & Girls Club which opened its doors in 1941. Originally built as a Boys Club by Otto Haas and the neighboring Rohm and Haas Plant as a place where boys could socialize, it included a game room, a wood shop, a leather crafts shop, a boxing room and a gymnasium. Sports were the main activity. There was a baseball field adjacent to the building and an iron fence surrounded the property. Girls were not permitted.

Girls were invited to become members in the mid 70s and the name was changed to Bridesburg Boys & Girls Club. The club has become one of the best youth service agencies in Philadelphia. In the late 70s a capital campaign for funds resulted in a new, larger gymnasium being built. Rohm & Haas deeded the property to the Boys & Girls Club in 1984. Gone is the baseball field, replaced in the mid 80s by a regulation size outdoor hockey rink and parking lot. In 1997 the vegetable garden was tended for the last time and the Lil' Clubhouse was built adjacent to the existing facility. During the summer of 1998, in a combined effort with KABOOM and Nike—and a lot of help from the employees of Rohm and Haas and Sunoco—a preschool playground was built in two days. The summer of 1999 had the club building again—this time it was a skate park, complete with eleven ramps for skateboards, bikes and rollerblades. Riverside Skate Park opened in September, 1999, closing in the spring of 2002. This would not have been possible if Rohm and Haas had not leased the ground, formerly an employee parking lot, to the Boys & Girls Club.

Many changes have taken place at the Club over the years, the most recent with Samsung and HDTV performing a complete makeover in the original wood shop, a/k/a art room, teen lounge and conference room, turning it into an exciting teen center, complete with new windows, furniture, tablets and a flat screen. Thanks to Comcast Cares, the art room was moved into a newly renovated space on the ground level, the teen center was freshly painted and the lavatory facilities have been expanded and improved. The gym and hallway received a complete makeover and the Cymbala Literacy Center was remodeled, complete with new computers, furniture, windows and air conditioning.

The Club offers a wholesome environment in a friendly setting, enhancing the quality of life of the members by providing educational support, physical fitness programs, cultural and recreational activities, vocational development and guidance. It instills a feeling of importance in the members while helping build character and leadership abilities.

After-school child care and preschool day care support the needs of working parents. Our preschool program is committed to promoting quality child care that contributes to increased social and emotional development, learning skills and school readiness. The Summer Career Exploration Program provides on-the-job experience to teenagers for a six week period. All teenagers are invited to apply for summer employment, beginning with the completion of job applications and being called in for an interview. The interview process itself teaches teens valuable life skills in obtaining employment, especially how to present oneself at an interview. It also provides self-esteem and self-awareness. Leadership abilities are enhanced when a youth is placed in a job, has a say in decision making and becomes responsible for their performance. A sense of pride is established when a teenager can say ''I did a good job today.'' Adult participants act as mentors for the teens. The youth involved in this program attend workshops covering topics such as peer pressure, conflict resolution and substance abuse prevention, to name just a few.

Summer camp is a well-rounded, ten-week program offering each child opportunities that may not be afforded to them if they stayed home with a babysitter. Campers receive breakfast, lunch and a snack each day and all go on one trip a week to places like the FunPlex, The Academy of Natural Sciences, The Franklin Institute and the Brunswick Zone. The Club offers a computer program, arts and crafts, environmental education and other activities designed to instill creativeness and pride in our children. Anti-violence workshops teach the youngsters to respect themselves and others. Children are taught that they can make the world a better place by believing we are all members of the same race—the human race. They learn to protect the environment by recycling, to improve literacy by reading and to help others by performing club related community service.

The Club also has a scholarship program which provides small financial gifts to college bound members. Keystone and Torch encourages children to stay in school and guides them in career and vocational choices. The Club is also a worksite for the Juvenile Justice System and many youth perform court-ordered community service there.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in recognizing the Bridesburg Boys & Girls Club, an organization that has been proudly serving the youth of Philadelphia's neighboring communities for over 75 years, demonstrating in so many ways that they are an organization that truly lives up to their motto, Great Futures Start Here.

IAN DONALDSON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Ian Donaldson for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Ian Donaldson is an 8th grader at Moore Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Ian Donaldson is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Ian Donaldson for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

PERSONAL EXPLANATION

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. SWALWELL of California. Mr. Speaker, I was unable to be present for votes taken last Wednesday and Thursday, May 18–19, due to a family health emergency. Had I been present, I would have voted as follows:

Roll Call Vote Number 200 (Passage of H. Res. 735): NO.

Roll Call Vote Number 201 (Adoption of the Previous Question on H. Res. 736): NO.

Roll Call Vote Number 202 (Passage of H. Res. 736): NO.

Roll Call Vote Number 203 (Passage of H. AMDT. 1014 to H.R. 4909 offered by Rep. DAVID MCKINLEY): NO.

Roll Call Vote Number 204 (Passage of H. AMDT. 1016 to H.R. 4909 offered by Rep. JERROLD NADLER): YES.

Roll Call Vote Number 205 (Passage of H. AMDT. 1019 to H.R. 4909 offered by Rep. TED POE): NO.

Roll Call Vote Number 206 (Table the Appeal of the Ruling of the Chair): NO.

Roll Call Vote Number 207 (Passage of H.R. 5243, the Zika Response Appropriations Act, 2016): NO.

Roll Call Vote Number 208 (Passage of H. AMDT. 1029 to H.R. 4909 offered by Rep. KEN BUCK): NO.

Roll Call Vote Number 209 (Passage of H. AMDT. 1030 to H.R. 4909 offered by Rep. JOHN FLEMING): NO.

Roll Call Vote Number 210 (Passage of H. AMDT. 1033 to H.R. 4909 offered by Rep. BARBARA LEE): YES.

Roll Call Vote Number 211 (Passage of H. AMDT. 1034 to H.R. 4909 offered by Rep. JARED POLIS): NO.

Roll Call Vote Number 212 (Passage of H. AMDT. 1036 to H.R. 4909 offered by Rep. KEITH ELLISON): YES.

Roll Call Vote Number 213 (Passage of H. AMDT. 1037 to H.R. 4909 offered by Rep. KEITH ELLISON): YES.

Roll Call Vote Number 214 (Passage of H. AMDT. 1041 to H.R. 4909 offered by Rep. MARK SANFORD): NO.

Roll Call Vote Number 215 (Motion to Recommit H.R. 4909): YES.

Roll Call Vote Number 216 (Passage of H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017): NO.

Roll Call Vote Number 217 (Passage of H. AMDT. 1057 to H.R. 4974 offered by Rep. MICK MULVANEY): NO.

Roll Call Vote Number 218 (Passage of H. AMDT. 1058 to H.R. 4974 offered by Rep. MICK MULVANEY): NO.

Roll Call Vote Number 219 (Passage of H. AMDT. 1059 to H.R. 4974 offered by Rep. MICK MULVANEY): NO.

Roll Call Vote Number 220 (Passage of H. AMDT. 1060 to H.R. 4974 offered by Rep. MICK MULVANEY): NO.

Roll Call Vote Number 221 (Passage of H. AMDT. 1062 to H.R. 4974 offered by Rep. EARL BLUMENAUER): YES.

Roll Call Vote Number 222 (Passage of H. AMDT. 1063 to H.R. 4974 offered by Rep. JOHN FLEMING): NO.

Roll Call Vote Number 223 (Passage of H. AMDT. 1064 to H.R. 4974 offered by Rep. JARED HUFFMAN): YES.

Roll Call Vote Number 224 (Passage of H. AMDT. 1075 to H.R. 4974 offered by Rep. PAUL GOSAR): NO.

Roll Call Vote Number 225 (Passage of H. AMDT. 1076 to H.R. 4974 offered by Rep. SCOTT PERRY): NO.

Roll Call Vote Number 226 (Passage of H. AMDT. 1079 to H.R. 4974 offered by Rep. SEAN PATRICK MALONEY): YES.

Roll Call Vote Number 227 (Engrossment and Third Reading): NO.

Roll Call Vote Number 228 (Passage of H.R. 4974, the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2017): YES.

IN HONOR OF GTI'S 75TH ANNIVERSARY

HON. TAMMY DUCKWORTH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Ms. DUCKWORTH. Mr. Speaker, I rise today to congratulate the Gas Technology Institute (GTI) on its 75th anniversary. Located in the heart of Illinois' 8th District, GTI is a large part of our community and a pillar of our country's energy sector.

Every day, GTI researchers develop protocols, processes, technologies, tools and training solutions which enhance our energy products worldwide. Starting with only a dozen staff and barely enough space to conduct a few experiments, GTI quickly grew. Utilizing their robust technical expertise, currently GTI holds over 1,300 patents; including more than 80 patents for fuel cells technology.

I have had the opportunity to visit GTI and see firsthand their state-of-the-art facilities and learn about their developments in advanced biofuels. For 75 years, GTI has provided innovative solutions to critical energy challenges and improved the way we produce, transport and use energy.

I applaud GTI's success and congratulate them on 75 remarkable years of innovation, leadership and expertise in our energy sector. Illinois is fortunate to be home to such a renowned institution.

IN HONOR OF MR. E. DALE WORTHAM

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. AL GREEN of Texas. Mr. Speaker, today, my colleague the Honorable GENE GREEN and I would like to honor the memory of a distinguished labor leader: Mr. E. Dale Wortham. Throughout Mr. Wortham's life, he held a variety of positions, including President of the Harris County Labor Assembly for over 20 years, Vice President/Organizer of IBEW Local 716, and as delegate at many national and state conventions. In these positions, he was on the frontlines in the fight for a living wage and fair working conditions.

Mr. Wortham was not only a notable labor leader, but also served on the Harris County Board of Managers for the Harris Health System, earning the distinction of the body's longest-serving labor representative. Mr. Wortham will be especially remembered for his passion for helping people through the political process, especially working people.

Mr. Speaker, we are blessed to say farewell to a dear friend who is gone but not forgotten. He will be missed dearly by a multitude of family and friends. This family includes Melinda Wortham; son, Stephen Dale Wortham; his sisters, Becky Rogers (George), Leslie Broussard (Jimmy), and Lisa Persky (Ronnie); as well as his brother, Jason Krieg.

MARIANA MARQUEZ-CASTELLANO

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Mariana Marquez-Castellano for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Mariana Marquez-Castellano is an 8th grader at North Arvada Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Mariana Marquez-Castellano is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Mariana Marquez-Castellano for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

IN RECOGNITION OF FATHER EDWARD ARTHUR REESE, S.J., PRESIDENT OF BROPHY COLLEGE PREPARATORY

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Ms. SINEMA. Mr. Speaker, I rise today to recognize Father Edward Arthur Reese, President of Brophy College Preparatory, one of the most prestigious and successful Jesuit educational institutions for young men in Arizona. For the past 20 years, Father Reese has been the anchor and backbone of this school and the larger Catholic community in Phoenix. He retires at the end of this academic year and leaves behind a legacy of educational excellence, community service and true dedication to his faith.

Father Reese will be remembered for his bold vision, bringing a culture of innovation to the entire Brophy community. The highlights of his vision are reflected in his founding of the Loyola Academy, a 6th, 7th and 8th grade middle school on the Brophy campus which offers a Jesuit education to underserved students with academic and leadership potential at no cost to them.

Additionally he is leaving for St. Ignatius of Loyola High School in San Francisco and taking his legacy of technology in the classroom with faculty and students free to experiment, leaning forward to learn while preparing for the future without fear. We wish Father Reese the very best as he takes on a new challenge and we thank him for his tremendous contribution to our community.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $19,209,816,164,726.68. We've added $8,582,939,115,813.06 to our debt in 6 years. This is over $7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

TRIBUTE TO DONELLA BROWN WILSON

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. CLYBURN. Mr. Speaker, I rise to pay tribute to Mrs. Donella Brown Wilson, a trailblazing educator and community leader. Today is her 107th birthday.

Born May 24, 1909, in Fort Motte, South Carolina, Mrs. Wilson grew up on the land where her great-grandparents had worked as slaves. As a young girl, she realized that she wanted to teach others to read. She started by teaching herself, studying the pages of the Sears & Roebuck catalog by the light of an oil lamp.

Mrs. Wilson achieved this goal in 1933 when she earned her teaching credentials from Allen University in Columbia. She embarked on a long teaching career, mostly in rural parts of the state, retiring in 1971.

In 1931, she married Reverend John R. Wilson, Sr., who was also an educator. They purchased a home in the historic Waverley community of Columbia, where they became community institutions. Mrs. Wilson is a life member of the NAACP, South Carolina Education Association, Zeta Phi Beta Sorority, Inc., and Union Baptist Church. She is a past national superintendent in the United Order of Tents, Inc. In recent years, Mrs. Wilson has become the unofficial historian of Waverley, and her willingness to recount her life experiences has enriched many of us of subsequent generations.

The changes Mrs. Wilson has seen over the last 107 years have been remarkable. She played a big part in bringing them about when she was involved in the landmark case Elmore v. Rice in 1947, which successfully challenged the legality of the whites-only Democratic primary in South Carolina. Treasuring this victory and fully understanding the crucial importance of the ballot, she has voted in every election since. Six years ago, I honored Mrs. Wilson's request that I accompany her as she cast her first vote for me after turning 100. She said in 2012, ''Those of us that live to see how you graduated from and came up the ladder makes us feel that our days, that our prayers and our working in the fields and what not, was not in vain.''

Mr. Speaker, I ask that you and my colleagues join me in wishing Mrs. Wilson a very happy 107th birthday. It is a remarkable milestone befitting a remarkable woman. I wish her good health and Godspeed.

SPENCER LITTEL

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Spencer Littel for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Spencer Littel is a 12th grader at Faith Christian Academy and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Spencer Littel is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Spencer Littel for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

IN RECOGNITION OF THOMAS GARVEY

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. MEEHAN. Mr. Speaker, I rise today to honor Thomas Garvey, a native of Ridley Park, Delaware County, Pennsylvania who served as an Army Ranger and Special Forces officer during the war in Vietnam.

A graduate of St. James High School in Chester, Thomas Garvey enlisted in the Army in 1965 in Philadelphia. He volunteered to serve as a paratrooper and eventually entered Officer Candidate School. He earned his Ranger tab and led a Special Force ''A–Team'' detachment along the Vietnam-Cambodian border in 1968.

Just last year, Garvey completed a book that drew from his experiences in Vietnam. Nearly 50 years in the making, Garvey's ''Many Beaucoup Magics'' is his account of the dangers and costs of war as he saw them firsthand.

Mr. Speaker, Thomas Garvey will be honored next week at the Ridley Park Memorial Day Ceremony, where he will serve as keynote speaker. I congratulate him on this honor and thank him for his service to our country.

HONORING MAYOR WILLIAM E. TROXELL OF GETTYSBURG, PENNSYLVANIA

HON. SCOTT PERRY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. PERRY. Mr. Speaker, today I honor William E. Troxell on his May 31, 2016 retirement as Mayor of the Borough of Gettysburg.

Mr. Troxell was born in Gettysburg and is a direct descendant of John Troxell, the first settler of Gettysburg. He is a World War II Veteran and served 12 years in the United States Army Reserve. He returned home to serve in the private sector for many years, and then served for 29 years with the Lincoln Intermediate Unit 12 as a teacher, football coach, athletic director, among other positions.

Mr. Troxell's dedication to Gettysburg and its surrounding community is unmatched. He was a member of the Gettysburg Country Club, American Legion Post 202, the Gettysburg Good Samaritan Masonic Lodge No. 336 and the Fraternal Order of the Eagles Arie 1562. Mr. Troxell is a Licensed Battlefield Guide at Gettysburg National Military Park, served on the National Park Advisory Commission and is a member of both the Adams County Historical Society and the U.S.S. Gettysburg Association.

William is best known, however, as Mayor Troxell of Gettysburg; a position he's held since 1997 and performed with zeal, professionalism and class. His dedication to duty as Mayor of ''America's Most Famous Small Town'' has earned him the respect of countless officials and citizens with whom he's interacted. William has left an enduring legacy of service to Gettysburg and our Nation.

On behalf of Pennsylvania's Fourth Congressional District and a grateful Nation, I'm proud and humbled to congratulate William E. Troxell on his retirement and wish him great health, happiness and prosperity in his future adventures.

COMMENDING THE FBI'S KIRK YEAGER FOR BEING NOMINATED A FINALIST FOR THE 2016 SAMUEL J. HEYMAN SERVICE TO AMERICA MEDAL

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. CONNOLLY. Mr. Speaker, I rise to commend my constituent, Mr. Kirk Yeager, on his commitment to government service and his nomination as a finalist for the 2016 Samuel J. Heyman Service to American Medal.

Service to America Medals, or Sammies as they've become known, are presented annually by the nonprofit, nonpartisan Partnership for Public Service to honor outstanding federal employees who have made significant contributions to our nation. In recognizing their achievements, we not only pay tribute to our dedicated federal workforce, but also promote a culture of innovation and achievement in our government.

When there is a terrorist bombing or a new type of explosive poses a threat to the U.S., the FBI primarily turns to one man: Kirk Yeager. Kirk is the FBI's resident bomb expert; anything that deals with explosives that comes to the FBI, goes to Kirk.

Yeager doesn't just respond to crises. In his daily work, he oversees the bureau's research focused on getting a better understanding of the explosives terrorists use. He also developed the FBI's advanced training material on terrorist explosives.

As a chemist and an engineer, as well as one of the FBI's five senior laboratory scientists, Kirk has been studying bomb-making for more than 20 years. His goal is to understand what ingredients are used, how bombs are made, and how they can be detected. He seeks to use this knowledge to trace devices to specific terrorist organizations or known bomb-makers around the world.

As part of his work, he helped start a training program and developed information for

bomb technicians across the country, including those employed by private companies. In one instance, the training materials helped a shipping company successfully stop a ''lone wolf'' plot, according to Kirk. He says his biggest challenge is trying to keep up with the evolving nature of the terrorist threat. He will continue to ''reproduce everything that the bad guys do,'' he said, so he can save lives and ''make a difference and contribute to the broader community.''

I would like to personally thank Kirk Yeager for his service to our country and for his tireless work to protect the people of the United States.

Mr. Speaker, I ask that my colleagues join me once more in recognizing the tremendous contributions of Mr. Kirk Yeager. He is but one of many dedicated federal employees performing extraordinary work through the federal government in communities across America each and every day.

PERSONAL EXPLANATION

HON. TOM COLE

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. COLE. Mr. Speaker, I was not present for the following votes; however, if I had been present, I would have voted ''YEA'' on the following bills:

H.R. 4889—Kelsey Smith Act

H.R. 4167—Kari's Law Act of 2016, as amended

H.R. 3998—Securing Access to Networks in Disasters Act, as amended

H.R. 2589—To amend the Communications Act of 1934 to require the Federal Communications Commission to publish on its Internet website changes to the rules of the Commission not later than 24 hours after adoption.

PAUL STONE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Paul Stone for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Paul Stone is an 8th grader at Oberon Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Paul Stone is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Paul Stone for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

DR. JIM W. CAIN

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. POE of Texas. Mr. Speaker, I would like to recognize the fine career and outstanding public service of Dr. Jim Cain, superintendent of Klein ISD. Dr. Cain has devoted over 47 years to the education of our youth, serving as a teacher, coach, assistant principal, principal, instructional officer for technology, director of school administration, assistant superintendent and superintendent. He has devoted his life to education and bettering our community, and it is with great pleasure that I express my admiration and gratitude. I offer him my utmost congratulations for his long and successful career.

Dr. Cain began his career as a teacher, in his home state of Illinois, after graduating from the University of Illinois in 1969. He then made one the best decisions of his life, he moved to the great state of Texas and in 1978 he took his first job at Klein ISD at Benfer Elementary. He has served in many different roles during his 36 years with the district, 12 of those as superintendent. Dr. Cain has achieved recognition and numerous awards at the local, state and federal level for his leadership and hands on involvement in the success of the students at Klein ISD. Last Thursday, at the Klein ISD staff banquet, he received the Lifetime Achievement Award. His dedication has earned him the respect and admiration of the teachers, staff and students under his supervision as well as the community. His intellect, eagerness, and vision will be sincerely missed by not only Klein, but the many other communities that he has touched.

Dr. Cain is a dedicated family man, having been married to his wife Susan for 39 years, and the proud father of two adult children; Ross and Ashley. Dr. Cain and Susan are looking forward to traveling and spending time with their four grandchildren.

On behalf of the Second Congressional District of Texas, I commend this remarkable leader for his exemplary service and dedication to the State of Texas. I thank him for a job well done and I wish him the best of luck in the future as he enters into this new phase of life.

PERSONAL EXPLANATION

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. CROWLEY. Mr. Speaker, on May 18, 2016, due to a family emergency I was absent for recorded votes 206 through 216.

I would like to reflect how I would have voted if I were here:

On Roll Call Number 206 I would have voted no,

On Roll Call Number 207 I would have voted no,

On Roll Call Number 208 I would have voted no,

On Roll Call Number 209 I would have voted no,

On Roll Call Number 210 I would have voted yes,

On Roll Call Number 211 I would have voted no,

On Roll Call Number 212 I would have voted yes,

On Roll Call Number 213 I would have voted yes,

On Roll Call Number 214 I would have voted no,

On Roll Call Number 215 I would have voted yes, and

On Roll Call Number 216 I would have voted no.

TOM RICE MAKES A DIFFERENCE

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. WILSON of South Carolina. Mr. Speaker, I am grateful that Congressman TOM RICE of South Carolina, with his accounting and legal background, was recognized for his role in determining the unlawful implementation of Obamacare. The following article by Emma Dumain was published May 13, 2016, in the Charleston Post and Courier:

WASHINGTON—A federal judge on Thursday ruled the Obama administration was improperly funding a subsidy program of the Affordable Care Act, a victory for House Republicans who took the unprecedented action nearly two years ago to sue the White House.

U.S. Rep. Tom Rice argues that he's partially to thank.

The South Carolina Republican doesn't get much, if any, public credit for being the first member of Congress to broach the idea of filing a lawsuit against President Barack Obama on the grounds he was overstepping the limitations of the executive branch on health care, immigration and other issues.

But as Rice tells it, the seeds of the Obamacare lawsuit began with the resolution he introduced in December 2013 at the end of his very first year on Capitol Hill.

Rice became bothered by Obama's alleged circumventing of Congress that summer when the U.S. Supreme Court determined the penalties the health law places on individuals who don't buy insurance are protected by the Constitution, because they count as taxes.

Around that time, Rice, like other Republicans, was also reeling over Obama's decision to delay implementation of the so-called ''employer mandate'' which requires business owners to provide health insurance for their employees.

''I'm a tax lawyer,'' Rice told The Post and Courier, ''so I knew that cannot be right. If the president can just willy nilly choose to waive a tax or enforce a tax, then his power is unlimited. He can say, 'well, I'm not gonna apply the highest tax rate this year. I'm not gonna apply the capital gains tax this year. I'm not gonna apply whatever.'''

So Rice consulted legal experts on what legislative remedies might exist to hold Obama accountable short of impeachment, which even the staunchest critics of the administration knew was a political minefield.

The result was the STOP Act, short for ''Stop This Over-Reaching President Act.'' It

authorized the House of Representatives to sue the Obama administration in any of the following areas: The delay of the employer mandate, the stays of deportations for certain children of undocumented immigrants, and changes in criteria for receiving welfare.

Rice took the resolution to then-House Speaker John Boehner, R-Ohio.

''I asked him to read it and to my surprise he came back to me within two hours,'' Rice recalled. ''And he said, 'a lawsuit against the president? That's kind of radical, isn't it?' So I knew it wasn't going anywhere fast.''

But momentum grew, with more co-sponsors signing onto the STOP Act every time Obama said or did something that perturbed the Republican base.

''I filed it right before Christmas of 2013. And over December the president said, 'I got a pen and a phone and if you all don't do what I want you to do I'm gonna do it myself.' And I got like 50 co-sponsors the next day,'' said Rice. ''And then in January he gave the State of the Union address and he said, 'if you don't enact my agenda then I'm gonna do it myself.' I got 15 more co-sponsors.''

As 2014 wore on, the pressure was growing on Boehner to allow the House to act.

''He was getting a lot of calls,'' said Rice, ''so he called me in and said, 'I need you to help me market this but I'm going to re-file this resolution under my name.' So he did. He put my resolution aside and filed an entirely new resolution.''

By July, the House voted to authorize a lawsuit in federal court challenging Obama's delay in implementing the employer mandate. It also targeted the cost-sharing program between the administration and insurance companies which Republicans say Congress never approved.

On Thursday, a federal district judge in Washington, D.C., ruled in the House's favor on that second point. The Justice Department has appealed the ruling, which sets up a prolonged legal battle. Rice said he still feels ''vindicated.''

''I'm happy that it moves towards restoration of the balance of powers that the framers set up in the Constitution,'' he said. ''I'm sorry we had to go through this great lengths to make that happen.''

PERSONAL EXPLANATION

HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mrs. BEATTY. Mr. Speaker, unfortunately on May 23, 2016, I missed roll call votes 229 and 230 due to travel delays caused by inclement weather in traveling from Columbus, Ohio to Washington, D.C. On roll call vote 229, had I been present, I would have voted ''nay'' on final passage of the Kelsey Smith Act, H.R. 4889. On roll call vote 230, had I been present, I would have voted ''aye'' on final passage of the Securing Access to Networks in Disasters Act, H.R. 3998.

TAMILA BUTS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Tamila Buts for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Tamila Buts is a 12th grader at Nationwide Academy (Home Schooled) and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Tamila Buts is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Tamila Buts for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

PEARLAND HIGH SCHOOL'S FRED ARMSTRONG CELEBRATES 35 YEARS OF COACHING

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. OLSON. Mr. Speaker, I rise today to recognize Pearland High School Coach, Fred Armstrong for his 35-year career of coaching track and field.

Armstrong graduated from Beaumont French High School and Lamar University, where he attended school on a track scholarship. His first job was at Beaumont Charlton-Pollard High School, he then shifted to Clear Lake and Clear Brook High Schools. Eventually working his way to Pearland High School, Armstrong coached multiple state champions. Over his 35 year career in Track and Field, Armstrong has seen the sport evolve firsthand.

On behalf of the Twenty-Second Congressional District of Texas, congratulations to recognize Fred Armstrong for his 35 years as a track and field coach and mentor to our area's young athletes. Thank you for coaching some of the state's finest athletes.

PERSONAL EXPLANATION

HON. CARLOS CURBELO

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. CURBELO of Florida. Mr. Speaker, on May 23, I missed votes on account of a family commitment in the district. Had I been present I would have voted as follows:

Roll Call 229: I would have voted Yea: H.R. 4889—Kelsey Smith Act.

Roll Call: 230: I would have voted Yea: H.R. 3998—Securing Access to Networks in Disasters Act.

ST. JOHN'S UNITED CHURCH OF CHRIST CELEBRATES THEIR 75TH ANNIVERSARY

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 24, 2016

Mr. OLSON. Mr. Speaker, I rise today to recognize the St. John's United Church of Christ for providing faith and fellowship to the Rosenberg community for 75 years.

St. John's United Church of Christ congregation has been a place of worship for generations. St. John's United Church of Christ had its beginnings in 1941 when Reverend William Luthe met in City Hall to develop plans for the beginning of an Evangelical and Reformed Church in Rosenberg. Since the church opened its doors, there have been six ministers and four interim ministers guiding their congregation in worship.

On behalf of the Twenty-Second Congressional District of Texas, I want to congratulate St. John's United Church of Christ on its 75th anniversary. Thank you again for bringing faith, fellowship and worship to our community; we look forward to another 75 years.

SENATE—*Wednesday, May 25, 2016*

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, who renews our strength and guides us along right paths, we honor Your Name. We do not fear what the future may bring, for You are close beside us.

Send our Senators forth today to do right as You give them the ability to see it. May their deeds fit their words and their conduct match their profession. By Your sustaining grace, may their hearts be steadied and stilled, purged of self and filled with Your peace and poise.

As Memorial Day nears, we pause to thank You for those who gave their lives that this Nation might live.

And, Lord, today we thank You for the more than four decades of service on Capitol Hill by Ruby Paone. We are grateful for the joy she has brought to our lives. As she prepares to leave us, bless her more than she can ask or imagine.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The majority leader is recognized.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. MCCONNELL. Mr. President, after 2 days of needless delay from across the aisle, this morning we will vote to invoke cloture on the motion to proceed to the National Defense Authorization Act and hopefully adopt that motion quickly thereafter.

This critical defense bill passed committee on a strong bipartisan basis; there is no reason for further delay from our Democratic colleagues. The National Defense Authorization Act authorizes funds and sets our policy for our military annually. It is always an important bill. It is especially important today.

Consider the multitude of threats facing us from nearly every corner of the world. Consider the need to start preparing our armed services for the many global threats the next President will be forced to confront.

As I have noted before, some of the most senior national security officials within this administration—such as Secretary of Defense Carter and General Dunford or those recently retired from service, such as retired General Campbell—have spoken of the need to better position the next President in theaters from Afghanistan to Asia to Libya.

So whoever that President is, regardless of party, we should take action now to help our next Commander in Chief in this year of transition. That is what this defense legislation before the Senate will help us do.

No. 1, it will support our allies and partners, authorizing funds to combat ISIL, preserve gains in Afghanistan, increase readiness at NATO, and assist friends like Ukraine.

No. 2, it will enhance military readiness, providing more of the equipment, training, and resources our servicemembers need.

No. 3, it will help keep our country safe, getting us better prepared to confront emerging threats like cyber warfare, terrorism, and the proliferation of weapons of mass destruction.

Critically, this bill will also honor our commitment to servicemembers, their families, and veterans, authorizing raises, supporting Wounded Warriors, and delivering better health care and benefits for the men and women who stand on guard for us every single day.

This bill contains sweeping reforms designed to advance American innovation and preserve our military's technological edge. The funding level it authorizes is the same as what President Obama requested in his budget.

As I said earlier, it passed the Armed Services Committee on a strong bipartisan vote, 23 to 3, including every single Democrat on the committee. The Armed Services chairman, Senator MCCAIN, knows what it means to serve. He is always on guard for the men and women of our military. This bill is a reflection of his commitment. It is a commitment to them, and it is a commitment to every American—to preparing our country in this year of transition for both the threats we face today and the threats yet to emerge.

OBAMACARE

Mr. MCCONNELL. Mr. President, last week Senators came to the floor to highlight the continuing broken promises of ObamaCare. We did so in the shadow of proposed double-digit ObamaCare premium increases in States across our country, everywhere from Tennessee, to Oregon, to New Hampshire.

Americans have gotten further bad news since, including ObamaCare premium spikes that could reach as high as 83 percent in New Mexico. Each day seems to bring more and more troubling news, which could mean heartbreak for even more Americans. Take, for instance, some headlines from just last night:

''Most Arkansas insurers propose double-digit hikes for 2017.''

''Some rates in Georgia insurance exchange could soar in 2017''—and by ''soar,'' they are talking about as high as 65 percent.

As one paper put it, there is ''no end in sight for higher Obamacare premiums.''

These are not just abstract numbers; they can represent real pain for families already stretched to the limits under the ObamaCare economy. A recent survey showed that health care costs are now the top financial concern facing American families, ahead of concerns about low wages and even job loss. And what does the Democratic response too often seem to boil down to? They say: Just get over it. Get over it.

Just the other day, the Democratic leader in the Senate said that Americans who, like us, disagree with the pain ObamaCare is causing need to just ''get over it and accept the fact that ObamaCare is here to stay.'' That is hardly the only callous comment we have heard from across the aisle on ObamaCare.

I would ask Democratic colleagues to listen to the Americans who continue to share heartbreaking ObamaCare stories with us, like these Kentuckians:

Should the Elizabethtown man who says he can't afford to see a doctor under his ObamaCare plan, despite the fact that he pays more for his premium than his house payment, just get over it?

Should the dad from Owensboro who said he has seen his family's health costs increase by nearly 250 percent under ObamaCare just get over it? ''What happened to being rewarded for working hard in America?'' this dad asked. ''What happened to the American dream?'' Many Americans are wondering the same thing.

ObamaCare continues to write a record of broken promises at the expense of the American people. Instead of lowering premiums by up to $2,500 for a typical family, as then-Senator Obama talked about on the campaign trail, ObamaCare has raised many families' rates. Instead of making health care costs more affordable for all, ObamaCare has led to unaffordable out-of-pocket costs for families all across our country.

The bottom line is this: ObamaCare is too often hurting those it proposed to help. It is a direct attack on the middle class.

The Republican-led Senate sent a bill to President Obama's desk to repeal this partisan law so we can replace it with policies that actually put the American people first because, let's remember, the American people do not need to get over ObamaCare's failures. Our Democratic colleagues need to finally join us in working to end those failures.

TRIBUTE TO RUBY PAONE

Mr. MCCONNELL. Mr. President, when Ruby Paone started her first day on the job in 1975, she was fresh out of college. Today, she has served here longer than any current Senator, save one—the senior Senator from Vermont.

Ruby Paone, our Senate doorkeeper, has seen a lot in her 41 years in the Senate. She has watched legends, such as Baker and Mansfield, in action. She has acquired a lot of unique titles, such as card desk assistant and reception room attendant.

We are really going to miss her when she retires later this month. I think Ruby is looking forward to kicking back in Myrtle Beach after more than four decades of Senate service. More importantly, I think she is anxious to spend some time with her family, away from work. Her son Tommy works at the Senate appointments desk. Her daughter Stephanie works in the Democratic Cloakroom. Her husband Marty used to as well. The two of them even met right here in the Senate.

We are glad that Ruby will get to spend more quality time—that is, non-Senate time—with her family. And we are sure she would like to see a little more of her son Alexander as well.

As Ruby knows, she will be leaving a family behind here too. She has served as surrogate mom of sorts to many doorkeepers, pages, and interns. They have looked up to her for wisdom and for advice. And it is no wonder. She has a lifetime of stories and experiences to share in a retirement that is richly deserved.

We will miss Ruby Paone, but we wish her the very best, and above all, we thank her for her many years of service.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

OBAMACARE

Mr. REID. Mr. President, it is really unfortunate that the Republican leader comes here often and continues to harp and complain about ObamaCare, even though it is continuing to work. More than 9 out of 10 Americans now have health care. This is the best it has ever been. It has never been this way before.

They say they want to repeal ObamaCare. They have tried scores of times. It hasn't worked. So I guess what they are saying is that they just want to get rid of this, and have people go back to the way it used to be. I remember and people in America remember canceling insurance if they were sick. If they had a real serious illness, they would cancel because their bills were too high. If they had a preexisting disability, forget about it—they couldn't get insurance. If they were a college student, they were cut off quickly; they couldn't stay on their family's insurance policy. Many men and women can stay on the insurance of their parents.

So we would be much better off with ObamaCare and with helping the American people if, rather than complain, as they have for 6 or 7 years, they worked with us to try to improve the bill. We know it can be improved, but we can't do it alone.

So that is how unfortunate this argument has been. We need everything ObamaCare does. We don't have anything better. And we are not going to do anything to help the poor. That is a strange way to conduct business, but that is the way it has been in the filibuster-laden Republican Party since Obama was elected.

DEFENSE AUTHORIZATION AND DEFENSE APPROPRIATIONS BILLS

Mr. REID. Mr. President, over the next few weeks, the Senate will be voting on both the Defense authorization and Defense appropriations bills, these two very important pieces of legislation. We need to take the time to understand them and, of course, to read these bills and make sure we are doing the right thing. Just reading the Defense authorization bill is not going to be an hour-long deal. It is not going to be done watching a ball game or watching television programs. Why? It is a very big piece of legislation. This is it. Try reading that between innings—1,664 pages.

Chairman MCCAIN may have read this. He may understand every line in it. He would have a better chance than most of us because he is the one who conducted the hearings behind closed doors—secret sessions. Few outside the committee probably know what is in this monstrous bill, this big bill.

Even though the chairman came here on Monday and started complaining about this legislation, if you want to get an idea how the bill was hastily put together, consider this. The bill was put together behind closed doors. At 5 p.m. last night, Senator MCCAIN's committee voted on the classified annex to the Defense authorization bill. He had been ranting and raving about Democrats holding up this bill. That is what the Republican leader did here today. He didn't rant and rave, but he did say we are holding it up. But the committee hadn't finished its work as of last night. The bill wasn't done. They just finished it last night at 5 p.m. Unfortunately, it appears that this massive bill is everything Senator MCCAIN has in the past complained about. He says he hated what has gone on in the past.

This bill is loaded with special projects—loaded with them—sprinkled with special favors and many different flavors. It has extraneous provisions, and who knows what else. If there were ever anything that could be identified as an earmark or two or three or four or a few hundred, it is in this bill. I thought Senator MCCAIN didn't like that. I can understand why some would want to rush this bill through the Senate without a lot of public scrutiny, but we are not going to do that. This legislation is far too important.

I started reading a book last night called ''Red Platoon.'' It is a brand-new book written by a man who won a Medal of Honor. It talks about a remote outpost in Afghanistan. We know what sacrifices the Red Platoon and the men and women who fought in the new wars in Iraq and Afghanistan made. So we know they deserve better than just rushing through this bill. Hard-working American taxpayers deserve better.

The one thing we can all agree on is that Americans must have a strong, strong military with the capability to defend America's national security interests around the world and to protect us here at home. There is no dispute about that.

Democrats believe that we must take care of our middle class also. We must know that the security of all Americans depends not only on the Pentagon—on bombs and bullets—but also on other national security interests—the FBI, the Department of Homeland Security, the Drug Enforcement Administration, and the help that comes through this legislation to local police departments and first responders. That is why we fought so hard as Democrats last year to stop the devastating cuts from sequestration, which was generated by the Republicans and which would have been a disaster for the military, our national security, and millions of middle-class Americans.

We need a bipartisan budget agreement. We reached that, and it is commendable that the Republican leader said we want to stick with that. Well, we need to stick with it because that bipartisan budget agreement was based on the principle that we need to treat the middle class as fairly as the Pentagon. That agreement was intended to avoid another budget fight this year, but it doesn't appear that is possible.

I was pleased that my Republican friends stuck to this budget agreement in the committee with both authorization and appropriations. But we have been told—and told publicly—that they intend to break the bipartisan budget agreement and propose $18 billion increases only for the Pentagon. This money is going to come from a strange source. It is going to come from the military itself.

I had the good fortune of meeting with the Secretary of Defense last Thursday. To use the so-called OCO moneys—they are used for warfighting, and that is why they are put in there—to take this and use it for some other source or some other purpose is wrong.

My friend talks about how the military supports this legislation. Of course they do. But they don't support what Chairman MCCAIN is going to try to do. In the process, we need only to look at what else is going on with the Republican Senate. They refuse to provide money to fight the Zika virus, to stop the terrible situation regarding opioid drugs. The people of Flint, MI, are still waiting for help. We need funding for local law enforcement, which has not been forthcoming, and for the intelligence agencies and our first responders. It is wrong not to take care of these folks.

We reached an agreement last year. Now both sides need to keep our promises and the agreement for the American people. We must treat the middle class fairly. Make no mistake, as the appropriations process moves forward, we are going to insist on that.

I will support cloture on the motion to proceed to the Defense authorization bill today, even though in 2010 my friend, the chairman of the committee, voted with other Republicans to stop moving forward on the Defense bill. But Democrats are willing to proceed deliberately. We are going to hold Republicans to their word on the budget agreement. We are going to do our jobs, as we want them to do theirs. Our Armed Forces and middle-class Americans deserve nothing less.

TRIBUTE TO RUBY PAONE

Mr. REID. Mr. President, my friend the Republican leader talked about Ruby Paone. I have so much admiration and respect for her that it is hard to put it into words.

In 1975, a young woman from North Carolina came to the U.S. Capitol. She was overwhelmed by everything, especially overwhelmed by this huge building she was going to work in. Ruby was excited for her first day of work at the Senate reception desk. But as she approached the Capitol, realizing what her new job was all about and the new city, she recalls: ''Walking into this building, I was overwhelmed.''

It is understandable that she felt that way. Many of us have and do feel the same way. The Capitol was a big change for Ruby. She was raised in the small town of Bladenboro, NC. She was a farm girl who spent her summers pulling peanuts—I didn't know you pulled peanuts, but that is what they do—and harvesting tobacco. Ruby graduated from a small Presbyterian school, St. Andrews University. She is the only one in her family to leave their small town in North Carolina. But as Ruby got situated in her new job that day, another feeling set in. She said: ''It just felt right to be here.''

Now, 41 years, 2 months, and 9 days after she walked through the Capitol doors to start a new job, she is leaving. It is hard to imagine her not being here. To borrow from her own words, ''it just feels right'' to have Ruby here.

Tomorrow is going to be her last day in the Senate. After more than four decades of service to the greatest deliberative body, Ruby is retiring to spend more time with her family. Her family's gain is our loss. She is an institution, a fixture in the Senate. She is the longest serving woman who works with the doorkeepers. She has been here for 7 different Presidential administrations, 10 consecutive inaugurations, 16 different Sergeants at Arms, and 383 different Senators.

She recognizes every one of those 383 Senators, and there is a reason that she does that. When she was first hired, we didn't have the names and faces in these books we give to the pages and to new Senators. It wasn't done that way then. She had to do it by memorizing their names and learning to recognize them when they came into the Capitol Rotunda and on the Senate floor. She would walk around and look for these Senators to get to know who they were. She grew close to many of these Senators, including Blanche Lincoln, TOM CARPER, and THAD COCHRAN.

I know Ruby. I know her family quite well. Her husband worked on the Senate floor for many years. He was instrumental to Majority Leader George Mitchell, Tom Daschle, and me. No one knows the rules of the Senate better than Marty Paone. He now works for President Obama in the Office of Legislative Affairs. He is a very special person, and I have such admiration for him.

When their children were in high school, we would often talk about their children—how they played ball, how they did well, how they didn't do so well the night before. That is what our conversations were about. We didn't talk a lot of Senate business, unless we had to. I am sorry to say that we had to many times. Marty helped me so many times through very difficult situations on the floor.

To say that I will miss Ruby is an understatement. I want be able to come to Ruby and say: How is Marty? How is he doing?

Throughout my entire time in the Senate, she has always been here with a smile and a kind word. She is as much a part of this place as anyone who has ever served in the Senate. So I, along with the entire Senate—Senators, staff—wish her the best as she embarks on her well-deserved retirement.

Ruby, thank you very much for your 41 years, 2 months, and 9 days of service.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE SECRETARY OF AGRICULTURE

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S.J. Res. 28, which the clerk will report.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 28) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Secretary of Agriculture relating to inspection of fish of the order Siluriformes.

The PRESIDING OFFICER. Under the previous order, the time will be equally divided between opponents and proponents until 11 a.m., with Senator SHAHEEN controlling 10 minutes of the proponent time.

The Senator from Mississippi.

Mr. WICKER. Mr. President, I rise in opposition to S.J. Res. 28 and ask to be allowed to speak.

The PRESIDING OFFICER. The Senator is recognized.

Mr. WICKER. Mr. President, it seems there are only two speakers. So perhaps we will be able to finish this discussion by the top of the hour.

Last week, the Senate appropriated a large sum of money to fight the threat of the Zika virus. We are going to spend, together with what was already available and what was appropriated last week, at least $1 billion fighting this Zika threat and probably $2 billion, and rightly so because Zika is a potential health threat to Americans. We believe it is money well spent to prevent more serious diseases and more serious afflictions to Americans. Yet

we have in place today a USDA program that is protecting Americans against 175,000 cases of cancer, according to USDA documents. It is protecting Americans against 91 million exposures to antimicrobials.

This USDA catfish inspection program that is under threat this morning is protecting Americans from some 23.3 million exposures to heavy metals, and yet this program cost the taxpayers, in the Department of Agriculture, only $1.1 million a year. Compared to the $1 billion or $2 billion we are going to spend on Zika, a relatively small $1.1 million a year is protecting Americans against contaminated foreign catfish coming in from overseas.

We have been inspecting imported fish for quite a while in the United States of America. Under the old procedure, the Food and Drug Administration inspected imported catfish. There was a problem. Under the old procedure, FDA inspected only 2 percent of all imports and what we found out was that in the 98 percent of catfish imports that were coming in, there was a lot of bad stuff coming in that threatened Americans and their good health.

In 2008 Congress passed—and the President made a change to it, which was reiterated in 2012 and has recently been enacted—the farm bill. It provides for 100 percent inspection of foreign catfish instead of the 2 percent that we had before.

What has been the result of that? By comparison, when the FDA was inspecting Vietnamese and other foreign catfish coming into the United States during the years 2014 and 2015, the FDA picked up on a whopping total of two shipments of foreign catfish containing known carcinogens over the course of more than 2 years. I am glad they found those carcinogens and stopped these cancer-causing agents from coming in, but think of what we could have discovered that was eventually consumed by Americans if we had inspected not just 2 percent but the whole 100 percent. By contrast, the USDA inspection procedures began in April, and in that short time the USDA has intercepted two shipments of foreign catfish containing known carcinogens in less than 2 weeks. If you do the math, the USDA is intercepting harmful catfish—and there is no question that the carcinogens are harmful and there is no question that we can't legally bring this contaminated catfish in—at a rate 21 times greater than under the old procedure under the FDA.

It is mystifying that we will soon vote on a resolution that would go back to the old way. We caught two deadly shipments in the last 2 weeks, and we have before us today a resolution that would put us back to a procedure that found two violations in the course of 2 years.

Mr. President, I ask unanimous consent that the letter, dated May 24, 2016, from the Safe Food Coalition be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SAFE FOOD COALITION,
Washington, DC, May 24, 2016.

DEAR SENATOR: The undersigned members of the Safe Food Coalition write to strongly oppose S.J. Res. 28, which provides for congressional disapproval and nullification, under the Congressional Review Act, of the final rule for a mandatory inspection program for fish of the order Siluriformes, including catfish and catfish products (''catfish''). Congress transferred regulation of catfish from the Food and Drug Administration (FDA) to the U.S. Department of Agriculture's Food Safety and Inspection Service (FSIS) as part of the 2008 Farm Bill. Since then, we have supported FSIS rulemaking in written comments and in public meetings.

Starkly different catfish farming practices in foreign countries, often accompanied by inadequate environmental and food safety standards, raise significant public health concerns. The FDA regulation of catfish did not sufficiently address those concerns. As the U.S. Government Accountability Office found in 2011, FDA's inspection of imported seafood products was ''ineffectively implemented,'' and subjected just 0.1% of all imported seafood products to testing for drug residues. Yet chemical residue violations in imported catfish are rampant. According to testing performed by FDA and the Agriculture Marketing Service, fully 9% of imported catfish products tested positive for the banned antimicrobial chemical malachite green, and 2% tested positive for the banned chemical gentian violet.

The FSIS inspection program, and its continuous inspection requirement, will provide a sorely needed safeguard against this type of adulteration. The program, which applies to both domestic and foreign processors, incorporates more robust import inspection protocols. These more rigorous standards are already paying off. Within the past two weeks, FSIS inspectors have detained two shipments from Vietnam of catfish products adulterated with gentian violet, malachite green, enrofloxacin, and fluoroquinolone—all banned substances under U.S. law. Under the new inspection program, these importers will have to cover the expense of test-and-hold sampling while they undertake corrective actions. Compared to the former inspection regime, this will provide needed assurance to American consumers, and more equitably assign the costs of enforcement.

For the foregoing reasons, we urge rejection of the motion to rescind the catfish inspection rule.

Sincerely,

CENTER FOR FOODBORNE ILLNESS, RESEARCH & PREVENTION,
CONSUMER FEDERATION OF AMERICA,
CONSUMERS UNION,
FOOD & WATER WATCH,
NATIONAL CONSUMER LEAGUE,
STOP FOODBORNE ILLNESS.

Mr. WICKER. Mr. President, I will read a few sentences from the second paragraph of this Safe Food Coalition letter, which is signed by a coalition, including the Center for Foodborne Illness Research & Prevention, the Consumer Federation of America, the Consumers Union, Food & Water Watch, the National Consumers League, and STOP Foodborne Illness. Those groups have formed this coalition, and they say this:

> Starkly different catfish farming practices in foreign countries, often accompanied by inadequate environmental and food safety standards, raise significant public health concerns. The FDA regulation of catfish did not sufficiently address those concerns.

Two percent of all imports were inspected and the others came in without a single look from the government.

The letter continues:

> As the U.S. Government Accountability Office found in 2011, FDA's inspection of imported seafood products was ''ineffectively implemented'' and subjected just 0.1% of all imported seafood products to testing for drug residues. Yet chemical residue violations in imported catfish are rampant. According to testing performed by FDA and the Agriculture Marketing Service, fully 9% of imported catfish products tested positive for the banned antimicrobial chemical malachite green, and 2% tested positive for the banned chemical gentian violet.

I will simply say, these people don't have an ax to grind. They don't stand to make a lot of money by selling cheap catfish to the American consumer. They are looking out for food safety, and they say there is a starkly different farming practice here than they have in foreign countries. It strikes me as stunning that with the starkly different practices—the unsafe practices in Vietnam and places like that in Asia and the safe practices here—that we would be about to vote in a few moments on a procedure that is very tough on catfish produced by American workers. If this resolution passes today, 100 percent of catfish produced by American workers earning a living and doing this for their families will be subject to inspection, and only 2 percent will be subjected—only 2 percent of the starkly different catfish procedures that are potentially bringing in carcinogens—will be subjected to testing by the government. It is completely backward.

I hope my colleagues will vote no on final passage of this S.J. Res. 28. Let's treat American workers at least the same as we treat foreign workers. Let's treat products grown and produced in America the same as products grown and produced in foreign countries, and let's do it in the name of food safety.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I rise to support this Congressional Review Act resolution to block the USDA catfish inspection program.

Despite what my colleague from Mississippi has said, there is no evidence that the catfish program provides any additional food safety benefit. It was designed to create a trade barrier.

I appreciate the opposition of my colleague from Mississippi. He is working

for his catfish farmers in Mississippi. I know I like Mississippi catfish, but I like all kinds of catfish. In fact, the USDA, FDA, CDC, and the GAO have all confirmed that catfish, both domestic and imported, is already safe under FDA's jurisdiction. In fact, you are more likely to get hit by lightning than to get sick from imported or domestic catfish.

Let's not lose sight of what we are talking about. The FDA inspects hundreds of species of domestic and imported seafood. There is nothing particularly dangerous about catfish that merits setting up a whole separate inspection program under the U.S. Department of Agriculture. The fact is, the FDA is responsible for the safety of most—about 80 to 90 percent—of all U.S. domestic and imported foods, and it has years of successful expertise in the unique area of seafood safety. The FDA system has worked for both domestic and imported seafood, and it has done so for years.

Let's talk about how we got to this point. Before 2008, the Food and Drug Administration was responsible for inspecting all foreign and domestic fish products. The Department of Agriculture inspected livestock, such as beef, pork, and poultry. However, a provision was added to the 2008 farm bill that transferred the inspection of catfish—not all imported seafood, just catfish—to the U.S. Department of Agriculture, requiring that agency to set up a new, separate program to inspect just catfish alone. Again, inspection of all other noncatfish seafood remains at the Food and Drug Administration, and it still does today. This means that seafood businesses across this country that handle catfish are now subject to two different sets of regulations from two completely separate Federal agencies.

I have heard from businesses in New Hampshire and across the country that are being hit by these burdensome new regulations. They are affecting their ability to grow and create jobs. There is no scientific or food safety benefit gained from this new program. There is no evidence that transferring catfish inspection to the USDA will improve consumer safety.

I appreciate that there have been a couple of examples given in the last few weeks of imported catfish. I think we ought to address that and do it very quickly, in the same way we address domestic problems with our food system and do it very quickly.

Officials from the FDA and USDA have explicitly stated that catfish is a low-risk food. The USDA acknowledges in its own risk assessment that no one has gotten sick from eating domestic or foreign catfish for more than 20 years. The USDA catfish inspection program is a classic example of wasteful and duplicative government regulation that is hurting our economy, and it is expensive. The FDA has been inspecting catfish up until now for less than $1 million a year. The USDA, by comparison, has spent more than $20 million to set up the program without inspecting a single catfish during that time. Going forward, estimates are that the program could cost as much as $15 million to operate per year.

The Government Accountability Office, GAO, has recommended eliminating this program 10 separate times.

If there is no food safety benefit, costing millions and actively hurting jobs across the country, why was this program created in the first place? This program, as I said earlier, is a thinly disguised illegal trade barrier against foreign catfish. This kind of a barrier leaves us vulnerable on other American products, such as beef, soy, poultry, and grain, to a wide variety of objections from any WTO nation. Since there is no scientific basis for what we are doing, any WTO nation that currently exports catfish to the United States could challenge it and secure WTO sanction trade retaliation against a wide range of U.S. exports, as I said, things like beef, soy, poultry, grain, fruit, and cotton, to name a few.

Again, it is important to go back and note how this policy change was created. It was not included in either version of the 2008 farm bill that passed the House and Senate, and it was never voted on or debated in either Chamber before it was enacted. It was secretly included in the final version of the farm bill by the conference committee in 2008. The only other time the Senate has voted on this issue was in 2012, and we voted to repeal it in a strong bipartisan voice vote.

The resolution we are talking about today has strong bipartisan support. A discharge petition was signed by 16 Democrats and 17 Republicans in order to initiate floor action and, most importantly, this resolution actually has the chance to become enacted into law. This is not a program this administration ever wanted to have to implement. In fact, it delayed implementing a final program for 8 years, I think in hopes that we in Congress would finally be able to get a vote that repealed the program. Unfortunately, this is an expensive and harmful special interest program—something some might call an earmark—and it is already having severe impacts on some businesses.

I am hopeful that my colleagues will join me in supporting this important resolution to block the USDA catfish inspection program once and for all.

Thank you, Mr. President.

I yield the floor.

Mr. COCHRAN. Mr. President, I strongly urge the Senate to reject S.J. Res. 28, which would overturn a catfish inspection rule that is working to protect American consumers.

In both the 2008 and 2014 farm bills, Congress directed the administration to transfer authority for catfish inspection from the Food and Drug Administration to the U.S. Department of Agriculture. We did so based on evidence that the FDA inspection regime then in place was inadequate.

And we have been proven right. The FDA's inspection regime was inadequate.

Over the course of 2 years, from 2014–2015, the FDA caught a total of two shipments of foreign catfish containing known dangerous cancer-causing chemicals that are illegal in the United States—two shipments over 2 years.

Under the catfish inspection rule, USDA has intercepted two shipments of foreign catfish containing illegal, cancer-causing chemicals in less than 2 weeks.

If you do the math, USDA is intercepting harmful catfish at a rate nearly 21 times greater than the rate at which FDA was before its inadequate program was closed down.

USDA's inspection program has already proven to better safeguard consumer safety than FDA, which makes sense. After all, USDA is the most experienced, well-equipped agency to ensure farm-raised meat products, including catfish, are as safe as possible.

The catfish rule is not costly. The Congressional Budget Office has said this resolution won't save a dime.

The catfish rule is not duplicative. The FDA ceased all catfish inspections on March 1 of this year. USDA is now the only agency charged with inspecting catfish.

The catfish rule does not create a trade barrier. The rule applies equally to foreign and domestic producers. USDA has stated that the rule is compliant with the World Trade Organization's equivalency standard.

The catfish rule has already been proven to keep American consumers safe from illegal, cancer-causing chemicals. Adoption of this resolution would not change the law regarding catfish inspection. It would only call into question, and potentially halt, the ability of the U.S. Government to carry out these proven consumer safety protections.

It is clear that the inspection rule is working as intended to protect U.S. consumers. Congress was right in twice mandating these inspections.

I hope Senators will reject this resolution.

Mrs. SHAHEEN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the time in a

quorum call be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. SHAHEEN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, this morning we will be voting on a joint resolution of disapproval for the rule that establishes the U.S. Department of Agriculture's catfish inspection program. As I mentioned yesterday, I would remind my colleagues that the General Accounting Office, a watchdog organization we rely on for their views, particularly on fiscal issues and matters—and I think that of all the institutions of government right now, probably the GAO is arguably the most respected—GAO has warned in 10 different reports between 2009 and 2016 that ''the responsibility of inspecting catfish should not be assigned to the USDA,'' calling the program ''wasteful'' of tax dollars and ''duplicative'' of the FDA's existing inspections on all other seafood products.

That is an interesting item, I say to my colleagues. The FDA performs inspections on every seafood product that comes into the United States of America. And guess what. There is only one, and that is catfish.

Let's be very blunt about the reality. The reality of this is to stop the competition from foreign sources—specifically one of which is the country of Vietnam—from coming into this country. It isn't much more complicated than that when you see that there is only one. And by the way, that only one, according to the GAO, cost the taxpayers $19.9 million to develop and study the inspection program, and the GAO says it will cost the Federal Government an additional $14 million annually to run the program. The GAO found that the Food and Drug Administration currently spends less than $700,000 annually to inspect catfish. So, according to my calculations, over $13 million a year will be saved by doing away with this duplicative inspection program.

I noticed in the vote yesterday that a majority of my colleagues on this side of the aisle who call themselves fiscal conservatives, including the Chair, have said: Well, we want to keep this duplicative program. That is fine with me, if that is your view, but then don't come to the floor and call yourself a fiscal conservative if you are willing to spend $14 million a year that is not needed and not wanted and is clearly duplicative and especially is earmarked for a special interest—i.e., the catfish industry in Southern States. So vote however you want, but don't come back to the floor when you see a duplicative or wasteful program and say you are all for saving the taxpayers' dollars, because you are voting to spend $14 million of the taxpayers' dollars on a duplicative and unnecessary program.

Don't wonder why only 12 percent of the American people approve of what we do. The reason is because we allow programs such as this, where parochial interests override what is clearly the national interest and the taxpayers' interest. That is why the Center for Individual Freedom, the National Taxpayers Union, the Heritage Foundation, the Taxpayers for Protection Alliance, the Campaign for Liberty, the Independent Women's Forum, the National Taxpayers Union, the Taxpayers for Common Sense, and on and on, are all totally in favor of this resolution. Every watchdog organization in this town and in this country favors this resolution.

I also point out that one of the arguments my dear friend from Mississippi will raise again is that somehow, unless we have this special office, this specific office for inspecting catfish, there will be a problem with the safety of the catfish that are imported into this country. In classic farm bill politics, proponents worked up specious talking points about how Americans need a whole new government agency to inspect catfish imports. As a result, USDA has begun operating a program that will require foreign importers to adjust the catfish program over a period of 5 to 7 years while the USDA duplicates the FDA's inspection program.

The PRESIDING OFFICER. The time for the opponents has expired.

Mr. MCCAIN. All I can say is that the FDA has been doing this job for years and has intercepted banned compounds in foreign imported catfish, and I would point out that the USDA has encountered problems in domestic catfish as well.

The PRESIDING OFFICER. The time for the opponents has expired.

The Senator from Mississippi.

Mr. WICKER. Mr. President, do I understand that the proponents of this resolution have 4 minutes remaining?

The PRESIDING OFFICER. The Senator is correct.

Mr. WICKER. Mr. President, I yield 1 minute of that time to my friend from New Hampshire who has sought recognition and then reserve 3 minutes for myself. I am happy to yield to the Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, first of all, we have 10 GAO reports that have found this to be duplicative and wasteful.

For some reason, there is a special office for catfish but no other fish species. The USDA normally inspects meat and poultry, not fish, so to waste taxpayer dollars this way lacks common sense.

I say to my friend from Mississippi, I know he made an argument on the Budget Committee, but the Budget Committee's opinion basically says there is no direct spending. We all know that a lot of domestic spending is discretionary spending, and discretionary spending will continue on this program. The GAO has found that this costs an additional $14 million a year, this duplicative program. By the way, the $1.5 million that has been cited has not been confirmed by GAO.

Colleagues, let's not be bottom dwellers. Let's get rid of duplicative and wasteful spending. We have 10 GAO reports stacked up. We can get rid of this duplicative program that inspects catfish, which is already inspected by the FDA. By the way, as Senator MCCAIN has said, the FDA has intercepted the toxins my colleagues and friends from Mississippi have cited as well as toxins found in domestic fish. They know how to do this, and we don't need a special office for catfish.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Mississippi.

Mr. WICKER. Mr. President, I oppose the resolution. My friend from New Hampshire has said: Let's inspect catfish like all other catfish. I would tell her and I would tell my colleagues that American-produced catfish is inspected by the USDA at a rate of 100 percent. If the resolution passes, that will not apply to foreign catfish. How does that make sense? How is that fair to Americans? How is that fair to American consumers when we have information that indicates clearly that there are different, less safe procedures overseas than we have in the United States? Yes, let's treat all catfish the same. We inspect American catfish; let's inspect foreign catfish.

We can say this new program is expensive, and I guess if we say it enough, it becomes true. But the fact is that the agency that is going to enforce this program, the USDA, says it is going to cost $1.1 million a year. It seems like a reasonable cost to prevent cancer-causing agents from coming in from overseas, goods that will be eaten by Americans.

One could say that it is duplicative, and I guess if it is said enough, one might think it becomes true. But the fact is that the FDA is out of the inspection business, according to law, and the USDA is in the business, and they can do it for $1 million a year. That is not a duplication.

Saying it is expensive doesn't make it true, and saying it is duplicative doesn't make it true. The facts are exactly otherwise.

This is about food safety. This is about preventing cancer-causing

agents from coming in and being consumed by Americans. Now is the time. This is the time to vote no, to protect American consumers from cancer-causing agents.

I yield the floor.

The PRESIDING OFFICER. All time has expired.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

Mr. WICKER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Texas (Mr. CRUZ).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

The PRESIDING OFFICER (Mr. SULLIVAN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 43, as follows:

[Rollcall Vote No. 86 Leg.]

YEAS—55

Alexander	Franken	Nelson
Ayotte	Gardner	Peters
Bennet	Grassley	Reed
Blumenthal	Hatch	Reid
Booker	Heinrich	Risch
Burr	Heller	Rubio
Cantwell	Isakson	Sasse
Carper	Johnson	Schumer
Casey	Kaine	Shaheen
Coats	King	Sullivan
Coons	Kirk	Tillis
Corker	Klobuchar	Toomey
Cornyn	Lankford	Udall
Crapo	Lee	Warner
Daines	Markey	Warren
Enzi	McCain	Whitehouse
Ernst	McCaskill	Wyden
Feinstein	Menendez	
Flake	Murray	

NAYS—43

Baldwin	Gillibrand	Perdue
Barrasso	Graham	Portman
Blunt	Heitkamp	Roberts
Boozman	Hirono	Rounds
Boxer	Hoeven	Schatz
Brown	Inhofe	Scott
Capito	Leahy	Sessions
Cardin	Manchin	Shelby
Cassidy	McConnell	Stabenow
Cochran	Merkley	Tester
Collins	Mikulski	Thune
Cotton	Moran	Vitter
Donnelly	Murkowski	Wicker
Durbin	Murphy	
Fischer	Paul	

NOT VOTING—2

Cruz	Sanders

The joint resolution (S.J. Res. 28) was passed, as follows:

S.J. RES. 28

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Secretary of Agriculture relating to ''Mandatory Inspection of Fish of the Order Siluriformes and Products Derived From Such Fish'' (80 Fed. Reg. 75590; December 2, 2015), and such rule shall have no force or effect.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 469, S. 2943, a bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

John McCain, Thad Cochran, Lindsey Graham, Joni Ernst, James M. Inhofe, Tom Cotton, Kelly Ayotte, Richard Burr, Cory Gardner, Jeff Sessions, Thom Tillis, Mike Rounds, Dan Sullivan, Orrin G. Hatch, Tim Scott, John Cornyn, Mitch McConnell.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Texas (Mr. CRUZ).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 98, nays 0, as follows:

[Rollcall Vote No. 87 Leg.]

YEAS—98

Alexander	Carper	Ernst
Ayotte	Casey	Feinstein
Baldwin	Cassidy	Fischer
Barrasso	Coats	Flake
Bennet	Cochran	Franken
Blumenthal	Collins	Gardner
Blunt	Coons	Gillibrand
Booker	Corker	Graham
Boozman	Cornyn	Grassley
Boxer	Cotton	Hatch
Brown	Crapo	Heinrich
Burr	Daines	Heitkamp
Cantwell	Donnelly	Heller
Capito	Durbin	Hirono
Cardin	Enzi	Hoeven
Inhofe	Moran	Scott
Isakson	Murkowski	Sessions
Johnson	Murphy	Shaheen
Kaine	Murray	Shelby
King	Nelson	Stabenow
Kirk	Paul	Sullivan
Klobuchar	Perdue	Tester
Lankford	Peters	Thune
Leahy	Portman	Tillis
Lee	Reed	Toomey
Manchin	Reid	Udall
Markey	Risch	Vitter
McCain	Roberts	Warner
McCaskill	Rounds	Warren
McConnell	Rubio	Whitehouse
Menendez	Sasse	Wicker
Merkley	Schatz	Wyden
Mikulski	Schumer	

NOT VOTING—2

Cruz	Sanders

The PRESIDING OFFICER. On this vote, the yeas are 98, the nays are 0.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017—MOTION TO PROCEED

The PRESIDING OFFICER. The clerk will report the motion to proceed.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 469, S. 2943, a bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. COTTON. Mr. President, it is an honor to serve in the Senate. It is an honor to serve the people of Arkansas. I would never complain about the tasks we are given.

There is one small burden I bear, though. As a junior Senator, I preside over the Senate—I usually do it in the mornings—which means I am forced to listen to the bitter, vulgar, incoherent ramblings of the minority leader. Normally, like every other American, I ignore them. I can't ignore them today, however.

The minority leader came to the floor, grinding the Senate to a halt all week long, saying that we haven't had time to read this Defense bill; that it was written in the dead of night.

We just had a vote that passed 98 to 0. It could have passed unanimously 2 days ago. Let's examine these claims that we haven't had time to read it—98 to 0—and in committee, all the Democrats on the Armed Services Committee voted in favor of it. When was the last time the minority leader read a bill? It was probably an electricity bill.

What about the claims that it was written in the dark of night? It has been public for weeks. And this, coming from a man who drafted ObamaCare in his office and rammed it through this Senate at midnight on

Christmas Eve on a straight party-line vote?

To say that the Senator from Arizona wrote this in the dead of night, slipped in all kinds of provisions, that people don't have time to read it, that is an outrageous slander. And to say he cares for the troops, how about this troop and his son and his father and his grandfather—four generations of service, to include almost 6 years of rotting in a prisoner of war camp. To say he is delaying this because he cares for the troops, a man who never served himself, a man who, in April of 2007, came to this very floor, before the surge had even reached its peak, and said the war was lost when over 100 Americans were being killed in Iraq every month, when I was carrying their dead bodies off an airplane at Dover Air Force Base—it is an outrage to say we had to delay this because he cares for the troops. We are delaying it for one reason and one reason only: to protect his own sad, sorry legacy.

He now complains in the mornings that the Senate is not in session enough, that our calendar is too short. Whatever you think about that, the happy byproduct of fewer days in session in the Senate is that this institution will be cursed less with his cancerous leadership.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I believe that the other side of the aisle has been informed that, at noon, I will ask that we move forward with the bill.

Mr. President, it is my understanding now that, most likely, the Democratic leader will object to moving forward with the defense authorization bill. That is deeply regrettable. That is, in fact, confounding to me; that even though there may be differences on the other side of the aisle, that we would not move forward, given the situation in the world today and the men and women who are serving in our military.

I would remind my colleagues that this legislation was passed through the committee with a unanimous vote from the Democrats and under the leadership of my friend from Rhode Island, Senator REED, who has also served this Nation honorably in uniform, albeit, poorly educated. The fact is, we have a tradition the Senator from Rhode Island and I have been scrupulously observing; that is, to work in a bipartisan fashion for the good of the country.

I would mention a couple of things. One is the Democratic leader yesterday or the day before said they hadn't had time to read the bill. The bill has been online since last Wednesday—last Wednesday, a week ago. Obviously, that seems to be sufficient time for most to be able to examine the bill. We have been on the floor explaining it. There have been press releases. There have been all kinds of examination of the legislation.

As has been pointed out, we have had legislation when the Democratic leader was in the majority that we never saw until the time he demanded a vote, particularly when they had 60 votes in order to override any objections that we might have—including, by the way, the passage of the now-disastrous ACA, or known to some of us as ObamaCare, which now we are seeing the catastrophic consequences, including our citizens seeing dramatic increases in their premiums to the point where it is simply unaffordable, and there is more to come.

The fact is, after 13 hearings with 52 witnesses, a unanimous vote on the other side, 3 in opposition on my side, we came up with a defense authorization bill. The defense authorization bill has reached the President's desk and has been signed by the President for 53 years. In my view, there is no greater example over that 53-year period of the ability of both sides to work together for the good of the country.

Here we have, just recently, what appears to be—most evidence indicates—a terrorist act, the blowing up of an airliner. We have almost unprecedented suicide attacks in the city of Baghdad, which have killed over 1,000 people in the last year. We have ISIS metastasizing throughout the region, including Libya, and now rearing its ugly head in Afghanistan. We have a situation of abuse of human rights that is almost unprecedented. We have a migrant refugee flow into Europe, which obviously it is well known that Mr. Baghdadi has instructed some of these young men and possibly young women to be prepared to commit acts of terror in European and American countries. Already, some of those plots have been foiled.

The Director of National Intelligence has testified before our committee that the world is in more crises than at any time since the end of World War II; that there are more refugees in the world than at any time since the end of World War II; that America is in danger of terrorist attacks.

Whom do we rely on? We rely on the men and women who are serving in the military. That is why we passed, on a vote of 24 to 3 through the Senate Armed Services Committee—work on both sides in a cooperative and bipartisan fashion—the Defense authorization bill.

You would think that all of those facts would argue for us to take up this bill immediately and debate and vote. That is what the Senate is supposed to do. That is what our Founding Fathers had in mind.

So, again, the Democratic leader is going to object to us moving forward. Why in the world, with the world as it is today, with the challenges we face, with the men and women who are serving our Nation in uniform with courage—one of whom is a citizen of my own State who was just killed—why are we blocking the ability of this Nation to defend, train, equip, and reward the men and women who are serving in the military? Why? Why won't we move forward and debate? We have always had lots of amendments, lots of debates, lots of votes, and we have done that every year in the years I have been here.

The Democratic leader and I came to the Congress together, by my calculation, almost 34 years ago. We have had a very cordial relationship from time to time, and we have strong and spirited differences. Those differences have been honest differences of opinion because of the party and the philosophy he represents. But I must say to my friend from Nevada, I do not understand why we would not go ahead and take up this legislation and begin voting. That is what we are supposed to do. That is what has happened for 53 years where we have debated, we have gone to conference, we have voted, and it has gone to the desk of the President of the United States. A couple of times it had been vetoed, and we had gone back, but the fact is, we have done our job.

What greater obligation do we have than to defend this Nation? What greater obligation do we have than to help and do whatever we can to assist the brave Americans who are serving in uniform? What is our greater obligation? I think it is clear to everyone what our obligation is. That obligation is to do our job and do our duty.

The American people have a very low opinion of us—on both sides of the aisle. When they see that we are not even moving forward on legislation to protect, help, train, and equip the young men and women who have volunteered to serve this Nation in uniform, no wonder they are cynical. No wonder.

We have a piece of legislation that is literally a product of hundreds of hearings, literally thousands of hours of discussion and debate, of work together on a bipartisan basis, and we are not able to move forward with it and begin the amending process. I don't get it. I say to the Democratic leader, I don't get it. I do not understand why he doesn't feel the same sense of obligation that the rest of us do; that is, as rapidly as possible, for us to take care of the men and women who are serving, meet the challenges of our national security that our larger—according to the Director of National Intelligence—than at any time since the end of World War II. That is what I do not get. Maybe the Democratic leader will illuminate us on that issue, but I don't see that there is any argument.

When the Democratic leader and I meet the brave men and women who are serving in uniform—those who are at Nellis Air Force Base and in Yuma at Luke Air Force Base—and tell them that we wouldn't move forward with

legislation that was to protect and house and feed and train those men and women, I would be very interested in the response the Democratic leader might have to that.

I urge my friend of many years—for the last 34 years—to allow us to move forward and begin debate on this very important issue. I know of no greater obligation we have than to address this issue of national security, which is embodied in the Defense Authorization Act. In all these 34 years, I have never objected to moving forward with this legislation. I have had disagreements. I have had strong problems with some of the provisions. But I thought it was important to debate and vote.

I urge my colleagues not to object. The bill has been available for people's perusal for over a week now. Everybody knows the major points of the bill. So I hope the Democratic leader will not use that as a flimsy excuse because it is not one. But most importantly, I appeal to my colleague from Nevada to think of the men and women in uniform who are serving our country and to think of our obligation to act as best we can to protect them and help them carry out their responsibilities and their duties as they go into harm's way.

Mr. President, I ask unanimous consent that all postcloture time be yielded back and that the Senate proceed to the consideration of S. 2943.

The PRESIDING OFFICER (Mr. SASSE). Is there objection?

The Democratic leader.

Mr. REID. Mr. President, reserving the right to object, every time I come to the floor when my friend is on the floor speaking, I need not tell everyone within the sound of my voice how much I admire him and the service he has rendered to our country, both as a naval pilot and as a Senator and as a Member of the House of Representatives. However, he has a job to do and I have a job to do.

I, like most people in the Senate, have not served in the military. I acknowledge that. But I didn't go to Canada. I did my best. I had civil obligations during the time my friend was in Vietnam.

Mr. MCCAIN. If my colleague will yield, I believe you have served the State of Nevada and this Nation with honor.

Mr. REID. Mr. President, I do believe we have a job to do. He does his job the best he can, and everyone knows how hard he works. But I also have obligations to my caucus, to this body, and to the country.

This is a very big, important bill. I have had the good fortune for all these years to work on it. It has been difficult sometimes where we just barely made it. I can remember one year that Senator Levin, who was our man on defense, and Senator MCCAIN—we were able to do the bill in 2 days. It was an emergency situation. But we have gotten the bill done over all the years I have been here. We have gotten it done all the years I have been the leader.

Here is the situation in which we find ourselves. This bill is almost 2,000 pages long. As he indicated, it could have been online from sometime Wednesday night, but the truth is that we didn't get the final version of this bill until last night at 5 o'clock. The committee voted on the appendix to this bill last night. They completed it at 5 o'clock last night. An important part of the bill deals with the intelligence aspect of this bill, and a lot of people want to read that and the rest of the bill.

I don't think it is asking too much to allow Members to understand the bill, to have the opportunity—the Presiding Officer is a very studious man; maybe he will read every page of that bill. Most Senators will not, but they will make sure their staff reads every line. Why? Because they need to do that.

This bill was marked up in closed session. It was marked up privately. There was no press there. It was done in closed rooms in the Russell Building. I believe that is where all the markups took place. The bill came to the floor.

We have amendments we want to offer. We have a caucus tomorrow to talk about that. We have a number of Senators who are preparing amendments, and they want to discuss them with the rest of the Democrats prior to moving to this bill.

We will be out for a week for the Memorial Day recess. When we come back, it would seem to me it would be much more efficient and productive if we were ready on that Monday we come back to start legislating. We are not ready to do that yet. We are not ready. We are going to proceed very deliberately in spite of all the castigations about me made on the Senate floor. I am going to ignore those because, to be quite honest with you, anytime we need to talk about any statements I have made at any time, I am happy to do it, but I think it would distract from what we are doing here today to go into the statements made by the junior Senator from Arkansas. But I do have to say this: I am not the reason we are having such short workdays in the Senate, even though that was alleged by my friend from Arkansas.

If we are going to do our job, we are going to do it the best way we can because it is important.

I have said it here on the floor, and I won't go into a lot more detail than what I am saying here, but in the room where we meet on a closed, confidential basis, last Thursday I met with the Secretary of Defense. I have the good fortune every 3 weeks to be briefed on what is going on around the world by the military and by others who help us be safe and secure in this country. We talked about a number of things that we need not discuss here openly, but one thing we can talk about openly here is that the Secretary of Defense thinks it is really, really, really—underscore every ''really'' I said—to put in this bill what my friend from Arizona said he is going to do, and that is move $18 billion from warfighting—the overseas contingency fund—into regular, everyday authorization matters that take away from the ability of this Pentagon to plan what they are going to be doing next year or the year after—this is something we—I—need to take a hard look at.

I said earlier today that I appreciate very much the Republican leader responding to a letter we wrote to him, saying that on these budgetary matters, he would stick with the 2-year deal we made. I am glad. That is great. But my friend from Arizona wants to violate that deal, and I think that is wrong. We are going to take a hard look at that because we believe that a secure nation not only depends on the Pentagon—bombs and bullets—but it also depends on all the other agencies of government that help us maintain our security: the FBI, the Drug Enforcement Administration, all of the different responsibilities of the Department of Homeland Security.

Let's understand that no one is trying to stall this legislation. If nothing happens on this bill in the next 24 hours, I think it will be a much better process to finish the bill when we come back. We will do it with our eyes wide open. No one will be able to say: I didn't know that was in there. What I said—and I will say it with my friend on the floor—is there are a lot of little goodies in this bill. I think we need to take a look at those.

My friend, of all people, who has worked hard during the entire time he has been in the Senate—he and I didn't get much done in the House. When you are there for two terms, you don't get much done. But in the Senate, he has gotten a lot done, focusing on what he believes is wasteful spending in the government. I disagreed with him on some of the examples he has pointed out—some of them have dealt with Nevada—but he has done that well.

We have a responsibility and we have been trained pretty well by the senior Senator from Arizona to look at these bills, what is in them. I have been told by my staff that we better take a close look at some of the things that have been identified in this bill.

I am not here in any way to not give my full support to the efforts made by JACK REED, the ranking Democrat on this committee. This bill is not JOHN MCCAIN's bill. It is not JACK REED's bill. It is our bill. I want to make sure that this bill—our bill—comes out in a way that is good for the American people. My view of what is good for the American people may be different from

others, but I think we have a responsibility to do everything we can to proceed in a very orderly fashion.

As soon as we get on this bill, I will do my very best to move it along just as quickly as possible.

I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCAIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. RUBIO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CUBAN REFUGEE BENEFITS

Mr. RUBIO. Mr. President, I came to the floor a few weeks ago to bring to people's attention an abuse that is occurring in our welfare system, and it involves Cuban immigration.

Let me describe the situation we face today. If an immigrant comes to the United States from Cuba legally, entering the United States from another country—let me rephrase that. If an immigrant legally enters the United States from any country in the world, except for Cuba or Haiti, they cannot immediately receive Federal benefits. If you are a legal immigrant and came to the United States from Venezuela, Mexico, or Japan—you did your paperwork and paid your fees—you do not qualify for any Federal benefits for the first 5 years you are in this country. However, there is an exception for people who come from Cuba. Under the Cuban Adjustment Act, anyone who comes from Cuba legally or illegally—if you cross the border and say ''I am a Cuban''—you are immediately accepted into the United States legally. I am not here today to talk about changing that status, even though there is a significant migratory crisis that is building, and I do think that issue needs to be reexamined.

Here is the exception to the law: If you come to the United States from Cuba, whether you entered across the border or entered on a visa, you are one of the only immigrants in America who immediately and automatically qualifies for Federal benefits. You don't have to prove you are a refugee or prove you are fleeing oppression. You don't have to prove anything. You are automatically assumed to be a political refugee and given not just status in the United States but a series of public benefits.

For decades this has been because U.S. law made the presumption that if you were leaving Cuba to come to the United States, you were obviously a refugee. I believe for a lot of people who are still coming that is true because they are fleeing a horrible and oppressive regime and have had nowhere else to go because in many cases they fear for their lives in Cuba. For some time now, there has been growing doubt about whether all of the people who are now coming from Cuba are, in fact, fleeing oppression. Or are they increasingly becoming more like an economic refugee?

From what we see in South Florida with our own eyes and also because of the investigative reporting by the South Florida SunSentinel, we know there are growing abuses to this benefit. The reason is that many people who are coming from Cuba, supposedly as refugees seeking to flee oppression, are now traveling back to Cuba 15, 20, or 30 times a year. That raises an alarm right away.

If you are entering the United States and immediately and automatically given status as refugees—in addition, you are being given access to a full portfolio of Federal benefits—because you are supposedly fleeing oppression, but then traveling back to Cuba 15, 20, or 30 times a year in many cases, it causes us to have a serious doubt about whether everyone who is coming here from Cuba should be considered a refugee for purposes of benefits, but today they are.

Even at this very moment, we are seeing a historic increase in the number of people who are originally from Cuba crossing the Mexican-U.S. border. We have seen an increase in the number of rafters. Last week there was a standoff between the Coast Guard and some Cuban migrants who went up to a lighthouse and wouldn't come down because they wanted to get the status under the wet-foot, dry-foot policy.

I think we can debate that issue. I am not here today to propose changes to the status, but I do think we have to ask ourselves: What about the Federal benefits? What about the benefits they are collecting which are specifically and exclusively intended for refugees and refugees only? Obviously, if you are traveling back to Cuba over and over again, you are not a refugee and therefore should not be eligible for these benefits.

The abuses we have now seen are extensive. The stories of people who are actually living in Cuba—they are living in Cuba but collecting government benefits in America, and their family is wiring the money to them. There are people who are collecting an assortment of benefits from housing to cash, and that money is being sent to them while they live in Cuba for months and sometimes years at a time. It is an outrage. It is an abuse. By the way, I am of Cuban descent and live in a community with a large number of Cuban exiles and migrants. Our own people in South Florida are saying that this is an outrage. They see this abuse. It is their taxpayer money, and they want something done about it.

Today we learned from the Congressional Budget Office, which analyzes these issues in-depth and determines how much they actually cost taxpayers, that the long-term cost of this abuse over the course of the next 10 years will be approximately $2.5 billion to the American taxpayer. A significant percentage of that $2.5 billion is going to people who aren't even living in the United States. We know from investigations that the money often ends up back in Cuba. We have seen people abuse the system over and over again by having a relative in the United States who goes to the bank every month, takes a cut, and sends the rest of the money to them. That is your money that is being sent to them.

The American people are a generous people, but right now those who abuse the system are taking American taxpayers for fools, and we need to stop it. That is why I am hopeful that today's report from the Congressional Budget Office will give us renewed momentum to end this problem and reform the system. The way to do it is by passing a law I have introduced with Congressman CARLOS CURBELO in the House that ends the automatic assumption in U.S. law that assumes all Cuban immigrants are refugees. It says that in order to receive refugee benefits, they have to prove they are refugees or legitimately fearing for their lives if they were to return to Cuba.

This is how the process works: If you cross the U.S.-Mexico border and you are from Cuba or arrive on a raft, you will get your status and will be legal in this country, but you will have to prove you are actually coming because you fear persecution before you automatically qualify for refugee benefits. In essence, all I am asking is that people prove they are political refugees before they qualify for Federal benefits that are available only to political refugees.

Lest anyone think this is some sort of partisan trick, this is a bipartisan measure that my Democratic colleague, the senior Senator from Florida, supports. It has over 50 bipartisan cosponsors in the House, including the chairman of the Democratic National Committee.

I hope we can get this done, even if the best way to do it is on its own merits with a straight up-or-down vote or as an amendment included in a larger bill. With all the talk about paying for Zika virus funding, maybe this is one of the ways we can pay for some of that, but let's get it done.

Mr. President, $2.5 billion is still real taxpayer money, a significant percentage of which is being misspent on a loophole that exists in the law that most people don't even know is there. I truly hope we can address it. It makes all the sense in the world. Everyone is asking for it. There is no good-faith or reasonable reason to oppose it, and it is my hope we can address it before this Congress adjourns at the end of this

year, or sooner if possible, and that we can put an end to these abuses once and for all.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I wish to add my voice to Chairman MCCAIN's comments a little bit ago about moving forward on the Defense authorization bill. I have the honor of serving with him and Senator REED, the ranking member of the Armed Services Committee. It is a huge honor, but as Senator MCCAIN mentioned, we also have an enormous obligation and responsibility. The biggest, most important thing we do here is probably our national defense.

The chairman asked a really important and simple question: Why? Why are we not taking up the Defense authorization bill at this time? Why is the minority leader moving forward with a filibuster on this important bill that was voted out of committee almost on a complete bipartisan basis?

We have an enormous obligation to our troops and to the national defense of our country, and that is what this bill is all about. We can debate it, but we need to begin that debate.

My colleague and friend from Arkansas was on the floor here a little bit ago, expressing his frustration about why we are delaying this legislation. I share that frustration, and I share the chairman's frustration.

Why? Why are we filibustering? Why is the minority leader filibustering this important bill?

I remind my colleagues on the floor that this is actually a pattern. If you remember, at this time last year the minority leader led a filibuster of the Defense appropriations bill. It funds the bill so we can support our troops who are, by the way, overseas in combat. Despite the fact that the President and others in the White House want to tell the American people they are not in combat, they are in combat. We all know it. We know it is a fiction.

Last year the minority leader led a filibuster of the Defense authorization bill—spending for our troops—not once, not twice, but three times on the Senate floor. This pattern of procedural delays clearly undermines our troops. There is no doubt about that.

I want to add my voice to my colleague. I believe it is a bipartisan frustration, not just Republicans. Remember, the NDAA came out of committee with huge bipartisan support.

One of the most important things we do here is focus on our national defense, focus on having a strong military, and focus on taking care of our veterans. We should be bringing that bill to the floor, not delaying it any longer, and debating its merits and moving forward. I just don't understand why we are not doing that right now. I certainly don't think the American people understand it.

THE U.S. ECONOMY

Mr. President, another important topic that we should be talking about on the Senate floor more often is the state of our economy. In my view, national defense and economic opportunity for Americans are the critical things we need to debate in the Senate.

As I have been doing recently, I wanted to come down here and talk about the health of our economy and the importance of getting to a healthy economy because—make no mistake—we have a sick economy right now. We need to bring the U.S. economy, the greatest economic engine of growth the world has ever known, back to life. We need to bring opportunity once again to people who have lost economic hope.

Let me be clear. Americans don't easily give up on hope. We are a country of hope, a country of dreams. Progress is in our DNA. We are always moving forward. But Americans are starting to lose hope because they are not seeing opportunity, they are not seeing progress, and they are not seeing a healthy economy. So what is going on?

I would like to provide a quote from a recent article in the Atlantic Monthly entitled: ''The Secret Shame of the Middle Class.'' I would recommend this article to my colleagues. The author is talking about Americans from all spectrums who, because of the weak economy and because of no economic opportunity, are living paycheck to paycheck. Millions of Americans, as he describes in this article, are living paycheck to paycheck. He says:

> It was happening to the soon-to-retire as well as the soon-to-begin. It was happening to college grads as well as high school dropouts. It was happening all across the country, including places where you might least expect to see such problems. I knew that I wouldn't have $400 in an emergency. What I hadn't known, couldn't have conceived, was that so many other Americans wouldn't have that kind of money available to them, either. My friend and local butcher, Brian, who is one of the only men I know who talks openly about his financial struggles, once told me, ''if anyone says he's sailing through, he's lying.''

Then the author goes on to make a very important statement. He says: ''In the 1950s and '60s, American economic growth democratized prosperity.'' Everybody had opportunity with strong economic growth. But, ''in the 2010s,'' he says, ''we have managed to democratize financial insecurity.''

That is what is happening across the country. In my opinion, a big part of the problem—one that is playing out in our politics right now—is the fact that those who are hurting are not being heard. They see their lives. They know their lives. They know the challenges. Nearly half of Americans would have trouble finding $400 in a crisis, as this article lays out, and yet it doesn't match up with what their leaders are telling them.

Let me give you an example. In a recent speech, President Obama actually said: ''We are better off today than we were just seven years ago.'' He said that anybody who tells you differently ''is not telling the truth.'' That is the President.

I guarantee you the President is not agreeing with this article. I hate to inform the President, but even former President Bill Clinton recently had this to say about the Obama economy: ''Millions and millions and millions . . . of people look at the pretty picture of America [President Obama] painted, and they cannot find themselves in it . . . ''

That is former President Bill Clinton on the current State of the U.S. economy. It is not hard to see why so many can't find themselves in the picture that the President has painted of our current economy. During nearly 8 years of the Obama administration, the number of Americans participating in the labor force shrank to its lowest level since 1978. What does that mean? It means Americans have just quit looking for jobs. In the last 8 years, more Americans have fallen into poverty, family paychecks have declined, and the number of people on food stamps has skyrocketed by 40 percent—all during the last 8 years. The percentage of Americans who own homes, the marker of the American dream—homeownership—is down by over 5 percent.

Let me give you another number that, although many Americans aren't familiar with, impacts them deeply. A few weeks ago it was announced by the Commerce Department that the economy essentially stopped growing. Last quarter we grew at 0.5 percent of GDP, or gross domestic product. That is an indicator of progress, an indicator of the health of our economy, of our country, of opportunity. It was stagnant. It didn't grow.

Let me put this in perspective. In the past 200 years, American real GDP growth through Democratic or Republican Presidents—it doesn't matter; we have had ups and downs—has been about 4 percent, or 3.7 percent. This is what has made our country great. This is what has fueled the engine of the middle class of America. Under this administration, the average has been an anemic 1.5 percent of GDP growth. We have never had even one quarter of 3 percent of GDP growth. Now the administration doesn't talk about that. In fact, very few do. We need to talk about it more on the Senate floor. But the American people feel it.

This article describes it. They see it again and again when one of their neighbors or loved ones loses a job, when they see their paychecks stagnant for 8 years, when they see another small business in their community closing, or when they start wondering how they are going to put their children through college. They see it in the long road ahead of them that shows no promise of a brighter future because of

the lack of economic opportunity. They see it, and, as this article describes, they feel the stinging shame.

The bottom line is that we have had a lost decade of economic growth and opportunity in the last 10 years. We need to get serious about this problem. We need to focus on this problem almost above any other issue.

My colleagues a lot of times come down here and talk about a moral imperative. This is a moral imperative—to create a healthy economy for the entire country—but we are not doing that.

Now, what are the solutions? Well, we ask the experts: How do you grow the economy? How can we create articles that talk about opportunity and not the shame of the middle class? One idea certainly is that we have to reform a Federal Government that tries to overregulate every aspect of our economy, especially the small businesses. When asking the experts or politicians, they all agree. A number of us had an opportunity to talk to former Chairman of the Fed Alan Greenspan yesterday. This clearly is one of the issues where he thinks we need to ignite traditional levels of economic growth—regulatory reform.

Again, Bill Clinton, in a Newsweek cover article in 2011 said that the No. 1 thing we need to do is to move forward on regulatory reform to get projects moving, to build this country again.

Even President Obama, in his State of the Union Address this year, said we have to cut redtape and we have to lessen the regulatory burden on Americans. So there seems to be widespread agreement, but it is all talk.

When we actually try to act, when we actually try to do just minimal reforms to this explosion in the growth of Federal rules and regulations over the last several decades—when we try to do just a little of this—we are stopped, stymied, and caught up in politics.

Let me give you just two recent examples. I introduced a bill called the RED Tape Act, a very simple bill debated on the Senate floor that essentially would put a cap on Federal regulations—a ''one in, one out'' rule. If a Federal agency is putting more regs on the U.S. economy, then we have to look at our big portfolio of regulations and sunset the equivalent economic burden in terms of regs. It is a very simple idea. It is a 4-page bill. The UK is doing this, Canada is doing this, and it is working.

Some of my colleagues on the other side of the aisle certainly thought it was a good idea, but when we brought it to the floor—the simple idea that would help our economy—there was a party-line vote. It goes down.

Just last week, as we were debating the Transportation appropriations bill, we wanted to move on another simple reg idea. The idea is simple. If there is a bridge in a neighborhood and it is structurally deficient—and by the way, the United States has 61,000 structurally deficient bridges—and the bridge is not going to be expanded but is just going to receive maintenance or be reconstructed, the permit can be expedited so that it doesn't take 5 years to build or reconstruct the bridge. Again, it was a very simple amendment that used common sense on regs. We were told: No, the other side viewed it as a poison pill. We even heard that the White House was thinking about threatening to veto the bill if that amendment was attached to it. These are simple, commonsense ideas that the American people fully support to keep them safe and to grow our economy.

We need to grow our economy. We need to take action on the Senate floor to help grow our economy. We need to bring this sick economy back to health, but we are not doing it right now. Instead, we see articles such as the one I just mentioned about middle-class Americans living paycheck to paycheck because they don't have opportunity.

What we need to do, in addition to focusing on the defense of our Nation and taking care of our troops, is to get this anemic economy—this lost decade of economic growth that we have seen over the last 10 years—roaring again, to provide opportunity and hope for Americans. That is what we should be focused on.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. TOOMEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PERDUE). Without objection, it is so ordered.

Mr. TOOMEY. Mr. President, I rise this afternoon to speak on S. 2943, which is the National Defense Authorization Act that we recently invoked cloture on the motion to proceed. I guess we are going to be on this bill, and I am glad we are. In particular, I want to address section 578 of this act.

Section 578 is designed to protect our servicemembers' children when they are in school—specifically, to protect them from convicted pedophiles and other dangerous felons who try to infiltrate our Nation's schools, when they can, to find more victims. This is a cause I have been working on for at least 2½ years in the Senate. We have a serious problem. We have made some progress, but we have a long way to go.

For me, this effort to address this began with a terrible story of a child named Jeremy Bell. The story begins in my home State of Pennsylvania, in Delaware County, PA.

A schoolteacher had molested several boys and had raped one of them. Officials at the school figured out that something was going wrong, prosecutors were brought in, but they never felt they had enough evidence to press charges to bring a case. The school decided they would dismiss this teacher. They didn't want him around anymore, but, shockingly and appallingly, they decided that to facilitate his departure from the school, they would help him get a job in another school. They would actually recommend him for hire somewhere else. Well, he did get a job in another school, in West Virginia, in part, with the help of the letter of recommendation he got from the Delaware County School District.

That teacher went on to become a school principal, and of course he continued his appalling victimization of children. It ended when he raped and murdered a 12-year-old boy named Jeremy Bell.

Justice eventually caught up with that monster who had gone from Pennsylvania to West Virginia. He is now in jail, where I hope he will remain for the rest of his life, but for Jeremy Bell, of course, that justice came too late.

Sadly, Jeremy Bell is not alone. Year after year, we see staggering and heartbreaking numbers. In 2014, at least 459 teachers and other professional school workers across the country were arrested for sexual misconduct with the kids they are supposed to be taking care of. That is more than one per day. In 2015, the number went up. It got worse—it was 496 arrests—again, schoolteachers and school personnel who have unsupervised contact with these children, and so far 2016 is not doing any better. We have had 185 arrests in just 144 days.

One way to look at this is, just since I got engaged in this battle 2½ years ago, we have had at least 1,140 school employees arrested for sexual misconduct with the children in their care. Of course, these are just the ones who have been caught. These are the ones we know about. These are the ones where there is enough information and evidence that the law enforcement folks were comfortable in making an arrest. How many more? How much is this going on?

Of course, every one of these stories is a terrible tragedy for the victims. Like the child whose sexual abuse began at age 10 and only ended when, at 17, she found she was pregnant with the teacher's child or the teacher's aide who raped a young mentally disabled boy who was in his care. These are hard things to talk about but think about how infinitely harder it is for the victims who suffer through this, and the examples go on and on.

This has to stop. We have to be doing everything we can to try to prevent this and to protect the kids who are in our country's schools. This is why, in

2013, I introduced a bill that was meant to do exactly that. It was called the Protecting Students from Sexual and Violent Predators Act. It is a bipartisan bill, and it included fundamentally two protections.

The first was a ban on this terrible practice that led to the murder of Jeremy Bell. It holds that a school would have to be forbidden from knowingly recommending for hire someone who was a known child molester. It seems so appalling. How could this happen? But the Jeremy Bell case is not the only case. In fact, this phenomenon by which schools try to get rid of their monsters by making him someone else's problem is so widely recognized that schools will facilitate that person getting a job somewhere else. This phenomenon has its own name. It is called passing the trash. People who are advocates for crime victims, people who help children cope with the horrendous experience they have been through, know this very well. They know this phenomenon because they have seen it all too often. That is the first piece of my legislation from 2013, make it illegal to knowingly pass the trash.

The second piece is to require a thorough background check—a thorough criminal background check whenever someone is being hired who will have unsupervised contact with children in the school. That means teachers, but it also means coaches, it means the schoolbus driver, it means contractors, if the contractor will have that kind of access to the children.

Last December we had an important victory on this because the first protection, the prohibition against knowingly passing the trash, passed the Senate. It was a battle. There were people here who fought this very aggressively, but eventually I was able to get a vote on the Senate floor and it passed overwhelmingly. It was then included in the text of the Every Student Succeeds Act. That legislation has since been signed into law. So it is now the law of the land that it is forbidden to knowingly recommend these pedophiles for hire.

As I said, that was only the first part of our legislation. The success we had back in December was only a first step. We were not able to succeed with the tougher, more comprehensive background checks we need. So I said at the time: I am not finished. We are going to continue this fight—and we are.

That is why I am here today—because the legislation we are about to take up, the National Defense Authorization Act, takes us another important step forward, which helps in this effort to have more comprehensive background checks.

I have a personal interest in this. I have three young children—a 15-year-old, a 14-year-old, and a 6-year-old—and I represent 12.8 million Pennsylvanians. The vast majority of the people I represent have the same view I do, which is: When we put our kids on a bus in the morning to go to school, we have every right to believe we are sending our child to the safest possible environment. So that is what this is about.

What this legislation does in the Defense authorization bill is it incorporates a bill I introduced earlier this year. That bill is called the protecting our servicemembers' children act. The national defense authorization bill takes my bill, this protecting our servicemembers' children act, and incorporates it. It builds it in. It covers DOD, Defense Department-operated schools in the United States, of which there are many, but it also covers schools in school districts that receive Federal impact aid because children of our military folks attend those schools. So that is one of the ways we cover some of the cost of educating the children of our men and women in uniform. We do it by providing this impact aid to the school districts to which they send their kids.

What my legislation does and what the NDAA therefore does is it requires these schools to conduct the same kind of background check that the DOD requires of its own schools, which is exactly the right thing to do. It also provides that if a person has been convicted of certain serious crimes—which includes violent or sexual crimes against a child—then that criminal may not be employed in a position that gives him unsupervised access to children. It is as simple as that.

This will cover schools that serve about 17 percent of our schoolchildren, roughly 8.5 million kids. I think this is just common sense. A background check for school workers is simply common sense. All States, all school districts do this to some degree. The problem is, not everyone does it to an adequate degree. It should not be possible for a person who has been convicted of child rape to walk out of prison, walk down the street, and get a job in an elementary school. That should be absolutely impossible.

I am not suggesting that a convict shouldn't be able to get any job, but I absolutely am suggesting that he should not be able to get a job in which he has unsupervised contact with children. To me, that is a no-brainer.

This feature—my bill, this legislation—does not impose any new burdens on the Department of Defense. The DOD regulation already requires this thorough background check on all DOD-operated schools. But what we do is reaffirm that so that no future administration could water that down by Executive order or some other way.

Also, I suggest that there is an important reason why it is absolutely essential that we provide this protection to the members of our military; that is, the men and women who put on the uniform of this country don't always have a say in where they are going to be stationed. They don't necessarily get to decide which base and which State they are going to work and, therefore, which school their children will attend. So when they get moved to another State, over which they have no say, they certainly have no say in the background check policy of that school or that school district or that State. The least we can do for these men and women who take enormous personal risks and make huge sacrifices to protect us is to protect their kids when their kids are going to school.

I should salute the efforts of State Senator Tony Williams from Pennsylvania because the children in Pennsylvania are protected by a very rigorous background check system, thanks largely to Senator Williams' insistence that we do this and his advocacy for legislation that gets that done.

When Pennsylvania servicemembers are stationed in another State, they still deserve the same level of protection that they get in Pennsylvania. But Tony Williams' bill that is now the law of the land in Pennsylvania does not apply beyond the borders of Pennsylvania, and that is why we need this legislation—to make sure that all the men and women who wear the uniform of this country can know that their children will have this protection. The least we can do for the people who are ensuring the safety and security of all of us in our country is to make sure their children are safe from convicted pedophiles and other dangerous felons who attempt to infiltrate the schools.

Let me also thank someone else. I want to thank the chairman. Senator MCCAIN has been an ally of mine in this ongoing battle to keep our kids safer for years now. His leadership has been outstanding. It is because of his commitment to the safety and security of our kids that my legislation is in the National Defense Authorization Act, the legislation that we are considering today.

Senator MCCAIN was a cosponsor of my first bill to protect kids in the classroom. His support was essential in the victory we had last year when we were able to prohibit passing the trash. It is absolutely the case that without his steadfast support, we would not have this provision in this legislation today. So I am very grateful to Senator MCCAIN for his leadership on this, and I am proud to be standing with him on this important issue.

Let me close with this. It is past time to act; it is past time to do something about this. In the 2½ years since I have been trying to make sure that we stop permitting schools to pass the trash, in the 2½ years since I have been trying to get the most rigorous standards for doing background checks—during that time alone—there have been over 1,100 school employees arrested. Those are the ones we know about.

How much bigger does this number have to get? How much longer do we have to wait? More importantly, how many kids have to be brutalized? How many kids have to have their childhood shattered before we are going to impose the toughest possible regimen to protect these kids? I have seen way more than enough. The families who have been torn apart by this devastating crime have seen way too much.

I urge my colleagues today to get this done. Let's take a big step forward in providing a significant additional level of security and protection for the children of the men and women who sacrifice so much to protect all of us.

I yield the floor.

Mr. BOOZMAN. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SCOTT). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MERKLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MERKLEY. Mr. President, I ask unanimous consent that I be permitted to use a visual aid during my speech.

The PRESIDING OFFICER. Without objection, it is so ordered.

GENETICALLY MODIFIED FOOD LABELING

Mr. MERKLEY. Mr. President, the most important three words in our Constitution are the first three words: ''We the People.'' When our Founders were crafting our Constitution, they put those words in oversized print so that hundreds of years later Members of Congress—the House and Senate—and citizens across this Nation would remember that this is what our Constitution is all about—''We the People.'' It is not ''we the powerful'' or ''we the privileged.'' It is ''We the People.''

President Jefferson said that we can only claim to be a republic to the degree that the decisions of our government reflect the will of the people. He went on to say that the only way our government will make decisions which reflect the will of the people is if the people have an equal voice. An example of that was the town square, where each individual could stand up and make their position known before a vote was held on whom they were going to elect, and so on and so forth.

The challenge today is that the town square is the television, radio, and Web. Unfortunately, those are not free, the way the town square was in Jefferson's day, and that means that the role of money can change everything.

Unfortunately, we have had a couple of Supreme Court decisions that do not do due accord to the very heart of our Constitution because they have essentially said that even though the commons, or town square, is for sale, we are going to allow the few people and corporations with billions of dollars to buy up the town square and use the equivalent of a megaphone sound system to drown out the voice of the people. That is the opposite of what ''We the People'' is all about, and that is the opposite of what our Constitution is all about.

Periodically, I have come to the floor to talk about a variety of issues that are relevant to the Jefferson vision—that we can only be a republic to the degree that our decisions reflect the will of the people. The issue I will talk about today—and this is an issue that Democrats, Republicans, and Independents overwhelmingly support—is about whether or not their food has been genetically modified, and if so, should those ingredients be listed on the package.

I am raising this issue today because on July 1 of this year, Vermont will have a new law which will require labeling on the packages of food that have genetically modified ingredients, and that has led to a conversation here in this Chamber about whether we at the Federal level should allow that to happen. Should we allow Vermont to make this requirement? There are a lot of food producers who say: We really don't want the people to know about the details of their food. Well, I think Americans across this country disagree.

As I mentioned, the overwhelming majority support the right to know. The argument has been made that we can't allow State after State or county after county to have conflicting standards about what we list on food labels because that would be impossible for interstate commerce, and that is a fair point. How can a food manufacturer be expected to accommodate a multitude of different labeling requirements from county to county, city to city, or State to State? That is a fair case if there is a risk of multiple standards. There is no risk of that at this moment because only one State has passed a standard which will be going into effect in a couple of months. Just as we have seen with other policies across this Nation, to something that one State tries, another State might say: Yes, let's do that but in a slightly different way. So there is a legitimate concern about conflicting standards. Again, it is not an immediate concern or something to cause this Chamber to act today. But if indeed other jurisdictions say they would like to have the same type of information available to their citizens, who also overwhelmingly want that information, then there is a potential for that and a legitimate cause for us to discuss it here.

Here is the thing. If you are going to take away the ability of cities, counties, and States to respond to the citizens' desire to know about whether there are GMOs, or genetically modified ingredients, in their food, then you have to replace it with a national standard that answers that question. If you fail to do so, you are simply denying the rights of citizens across the country to know what is in their food, and that is just wrong.

There is a name for the bill for denying Americans the right to know, and it is called the DARK Act, or Deny Americans the Right to Know Act. It is appropriate that it be called the DARK Act because it is all about keeping consumers in the dark about something they would like to know. There are many people here who say: Well, we know better than consumers. They want to know, but we don't want them to know because there is no reason they should know because why would they have any concern if they knew all the facts? Is that our decision to make?

We decided to label food and let people know whether there is salt in it. Some people want it, some people don't. We decided to put calories on the package. Some people want more calories, and some want less, but they have the right to know. Some people want preservatives to make it taste better and some don't, and so on and so forth. It is simply the consumer's right to know and make choices accordingly.

This conversation is not about whether GMO food is safe to eat. Person after person has come to this floor and said it is safe to eat, there is no proven impact on citizens, and so therefore it is legitimate to strip citizens from the right to know. There are lots of ingredients we put on packages that have no carcinogenic effects, but citizens want the full list, and that is what we provided them. Some want to know the individual pieces of that story.

Let's turn back to this question about the fact that GMOs themselves—genetically modified plants—are not substantially in one camp or another, wonderful or terrible. There are all kinds of genetic modifications that have taken place. For example, this chart shows golden rice. Golden rice has been modified to have vitamin A. In parts of the world where there is vitamin A deficiency, this has been very beneficial. Let's turn to carrots. Some carrots have been modified to treat for a genetic disorder called Gaucher's disease, a metabolic disorder where people lack a specific enzyme which helps rid the body of fatty substances that then accumulates causing enlarged livers and spleens and bone damage, bruising, and anemia. So people are very happy we have a way to address that.

Researchers have been developing sweet potatoes that withstand multiple viral infections commonly encountered in Southern Africa. That enables sweet potatoes to be grown and be part of the subsistence and is a substantial source of food in that region. There are also genetic modifications that cause concerns. Most genetically modified crops

grown in the United States have been altered to confer resistance to a chemical herbicide known as glyphosate. Glyphosate is a weed killer, and essentially as the application of glyphosate has gone up dramatically from 1994 to the current time—we can see the huge increase in the application of this weed killer on this chart—we have had a corresponding general depletion of the monarch butterfly in those regions where glyphosate is used. That is a concern. Monarchs have been crashing, and that is a concern to folks.

Look at and think about the runoff. If you put billions of gallons of weed killer on crops, and there are billions of gallons running into the waterways, it has an impact on the waterways. It changes the makeup of the waterways because of the weed killer killing various organisms within the streams. Herbicides in our waterways can have a negative impact on fish, mussels, amphibians, and microorganisms.

There is also a challenge in which plants evolve in response to the applications of glyphosate. We can end up with what are called superweeds, which are weeds that have been in the presence of the herbicide so often that the natural mutations occurring cause the weeds to evolve and they become superweeds. We had the same problem with these corn-destroying rootworms. They have been evolving to be resistant to the pesticide that is placed into the plant cell by genetic modification.

In short, there are competing considerations to balance, some benefits and some concerns. Some people have reached the conclusion that they are very comfortable consuming genetically modified foods, and other individuals can reach a different equally justifiable conclusion that they have concerns and want to know more about the specific types of modification. The way they find out is, they get an alert on the package to show there are GMO ingredients and they can go to the Web site and look at the herbicide involved. That is why labeling matters. It is an alert to the citizens so they can gain more information and decide if they are comfortable or uncomfortable.

What we have seen are companies that are starting to say, because we value the relationship with our customers, because our company believes in having high integrity in that relationship, we do not want to be part of the DARK movement—the ''deny Americans the right to know'' movement. We want to be part of the movement that says if our consumers want to know, we are going to give them that information.

There are a variety of companies that have announced they are going to provide that information on their foods. One of them is the Mars company. Here I have a package of M&Ms, and right on the package they are now disclosing. They have a phrase. I know it would be impossible to read this so we have enlarged this a bit and reproduced it. It says ''partially produced with genetic engineering.'' So they give a heads-up on every package of M&Ms across the country. They give a heads-up to consumers, and if they want to know more about the details, they can contact Mars to find out about the details. That is integrity. That is honoring citizens who have a desire to know what is in their food.

We have all grown up seeing the wonderful pictures of Campbell's soups in advertisements and the warm hearty meal of tomato soup. I know when I was sick as a child I always looked forward to that Campbell's tomato soup. Campbell's has said: We want to honor the integrity of the relationship with our consumer. We are not going to be part of the ''deny Americans the right to know'' movement. We are not going to be on the side of the DARK, and we are going to be on the side of information that citizens desire to have. They are putting labels on their products, and a number of companies are following suit in honor of protecting the consumer's right to know.

That is certainly commendable, and I commend the companies that do not feel like they are trying to mislead or hide from their consumers, but in fact support the integrity of the relationship with the folks who buy their products. Some of the companies that have done this are ConAgra, General Mills, Kellogg's, and, as I mentioned, Mars. They have already begun to label their products in anticipation of Vermont's July 1 requirement.

Vermont has a 6-month grace period—so, again, it is not just around the corner—but the beginning period companies are asked to meet is July 1. Because companies are now putting it on their labels, they are discovering there is nothing scary to consumers about it. Just like anything else on the ingredients list on labels of packages, it is information that different consumers can evaluate when it matters to their life.

There is a group of Senators who have said they do want to be part of the DARK Act, deny Americans the right to know. So we will have a voluntary labeling plan nationally. We will take away State's rights to put information on the package and replace it with a voluntary request for companies to disclose. That is no justification for taking away the ability of States to require what consumers want, which is not a voluntary disclosure, it is a required disclosure. If a State wants to do that, they should be honored. If we take away that right, we need to do a replacement at the national level.

As a part of this movement, this Deny Americans the Right to Know Act, they say: You know what. We are willing to suggest that companies put a barcode on their product and consumers can scan that code or they can put a quick response computer code, which is a square code with all the little squares on it—something like what you have on an airline ticket. They suggest that we put this quick response code on it, and if somebody wants to know what is in our product, they can scan it with their smartphone and look it up on a Web site. That is not a consumer-friendly label. That is a scam.

Not all consumers have a smartphone. Not all consumers have a digital plan that allows them to scan something in that fashion. They don't all have a phone with a camera. We are asking them to have to spend money out of their phone plan in order to look up information that should have just been on the package in the first place. That is a tax. That is a DARK Act tax on American consumers.

Some of my colleagues who talk about not putting taxes on individuals just voted for that DARK tax a few weeks ago. I hope they reconsider that type of imposition on the moms and dads and brothers and sisters throughout America. No one going down the aisle to shop is going to sit there and compare four different soups by taking pictures of four different soups and going to four different Web sites to look up that information. Plus, consumers are also disclosing information about themselves when they go to those Web sites. That is an invasion of privacy on top of the DARK tax that my colleagues want to impose on American consumers. It is wrong on multiple levels.

Some of my colleagues say: Let's put an 800 number on the label, with no explanation of why it is there. Well, you can take most products in America and you can probably find an 800 number somewhere on that package with some corporate information line, but when you put an 800 number on with no explanation of why it is there, that is not consumer information. That is like taking an ingredients list on the package and replacing it with an 800 number. Call this and we will read you a list of ingredients on the phone. It is absurd, it is ridiculous, and it is offensive to try to say that type of scam is a replacement for consumer-friendly information right on the package.

Do you want to know how to determine whether you are being true to the desire of consumers to have a consumer-friendly label? Well, I will tell you. It is called the 1-second test. We have a product on the shelf. We pick it up, turn it over, and look—1 second. I see the answer that there are or are not genetically modified ingredients in this package. That is the 1-second test. That is a fair replacement for State standards.

It can be done in a variety of ways. There can be a symbol on the package. I suggest that the FDA or USDA can

choose a symbol. Brazil chooses to have a key for transgenic in a triangle. We can do that. We can put a ''B'' on it for biotechnology. We can put a ''G'' or ''GM'' for genetically modified. There are all sorts of options that would be a simple way for consumers to see what is there. We can put a phrase such as Mars has done on their candy or we can put an asterisk on the ingredients that have been modified with a phrase below to explain the asterisk. All of those are possible, but an unlabeled phone number, an unlabeled barcode or quick response code—because it is a deliberate effort to pretend you are solving something when you are not, that is a shameful scam, and it should never pass scrutiny on the floor of the Senate.

I said earlier that citizens across this country want a consumer-friendly label. We can look to a survey that was done. This is a 2016 likely election voters survey that was done in November of 2015, and it shows that 89 percent of Americans said they would like to have the information on the label. They say they favor labels on foods that have been genetically engineered or contain genetically engineered ingredients. So it is basically 9 out of 10 who not only favored but strongly favored such labeling. To put it simply, 9 out of 10 Americans want the information on the label, and rounding off, 8 out of 10 feel very strongly about this.

Here is something that is interesting. We are often divided by party here. The Republicans are sitting on the right side, the Democrats are on the left side. There is partisan division—maybe Independents have a view in the middle. On this issue, Democrats believe, 9 out of 10, rounding off, that we should have these labels. Republicans believe, 9 out of 10, that we should have these labels. Wouldn't it be ironic if the one thing Americans can agree on—whether they are east coast or west coast or North or South or Democrat or Republican or Independent—the one issue they can all agree on, this body decides to do the opposite and take away that ability. That certainly counters the fundamental principle that Jefferson put forward of the ''we the people'' democracy. We can only claim to be a republic to the degree that what we do reflects the will of the people.

So we should think about that a lot because there is a lot of conversation about folks who want to spring a surprise on the American people. They want to come down here to the floor on some bill in the near future, with some amendment or some motion or some reconsideration, and spring a surprise and drive the DARK Act through with little public notice. Why is that? Because they are afraid of the opinions of the American people. They want to hide their decision in a short period of time with no ability for the American people to be filled in on the fact that they are attempting to pass legislation that overturns what 90 percent or 9 out of 10 Americans want. So we need to be aware of this.

I encourage my colleagues: Do not be part of this ''deny Americans the right to know'' movement—this movement that is opposed by 9 out of 10 Americans in the Democratic camp, in the Republican camp, in the Independent camp, in every geography of America. Don't be part of going so profoundly, so fundamentally, so overwhelmingly against the will of the American people.

We put a lot of things on packages because the American people ask for that information. If you buy in a grocery store of any size, they are required to put whether fish is farm raised or wild. Why do we require that? It is not because being farm raised is going to kill people; it is because citizens have a desire to know and to vote with their food dollar—vote with their food dollar for something they believe to be important. It may have to do with the taste of the product. It may have to do with the difference in antibiotics that are used in farmed versus wild. It may have to do with their desire to envision that food when it was swimming the broad, beautiful Pacific Ocean, the incredible salmon of the Pacific Ocean and the salmon of the Atlantic Ocean. But the point is, it is their right to know. Nothing much is as important to us as what we put into our bodies.

People fundamentally feel they should be able to have full information. We, indeed, provide information on whether juice is reconstituted from concentrate or is fresh, not because it will cause you to get sick, not because it is unhealthy to consume, but because consumers desire to know and they want to exercise their food dollars appropriately. Some people say: I really would like to have the stuff the way it was squeezed out of the fruit rather than frozen and condensed and reconstituted. So we provide that information because of that citizen desire. Should we not honor our citizens in this issue as well? Isn't it wrong for a group of Senators to plot to come to this floor and to put forward an amendment or put forward a reconsideration or put forward a bill on short notice so that the American people have little chance to weigh in? Personally, I think it is very wrong. That is why I am speaking today.

It is not as if this question of putting labels on food is something new or different; it is being done all around the world. Sixty-four countries, including 28 members of the European Union and Japan and Australia, already require mandatory GMO labeling. We can add Brazil to that list. We can add China to that list.

China has no democratic forum in which to respond to the will of the people. The decisions are top down. Yet the leadership of China has said: Our consumers care enough about this that we are going to disclose that information. Isn't it profoundly ironic that here in the United States of America, where citizens have a voice, a group of Senators are trying to suppress that voice, are trying to implement and deny Americans the right to know, when the leaders of China have decided this is information consumers deserve?

Let me return to where I started—the vision of a ''we the people'' democracy. We have gone far afield from that. The role of money in politics has put us in a very different position because that money weighs in, and it corrupts the fundamental nature of our legislative process. That is why we are having this debate over denying Americans the right to know when 9 out of 10 want that information—because of the corrupting power of massive concentrations of campaign cash in our system.

So let's do something we should do all the time: Set aside the campaign. Set aside the desire to raise money. Set aside those issues and ask yourself, aren't we here to help pursue the will of the people? In this case, in our ''we the people'' democracy, shouldn't we give our citizens the same right to know—a right they overwhelmingly expect and demand—as 64 other countries in the world?

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LANKFORD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TULSA RACE RIOT ANNIVERSARY

Mr. LANKFORD. Mr. President, I would like to ask this body for just a moment to remember something that there are probably many people who have never heard of for the first time because, for whatever reason, a bit of America's past seemed to just disappear from memory as soon as it occurred. Let me take us back almost 100 years for a moment.

The summer of 1919 was commonly referred to after the fact as the ''Red Summer.'' The Red Summer included race riots all over America, White-on-Black riots specifically. There were White individuals moving into Black neighborhoods and devastating those communities. That happened in Charleston, SC; Long View, TX; Bisbee, AZ; Norfolk, VA; Chicago; Washington, DC; Elaine, AR; Knoxville, TN; Omaha, NE; and many other places. Scattered around the country, one after another, month after month, those race riots moved.

As World War I veterans—at that time, we called it the Great War—as

those veterans returned home, many looking for jobs—and the anxiety that rose up from that—as many Black Americans who had bravely fought in World War I pursued jobs and were unable to get them or were hated by Whites because some of these Black individuals came home and took some of the jobs that they were ''entitled to,'' the tensions began to rise across the country. It burst out into riots.

Oklahoma was mostly spared from that in 1919 and in 1920, but on May 30 of 1921, a young man named Dick Rowland who worked downtown, an African-American gentleman, was 19 years old. He was actually shining shoes in downtown Tulsa, which, if you have ever been to Tulsa and if you have missed it—if you have never been there, you need to go. It is an absolutely beautiful town. If you can ever see the pictures of what Tulsa looked like in the 1920s, you would be astounded. It was an oil boom town. Oil was discovered all around Tulsa, and people came from all over the country. Most of those individuals around Tulsa who put in oil wells suddenly became rich, and Tulsa became a wealthy community extremely rapidly. The architecture and history of it is beautiful. But, like every other town in Oklahoma in the 1920s, it was also segregated by law.

The Northern District of Tulsa at that time was called the Greenwood District, just north of downtown. It was an incredibly prosperous community. In fact, African Americans from around the country moved to Tulsa because there were doctors and lawyers and businesses, grocery stores, department stores. It became a very wealthy community because some individuals lived in Greenwood and worked in Tulsa, which was a fast-growing, wealthy city.

Also, there was great freedom within the Greenwood District. Oddly enough, the segregation that was required in Oklahoma at the time also caused Greenwood to grow because many African Americans could not buy groceries or could not go to certain restaurants or go into certain businesses or department stores in Tulsa. So when those businesses opened up in Greenwood and the population continued to grow, it became a fast-growing city as well. In fact, it was nicknamed the Black Wall Street of America. That community was extremely well educated, had many World War I veterans who had come home, many businesses and entrepreneurs. It became known as a place where Blacks could come from around the country and start businesses, grow businesses, and grow into prosperity. I would love to be able to show you all the homes and the places—what that looked like in the 1920s. It was a beautiful district.

I will get back to my story about Dick Rowland. Working downtown in Tulsa—most buildings in downtown Tulsa would not allow a Black man to go to the bathroom there, but the Drexel Building would, so he would go to the Drexel Building to go to the restroom. He would go on the elevator because the restroom he was allowed to use was on an upper floor. That particular day, on May 30, 1921, he got into the elevator, and the elevator operator was a 17-year-old young lady, a White lady named Sarah Page. The elevator doors closed. As they got to the upper floor, they got off. At that point, Sarah Page screamed. To this day, we don't know why. We don't know if there was an altercation. We don't know if Dick Rowland bumped her and she screamed. We don't know if she was just scared, and we don't know why. But a friend heard her scream, came running, saw Dick Rowland stepping out of the elevator, and accusations started immediately. Within 24 hours, the police arrested Dick Rowland and took him to the courthouse and the jail in downtown Tulsa.

By the time the afternoon paper had been released on May 31, 1921, the word was out that a young African-American male had raped a White female in the elevator at the Drexel Building, and a mob began to form outside of the courthouse. That mob gathered around. They say it started out with around 100 and then quickly grew to 200.

The sheriff in Tulsa, understanding the threat there of this mob gathering around the building calling for Dick Rowland to be delivered to the mob, immediately turned off the elevator in the courthouse building and put up armed guards in every staircase around that building to not allow any of the people from the mob to get into the building, to try to get upstairs, and to be able to get Dick Rowland out. But the mob continued to grow outside that building. I understand that by the end of that day, it was now approaching over 1,000.

Not far away from there at all, the men who lived in the Greenwood District heard that the mob was gathering. As I mentioned before, many of them were World War I veterans. They loaded up with their weapons and went to the courthouse to offer their assistance to the sheriff to be an additional armed guard there.

The sheriff denied it, said they had the situation well in hand, and turned the men away. As the mob continued to grow and continued to press the sheriff, the men returned and said: You need our help here. We do not want a lynch mob in our city. We have all heard what had happened in other cities just a year ago. We don't want that happening here.

The sheriff again turned them away and said: You are not needed here; we have the situation at hand.

But as the men left that second time, some White men in the crowd confronted some of the African-American men as they left. There was a struggle as one of the White men tried to take away the guns from the African-American men and a shot was fired.

The rest of it was chaos. Many of the African-American men headed back to the Greenwood District as quickly as they could as that mob turned into a riot. They pursued them back to the Greenwood District of Tulsa. It was not far away, literally just on the other side of the tracks from downtown Tulsa. They pursued them back into the Greenwood District and started a massive riot the evening of May 31.

The police, trying to quell this massive riot that broke out, immediately deputized many White men who were gathered around downtown Tulsa, gave them weapons, and told them to go arrest as many Black people as they could to stop the riot.

They ran into the Greenwood District and shootings began all over the Greenwood area. Many African-American men—the numbers are up over the thousands—were arrested, dragged into Tulsa, and were put in temporary detention facilities there and held, which left the Greenwood District completely unprotected.

Looters and rioters moved through that part of Tulsa all throughout the night and into the next morning, literally looting every home, looting every business, doctor's office, grocery store, and department store—looting each one of them and burning them to the ground. By the time the National Guard arrived the next day to try to stop the riot, almost every building, home, and business—everything in a 1-mile square that was the Greenwood District before—was completely destroyed.

It makes you wonder what happened then. It is estimated that over 300 people died that night in Tulsa. No one was ever charged with a crime.

Dick Rowland, whom I mentioned before, was released from jail because no charges were ever pressed against him. Sarah Page never pressed charges against him.

Insurance companies refused to pay the African-American businesses that were burned to the ground. They walked away.

What happened next is even more surprising to me. I am not surprised that many African-American individuals who lived in the Greenwood District left. I don't blame them, but most everyone stayed. They literally rebuilt their homes by living in tents for a year.

The American Red Cross moved in and helped build wood platforms where there used to be homes so that tents could be built in that spot and people could live there while they rebuilt their own home and rebuilt their own businesses. One by one they rebuilt.

Mount Zion Baptist Church had just been finished a few months before that

and had a $50,000 mortgage on it. No one walked away from that church. They rebuilt that church, and they repaid the $50,000 mortgage that was owed from before. Block by block, individuals started rebuilding Greenwood.

By the 1940s, and given all the struggles that had happened, it never fully recovered to what it was before. What is also fascinating about it is that the State of Oklahoma quietly ignored what happened that day. Most folks growing up in Oklahoma have never even heard of the Tulsa race riot. In many ways, the Tulsa race riot is kind of like that uncle you know in your family who ended up in jail and at Christmas no one talks about. Everyone kind of knows they are out there, but you never discuss them. That was the Tulsa race riot for Oklahomans for a very long time, until just a couple of decades ago, when the conversation quietly started again about a very difficult part of our history.

So 95 years ago this week, the worst race riot in American history broke out in Tulsa, OK. In 5 years the entire country will pause and look at Oklahoma and will ask a very good question: What has changed in 100 years? What have we learned in 100 years?

I would say a few things. I would say we can remember. There is great honor to be able to say to people: We have not forgotten about what happened. We have not ignored it. We have not swept it under the rug and pretended it never happened. We remember.

I think there is great honor in that. We can recognize there is more to be done and that we can't just say: You know what; that was then, and this is now. There is more to be done.

Our own racial challenges and what has happened in the country just over the past few years remind us again that we don't have legal segregation any more, but we still have our own challenges as a nation. We still need to have a place in the Nation where every person of every background has every opportunity. It is right for us. We can respect the men and women who lived, worked, died, and rebuilt. We can pour respect on those individuals who are still working to rebuild.

These are people such as Donna Jackson, who is leading a group that she calls the North Tulsa 100 who say that by the time we get to the 100th anniversary just 5 years from now, there will be 100 new businesses in the Greenwood area. The jewel of Black Wall Street was the number of businesses, entrepreneurs, and family businesses that were there. Donna Jackson and the group that is around her—business leaders, church leaders, individuals from the area, family members, and some of them even connected to the survivors of the riot itself—are all committed to what they can do to reestablish the business community again in Greenwood and North Tulsa and not looking just for Black businesses, but businesses—period. They wish to reengage a community that is still scarred years later and to be able to have some respect for those folks who run the cultural center at John Hope Franklin Reconciliation Park and the individuals who are willing to talk about it in a way that is open, honest, and not accusatory. But my fourth ''r,'' after remember, recognize and respect, is reconciliation. What are we going to do as a nation to make sure that we are reconciled?

This simple speech on this floor is not going to reconcile our Nation. We have for years said this is something we need to talk about. Quite frankly, we do need to talk about it, but we also need to do something about it. What can we do to make sure that our children do not grow up in a nation that forgets its past but also to make sure it is not repeated again and to make sure that all individuals are recognized and respected and that every person has the same opportunity. There is no simple answer, but I bring to this body a story that I think is important for us to talk about—the worst race riot in American history, in my State, and in all of our States.

I bring to us a question. Five years from now, we as a nation will talk about this even more when it is the 100-year anniversary. Who are we as a nation? How far have we come, and what do we have left to do to make sure that we really are one Nation under God, indivisible?

With that, I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I thank our colleague, the Senator from Oklahoma, for telling that marvelous story and offering some hope—not just talking about it but doing something about it as well.

Of course, it reminds me a little bit of our recent trip to Charleston and the amazing thing that happened there after a terrible tragedy when a young man opened a gun in a church and killed a number of innocent people who were there worshipping and who had taken him in.

Just as the story told by the Senator from Oklahoma, one of the things we found when we visited Charleston later, as the Presiding Officer will recall, was the power of forgiveness. This changed the entire conversation when people in great pain, suffering an unspeakable tragedy, had the faith and the fortitude to stand and say: You hurt me, but I forgive you.

It was very, very remarkable. It reminded me of that experience. What Senator LANKFORD was telling us about Tulsa—the Tulsa race riot—reminded me of the similar lesson and example. There is perhaps nothing more powerful than a good example, and we saw that rising out of great hurt and great hate.

I thank the Senator for telling the story and reminding me of that recent experience in Charleston.

Mr. President, sometimes when I go home to Texas, my constituents tell me: I don't know how you stand it. I don't know how you stand the frustration of working in Washington and dealing with some of the politics, the unnecessary obstacles, the procedures, just the delay—the do-nothing aspects of this job.

Unfortunately, I was reminded of that again because we are here ostensibly working on a national defense authorization bill, burning daylight and wasting time when we could actually be dealing with the needs of our men and women in uniform—making sure they have the equipment, training, and the tools necessary to fight our Nation's wars and keep our Nation safe.

But we are just burning hours on the clock because the Democratic leader, in his—I was going to say in his wisdom. I don't think it is in his wisdom. I think it is just an effort to delay our ability to progress with this important legislation on a bipartisan basis. This is legislation, after all, that was supported by every Democrat on the Senate Armed Services Committee. They know what is in the bill. It has been posted for a long time. Anybody who really cared enough to find out could have found out what was in this bill. We could be having a debate and a discussion about how we can improve it, about how we can reconcile the House and Senate versions and get it to President Obama for his signature so our troops don't have to wonder, so they don't have to wait, and so they don't have to worry about whether we care enough to get our work done to support them.

Despite all the foot dragging we have seen and the frustrations that are just inherent in this job—because things never happen as quickly as any of us would like, and I think certainly that adds to the public frustration—we actually have been getting some things done around here. It is just that we have had to grind them out and take a long time do them.

But I know the majority leader, Senator MCCONNELL of Kentucky, is determined to complete this legislation, and we will. In Senator MCCAIN, the chairman of the Committee on Armed Services, we couldn't have a more forceful advocate for the men and women in uniform and the veterans. Of course, he was a great example of that true American hero—a former prisoner of war himself. You can tell how passionately he feels about doing our duty by our troops.

I did want to mention a few things I will be offering by way of amendments that I think will help make America safer and take some small steps toward

correcting some of the foreign policy mistakes we have seen from this administration over the last few years.

The first two amendments I intend to offer focus on countering the world's foremost state sponsor of terrorism; that is, the nation of Iran. The first amendment I have specifically targets an airline called Mahan Air, which is that country's largest commercial airline—the largest commercial airline and the No. 1 state sponsor of terrorism. This airline has repeatedly played a role in exporting Iran's terrorism. It supports the efforts of the Quds Force, an elite fighting unit of Iran's Islamic Revolutionary Guards, and supports Hezbollah as well. We might as well call Mahan Air ''Terrorist Airways.'' That might be a more appropriate name. Because of its role in ferrying Iranian personnel and weapons throughout the region in the Middle East, it plays a big hand in undercutting the interests of the United States and our ally Israel.

Of course, everywhere you turn, Iran is up to some sort of mischief—in Syria, obviously, with their efforts to shore up the corrupt and brutal regime of Bashar al-Assad, its support of Hezbollah, Hamas, and other terrorist organizations. It seems like everywhere you turn, they are up to no good. And, of course, there is the nuclear agreement, which I think was enormously misguided, and they have thumbed their noses at the very basic elements of that agreement, demonstrating they have really no interest in complying with it. And the United States, in turn—well, actually the administration; because it is not a treaty, it doesn't bind future Presidents—but we have essentially, in the words of Prime Minister Netanyahu of Israel, not contained or prevented Iran from gaining nuclear weapons; we have essentially paved the pathway.

Today, Mahan Air is working to add more international airports to its flights, including several in Europe. Given the links to terrorist activity, we have to consider the potential security risks to Americans and others who fly in and out of airports where Mahan aircraft may land.

This amendment would require the Department of Homeland Security to compile and make public a list of airports where Mahan Air flies, and it would require the Department of Homeland Security to assess what added security measures should be imposed on flights to the United States that may be coming from an airport used by Mahan Air.

I recently had the chance—and I have spoken about this—to go to Cairo with the Homeland Security and Governmental Affairs Committee and the chairman of the House Committee on Homeland Security, my friend MICHAEL MCCAUL of Texas. One of the things we looked at was airport security because there are flights that currently exist between Cairo and JFK Airport in New York. It is my understanding there are also flights planned from Cairo to Reagan National here in the District of Columbia.

Following the explosion on a Russian plane out of Sharm el-Sheikh in southern Sinai, it is pretty clear Egypt has a lot of work to do to improve its homeland security measures in both its screening of baggage and also personnel who work at airports.

So you can see why people would necessarily be concerned about the action of Mahan Air and what risk that might expose innocent passengers to. I hope my colleagues will review the proposal and support it.

The second amendment I have related to Iran would require President Obama to determine if Iran violated international law several months ago when it detained a number of U.S. sailors. Under bedrock rules of international law, all ships, including U.S. Navy ships, have the right to innocent passage through another nations' territorial waters. In other words, when one of our Navy's riverine boats is innocently transiting across Iranian waters and is not engaged in military activity or taking any other action that would prejudice the peace and security of Iran, it is against the law—against the law—for Iran to stop, board, and seize that vessel. Iran can't just remove our sailors from their boats and detain them in Iran because they feel like it or steal the GPS units from those boats.

In addition, the Geneva Convention makes clear that Iran can't detain for no reason and exploit another nation's military servicemembers, especially not for propaganda purposes, which is clearly what they did. Iran can't force our sailors to apologize when they have done nothing wrong. Iran's Revolutionary Guards and their state-controlled media had a heyday with the videos and images of our sailors they captured and purposely humiliated.

It seems very likely, based on available evidence, that they violated our sailors' rights of innocent passage and very likely the Geneva Convention itself, and I think we need the Commander in Chief to call Iran into account. This type of destabilizing and dangerous behavior by Iran cannot occur without some consequences.

My amendment would require the President to determine if the rules of international law were broken and, if so, require the imposition of mandatory sanctions on Iranian personnel who were involved.

A third amendment I have introduced would grant tax-free income status to U.S. troops deployed to the Sinai Peninsula.

As I have mentioned before, after our trip to Cairo, we flew out to North Camp, a peacekeeping mission in the northern part of the Sinai. This is an area between the Gaza Strip and Egypt where, as part of the peace agreement between Egypt and Israel, negotiated by Prime Minister Begin, President Sadat, and President Carter, this peacekeeping operation was established. It is called the Multinational Force & Observers, and it is largely made up of U.S. military, although it is led by a two-star Canadian general and a number of Colombian soldiers and others.

Our troops play a strategic role in maintaining peace between Egypt and Israel right there in the northern Sinai, and their work is incredibly dangerous. Unfortunately, some Bedouin insurgents have now affiliated themselves with ISIS. They have claimed allegiance to the Islamic State and are regularly putting out improvised explosive devices, which kill Egyptian peacekeepers.

By granting our troops tax-free status for their pay, we can put them on equal footing with other American troops who are deployed in other dangerous places, such as Afghanistan and Iraq and other similarly dangerous hot spots around the globe.

Finally, I mentioned earlier this week that I will be submitting an amendment to support the human rights of the Vietnamese people. The President has been in Hanoi for the last couple of days, but, frankly, the conduct of the Communist regime is marked by the regular silencing of dissidents and the press and anti-democratic, heavyhanded tactics to stay in power at any cost, not to mention the denial of religious freedom. By one estimate, Vietnam is currently detaining about 100 political prisoners.

Clearly, this country does not come anywhere close to sharing the values we have here in the United States, democratic values, and rather than steadily improving, I am afraid there is no sign the Vietnamese Government is working to advance more freedoms for its people.

Just this last week, during the visit of President Obama, it was reported that several activists who planned on meeting with the President were detained by the Communist Party and prevented from doing so. Similarly, a BBC correspondent said that the Vietnamese Government ordered him to stop his reporting, simply silencing this reporter from the BBC. Earlier this month, the wife of a Vietnam activist testified before a subcommittee on the House Foreign Affairs Committee about her husband, a human rights lawyer, who was beaten by plainclothes officers and imprisoned. What was his crime? Well, according to the government, he was charged with ''conducting propaganda against the state.'' His wife hasn't seen or heard from him in months.

While I support increased economic and security ties with Vietnam, I don't

believe we should sacrifice our commitment to human rights in the process. We should not be seen as tolerating this sort of anti-democratic behavior. At the very least, we shouldn't be rewarding it with new access to arms deals by completely lifting the longtime arms embargo against Vietnam. And what did we get in exchange? Well, I think it approaches zero or nothing.

My amendment would help ensure that we don't reward Vietnam for bad behavior, such as human rights abuses, when we confer upon them benefits, such as lifting the arms embargo, and that they show some respect for democratic values, religious liberties, and human rights.

We have to keep in mind that the Vietnamese people in that country have no real voice because they are subjects of a Communist dictatorship. We must do more to put pressure on the regime in Hanoi to empower their own people.

CROSS-BORDER TRADE AND ENHANCEMENT ACT

Separately, Mr. President—and I see my colleague from Wyoming wants to speak, so let me conclude with this—earlier today, the Homeland Security and Governmental Affairs Committee passed legislation I have introduced called the Cross-Border Trade and Enhancement Act, a bill that would help our ports of entry by strengthening public-private partnerships at air, land, and sea ports.

In Texas, because we share a 1,200-mile common border with Mexico, we have seen upfront and close the security challenges—which we need to do much more to address—but also the benefits of bilateral trade. As a matter of fact, trade between the United States and Mexico supports about 6 million American jobs.

We have seen time and time again how important these public-private partnerships are in helping to reduce wait times for the flow of commerce across the border and moving people and goods across safely and efficiently. This isn't just about convenience; this is about security and compliance with our laws, interdicting illegal drugs and other activities.

This legislation would also improve staffing, in addition to modernizing the infrastructure to help better protect legitimate trade and travel and keep our economy running smoothly.

I thank the chairman, Senator RON JOHNSON, for his commitment to this issue and commend him for his diligent effort in leading the committee. I am glad the committee understands that the priority here is to strengthen our ports of entry at the border and across the country.

I am grateful not only for the committee's support but also the bipartisan support of other cosponsors, including Senator KLOBUCHAR, the senior Senator from Minnesota, and Senator HELLER, the junior Senator from Nevada.

As always, I appreciate my colleague on the House side, HENRY CUELLAR, for working with me on a bipartisan basis and introducing companion legislation in the House.

I hope now that the Homeland Security and Governmental Affairs Committee has acted, this Chamber will take up the bill soon so we can build on the success of similar programs in Texas and across the country.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

OBAMACARE

Mr. BARRASSO. Mr. President, I come to the floor today to talk once again about the health care law.

This past weekend I was home in Wyoming—as I am just about every weekend—visiting a community called Lovell, WY. At Lovell, we had a health and fitness fair that was focused on kids and adults in terms of prevention of problems and early detection of problems. They could get their blood tests done there. In talking to hundreds of people there at the hospital, what I heard again and again, as I do each weekend, is that this health care law is having a negative impact, a hurtful impact on the people of my home State of Wyoming.

I want to spend a little time today talking about what is happening there. On Monday night, Senator ENZI and I had a chance to have a telephone townhall meeting. We talked to a lot of people around the State, and this continues to come up: the high increases in costs, in spite of what the President promised. He promised that insurance rates would go down by $2,500 per family if his health care law was passed and signed. In fact, the exact opposite has occurred. Today I had lunch with a number of students from Lander, WY, in Freemont County, and again this came up as a topic of discussion.

What we see is that the insurance companies at this time of year are turning in their rate requests—the requests they have to increase their rates for next year.

I am going to talk about places all over the country now because it is not just Wyoming that is suffering under the President's health care law, it is all around the country.

Families in Iowa now know that their insurance company wants to raise premiums by as much as 43 percent for some plans. Some families in New York have learned that their rates may be going up as much as 46 percent. Let's turn to New Hampshire. There are families in New Hampshire who have gotten the news that they could be paying 45 percent more. So when we look State by State by State, what we are seeing across the country is rates going up dramatically, impacting the ability of people to even afford their insurance.

A health care group looked at nine States where information has been released. They found what they call a standard shopper for insurance. The average cost of a silver plan—the most commonly sold plan—will go up 16 percent next year. That is for a typical, say, 50-year-old person who doesn't smoke. It adds to an average cost of about $6,300 per year for that person trying to buy insurance.

What we are seeing today is more and more people getting sticker shock under ObamaCare. The health care law has created so many problems for the American public—for taxpayers—because taxes have gone up as a result of this for providers of health care and certainly for patients. The health care law has caused mandates. It has put restrictions in place. It has been made so expensive that most people think it is not a good deal for them personally, which is why, in terms of the number of people who were uninsured when the law was passed, fewer than one in three of them have actually signed up for ObamaCare. That is because all these mandates and all these restrictions have made insurance much more expensive when it comes down to actually trying to get care.

Let me point out that the President is very specific when he talks. He doesn't talk about people getting care; he talks about coverage.

The headlines in the New York Times have been that there are a lot of people with coverage who can't get care. There was a story last week about so many people in New York City who feel that ObamaCare is a second-class program. They have that insurance card, but it doesn't help them get to see a doctor—certainly not one they want or need for the problems they are having.

Some insurance companies have lost so much money by selling insurance on the ObamaCare exchange that they have decided to drop out of the exchanges entirely. They said: We are done with it. We can't afford to continue to sell it this way.

We know the insurance company Humana is dropping out of several States. We know that UnitedHealthcare is leaving all but a handful of States. In Colorado, 20,000 people have received letters saying that they are losing their insurance plan next year because companies cannot afford to sell it. And it is only going to get worse.

According to a recent survey by McKinsey & Company, it turns out that only one out of every four health insurance companies made a profit last year. Those are the ones I am talking about specifically selling insurance on the ObamaCare exchange. So one out of four made a profit; three out of four lost money. And we say: How is it that they were able to make a profit?

Well, this is what they did: The ones that were able to make a profit tended

to be companies that have a lot of experience offering Medicaid insurance. Basically, they took their Medicaid plans and sold them to people on the ObamaCare exchange. These are plans with very narrow networks of doctors, so you can't just go to any doctor you like, and they have very narrow numbers of hospitals, so you can't go to any hospital you like. For these specific companies, a lot of these plans are ones that have very high deductibles. So somebody may have an insurance card, but the deductible is so high—the dollar-for-dollar out-of-their-pocket expense—that they say they can't afford to see a doctor, and they have ObamaCare, which they are finding is essentially useless for them.

There were different levels of insurance plans that ObamaCare came out with—bronze, silver, gold, and platinum. Most of the people have been choosing the silver plans because that was thought to be sort of the midrange plan. Well, now those silver plans are coming with very high costs. This means that people may be paying, again, for coverage, but they are not getting care.

There is a company in Virginia. They have decided they are getting rid of the bronze plan entirely. They have said ''No, we are not going to sell the bronze plan anymore,'' and they are pushing all of their customers up into the silver plan. They are doing this, but if you are one of the people who had the bronze plan that they are not going to sell anymore, you can see your rates going up 70 percent from what you were paying this year—an increase of 70 percent. Some of these silver plans have gotten so inadequate that they are now what the bronze plans used to be. This is all as a result of what the Obama administration forced down the throats of the American public and every Democrat voted for and every Republican voted against.

One insurance company is actually offering a silver plan next year that comes with a deductible of more than $7,000. Now, that is how much someone would need to pay out of their pocket before insurance actually kicked in. Blue Cross of Idaho is talking about a deductible of $6,850 for their silver plan. That is for the silver plan—the one that Democrats said was supposed to be the benchmark plan, the one that the subsidies are linked to.

Let's think about what a $6,850 deductible means for most people. According to a new poll out by the Associated Press, two-thirds of Americans say they would have a hard time actually coming up with $1,000 for an emergency. So, then, how are they supposed to come up with over $6,800 in case of a situation that they may find confronting them?

These kind of plans, where people pay a lot and don't get much in return, are what President Obama and the administration used to call ''junk insurance.'' I remember the President talking about that. ''Junk insurance'' is what he said. He said that the health care law would stop that; that would never happen under an Obama administration and an Obama plan. Instead, this President, under ObamaCare, is pushing more and more people into these kinds of plans, and this administration is even subsidizing them.

So premiums are going through the roof. The deductibles are going up so high that people have insurance—which is mandated by law that they have—but it turns out that, for many of them, it is useless. People may have to find a new primary care doctor or a new pediatrician every year because they are getting switched from plan to plan to plan because they can't afford the plan that they have, and the rates continue to go up. And the President, who had once said ''If you like your plan, you can keep it,'' now says ''Oh, no, you had better shop around.'' He said that if you like what you have, you can keep it. He completely flipped and now says that you had better shop around.

People continue to lose plans because insurance companies are going out of business or they just quit selling insurance entirely. To me, this is just one more sign that this health care law is a sinking ship. It is falling apart. And insurance companies have found that one reason they are losing so much money is that their customers are sicker than the President thought they would be and that the insurance companies thought they would be. The people who are healthy basically aren't interested in buying this very expensive insurance. They feel it is a waste of their money and would rather just pay the fine to the IRS.

On Monday, the head of the State ObamaCare co-op in New Mexico was on the television network CNBC, talking about this problem. His name is Dr. Martin Hickey, and he is the CEO of New Mexico Health Connections. His company is asking to raise premiums for some of its plans by 34 percent next year. Still, he said, ''With these heavy rate increases''—and these are heavy rate increases—''the problem is the people who are going to say 'for a $695 penalty, to heck with it.''' So of the people the President is mandating to buy insurance, many are saying, ''to heck with it.'' That is what we hear from this CEO.

Look, this is just what Republicans have been predicting ever since Democrats first brought this health care law to the floor and they passed this extraordinarily expensive law and mandates on the American public.

Dr. Hickey, CEO of New Mexico Health Connections, said, ''The healthy are abandoning insurance, and what you're left with is the sick, and you can never raise your rates high enough.'' That is not what Democrats promised. That is not what they stood up here on the floor and talked about. They promised—and so did President Obama—that the health care rates would go down. They promised insurance coverage would get better. It has not. It has gotten much worse. They promised that if you like your doctor, you can keep your doctor. In many cases, you can't. They promised that if you like your insurance, you can keep your insurance. In many cases, you cannot.

People all across this country are getting a reminder of ObamaCare's broken promises as the health care requests for increases come out. Democrats want to double down on this failed health care law and add more mandates and more restrictions. They want more government control over people's health care.

It does seem that everything the Democrats propose just makes prices go up faster. That isn't what the American people wanted, and it is certainly not what we need from health care reform in this country. This law was passed 6 years ago, and it is getting worse every day.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TOOMEY). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ENZI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

OUR NATIONAL DEBT

Mr. ENZI. Mr. President, I want the Presiding Officer and my colleagues and the people of America to know what is keeping me awake nights. It is actually thoughts of my grandkids and their future that keep me awake nights. I see a bleak future for them because of our overspending, and I hear their small voices saying: You were there. Why didn't you fix it? Why didn't you give us the chance you had? We didn't want anything for free. We just wanted an opportunity to earn our own way to what was the American dream.

How are we going to answer that question? I am not just asking the Members of Congress, I am asking everyone in America because everyone has and is getting benefits from this great country at the expense of the future.

Let's look at the problem together. Here is where we are right now and where we are headed: Our national debt isn't sustainable because of the interest alone. Interest on the debt could mean we would have to make cuts to programs we never dreamed of cutting. We already owe $1,900 billion. Sometimes that is called $19 trillion. I prefer

to call it $19,000 billion; it sounds like more. That is soon headed to $20,000 billion, or $20 trillion. We have already exceeded that. At 1 percent interest—and that is interest alone—interest would amount to $200 billion a year.

We need to worry about when the interest rate gets to the norm of 5 percent, and that could happen as early as in the next 3 years. Imagine if the interest rate went to 5 percent; 5 percent is the historic average for Federal borrowing. Excluding mandatory spending, we currently only get to make decisions on $1,070 billion a year. Do the math. Five times $200 billion is $1,000 billion. Remember, we only get to make decisions on $1,070 billion a year. So interest alone could crowd out almost the entire annual budget. What would that extra $70 billion fund? When that happens, could we forget about funding defense or education or agriculture or any of the other programs we are expected to fund?

What we are doing is not sustainable. What would we be forced to cut just to pay the interest? How many people do you think would be willing to invest in America just in order to get their own interest paid? The answer is no one. Incidentally, we may already be borrowing to pay interest, but so far no one knows it—yet.

From a Bloomberg business article, ''There's an acknowledgement, even in the investor community, that monetary policy is kind of running out of ammo.'' That was said by Thomas Costerg, the economist at Standard Chartered Bank in New York City. A lack of monetary ammo will drive up interest rates dramatically, forcing us to pay even more interest on our debt. Because we are the largest economy in the world, there isn't anyone who could bail us out.

There are lots of causes to this problem. Let me cover some of them. We don't ever look back at what we have done. We keep looking forward to new things we would like to do to help everyone out. Every elected official has great ideas for something that might make a difference, but we don't look to see if it already has a similar program or if what we already do in that area is working. In fact, the bills we passed don't have enough specificity to know if we are achieving what we hoped we would get done.

Without measurable goals, we can't measure progress. We don't include specificity for how we are going to achieve our goals, which allows or forces agencies to go where they want to go. We never know if we actually solved the problem we started out to solve. For some Federal employees, it is important never to get the problem solved as their jobs might be eliminated.

Have you ever had an agency come to you and suggest that their mission no longer exists so we should end their funding? Not that I know of.

Once a young man came to me and he said: This will probably cost me my job, but what I am doing doesn't have to be done at all. By telling you this, I will probably lose my job, but I feel strongly about it.

I told him he ought to be promoted and worked to have that happen.

I want to congratulate Senator GRASSLEY for his efforts on whistleblower protection so employees can point out problems without retaliation. We have regulations that cost jobs and the economy for very little value. We have a rule that there has to be a cost-benefit analysis for any project over $100 million of impact, but that is seldom done, and there are few standards for doing it anyway or requirements to actually force it to be done. The benefits might be costed over decades while the costs are immediate and continuing.

If we can improve the private economy by 1 percent, we would increase revenue to the Federal Government by $400 billion without raising taxes. Instead, we have gone from GDP—that is private sector productivity—from 2.7 percent down to 0.5 percent. That is a huge loss of tax revenue.

We have regulations that have been on the books for years that haven't been reviewed to see if technology has made them outdated. Regulations cost jobs but only in the private sector. When is the last time you remember a Federal employee being laid off because of budget cuts or ending a program? I know we passed a major education bill here recently, and we eliminated the national school board and a lot of the national requirements.

So when we had the new nominee for Secretary of Education, I asked him how many jobs that was going to save in the Department of Education. He said: Well, none. We are just going to move them around and use them in other places. Wrong answer. According to the Congressional Budget Office, we saved 237 jobs that will not have anything to do.

There are 96,000 Federal employees in the District alone. What are they all doing? An example is a principal who came to see me my first year here. He had been filling out Federal reports for a long time, and he wondered where they went. So I sent him to the Department of Education, and he spent a semester there and followed all those reports around. Then he came and reported to me. He said: You know, they really look at those carefully. They make sure every single blank is filled in. They make sure every single blank has a logical answer. If it doesn't, they send it back. They get it back, and they check it over again. Then, they file it and nobody ever looks at it.

I have been trying to get rid of some of those forms since that time.

How about expired Federal programs? Last year I spoke often about the 260 programs we still have that expired, but we are still spending money on them to the tune of $293½ billion a year—260 programs expired, $293½ billion paid out to them each year. One of them expired in 1983, another one in 1987, and most of them before 2006, and we are still giving them money.

After a year of harping on it, I find that we have reduced the number of expired programs from 260 to 256, but we have increased the spending on expired programs from $293 billion to $310 billion. That is not progress.

Here is another part of the problem. I have this housing chart. There ought to be savings from better organization. We have 20 Federal agencies here. Somebody once said that if you take the 26 letters of the alphabet and you picked any 3 or any 4 and you put them in any order you want to, there would be a Federal agency by that name. We have 20 of those right here, and that isn't the whole chart. It would take a much bigger chart to show the whole story, because these 20 Federal agencies oversee 160 housing programs. How many housing programs does it take? What are they doing? Could they be combined? We don't look at that.

Wouldn't consolidation of these result in some kind of savings? Maybe consolidation would result in some efficiency. Shouldn't all of this be controlled by one entity? What are we trying to achieve in housing? Do we have 160 different plans and goals? Shouldn't we consider that a major economic sector and have that a separate part of our budget? Can't some of the programs be combined?

When I came to the Senate, there were 119 preschool programs for children. We all know and acknowledge the value of preschool and how it increases their earnings later on and cuts down on the amount of crime and helps the economy. We all know and acknowledge that value, but Senator Kennedy and I found that many of them have been evolved into expensive childcare services rather than education, and they weren't meeting their goals. We were able to get those programs down from 119 to 65. That was all that was in our jurisdiction of Health and Education. Later we were able to get some of those others down to 45. Two years ago, I got an amendment passed that the programs had to be reduced to five and all of them put under the Department of Education. Even though that is the law, that hasn't happened yet.

Does the Federal Government ever take a cut in dollars? We get instant complaints if the requested increase is less than what was asked for—not less than what they had the year before, less than what was asked for. Only in government is that considered a cut. Our budgets and spending are set up to allow everyone to get what they got last year, plus the amount of inflation. We call it baseline budgeting. Many

governments have gone to economic sector budgeting under a cap of expected revenues. You don't look at what the expected revenues are. Some governments only borrow for long-term infrastructure investments. We borrow for day-to-day expenses. As I mentioned earlier, we could be borrowing to pay our interest on our debt.

I am not even going to cover the Tax Code that has evolved from raising the basic money to run the government to a way to legislate social programs or for special benefits to individuals and businesses. Our Tax Code is costing us jobs.

What are some of the other causes of our debt problem? We are really good at new and super ideas. Every idea is designed to help out the folks back home. They all lend themselves to the greater good, but if they aren't paid for, they steal from the future. We found many ways to steal from the future. We are spending money that will not be there for our kids or our grandkids to spend. As my grandpa would say, it is ''like milking a cow in a lightning storm, they'll just be left holding the bag.''

We fudge these new ideas into existence. The easiest way is to do a demonstration program. Demonstration programs let you ease into the spending a little at a time—boil the frog slowly. You just start it in a few cities or States to show what a difference that idea would make. Demonstration programs are always sold on the basis that a successful program will show the local benefit and will be taken up locally because they have seen the advantage.

I am not aware of a single program that hasn't been spectacular. Every program works out as planned, except for the part about being valuable enough to be adopted and paid for locally. So the need for the money to continue to be spent continues and continues. Not only that, if it worked so well for the few, it needs to be expanded nationally so everyone can benefit. Unfortunately, while there may have been offsets for the original programming, there was never a source of ongoing funds for the continuance of the program, let alone for its expansion.

The next way to trick hard-working, tax-paying Americans is to make it a mandatory program. Here is a mandatory versus discretionary chart. This is the $1,070 billion I talked about that we get to make decisions on. These are the mandatory programs that we have, and they are growing faster and faster. As the baby boomers kick in, you will see such a rapid escalation here that I don't know how we will ever be able to afford it.

Fifty years ago, 30 percent of spending was mandatory. We got to make annual decisions on 70 percent of the money. Because of the expansion of the mandatory programs, 70 percent of spending is on autopilot and funded every year without a vote, and we only get to make decisions on 30 percent of the money. Some of the mandatory programs used to have their own revenue stream, sufficient to cover the amounts paid out. Social Security is a prime example. When it was set up, you couldn't retire until you were 65, and life expectancy was 59.

There used to be more people working and paying into Social Security than the amount paid out to recipients. When that happened, the excess money was spent—yes, spent—and bonds were put in a Social Security drawer backed by the full faith and credit of the United States. If interest rates go to 5 percent, how well do you think that will work out? Pension funds for bankrupt companies of coal miners and the Central States multiemployer pension fund are going broke now, not 20 years, not 30 years, not 40 years in the future. They are going broke now. But they are a symptom of what we are about to face.

People are talking about Puerto Rico and how they need a bailout. Who would bail out the United States? Who would have enough money to do that? We go to mandatory programs, so we don't have to figure out how to pay for programs. It continues without further votes or review. Everyone wants their favorite program to have dedicated funds, except we don't dedicate funds to it and we ran out of real money. Mandatory spending used to mean that there was a dedicated stream of money sufficient to cover the cost of the program without dipping into the general fund.

Here is a chart that shows how we are doing on that score. Let's see. Here is dedicated income as a percent of spending for 2015—actual—and income covered just 51 percent of spending. In 2016, we only covered 49 percent, and in 2017, it might bump back up to 50 percent. Where does the other 50 percent come from? It either has to be stolen from the future or taken from the present, which means that less can be done under the regular budget.

Another funding trick that we use is to allocate funds from the future to spend in the present. We take funds from up to 10 years out. We imagine that they already came in and sometimes we spend them in 1 year. That is borrowing from the future. That is borrowing money that our kids will need for the dreams they have for their kids and America.

That brings me to emergency spending. Any event that can be considered a crisis can be considered for emergency spending. Hurricanes, floods, tornadoes, earthquakes, and even failures by Federal agencies can be considered emergencies.

In earlier years when I looked at emergencies, it looked to me like we spent about $6 billion a year on emergencies. Recently, I decided I needed to have that figure checked. To my surprise, I found out that we have $26 billion a year in emergencies that is unpaid for and will be borrowed from the future or borrowed on the debt. This little chart points that out. We are billing an average of $26 billion for emergencies.

Anytime you know you are going to have some expense every year, maybe that ought to be a part of the budget. Maybe we ought to plan on it. Maybe we ought to figure out how we are going to pay for it.

What are you going to tell your grandkids you did to give them opportunities? Do you want to be here to answer that question when Social Security is cut by 20 percent to fund defense because interest payments have used up all of the money we get to make decisions on? Can we consolidate programs? Can we be sure they have measurable goals and hold them to achievement? Can we watch regulation to see that it achieves its goal with a minimum of jobs lost? Can we review old programs for elimination or consolidation when we look at new ideas? Can we find ways to fund our ideas without stealing from the future? How will you answer to your grandkids for what you have done?

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

GUN VIOLENCE AND MENTAL HEALTH REFORM

Mr. MURPHY. Mr. President, about a week ago, Josh Cortez was found shot and lying on the pavement in Hartford's South end. Josh was 22 at the time. His girlfriend, who was 23 years old, was found in a parked car nearby with a gunshot wound. She was rushed to Hartford Hospital where she died a half hour later. They were the sixth and seventh homicide victims in Hartford this year.

They had been dating for about 2 years, and they had a 2-year-old daughter. He had just celebrated his 22nd birthday. His cousin said:

> [Josh] was a great kid. He turned his life around for the better. He had a rough start, but he was doing a complete 360 for his baby girl.

His cousin said that he was just wrapping up a jail diversionary program at the time of his death and that he was ''committed to the program,'' making every appointment and following every regulation.

Two days later, across the country in Iowa, Senquez Jackson was 15 years old when his 13-year-old friend accidentally fired a small .38-caliber semiautomatic pistol. His friend thought the gun was unloaded when he pulled the ammo clip from the handle. He killed his friend, Senquez, who was 15 years old, and now that 13-year-old boy has been charged with involuntary manslaughter. In addition, they layered on

charges of obstructing prosecution and carrying a weapon.

Senquez is remembered by his friends and family as being a great athlete. He loved basketball. He dreamed of playing in the NBA. He always told his auntie that he was going to be just like LeBron James.

One speaker at his funeral said that they had never met another child with more gratitude than Senquez. He had deep gratitude for the things he had been given. He died from an accidental gunshot wound on March 18.

Earlier in the year, Romell Jones was standing outside the Alton Acres housing complex with a group of kids his age in Alton, IL. He was 11 years old. They were waiting to get picked up to go to basketball practice. While they were waiting outside, a red car pulled up and someone inside the car fired multiple shots into this group of kids, and Romell was killed.

His friends remember him—frankly, like Senquez—as always having a basketball in his hands. The middle school coach, Bobby Everage, who was planning on coaching this incredibly talented kid, said:

This young man's life was cut short and he had so much potential. I know he was a good kid and has a lot of friends. When life ends that way, it is so sad.

His fifth grade teacher said that Romell was well liked by all of his teachers and all of his classmates.

He was always happy, sensitive, and an excellent student. As a fifth grader he mentored younger students at our school.

He was only 11 years old when he was killed while waiting to go to basketball practice.

At the end of last year—this is a story I pulled out of the dozens that were killed in Connecticut cities—Antoine Heath was 29 years old when he was shot in the chest while sitting in a parked car on the outskirts of Edgewood Park in New Haven. His wife of 4 years and mother of his two children, ages 4 and 3, said that her husband was a family man. ''He was loving and hard working.''

Antoine's nickname was ''Champ,'' in large part because he was such a champion of causes in and around his community. A childhood friend said:

He tried to get me to see things clear. He made sure everybody was all right. He just wanted his family to be together.

He had big plans for the weekend just following his death. He was going to be baptized. His sister said:

He was ready to give his life over to God, and he made the decision on his own. That was something he wanted to surprise the family and do.

Those are just four stories—four voices—of victims of gun violence. As the Presiding Officer and many of my colleagues know, I try to come to the floor every week or couple of weeks to tell a handful of stories of the 31,000 a year, 2,600 a month, and 86 people a day who are killed by guns, resulting from a variety of reasons. Most of these are suicides, many of them accidental. They happen in large numbers and small. Last year we had 372 mass shootings, which I categorize as 4 or more people being shot at any one time. Many of these are domestic violence incidents or gang-involved incidents. There are a lot of different stories as to why this happens.

I come to the floor to talk for a moment today on a specific aspect of our path forward on addressing gun violence. Tomorrow Senator CASSIDY and I will host a summit here in Washington on mental health reform. Senator CASSIDY and I, with the help of 16 of our colleagues—eight Democrats and eight Republicans—have introduced a bipartisan comprehensive mental health reform act that we think, if it passes, will dramatically improve the experiences of individuals who are trying to seek help for their mental illness.

Given the fact that we are going to have hundreds of people at this summit tomorrow, that many of us are living with the daily ramifications of unchecked gun violence, and that we are continuing to press for legislation on this floor—as I know the Presiding Officer is—I want to talk about the mistakes I think we make in how we talk about the intersection between mental health and the epidemic of gun violence.

I will talk about it for a second through the lens of Sandy Hook. On the same day that Adam Lanza walked into Sandy Hook Elementary School and murdered 26 children and educators, another mentally ill man in Henan, China, walked into a school and attacked 22 students—almost the same number. Now, in Sandy Hook, every single child who Adam Lanza fired a bullet at and hit died. In China, every single student survived. Both assailants were unquestionably deeply mentally ill, but only one incident resulted in a worldwide tragedy. The difference is that Adam Lanza walked into that school with a semiautomatic rifle, and the attacker in China walked into that school with a knife.

Our Nation has seen the horror that unfolds when mental illness and gun violence intersect in devastating ways and the cycles of shock, despair, horror, and grief that accompany mass shootings are still a uniquely American routine. We can't fathom what would drive someone to commit such horrifying acts. It is easy for society to blame that shooting in Newtown or in Aurora or wherever the next one may be on the mental illness. If we truly want to stop these mass shootings and do something about the 86 people who are murdered every day, we have to stop ourselves for a second and ask why this epidemic of gun violence doesn't happen in any other industrialized country the way it happens here. We have to ask ourselves: Is it because more Americans suffer from mental illness? No, the statistics don't tell us that. Is it because the mentally ill in America are more violent than the mentally ill in a place like Europe? No, the data doesn't tell us that. Do other countries spend more money on treating mental illness than the United States does? Is it that their systems are more adequate than ours? No, the data doesn't tell us that either.

What is the difference between the United States and every other developed nation? Why is our gun homicide rate 20 times higher than the average OECD nation? Why don't other countries that experience the same level of mental illness and spend the same amount of money treating it have a comparable number of shootings—mass and individual shootings? Well, one of the differences is guns. The difference is that in America we are awash in illegal guns—high-power military-style assault firearms that are designed to kill as many people as quickly as possible. The reality is that whoever shot that couple in Hartford or that father New Haven didn't have to try very hard to find a weapon. It was either in their house or around the corner or at a friend's apartment.

There are a lot of people who would like to very easily conflate the conversation about gun violence with the conversation about fixing our mental health system. Let's just think about two States: Wisconsin and Wyoming. These are States that have very similar mental health systems and spend the same amount of money. Yet one State, Wyoming, has a gun homicide rate that is twice that of Wisconsin. There is no data that suggests that mental illness explains the difference between those two States, just like there is no evidence that mental illness explains the difference between two countries.

This argument about an inadequate mental health system being the reason for epidemic rates of gun violence has become a very convenient political fate that is perpetrated by people who don't want to get to the question of whether our gun laws have something to do with these epidemic murder rates.

There is no doubt that the mental health system in this country is broken. It is dramatically underresourced. People have to wait for months to get an outpatient appointment. We have closed down 4,000 mental health inpatient beds in this country just in the last 5 years alone. It is ridiculously uncoordinated. We have built up a system in which your body from the neck down is treated in one system, and then you have to drive two towns over if you want to get treatment for your body from the neck up. People with mental illness die 20 years earlier than people without mental illness because those two systems are not coordinated.

The stigma around mental illness is still crippling. I know we passed a law that requires insurance companies to say on your statement of benefits that you have coverage for mental illness. Everybody knows that when you actually try to access those benefits, bureaucrats put up bureaucratic hurdles in front of your actually getting reimbursed for mental health care that they never would if you were trying to get reimbursed for a broken leg or heart surgery.

Now, fortunately, the Mental Health Reform Act, which this summit will cover tomorrow, really does start to unlock many of these most difficult problems. The Mental Health Reform Act will properly capitalize our mental health system by putting back into it funding for inpatient beds and starting to marry the physical health system with the mental health system. It attacks this stigma by requiring insurance companies to administer benefits in the spirit of parity and not just say that you have a mental health benefit. It invests in prevention and early intervention and treatments so that we are not just hitting the problem at the back end. It gets into tough issues, like how our HIPAA laws unfortunately stand in the way of caregivers actually being part of the treatment plan for their seriously mentally ill young adults.

The Mental Health Reform Act is a path forward to fixing our broken mental health system. But pretending that mental health reform is a sufficient response to gun violence is not only wrongheaded, it is also dangerous because the facts are incontrovertible that individuals coping with serious mental illness commit less than 5 percent of all violent acts in this country.

Let me say that again. People with mental illness commit less than 5 percent of all violent acts in this country. They are frankly far more likely to be the victims of gun violence than they are to be the perpetrators of it.

Obviously, people like Adam Lanza, Jared Lee Loughner, and James Holmes had complicated and devastating behavioral health disorders. There are Adam Lanzas, Jared Loughners, and James Holmeses in every other country in the world, but in these other societies mental illness doesn't lead to mass murder. Something is different in America such that people who are coping with mental illness turn to a weapon. This celebratory culture of firearms and violence, this easy access to weapons of war that enable men and women with a severe mental illness to instantly transform themselves into mass murderers is unique in this country.

Even if Congress passed a bill today that magically eliminated all mental illness in the United States, our country would still have more gun violence and shooting deaths than any other country in the developed world. Given that only 5 percent of these crimes are perpetrated by people with severe mental illness, curing mental illness would be a remarkable achievement, but it wouldn't solve this problem.

It is even worse than that because draping the scourge of gun deaths around the necks of everyday Americans who are struggling with mental illness just increases the stigma I was talking about that surrounds disorders of the mind. Scapegoating the 44 million Americans with mental illness just reinforces the idea that they should be feared rather than treated.

We have a mental health crisis in this Nation, and we have a gun violence crisis as well. These two epidemics overlap—there is no doubt about that—but solving one, the mental health epidemic, doesn't solve the other. And conflating mental illness and gun violence may serve the political ends of those who don't want to have a conversation on this floor about background checks or assault weapons or more resources for the ATF, but it is not going to make America any demonstrably safer.

I think this is a very important conversation to have, and I don't want to shy away from these intersections that exist, but I want to get it right. In the end, I want this body to commit itself to solving our mental health crisis and then doing what is additionally necessary to do something about the 31,000 a year, 2,600 a month, and the 86 a day who are killed by guns in this country.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, while the Senator from Connecticut is still here, I want say through the Chair that I am glad I had a chance to hear his remarks. I agree with him that there is a mental health crisis, and I congratulate him for his leadership, especially with the Senator from Louisiana, Mr. CASSIDY, in focusing the Senate's attention on dealing with it this year. I think he has a very passionate and practical way of making the argument that while there may not be a consensus on what we do about guns, there is a consensus, I believe, in this body on what we do about mental health or at least an important step in the direction of dealing with the crisis. If we are able to do it, Senator MURPHY, Senator CASSIDY, and Senator MURRAY, the ranking Democrat on the HELP committee, will deserve great credit for that happening. I plan to attend for a while the summit tomorrow that Senators MURPHY and CASSIDY are hosting. It will help to draw attention to the efforts that the Senators made.

Last year the full Senate passed the Mental Health Improvement Act. This year, working with the Senators from Connecticut and Louisiana, and the Senator from Washington, Senator MURRAY, we have incorporated that into the Mental Health Reform Act. We are very hopeful we can pass that legislation on the Senate floor in June and work with the House to turn it into a law this year.

No doubt we will have more to do on the mental health crisis after that, and we will have more debates on this floor about what the Senator from Connecticut calls the gun crisis. But there is no reason we cannot move ahead with what we already have a consensus on in mental health. I am committed, as I know Senator MURRAY is, and so are other Members on this side of the aisle. I know that Senator BLUNT from Missouri feels passionate about mental health needs. Senator CORNYN is working on helping us resolve this legislation. And Senator MCCONNELL has said that if we can find a consensus among ourselves and reduce the amount of time it takes to put it on the floor, he will interrupt the appropriations process, put it on the floor, and try to get a result this year.

So I am glad I had a chance to hear the Senator. I pledge to continue to work with him to get a result on the Mental Health Reform Act that he has played such a key role in fashioning.

21ST CENTURY CURES LEGISLATION

Mr. President, I would like to speak on another issue that the Senator from Connecticut has also played a role in because he is an important Member of the HELP committee in the Senate, and that is what we call the 21st Century Cures legislation. This legislation, in which President Obama is interested and which we have mostly finished in terms of our committee work in the Senate, has already passed the House.

A little over a week ago, the New York Times Magazine published a special health issue on the new frontier in cancer treatment—how doctors and researchers are trying new tips, new drugs, even new ways of thinking about cancer. This month the photographer Brandon Stanton, who documents the stories of ordinary people in his popular photography blog, ''Humans of New York,'' turned his lens on the pediatrics department of Memorial Sloan Kettering Cancer Center in New York City to help raise money for cancer treatment and the research hospital there.

Also this month, two former U.S. Senators, both of them physicians and one a cancer survivor—Dr. Bill Frist and Dr. Tom Coburn—wrote an op-ed in the Wall Street Journal about what the Senate is doing to help bring safe treatments and cures to doctors' offices, patients, and medicine cabinets more quickly.

Mr. President, I ask unanimous consent to have printed in the RECORD the op-ed by Dr. Frist and Dr. Coburn at the conclusion of my remarks.

In the New York Times Magazine issue, one oncologist writes:

[For patients] for whom the usual treatments fail to work, oncologists must use their knowledge, wit and imagination to devise individualized therapies. Increasingly, we are approaching each patient as a unique problem to solve. Toxic, indiscriminate, cell-killing drugs have given way to nimbler, finer-fingered molecules that can activate or deactivate complex pathways in cells, cut off growth factors, accelerate or decelerate the immune response or choke the supply of nutrients or oxygen. More and more, we must come up with ways to use drugs as precision tools to jam cogs and turn off selective switches in particular cancer cells. Trained to follow rules, oncologists are now being asked to reinvent them.

The article continues:

Cancer—and its treatment—once seemed simpler. . . . A breakthrough came in the 2000s, soon after the Human Genome Project, when scientists learned to sequence the genomes of cancer cells.

Gene sequencing allows us to identify the genetic changes that are particular to a given cancer. We can use that information to guide cancer treatment—in effect, matching the treatment to an individual patient's cancer.

In another Times story, the reporter writes:

Today, a better understanding of cancer's workings is transforming treatment, as oncologists learn to attack tumors not according to their place of origin but by the mutations that drive them. The dream is to go much deeper, to give an oncologist a listing of all a tumor's key mutations and their biological significance, making it possible to put aside the rough typology that currently reigns and understand each patient's personal cancer. Every patient, in this future situation, could then be matched to the ideal treatment and, with luck, all responses would be exceptional.

This idea, more broadly, has been called precision medicine: the hope that doctors will be able to come to a far more exact understanding of each patient's disease, informed by genetics, and treat it accordingly.

I am here today to insert these important stories from the New York Times Magazine, the ''Humans of New York'' blog, and Drs. Frist and Coburn's Wall Street Journal op-ed into the RECORD and to remind everyone that this year the Senate HELP Committee has passed 19 bipartisan bills that will help drive medical innovation. I am working today with Senator PATTY MURRAY of Washington, the senior Democrat on the committee, on an agreement that will give the National Institutes of Health a surge of funding for the President's Precision Medicine Initiative, which will map 1 million genomes and give researchers a giant boost in their efforts to tailor treatments to a patient's individual genome. It will also provide funding for the Cancer MoonShot, which the Vice President is heading, to try to set us on a faster course to a cure.

To raise money for cancer researchers at Sloan Kettering, Bradley Stanton used photos on his ''Humans of New York'' blog, Facebook, and Instagram accounts. He writes: ''The study of rare cancers involves small and relentless teams of researchers. Lifesaving breakthroughs are made on very tight budgets. So your donations will make a difference. They may save a life.''

The fundraiser wrapped up this past weekend. More than 103,000 people donated more than $3.8 million to help fight pediatric cancer. More than $1 million was donated in the last day of the campaign in honor of a young boy named Max to help research and cure DIPG, the brain tumor that ended his short life.

Stanton shared photos and stories of Sloan Kettering patients and their parents, as well as the doctors and researchers working to treat and cure them—many stories hopeful, all difficult to read. As Stanton put it: ''These are war stories.''

In one post, a researcher at the pediatric center says:

In the movies, scientists are portrayed as having a ''eureka moment''—that singular moment in time when their faces change and they find an answer. . . . [I]t's hard to say what a ''eureka moment'' would look like in my research. Maybe it's when I'm finally able to look patients and parents in the eye and say with confidence that we have what's needed to cure them.

In another, a doctor at the center says:

It's been twelve hours a day, six days a week, for the last thirty years. My goal during all these years was to help all I could help. I've given 200%. I've given transplants to over 1200 kids. I've published as many papers as I could. . . . But now I'm almost finished. It's time for the young people out there to finish the job. They're going to be smarter than us. They'll know more. They're going to unzip the DNA and find the typo. They're going to invent targeted therapies so we don't have to use all this radiation.

How do we make good on these dollars? How do we ensure that these remarkable new discoveries of targeted therapies are able to reach the patients that need to be reached?

We must give the Food and Drug Administration the tools and the authority it needs to review these innovations and ensure that they are safe and effective, that they get to the patients who need them in a timely way. That is exactly the goal of our Senate Cures Initiative that I am committed to seeing through to a result.

Dr. Francis Collins, Director of the National Institutes of Health—he calls it the National Institutes of Hope—a Federal agency that this year funds $32 billion in biomedical research, offered what he called ''bold predictions'' in a Senate hearing last month about major advances to expect if there is sustained commitment to such research.

Listen to what he said. One prediction is that science will find ways to identify Alzheimer's before symptoms appear, as well as how to slow or even prevent the disease. Today, Alzheimer's causes untold family grief. It cost $236 billion a year. Left unchecked, the cost in 2050 would be more than our Nation spends on national defense.

Dr. Collins' other predictions are equally breathtaking. Using pluripotent stem cells, doctors could use a patient's own cells to rebuild his or her heart. This personalized rebuilt heart, Dr. Collins said, would make transplant waiting lists and anti-rejection drugs obsolete.

I had a phone call from Doug Oliver in Nashville, 54 years old, a medical technician. Vanderbilt Eye Institute pronounced him legally blind. They said: No treatment, no cure, but check the Internet. Last August, he went to Florida for a clinical trial. The doctors took cells from his hip bone using an FDA-cleared device, put them through a centrifuge, and injected them into both eyes. Within 2 days, he was beginning to see. He now has his driver's license back. He is ready to go back to work.

He is sending us emails about our legislation urging us to pass it and give more Americans a chance to have the kinds of treatments he had that have restored his sight.

Continuing with Dr. Collins' predictions for the next 10 years, he expects the development of an artificial pancreas to help diabetes patients by tracking blood glucose levels and by creating precise doses of insulin.

He said that a Zika vaccine should be widely available by 2018 and a universal flu vaccine—flu killed 30,000 people last year—and an HIV/AIDS vaccine available within a decade.

Dr. Collins said that to relieve suffering and deal with the epidemic of opioid addiction that led to 28,000 overdose deaths in America in 2014, there will be new nonaddictive medicines to manage pain.

Our Senate HELP Committee has approved 50 bipartisan strategies designed to make predictions like these of Dr. Collins come true. These include faster approval of breakthrough medical devices, such as the highly successful breakthrough path for medicines enacted in 2012, and making the problem-plagued electronic health records system interoperable and less burdensome for doctors and more available to patients. We would make it easier for the National Institutes of Health and the Food and Drug Administration to hire the experts needed to supervise research and evaluate safety and effectiveness. We approved measures to target rare diseases and runaway superbugs that resist antibiotics.

As Drs. Frist and Coburn—the former Senators—wrote in their Wall Street Journal op-ed that this 21st century cures legislation ''touches every American'' and that ''[m]illions of patients and the medical community are counting on Congress.''

The House has already passed by a vote of 344 to 77 companion legislation called 21st century cures, including a surge of funding for the National Institutes of Health. The President has his

Precision Medicine Initiative. The Vice President started his Moonshot to cure cancer. The Senate HELP Committee has passed 19 bipartisan bills, as I said, either unanimously or by a wide margin.

There is no excuse whatsoever for us not to get a result this year. It would be extraordinarily disappointing to millions of Americans if we did not. If the Senate finishes its work and passes these bipartisan biomedical innovation bills, as well as a surge of funding for the National Institutes of Health, and takes advantage of these advancements in science, we can help more patients live longer and healthier lives and help more researchers who want to look the parent of a small child in the eye and say: We found a cure.

I notice that the Senator from Pennsylvania has come to the floor. I am ready to yield my time, but before I do—and I see the Senator from Missouri as well—before I do, I want to say of both of them, the Senator from Pennsylvania has been a critical component of the 21st century cures committee work in the Senate. Several of the 19 bills that our committee approved were sponsored by him. I thank him for his work. The Senator from Missouri—I spoke a little earlier about the mental health focus and consensus that we are developing and how we hope to get a result this year on mental health in the Senate, as well as 21st century cures. The Senator from Missouri has been key in both of them. Last year, working with Senator MURRAY, he was the principal architect of a boost of $2 billion in funding to the National Institutes of Health. This year, he is pushing hard for advances in mental health. So with this kind of bipartisan cooperation, we ought to be able to get a result in June or early July, and I am pledged to try to do that.

I yield the floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, May 11, 2016]

STREAMLINING MEDICINE AND SAVING LIVES

(By Bill Frist & Tom Coburn)

As doctors, patients and former U.S. senators, we've seen firsthand how medical innovation benefits patients. Those on our operating tables and in our practices—and we ourselves when we've needed medical care—have benefited from breakthroughs in science and newly approved treatments that translate into better health and longer lives.

Yet, tragically, millions of Americans are still suffering and dying from untreatable diseases or the lack of better treatment options. Now is the time to pass legislation that we know will safely speed treatments to patients in need. Lives are at stake.

Before the Senate is a powerful medical-innovation package of 19 bills—a companion to the House-approved 21st Century Cures Act—that will streamline the nation's regulatory process for the discovery, development and delivery of safe and effective drugs and devices, bringing the process into the new century.

Today, researchers and developers spend as much as $2 billion to bring a new drug or therapy to market and the regulatory process can take more than 10 years. That's too long and too expensive for the five million Americans suffering from Alzheimer's; the 1.6 million who will be diagnosed with cancer this year; the 60,000 Americans with Parkinson's; and the nearly 800,000 people who die from heart disease each year.

This legislation, crafted by the Senate's Health, Education, Labor and Pensions Committee, touches every American. Each of us has personal health battles or knows family members and friends who are fighting against devastating diseases. Passing this package will help ensure that patients' perspectives are integrated into the drug-development and approval process and speed up the development of new antibiotics and treatments for those who need them most. It will also give a big boost to President Obama's cancer ''moonshot'' and his Precision Medicine Initiative, which will map one million genomes and help researchers develop treatments for diseases more quickly.

The U.S. has invested more than $30 billion in electronic health records over the past six years. Yet the majority of systems still are not able to routinely exchange patient information. This legislation will improve interoperability and electronic-information sharing across health-care systems, playing a fundamental role in improving the cost, quality and outcome of care. It encourages the adoption of a common set of standards to improve information sharing. It also allows patients easier access to their own health records and makes those records more accessible to a patient's entire health team so they can collaborate on treatment decisions.

The legislation will also improve the Food and Drug Administration's ability to hire and retain top scientific talent, which is vital to accelerating safe and effective treatments and cures. Additional provisions in the bills will improve the timeliness and effectiveness of processes for developing important combination products, such as a heart stent that releases medication into the body.

Alzheimer's is already the most expensive disease in America, and the number of people diagnosed with this debilitating neurological condition is expected to nearly triple to 13.8 million by 2050. This legislation will help advance our understanding of neurological diseases and give researchers access to more data so they can discover new therapies and cures—giving families hope for the future.

Collectively, these 19 bills are expected to deliver new, safe and effective treatments. Any political impediments to this should be overcome immediately. We believe, along with patients, providers, innovators and policy makers, that the nation's current process for developing and delivering drugs and devices to cure life-threatening diseases must change.

Millions of patients and the medical community are counting on Congress to help make that change. After 10 committee hearings and more than a year's work crafting bipartisan legislation, it's time for a Senate vote.

American lives depend on it.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Missouri.

Mr. BLUNT. Mr. President, I mentioned what incredible leadership Mr. ALEXANDER, the Senator from Tennessee, provides on these issues. I was pleased, as he was pleased, and I know the Presiding Officer was also, that last year, for the first time in 12 years, we were able to have an increase in NIH research.

The future statistics that the Senator from Tennessee talked about on Alzheimer's and other things can be disrupted. In fact, that 2050 number of twice the defense budget spent on Alzheimer's alone with tax money—if you could delay the onset of Alzheimer's by an average of 5 years, you would reduce that number by 42 percent. So those research dollars not only have the impact we want to have on families and the individuals involved in that and other diseases we are dealing with now but also have an incredible impact on taxpayers, have an incredible impact on what we can do with the rest of the health care revolution that is occurring.

The mental health effort the Senator from Michigan, Ms. STABENOW, and I were able to work on together a few years ago is about to produce at least eight States—and hopefully more—where, at the right kinds of facilities, mental health will be treated just like all other health.

This Congress is talking about doing the right things. We are making important steps in that direction.

Mr. President, I want to talk today about another thing that really impacts families—in this case, military families. I have this bill on my desk, the National Defense Authorization Act. I notice it is only on the desk of half of the Members of the Senate. Members on this side of the floor are ready to get to this bill and get this work done. Maybe there is a message on the other side of the floor that this bill is not there. We had hoped to get to it this week. We have not yet. But certainly we should get to it as soon as we return to our work after the end of this week.

In the National Defense Authorization Act—I am really glad that bill includes the Military Family Stability Act, a measure that I introduced with Senator GILLIBRAND to provide more flexibility for military families. Today we have the most powerful military in the world, but we also recognize that our military men and women do not serve alone. The former Chief of Staff of the Army, GEN Ray Odierno, often said that the strength of our Nation is in our military, but the strength of our military is in its families. So our military families need to be understood, recognized, appreciated, helped.

Those families have changed a lot over the years. They have sacrificed much. In the last 15 years, those families have dealt with persistent conflicts somewhere in the world and the likelihood of deployment to that conflict. But more importantly, the stress that puts on those families generally is what matters to them—maybe not

more importantly in the greater context of what is going on but very important to them.

More military spouses are working today than ever before. In the world we live in today, this is good news. But all too often, military spouses sacrifice their own careers to meet the needs of the spouse who is in the service. Frequent redeployments, frequent deployments, and frequent relocations really have an impact on those careers.

According to a study done by the Military Officers Association of America, 90 percent of military spouses—that is more than 600,000 men and women—are either unemployed or underemployed. More than half cite the concerns about their spouse's service and the deterrent of moving from job to job—a deterrent not only for employers but a deterrent in that they sometimes have a hard time having the kind of recognition for the skills they bring to a new State or a new location that they need.

It is unfair to our military families for the spouse to needlessly have problems that could be avoided. Clearly, if you decide to pursue a military career—and that, by necessity, means relocation from time to time—this is not going to be the same career as if you went to work and you had every likelihood that you would work there for the next several years.

These frequent and sometimes abrupt relocations take a heavy toll on students as well. Research shows that students who move at least six times between the 1st and 12th grades are 35 percent more likely to fail a grade. I am not sure that exact research applies to military families. That is an overall number of what happens when people move. But the average military family will move six to nine times during a child's time in school—three times more often than the nonmilitary family.

These relocations of military families means that we need to find a better way to deal with those challenges for working families, and the Military Family Stability Act does that. The costs of needlessly maintaining two residences so that someone can finish school or someone can complete a job are the kinds of things that this act and this inclusion in the National Defense Authorization Act gives us a chance to deal with in a different way. It would allow families to either stay at the current duty station for up to 6 months longer than they otherwise would be able to stay or to leave and go to a new location sooner.

This probably is most easily understood in the context of school. If you only have a month left in school and your family could stay there while the person serving in the military goes ahead to the next post and is responsible for their own housing during the time they are there as a single serving individual—often they are going to find space available on the post itself for one person while the family stays until that school year works out better.

A job could be the same. One person we had who came and testified—Mia, who now lives in Rolla, MO—is married to a soldier who was being reassigned from Hawaii to Fort Leonard Wood, MO. That reassignment was supposed to occur in June, so she applied for a Ph.D. program at St. Louis University that would begin in August. She applied for a teaching position at Missouri Science and Technology at Rolla that would begin in August. Then her husband's transfer did not happen in June and it did not happen in July, but she needed to be there in August.

Under this change, moving the family household could easily occur in August and her husband could follow in October, as he did, but all of the expense of her going early was on her. She really had two options: One was to not pursue her graduate school class when it started, and the other was to not have a teaching job. Neither of those was a very good option. She went ahead and moved. Her husband essentially couch-surfed, but they had to pay for the move rather than the way that normally would have happened. This would not have to happen otherwise.

When Senator GILLIBRAND and I introduced this bill last year, we were also joined by Elizabeth O'Brien, who coached Division 1 college basketball for 11 years, with stints at West Point, Hofstra University, and the University of Hawaii. But she married into the Army, and because of the lack of flexibility, she gave up her coaching career.

The story she wanted to tell that day was that when she and her family were in Germany, where her husband was serving, her two children were in a German public school. They needed 2 more months to finish that year in the German public school. There really wasn't a very good transition when he was sent back to the Pentagon. There were no German public schools where they could have finished the classes in the Washington area. Basically, they wound up having to finish that year as home schoolers and then start another year the next year.

It would have been very easy for him to move on ahead, if that is what the family wanted to do, and for the family to stay in Germany for 2 months so the children could finish that school year in a way that it couldn't possibly be finished anywhere else, and then the family would move. That is the kind of thing that would happen under this legislation.

The day after we introduced this legislation, I happened to be hosting a breakfast for people who are supportive of Fort Leonard Wood and working at Fort Leonard Wood. I sat down at a table with two officers. One of their wives, a retired master sergeant, mentioned that we had proposed this legislation the day before. All three of them immediately had a story about how this would have benefited their family if at some time at a specific moment in their career, they could have stayed another 30 days or if the family could have gone forward 30 days earlier.

I am proud this bill has widespread support, including from the National Military Family Association, the Military Officers Association of America, the Military Child Education Coalition, Veterans of Foreign Wars, the American Legion, Iraq And Afghanistan Veterans of America, Blue Star Families, the National Guard Association, and the Veterans Support Foundation.

After more than a decade of active engagement around the world, frankly, at a time when military families have a lot more challenges than military families may have had at an earlier time, this is exactly what we ought to do.

We have had hearings on other issues over the last year. Over and over again, I have asked people who were testifying, representing the military, what they think about this. Usually these are admirals and general officers. In all cases, a story from their career immediately comes to mind. Universally, they say: We have to treat families different than we used to treat families because too often the failure to do that means we are losing some of our most highly skilled people, who are still willing to serve but are no longer willing to put an unnecessary burden on their spouse or their children.

The Military Family Stability Act goes a long way toward removing one of those unnecessary burdens. I am certainly pleased to see it included in the National Defense Authorization Act and look forward to dealing with this important bill at the earliest possible date.

I see Senator ISAKSON on the floor, and I yield to him.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Georgia.

MEMORIAL DAY

Mr. ISAKSON. Madam President, as chairman of the Senate Veterans' Affairs Committee, I thank Senator CASEY of Pennsylvania for giving me a couple of minutes to come to the floor of the Senate to pay tribute, preceding Memorial Day, to those men and women—less than 1 percent of our population—who have sacrificed, fought, and died on behalf of the people of the United States of America. We would not be where we are today had it not been for veterans who died on the battlefield so we could have free speech, democracy in government, and so our people could peacefully decide whom their leaders were and leave it up to us to lead the country.

I want to put a personal face on Memorial Day for just a moment.

First, I wish to talk about a guy named Tommy Nguyen. Tommy Nguyen is my legislative staffer on military affairs information. He volunteered for the U.S. Army Guard. He went to Fort Benning, GA, and graduated No. 1 in his class. You know what that means at Fort Benning. Right now he is deployed in Afghanistan and has been deployed for the past 5 months.

While we sit here in peace and relative security in our country, people like Tommy are protecting us all over. I am grateful for Tommy. He is in my prayers every night. He is exemplary of all the other people who have gone before us and sacrificed.

I wish to mention three people who are gone and aren't here any more, but they are the faces of Memorial Day, as far as I am concerned. I honor them at this time.

The first is Jackson Elliott Cox III. Jackson Elliott Cox III is from Waynesboro, GA, Burke County, the bird dog capital of south Georgia. He was my best friend at the University of Georgia in the 1960s. One night he came into the fraternity house—in his junior year, my senior year—and sat down beside me and a few other guys at the dinner table and said: Guys, I just did something this afternoon. I volunteered to go to OCS in the U.S. Marine Corps, go to Parris Island, and fight in Vietnam for the United States of America.

We all did the first thing all of you would do. We said: Well, Jack, have you thought this through? Is this really what you think you ought to do?

He said: You know, I have had everything as a young man to age 22. It is time that I fought to help defend the United States of America. I am going to become a marine officer, I am going to Vietnam, and I am going to help the United States win.

Jack did become an officer, and he did go to Vietnam. In the 12th month of his 13-month tour, he was killed by a sniper. Alex Crumbley, Pierre Howard, who was later the Lieutenant Governor of the State of Georgia, and I spent a week with his family as we waited for his body to come back from Southeast Asia.

The most meaningful afternoon of my life was the afternoon we sat up with Jack and his mother and father reminiscing about all the good times but deep down in our hearts knowing all the good times that would never be for Jack Cox because he had sacrificed the ultimate sacrifice for me, for you, and for all America.

Second, I wish to talk about LT Noah Harris, the Beanie Baby soldier in Iraq. Noah Harris was a cheerleader his junior year at the University of Georgia. He cheered on the Saturday before 9/11/2001. As everybody did, he watched the horror of the attack that day and all the people who were killed.

He went down to the ROTC building at the University of Georgia and he said: I want to volunteer to go after whoever those people were who attacked America in New York City.

The head officer said: Well, son, it is at least a 2-year commitment in ROTC, and you only have a year and a half to go. We cannot take you.

He said: I will make up the difference if you let me volunteer. I want to become an officer. I want to go after them, and I want to find them wherever they are.

The Army relented. Noah Harris volunteered. He went to OCS, and he went to Iraq in the surge on behalf of the United States of America. He became known as the Beanie Baby because he took Beanie Babies in his pockets and he won over the children of Iraq by handing out the Beanie Babies as he dodged bullets and put himself in harm's way.

About 6 months into his tour, he was hit by an IED while in a humvee. Noah Harris was killed that day in Iraq, and we have missed him ever since. To his father Rick and his mother Lucy—God bless them. Noah was an only child, and his memory is burned deep in their hearts and deep in my mind. They are so proud of what he did for you, for me, and for all of America.

Lastly, I wish to talk about Roy C. Irwin.

These three people are the faces of why we have Memorial Day. I get emotional because I went to the Margraten Cemetery in the Netherlands a few years ago as a member of the Veterans' Affairs Committee to pay tribute to those soldiers who died in the Battle of the Bulge and the Battle of Normandy. Margraten in the Netherlands is where most of the soldiers who were not brought home from the Battle of the Bulge are buried.

On that Memorial Day in Margraten, my wife and I walked between the graves, stopping at each one, looking at the name, and saying a brief prayer for the soldier and a family. Then all of a sudden, in row 17, at grave No. 861, I stopped dead in my tracks and I looked down and saw on the white cross: Roy C. Irwin, New Jersey, Private, U.S. Army, 12/28/44.

Roy C. Irwin died on December 28, 1944, in the Battle of the Bulge. That was the day I was born. So there I was, a U.S. Senator looking at the grave of someone who died on the day I was born so I could be a U.S. Senator 64 years later. That is what the ultimate sacrifice is all about.

Selflessly, these people went into harm's way, fought for Americans, fought for liberty, fought for peace, and fought for prosperity. So everything we do today we owe in large measure to them—a small percentage of our population but a population that loves America and America's people.

So this Monday when you are at the lake or at the beach or with your grandchildren, wherever you might be, stop a minute, grab the hand of one of your grandchildren, and just bow and say a brief prayer, because going before all of us were men and women who volunteered and lost their lives so you and I can do what we are doing today.

We live in the greatest country on the face of this Earth. You don't ever find anybody trying to break out of the United States of America; they are all trying to break in. If there is a single reason that differentiates us from everybody else—when duty calls, we go and we fight.

As Colin Powell said in the U.N., before the request for the surge was approved, America has gone to every continent on Earth, sent her sons and daughters to fight for democracy, liberty, and peace, and when we have left, all we have asked for is a couple of acres to bury our dead.

I had the chance to walk a couple of those acres in Margraten, the Netherlands, and stand at the grave of Roy C. Irwin, who died the same day I was born. That memory is burned indelibly in my heart and indelibly in my mind, and I will always remember Roy C. Irwin. I never knew him, I never met him, and I never saw him, but I know his spirit. His spirit is the spirit of the United States of America.

This Monday, I hope God will bless each of you. Have a wonderful vacation and a wonderful holiday. But I hope you will pause and say thanks for the men and women who made it possible for you to do what you do today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOOMEY. Madam President, I wish to first say that we appreciate the message Senator ISAKSON just gave to the Senate and, by extension, to the country. We are grateful for those remarks in the lead-up to Memorial Day.

MINERS PROTECTION ACT

Madam President, I rise to talk about coal miners and the promise—the obligation the U.S. Government has to coal miners on a range of issues but especially when it comes to their pensions and their health care.

Many Americans remember Stephen Crane as the author of the novel ''The Red Badge of Courage,'' but he also wrote something that probably not many Americans have read, but I have because it was about a coal mine near my hometown of Scranton. He wrote it just before the turn of the last century. For me, the pertinent parts were in terms of his description of what a coal mine looks like and all the dangers that are in that kind of work. His words in describing a mine were as follows. In describing the mine, he described it as a place of ''inscrutable

darkness, a soundless place of tangible loneliness,'' and then he went on to catalog in horrific detail all the ways that a miner could be killed or could be adversely impacted by his work.

I am thinking about those dangers today when I speak about what coal miners have been through over many generations and what they confront today because of the pension issue we are going to discuss today. I am grateful to be joined by Senator MANCHIN of West Virginia, Senator BROWN of Ohio, Senator WARNER of Virginia, and Senator WYDEN of Oregon.

Senator WYDEN, as the leader of the Democrats on the Finance Committee, worked to have a hearing on this issue. It was in March, and I had the pleasure at that time of meeting two Pennsylvania coal miners, Tony Brusnak of Masontown, PA, which is in Fayette County, and Dave Vansickle of Smithfield, PA, also in Fayette County. Tony and Dave came to Washington to attend the Finance Committee hearing on pensions. I commend Senator WYDEN for helping us have that hearing and also for his work in negotiating with Chairman HATCH to hold that hearing and his continued efforts to get a markup in committee.

Those of us who attended the hearing heard United Mine Workers president Cecil Roberts testify about that promise I referred to before, the promise this Nation made to our coal miners, and how the Miners Protection Act carries out or carries through on that promise. It is one of the ways to fulfill that promise we made to coal miners.

At the time of that hearing, they were joined by mine workers from West Virginia, Ohio, Virginia, and Alabama on that particular day.

As I mentioned, Tony Brusnak from Fayette County had a 40-year work life in the mines, starting in the 1970s at J&L in Bobtown, PA. He is a member of the United Mine Workers Local 2300, and he is still active. He works at the harbor as a dockman now, and he is also a veteran.

Dave Vansickle began working in the coal mines about the same time, maybe a few months before Tony, so they are both 40-year miners. Dave worked at the Cumberland Mine and is a member of the United Mine Workers, Local 2300, as is Tony. Over his 40 years in the mine, Dave Vansickle has had numerous jobs, ranging from 20 years working on the long wall—miners know what that is—to working at the prep plant and also doing a range of other work in the mine. Dave Vansickle lost a finger doing that work, and he lost partial use of his right hand as well as several other fingers. So there is a price that has been paid by him and so many others.

These are very difficult jobs, and we know the men and women—women, I should add—who descend into the depths and the darkness of these mines assume a substantial personal risk and they work long hours. They stay in these jobs as long as they do, in part, because they have been given a promise—a promise by our government—that when they retire, they will have a pension and, most importantly, they will also have good health insurance so they are covered for the ailments they have sustained over the years of service.

The Miners Protection Act, which Senator MANCHIN and I have introduced, along with a bipartisan coalition of Senators, allows excess amounts from the Abandoned Mine Lands Fund to be used to preserve both coal miner pensions and retiree health care, as needed.

In Pennsylvania, we have more than 12,000 mine workers who are impacted by this—to be exact, 12,951 mine workers in Pennsylvania who are counting on us to pass this legislation. Here is the breakdown in some of our counties: just about 2,500 in Cambria County, PA, where Johnstown is; about 2,100 in Fayette County, where Tony and Dave have lived and worked; 1,900 in Indiana County; 1,500 in Washington County; and 1,000 in Westmoreland County.

Without passage of this legislation, something on the order of 20,000 retirees and 5,000 Pennsylvanians, their dependents or widows could lose their promised lifetime retiree health care within a matter of months.

Without the legislation, the United Mine Workers Act 1974 Pension Plan, which is the largest of the plans in the country, providing pensions to nearly 90,000 pensioners across the country and of course their surviving spouses, could be on an irreversible path to insolvency by next year.

Our coal miner men and women live on small pensions, averaging just $530 per month, plus Social Security. They rely greatly on the health care benefit they have negotiated and earned through their years of hard work in the coal mines. So these aren't just numbers, these are people. These are families who have worked very hard for Pennsylvania and worked very hard for our country. They have children and they have grandchildren. The Federal Government made them a promise and we must not rest until we fulfill that promise.

In 1990, a Federal blue-ribbon commission, the so-called Coal Commission, established by then-Secretary of Labor Elizabeth Dole, found that ''retired miners have legitimate expectations of health care benefits for life; that was the promise they received during their working lives, and that is how they planned their retirement years. That commitment should be honored.''

So said Secretary Dole's Commission in 1990.

It is important to note that the 1974 plan I mentioned has been well managed, with investment returns over the last 10 years averaging 8.2 percent per year. So despite being about 93 percent funded just before the financial crisis in 2008, losses sustained during the financial crisis placed the 1974 pension plan on the path to insolvency. That is because the financial crisis hit at a time when this plan had its highest payment obligations. That, coupled with the fact that 60 percent of the beneficiaries are orphan retirees whose employers are no longer in the coal business and the fact that there are only 10,000 active workers for 120,000 retirees, has helped to place the plan on the road to insolvency.

The 1974 plan's Actuary projects the plan will become insolvent in the years 2025–2026, absent passage of the Miners Protection Act. So we need to pass this legislation. We have made it very clear to Senators in both parties and more recently to the majority leader that we need to get this done.

By making small adjustments to existing law, the bill will allow us to fulfill that obligation, that promise I spoke of earlier. At the same time, even as we are working to pass the miners' pension legislation, we also have to be mindful of—and I will not spend time today talking about this in detail—and keep working on miner safety and of course those affected adversely by black lung.

So whether it is safety and health, health care itself, or whether it is retiree benefits of any kind—but especially the promise we made to miners with regard to their pensions—we have an obligation. This body needs to get on a track to pass this legislation before we leave in July.

I am honored to be part of this coalition, and I certainly thank and commend and salute the work done by Senator MANCHIN.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, let me first of all say thanks to my dear friend Senator CASEY from Pennsylvania. If you don't come from a coal-mining region or a coal-mining State, you probably don't understand the culture of coal mining, the people who do this work, and the families who support them. It might be hard to explain it, but we are going to try to give you a picture of the most patriotic people in America.

What I mean by that is they have done the heavy lifting. They have done everything that has been asked of them by this country to basically make us the greatest country on Earth—the superpower of the world, if you will. That has been because of the energy we have had domestically in our backyard and the people willing to harvest that for us.

So when you look at this country and you look at how we are treating people

who have done the job and heavy lifting for over 100 years, the coal miners in West Virginia feel this way: They feel like the returning veterans from Vietnam, the returning servicemen who came from Vietnam—a war that was not appreciated and soldiers who were treated less than honorably for doing the job they did in serving their country. Americans now want to cast them aside. It is just unfair—totally unfair.

This country was so dependent upon this industry that in 1947—which will be 70 years tomorrow—President Harry S. Truman and John L. Lewis, head of the United Mine Workers—and back then, in the 1940s, anybody who mined coal was a member of the United Mine Workers of America because it was all unionized—made a commitment and a promise they would get their benefits. It would be their health care, and they would get their pensions, which were so meager—so meager—just to keep working and to keep the country energized after World War II. If they had shut down and gone on strike, the country would have fallen on extremely hard times coming off of World War II.

That is how important this is. It is the only agreement where you have an Executive order by a President committing the United States of America to keeping its promise to our coal miners doing a job that made our country as great as we are today. Yet here we are, about ready to default on that, and we can't get people to move on it for whatever reason.

The miners are facing multiple pressures on their health care, pension, and benefits as a result of the financial crisis and corporate bankruptcy. This is not because of something they have mismanaged themselves. As we heard Senator CASEY mention, the 1974 pension plan was 94 percent funded, which is extremely healthy and solvent, up until 2008, when the financial collapse happened. It was not their fault, but now they are thrown into disarray.

Most of the people still collecting these pensions are widows. A lot of the husbands have died from black lung. These people are depending on a very meager amount of support for any type of quality of life, and we have it paid for also. We have had it paid for. We are talking about the excess AML money that could basically take care of this. Also, there is another pay-for. There is a $5 billion fine that Goldman Sachs paid the DOJ for their financial shenanigans during this financial collapse that could go to pay for this. I mean, it is Wall Street that caused the problem. It wasn't the miners, basically the miners' pension fund or the plan that was being managed at all.

When you couple this with the fact that 60 percent of the beneficiaries are orphan retirees, which has been explained, and that we have 10,000 active workers for 120,000 retirees, that has placed the plan on the road to insolvency. I think everyone understands that.

The Miners Protection Act is not only important to all miners in all States—my good friend here Senator WARNER from Virginia has a tremendous mining community in Southwest Virginia, along with our entire State. Pennsylvania is the home of anthracite coal. The coal industry really got started there. We have Senator BROWN in Southeast Ohio, which butts up to West Virginia and is a major mining area. So it is important to my State and all the other States that have retired miners.

People are asking about the nonunion. I am concerned about the nonunion miners, and I will do everything and commit myself to helping them also, but if we can't even keep our commitment to the United Mine Workers of America that was basically signed by President Harry S. Truman in 1947, we are not sincere or intent on helping anybody. This is something that must be done and must be done immediately. I have said that, and I have been preaching this, so I hope we all come to our senses and do something as quickly as possible about this.

These retirees—as far as basically their medical, runs out the end of this year. The following year they lose their pensions too. That is how desperate this is and what we are dealing with.

To address these issues the Miners Protection Act would simply do this: It would amend the Surface Mining Control and Reclamation Act to transfer funds in excess of the amounts needed to meet existing obligations under the Abandoned Mine Land Fund to the UMWA 1974 Pension Plan to prevent its insolvency; second, make certain retirees who lose health care benefits following the bankruptcy or insolvency of his or her employer eligible for the 1993 Benefit Plan. These assets of Voluntary Employment Benefit Association, created following the Patriot Coal bankruptcy—and if you don't know about the Patriot Coal bankruptcy, I will give you a minute or two on this one.

Patriot Coal came out of Peabody. Peabody spun Patriot off and put all of their liabilities—all of their liabilities—which were basically doomed to fail, into Patriot. They threw all of the union workers into this liability. And guess what. They went bankrupt. It went bankrupt. It was designed to go bankrupt so they could be shed of all the liabilities.

It is our responsibility to keep the promise to our miners who have answered the call whenever their country needed them. They have never failed us. When our country went to war, these miners powered us to prosperity.

A lot of these young people we have here today don't understand that basically coal mining was so important to this country, when we entered World War II, if you were a coal miner, it was more important for you to stay and mine the coal to power the country—the coal that made the steel, that built the guns and ships—than it was to go on the frontlines and fight. They were on the frontlines every day. They never left the frontlines.

When our economy was stagnant, the miners fueled its growth and expansion. After the war, there was so much buildup, the economy started dipping. You had to continue to work and produce in order to make that happen, and we needed energy to do that, so the coal miners did that.

They kept their promise to us, and now it is time for us to keep our promise to them. We need to honor the commitment. We need to honor the Executive order signed by the United States of America to make sure they get their pension and make sure they get their health care.

Senator CASEY and I introduced the Robert C. Byrd Mine Safety Protection Act to, among other things, make it a felony for mine operators to knowingly violate safety standards.

Six years and 1 day after 29 brave miners were tragically killed at the Upper Big Branch Mine in West Virginia, former Massey Energy CEO Don Blankenship received 1 year in prison, the maximum allowable sentence, for willfully conspiring to violate mine safety standards.

Put simply, the penalty does not fit the crime committed there, and we aim to change that. I stood with the families of the beloved miners in the days following the devastating tragedy at Upper Big Branch. Through moments of hope and despair, I witnessed again and again the unbreakable bonds of family that are as strong or stronger than anything I have ever seen. While no sentence or amount of jail time will ever heal the hearts of the families who have been forever devastated, I believe we have a responsibility to do everything we can in Congress to ensure that a tragedy like this never, ever happens again.

I thank Senators CASEY, BROWN, WARNER, WYDEN, and all of my colleagues for putting these miners first and keeping the promise that we made to them. It is vitally important that we hold executives who are willing to put the health and lives of our workers at risk accountable for their actions. We must hold everybody responsible. We must hold ourselves responsible first to do the right thing. That is what we are standing here talking about today. If we don't stand up for the people who basically have stood up and defended us, powered a nation and did the heavy lifting and if we can't keep the promise that was made 70 years ago, then God help us in the Senate and the Congress.

I hope we do step up and do the right thing. I tell all of my colleagues that this is not a partisan issue. This is truly bipartisan. This is truly bipartisan. These people work for all of us, not just for part of us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, I am pleased to join my friends—Senator CASEY, who led this debate; Senator MANCHIN, who has worked on this legislation and devoted much of his career to the people that go down into the mines and provide the coal and electricity for much of the eastern half of the United States; Senator WARNER, for his work with Senator CASEY and Senator WYDEN on the Finance Committee. Thanks to all of them.

I want to talk about two pension issues starting with what happened 2 weeks ago, when hundreds of thousands of Teamsters and their families received exciting news that the U.S. Treasury was rejecting the Central States Pension Fund's plan to cut the pensions and benefits they had earned through a lifetime of hard work. This was a win for all of us who urged Treasury to reject these cuts. More importantly, it was a win for the thousands of union members, their families, their supporters, and their friends who worked so hard to protect what their union had spent decades fighting for. That rejection, to be sure, is not the end of the fight for the benefits that workers have earned. It was just the latest battle in the fight to protect workers' pensions.

While Central States' 47,000 Teamsters in my State and tens of thousands in other States may have gotten a reprieve, we have more work to do. As Senator MANCHIN just spoke about, our Nation's retired coal miners are on the brink of losing their health care and retirement savings, and it is within the power of Congress to pull them back.

The health care and pension plans of the United Mine Workers of America cover some 100,000 mine workers, about 7,000 of them living in my State, mostly in Southeast Ohio. The plans were almost completely funded before the financial collapse in 2008, but the industry and its pension funds were devastated by the recession. The plan has too few assets, too few employers, and too few union workers now paying in. If Congress fails to act, thousands of retired miners could lose their health care this year, and the entire plan could fail as early as next year. This would be devastating for retired mine workers, like my constituent, Norm Skinner.

I met Norm in March before a Finance Committee hearing on pension plans that are under threat. Norm is a veteran. He started working as a miner for what became Peabody Coal in 1973. He worked for 22 years and retired in 1994. For every one of those years, he earned and contributed to his retiree health care plan and his pension plan.

Since he retired, Norm has had nearly constant health challenges—not that unusual for people who work in some of the most dangerous conditions in American business. He had triple bypass surgery in 2010. Three years later, they inserted stents, and he had angioplasty. Norm told me that 60 percent of his colleagues at the mine have died of cancer because of the chemicals. When they closed the mine, teams of people wearing hazmat suits came in to clean it. His entire shovel crew has died of cancer. Some were in their fifties when they passed away. But now, after putting in decades in this dangerous mine, Norm is in danger of losing the health care that has kept him alive.

I also met with David Dilly, who worked in the same SIMCO mine. David is also a veteran, and he worked for 14 years at the mine before it closed down in 1989. He was a UMWA member, even serving as president of Local 1188 for a couple of years, and he serves as recording secretary still.

Mining is hard, backbreaking work. It is dangerous. It is dangerous every day in the mine. It is dangerous for the air and the chemicals that mine workers ingest. They knew that when they signed up for the job. But that work has dignity. It is crucial to us and in our national interest as a country. It is a dignity rooted in providing security and opportunity for their family.

We used to have a covenant in this country that said: If you work hard, if you put in the hours, if you contribute to retirement and your health care, you will be able to support yourself and your family. What they are doing is giving up union negotiations and also giving up wages today to take care of themselves and their family in later years so that government or friends or other family members don't have to. What is more honorable than that? It is what made this country great. It is what built the middle class. So when earned benefits like collectively bargained pensions and health care can be cut, we are going back on a fundamental promise that our country has made to tens of millions of American workers.

There is a bipartisan solution proposed by the two Senators from West Virginia and supported by leaders in both parties. The bill uses the interest and surplus from an existing source of money, the Abandoned Mines Reclamation Fund, and funnels that money into the health care and pension plans. This is a fund for reclaiming the land of retired coal mines. So it makes sense to use the surplus to support retired coal mine workers and their families.

If this bipartisan legislation was brought to the floor today, it would pass with an overwhelming majority. It is time for the Senate to act. This legislation has been blocked by one Republican leader in this body. The support of Senator WYDEN, Senator WARNER, and Senator CASEY and in the committee seems to be unanimous from the chairman on down. We are just looking to the Republican leader to give us a vote on this because we are absolutely certain it would pass.

Miners worked in dangerous conditions their entire lives to put food on the table, to send their kids to college, and to help power this country. I have worn on my lapel a pin given to me at a workers' memorial day in the late 1990s, on an April day, where we were memorialized workers who had been killed or injured on the job in the steel industry. This is a depiction of a canary in a birdcage. In the early 1900s, the mine workers would take a canary down in the mines. If a canary died because of lack of oxygen or toxic gas, the mine workers knew they had to get out of the mine. Yet, in those days, there was no union strong enough to protect them and they had no government that cared enough to protect them. We are in the situation today where it is up to us to be that canary. It is up to us to provide for those workers—who have earned these pensions, who have earned this health care for themselves and, in far too many cases, for their widows—and to step up and do the right thing.

The PRESIDING OFFICER (Mr. LEE). The Senator from Virginia.

Mr. WARNER. Mr. President, I am proud to stand here with my colleagues and friends—Senator MANCHIN from West Virginia, Senator CASEY from Pennsylvania, Senator BROWN from Ohio, and, shortly after me, Senator WYDEN from Oregon—to echo what has already been said.

Senator BROWN said it best. He wears that canary pin. If we don't act now, if we don't hear that call and respond to it, then the basic promise and premise that so much of our country is founded on will really be crushed.

I join my colleagues in standing up and urging the Senate to pass the Miners Protection Act. We have mines—just as in Pennsylvania, Ohio, and West Virginia—in southwest Virginia. Quite honestly, I think, as do my colleagues, that no one fully understands what it is like to mine coal until you have been underground, until you see the enormous challenges and conditions that men and women—mostly men—worked under for decades to power our Nation.

Senator MANCHIN often recites the history of this proud industry. But that industry has gone through dramatic changes. Some of those changes are due to activities of certain companies that may or may not have been responsible. Some of these changes are because of a desire of many of us, frankly, on this side of the aisle, to make sure that we find cleaner ways to use energy. In a

way, that is good. But it has meant that many of these coal companies and many of these operators that continue to mine what powered America are under enormous fiscal stress. The result is not enough miners, coal companies that went bankrupt, and, unfortunately, the pension funds that would protect these miners are now in jeopardy.

So now, through no fault of their own, these workers who have sacrificed their bodies, their health, and their livelihoods—when it comes to the U.S. Government to uphold our end of the deal to make sure that these workers or, more specifically, as my colleagues have pointed out, more often it is their widows, as so many of these miners have passed on due to things like black lung disease—are going to get the health care and pensions that were promised and whether we are going to be able to honor that commitment.

The UMWA 1974 Pension Fund affects about 100,000 miners and close to 10,000 in the Commonwealth of Virginia. They are looking to us and whether we are going to honor our commitment.

As Senator BROWN mentioned, I met a number of these miners, who are direct beneficiaries, when we had our most recent hearing. Many of these miners I had worked with and supported when I was Governor of Virginia, and I saw the challenges their communities had gone through. If we don't do our job, these communities that have been hard hit all throughout Appalachia—if these widows don't get the health care and their pensions, communities that have already been devastated will be further devastated. If we allow this pension fund to go bankrupt and go insolvent, it will put additional strains on the PBGC, which is already under enormous strain.

The truth is, as Senator MANCHIN has pointed out, there is a solution, and there is funding available for this miner pension act. It is critically important that we act. It is critically important, morally and economically. I would ask any of my colleagues to speak to any of these widows and explain why we wouldn't keep our end of the bargain when, come the end of this year, if we don't act, these health care benefits will disappear. I hope we will act on this bipartisan legislation. The Senator from Ohio has indicated it would pass this body overwhelmingly.

I appreciate all of my colleagues' work. I see and turn the floor over to the ranking member of the Senate Finance Committee. He doesn't have a lot of coal in Oregon, but he understands that, when a commitment is made—particularly a commitment that was initially made by the President of the United States, President Truman, back in 1946—those commitments need to be honored. I look forward to continuing to work with his leadership to get this legislation out of the Finance Committee, get it to the floor of the Senate, get it passed, and make sure these miners' and their widows' health care pensions are honored.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I thank my colleague from Virginia, Senator CASEY, Senator BROWN, and Senator MANCHIN. They have been relentless in putting this issue of justice for the miners in front of the Finance Committee.

Week after week, month after month, they have been saying: When is this going to get done? When is the Congress—particularly the Senate—going to step up and meet the needs that these workers richly deserve to have addressed? We have had this documented again and again. I heard Senator CASEY talk about it—how difficult this work is. We have had that put in front of the Senate Finance Committee. Yet there has been no action.

Senator WARNER is right—my home State of Oregon does not mine coal. We do have a lot of communities with economies that over the years have been driven by natural resources. They have been up and down the boom-and-bust roller coaster. A lot of those communities are experiencing the very same kind of economic pain you see in the mining towns Senator CASEY and our colleagues represent.

You don't turn your backs on workers and retirees in these struggling communities, these struggling mining towns, just because the times are tough. These workers have earned their pensions. They have earned their health care benefits. But the fact is, if Congress does not act soon, all of this could be taken away.

There is a broader crisis in multi-employer pensions that I have talked about on the floor and in the Finance Committee. Part of this crisis goes back to a bad law that passed, over my opposition, in 2014. It gave a green light to slashing benefits for retirees and multi-employer pension plans. It said that it was OK to go back on the deal companies made with their workers and to take away benefits—benefits people had earned through years of hard work. So there are a lot of seniors now walking an economic tightrope every day, and this law threatens to make their lives even harder.

Now you have the mine workers' pensions—the pensions Senator CASEY and colleagues have been talking about—in such immediate danger, there is enormous financial pressure being put on the Pension Benefit Guaranty Corporation. That is because the Pension Benefit Guaranty Corporation is an economic backstop for millions of retirees. It insures the pensions belonging to mine workers and more than 40 million Americans. But the Pension Benefit Guaranty Corporation is in danger of insolvency if the Congress doesn't step up and find a solution for the troubles facing multi-employer pension plans. And fixing the mine workers' pension plan is a critical component of any solution for the Pension Benefit Guaranty Corporation's insurance program. If you don't come up with a solution there, you are going to put in place a prescription for trouble for generations of retired workers across the country.

Senator MANCHIN has worked strenuously for this cause, reaching across the aisle to Senator CAPITO. I mentioned my colleagues on the Finance Committee. There is now a bipartisan proposal ready to go to protect retired mine workers' health benefits and bolster their pension plan. It would stave off the threat of financial ruin for more than 100,000 workers and their families and would help safeguard the Pension Benefits Guaranty Corporation and the millions of Americans who count on it to insure their livelihoods. We understand that if you want to do something important in the Senate, it has to be bipartisan, so we have reached out to the majority to find a way to advance this proposal.

The mine workers are not facing some imaginary policy deadline. Their livelihoods are on the line. Their health care is on the line. The economic security of entire communities is on the line. So it is time for the Congress to step up.

I again thank my colleagues.

I wish to note that I have some additional remarks to make, and I am going to wait to give those remarks because I understand Senator HEITKAMP, Senator DONNELLY, and Senator COATS are going to go beforehand. I see our friend from North Dakota on her feet.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, let me add my voice to those of my colleagues who have come here to plead the case for mine workers and for equity for widows, equity for people who have worked their entire lives with their hands and now have their future jeopardized by the lack of attention to this critical issue of their pensions.

STUDENT DEBT

Mr. President, I rise today to talk about another very important middle-class economic issue and one that we have been talking about ever since I got here; that is, the overwhelming burden of student debt.

Earlier this week I spoke at Envision 2030 in Bismarck. It was a convening of academic and political leaders in my State to discuss the needs of students who will be embarking on and graduating from college in the next 15 years. Incredible amounts of time was spent on college affordability. I challenged many of the education leaders to take a look at what it is going to take to reduce costs so that students

do not have to borrow so much money as they are pursuing their higher education opportunities.

Like the rest of the country, North Dakota's students are getting bogged down in debt before they even graduate from college. This debt impacts their futures, their families, and their communities.

I would argue that this debt is endangering the economic viability of our country. According to the Institute for College Access and Success, the average amount of student debt a person in North Dakota owes has now risen above $27,000. North Dakota students have some of the highest rates of indebtedness in the country, as 83 percent of the class of 2011 graduated with some form of debt. That is more than any other State in the country for that year.

Across the country, these statistics paint a bleak picture. I want to point that out as we are looking at debt and what debt can do to an economy. Certainly, we talk a lot about the debt we have in this country. If you take a look at this chart, you will understand that this peak in debt here is really right after the debt crisis. There was rising consumer debt in credit cards. Here is student loans. This is mortgage debt, obviously, at a peak. This is auto loan debt.

Notice this: Everything went down and has come down in terms of debt—percentage of balance that is 90 days or more delinquent—except one category, and that is student loan debt.

We like to tell the story honestly. These people who have credit card debt and mortgage debt are not deadbeats; they want to pay their obligations. These students also want to pay, but they are finding it virtually impossible to pay this amount of student debt with the lack of economic opportunities and with the rising number of challenges they have in meeting these obligations.

A lot of people think: Well, this is just a problem for kids in their twenties. That is not going to be a problem. They will work their way through it. That opportunity will be available to them.

Take a look at this. If you go back to 2004, 42 percent of everybody impacted was in their twenties, and now it is 32 percent. That growing impact goes not only into your thirties but also into your forties, and we have the highest percentage increase, probably, in the number of people 60 and older who are burdened by student debt.

This chart tells an incredible story of the burden all of this student debt is having on the economy. Well, what do we do about it? I have signed on many pieces of legislation here that would do one simple thing: It would help refinance this student debt.

We have record-low interest rates in this country. We have never before seen the continuity and consistency of low interest rates. Amazing. If you have a high interest rate and you have a car loan, you refinance it. If you have a high interest rate and you have a home, you refinance your mortgage. But can you refinance your student debt? You will never take advantage of this.

Well, in North Dakota we have an institution called the Bank of North Dakota. It might shock people here, given the kind of attitude I see toward the Export-Import Bank, but the Bank of North Dakota is owned by the people of the State of North Dakota. About a third of their capital is invested in students. It is an opportunity to develop our State. We make home mortgage loans. We make beginning-farmer loans. We participate with local banks in economic development loans. We have some great economic development programs at the Bank of North Dakota.

I am still in the ''we'' mode because when I was attorney general, I used to serve on their board of directors. Senator HOEVEN ran the Bank of North Dakota. It is an amazing institution.

When we find our citizens crippled with debt, what do we do? We try to figure out how to help them. We don't say: We are going to make more money on you by keeping our interest rates at 6.8 percent and not letting you refinance. We say: You know what, that is not helpful to our economy.

Let me tell you about the results of the consolidation program the Bank of North Dakota runs. First of all, there are qualifiers. The first qualifier is that you have to be a U.S. citizen. You can't be attending school any longer. You must have been a North Dakota resident for 6 months. And if this gets out, we may see a flood of young people coming to our State. You must meet Bank of North Dakota credit criteria or have a creditworthy cosigner.

Your loan options are any student loan that you have or your parents have or your grandparents have can be consolidated into this program. We will take Stafford; Perkins; parent loans for undergraduate students, which is called PLUS in North Dakota; Grad PLUS in North Dakota; and DEAL, which is another student loan program that they run at the Bank of North Dakota; and any private lending from any other institution.

What do we do? We consolidate all of that debt and refinance it into lower interest rates and offer people a number of different packages.

Let me tell you what the consequences are. Let's take a look at someone who is in a student loan program that charges 6.8 percent per annum for that student debt. If you have a loan amount of $35,000 at 6.8 percent and your repayment term is 300 months—think about that, 300 months. What is that in terms of a lifetime? That is a lot of months for a lifetime. Your monthly payment is $242 or almost $243. The total interest you will pay traditionally, without consolidation and without refinancing, is about $38,000.

Under this refinancing program, you can do it one of two ways: You can refinance on a fixed rate or you can refinance on a variable rate.

You may say: Oh, variable rates—isn't that what has gotten so many consumers in trouble?

What the bank does is they say you can only raise the rate 1 percent a year under the variable rate and you are capped at 10 percent. So you will never pay more than 10 percent. Or you can opt to lock in at our fixed rate, which at the time this chart was done was 4.71 percent. If you use the variable rate, you can lock in at just slightly above 2 percent.

Let's take those same payment terms—300 months. Your monthly payments for the Deal One fixed rate would be less than $200, compared almost to $250. Your total interest paid would be $13,000 less over the lifetime of that loan. If you go with the variable rate, assuming we don't see a dramatic increase in interest rates, you will pay $150 a month. It is almost $100 less. The total interest you will pay at these low rates is $10,000, compared to $37,000. Think about that. Think about what that means to a family.

If we take this even further and we speed up payments under the DEAL Program—let's try to do this in less months because no one wants to be locked in for 300 months of their life. If you look at going to a fixed rate for 157 months, you can greatly reduce your overall interest paid to about $12,000. Your monthly payment would be $300, and the total amount you will pay—let's compare that to the fixed rate going to 300 months; you pay almost $60,000. If you go to a shorter period of time, almost cut that time in half and increase your payments to $300 a month, you will only pay $47,000 on a $35,000 loan going with the fixed rate we currently have. If you go with variable, assuming the interest rates stay low, a $35,000 variable loan amount gets you down to just under $40,000.

Why can't we do this for every student in America? When I hear that the solution to the student debt problem is that we ought to limit the amount of repayment to 15 percent or we ought to forgive it after so many years, I don't think that is a solution for a lot of good North Dakotans who want to repay their debt. But to simply say we will not consolidate, we will not give an opportunity for students to take advantage of low interest rates is incredibly irresponsible. It is tone deaf to the impact that it has on whether we can start a new business, whether we can get a mortgage for a home, whether we can buy a car, whether we can save for

our retirement so we don't have pension problems in the future, and whether we can save for our kids' college education.

Why aren't we doing this? Someone answer that question for me. If we can make this for students in the State of North Dakota, why can't we make this happen for students all across this country? That is the question I have come to ask because I think a lot of people talk about the ideas of restructuring student debt and what we can do to help students, and a lot of it is about debt forgiveness. You know what. I think people want to pay their debt in America. If they signed a piece of paper that says they will repay it, they want to repay it. Let's give them a chance to do that without continuing to mortgage their future and make them slaves to student debt.

I have a personal story. My niece and her husband were able to use this program. They continued to pay the same amount as they were paying when they had four or five different loans and they consolidated. They are spending the same amount on their student loan, and guess what. They have cut the time for payment of their student debt in half. They are now able to save for their children's future and college education.

People say it can't be done. You bet it can be done. We are doing it in North Dakota, and if we can do it in North Dakota, we can do it in this country. Let's step up and recognize this for the economic problem that is not just for families but for this country, and let's do something. Let's quit talking about student debt and actually do something about that.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

RECOGNIZING THE 100TH RUNNING OF THE INDIANAPOLIS 500 MILE RACE

Mr. COATS. Mr. President, I am on the floor with my colleague from Indiana Senator DONNELLY to talk about something that is very special to the State of Indiana which happens to be coming up this weekend. On Sunday, May 29, the 100th running of the Indianapolis 500, the greatest spectacle in racing, will take place in the town of Speedway, IN, a small town within the confines of the borders of Indianapolis.

The Indianapolis 500-mile race is the largest single-day sporting event in the world. It is almost staggering to think about this small town of Speedway, IN, hosting 350,000 fans this year. It is a logistical challenge that the city and security people have met year after year. It is something to see.

Since the first race in 1911, race fans from around the world have packed the grandstands and the speedway's expansive infield to enjoy the race and take in the experience of being at one of the world's most famous motor sports events.

I can't begin to describe the dimension of a 2½-mile track and the infield. There is a golf course—and a significant part of it is in the infield—that only takes up part of that infield. The 2½-mile track, with 350,000 people, is a spectacle you will not see anywhere else.

For those of us who are from Indiana, the Indy 500 is a celebration of our State, and along with basketball, is what it means to be a Hoosier. Timeless traditions, like the singing of ''Back Home Again in Indiana,'' are embedded into the fabric of Hoosier culture. When the announcer says the phrase ''Gentlemen, start your engines,'' as was said for many years, 33 cars' engines start to roar to the cheers of the crowd. Today that same phrase is now ''Gentlemen and ladies, start your engines'' because the race has brought women to the track to also race.

Thirty-three cars start the pace laps, and off the third or fourth pace lap, as the pace car races down the straightaway and pulls aside, 33 cars come roaring around the fourth turn and hurtling down the home stretch at over 200 miles per hour to plunge into the first turn while 350,000 people stand there holding their breath, maybe saying a prayer, and saying: How in the world can those 33 cars at 200 miles an hour pile into that very small banked first turn without cataclysmic consequences? But they do it, and it is a testament to the agility of the drivers and the technology that has been incorporated into the cars. It is something to see.

The roots of all of this date back to 1909, when a group of businessmen, led by Hoosier entrepreneur Carl Fisher, purchased the 320 acre Pressley Farm—that is not Elvis Presley, by the way—just outside Indianapolis and began construction of the gravel-and-tar racetrack.

At that time, Indianapolis and Detroit were competing to be America's automotive capital, and Fisher believed that a large speedway, where reliability and speed could be tested, would give Indianapolis an upper hand.

Fisher and other speedway founders hired a New York engineer and asked him to design a 2½-mile track with a banked corner, a unique design that still endures today. The first track surface proved to be somewhat problematic so Fisher and his partners needed a way to pave it. They settled on bricks, and covering the 2½-mile oval required an astonishing 3.2 million bricks at a cost of $400,000, which was no small change back then. That is why it is called the brickyard.

As time wore on, bricks didn't become the ideal surface, and when the current surface was put in place, we retained 1 yard of bricks at the finish line. If you are watching the Indianapolis 500 on Sunday—and I know all of these pages will be tuning into that spectacle after Senator DONNELLY and I are through convincing you that this is something you really want to see—that yard of bricks is there and symbolizes what that track has been.

With the bricks laid, about 80,000 spectators gathered around the track on Memorial Day weekend in 1911 for the inaugural Indianapolis 500 race. They witnessed Ray Harroun win the race in his yellow No. 32 Marmon ''Wasp'' at an average speed of 74.6 miles an hour—about what Senator DONNELLY and I try to drive when we are on the interstates in Indiana and going no faster than that so we don't get a speeding ticket, which wouldn't help our careers.

Initially, the cars had two people. One was the driver and the other was a mechanic. This is early on in 1911. We were still developing cars, and of course the impacts the car had to absorb going around a tar-and-gravel track caused many stops, so the mechanic would jump out, make the fix, put on a new tire, and help with the fueling. Ray Harroun surprised everybody by showing up without a mechanic. He was the only person in the car. It was the first such instance that had happened. What they did see in the car was something they hadn't seen on any of the other cars—a rearview mirror being used in an automobile. That is the first instance that we know of that automobiles used a rearview mirror. Since that first race, the Indianapolis 500 has occurred on every Memorial Day since 1911, with the exception of 1917 and 1918 when the United States was involved in World War I, and there was an exception from 1942 to 1945 when the United States was involved in World War II.

When the soldiers came home after the war was over, they looked at the track and it was in a state of despair. It simply was not ready to be used. It had been neglected, understandably, through the war years and was broken down. At that time, the talk was let's close it down, but Terre Haute, IN, native Tony Hulman purchased the Indianapolis Motor Speedway, and under his leadership the facility was restored and rebuilt.

Beginning in 1946 until today, the Indianapolis 500 restarted with massive crowds and the event has only grown over time. In the decades since, the speedway has been owned by the Hulman-George family and all race fans are indebted to this family for their passion for Indy 500 and careful stewardship of the world's most famous racetrack.

As the years passed, the technology used at the Indianapolis Motor Speedway has progressed and so has the speed. In 2013, Tony Kanaan set the

record for the fastest Indianapolis 500, winning the race in 2 hours 40 minutes, at an average speed of 187.4 miles per hour. Think about that. Think of driving for 2 hours 40 minutes, at 187 miles per hour, including yellow lights, when everybody has to slow down significantly because of an accident on the track, a loose tire or something that causes the race to have to slow down, and the pit stops where they have to change the tires and fuel the cars—230 miles per hour is an extraordinary speed, and you have to run at that top speed almost continuously while you are on the track in order to achieve that 187-miles-per-hour record.

There is nothing like being there and seeing cars at that speed so deftly handled by drivers in very difficult situations. The Indianapolis 500 is a showcase of ingenuity, human achievement, and the continuous pursuit of racing immortality.

Racing legends like A.J. Foyt, Mario Andretti, Rick Mears, Al Unser, and Bobby Rahal have become synonymous with the Indianapolis 500. The race is a source of great pride for all citizens of our State, and we are all very excited about the 100th running on Sunday.

I am pleased to be joined by my Indiana colleague Senator DONNELLY in recognizing—through a Senate resolution, which we will offering after Senator DONNELLY speaks—the tremendous occasion of the 100th running of the Indianapolis 500.

I am more than happy to yield to my colleague, Senator DONNELLY.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. DONNELLY. Mr. President, I thank my good friend and colleague Senator COATS. He is truly an institution in our State.

I rise with Senator COATS to commemorate the 100th running of the Indianapolis 500. Think about that. What a long and storied history. The Indy 500 is more than a Memorial Day weekend tradition, and it is more than just a sporting event. It has a storied history, and the list of winners includes some of the most legendary drivers in motor racing history—names like Foyt, Mears, Unser, Andretti, and the legendary family who has been such good friends to our State and such good stewards of the track, the Hulman-George family.

The Indianapolis Motor Speedway and Indianapolis 500 are a sight to see, with its iconic 2½-mile oval and the buzzing atmosphere created by hundreds of thousands of cheering fans. As my colleague and dear friend Senator COATS said, the singing of ''Back Home Again in Indiana,'' the winner drinking milk in victory lane, and raising the Borg-Warner trophy, this is defined by career-making victories as well as heartbreaking crashes and down-to-the-wire finishes.

The Indy 500 is more than just the greatest spectacle in racing. It is about a whole lot more than just that. It is about bringing people and families together. More than 300,000 people will come to watch the race in the city of the speedway this weekend. It boosts local businesses and gives Central Indiana an opportunity to showcase ourselves to the rest of the world.

Over its history, the Indy 500 has been part of the fabric of our Hoosier State. It has endured through economic booms, depressions, and times of turmoil at home and abroad. Through it all, the Indy 500 has become one of the biggest sporting events in the world. It brings together people of all different backgrounds. As the race has grown, it has drawn spectators from across the United States and from around the world—diehard racing fanatics and casual fans alike. Donald Davidson, the track historian, told the Indianapolis Star earlier this week:

> There is nothing else like it. It just took off. There was Christmas, there was Easter, and there was the Indianapolis 500.

It is a special event, unlike any other. I have had the privilege of attending the 500 many times, and I am looking forward to attending Sunday's 100th running of the race. You can't help but be struck by the talent of the drivers and the team.

Earlier this month, I visited the Andretti Autosport, where I saw firsthand the craftsmanship and extensive preparations that go into building a single Indy car for the Indy 500. They were building a number of them. The dedication and teamwork is remarkable. Each piece is an intricate creation, and the driver of each car has to have complete trust in the team that designed and built this car, before it even rolls onto the track. The team has to have that same confidence in the driver, that he or she can bring that car into Victory Lane.

For thousands of Hoosier families and racing fans, the Indy 500 is a time for creating lifelong memories. Joining together with friends and neighbors, the race is a chance to showcase the best in Hoosier hospitality and the best our State has to offer. To win the Indy 500, one needs all of the things that we Hoosiers hold dear: determination, hard work, ingenuity, an unwillingness to give up in the face of adversity, and, sometimes, a little bit of luck.

To win you have to be able to overcome setbacks, get back up, dust yourself off, and put your nose back to the grindstone. That is the Hoosier way.

I wish the best to our drivers, to the crews, and to the teams and owners competing in Sunday's 100th running of the Indy 500. May it be a safe and competitive race. May God bless all those involved. God bless Indiana, and God bless America.

Thank you, Mr. President.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Indiana.

Mr. COATS. Mr. President, on behalf of my colleague and friend, Senator DONNELLY, and myself, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 475, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

> A resolution (S. Res. 475) recognizing the 100th running of the Indianapolis 500 Mile Race.

There being no objection, the Senate proceeded to consider the resolution.

Mr. COATS. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 475) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

Mr. COATS. Mr. President, I yield the floor.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

FILLING THE SUPREME COURT VACANCY

Mr. WYDEN. Mr. President, I have waited to give this speech for weeks, waited for the rhetoric to die down after the untimely and unexpected passing of Justice Scalia, and waited to speak about the sad state of affairs out of a hope that no more words would be necessary before this Senate acted.

It was my fervent hope that the initial reaction to Justice Scalia's death was due to the shock and the grief at the loss of a conservative icon.

I, like many of my colleagues, were publicly mourning the loss, and I assumed that my colleagues were simultaneously realizing that after decades of trending to the right, it was now more than likely that the Supreme Court was going to shift back to a more centrist, progressive point of view.

But now it appears that the Senate has descended into an ''Alice in Wonderland'' world where the Senate cannot even agree on how many Supreme Court Justices make the Court functional. Throughout our history, in the Senate there have been previous attempts to attack the Court by, on the one hand, denying it members, or, on the other hand, packing the Court. In

those instances, this once august body has stood together and always protected the sanctity of the Court—but not today.

The Senate is not only displaying contempt for the Court, but it is demonstrating contempt of its constitutional responsibilities. It is hard for the people we are honored to represent to make sense out of much of what goes on here—who serves on the subcommittee that always sounds like the subcommittee on acoustics and ventilation, what a motion to table the amendment to the amendment to the amendment actually means—but this is an issue the American people get.

We know there are supposed to be nine Supreme Court Justices and the Senate ought to do its job and ensure that the Court can function without wasting years of people's lives and dollars by allowing cases to be undecided through deadlock.

I can state that I am going to be home this weekend for townhall meetings. At these townhall meetings, I hear from citizens who are exasperated. They tell me this in the grocery store, in the gym, and in other places where Oregonians gather. They cannot understand how a U.S. Senator can ignore the responsibility to advise on a Supreme Court nominee and remain true to his or her oath.

Here is what Oregonians know for sure. They understand that the President of the United States is elected to a 4-year term, not a 3-year term and some number of days—4 years. We learn it in the first quarter of high school civics class. Oregonians and Americans understand that it is the President's job during that 4-year term to fill vacancies on the Court, and Oregonians understand that it is the Senate's job to advise and consent on the nomination by holding hearings and then having an up-or-down vote.

The President has fulfilled his duty. The Senate is utterly failing its responsibility. We have a nominee—an eminently well-qualified nominee. Our President pro tempore in the Senate, who is widely respected, called him ''highly qualified'' and described him this way:

> His intelligence and his scholarship cannot be questioned. . . . His legal experience is equally impressive. . . . Accordingly, I believe Mr. Garland is a fine nominee. I know him personally, I know of his integrity, I know of his legal ability, I know of his honesty, I know of his acumen, and he belongs on the Court. I believe he is not only a fine nominee, but is as good as Republicans can expect from this administration. In fact, I would place him at the top of the list.

Those are the exact words of our President pro tempore with respect to this nominee.

The then-chairman of the Judiciary Committee called him ''well qualified,'' even though he objected to bringing the Court he was being appointed to up to its full complement of Justices.

But despite having a fully qualified judge vetted and praised by many of their colleagues, this intemperate rhetoric about blocking the Court has now solidified into an indefensible position. That is why after waiting for weeks, I am on the floor this evening.

The first blow is now well known and often quoted. The majority leader said:

> The American people should have a voice in the selection of their next Supreme Court Justice. Therefore, this vacancy should not be filled until we have a new President.

This was said at a time when other officials were releasing statements offering condolences to the Justice's family, which includes 26 grandchildren.

In some respects this reaction should have been expected. When President Obama took office, it seemed that the goal of some was to oppose anything he did, however reasonable. Senators such as myself who have been here long enough to see the ebbs and flows of the Senate figured that this stance was probably just a temporary slump. Senators put in long hours and travel endlessly to make a difference on issues that are important to them and to their States. Even if the solemn responsibility and constitutional duty with which they are entrusted weren't enough to encourage action in this serious situation, it would seem, for the sake of our country and our people, that many here hoped this body would find its way back again.

Unfortunately, that has not been the case. So the majority leader's response to the death of Justice Scalia becomes yet another example of the scorched-Earth approach to politics the far-right has taken since the very beginning of the Obama Presidency. It is a sad and unworthy response to Americans who expressed their will at the ballot box.

Many Americans list choosing a Supreme Court Justice as one of their leading reasons for choosing a Presidential candidate. Sometimes—many times—this is given as the most significant reason for voting for a President. In the last Presidential election, the American people chose Barack Obama as the duly elected President of the United States. I state this because, for many of my colleagues, that fact somehow seems to have just vanished from their minds, or perhaps there is just a refusal to recognize the results of the 2012 election. Americans chose President Obama to be the Commander in Chief, to administer the laws, and, yes, to appoint a new Supreme Court Justice for any vacancies that occur between January 20, 2013, and January 20, 2017. The unanimous position or near unanimous position of the majority is that elections don't really seem to matter, that the rule of force becomes the rule of law, and saying ''no, we will not'' is an acceptable response for being asked to fulfill constitutional responsibilities. Basically, this position disenfranchises the constitutionally ratified choice of more than 65 million Americans because the majority in the Senate simply doesn't agree with them.

This is not a response worthy of U.S. Senators. It is choosing party and ideology over the needs of our country, and it is a political choice that many of my colleagues are beginning to understand they cannot support.

My colleagues have said: It is not the position; it is the principle. But this is a position without principle. It is really pure politics—pure politics of the worst kind. It calls into question whether perpetrators can effectively do their jobs as Senators going forward.

Today the Senate, this venerable institution, continues to find itself in the hands of the most insidious form of politics—small ''p'' politics. It is the kind of politics that seems just devoid of reason, revolving around what seems to most Americans to be a truly straightforward portion of the Constitution.

Article II, section 2, paragraph 2, of the Constitution states:

> [The President] shall have Power, by and with the Advice and Consent of the Senate, to . . . nominate, and by and with the Advice and Consent of the Senate, shall appoint . . . Judges of the Supreme Court. . . .

Now, I am a lawyer in name only. I don't profess to be a constitutional scholar. But at this point, I am one of the longer serving Members of the Senate, and I have placed a special priority on working with colleagues across the aisle, trying to find common ground, recognizing that the Senate is at its best when colleagues work together. But to my mind, the current approach taken by the majority toward the President's duty to nominate a Supreme Court Justice and the duty the Senate has to advise and consent on the nominee has led this Senate to an unprecedented and dangerous situation. It seems to me that by denying Judge Garland a hearing, we are denied the opportunity to ask the nominee questions to which the American people are owed answers.

The current position of refusing to ask those questions and hear those answers is an insult to our form of government, one understood by originalists, strict constructionists, and liberal interpreters alike. The Senate's decline has been particularly vivid in the case of judicial appointments. The U.S. Court of Appeals for the District of Columbia is the primary judicial forum for appeals of Executive and regulatory actions prior to the Supreme Court. As such, it has become the focus of ideologues who oppose environmental regulations, consumer regulation, anti-trust, and many other hallmarks of our system of government for the past century.

When three vacancies opened on this court and Presidential appointments were made, Senate Republicans proceeded to filibuster each and every one

of those nominees, claiming—in my view ridiculously—that the President was engaged in ''court packing.''

Now, in the interest of fairness, court packing is the reprehensible course of action chosen by a liberal icon, President Franklin D. Roosevelt, when faced with a court that opposed his will. That attempt was a dangerous time for our constitutional system of checks and balances and must be remembered, lest it be repeated.

Not only was it dishonest to apply this term to the regular process of filling existing vacancies, the accusers were, in fact, attempting to accomplish FDR's same goal of bending a Federal court to their will in a blatant attack on our system of checks and balances.

Today, we are witnessing another attack on the Constitution in this refusal to do our job and proceed to the confirmation process for Judge Garland.

This is a grave assessment, and maybe I am being a bit too harsh to colleagues in laying their refusal to duty on purely political grounds. So I want to just take a couple of minutes to unpack some of the justifications that have been given for what we have heard. Some Members have argued there is a longstanding tradition that the Senate does not fill a Supreme Court vacancy during a Presidential election year. This has been referred to as an ''80-year precedent'' and as ''standard practice.''

Unfortunately, that turns out not to be the case. There is no such precedent. Or, I would say, there is no such precedent unless you define your terms so narrowly that the concept of precedent becomes meaningless. This can be contrived, for example, by limiting the discussion to nominations made during a Presidential election year rather than nominations considered during a Presidential election year.

However, that is like saying: We never previously filled a Supreme Court vacancy in a year in which Leonardo DiCaprio won an Oscar and Denver won the Super Bowl. This is true enough, but it covers such a small set of cases that it provides no meaningful guidance. If anything, the relevant historical precedent favors the Senate considering a nomination to fill the current vacancy.

Since 1912, the Senate has considered seven Supreme Court nominations during Presidential elections. Six of the nominations were confirmed: Mahlon Pitney in 1912; Louis Brandeis and John H. Clarke in 1916; Benjamin Cardozo in 1932; Frank Murphy in 1940; and the most recent example, Anthony Kennedy in 1988, who was nominated by President Reagan and confirmed unanimously by a Senate in which Democrats held the majority.

In one other case, that of Abe Fortas in 1968, the nomination was rejected in an election year. However, even then, the Senate did its job. It held hearings, reported the nomination from committee, voted on whether to invoke cloture on the nomination on the Senate floor.

In the face of this historical record, some Senators have argued another point. They have invoked the so-called Biden rule, based on a speech that Vice President BIDEN gave on the Senate floor in 1992 when he was chairman of the Senate Judiciary Committee. In that speech, according to some Members, Senator BIDEN established a binding rule that the Senate should never consider Supreme Court nominations during Presidential election years.

First, as discussed above, there is no such thing as a binding Senate rule. We make them. We break them. We change them. It is the flexibility of this institution that has allowed it to continue to serve Americans for 225 years and the current inflexibility of my colleagues that threatens to bring it to harm.

Now, let's look at Senator BIDEN's 1992 comments in perspective. He gave a speech, perhaps intemperate, but in 1988, as I just described, he led the Senate in confirming Justice Anthony Kennedy.

Further, in 1987 and 1991, when Presidents Reagan and Bush submitted the highly controversial nominations of Robert Bork and Clarence Thomas, the Senate Judiciary Committee, chaired by then-Senator BIDEN, held hearings on the nominations and took them to the floor for up-or-down votes. So when Senator BIDEN chaired the Judiciary Committee, he always provided a Republican President's Supreme Court nominees with a hearing, a vote in committee, and a vote on the Senate floor.

It is also important to consider the overall point that Senator BIDEN was making in 1992. The Supreme Court was about to adjourn, which is a time when Justices frequently announce their retirement. Senator BIDEN was arguing that there should not be a trumped-up retirement, designed to create a vacancy for which the President would submit an ideologically extreme nominee as ''part of a campaign to make the Supreme Court an agent of an ultra right conservative social agenda which would lack support in the Congress and the country.''

Senator BIDEN was arguing against partisanship. He was counseling restraint. He said that ''so long as the public continues to split its confidence between branches, compromise is the responsible course both for the White House and for the Senate.''

Noting his support of the nominee, though nominated by an opposing President, Senator BIDEN was urging both sides to step back from partisan ideological warfare. Senator BIDEN urged Congress to develop a nomination confirmation process that reflected divided government by delivering a moderate, well-respected nominee who would be subject to a reasonable, dignified nomination process.

Senator BIDEN went on to say, ''If the President consults and cooperates with the Senate or moderates his selections absent consultation, then his nominees may enjoy my support, just as did Justices Kennedy and Souter.''

That is precisely the approach that President Obama is following here—moderating his selection. In nominating Judge Garland, the President has not politicized the process. The President has not nominated some leftwing ideologue who thrills progressives but angers conservatives. You already heard what I quoted directly from our esteemed friend, the President pro tempore of the Senate, Senator HATCH. The President has gone to the middle, seeking compromise. He has nominated someone who is widely regarded as sound and moderate and capable. Indeed, not long ago, leading Republican Senators cited Judge Garland as the very example of the type of person they were hoping the President would nominate.

Judge Garland is the kind of person about whom my colleagues on the other side of the aisle said: This is the kind of person we would really like to see for this job.

Now, there have been other attempts to defend the indefensible, and they all go back to the facts that I have just outlined. No matter the politics, no matter your concern about a primary challenge from the right, no matter the faint hope that a Member of your party might win the White House and nominate an ideological kindred spirit, no matter the pressure to choose party over country, it is time to do our constitutional duty, hold hearings, ask questions, get answers, and vote on the nominee.

Perhaps, as with Abe Fortas, the nominee will be rejected. If that is the Senate's will, so be it. But denying a duly nominated candidate a responsible and dignified confirmation process is choosing to further endanger the people we serve and the body that we serve in.

Finally, every Republican Member must know that having a meeting or calling for hearings and a vote without taking any action to make it so is pretty much naked politics, and Americans are not going to be fooled. If Members of the majority actually wish to see the Senate do its job, they can force the Senate to make it happen by denying the leadership the ability to act on other less pressing matters until they take up this responsibility.

To go home and claim that you would like hearings—that you would like a vote—without taking action to make it happen is simply lip service to the constitutional responsibility of a Senator.

I am going to close with just a couple of last thoughts. My colleagues have

the opportunity to redeem this body. My colleagues have repeatedly said: It is not the position; it is the principle. But it was understood during FDR's time, and it should be understood now, that threatening the makeup of the Supreme Court is a position without principle.

Intemperance appears to be the hallmark of political rhetoric in this day. Somehow, if it is loud and intemperate, that is what people are going to pay attention to. But this sort of intemperate rhetoric is certainly corrosive to this institution.

The Senate still has an opportunity to sober up, regardless of what was said, buckle down, get to work, hold hearings, and vote on a nominee. Political rhetoric can be forgiven. Allowing intemperate rhetoric to control the solemn responsibility of every Senator is unforgivable.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. ROUNDS. Mr. President, I rise today to speak about the National Defense Authorization Act of 2017, or the NDAA. This bill was reported out of committee 2 weeks ago with 100 percent support from our friends across the aisle and nearly unanimous support from the majority party.

I am thankful for the leadership of Chairman MCCAIN and Ranking Member REED. I think they have done a marvelous job. These are two veterans who have served their country well before becoming Members of this body. As Members of this body, they have worked very hard to find consensus between Republicans and Democrats with regard to how we work to prepare an authorization bill for funding for our military.

The reason I am here today is I think it is important to share my thoughts about the need to move forward with a discussion of the National Defense Authorization Act on the floor of the Senate in an appropriate timeframe.

For those individuals who wonder how the Senate works, sometimes we find it frustrating because we would like to move on. And as my friend the Senator from Oregon just indicated, they would like to have votes. In this particular case, he was suggesting a vote on the Supreme Court, but on that one there are challenges and there are concerns on the part of Members of the majority party.

But in the case of the National Defense Authorization Act, this is one which has been passed out of the Senate, passed by the House, and signed by the President for 54 years in a row. It is a bipartisan work effort. It is one in which we have agreement; we find consensus. It seems only appropriate that we try to move forward on this particular bill before Memorial Day, the day in which we honor those individuals who have given the ultimate sacrifice.

Let me share with you what we understand has happened. I understand that when the majority leader had asked for a unanimous offer or an agreement that we take up this bill early—take it up and begin to debate it; not pass it, but debate it and accept amendments to this particular bill about how to appropriately direct our military for the coming year—the minority leader objected, which is his right, and said he would not allow us to move forward, even to debate the bill.

In fact, we had to file what they call cloture or a closure of the time with a 30-hour period, which we are in right now, before we can even take up the bill. That seems inappropriate. At least to me, it seems that if we really wanted to show we honor those individuals—and we talk about the memory of those who lost their lives serving our country—the least we could do would be to move forward with this particular one in some sort of a united effort since there does not appear to be anything that is of a challenge in passing the bill.

I think about Memorial Day because I lost an uncle. As a matter of fact, I am named for him. My name is Marion Michael. I go by Mike, but I was named for an uncle who died in World War II on the island of Okinawa in May of 1945. He never had a chance to vote, never had a chance to have a family. My family lost something. He lost his life, but we lost an uncle, a brother.

This is the time period in which we remember what these folks—these soldiers, sailors, and warriors—have given to our country. It seems appropriate that this would have been a great time to make an example of our working together. That sense of sacrifice didn't stop in World War II; it continues on.

I had the opportunity, the privilege, to work as Governor of South Dakota during the time in which we were sending young men and women off to wars in Afghanistan and Iraq. I remember one time in particular that was an example of the generations supporting our country. It happened to be with a mobilization ceremony in the little town of Redfield. When we send young men and women off in South Dakota, we have a mobilization ceremony that is attended by literally the entire town. In this case it was the 147th Field Artillery, 2nd Battalion. I was working as Governor at the time, and when we came into this town, we went to the high school gymnasium. You couldn't park within three blocks of that gymnasium because it was filled.

When we walked inside, there were people everywhere. They were even sitting on the window sills because there were a little over 105 soldiers who were being deployed, and they were going to Iraq.

I remember it specifically because as we finished the ceremonies for deployment in this packed crowd, we went down the line, and we started thanking each soldier for their service. I walked through the line saying: Thank you. We appreciate your service. Be careful. Come back safely.

I looked at one of the soldiers and looked at his last name. He was gray haired, clearly he was a sergeant, and he was one of the leaders. I said: Thank you for your service. Do your job, but bring these guys home safely.

He said: Yes, sir.

The next man in line—I looked at his name, and it was the same name as the individual ahead of him. I looked at him and I said: Is that your dad?

He said: No, sir, that is my uncle. My dad is behind me.

Three generations, three separate members of the same family were serving in the 147th, three of them offering their own and their families' time to support our country. I don't know whether they were Republican or Democrat. All I know is that they were wearing the uniform of the United States of America.

Sometimes, as we talk about what we do, we have to remind ourselves that when these young men and women deploy, they are not deploying as Republicans or Democrats. They really don't care about how we see the progression of the votes that we take here. What they look at is whether or not we are united as Americans.

This would be a very appropriate time for the minority leader to perhaps consider giving back some of the time that he is holding for debate on this bill to begin. Let's begin the debate on this bill before we leave for Memorial Day. Let's begin the process of letting these families know that this is important to us, too, and that we understand the significance of Memorial Day.

For that particular family I talked about in Redfield, this is especially important this year because that young man came back and carried the Cross of War with him. They lost him earlier this year. This year, Memorial Day means a little bit more.

What I would ask today is that we send a message to all of the men and women who wear the uniform. Politics is gone. We will debate the bill, we will spend time on the bill, we will make it better, but we will not hold it hostage. We will do what they want us to do as Americans protecting our country and honoring the memory of those who have given everything in defense of our country.

This is the time to vote—to vote for those who died before they ever had a chance to vote. This is a chance to share our strong belief that when it comes to the defense of our country, we are Americans first, Republicans and Democrats last.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

WATER RESOURCES DEVELOPMENT ACT

Mr. PETERS. Mr. President, tonight I rise to speak about the pressing need

to invest in our aging infrastructure across this great country, especially drinking water infrastructure.

What makes the ongoing crisis in Flint so tragic is that it was preventable. Steps could have and should have been taken over months and even years that would have prevented the poisoning of the citizens of Flint. Because these steps were not taken, efforts to mitigate the effects of lead exposure and repair the damage will be necessary for many years to come.

Our drinking water supply is largely dependent on systems built decades ago that are now deteriorating. Many of the pipes in some of our older cities were installed before World War II, and many are made of lead. The EPA estimates about 10 million homes and buildings are serviced with lead lines.

The American Water Works Association has said that we are entering ''the replacement era.'' Water systems are reaching the end of their lifespan, and we must replace them. We have no choice.

If we want to simply maintain our current levels of water service, experts estimate a cost of at least $1 trillion over the next two decades. That is why it is so important that we pass a new Water Resources Development Act, or WRDA. We now have the opportunity and the ability to dedicate resources to Flint and to communities dealing with infrastructure challenges all across our country.

The Environment and Public Works Committee listened to water experts, State and local elected officials, and the shipping industry, as well as stakeholders, to craft a WRDA bill that makes crucial infrastructure investments in drinking and wastewater projects as well as our ports and our waterways.

My friend Senator DEBBIE STABENOW and I were proud to work with Senator JIM INHOFE and Senator BARBARA BOXER to include bipartisan measures that would include emergency aid to address the contamination crisis in Flint and provide assistance to our communities across our country facing similar infrastructure challenges.

The Flint aid package included in the bipartisan WRDA bill includes direct funding for water infrastructure emergencies and critical funding for programs to combat the health complications from lead exposure. This includes a drinking water lead exposure registry and a lead exposure advisory committee to track and address long-term health effects.

Additionally, funding for national childhood health efforts, such as the childhood lead prevention poisoning program, would be increased in this bill.

The Water Resources Development Act also includes funding for secured loans through the Water Infrastructure Finance and Innovation Act, or WIFIA program. This financing mechanism was created by Congress in 2014 in a bipartisan effort to provide low-interest financing for large-scale water infrastructure projects. These loans will be available to States and municipalities all across our country.

There are also a number of other important provisions in this year's WRDA bill. It promotes restoration of our great lakes and great waters, which include ecosystems such as the Great Lakes, Puget Sound, Chesapeake Bay, and many more.

In fact, the bill includes an authorization of the Great Lakes Restoration Initiative through the year 2021, which has been absolutely essential to Great Lakes cleanup efforts in recent years. It is important to know that the Great Lakes provide drinking water for over 40 million people.

The WRDA bill also will modernize our ports, improve the condition of our harbors and waterways, and keep our economy moving.

A saying attributed to Benjamin Franklin rings especially true with this WRDA bill. He said: ''An ounce of prevention is worth a pound of cure.'' If we make the necessary infrastructure investments now, we will preserve clean water, save taxpayer money in the long run, and protect American families from the dangerous health impacts of aging lead pipes.

The Environment and Public Works Committee passed the Water Resources Development Act with strong, overwhelming bipartisan support last month. This bill is ready for consideration by the full Senate, and communities across our country—including the families of Flint—are waiting for us to act.

I am hopeful that this body will do just that in the coming weeks, and I urge my colleagues to prioritize this commonsense, bipartisan infrastructure bill for a vote on the Senate floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

MORNING BUSINESS

Mr. ROUNDS. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, nearly 150 years ago, Congress determined that a fully functioning Supreme Court should consist of nine Justices. For more than 100 days, however, the Supreme Court has been unable to operate at full strength as a result of unprecedented obstruction by Senate Republicans. Under Republican leadership, the Senate is on track to be in session for the fewest days since 1956. Senate Republicans simply refuse to do their jobs. If Senate Republican leadership has its way, this seat on the Supreme Court will remain unnecessarily vacant for more than a year.

President Obama nominated Chief Judge Merrick Garland 70 days ago. Based on the timing of the Senate's consideration of Supreme Court nominees over the past four decades, Chief Judge Garland should be receiving a confirmation vote on the Senate floor today. Instead, Republican Senators are discussing a hypothetical list of nominees issued by their presumptive nominee for President.

Senate Republicans should be responsible enough to address the real vacancy on the Supreme Court that is right now keeping the Court from operating at full strength. Chief Judge Garland has received bipartisan support in the past, and there is no reason other than partisan politics to deny him the same process the Senate has provided Supreme Court nominees for the last 100 years. The chairman of the Judiciary Committee recently suggested we put down on paper how the Senate treats Supreme Court nominees. I did just that with Senator HATCH in 2001 when we memorialized the longstanding Judiciary Committee practice that Supreme Court nominees receive a hearing and a vote, even in instances when a majority of the Judiciary Committee did not support the nominee. The chairman and all Republicans should go back to that letter to use as a roadmap for considering Chief Judge Garland's nomination now.

Republicans have been dismissive about the need for a fully functioning Supreme Court with nine Justices, but as we have already seen this term, the Supreme Court has been repeatedly unable to serve its highest function under our Constitution. Without a full bench of justices, the Court has deadlocked and has been unable to address circuit court conflicts or resolve cases on the merits. The effect, as the New York Times reported recently, is a ''diminished'' Supreme Court. In a bid to appeal to moneyed interest groups, Republicans have weakened our highest Court in the land, both functionally and symbolically.

In the face of this obstruction, some Supreme Court justices have tried to put on a brave face, proclaiming things are going along just fine. The facts show, however, that the opposite is true. As another recent news article notes, the Supreme Court is on pace to take on the lightest caseload in at least 70 years. At least one Supreme Court expert has suggested that the eight Justices currently serving may be reluctant to take on certain cases when they cannot be certain they will reach an actual decision on the merits without deadlocking. As each week

passes and we see the Court take a pass on taking additional cases, the problem gets worse and the Court is further diminished.

In some instances, the Court has issued rare and unprecedented follow-up orders to try to reach some kind of compromise where they otherwise cannot resolve the issue with eight Justices. This happened in Zubik v. Burwell, which involved religiously affiliated employers' objections to their employees' health insurance coverage for contraception. In that case, the Court took the unusual step of ordering supplemental briefing in the case, seemingly to avoid a 4–4 split and to reach some kind of compromise. Even with the extra briefing, the Court could not make a decision. Instead, it sent the issue back to the lower courts expressing ''no view on the merits of the cases.'' The reason we have one Supreme Court is so it can issue final decisions on the merits after the lower courts have been unable to do so in a consistent fashion. But the Supreme Court has recently punted cases back down to the lower courts for them to resolve the issue, possibly in different ways, because of its diminished stature. A Supreme Court that cannot resolve disputes among the appellate courts cannot live up to its name.

The Court has been unable to resolve cases where even the most fundamental right is at stake, that of life and death. Former Judge Timothy K. Lewis of the Third Circuit Court of Appeals warned us of this earlier this month when he spoke at a public meeting to discuss the qualifications of Chief Judge Garland. Sadly, these warnings have become a reality. In one death row case, the Supreme Court has not yet decided whether to review it despite the fact that, at trial, an expert testified that the defendant was more likely to be dangerous in the future because of his race. The prosecution later conceded this testimony was inappropriate, but continued to raise procedural defenses in Buck's case. Such a case about whether a person sentenced to death has received due process is at the very heart of our democracy; yet our diminished Supreme Court has been unable to make a decision in this case and could deadlock on others.

There are some who suggest a deadlocked decision may be beneficial when one supports the lower court's ruling, but that is both shortsighted and contrary to role of the courts in our constitutional system. A deadlocked decision postpones an actual decision from the final arbiter of law under our Constitution. This results in less certainty for all of us.

I hope that Republicans will soon reverse course and put aside their obstruction to move forward on Chief Judge Garland's nomination to be the next Supreme Court Justice. Their failure to act is having a real impact on the American people. It is up to the Republican majority to allow this body to fulfill one of its most solemn duties and ensure that justice is not delayed for another year. Judge Garland deserves fairness. He should be given a public hearing and a vote without further delay.

OBAMACARE

Mr. ENZI. Mr. President, I would like to get into the numbers on something that folks in Wyoming are having to deal with. The number I would like to highlight is one. As an accountant, I am sure you thought I was going to get much more complicated, but it is important for my colleagues to hear that there is one health insurer in Wyoming offering exchange plans this year—one.

In October last year, people around Wyoming read the news that WINHealth, one of two major medical insurers operating in the State, would close down. That was bad news, and I had constituents who were in a tough spot.

They say that misery loves company, and, unfortunately, we have company now. This year, Alaska and Alabama join us—one insurer on the State exchanges, thousands of people losing their plans.

Blue Cross Blue Shield of Wyoming has been working to provide options, but the fact remains that we have fewer choices now.

If I think back to the ObamaCare debate, President Obama and my colleagues across the aisle promised that ObamaCare would bring more options, security, lower costs.

The majority leader at the time, HARRY REID, said: [W]e are bringing security and stability to millions who have health insurance . . . What we will do is ensure consumers have more choices and insurance companies face more competition.

I think it is safe to say that that hasn't quite materialized.

What we are witnessing is another broken promise, the failure of ObamaCare to deliver again.

Some of my colleagues have been on the Senate floor talking about insurance premiums going up, and they are going up, at shocking rates. ObamaCare has been quite a comprehensive reform of health care. Now your costs are higher, and you may have no choice in your insurer or the structure of your insurance plan—sounds like a great deal.

ObamaCare has weighed down health insurance with unworkable plans, high costs, and a risk pool that is significantly sicker than expected; and now, somehow, people seem surprised to find that we have insurers leaving the market, either by choice or because they have gone bankrupt.

Look at the national carriers that have left the exchanges: UnitedHealth, Humana, and Aetna in some States. These folks have looked at the exchanges and said, We can't anymore.

We could look at the co-ops that have closed. Twelve have closed—more than half.

Look at the States that may have some counties with only one insurance option. According to the Kaiser Family Foundation's tracking, more than 650 counties may have just one insurer for the exchanges in 2017 in Kentucky, Tennessee, Mississippi, Arizona, and Oklahoma.

What answer do my Democratic colleagues have for this absolutely unacceptable situation? I have mostly heard silence.

The people we represent deserve more than silence or rhetorical finger pointing. They need relief, and they need real, meaningful changes that will let people buy health insurance in a free market without a government chokepoint at every turn.

Let's be clear: This is not a failure of the free market. These are not open marketplaces that have failed. They are government-run exchanges selling government-mandated and government-approved health insurance.

I encourage my colleagues to consider what the option is if we fail to roll back this damaging law. What will we be left with?

I extend an open hand to work with any of my colleagues who want to make reforms to our health care system that will truly deliver on the promises of more options, security, and lower costs.

Thank you.

CONGRATULATING MONTENEGRO ON 10 YEARS OF INDEPENDENCE AND SUPPORTING MONTENEGRO'S NATO MEMBERSHIP

Mr. MURPHY. Mr. President, 10 years ago this month, voters in Montenegro went to the polls to determine the future of their country. These voters were faced with a single question: ''Do you want the Republic of Montenegro to be an independent state with full international and legal subjectivity?'' When the dust settled on the evening of May 21, 2006, the referendum passed with 55.5 percent of voters choosing to peacefully dissolve their union with Serbia. Shortly thereafter, the international community recognized the newest country in the world. In a region riddled with bullets and bombs, this moment marked the beginning of a praiseworthy chapter in regional and transatlantic history.

As a number of global security challenges occupy the top of our foreign policy agenda—not least the threat posed by ISIS and the most significant refugee crisis since World War II—it is easy to overlook Montenegro's tenth anniversary. But we would be remiss if we did not use this occasion to reflect

on the importance of U.S.-Montenegro relations and the role this country of 600,000 can play to advance regional and transatlantic security moving forward.

Early on, the country's leaders made a clear decision to align with the United States and pursue membership in Euro-Atlantic institutions. Montenegrin troops sacrificed their lives supporting the U.S.- and NATO-led mission in Afghanistan. Montenegro has demonstrated its commitment to deterring Russian aggression by voluntarily joining the EU sanctions regime against Russia and rebuffing Moscow's offers for military cooperation. And since the beginning, the United States has been there supporting Montenegro's progress, with direct assistance to help the country fight organized crime and corruption, strengthen its civil society and democratic structures, and provide stability in the still-fragile Balkans region.

In October 2014, I had the privilege to visit Montenegro as then-chairman of the Senate Foreign Relations Subcommittee on European Affairs. I met with our Ambassador and Montenegrin Government officials and opposition leaders to discuss the challenges of the region and the country's progress. I also sat down with U.S. investors to hear why Montenegro is currently an attractive country for foreign investment.

Above all else, I came away from this visit convinced that Montenegro should be granted NATO membership. The opportunity to join the world's foremost military alliance has been a powerful incentive for reform. Montenegro has come a long way, but if the prospect of joining NATO is no longer on the table, we can expect to see an erosion of Montenegro's commitment to democratic governance and arguments that Montenegro is better served by an alliance with Russia.

Last week, NATO Foreign Ministers gathered in Brussels to sign Montenegro's Accession Protocol, paving the way to Montenegro's formal membership. Each member country must now ratify the agreement. This important decision will help counter Russian aggression in the region, eliminate a strategic NATO gap along the Mediterranean, and ensure that Montenegro's young democracy continues to develop under the alliance's umbrella.

At the same time, no country should receive an invitation until it is prepared to meet the highest standards of NATO membership. Montenegro has taken significant steps to address concerns that have delayed membership in the past. The government has strengthened the rule of law, undertaken intelligence sector and defense reforms, and increased public support for NATO membership in recent years. Notably, the Montenegrin Parliament passed legislation in November 2014 to reform the judicial sector, including the establishment of a special prosecutor's office for organized crime and an anti-corruption agency. This legislation is now being implemented, with the special prosecutor's office carrying out a high-profile arrest of former President of Serbia and Montenegro Svetozar Marovic on corruption charges in December 2015. We need to see continued high profile arrests to prove the rule of law will be fully respected, but this is an important signal.

Montenegro's democracy is young, but it is on the right track. There is no doubt Montenegro needs to continue making progress to uphold the rule of law, fight organized crime, tackle corruption, and foster a free and independent media environment. I believe American engagement will be critical helping Montenegro achieve these goals. On the tenth anniversary of Montenegro's historic independence, I will continue to push for a strong transatlantic partnership between our countries.

HONORING SERGEANT ROBERT WILSON III

Mr. CASEY. Mr. President, today we pay tribute to Sergeant Robert Wilson III of the Philadelphia Police Department, who sacrificed his life to protect innocent civilians during an armed robbery at a store called GameStop in north Philadelphia in March 2015.

Sergeant Wilson was there buying a present for his son when he confronted two armed robbers. He moved to draw attention away from the area where the civilians were standing in what ended up being a fatal exchange of gunfire.

For his exceptional bravery and selflessness in the face of danger, President Obama awarded Sergeant Wilson with the Public Safety Officer Medal of Valor, 1 of 13 officers who received the award and the first member of the Philadelphia Police Department to earn such an honor.

No medal or distinction can adequately pay tribute to Sergeant Wilson's sacrifice and the horror his family has gone through over this last year. Sergeant Wilson's grandmother, Constance, who accepted the medal on his behalf, said of the pain of losing her grandson, ''a big hole was put in my heart.''

Sadly, the Wilson family is not alone in its sacrifice: 128 police officers were killed in the line of duty in 2015, including five in Pennsylvania. To paraphrase something President Lincoln once said, they gave the ''last full measure of devotion'' to the communities they served.

As public officials, we have a deep and abiding obligation to support those serving in law enforcement. Our support must be in deed and in word, which means making sure those law enforcement officers have the resources they need to keep our communities and themselves safe. All public officials must pray and ask humbly whether our actions are worthy of the valor of those who serve.

On the Senate floor today, we express our profound gratitude for the service of Medal of Valor recipient Sergeant Wilson and the sacrifice of his family.

TRIBUTE TO DR. ANDREW W. GURMAN

Mr. TOOMEY. Mr. President, I would like to recognize the upcoming inauguration of Dr. Andrew Gurman of Hollidaysburg, PA, as the 171st president of the American Medical Association on June 14, 2016.

Dr. Gurman is an orthopaedic hand surgeon who maintains a private practice in Altoona, PA. He is the first hand surgeon and only the second orthopaedic surgeon to have been elected to serve as president of the AMA.

Dr. Gurman graduated from Syracuse University and received his medical degree from the State University of New York Upstate Medical University, Syracuse, in 1980. After completing his surgical internship and residency in orthopaedic surgery at the Montefiore Hospital/Albert Einstein program in New York City and a fellowship in hand surgery at the Hospital for Joint Diseases Orthopaedic Institute, Dr. Gurman entered practice in central Pennsylvania and became active in local medical societies, having served as both speaker and vice speaker of the Pennsylvania Medical Society. He was also a member of its board of trustees and executive board. Dr. Gurman has also served as the chair of the Altoona Hospital bylaws committee and orthopaedic surgery peer review committee, as well as the chair of orthopaedic service.

I want to congratulate Dr. Gurman on his election and inauguration as the president of the American Medical Association and wish him well. I look forward to working with him in his new role to craft policies that will improve access to affordable, high-quality health care and make a difference in the lives of countless patients across the Nation.

TRIBUTE TO FRED AND CONNIE TAYLOR

Mr. BARRASSO. Mr. President, I would like to take the opportunity to sing the praises of Fred and Connie Taylor, two incredibly talented and dedicated members of the Casper community. Fred serves as the choir director and his wife, Connie, serves as the organist and director of the handbell choir at the Shepherd of the Hills Presbyterian Church in my hometown of Casper, WY. Through music, Fred and

Connie Taylor have helped our congregation share in God's love, grace, and teachings for 24 years. Last Sunday marked their last service in leading the musical ministry of the church as they start their well-earned retirement.

Fred and Connie Taylor have been married for over 50 years. Since they first met at the University of Dayton, this lovely couple has been celebrating life and music together. In fact, music brought them together. The couple met when Fred was performing in the role of Elijah in Mendelssohn's ''Elijah'' and Connie was assigned to be his accompanist. Since that day, they have been performing together and sharing their musical talents in schools and churches across the nation.

The Taylors fell in love with Wyoming during a trip to our great State in 1979. A short time later, Fred and Connie moved to Hanna, WY. Fred got a job as band director at the school and Connie took the position as the choir director. In 1986, they moved to Casper, WY. Fred became bass trombonist and assistant conductor of the symphony. Connie devoted herself to inspiring and spreading the love of music to children in the Casper schools.

While they are a dynamic team, Fred and Connie also have significant individual accomplishments. Connie graduated from the University of Dayton with a bachelor of science in music and earned a master of music from Indiana University. Connie is a concerto level pianist. She has performed as an accompanist for the Joffrey Ballet. Her musical expertise has been critical in ensuring the success of numerous performances in our community. As a longtime elementary school teacher in Casper, she taught her students to appreciate the beauty and joy of music. Connie has helped ensure the love of music lives on in the future generations of our State.

Fred's passion for music is best explained by his proclamation that, ''Music is part of my soul.'' He was born in New York City in 1938. As a baby, he would rock and sway along to the sounds of the world's most beloved symphonies. As a young boy, he started singing at his church and in the boys' choir. After serving our Nation in the U.S. Army, Fred earned his bachelor of science in music education from the University of Dayton and a master of music in conducting from Indiana University. Fred is the bass trombonist for the Wyoming Symphony Orchestra and founder of the Casper Brass and Storm Door Company. He has composed over 600 pieces of music. In addition, Fred has performed in and greatly contributed to the Casper College Band, the Casper Municipal Band, and the CC Jazz Band.

Fred explains how his love for music and the state of Wyoming perfectly intertwine stating, ''I have a wonderful church choir to conduct; I have a symphony orchestra to play in; everything I write gets performed.'' He also said, ''Outside of that, the air is clear and the fish in the river don't have to cough, and my grandchildren live right around the corner.''

The passion for music is part of the family. The love of music and ability to bring the notes on the page to life extends to every member of their family; Lisa Rich, Steven Rich, Chris Taylor, Nancy Taylor, and their grandchildren Alex Rich, Jeremy Rich, and Abigail Madden.

My wife, Bobbi, joins me in extending our appreciation for the musical talents of Fred and Connie Taylor which inspire and delight so many people in our community and across the Nation. We are also deeply grateful for their amazing ability to lift our hearts and share the Word of God through music. As quoted in the Bible, I say to each of them, ''Well done, good and faithful servant.'' All of us privileged enough to know them are blessed. We wish them the best as they embark on their next adventure.

ADDITIONAL STATEMENTS

TRIBUTE TO JACK AND GEORGETTA TAYLOR

● Mr. MORAN. Mr. President, Kansans work hard to make a difference in our communities, our State, and our Nation. Two of those who exemplify this are Jack and Georgetta Taylor who, for the past 48 years, have called Liberal, KS, home.

The Taylors are true ambassadors for southwest Kansas. During visits to Liberal for the annual Pancake Day or a Kansas Listening Tour stop, they would make certain Robba and I had seen every new business, restaurant, and development. Their pride for Liberal is contagious and makes all under their spell want to call it home. Every time I have visited Liberal, the Taylors were there to make me feel welcome and appreciated.

Jack and Georgetta are also the type of individuals who will drop everything to help others. In fact, a few years ago during Pancake Day, Jack literally gave the shoes off his feet so members of my staff could fully experience the race.

Through their involvement in a myriad of community organizations including the chamber, the Baker Arts Center, and the Booster Club, the Taylors have been important leaders in the Liberal community. They also worked to make certain our Nation's veterans living in Kansas are cared for through constant communication to recruit a fulltime physician to the local community-based outpatient clinic.

Jack has been a relentless advocate for expanding and improving U.S. Highway 54, one of the most heavily trafficked two-lane highways in the United States. A self-described troublemaker, Jack always approaches tough issues with a charming smile and humorous narratives. His friendly demeanor, work ethic, and patience epitomize Kansans' approach to resolving tough issues.

While improving their community has always been a top priority, as they approach 63 years of marriage next month, it is obvious they have always put family first. Relocating to Lawrence will allow them to spend time with their kids and grandkids; yet they will be close enough to visit and cherish the friendships and memories made in southwest Kansas.

By investing their time and talents in the community where they lived, the Taylors made a difference one life at a time. They taught through their actions that satisfaction in life comes from what you do for others rather than what you do for yourself, which is the legacy we want to leave behind for the next generation. While impossible to replace, the Taylors worked tirelessly to bring another generation of leaders to Liberal and southwest Kansas.

Good things continue happening in our State because of individuals like Jack and Georgetta, and I wish them the very best as they move to Lawrence to spend precious time with their family.●

MESSAGE FROM THE HOUSE

At 10:02 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 897. An act to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes.

H.R. 5077. An act to authorize appropriations for fiscal year 2017 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 5077. An act to authorize appropriations for fiscal year 2017 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; to the Select Committee on Intelligence.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GRASSLEY, from the Committee on the Judiciary:

Report to accompany S. 2390, a bill to provide adequate protections for whistleblowers at the Federal Bureau of Investigation (Rept. No. 114–261).

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 136. A bill to designate the facility of the United States Postal Service located at 1103 USPS Building 1103 in Camp Pendleton, California, as the ''Camp Pendleton Medal of Honor Post Office''.

H.R. 1132. A bill to designate the facility of the United States Postal Service located at 1048 West Robinhood Drive in Stockton, California, as the ''W. Ronald Coale Memorial Post Office Building''.

H.R. 2458. A bill to designate the facility of the United States Postal Service located at 5351 Lapalco Boulevard in Marrero, Louisiana, as the ''Lionel R. Collins, Sr. Post Office Building''.

H.R. 2928. A bill to designate the facility of the United States Postal Service located at 201 B Street in Perryville, Arkansas, as the ''Harold George Bennett Post Office''.

H.R. 3082. A bill to designate the facility of the United States Postal Service located at 5919 Chef Menteur Highway in New Orleans, Louisiana, as the ''Daryle Holloway Post Office Building''.

H.R. 3274. A bill to designate the facility of the United States Postal Service located at 4567 Rockbridge Road in Pine Lake, Georgia, as the ''Francis Manuel Ortega Post Office''.

H.R. 3601. A bill to designate the facility of the United States Postal Service located at 7715 Post Road, North Kingstown, Rhode Island , as the ''Melvoid J. Benson Post Office Building''.

H.R. 3735. A bill to designate the facility of the United States Postal Service located at 200 Town Run Lane in Winston Salem, North Carolina, as the ''Maya Angelou Memorial Post Office''.

H.R. 3866. A bill to designate the facility of the United States Postal Service located at 1265 Hurffville Road in Deptford Township, New Jersey, as the ''First Lieutenant Salvatore S. Corma II Post Office Building''.

H.R. 4046. A bill to designate the facility of the United States Postal Service located at 220 East Oak Street, Glenwood City, Wisconsin , as the Second Lt. Ellen Ainsworth Memorial Post Office.

H.R. 4605. A bill to designate the facility of the United States Postal Service located at 615 6th Avenue SE in Cedar Rapids, Iowa as the ''Sgt. 1st Class Terryl L. Pasker Post Office Building''.

S. 2465. A bill to designate the facility of the United States Postal Service located at 15 Rochester Street in Bergen, New York, as the Barry G. Miller Post Office.

S. 2891. A bill to designate the facility of the United States Postal Service located at 525 North Broadway in Aurora, Illinois, as the ''Kenneth M. Christy Post Office Building''.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. JOHNSON for the Committee on Homeland Security and Governmental Affairs.

*Jay Neal Lerner, of Illinois, to be Inspector General, Federal Deposit Insurance Corporation.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BARRASSO:

S. 2978. A bill to amend title XI of the Social Security Act to exempt certain transfers used for educational purposes from manufacturer transparency reporting requirements; to the Committee on Finance.

By Mr. WYDEN (for himself, Mr. BENNET, and Ms. WARREN):

S. 2979. A bill to amend the Federal Election Campaign Act of 1971 to require candidates of major parties for the office of President to disclose recent tax return information; to the Committee on Rules and Administration.

By Mr. FLAKE (for himself and Mr. VITTER):

S. 2980. A bill to amend the Internal Revenue Code of 1986 to expand the permissible use of health savings accounts to include health insurance payments and to increase the dollar limitation for contributions to health savings accounts, and for other purposes; to the Committee on Finance.

By Mr. GRASSLEY (for himself and Mr. CASEY):

S. 2981. A bill to amend title XIX of the Social Security Act to add standards for drug compendia for physician use for purposes of Medicaid payment for certain drugs, and for other purposes; to the Committee on Finance.

By Mr. LEE (for himself, Mr. RUBIO, and Mr. ENZI):

S. 2982. A bill to amend the Congressional Budget Act of 1974 to establish a Federal regulatory budget and to impose cost controls on that budget, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BROWN (for himself, Mrs. CAPITO, and Mr. KING):

S. 2983. A bill to amend title XIX of the Social Security Act to provide States with the option of providing medical assistance at a residential pediatric recovery center to infants under 1 year of age with neonatal abstinence syndrome and their families; to the Committee on Finance.

By Mr. CORNYN:

S. 2984. A bill to impose sanctions in relation to violations by Iran of the Geneva Convention (III) or the right under international law to conduct innocent passage, and for other purposes; to the Committee on Foreign Relations.

By Mr. CASSIDY:

S. 2985. A bill to eliminate the individual and employer health coverage mandates under the Patient Protection and Affordable Care Act, to expand beyond that Act the choices in obtaining and financing affordable health insurance coverage, and for other purposes; to the Committee on Finance.

By Mr. HATCH (for himself, Mr. COONS, and Mr. HELLER):

S. 2986. A bill to amend title 18, United States Code, to safeguard data stored abroad, and for other purposes; to the Committee on the Judiciary.

By Mr. GARDNER:

S. 2987. A bill to require the Transportation Security Administration to establish pilot programs to develop and test airport security systems, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. KAINE (for himself and Mr. MURPHY):

S. 2988. A bill to extend the sunset of the Iran Sanctions Act of 1996 in order to effectuate the Joint Comprehensive Plan of Action in guaranteeing that all nuclear material in Iran remains in peaceful activities; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. MURKOWSKI (for herself, Mr. COCHRAN, and Mr. SULLIVAN):

S. 2989. A bill to award a Congressional Gold Medal, collectively, to the United States merchant mariners of World War II, in recognition of their dedicated and vital service during World War II; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. COLLINS (for herself and Mr. KING):

S. 2990. A bill to prohibit the President from preventing foreign air carriers traveling to or from Cuba from making transit stops in the United States for refueling and other technical services based on the Cuban Assets Control Regulations; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. MURRAY (for herself and Ms. CANTWELL):

S. 2991. A bill to withdraw certain land in Okanogan County, Washington, to protect the land, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. VITTER (for himself, Mrs. SHAHEEN, Mr. RISCH, Ms. AYOTTE, and Mr. PETERS):

S. 2992. A bill to amend the Small Business Act to strengthen the Office of Credit Risk Management of the Small Business Administration, and for other purposes; to the Committee on Small Business and Entrepreneurship.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. FLAKE (for himself, Mr. SESSIONS, Mr. LEE, Mr. RUBIO, and Mr. CRUZ):

S. Res. 474. A resolution prohibiting consideration of appropriations that are not authorized; to the Committee on Rules and Administration.

By Mr. COATS (for himself and Mr. DONNELLY):

S. Res. 475. A resolution recognizing the 100th running of the Indianapolis 500 Mile Race; considered and agreed to.

By Mr. MARKEY (for himself and Mr. GRASSLEY):

S. Res. 476. A resolution designating the month of May 2016 as ''Cystic Fibrosis Awareness Month''; considered and agreed to.

By Mr. CARDIN (for himself, Ms. HIRONO, Mr. BLUMENTHAL, Mr. BROWN, Mr. MENENDEZ, and Mr. SCHATZ):

S. Res. 477. A resolution promoting minority health awareness and supporting the goals and ideals of National Minority Health Month in April 2016, which include bringing

attention to the health disparities faced by minority populations of the United States such as American Indians, Alaskan Natives, Asian Americans, African Americans, Latino Americans, and Native Hawaiians or other Pacific Islanders; considered and agreed to.

By Mr. DURBIN (for himself, Mrs. GILLIBRAND, Mr. MARKEY, Ms. HIRONO, Mr. FRANKEN, Mr. COONS, Mr. KAINE, Mr. BLUMENTHAL, Mrs. BOXER, Mr. CASEY, Mr. WHITEHOUSE, Mrs. MURRAY, Mr. MURPHY, Mr. BOOKER, Mr. REED, and Ms. WARREN):

S. Res. 478. A resolution expressing support for the designation of June 2, 2016, as ''National Gun Violence Awareness Day'' and June 2016 as ''National Gun Violence Awareness Month''; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 151

At the request of Mr. HELLER, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 151, a bill to require the Secretary of Defense to establish a process to determine whether individuals claiming certain service in the Philippines during World War II are eligible for certain benefits despite not being on the Missouri List, and for other purposes.

S. 198

At the request of Mr. DURBIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 198, a bill to amend the Internal Revenue Code of 1986 to modify the rules relating to inverted corporations.

S. 299

At the request of Mr. FLAKE, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 299, a bill to allow travel between the United States and Cuba.

S. 314

At the request of Mr. GRASSLEY, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 314, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 366

At the request of Mr. TESTER, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 366, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 386

At the request of Mr. THUNE, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 386, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 488

At the request of Mr. SCHUMER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 488, a bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 860

At the request of Mr. THUNE, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 860, a bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes.

S. 1455

At the request of Mr. MARKEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1455, a bill to provide access to medication-assisted therapy, and for other purposes.

S. 1555

At the request of Ms. HIRONO, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 1555, a bill to award a Congressional Gold Medal, collectively, to the Filipino veterans of World War II, in recognition of the dedicated service of the veterans during World War II.

S. 1642

At the request of Mr. BOOZMAN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1642, a bill to reduce Federal, State, and local costs of providing high-quality drinking water to millions of people in the United States residing in rural communities by facilitating greater use of cost-effective alternative systems, including well water systems, and for other purposes.

S. 1714

At the request of Mr. MANCHIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1714, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes.

S. 2010

At the request of Mr. BARRASSO, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 2010, a bill to provide for phased-in payment of Social Security Disability Insurance payments during the waiting period for individuals with a terminal illness.

S. 2031

At the request of Mr. BARRASSO, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2031, a bill to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes.

S. 2066

At the request of Mr. SASSE, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 2066, a bill to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

S. 2113

At the request of Mr. COONS, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2113, a bill to harness the expertise, ingenuity, and creativity of all people to contribute to innovation in the United States and to help solve problems or scientific questions by encouraging and increasing the use of crowdsourcing and citizen science methods within the Federal Government, as appropriate, and for other purposes.

S. 2216

At the request of Ms. COLLINS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2216, a bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes.

S. 2540

At the request of Mr. REID, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2540, a bill to provide access to counsel for unaccompanied children and other vulnerable populations.

S. 2736

At the request of Ms. HEITKAMP, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2736, a bill to improve access to durable medical equipment for Medicare beneficiaries under the Medicare program, and for other purposes.

S. 2750

At the request of Mr. THUNE, the names of the Senator from Louisiana (Mr. VITTER), the Senator from Illinois (Mr. KIRK) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 2750, a bill to amend the Internal Revenue Code to extend and modify certain charitable tax provisions.

S. 2770

At the request of Mr. ROBERTS, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 2770, a bill to amend the Communications Act of 1934 to require providers of a covered service to provide call location information concerning the telecommunications device of a user of such service to an investigative or law enforcement officer in an emergency situation involving risk of death or serious physical injury or in order to respond to the user's call for emergency services.

S. 2772

At the request of Ms. BALDWIN, the name of the Senator from New Jersey

(Mr. MENENDEZ) was added as a cosponsor of S. 2772, a bill to eliminate the requirement that veterans pay a copayment to the Department of Veterans Affairs to receive opioid antagonists or education on the use of opioid antagonists.

S. 2786

At the request of Mrs. SHAHEEN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 2786, a bill to amend title XVIII of the Social Security Act to provide for payments for certain rural health clinic and Federally qualified health center services furnished to hospice patients under the Medicare program.

S. 2799

At the request of Mr. MENENDEZ, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2799, a bill to require the Secretary of Health and Human Services to develop a voluntary patient registry to collect data on cancer incidence among firefighters.

S. 2870

At the request of Mrs. MCCASKILL, the names of the Senator from Montana (Mr. TESTER) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 2870, a bill to amend title 10, United States Code, to prevent retaliation in the military, and for other purposes.

S. 2873

At the request of Mr. HATCH, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 2873, a bill to require studies and reports examining the use of, and opportunities to use, technology-enabled collaborative learning and capacity building models to improve programs of the Department of Health and Human Services, and for other purposes.

S. 2889

At the request of Mr. COONS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2889, a bill to amend the National Science Foundation Authorization Act of 2010 to authorize an Innovation Corps.

S. 2894

At the request of Ms. STABENOW, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2894, a bill to amend the Internal Revenue Code and the Employee Retirement Income Security Act of 1974 to provide for salary reductions for certain employees of a pension plan in critical or declining status that reduces participant benefits, and for other purposes.

S. 2895

At the request of Mrs. FEINSTEIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2895, a bill to extend the civil statute of limitations for victims of Federal sex offenses.

S. RES. 340

At the request of Mr. CASSIDY, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from Arkansas (Mr. BOOZMAN) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. Res. 340, a resolution expressing the sense of Congress that the so-called Islamic State in Iraq and al-Sham (ISIS or Da'esh) is committing genocide, crimes against humanity, and war crimes, and calling upon the President to work with foreign governments and the United Nations to provide physical protection for ISIS' targets, to support the creation of an international criminal tribunal with jurisdiction to punish these crimes, and to use every reasonable means, including sanctions, to destroy ISIS and disrupt its support networks.

S. RES. 373

At the request of Ms. HIRONO, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. Res. 373, a resolution recognizing the historical significance of Executive Order 9066 and expressing the sense of the Senate that policies that discriminate against any individual based on the actual or perceived race, ethnicity, national origin, or religion of that individual would be a repetition of the mistakes of Executive Order 9066 and contrary to the values of the United States.

S. RES. 466

At the request of Mr. GRASSLEY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. Res. 466, a resolution recognizing National Foster Care Month as an opportunity to raise awareness about the challenges of children in the foster-care system, and encouraging Congress to implement policy to improve the lives of children in the foster-care system.

S. RES. 467

At the request of Mr. WICKER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. Res. 467, a resolution supporting the goals and ideals of National Nurses Week, to be observed from May 6 through May 12, 2016.

AMENDMENT NO. 4067

At the request of Mr. WARNER, the names of the Senator from Florida (Mr. NELSON), the Senator from Michigan (Ms. STABENOW) and the Senator from Colorado (Mr. GARDNER) were added as cosponsors of amendment No. 4067 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4068

At the request of Mr. MORAN, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of amendment No. 4068 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4085

At the request of Mr. LANKFORD, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of amendment No. 4085 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4098

At the request of Mr. MORAN, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of amendment No. 4098 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4100

At the request of Mrs. ERNST, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of amendment No. 4100 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4112

At the request of Mrs. GILLIBRAND, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of amendment No. 4112 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4118

At the request of Mr. PERDUE, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of amendment No. 4118 intended to be proposed to S. 2943, an original bill to

authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4120

At the request of Mr. GRASSLEY, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of amendment No. 4120 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN:

S. 2984. A bill to impose sanctions in relation to violations by Iran of the Geneva Convention (III) or the right under international law to conduct innocent passage, and for other purposes; to the Committee on Foreign Relations.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2984

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''No Impunity for Iranian Aggression at Sea Act of 2016''.

SEC. 2. IMPOSITION OF SANCTIONS ON INDIVIDUALS WHO WERE COMPLICIT IN VIOLATIONS OF THE GENEVA CONVENTION OR THE RIGHT UNDER INTERNATIONAL LAW TO CONDUCT INNOCENT PASSAGE.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that includes—

(A) a determination with respect to whether, during or after the incident that began on January 12, 2016, in which forces of Iran boarded two United States Navy riverine combat vessels and detained at gunpoint the crews of those vessels, any of the actions of the forces of Iran constituted a violation of—

(i) the Geneva Convention; or

(ii) the right under international law to conduct innocent passage; and

(B) a certification with respect to whether or not Federal funds, including the $1,700,000,000 payment that was announced by the Secretary of State on January 17, 2016, were paid to Iran, directly or indirectly, to effect the release of—

(i) the members of the United States Navy who were detained in the incident described in subparagraph (A); or

(ii) other United States citizens, including Jason Rezaian, Amir Hekmati, Saeed Abedini, Nosratollah Khosravi-Roodsari, and Matthew Trevithick, the release of whom was announced on January 16, 2016.

(2) ACTIONS TO BE ASSESSED.—In assessing actions of the forces of Iran under paragraph (1)(A), the President shall consider, at a minimum, the following actions:

(A) The stopping, boarding, search, and seizure of the two United States Navy riverine combat vessels in the incident described in paragraph (1)(A).

(B) The removal from their vessels and detention of members of the United States Armed Forces in that incident.

(C) The theft or confiscation of electronic navigational equipment or any other equipment from the vessels.

(D) The forcing of one or more members of the United States Armed Forces to apologize for their actions.

(E) The display, videotaping, or photographing of members of the United States Armed Forces and the subsequent broadcasting or other use of those photographs or videos.

(F) The forcing of female members of the United States Armed Forces to wear head coverings.

(3) DESCRIPTION OF ACTIONS.—In the case of each action that the President determines under paragraph (1)(A) is a violation of the Geneva Convention or the right under international law to conduct innocent passage, the President shall include in the report required by that paragraph a description of the action and an explanation of how the action violated the Geneva Convention or the right to conduct innocent passage, as the case may be.

(4) FORM OF REPORT.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(b) LIST OF CERTAIN PERSONS WHO HAVE BEEN COMPLICIT IN VIOLATIONS OF THE GENEVA CONVENTION OR THE RIGHT TO CONDUCT INNOCENT PASSAGE.—

(1) IN GENERAL.—Not later than 30 days after the submission of the report required by subsection (a), if the President has determined that one or more actions of the forces of Iran constituted a violation of the Geneva Convention or the right under international law to conduct innocent passage, the President shall submit to the appropriate congressional committees a list of persons who are officials of the Government of Iran or were acting on behalf of that Government that, based on credible evidence, are responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, any such violation.

(2) UPDATES OF LIST.—The President shall submit to the appropriate congressional committees an updated list under paragraph (1) as new information becomes available.

(3) PUBLIC AVAILABILITY.—To the maximum extent practicable, the list required by paragraph (1) shall be made available to the public and posted on publicly accessible Internet websites of the Department of Defense and the Department of State.

(c) IMPOSITION OF SANCTIONS.—

(1) IN GENERAL.—The President shall impose the sanctions described in paragraph (2) with respect to each person on the list required by subsection (b).

(2) SANCTIONS.—

(A) PROHIBITION ON ENTRY AND ADMISSION TO THE UNITED STATES.—An alien on the list required by subsection (b) may not—

(i) be admitted to, enter, or transit through the United States;

(ii) receive any lawful immigration status in the United States under the immigration laws; or

(iii) file any application or petition to obtain such admission, entry, or status.

(B) BLOCKING OF PROPERTY.—

(i) IN GENERAL.—The President shall, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of a person on the list required by subsection (b) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(ii) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(I) IN GENERAL.—The authority to block and prohibit all transactions in all property and interests in property under clause (i) shall not include the authority to impose sanctions on the importation of goods.

(II) GOOD.—In this subparagraph, the term ''good'' has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. 4618) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

(iii) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of clause (i) or any regulation, license, or order issued to carry out clause (i) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(d) DEFINITIONS.—In this section:

(1) ADMITTED; ALIEN; IMMIGRATION LAWS.—The terms ''admitted'', ''alien'', and ''immigration laws'' have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(3) FORCES OF IRAN.—The term ''forces of Iran'' means the Islamic Revolutionary Guard Corps, members of other military or paramilitary units of the Government of Iran, and other agents of that Government.

(4) GENEVA CONVENTION.—The term ''Geneva Convention'' means the Convention relative to the Treatment of Prisoners of War, done at Geneva on August 12, 1949 (6 UST 3316) (commonly referred to as the ''Geneva Convention (III))''.

(5) INNOCENT PASSAGE.—The term ''innocent passage'' means the principle under customary international law that all vessels have the right to conduct innocent passage through another country's territorial waters for the purpose of continuous and expeditious traversing.

(6) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

By Mr. KAINE (for himself and Mr. MURPHY):

S. 2988. A bill to extend the sunset of the Iran Sanctions Act of 1996 in order to effectuate the Joint Comprehensive Plan of Action in guaranteeing that all nuclear material in Iran remains in peaceful activities; to the Committee on Banking, Housing, and Urban Affairs.

Mr. KAINE. Mr. President, I am pleased to introduce with my colleague Senator MURPHY, a bill that extends the sunset of the Iran Sanctions Act, ISA, of 1996 until the President certifies to Congress that the Director General of the International Atomic Energy Agency has reached a broader conclusion that all nuclear material in Iran remains in peaceful activities.

Currently, ISA expires on December 31st, 2016. Tying ISA's extension to Iran's compliance with the Joint Comprehensive Plan of Action, JCPOA, will provide the administration additional leverage to ensure that a ''snap back'' of sanctions would have significant effect on Iran's economy. Since its enactment in 1996, ISA has been a pivotal component of U.S. sanctions against Iran's energy sector and other industries and remains a critical foundation of our overall sanctions architecture.

Administration officials have indicated that extending ISA, with its current waiver authorities, would not violate the JCPOA, as it imposes no new sanctions. Additionally, ISA is about more than Iran's nuclear program, but also its support for international terrorism, which endangers the national security and foreign policy interests of the United States and those countries with which the United States shares common strategic and foreign policy objectives. ISA addresses this issue by denying Iran money to finance international terrorism.

By specifying in the bill that the extension of ISA ''effectuates the JCPOA,'' the intent is to support Congressional actions in line with the deal negotiated by the P5+1 and Iran, particularly following Congress's comprehensive review of the deal and decision to move forward under the Iran Nuclear Review Agreement Act of 2015.

I am proud to introduce this bill with Senator MURPHY to make sure that ISA is in place during the JCPOA to signal to the commitment of Congress to vigorously enforce Iran's compliance and to make clear that should Iran break the terms of the agreement, there will be clear consequences, including the re-imposition of sanctions.

By Ms. COLLINS (for herself and Mr. KING):

S. 2990. A bill to prohibit the President from preventing foreign air carriers traveling to or from Cuba from making transit stops in the United States for refueling and other technical services based on the Cuban Assets Control Regulations; to the Committee on Banking, Housing, and Urban Affairs.

Ms. COLLINS. Mr President, I rise to introduce bipartisan legislation with my colleague from Maine, Senator KING, to permit foreign air carriers traveling to or from Cuba to make non-traffic, transit stops in the United States. Enactment of this legislation will create new opportunities for U.S. workers and airports.

For decades U.S. airports, including Bangor International Airport in Maine, have lost out on additional revenue because the current travel ban on Cuba prevents them from providing transit stop services to flights departing from or en route to Cuba.

During these transit stops, passengers do not disembark the plane and no new passengers board the aircraft. Yet, these stops are valuable for airports and their employees who can offer fuel, de-icing, catering, and crew services. Under the current travel ban, however, foreign air carriers are forced to make transit stops in Canada rather than the United States, and any potential profit for U.S. airports flies right across the border along with the planes.

The current disparity means that airports like Bangor not only lose revenue related to flights to or from Cuba, but also from transit stops for European flights to and from many other destinations in North America, Central America, and the Caribbean. That is because if foreign airlines cannot use Bangor for all of their flights, it is simply easier and more efficient for them to refuel at one airport that can meet all of their needs.

The purpose of economic sanctions was to limit hard currency to Cuba—not to harm American workers and cities. Allowing U.S. airports to provide these services could support additional jobs for families in Maine and other areas throughout the country.

Allowing such transit stops would also be consistent with existing international air transportation agreements. For example, in 2007 the U.S. and the EU signed an Air Transport Agreement that granted airlines of one party the right to make stops in the territory of the other party for non-traffic, transit purposes.

Likewise, the Chicago Convention, to which there are 191 parties, recognizes the right to refuel or carry out maintenance in a foreign country, including the United States. The United States should fulfill its obligations and permit such transit stops at U.S. airports, no matter the destination.

Our bill would provide American airports and workers the opportunity to compete with Canadian airports and would bring the United States into compliance with international air travel agreements.

I strongly urge my colleagues to support this commonsense, bipartisan bill.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 474—PROHIBITING CONSIDERATION OF APPROPRIATIONS THAT ARE NOT AUTHORIZED

Mr. FLAKE (for himself, Mr. SESSIONS, Mr. LEE, Mr. RUBIO, and Mr. CRUZ) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 474

Resolved,

SECTION 1. SHORT TITLE.

This resolution may be cited as the ''Steermark Accountability Resolution''.

SEC. 2. UNAUTHORIZED APPROPRIATIONS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report containing a provision making an appropriation—

(1) that is not made to carry out the provisions of some existing law, or treaty stipulation, or act or resolution previously passed by the Senate during that session; or

(2) that is made to carry out a program, project, or activity for which an authorization of appropriations is not in effect.

(b) FORM OF THE POINT OF ORDER.—In the Senate, a point of order under subsection (a) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974 (2 U.S.C. 644(e)).

(c) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a joint resolution, upon a point of order being made by any Senator pursuant to subsection (a), and such point of order being sustained, such material contained in such conference report or House amendment shall be stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be decided under the same debate limitation, if any, as the conference report or amendment between the Houses. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(d) WAIVER AND APPEAL.—

(1) IN GENERAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

(2) DEBATE.—A motion to waive or suspend subsection (a) or to appeal the ruling of the Chair under subsection (a) shall be decided under the same debate limitation, if any, as the bill, joint resolution, motion, amendment, amendment between the Houses, or conference report containing the applicable provision.

(e) IDENTIFICATION BY COMMITTEE.—

(1) STATEMENT FOR THE RECORD.—If a committee reports a bill or joint resolution containing an appropriation described in paragraph (1) or (2) of subsection (a), the Chairman of the committee shall submit for printing in the Congressional Record a statement identifying each such appropriation through lists, charts, or other similar means.

(2) PUBLICATION.—As soon as practicable after submitting a statement under paragraph (1), the Chairman of a committee shall make available on a publicly accessible congressional website the information described in paragraph (1). To the extent technically feasible, information made available on a publicly accessible congressional website under this subsection shall be provided in a searchable format.

SENATE RESOLUTION 475—RECOGNIZING THE 100TH RUNNING OF THE INDIANAPOLIS 500 MILE RACE

Mr. COATS (for himself and Mr. DONNELLY) submitted the following resolution; which was considered and agreed to:

S. RES 475

Whereas founders of the Indianapolis Motor Speedway Carl G. Fisher, Arthur C. Newby, Frank H. Wheeler, and James A. Allison pooled their resources in 1909 to build the Indianapolis Motor Speedway 6 miles from downtown Indianapolis as a testing ground to support the growing automotive industry of Indiana, paving the way for motorsport innovation;

Whereas, in 1909, the track of the Indianapolis Motor Speedway was surfaced with 3,200,000 paving bricks at a cost of $400,000;

Whereas, on May 30, 1911, the first Indianapolis 500 Mile Race took place and was won by Ray Harroun in 6 hours and 42 minutes at an average speed of 74.6 miles per hour;

Whereas, as of 2016, the Indianapolis 500 Mile Race has occurred on every Memorial Day weekend since 1911, except during the involvement of the United States in World Wars I and II from 1917 through 1918 and 1942 through 1945, respectively;

Whereas, in 1936, Louis Meyer, after his third win of the Indianapolis 500 Mile Race, established the iconic tradition of drinking milk in the winner's circle;

Whereas Tony Hulman purchased the Indianapolis Motor Speedway in 1945, restoring the track and restarting the Indianapolis 500 Mile Race after its cancellation during World War II;

Whereas the Indianapolis 500 Mile Race is the largest single day sporting event in the world, with more than 300,000 fans packing the grandstands and the expansive infield of the Indianapolis Motor Speedway on race day;

Whereas the Indianapolis 500 Mile Race has played an integral part in the culture and heritage of the City of Indianapolis, the State of Indiana, and motorsports and the automotive industry in the United States;

Whereas the Indianapolis Motor Speedway has been a showcase of speed, human achievement, and the continuous pursuit of glory, and is a source of great pride for all citizens of Indiana;

Whereas Tony Kanaan set the record for the fastest Indianapolis 500 Mile Race, finishing it in slightly longer than 2 hours and 40 minutes at an average speed of 187.4 miles per hour;

Whereas, in 2016, the Indianapolis Motor Speedway and racing fans around the world prepare to celebrate the greatest spectacle in racing for the 100th time: Now, therefore, be it

Resolved, That the Senate recognizes the 100th running of the Indianapolis 500 Mile Race.

SENATE RESOLUTION 476—DESIGNATING THE MONTH OF MAY 2016 AS ''CYSTIC FIBROSIS AWARENESS MONTH''

Mr. MARKEY (for himself and Mr. GRASSLEY) submitted the following resolution; which was considered and agreed to:

S. RES. 476

Whereas cystic fibrosis (in this preamble referred to as ''CF'') is a genetic disease affecting more than 30,000 children and adults in the United States and more than 70,000 children and adults worldwide;

Whereas, in patients with CF, a defective gene causes the body to produce an abnormally thick, sticky mucus that clogs the lungs, produces life-threatening lung infections, and obstructs the pancreas, preventing digestive enzymes from reaching the intestines to help break down and absorb food;

Whereas there are approximately 1,000 new cases of CF diagnosed each year;

Whereas infant blood screening to detect genetic defects is the most reliable and least costly method to identify individuals likely to have 1 of 1,800 different CF mutations;

Whereas early diagnosis of CF permits early treatment and enhances quality of life, longevity, and the treatment of CF;

Whereas CF impacts the families of patients because of the intense daily disease management protocols that patients must endure;

Whereas, in the United States, there are more than 120 CF care centers and 55 affiliate programs with highly trained and dedicated providers that specialize in delivering high-quality, coordinated care for CF patients and their families;

Whereas the number of adults with CF has steadily grown and the median age of survival for a person with CF is now nearly 40 years of age; and

Whereas innovative precision medicines and treatments have greatly improved and extended the lives of patients: Now, therefore, be it

Resolved, That the Senate—

(1) designates the month of May 2016 as ''Cystic Fibrosis Awareness Month'';

(2) congratulates the community of individuals who care for patients with cystic fibrosis for their unrelenting dedication to those patients;

(3) recognizes that the care delivery system for cystic fibrosis can be a model for building better care coordination in the larger healthcare system;

(4) acknowledges the tremendous investments and scientific achievements that have significantly improved the lives of individuals with cystic fibrosis; and

(5) urges researchers, developers, patients, and providers to work together closely to find a cure for this deadly disease.

SENATE RESOLUTION 477—PROMOTING MINORITY HEALTH AWARENESS AND SUPPORTING THE GOALS AND IDEALS OF NATIONAL MINORITY HEALTH MONTH IN APRIL 2016, WHICH INCLUDE BRINGING ATTENTION TO THE HEALTH DISPARITIES FACED BY MINORITY POPULATIONS OF THE UNITED STATES SUCH AS AMERICAN INDIANS, ALASKAN NATIVES, ASIAN AMERICANS, AFRICAN AMERICANS, LATINO AMERICANS, AND NATIVE HAWAIIANS OR OTHER PACIFIC ISLANDERS

Mr. CARDIN (for himself, Ms. HIRONO, Mr. BLUMENTHAL, Mr. BROWN, Mr. MENENDEZ, and Mr. SCHATZ) submitted the following resolution; which was considered and agreed to:

S. RES. 477

Whereas the origin of the National Minority Health Month is National Negro Health Week, established in 1915 by Dr. Booker T. Washington;

Whereas the theme for National Minority Health Month in 2016 is ''Accelerating Health Equity for the Nation'';

Whereas, through the ''National Stakeholder Strategy for Achieving Health Equity'' and the ''HHS Action Plan to Reduce Racial and Ethnic Health Disparities'', the Department of Health and Human Services has set goals and strategies to advance the safety, health, and well-being of the people of the United States;

Whereas a study by the Joint Center for Political and Economic Studies, entitled ''The Economic Burden of Health Inequalities in the United States'', concludes that, between 2003 and 2006, the combined cost of ''health inequalities and premature death in the United States'' was $1,240,000,000,000;

Whereas the Department of Health and Human Services has identified 6 main categories in which racial and ethnic minorities experience the most disparate access to health care and health outcomes, including infant mortality, cancer screening and management, cardiovascular disease, diabetes, HIV/AIDS, and immunizations;

Whereas, in 2012, African American women were 10 percent less likely to have been diagnosed with, yet were almost 42 percent more likely to die from, breast cancer than non-Hispanic White women;

Whereas African American women are twice as likely to lose their lives to cervical cancer as non-Hispanic White women;

Whereas African Americans are 50 percent more likely to die from a stroke than non-Hispanic Whites;

Whereas, in 2013, Hispanics were 1.4 times more likely than non-Hispanic Whites to die of diabetes;

Whereas Latino men are 3 times more likely to have either HIV infections or AIDS than non-Hispanic White men;

Whereas Latina women are 4 times more likely to have AIDS than non-Hispanic White women;

Whereas, in 2014, although African Americans represented only 13 percent of the population of the United States, they accounted for 43 percent of HIV infections in that year;

Whereas, in 2010, African American youth accounted for an estimated 57 percent of all new HIV infections among youth in the United States, followed by 20 percent of Latino youth;

Whereas Asian American women are 18.2 percent more likely to be diagnosed with HIV than non-Hispanic White women;

Whereas Native Hawaiians living in Hawaii are 5.7 times more likely to die of diabetes than non-Hispanic Whites living in Hawaii;

Whereas, although the prevalence of obesity is high among all population groups in the United States, 48 percent of African Americans, 31.8 percent of Hispanics, and 11 percent of Asian Americans are obese;

Whereas, in 2012, Asian Americans were 1.6 times more likely than non-Hispanic Whites to contract Hepatitis A;

Whereas among all ethnic groups in 2012, Asian Americans and Pacific Islanders had the highest incidence of Hepatitis A;

Whereas Asian American women are 1.5 times more likely than non-Hispanic Whites to die from viral hepatitis;

Whereas Asian Americans are 5.5 times more likely than non-Hispanic Whites to develop chronic Hepatitis B;

Whereas, in 2013, 80 percent of children born infected with HIV belonged to minority groups;

Whereas the Department of Health and Human Services has identified heart disease, stroke, cancer, and diabetes as some of the leading causes of death among American Indians and Alaskan Natives;

Whereas American Indians and Alaskan Natives die from diabetes, alcoholism, unintentional injuries, homicide, and suicide at higher rates than other people in the United States;

Whereas American Indians and Alaskan Natives have a life expectancy that is 4.4 years shorter than the life expectancy of the overall population of the United States;

Whereas African American babies are almost twice as likely as non-Hispanic White or Latino babies to be born at low birth weight;

Whereas American Indian and Alaskan Native babies are twice as likely as non-Hispanic White babies to die from sudden infant death syndrome;

Whereas American Indian and Alaskan Natives have 1.5 times the infant mortality rate as that of non-Hispanic Whites;

Whereas American Indian and Alaskan Native babies are 50 percent more likely to die before their first birthday than babies of non-Hispanic Whites;

Whereas marked differences in the social determinants of health, described by the World Health Organization as ''the high burden of illness responsible for appalling premature loss of life [that] arises in large part because of the conditions in which people are born, grow, live, work, and age'', lead to poor health outcomes and declines in longevity;

Whereas the Patient Protection and Affordable Care Act (Public Law 111–148; 124 Stat. 119) provides specific protections and rights for American Indians and Alaskan Natives, 23 percent of whom lack health insurance;

Whereas, despite the substantial improvements in health insurance coverage among women overall, women of color are more likely to be uninsured;

Whereas, in 2013, 15.9 percent of African Americans were uninsured, as compared to 9.8 percent of non-Hispanic Whites;

Whereas African American women are more likely to be uninsured or underinsured, at a rate of 19 percent;

Whereas ¼ of Latinas live in poverty and Latinas have the greatest percentage of uninsured women in any racial group at a rate of 31 percent; and

Whereas community-based health care initiatives, such as prevention-focused programs, present a unique opportunity to use innovative approaches to improve health practices across the United States and to sharply reduce disparities among racial and ethnic minority populations: Now, therefore, be it

Resolved, That the Senate supports the goals and ideals of National Minority Health Month, which include bringing attention to the severe health disparities faced by minority populations in the United States, such as American Indians, Alaskan Natives, Asian Americans, African Americans, Latino Americans, and Native Hawaiians or other Pacific Islanders.

SENATE RESOLUTION 478—EXPRESSING SUPPORT FOR THE DESIGNATION OF JUNE 2, 2016, AS ''NATIONAL GUN VIOLENCE AWARENESS DAY'' AND JUNE 2016 AS ''NATIONAL GUN VIOLENCE AWARENESS MONTH''

Mr. DURBIN (for himself, Mrs. GILLIBRAND, Mr. MARKEY, Ms. HIRONO, Mr. FRANKEN, Mr. COONS, Mr. KAINE, Mr. BLUMENTHAL, Mrs. BOXER, Mr. CASEY, Mr. WHITEHOUSE, Mrs. MURRAY, Mr. MURPHY, Mr. BOOKER, Mr. REED, and Ms. WARREN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 478

Whereas, each year, more than—

(1) 32,000 people in the United States are killed and 80,000 are injured by gunfire;

(2) 11,000 people in the United States are killed in homicides involving firearms;

(3) 21,000 people in the United States commit suicide by using firearms; and

(4) 500 people in the United States are killed in accidental shootings;

Whereas, since 1968, more people of the United States have died from guns in the United States than on the battlefields of all the wars in the history of the United States;

Whereas, by 1 count in 2015 in the United States, there were—

(1) 372 mass shooting incidents in which not fewer than 4 people were killed or wounded by gunfire; and

(2) 64 incidents in which a gun was fired in a school;

Whereas gun violence typically escalates during the summer months;

Whereas, every 70 minutes, 1 person in the United States under 25 years of age dies because of gun violence, and more than 6,300 such individuals die annually, including Hadiya Pendleton, who, in 2013, was killed at 15 years of age while standing in a Chicago park; and

Whereas, on June 2, 2016, on what would have been Hadiya Pendleton's 19th birthday, people across the United States will recognize National Gun Violence Awareness Day and wear orange in tribute to Hadiya and other victims of gun violence and their loved ones: Now, therefore, be it

Resolved, That the Senate—

(1) supports—

(A) the designation of June 2016 as ''National Gun Violence Awareness Month'' and the goals and ideals of that month; and

(B) the designation of June 2, 2016, as ''National Gun Violence Awareness Day'' in remembrance of the victims of gun violence; and

(2) calls on the people of the United States to—

(A) promote greater awareness of gun violence and gun safety;

(B) wear orange, the color that hunters wear to show that they are not targets, on June 2;

(C) concentrate heightened attention on gun violence during the summer months, when gun violence typically increases; and

(D) bring citizens and community leaders together to discuss ways to make communities safer.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4142. Mr. NELSON (for himself, Mrs. FISCHER, Mr. BOOKER, Mr. THUNE, Mr. SULLIVAN, Ms. CANTWELL, Mr. WICKER, Ms. AYOTTE, and Mr. SCHATZ) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 4143. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4144. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4145. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4146. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4147. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4148. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4149. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4150. Ms. AYOTTE (for herself, Mr. RUBIO, Mr. KIRK, Mr. GRAHAM, Mr. BURR, Mr. MCCONNELL, Mr. CORNYN, Mr. ROUNDS, Mr. TILLIS, Mr. INHOFE, Mr. RISCH, Mr. PORTMAN, Mr. CRUZ, Mrs. ERNST, Mr. PERDUE, Ms. MURKOWSKI, Mr. GARDNER, Mr. ROBERTS, and Mr. BARRASSO) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4151. Mr. BENNET (for himself and Mr. GARDNER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4152. Mr. KIRK (for himself, Mr. DURBIN, Mr. GRASSLEY, and Mrs. ERNST) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4153. Mr. KIRK (for himself, Mr. DURBIN, Mr. GRASSLEY, and Mrs. ERNST) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4154. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4155. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4156. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4157. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4158. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4159. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4160. Mr. RUBIO (for himself, Mr. INHOFE, and Mr. GARDNER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4161. Mr. RUBIO (for himself and Mr. CRUZ) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4162. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4163. Mr. RUBIO (for himself, Mr. INHOFE, and Mr. GARDNER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4164. Mr. RUBIO (for himself, Mr. COONS, and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4165. Mr. RUBIO (for himself, Mr. KIRK, Ms. AYOTTE, Mr. ROBERTS, Mr. TOOMEY, and Mrs. CAPITO) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4166. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4167. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4168. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4169. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4170. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4171. Mr. PERDUE (for himself and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4172. Mr. KIRK (for himself, Mr. MANCHIN, Mr. ROBERTS, Mr. MENENDEZ, Ms. MURKOWSKI, Mr. CARDIN, Mr. RUBIO, Mr. VITTER, Mr. TILLIS, Mr. CRUZ, Mr. PORTMAN, Ms. AYOTTE, Mr. HATCH, and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4173. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4174. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4175. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4176. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4177. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4178. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4179. Ms. CANTWELL (for herself, Mr. VITTER, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4180. Mr. BLUMENTHAL (for himself, Mr. LEAHY, and Mr. FRANKEN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4181. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4182. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4183. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4184. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4185. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4186. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4187. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4188. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4189. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4190. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4191. Mr. FLAKE (for himself and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4192. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4193. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4194. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4195. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4196. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4197. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4198. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4199. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4200. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4201. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4202. Mr. DAINES (for himself, Mrs. ERNST, Mr. CARDIN, Mr. GARDNER, Mr. WARNER, Ms. MIKULSKI, Mr. BLUMENTHAL, and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4203. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4204. Mr. INHOFE (for himself, Ms. MIKULSKI, Mr. ROUNDS, Mr. TILLIS, Mr. BURR, Ms. MURKOWSKI, Mr. HATCH, Mr. UDALL, Ms. HIRONO, Mr. LANKFORD, Ms. COLLINS, Mrs. BOXER, Mr. CARDIN, Mrs. MURRAY, Mrs. CAPITO, Mr. BROWN, Mr. WARNER, Mr. BOOZMAN, Mr. VITTER, Mrs. GILLIBRAND, Mr. NELSON, Mr. SCHUMER, Mr. KAINE, Mr. MARKEY, Mr. SCHATZ, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. CASEY, Ms. STABENOW, Mr. TESTER, Mr. HELLER, and Mr. SESSIONS) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4205. Mr. ROUNDS (for himself and Mr. CRUZ) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4206. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4207. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4208. Mrs. CAPITO submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4209. Mrs. CAPITO (for herself, Ms. STABENOW, Ms. COLLINS, and Mr. MARKEY) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4210. Mr. TESTER (for himself, Mr. GRASSLEY, Mr. JOHNSON, and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4211. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4212. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4213. Mr. TESTER (for himself, Mr. HELLER, Mrs. ERNST, Mr. ROUNDS, and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4214. Mr. KIRK (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4215. Mr. REID (for himself, Mr. SCHUMER, and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4216. Mr. BOOKER (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4217. Ms. AYOTTE (for herself, Mrs. SHAHEEN, Mr. GRAHAM, Mr. KING, Mr. WICKER, Mr. NELSON, and Mr. KIRK) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4218. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4219. Mr. DAINES (for himself, Mr. HOEVEN, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4220. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4221. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4222. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4223. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4224. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4225. Mr. MENENDEZ (for himself, Mr. BROWN, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4226. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4227. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4228. Ms. HIRONO (for herself, Ms. MURKOWSKI, and Ms. CANTWELL) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4229. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4230. Mr. ROUNDS (for Mr. SCHATZ) proposed an amendment to the resolution S. Res. 416, recognizing the contributions of Hawaii to the culinary heritage of the United States and designating the week beginning on June 12, 2016, as ''National Hawaiian Food Week''.

SA 4231. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 4232. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4233. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4234. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4235. Mr. HELLER (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4236. Mr. PORTMAN (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4142. Mr. NELSON (for himself, Mrs. FISCHER, Mr. BOOKER, Mr. THUNE, Mr. SULLIVAN, Ms. CANTWELL, Mr. WICKER, Ms. AYOTTE, and Mr. SCHATZ) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In title XXXV of division C, strike section 3501 and insert the following:

SEC. 3500. SHORT TITLE.

(a) SHORT TITLE.—This title may be cited as the ''Maritime Administration Authorization and Enhancement Act for Fiscal Year 2017''.

Subtitle A—Maritime Administration Authorization

SEC. 3501. AUTHORIZATION OF THE MARITIME ADMINISTRATION.

There are authorized to be appropriated to the Department of Transportation for fiscal year 2017, to be available without fiscal year limitation if so provided in appropriations Acts, for programs associated with maintaining the United States merchant marine, the following amounts:

(1) For expenses necessary for operations of the United States Merchant Marine Academy, $99,902,000, of which—

(A) $74,851,000 shall be for Academy operations; and

(B) $25,051,000 shall remain available until expended for capital asset management at the Academy.

(2) For expenses necessary to support the State maritime academies, $29,550,000, of which—

(A) $2,400,000 shall remain available until September 30, 2018, for the Student Incentive Program;

(B) $3,000,000 shall remain available until expended for direct payments to such academies;

(C) $22,000,000 shall remain available until expended for maintenance and repair of State maritime academy training vessels;

(D) $1,800,000 shall remain available until expended for training ship fuel assistance; and

(E) $350,000 shall remain available until expended for expenses to improve the monitoring of the service obligations of graduates.

(3) For expenses necessary to support the National Security Multi-Mission Vessel Program, $6,000,000, which shall remain available until expended.

(4) For expenses necessary to support Maritime Administration operations and programs, $57,142,000.

(5) For expenses necessary to dispose of vessels in the National Defense Reserve Fleet, $20,000,000, which shall remain available until expended.

(6) For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees under the program authorized by chapter 537 of title 46, United States Code, $3,000,000, which shall remain available until expended for administrative expenses of the program.

SEC. 3502. MARITIME ADMINISTRATION AUTHORIZATION REQUEST.

Section 109 of title 49, United States Code, is amended by adding at the end the following:

''(k) SUBMISSION OF ANNUAL MARITIME ADMINISTRATION AUTHORIZATION REQUEST.—

''(1) IN GENERAL.—Not later than 30 days after the date on which the President submits to Congress a budget for a fiscal year pursuant to section 1105 of title 31, the Maritime Administrator shall submit a Maritime Administration authorization request with respect to such fiscal year to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

''(2) DEFINED TERM.—In this subsection, the term 'Maritime Administration authorization request' means a proposal for legislation that, with respect to the Maritime Administration for the relevant fiscal year—

''(A) recommends authorizations of appropriations for that fiscal year; and

''(B) addresses any other matter that the Maritime Administrator determines is appropriate for inclusion in a Maritime Administration authorization bill.''.

Subtitle B—Prevention of Sexual Harassment and Assault at the United States Merchant Marine Academy

SEC. 3506. ACTIONS TO ADDRESS SEXUAL HARASSMENT AND SEXUAL ASSAULT AT THE UNITED STATES MERCHANT MARINE ACADEMY.

(a) POLICY.—Chapter 513 of title 46, United States Code, is amended by adding at the end the following:

''§ 51318. Policy on sexual harassment and sexual assault

''(a) REQUIRED POLICY.—

''(1) IN GENERAL.—The Secretary of Transportation shall direct the Superintendent of the United States Merchant Marine Academy to prescribe a policy on sexual harassment and sexual assault applicable to the cadets and other personnel of the Academy.

''(2) MATTERS TO BE SPECIFIED IN POLICY.—The policy on sexual harassment and sexual

assault prescribed under this subsection shall include—

''(A) a program to promote awareness of the incidence of rape, acquaintance rape, and other sexual offenses of a criminal nature that involve cadets or other Academy personnel;

''(B) procedures that a cadet should follow in the case of an occurrence of sexual harassment or sexual assault, including—

''(i) specifying the person or persons to whom an alleged occurrence of sexual harassment or sexual assault should be reported by a cadet and the options for confidential reporting;

''(ii) specifying any other person whom the victim should contact; and

''(iii) procedures on the preservation of evidence potentially necessary for proof of criminal sexual assault;

''(C) a procedure for disciplinary action in cases of alleged criminal sexual assault involving a cadet or other Academy personnel;

''(D) any other sanction authorized to be imposed in a substantiated case of sexual harassment or sexual assault involving a cadet or other Academy personnel in rape, acquaintance rape, or any other criminal sexual offense, whether forcible or nonforcible; and

''(E) required training on the policy for all cadets and other Academy personnel, including the specific training required for personnel who process allegations of sexual harassment or sexual assault involving Academy personnel.

''(3) AVAILABILITY OF POLICY.—The Secretary shall ensure that the policy developed under this subsection is available to—

''(A) all cadets and employees of the Academy; and

''(B) the public.

''(4) CONSULTATION AND ASSISTANCE.—In developing the policy under this subsection, the Secretary may consult or receive assistance from such Federal, State, local, and national organizations and subject matter experts as the Secretary considers appropriate.

''(b) DEVELOPMENT PROGRAM.—

''(1) IN GENERAL.—The Secretary of Transportation shall ensure that the development program of the United States Merchant Marine Academy includes a section that—

''(A) describes the relationship between honor, respect, and character development and the prevention of sexual harassment and sexual assault at the Academy; and

''(B) includes a brief history of the problem of sexual harassment and sexual assault in the merchant marine, in the Armed Forces, and at the Academy; and

''(C) includes information relating to reporting sexual harassment and sexual assault, victims' rights, and dismissal for offenders.

''(2) TRAINING.—The Superintendent of the Academy shall ensure that all cadets receive the training described in paragraph (1)—

''(A) not later than 7 days after their initial arrival at the Academy; and

''(B) biannually thereafter until they graduate or leave the Academy.

''(c) ANNUAL ASSESSMENT.—

''(1) IN GENERAL.—The Secretary of Transportation, in cooperation with the Superintendent of the Academy, shall conduct an assessment at the Academy during each Academy program year to determine the effectiveness of the policies, procedures, and training of the Academy with respect to sexual harassment and sexual assault involving cadets or other Academy personnel.

''(2) BIENNIAL SURVEY.—For each assessment of the Academy under paragraph (1) during an Academy program year that begins in an odd-numbered calendar year, the Secretary shall conduct a survey of cadets and other Academy personnel—

''(A) to measure—

''(i) the incidence, during that program year, of sexual harassment and sexual assault events, on or off the Academy campus, that have been reported to officials of the Academy; and

''(ii) the incidence, during that program year, of sexual harassment and sexual assault events, on or off the Academy campus, that have not been reported to officials of the Academy; and

''(B) to assess the perceptions of cadets and other Academy personnel on—

''(i) the policies, procedures, and training on sexual harassment and sexual assault involving cadets or Academy personnel;

''(ii) the enforcement of the policies described in clause (i);

''(iii) the incidence of sexual harassment and sexual assault involving cadets or Academy personnel; and

''(iv) any other issues relating to sexual harassment and sexual assault involving cadets or Academy personnel.

''(3) FOCUS GROUPS FOR YEARS WHEN SURVEY NOT REQUIRED.—In any year in which the Secretary of Transportation is not required to conduct the survey described in paragraph (2), the Secretary shall conduct focus groups at the Academy for the purposes of ascertaining information relating to sexual assault and sexual harassment issues at the Academy.

''(d) ANNUAL REPORT.—

''(1) IN GENERAL.—The Superintendent of the Academy shall submit a report to the Secretary of Transportation that provides information about sexual harassment and sexual assault involving cadets or other personnel at the Academy for each Academy program year.

''(2) CONTENTS.—Each report submitted under paragraph (1) shall include, for the Academy program year covered by the report—

''(A) the number of sexual assaults, rapes, and other sexual offenses involving cadets or other Academy personnel that have been reported to Academy officials;

''(B) the number of the reported cases described in subparagraph (A) that have been substantiated;

''(C) the policies, procedures, and training implemented by the Superintendent and the leadership of the Academy in response to sexual harassment and sexual assault involving cadets or other Academy personnel; and

''(D) a plan for the actions that will be taken in the following Academy program year regarding prevention of, and response to, sexual harassment and sexual assault involving cadets or other Academy personnel.

''(3) SURVEY AND FOCUS GROUP RESULTS.—

''(A) SURVEY RESULTS.—Each report under paragraph (1) for an Academy program year that begins in an odd-numbered calendar year shall include the results of the survey conducted in that program year under subsection (c)(2).

''(B) FOCUS GROUP RESULTS.—Each report under paragraph (1) for an Academy program year in which the Secretary of Transportation is not required to conduct the survey described (c)(2) shall include the results of the focus group conducted in that program year under subsection (c)(3).

''(4) REPORTING REQUIREMENT.—

''(A) BY THE SUPERINTENDENT.—For each incident of sexual harassment or sexual assault reported to the Superintendent under this subsection, the Superintendent shall provide the Secretary of Transportation and the Board of Visitors of the Academy with a report that includes—

''(i) the facts surrounding the incident, except for any details that would reveal the identities of the people involved; and

''(ii) the Academy's response to the incident.

''(B) BY THE SECRETARY.—The Secretary shall submit a copy of each report received under subparagraph (A) and the Secretary's comments on the report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 513 of title 46, United States Code, is amended by adding at the end the following:

''51318. Policy on sexual harassment and sexual assault.''.

SEC. 3507. SEXUAL ASSAULT RESPONSE COORDINATORS AND SEXUAL ASSAULT VICTIM ADVOCATES.

(a) COORDINATORS AND ADVOCATES.—Chapter 513 of title 46, United States Code, as amended by section 3506, is further amended by adding at the end the following:

''§ 51319. Sexual assault response coordinators and sexual assault victim advocates

''(a) SEXUAL ASSAULT RESPONSE COORDINATORS.—The United States Merchant Marine Academy shall employ or contract with at least 1 full-time sexual assault response coordinator who shall reside on or near the Academy. The Secretary of Transportation may assign additional full-time or part-time sexual assault response coordinators at the Academy as may be necessary.

''(b) VOLUNTEER SEXUAL ASSAULT VICTIM ADVOCATES.—

''(1) IN GENERAL.—The Secretary of Transportation, acting through the Superintendent of the United States Merchant Marine Academy, shall designate 1 or more permanent employees who volunteer to serve as advocates for victims of sexual assaults involving—

''(A) cadets of the Academy; or

''(B) individuals who work with or conduct business on behalf of the Academy.

''(2) TRAINING; OTHER DUTIES.—Each victim advocate designated under this subsection shall—

''(A) have or receive training in matters relating to sexual assault and the comprehensive policy developed under section 51318 of title 46, United States Code; and

''(B) serve as a victim advocate voluntarily, in addition to the individual's other duties as an employee of the Academy.

''(3) PRIMARY DUTIES.—While performing the duties of a victim advocate under this subsection, a designated employee shall—

''(A) support victims of sexual assault by informing them of the rights and resources available to them as victims;

''(B) identify additional resources to ensure the safety of victims of sexual assault; and

''(C) connect victims of sexual assault to an Academy sexual assault response coordinator, or full-time or part-time victim advocate, who shall act as a companion in navigating investigative, medical, mental and emotional health, and recovery processes relating to sexual assault.

''(4) COMPANION.—At least 1 victim advocate designated under this subsection, while performing the duties of a victim advocate, shall act as a companion in navigating investigative, medical, mental and emotional

health, and recovery processes relating to sexual assault.

''(5) HOTLINE.—The Secretary shall establish a 24-hour hotline through which the victim of a sexual assault can receive victim support services.

''(6) FORMAL RELATIONSHIPS WITH OTHER ENTITIES.—The Secretary may enter into formal relationships with other entities to make available additional victim advocates or to implement paragraphs (3), (4), and (5).

''(7) CONFIDENTIALITY.—Information disclosed by a victim to an advocate designated under this subsection—

''(A) shall be treated by the advocate as confidential; and

''(B) may not be disclosed by the advocate without the consent of the victim.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 513 of title 46, United States Code, is amended by adding at the end the following:

''51319. Sexual assault response coordinators and sexual assault victim advocates.''.

SEC. 3508. REPORT FROM THE DEPARTMENT OF TRANSPORTATION INSPECTOR GENERAL.

(a) IN GENERAL.—Not later than March 31, 2018, the Inspector General of the Department of Transportation shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes the effectiveness of the sexual harassment and sexual assault prevention and response program at the United States Merchant Marine Academy.

(b) CONTENTS.—The report required under subsection (a) shall—

(1) assess progress toward addressing any outstanding recommendations;

(2) include any recommendations to reduce the number of sexual assaults involving members of the United States Merchant Marine Academy, whether a member is the victim, the alleged assailant, or both;

(3) include any recommendations to improve the response of the Department of Transportation and the United States Merchant Marine Academy to reports of sexual assaults involving members of the Academy, whether a members is the victim, the alleged assailant, or both.

(c) EXPERTISE.—In compiling the report required under this section, the inspection teams acting under the direction of the Inspector General shall—

(1) include at least 1 member with expertise and knowledge of sexual assault prevention and response policies; or

(2) consult with subject matter experts in the prevention of and response to sexual assaults.

SEC. 3509. SEXUAL ASSAULT PREVENTION AND RESPONSE WORKING GROUP.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Maritime Administrator shall convene a working group to examine methods to improve the prevention of, and response to, any sexual harassment or sexual assault that occurs during a Cadet's Sea Year experience with the United States Merchant Marine Academy.

(b) MEMBERSHIP.—The Maritime Administrator shall designate individuals to serve as members of the working group convened pursuant to subsection (a). Membership in the working group shall consist of—

(1) a representative of the Maritime Administration, which shall serve as chair of the working group;

(2) the Superintendent of the Academy, or designee;

(3) the sexual assault response coordinator appointed under section 51319 of title 46, United States Code;

(4) a subject matter expert from the Coast Guard;

(5) a subject matter expert from the Military Sealift Command;

(6) at least 1 representative from each of the State maritime academies;

(7) at least 1 representative from each private contracting party participating in the maritime security program;

(8) at least 1 representative from each nonprofit labor organization representing a class or craft of employees employed on vessels in the Maritime Security Fleet;

(9) at least 2 representatives from approved maritime training institutions; and

(10) at least 1 representative from companies that—

(A) participate in sea training of Academy cadets; and

(B) do not participate in the maritime security program.

(c) NO QUORUM REQUIREMENT.—The Maritime Administration may convene the working group without all members present.

(d) RESPONSIBILITIES.—The working group shall—

(1) evaluate options that could promote a climate of honor and respect, and a culture that is intolerant of sexual harassment and sexual assault and those who commit it, across the United States Flag Fleet;

(2) raise awareness of the United States Merchant Marine Academy's sexual assault prevention and response program across the United States Flag Fleet;

(3) assess options that could be implemented by the United States Flag Fleet that would remove any barriers to the reporting of sexual harassment and sexual assault response that occur during a Cadet's Sea Year experience and protect the victim's confidentiality;

(4) assess a potential program or policy, applicable to all participants of the maritime security program, to improve the prevention of, and response to, sexual harassment and sexual assault incidents;

(5) assess a potential program or policy, applicable to all vessels operating in the United States Flag Fleet that participate in the Maritime Security Fleet under section 53101 of title 46, United States Code, which carry cargos to which chapter 531 of such title applies, or are chartered by a Federal agency, requiring crews to complete a sexual harassment and sexual assault prevention and response training program before the Cadet's Sea Year that includes—

(A) fostering a shipboard climate—

(i) that does not tolerate sexual harassment and sexual assault;

(ii) in which persons assigned to vessel crews are encouraged to intervene to prevent potential incidents of sexual harassment or sexual assault; and

(iii) that encourages victims of sexual assault to report any incident of sexual harassment or sexual assault; and

(B) understanding the needs of, and the resources available to, a victim after an incident of sexual harassment or sexual assault;

(6) assess whether the United States Merchant Marine Academy should continue with sea year training on privately owned vessels or change its curricula to provide alternative training; and

(7) assess how vessel operators could ensure the confidentiality of a report of sexual harassment or sexual assault in order to protect the victim and prevent retribution.

(e) REPORT.—Not later than 15 months after the date of the enactment of this Act, the working group shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that includes—

(1) recommendations on each of the working group's responsibilities described in subsection (d);

(2) the trade-offs, opportunities, and challenges associated with the recommendations made in paragraph (1); and

(3) any other information the working group determines appropriate.

Subtitle C—Maritime Administration Enhancement

SEC. 3511. STATUS OF NATIONAL DEFENSE RESERVE FLEET VESSELS.

Section 4405 of title 50, United States Code, is amended—

(1) in subsection (a), by adding at the end the following: ''Vessels in the National Defense Reserve Fleet, including vessels loaned to State maritime academies, shall be considered public vessels of the United States.''; and

(2) by adding at the end the following:

''(g) VESSEL STATUS.—Ships or other watercraft in the National Defense Reserve Fleet determined by the Maritime Administration to be of insufficient value to remain in the National Defense Reserve Fleet—

''(1) shall remain vessels (as defined in section 3 of title 1); and

''(2) shall remain subject to the rights and responsibilities of a vessel under admiralty law until such time as the vessel is delivered to a dismantling facility or is otherwise disposed of from the National Defense Reserve Fleet.''.

SEC. 3512. PORT INFRASTRUCTURE DEVELOPMENT.

Section 50302(c)(4) of title 46, United States Code, is amended—

(1) by striking ''There are authorized'' and inserting the following:

''(A) IN GENERAL.—There are authorized''; and

(2) by adding at the end the following:

''(B) ADMINISTRATIVE EXPENSES.—Except as otherwise provided by law, the Administrator may use not more than 3 percent of the amounts appropriated to carry out this section for the administrative expenses of the program.''.

SEC. 3513. USE OF STATE ACADEMY TRAINING VESSELS.

Section 51504(g) of title 46, United States Code, is amended to read as follows:

''(g) VESSEL SHARING.—The Secretary, after consulting with the affected State maritime academies, may implement a program requiring a State maritime academy to share its training vessel with another State maritime academy if the vessel of another State maritime academy—

''(1) is being used during a humanitarian assistance or disaster response activity;

''(2) is incapable of being maintained in good repair as required under subsection (c);

''(3) requires maintenance or repair for an extended period;

''(4) is activated as a National Defense Reserve Fleet vessel pursuant to section 4405 of title 50;

''(5) loses its Coast Guard Certificate of Inspection or its classification; or

''(6) does not comply with applicable environmental regulations.''.

SEC. 3514. STATE MARITIME ACADEMY PHYSICAL STANDARDS AND REPORTING.

Section 51506 of title 46, United States Code, is amended–

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''must'' and inserting ''shall'';

(B) in paragraph (2), by striking ''and'' at the end;

(C) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(4) agree that any individual enrolled at such State maritime academy in a merchant marine officer preparation program—

''(A) shall, not later than 9 months after each such individual's date of enrollment, pass an examination in form and substance satisfactory to the Secretary that demonstrates that such individual meets the medical and physical requirements—

''(i) required for the issuance of an original license under section 7101; or

''(ii) set by the Coast Guard for issuing merchant mariners' documentation under section 7302, with no limit to his or her operational authority;

''(B) following passage of the examination under subparagraph (A), shall continue to meet the requirements or standards described in subparagraph (A) throughout the remainder of their respective enrollments at the State maritime academy; and

''(C) if the individual has a medical or physical condition that disqualifies him or her from meeting the requirements or standards referred to in subparagraph (A), shall be transferred to a program other than a merchant marine officer preparation program, or otherwise appropriately disenrolled from such State maritime academy, until the individual demonstrates to the Secretary that the individual meets such requirements or standards.''; and

(2) by adding at the end the following:

''(c) SECRETARIAL WAIVER AUTHORITY.—The Secretary is authorized to modify or waive any of the terms set forth in subsection (a)(4) with respect to any individual or State maritime academy.''.

SEC. 3515. AUTHORITY TO EXTEND CERTAIN AGE RESTRICTIONS RELATING TO VESSELS PARTICIPATING IN THE MARITIME SECURITY FLEET.

(a) IN GENERAL.—Section 53102 of title 46, United States Code, is amended by adding at the end the following:

''(g) AUTHORITY FOR EXTENSION OF MAXIMUM SERVICE AGE FOR A PARTICIPATING FLEET VESSEL.—The Secretary of Defense, in conjunction with the Secretary of Transportation, may extend the maximum age restrictions under sections 53101(5)(A)(ii) and 53106(c)(3) for a particular participating fleet vessel for up to 5 years if the Secretary of Defense and the Secretary of Transportation jointly determine that such extension is in the national interest.''.

(b) REPEAL OF UNNECESSARY AGE LIMITATION.—Section 53106(c)(3) of such title is amended—

(1) in subparagraph (A), by striking ''or (C);'' and inserting ''; or'';

(2) in subparagraph (B), by striking ''; or'' at the end and inserting a period; and

(3) by striking subparagraph (C).

SEC. 3516. APPOINTMENTS.

(a) IN GENERAL.—Section 51303 of title 46, United States Code, is amended by striking ''40'' and inserting ''50''.

(b) CLASS PROFILE.—Not later than August 31 of each year, the Superintendent of the United States Merchant Marine Academy shall post on the Academy's public website a summary profile of each class at the Academy.

(c) CONTENTS.—Each summary profile posted under subsection (b) shall include, for the incoming class and for the 4 classes that precede the incoming class, the number and percentage of students—

(1) by State;

(2) by country;

(3) by gender;

(4) by race and ethnicity; and

(5) with prior military service.

SEC. 3517. HIGH-SPEED CRAFT CLASSIFICATION SERVICES.

(a) IN GENERAL.—Notwithstanding section 3316(a) of title 46, United States Code, the Secretary of the Navy may use the services of an approved classification society for only a high-speed craft that—

(1) was acquired by the Secretary from the Maritime Administration;

(2) is not a high-speed naval combatant, patrol vessel, expeditionary vessel, or other special purpose military or law enforcement vessel;

(3) is operated for commercial purposes;

(4) is not operated or crewed by any department, agency, instrumentality, or employee of the United States Government;

(5) is not directly engaged in any mission or other operation for or on behalf of any department, agency, instrumentality, or employee of the United States Government; and

(6) is not primarily designed to carry freight owned, leased, used, or contracted for or by the United States Government.

(b) DEFINITION OF APPROVED CLASSIFICATION SOCIETY.—In this section, the term ''approved classification society'' means a classification society that has been approved by the Secretary of the department in which the Coast Guard is operating under section 3316(c) of title 46, United States Code.

(c) SAVINGS CLAUSE.—Nothing in this section may be construed to affect the requirements under section 3316 of title 46, United States Code, for a high-speed craft that does not meet the conditions under paragraphs (1) through (6) of subsection (a).

SEC. 3518. MARITIME WORKFORCE WORKING GROUP.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Transportation shall convene a working group to examine and assess the size of the pool of citizen mariners necessary to support the United States Flag Fleet in times of national emergency.

(b) MEMBERSHIP.—The Maritime Administrator shall designate individuals to serve as members of the working group convened under subsection (a). The working group shall include, at a minimum, the following members:

(1) At least 1 representative of the Maritime Administration, who shall serve as chairperson of the working group.

(2) At least 1 subject matter expert from the United States Merchant Marine Academy.

(3) At least 1 subject matter expert from the Coast Guard.

(4) At least 1 subject matter expert from the Military Sealift Command.

(5) 1 subject matter expert from each of the State maritime academies.

(6) At least 1 representative from each nonprofit labor organization representing a class or craft of employees (licensed or unlicensed) who are employed on vessels operating in the United States Flag Fleet.

(7) At least 4 representatives of owners of vessels operating the in United States Flag Fleet, or their private contracting parties, which are primarily operating in non-contiguous or coastwise trades.

(8) At least 4 representatives of owners of vessels operating the in United States Flag Fleet, or their private contracting parties, which are primarily operating in international transportation.

(c) NO QUORUM REQUIREMENT.—The Maritime Administration may convene the working group without all members present.

(d) RESPONSIBILITIES.—The working group shall—

(1) identify the number of United States citizen mariners—

(A) in total;

(B) that have a valid United States Coast Guard merchant mariner credential with the necessary endorsements for service on unlimited tonnage vessels subject to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended;

(C) that are involved in Federal programs that support the United States Merchant Marine and United States Flag Fleet;

(D) that are available to crew the United States Flag Fleet and the surge sealift fleet in times of a national emergency;

(E) that are full-time mariners;

(F) that have sailed in the prior 18 months; and

(G) that are primarily operating in noncontiguous or coastwise trades;

(2) assess the impact on the United States Merchant Marine and United States Merchant Marine Academy if graduates from State maritime academies and the United States Merchant Marine Academy were assigned to, or required to fulfill, certain maritime positions based on the overall needs of the United States Merchant Marine;

(3) assess the Coast Guard Merchant Mariner Licensing and Documentation System, which tracks merchant mariner credentials and medical certificates, and its accessibility and value to the Maritime Administration for the purposes of evaluating the pool of United States citizen mariners; and

(4) make recommendations to enhance the availability and quality of interagency data, including data from the United States Transportation Command, the Coast Guard, and the Bureau of Transportation Statistics, for use by the Maritime Administration for evaluating the pool of United States citizen mariners.

(e) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Transportation shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that contains the results of the study conducted under this section, including—

(1) the number of United States citizen mariners identified for each category described in subparagraphs (A) through (G) of subsection (d)(1);

(2) the results of the assessments conducted under paragraphs (2) and (3) of subsection (d); and

(3) the recommendations made under subsection (d)(4).

SEC. 3519. VESSEL DISPOSAL PROGRAM.

(a) ANNUAL REPORT.—Not later than January 1 of each year, the Administrator of the Maritime Administration shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the management of the vessel disposal program of the Maritime Administration.

(b) CONTENTS.—The report under subsection (a) shall include—

(1) the total amount of funds credited in the prior fiscal year to—

(A) the Vessel Operations Revolving Fund established by section 50301(a) of title 46, United States Code; and

(B) any other account attributable to the vessel disposal program of the Maritime Administration;

(2) the balance of funds available at the end of that fiscal year in—

(A) the Vessel Operations Revolving Fund; and

(B) any other account described in paragraph (1)(B);

(3) in consultation with the Secretary of the Interior, the total number of—

(A) grant applications under the National Maritime Heritage Grants Program in the prior fiscal year; and

(B) the applications under subparagraph (A) that were approved by the Secretary of the Interior, acting through the National Maritime Initiative of the National Park Service;

(4) a detailed description of each project funded under the National Maritime Heritage Grants Program in the prior fiscal year for which funds from the Vessel Operations Revolving Funds were obligated, including the information described in paragraphs (1) through (3) of section 308703(j) of title 54, United States Code; and

(5) a detailed description of the funds credited to and distributions from the Vessel Operations Revolving Funds in the prior fiscal year.

(c) ASSESSMENTS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and biennially thereafter, the Administrator shall assess the vessel disposal program of the Maritime Administration.

(2) CONTENTS.—Each assessment under paragraph (1) shall include—

(A) an inventory of each vessel, subject to a disposal agreement, for which the Maritime Administration acts as the disposal agent, including—

(i) the age of the vessel; and

(ii) the name of the Federal agency with which the Maritime Administration has entered into a disposal agreement;

(B) a description of each vessel of a Federal agency that may meet the criteria for the Maritime Administration to act as the disposal agent, including—

(i) the age of the vessel; and

(ii) the name of the applicable Federal agency;

(C) the Maritime Administration's plan to serve as the disposal agent, as appropriate, for the vessels described in subparagraph (B); and

(D) any other information related to the vessel disposal program that the Administrator determines appropriate.

(d) CESSATION OF EFFECTIVENESS.—This section ceases to be effective on the date that is 5 years after the date of enactment of this Act.

SEC. 3520. MARITIME EXTREME WEATHER TASK FORCE.

(a) ESTABLISHMENT OF TASK FORCE.—Not later than 15 days after the date of enactment of this Act, the Secretary of Transportation shall establish a task force to analyze the impact of extreme weather events, such as in the maritime environment (referred to in this section as the ''Task Force'').

(b) MEMBERSHIP.—The Task Force shall be composed of—

(1) the Secretary or the Secretary's designee; and

(2) a representative of—

(A) the Coast Guard;

(B) the National Oceanic and Atmospheric Administration;

(C) the Federal Maritime Commission; and

(D) such other Federal agency or independent commission as the Secretary considers appropriate.

(c) REPORT.—

(1) IN GENERAL.—Except as provided in paragraph (4), not later than 180 days after the date it is established under subsection (a), the Task Force shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the analysis under subsection (a).

(2) CONTENTS.—The report under paragraph (1) shall include—

(A) an identification of available weather prediction, monitoring, and routing technology resources;

(B) an identification of industry best practices relating to response to, and prevention of marine casualties from, extreme weather events;

(C) a description of how the resources described in subparagraph (A) are used in the various maritime sectors, including by passenger and cargo vessels;

(D) recommendations for improving maritime response operations to extreme weather events and preventing marine casualties from extreme weather events, such as promoting the use of risk communications and the technologies identified under subparagraph (A); and

(E) recommendations for any legislative or regulatory actions for improving maritime response operations to extreme weather events and preventing marine casualties from extreme weather events.

(3) PUBLICATION.—The Secretary shall make the report under paragraph (1) and any notification under paragraph (4) publicly accessible in an electronic format.

(4) IMMINENT THREATS.—The Task Force shall immediately notify the Secretary of any finding or recommendations that could protect the safety of an individual on a vessel from an imminent threat of extreme weather.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

Subtitle D—Implementation of Workforce Management Improvements

SEC. 3521. WORKFORCE PLANS AND ONBOARDING POLICIES.

(a) WORKFORCE PLANS.—Not later than 9 months after the date of the enactment of this Act, the Maritime Administrator shall review the Maritime Administration's workforce plans, including its Strategic Human Capital Plan and Leadership Succession Plan, and fully implement competency models for mission–critical occupations, including—

(1) leadership positions;

(2) human resources positions; and

(3) transportation specialist positions.

(b) ONBOARDING POLICIES.—Not later than 9 months after the date of the enactment of this Act, the Administrator shall—

(1) review the Maritime Administration's policies related to new hire orientation, training, and misconduct policies;

(2) align the onboarding policies and procedures at headquarters and the field offices to ensure consistent implementation and provision of critical information across the Maritime Administration; and

(3) update the Maritime Administration's training policies and training systems to include controls that ensure that all completed training is tracked in a standardized training repository.

(c) ONBOARDING POLICIES.—Not later than 1 year after the date of the enactment of this Act, the Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes the Maritime Administration's compliance with the requirements under this section.

SEC. 3522. DRUG AND ALCOHOL POLICY.

(a) REVIEW.—Not later than 9 months after the date of the enactment of this Act, the Maritime Administrator shall—

(1) review the Maritime Administration's drug and alcohol policies, procedures, and training practices;

(2) ensure that all fleet managers have received training on the Department of Transportation's drug and alcohol policy, including the testing procedures used by the Department and the Maritime Administration in cases of reasonable suspicion; and

(3) institute a system for tracking all drug and alcohol policy training conducted under paragraph (2) in a standardized training repository.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes the Maritime Administration's compliance with the requirements under this section.

SEC. 3523. VESSEL TRANSFERS.

Not later than 9 months after the date of the enactment of this Act, the Maritime Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes the policies and procedures for vessel transfer, including—

(1) a summary of the actions taken to update the Vessel Transfer Office procedures manual to reflect the current range of program responsibilities and processes; and

(2) a copy of the updated Vessel Transfer Office procedures to process vessel transfer applications.

Subtitle E—Technical Amendments

SEC. 3526. CLARIFYING AMENDMENT; CONTINUATION BOARDS.

Section 290(a) of title 14, United States Code, is amended by striking ''five officers serving in the grade of vice admiral'' and inserting ''5 officers (other than the Commandant) serving in the grade of admiral or vice admiral''.

SEC. 3527. PROSPECTIVE PAYMENT OF FUNDS NECESSARY TO PROVIDE MEDICAL CARE.

(a) IN GENERAL.—Chapter 13 of title 14, United States Code, is amended by adding at the end the following:

''§ 520. Prospective payment of funds necessary to provide medical care

''(a) PROSPECTIVE PAYMENT REQUIRED.—In lieu of the reimbursement required under section 1085 of title 10, the Secretary of Homeland Security shall make a prospective payment to the Secretary of Defense of an amount that represents the actuarial valuation of treatment or care—

''(1) that the Department of Defense shall provide to members of the Coast Guard, former members of the Coast Guard, and dependents of such members and former members (other than former members and dependents of former members who are a Medicare-eligible beneficiary or for whom the

payment for treatment or care is made from the Medicare-Eligible Retiree Health Care Fund) at facilities under the jurisdiction of the Department of Defense or a military department; and

''(2) for which a reimbursement would otherwise be made under such section 1085.

''(b) AMOUNT.—The amount of the prospective payment under subsection (a)—

''(1) shall be derived from amounts appropriated for the operating expenses of the Coast Guard for treatment or care provided to members of the Coast Guard and their dependents;

''(2) shall be derived from amounts appropriated for retired pay for treatment or care provided to former members of the Coast Guard and their dependents;

''(3) shall be determined under procedures established by the Secretary of Defense;

''(4) shall be paid during the fiscal year in which treatment or care is provided; and

''(5) shall be subject to adjustment or reconciliation, as the Secretary of Homeland Security and the Secretary of Defense jointly determine appropriate, during or promptly after such fiscal year if the prospective payment is determined excessive or insufficient based on the services actually provided.

''(c) NO PROSPECTIVE PAYMENT WHEN SERVICE IN NAVY.—No prospective payment shall be made under this section for any period during which the Coast Guard operates as a service in the Navy.

''(d) RELATIONSHIP TO TRICARE.—This section may not be construed to require a payment for, or the prospective payment of an amount that represents the value of, treatment or care provided under any TRICARE program.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 13 of title 14, United States Code, is amended by adding at the end the following:

''520. Prospective payment of funds necessary to provide medical care.''.

(c) REPEAL.—Section 217 of the Coast Guard Authorization Act of 2016 (Public Law 114–120) and the item relating to that section in the table of contents in section 2 of such Act, are repealed.

SEC. 3528. TECHNICAL CORRECTIONS TO TITLE 46, UNITED STATES CODE.

(a) IN GENERAL.—Title 46, United States Code, is amended—

(1) in section 4503(f)(2), by striking ''that'' after ''necessary,''; and

(2) in section 7510(c)—

(A) in paragraph (1)(D), by striking ''engine'' and inserting ''engineer''; and

(B) in paragraph (9), by inserting a period after ''App''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of the Coast Guard Authorization Act of 2015 (Public Law 114–120).

SEC. 3529. COAST GUARD USE OF THE PRIBILOF ISLANDS.

(a) IN GENERAL.—Section 522(a)(1) of the Pribilof Island Transition Completion Act of 2015 (subtitle B of title V of Public Law 114–120) is amended by striking ''Lots'' and inserting ''Not later than 30 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, lots''.

(b) REPORT.—Not later than 60 days after the date of the enactment of the Maritime Administration Authorization and Enhancement Act for Fiscal Year 2017, the Secretary of the department in which the Coast Guard is operating shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Natural Resources of the House of Representatives, and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

(1) the Coast Guard's use of Tracts 43 and 39, located on St. Paul Island, Alaska, since operation of the LORAN-C system was terminated;

(2) the Coast Guard's plans for using the tracts described in paragraph (1) during fiscal years 2016, 2017, and 2018; and

(3) the Coast Guard's plans for using the tracts described in paragraph (1) and other facilities on St. Paul Island after fiscal year 2018.

Subtitle F—Polar Icebreaker Fleet Recapitalization Transparency Act

SEC. 3531. SHORT TITLE.

This subtitle may be cited as the ''Polar Icebreaker Fleet Recapitalization Transparency Act''.

SEC. 3532. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(2) SECRETARY.—Except as otherwise specifically provided, the term ''Secretary'' means the Secretary of the department in which the Coast Guard is operating.

SEC. 3533. POLAR ICEBREAKER RECAPITALIZATION PLAN.

(a) REQUIREMENT.—Not later than 120 days after the date of the enactment of this Act, the Secretary, in consultation with the Secretary of the Navy, shall submit to the appropriate committees of Congress, a detailed recapitalization plan to meet the 2013 Department of Homeland Security Mission Need Statement.

(b) CONTENTS.—The plan required by subsection (a) shall—

(1) detail the number of heavy and medium polar icebreakers required to meet Coast Guard statutory missions in the polar regions;

(2) identify the vessel specifications, capabilities, systems, equipment, and other details required for the design of heavy polar icebreakers capable of fulfilling the mission requirements of the Coast Guard and the Navy, and the requirements of other agencies and department of the United States, as the Secretary determines appropriate;

(3) list the specific appropriations required for the acquisition of each icebreaker, for each fiscal year, until the full fleet is recapitalized;

(4) describe the potential savings of serial acquisition for new polar class icebreakers, including specific schedule and acquisition requirements needed to realize such savings;

(5) describe any polar icebreaking capacity gaps that may arise based on the current fleet and current procurement outlook; and

(6) describe any additional polar icebreaking capability gaps due to any further delay in procurement schedules.

SEC. 3534. GAO REPORT ICEBREAKING CAPABILITY IN THE UNITED STATES.

(a) REQUIREMENT.—Not later than 6 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on the current state of the United States Federal polar icebreaking fleet.

(b) CONTENTS.—The report required by subsection (a) shall include—

(1) an analysis of the icebreaking assets in operation in the United States and a description of the missions completed by such assets;

(2) an analysis of how such assets and the capabilities of such assets are consistent, or inconsistent, with the polar icebreaking mission requirements described in the 2013 Department of Homeland Security Mission Need Statement, the Naval Operations Concept 2010, or other military and civilian governmental missions in the United States;

(3) an analysis of the gaps in icebreaking capability of the United States based on the expected service life of the fleet of United States icebreaking assets;

(4) a list of countries that are allies of the United States that have the icebreaking capacity to exercise missions in the Arctic during any identified gap in United States icebreaking capacity in a polar region; and

(5) a description of the policy, financial, and other barriers that have prevented timely recapitalization of the Coast Guard polar icebreaking fleet and recommendations to overcome such barriers, including potential international fee-based models used to compensate governments for icebreaking escorts or maintenance of maritime routes.

Subtitle G—National Oceanic and Atmospheric Administration Sexual Harassment and Assault Prevention Act

SEC. 3540. SHORT TITLE.

This subtitle may be cited as the ''National Oceanic and Atmospheric Administration Sexual Harassment and Assault Prevention Act''.

PART I—SEXUAL HARASSMENT AND ASSAULT PREVENTION AT THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

SEC. 3541. ACTIONS TO ADDRESS SEXUAL HARASSMENT AT NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

(a) REQUIRED POLICY.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Commerce shall, acting through the Under Secretary for Oceans and Atmosphere, develop a policy on the prevention of and response to sexual harassment involving employees of the National Oceanic and Atmospheric Administration, members of the commissioned officer corps of the Administration, and individuals who work with or conduct business on behalf of the Administration.

(b) MATTERS TO BE SPECIFIED IN POLICY.—The policy developed under subsection (a) shall include—

(1) establishment of a program to promote awareness of the incidence of sexual harassment;

(2) clear procedures an individual should follow in the case of an occurrence of sexual harassment, including—

(A) a specification of the person or persons to whom an alleged occurrence of sexual harassment should be reported by an individual and options for confidential reporting, including—

(i) options and contact information for after-hours contact; and

(ii) procedure for obtaining assistance and reporting sexual harassment while working in a remote scientific field camp, at sea, or in another field status; and

(B) a specification of any other person whom the victim should contact;

(3) establishment of a mechanism by which—

(A) questions regarding sexual harassment can be confidentially asked and confidentially answered; and

(B) incidents of sexual harassment can be confidentially reported; and

(4) a prohibition on retaliation and consequences for retaliatory actions.

(c) CONSULTATION AND ASSISTANCE.—In developing the policy required by subsection (a), the Secretary may consult or receive assistance from such State, local, and national organizations and subject matter experts as the Secretary considers appropriate.

(d) AVAILABILITY OF POLICY.—The Secretary shall ensure that the policy developed under subsection (a) is available to—

(1) all employees of the Administration and members of the commissioned officer corps of the Administration, including those employees and members who conduct field work for the Administration; and

(2) the public.

(e) GEOGRAPHIC DISTRIBUTION OF EQUAL EMPLOYMENT OPPORTUNITY PERSONNEL.—The Secretary shall ensure that at least 1 employee of the Administration who is tasked with handling matters relating to equal employment opportunity or sexual harassment is stationed—

(1) in each region in which the Administration conducts operations; and

(2) in each marine and aviation center of the Administration.

(f) QUARTERLY REPORTS.—

(1) IN GENERAL.—Not less frequently than 4 times each year, the Director of the Civil Rights Office of the Administration shall submit to the Under Secretary a report on sexual harassment in the Administration.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include the following:

(A) Number of sexual harassment cases, both actionable and non-actionable, involving individuals covered by the policy developed under subsection (a).

(B) Number of open actionable sexual harassment cases and how long the cases have been open.

(C) Such trends or region specific issues as the Director may have discovered with respect to sexual harassment in the Administration.

(D) Such recommendations as the Director may have with respect to sexual harassment in the Administration.

SEC. 3542. ACTIONS TO ADDRESS SEXUAL ASSAULT AT NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

(a) COMPREHENSIVE POLICY ON PREVENTION AND RESPONSE TO SEXUAL ASSAULTS.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Commerce shall, acting through the Under Secretary for Oceans and Atmosphere, develop a comprehensive policy on the prevention of and response to sexual assaults involving employees of the National Oceanic and Atmospheric Administration, members of the commissioned officer corps of the Administration, and individuals who work with or conduct business on behalf of the Administration.

(b) ELEMENTS OF COMPREHENSIVE POLICY.—The comprehensive policy developed under subsection (a) shall, at minimum, address the following matters:

(1) Prevention measures.

(2) Education and training on prevention and response.

(3) A list of support resources an individual may use in the occurrence of sexual assault, including—

(A) options and contact information for after-hours contact; and

(B) procedure for obtaining assistance and reporting sexual assault while working in a remote scientific field camp, at sea, or in another field status.

(4) Easy and ready availability of information described in paragraph (3).

(5) Establishing a mechanism by which—

(A) questions regarding sexual assault can be confidentially asked and confidentially answered; and

(B) incidents of sexual assault can be confidentially reported.

(6) Protocols for the investigation of complaints by command and law enforcement personnel.

(7) Prohibiting retaliation and consequences for retaliatory actions against someone who reports a sexual assault.

(8) Oversight by the Under Secretary of administrative and disciplinary actions in response to substantial incidents of sexual assault.

(9) Victim advocacy, including establishment of and the responsibilities and training requirements for victim advocates as described in subsection (c).

(10) Availability of resources for victims of sexual assault within other Federal agencies and State, local, and national organizations.

(c) VICTIM ADVOCACY.—

(1) IN GENERAL.—The Secretary, acting through the Under Secretary, shall establish victim advocates to advocate for victims of sexual assaults involving employees of the Administration, members of the commissioned officer corps of the Administration, and individuals who work with or conduct business on behalf of the Administration.

(2) VICTIM ADVOCATES.—For purposes of this subsection, a victim advocate is a permanent employee of the Administration who—

(A) is trained in matters relating to sexual assault and the comprehensive policy developed under subsection (a); and

(B) serves as a victim advocate voluntarily and in addition to the employee's other duties as an employee of the Administration.

(3) PRIMARY DUTIES.—The primary duties of a victim advocate established under paragraph (1) shall include the following:

(A) Supporting victims of sexual assault and informing them of their rights and the resources available to them as victims.

(B) Acting as a companion in navigating investigative, medical, mental and emotional health, and recovery processes relating to sexual assault.

(C) Helping to identify resources to ensure the safety of victims of sexual assault.

(4) LOCATION.—The Secretary shall ensure that at least 1 victim advocate established under paragraph (1) is stationed—

(A) in each region in which the Administration conducts operations; and

(B) in each marine and aviation center of the Administration.

(5) HOTLINE.—

(A) IN GENERAL.—In carrying out this subsection, the Secretary shall establish a telephone number at which a victim of a sexual assault can contact a victim advocate.

(B) 24-HOUR ACCESS.—The Secretary shall ensure that the telephone number established under subparagraph (A) is monitored at all times.

(6) FORMAL RELATIONSHIPS WITH OTHER ENTITIES.—The Secretary may enter into formal relationships with other entities to make available additional victim advocates.

(d) AVAILABILITY OF POLICY.—The Secretary shall ensure that the policy developed under subsection (a) is available to—

(1) all employees of the Administration and members of the commissioned officer corps of the Administration, including those employees and members who conduct field work for the Administration; and

(2) the public.

(e) CONSULTATION AND ASSISTANCE.—In developing the policy required by subsection (a), the Secretary may consult or receive assistance from such State, local, and national organizations and subject matter experts as the Secretary considers appropriate.

SEC. 3543. RIGHTS OF THE VICTIM OF A SEXUAL ASSAULT.

A victim of a sexual assault covered by the comprehensive policy developed under section 3542(a) has the right to be reasonably protected from the accused.

SEC. 3544. CHANGE OF STATION.

(a) CHANGE OF STATION, UNIT TRANSFER, OR CHANGE OF WORK LOCATION OF VICTIMS.—

(1) TIMELY CONSIDERATION AND ACTION UPON REQUEST.—The Secretary of Commerce, acting through the Under Secretary for Oceans and Atmosphere, shall—

(A) in the case of a member of the commissioned officer corps of the National Oceanic and Atmospheric Administration who was a victim of a sexual assault, in order to reduce the possibility of retaliation or further sexual assault, provide for timely determination and action on an application submitted by the victim for consideration of a change of station or unit transfer of the victim; and

(B) in the case of an employee of the Administration who was a victim of a sexual assault, to the degree practicable and in order to reduce the possibility of retaliation against the employee for reporting the sexual assault, accommodate a request for a change of work location of the victim.

(2) PROCEDURES.—

(A) PERIOD FOR APPROVAL AND DISAPPROVAL.—The Secretary, acting through the Under Secretary, shall ensure that an application or request submitted under paragraph (1) for a change of station, unit transfer, or change of work location is approved or denied within 72 hours of the submission of the application or request.

(B) REVIEW.—If an application or request submitted under paragraph (1) by a victim of a sexual assault for a change of station, unit transfer, or change of work location of the victim is denied—

(i) the victim may request the Secretary review the denial; and

(ii) the Secretary, acting through the Under Secretary, shall, not later than 72 hours after receiving such request, affirm or overturn the denial.

(b) CHANGE OF STATION, UNIT TRANSFER, AND CHANGE OF WORK LOCATION OF ALLEGED PERPETRATORS.—

(1) IN GENERAL.—The Secretary, acting through the Under Secretary, shall develop a policy for the protection of victims of sexual assault described in subsection (a)(1) by providing the alleged perpetrator of the sexual assault with a change of station, unit transfer, or change of work location, as the case may be, if the alleged perpetrator is a member of the commissioned officer corps of the Administration or an employee of the Administration.

(2) POLICY REQUIREMENTS.—The policy required by paragraph (1) shall include the following:

(A) A means to control access to the victim.

(B) Due process for the victim and the alleged perpetrator.

(c) REGULATIONS.—

(1) IN GENERAL.—The Secretary shall promulgate regulations to carry out this section.

(2) CONSISTENCY.—When practicable, the Secretary shall make regulations promulgated under this section consistent with similar regulations promulgated by the Secretary of Defense.

SEC. 3545. APPLICABILITY OF POLICIES TO CREWS OF VESSELS SECURED BY NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION UNDER CONTRACT.

The Under Secretary for Oceans and Atmosphere shall ensure that each contract into which the Under Secretary enters for the use of a vessel by the National Oceanic and Atmospheric Administration that covers the crew of the vessel, if any, shall include as a condition of the contract a provision that subjects such crew to the policy developed under section 3541(a) and the comprehensive policy developed under section 3542(a).

SEC. 3546. ANNUAL REPORT ON SEXUAL ASSAULTS IN THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

(a) IN GENERAL.—Not later than January 15 of each year, the Secretary of Commerce shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives a report on the sexual assaults involving employees of the National Oceanic and Atmospheric Administration, members of the commissioned officer corps of the Administration, and individuals who work with or conduct business on behalf of the Administration.

(b) CONTENTS.—Each report submitted under subsection (a) shall include, with respect to the previous calendar year, the following:

(1) The number of alleged sexual assaults involving employees, members, and individuals described in subsection (a).

(2) A synopsis of each case and the disciplinary action taken, if any, in each case.

(3) The policies, procedures, and processes implemented by the Secretary, and any updates or revisions to such policies, procedures, and processes.

(4) A summary of the reports received by the Under Secretary for Oceans and Atmosphere under section 3541(f).

(c) PRIVACY PROTECTION.—In preparing and submitting a report under subsection (a), the Secretary shall ensure that no individual involved in an alleged sexual assault can be identified by the contents of the report.

SEC. 3547. DEFINITION.

In this part, the term ''sexual assault'' shall have the meaning given such term in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).

PART II—COMMISSIONED OFFICER CORPS OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

SEC. 3550. REFERENCES TO NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS ACT OF 2002.

Except as otherwise expressly provided, whenever in this part an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3001 et seq.).

Subpart A—General Provisions

SEC. 3551. STRENGTH AND DISTRIBUTION IN GRADE.

Section 214 (33 U.S.C. 3004) is amended to read as follows:

''SEC. 214. STRENGTH AND DISTRIBUTION IN GRADE.

''(a) GRADES.—The commissioned grades in the commissioned officer corps of the Administration are the following, in relative rank with officers of the Navy:

''(1) Vice admiral.
''(2) Rear admiral.
''(3) Rear admiral (lower half).
''(4) Captain.
''(5) Commander.
''(6) Lieutenant commander.
''(7) Lieutenant.
''(8) Lieutenant (junior grade).
''(9) Ensign.

''(b) GRADE DISTRIBUTION.—The Secretary shall prescribe, with respect to the distribution on the lineal list in grade, the percentages applicable to the grades set forth in subsection (a).

''(c) ANNUAL COMPUTATION OF NUMBER IN GRADE.—

''(1) IN GENERAL.—Not less frequently than once each year, the Secretary shall make a computation to determine the number of officers on the lineal list authorized to be serving in each grade.

''(2) METHOD OF COMPUTATION.—The number in each grade shall be computed by applying the applicable percentage to the total number of such officers serving on active duty on the date the computation is made.

''(3) FRACTIONS.—If a final fraction occurs in computing the authorized number of officers in a grade, the nearest whole number shall be taken. If the fraction is ½, the next higher whole number shall be taken.

''(d) TEMPORARY INCREASE IN NUMBERS.—The total number of officers authorized by law to be on the lineal list during a fiscal year may be temporarily exceeded if the average number on that list during that fiscal year does not exceed the authorized number.

''(e) POSITIONS OF IMPORTANCE AND RESPONSIBILITY.—Officers serving in positions designated under section 228(a) and officers recalled from retired status shall not be counted when computing authorized strengths under subsection (c) and shall not count against those strengths.

''(f) PRESERVATION OF GRADE AND PAY.—No officer may be reduced in grade or pay or separated from the commissioned officer corps of the Administration as the result of a computation made to determine the authorized number of officers in the various grades.''.

SEC. 3552. RECALLED OFFICERS.

Section 215 (33 U.S.C. 3005) is amended—

(1) in the matter before paragraph (1), by striking ''Effective'' and inserting the following:

''(a) IN GENERAL.—Effective''; and

(2) by adding at the end the following new subsection:

''(b) POSITIONS OF IMPORTANCE AND RESPONSIBILITY.—Officers serving in positions designated under section 228 and officers recalled from retired status—

''(1) may not be counted in determining the total number of authorized officers on the lineal list under this section; and

''(2) may not count against such number.''.

SEC. 3553. OBLIGATED SERVICE REQUIREMENT.

(a) IN GENERAL.—Subtitle A (33 U.S.C. 3001 et seq.) is amended by adding at the end the following:

''SEC. 216. OBLIGATED SERVICE REQUIREMENT.

''(a) IN GENERAL.—

''(1) RULEMAKING.—The Secretary shall prescribe the obligated service requirements for appointments, training, promotions, separations, continuations, and retirement of officers not otherwise covered by law.

''(2) WRITTEN AGREEMENTS.—The Secretary and officers shall enter into written agreements that describe the officers' obligated service requirements prescribed under paragraph (1) in return for such appointments, training, promotions, separations, and retirements as the Secretary considers appropriate.

''(b) REPAYMENT FOR FAILURE TO SATISFY REQUIREMENTS.—

''(1) IN GENERAL.—The Secretary may require an officer who fails to meet the service requirements prescribed under subsection (a)(1) to reimburse the Secretary in an amount that bears the same ratio to the total costs of the training provided to that officer by the Secretary as the unserved portion of active duty bears to the total period of active duty the officer agreed to serve.

''(2) OBLIGATION AS DEBT TO UNITED STATES.—An obligation to reimburse the Secretary under paragraph (1) shall be considered for all purposes as a debt owed to the United States.

''(3) DISCHARGE IN BANKRUPTCY.—A discharge in bankruptcy under title 11 that is entered less than 5 years after the termination of a written agreement entered into under subsection (a)(2) does not discharge the individual signing the agreement from a debt arising under such agreement.

''(c) WAIVER OR SUSPENSION OF COMPLIANCE.—The Secretary may waive the service obligation of an officer who—

''(1) becomes unqualified to serve on active duty in the commissioned officer corps of the Administration because of a circumstance not within the control of that officer; or

''(2) is—

''(A) not physically qualified for appointment; and

''(B) determined to be unqualified for service in the commissioned officer corps of the Administration because of a physical or medical condition that was not the result of the officer's own misconduct or grossly negligent conduct.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 215 the following:

''Sec. 216. Obligated service requirement.''.

SEC. 3554. TRAINING AND PHYSICAL FITNESS.

(a) IN GENERAL.—Subtitle A (33 U.S.C. 3001 et seq.), as amended by section 3553(a), is further amended by adding at the end the following:

''SEC. 217. TRAINING AND PHYSICAL FITNESS.

''(a) TRAINING.—The Secretary may take such measures as may be necessary to ensure that officers are prepared to carry out their duties in the commissioned officer corps of the Administration and proficient in the skills necessary to carry out such duties. Such measures may include the following:

''(1) Carrying out training programs and correspondence courses, including establishing and operating a basic officer training program to provide initial indoctrination and maritime vocational training for officer candidates as well as refresher training, midcareer training, aviation training, and such other training as the Secretary considers necessary for officer development and proficiency.

''(2) Providing officers and officer candidates with books and school supplies.

''(3) Acquiring such equipment as may be necessary for training and instructional purposes.

''(b) PHYSICAL FITNESS.—The Secretary shall ensure that officers maintain a high

physical state of readiness by establishing standards of physical fitness for officers that are substantially equivalent to those prescribed for officers in the Coast Guard.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 3553(b), is further amended by inserting after the item relating to section 216 the following:

''Sec. 217. Training and physical fitness.''.

SEC. 3555. RECRUITING MATERIALS.

(a) IN GENERAL.—Subtitle A (33 U.S.C. 3001 et seq.), as amended by section 3554(a), is further amended by adding at the end the following:

''SEC. 218. USE OF RECRUITING MATERIALS FOR PUBLIC RELATIONS.

''The Secretary may use for public relations purposes of the Department of Commerce any advertising materials developed for use for recruitment and retention of personnel for the commissioned officer corps of the Administration. Any such use shall be under such conditions and subject to such restrictions as the Secretary shall prescribe.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 3554(b), is further amended by inserting after the item relating to section 217 the following:

''Sec. 218. Use of recruiting materials for public relations.''.

SEC. 3556. CHARTER VESSEL SAFETY POLICY.

(a) POLICY REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Commerce shall, acting through the Under Secretary for Oceans and Atmosphere, develop and implement a charter vessel safety policy applicable to the acquisition by the National Oceanic and Atmospheric Administration of charter vessel services.

(b) ELEMENTS.—The policy required by subsection (a) shall address vessel safety, operational safety, and basic personnel safety requirements applicable to the vessel size, type, and intended use. At a minimum, the policy shall include the following:

(1) Basic vessel safety requirements that address stability, egress, fire protection and lifesaving equipment, hazardous materials, and pollution control.

(2) Personnel safety requirements that address crew qualifications, medical training and services, safety briefings and drills, and crew habitability.

(c) LIMITATION.—The Secretary shall ensure that the basic vessel safety requirements and personnel safety requirements included in the policy required by subsection (a)—

(1) do not exceed the vessel safety requirements and personnel safety requirements promulgated by the Secretary of the department in which the Coast Guard is operating; and

(2) to the degree practicable, are consistent with the requirements described in paragraph (1).

SEC. 3557. TECHNICAL CORRECTION.

Section 101(21)(C) of title 38, United States Code, is amended by inserting ''in the commissioned officer corps'' before ''of the National''.

Subpart B—Parity and Recruitment

SEC. 3558. EDUCATION LOANS.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.) is amended by adding at the end the following:

''SEC. 267. EDUCATION LOAN REPAYMENT PROGRAM.

''(a) AUTHORITY TO REPAY EDUCATION LOANS.—For the purpose of maintaining adequate numbers of officers of the commissioned officer corps of the Administration on active duty who have skills required by the commissioned officer corps, the Secretary may repay, in the case of a person described in subsection (b), a loan that—

''(1) was used by the person to finance education; and

''(2) was obtained from a governmental entity, private financial institution, educational institution, or other authorized entity.

''(b) ELIGIBLE PERSONS.—To be eligible to obtain a loan repayment under this section, a person must—

''(1) satisfy 1 of the requirements specified in subsection (c);

''(2) be fully qualified for, or hold, an appointment as a commissioned officer in the commissioned officer corps of the Administration; and

''(3) sign a written agreement to serve on active duty, or, if on active duty, to remain on active duty for a period in addition to any other incurred active duty obligation.

''(c) ACADEMIC AND PROFESSIONAL REQUIREMENTS.—One of the following academic requirements must be satisfied for purposes of determining the eligibility of an individual for a loan repayment under this section:

''(1) The person is fully qualified in a profession that the Secretary has determined to be necessary to meet identified skill shortages in the commissioned officer corps.

''(2) The person is enrolled as a full-time student in the final year of a course of study at an accredited educational institution (as determined by the Secretary of Education) leading to a degree in a profession that will meet identified skill shortages in the commissioned officer corps.

''(d) LOAN REPAYMENTS.—

''(1) IN GENERAL.—Subject to the limits established under paragraph (2), a loan repayment under this section may consist of the payment of the principal, interest, and related expenses of a loan obtained by a person described in subsection (b).

''(2) LIMITATION ON AMOUNT.—For each year of obligated service that a person agrees to serve in an agreement described in subsection (b)(3), the Secretary may pay not more than the amount specified in section 2173(e)(2) of title 10, United States Code.

''(e) ACTIVE DUTY SERVICE OBLIGATION.—

''(1) IN GENERAL.—A person entering into an agreement described in subsection (b)(3) incurs an active duty service obligation.

''(2) LENGTH OF OBLIGATION DETERMINED UNDER REGULATIONS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the length of the obligation under paragraph (1) shall be determined under regulations prescribed by the Secretary.

''(B) MINIMUM OBLIGATION.—The regulations prescribed under subparagraph (A) may not provide for a period of obligation of less than 1 year for each maximum annual amount, or portion thereof, paid on behalf of the person for qualified loans.

''(3) PERSONS ON ACTIVE DUTY BEFORE ENTERING INTO AGREEMENT.—The active duty service obligation of persons on active duty before entering into the agreement shall be served after the conclusion of any other obligation incurred under the agreement.

''(f) EFFECT OF FAILURE TO COMPLETE OBLIGATION.—

''(1) ALTERNATIVE OBLIGATIONS.—An officer who is relieved of the officer's active duty obligation under this section before the completion of that obligation may be given any alternative obligation, at the discretion of the Secretary.

''(2) REPAYMENT.—An officer who does not complete the period of active duty specified in the agreement entered into under subsection (b)(3), or the alternative obligation imposed under paragraph (1), shall be subject to the repayment provisions under section 216.

''(g) RULEMAKING.—The Secretary shall prescribe regulations to carry out this section, including—

''(1) standards for qualified loans and authorized payees; and

''(2) other terms and conditions for the making of loan repayments.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 266 the following:

''Sec. 267. Education loan repayment program.''.

SEC. 3559. INTEREST PAYMENTS.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.), as amended by section 3558(a), is further amended by adding at the end the following:

''SEC. 268. INTEREST PAYMENT PROGRAM.

''(a) AUTHORITY.—The Secretary may pay the interest and any special allowances that accrue on 1 or more student loans of an eligible officer, in accordance with this section.

''(b) ELIGIBLE OFFICERS.—An officer is eligible for the benefit described in subsection (a) while the officer—

''(1) is serving on active duty;

''(2) has not completed more than 3 years of service on active duty;

''(3) is the debtor on 1 or more unpaid loans described in subsection (c); and

''(4) is not in default on any such loan.

''(c) STUDENT LOANS.—The authority to make payments under subsection (a) may be exercised with respect to the following loans:

''(1) A loan made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.).

''(2) A loan made under part D of such title (20 U.S.C. 1087a et seq.).

''(3) A loan made under part E of such title (20 U.S.C. 1087aa et seq.).

''(d) MAXIMUM BENEFIT.—Interest and any special allowance may be paid on behalf of an officer under this section for any of the 36 consecutive months during which the officer is eligible under subsection (b).

''(e) FUNDS FOR PAYMENTS.—The Secretary may use amounts appropriated for the pay and allowances of personnel of the commissioned officer corps of the Administration for payments under this section.

''(f) COORDINATION WITH SECRETARY OF EDUCATION.—

''(1) IN GENERAL.—The Secretary shall consult with the Secretary of Education regarding the administration of this section.

''(2) TRANSFER OF FUNDS.—The Secretary shall transfer to the Secretary of Education the funds necessary—

''(A) to pay interest and special allowances on student loans under this section (in accordance with sections 428(o), 455(l), and 464(j) of the Higher Education Act of 1965 (20 U.S.C. 1078(o), 1087e(l), and 1087dd(j)); and

''(B) to reimburse the Secretary of Education for any reasonable administrative costs incurred by the Secretary in coordinating the program under this section with the administration of the student loan programs under parts B, D, and E of title IV of

the Higher Education Act of 1965 (20 U.S.C. 1071 et seq., 1087a et seq., 1087aa et seq.).

''(g) SPECIAL ALLOWANCE DEFINED.—In this section, the term 'special allowance' means a special allowance that is payable under section 438 of the Higher Education Act of 1965 (20 U.S.C. 1087–1).''.

(b) CONFORMING AMENDMENTS.—

(1) Section 428(o) of the Higher Education Act of 1965 (20 U.S.C. 1078(o)) is amended—

(A) by striking the subsection heading and inserting ''ARMED FORCES AND NOAA COMMISSIONED OFFICER CORPS STUDENT LOAN INTEREST PAYMENT PROGRAMS''; and

(B) in paragraph (1)—

(i) by inserting ''or section 264 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002'' after ''Code,''; and

(ii) by inserting ''or an officer in the commissioned officer corps of the National Oceanic and Atmospheric Administration, respectively,'' after ''Armed Forces''.

(2) Sections 455(l) and 464(j) of the Higher Education Act of 1965 (20 U.S.C. 1087e(l) and 1087dd(j)) are each amended—

(A) by striking the subsection heading and inserting ''ARMED FORCES AND NOAA COMMISSIONED OFFICER CORPS STUDENT LOAN INTEREST PAYMENT PROGRAMS''; and

(B) in paragraph (1)—

(i) by inserting ''or section 264 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002'' after ''Code,''; and

(ii) by inserting ''or an officer in the commissioned officer corps of the National Oceanic and Atmospheric Administration, respectively'' after ''Armed Forces''.

(c) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 3558(b), is further amended by inserting after the item relating to section 267 the following:

''Sec. 268. Interest payment program.''.

SEC. 3560. STUDENT PRE-COMMISSIONING PROGRAM.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.), as amended by section 3559(a), is further amended by adding at the end the following:

''SEC. 269. STUDENT PRE-COMMISSIONING EDUCATION ASSISTANCE PROGRAM.

''(a) AUTHORITY TO PROVIDE FINANCIAL ASSISTANCE.—For the purpose of maintaining adequate numbers of officers of the commissioned officer corps of the Administration on active duty, the Secretary may provide financial assistance to a person described in subsection (b) for expenses of the person while the person is pursuing on a full-time basis at an accredited educational institution (as determined by the Secretary of Education) a program of education approved by the Secretary that leads to—

''(1) a baccalaureate degree in not more than 5 academic years; or

''(2) a postbaccalaureate degree.

''(b) ELIGIBLE PERSONS.—

''(1) IN GENERAL.—A person is eligible to obtain financial assistance under subsection (a) if the person—

''(A) is enrolled on a full-time basis in a program of education referred to in subsection (a) at any educational institution described in such subsection;

''(B) meets all of the requirements for acceptance into the commissioned officer corps of the Administration except for the completion of a baccalaureate degree; and

''(C) enters into a written agreement with the Secretary described in paragraph (2).

''(2) AGREEMENT.—A written agreement referred to in paragraph (1)(C) is an agreement between the person and the Secretary in which the person agrees—

''(A) to accept an appointment as an officer, if tendered; and

''(B) upon completion of the person's educational program, agrees to serve on active duty, immediately after appointment, for—

''(i) up to 3 years if the person received less than 3 years of assistance; and

''(ii) up to 5 years if the person received at least 3 years of assistance.

''(c) QUALIFYING EXPENSES.—Expenses for which financial assistance may be provided under subsection (a) are the following:

''(1) Tuition and fees charged by the educational institution involved.

''(2) The cost of books.

''(3) In the case of a program of education leading to a baccalaureate degree, laboratory expenses.

''(4) Such other expenses as the Secretary considers appropriate.

''(d) LIMITATION ON AMOUNT.—The Secretary shall prescribe the amount of financial assistance provided to a person under subsection (a), which may not exceed the amount specified in section 2173(e)(2) of title 10, United States Code, for each year of obligated service that a person agrees to serve in an agreement described in subsection (b)(2).

''(e) DURATION OF ASSISTANCE.—Financial assistance may be provided to a person under subsection (a) for not more than 5 consecutive academic years.

''(f) SUBSISTENCE ALLOWANCE.—

''(1) IN GENERAL.—A person who receives financial assistance under subsection (a) shall be entitled to a monthly subsistence allowance at a rate prescribed under paragraph (2) for the duration of the period for which the person receives such financial assistance.

''(2) DETERMINATION OF AMOUNT.—The Secretary shall prescribe monthly rates for subsistence allowance provided under paragraph (1), which shall be equal to the amount specified in section 2144(a) of title 10, United States Code.

''(g) INITIAL CLOTHING ALLOWANCE.—

''(1) TRAINING.—The Secretary may prescribe a sum which shall be credited to each person who receives financial assistance under subsection (a) to cover the cost of the person's initial clothing and equipment issue.

''(2) APPOINTMENT.—Upon completion of the program of education for which a person receives financial assistance under subsection (a) and acceptance of appointment in the commissioned officer corps of the Administration, the person may be issued a subsequent clothing allowance equivalent to that normally provided to a newly appointed officer.

''(h) TERMINATION OF FINANCIAL ASSISTANCE.—

''(1) IN GENERAL.—The Secretary shall terminate the assistance provided to a person under this section if—

''(A) the Secretary accepts a request by the person to be released from an agreement described in subsection (b)(2);

''(B) the misconduct of the person results in a failure to complete the period of active duty required under the agreement; or

''(C) the person fails to fulfill any term or condition of the agreement.

''(2) REIMBURSEMENT.—The Secretary may require a person who receives assistance described in subsection (c), (f), or (g) under an agreement entered into under subsection (b)(1)(C) to reimburse the Secretary in an amount that bears the same ratio to the total costs of the assistance provided to that person as the unserved portion of active duty bears to the total period of active duty the officer agreed to serve under the agreement.

''(3) WAIVER.—The Secretary may waive the service obligation of a person through an agreement entered into under subsection (b)(1)(C) if the person—

''(A) becomes unqualified to serve on active duty in the commissioned officer corps of the Administration because of a circumstance not within the control of that person; or

''(B) is—

''(i) not physically qualified for appointment; and

''(ii) determined to be unqualified for service in the commissioned officer corps of the Administration because of a physical or medical condition that was not the result of the person's own misconduct or grossly negligent conduct.

''(4) OBLIGATION AS DEBT TO UNITED STATES.—An obligation to reimburse the Secretary imposed under paragraph (2) is, for all purposes, a debt owed to the United States.

''(5) DISCHARGE IN BANKRUPTCY.—A discharge in bankruptcy under title 11, United States Code, that is entered less than 5 years after the termination of a written agreement entered into under subsection (b)(1)(C) does not discharge the person signing the agreement from a debt arising under such agreement or under paragraph (2).

''(i) REGULATIONS.—The Secretary may promulgate such regulations and orders as the Secretary considers appropriate to carry out this section.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 3559(c), is further amended by inserting after the item relating to section 268 the following:

''Sec. 269. Student pre-commissioning education assistance program.''.

SEC. 3561. LIMITATION ON EDUCATIONAL ASSISTANCE.

(a) IN GENERAL.—Each fiscal year, beginning with fiscal year 2013, the Secretary of Commerce shall ensure that the total amount expended by the Secretary under section 267 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (as added by section 3558(a)), section 268 of such Act (as added by section 3559(a)), and section 269 of such Act (as added by section 3560(a)) does not exceed the amount by which—

(1) the total amount the Secretary would pay in that fiscal year to officer candidates under section 203(f)(1) of title 37, United States Code (as added by section 3576(d)), if such section entitled officers candidates to pay at monthly rates equal to the basic pay of a commissioned officer in the pay grade O–1 with less than 2 years of service; exceeds

(2) the total amount the Secretary actually pays in that fiscal year to officer candidates under section 203(f)(1) of such title (as so added).

(b) OFFICER CANDIDATE DEFINED.—In this section, the term ''officer candidate'' has the meaning given the term in section 212 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3002), as added by section 3576(c).

SEC. 3562. APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 10, UNITED STATES CODE, AND EXTENSION OF CERTAIN AUTHORITIES APPLICABLE TO MEMBERS OF THE ARMED FORCES TO COMMISSIONED OFFICER CORPS.

(a) APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 10.—Section 261(a) (33 U.S.C. 3071(a)) is amended—

(1) by redesignating paragraphs (13) through (16) as paragraphs (20) through (23), respectively;

(2) by redesignating paragraphs (7) through (12) as paragraphs (12) through (17), respectively;

(3) by redesignating paragraphs (4) through (6) as paragraphs (8) through (10), respectively;

(4) by inserting after paragraph (3) the following:

''(4) Section 771, relating to unauthorized wearing of uniforms.

''(5) Section 774, relating to wearing religious apparel while in uniform.

''(6) Section 982, relating to service on State and local juries.

''(7) Section 1031, relating to administration of oaths.'';

(5) by inserting after paragraph (10), as redesignated, the following:

''(11) Chapter 58, relating to the Benefits and Services for members being separated or recently separated.''; and

(6) by inserting after paragraph (17), as redesignated, the following:

''(18) Subchapter I of chapter 88, relating to Military Family Programs.

''(19) Section 2005, relating to advanced education assistance, active duty agreements, and reimbursement requirements.''.

(b) EXTENSION OF CERTAIN AUTHORITIES.—

(1) NOTARIAL SERVICES.—Section 1044a of title 10, United States Code, is amended—

(A) in subsection (a)(1), by striking ''armed forces'' and inserting ''uniformed services''; and

(B) in subsection (b)(4), by striking ''armed forces'' both places it appears and inserting ''uniformed services''.

(2) ACCEPTANCE OF VOLUNTARY SERVICES FOR PROGRAMS SERVING MEMBERS AND THEIR FAMILIES.—Section 1588 of such title is amended—

(A) in subsection (a)(3), by striking ''armed forces'' and inserting ''uniformed services''; and

(B) by adding at the end the following new subsection:

''(g) SECRETARY CONCERNED FOR ACCEPTANCE OF SERVICES FOR PROGRAMS SERVING MEMBERS OF NOAA AND THEIR FAMILIES.—For purposes of the acceptance of services described in subsection (a)(3), the term 'Secretary concerned' in subsection (a) shall include the Secretary of Commerce with respect to members of the National Oceanic and Atmospheric Administration.''.

(3) CAPSTONE COURSE FOR NEWLY SELECTED FLAG OFFICERS.—Section 2153 of such title is amended—

(A) in subsection (a)—

(i) by inserting ''or the commissioned corps of the National Oceanic and Atmospheric Administration'' after ''in the case of the Navy''; and

(ii) by striking ''other armed forces'' and inserting ''other uniformed services''; and

(B) in subsection (b)(1), by inserting ''or the Secretary of Commerce, as applicable,'' after ''the Secretary of Defense''.

SEC. 3563. APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 37, UNITED STATES CODE.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.) is amended by inserting after section 261 the following:

''SEC. 261A. APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 37, UNITED STATES CODE.

''(a) PROVISIONS MADE APPLICABLE TO COMMISSIONED OFFICER CORPS.—The provisions of law applicable to the Armed Forces under the following provisions of title 37, United States Code, shall apply to the commissioned officer corps of the Administration:

''(1) Section 324, relating to accession bonuses for new officers in critical skills.

''(2) Section 403(f)(3), relating to prescribing regulations defining the terms 'field duty' and 'sea duty'.

''(3) Section 403(l), relating to temporary continuation of housing allowance for dependents of members dying on active duty.

''(4) Section 414(a)(2), relating to personal money allowance while serving as Director of the National Oceanic and Atmospheric Administration Commissioned Officer Corps.

''(5) Section 488, relating to allowances for recruiting expenses.

''(6) Section 495, relating to allowances for funeral honors duty.

''(b) REFERENCES.—The authority vested by title 37, United States Code, in the 'military departments', 'the Secretary concerned', or 'the Secretary of Defense' with respect to the provisions of law referred to in subsection (a) shall be exercised, with respect to the commissioned officer corps of the Administration, by the Secretary of Commerce or the Secretary's designee.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 261 the following:

''Sec. 261A. Applicability of certain provisions of title 37, United States Code.''.

SEC. 3564. LEGION OF MERIT AWARD.

Section 1121 of title 10, United States Code, is amended by striking ''armed forces'' and inserting ''uniformed services''.

SEC. 3565. PROHIBITION ON RETALIATORY PERSONNEL ACTIONS.

(a) IN GENERAL.—Subsection (a) of section 261 (33 U.S.C. 3071), as amended by section 3562, is further amended—

(1) by redesignating paragraphs (8) through (23) as paragraphs (9) through (24), respectively; and

(2) by inserting after paragraph (7) the following:

''(8) Section 1034, relating to protected communications and prohibition of retaliatory personnel actions.''.

(b) CONFORMING AMENDMENT.—Subsection (b) of such section is amended by adding at the end the following: ''For purposes of paragraph (8) of subsection (a), the term 'Inspector General' in section 1034 of such title 10 shall mean the Inspector General of the Department of Commerce.''.

(c) REGULATIONS.—Such section is further amended by adding at the end the following:

''(c) REGULATIONS REGARDING PROTECTED COMMUNICATIONS AND PROHIBITION OF RETALIATORY PERSONNEL ACTIONS.—The Secretary may promulgate regulations to carry out the application of section 1034 of title 10, United States Code, to the commissioned officer corps of the Administration, including by promulgating such administrative procedures for investigation and appeal within the commissioned officer corps as the Secretary considers appropriate.''.

SEC. 3566. PENALTIES FOR WEARING UNIFORM WITHOUT AUTHORITY.

Section 702 of title 18, United States Code, is amended by striking ''Service or any'' and inserting ''Service, the commissioned officer corps of the National Oceanic and Atmospheric Administration, or any''.

SEC. 3567. APPLICATION OF CERTAIN PROVISIONS OF COMPETITIVE SERVICE LAW.

Section 3304(f) of title 5, United States Code, is amended—

(1) in paragraph (1), by inserting ''and members of the commissioned officer corps of the National Oceanic and Atmospheric Administration (or its predecessor organization the Coast and Geodetic Survey) separated from such uniformed service'' after ''separated from the armed forces'';

(2) in paragraph (2), by striking ''or veteran'' and inserting '', veteran, or member''; and

(3) in paragraph (4), by inserting ''and members of the commissioned officer corps of the National Oceanic and Atmospheric Administration (or its predecessor organization the Coast and Geodetic Survey) separated from such uniformed service'' after ''separated from the armed forces''.

SEC. 3568. EMPLOYMENT AND REEMPLOYMENT RIGHTS.

Section 4303(16) of title 38, United States Code, is amended by inserting ''the commissioned officer corps of the National Oceanic and Atmospheric Administration,'' after ''Public Health Service,''.

SEC. 3569. TREATMENT OF COMMISSION IN COMMISSIONED OFFICER CORPS FOR PURPOSES OF CERTAIN HIRING DECISIONS.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.), as amended by this part, is further amended by adding at the end the following:

''SEC. 269A. TREATMENT OF COMMISSION IN COMMISSIONED OFFICER CORPS AS EMPLOYMENT IN ADMINISTRATION FOR PURPOSES OF CERTAIN HIRING DECISIONS.

''(a) IN GENERAL.—In any case in which the Secretary accepts an application for a position of employment with the Administration and limits consideration of applications for such position to applications submitted by individuals serving in a career or career-conditional position in the competitive service within the Administration, the Secretary shall deem an officer who has served as an officer in the commissioned officer corps for at least 3 years to be serving in a career or career-conditional position in the competitive service within the Administration for purposes of such limitation.

''(b) CAREER APPOINTMENTS.—If the Secretary selects an application submitted by an officer described in subsection (a) for a position described in such subsection, the Secretary shall give such officer a career or career-conditional appointment in the competitive service, as appropriate.

''(c) COMPETITIVE SERVICE DEFINED.—In this section, the term 'competitive service' has the meaning given the term in section 2102 of title 5, United States Code.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 269, as added by this part, the following:

''Sec. 269A. Treatment of commission in commissioned officer corps as employment in Administration for purposes of certain hiring decisions.''.

SEC. 3570. DIRECT HIRE AUTHORITY.

(a) IN GENERAL.—The head of a Federal agency may appoint, without regard to the

provisions of subchapter I of chapter 33 of title 5, United States Code, other than sections 3303 and 3328 of such title, a qualified candidate described subsection (b) directly to a position in the agency for which the candidate meets qualification standards of the Office of Personnel Management.

(b) CANDIDATES DESCRIBED.—A candidate described in this subsection is a current or former member of the commissioned officer corps of the National Oceanic and Atmospheric Administration who—

(1) fulfilled his or her obligated service requirement under section 216 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, as added by section 3553;

(2) if no longer a member of the commissioned officer corps of the Administration, was not discharged or released therefrom as part of a disciplinary action; and

(3) has been separated or released from service in the commissioned officer corps of the Administration for a period of not more than 5 years.

(c) EFFECTIVE DATE.—This section shall apply with respect to appointments made in fiscal year 2016 and in each fiscal year thereafter.

Subpart C—Appointments and Promotion of Officers

SEC. 3571. APPOINTMENTS.

(a) ORIGINAL APPOINTMENTS.—

(1) IN GENERAL.—Section 221 (33 U.S.C. 3021) is amended to read as follows:

"SEC. 221. ORIGINAL APPOINTMENTS AND REAPPOINTMENTS.

''(a) ORIGINAL APPOINTMENTS.—

''(1) GRADES.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an original appointment of an officer may be made in such grades as may be appropriate for—

''(i) the qualification, experience, and length of service of the appointee; and

''(ii) the commissioned officer corps of the Administration.

''(B) APPOINTMENT OF OFFICER CANDIDATES.—

''(i) LIMITATION ON GRADE.—An original appointment of an officer candidate, upon graduation from the basic officer training program of the commissioned officer corps of the Administration, may not be made in any other grade than ensign.

''(ii) RANK.—Officer candidates receiving appointments as ensigns upon graduation from basic officer training program shall take rank according to their proficiency as shown by the order of their merit at date of graduation.

''(2) SOURCE OF APPOINTMENTS.—An original appointment may be made from among the following:

''(A) Graduates of the basic officer training program of the commissioned officer corps of the Administration.

''(B) Graduates of the military service academies of the United States who otherwise meet the academic standards for enrollment in the training program described in subparagraph (A).

''(C) Graduates of the maritime academies of the States who—

''(i) otherwise meet the academic standards for enrollment in the training program described in subparagraph (A);

''(ii) completed at least 3 years of regimented training while at a maritime academy of a State; and

''(iii) obtained an unlimited tonnage or unlimited horsepower Merchant Mariner Credential from the United States Coast Guard.

''(D) Licensed officers of the United States merchant marine who have served 2 or more years aboard a vessel of the United States in the capacity of a licensed officer, who otherwise meet the academic standards for enrollment in the training program described in subparagraph (A).

''(3) DEFINITIONS.—In this subsection:

''(A) MARITIME ACADEMIES OF THE STATES.—The term 'maritime academies of the States' means the following:

''(i) California Maritime Academy, Vallejo, California.

''(ii) Great Lakes Maritime Academy, Traverse City, Michigan.

''(iii) Maine Maritime Academy, Castine, Maine.

''(iv) Massachusetts Maritime Academy, Buzzards Bay, Massachusetts.

''(v) State University of New York Maritime College, Fort Schuyler, New York.

''(vi) Texas A&M Maritime Academy, Galveston, Texas.

''(B) MILITARY SERVICE ACADEMIES OF THE UNITED STATES.—The term 'military service academies of the United States' means the following:

''(i) The United States Military Academy, West Point, New York.

''(ii) The United States Naval Academy, Annapolis, Maryland.

''(iii) The United States Air Force Academy, Colorado Springs, Colorado.

''(iv) The United States Coast Guard Academy, New London, Connecticut.

''(v) The United States Merchant Marine Academy, Kings Point, New York.

''(b) REAPPOINTMENT.—

''(1) IN GENERAL.—Except as provided in paragraph (2), an individual who previously served in the commissioned officer corps of the Administration may be appointed by the Secretary to the grade the individual held prior to separation.

''(2) REAPPOINTMENTS TO HIGHER GRADES.—An appointment under paragraph (1) to a position of importance and responsibility designated under section 228 may only be made by the President.

''(c) QUALIFICATIONS.—An appointment under subsection (a) or (b) may not be given to an individual until the individual's mental, moral, physical, and professional fitness to perform the duties of an officer has been established under such regulations as the Secretary shall prescribe.

''(d) PRECEDENCE OF APPOINTEES.—Appointees under this section shall take precedence in the grade to which appointed in accordance with the dates of their commissions as commissioned officers in such grade. Appointees whose dates of commission are the same shall take precedence with each other as the Secretary shall determine.

''(e) INTER-SERVICE TRANSFERS.—For inter-service transfers (as described in the Department of Defense Directive 1300.4 (dated December 27, 2006)) the Secretary shall—

''(1) coordinate with the Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating to promote and streamline inter-service transfers;

''(2) give preference to such inter-service transfers for recruitment purposes as determined appropriate by the Secretary; and

''(3) reappoint such inter-service transfers to the equivalent grade in the commissioned officer corps.''.

(2) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by striking the item relating to section 221 and inserting the following:

''Sec. 221. Original appointments and reappointments.''.

SEC. 3572. PERSONNEL BOARDS.

Section 222 (33 U.S.C. 3022) is amended to read as follows:

"SEC. 222. PERSONNEL BOARDS.

''(a) CONVENING.—Not less frequently than once each year and at such other times as the Secretary determines necessary, the Secretary shall convene a personnel board.

''(b) MEMBERSHIP.—

''(1) IN GENERAL.—A board convened under subsection (a) shall consist of 5 or more officers who are serving in or above the permanent grade of the officers under consideration by the board.

''(2) RETIRED OFFICERS.—Officers on the retired list may be recalled to serve on such personnel boards as the Secretary considers necessary.

''(3) NO MEMBERSHIP ON 2 SUCCESSIVE BOARDS.—No officer may be a member of 2 successive personnel boards convened to consider officers of the same grade for promotion or separation.

''(c) DUTIES.—Each personnel board shall—

''(1) recommend to the Secretary such changes as may be necessary to correct any erroneous position on the lineal list that was caused by administrative error; and

''(2) make selections and recommendations to the Secretary and the President for the appointment, promotion, involuntary separation, continuation, and involuntary retirement of officers in the commissioned officer corps of the Administration as prescribed in this title.

''(d) ACTION ON RECOMMENDATIONS NOT ACCEPTABLE.—If any recommendation by a board convened under subsection (a) is not accepted by the Secretary or the President, the board shall make such further recommendations as the Secretary or the President considers appropriate.''.

SEC. 3573. DELEGATION OF AUTHORITY.

Section 226 (33 U.S.C. 3026) is amended—

(1) by striking ''Appointments'' and inserting the following:

''(a) IN GENERAL.—Appointments''; and

(2) by adding at the end the following:

''(b) DELEGATION OF APPOINTMENT AUTHORITY.—If the President delegates authority to the Secretary to make appointments under this section, the President shall, during a period in which the position of the Secretary is vacant, delegate such authority to the Deputy Secretary of Commerce or the Under Secretary for Oceans and Atmosphere during such period.''.

SEC. 3574. ASSISTANT ADMINISTRATOR OF THE OFFICE OF MARINE AND AVIATION OPERATIONS.

Section 228(c) (33 U.S.C. 3028(c)) is amended—

(1) in the fourth sentence, by striking ''Director'' and inserting ''Assistant Administrator''; and

(2) in the heading, by inserting ''ASSISTANT ADMINISTRATOR OF THE'' before ''OFFICE''.

SEC. 3575. TEMPORARY APPOINTMENTS.

(a) IN GENERAL.—Section 229 (33 U.S.C. 3029) is amended to read as follows:

"SEC. 229. TEMPORARY APPOINTMENTS.

''(a) APPOINTMENTS BY PRESIDENT.—Temporary appointments in the grade of ensign, lieutenant junior grade, or lieutenant may be made by the President.

''(b) TERMINATION.—A temporary appointment to a position under subsection (a) shall terminate upon approval of a permanent appointment for such position made by the President.

''(c) ORDER OF PRECEDENCE.—Appointees under subsection (a) shall take precedence in the grade to which appointed in accordance

with the dates of their appointments as officers in such grade. The order of precedence of appointees who are appointed on the same date shall be determined by the Secretary.

''(d) ANY ONE GRADE.—When determined by the Secretary to be in the best interest of the commissioned officer corps, officers in any permanent grade may be temporarily promoted one grade by the President. Any such temporary promotion terminates upon the transfer of the officer to a new assignment.

''(e) DELEGATION OF APPOINTMENT AUTHORITY.—If the President delegates authority to the Secretary to make appointments under this section, the President shall, during a period in which the position of the Secretary is vacant, delegate such authority to the Deputy Secretary of Commerce or the Under Secretary for Oceans and Atmosphere during such period.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by striking the item relating to section 229 and inserting the following:

''Sec. 229. Temporary appointments.''.

SEC. 3576. OFFICER CANDIDATES.

(a) IN GENERAL.—Subtitle B (33 U.S.C. 3021 et seq.) is amended by adding at the end the following:

''SEC. 234. OFFICER CANDIDATES.

''(a) DETERMINATION OF NUMBER.—The Secretary shall determine the number of appointments of officer candidates.

''(b) APPOINTMENT.—Appointment of officer candidates shall be made under regulations which the Secretary shall prescribe, including regulations with respect to determining age limits, methods of selection of officer candidates, term of service as an officer candidate before graduation from the program, and all other matters affecting such appointment.

''(c) DISMISSAL.—The Secretary may dismiss from the basic officer training program of the Administration any officer candidate who, during the officer candidate's term as an officer candidate, the Secretary considers unsatisfactory in either academics or conduct, or not adapted for a career in the commissioned officer corps of the Administration. Officer candidates shall be subject to rules governing discipline prescribed by the Director of the National Oceanic and Atmospheric Administration Commissioned Officer Corps.

''(d) AGREEMENT.—

''(1) IN GENERAL.—Each officer candidate shall sign an agreement with the Secretary in accordance with section 216(a)(2) regarding the officer candidate's term of service in the commissioned officer corps of the Administration.

''(2) ELEMENTS.—An agreement signed by an officer candidate under paragraph (1) shall provide that the officer candidate agrees to the following:

''(A) That the officer candidate will complete the course of instruction at the basic officer training program of the Administration.

''(B) That upon graduation from the such program, the officer candidate—

''(i) will accept an appointment, if tendered, as an officer; and

''(ii) will serve on active duty for at least 4 years immediately after such appointment.

''(e) REGULATIONS.—The Secretary shall prescribe regulations to carry out this section. Such regulations shall include—

''(1) standards for determining what constitutes a breach of an agreement signed under such subsection (d)(1); and

''(2) procedures for determining whether such a breach has occurred.

''(f) REPAYMENT.—An officer candidate or former officer candidate who does not fulfill the terms of the obligation to serve as specified under section (d) shall be subject to the repayment provisions of section 216(b).''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 233 the following:

''Sec. 234. Officer candidates.''.

(c) OFFICER CANDIDATE DEFINED.—Section 212(b) (33 U.S.C. 3002(b)) is amended—

(1) by redesignating paragraphs (4) through (6) as paragraphs (5) through (7), respectively; and

(2) by inserting after paragraph (3) the following:

''(4) OFFICER CANDIDATE.—The term 'officer candidate' means an individual who is enrolled in the basic officer training program of the Administration and is under consideration for appointment as an officer under section 221(a)(2)(A).''.

(d) PAY FOR OFFICER CANDIDATES.—Section 203 of title 37, United States Code, is amended by adding at the end the following:

''(f)(1) An officer candidate enrolled in the basic officer training program of the commissioned officer corps of the National Oceanic and Atmospheric Administration is entitled, while participating in such program, to monthly officer candidate pay at monthly rate equal to the basic pay of an enlisted member in the pay grade E–5 with less than 2 years service.

''(2) An individual who graduates from such program shall receive credit for the time spent participating in such program as if such time were time served while on active duty as a commissioned officer. If the individual does not graduate from such program, such time shall not be considered creditable for active duty or pay.''.

SEC. 3577. PROCUREMENT OF PERSONNEL.

(a) IN GENERAL.—Subtitle B (33 U.S.C. 3021 et seq.), as amended by section 3576(a), is further amended by adding at the end the following:

''SEC. 235. PROCUREMENT OF PERSONNEL.

''The Secretary may make such expenditures as the Secretary considers necessary in order to obtain recruits for the commissioned officer corps of the Administration, including advertising.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 3576(b), is further amended by inserting after the item relating to section 234 the following:

''235. Procurement of personnel.''.

Subpart D—Separation and Retirement of Officers

SEC. 3578. INVOLUNTARY RETIREMENT OR SEPARATION.

Section 241 (33 U.S.C. 3041) is amended by adding at the end the following:

''(d) DEFERMENT OF RETIREMENT OR SEPARATION FOR MEDICAL REASONS.—

''(1) IN GENERAL.—If the Secretary determines that the evaluation of the medical condition of an officer requires hospitalization or medical observation that cannot be completed with confidence in a manner consistent with the officer's well being before the date on which the officer would otherwise be required to retire or be separated under this section, the Secretary may defer the retirement or separation of the officer.

''(2) CONSENT REQUIRED.—A deferment may only be made with the written consent of the officer involved. If the officer does not provide written consent to the deferment, the officer shall be retired or separated as scheduled.

''(3) LIMITATION.—A deferral of retirement or separation under this subsection may not extend for more than 30 days after completion of the evaluation requiring hospitalization or medical observation.''.

SEC. 3579. SEPARATION PAY.

Section 242 (33 U.S.C. 3042) is amended by adding at the end the following:

''(d) EXCEPTION.—An officer discharged for twice failing selection for promotion to the next higher grade is not entitled to separation pay under this section if the officer—

''(1) expresses a desire not to be selected for promotion; or

''(2) requests removal from the list of selectees.''.

PART III—HYDROGRAPHIC SERVICES

SEC. 3581. REAUTHORIZATION OF HYDROGRAPHIC SERVICES IMPROVEMENT ACT OF 1998.

(a) REAUTHORIZATIONS.—Section 306 of the Hydrographic Services Improvement Act of 1998 (33 U.S.C. 892d) is amended—

(1) in the matter before paragraph (1), by striking ''There are'' and inserting the following:

''(a) IN GENERAL.—There are'';

(2) in subsection (a) (as designated by paragraph (1))—

(A) in paragraph (1), by striking ''surveys—'' and all that follows through the end of the paragraph and inserting ''surveys, $70,814,000 for each of fiscal years 2016 through 2020.'';

(B) in paragraph (2), by striking ''vessels—'' and all that follows through the end of the paragraph and inserting ''vessels, $25,000,000 for each of fiscal years 2016 through 2020.'';

(C) in paragraph (3), by striking ''Administration—'' and all that follows through the end of the paragraph and inserting ''Administration, $29,932,000 for each of fiscal years 2016 through 2020.'';

(D) in paragraph (4), by striking ''title—'' and all that follows through the end of the paragraph and inserting ''title, $26,800,000 for each of fiscal years 2016 through 2020.''; and

(E) in paragraph (5), by striking ''title—'' and all that follows through the end of the paragraph and inserting ''title, $30,564,000 for each of fiscal years 2016 through 2020.''; and

(3) by adding at the end the following:

''(b) ARCTIC PROGRAMS.—Of the amount authorized by this section for each fiscal year—

''(1) $10,000,000 is authorized for use—

''(A) to acquire hydrographic data;

''(B) to provide hydrographic services;

''(C) to conduct coastal change analyses necessary to ensure safe navigation;

''(D) to improve the management of coastal change in the Arctic; and

''(E) to reduce risks of harm to Alaska Native subsistence and coastal communities associated with increased international maritime traffic; and

''(2) $2,000,000 is authorized for use to acquire hydrographic data and provide hydrographic services in the Arctic necessary to delineate the United States extended Continental Shelf.''.

(b) LIMITATION ON ADMINISTRATIVE EXPENSES FOR SURVEYS.—Section 306 of such Act (33 U.S.C. 892d) is further amended by adding at the end the following:

''(c) LIMITATION ON ADMINISTRATIVE EXPENSES FOR SURVEYS.—Of amounts authorized by this section for each fiscal year for contract hydrographic surveys, not more than 5 percent is authorized for administrative costs associated with contract management.''.

SA 4143. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

SEC. 221. DESIGNATION OF INSTITUTION OF HIGHER EDUCATION AS ADVANCED LABORATORY FOR AIR VEHICLE SUSTAINMENT FOR APPLIED RESEARCH, DEVELOPMENT, TEST, AND EVALUATION ON SUSTAINMENT OF DEFENSE AIR VEHICLES.

(a) IN GENERAL.—The Secretary of Defense may, acting through the Office of Research and Engineering of the Department of Defense, designate an appropriate institution of higher education as an Advanced Laboratory for Air Vehicle Sustainment under the University Affiliated Research Center program to carry out applied research, development, test, and evaluation activities for the Department of Defense on the sustainment of defense air vehicles.

(b) REQUIREMENTS FOR DESIGNATION.—An institution of higher education designated pursuant to subsection (a) shall—

(1) have the capability to respond rapidly to new technology requirements with qualified engineers and technologists; and

(2) possess unique and leading-edge capabilities in testing and evaluation of full-scale aviation-related structures and materials for support of the sustainment of defense air vehicles.

(c) BUSINESS CASE ANALYSIS OF UARC PROGRAM.—The Secretary shall submit to the congressional defense committees a business case analysis comparing the conduct of applied research, development, test, and evaluation of Department aviation capabilities by institutions of higher education with the conduct of such activities by Department of Defense laboratories. The business case analysis shall include the following:

(1) An estimate of the cost-savings achieved, and to be achieved, by the Department in using institutions of higher education under the program.

(2) An assessment of the efficiencies achieved, and to be achieved, by the Department in using institutions of higher education in connection with the Better Buying Power 3.0 strategy of the Department to streamline the defense acquisition process.

(3) A description of the manner in which priorities under the Better Buying Power 3.0 strategy of the Department are achieved by the Department in using institutions of higher education as described in paragraph (2).

(4) An assessment of the ''should cost'' targets developed by the Office of Research and Engineering for aviation and implemented by each Department laboratory, which assessment addresses whether such targets reduced indirect and overhead expenses when using or subcontracting institutions of higher education.

(5) Any savings realized through activities under paragraph (4) with using institutions of higher education to achieve ''should cost'' targets.

(6) The results of a benchmarking analysis conducted by Assistant Secretary of Defense for Research and Engineering that compares the business models and performance of Department laboratories under the program with the business models and performance of similar laboratories elsewhere in the Government, in academia, and in the private sector.

SA 4144. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XXVIII, insert the following:

SEC. ___. ENVIRONMENTAL REMEDIATION, EXPLOSIVES CLEANUP, AND SITE RESTORATION AT SUNFLOWER ARMY AMMUNITION PLANT, KANSAS.

(a) IN GENERAL.—As part of the land conveyance at Sunflower Army Ammunition Plant, Kansas, authorized under section 2841 of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2135), the Secretary of the Army may accept as a payment-in-kind by the entity to which such land was conveyed an agreement to undertake activities selected by the entity from among the activities described under subsection (b) that are reasonably estimated to cost approximately $14,500,000. Upon receipt of a cash payment or the commencement of such activities by the entity, the Secretary shall release from the mortgage filed with the Register of Deeds, Johnson County, Kansas on August 6, 2005, that part of the Sunflower Army Ammunition Plant to which such payment or activities relate.

(b) ENVIRONMENTAL REMEDIATION, EXPLOSIVES CLEANUP, AND SITE RESTORATION ACTIVITIES.—The activities described under this subsection are—

(1) environmental remediation activities, including—

(A) corrective action required under a permit concerning the property to be issued by the Kansas Department of Health and Environment pursuant to the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.);

(B) activities to be carried out by the entity pursuant to Consent Order 05–E–0111, including any amendments thereto, regarding Army activities at the property between the entity and the Kansas Department of Health and Environment;

(C) abatement of potential explosive and ordnance conditions at the property;

(D) demolition, abatement, removal, disposal, backfilling and seeding of all structures containing asbestos and lead based paint, together with their foundations, footing and slabs;

(E) removal and disposal of all soils impacted with pesticides in excess of Kansas Department of Health and Environment standards together with backfilling and seeding;

(F) design, construction, closure and post-closure of a solid waste landfill facility permitted by the Kansas Department of Health and Environment pursuant to its delegated authority under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) to accommodate consolidation of existing landfills on the property and future requirements;

(G) lime sludge removal, disposal, and backfilling associated with the water treatment plant;

(H) septic tank closures; and

(I) financial assurances required in connection with these activities; and

(2) site restoration activities, including—

(A) collection and disposal of solid waste present on the property prior to August 6, 2005;

(B) removal of improvements to the property existing on August 6, 2005, including, without limitation, roads, sewers, gas lines, poles, ballast, structures, slabs, footings and foundations together with backfilling and seeding;

(C) any impediments to redevelopment of the property arising from the use of the property by or on behalf of the Army or any of its contractors;

(D) financial assurances required in connection with these activities; and

(E) legal, environmental and engineering costs incurred by the entity for the analysis of the work necessary to complete the environmental.

SA 4145. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X add the following:

SEC. 1097. ASSISTING VETERANS WITH MILITARY EMERGENCY MEDICAL TRAINING TO MEET REQUIREMENTS FOR BECOMING CIVILIAN EMERGENCY MEDICAL TECHNICIANS.

Part B of title III of the Public Health Service Act (42 U.S.C. 243 et seq.) is amended by inserting after section 314 the following:

''SEC. 315. ASSISTING VETERANS WITH MILITARY EMERGENCY MEDICAL TRAINING TO MEET REQUIREMENTS FOR BECOMING CIVILIAN EMERGENCY MEDICAL TECHNICIANS.

''(a) PROGRAM.—The Secretary shall establish a program consisting of awarding demonstration grants to States to streamline State requirements and procedures in order to assist veterans who completed military emergency medical technician training while serving in the Armed Forces of the United States to meet certification, licensure, and other requirements applicable to becoming an emergency medical technician in the State.

''(b) USE OF FUNDS.—Amounts received as a demonstration grant under this section shall be used to prepare and implement a plan to streamline State requirements and procedures as described in subsection (a), including by—

''(1) determining the extent to which the requirements for the education, training, and skill level of emergency medical technicians in the State are equivalent to requirements for the education, training, and skill level of military emergency medical technicians; and

''(2) identifying methods, such as waivers, for military emergency medical technicians

to forego or meet any such equivalent State requirements.

''(c) ELIGIBILITY.—To be eligible for a grant under this section, a State shall demonstrate that the State has a shortage of emergency medical technicians.

''(d) REPORT.—The Secretary shall submit to the Congress an annual report on the program under this section.

''(e) FUNDING.—No additional funds are authorized to be appropriated to carry out this section, and this section shall be carried out using amounts otherwise available for such purpose.''.

SA 4146. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. OMB DIRECTIVE ON MANAGEMENT OF SOFTWARE LICENSES.

(a) DEFINITION.—In this section—

(1) the term ''Director'' means the Director of the Office of Management and Budget; and

(2) the term ''executive agency'' has the meaning given that term in section 105 of title 5, United States Code.

(b) OMB DIRECTIVE.—The Director shall issue a directive to require each executive agency to develop a comprehensive software licensing policy, which shall—

(1) identify clear roles, responsibilities, and central oversight authority within the executive agency for managing enterprise software license agreements and commercial software licenses; and

(2) require the executive agency to—

(A) establish a comprehensive inventory, including 80 percent of software license spending and enterprise licenses in the executive agency, by identifying and collecting information about software license agreements using automated discovery and inventory tools;

(B) regularly track and maintain software licenses to assist the executive agency in implementing decisions throughout the software license management life cycle;

(C) analyze software usage and other data to make cost-effective decisions;

(D) provide training relevant to software license management;

(E) establish goals and objectives of the software license management program of the executive agency; and

(F) consider the software license management life cycle phases, including the requisition, reception, deployment and maintenance, retirement, and disposal phases, to implement effective decision making and incorporate existing standards, processes, and metrics.

(c) REPORT ON SOFTWARE LICENSE MANAGEMENT.—

(1) IN GENERAL.—Beginning in the first fiscal year beginning after the date of enactment of this Act, and in each fiscal year thereafter through fiscal year 2018, each executive agency shall submit to the Director a report on the financial savings or avoidance of spending that resulted from improved software license management.

(2) AVAILABILITY.—The Director shall make each report submitted under paragraph (1) publically available.

SA 4147. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. COMPTROLLER GENERAL STUDY ON THE ACTIVITIES OF THE OFFICE OF RESOLUTION MANAGEMENT AND THE OFFICE OF EMPLOYMENT DISCRIMINATION COMPLAINT ADJUDICATION OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on the activities of the Office of Resolution Management and the Office of Employment Discrimination Complaint Adjudication of the Department of Veterans Affairs, including an analysis of the programs conducted by such offices and the effectiveness and oversight of such programs.

(b) ELEMENTS.—In conducting the study under subsection (a), the Comptroller General shall—

(1) analyze data in possession of the Office of Resolution Management and the Office of Employment Discrimination Complaint Adjudication of the Department from the period beginning on January 1, 2012, and ending on the date of commencement of the study;

(2) analyze the oversight by the Department of such offices and the programs conducted by such offices;

(3) analyze how such offices determine the amounts paid to complainants under such programs;

(4) assess whether the Department or any other entity conducts regular audits of such offices; and

(5) analyze how many repeat complaints from the same individuals are handled by such offices and whether there is a special process used by such offices for repeat complainants.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the Secretary of Veterans Affairs and Congress a report on the results of the study conducted under subsection (a).

SA 4148. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. IDENTIFICATION AND TRACKING OF BIOLOGICAL IMPLANTS USED IN DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITIES.

(a) IN GENERAL.—Subchapter II of chapter 73 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 7330B. Identification and tracking of biological implants

''(a) STANDARD IDENTIFICATION SYSTEM FOR BIOLOGICAL IMPLANTS.—(1) The Secretary shall adopt the unique device identification system developed for medical devices by the Food and Drug Administration under section 519(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360i(f)), or implement a comparable standard identification system, for use in identifying biological implants intended for use in medical procedures conducted in medical facilities of the Department.

''(2) In adopting or implementing a standard identification system for biological implants under paragraph (1), the Secretary shall permit a vendor to use any of the accredited entities identified by the Food and Drug Administration as an issuing agency pursuant to section 830.100 of title 21, Code of Federal Regulations, or any successor regulation.

''(b) BIOLOGICAL IMPLANT TRACKING SYSTEM.—(1) The Secretary shall implement a system for tracking the biological implants described in subsection (a) from human donor or animal source to implantation.

''(2) The tracking system implemented under paragraph (1) shall be compatible with the identification system adopted or implemented under subsection (a).

''(3) The Secretary shall implement inventory controls compatible with the tracking system implemented under paragraph (1) so that all patients who have received, in a medical facility of the Department, a biological implant subject to a recall can be notified of the recall if, based on the evaluation by appropriate medical personnel of the Department of the risks and benefits, the Secretary determines such notification is appropriate.

''(c) CONSISTENCY WITH FOOD AND DRUG ADMINISTRATION REGULATIONS.—To the extent that a conflict arises between this section and a provision of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) or section 351 or 361 of the Public Health Service Act (42 U.S.C. 262 and 264) (including any regulations issued under such provisions), the provision of the Federal Food, Drug, and Cosmetic Act or Public Health Service Act (including any regulations issued under such provisions) shall apply.

''(d) BIOLOGICAL IMPLANT DEFINED.—In this section, the term 'biological implant' means any human cell, tissue, or cellular or tissue-based product or animal product—

''(1) under the meaning given the term 'human cells, tissues, or cellular or tissue-based products' in section 1271.3 of title 21, Code of Federal Regulations, or any successor regulation; or

''(2) that is regulated as a device under section 201(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(h)).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 73 of such title is amended by inserting after the item relating to section 7330A the following new item:

''7330B. Identification and tracking of biological implants.''.

(c) IMPLEMENTATION DEADLINES.—

(1) STANDARD IDENTIFICATION SYSTEM.—The Secretary of Veterans Affairs shall adopt or implement the standard identification system for biological implants required by subsection (a) of section 7330B of title 38, United States Code, as added by subsection (a), with respect to biological implants described in—

(A) subsection (d)(1) of such section, by not later than the date that is 180 days after the date of the enactment of this Act; and

(B) subsection (d)(2) of such section, in compliance with the compliance dates established by the Food and Drug Administration under section 519(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360i(f)).

(2) TRACKING SYSTEM.—The Secretary of Veterans Affairs shall implement the biological implant tracking system required by section 7330B(b) of title 38, United States Code, as added by subsection (a), by not later than the date that is 180 days after the date of the enactment of this Act.

(d) REPORTING REQUIREMENT.—

(1) IN GENERAL.—If the biological implant tracking system required by section 7330B(b) of title 38, United States Code, as added by subsection (a), is not operational by the date that is 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report explaining why the system is not operational for each month until such time as the system is operational.

(2) ELEMENTS.—Each report submitted under paragraph (1) shall include a description of the following:

(A) Each impediment to the implementation of the system described in such paragraph.

(B) Steps being taken to remediate each such impediment.

(C) Target dates for a solution to each such impediment.

SEC. 1098. PROCUREMENT OF BIOLOGICAL IMPLANTS USED IN DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITIES.

(a) PROCUREMENT.—

(1) IN GENERAL.—Subchapter II of chapter 81 of title 38, United States Code, is amended by adding at the end the following new section:

"§ 8129. Procurement of biological implants

''(a) IN GENERAL.—(1) The Secretary may procure biological implants of human origin only from vendors that meet the following conditions:

''(A) The vendor uses the standard identification system adopted or implemented by the Secretary under section 7330B(a) of this title and has safeguards to ensure that a distinct identifier has been in place at each step of distribution of each biological implant from its donor.

''(B) The vendor is registered as required by the Food and Drug Administration under subpart B of part 1271 of title 21, Code of Federal Regulations, or any successor regulation, and in the case of a vendor that uses a tissue distribution intermediary or a tissue processor, the vendor provides assurances that the tissue distribution intermediary or tissue processor is registered as required by the Food and Drug Administration.

''(C) The vendor ensures that donor eligibility determinations and such other records as the Secretary may require accompany each biological implant at all times, regardless of the country of origin of the donor of the biological material.

''(D) The vendor agrees to cooperate with all biological implant recalls conducted on the initiative of the vendor, on the initiative of the original product manufacturer used by the vendor, by the request of the Food and Drug Administration, or by a statutory order of the Food and Drug Administration.

''(E) The vendor agrees to notify the Secretary of any adverse event or reaction report it provides to the Food and Drug Administration, as required by sections 1271.3 and 1271.350 of title 21, Code of Federal Regulations, or any successor regulation, or any warning letter from the Food and Drug Administration issued to the vendor or a tissue processor or tissue distribution intermediary used by the vendor by not later than 60 days after the vendor receives such report or warning letter.

''(F) The vendor agrees to retain all records associated with the procurement of a biological implant by the Department for at least 10 years after the date of the procurement of the biological implant.

''(G) The vendor provides assurances that the biological implants provided by the vendor are acquired only from tissue processors that maintain active accreditation with the American Association of Tissue Banks or a similar national accreditation specific to biological implants.

''(2) The Secretary may procure biological implants of nonhuman origin only from vendors that meet the following conditions:

''(A) The vendor uses the standard identification system adopted or implemented by the Secretary under section 7330B(a) of this title.

''(B) The vendor is registered as an establishment as required by the Food and Drug Administration under sections 807.20 and 807.40 of title 21, Code of Federal Regulations, or any successor regulation (or is not required to register pursuant to section 807.65(a) of such title, or any successor regulation), and in the case of a vendor that is not the original product manufacturer of such implants, the vendor provides assurances that the original product manufacturer is registered as required by the Food and Drug Administration (or is not required to register).

''(C) The vendor agrees to cooperate with all biological implant recalls conducted on the initiative of the vendor, on the initiative of the original product manufacturer used by the vendor, by the request of the Food and Drug Administration, or by a statutory order of the Food and Drug Administration.

''(D) The vendor agrees to notify the Secretary of any adverse event report it provides to the Food and Drug Administration as required under part 803 of title 21, Code of Federal Regulations, or any successor regulation, or any warning letter from the Food and Drug Administration issued to the vendor or the original product manufacturer used by the vendor by not later than 60 days after the vendor receives such report or warning letter.

''(E) The vendor agrees to retain all records associated with the procurement of a biological implant by the Department for at least 10 years after the date of the procurement of the biological implant.

''(3)(A) The Secretary shall procure biological implants under the Federal Supply Schedules of the General Services Administration unless such implants are not available under such Schedules.

''(B) With respect to biological implants listed on the Federal Supply Schedules, the Secretary shall accommodate reasonable vendor requests to undertake outreach efforts to educate medical professionals of the Department about the use and efficacy of such biological implants.

''(C) In the case of biological implants that are unavailable for procurement under the Federal Supply Schedules, the Secretary shall procure such implants using competitive procedures in accordance with applicable law and the Federal Acquisition Regulation, including through the use of a national contract.

''(4) In procuring biological implants under this section, the Secretary shall permit a vendor to use any of the accredited entities identified by the Food and Drug Administration as an issuing agency pursuant to section 830.100 of title 21, Code of Federal Regulations, or any successor regulation.

''(5) Section 8123 of this title shall not apply to the procurement of biological implants.

''(b) PENALTIES.—In addition to any applicable penalty under any other provision of law, any procurement employee of the Department who is found responsible for a biological implant procurement transaction with intent to avoid or with reckless disregard of the requirements of this section shall be ineligible to hold a certificate of appointment as a contracting officer or to serve as the representative of an ordering officer, contracting officer, or purchase card holder.

''(c) DEFINITIONS.—In this section:

''(1) The term 'biological implant' has the meaning given that term in section 7330B(d) of this title.

''(2) The term 'distinct identifier' means a distinct identification code that—

''(A) relates a biological implant to the human donor of the implant and to all records pertaining to the implant;

''(B) includes information designed to facilitate effective tracking, using the distinct identification code, from the donor to the recipient and from the recipient to the donor; and

''(C) satisfies the requirements of section 1271.290(c) of title 21, Code of Federal Regulations, or any successor regulation.

''(3) The term 'tissue distribution intermediary' means an agency that acquires and stores human tissue for further distribution and performs no other tissue banking functions.

''(4) The term 'tissue processor' means an entity processing human tissue for use in biological implants, including activities performed on tissue other than donor screening, donor testing, tissue recovery and collection functions, storage, or distribution.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 81 of such title is amended by inserting after the item relating to section 8128 the following new item:

''8129. Procurement of biological implants.''.

(b) EFFECTIVE DATE.—Section 8129 of title 38, United States Code, as added by subsection (a), shall take effect on the date that is 180 days after the date on which the tracking system required under section 7330B(b) of such title, as added by section 1079(a) of this Act, is implemented.

(c) SPECIAL RULE FOR CRYOPRESERVED PRODUCTS.—During the three-year period beginning on the effective date of section 8129 of title 38, United States Code, as added by subsection (a), biological implants produced and labeled before that effective date may be procured by the Department of Veterans Affairs without relabeling under the standard identification system adopted or implemented under section 7330B of such title, as added by section 1079(a) of this Act.

SA 4149. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1039. RESTRICTIONS ON THE PROCUREMENT OF SERVICES OR PROPERTY IN CONNECTION WITH MILITARY SPACE LAUNCH FROM ENTITIES OWNED OR CONTROLLED BY PERSONS SANCTIONED IN CONNECTION WITH RUSSIA'S INVASION OF CRIMEA.

(a) IN GENERAL.—On and after the date of the enactment of this Act, the Secretary of Defense may not enter into or renew a contract for the procurement of services or property in connection with space launch activities associated with the evolved expendable launch vehicle program unless the Secretary, as a result of affirmative due diligence and in consultation with the Secretary of the Treasury, conclusively certifies in accordance with subsection (b), that—

(1) no funding provided under the contract will be used for a purchase from, or a payment to, any entity owned or controlled by a person included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury pursuant to Executive Order 13661 (79 Fed. Reg. 15535; relating to blocking property of additional persons contributing to the situation in Ukraine) or any other executive order or other provision of law imposing sanctions with respect to the Russian Federation in connection with the invasion of Crimea by the Russian Federation; and

(2) no individual who in any way supports the delivery of services or property for such space launch activities poses a counterintelligence risk to the United States or is subject to the influence of any foreign military or intelligence service.

(b) SUBMISSION OF CERTIFICATION.—Not later than 120 days before entering into or renewing a contract described in subsection (a), the Secretary of Defense shall submit to the congressional defense committees in writing the certification described in that subsection and the reasons of the Secretary for making the certification.

SA 4150. Ms. AYOTTE (for herself, Mr. RUBIO, Mr. KIRK, Mr. GRAHAM, Mr. BURR, Mr. MCCONNELL, Mr. CORNYN, Mr. ROUNDS, Mr. TILLIS, Mr. INHOFE, Mr. RISCH, Mr. PORTMAN, Mr. CRUZ, Mrs. ERNST, Mr. PERDUE, Ms. MURKOWSKI, Mr. GARDNER, Mr. ROBERTS, and Mr. BARRASSO) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle I—Iran Sanctions

SEC. 1281. SHORT TITLE.

This subtitle may be cited as the ''Iran Ballistic Missile Sanctions Act of 2016''.

SEC. 1282. FINDINGS.

Congress finds the following:

(1) On April 2, 2015, President Barack Obama said, ''Other American sanctions on Iran for its support of terrorism, its human rights abuses, its ballistic missile program, will continue to be fully enforced.''.

(2) On July 7, 2015, General Martin Dempsey, then-Chairman of the Joint Chiefs of Staff, said, ''Under no circumstances should we relieve the pressure on Iran relative to ballistic missile capabilities.''.

(3) On July 29, 2015, in his role as the top military officer in the United States and advisor to the President, General Dempsey confirmed that his military recommendation was that sanctions relating to the ballistic missile program of Iran not be lifted.

(4) The Government of Iran and Iran's Revolutionary Guard Corps have been responsible for the repeated testing of illegal ballistic missiles capable of carrying a nuclear device, including observed tests in October and November 2015 and March 2016, violating United Nations Security Council resolutions.

(5) On October 14, 2015, Samantha Power, United States Ambassador to the United Nations, said, ''One of the really important features in implementation of the recent Iran deal to dismantle Iran's nuclear program is going to have to be enforcement of the resolutions and the standards that remain on the books.''.

(6) On December 11, 2015, the United Nations Panel of Experts concluded that the missile launch on October 10, 2015, ''was a violation by Iran of paragraph 9 of Security Council resolution 1929 (2010)''.

(7) On January 17, 2016, Adam Szubin, Acting Under Secretary for Terrorism and Financial Intelligence, stated, ''Iran's ballistic missile program poses a significant threat to regional and global security, and it will continue to be subject to international sanctions. We have consistently made clear that the United States will vigorously press sanctions against Iranian activities outside of the Joint Comprehensive Plan of Action—including those related to Iran's support for terrorism, regional destabilization, human rights abuses, and ballistic missile program.''.

(8) On February 9, 2016, James Clapper, Director of National Intelligence, testified that, ''We judge that Tehran would choose ballistic missiles as its preferred method of delivering nuclear weapons, if it builds them. Iran's ballistic missiles are inherently capable of delivering WMD, and Tehran already has the largest inventory of ballistic missiles in the Middle East. Iran's progress on space launch vehicles—along with its desire to deter the United States and its allies—provides Tehran with the means and motivation to develop longer-range missiles, including ICBMs.''.

(9) On March 9, 2016, Iran reportedly fired two Qadr ballistic missiles with a range of more than 1,000 miles and according to public reports, the missiles were marked with a statement in Hebrew reading, ''Israel must be wiped off the arena of time.''.

(10) On March 11, 2016, Ambassador Power called the recent ballistic missile launches by Iran ''provocative and destabilizing'' and called on the international community to ''degrade Iran's missile program''.

(11) On March 14, 2016, Ambassador Power said that the recent ballistic missile launches by Iran were ''in defiance of provisions of UN Security Council Resolution 2231''.

(12) Iran has demonstrated the ability to launch multiple rockets from fortified underground facilities and mobile launch sites not previously known.

(13) The ongoing procurement by Iran of technologies needed to boost the range, accuracy, and payloads of its diverse ballistic missile arsenal represents a threat to deployed personnel of the United States and allies of the United States in Europe and the Middle East, including Israel.

(14) Ashton Carter, Secretary of Defense, testified in a hearing before the Armed Services Committee of the Senate on July 7, 2015, that, ''[T]he reason that we want to stop Iran from having an ICBM program is that the I in ICBM stands for intercontinental, which means having the capability to fly from Iran to the United States, and we don't want that. That's why we oppose ICBMs.''.

(15) Through recent ballistic missile launch tests the Government of Iran has shown blatant disregard for international laws and its intention to continue tests of that nature throughout the implementation of the Joint Comprehensive Plan of Action.

(16) The banking sector of Iran has facilitated the financing of the ballistic missile programs in Iran and evidence has not been provided that entities in that sector have ceased facilitating the financing of those programs.

(17) Iran has been able to amass a large arsenal of ballistic missiles through its illicit smuggling networks and domestic manufacturing capabilities that have been supported and maintained by Iran's Revolutionary Guard Corps and specific sectors of the economy of Iran.

(18) Penetration by Iran's Revolutionary Guard Corps into the economy of Iran is well documented including investments in the construction, automotive, telecommunications, electronics, mining, metallurgy, and petrochemical sectors of the economy of Iran.

(19) Items procured through sectors of Iran specified in paragraph (18) have dual use applications that are currently being used to create ballistic missiles in Iran and will continue to be a source of materials for the creation of future weapons.

(20) In order to curb future illicit activity by Iran, the Government of the United States and the international community must take action against persons that facilitate and profit from the illegal acquisition of ballistic missile parts and technology in support of the missile programs of Iran.

SEC. 1283. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the ballistic missile program of Iran represents a serious threat to allies of the United States in the Middle East and Europe, members of the Armed Forces deployed in the those regions, and ultimately the United States;

(2) the testing and production by Iran of ballistic missiles capable of carrying a nuclear device is a clear violation of United Nations Security Council Resolution 2231 (2015), which was unanimously adopted by the international community;

(3) Iran is using its space launch program to develop the capabilities necessary to deploy an intercontinental ballistic missile that could threaten the United States, and the Director of National Intelligence has assessed that Iran would use ballistic missiles as its ''preferred method of delivering nuclear weapons''; and

(4) the Government of the United States should impose tough primary and secondary sanctions against any sector of the economy of Iran or any Iranian person that directly or indirectly supports the ballistic missile program of Iran as well as any foreign person or financial institution that engages in transactions or trade that support that program.

SEC. 1284. EXPANSION OF SANCTIONS WITH RESPECT TO EFFORTS BY IRAN TO ACQUIRE BALLISTIC MISSILE AND RELATED TECHNOLOGY.

(a) CERTAIN PERSONS.—Section 1604(a) of the Iran-Iraq Arms Non-Proliferation Act of

1992 (Public Law 102–484; 50 U.S.C. 1701 note) is amended, in the matter preceding paragraph (1), by inserting '', to acquire ballistic missile or related technology,'' after ''nuclear weapons''.

(b) FOREIGN COUNTRIES.—Section 1605(a) of the Iran-Iraq Arms Non-Proliferation Act of 1992 (Public Law 102–484; 50 U.S.C. 1701 note) is amended, in the matter preceding paragraph (1), by inserting '', to acquire ballistic missile or related technology,'' after ''nuclear weapons''.

SEC. 1285. EXTENSION OF IRAN SANCTIONS ACT OF 1996 AND EXPANSION OF SANCTIONS WITH RESPECT TO PERSONS THAT ACQUIRE OR DEVELOP BALLISTIC MISSILES.

(a) EXPANSION OF MANDATORY SANCTIONS.—Section 5(b)(1)(B) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) is amended—

(1) in clause (i), by striking ''would likely'' and inserting ''may''; and

(2) in clause (ii)—

(A) in subclause (I), by striking ''; or'' and inserting a semicolon;

(B) by redesignating subclause (II) as subclause (III); and

(C) by inserting after subclause (I) the following:

''(II) acquire or develop ballistic missiles and the capability to launch ballistic missiles; or''.

(b) EXTENSION OF IRAN SANCTIONS ACT OF 1996.—Section 13(b) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) is amended by striking ''December 31, 2016'' and inserting ''December 31, 2031''.

SEC. 1286. IMPOSITION OF SANCTIONS WITH RESPECT TO BALLISTIC MISSILE PROGRAM OF IRAN.

(a) IN GENERAL.—Title II of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8721 et seq.) is amended by adding at the end the following:

"Subtitle C—Measures Relating to Ballistic Missile Program of Iran

"SEC. 231. DEFINITIONS.

''(a) IN GENERAL.—In this subtitle:

''(1) AGRICULTURAL COMMODITY.—The term 'agricultural commodity' has the meaning given that term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

''(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' means—

''(A) the committees specified in section 14(2) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note); and

''(B) the congressional defense committees, as defined in section 101 of title 10, United States Code.

''(3) CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms 'correspondent account' and 'payable-through account' have the meanings given those terms in section 5318A of title 31, United States Code.

''(4) FOREIGN FINANCIAL INSTITUTION.—The term 'foreign financial institution' has the meaning of that term as determined by the Secretary of the Treasury pursuant to section 104(i) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513(i)).

''(5) GOOD.—The term 'good' has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. 4618) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

''(6) GOVERNMENT.—The term 'Government', with respect to a foreign country, includes any agencies or instrumentalities of that Government and any entities controlled by that Government.

''(7) MEDICAL DEVICE.—The term 'medical device' has the meaning given the term 'device' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

''(8) MEDICINE.—The term 'medicine' has the meaning given the term 'drug' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

''(b) DETERMINATIONS OF SIGNIFICANCE.—For purposes of this subtitle, in determining if financial transactions or financial services are significant, the President may consider the totality of the facts and circumstances, including factors similar to the factors set forth in section 561.404 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

"SEC. 232. IMPOSITION OF SANCTIONS WITH RESPECT TO PERSONS THAT SUPPORT THE BALLISTIC MISSILE PROGRAM OF IRAN.

''(a) IDENTIFICATION OF PERSONS.—

''(1) IN GENERAL.—Not later than 120 days after the date of the enactment of the Iran Ballistic Missile Sanctions Act of 2016, and not less frequently than once every 180 days thereafter, the President shall, in coordination with the Secretary of Defense, the Director of National Intelligence, the Secretary of the Treasury, and the Secretary of State, submit to the appropriate committees of Congress a report identifying persons that have knowingly aided the Government of Iran in the development of the ballistic missile program of Iran.

''(2) ELEMENTS.—Each report required by paragraph (1) shall include the following:

''(A) An identification of persons (disaggregated by Iranian and non-Iranian persons) that have knowingly aided the Government of Iran in the development of the ballistic missile program of Iran, including persons that have—

''(i) knowingly engaged in the direct or indirect provision of material support to such program;

''(ii) knowingly facilitated, supported, or engaged in activities to further the development of such program;

''(iii) knowingly transmitted information relating to ballistic missiles to the Government of Iran; or

''(iv) otherwise knowingly aided such program.

''(B) A description of the character and significance of the cooperation of each person identified under subparagraph (A) with the Government of Iran with respect to such program.

''(C) An assessment of the cooperation of the Government of the Democratic People's Republic of Korea with the Government of Iran with respect to such program.

''(3) CLASSIFIED ANNEX.—Each report required by paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

''(b) BLOCKING OF PROPERTY.—

''(1) IN GENERAL.—Not later than 15 days after submitting a report required by subsection (a)(1), the President shall, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of any person specified in such report if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

''(2) INAPPLICABILITY OF NATIONAL EMERGENCY REQUIREMENT.—The requirements under section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701) shall not apply for purposes of this subsection.

''(c) EXCLUSION FROM UNITED STATES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any alien subject to blocking of property and interests in property under subsection (b).

''(2) COMPLIANCE WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Paragraph (1) shall not apply to the head of state of Iran, or necessary staff of that head of state, if admission to the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States.

''(d) FACILITATION OF CERTAIN TRANSACTIONS.—The President shall prohibit the opening, and prohibit or impose strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by a foreign financial institution that the President determines knowingly, on or after the date that is 180 days after the date of the enactment of the Iran Ballistic Missile Sanctions Act of 2016, conducts or facilitates a significant financial transaction for a person subject to blocking of property and interests in property under subsection (b).

"SEC. 233. BLOCKING OF PROPERTY OF PERSONS AFFILIATED WITH CERTAIN IRANIAN ENTITIES.

''(a) BLOCKING OF PROPERTY.—

''(1) IN GENERAL.—The President shall, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of any person described in paragraph (3) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

''(2) INAPPLICABILITY OF NATIONAL EMERGENCY REQUIREMENT.—The requirements under section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701) shall not apply for purposes of this subsection.

''(3) PERSONS DESCRIBED.—A person described in this paragraph is—

''(A) an entity that is owned, directly or indirectly, by a 25 percent or greater interest—

''(i) by the Aerospace Industries Organization, the Shahid Hemmat Industrial Group, the Shahid Bakeri Industrial Group, or any agent or affiliate of such organization or group; or

''(ii) collectively by a group of individuals that hold an interest in the Aerospace Industries Organization, the Shahid Hemmat Industrial Group, the Shahid Bakeri Industrial Group, or any agent or affiliate of such organization or group, even if none of those individuals hold a 25 percent or greater interest in the entity;

''(B) a person that controls, manages, or directs an entity described in subparagraph (A); or

''(C) an individual who is on the board of directors of an entity described in subparagraph (A).

''(b) FACILITATION OF CERTAIN TRANSACTIONS.—The President shall prohibit the opening, and prohibit or impose strict conditions on the maintaining, in the United

States of a correspondent account or a payable-through account by a foreign financial institution that the President determines knowingly, on or after the date that is 180 days after the date of the enactment of the Iran Ballistic Missile Sanctions Act of 2016, conducts or facilitates a significant financial transaction for a person subject to blocking of property and interests in property under subsection (a).

''(c) IRAN MISSILE PROLIFERATION WATCH LIST.—

''(1) IN GENERAL.—Not later than 90 days after the date of the enactment of the Iran Ballistic Missile Sanctions Act of 2016, and not less frequently than annually thereafter, the Secretary of the Treasury shall submit to the appropriate committees of Congress and publish in the Federal Register a list of—

''(A) each entity in which the Aerospace Industries Organization, the Shahid Hemmat Industrial Group, the Shahid Bakeri Industrial Group, or any agent or affiliate of such organization or group has an ownership interest of more than 0 percent and less than 25 percent;

''(B) each entity in which the Aerospace Industries Organization, the Shahid Hemmat Industrial Group, the Shahid Bakeri Industrial Group, or any agent or affiliate of such organization or group does not have an ownership interest but maintains a presence on the board of directors of the entity or otherwise influences the actions, policies, or personnel decisions of the entity; and

''(C) each person that controls, manages, or directs an entity described in subparagraph (A) or (B).

''(2) REFERENCE.—The list required by paragraph (1) may be referred to as the 'Iran Missile Proliferation Watch List'.

''(d) COMPTROLLER GENERAL REPORT.—

''(1) IN GENERAL.—The Comptroller General of the United States shall—

''(A) conduct a review of each list required by subsection (c)(1); and

''(B) not later than 60 days after each such list is submitted to the appropriate committees of Congress under that subsection, submit to the appropriate committees of Congress a report on the review conducted under subparagraph (A) that includes a list of persons not included in that list that qualify for inclusion in that list, as determined by the Comptroller General.

''(2) CONSULTATIONS.—In preparing the report required by paragraph (1)(B), the Comptroller General shall consult with nongovernmental organizations.

''SEC. 234. IMPOSITION OF SANCTIONS WITH RESPECT TO CERTAIN PERSONS INVOLVED IN BALLISTIC MISSILE ACTIVITIES.

''(a) CERTIFICATION.—Not later than 120 days after the date of the enactment of the Iran Ballistic Missile Sanctions Act of 2016, and not less frequently than once every 180 days thereafter, the President shall submit to the appropriate committees of Congress a certification that each person listed in an annex of United Nations Security Council Resolution 1737 (2006), 1747 (2007), or 1929 (2010) is not directly or indirectly facilitating, supporting, or involved with the development of or transfer to Iran of ballistic missiles or technology, parts, components, or technology information relating to ballistic missiles.

''(b) BLOCKING OF PROPERTY.—

''(1) IN GENERAL.—If the President is unable to make a certification under subsection (a) with respect to a person and the person is not currently subject to sanctions with respect to Iran under any other provision of law, the President shall, not later than 15 days after that certification would have been required under that subsection—

''(A) in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of that person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person; and

''(B) publish in the Federal Register a report describing the reason why the President was unable to make a certification with respect to that person.

''(2) INAPPLICABILITY OF NATIONAL EMERGENCY REQUIREMENT.—The requirements under section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701) shall not apply for purposes of this subsection.

''(c) EXCLUSION FROM UNITED STATES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any alien subject to blocking of property and interests in property under subsection (b).

''(2) COMPLIANCE WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Paragraph (1) shall not apply to the head of state of Iran, or necessary staff of that head of state, if admission to the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States.

''(d) FACILITATION OF CERTAIN TRANSACTIONS.—The President shall prohibit the opening, and prohibit or impose strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by a foreign financial institution that the President determines knowingly, on or after the date that is 180 days after the date of the enactment of the Iran Ballistic Missile Sanctions Act of 2016, conducts or facilitates a significant financial transaction for a person subject to blocking of property and interests in property under subsection (b).

''SEC. 235. IMPOSITION OF SANCTIONS WITH RESPECT TO CERTAIN SECTORS OF IRAN THAT SUPPORT THE BALLISTIC MISSILE PROGRAM OF IRAN.

''(a) LIST OF SECTORS.—

''(1) IN GENERAL.—Not later than 120 days after the date of the enactment of the Iran Ballistic Missile Sanctions Act of 2016, and not less frequently than once every 180 days thereafter, the President shall submit to the appropriate committees of Congress and publish in the Federal Register a list of the sectors of the economy of Iran that are directly or indirectly facilitating, supporting, or involved with the development of or transfer to Iran of ballistic missiles or technology, parts, components, or technology information relating to ballistic missiles.

''(2) CERTAIN SECTORS.—

''(A) IN GENERAL.—Not later than 120 days after the date of enactment of the Iran Ballistic Missile Sanctions Act of 2016, the President shall submit to the appropriate committees of Congress a determination as to whether each of the automotive, chemical, computer science, construction, electronic, energy, metallurgy, mining, petrochemical, research (including universities and research institutions), and telecommunications sectors of Iran meet the criteria specified in paragraph (1).

''(B) INCLUSION IN INITIAL LIST.—If the President determines under subparagraph (A) that the sectors of the economy of Iran specified in such subparagraph meet the criteria specified in paragraph (1), that sector shall be included in the initial list submitted and published under that paragraph.

''(b) SANCTIONS WITH RESPECT TO SPECIFIED SECTORS OF IRAN.—

''(1) BLOCKING OF PROPERTY.—

''(A) IN GENERAL.—The President shall, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of any person described in paragraph (4) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

''(B) INAPPLICABILITY OF NATIONAL EMERGENCY REQUIREMENT.—The requirements under section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701) shall not apply for purposes of this paragraph.

''(2) EXCLUSION FROM UNITED STATES.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any alien that is a person described in paragraph (4).

''(B) COMPLIANCE WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Subparagraph (A) shall not apply to the head of state of Iran, or necessary staff of that head of state, if admission to the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States.

''(3) FACILITATION OF CERTAIN TRANSACTIONS.—Except as provided in this section, the President shall prohibit the opening, and prohibit or impose strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by a foreign financial institution that the President determines knowingly, on or after the date that is 180 days after the date of the enactment of the Iran Ballistic Missile Sanctions Act of 2016, conducts or facilitates a significant financial transaction for a person described in paragraph (4).

''(4) PERSONS DESCRIBED.—A person is described in this paragraph if the President determines that the person, on or after the date that is 180 days after the date of the enactment of the Iran Ballistic Missile Sanctions Act of 2016—

''(A) operates in a sector of the economy of Iran included in the most recent list published by the President under subsection (a);

''(B) knowingly provides significant financial, material, technological, or other support to, or goods or services in support of, any activity or transaction on behalf of or for the benefit of a person described in subparagraph (A); or

''(C) is owned or controlled by a person described in subparagraph (A).

''(c) HUMANITARIAN EXCEPTION.—The President may not impose sanctions under this section with respect to any person for conducting or facilitating a transaction for the sale of agricultural commodities, food, medicine, or medical devices to Iran or for the provision of humanitarian assistance to the people of Iran.

''SEC. 236. IDENTIFICATION OF FOREIGN PERSONS THAT SUPPORT THE BALLISTIC MISSILE PROGRAM OF IRAN IN CERTAIN SECTORS OF IRAN.

''(a) IN GENERAL.—Not later than 120 days after the date of the enactment of the Iran Ballistic Missile Sanctions Act of 2016, and not less frequently than annually thereafter, the President shall submit to the appropriate committees of Congress and publish in the Federal Register a list of all foreign persons that have, based on credible information, directly or indirectly facilitated, supported, or been involved with the development of ballistic missiles or technology, parts, components, or technology information related to ballistic missiles in the following sectors of the economy of Iran during the period specified in subsection (b):

''(1) Automotive.

''(2) Chemical.

''(3) Computer Science.

''(4) Construction.

''(5) Electronic.

''(6) Energy.

''(7) Metallurgy.

''(8) Mining.

''(9) Petrochemical.

''(10) Research (including universities and research institutions).

''(11) Telecommunications.

''(12) Any other sector of the economy of Iran identified under section 235(a).

''(b) PERIOD SPECIFIED.—The period specified in this subsection is—

''(1) with respect to the first list submitted under subsection (a), the period beginning on the date of the enactment of the Iran Ballistic Missile Sanctions Act of 2016 and ending on the date that is 120 days after such date of enactment; and

''(2) with respect to each subsequent list submitted under such subsection, the one-year period preceding the submission of the list.

''(c) COMPTROLLER GENERAL REPORT.—

''(1) IN GENERAL.—With respect to each list submitted under subsection (a), not later than 120 days after the list is submitted under that subsection, the Comptroller General of the United States shall submit to the appropriate committees of Congress—

''(A) an assessment of the processes followed by the President in preparing the list;

''(B) an assessment of the foreign persons included in the list; and

''(C) a list of persons not included in the list that qualify for inclusion in the list, as determined by the Comptroller General.

''(2) CONSULTATIONS.—In preparing the report required by paragraph (1), the Comptroller General shall consult with nongovernmental organizations.

''(d) CREDIBLE INFORMATION DEFINED.—In this section, the term 'credible information' has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).''.

(b) CLERICAL AMENDMENT.—The table of contents for the Iran Threat Reduction and Syria Human Rights Act of 2012 is amended by inserting after the item relating to section 224 the following:

''Subtitle C—Measures Relating to Ballistic Missile Program of Iran

''Sec. 231. Definitions.

''Sec. 232. Imposition of sanctions with respect to persons that support the ballistic missile program of Iran.

''Sec. 233. Blocking of property of persons affiliated with certain Iranian entities.

''Sec. 234. Imposition of sanctions with respect to certain persons involved in ballistic missile activities.

''Sec. 235. Imposition of sanctions with respect to certain sectors of Iran that support the ballistic missile program of Iran.

''Sec. 236. Identification of foreign persons that support the ballistic missile program of Iran in certain sectors of Iran.''.

SEC. 1287. EXPANSION OF MANDATORY SANCTIONS WITH RESPECT TO FINANCIAL INSTITUTIONS THAT ENGAGE IN CERTAIN TRANSACTIONS RELATING TO BALLISTIC MISSILE CAPABILITIES OF IRAN.

Section 104 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513) is amended—

(1) in subsection (c)(2)—

(A) in subparagraph (A)—

(i) in clause (i), by striking ''; or'' and inserting a semicolon;

(ii) by redesignating clause (ii) as clause (iii); and

(iii) by inserting after clause (i) the following:

''(ii) to acquire or develop ballistic missiles and capabilities and launch technology relating to ballistic missiles; or''; and

(B) in subparagraph (E)(ii)—

(i) in subclause (I), by striking ''; or'' and inserting a semicolon;

(ii) by redesignating subclause (II) as subclause (III); and

(iii) by inserting after subclause (I) the following:

''(II) Iran's development of ballistic missiles and capabilities and launch technology relating to ballistic missiles; or''; and

(2) in subsection (f)—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and moving those subparagraphs, as so redesignated, two ems to the right;

(B) by striking ''WAIVER.—The'' and inserting ''WAIVER.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the''; and

(C) by adding at the end the following:

''(2) EXCEPTION.—The Secretary of the Treasury may not waive under paragraph (1) the application of a prohibition or condition imposed with respect to an activity described in subparagraph (A)(ii) or (E)(ii)(II) of subsection (c)(2).''.

SEC. 1288. DISCLOSURE TO THE SECURITIES AND EXCHANGE COMMISSION OF ACTIVITIES WITH CERTAIN SECTORS OF IRAN THAT SUPPORT THE BALLISTIC MISSILE PROGRAM OF IRAN.

(a) IN GENERAL.—Section 13(r)(1) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(r)(1)) is amended—

(1) in subparagraph (C), by striking ''; or'' and inserting a semicolon;

(2) by redesignating subparagraph (D) as subparagraph (E); and

(3) by inserting after subparagraph (C) the following:

''(D) knowingly engaged in any activity for which sanctions may be imposed under section 235 of the Iran Threat Reduction and Syria Human Rights Act of 2012;''.

(b) INVESTIGATIONS.—Section 13(r)(5)(A) of the Securities Exchange Act of 1934 is amended by striking ''an Executive order specified in clause (i) or (ii) of paragraph (1)(D)'' and inserting ''section 235 of the Iran Threat Reduction and Syria Human Rights Act of 2012, an Executive order specified in clause (i) or (ii) of paragraph (1)(E)''.

(c) CONFORMING AMENDMENT.—Section 13(r)(5) of the Securities Exchange Act of 1934 is amended, in the matter preceding subparagraph (A), by striking ''subparagraph (D)(iii)'' and inserting ''subparagraph (E)(iii)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect with respect to reports required to be filed with the Securities and Exchange Commission after the date that is 180 days after the date of the enactment of this Act.

SEC. 1289. REGULATIONS.

Not later than 90 days after the date of the enactment of this Act, the President shall prescribe regulations to carry out this subtitle and the amendments made by this subtitle.

SA 4151. Mr. BENNET (for himself and Mr. GARDNER) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. TREATMENT OF OIL SHALE RESERVE RECEIPTS.

Section 7439 of title 10, United State States Code, is amended—

(1) in subsection (f)—

(A) by striking paragraph (1) and inserting the following:

''(1) DISPOSITION.—

''(A) IN GENERAL.—Notwithstanding section 35 of the Mineral Leasing Act (30 U.S.C. 191), the amounts received during the period specified in paragraph (2) from a lease under this section (including moneys in the form of sales, bonuses, royalties (including interest charges collected under the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1701 et seq.)), and rentals) that do not exceed the sum of the amounts specified in subparagraphs (A) and (B) of paragraph (2)—

''(i) shall be deposited in the Treasury; and

''(ii) shall not be subject to distribution to the States pursuant to section 35(a) of the Mineral Leasing Act (30 U.S.C. 191(a)).

''(B) MINERAL LEASING ACT.—Any amounts received during the period specified in paragraph (2) from a lease under this section (including moneys in the form of sales, bonuses, royalties (including interest charges collected under the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1701 et seq.)), and rentals) that exceed the sum of the amounts specified in subparagraphs (A) and (B) of paragraph (2)—

''(i) shall be deposited in the Treasury; and

''(ii) shall be subject to distribution to the States pursuant to section 35(a) of the Mineral Leasing Act (30 U.S.C. 191(a)).

''(C) NO IMPACT ON PAYMENTS IN LIEU OF TAXES.—Nothing in this paragraph impacts or reduces any payment authorized under section 6903 of title 31, United States Code.''; and

(B) in paragraph (2)—

(i) by striking ''(2) The period'' and inserting the following:

''(2) PERIOD.—The period''; and

(ii) in the matter preceding subparagraph (A), by striking ''paragraph (1)'' and inserting ''paragraph (1)(A)''; and

(2) in subsection (g)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''subsection (f)(1)'' and inserting ''subsection (f)(1)(A)''; and

(B) in paragraph (2), in the first sentence, by striking ''subsection (f)(1)'' and inserting ''subsection (f)(1)(A)''.

SA 4152. Mr. KIRK (for himself, Mr. DURBIN, Mr. GRASSLEY, and Mrs. ERNST) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title VIII, add the following:

SEC. 899C. ARMY ARSENAL REVITALIZATION.

(a) DEFINITIONS.—In this section:

(1) LEGACY ITEMS.—The term ''legacy items'' means manufactured items that are no longer produced by the private sector but continue to be used for Department of Defense weapons systems, excluding information technology and information systems (as those terms are defined in section 11101 of title 40, United States Code).

(2) ORGANIC INDUSTRIAL BASE.—The term ''organic industrial base'' means United States military facilities that advance a vital national security interest by producing necessary materials, munitions, and hardware, including arsenals and depots.

(b) REPORT ON USE OF ORGANIC INDUSTRIAL BASE AND PRIVATE SECTOR TO MANUFACTURE CERTAIN ITEMS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of the Defense Logistics Agency shall submit to the congressional defense committees a report listing all legacy items used by the Department of Defense with a contract value equal to or greater than $5,000,000.

(2) ELEMENTS.—The report required under paragraph (1) shall include, for each item listed, a list of potential alternative manufacturing sources from the organic industrial base and private sector that could be developed to establish competition for those items.

(c) USE OF ORGANIC INDUSTRIAL BASE TO ADDRESS DIMINISHING MANUFACTURING SOURCES AND MATERIAL SHORTAGES.—

(1) REPORT ON IMPROVING GUIDANCE AND PRACTICES.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report detailing plans to update and improve its guidance and practices on Diminishing Manufacturing Sources and Material Shortages (DMSMS), including through the use of the organic industrial base as a resource in the implementation of a DMSMS management plan.

(2) REPORT ON IDENTIFICATION OF ARMY ARSENAL CRITICAL CAPABILITIES AND MINIMUM WORKLOADS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that includes—

(A) a standardized method for identifying the critical capabilities and minimum workloads of the Army arsenals; and

(B) a progress update on implementation of the United States Army Organic Industrial Base Strategic Plan 2012–2022.

(d) ASSESSMENT TO DETERMINE LABOR RATE FLEXIBILITY.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall complete a labor rate assessment for all Working Capital Fund entities to determine whether to utilize a flexible labor rate within the Working Capital Fund's high and low labor rate budget amounts and change the period of time that rates are set from annual to bi-annual or quarterly. The assessment shall include recommendations based upon data received from the assessment, including incorporating more flexibility into the Working Capital Fund's labor rates.

SA 4153. Mr. KIRK (for himself, Mr. DURBIN, Mr. GRASSLEY, and Mrs. ERNST) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title VIII, add the following:

SEC. 899C. ARMY ARSENAL REVITALIZATION.

(a) DEFINITIONS.—In this section:

(1) LEGACY ITEMS.—The term ''legacy items'' means manufactured items that are no longer produced by the private sector but continue to be used for Department of Defense weapons systems, excluding information technology and information systems (as those terms are defined in section 11101 of title 40, United States Code).

(2) ORGANIC INDUSTRIAL BASE.—The term ''organic industrial base'' means United States military facilities that advance a vital national security interest by producing necessary materials, munitions, and hardware, including arsenals and depots.

(b) USE OF ARSENALS TO MANUFACTURE CERTAIN ITEMS.—

(1) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of the Defense Logistics Agency shall submit to the congressional defense committees a report listing all legacy items used by the Department of Defense with a contract value equal to or greater than $5,000,000.

(2) LEGACY ITEM PRODUCTION REQUIREMENT.—The Secretary of Defense shall use Army arsenals for the production of all legacy items identified in the report submitted under paragraph (1).

(c) USE OF ORGANIC INDUSTRIAL BASE TO ADDRESS DIMINISHING MANUFACTURING SOURCES AND MATERIAL SHORTAGES.—

(1) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report detailing plans to update and improve its guidance and practices on Diminishing Manufacturing Sources and Material Shortages (DMSMS), including through the use of the organic industrial base as a resource in the implementation of a DMSMS management plan.

(2) GUIDANCE REGARDING USE OF ORGANIC INDUSTRIAL BASE.—The Secretary of the Army shall maintain the arsenals with sufficient workloads to ensure affordability and technical competence in all critical capability areas by establishing, not later than March 30, 2017, clear, step-by-step, prescriptive guidance on the process for conducting make-or-buy analyses, including the use of the organic industrial base.

(3) IDENTIFICATION OF ARMY ARSENAL CRITICAL CAPABILITIES AND MINIMUM WORKLOADS.—

(A) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that—

(i) includes a standardized, consistent method to use for identifying the critical capabilities and minimum workloads of the Army arsenals;

(ii) provides analysis on the critical capabilities and minimum workloads for each of the manufacturing arsenals; and

(iii) identifies fundamental elements, such as steps, milestones, timeframes, and resources for implementing the United States Army Organic Industrial Base Strategic Plan 2012–2022.

(B) GUIDANCE.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall issue guidance to implement the process for identifying the critical capabilities of the Army's manufacturing arsenals and the method for determining the minimum workload needed to sustain these capabilities.

(d) AUTHORITY TO ADJUST LABOR RATES TO REFLECT WORK PRODUCTION.—

(1) PILOT PROGRAM.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall establish a three-year pilot program for the purpose of permitting Army arsenals to adjust their labor rates periodically throughout the year based upon changes in workload and other factors.

(2) ANNUAL REPORT.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall submit to the congressional defense committees a report that assesses—

(A) each Army arsenal's changes in labor rates throughout the previous year;

(B) the ability of each arsenal to meet the costs of their working capital funds; and

(C) the effect on arsenal workloads of labor rate changes.

SA 4154. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X of division A, add the following:

SEC. 1097. RETURN OF HUMAN REMAINS BY THE NATIONAL MUSEUM OF HEALTH AND MEDICINE.

The National Museum of Health and Medicine shall facilitate the relocation of the human cranium that is in the possession of the National Museum of Health and Medicine and that is associated with the Mountain Meadows Massacre of 1857 for interment at the Mountain Meadows grave site.

SA 4155. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for

military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. PROVISION OF STATUS UNDER LAW BY HONORING CERTAIN MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES AS VETERANS.

Any person who is entitled under chapter 1223 of title 10, United States Code, to retired pay for nonregular service or, but for age, would be entitled under such chapter to retired pay for nonregular service shall be honored as a veteran but shall not be entitled to any benefit by reason of this section.

SA 4156. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. MEMORIAL TO HONOR MEMBERS OF THE ARMED FORCES THAT SERVED ON ACTIVE DUTY IN SUPPORT OF OPERATION DESERT STORM OR OPERATION DESERT SHIELD.

(a) FINDINGS.—Congress finds that—

(1) section 8908(b)(1) of title 40, United States Code, provides that the location of a commemorative work in Area I, as depicted on the map entitled ''Commemorative Areas Washington, DC and Environs'', numbered 869/86501 B, and dated June 24, 2003, shall be deemed to be authorized only if a recommendation for the location is approved by law not later than 150 calendar days after the date on which Congress is notified of the recommendation;

(2) section 3093 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (40 U.S.C. 8903 note; Public Law 113–291) authorized the National Desert Storm Memorial Association to establish a memorial on Federal land in the District of Columbia, to honor the members of the Armed Forces that served on active duty in support of Operation Desert Storm or Operation Desert Shield; and

(3) the Secretary of the Interior has notified Congress of the determination of the Secretary of the Interior that the memorial should be located in Area I.

(b) APPROVAL OF LOCATION.—The location of a commemorative work to commemorate and honor the members of the Armed Forces that served on active duty in support of Operation Desert Storm or Operation Desert Shield authorized by section 3093 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (40 U.S.C. 8903 note; Public Law 113–291), within Area I, as depicted on the map entitled ''Commemorative Areas Washington, DC and Environs'', numbered 869/86501 B, and dated June 24, 2003, is approved.

SA 4157. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. _____. RECOVERY OF CERTAIN IMPROPERLY WITHHELD SEVERANCE PAYMENTS.

(a) SHORT TITLE; FINDINGS.—

(1) SHORT TITLE.—This section may be cited as the ''Combat-Injured Veterans Tax Fairness Act of 2016''.

(2) FINDINGS.—Congress makes the following findings:

(A) Approximately 10,000 to 11,000 individuals are retired from service in the Armed Forces for medical reasons each year.

(B) Some of such individuals are separated from service in the Armed Forces for combat-related injuries (as defined in section 104(b)(3) of the Internal Revenue Code of 1986).

(C) Congress has recognized the tremendous personal sacrifice of veterans with combat-related injuries by, among other things, specifically excluding from taxable income severance pay received for combat-related injuries.

(D) Since 1991, the Secretary of Defense has improperly withheld taxes from severance pay for wounded veterans, thus denying them their due compensation and a significant benefit intended by Congress.

(E) Many veterans owed redress are beyond the statutory period to file an amended tax return because they were not or are not aware that taxes were improperly withheld.

(b) RESTORATION OF AMOUNTS IMPROPERLY WITHHELD FOR TAX PURPOSES FROM SEVERANCE PAYMENTS TO VETERANS WITH COMBAT-RELATED INJURIES.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall—

(A) identify—

(i) the severance payments—

(I) that the Secretary paid after January 17, 1991;

(II) that the Secretary computed under section 1212 of title 10, United States Code;

(III) that were excluded from gross income pursuant to section 104(a)(4) of the Internal Revenue Code of 1986; and

(IV) from which the Secretary withheld amounts for Federal income tax purposes; and

(ii) the individuals to whom such severance payments were made; and

(B) with respect to each person identified under subparagraph (A)(ii), provide—

(i) notice of—

(I) the amount of severance payments in subparagraph (A)(i) which were improperly withheld for tax purposes; and

(II) such other information determined to be necessary by the Secretary of Treasury to carry out the purposes of this section; and

(ii) instructions for filing amended tax returns to recover the amounts improperly withheld for tax purposes.

(2) EXTENSION OF LIMITATION ON TIME FOR CREDIT OR REFUND.—

(A) PERIOD FOR FILING CLAIM.—If a claim for credit or refund under section 6511(a) of the Internal Revenue Code of 1986 relates to a specified overpayment, the 3-year period of limitation prescribed by such subsection shall not expire before the date which is 1 year after the date the notice described in paragraph (1)(B) is provided. The allowable amount of credit or refund of a specified overpayment shall be determined without regard to the amount of tax paid within the period provided in section 6511(b)(2).

(B) SPECIFIED OVERPAYMENT.—For purposes of subparagraph (A), the term ''specified overpayment'' means an overpayment attributable to a severance payment described in paragraph (1)(A).

(c) REQUIREMENT THAT SECRETARY OF DEFENSE ENSURE AMOUNTS ARE NOT WITHHELD FOR TAX PURPOSES FROM SEVERANCE PAYMENTS NOT CONSIDERED GROSS INCOME.—The Secretary of Defense shall take such actions as may be necessary to ensure that amounts are not withheld for tax purposes from severance payments made by the Secretary to individuals when such payments are not considered gross income pursuant to section 104(a)(4) of the Internal Revenue Code of 1986.

(d) REPORT TO CONGRESS.—

(1) IN GENERAL.—After completing the identification required by subsection (b)(1) and not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the actions taken by the Secretary to carry out this section.

(2) CONTENTS.—The report submitted under paragraph (1) shall include the following:

(A) The number of individuals identified under subsection (b)(1)(A)(ii).

(B) Of all the severance payments described in subsection (b)(1)(A)(i), the aggregate amount that the Secretary withheld for tax purposes from such payments.

(C) A description of the actions the Secretary plans to take to carry out subsection (c).

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Veterans' Affairs, and the Committee on Finance of the Senate; and

(B) the Committee on Armed Services, the Committee on Veterans' Affairs, and the Committee on Ways and Means of the House of Representatives.

SA 4158. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 565. PROHIBITION ON USE OF FUNDS TO DISESTABLISH SENIOR RESERVE OFFICERS' TRAINING CORPS PROGRAMS.

No amounts authorized to be appropriated by this Act may be used—

(1) to disestablish, or prepare to disestablish, a Senior Reserve Officers' Training Corps program in accordance with Department of Defense Instruction Number 1215.08, dated June 26, 2006; or

(2) to close, downgrade from host to extension center, or place on probation a Senior Reserve Officers' Training Corps program in accordance with the information paper of the Department of the Army titled ''Army Senior Reserve Officers Training Corps (SROTC)

Program Review and Criteria'' and dated January 27, 2014, or any successor information paper or policy of the Department of the Army.

SA 4159. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 1032, after line 23, add the following:

(c) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it should be the policy of the United States to support, within the framework of the Iraq Constitution, the Kurdish Peshmerga in Iraq, Iraq Security Forces, Sunni tribal forces, and other local security forces, including ethnic and religious minority groups such as Iraqi Christian militias, in the campaign against the Islamic State of Iraq and the Levant;

(2) recognizing the important role of the Kurdish Peshmerga in Iraq in the military campaign against the Islamic State of Iraq and the Levant in Iraq, the United States should provide arms, training, and appropriate equipment directly to the Kurdistan Regional Government;

(3) efforts should be made to ensure transparency and oversight mechanisms are in place for oversight of United States assistance under section 1236 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 in order to combat waste, fraud, and abuse; and

(4) securing safe areas, including the Nineveh Plain, for purposes of resettling and reintegrating ethnic and religious minorities, including victims of genocide, into their homelands in Iraq is a critical component toward achieving a safe, secure, and sovereign Iraq.

SA 4160. Mr. RUBIO (for himself, Mr. INHOFE, and Mr. GARDNER) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1247. UNITED STATES POLICY ON TAIWAN.

(a) FINDINGS.—Congress makes the following findings:

(1) For more than 50 years, the United States and Taiwan have had a unique and close relationship, which has supported the economic, cultural, and strategic advantage to both countries.

(2) The United States has vital security and strategic interests in the Taiwan Strait.

(3) The Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.) has been instrumental in maintaining peace, security, and stability in the Taiwan Strait since its enactment in 1979.

(4) The Taiwan Relations Act states that it is the policy of the United States to provide Taiwan with arms of a defensive character and to maintain the capacity of the United States to defend against any forms of coercion that would jeopardize the security, or the social or economic system, of the people on Taiwan.

(b) STATEMENT OF POLICY.—The Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.) forms the cornerstone of United States policy and relations with Taiwan.

(c) REPORTS.—

(1) PROVISION OF DEFENSIVE ARMS TO TAIWAN.—Not later than February 15, 2017, the Secretary of Defense and the Secretary of State shall jointly brief the appropriate committees of Congress on the steps the United States has taken, plans to take, and will take to provide Taiwan with arms of a defensive character, training, and software in accordance with the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.).

(2) ANNUAL REPORT ON FOREIGN MILITARY SALES TO TAIWAN.—Section 36 of the Arms Export Control Act (22 U.S.C. 2776) is amended by adding at the end the following new subsection:

''(j) At the end of each fiscal year, the Secretary of Defense shall submit to the Committees on Armed Services and Foreign Relations of the Senate and the Committees on Armed Services and Foreign Affairs of the House of Representatives a classified report that lists each request received from Taiwan and each letter of offer to sell any defense articles or services under this Act to Taiwan during such fiscal year.''.

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the congressional defense committees; and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SA 4161. Mr. RUBIO (for himself and Mr. CRUZ) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1204 and insert the following:

SEC. 1204. PROHIBITION ON USE OF FUNDS FOR TRAVEL TO CUBA OR TO INVITE, ASSIST, OR OTHERWISE ASSURE THE PARTICIPATION OF CUBA IN CERTAIN JOINT OR MULTILATERAL EXERCISES.

(a) PROHIBITION.—No amounts authorized to be appropriated by this Act, or by any Act enacted before the date of the enactment of this Act, may be used for a purpose specified in subsection (b) until the Secretary of Defense, in coordination with the Director of National Intelligence, submits to Congress written assurances that—

(1) the Cuban military has ceased committing human rights abuses against civil rights activists and other citizens of Cuba;

(2) the Cuban military has ceased providing military intelligence, weapons training, strategic planning, and security logistics to the military and security forces of Venezuela;

(3) the Cuban military and other security forces in Cuba have ceased all persecution, intimidation, arrest, imprisonment, and assassination of dissidents and members of faith based organizations;

(4) the Government of Cuba no longer demands that the United States relinquish control of Guantanamo Bay, in violation of an international treaty; and

(5) the officials of the Cuban military that were indicted in the murder of United States citizens during the shootdown of planes operated by the Brothers to the Rescue humanitarian organization in 1996 are brought to justice.

(b) PURPOSES.—The purposes specified in this subsection are as follows:

(1) To station personnel or authorize temporary duty for personnel at the United States embassy in Cuba.

(2) To invite, assist, or otherwise assure the participation of the Government of Cuba in any joint or multilateral exercise or related security conference between the United States and Cuba.

(c) EXCEPTION.—The prohibition in subsection (a) shall not apply to any travel or joint or multilateral exercise or operation related to humanitarian assistance or disaster response.

SA 4162. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1227. LIMITATION ON USE OF FUNDS TO PROCURE, OR ENTER INTO ANY CONTRACT FOR THE PROCUREMENT OF, ANY GOODS OR SERVICES FROM PERSONS THAT PROVIDE MATERIAL SUPPORT TO CERTAIN IRANIAN PERSONS.

(a) LIMITATION.—No funds authorized to be appropriated for the Department of Defense for fiscal year 2017 may be used to procure, or enter into any contract for the procurement of, any goods or services from any person that provides material support to, including engaging in a significant transaction or transactions with, a covered Iranian person during such fiscal year.

(b) CERTIFICATION.—The Federal Acquisition Regulation shall be revised to require a certification from each person that is a prospective contractor that such person does not engage in any of the conduct described in subsection (a). Such revision shall apply with respect to contracts in an amount greater than the simplified acquisition threshold (as defined in section 134 of title 41, United States Code) for which solicitations are issued on or after the date that is 90 days after the date of the enactment of this Act.

(c) WAIVER.—The Secretary of Defense, in consultation with the Secretary of State and the Secretary of the Treasury, may, on a case-by-case basis, waive the limitation in subsection (a) with respect to a person if the Secretary of Defense, in consultation with the Secretary of State and the Secretary of the Treasury—

(1) determines that the waiver is important to the national security interest of the United States; and

(2) not less than 30 days before the date on which the waiver is to take effect, submits to the appropriate committees of Congress—

(A) a notification of, and detailed justification for, the waiver; and

(B) a certification that—

(i) the person to which the waiver is to apply is no longer engaging in an activity described in subsection (a) or has taken significant verifiable and credible steps toward stopping such an activity, including winding down contracts or other agreements that were in effect before the date of the enactment of this Act; and

(ii) the Secretary of Defense has received reliable assurances in writing that the person will not knowingly engage in an activity described in subsection (a) in the future.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(2) COVERED IRANIAN PERSON.—The term ''covered Iranian person'' means an Iranian person that—

(A) is included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury and the property and interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) for acting on behalf of or at the direction of, or being owned or controlled by, the Government of Iran;

(B) is included on the list of persons identified as blocked solely pursuant to Executive Order 13599; or

(C) in the case of an Iranian person described in paragraph (3)(B)—

(i) is owned, directly or indirectly, by—

(I) Iran's Revolutionary Guard Corps, or any agent or affiliate thereof; or

(II) one or more other Iranian persons that are included on the list of specially designated nationals and blocked persons as described in subparagraph (A) if such Iranian persons collectively own a 25 percent or greater interest in the Iranian person; or

(ii) is controlled, managed, or directed, directly or indirectly, by Iran's Revolutionary Guard Corps, or any agent or affiliate thereof, or by one or more other Iranian persons described in clause (i)(II).

(3) IRANIAN PERSON.—The term ''Iranian person'' means—

(A) an individual who is a national of Iran; or

(B) an entity that is organized under the laws of Iran or otherwise subject to the jurisdiction of the Government of Iran.

(4) PERSON.—The term ''person'' means has the meaning given such term in section 560.305 of title 31, Code of Federal Regulation, as such section 560.305 was in effect on April 22, 2016.

(5) SIGNIFICANT TRANSACTION OR TRANSACTIONS.—The term ''significant transaction or transactions'' shall be determined, for purposes of this section, in accordance with section 561.404 of title 31, Code of Federal Regulations, as such section 561.404 was in effect on January 1, 2016.

SA 4163. Mr. RUBIO (for himself, Mr. INHOFE, and Mr. GARDNER) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

After section 1243, insert the following:

SEC. 1243A. GRANT OF OBSERVER STATUS TO THE MILITARY FORCES OF TAIWAN AT RIM OF THE PACIFIC EXERCISES.

(a) IN GENERAL.—The Secretary of Defense shall grant observer status to the military forces of Taiwan in any maritime exercise known as the Rim of the Pacific Exercise.

(b) EFFECTIVE DATE.—This section takes effect on the date of the enactment of this Act, and applies with respect to any maritime exercise described in subsection (a) that begins on or after such date.

SA 4164. Mr. RUBIO (for himself, Mr. COONS, and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1227. REPORT ON USE BY THE GOVERNMENT OF IRAN OF COMMERCIAL AIRCRAFT AND RELATED SERVICES FOR ILLICIT MILITARY OR OTHER ACTIVITIES.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the President, in consultation with the Secretary of Defense and the Secretary of State, shall submit to the congressional defense committees and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the use by the Government of Iran of commercial aircraft and related services for illicit military or other activities during the 5-year period ending of such date of enactment.

(b) ELEMENTS OF REPORT.—The report required under subsection (a) shall include—

(1) a description of the extent to which the Government of Iran has used commercial aircraft or related services to transport illicit cargo to or from Iran, including military goods, weapons, military personnel, military-related electronic parts and mechanical equipment, and rocket or missile components;

(2) a list of airports outside of Iran at which such aircraft have landed;

(3) a description of the extent to which the commercial aviation sector of Iran has provided financial, material, and technological support to the Islamic Revolutionary Guard Corps or any of its agents or affiliates, including Mahan Air;

(4) a description of the extent to which foreign governments and persons have facilitated the activities described in paragraph (1), including allowing the use of airports, services, or other resources; and

(5) a description of the efforts of the President to address the activities described in paragraphs (1), (3), and (4).

SA 4165. Mr. RUBIO (for himself, Mr. KIRK, Ms. AYOTTE, Mr. ROBERTS, Mr. TOOMEY, and Mrs. CAPITO) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1227. CLARIFICATION THAT FREEZING OF ASSETS OF IRANIAN FINANCIAL INSTITUTIONS INCLUDES ASSETS IN POSSESSION OR CONTROL OF A UNITED STATES PERSON PURSUANT TO A U-TURN TRANSACTION.

Section 1245(c) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a) is amended—

(1) by striking ''The President'' and inserting ''(1) IN GENERAL.—The President''; and

(2) by adding at the end the following:

''(2) TREATMENT OF CERTAIN TRANSACTIONS.—

''(A) U-TURN TRANSACTIONS.—Property that comes within the possession or control of a United States person pursuant to a transfer of funds that arises from, and is ordinarily incident and necessary to give effect to, an underlying transaction shall be considered to come within the possession or control of that person for purposes of paragraph (1).

''(B) BOOK TRANSFERS.—A transfer of funds or other property for the benefit of an Iranian financial institution that is made between accounts of the same financial institution shall be considered property or interests in property of that Iranian financial institution for purposes of paragraph (1) even if that Iranian financial institution is not the direct recipient of the transfer.''.

SA 4166. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XII, insert the following:

SEC. ____. SENSE OF CONGRESS ON MILITARY RELATIONS BETWEEN THE UNITED STATES AND TAIWAN.

It is the sense of Congress that the Government of the People's Republic of China should not dictate military relations between the United States and the Republic of China.

SA 4167. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. ___. AUTHORITY FOR MILITARY PERSONNEL OF TAIWAN TO WEAR MILITARY UNIFORMS OF TAIWAN WHILE IN THE UNITED STATES.

Members of the military forces of Taiwan who are wearing an authorized uniform of such military forces in accordance with applicable authorities of Taiwan are hereby authorized to wear such uniforms while in the United States.

SA 4168. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1085. REPORTS ON FORCE STRUCTURES REQUIRED BY THE NAVY AND THE AIR FORCE IN F–16 AND F–18 FIGHTER AIRCRAFT TO MAINTAIN WORLDWIDE AIR DOMINANCE AND AIR CONTROL.

(a) IN GENERAL.—Not later than September 30, 2017, the Secretary of the Navy and the Secretary of the Air Force shall each submit to the congressional defense committees a report setting forth an assessment of the force structure in F–16 and F–18 fighter aircraft required by the Navy and the Air Force, respectively, in order to maintain worldwide air dominance and air control.

(b) INDEPENDENT ASSESSMENTS.—The Secretary of the Navy and the Secretary of the Air Force shall each obtain the assessment required for purposes of a report under subsection (a) from a not-for profit entity independent of the Department of Defense that is appropriate for the conduct of the assessment. The same entity may conduct both assessments.

SA 4169. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title V, add the following:

SEC. ___. REPORT ON DISCHARGE BY WARRANT OFFICERS OF PILOT AND OTHER FLIGHT OFFICER POSITIONS IN THE NAVY, MARINE, CORPS, AND AIR FORCE CURRENTLY DISCHARGED BY COMMISSIONED OFFICERS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Navy and the Secretary of the Air Force shall each submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the feasibility and advisability of the discharge by warrant officers of pilot and other flight officer positions in the Armed Forces under the jurisdiction of such Secretary that are currently discharged by commissioned officers.

(b) ELEMENTS.—Each report under subsection (a) shall set forth, for each Armed Force covered by such report, the following:

(1) An assessment of the feasibility and advisability of the discharge by warrant officers of pilot and other flight officer positions that are currently discharged by commissioned officers.

(2) An identification of each such position, if any, for which the discharge by warrant officers is assessed to be feasible and advisable.

SA 4170. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. ___. AUTHORITY FOR VESSELS OF THE TAIWAN NAVY AND COAST GUARD ADMINISTRATION TO CALL ON UNITED STATES PORTS AND INSTALLATIONS OF THE UNITED STATES NAVY AND THE COAST GUARD.

Vessels of the Taiwan Navy and the Taiwan Coast Guard Administration are hereby authorized to call on United States ports and on installations of the United States Navy and the United States Coast Guard.

SA 4171. Mr. PERDUE (for himself and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1236. SENSE OF CONGRESS ON RUSSIAN MILITARY AGGRESSION.

(a) FINDINGS.—Congress makes the following findings:

(1) On May 25, 1972, the United States and the Soviet Union signed the Agreement Between the Government of The United States of America and the Government of The Union of Soviet Socialist Republics on the Prevention of Incidents On and Over the High Seas (the ''Agreement''). Russia and the United States remain parties to the Agreement.

(2) Article IV of the Agreement provides that ''Commanders of aircraft of the Parties shall use the greatest caution and prudence in approaching aircraft and ships of the other Party operating on and over the high seas, and . . . shall not permit simulated attacks by the simulated use of weapons against aircraft and ships, or performance of various aerobatics over ships''.

(3) On January 25, 2016, a Russian Su–27 air-superiority fighter flew within 15 feet of a United States Air Force RC–135U aircraft flying a routine patrol in international airspace over the Black Sea.

(4) On April 11, 2016, the USS DONALD COOK, an Arleigh-Burke-class guided-missile destroyer, was repeatedly buzzed by Russian Su-24 attack aircraft while operating in the Baltic Sea. United States officials described the low-passes as having a ''simulated attack profile''.

(5) On April 12, 2014, a Russian Su–24 again conducted close-range low altitude passes for about 90 minutes near the DONALD COOK.

(6) The United States European Command expressed ''deep concerns'' about the April 11 and 12, 2016, Russian close-range passes over the DONALD COOK and stated that the maneuvers were ''unprofessional and unsafe''.

(7) On April 14, 2016, a Russian Su–27 barrel-rolled over a United States reconnaissance aircraft operating in international airspace over the Baltic Sea, at one point coming within 50 feet of the United States plane. The Pentagon condemned the maneuver as ''erratic and aggressive''.

(8) On April 20, 2016, Russian Permanent Representative to the North Atlantic Treaty Organization (NATO) Alexander Grushko accused United States military aircraft and vessels operating in international waters as attempting ''to exercise military pressure on Russia'' and promised to ''take all necessary measures [and] precautions, to compensate for these attempts to use military force''.

(9) On April 29, 2016, another Russian Su–27 performed another barrel-roll over a United States Air Force RC–135 reconnaissance plane, this time coming within approximately 100 feet of the aircraft.

(10) The commander of the United States Cyber Command, Admiral Mike Rogers, warned Congress during a Senate hearing that Russia and China can now launch crippling cyberattacks on the electric grid and other critical infrastructures of the United States.

(11) Russia's military build-up and increasing Anti-Access/Area Denial capabilities in Kaliningrad and its expanded operations in the Black Sea, the eastern Mediterranean Sea, and in Syria aim to deny United States access to key areas of Eurasia and often pose direct challenges to stated United States interests.

(12) The United States has determined that in 2015, Russia continued to be in violation of obligations under the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of their Intermediate-Range and Shorter-Range Missiles (the ''INF Treaty''), signed in Washington, D.C. on December 8, 1987, and entered into force June 1, 1988, not to possess, produce, or flight-test a ground-launched cruise missile with a range capability of 500 km to 5,500 km, or to possess or produce launchers of such missiles.

(13) Russia is adding multiple, independently targetable reentry vehicles or MIRVs to existing deployed road-mobile SS–27 and submarine-launched SS–N–32 missiles thereby doubling the number of its strategic nuclear warheads and exceeding the 1,550 permitted under the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms (the ''New START Treaty''), signed April 8, 2010, and entered into force February 5, 2011

(14) General Philip Breedlove, Commander of United States European Command, stated that ''we face a resurgent and aggressive Russia, and as we have continued to witness these last two years, Russia continues to seek to extend its influence on its periphery and beyond''.

(b) SENSE OF CONGRESS.—Congress—

(1) condemns the recent dangerous and unprofessional Russian intercepts of United States-flagged aircraft and vessels;

(2) calls on the Government of the Russian Federation to cease provocative military maneuvers that endanger United States forces and those of its allies;

(3) calls on the United States, its European allies, and the international community to continue to apply pressure on the Government of the Russian Federation to cease its provocative international behavior; and

(4) reaffirms the right of the United States to operate military aircraft and vessels in international airspace and waters.

SA 4172. Mr. KIRK (for himself, Mr. MANCHIN, Mr. ROBERTS, Mr. MENENDEZ, Ms. MURKOWSKI, Mr. CARDIN, Mr. RUBIO, Mr. VITTER, Mr. TILLIS, Mr. CRUZ, Mr. PORTMAN, Ms. AYOTTE, Mr. HATCH, and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle I—Matters Relating to Israel

SEC. 1281. SHORT TITLE.

This subtitle may be cited as the ''Combating BDS Act of 2016''.

SEC. 1282. AUTHORITY OF STATE AND LOCAL GOVERNMENTS TO DIVEST FROM ENTITIES THAT ENGAGE IN CERTAIN BOYCOTT, DIVESTMENT, OR SANCTIONS ACTIVITIES TARGETING ISRAEL.

(a) AUTHORITY TO DIVEST.—Notwithstanding any other provision of law, a State or local government may adopt and enforce measures that meet the notice requirement of subsection (b) to divest the assets of the State or local government from, or prohibit investment of the assets of the State or local government in—

(1) an entity that the State or local government determines, using credible information available to the public, engages in a commerce-related or investment-related boycott, divestment, or sanctions activity targeting Israel;

(2) a successor entity or subunit of an entity described in paragraph (1); or

(3) an entity that owns or controls, is owned or controlled by, or is under common ownership or control with, an entity described in paragraph (1).

(b) NOTICE REQUIREMENT.—

(1) IN GENERAL.—A State or local government shall provide written notice to each entity to which a measure taken by the State or local government under subsection (a) is to be applied before applying the measure with respect to the entity.

(2) RULE OF CONSTRUCTION.—Paragraph (1) shall not be construed to prohibit a State or local government from taking additional steps to provide due process with respect to an entity to which a measure is to be applied under subsection (a).

(c) NONPREEMPTION.—A measure of a State or local government authorized under subsection (a) is not preempted by any Federal law.

(d) EFFECTIVE DATE.—This section applies to any measure adopted by a State or local government before, on, or after the date of the enactment of this Act.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to abridge the authority of a State to issue and enforce rules governing the safety, soundness, and solvency of a financial institution subject to its jurisdiction or the business of insurance pursuant to the Act of March 9, 1945 (59 Stat. 33, chapter 20; 15 U.S.C. 1011 et seq.) (commonly known as the ''McCarran-Ferguson Act'').

(f) DEFINITIONS.—In this section:

(1) ASSETS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''assets'' means any pension, retirement, annuity, or endowment fund, or similar instrument, that is controlled by a State or local government.

(B) EXCEPTION.—The term ''assets'' does not include employee benefit plans covered by title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.).

(2) BOYCOTT, DIVESTMENT, OR SANCTIONS ACTIVITY TARGETING ISRAEL.—The term ''boycott, divestment, or sanctions activity targeting Israel'' means any activity that is intended to penalize, inflict economic harm on, or otherwise limit commercial relations with Israel or persons doing business in Israel or in Israeli-controlled territories for purposes of coercing political action by, or imposing policy positions on, the Government of Israel.

(3) ENTITY.—The term ''entity'' includes—

(A) any corporation, company, business association, partnership, or trust; and

(B) any governmental entity or instrumentality of a government, including a multilateral development institution (as defined in section 1701(c)(3) of the International Financial Institutions Act (22 U.S.C. 262r(c)(3))).

(4) INVESTMENT.—The term ''investment'' includes—

(A) a commitment or contribution of funds or property;

(B) a loan or other extension of credit; and

(C) the entry into or renewal of a contract for goods or services.

(5) STATE.—The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the United States Virgin Islands, and any other territory or possession of the United States.

(6) STATE OR LOCAL GOVERNMENT.—The term ''State or local government'' includes—

(A) any State and any agency or instrumentality thereof;

(B) any local government within a State and any agency or instrumentality thereof; and

(C) any other governmental instrumentality of a State or locality.

SEC. 1283. SAFE HARBOR FOR CHANGES OF INVESTMENT POLICIES BY ASSET MANAGERS.

Section 13(c)(1) of the Investment Company Act of 1940 (15 U.S.C. 80a–13(c)(1)) is amended—

(1) in subparagraph (A), by striking ''; or'' and inserting a semicolon;

(2) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(C) engage in any boycott, divestment, or sanctions activity targeting Israel described in section 1282 of the Combating BDS Act of 2016.''.

SA 4173. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle D of title V, add the following:

SEC. _____. STANDARDIZATION OF AMOUNTS RECEIVABLE BY DISABILITY RETIREES WITH LESS THAN 20 YEARS OF SERVICE UNDER COMBAT-RELATED SPECIAL COMPENSATION AND CONCURRENT RECEIPT OF RETIRED PAY AND VETERANS' DISABILITY COMPENSATION.

(a) STANDARDIZATION OF SIMILAR PROVISIONS.—Paragraph (2) of section 1414(b) of title 10, United States Code, is amended to read as follows:

''(2) SPECIAL RULE FOR RETIREES WITH FEWER THAN 20 YEARS OF SERVICE.—The retired pay of a qualified retiree who is retired under chapter 61 of this title with fewer than 20 years of creditable service is subject to reduction by the lesser of—

''(A) the amount of the reduction under sections 5304 and 5305 of title 38; or

''(B) the amount (if any) by which the amount of the member's retired pay under such chapter exceeds the amount equal to 2½ percent of the member's years of creditable service multiplied by the member's retired pay base under section 1406(b)(1) or 1407 of this title, whichever is applicable to the member.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on July 1, 2017, and shall apply to payments for months beginning on or after that date.

SA 4174. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II subtitle D of title V, add the following:

SEC. _____. ELIGIBILITY FOR PAYMENT OF BOTH RETIRED PAY AND VETERANS' DISABILITY COMPENSATION FOR MILITARY RETIREES WITH SERVICE-CONNECTED DISABILITIES RATED 40 PERCENT DISABLING.

(a) IN GENERAL.—Subsection (a)(2) of section 1414 of title 10, United States Code, is amended by striking ''means'' and all that follows and inserting ''means the following:

''(A) During the period beginning on January 1, 2004, and ending on June 30, 2017, a service-connected disability or combination of service-connected disabilities that is rated as not less than 50 percent disabling by the Secretary of Veterans Affairs.

''(B) After June 30, 2017, a service-connected disability or combination of service-connected disabilities that is rated as not less than 40 percent disabling by the Secretary of Veterans Affairs.''.

(b) CLERICAL AMENDMENTS.—

(1) The heading of such section is amended to read as follows:

''§ 1414. Members eligible for retired pay who are also eligible for veterans' disability compensation rated 40 percent or higher: concurrent payment of retired pay and disability compensation''.

(2) The item relating to such section in the table of sections at the beginning of chapter 71 of such title is amended to read as follows:

''1414. Members eligible for retired pay who are also eligible for veterans' disability compensation rated 40 percent or higher: concurrent payment of retired pay and disability compensation.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on July 1, 2017, and shall apply to payments for months beginning on or after that date.

SEC. _____. COORDINATION OF SERVICE ELIGIBILITY FOR COMBAT-RELATED SPECIAL COMPENSATION AND CONCURRENT RECEIPT.

(a) AMENDMENT TO STANDARDIZE SIMILAR PROVISIONS.—Paragraph (2) of section 1414(b) of title 10, United States Code, is amended to read as follows:

''(2) SPECIAL RULE FOR RETIREES WITH FEWER THAN 20 YEARS OF SERVICE.—The retired pay of a qualified retiree who is retired under chapter 61 of this title with fewer than 20 years of creditable service is subject to reduction by the lesser of—

''(A) the amount of the reduction under sections 5304 and 5305 of title 38; or

''(B) the amount (if any) by which the amount of the member's retired pay under such chapter exceeds the amount equal to 2½ percent of the member's years of creditable service multiplied by the member's retired pay base under section 1406(b)(1) or 1407 of this title, whichever is applicable to the member.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on July 1, 2017, and shall apply to payments for months beginning on or after that date.

SA 4175. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle D of title V, add the following:

SEC. _____. ELIGIBILITY FOR PAYMENT OF BOTH RETIRED PAY AND VETERANS' DISABILITY COMPENSATION FOR CERTAIN MILITARY RETIREES WITH COMPENSABLE SERVICE-CONNECTED DISABILITIES.

(a) EXTENSION OF CONCURRENT RECEIPT AUTHORITY TO RETIREES WITH SERVICE-CONNECTED DISABILITIES RATED LESS THAN 50 PERCENT.—Subsection (a) of section 1414 of title 10, United States Code, is amended by striking paragraph (2).

(b) CLERICAL AMENDMENTS.—

(1) The heading of such section is amended to read as follows:

''§ 1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent payment of retired pay and disability compensation".

(2) The item relating to such section in the table of sections at the beginning of chapter 71 of such title is amended to read as follows:

''1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent payment of retired pay and disability compensation.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on July 1, 2017, and shall apply to payments for months beginning on or after that date.

SEC. _____. COORDINATION OF SERVICE ELIGIBILITY FOR COMBAT-RELATED SPECIAL COMPENSATION AND CONCURRENT RECEIPT.

(a) AMENDMENTS TO STANDARDIZE SIMILAR PROVISIONS.—

(1) QUALIFIED RETIREES.—Subsection (a) of section 1414 of title 10, United States Code, is amended—

(A) by striking ''a member or'' and all that follows through ''retiree')'' and inserting ''a qualified retiree''; and

(B) by adding at the end the following new paragraph:

''(2) QUALIFIED RETIREES.—For purposes of this section, a qualified retiree, with respect to any month, is a member or former member of the uniformed services who—

''(A) is entitled to retired pay (other than by reason of section 12731b of this title); and

''(B) is also entitled for that month to veterans' disability compensation.''.

(2) DISABILITY RETIREES.—Paragraph (2) of subsection (b) of section 1414 of such title is amended to read as follows:

''(2) SPECIAL RULE FOR RETIREES WITH FEWER THAN 20 YEARS OF SERVICE.—The retired pay of a qualified retiree who is retired under chapter 61 of this title with fewer than 20 years of creditable service is subject to reduction by the lesser of—

''(A) the amount of the reduction under sections 5304 and 5305 of title 38; or

''(B) the amount (if any) by which the amount of the member's retired pay under such chapter exceeds the amount equal to 2½ percent of the member's years of creditable service multiplied by the member's retired pay base under section 1406(b)(1) or 1407 of this title, whichever is applicable to the member.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on July 1, 2017, and shall apply to payments for months beginning on or after that date.

SA 4176. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle D of title VI, add the following:

SEC. _____. ELIGIBILITY FOR PAYMENT OF BOTH RETIRED PAY AND VETERANS' DISABILITY COMPENSATION FOR MILITARY RETIREES WITH COMPENSABLE SERVICE-CONNECTED DISABILITIES.

(a) RESTATEMENT OF CURRENT CONCURRENT PAYMENT AUTHORITY WITH EXTENSION OF PAYMENT AUTHORITY TO RETIREES WITH COMPENSABLE SERVICE-CONNECTED DISABILITIES RATED LESS THAN 50 PERCENT DISABLING.—Subsection (a) of section 1414 of title 10, United States Code, is amended by striking paragraphs (1) and (2) and inserting the following new paragraphs:

''(1) IN GENERAL.—Subject to paragraphs (2), (3), and (4) and subsection (b), a member or former member of the uniformed services who is entitled for any month to retired pay and who is also entitled for that month to veterans' disability compensation for a service-connected disability or combination of service-connected disabilities that is compensable under the laws administered by the Secretary of Veterans Affairs (hereinafter in this section referred to as 'qualified retiree') is entitled to be paid both for that month without regard to sections 5304 and 5305 of title 38.

''(2) ONE-YEAR PHASE-IN FOR QUALIFIED RETIREES WITH TOTAL DISABILITIES.—During the period beginning on January 1, 2004, and ending on December 31, 2004, payment of retired pay to a qualified retiree is subject to subsection (c) if the qualified retiree is any of the following:

''(A) A qualified retiree receiving veterans' disability compensation for a disability rated as 100 percent disabling by the Secretary of Veterans Affairs.

''(B) A qualified retiree receiving veterans' disability compensation at the rate payable for a disability rated as 100 percent disabling by reason of a determination of individual unemployability.

''(3) 10-YEAR PHASE-IN FOR QUALIFIED RETIREES WITH DISABILITIES RATED 50 PERCENT DISABLING OR HIGHER.—During the period beginning on January 1, 2004, and ending on December 31, 2013, payment of retired pay to a qualified retiree is subject to subsection (c) if the qualified retiree is entitled to veterans' disability compensation for a service-connected disability or combination of service-connected disabilities that is rated not less than 50 percent disabling by the Secretary of Veterans Affairs.

''(4) 10-YEAR PHASE-IN FOR QUALIFIED RETIREES WITH COMPENSABLE DISABILITIES RATED LESS THAN 50 PERCENT DISABLING.—During the period beginning on January 1, 2017, and ending on December 31, 2026, payment of retired pay to a qualified retiree is subject to subsection (d) if the qualified retiree is entitled to veterans' disability compensation for a service-connected disability or combination of service-connected disabilities that is rated less than 50 percent disabling by the Secretary of Veterans Affairs but is compensable under the laws administered by the Secretary of Veterans Affairs.''.

(b) PHASE-IN FOR QUALIFIED RETIREES WITH COMPENSABLE DISABILITIES RATED LESS THAN 50 PERCENT DISABLING.—Such section is further amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) PHASE-IN OF FULL CONCURRENT RECEIPT FOR QUALIFIED RETIREES WITH COMPENSABLE DISABILITIES RATED LESS THAN 50 PERCENT DISABLING.—During the period beginning on January 1, 2017, and ending on December 31, 2026, retired pay payable to a qualified retiree that pursuant to subsection (a)(4) is subject to this subsection shall be determined as follows:

''(1) CALENDAR YEAR 2017.—For a month during 2017, the amount of retired pay payable to a qualified retiree is the amount (if any) of retired pay in excess of the current baseline offset, plus $100.

''(2) CALENDAR YEAR 2018.—For a month during 2018, the amount of retired pay payable to a qualified retiree is the sum of—

''(A) the amount specified in paragraph (1) for that qualified retiree; and

''(B) 10 percent of the difference between (i) the current baseline offset, and (ii) the amount specified in paragraph (1) for that member's disability.

''(3) CALENDAR YEAR 2019.—For a month during 2019, the amount of retired pay payable to a qualified retiree is the sum of—

''(A) the amount determined under paragraph (2) for that qualified retiree; and

''(B) 20 percent of the difference between (i) the current baseline offset, and (ii) the

amount determined under paragraph (2) for that qualified retiree.

''(4) CALENDAR YEAR 2020.—For a month during 2020, the amount of retired pay payable to a qualified retiree is the sum of—

''(A) the amount determined under paragraph (3) for that qualified retiree; and

''(B) 30 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (3) for that qualified retiree.

''(5) CALENDAR YEAR 2021.—For a month during 2021, the amount of retired pay payable to a qualified retiree is the sum of—

''(A) the amount determined under paragraph (4) for that qualified retiree; and

''(B) 40 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (4) for that qualified retiree.

''(6) CALENDAR YEAR 2022.—For a month during 2022, the amount of retired pay payable to a qualified retiree is the sum of—

''(A) the amount determined under paragraph (5) for that qualified retiree; and

''(B) 50 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (5) for that qualified retiree.

''(7) CALENDAR YEAR 2023.—For a month during 2023, the amount of retired pay payable to a qualified retiree is the sum of—

''(A) the amount determined under paragraph (6) for that qualified retiree; and

''(B) 60 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (6) for that qualified retiree.

''(8) CALENDAR YEAR 2024.—For a month during 2024, the amount of retired pay payable to a qualified retiree is the sum of—

''(A) the amount determined under paragraph (7) for that qualified retiree; and

''(B) 70 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (7) for that qualified retiree.

''(9) CALENDAR YEAR 2025.—For a month during 2025, the amount of retired pay payable to a qualified retiree is the sum of—

''(A) the amount determined under paragraph (8) for that qualified retiree; and

''(B) 80 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (8) for that qualified retiree.

''(10) CALENDAR YEAR 2026.—For a month during 2026, the amount of retired pay payable to a qualified retiree is the sum of—

''(A) the amount determined under paragraph (9) for that qualified retiree; and

''(B) 90 percent of the difference between (i) the current baseline offset, and (ii) the amount determined under paragraph (9) for that qualified retiree.

''(11) GENERAL LIMITATION.—Retired pay determined under this subsection for a qualified retiree, if greater than the amount of retired pay otherwise applicable to that qualified retiree, shall be reduced to the amount of retired pay otherwise applicable to that qualified retiree.''.

(c) CONFORMING AMENDMENTS TO PHASE-IN FOR QUALIFIED RETIREES WITH DISABILITIES RATED 50 PERCENT DISABLING OR HIGHER.—Subsection (c) of such section is amended—

(1) in the subsection caption, by inserting ''FOR QUALIFIED RETIREES WITH DISABILITIES RATED 50 PERCENT DISABLING OR HIGHER'' after ''FULL CONCURRENT RECEIPT''; and

(2) by striking ''the second sentence of subsection (a)(1)'' and inserting ''subsection (a)(3)''.

(d) CLERICAL AMENDMENTS.—

(1) The heading of such section is amended to read as follows:

''§ 1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent payment of retired pay and disability compensation".

(2) The item relating to such section in the table of sections at the beginning of chapter 71 of such title is amended to read as follows:

''1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent payment of retired pay and disability compensation.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on December 31, 2016, and shall apply to payments for months beginning on or after that date.

SEC. _____. COORDINATION OF SERVICE ELIGIBILITY FOR COMBAT-RELATED SPECIAL COMPENSATION AND CONCURRENT RECEIPT.

(a) AMENDMENT TO STANDARDIZE SIMILAR PROVISIONS.—Paragraph (2) of section 1414(b) of title 10, United States Code, is amended to read as follows:

''(2) SPECIAL RULE FOR RETIREES WITH FEWER THAN 20 YEARS OF SERVICE.—The retired pay of a qualified retiree who is retired under chapter 61 of this title with fewer than 20 years of creditable service is subject to reduction by the lesser of—

''(A) the amount of the reduction under sections 5304 and 5305 of title 38; or

''(B) the amount (if any) by which the amount of the member's retired pay under such chapter exceeds the amount equal to 2½ percent of the member's years of creditable service multiplied by the member's retired pay base under section 1406(b)(1) or 1407 of this title, whichever is applicable to the member.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on July 1, 2017, and shall apply to payments for months beginning on or after that date.

SA 4177. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XXVI, add the following:

SEC. 2615. REPORT ON REPLACEMENT OF SECURITY FORCES AND COMMUNICATIONS TRAINING FACILITY AT FRANCES S. GABRESKI AIR NATIONAL GUARD BASE, NEW YORK.

(a) FINDINGS.—Congress makes the following findings:

(1) The 106th Rescue Wing at Francis S. Gabreski Air National Guard Base, New York, provides combat search and rescue coverage for United States and allied forces.

(2) The mission of 106th Rescue Wing is to provide worldwide Personnel Recovery, Combat Search and Rescue Capability, Expeditionary Combat Support, and Civil Search and Rescue Support to Federal and State entities.

(3) The current security forces and communications facility at Frances S. Gabreski Air National Guard Base, specifically building 250, has fire safety deficiencies and does not comply with anti-terrorism/force protection standards, creating hazardous conditions for members of the Armed Forces and requiring expeditious abatement.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report setting forth an assessment of the need to replace the security forces and communications training facility at Frances S. Gabreski Air National Guard Base.

SA 4178. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title V, add the following:

SEC. 590. INCLUSION ON THE VIETNAM VETERANS MEMORIAL WALL OF THE NAMES OF THE 74 MEMBERS OF THE CREW OF THE U.S.S. FRANK E. EVANS WHO PERISHED ON JUNE 3, 1969.

(a) FINDING.—Congress makes the following findings:

(1) On June 3, 1969, 74 sailors aboard the U.S.S. Frank E. Evans perished when their vessel was struck in the South China Sea during a Southeast Asia Treaty Organization exercise. The U.S.S. Frank E. Evans had been providing fire for combat operations in Vietnam prior to the exercise that resulted in this catastrophic accident and was scheduled to return upon completion of the exercise.

(2) The families of the lost 74 have been fighting for decades for their loved ones to receive the recognition they deserve. Exceptions have been granted to inscribe names on the Vietnam Memorial Wall for other members of the Armed Forces who were killed outside of the designated combat zone, including in 1983 when President Reagan ordered that 68 Marines who died on a flight outside of the combat zone be added to the Wall. Secretary of the Navy Ray Mabus also expressed support for the inclusion of the 74 names of those lost on the U.S.S. Frank E. Evans in June 1969.

(3) Those crewmembers aboard were essential to United States military efforts in Vietnam, and their presence in the South China Sea was directly related to their combat deployment. This heroism and sacrifice should not go unrecognized because of an arbitrary line on a map, as their combat-related service deserves comparable acknowledgment. The Vietnam Veterans Memorial Wall is a symbolic beacon of reflection and healing for generations. It is a sanctuary of honor for our members of the Armed Forces and family alike.

(b) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall provide the Required Review of Vietnam Era Ships detailing the findings of the ship logs and operational analysis of the U.S.S. Frank E. Evans.

(c) APPROVAL OF INCLUSION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Secretary of the Interior, approve the inclusion on the Vietnam Veterans Memorial Wall of the names of the 74 sailors of the U.S.S. Frank E. Evans who perished on June 3, 1969.

SA 4179. Ms. CANTWELL (for herself, Mr. VITTER, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H insert the following:

SEC. 899C. INCLUSION OF WOMEN'S BUSINESS CENTERS AS APPROVED VENDORS UNDER DEPARTMENT OF DEFENSE MENTOR-PROTÉGÉ PROGRAM.

Section 831(f)(6) of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note) is amended—

(1) in subparagraph (B), by striking ''; or'' and inserting a semicolon;

(2) in subparagraph (C), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following new subparagraph:

''(D) women's business centers described in section 29 of the Small Business Act (15 U.S.C. 656).''.

SA 4180. Mr. BLUMENTHAL (for himself, Mr. LEAHY, and Mr. FRANKEN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. _____. CLARIFICATIONS REGARDING SCOPE OF EMPLOYMENT AND REEMPLOYMENT RIGHTS OF MEMBERS OF THE UNIFORMED SERVICES.

(a) CLARIFICATION REGARDING DEFINITION OF RIGHTS AND BENEFITS.—Section 4303(2) of title 38, United States Code, is amended—

(1) by inserting ''(A)'' before ''The term''; and

(2) by adding at the end the following new subparagraph:

''(B) Any procedural protections or provisions set forth in this chapter shall also be considered a right or benefit subject to the protection of this chapter.''.

(b) CLARIFICATION REGARDING RELATION TO OTHER LAW AND PLANS FOR AGREEMENTS.—Section 4302 of such title is amended by adding at the end the following:

''(c)(1) Pursuant to this section and the procedural rights afforded by subchapter III of this chapter, any agreement to arbitrate a claim under this chapter is unenforceable, unless all parties consent to arbitration after a complaint on the specific claim has been filed in court or with the Merit Systems Protection Board and all parties knowingly and voluntarily consent to have that particular claim subjected to arbitration.

''(2) For purposes of this subsection, consent shall not be considered voluntary when a person is required to agree to arbitrate an action, complaint, or claim alleging a violation of this chapter as a condition of future or continued employment, advancement in employment, or receipt of any right or benefit of employment.''.

SA 4181. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X of division A, add the following:

SEC. 1097. RESTRICTIONS ON THE ESTABLISHMENT OF NATIONAL MONUMENTS.

Section 320301 of title 54, United States Code, is amended by adding at the end the following:

''(e) RESTRICTIONS ON THE ESTABLISHMENT OF NATIONAL MONUMENTS IN MILITARY OPERATIONS AREAS.—The President shall not establish a national monument under this section on land that is located under the lateral boundaries of a military operations area (as the term is defined in section 1.1 of title 14, Code of Federal Regulations (or successor regulations)), unless the proclamation includes language that ensures that the establishment of the national monument would not place any new limits on—

''(1) any flight operations of military aircraft;

''(2) the designation of a new unit of special use airspace;

''(3) the use or establishment of military flight training routes; or

''(4) air or ground access for—

''(A) emergency response;

''(B) electronic tracking and communications;

''(C) landing and drop zones; or

''(D) readiness training by the Air Force, joint forces, and coalition forces, including training using motorized vehicles on- or off-road, in accordance with applicable interagency agreements.''.

SA 4182. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 314. INSTALLATION RENEWABLE ENERGY PROJECT DATABASE.

(a) LIMITATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall establish a searchable database to uniformly report information regarding installation renewable energy projects undertaken since 2010.

(b) ELEMENTS.—The database established under subsection (a) shall include, for each installation energy project—

(1) the estimated project costs;

(2) estimated power generation;

(3) estimated total cost savings;

(4) estimated payback period;

(5) total project costs;

(6) actual power generation;

(7) actual cost savings to date;

(8) current operational status; and

(9) access to relevant business case documents, including the economic viability assessment.

(c) NON-DISCLOSURE OF CERTAIN INFORMATION.—

(1) IN GENERAL.—The Secretary of Defense may, on a case-by-case basis, withhold from inclusion in the database established under subsection (a) information pertaining to individual projects if the Secretary determines that the disclosure of such information would jeopardize operational security.

(2) REQUIRED DISCLOSURE.—In the event the Secretary withholds information related to one or more renewable energy projects under paragraph (1), the Secretary shall include in the database—

(A) a statement that information has been withheld; and

(B) an aggregate amount for each of paragraphs (1), (2), (3), (5), (6), and (7) of subsection (b) that includes amounts for all renewable energy projects described under subsection (a), including those with respect to which information has been withheld under paragraph (1) of this subsection.

(d) UPDATES.—The database established under subsection (a) shall be updated not less than quarterly.

SA 4183. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1085. ACKNOWLEDGMENT OF FEDERAL FUNDING IN PUBLICATION OF REPORTS ON STUDIES FUNDED BY THE DEPARTMENT OF DEFENSE.

(a) ACKNOWLEDGMENT.—Each report on a covered study that is submitted, issued, published, presented at a conference or meeting, or otherwise made available to the public shall clearly disclose, in the acknowledgment section of such report, the following:

(1) The department, agency, element, or component of the Department of Defense that provided funding for the covered study.

(2) The project or award number of the covered study.

(3) An estimate of the total cost of the covered study.

(b) COVERED STUDY DEFINED.—In this section, the term ''covered study'' means any study that is carried out in whole or in part with Federal funds, regardless of by whom carried out.

(1) To include a price tag estimating the cost to taxpayers on studies funded by the Department of Defense.

SA 4184. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XXVIII, add the following:

SEC. 2804. USE OF PROJECT LABOR AGREEMENTS IN MILITARY CONSTRUCTION PROJECTS AND MILITARY FAMILY HOUSING PROJECTS.

(a) REQUIREMENTS.—Section 2852 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d)(1) The Secretary of Defense and the Secretaries of the military departments awarding a construction contract on behalf of the Government, in any solicitations, bid specifications, project agreements, or other controlling documents, shall not—

''(A) require or prohibit bidders, offerors, contractors, or subcontractors to enter into or adhere to agreements with one or more labor organizations; and

''(B) discriminate against or give preference to bidders, offerors, contractors, or subcontractors based on their entering or refusing to enter into such an agreement.

''(2) Nothing in this subsection shall prohibit a contractor or subcontractor from voluntarily entering into such an agreement, as is protected by the National Labor Relations Act (29 U.S.C. 151 et seq.).''.

(b) APPLICATION OF AMENDMENT.—The amendment made by subsection (a) shall not apply to construction contracts awarded before the date of the enactment of this Act.

SA 4185. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 565. CONSOLIDATION OF FINANCIAL LITERACY PROGRAMS AND TRAINING FOR MEMBERS OF THE ARMED FORCES.

(a) PLAN REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a plan for the consolidation of the current financial literacy training programs of the Department of Defense and the military departments for members of the Armed Forces into a single program of financial literacy training for members that—

(1) eliminates duplication and costs in the provision of financial literacy training to members; and

(2) ensures that members receive effective training in financial literacy in as few training sessions as is necessary for the receipt of effective training.

(b) IMPLEMENTATION.—The Secretary of Defense and the Secretaries of the military departments shall commence implementation of the plan required by subsection (a) 90 days after the date of the submittal of the plan as required by that subsection.

SA 4186. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 212.

SA 4187. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. CONSERVATION AND REHABILITATION OF NATURAL RESOURCES ON MILITARY INSTALLATIONS.

Section 101(a)(3)(A)(ii) of the Sikes Act (16 U.S.C. 670a(a)(3)(A)(ii)) is amended by inserting '', which activities shall be conducted in accordance with applicable laws (including regulations) of the State in which the installation is located'' after ''nonconsumptive uses''.

SA 4188. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1085. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON PROGRAMS AND ACTIVITIES UNDER BUDGET FUNCTION 050 THAT DO NOT DIRECTLY IMPACT OR SUPPORT THE NATIONAL DEFENSE OF THE UNITED STATES.

(a) REPORT REQUIRED.—Not later than September 30, 2017, the Comptroller General of the United States shall submit to Congress a report that identifies each program or activity for which funds were provided under budget function 050 during fiscal year 2016 that did not have a direct impact on, or directly support, the national defense of the United States.

(b) ELEMENTS.—The report under subsection (a) shall include, for each program and activity identified in the report, the following:

(1) A description of the program or activity.

(2) The amount of funds provided under budget function 050 during fiscal year 2016 for the program or activity.

(c) DEFINITIONS.—In this section:

(1) The term ''direct impact'', with respect to a program or activity and the national defense of the United States, means the program or activity had an immediate effect on the ability of the Armed Forces to be employed to protect and advance national interests of the United States.

(2) The term ''direct support'', with respect to a program or activity and the national defense of the United States, means the program or activity provided a service to one or more components of the United States Government that was used to protect and advance national interests of the United States, including members of the Armed Forces and weapon systems.

SA 4189. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1085. REPORT ON MILITARY BANDS.

Not later than December 1, 2016, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report, in unclassified form, on military bands. The report shall set forth the following:

(1) The current number and location of military bands, by Armed Force.

(2) The cost of military bands (including costs of recruitment, training, facilities, and transportation) during fiscal year 2016.

(3) The number of members of the Armed Forces assigned to military bands during fiscal year 2016.

(4) The history of reductions in military bands during the five fiscal years ending in fiscal year 2016.

(5) An assessment of the feasibility and advisability of combining military bands at joint locations.

SA 4190. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XV, add the following:

SEC. 1523. REPROGRAMMING OF CERTAIN FUNDS FOR OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

(a) REPROGRAMMING REQUIREMENT.—The Secretary of Defense shall submit to the congressional defense committees a reprogramming or transfer request in the amount of $406,396,696 from unobligated funds in the Operation and Maintenance, Defense-wide, account and available for the Office of Economic Adjustment, or for transfer to the Secretary of Education, to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools, to the Operation and Maintenance, Overseas Contingency Operations, account.

(b) TREATMENT OF REPROGRAMMING.—The transfer of an amount pursuant to subsection (a) shall not be deemed to increase the amount authorized to be appropriated for fiscal year 2017 for operation and maintenance for overseas contingency operations by section 1505.

SA 4191. Mr. FLAKE (for himself and Mr. COONS) submitted an amendment

intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle J—Elimination, Neutralization, and Disruption of Wildlife Trafficking

SECTION 1099A. SHORT TITLE.

(a) SHORT TITLE.—This subtitle may be cited as the ''Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016''.

SEC. 1099B. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(2) CO-CHAIRS OF THE TASK FORCE.—The term ''Co-Chairs of the Task Force'' means the Secretary of State, the Secretary of the Interior, and the Attorney General, as established pursuant to Executive Order 13648.

(3) COMMUNITY CONSERVATION .—The term ''community conservation'' means an approach to conservation that recognizes the rights of local people to sustainably manage, or benefit directly and indirectly from wildlife and other natural resources and includes—

(A) devolving management and governance to local communities to create positive conditions for sustainable resource use; and

(B) building the capacity of communities for conservation and natural resource management.

(4) COUNTRY OF CONCERN.—The term ''country of concern'' refers to a foreign country specially designated by the Secretary of State pursuant to subsection (b) of section 1099I as a major source of wildlife trafficking products or their derivatives, a major transit point of wildlife trafficking products or their derivatives, or a major consumer of wildlife trafficking products, in which the government has actively engaged in or knowingly profited from the trafficking of endangered or threatened species.

(5) FOCUS COUNTRY.—The term ''focus country'' refers to a foreign country determined by the Secretary of State to be a major source of wildlife trafficking products or their derivatives, a major transit point of wildlife trafficking products or their derivatives, or a major consumer of wildlife trafficking products.

(6) DEFENSE ARTICLE; DEFENSE SERVICE; SIGNIFICANT MILITARY EQUIPMENT; TRAINING.—The terms ''defense article'', ''defense service'', ''significant military equipment'', and ''training'' have the meanings given such terms in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

(7) IMPLEMENTATION PLAN.—The term ''Implementation Plan'' means the Implementation Plan for the National Strategy for Combating Wildlife Trafficking released on February 11, 2015, a modification of that plan, or a successor plan.

(8) NATIONAL STRATEGY.—The term ''National Strategy'' means the National Strategy for Combating Wildlife Trafficking published on February 11, 2014, a modification of that strategy, or a successor strategy.

(9) NATIONAL WILDLIFE SERVICES.—The term ''national wildlife services'' refers to the ministries and government bodies designated to manage matters pertaining to wildlife management, including poaching or trafficking, in a focus country.

(10) SECURITY FORCE.—The term ''security force'' means a military, law enforcement, gendarmerie, park ranger, or any other security force with a responsibility for protecting wildlife and natural habitats.

(11) TASK FORCE.—The term ''Task Force'' means the Presidential Task Force on Wildlife Trafficking, as established by Executive Order 13648 (78 Fed. Reg. 40621) and modified by section 201.

(12) WILDLIFE TRAFFICKING.—The term ''wildlife trafficking'' refers to the poaching or other illegal taking of protected or managed species and the illegal trade in wildlife and their related parts and products.

PART I—PURPOSES AND POLICY

SEC. 1099E. PURPOSES.

The purposes of this subtitle are—

(1) to support a collaborative, interagency approach to address wildlife trafficking;

(2) to protect and conserve the remaining populations of wild elephants, rhinoceroses, and other species threatened by poaching and the illegal wildlife trade;

(3) to disrupt regional and global transnational organized criminal networks and to prevent the illegal wildlife trade from being used as a source of financing for criminal groups that undermine United States and global security interests;

(4) to prevent wildlife poaching and trafficking from being a means to make a living in focus countries;

(5) to support the efforts of, and collaborate with, individuals, communities, local organizations, and foreign governments to combat poaching and wildlife trafficking;

(6) to assist focus countries in implementation of national wildlife anti-trafficking and poaching laws; and

(7) to ensure that United States assistance to prevent and suppress illicit wildlife trafficking is carefully planned and coordinated, and that it is systematically and rationally prioritized on the basis of detailed analysis of the nature and severity of threats to wildlife and the willingness and ability of foreign partners to cooperate effectively toward these ends.

SEC. 1099F. STATEMENT OF UNITED STATES POLICY.

It is the policy of the United States—

(1) to take immediate actions to stop the illegal global trade in wildlife and wildlife products and associated transnational organized crime;

(2) to provide technical and other forms of assistance to help focus countries halt the poaching of elephants, rhinoceroses, and other imperiled species and end the illegal trade in wildlife and wildlife products, including by providing training and assistance in—

(A) wildlife protection and management of wildlife populations;

(B) anti-poaching and effective management of protected areas including community managed and privately-owned lands;

(C) local engagement of security forces in anti-poaching responsibilities, where appropriate;

(D) wildlife trafficking investigative techniques, including forensic tools;

(E) transparency and corruption issues;

(F) management, tracking, and inventory of confiscated wildlife contraband;

(G) demand reduction strategies in countries that lack the means and resources to conduct them; and

(H) bilateral and multilateral agreements and cooperation;

(3) to employ appropriate assets and resources of the United States Government in a coordinated manner to curtail poaching and disrupt and dismantle illegal wildlife trade networks and the financing of those networks in a manner appropriate for each focus country;

(4) to build upon the National Strategy and Implementation Plan to further combat wildlife trafficking in a holistic manner and guide the response of the United States Government to ensure progress in the fight against wildlife trafficking; and

(5) to recognize the ties of wildlife trafficking to broader forms of transnational organized criminal activities, including trafficking, and where applicable, to focus on those crimes in a coordinated, cross-cutting manner.

PART II—REPORT ON MAJOR WILDLIFE TRAFFICKING COUNTRIES

SEC. 1099I. REPORT.

(a) REPORT.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of State, in consultation with the Secretary of the Interior and the Secretary of Commerce, shall submit to Congress a report that lists each country determined by the Secretary of State to be a focus country within the meaning of this subtitle.

(b) SPECIAL DESIGNATION.—In each report required under subsection (a), the Secretary of State, in consultation with the Secretary of the Interior and the Secretary of Commerce, shall identify each country listed in the report that also constitutes a country of concern (as defined in section 1099B(4)) .

(c) SUNSET.—This section shall terminate on the date that is 5 years after the date of the enactment of this Act.

PART III—FRAMEWORK FOR INTERAGENCY RESPONSE

SEC. 1099L. PRESIDENTIAL TASK FORCE ON WILDLIFE TRAFFICKING.

(a) RESPONSIBILITIES.—In addition to the functions required by Executive Order 13648 (78 Fed. Reg. 40621), the Task Force shall be informed by the Secretary of State's annual report required under section 1099I and considering all available information, ensure that relevant United States Government agencies—

(1) collaborate, to the greatest extent practicable, with the national wildlife services, or other relevant bodies of each focus country to prepare, not later than 90 days after the date of submission of the report required under section 1099I(a), a United States mission assessment of the threats to wildlife in that focus country and an assessment of the capacity of that country to address wildlife trafficking;

(2) collaborate, to the greatest extent practicable, with relevant ministries, national wildlife services, or other relevant bodies of each focus country to prepare, not later than 180 days after preparation of the assessment referred to in paragraph (1), a United States mission strategic plan that includes recommendations for addressing wildlife trafficking, taking into account any regional or national strategies for addressing wildlife trafficking in a focus country developed before the preparation of such assessment;

(3) coordinate efforts among United States Federal agencies and non-Federal partners, including missions, domestic and international organizations, the private sector,

and other global partners, to implement the strategic plans required by paragraph (2) in each focus country;

(4) not less frequently than annually, consult and coordinate with stakeholders qualified to provide advice, assistance, and information regarding effective support for anti-poaching activities, coordination of regional law enforcement efforts, development of and support for effective legal enforcement mechanisms, and development of strategies to reduce illicit trade and reduce consumer demand for illegally traded wildlife and wildlife products, and other relevant topics under this subtitle; and

(5) coordinate or carry out other functions as are necessary to implement this subtitle.

(b) DUPLICATION AND EFFICIENCY.—The Task Force shall—

(1) ensure that the activities of the Federal agencies involved in carrying out efforts under this subtitle are coordinated and not duplicated; and

(2) encourage efficiencies and coordination among the efforts of Federal agencies and interagency initiatives ongoing as of the date of the enactment of this Act to address trafficking activities, including trafficking of wildlife, humans, weapons, and narcotics, illegal trade, transnational organized crime, or other illegal activities.

(c) CONSISTENCY WITH AGENCY RESPONSIBILITIES.—The Task Force shall carry out its responsibilities under this subtitle in a manner consistent with the authorities and responsibilities of agencies represented on the Task Force.

(d) TASK FORCE STRATEGIC REVIEW.—One year after the date of the enactment of this Act, and annually thereafter, the Task Force shall submit a strategic assessment of its work and provide a briefing to the appropriate congressional committees that shall include—

(1) a review and assessment of the Task Force's implementation of this subtitle, identifying successes, failures, and gaps in its work, or that of agencies represented on the Task Force, including detailed descriptions of—

(A) what approaches, initiatives, or programs have succeeded best in increasing the willingness and capacity of focus countries to suppress and prevent illegal wildlife trafficking, and what approaches, initiatives, or programs have not succeeded as well as hoped; and

(B) which foreign governments subject to subsections (a) and (b) of section 1099I have proven to be the most successful partners in suppressing and preventing illegal wildlife trafficking, which focus countries have not proven to be so, and what factors contributed to these results in each country discussed;

(2) a description of each Task Force member agency's priorities and objectives for combating wildlife trafficking;

(3) an account of total United States funding each year since fiscal year 2014 for all government agencies and programs involved in countering poaching and wildlife trafficking;

(4) an account of total United States funding since fiscal year 2014 to support the activities of the Task Force, including administrative overhead costs and congressional reporting; and

(5) recommendations for how to improve United States and international efforts to suppress and prevent illegal wildlife trafficking in the future, based upon the Task Force's experience as of the time of the review.

(e) TERMINATION OF TASK FORCE.—The statutory authorization for the Task Force provided by this subtitle shall terminate 5 years after the date of the enactment of this Act or such earlier date that the President terminates the Task Force by rescinding, superseding, or otherwise modifying relevant portions of Executive Order 13648.

PART IV—PROGRAMS TO ADDRESS THE ESCALATING WILDLIFE TRAFFICKING CRISIS

SEC. 1099O. ANTI-POACHING PROGRAMS.

(a) WILDLIFE LAW ENFORCEMENT PROFESSIONAL TRAINING AND COORDINATION ACTIVITIES.—The Secretary of State and the Administrator of the United States Agency for International Development, in collaboration with the heads of other relevant United States agencies and nongovernmental partners where appropriate, may provide assistance to focus countries to carry out the recommendations made in the strategic plan required by section 1099L(a)(2), among other goals, to improve the effectiveness of wildlife law enforcement in regions and countries that have demonstrated capacity, willingness, and need for assistance.

(b) AUTHORITY TO PROVIDE SECURITY ASSISTANCE TO COUNTER WILDLIFE TRAFFICKING AND POACHING.—

(1) IN GENERAL.—The President is authorized to provide defense articles, defense services, and related training to security forces of focus countries for the purpose of countering wildlife trafficking and poaching where appropriate.

(2) TYPES OF ASSISTANCE.—

(A) IN GENERAL.—Assistance provided under paragraph (1) may include intelligence and surveillance assets, communications and electronic equipment, mobility assets, night vision and thermal imaging devices, and organizational clothing and individual equipment, pursuant to the applicable provision of the Arms Export Control Act (22 U.S.C. 2751 et seq.) or the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.).

(B) LIMITATION.—Assistance provided under paragraph (1) may not include significant military equipment.

(3) SPECIAL RULE.—Assistance provided under paragraph (1) shall be in addition to any other assistance provided to the countries under any other provision of law.

(4) PROHIBITION ON ASSISTANCE.—

(A) IN GENERAL.—No assistance may be provided under subsection (b) to a unit of a security force if the President determines that the unit has been found to engage in wildlife trafficking or poaching.

(B) EXCEPTION.—The prohibition in subparagraph (A) shall not apply with respect to a unit of a security force of a country if the President determines that the government of the country is taking effective steps to hold the unit accountable and prevent the unit from engaging in trafficking and poaching.

(5) CERTIFICATION.—With respect to any assistance provided pursuant to this subsection, the Secretary of State shall certify to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that such assistance is necessary for the purposes of combating wildlife trafficking.

(6) NOTIFICATION.—Consistent with the requirements of the Arms Export Control Act (22 U.S.C. 2751 et seq.) and the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), the Secretary of State shall notify the appropriate congressional committees regarding defense articles, defense services, and related training provided under paragraph (1).

SEC. 1099P. ANTI-TRAFFICKING PROGRAMS.

(a) INVESTIGATIVE CAPACITY BUILDING.—The Secretary of State and the Administrator of the United States Agency for International Development, in collaboration with the heads of other relevant United States agencies and communities, regions, and governments in focus countries, may design and implement programs in focus countries to carry out the recommendations made in the strategic plan required under section 1099L(a)(2) among other goals, with clear and measurable targets and indicators of success, to increase the capacity of wildlife law enforcement and customs and border security officers in focus countries.

(b) TRANSNATIONAL PROGRAMS.—The Secretary of State and the Administrator of the United States Agency for International Development, in collaboration with other relevant United States agencies, nongovernmental partners, and international bodies, and in collaboration with communities, regions, and governments in focus countries, may design and implement programs, including support for Wildlife Enforcement Networks, in focus countries to carry out the recommendations made in the strategic plan required under section 1099L(a)(2), among other goals, to better understand and combat the transnational trade in illegal wildlife.

SEC. 1099Q. ENGAGEMENT OF UNITED STATES DIPLOMATIC MISSIONS.

As soon as practicable but not later than 2 years after the date of the enactment of this Act, each chief of mission to a focus country should begin to implement the recommendations contained in the strategic plan required under section 1099L(a)(2), among other goals, for the country.

SEC. 1099R. COMMUNITY CONSERVATION.

The Secretary of State, in collaboration with the United State Agency for International Development, heads of other relevant United States agencies, the private sector, nongovernmental organizations, and other development partners, may provide support in focus countries to carry out the recommendations made in the strategic plan required under section 1099L(a)(2) as such recommendations relate to the development, scaling, and replication of community wildlife conservancies and community conservation programs in focus countries to assist with rural stability and greater security for people and wildlife, empower and support communities to manage or benefit from their wildlife resources sustainably, and reduce the threat of poaching and trafficking, including through—

(1) promoting conservation-based enterprises and incentives, such as eco-tourism and sustainable agricultural production, that empower communities to manage wildlife, natural resources, and community ventures where appropriate, by ensuring they benefit from well-managed wildlife populations;

(2) helping create alternative livelihoods to poaching by mitigating wildlife trafficking, helping support rural stability, greater security for people and wildlife, sustainable economic development, and economic incentives to conserve wildlife populations;

(3) engaging regional businesses and the private sector to develop goods and services to aid in anti-poaching and anti-trafficking measures;

(4) working with communities to develop secure and safe methods of sharing information with enforcement officials;

(5) providing technical assistance to support sustainable land use plans to improve

the economic, environmental, and social outcomes in community-owned or -managed lands;

(6) supporting community anti-poaching efforts, including policing and informant networks;

(7) working with community and national governments to develop relevant policy and regulatory frameworks to enable and promote community conservation programs, including supporting law enforcement engagement with wildlife protection authorities to promote information-sharing; and

(8) working with national governments to ensure that communities have timely and effective support from national authorities to mitigate risks that communities may face when engaging in anti-poaching and anti-trafficking activities.

PART V—TRANSITION OF OVERSEAS CONTINGENCY FUNDING TO BASE FUNDING

SEC. 1099U. SENSE OF CONGRESS ON FUNDING.

It is the sense of Congress that the President and Congress should provide for an appropriate and responsible transition for funding designated for overseas contingency operations to traditional and regular annual appropriations, including emergency supplemental funding, as appropriate.

PART VI—OTHER ACTIONS RELATING TO WILDLIFE TRAFFICKING PROGRAMS

SEC. 1099X. AMENDMENTS TO FISHERMAN'S PROTECTIVE ACT OF 1967.

Section 8 of the Fisherman's Protective Act of 1967 (22 U.S.C. 1978) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting '', in consultation with the Secretary of State,'' after ''Secretary of Commerce'';

(B) in paragraph (2), by inserting '', in consultation with the Secretary of State,'' after ''Secretary of the Interior'';

(C) in paragraph (3), by inserting ''in consultation with the Secretary of State,'' after '', as appropriate,'';

(D) by redesigning paragraph (4) as paragraph (5); and

(E) by inserting after paragraph (3) the following new paragraph:

''(4) The Secretary of Commerce and the Secretary of the Interior shall each report to Congress each certification to the President made by such Secretary under this subsection, within 15 days after making such certification.''; and

(2) in subsection (d), by inserting ''in consultation with the Secretary of State,'' after ''as the case may be,''.

SA 4192. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XXVIII, add the following:

SEC. 2804. PROHIBITION ON USE OF MILITARY CONSTRUCTION FUNDS FOR UNUTILIZED OVERSEAS MILITARY INSTALLATIONS.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 may be made available for a construction project at a military installation located outside the United States that has been identified by the Special Inspector General for Afghanistan Reconstruction (SIGAR) as having a zero utilization rate or being completely unutilized.

SA 4193. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. PROHIBITION ON USE OF FUNDS FOR ALTERNATIVE OR RENEWABLE ENERGY.

(a) IN GENERAL.—None of the funds authorized to be appropriated or otherwise made available by this Act may be obligated or expended by the Secretary of Defense—

(1) to purchase energy from alternative sources unless such energy is equivalent to conventional energy in terms of cost and capabilities; or

(2) to carry out any provision of law that requires the Department of Defense—

(A) to consume renewable energy, unless such energy is equivalent to conventional energy in terms of cost and capabilities; or

(B) to reduce the overall amount of energy consumed by the Department.

(b) CALCULATION.—For purposes of subsection (a), the cost of an energy source shall be calculated on a pre-tax basis in terms of life cycle cost.

SA 4194. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 601 and insert the following:

SEC. 601. FISCAL YEAR 2017 INCREASE IN MILITARY BASIC PAY.

(a) WAIVER OF SECTION 1009 ADJUSTMENT.—The adjustment to become effective during fiscal year 2017 required by section 1009 of title 37, United States Code, in the rates of monthly basic pay authorized members of the uniformed services shall not be made.

(b) INCREASE IN BASIC PAY.—Effective on January 1, 2017, the rates of monthly basic pay for members of the uniformed services are increased by 2.1 percent.

(c) FUNDING.—

(1) INCREASE IN AMOUNT FOR MILITARY PERSONNEL.—The amount authorized to be appropriated for fiscal year 2017 by section 421 is hereby increased by the amount necessary to provide an increase in military basic pay under subsection (b) by 2.1 percent rather than 1.6 percent, with the amount to be available for military personnel to provide such increase.

(2) OFFSET.—The aggregate amount authorized to be appropriated for fiscal year 2017 by this division, other than the amount authorize to be appropriated by section 421, is hereby reduced by the amount necessary to provide an increase in military basic pay under subsection (b) by 2.1 percent rather than 1.6 percent, with the amount of the reduction to be achieved by terminating funding for projects determined to be low-priority projects by the Joint Chiefs of Staff.

SA 4195. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title I, add the following:

SEC. 128. TICONDEROGA-CLASS GUIDED MISSILE CRUISER REPLACEMENT.

(a) IN GENERAL.—Not later than March 1, 2017, the Chief of Naval Operations shall submit to the congressional defense committees a report on any elements under subsection (b) regarding the TICONDEROGA-class guided missile cruiser replacement that were not covered in the studies of fleet platform architectures directed in section 1067 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 991).

(b) ELEMENTS.—The elements referred to in subsection (a) are as follows:

(1) Shipbuilding or other modernization options to meet or exceed the air defense commander capabilities of TICONDEROGA-class guided missile cruisers, such that there is no loss in capability as TICONDEROGA-class guided missile cruisers decommission.

(2) Options to alter the physical dimensions of Mark 41 vertical launching system cells to accommodate different weapons, as compared to the TICONDEROGA-class cruisers.

(3) Options to maintain or expand the number of vertical launching system cells available in the fleet, as TICONDEROGA-class cruisers decommission.

(4) Options to allow the Navy to reload vertical launching system cells at sea.

(5) Description of findings from the studies of fleet platform architectures that were incorporated in the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2018.

SA 4196. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1277. SENSE OF THE SENATE ON INTEGRATION OF ELECTROMAGNETIC RAILGUN INTO NAVY FLEET OF LARGE SURFACE COMBATANTS.

It is the sense of the Senate that the Navy should expedite the deployment and integration of the electromagnetic railgun into the fleet of large surface combatants.

SA 4197. Mr. RUBIO submitted an amendment intended to be proposed by

him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1031. PROHIBITION ON TRANSFER OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN COUNTRIES OR ENTITIES IN THE WESTERN HEMISPHERE.

(a) PROHIBITION.—An individual detained at Guantanamo may not be transferred to a foreign country or a foreign entity in the Western Hemisphere.

(b) CONSTRUCTION.—The prohibition in subsection (a) in connection with the transfer of an individual detained at Guantanamo is in addition to any other requirement or limitation on the transfer by law.

(c) INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.—In this section, the term ''individual detained at Guantanamo'' means an individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(1) is not a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)) or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the control of the Department of Defense; or

(B) otherwise detained at United States Naval Station, Guantanamo Bay.

SA 4198. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1031. PROHIBITION ON TRANSFER OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN COUNTRIES OR ENTITIES WITHOUT ASSESSMENT THAT INDIVIDUALS WILL POSE NO RISK TO MILITARY AND CIVILIAN PERSONNEL OF THE UNITED STATES OVERSEAS AFTER TRANSFER.

(a) PROHIBITION.—An individual detained at Guantanamo may not be transferred to a foreign country or a foreign entity unless the Director of National Intelligence, the Director of the Central Intelligence Agency, the Director of the Defense Intelligence Agency, and the Director of the Federal Bureau of Investigation unanimously agree that the individual after transfer will pose no risk to members of the Armed Forces or civilian personnel of the United States Government overseas.

(b) CONSTRUCTION.—The prohibition in subsection (a) in connection with the transfer of an individual detained at Guantanamo is in addition to any other requirement or limitation on the transfer by law.

(c) INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.—In this section, the term ''individual detained at Guantanamo'' means an individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(1) is not a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)) or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the control of the Department of Defense; or

(B) otherwise detained at United States Naval Station, Guantanamo Bay.

SA 4199. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1031. PROHIBITION ON RELINQUISHMENT OR ABANDONMENT OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

No action may be taken to modify, abrogate, or replace the stipulations, agreements, and commitments contained in the Guantanamo Lease Agreements, or to impair or abandon the jurisdiction and control of the United States over United States Naval Station, Guantanamo Bay, Cuba, unless specifically authorized or otherwise provided for by one of the following:

(1) An Act that is enacted after the date of the enactment of this Act.

(2) A treaty that is ratified by and with the advice and consent of the Senate.

(3) A modification of the Treaty Between the United States of America and Cuba signed at Washington, DC, on May 29, 1934, that is ratified by and with the advice and consent of the Senateo.

SA 4200. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XVI, add the following:

SEC. 1655. LIMITATION ON USE OF FUNDS RELATING TO REDUCING THE ALERTNESS LEVEL OR NUMBER OF INTERCONTINENTAL BALLISTIC MISSILES.

(a) IN GENERAL.—None of the funds authorized to be appropriated or otherwise made available by this Act may be obligated or expended to reduce, or to prepare to reduce—

(1) the responsiveness or alert level of the intercontinental ballistic missiles of the United States; or

(2) the number of deployed intercontinental ballistic missiles of the United States to a number that is less than 400.

(b) EXCEPTIONS.—The prohibition under subsection (a) shall not apply with respect to—

(1) activities relating to—

(A) the maintenance or sustainment of intercontinental ballistic missiles; or

(B) ensuring the safety, security, or reliability of intercontinental ballistic missiles; or

(2) reductions in the number of deployed intercontinental ballistic missiles that are carried out to comply with limitations imposed under—

(A) the Treaty on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011, between the United States and the Russian Federation (commonly known as the ''New START Treaty''); or

(B) any Act authorizing appropriations for the military activities of the Department of Defense or for defense activities of the Department of Energy that is enacted before the date of the enactment of this Act.

SA 4201. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title XII, add the following:

SEC. 1277. IMPOSITION OF SANCTIONS ON INDIVIDUALS WHO WERE COMPLICIT IN VIOLATIONS OF THE GENEVA CONVENTION OR THE RIGHT UNDER INTERNATIONAL LAW TO CONDUCT INNOCENT PASSAGE.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that includes—

(A) a determination with respect to whether, during or after the incident that began on January 12, 2016, in which forces of Iran boarded two United States Navy riverine combat vessels and detained at gunpoint the crews of those vessels, any of the actions of the forces of Iran constituted a violation of—

(i) the Geneva Convention; or

(ii) the right under international law to conduct innocent passage; and

(B) a certification with respect to whether or not Federal funds, including the $1,700,000,000 payment that was announced by the Secretary of State on January 17, 2016, were paid to Iran, directly or indirectly, to effect the release of—

(i) the members of the United States Navy who were detained in the incident described in subparagraph (A); or

(ii) other United States citizens, including Jason Rezaian, Amir Hekmati, Saeed Abedini, Nosratollah Khosravi-Roodsari, and Matthew Trevithick, the release of whom was announced on January 16, 2016.

(2) ACTIONS TO BE ASSESSED.—In assessing actions of the forces of Iran under paragraph (1)(A), the President shall consider, at a minimum, the following actions:

(A) The stopping, boarding, search, and seizure of the two United States Navy riverine combat vessels in the incident described in paragraph (1)(A).

(B) The removal from their vessels and detention of members of the United States Armed Forces in that incident.

(C) The theft or confiscation of electronic navigational equipment or any other equipment from the vessels.

(D) The forcing of one or more members of the United States Armed Forces to apologize for their actions.

(E) The display, videotaping, or photographing of members of the United States Armed Forces and the subsequent broadcasting or other use of those photographs or videos.

(F) The forcing of female members of the United States Armed Forces to wear head coverings.

(3) DESCRIPTION OF ACTIONS.—In the case of each action that the President determines under paragraph (1)(A) is a violation of the Geneva Convention or the right under international law to conduct innocent passage, the President shall include in the report required by that paragraph a description of the action and an explanation of how the action violated the Geneva Convention or the right to conduct innocent passage, as the case may be.

(4) FORM OF REPORT.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(b) LIST OF CERTAIN PERSONS WHO HAVE BEEN COMPLICIT IN VIOLATIONS OF THE GENEVA CONVENTION OR THE RIGHT TO CONDUCT INNOCENT PASSAGE.—

(1) IN GENERAL.—Not later than 30 days after the submission of the report required by subsection (a), if the President has determined that one or more actions of the forces of Iran constituted a violation of the Geneva Convention or the right under international law to conduct innocent passage, the President shall submit to the appropriate congressional committees a list of persons who are officials of the Government of Iran or were acting on behalf of that Government that, based on credible evidence, are responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, any such violation.

(2) UPDATES OF LIST.—The President shall submit to the appropriate congressional committees an updated list under paragraph (1) as new information becomes available.

(3) PUBLIC AVAILABILITY.—To the maximum extent practicable, the list required by paragraph (1) shall be made available to the public and posted on publicly accessible Internet websites of the Department of Defense and the Department of State.

(c) IMPOSITION OF SANCTIONS.—

(1) IN GENERAL.—The President shall impose the sanctions described in paragraph (2) with respect to each person on the list required by subsection (b).

(2) SANCTIONS.—

(A) PROHIBITION ON ENTRY AND ADMISSION TO THE UNITED STATES.—An alien on the list required by subsection (b) may not—

(i) be admitted to, enter, or transit through the United States;

(ii) receive any lawful immigration status in the United States under the immigration laws; or

(iii) file any application or petition to obtain such admission, entry, or status.

(B) BLOCKING OF PROPERTY.—

(i) IN GENERAL.—The President shall, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of a person on the list required by subsection (b) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(ii) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(I) IN GENERAL.—The authority to block and prohibit all transactions in all property and interests in property under clause (i) shall not include the authority to impose sanctions on the importation of goods.

(II) GOOD.—In this subparagraph, the term ''good'' has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. 4618) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

(iii) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of clause (i) or any regulation, license, or order issued to carry out clause (i) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(d) DEFINITIONS.—In this section:

(1) ADMITTED; ALIEN; IMMIGRATION LAWS.—The terms ''admitted'', ''alien'', and ''immigration laws'' have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(3) FORCES OF IRAN.—The term ''forces of Iran'' means the Islamic Revolutionary Guard Corps, members of other military or paramilitary units of the Government of Iran, and other agents of that Government.

(4) GENEVA CONVENTION.—The term ''Geneva Convention'' means the Convention relative to the Treatment of Prisoners of War, done at Geneva on August 12, 1949 (6 UST 3316) (commonly referred to as the ''Geneva Convention (III)''.

(5) INNOCENT PASSAGE.—The term ''innocent passage'' means the principle under customary international law that all vessels have the right to conduct innocent passage through another country's territorial waters for the purpose of continuous and expeditious traversing.

(6) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

SA 4202. Mr. DAINES (for himself, Mrs. ERNST, Mr. CARDIN, Mr. GARDNER, Mr. WARNER, Ms. MIKULSKI, Mr. BLUMENTHAL, and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title IX, add the following:

SEC. 926. ESTABLISHMENT OF A UNIFIED COMBATANT COMMAND FOR CYBER OPERATIONS FORCES.

With the advice and assistance of the Chairman of the Joint Chiefs of Staff, the President shall, through the Secretary of Defense, establish a unified combatant command for cyber operations forces. The principal function of the command is to prepare cyber operations forces to carry out assigned missions.

SA 4203. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title X, add the following:

SEC. 1004. REPORT ON PLAN OF THE DEPARTMENT OF DEFENSE TO OBTAIN AN AUDIT WITH UNQUALIFIED OPINION ON THE GENERAL FUND STATEMENT OF ITS BUDGETARY RESOURCES.

(a) FINDINGS.—Congress makes the following findings:

(1) Section 9 of Article I of the Constitution of the United States requires all agencies of the Federal Government, including the Department of Defense, to publish ''a regular statement and account of the receipts and expenditures of all public money''.

(2) Section 3515 of title 31, United States Code, requires the agencies of the Federal Government, including the Department of Defense, to present auditable financial statements beginning not later than March 1, 1997. The Department has not complied with this law.

(3) The Federal Financial Management Improvement Act of 1996 (31 U.S.C. 3512 note) requires financial systems acquired by the Federal Government, including the Department of Defense, to be able to provide information to leaders to manage and control the cost of Government. The Department has not complied with this law.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth a plan to obtain an audit with unqualified opinion on the general fund statement of the budgetary resources of the Department of Defense.

(2) PLAN ELEMENTS.—The plan required pursuant to paragraph (1) shall include the following:

(A) An intent to present auditable financial statements of the Department.

(B) The date, not later than September 1, 2017, on which the Department shall be ready to obtain an audit with unqualified opinion on the general fund statement of its budgetary resources.

(C) A description the matters that currently impede the ability of the Department to be ready as described in subparagraph (B).

(D) A strategy to address and resolve such matters.

SA 4204. Mr. INHOFE (for himself, Ms. MIKULSKI, Mr. ROUNDS, Mr. TILLIS,

Mr. BURR, Ms. MURKOWSKI, Mr. HATCH, Mr. UDALL, Ms. HIRONO, Mr. LANKFORD, Ms. COLLINS, Mrs. BOXER, Mr. CARDIN, Mrs. MURRAY, Mrs. CAPITO, Mr. BROWN, Mr. WARNER, Mr. BOOZMAN, Mr. VITTER, Mrs. GILLIBRAND, Mr. NELSON, Mr. SCHUMER, Mr. KAINE, Mr. MARKEY, Mr. SCHATZ, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. CASEY, Ms. STABENOW, Mr. TESTER, Mr. HELLER, and Mr. SESSIONS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 662.

SA 4205. Mr. ROUNDS (for himself and Mr. CRUZ) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1227. IMPOSITION OF SANCTIONS WITH RESPECT TO SIGNIFICANT ACTIVITIES UNDERMINING CYBERSECURITY CONDUCTED ON BEHALF OF OR AT THE DIRECTION OF THE GOVERNMENT OF IRAN.

(a) CYBERSECURITY REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than once every 180 days thereafter, the President shall submit to the appropriate congressional committees a report on significant activities undermining cybersecurity conducted by persons on behalf of or at the direction of the Government of Iran (including members of paramilitary organizations such as Ansar-e-Hezbollah and Basij-e Mostaz'afin) against the Government of the United States or any United States person.

(2) INFORMATION.—The report required under paragraph (1) shall include the following:

(A) The identity of persons that have knowingly facilitated, participated or assisted in, engaged in, directed, or provided material support for significant activities undermining cybersecurity described in paragraph (1).

(B) A description of the conduct engaged in by each person identified under subparagraph (A).

(C) An assessment of the extent to which the Government of Iran or another foreign government directed, facilitated, or provided material support in the conduct of significant activities undermining cybersecurity described in paragraph (1).

(D) A strategy to counter efforts by persons to conduct significant activities undermining cybersecurity described in paragraph (1), including efforts to engage foreign governments to halt the capability of persons to conduct those activities described in paragraph (1).

(3) FORM.—The report required under paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(b) DESIGNATION OF PERSONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the President shall include on the specially designated nationals and blocked persons list maintained by the Office of Foreign Assets Control of the Department of the Treasury—

(A) any person identified under subsection (a)(2)(A); and

(B) any person for which the Department of Justice has issued an indictment in connection with significant activities undermining cybersecurity against the Government of the United States or any United States person.

(2) EXCEPTION.—The President is not required to include a person described in paragraph (1)(A) or (1)(B) on the specially designated nationals and blocked persons list maintained by the Office of Foreign Assets Control of the Department of the Treasury if the President submits to the appropriate congressional committees an explanation of the reasons for not including that person on that list.

(c) SANCTIONS DESCRIBED.—The President shall use authority provided in Executive Order 13694 (50 U.S.C. 1701 note; relating to blocking property of persons certain persons engaging in significant malicious cyber-enabled activities) to impose sanctions against any person included on the specially designated nationals and blocked persons list maintained by the Office of Foreign Assets Control of the Department of the Treasury pursuant to subsection (b).

(d) PRESIDENTIAL BRIEFINGS TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, and periodically thereafter, the President shall provide a briefing to the appropriate congressional committees on efforts to implement this section.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Homeland Security, the Committee on Financial Services, and the Committee on Ways and Means of the House of Representatives.

(2) SIGNIFICANT ACTIVITIES UNDERMINING CYBERSECURITY.—The term ''significant activities undermining cybersecurity'' includes—

(A) significant efforts to—

(i) deny access to or degrade, disrupt, or destroy an information and communications technology system or network; or

(ii) exfiltrate information from such a system or network without authorization;

(B) significant destructive malware attacks;

(C) significant denial of service activities; and

(D) such other significant activities as may be described in regulations prescribed to implement this section.

(3) UNITED STATES PERSON.—The term ''United States person'' means—

(A) an individual who is a citizen of the United States or an alien lawfully admitted for permanent residence to the United States;

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity; or

(C) any government entity in the United States, whether Federal, State, or local.

SA 4206. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 423, strike lines 16 and 17 and insert the following:

(a) IN GENERAL.—Except as provided in subsection (c), not later than 90 days after submitting the report required by subsection (d), or one year after the date of the enactment of this Act, whichever occurs first, the Secretary of Defense

On page 425, strike lines 10 through 18 and insert the following:

(5) The Secretary shall ensure that any covered beneficiary who may be affected by modifications, reductions, or eliminations implemented under this section will be able to receive through the purchased care component of the TRICARE program any medical services that will not be available to such covered beneficiary at a military treatment facility as a result of such modifications, reductions, or eliminations.

(c) EXCEPTION.—The Secretary is not required to implement measures under subsection (a) with respect to overseas military health care facilities in a country if the Secretary determines that medical services in addition to the medical services described in subsection (b)(2) are necessary to ensure that covered beneficiaries located in that country have access to a similar level of care available to covered beneficiaries located in the United States.

(d) REPORT ON MODIFICATIONS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the modifications to medical services, military treatment facilities, and personnel in the military health system to be implemented pursuant to subsection (a).

(2) ELEMENTS.—The report required by paragraph (1) shall include, at a minimum, the following:

(A) A description of the medical services and associated personnel capacities necessary for the military medical force readiness of the Department of Defense.

(B) A comprehensive plan to modify the personnel and infrastructure of the military health system to exclusively provide medical services necessary for the military medical force readiness of the Department of Defense, including the following:

(i) A description of the planned changes or reductions in medical services provided by the military health system.

(ii) A description of the planned changes or reductions in staffing of military personnel, civilian personnel, and contractor personnel within the military health system.

(iii) A description of the personnel management authorities through which changes or reductions described in clauses (i) and (ii) will be made.

(iv) A description of the planned changes to the infrastructure of the military health system.

(v) An estimated timeline for completion of the changes or reductions described in clauses (i), (ii), and (iv) and other key milestones for implementation of such changes or reductions.

(e) COMPTROLLER GENERAL REPORT.—

On page 428, between lines 15 and 16, insert the following:

(3) The terms ''covered beneficiary'' and ''TRICARE program'' have the meanings given those terms in section 1072 of title 10, United States Code.

SA 4207. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 740. AUTHORITY TO EXPEDITE OPERATIONAL CAPABILITY OF MILITARY MEDICAL FACILITIES.

The Secretary of a military department may accept a military medical facility under the jurisdiction of such Secretary and begin initial operational testing prior to the facility reaching full operational capability if such Secretary determines that—

(1) initial operational testing—

(A) does not pose a direct threat to the life and safety of individuals at the facility;

(B) would not degrade the quality of health care services provided at the facility or the ability of health care providers at the facility to provide high-quality health care services; and

(C) will support the readiness of members of the Armed Forces as advised by the commanding general of the military installation at which the facility is located; and

(2) the completion of remaining objectives with respect to the facility reaching full operational capability will not be negatively impacted by beginning initial operational testing.

SA 4208. Mrs. CAPITO submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. CLARIFICATION THAT VOCATIONAL AND OTHER TRAINING SERVICES AND ASSISTANCE FOR VETERANS INCLUDES PARTICIPATION IN AGRICULTURAL TRAINING PROGRAMS.

Section 3104(a)(7) of title 38, United States Code, is amended—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following new subparagraph (B):

''(B) Vocational and other training services and assistance under subparagraph (A) may include participation in an agricultural training program authorized by a State legislature or certified by a State approving agency.''.

SA 4209. Mrs. CAPITO (for herself, Ms. STABENOW, Ms. COLLINS, and Mr. MARKEY) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SEC. 709. PROVISION OF CARE PLANNING SESSIONS FOR ALZHEIMER'S DISEASE AND RELATED DEMENTIAS UNDER THE TRICARE PROGRAM.

(a) IN GENERAL.—The Secretary of Defense shall provide to a covered beneficiary diagnosed with Alzheimer's disease or a related dementia a care planning session conducted by an appropriate health care provider as determined by the Secretary.

(b) CARE PLANNING SESSION.—A care planning session provided to a covered beneficiary under subsection (a) shall include the following:

(1) An explanation of the disease or dementia for which the care planning session is sought, including the expected progression of the disease or dementia.

(2) The creation of a patient-centered comprehensive care plan, as determined appropriate by the Secretary.

(3) Information regarding treatment options.

(4) A discussion of resources and services available to the covered beneficiary in the community that may reduce health risks and promote self-management of the disease or dementia for which the care planning session is sought.

(5) Such other information as the Secretary determines appropriate.

(c) STAKEHOLDER INPUT.—The Secretary shall seek input from physicians, practitioners, and other stakeholders regarding the structure of care planning sessions provided under subsection (a), as determined appropriate by the Secretary.

(d) COVERED BENEFICIARY DEFINED.—In this section, the term ''covered beneficiary'' has the meaning given that term in section 1072 of title 10, United States Code.

SA 4210. Mr. TESTER (for himself, Mr. GRASSLEY, Mr. JOHNSON, and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XI, add the following:

SEC. 1138. ADMINISTRATIVE LEAVE.

(a) SHORT TITLE.—This section may be cited as the ''Administrative Leave Act of 2016''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) agency use of administrative leave, and leave that is referred to incorrectly as administrative leave in agency recording practices, has exceeded reasonable amounts—

(A) in contravention of—

(i) established precedent of the Comptroller General of the United States; and

(ii) guidance provided by the Office of Personnel Management; and

(B) resulting in significant cost to the Federal Government;

(2) administrative leave should be used sparingly;

(3) prior to the use of paid leave to address personnel issues, an agency should consider other actions, including—

(A) temporary reassignment;

(B) transfer; and

(C) telework;

(4) an agency should prioritize and expeditiously conclude an investigation in which an employee is placed in administrative leave so that, not later than the conclusion of the leave period—

(A) the employee is returned to duty status; or

(B) an appropriate personnel action is taken with respect to the employee;

(5) data show that there are too many examples of employees placed in administrative leave for 6 months or longer, leaving the employees without any available recourse to—

(A) return to duty status; or

(B) challenge the decision of the agency;

(6) an agency should ensure accurate and consistent recording of the use of administrative leave so that administrative leave can be managed and overseen effectively; and

(7) other forms of excused absence authorized by law should be recorded separately from administrative leave, as defined by the amendments made by this section.

(c) ADMINISTRATIVE LEAVE.—

(1) IN GENERAL.—Subchapter II of chapter 63 of title 5, United States Code, is amended by adding at the end the following:

''§ 6329a. Administrative leave

''(a) DEFINITIONS.—In this section—

''(1) the term 'administrative leave' means leave—

''(A) without loss of or reduction in—

''(i) pay;

''(ii) leave to which an employee is otherwise entitled under law; or

''(iii) credit for time or service; and

''(B) that is not authorized under any other provision of law;

''(2) the term 'agency'—

''(A) means an Executive agency (as defined in section 105 of this title); and

''(B) does not include the Government Accountability Office; and

''(3) the term 'employee'—

''(A) has the meaning given the term in section 2105; and

''(B) does not include an intermittent employee who does not have an established regular tour of duty during the administrative workweek.

''(b) ADMINISTRATIVE LEAVE.—

''(1) IN GENERAL.—An agency may place an employee in administrative leave for a period of not more than 5 consecutive days.

''(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed to limit the use of leave that is—

''(A) specifically authorized under law; and

''(B) not administrative leave.

''(3) RECORDS.—An agency shall record administrative leave separately from leave authorized under any other provision of law.

''(c) REGULATIONS.—

''(1) OPM REGULATIONS.—Not later than 1 year after the date of enactment of this section, the Director of the Office of Personnel Management shall—

''(A) prescribe regulations to carry out this section; and

''(B) prescribe regulations that provide guidance to agencies regarding—

''(i) acceptable agency uses of administrative leave; and

''(ii) the proper recording of—

''(I) administrative leave; and

''(II) other leave authorized by law.

''(2) AGENCY ACTION.—Not later than 1 year after the date on which the Director of the Office of Personnel Management prescribes regulations under paragraph (1), each agency shall revise and implement the internal policies of the agency to meet the requirements of this section.

''(d) RELATION TO OTHER LAWS.—Notwithstanding subsection (a) of section 7421 of title 38, this section shall apply to an employee described in subsection (b) of that section.''.

(2) OPM STUDY.—Not later than 120 days after the date of enactment of this Act, the Director of the Office of Personnel Management, in consultation with Federal agencies, groups representing Federal employees, and other relevant stakeholders, shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report identifying agency practices, as of the date of enactment of this Act, of placing an employee in administrative leave for more than 5 consecutive days when the placement was not specifically authorized by law.

(3) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter II of chapter 63 of title 5, United States Code, is amended by inserting after the item relating to section 6329 the following:

''6329a. Administrative leave.''.

(d) INVESTIGATIVE LEAVE AND NOTICE LEAVE.—

(1) IN GENERAL.—Subchapter II of chapter 63 of title 5, United States Code, as amended by this section, is further amended by adding at the end the following:

''§ 6329b. Investigative leave and notice leave

''(a) DEFINITIONS.—In this section—

''(1) the term 'agency'—

''(A) means an Executive agency (as defined in section 105 of this title); and

''(B) does not include the Government Accountability Office;

''(2) the term 'Chief Human Capital Officer' means—

''(A) the Chief Human Capital Officer of an agency designated or appointed under section 1401; or

''(B) the equivalent;

''(3) the term 'committees of jurisdiction', with respect to an agency, means each committee in the Senate and House of Representatives with jurisdiction over the agency;

''(4) the term 'Director' means the Director of the Office of Personnel Management;

''(5) the term 'employee'—

''(A) has the meaning given the term in section 2105; and

''(B) does not include—

''(i) an intermittent employee who does not have an established regular tour of duty during the administrative workweek; or

''(ii) the Inspector General of an agency;

''(6) the term 'investigative leave' means leave—

''(A) without loss of or reduction in—

''(i) pay;

''(ii) leave to which an employee is otherwise entitled under law; or

''(iii) credit for time or service;

''(B) that is not authorized under any other provision of law; and

''(C) in which an employee who is the subject of an investigation is placed;

''(7) the term 'notice leave' means leave—

''(A) without loss of or reduction in—

''(i) pay;

''(ii) leave to which an employee is otherwise entitled under law; or

''(iii) credit for time or service;

''(B) that is not authorized under any other provision of law; and

''(C) in which an employee who is in a notice period is placed; and

''(8) the term 'notice period' means a period beginning on the date on which an employee is provided notice required under law of a proposed adverse action against the employee and ending on the date on which an agency may take the adverse action.

''(b) LEAVE FOR EMPLOYEES UNDER INVESTIGATION OR IN A NOTICE PERIOD.—

''(1) AUTHORITY.—An agency may, in accordance with paragraph (2), place an employee in—

''(A) investigative leave if the employee is the subject of an investigation;

''(B) notice leave if the employee is in a notice period; or

''(C) notice leave following a placement in investigative leave if, not later than the day after the last day of the period of investigative leave—

''(i) the agency proposes or initiates an adverse action against the employee; and

''(ii) the agency determines that the employee continues to meet 1 or more of the criteria described in subsection (c)(1).

''(2) REQUIREMENTS.—An agency may place an employee in leave under paragraph (1) only if the agency has—

''(A) made a determination with respect to the employee under subsection (c)(1);

''(B) considered the available options for the employee under subsection (c)(2); and

''(C) determined that none of the available options under subsection (c)(2) is appropriate.

''(c) EMPLOYEES UNDER INVESTIGATION OR IN A NOTICE PERIOD.—

''(1) DETERMINATIONS.—An agency may not place an employee in investigative leave or notice leave under subsection (b) unless the continued presence of the employee in the workplace during an investigation of the employee or while the employee is in a notice period, if applicable, may—

''(A) pose a threat to the employee or others;

''(B) result in the destruction of evidence relevant to an investigation;

''(C) result in loss of or damage to Government property; or

''(D) otherwise jeopardize legitimate Government interests.

''(2) AVAILABLE OPTIONS FOR EMPLOYEES UNDER INVESTIGATION OR IN A NOTICE PERIOD.—After making a determination under paragraph (1) with respect to an employee, and before placing an employee in investigative leave or notice leave under subsection (b), an agency shall consider taking 1 or more of the following actions:

''(A) Assigning the employee to duties in which the employee is no longer a threat to—

''(i) safety;

''(ii) the mission of the agency;

''(iii) Government property; or

''(iv) evidence relevant to an investigation.

''(B) Allowing the employee to take leave for which the employee is eligible.

''(C) Requiring the employee to telework under section 6502(c).

''(D) If the employee is absent from duty without approved leave, carrying the employee in absence without leave status.

''(E) For an employee subject to a notice period, curtailing the notice period if there is reasonable cause to believe the employee has committed a crime for which a sentence of imprisonment may be imposed.

''(3) DURATION OF LEAVE.—

''(A) INVESTIGATIVE LEAVE.—Subject to extensions of a period of investigative leave for which an employee may be eligible under subsections (d) and (e), the initial placement of an employee in investigative leave shall be for a period not longer than 10 days.

''(B) NOTICE LEAVE.—Placement of an employee in notice leave shall be for a period not longer than the duration of the notice period.

''(4) EXPLANATION OF LEAVE.—

''(A) IN GENERAL.—If an agency places an employee in leave under subsection (b), the agency shall provide the employee a written explanation of the leave placement and the reasons for the leave placement.

''(B) EXPLANATION.—The written notice under subparagraph (A) shall describe the limitations of the leave placement, including—

''(i) the applicable limitations under paragraph (3); and

''(ii) in the case of a placement in investigative leave, an explanation that, at the conclusion of the period of leave, the agency shall take an action under paragraph (5).

''(5) AGENCY ACTION.—Not later than the day after the last day of a period of investigative leave for an employee under subsection (b)(1), an agency shall—

''(A) return the employee to regular duty status;

''(B) take 1 or more of the actions authorized under paragraph (2), meaning—

''(i) assigning the employee to duties in which the employee is no longer a threat to—

''(I) safety;

''(II) the mission of the agency;

''(III) Government property; or

''(IV) evidence relevant to an investigation;

''(ii) allowing the employee to take leave for which the employee is eligible;

''(iii) requiring the employee to telework under section 6502(c);

''(iv) if the employee is absent from duty without approved leave, carrying the employee in absence without leave status; or

''(v) for an employee subject to a notice period, curtailing the notice period if there is reasonable cause to believe the employee has committed a crime for which a sentence of imprisonment may be imposed;

''(C) propose or initiate an adverse action against the employee as provided under law; or

''(D) extend the period of investigative leave under subsections (d) and (e).

''(6) RULE OF CONSTRUCTION.—Nothing in paragraph (5) shall be construed to prevent the continued investigation of an employee, except that the placement of an employee in investigative leave may not be extended for that purpose except as provided in subsections (d) and (e).

''(d) INITIAL EXTENSION OF INVESTIGATIVE LEAVE.—

''(1) IN GENERAL.—Subject to paragraph (4), if the Chief Human Capital Officer of an agency, or the designee of the Chief Human Capital Officer, approves such an extension after consulting with the investigator responsible for conducting the investigation to which an employee is subject, the agency may extend the period of investigative leave for the employee under subsection (b) for not more than 30 days.

''(2) MAXIMUM NUMBER OF EXTENSIONS.—The total period of additional investigative leave for an employee under paragraph (1) may not exceed 110 days.

''(3) DESIGNATION GUIDANCE.—Not later than 1 year after the date of enactment of this section, the Chief Human Capital Officers Council shall issue guidance to ensure that if the Chief Human Capital Officer of an agency delegates the authority to approve an extension under paragraph (1) to a designee, the designee is at a sufficiently high level within the agency to make an impartial and independent determination regarding the extension.

''(4) EXTENSIONS FOR OIG EMPLOYEES.—

''(A) APPROVAL.—In the case of an employee of an Office of Inspector General—

''(i) the Inspector General or the designee of the Inspector General, rather than the Chief Human Capital Officer or the designee of the Chief Human Capital Officer, shall approve an extension of a period of investigative leave for the employee under paragraph (1); or

''(ii) at the request of the Inspector General, the head of the agency within which the Office of Inspector General is located shall designate an official of the agency to approve an extension of a period of investigative leave for the employee under paragraph (1).

''(B) GUIDANCE.—Not later than 1 year after the date of enactment of this section, the Council of the Inspectors General on Integrity and Efficiency shall issue guidance to ensure that if the Inspector General or the head of an agency, at the request of the Inspector General, delegates the authority to approve an extension under subparagraph (A) to a designee, the designee is at a sufficiently high level within the Office of Inspector General or the agency, as applicable, to make an impartial and independent determination regarding the extension.

''(e) FURTHER EXTENSION OF INVESTIGATIVE LEAVE.—

''(1) IN GENERAL.—After reaching the limit under subsection (d)(2), an agency may further extend a period of investigative leave for an employee for a period of not more than 60 days if, before the further extension begins, the head of the agency or, in the case of an employee of an Office of Inspector General, the Inspector General submits a notification that includes the reasons for the further extension to the—

''(A) committees of jurisdiction;

''(B) Committee on Homeland Security and Governmental Affairs of the Senate; and

''(C) Committee on Oversight and Government Reform of the House of Representatives.

''(2) NO LIMIT.—There shall be no limit on the number of further extensions that an agency may grant to an employee under paragraph (1).

''(3) OPM REVIEW.—An agency shall request from the Director, and include with the notification required under paragraph (1), the opinion of the Director—

''(A) with respect to whether to grant a further extension under this subsection, including the reasons for that opinion; and

''(B) which shall not be binding on the agency.

''(4) SUNSET.—The authority provided under this subsection shall expire on the date that is 6 years after the date of enactment of this section.

''(f) CONSULTATION GUIDANCE.—Not later than 1 year after the date of enactment of this section, the Council of the Inspectors General on Integrity and Efficiency, in consultation with the Attorney General and the Special Counsel, shall issue guidance on best practices for consultation between an investigator and an agency on the need to place an employee in investigative leave during an investigation of the employee, including during a criminal investigation, because the continued presence of the employee in the workplace during the investigation may—

''(1) pose a threat to the employee or others;

''(2) result in the destruction of evidence relevant to an investigation;

''(3) result in loss of or damage to Government property; or

''(4) otherwise jeopardize legitimate Government interests.

''(g) REPORTING AND RECORDS.—

''(1) IN GENERAL.—An agency shall keep a record of the placement of an employee in investigative leave or notice leave by the agency, including—

''(A) the basis for the determination made under subsection (c)(1);

''(B) an explanation of why an action under subsection (c)(2) was not appropriate;

''(C) the length of the period of leave;

''(D) the amount of salary paid to the employee during the period of leave;

''(E) the reasons for authorizing the leave, including, if applicable, the recommendation made by an investigator under subsection (d)(1); and

''(F) the action taken by the agency at the end of the period of leave, including, if applicable, the granting of any extension of a period of investigative leave under subsection (d) or (e).

''(2) AVAILABILITY OF RECORDS.—An agency shall make a record kept under paragraph (1) available—

''(A) to any committee of Congress, upon request;

''(B) to the Office of Personnel Management; and

''(C) as otherwise required by law, including for the purposes of the Administrative Leave Act of 2016 and the amendments made by that Act.

''(h) REGULATIONS.—

''(1) OPM ACTION.—Not later than 1 year after the date of enactment of this section, the Director shall prescribe regulations to carry out this section, including guidance to agencies regarding—

''(A) acceptable purposes for the use of—

''(i) investigative leave; and

''(ii) notice leave;

''(B) the proper recording of—

''(i) the leave categories described in subparagraph (A); and

''(ii) other leave authorized by law;

''(C) baseline factors that an agency shall consider when making a determination that the continued presence of an employee in the workplace may—

''(i) pose a threat to the employee or others;

''(ii) result in the destruction of evidence relevant to an investigation;

''(iii) result in loss or damage to Government property; or

''(iv) otherwise jeopardize legitimate Government interests; and

''(D) procedures and criteria for the approval of an extension of a period of investigative leave under subsection (d) or (e).

''(2) AGENCY ACTION.—Not later than 1 year after the date on which the Director prescribes regulations under paragraph (1), each agency shall revise and implement the internal policies of the agency to meet the requirements of this section.

''(i) RELATION TO OTHER LAWS.—Notwithstanding subsection (a) of section 7421 of title 38, this section shall apply to an employee described in subsection (b) of that section.''.

(2) PERSONNEL ACTION.—Section 2302(a)(2)(A) of title 5, United States Code, is amended—

(A) in clause (xi), by striking ''and'' at the end;

(B) by redesignating clause (xii) as clause (xiii); and

(C) by inserting after clause (xi) the following:

''(xii) a determination made by an agency under section 6329b(c)(1) that the continued presence of an employee in the workplace during an investigation of the employee or while the employee is in a notice period, if applicable, may—

''(I) pose a threat to the employee or others;

''(II) result in the destruction of evidence relevant to an investigation;

''(III) result in loss of or damage to Government property; or

''(IV) otherwise jeopardize legitimate Government interests; and''.

(3) GAO REPORT.—Not later than 5 years after the date of enactment of this Act, the Comptroller General of the United States shall report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives on the results of an evaluation of the implementation of the authority provided under sections 6329a and 6329b of title 5, United States Code, as added by subsection (c)(1) and paragraph (1) of this subsection, respectively, including—

(A) an assessment of agency use of the authority provided under subsection (e) of such section 6329b, including data regarding—

(i) the number and length of extensions granted under that subsection; and

(ii) the number of times that the Director of the Office of Personnel Management, under paragraph (3) of that subsection—

(I) concurred with the decision of an agency to grant an extension; and

(II) did not concur with the decision of an agency to grant an extension, including the bases for those opinions of the Director;

(B) recommendations to Congress, as appropriate, on the need for extensions beyond the extensions authorized under subsection (d) of such section 6329b; and

(C) a review of the practice of agency placement of an employee in investigative or notice leave under subsection (b) of such section 6329b because of a determination under subsection (c)(1)(D) of that section that the employee jeopardized legitimate Government interests, including the extent to which such determinations were supported by evidence.

(4) TELEWORK.—Section 6502 of title 5, United States Code, is amended by adding at the end the following:

''(c) REQUIRED TELEWORK.—If an agency determines under section 6329b(c)(1) that the continued presence of an employee in the workplace during an investigation of the employee or while the employee is in a notice

period, if applicable, may pose 1 or more of the threats described in that section and the employee is eligible to telework under subsections (a) and (b) of this section, the agency may require the employee to telework for the duration of the investigation or the notice period, if applicable.''.

(5) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter II of chapter 63 of title 5, United States Code, is amended by inserting after the item relating to section 6329a, as added by this section, the following:

''6329b. Investigative leave and notice leave.''.

(e) LEAVE FOR WEATHER AND SAFETY ISSUES.—

(1) IN GENERAL.—Subchapter II of chapter 63 of title 5, United States Code, as amended by this section, is further amended by adding at the end the following:

''§ 6329c. Weather and safety leave

''(a) DEFINITIONS.—In this section—

''(1) the term 'agency'—

''(A) means an Executive agency (as defined in section 105 of this title); and

''(B) does not include the Government Accountability Office; and

''(2) the term 'employee'—

''(A) has the meaning given the term in section 2105; and

''(B) does not include an intermittent employee who does not have an established regular tour of duty during the administrative workweek.

''(b) LEAVE FOR WEATHER AND SAFETY ISSUES.—An agency may approve the provision of leave under this section to an employee or a group of employees without loss of or reduction in the pay of the employee or employees, leave to which the employee or employees are otherwise entitled, or credit to the employee or employees for time or service only if the employee or group of employees is prevented from safely traveling to or performing work at an approved location due to—

''(1) an act of God;

''(2) a terrorist attack; or

''(3) another condition that prevents the employee or group of employees from safely traveling to or performing work at an approved location.

''(c) RECORDS.—An agency shall record leave provided under this section separately from leave authorized under any other provision of law.

''(d) REGULATIONS.—Not later than 1 year after the date of enactment of this section, the Director of the Office of Personnel Management shall prescribe regulations to carry out this section, including—

''(1) guidance to agencies regarding the appropriate purposes for providing leave under this section; and

''(2) the proper recording of leave provided under this section.

''(e) RELATION TO OTHER LAWS.—Notwithstanding subsection (a) of section 7421 of title 38, this section shall apply to an employee described in subsection (b) of that section.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter II of chapter 63 of title 5, United States Code, is amended by inserting after the item relating to section 6329b, as added by this section, the following:

''6329c. Weather and safety leave.''.

(f) ADDITIONAL OVERSIGHT.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Director of the Office of Personnel Management shall complete a review of agency policies to determine whether agencies have complied with the requirements of this section and the amendments made by this section.

(2) REPORT TO CONGRESS.—Not later than 90 days after completing the review under paragraph (1), the Director shall submit to Congress a report evaluating the results of the review.

SA 4211. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title VI, add the following:

SEC. 673. CREDIT PROTECTIONS FOR SERVICEMEMBERS.

(a) ACTIVE DUTY FREEZE ALERTS.—Section 605A of the Fair Credit Reporting Act (15 U.S.C. 1681c–1) is amended—

(1) in the heading for such section, by striking ''**AND ACTIVE DUTY ALERTS**'' and inserting ''**, ACTIVE DUTY ALERTS, AND ACTIVE DUTY FREEZE ALERTS**'';

(2) by redesignating subsections (d) through (h) as subsections (e) through (i), respectively;

(3) by inserting after subsection (c) the following:

''(d) ACTIVE DUTY FREEZE ALERTS.—Upon the direct request of an active duty military consumer, or an individual acting on behalf of or as a personal representative of an active duty military consumer, a consumer reporting agency described in section 603(p) that maintains a file on the active duty military consumer and has received appropriate proof of the identity of the requester, at no cost to the active duty military consumer while the consumer is deployed, shall—

''(1) include an active duty freeze alert in the file of that active duty military consumer or such longer period as the Bureau shall determine, by regulation, beginning on the date of the request, unless the active duty military consumer or such representative requests that such freeze alert be removed before the end of such period, and the agency has received appropriate proof of the identity of the requester for such purpose;

''(2) during the 2-year period beginning on the date of such request, exclude the active duty military consumer from any list of consumers prepared by the consumer reporting agency and provided to any third party to offer credit or insurance to the consumer as part of a transaction that was not initiated by the consumer, unless the consumer requests that such exclusion be rescinded before the end of such period; and

''(3) refer the information regarding the active duty freeze alert to each of the other consumer reporting agencies described in section 603(p), in accordance with procedures developed under section 621(f).'';

(4) in subsection (e), as so redesignated—

(A) by striking ''extended, and active duty alerts'' and inserting ''extended, active duty, and active duty freeze alerts''; and

(B) by striking ''extended, or active duty alerts'' and inserting ''extended, active duty, or active duty freeze alerts'';

(5) in subsection (f), as so redesignated—

(A) in the matter preceding paragraph (1), by striking ''or active duty alert'' and inserting ''active duty alert, or active duty freeze alert'';

(B) in paragraph (2), by striking ''; and'' and inserting a semicolon;

(C) in paragraph (3), by striking the period and inserting ''; and''; and

(D) by adding at the end the following:

''(4) paragraphs (1) and (2) of subsection (d), in the case of a referral under subsection (d)(3).'';

(6) in subsection (g), as so redesignated, by striking ''or active duty alert'' and inserting ''active duty alert, or active duty freeze alert''; and

(7) in subsection (i), as so redesignated, by adding at the end the following:

''(3) REQUIREMENTS FOR ACTIVE DUTY FREEZE ALERTS.—

''(A) NOTIFICATION.—Each active duty freeze alert under this section shall include information that notifies all prospective users of a consumer report on the consumer to which the freeze alert relates that the consumer does not authorize the establishment of any new credit plan or extension of credit, including any credit under an open-end credit plan (as defined in section 103(i)), in the name of the consumer, or issuance of an additional card on an existing credit account requested by a consumer, or any increase in credit limit on an existing credit account requested by a consumer.

''(B) PROHIBITION ON USERS.—No prospective user of a consumer report that includes an active duty freeze alert in accordance with this section may establish a new credit plan or extension of credit, including any credit under an open-end credit plan (as defined in section 103(i)), in the name of the consumer, or issue an additional card on an existing credit account requested by a consumer, or grant any increase in credit limit on an existing credit account requested by a consumer.''.

(b) RULEMAKING.—The Bureau of Consumer Financial Protection shall prescribe regulations to define what constitutes appropriate proof of identity for purposes of section 605A(d) of the Fair Credit Reporting Act, as amended by subsection (a).

(c) TECHNICAL AMENDMENT.—Section 603(q)(2) of the Fair Credit Reporting Act (15 U.S.C. 1681a(q)(2)) is amended—

(1) in the heading for such paragraph, by striking ''ACTIVE DUTY ALERT'' and inserting ''ACTIVE DUTY ALERT; ACTIVE DUTY FREEZE ALERT''; and

(2) by inserting ''and 'active duty freeze alert''' before ''mean''.

(d) EFFECTIVE DATE.—This Act, and any amendment made by this Act, shall take effect 1 year after the date of enactment of this Act.

SA 4212. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title V, add the following:

SEC. 597. DEFERRAL OF STUDENTS LOANS FOR CERTAIN PERIOD IN CONNECTION WITH RECEIPT OF ORDERS FOR MOBILIZATION FOR WAR OR NATIONAL EMERGENCY.

(a) FEDERAL FAMILY EDUCATION LOANS.—Section 428(b)(1)(M) of the Higher Education

Act of 1965 (20 U.S.C. 1078(b)(1)(M)) is amended—

(1) in the matter preceding clause (i), by striking '', during any period'';

(2) in clause (i), by striking ''during which'' and inserting ''during any period during which'';

(3) in clause (ii), by striking ''during which'' and inserting ''during any period during which'';

(4) in clause (iii)—

(A) by striking ''during which'' and inserting ''during any period during which''; and

(B) in the matter following subclause (II), by striking ''or'' after the semicolon;

(5) by redesignating clause (iv) as clause (vi);

(6) by inserting after clause (iii) the following:

''(iv) in the case of any borrower who has received a call or order to duty described in subclause (I) or (II) of clause (iii), during the shorter of—

''(I) the period beginning on the date such call or order to duty is received by the borrower and ending on the first day of the service described in subclause (I) or (II) of clause (iii); and

''(II) the 180-day period preceding the first day of such service;

''(v) notwithstanding clause (iv)—

''(I) in the case of any borrower described in such clause whose call or order to duty is cancelled before the first day of the service described in subclause (I) or (II) of clause (iii) because of a personal injury in connection with training to prepare for such service, during the period described in clause (iv) and during an additional period equal to the duration of such service, as specified by or otherwise determined in the original call or order to duty; and

''(II) in the case of any borrower whose call or order to duty is cancelled before the first day of such service for a reason other than an injury described in subclause (I), during the period beginning on the date the call or order to duty is received by the borrower and ending on the date that is 14 days after such call or order to duty is cancelled; and''; and

(7) in clause (vi) (as redesignated by paragraph (5)), by striking ''not in excess'' and inserting ''during any period not in excess''.

(b) DIRECT LOANS.—Section 455(f)(2) of the Higher Education Act of 1965 (20 U.S.C. 1087e(f)(2)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''during any period'';

(2) in subparagraph (A), by striking ''during which'' and inserting ''during any period during which'';

(3) in subparagraph (B), by striking ''not in excess'' and inserting ''during any period not in excess'';

(4) in subparagraph (C)—

(A) in the matter preceding clause (i), by striking ''during which'' and inserting ''during any period during which''; and

(B) in the matter following clause (ii), by striking ''or'' after the semicolon;

(5) by redesignating subparagraph (D) as subparagraph (F);

(6) by inserting after subparagraph (C) the following:

''(D) in the case of any borrower who has received a call or order to duty described in clause (i) or (ii) of subparagraph (C), during the shorter of—

''(i) the period beginning on the date such call or order to duty is received by the borrower and ending on the first day of the service described in clause (i) or (ii) of subparagraph (C); and

''(ii) the 180-day period preceding the first day of such service;

''(E) notwithstanding subparagraph (D)—

''(i) in the case of any borrower described in such subparagraph whose call or order to duty is cancelled before the first day of the service described in clause (i) or (ii) of subparagraph (C) because of a personal injury in connection with training to prepare for such service, during the period described in subparagraph (D) and during an additional period equal to the duration of such service, as specified by or otherwise determined in the original call or order to duty; and

''(ii) in the case of any borrower whose call or order to duty is cancelled before the first day of such service for a reason other than an injury described in clause (i), during the period beginning on the date the call or order to duty is received by the borrower and ending on the date that is 14 days after such call or order to duty is cancelled; and''; and

(7) in subparagraph (F) (as redesignated by paragraph (5)), by striking ''not in excess'' and inserting ''during any period not in excess''.

(c) PERKINS LOANS.—Section 464(c)(2)(A) of the Higher Education Act of 1965 (20 U.S.C. 1087dd(c)(2)(A)) is amended—

(1) in the matter preceding clause (i), by striking ''during any period'';

(2) in clause (i), by striking ''during which'' and inserting ''during any period during which'';

(3) in clause (ii), by striking ''not in excess'' and inserting ''during any period not in excess'';

(4) in clause (iii), by striking ''during which'' and inserting ''during any period during which'';

(5) by redesignating clauses (iv) and (v) as clauses (vi) and (vii), respectively;

(6) by inserting after clause (iii) the following:

''(iv) in the case of any borrower who has received a call or order to duty described in subclause (I) or (II) of clause (iii), during the shorter of—

''(I) the period beginning on the date such call or order to duty is received by the borrower and ending on the first day of the service described in subclause (I) or (II) of clause (iii); and

''(II) the 180-day period preceding the first day of such service;

''(v) notwithstanding clause (iv)—

''(I) in the case of any borrower described in such clause whose call or order to duty is cancelled before the first day of the service described in subclause (I) or (II) of clause (iii) because of a personal injury in connection with training to prepare for such service, during the period described in clause (iv) and during an additional period equal to the duration of such service, as specified by or otherwise determined in the original call or order to duty; and

''(II) in the case of any borrower whose call or order to duty is cancelled before the first day of such service for a reason other than an injury described in subclause (I), during the period beginning on the date the call or order to duty is received by the borrower and ending on the date that is 14 days after such call or order to duty is cancelled;'';

(7) in clause (vi) (as redesignated by paragraph (5)), by striking ''not in excess'' and inserting ''during any period not in excess''; and

(8) in clause (vii) (as redesignated by paragraph (5)), by striking ''during which'' and inserting ''during any period during which''.

(d) RULE OF CONSTRUCTION.—Nothing in the amendments made by this section shall be construed to authorize any refunding of any repayment of a loan.

(e) APPLICABILITY.—The amendments made by this section shall apply with respect to all loans made, insured, or guaranteed under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

(f) CONFORMING AMENDMENTS.—Title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) is further amended—

(1) in section 428B(d)(1)(A)(ii) (20 U.S.C. 1078–2(d)(1)(A)(ii)), by striking ''428(b)(1)(M)(i)(I)'' and inserting ''or clause (i)(I), (iv), or (v) of section 428(b)(1)(M)''; and

(2) in section 493D(a) (20 U.S.C. 1098f(a)), by striking ''section 428(b)(1)(M)(iii), 455(f)(2)(C), or 464(c)(2)(A)(iii)'' and inserting ''clause (iii) or (iv) of section 428(b)(1)(M), subparagraph (C) or (D) of section 455(f)(2), or clause (iii) or (iv) of section 464(c)(2)(A)''.

SA 4213. Mr. TESTER (for himself, Mr. HELLER, Mrs. ERNST, Mr. ROUNDS, and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SEC. 709. PILOT PROGRAM ON EXPANSION OF ELIGIBILITY FOR READJUSTMENT COUNSELING FROM DEPARTMENT OF VETERANS AFFAIRS TO INCLUDE MEMBERS OF THE SELECTED RESERVE OF THE ARMED FORCES.

(a) IN GENERAL.—Beginning not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall commence a three-year pilot program to assess the feasibility and advisability of furnishing counseling under section 1712A(a) of title 38, United States Code, to any member of the Selected Reserve of the Armed Forces who has a behavioral health condition or psychological trauma.

(b) COMPREHENSIVE INDIVIDUAL ASSESSMENT.—Counseling furnished under the pilot program may include a comprehensive individual assessment under section 1712A(a)(1)(B)(i) of such title.

(c) CONFIDENTIALITY.—The Secretary shall ensure that the confidentiality of individuals furnished counseling under the pilot program is protected to the same extent as the confidentiality of individuals furnished counseling under section 1712A(a) of such title.

(d) REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of the completion of the pilot program, the Secretary of Veterans Affairs shall, in consultation with the Secretary of Defense, submit to Congress a report on the findings of the Secretary of Veterans Affairs with respect to the pilot program.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A description of the individuals who benefitted from counseling under the pilot program.

(B) A description of any impediments to the Secretary of Veterans Affairs in furnishing counseling under the pilot program.

(C) A description of any impediments encountered by individuals in receiving counseling under the pilot program.

(D) An assessment of the feasibility and advisability of furnishing counseling under the pilot program to all members of the Selected Reserve of the Armed Forces who have

behavioral health conditions or psychological trauma.

(E) Such recommendations for legislative or administrative action as the Secretary considers appropriate with respect to the furnishing of counseling to such members.

(e) VET CENTER DEFINED.—In this section, the term ''Vet Center'' means a center for readjustment counseling and related mental health services for veterans under section 1712A of title 38, United States Code.

SA 4214. Mr. KIRK (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V of division A, add the following:

SEC. _____. IMPACT AID.

Notwithstanding section 5(d) of the Every Student Succeeds Act (Public Law 114–95; 129 Stat. 1806), the amendment made by section 7004(1) of such Act (Public Law 114–95; 129 Stat. 2077)—

(1) for fiscal year 2016, shall—

(A) be applied as if amending section 8003(a)(5)(A) of the Elementary and Secondary Education Act of 1965, as in effect on the day before the date of enactment of the Every Student Succeeds Act (Public Law 114– 95; 129 Stat. 1802); and

(B) be in effect with respect to appropriations for use under title VIII of the Elementary and Secondary Education Act of 1965, as in effect on the day before the date of enactment of the Every Student Succeeds Act; and

(2) for fiscal year 2017 and each succeeding fiscal year, shall be in effect with respect to appropriations for use under title VII of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (Public Law 114–95; 129 Stat. 1802).

SA 4215. Mr. REID (for himself, Mr. SCHUMER, and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. _____. CREDITABLE SERVICE FOR FEDERAL RETIREMENT FOR CERTAIN INDIVIDUALS.

(a) DEFINITIONS.—In this section—

(1) the term ''annuity'' includes a survivor annuity; and

(2) the terms ''survivor'', ''survivor annuitant'', and ''unfunded liability'' have the meanings given those terms under section 8331 of title 5, United States Code.

(b) AMENDMENTS.—

(1) IN GENERAL.—Section 8332(b) of title 5, United States Code, is amended—

(A) in paragraph (16), by striking ''and'' at the end;

(B) in paragraph (17), by striking the period at the end and inserting ''; and'';

(C) by inserting after paragraph (17) the following:

''(18) any period of service performed—

''(A) not later than December 31, 1977;

''(B) while a citizen of the United States;

''(C) in the employ of—

''(i) Air America, Inc.; or

''(ii) any entity associated with, predecessor to, or subsidiary to Air America, Inc., including Air Asia Company Limited, CAT Incorporated, Civil Air Transport Company Limited, and the Pacific Division of Southern Air Transport; and

''(D) during the period that Air America, Inc. or such other entity described in subparagraph (C) was owned and controlled by the United States Government.''; and

(D) in the second undesignated paragraph following paragraph (18) (as added by subparagraph (C)), by adding at the end the following: ''For purposes of this subchapter, service of the type described in paragraph (18) of this subsection shall be considered to have been service as an employee.''.

(2) EXEMPTION FROM DEPOSIT REQUIREMENT.—Section 8334(g) of title 5, United States Code, is amended—

(A) in paragraph (5), by striking ''or'' at the end;

(B) in paragraph (6), by striking the period at the end and inserting '' ; or''; and

(C) by adding at the end the following:

''(7) any period of service for which credit is allowed under section 8332(b)(18) of this title.''.

(c) APPLICABILITY.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply with respect to annuities commencing on or after the effective date of this section.

(2) PROVISIONS RELATING TO CURRENT ANNUITANTS.—

(A) ELECTION.—Any individual who is entitled to an annuity for the month in which this section becomes effective may elect to have the amount of such annuity recomputed as if the amendments made by this section had been in effect throughout all periods of service on the basis of which the annuity is or may be based.

(B) SUBMISSION OF ELECTION.—An individual shall make an election under subparagraph (A) by submitting an appropriate application to the Office of Personnel Management not later than 2 years after the effective date of this section.

(C) EFFECTIVE DATE OF RECOMPUTATION; RETROACTIVE PAY AS LUMP-SUM PAYMENT.—

(i) EFFECTIVE DATE.—A recomputation under subparagraph (A) shall be effective as of the commencement date of the annuity.

(ii) RETROACTIVE PAY AS LUMP-SUM PAYMENT.—Any additional amounts becoming payable, due to a recomputation under subparagraph (A), for periods before the first month for which the recomputation is reflected in the regular monthly annuity payments of an individual shall be payable to the individual in the form of a lump-sum payment.

(3) PROVISIONS RELATING TO INDIVIDUALS ELIGIBLE FOR (BUT NOT CURRENTLY RECEIVING) AN ANNUITY.—

(A) IN GENERAL.—

(i) ELECTION.—An individual not described in paragraph (2) who becomes eligible for an annuity or an increased annuity as a result of the enactment of this section may elect to have the rights of the individual under subchapter III of chapter 83 of title 5, United States Code, determined as if the amendments made by this section had been in effect throughout all periods of service on the basis of which the annuity is or would be based.

(ii) SUBMISSION OF ELECTION.—An individual shall make an election under clause (i) by submitting an appropriate application to the Office of Personnel Management not later than 2 years after the later of—

(I) the effective date of this section; or

(II) the date on which the individual separates from service.

(B) EFFECTIVE DATE OF ENTITLEMENT; RETROACTIVITY.—

(i) EFFECTIVE DATE.—

(I) IN GENERAL.—Subject to clause (ii), any entitlement to an annuity or an increased annuity resulting from an election under subparagraph (A) shall be effective as of the commencement date of the annuity.

(II) RETROACTIVE PAY AS LUMP-SUM PAYMENT.—Any amounts becoming payable for periods before the first month for which regular monthly annuity payments begin to be made in accordance with the amendments made by this section shall be payable to the individual in the form of a lump-sum payment.

(ii) RETROACTIVITY.—Any determination of the amount, or of the commencement date, of any annuity, all the requirements for entitlement to which (including separation, but not including any application requirement) would have been satisfied before the effective date of this section if this section had been in effect (but would not then otherwise have been satisfied absent this section) shall be made as if application for the annuity had been submitted as of the earliest date that would have been allowable, after the date on which the individual separated from service, if the amendments made by this section had been in effect throughout the periods of service referred to in subparagraph (A)(i).

(4) RIGHT TO FILE ON BEHALF OF A DECEDENT.—

(A) IN GENERAL.—The regulations promulgated under subsection (e)(1) shall include provisions, in accordance with the order of precedence under section 8342(c) of title 5, United States Code, under which a survivor of an individual who performed service described in section 8332(b)(18) of such title (as added by subsection (b)(1)(C)) shall be allowed to submit an application on behalf of and to receive any lump-sum payment that would otherwise have been payable to the decedent under paragraph (2)(C)(ii) or (3)(B)(i)(II) of this subsection.

(B) SUBMISSION OF APPLICATION.—An application under this paragraph shall not be valid unless it is filed not later than the later of—

(i) 2 years after the effective date of this section; or

(ii) 1 year after the date of the decedent's death.

(d) FUNDING.—

(1) LUMP-SUM PAYMENTS.—Any lump-sum payment under paragraph (2)(C)(ii) or (3)(B)(i)(II) of subsection (c) shall be payable out of the Civil Service Retirement and Disability Fund.

(2) UNFUNDED LIABILITY.—Any increase in the unfunded liability of the Civil Service Retirement System attributable to the enactment of this section shall be financed in accordance with section 8348(f) of title 5, United States Code.

(e) REGULATIONS AND SPECIAL RULE.—

(1) IN GENERAL.—The Director of the Office of Personnel Management shall promulgate any regulations necessary to carry out this section, which shall include provisions under

which rules similar to those established under the amendments made by section 201 of the Federal Employees' Retirement System Act of 1986 (Public Law 99–335; 100 Stat. 588) shall be applied with respect to any service described in section 8332(b)(18) of title 5, United States Code (as added by subsection (b)(1)(C)) that was subject to title II of the Social Security Act.

(2) SPECIAL RULE.—For purposes of any application for any benefit which is computed or recomputed taking into account any service described in section 8332(b)(18) of title 5, United States Code (as added by subsection (b)(1)(C)), section 8345(i)(2) of such title shall be applied by deeming the reference to the date of the ''other event which gives rise to title to the benefit'' to refer to the effective date of this section, if later than the date of the event that would otherwise apply.

(f) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the first day of the first fiscal year beginning after the date of enactment of this Act.

SA 4216. Mr. BOOKER (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title I, add the following:

SEC. 154. REPORT ON NORTHCOM JOINT URGENT OPERATIONS NEED FOR AESA RADARS.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States Northern Command (NORTHCOM) requested a Joint Urgent Operational Need (JUON) in 2015 at the request of the First Air Force for 72 F–16 aircraft equipped with active electronically scanned array (AESA) radars.

(2) According to a June 2009 report of the Defense Science Board Task Force on the Fulfillment of Urgent Operational Needs, a JUON is ''a need prioritized by a combatant commander and is defined as a need requiring a solution that, if left unfilled, could result in the loss of life and/or prevent the successful completion of a near-term military mission''.

(3) According to Department of Defense Instruction 5000.02 ''Operation of the Defense Acquisition System'', the purpose of urgent operational needs is ''to deliver capability quickly, within days or months''.

(4) Furthermore, Department of Defense Instruction 5000.02 states that ''DoD Components will use all available authorities to expeditiously fund, develop, assess, produce, deploy, and sustain these capabilities for the duration of the urgent need''.

(5) One of the criteria for selecting a rapid fielding such as JUON is that the capability can be fielded within 2 years. However, to date no AESA Radars have been fielded in support of this JUON.

(b) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Commander of U.S. Northern Command and the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth—

(1) the status of the NORTHCOM JUON for 72 AESA radar-equipped F–16 aircraft;

(2) when the Air Force expects to field all 72 radars;

(3) what acquisition strategy the Department of Defense will use for the full buy; and

(4) how NORTHCOM is addressing threats to the homeland and capability gaps in United States air combat alert in the absence of F–16 aircraft equipped with AESA radars.

(c) FORM.—The report required under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SA 4217. Ms. AYOTTE (for herself, Mrs. SHAHEEN, Mr. GRAHAM, Mr. KING, Mr. WICKER, Mr. NELSON, and Mr. KIRK) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 145 and insert the following:

SEC. 145. COMPASS CALL RE-HOST PROGRAM.

(a) AUTHORIZATION.—The Secretary of the Air Force is authorized to obligate and expend fiscal year 2017 funds for the purpose of re-hosting the primary mission equipment of the current EC–130H Compass Call aircraft fleet on to a more operationally effective and survivable airborne platform to meet combatant commander requirements. This program may be implemented consistent with existing authorities, including Federal Acquisition Regulation Part 6.3 and Department of Defense Instruction 5000.02 ''Operation of the Defense Acquisition System''.

(b) FUNDING ADJUSTMENTS.—

(1) AIRCRAFT PROCUREMENT, AIR FORCE.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 101 for procurement for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities is hereby increased by $32,600,000, with the amount of the increase to be allocated to aircraft procurement, Air Force, as specified in the funding tables in section 4101, and available for the following procurement in the amounts specified:

(A) EC–130H, Scope Increase, $103,000,000.

(B) Compass Call Mods, Program Restructure, a decrease in the amount of $70,400,000.

(2) PROCUREMENT OF AIRCRAFT SPARES AND REPAIR PARTS, AIR FORCE.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 101 for procurement for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities is hereby reduced by $13,200,000, with the amount of the decrease to be allocated to aircraft spares and repair parts, Air Force, as specified in the funding tables in section 4101, and available for Initial Spares/Repair Parts; Compass Call, Program Restructure.

(3) PROCUREMENT OF AIRCRAFT SPARES AND REPAIR PARTS FOR OCO, AIR FORCE.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 1503 for procurement for overseas contingency operations is hereby reduced by $25,600,000, with the amount of the decrease to be allocated to aircraft spares and repair parts, Air Force, for overseas contingency operations, as specified in the funding tables in section 4102, and available for Initial Spares/Repair Parts; Compass Call, Program Restructure.

(4) RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, AIR FORCE.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 201 for research, development, test, and evaluation is hereby increased by $37,100,000, with the amount of the increase to be allocated to operational systems development, as specified in the funding tables in section 4201, and available for Compass Call, Program Restructure.

(5) OPERATION AND MAINTENANCE, AIR FORCE.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 301 for operation and maintenance is hereby reduced by $56,500,000, with the amount of such decrease to be allocated to operation and maintenance, Air Force operating forces for depot maintenance, as specified in the funding tables in section 4301, and available for Compass Call, Program Restructure.

(6) OPERATION AND MAINTENANCE FOR OCO, AIR FORCE.—The amount authorized to be appropriated for fiscal year 2017 by section 1505 for the Department of Defense for operation and maintenance for overseas contingency operations is hereby increased by $25,600,000, with the amount of such increase to be allocated to operation and maintenance, Air Force operating forces, for overseas contingency operations, for depot maintenance, as specified in the funding tables in section 4302, and available for Compass Call, Program Restructure.

SA 4218. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title I, add the following:

SEC. 147. ACQUISITION STRATEGY FOR AIR FORCE HELICOPTERS.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees an acquisition strategy for replacement of the Air Force UH–1N helicopter program.

(b) ELEMENTS.—The acquisition strategy required under subsection (a) shall include—

(1) a description of the separate and distinct rotorcraft requirements among Air Force Global Strike Command, Air Force District of Washington, and other Major Command airlift missions;

(2) a life-cycle cost analysis of mixed-fleet versus single-fleet acquisition of aircraft; and

(3) consideration of the trade-offs between the capability and affordability of commercial derivative aircraft versus military purpose designed aircraft.

SA 4219. Mr. DAINES (for himself, Mr. HOEVEN, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year

2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XVI, insert the following:

SEC. 1655. EXPEDITED DECISION WITH RESPECT TO SECURING LAND-BASED MISSILE FIELDS.

To mitigate any risk posed to the nuclear forces of the United States by the failure to replace the UH–1N helicopter, the Secretary of Defense shall, in consultation with the Chairman of the Joint Chiefs of Staff—

(1) decide if the land-based missile fields using UH–1N helicopters meet security requirements and if there are any shortfalls or gaps in meeting such requirements;

(2) not later than 30 days after the date of the enactment of this Act, submit to Congress a report on the decision relating to a request for forces required by paragraph (1); and

(3) not later than 60 days after such date of enactment, implement that decision, if the Chairman determines the implementation of the decision to be warranted to mitigate any risk posed to the nuclear forces of the United States.

SA 4220. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. EXPANSION OF PROHIBITION ON TRANSFER OF VETERANS MEMORIAL OBJECTS WITHOUT SPECIFIC AUTHORIZATION BY LAW.

Paragraph (3) of section 2572(e) of title 10, United States Code, is amended to read as follows:

''(3) The prohibition imposed by paragraph (1) does not apply to a transfer of a veterans memorial object that is specifically authorized by law.''.

SA 4221. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 341. REIMBURSEMENT OF STATES FOR CERTAIN FIRE SUPPRESSION SERVICES AS A RESULT OF FIRE CAUSED BY MILITARY TRAINING OR OTHER ACTIONS OF THE ARMED FORCES OR THE DEPARTMENT OF DEFENSE.

(a) REIMBURSEMENT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall, upon application by a State, reimburse the State for the reasonable costs of the State for fire suppression services coordinated by the State as a result of a wildland fire caused by military training or other actions of units or members of the Armed Forces in Federal status or employees of the Department of Defense on a military training installation owned by the State.

(2) SERVICES COVERED.—Services reimbursable under this subsection shall be limited to services proximately related to the fire for which reimbursement is sought under this subsection.

(3) LIMITATIONS.—Nothing in this section shall apply to Department-owned military training installations. Nothing in this section shall affect existing memoranda of understanding between Department-owned military training installations and local governments. Reimbursement may not be made under this section for any services for which a claim may be made under the Federal Tort Claims Act.

(b) APPLICATION.—Each application of a State for reimbursement for costs under subsection (a) shall set forth an itemized request of the services covered by the application, including the costs of such services.

(c) FUNDS.—Reimbursements under subsection (a) shall be made from amounts authorized to be appropriated for the Department of Defense for operation and maintenance.

SA 4222. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 604.

SA 4223. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. 1059. USE OF THE NATIONAL GUARD FOR SUPPORT OF CIVILIAN FIREFIGHTING ACTIVITIES.

The Secretary of Defense may authorize members and units of the National Guard performing duty under section 328(b), 502(f), or 709(a) of title 32, United States Code, or on active duty under title 10, United States Code, to support firefighting operations, missions, and activities, including aerial firefighting employment of the Mobile Airborne Firefighting System (MAFFS), undertaken in support of a request from the National Interagency Fire Center or another Federal agency.

SA 4224. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title XII, add the following:

SEC. 1097. COLLABORATION BETWEEN FEDERAL AVIATION ADMINISTRATION AND DEPARTMENT OF DEFENSE ON UNMANNED AIRCRAFT SYSTEMS.

(a) COLLABORATION BETWEEN FEDERAL AVIATION ADMINISTRATION IN DEPARTMENT OF DEFENSE REQUIRED.—

(1) IN GENERAL.—The Administrator of the Federal Aviation Administration and the Secretary of Defense shall collaborate on developing ground-based sense and avoid (GBSAA) and airborne sense and avoid (ABSAA) capabilities for unmanned aircraft systems (UAS).

(2) ELEMENTS.—The collaboration required by paragraph (1) shall include the following:

(A) Sharing information and technology on safely integrating unmanned aircraft systems and manned aircraft in the national airspace system.

(B) Building upon Air Force and Department of Defense experience to inform the Federal Aviation Administration's development of civil standards, policies, and procedures for integrating unmanned aircraft systems in the national airspace system.

(C) Assisting in the development of best practices for unmanned aircraft airworthiness certification, development of airborne and ground-based sense and avoid capabilities for unmanned aircraft systems, and research and development on unmanned aircraft systems, especially with respect to matters involving human factors, information assurance, and security.

(b) PARTICIPATION BY FEDERAL AVIATION ADMINISTRATION IN DEPARTMENT OF DEFENSE ACTIVITIES.—

(1) IN GENERAL.—The Administrator may participate and provide assistance for participation in test and evaluation efforts of the Department of Defense, including the Air Force, relating to ground-based sense and avoid and airborne sense and avoid capabilities for unmanned aircraft systems.

(2) PARTICIPATION THROUGH CENTERS OF EXCELLENCE AND TEST SITES.—Participation under paragraph (1) may include provision of assistance through the Unmanned Aircraft Systems Center of Excellence and Unmanned Aircraft Systems Test Sites.

(c) UNMANNED AIRCRAFT SYSTEM DEFINED.—In this section, the term ''unmanned aircraft system'' has the meaning given that term in section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note).

SA 4225. Mr. MENENDEZ (for himself, Mr. BROWN, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. MILITARY FAMILIES CREDIT REPORTING ACT.

(a) SHORT TITLE.—This section may be cited as the ''Military Families Credit Reporting Act''.

(b) NOTICE OF STATUS AS AN ACTIVE DUTY MILITARY CONSUMER.—The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is amended—

(1) in section 605 (15 U.S.C. 1681c), by adding at the end the following:

''(i) NOTICE OF STATUS AS AN ACTIVE DUTY MILITARY CONSUMER.—

''(1) IN GENERAL.—With respect to an item of adverse information about a consumer that arises from the failure of the consumer to make any required payment on a debt or other obligation, if the action or inaction that gave rise to the item occurred while the consumer was an active duty military consumer, the consumer may provide appropriate proof, including official orders, to a consumer reporting agency that the consumer was an active duty military consumer at the time such action or inaction occurred, and any consumer report provided by the consumer reporting agency that includes the item shall clearly and conspicuously disclose that the consumer was an active duty military consumer when the action or inaction that gave rise to the item occurred.

''(2) MODEL FORM.—The Bureau shall prepare a model form, which shall be made publicly available, including in an electronic format, by which a consumer may—

''(A) notify, and provide appropriate proof to, a consumer reporting agency in a simple and easy manner, including electronically, that the consumer is or was an active duty military consumer; and

''(B) provide contact information of the consumer for the purpose of communicating with the consumer while the consumer is an active duty military consumer.

''(3) NO ADVERSE CONSEQUENCES.—Notice, whether provided by the model form described in paragraph (2) or otherwise, that a consumer is or was an active duty military consumer may not provide the sole basis for—

''(A) with respect to a credit transaction between the consumer and a creditor, a creditor—

''(i) denying an application of credit submitted by the consumer;

''(ii) revoking an offer of credit made to the consumer by the creditor;

''(iii) changing the terms of an existing credit arrangement with the consumer; or

''(iv) refusing to grant credit to the consumer in a substantially similar amount or on substantially similar terms requested by the consumer;

''(B) furnishing negative information relating to the creditworthiness of the consumer by or to a consumer reporting agency; or

''(C) except as otherwise provided in this title, a creditor or consumer reporting agency noting in the file of the consumer that the consumer is or was an active duty military consumer.'';

(2) in section 605A (15 U.S.C. 1681c–1)—

(A) in subsection (c)—

(i) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively, and adjusting the margins accordingly;

(ii) in the matter preceding subparagraph (A), as so redesignated, by striking ''Upon'' and inserting the following:

''(1) IN GENERAL.—Upon''; and

(iii) by adding at the end the following:

''(2) NEGATIVE INFORMATION NOTIFICATION.—If a consumer reporting agency receives an item of adverse information about a consumer who has provided appropriate proof that the consumer is an active duty military consumer, the consumer reporting agency shall promptly notify the consumer, according to a frequency, manner, and timeliness determined by the Bureau or specified by the consumer—

''(A) that the consumer reporting agency has received the item of adverse information, along with a description of the item; and

''(B) the method by which the consumer may dispute the validity of the item.

''(3) CONTACT INFORMATION FOR ACTIVE DUTY MILITARY CONSUMERS.—

''(A) IN GENERAL.—If a consumer who has provided appropriate proof to a consumer reporting agency that the consumer is an active duty military consumer provides the consumer reporting agency with contact information for the purpose of communicating with the consumer while the consumer is an active duty military consumer, the consumer reporting agency shall use that contact information for all communications while the consumer is an active duty military consumer.

''(B) DIRECT REQUEST.—Unless the consumer directs otherwise, the provision of contact information by the consumer under subparagraph (A) shall be deemed to be a request for the consumer to receive an active duty alert under paragraph (1).

''(4) SENSE OF CONGRESS.—It is the sense of Congress that any person making use of a consumer report that contains an item of adverse information should, if the action or inaction that gave rise to the item occurred while the consumer was an active duty military consumer, take such fact into account when evaluating the creditworthiness of the consumer.''; and

(B) in subsection (e), by striking paragraph (3) and inserting the following:

''(3) subparagraphs (A) and (B) of subsection (c)(1), in the case of a referral under subsection (c)(1)(C).''; and

(3) in section 611(a)(1) (15 U.S.C. 1681i(a)(1)), by adding at the end the following:

''(D) NOTICE OF DISPUTE RELATED TO ACTIVE DUTY MILITARY CONSUMERS.—With respect to an item of information described under subparagraph (A) that is under dispute, if the consumer to whom the item relates has notified the consumer reporting agency, and has provided appropriate proof, that the consumer was an active duty military consumer at the time the action or inaction that gave rise to the disputed item occurred, the consumer reporting agency shall—

''(i) include that fact in the file of the consumer; and

''(ii) indicate that fact in each consumer report that includes the disputed item.''.

SA 4226. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XVI, add the following:

SEC. 1641. PILOT PROGRAM ON TRAINING FOR NATIONAL GUARD PERSONNEL ON CYBER SKILLS FOR THE PROTECTION OF INDUSTRIAL CONTROL SYSTEMS ASSOCIATED WITH CRITICAL INFRASTRUCTURE.

(a) IN GENERAL.—The Chief of the National Guard Bureau shall carry out within the National Guard Bureau a pilot program to provide National Guard personnel with training on cyber skills for the protection of industrial control systems associated with critical infrastructure that utilizes the Industrial Control System cyber assessment expertise assigned to a National Guard Cyber Operations Group.

(b) DURATION.—The duration of the pilot program shall be three years.

(c) SCOPE OF TRAINING.—The training provided pursuant to the pilot program shall be designed to permit personnel who receive such training to assist National Guard Cyber Protection Teams in carrying out activities to protect systems and infrastructure described in subsection (a) from cyber attacks in situations where such activities are otherwise authorized.

(d) CONSULTATION.—The Chief of the National Guard Bureau shall consult with the Under Secretary of Homeland Security for National Protection and Programs, Department of Energy national laboratories, and appropriate institutions of higher education and other organizations and entities in the private sector in carrying out the pilot program.

(e) RELATIONSHIP WITH EXISTING TRAINING PROGRAMS.—In conducting the pilot program, the Chief of the National Guard Bureau shall not duplicate, and shall consult with and may leverage, existing training programs, including training available through the national cybersecurity and communications integration center established under section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148).

(f) REPORT.—

(1) IN GENERAL.—Not later than six months after the completion of the pilot program, the Chief of the National Guard Bureau shall submit to the officials, and the committees of Congress, specified in paragraph (2) a report that sets forth the following:

(A) An evaluation of the training needs of the National Guard Cyber Protection Teams in protecting industrial control systems from cyber attacks.

(B) An assessment whether new training capabilities are necessary for the remainder of the National Guard Cyber Protection Teams.

(C) Any other assessments, conclusions, and recommendations that the Chief of the National Guard Bureau considers appropriate in light of the pilot program.

(2) OFFICIALS AND COMMITTEES OF CONGRESS.—The officials, and the committees of Congress, specified in this paragraph are the following:

(A) The Secretary of Defense, the Secretary of Homeland Security, and the Secretary of Energy.

(B) The Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Energy and Natural Resources of the Senate.

(C) The Committee on Armed Services, the Committee on Homeland Security, and the Committee on Energy and Commerce of the House of Representatives

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SA 4227. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for

military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XVI, add the following:

SEC. 1674. INTELLIGENCE SHARING RELATIONSHIPS.

(a) REVIEW OF AGREEMENTS.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of Defense, shall complete a review of each intelligence sharing agreement between the United States and a foreign country that—

(1) is experiencing a significant threat from the Islamic State of Iraq and the Levant; or

(2) is participating as part of the coalition in activities to degrade and defeat the Islamic State of Iraq and the Levant.

(b) INTELLIGENCE SHARING RELATED TO THE ISLAMIC STATE OF IRAQ AND THE LEVANT.—Not later than 90 days after the date that the Director of National Intelligence completes the reviews required by subsection (a), the Director shall develop an intelligence sharing agreement between the United States and each foreign country referred to in subsection (a) that—

(1) applies to the sharing of intelligence related to defensive or offensive measures to be taken with respect to the Islamic State of Iraq and the Levant; and

(2) provides for the maximum amount of sharing of such intelligence, as appropriate, in a manner that is consistent with the due regard for the protection of intelligence sources and methods, protection of human rights, and the ability of recipient nations to utilize intelligence for targeting purposes consistent with the laws of armed conflict.

SA 4228. Ms. HIRONO (for herself, Ms. MURKOWSKI, and Ms. CANTWELL) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title XII, add the following:

SEC. 1277. APPROVAL OF AGREEMENT BETWEEN UNITED STATES AND REPUBLIC OF PALAU.

(a) DEFINITIONS.—In this section:

(1) AGREEMENT.—The term ''Agreement'' means the Agreement and appendices signed by the United States and the Republic of Palau on September 3, 2010.

(2) COMPACT.—The term ''Compact'' means the Compact of Free Association between the Government of the United States of America and the Government of Palau, as contained in section 201 of Public Law 99–658 (48 U.S.C. 1931 note).

(b) RESULTS OF COMPACT REVIEW.—

(1) IN GENERAL.—Title I of Public Law 99–658 (48 U.S.C. 1931 et seq.) is amended by adding at the end the following:

''SEC. 105. RESULTS OF COMPACT REVIEW.

''(a) IN GENERAL.—The agreement and appendices signed by the United States and the Republic of Palau on September 3, 2010 (referred to in this section as the 'Agreement'), pursuant to section 432 of the Compact, are approved—

''(1) except for the extension of article X of the Agreement regarding Federal programs and services, concluded pursuant to article II of title II and section 232 of the Compact; and

''(2) subject to the provisions of this section.

''(b) WITHHOLDING OF FUNDS.—If the Republic of Palau withdraws more than $5,000,000 from the trust fund established under section 211(f) of the Compact during fiscal year 2016, or more than $8,000,000 during fiscal year 2017, the amounts payable under sections 1, 2(a), 3, and 4(a) of the Agreement shall be withheld from the Republic of Palau until the date on which the Republic of Palau reimburses the trust fund for the total amounts withdrawn that exceeded $5,000,000 during fiscal year 2016 or $8,000,000 during fiscal year 2017, as applicable.

''(c) FUNDING FOR CERTAIN PROVISIONS.—Not later than 30 days after the date of enactment of this section, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of the Interior such sums as are necessary for the Secretary of the Interior to implement sections 1, 2(a), 3, 4(a), and 5 of the Agreement, to remain available until expended, without any further appropriation.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated—

''(1) to the Secretary of the Interior to subsidize postal services provided by the United States Postal Service to the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia $1,500,000 for each of fiscal years 2017 through 2024, to remain available until expended; and

''(2) to the head of each Federal entity described in paragraphs (1), (3), and (4) of section 221(a) of the Compact (including any successor of such a Federal entity) to carry out the responsibilities of the Federal entity under section 221(a) of the Compact such sums as are necessary, to remain available until expended.''.

(2) OFFSET.—Section 3 of the Act of June 30, 1954 (68 Stat. 330, 82 Stat. 1213, chapter 423), is repealed.

(c) PAYMENT SCHEDULE; WITHHOLDING OF FUNDS; FUNDING.—

(1) COMPACT FUND.—Section 1 of the Agreement is amended to read as follows:

''SECTION 1. COMPACT FUND.

''The Government of the United States shall contribute $30,250,000 to the Fund established under section 211(f) of the Compact in accordance with the following schedule:

''(1) $20,000,000 for fiscal year 2017.

''(2) $2,000,000 for each of fiscal years 2018 through 2022.

''(3) $250,000 for fiscal year 2023.''.

(2) INFRASTRUCTURE MAINTENANCE FUND.—Subsection (a) of section 2 of the Agreement is amended to read as follows:

''(a) GRANT.—

''(1) IN GENERAL.—The Government of the United States shall provide a grant in an amount equal to $3,500,000 for each of fiscal years 2017 through 2024 to create a trust fund (referred to in this agreement as the 'Infrastructure Maintenance Fund'), to be used for the routine and periodic maintenance of major capital improvement projects financed using funds provided by the Government of the United States.

''(2) CONTRIBUTIONS BY PALAU.—The Government of Palau shall match the contributions made by the Government of the United States by making contributions of $150,000 to the Infrastructure Maintenance Fund on a quarterly basis during the period beginning on October 1, 2016, and ending on September 30, 2024.

''(3) REQUIREMENT.—The implementation of this subsection shall be carried out in accordance with appendix A to this agreement.''.

(3) FISCAL CONSOLIDATION FUND.—Section 3 of the Agreement is amended to read as follows:

''SEC. 3. FISCAL CONSOLIDATION FUND.

''(a) IN GENERAL.—The Government of the United States shall provide to the Government of Palau $5,000,000 for each of fiscal years 2017 and 2018 for deposit in an interest-bearing account to be used to reduce government arrears of the Government of Palau.

''(b) REQUIREMENT.—The implementation of this section shall be carried out in accordance with appendix B to this agreement.''.

(4) DIRECT ECONOMIC ASSISTANCE.—Subsection (a) of section 4 of the Agreement is amended to read as follows:

''(a) DIRECT ECONOMIC ASSISTANCE.—

''(1) IN GENERAL.—In addition to economic assistance in an amount equal to $13,147,000 provided to the Government of Palau by the Government of the United States for each of fiscal years 2010 through 2016, and unless otherwise specified in this agreement or an appendix to this agreement, the Government of the United States shall provide to the Government of Palau $28,721,000 in economic assistance, as follows:

''(A) $7,500,000 for fiscal year 2017.

''(B) $6,250,000 for fiscal year 2018.

''(C) $5,000,000 for fiscal year 2019.

''(D) $4,000,000 for fiscal year 2020.

''(E) $3,000,000 for fiscal year 2021.

''(F) $2,000,000 for fiscal year 2022.

''(G) $971,000 for fiscal year 2023.

''(2) METHOD.—Unless otherwise specified in this agreement or in an appendix to this agreement, the funds provided for a fiscal year under this subsection shall be provided in 4 quarterly payments in an amount equal to—

''(A) 30 percent of the total applicable amount during the first quarter;

''(B) 30 percent of the total applicable amount during the second quarter;

''(C) 20 percent of the total applicable amount during the third quarter; and

''(D) 20 percent of the total applicable amount during the fourth quarter.''.

(5) INFRASTRUCTURE PROJECTS.—Section 5 of the Agreement is amended to read as follows:

''SEC. 5. INFRASTRUCTURE PROJECTS.

''(a) IN GENERAL.—The Government of the United States shall provide to the Government of Palau grants in a total amount equal to $40,000,000, as follows:

''(1) $8,000,000 for each of fiscal years 2017 through 2019.

''(2) $6,000,000 for fiscal year 2020.

''(3) $5,000,000 for each of fiscal years 2021 and 2022.

''(b) USE.—The Government of Palau shall use each grant provided under subsection (a) for 1 or more mutually agreed-upon infrastructure projects, in accordance with appendix C to this agreement.''.

(d) PASSPORT REQUIREMENT.—Section 141 of the Compact is amended to read as follows:

''SEC. 141. PASSPORT REQUIREMENT.

''(a) ADMISSION.—

''(1) IN GENERAL.—Any person who meets the requirements of any category described in paragraph (2) may be admitted to, and lawfully engage in occupations and establish residence as a nonimmigrant in, the United

States and its territories and possessions, without regard to paragraph (5) or (7)(B)(i)(II) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)), subject to the condition that the passport presented to satisfy paragraph (7)(B)(i)(I) of that section is a valid, unexpired, machine-readable passport that satisfies the internationally accepted standard for machine readability.

''(2) DESCRIPTION OF CATEGORIES.—The categories referred to in paragraph (1) are the following:

''(A) A person who—

''(i) on September 30, 1994, was a citizen of the Trust Territory of the Pacific Islands (as defined in title 53 of the Trust Territory Code in force on January 1, 1979); and

''(ii) has become, and remains, a citizen of Palau.

''(B) A person who acquires the citizenship of Palau, at birth, on or after the effective date of the Constitution of Palau.

''(C) A naturalized citizen of Palau who—

''(i) has been an actual resident of Palau for not less than 5 years after attaining that naturalization; and

''(ii) holds a certificate of that actual residence.

''(3) EFFECT OF SUBSECTION.—Nothing in this subsection—

''(A) confers on a citizen of Palau the right—

''(i) to establish residence necessary for naturalization under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.); or

''(ii) to petition for benefits for alien relatives under that Act; or

''(B) prevents a citizen of Palau from otherwise acquiring—

''(i) a right described in subparagraph (A); or

''(ii) lawful permanent resident alien status in the United States.

''(b) ACCEPTANCE OF EMPLOYMENT.—Any person who meets the requirements of any category described in subsection (a)(2) shall be considered to have the permission of the Secretary of Homeland Security to accept employment in the United States.

''(c) ESTABLISHMENT OF HABITUAL RESIDENCE IN CERTAIN TERRITORIES AND POSSESSIONS.—The right of a person who meets the requirements of any category described in subsection (a)(2) to establish habitual residence in a territory or possession of the United States may be subject to any nondiscriminatory limitation under any law (including regulations) of—

''(1) the United States; or

''(2) the applicable territory or possession of the United States.''.

(e) CONTINUING PROGRAMS AND LAWS.—Section 105(f)(1)(B)(ix) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921d(f)(1)(B)(ix)) is amended by striking ''2009'' and inserting ''2024''.

SA 4229. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XV, add the following:

SEC. 1512. INCREASE IN AUTHORIZATIONS AND AUTHORIZATIONS OF APPROPRIATIONS TO MEET UNFUNDED PRIORITIES OF THE ARMED FORCES.

(a) SUPERSEDING END STRENGTHS FOR ACTIVE FORCES.—

(1) INEFFECTIVENESS OF SPECIFIED END STRENGTHS.—Section 401 shall have no force or effect.

(2) SUPERSEDED END STRENGTHS.—The Armed Forces are authorized strengths for active duty personnel as of September 30, 2017, as follows:

(A) The Army, 475,000.

(B) The Navy, 325,782.

(C) The Marine Corps, 185,000.

(D) The Air Force, 321,000.

(b) SUPERSEDING END STRENGTHS FOR SELECTED RESERVE.—

(1) INEFFECTIVENESS OF SPECIFIED END STRENGTHS.—Section 411(a) shall have no force or effect.

(2) SUPERSEDING END STRENGTHS.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2017, as follows:

(A) The Army National Guard of the United States, 342,000.

(B) The Army Reserve, 198,000.

(C) The Navy Reserve, 58,300.

(D) The Marine Corps Reserve, 38,900.

(E) The Air National Guard of the United States, 106,200.

(F) The Air Force Reserve, 69,200.

(G) The Coast Guard Reserve, 7,000.

(3) APPLICABILITY OF CERTAIN AUTHORITIES.—Subsections (b) and (c) of section 411 shall apply in the calculation of end strengths under paragraph (2).

(c) SUPERSEDING PAY RAISE.—

(1) INEFFECTIVENESS OF SPECIFIED PAY RAISE.—Section 601(b) shall have no force or effect.

(2) SUPERSEDING INCREASE IN BASIC PAY.—Effective on January 1, 2017, the rates of monthly basic pay for members of the uniformed services are increased by 2.1 percent.

(d) INEFFECTIVENESS OF REDUCTION IN MINIMUM NUMBER OF NAVY CARRIER AIR WINGS.—Section 1088 shall have no force or effect, and the amendments proposed to be made by that section shall not be made.

(e) INCREASE IN AUTHORIZATION FOR OCO FOR AIRCRAFT PROCUREMENT, ARMY.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 1503 for procurement for overseas contingency operations is hereby increased by $1,052,000,000, with the amount of the increase to be allocated to aircraft procurement, Army, for overseas contingency operations, as specified in the funding tables in section 4102, and available for the following procurement in the amounts specified:

(1) 10 AH–64 Apache Advance Procurement, consistent with the recommendation of the National Commission on the Future of the Army, $71,000,000.

(2) 17 LUH–72 Lakota, consistent with the recommendation of the National Commission on the Future of the Army, $110,000,000.

(3) 36 UH–60M Black Hawk, consistent with the recommendation of the National Commission on the Future of the Army, $440,000,000.

(4) 5 AH–64 Apache New Builds, consistent with the recommendation of the National Commission on the Future of the Army, $191,000,000.

(5) 5 Reman CH–47 Chinook, consistent with the recommendation of the National Commission on the Future of the Army, $240,000,000.

(f) INCREASE IN AUTHORIZATION FOR OCO FOR PROCUREMENT OF W&TCV, ARMY.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 1503 for procurement for overseas contingency operations is hereby increased by $245,000,000, with the amount of the increase to be allocated to procurement of wheeled and tracked combat vehicles, Army, for overseas contingency operations, as specified in the funding tables in section 4102, and available for the following procurement in the amounts specified:

(1) Modernization of 14 M1 Abrams for the European Reassurance Initiative, $172,200,000.

(2) Modernization of 14 M2 Bradley for the European Reassurance Initiative, $72,800,000.

(g) INCREASE IN AUTHORIZATION FOR OCO OTHER PROCUREMENT, ARMY.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 1503 for procurement for overseas contingency operations is hereby increased by $60,000,000, with the amount of the increase to be allocated to other procurement, Army, for overseas contingency operations, as specified in the funding tables in section 4102, and available for the following procurement in the amounts specified:

(1) Assured Positioning Navigation and Timing (PNT), consistent with the recommendation of the National Commission on the Future of the Army, $28,000,000.

(2) Modernized Warning System, consistent with the recommendation of the National Commission on the Future of the Army, $32,000,000.

(h) INCREASE IN AUTHORIZATION FOR OCO FOR AIRCRAFT PROCUREMENT, NAVY.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 1503 for procurement for overseas contingency operations is hereby increased by $2,489,700,000, with the amount of the increase to be allocated to aircraft procurement, Navy, for overseas contingency operations, as specified in the funding tables in section 4102, and available for the following procurement in the amounts specified:

(1) 14 F–18 Super Hornet, $1,200,000,000.

(2) 2 AH–1Z Viper, $57,000,000.

(3) 2 Marine Corps F–35B, $269,600,000.

(4) 2 Marine Corps F–35C, $270,000,000.

(5) 2 Marine Corps KC–130J, $158,000,000.

(6) 2 Marine Corps MV–22, $150,000,000.

(7) 2 Navy F–35C, $270,000,000.

(8) CH–35 Degraded Visual Environment Display, $13,300,000.

(9) KC–130J Digital Interoperability, $20,800,000.

(10) RF Kill Chain Enhancements, $81,000,000.

(i) INCREASE IN AUTHORIZATION FOR OCO FOR WEAPONS PROCUREMENT, NAVY.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 1503 for procurement for overseas contingency operations is hereby increased by $36,000,000, with the amount of the increase to be allocated to weapons procurement, Navy, for overseas contingency operations, as specified in the funding tables in section 4102, and available for the following procurement in the amounts specified:

(1) 23 MK 54 Lightweight Torpedo Mod 0, $16,000,000.

(2) 8 MK 48 Heavy Weight Torpedo, $20,000,000.

(j) INCREASE IN AUTHORIZATION FOR OCO FOR PROCUREMENT OF AMMO, NAVY & MC.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 1503 for procurement for overseas contingency operations is hereby increased by $58,000,000, with the amount of

the increase to be allocated to procurement of ammo, Navy and Marine Corps, for overseas contingency operations, as specified in the funding tables in section 4102, and available for the procurement of JDAM Components in the amount of $58,000,000.

(k) INCREASE IN AUTHORIZATION FOR OCO FOR SHIPBUILDING AND CONVERSION, NAVY.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 1503 for procurement for overseas contingency operations is hereby increased by $1,830,000,000, with the amount of the increase to be allocated to shipbuilding and conversion, Navy, for overseas contingency operations, as specified in the funding tables in section 4102, and available for the following procurement in the amounts specified:

(1) 3 Ship to Shore Connector, $165,000,000.

(2) DDG–51 Incremental Funding, $383,000,000.

(3) LCU Replacement, $22,000,000.

(4) Littoral Combat Ship, $385,000,000.

(5) LX(R) Advance Funding, $800,000,000.

(6) T–ATS(X) (SCN–21), $75,000,000.

(l) INCREASE IN AUTHORIZATION FOR OCO FOR OTHER PROCUREMENT, NAVY.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 1503 for procurement for overseas contingency operations is hereby increased by $65,000,000, with the amount of the increase to be allocated to other procurement, Navy, for overseas contingency operations, as specified in the funding tables in section 4102, and available for the following procurement in the amounts specified:

(1) SSEE Inc F, $43,000,000.

(2) Submarine Towed Arrays, $22,000,000.

(m) INCREASE IN AUTHORIZATION FOR OCO FOR AIRCRAFT PROCUREMENT, AIR FORCE.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 1503 for procurement for overseas contingency operations is hereby increased by $1,167,800,000, with the amount of the increase to be allocated to aircraft procurement, Air Force, for overseas contingency operations, as specified in the funding tables in section 4102, and available for the following procurement in the amounts specified:

(1) 5 Air Force F–35A, $691,000,000.

(2) 5 Air Force C–130J, $452,000,000.

(3) F–16 Mission Training Center, $24,800,000.

(n) INCREASE IN AUTHORIZATION FOR OCO FOR PROCUREMENT, DEFENSE-WIDE.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 1503 for procurement for overseas contingency operations is hereby increased by $303,000,000, with the amount of the increase to be allocated to procurement, Defense-wide, for overseas contingency operations, as specified in the funding tables in section 4102, and available for the following procurement in the amounts specified:

(1) Israeli Missile Defense Procurement Arrow 3 Upper Tier, $120,000,000.

(2) Israeli Missile Defense Procurement David's Sling, $150,000,000.

(3) Israeli Missile Defense Procurement Iron Dome, $20,000,000.

(4) SOUTHCOM Other Electronic Warfare/Countermeasures, $13,000,000.

(o) INCREASE IN AUTHORIZATION FOR OCO FOR RDT&E, NAVY.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 1504 for research, development, test, and evaluation for overseas contingency operations is hereby increased by $43,400,000, with the amount of the increase to be allocated to research, development, test, and evaluation, Navy, for overseas contingency operations, as specified in the funding tables in section 4202, and available for the following research, development, test, and evaluation in the amounts specified:

(1) APKWS II F/A–18D, $25,900,000.

(2) LCS Propulsion and machinery control test capability, $17,500,000.

(p) INCREASE IN AUTHORIZATION FOR OCO FOR RDT&E, DEFENSE-WIDE.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 1504 for research, development, test, and evaluation for overseas contingency operations is hereby increased by $29,900,000, with the amount of the increase to be allocated to research, development, test, and evaluation, Defense-wide, for overseas contingency operations, as specified in the funding tables in section 4202, and available for the following research, development, test, and evaluation in the amounts specified:

(1) Israeli Missile Defense Development Arrow, $6,500,000.

(2) Israeli Missile Defense Development Arrow–3, $4,100,000.

(3) Israeli Missile Defense Development David's Sling, $19,300,000.

(q) INCREASE IN AUTHORIZATION FOR OCO FOR O&M, ARMY.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 1505 for operation and maintenance for overseas contingency operations is hereby increased by $4,369,800,000, with the amount of the increase to be allocated to operation and maintenance, Army, for overseas contingency operations, as specified in the funding tables in section 4302, and available for the following operation and maintenance in the amounts specified:

(1) 4 ANG AH–64 Training, consistent with the recommendation of the National Commission on the Future of the Army, $62,100,000.

(2) Army Readiness Aviation Assets, $7,200,000.

(3) Army Readiness Echelons Above Brigade, $18,300,000.

(4) Army Readiness Facilities, Sustainment, Restoration & Modernization, $354,400,000.

(5) Army Readiness Flight Training, $6,400,000.

(6) Army Readiness Land Forces Operations Support, $8,900,000.

(7) Army Readiness Maneuver Units, $202,800,000.

(8) Army Readiness Modular Support Brigades, $2,700,000.

(9) Army Readiness Theater Level Assets, $10,200,000.

(10) ERI Realignment, a decrease of $245,000,000.

(11) Force structure in Afghanistan 9,800, $3,191,000,000.

(12) Heel-to-toe presence of CAB Europe, $100,000,000.

(13) Maintain Eleventh Combat Aviation Brigades, $305,400,000.

(14) National Guard Readiness, consistent with the recommendation of the National Commission on the Future of the Army, $70,000,000.

(15) Army Readiness Aviation Assets, $68,000,000.

(16) Army Readiness Land Forces Operations Support, $207,400,000.

(r) INCREASE IN AUTHORIZATION FOR OCO FOR O&M, ARMY NATIONAL GUARD.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 1505 for operation and maintenance for overseas contingency operations is hereby increased by $156,100,000, with the amount of the increase to be allocated to operation and maintenance, Army National Guard, for overseas contingency operations, as specified in the funding tables in section 4302, and available for the following operation and maintenance in the amounts specified:

(1) Army National Guard Readiness Echelons Above Brigade, $15,000,000.

(2) Army National Guard Readiness Modular Support Brigades, $15,000,000.

(3) Army National Guard Readiness Theater Level Assets, $15,000,000.

(4) Army National Guard Readiness Facilities, Sustainment, Restoration & Modernization, $32,100,000.

(5) Army National Guard Readiness Aviation Assets, $44,000,000.

(6) Army National Guard Readiness Maneuver Units 111, $35,000,000.

(s) INCREASE IN AUTHORIZATION FOR OCO FOR O&M, ARMY RESERVE.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 1505 for operation and maintenance for overseas contingency operations is hereby increased by $81,500,000, with the amount of the increase to be allocated to operation and maintenance, Army Reserve, for overseas contingency operations, as specified in the funding tables in section 4302, and available for the following operation and maintenance in the amounts specified:

(1) Army Reserve Readiness Echelons Above Brigade, $60,000,000.

(2) Army Reserve Facilities, Sustainment, Restoration and Modernization, $21,500,000.

(t) INCREASE IN AUTHORIZATION FOR OCO FOR O&M, NAVY.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 1505 for operation and maintenance for overseas contingency operations is hereby increased by $1,007,400,000, with the amount of the increase to be allocated to operation and maintenance, Navy, for overseas contingency operations, as specified in the funding tables in section 4302, and available for the following operation and maintenance in the amounts specified:

(1) Dry Dock Initiative, $80,000,000.

(2) Navy Readiness Mission and Other Ship Operations, $158,000,000.

(3) Navy Readiness Ship Depot Maintenance, $238,000,000.

(4) Navy Readiness Sustainment, Restoration, and Modernization, $160,900,000.

(5) Reactive Yard Patrol Craft, $45,000,000.

(6) Navy Readiness Ship Depot Operations Support, $79,000,000.

(7) Restore 10th Air Wing, $86,500,000.

(8) Restore Cruisers, $161,000,000.

(u) INCREASE IN AUTHORIZATION FOR OCO FOR O&M, NAVY RESERVE.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 1505 for operation and maintenance for overseas contingency operations is hereby increased by $25,800,000, with the amount of the increase to be allocated to operation and maintenance, Navy Reserve, for overseas contingency operations, as specified in the funding tables in section 4302, and available for the following operation and maintenance in the amounts specified:

(1) Navy Reserve Readiness Ship Operations Support & Training, $20,000,000.

(2) Navy Reserve Sustainment, Restoration, and Modernization, $5,800,000.

(v) INCREASE IN AUTHORIZATION FOR OCO FOR O&M, MARINE CORPS.—The amount authorized to be appropriated for fiscal year

2017 for the Department of Defense by section 1505 for operation and maintenance for overseas contingency operations is hereby increased by $39,300,000, with the amount of the increase to be allocated to operation and maintenance, Marine Corps, for overseas contingency operations, as specified in the funding tables in section 4302, and available for operation and maintenance for Marine Corps Readiness Sustain, Restoration, & Modernization in the amount of $39,300,000.

(w) INCREASE IN AUTHORIZATION FOR OCO FOR O&M, MARINE CORPS RESERVE.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 1505 for operation and maintenance for overseas contingency operations is hereby increased by $5,500,000, with the amount of the increase to be allocated to operation and maintenance, Marine Corps Reserve, for overseas contingency operations, as specified in the funding tables in section 4302, and available for operation and maintenance for Marine Corps Reserve Sustain, Restoration and Modernization in the amount of $5,500,000.

(x) INCREASE IN AUTHORIZATION FOR OCO FOR O&M, AIR FORCE.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 1505 for operation and maintenance for overseas contingency operations is hereby increased by $392,700,000, with the amount of the increase to be allocated to operation and maintenance, Air Force, for overseas contingency operations, as specified in the funding tables in section 4302, and available for the following operation and maintenance in the amounts specified:

(1) Air Force Readiness Airlift Operations, $16,700,000.

(2) Air Force Readiness Facilities Sustainment, Restoration & Modernization, $157,700,000.

(3) Contract Maintenance Shortfall A–10, $74,000,000.

(4) Air Force Readiness Combatant Command Direct Mission Support, $50,000,000.

(5) Air Force Readiness Logistics Operations, $61,400,000.

(6) Air Force Readiness Primary Combat Forces, $32,900,000.

(y) INCREASE IN AUTHORIZATION FOR OCO FOR O&M, AIR FORCE RESERVE.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 1505 for operation and maintenance for overseas contingency operations is hereby increased by $11,700,000, with the amount of the increase to be allocated to operation and maintenance, Air Force Reserve, for overseas contingency operations, as specified in the funding tables in section 4302, and available for operation and maintenance for Air Force Reserve Facilities Sustainment, Restoration & Modernization in the amount of $11,700,000.

(z) INCREASE IN AUTHORIZATION FOR OCO FOR O&M, AIR NATIONAL GUARD.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 1505 for operation and maintenance for overseas contingency operations is hereby increased by $14,000,000, with the amount of the increase to be allocated to operation and maintenance, Air National Guard, for overseas contingency operations, as specified in the funding tables in section 4302, and available for operation and maintenance for Air Guard Readiness Echelons Above Brigade 113 in the amount of $14,000,000.

(aa) INCREASE IN AUTHORIZATION FOR OCO FOR O&M, DEFENSE-WIDE.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 1505 for operation and maintenance for overseas contingency operations is hereby increased by $400,000,000, with the amount of the increase to be allocated to operation and maintenance, Defense-wide, for overseas contingency operations, as specified in the funding tables in section 4302, and available for the following operation and maintenance in the amounts specified:

(1) PGM stockpiling for partners and allies in Europe/Middle East, $200,000,000.

(2) Stipends for Kurdish Peshmerga, $200,000,000.

(bb) INCREASE IN AUTHORIZATION FOR OCO FOR MILITARY PERSONNEL.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 1506 for military personnel for overseas contingency operations is hereby increased by $2,734,800,000, with the amount of the increase to be allocated to military personnel for overseas contingency operations, as specified in the funding tables in section 4402, and available for military personnel for purposes and in the amounts specified as follows:

(1) Active Army Endstrength to 475,000, $1,539,000,000.

(2) Air Force Reserve endstrength increase 200, $6,000,000.

(3) Air National Guard Endstrength increase 500, $17,000,000.

(4) Army National Guard endstrength increase 7,000, $217,000,000.

(5) Army Reserve endstrength increase 3,000, $73,000,000.

(6) Increase Active Marine Endstrength to 185,000, $300,000,000.

(7) Increase Military Pay Raise to 2.1%, $300,000,000.

(8) Navy Reserve endstrength increase 300, $10,000,000.

(9) Restore 10th Air Wing Endstrength increase 1,167, $46,500,000.

(10) Restore 10th Air Wing Endstrength Medicare Eligible Retirement Health Fund, $2,300,000.

(11) Restore Cruisers increase 1,715, $67,000,000.

(12) USAF Endstrength to 321,000, $145,000,000.

(13) USMC Reserve endstrength increase 400, $12,000,000.

(cc) INCREASE IN AUTHORIZATION FOR AFGHANISTAN SECURITY FORCES FUND.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by this title for overseas contingency operations is hereby increased by $800,000,000, with the amount of the increase to be allocated to the Afghanistan Security Forces Fund as specified in the funding tables in division D, and available for purposes of the Afghanistan Security Forces Fund in the amount of $800,000,000.

(dd) INCREASE IN AUTHORIZATION FOR COUNTER ISLAMIC STATE IN IRAQ AND THE LEVANT FUND.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by this title for overseas contingency operations is hereby increased by $100,000,000, with the amount of the increase to be allocated to the Counter Islamic State in Iraq and the Levant Fund as specified in the funding tables in division D, and available for the Counter Islamic State in Iraq and the Levant Fund for Iraq Train and Equip Fund (Mosul) in the amount of $100,000,000.

(ee) INCREASE IN AUTHORIZATION FOR UKRAINE SECURITY ASSISTANCE INITIATIVE.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by this title for overseas contingency operations is hereby increased by $150,000,000, with the amount of the increase to be allocated to the Ukraine Security Assistance Initiative as specified in the funding tables in division D, and available for purposes of the Ukraine Security Assistance Initiative in the amount of $150,000,000.

(ff) INCREASE IN AUTHORIZATION FOR OCO FOR ARMY MILITARY CONSTRUCTION.—

(1) MILITARY CONSTRUCTION PROJECTS INSIDE THE UNITED STATES.—The amount authorized to be appropriated under section 2903 and available for Army military construction projects as specified in the funding table in section 4602 is increased by $29,900,000, with the amount of such increase to be allocated as follows:

(A) $23,000,000 for a Vehicle Maintenance Shop, Fort Belvoir, Virginia.

(B) $6,900,000 for a Fire Station, Fort Leonard Wood, Missouri.

(2) FAMILY HOUSING.—The amount authorized to be appropriated under section 2903 and available for Army military family housing functions as specified in the funding table in section 4602 is increased by $14,400,000, with the amount of such increase to be allocated to Family Housing Replacement, Natick, Massachusetts.

(gg) INCREASE IN AUTHORIZATION FOR OCO FOR NAVY MILITARY CONSTRUCTION.—The amount authorized to be appropriated under section 2903 and available for Navy military construction projects as specified in the funding table in section 4602 is increased by $143,000,000, with the amount of such increase to be allocated as follows:

(1) $108,300,000 to cover funding shortfalls, various locations.

(2) $34,700,000 for a Communications Complex and Infrastructure Upgrades, Miramar, California.

(hh) INCREASE IN AUTHORIZATION FOR OCO FOR AIR FORCE MILITARY CONSTRUCTION.—The amount authorized to be appropriated under section 2903 and available for military construction projects inside the United States as specified in the funding table in section 4602 is increased by $119,465,000, with the amount of such increase to be allocated as follows:

(1) $17,000,000 for a Fire and Rescue Station, Joint Base Charleston, South Carolina.

(2) $10,965,000 for the Vandenberg Gate Complex, Hanscom Air Force Base, Massachusetts.

(3) $35,000,000 for Dormitories, Eglin Air Force Base, Florida.

(4) $41,000,000 for a Consolidated Communications Facility, Scott Air Force Base, Illinois.

(5) $15,500,000 for Judge Advocate General's School Expansion, Maxwell Air Force Base, Alabama.

(ii) INCREASE IN AUTHORIZATION FOR OCO FOR AIR NATIONAL GUARD MILITARY CONSTRUCTION.—The amount authorized to be appropriated under section 2903 and available for the National Guard and Reserve as specified in the funding table in section 4602 is increased by $11,000,000, with the amount of such increase to be allocated as follows:

(1) $6,000,000 for an Indoor Small Arms Range, Toledo Airport, Ohio.

(2) $5,000,000 for a Munitions Load Crew Training/Corrosion Control Facility, Andrews Air Force Base, Maryland.

SA 4230. Mr. ROUNDS (for Mr. SCHATZ) proposed an amendment to the resolution S. Res. 416, recognizing the contributions of Hawaii to the culinary heritage of the United States and designating the week beginning on June

12, 2016, as ''National Hawaiian Food Week''; as follows:

Strike the preamble and insert the following:

Whereas when individuals first came to the Hawaiian islands more than 1,500 years ago, there was little to eat other than birds and a few species of ferns, but the individuals found rich volcanic soil, a year-round growing season, and abundant fisheries;

Whereas the history of Hawaii is inextricably linked with—

(1) foods brought to the Hawaiian islands by the first individuals who came to Hawaii and successive waves of voyagers to the Hawaiian islands;

(2) the agricultural and ranching potential of the land of Hawaii; and

(3) the readily available seafood from the ocean and coasts of Hawaii;

Whereas the food cultures initially brought to Hawaii came from places including French Polynesia, China, Japan, Portugal, North Korea, South Korea, the Philippines, Puerto Rico, and Samoa;

Whereas the foods first brought to Hawaii were simple, hearty fare of working men and women that reminded the men and women of their distant homes;

Whereas individuals in Hawaii, in the spirit of Aloha, shared favorite dishes with each other, and as a result, the individuals began to appreciate new tastes and learned how to bring new ideas into their cooking;

Whereas the blend of styles in Hawaiian cooking evolves as new groups of individuals make Hawaii their home;

Whereas the fusion of dishes from around the world creates a unique cuisine for Hawaii that is as much a part of a visit to Hawaii as the welcoming climate, friendly individuals, and beautiful beaches in Hawaii;

Whereas the food of Hawaii is appealing because it came from hard-working communities of individuals that farmed, fished, or ranched for their livelihoods, which are core experiences of individuals throughout the United States; and

Whereas the growing appreciation for the food of Hawaii comes from hard-working and ingenious farmers, fishers, educators, ranchers, chefs, and businesses that innovate and export the taste of Hawaii all over the world: Now, therefore, be it

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SA 4231. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title XII, add the following:

SEC. 1277. DEFENSE AND SECURITY COOPERATION WITH INDIA.

(a) AUTHORIZATION OF DEFENSE TRANSACTIONS.—The Secretary of Defense, in coordination with the Secretary of State and the Secretary of Commerce, shall ensure that the authorization of any proposed sale or export of defense articles, defense services, or technical data to India is treated in a manner similar to that of the United States' closest partners and allies, which include NATO members, Australia, Japan, the Republic of Korea, Israel, and New Zealand.

(b) DEFENSE TRADE FACILITATION.—

(1) IN GENERAL.—The President shall endeavor to further align laws, regulations, and systems within India and the United States for the facilitation of defense trade and the protection of mutual security interests.

(2) FACILITATION PLAN.—The President shall develop a plan for such facilitation and coordination efforts that identifies key priorities, any impediments, and the timeline for such efforts.

(3) REPORT.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to Congress a report detailing this coordination plan.

SA 4232. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 341. ACCESS TO WIRELESS HIGH-SPEED INTERNET AND NETWORK CONNECTIONS FOR CERTAIN MEMBERS OF THE ARMED FORCES DEPLOYED OVERSEAS.

Consistent with section 2492a of title 10, United States Code, the Secretary of Defense is encouraged to enter into contracts with third-party vendors in order to provide members of the Armed Forces who are deployed overseas at any United States military facility, at which wireless high-speed Internet and network connections are otherwise available, with access to such Internet and network connections without charge.

SA 4233. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 565. REPORT AND GUIDANCE ON JOB TRAINING, EMPLOYMENT SKILLS TRAINING, APPRENTICESHIPS, AND INTERNSHIPS AND SKILLBRIDGE INITIATIVES FOR MEMBERS OF THE ARMED FORCES WHO ARE BEING SEPARATED.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Under Secretary of Defense for Personnel and Readiness shall submit to the Committees on Armed Services of the Senate and the House of Representatives, and make available to the public, a report evaluating the success of the Job Training, Employment Skills Training, Apprenticeships, and Internships (known as JTEST–AI) and SkillBridge initiatives, under which civilian businesses and companies make available to members of the Armed Forces who are being separated from the Armed Forces training or internship opportunities that offer a high probability of employment for the members after their separation.

(b) ELEMENTS.—In preparing the report required by subsection (a), the Under Secretary shall use the effectiveness metrics described in Enclosure 5 of Department of Defense Instruction No. 1322.29. The report shall include the following:

(1) An assessment of the successes of the Job Training, Employment Skills Training, Apprenticeships, and Internships and SkillBridge initiatives.

(2) Recommendations by the Under Secretary on ways in which the administration of the initiatives could be improved.

(3) Recommendations by civilian companies participating in the initiatives on ways in which the administration of the initiatives could be improved.

(4) Testimony from a sample of members of the Armed Forces who are participating in each of the initiatives regarding the effectiveness of such initiatives and the members' support for such initiatives.

(5) Testimony from a sample of recently separated members of the Armed Forces who participated in each of the initiatives regarding the effectiveness of such initiatives and the members' support for such initiatives.

(c) ISSUANCE OF GUIDANCE.—Not later than 180 days after the submittal of the report required by subsection (a), the Under Secretary shall issue guidance to commanders of units of the Armed Forces for the purpose of encouraging commanders, consistent with unit readiness, to permit members of the Armed Forces under their command who are being separated from the Armed Forces to participate in the Job Training, Employment Skills Training, Apprenticeships, and Internships or SkillBridge initiative.

SA 4234. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title V, add the following:

SEC. 538. REPORT ON PROGRESS OF THE DEPARTMENT OF DEFENSE IN ESTABLISHING AND IMPLEMENTING PROCESS BY WHICH MEMBERS OF THE ARMED FORCES MAY CARRY APPROPRIATE FIREARMS ON MILITARY INSTALLATIONS.

(a) REPORT REQUIRED.—The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a description and assessment of the progress of the Department of Defense in establishing and implementing a process by which members of the Armed Forces may carry appropriate firearms on military installations as required by section 526 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 813; 10 U.S.C. 2672 note).

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of the process established pursuant to section 526 of the National Defense Authorization Act for Fiscal Year 2016.

(2) A description and assessment of the implementation of that process at military installations, including a list of the military installations at which that process has been implemented.

SA 4235. Mr. HELLER (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VI, add the following:

SEC. 623. TRANSPORTATION ON MILITARY AIRCRAFT ON A SPACE-AVAILABLE BASIS FOR MEMBERS AND FORMER MEMBERS OF THE ARMED FORCES WITH DISABILITIES RATED AS TOTAL.

(a) AVAILABILITY OF TRANSPORTATION.—Section 2641b of title 10, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection (f):

''(f) SPECIAL PRIORITY FOR CERTAIN DISABLED VETERANS.—(1) The Secretary of Defense shall provide transportation on scheduled and unscheduled military flights within the continental United States and on scheduled overseas flights operated by the Air Mobility Command on a space-available basis for any member or former member of the armed forces with a disability rated as total on the same basis as such transportation is provided to members of the armed forces entitled to retired or retainer pay.

''(2) The transportation priority required by paragraph (1) for veterans described in such paragraph applies whether or not the Secretary establishes the travel program authorized by this section.

''(3) In this subsection, the term 'disability rated as total' has the meanings given that term in section 1414(e)(3) of this title.''.

(b) EFFECTIVE DATE.—Subsection (f) of section 2641b of title 10, United States Code, as added by subsection (a), shall take effect at the end of the 90-day period beginning on the date of the enactment of this Act.

SA 4236. Mr. PORTMAN (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1085. REPORT ON PRIORITIES FOR BED DOWNS, BASING CRITERIA, AND SPECIAL MISSION UNITS FOR C–130J AIRCRAFT OF THE AIR FORCE.

(a) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the Air Force Reserve Command contributes unique capabilities to the total force, including all the weather reconnaissance and aerial spray capabilities, and 25 percent of the Modular Airborne Firefighting System capabilities, of the Air Force; and

(2) special mission units of the Air Force Reserve Command currently operate aging aircraft, which jeopardizes future mission readiness and operational capabilities.

(b) REPORT ON PRIORITIES FOR C–130J BED DOWNS, BASING CRITERIA, AND SPECIAL MISSION UNITS.—Not later than February 1, 2017, the Secretary of the Air Force shall submit to the congressional defense committees a report on the following:

(1) The overall prioritization scheme of the Air Force for future C–130J aircraft unit bed downs.

(2) The strategic basing criteria of the Air Force for C–130J aircraft unit conversions.

(3) The unit conversion priorities for special mission units of the Air Force Reserve Command, the Air National Guard, and the regular Air Force, and the manner which considerations such as age of airframes factor into such priorities.

(4) Such other information relating to C–130J aircraft unit conversions and bed downs as the Secretary considers appropriate.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on May 25, 2016, at 2:30 p.m., to conduct a hearing entitled ''Understanding the Role of Sanctions Under the Iran Deal: Administration Perspectives.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 25, 2016, at 2 p.m., in room SR–253 of the Russell Senate Office Building to conduct a Subcommittee hearing entitled ''Improvements in Hurricane Forecasting and the Path Forward.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 25, 2016, at 4:30 p.m., to conduct a closed briefing entitled ''Trafficking in Persons: Preparing The 2016 Annual Report.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 25, 2016, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EAST ASIA, THE PACIFIC, AND INTERNATIONAL CYBERSECURITY POLICY

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy be authorized to meet during the session of the Senate on May 25, 2016, at 10 a.m., to conduct a hearing entitled ''International Cybersecurity Strategy: Deterring Foreign Treats and Building Global Cyber Norms.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. MCCAIN. Mr. President, I ask unanimous consent that LCDR Amy M. Gabriel, a Navy fellow in my office, be granted floor privileges for the duration of the Senate debate on the National Defense Authorization Act for the Fiscal Year 2017.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Sierra Brummett, be granted privileges of the floor for the balance of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I ask unanimous consent that Lucy Ohlsen, a legislative fellow in my office, be given floor privileges for the remainder of this Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. ROUNDS. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 552 only, with no other executive business in order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Patrick A. Burke, of the District of Columbia, to be United States Marshal for the District of Columbia for the term of four years.

Thereupon, the Senate proceeded to consider the nomination.

Mr. ROUNDS. Mr. President, I know of no further debate on the nomination.

The PRESIDING OFFICER. Is there any further debate?

Hearing none, the question is, Will the Senate advise and consent to the Burke nomination?

The nomination was confirmed.

Mr. ROUNDS. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table, the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

CYSTIC FIBROSIS AWARENESS MONTH

Mr. ROUNDS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 476, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 476) designating the month of May 2016 as ''Cystic Fibrosis Awareness Month.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. ROUNDS. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 476) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

PROMOTING MINORITY HEALTH AWARENESS AND SUPPORTING THE GOALS AND IDEALS OF NATIONAL MINORITY HEALTH MONTH IN APRIL 2016

Mr. ROUNDS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 477, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 477) promoting minority health awareness and supporting the goals and ideals of National Minority Health Month in April 2016, which include bringing attention to the health disparities faced by minority populations of the United States such as American Indians, Alaskan Natives, Asian Americans, African Americans, Latino Americans, and Native Hawaiians or other Pacific Islanders.

There being no objection, the Senate proceeded to consider the resolution.

Mr. CARDIN. Mr. President, I rise today to ask my Senate colleagues to join me in recognizing—belatedly—April as National Minority Health Month. For over 30 years, this commemorative event has provided us the opportunity to celebrate the progress we have made in addressing minority health disparities and related issues in our Nation, and to renew our commitment to continue this critically important effort.

The theme of this year's National Minority Health Month observance, ''Accelerating Health Equity for the Nation,'' reflects both a sense of urgency and determination in moving the country forward toward health equity. Minorities now make up more than 35 percent of the American population and that number is expected to rise in the future. Studies have shown, however, that disparities persist for minority populations and are evident in higher rates of diabetes, heart disease, hepatitis B, HIV/AIDS and infant mortality, among other conditions. For instance, over 29 million Americans suffer from diabetes. But African Americans are twice as likely to be diagnosed with, and to die from, diabetes compared to non-Hispanic Whites. In addition, nearly one-half of all African Americans and Latinos experience the highest rates of adult obesity.

This year marks the 30th anniversary of the Department of Health & Human Services Office of Minority Health, which leads the Nation in raising awareness about minority health disparities, their causes, and the impact they have on minority communities and the Nation as a whole. To commemorate this occasion, a renewed effort is underway with public and private stakeholders to accelerate achieving health equity for all Americans through the development of research, community programs, and legislation. We owe it to our constituents to advance this national movement. For these reasons, I am proud my colleagues, Senators HIRONO, BLUMENTHAL, BROWN, MENENDEZ, and SCHATZ have joined me in introducing a resolution recognizing April as National Minority Health Month.

In our country, we are incredibly fortunate to have the National Institutes of Health (NIH), which works tirelessly to improve the health of all Americans. Within the NIH, the National Institute for Minority Health & Health Disparities (NIMHD) has the specific mission of addressing minority health issues and eliminating health disparities. I am proud of my role in the establishment of the NIMHD, which supports groundbreaking research at universities and medical institutions across our country. This critically important work ranges from enhancing our understanding of the basic biological processes associated with health disparities to applied, clinical, and translational research and interventions that seek to address those disparities.

Today, because of the steadfast work of committed leaders and individuals we have made significant strides to achieving health equity for all. Thanks to innovative reforms such as the Affordable Care Act (ACA), we have made health coverage more accessible and affordable than it has been in decades. By reducing the number of uninsured Americans across the country, the ACA is helping to address health inequalities. In Maryland, due to increased funding as a result of the ACA, over 300,000 Marylanders—a majority of which come from minority communities—now have access to community health clinics and life-saving health care.

Every community across this great Nation deserves optimal health. One's ethnic or racial background should never determine the length or quality of life. As we belatedly recognize April as National Minority Health Month, let us renew our commitment to ensuring all Americans' access to affordable, high-quality health care and renew our pledge to do everything possible to eliminate health disparities and ultimately achieve health equity for all.

Mr. ROUNDS. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 477) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

NATIONAL HAWAIIAN FOOD WEEK

Mr. ROUNDS. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 416 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 416) recognizing the contributions of Hawaii to the culinary heritage of the United States and designating the week beginning on June 12, 2016, as ''National Hawaiian Food Week.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. ROUNDS. I ask unanimous consent that the resolution be agreed to, the amendment to the preamble be agreed to, the preamble, as amended, be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 416) was agreed to.

The amendment (No. 4230) was agreed to, as follows:

(Purpose: To amend the preamble)

Strike the preamble and insert the following:

Whereas when individuals first came to the Hawaiian islands more than 1,500 years ago, there was little to eat other than birds and a few species of ferns, but the individuals found rich volcanic soil, a year-round growing season, and abundant fisheries;

Whereas the history of Hawaii is inextricably linked with—

(1) foods brought to the Hawaiian islands by the first individuals who came to Hawaii and successive waves of voyagers to the Hawaiian islands;

(2) the agricultural and ranching potential of the land of Hawaii; and

(3) the readily available seafood from the ocean and coasts of Hawaii;

Whereas the food cultures initially brought to Hawaii came from places including French Polynesia, China, Japan, Portugal, North Korea, South Korea, the Philippines, Puerto Rico, and Samoa;

Whereas the foods first brought to Hawaii were simple, hearty fare of working men and women that reminded the men and women of their distant homes;

Whereas individuals in Hawaii, in the spirit of Aloha, shared favorite dishes with each other, and as a result, the individuals began to appreciate new tastes and learned how to bring new ideas into their cooking;

Whereas the blend of styles in Hawaiian cooking evolves as new groups of individuals make Hawaii their home;

Whereas the fusion of dishes from around the world creates a unique cuisine for Hawaii that is as much a part of a visit to Hawaii as the welcoming climate, friendly individuals, and beautiful beaches in Hawaii;

Whereas the food of Hawaii is appealing because it came from hard-working communities of individuals that farmed, fished, or ranched for their livelihoods, which are core experiences of individuals throughout the United States; and

Whereas the growing appreciation for the food of Hawaii comes from hard-working and ingenious farmers, fishers, educators, ranchers, chefs, and businesses that innovate and export the taste of Hawaii all over the world: Now, therefore, be it

The preamble, as amended, was agreed to.

The resolution, with its preamble, as amended, reads as follows:

S. RES. 416

Whereas when individuals first came to the Hawaiian islands more than 1,500 years ago, there was little to eat other than birds and a few species of ferns, but the individuals found rich volcanic soil, a year-round growing season, and abundant fisheries;

Whereas the history of Hawaii is inextricably linked with—

(1) foods brought to the Hawaiian islands by the first individuals who came to Hawaii and successive waves of voyagers to the Hawaiian islands;

(2) the agricultural and ranching potential of the land of Hawaii; and

(3) the readily available seafood from the ocean and coasts of Hawaii;

Whereas the food cultures initially brought to Hawaii came from places including French Polynesia, China, Japan, Portugal, North Korea, South Korea, the Philippines, Puerto Rico, and Samoa;

Whereas the foods first brought to Hawaii were simple, hearty fare of working men and women that reminded the men and women of their distant homes;

Whereas individuals in Hawaii, in the spirit of Aloha, shared favorite dishes with each other, and as a result, the individuals began to appreciate new tastes and learned how to bring new ideas into their cooking;

Whereas the blend of styles in Hawaiian cooking evolves as new groups of individuals make Hawaii their home;

Whereas the fusion of dishes from around the world creates a unique cuisine for Hawaii that is as much a part of a visit to Hawaii as the welcoming climate, friendly individuals, and beautiful beaches in Hawaii;

Whereas the food of Hawaii is appealing because it came from hard-working communities of individuals that farmed, fished, or ranched for their livelihoods, which are core experiences of individuals throughout the United States; and

Whereas the growing appreciation for the food of Hawaii comes from hard-working and ingenious farmers, fishers, educators, ranchers, chefs, and businesses that innovate and export the taste of Hawaii all over the world: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning on June 12, 2016, as ''National Hawaiian Food Week''; and

(2) recognizes the contributions of Hawaii to the culinary heritage of the United States.

NATIONAL CANCER RESEARCH MONTH

Mr. ROUNDS. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 459 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 459) recognizing the importance of cancer research and the vital contributions of scientists, clinicians, cancer survivors, and other patient advocates across the United States who are dedicated to finding a cure for cancer, and designating May 2016, as ''National Cancer Research Month.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. ROUNDS. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 459) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of May 9, 2016, under ''Submitted Resolutions.'')

ORDERS FOR THURSDAY, MAY 26, 2016

Mr. ROUNDS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, May 26; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of the motion to proceed to S. 2943, postcloture; finally, that all time during adjournment, recess, and morning business count postcloture on the motion to proceed.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. ROUNDS. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator WHITEHOUSE.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am back with my increasingly scuffed and battered ''Time to Wake Up'' sign now for the 138th time to urge that we stop sleepwalking through history. Climate change, as we know, is already harming our oceans and our farms, our health and our communities. Yet here in the Senate we continue to just stand idly by as carbon pollution piles up in the atmosphere, driving unprecedented changes in our States. I urge us again to wake up and to act with urgency.

Just 3 years ago the monitoring station atop Hawaii's Mauna Loa measured a significant milestone—400 parts per million of carbon dioxide in the atmosphere.

This chart of the data from Mauna Loa illustrates the negligible march upwards of our carbon levels. And it is not just at this one spot in the Pacific. The World Meteorological Organization maintains a global atmosphere watch network of atmospheric monitoring stations that spans 100 countries, including stations high in the Alps, Andes, Himalayas, as well as in the Arctic and Antarctic. Earlier this month, the Cape Grim Station—perhaps aptly named—in remote northwestern Tasmania saw its first measurement above 400 parts per million. A few days later, Casey Station in Antarctica measured carbon dioxide concentrations above 400 parts per million.

What is significant about 400 parts per million? The Earth has existed in a range between 170 and 300 parts per million of carbon dioxide for at least the last 800,000 years—probably millions of years but at least the last 800,000 years. Homo sapiens as a species have only been around for about 200,000 years, so 800,000 really goes back a ways. Primitive farming began only

about 20,000 years ago. Before that, we were just hunter-gatherers. So 800,000 in that context is a long, safe, comfortable run for this planet that has been very good to humankind in that carbon concentration window of 170 to 300. Since the Industrial Revolution, when the great carbon dump began, we have completely blown out of that range.

At the bottom of this chart is 300.

What is also apparent in this chart is the breathing, if you will, of the planet. The sawtooth effect of this line comes from carbon dioxide levels changing as spring triggers the collective inhale of trees and other plant life in the Northern Hemisphere.

This is another version of the same data. The line at the border between the white and the lavender is the carbon data for the year 2011—between 388 and 393 parts per million, going up and then going back down and then going up as the Earth inhales and exhales the carbon dioxide. In 2012, this was the line, up above 2011. In 2013, this was the line. In 2014, this was the line. In 2015—it is hard to see, but it is right here where my finger is tracing and then onward from here. And this is 2016 to date, and then the data stops. It is going to continue. That shelf is just the data ending because of the time of year we are in. So every single year we see the carbon dioxide levels marching up and up and up.

Dr. Ralph Keeling is director of the Mauna Loa CO_2 Program at the Scripps Institution of Oceanography and a sort of hero among scientists. He has said that he doubts carbon dioxide levels at Mauna Loa will ever again dip below 400 parts per million.

As our carbon pollution accumulates, we can actually measure the change in the amount of energy trapped by the atmosphere from the Sun. NOAA calls this the ''Annual Greenhouse Gas Index,'' and the latest edition shows that in just the past 25 years, our carbon emissions have increased the heat-trapping capacity of our atmosphere by 50 percent above preindustrial levels. That is our doing.

The director of NOAA's Global Monitoring Division, Dr. Jim Butler, said: ''We're dialing up Earth's thermostat in a way that will lock more heat into the ocean and atmosphere for thousands of years.''

Last week the Washington Post reported that both NOAA and NASA found April 2016 to have been the warmest April ever recorded. What is remarkable is that April was the 12th consecutive month in a row in which that month was the warmest ever recorded for that month. That is a full year's worth of months that topped every previous such month for temperature, and it is the longest streak ever in NOAA's 137-year temperature record.

One thing we know about all of this excess heat is that the oceans have absorbed more than 90 percent of it. You think things are weird now with the weather, imagine if the oceans had not absorbed more than 90 percent of that excess heat. That is a measurement, not a theory. Unless we are going to repeal the laws of physics, we know that when water warms from absorbing that 90-plus percent of the heat energy, it expands. That is the law of thermal expansion. As a result, sea levels around the world are measurably rising because oceans are warming and expanding, as well as because of ice sheets and glaciers melting.

Sea level rise is a serious matter for my constituents and for all coastal communities. We measure approximately 10 inches of sea level rise at Naval Station Newport, RI, since the 1930s. Higher sea levels erode our shoreline. They push saltwater up into our marshes. Worst of all, from our human perspective, the big storms that get launched in this weather come riding ashore on higher seas, and they inflict more damage and worse flooding in our homes.

A couple of years ago, I visited South Florida with our friend Senator NELSON. In parts of Miami and Fort Lauderdale, sea water continues to flood streets and homes at high tide on perfectly calm and sunny days. It is not rain. These flooding events are occurring because sea level is rising.

A study published in February by Climate Central determined climate change was to blame for approximately three-quarters of the coastal floods recorded in the United States between 2005 and 2014, most of which were high-tide floods. The blue is the natural floods they experienced and the red is the flooding that was driven by climate change.

Dr. Ben Strauss, who led this analysis, said: ''[T]his is really the first placing of human fingerprints on coastal floods, and thousands of them.'' And the body of science revealing those human fingerprints from climate change is growing. In the past, I have said that climate change ''loads the dice'' for extreme weather, but it is hard to link a particular event to climate change. That is beginning to change as the science continues to develop and the evidence continues to pile up.

In March, the National Academies of Sciences, Engineering, and Medicine released a report outlining a rigorous science-based system for attributing extreme weather events to climate change with statistical confidence. In other words, scientists are now able to assess how the risk of an extreme weather event has changed since these heat-trapping greenhouse gases have altered our climate.

Certain kinds of extreme events are relatively straightforward to assess and attribute heat waves, heavy rains, certain types of drought. Other kinds of extreme events, such as tornadoes, wildfires, and the frequency and intensity of hurricanes, are more complicated to dissect.

For example, heat waves are expected to become more common, more intense, and longer lasting because of the increase in heat-trapping gases in the atmosphere. An analysis of an extreme heat wave last May in Australia found it was made 23 times more likely to have happened because of climate change. When the odds in favor have become so great, it is fair to say, according to one scientist associated with that report, that ''some episodes of extreme heat would have been virtually impossible without climate change.'' The attribution to specific events is closing in.

Dr. Heidi Cullen, chief scientist at Climate Central and a contributor to the National Academies report, has said:

> The days of saying no single weather event can be linked to climate change are over. For many extreme weather events, the link is now strong.

Australian researchers have determined that the ocean warming that led to widespread and devastating coral bleaching on the Great Barrier Reef in March was made not 23 times more likely but 175 times more likely by human-caused climate change. Average water temperatures in the Coral Sea are up about 1.5 degrees Celsius since 1900. We measure that. And about one-half of that 1.5 degrees is due to natural variability, and 1 whole degree of it is from greenhouse gas emissions.

David Kline, a coral reef scientist at the Scripps Institution of Oceanography, has said: ''We've had evidence before'' that ''human-induced climate change is behind the increase in severity and frequency of bleaching events. But this is the smoking gun.''

By the way, a bleaching event on a coral reef is like a heart attack in a human. The reef may survive it, but it will take a long time to recover, and very often the reef simply dies. With all of that happening, here we are in this Chamber, sitting on our hands, helpless. We have a responsibility, not only to the voters of today but to the generations who will follow us and inherit the world as we leave it to them.

Here is how Professor of Oceanography, Dr. Laura Faye Tenenbaum, at NASA's Jet Propulsion Laboratory, describes her predicament:

> As a college professor who lectures on climate change, I will have to find a way to look into those 70 sets of eyes that have learned all semester long to trust me and somehow explain to those students, my students—who still believe in their young minds that success mostly depends on good grades and hard work, who believe in fairness, evenhandedness and opportunity—how much we as people have altered our environment, and that they will end up facing the consequences of our inability to act.

Where do we look for leadership? Not to one of the leading Presidential contenders. This character says he is just ''not a great believer in man-made climate change.'' So there. Like the science cares what his opinion is. All the science? The decades of research by thousands of scientists across the globe, the pride of the scientific profession? It is a ''hoax,'' he said, a ''con job,'' ''pseudoscience,'' and ''BS.'' I guess in that latter characterization, he can claim some real expertise. To my Republican colleagues, I have to ask: Is that really the line that we want to have about this problem? Is this your guy? Are you going to stand by him on this stuff?

But wait, it actually gets better. Yesterday POLITICO reported the New York billionaire is also applying for permission to build a seawall. He is a wall-building kind of guy, and he wants to build a seawall to protect his seaside golf resort. What does he want to protect his golf resort from with a wall—rapist Mexicans coming across the border? No. What he wants to defend his seaside golf resort from with a wall is ''global warming and its effects.''

Remember the sea level rise I talked about? That is correct. That is what he said. Climate change is a hoax when his political interests dictate, but then it is real and a threat when his economic interests are involved. Throughout the discussion of climate change, how often we see this—say one thing, do another.

I have to close by reminding my colleagues that my home State of Rhode Island is the Ocean State. We cannot fail to take climate change seriously. If this is uncomfortable for my colleagues, I apologize, but I don't care. I have obligations to my State that I must discharge. We in Rhode Island are going to stand with America's leading research institutions and scientists, we are going to stand with our national security experts, we are going to stand with the great American corporations such as Apple, Google, Mars, and National Grid, we are going to stand with President Obama, and we are going to stand with Pope Francis to do everything we can to face this climate challenge head-on. I hope that soon one day it will be time when we can all wake up and stand together.

I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 6:52 p.m., adjourned until Thursday, May 26, 2016, at 9:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate May 25, 2016:

DEPARTMENT OF JUSTICE

PATRICK A. BURKE, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF COLUMBIA FOR THE TERM OF FOUR YEARS.

HOUSE OF REPRESENTATIVES—*Wednesday, May 25, 2016*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. ROTHFUS).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 25, 2016.

I hereby appoint the Honorable KEITH J. ROTHFUS to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

ASSAULT ON LEGAL IMMIGRATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIÉRREZ) for 5 minutes.

Mr. GUTIÉRREZ. Mr. Speaker, as it turns out, deporting 11 million undocumented immigrants and banning Muslims from entering the country might not be the most radical anti-immigration ideas that the Republicans have come up with. There seems to be a sinister, anti-immigration arms race breaking out in the Party of Trump.

Last week, a Federal judge—Judge Andrew Hanen of Texas, pictured here—the same one whose judgment on immigration executive actions is being deliberated by the Supreme Court, ordered the punishment of every single lawyer in the Justice Department in 26 States. His claim is that some DOJ lawyers misrepresented to him whether they were complying with his injunction suspending the immigration executive actions announced by President Obama in November of 2014.

After his injunction, they were only supposed to issue 2-year work permits under the old rules to immigrants who applied for and received, after an extensive criminal background check, the ability to be treated as the lowest priority for deportation. But the remedial ethics classes are for every single Department of Justice lawyer in 26 States.

You say you weren't in any way associated with the case before the judge?

Too bad.

Never practiced law that is remotely related to immigrants or immigration?

Sorry, the judge is ordering your punishment.

Never been to the State of Texas in your life?

Tough cookies, the Texas judge knows best, and is ordering you around as if you had argued cases yourself before his court.

Overreach much?

The newspaper La Opinion called Judge Hanen's plan ''onerous and absurd.'' I think that is an understatement.

Judge Hanen is also using some good old-fashioned scare tactics to see if he can compete with Sheriff Joe Arpaio and the GOP Presidential nominee for the title of who is so shamelessly anti-immigrant. Judge Hanen has called for the Department of Justice to turn over the names of 100,000 people who were possibly granted the 3-year, not the 2-year, work permits.

So if you come forward, pay hundreds of dollars, submit your paperwork and fingerprints, then 2 years later a judge says, Though you have made no mistake and have zero—I want to repeat—zero—responsibility for the controversy, you, the applicant, before the American government, could have your name and address published for every two-bit vigilante and Twitter troll to read.

I thought Republicans were the ones who didn't like activist judges. I thought they wanted as little government as possible and to leave the legislating and, I suppose, the intimidating to the politicians here in Washington, D.C.

So when the Republicans up the ante in one area, they have to up the ante in another. Nowhere is this crass political opportunism more apparent than right here.

This morning we are having a little hearing in the Judiciary Committee aimed at—get this—shutting down legal immigration as much as possible. Your son's fiancee, your mom's doctor, your neighbor's nanny, your grocery store's janitorial crew, if they are coming legally to the United States, Republicans want to stop it, slow it down, and make it cost a lot more.

The party obsessed with illegal immigration now has legal immigration firmly in its sight. And if you are from certain countries or are of a certain religion, you must have a special security review.

I thought the campaign promise to bar Muslims from traveling here to the USA was a campaign promise that would never be realized unless your leader actually won the campaign.

Don't get me wrong. If I thought Republicans were proposing a process to make things more secure and give the U.S. a better immigration system, I would support it. And I think we could pass something that was on a bipartisan basis in Congress today.

But come on, guys. Do you really believe that the House of Representatives is trying to craft a sensible bill related to immigration in an election year? Do you think the American people are that gullible?

No. The Party of Trump has launched an all-out radical assault on legal immigration, and hopes everyone is so scared of the ''rapey'' Mexicans, the sex-crazed Italians, and the Vietnamese immigrants with Ebola on the one hand and ''ziki flies'' on the other. Lock down the whole system, they say. Lady Liberty, lower your lamp, cover up your poem, and take a seat because terrorists got in once, which is enough reason to keep everyone out of America—from the computer programmer to the ski instructor, to the refugee fleeing systematic violence.

If you ask me, maybe it is not the hundreds of Justice Department lawyers who have nothing to do with Judge Hanen's courtroom who need onerous remedial ethics training classes; maybe it is Judge Hanen's allies here in the House and throughout the Republican Party who could use a mandatory lesson on right and wrong.

CONGRESSIONAL YOUTH SHADOW DAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to welcome Donald Robinson to Capitol Hill as part of the Congressional Foster Youth Shadow Program.

This program is a part of Foster Care Month across the Nation. This recognition was created more than 25 years ago to bring the issue of foster care to the forefront, highlighting the importance of permanency for every child.

Having a brother who joined my family through foster care 46 years ago, foster care is important to me.

As for Donald, he entered foster care in Pennsylvania at the age of 14, experiencing six placements. Despite attending multiple schools, he was able to complete his education and enroll in college after aging out of foster care.

I am proud to say that Donald recently graduated with his master's degree in exercise science from the University of Texas. He plans to create an international sport performance training and consultancy business, and would eventually like to open a charter school.

Mr. Speaker, I am so happy to see someone with Donald's background working to give back to our Nation's children. I look forward to spending time with him today and to learn more about his story.

RECOGNIZING THE RETIREMENT OF RAYMOND GRAECA

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to salute Raymond Graeca, who will retire next month as CEO of Penn Highlands Healthcare, which includes several hospitals in Pennsylvania's Fifth Congressional District, including in DuBois, Brookville, Clearfield, and St. Marys.

Raymond is a native of Erie and graduated with a degree in accounting from Gannon University. He is also a veteran and completed a tour of duty with the United States Army before earning a master's degree in health service administration from Tulane University in New Orleans in 1973.

After graduation, Raymond entered the field of health care and did not look back. He worked at hospitals in Alabama, Louisiana, and Texas before returning to Pennsylvania in 1979 to become president of the Corry Memorial Hospital in Corry, Pennsylvania, also located in Pennsylvania's Fifth Congressional District.

Ray came to DuBois in 1990 as president of the DuBois Regional Medical Center. He is credited as being part of a group which started the Free Medical Clinic of DuBois in 1998, and has served on a number of statewide boards, including the Hospital Council of Western Pennsylvania, The Hospital & Healthsystem Association of Pennsylvania, and the Pennsylvania chapter of the VHA. In 1998, he was named the Distinguished Citizen of the Year in DuBois.

In 2011, he was instrumental in the creation of Penn Highlands Healthcare, bringing together hospitals across the DuBois region, including the DuBois Regional Medical Center, Clearfield Hospital, Brookville Hospital, and later, the Elk Regional Medical Center. The system covers eight counties, employs more than 3,600 people, including 360 physicians.

Raymond Graeca's retirement caps a more than 40-year career in healthcare services and hospital administration. I congratulate him on all of his hard work, and wish him the best of luck in retirement.

ENERGY AND WATER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, the House is considering this week the appropriations for energy and water. These are important decisions, vital programs that seriously touch all of us across the country, and have important decisions on resource allocation.

There were two elements in the accompanying report that I would like to highlight for a moment. First is that I am pleased that the committee has included language encouraging the Army Corps of Engineers to continue efforts to construct new tribal housing at The Dalles Dam on the Columbia River between Oregon and Washington.

The Columbia River is the cultural artery that ties together the Northwest. It is an engine for agriculture and for industry. But long before we started changing that river into a machine with the construction of dams in the 1930s, the artery was the core of the civilization for thousands of years for Native Americans.

The river looked very different. It was faster-moving and steeper. It produced salmon in such abundance that it was rumored you could walk across their backs as they swam upstream to spawn. And it provided food, trade, and a cultural identity for Native American tribes for years. These tribes—now known as the Nez Perce, Umatilla, Warm Springs, and Yakama Nation—were never fully compensated for the disruption to their native ways of life, despite promises to the contrary.

We have found that the Army Corps of Engineers now understands that it has the authority to begin the process of building another housing village at The Dalles Dam. It is important that we encourage and support this work, and continue to expand it through congressional action. It is the least we can do to keep faith with Native Americans, who have had their lives dramatically disrupted with that construction.

Second, the report also continues an unfortunate rider, which blocks the Army Corps of Engineers from modernizing how it develops water resource projects. This has been an interest of mine since I first started serving on the Water Resources Subcommittee 20 years ago in Congress.

The Corps operates on an antiquated methodology that are known as 1983 principles and guidelines for water infrastructure projects. It directs the Corps to focus on maximizing national economic development benefits when planning projects, not looking comprehensively at the benefits and the problems attained for everybody. It severely limits the Corps' ability to select projects which minimize environmental impacts, or contribute to the national interest in ways other than a narrowly defined economic development.

I worked for years with the Corps back when General Flowers was in charge, and there was great interest on the part of the Corps to be able to update the ways that they operate to incorporate modern science, engineering, and environmental awareness. Those principles and guidelines were drafted back in the Carter administration.

398 months have elapsed since they were enacted into law. In that period of time, a lot has happened with food, fashion, technology, and science. It is time for the Army Corps of Engineers to be able to base its planning and activities on the best science and the best engineering, for the needs that we have today.

I sincerely hope that we can come together and recognize that it is a need to finally remove that rider. It was frustrating for me, having worked for years, to finally achieve authorization in 2007 for the principles and guidelines to be updated. Yet, the Corps, having done that job, cannot use the updated principles and guidelines because of shortsighted action on the part of Congress.

I strongly urge that my friends and colleagues in Congress take a look at this restrictive language. Think about the opportunities available to us to allow the Corps of Engineers to do its job right based on the latest information available to us. This does not speak well of the ability of Congress to prepare for the future. It makes the job of the Army Corps of Engineers much harder, and it makes it less likely that we are going to give people the benefit that they need from the various things that the Corps constructs and plans.

□ 1015

TSGT VIRGIL POE, UNITED STATES ARMY: CHARTER MEMBER OF THE GREATEST GENERATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, born in the 1920s, he grew up in the Depression of the 1930s, poor, like more most rural American children. Fresh vegetables were grown in the family garden behind the small frame house. His mother made sandwiches for school out of homemade bread. Store-bought bread was for the rich.

He grew up belonging to the Boy Scouts, playing the trumpet in the high school band, and he went to church on almost all Sundays. In 1944,

this 18-year-old country boy, who had never been more than 50 miles from home, quickly found himself going through basic training at the United States Army at Camp Wolters in Camp Wolters, Texas.

After that, he rode a train with hundreds of other young teenagers—American males—to New York City for the ocean trip on a cramped Liberty ship to fight in the great World War II. While crossing the Atlantic, he witnessed another Liberty ship next to his that was sunk by a German U-boat.

As a soldier in the Seventh Army, he went from France to survive the Battle of the Bulge and through the cities of Aachen, Stuttgart, Cologne, and Bonn. As a teenager, he saw the brutal concentration camps of the Nazis and saw the victims. He saw incredible numbers of other teenage Americans buried in graves throughout Europe. A solemn monument to those soldiers is at Normandy.

After Germany surrendered, he was ordered back to Fort Hood, Texas. He was being reequipped for the invasion of Japan. Then Japan surrendered. It was there he met Mom at a Wednesday night prayer meeting service. My mom was a Red Cross volunteer in WWII.

Until a few years ago, this GI—my dad—would never talk about World War II. He still won't say much, but he does say frequently that the heroes are the ones who are buried today in Europe.

After the war was over, he opened a DX service station, where he pumped gas, sold tires, fixed cars, and began a family. Deciding he wanted to go to college, he moved to west Texas and enrolled in a small Christian college named Abilene Christian College.

He and his wife and two small children lived in an old, converted Army barracks with other such families. He supported us by working nights at the KRBC radio station and by climbing telephone poles for Ma Bell, which was later called Southwestern Bell.

He finished college, became an engineer, and worked 40-plus years for Southwestern Bell Telephone Company in Houston, Texas. He turned down a promotion and a transfer to New York City because it was not Texas and he didn't want to raise his family in New York.

Dad instilled in my sister and me the values of being a neighbor to everybody, of loving the USA, of loving our heritage, and of always doing the right thing to all people.

He still gets mad at the media. He flies Old Glory on holidays. He goes to church on Sunday, and he takes Mom out to eat on Friday nights. He stands in the front yard and talks to his neighbors, and he can still fix anything.

He can still mow his own grass even though he is 90 years of age. He has a strong opinion on politics and world events. He gives plenty of advice to everybody, including a lot of advice to me. He has two computers in his home office. He sends emails to hundreds of his buddies all over the world.

Dad and Mom still live in Houston, Texas, where I grew up.

So today, Mr. Speaker, as we approach Memorial Day and honor the fallen warriors of all wars, we also honor all who fought in the great World War II and who got to come home. We honor my dad, but also other American warriors.

My dad was one of those individuals of the Greatest Generation. He is the best man I ever met, and he certainly is a charter member of the Greatest Generation. So I hope I turn out like him, Tech Sergeant Virgil Poe, United States Army, good man, good father. That is enough for one life.

And that is just the way it is.

TOP TEN ABUSES OF THE ''SELECT INVESTIGATIVE PANEL'' REPUBLICANS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Illinois (Ms. SCHAKOWSKY) for 5 minutes.

Ms. SCHAKOWSKY. Mr. Speaker, yesterday 181 Democrats wrote to Speaker RYAN to ask the Republican Select Panel to Attack Women's Health—that is what we call it—to be shut down.

From the outset, this investigation has been a political weapon to punish women, doctors, and scientific researchers, not an objective, fair-minded, or fact-based search for the truth.

Here are the top 10 reasons to shut down this partisan panel immediately:

One: The select panel is a waste of taxpayer money.

Republicans are wasting taxpayer dollars in their chasing of inflammatory allegations of anti-abortion extremists.

Three Republican-led House committees, 12 States, and one grand jury have already investigated charges that Planned Parenthood was selling fetal tissue for a profit. None found any evidence of wrongdoing.

Two: The select panel is an attack on women's rights.

Republicans are using the panel as part of their campaign to deny women access to legal reproductive health services, including abortions—the panel comes at a time when Republicans have voted repeatedly to defund Planned Parenthood, which provides health services to over 3 million American women and men each year—to eliminate family planning services, and to restrict access to abortion.

Three: The select panel is harming scientific research.

Republicans are using the panel to intimidate scientists into stopping legal fetal tissue research on treatment for cures for diseases and conditions that afflict millions of Americans, including multiple sclerosis, Alzheimer's, diabetes, and spinal cord injuries. Some medical research outfits have already been canceled.

Four: The select panel is just partisan politics.

Republicans are conducting an unfair, one-sided, and partisan campaign. They refuse to put indicted video maker David Daleiden under oath, who made those highly edited tapes against Planned Parenthood, while issuing subpoenas and demanding sworn testimony from law-abiding researchers and doctors.

Republicans have suppressed facts that contradict their preferred partisan narratives. For example, they refused to hear directly from tissue procurement companies while they publicly accused them of misconduct based on misleading and inaccurate staff-created exhibits that lacked any sourcing or foundational information.

Five: The select panel is a McCarthy-like witch hunt:

Mirroring the bullying behavior of Senator Joe McCarthy, Republicans are demanding that universities and clinics name names of their researchers, graduate students, lab technicians, clinic personnel, and doctors. When Democrat JERRY NADLER asked Chair BLACKBURN to explain why she needs to amass this database of names, she responded: No, sir. I am not going to do that.

Six: The select panel threatens innocent lives.

Republicans are putting researchers and doctors at risk by publicly naming them as targets of their investigation and creating a database of names.

On May 11, Republicans issued a press release that publicly named a physician who had already been the target and the subject of violence by anti-abortion extremists. That physician was never contacted to voluntarily provide information before he received a subpoena.

Seven: The select panel is dangerous.

Republicans are refusing to protect confidentiality despite known risks and tragedies, such as the murders of three people at the Colorado Springs Planned Parenthood women's health clinic. That murderer echoed the words of our Republican chairman of the select committee.

The killer used words like ''no more baby body parts.'' Even after they promised to protect confidentiality, the committee said: We will not assure that witnesses' names or any of the other names used in the deposition will remain private.

Eight: The select panel is an abuse of power.

Republicans are abusing congressional subpoena power. The overwhelming majority of their unilateral subpoenas—30 of 36—have been sent

without any effort to obtain voluntary compliance.

We should provide physicians, medical researchers, and others with an opportunity for them to provide information voluntarily. A subpoena should not be the first contact they have with Congress.

Nine: The select panel excludes Democrats.

Republicans have consistently refused to work with Democratic panel members. They have refused to discuss or to even give Democrats copies of their unilateral subpoenas until after they have been served, which is in violation of the House.

Ten: The select panel bullies witnesses they don't like.

It is time, Mr. Speaker, to end this panel right now.

THANK YOU, SENATOR BROWN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. EMMER) for 5 minutes.

Mr. EMMER of Minnesota. Mr. Speaker, I rise to thank Senator Dave Brown for serving in the Minnesota State Senate.

Senator Brown represents an area located in Minnesota's Sixth District, and I have enjoyed working with him on a variety of issues that are important to our constituents.

Senator Brown has worked on policy solutions in the fields related to commerce, education, and finance. However, his main area of expertise has been in promoting Minnesota energy.

Our district is home to the Sherco coal-fired power plant, which is responsible for hundreds of jobs as well as the abundance of energy it provides. During a time when Sherco's future was unclear and unstable, Senator Brown was a voice of reason that helped many to keep the plant open, allowing many Minnesotans to keep their jobs.

Thank you, Dave, for the work you have done for our community and for Minnesota. I will miss working with you, but we wish you the best of luck in your next endeavor.

THANK YOU, SENATOR PEDERSON

Mr. EMMER of Minnesota. Mr. Speaker, I rise to thank Senator John Pederson for his dedicated service to the St. Cloud area residents over the past 6 years.

John Pederson was born and raised in Minnesota's Sixth Congressional District and first served on the St. Cloud City Council in 2007. After 4 years on the City Council, John ran and won his seat in the Minnesota State Senate.

Throughout his time in the Minnesota legislature, Senator Pederson has shown his expertise in a variety of areas, but none more than in transportation. Like me, Senator Pederson understands that an intense focus on transportation in Minnesota's Sixth is crucial to relieving congestion, improving safety, increasing mobility, and fostering economic development in our State.

John, thank you for your time in serving the people of our great State.

THANK YOU, SENATOR ORTMAN

Mr. EMMER of Minnesota. Mr. Speaker, I rise to thank Senator Julianne Ortman for her years of dedicated service in the Minnesota Senate.

Following her time in practicing law and as a county commissioner, Julianne Ortman was first elected to the Minnesota Senate in 2002. Her talent quickly became apparent as she rose to various leadership positions.

Senator Ortman served as an assistant minority leader during the 2007–2008 legislative session. During the 2011–2012 session, she served as deputy majority leader and as chairwoman of the Senate Tax Committee.

Of the many issues Senator Ortman championed, taxes, transportation, judiciary, and public safety were among her highest priorities. During her time as chairwoman of the Senate Tax Committee, the State government had a $5 billion deficit, which it eventually managed to eliminate without raising taxes on hardworking Minnesotans, evidence of Senator Ortman's strong leadership.

Thank you, Julianne, for your service and for all that you have done for Minnesota. Thank you for your leadership.

THANK YOU, SENATOR JOHNSON

Mr. EMMER of Minnesota. Mr. Speaker, I rise to thank Senator Alice Johnson for her dedication and service to the people of Minnesota.

Alice Johnson began her career as a public servant in the Minnesota House of Representatives in 1986. She served for 14 years before taking a brief break from the Minnesota legislature.

Alice again ran for office in 2012 and has served in the Minnesota Senate for the past 4 years, where she has served as vice chair for both the Education Finance and Policy Committees. After an incredible 18 years in public service, Senator JOHNSON deserves her well-earned retirement.

Thank you, Alice, for the time you have spent in working tirelessly on behalf of Minnesotans and in working to end the gridlock in politics. It is greatly appreciated.

THANK YOU, REPRESENTATIVE SANDERS

Mr. EMMER of Minnesota. Mr. Speaker, I rise to thank my friend, Representative Tim Sanders, for the incredible work that he has done while serving in the Minnesota House of Representatives.

Representative Sanders has served in the legislature for four terms, during which he has held various leadership positions. In the 2014 election, he was nominated to the position of assistant majority leader and has also served as chair of the Government Operations and Elections Committee.

I got to know Tim personally during my own time in the State legislature and have an enormous amount of respect for him. He has been a successful and passionate legislator, proven by the fact that a substantial number of his bills have actually been signed into law.

Thank you, Tim, for your service to our community and to our State. I know that you will continue to accomplish great things. I wish you nothing but happiness as you spend more time with Farrah and the kids.

□ 1030

TAMMY LAMBERT'S STORY

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. JENKINS) for 5 minutes.

Mr. JENKINS of West Virginia. Mr. Speaker, West Virginians are struggling right now. Our State's unemployment rate is one of the highest in the Nation. Our coal mines are closing, and so are our schools and mom-and-pop businesses throughout our State.

There is a lot of uncertainty. Families are wondering how they will make ends meet without our coal jobs.

Tammy Lambert is from Raleigh County, and her family is one of those who are worried about her family's future. Her son-in-law is considering moving out of the State just to find work; her daughter doesn't know if she will have the money to finish college; and her husband's mine has gone through periods of being idled. She is a West Virginia coal voice. Here is what she said:

''My daughter has worked hard to get this far and was just beginning to see the light at the end of the tunnel. Now, she may not be able to ever get that degree.

''It is a shame when young people who try can't get ahead. It is even sadder when a man who has worked as a coal miner for 36 years can't feel secure in his job.''

What our families need is not just hope; they need jobs that give them a good paycheck.

We can make that happen in several ways. We can diversify our State's economy to attract new employers. We can expand retraining programs to help prepare the workforce. But most of all, we can get Washington off the backs of our miners.

Let West Virginia miners get back to work, put food on their tables, and mine the coal that has powered our Nation.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 31 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. JOLLY) at noon.

PRAYER

Reverend Joshua Beckley, Ecclesia Christian Fellowship, San Bernardino, California, offered the following prayer:

Our Father and our God, we pray for this session of Congress, in light of all that is going on in our world and the threats that face us as a Nation, that You would give clarity and thought and discernment as they follow their agenda today.

I pray that You would endow them with wisdom and knowledge, with empathy, and compassion to determine the best course of action that would affect the greatest good for all who would be affected by their decisions today.

I pray that they would be mindful of our Pledge of Allegiance that declares that we are one nation under God and that You are the ultimate leader of this Nation.

The Scriptures remind us that righteousness exalts a nation, but sin is a reproach to any people.

Bless this 114th session of the House of Representatives. In the mighty Name of Jesus, we pray.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Michigan (Mr. KILDEE) come forward and lead the House in the Pledge of Allegiance.

Mr. KILDEE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND JOSHUA BECKLEY

The SPEAKER pro tempore. Without objection, the gentleman from California (Mr. AGUILAR) is recognized for 1 minute.

There was no objection.

Mr. AGUILAR. Mr. Speaker, I rise to honor Pastor Joshua Beckley of the Ecclesia Christian Fellowship in San Bernardino, California, who just graced us with the opening prayer.

Pastor Beckley has served as senior pastor at Ecclesia for the past 25 years and has presided over a congregation of 4,000 Inland Empire residents.

In addition to helping Ecclesia grow and flourish, Pastor Beckley cofounded the Inland Empire Concerned African American Churches, received numerous accolades for his ministry and service to our region, and today serves as the chair of the Community Action Partnership of San Bernardino County, which is a local organization that seeks to empower and lift low-income families throughout San Bernardino County.

In the aftermath of the horrific tragedy at the Inland Regional Center in San Bernardino last December, Pastor Beckley was a resounding voice of comfort and an unwavering leader for thousands in our darkest hours. He provided solace to the families of the victims, compassion to their coworkers, and strength to the community as we recovered. His leadership was and continues to be an integral part of our efforts to heal and rebuild.

We are so grateful for his dedication to the thousands of Inland Empire families who look to him for guidance, and we thank him for his continued service to the region. He is joined by his wife, Lynda, and his sister, Tammie Watson.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

INVASIVE SPECIES SUMMIT

(Ms. STEFANIK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. STEFANIK. Mr. Speaker, my district is home to many ecological wonders, from the mighty Adirondacks to the Saint Lawrence River. The environment is truly our lifeblood in the North Country. Sadly, invasive species threaten the health and beauty of these natural ecosystems.

Given our unique position as both the gateway to the Great Lakes and as the center of international shipping trade, our State has the unfortunate distinction of being a principal point of entry for many invasive species.

Today I am introducing two pieces of bipartisan legislation to help combat and raise awareness about the threat that invasive species pose to our ecosystems. Nationwide, an estimated 50,000 nonnative invasive animal and plant species have been introduced, resulting in more than $100 billion in economic losses annually.

Every State and U.S. territory has at least some form of invasive species. Therefore, I hope my colleagues will cosponsor these vital bills so we may prevent the spread and introduction of these harmful invasive species.

ROSWELL PARK CANCER INSTITUTE AWARDED NEW RESEARCH GRANTS

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, today Buffalo's Roswell Park Cancer Institute was awarded $33 million in new research grants from the National Institutes of Health.

This funding will support research to develop new therapies for prostate cancer, for head and neck cancer, and to advance the great promise of immunotherapy, which is research to unleash the cancer-killing potential from the body's own immune system.

Under the leadership of Dr. Candace Johnson, Roswell Park scientists are providing hope and the potential for healing to millions here and throughout the world. In Buffalo, the Roswell Park Cancer Institute is helping to fuel an economic renaissance that has captured the attention of the Nation.

Nationally, the National Institutes of Health's funding supports over 400,000 good-paying American jobs. Congress needs to fully fund cancer research for the National Institutes of Health because, on this issue, if American leadership is not there, there is no leadership.

REMEMBERING WHEELOCK WHITNEY

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, I rise to remember Wheelock Whitney, a Minnesota legend, civic leader, and a friend. Last week Minnesota was saddened to learn that Wheelock Whitney had passed away.

Wheelock was a successful businessman who gave so much back to our State. He was an impactful leader, principled, generous, and compassionate. When he retired, he passed his knowledge on to future generations by teaching at the Carlson School of Management at the University of Minnesota.

Wheelock's civic leadership included playing a large role in local sports franchises, like the Twins, the Vikings, and the North Stars. He also helped save and improve lives in his founding of the Johnson Institute in 1966, one of the Nation's very first drug and alcohol abuse treatment centers.

Mr. Speaker, it is really hard to put into words the respect that Minnesotans have for Wheelock Whitney and his stature as a leader. He simply was one of a kind and was somebody who made Minnesota a better place. We will miss him.

FOSTER YOUTH SHADOW DAY

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, today is Foster Youth Shadow Day. It is a day that gives Members of Congress a chance to spend time with young adults from our districts who have grown up in the foster care system.

I always enjoy this day because it gives me a chance to understand the experience of foster youth and to talk about policies that would help support those children and young adults in that system.

I have learned a lot today from Justin and Jameshia, who are here with me. They are two young adults with whom I am spending time. Both have spent years in the foster care system and have grown to be really remarkable young adults.

Justin is studying international relations at Michigan State University, and Jameshia just graduated from the University of Michigan-Flint, one of my alma maters, with a degree in social work.

Along with their interest in school, they both have dedicated themselves to bettering the lives of other children in Michigan and around the world. Their commitment to raise up kids in my hometown and their hometown of Flint is really inspiring. I am just happy that I am able to get to know them better and to see the passion that they bring to their communities. That passion will take them far.

It is important that we hear from people like Justin and Jameshia in order to shape the policies that we make right here in this Congress. I am just glad I could hear what they had to say, and I am glad they could be with us today. I am honored to spend part of Foster Youth Shadow Day with them.

KOSKINEN AVOIDS ACCOUNTABILITY

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, yesterday Internal Revenue Service Commissioner John Koskinen refused to testify before the House Judiciary Committee to answer allegations that he failed to comply with a congressional subpoena, which resulted in the destruction of key evidence, that he provided false statements during his sworn testimony, and that he did not notify Congress that the disgraced Lois Lerner's emails were strangely missing.

Sadly, this is not what Americans deserve from the professionals of the IRS. The IRS should be accountable to answer questions about the corruption of its duties. This comes at a time when Congress and the American people have real concerns about bias by the IRS' targeting of conservative organizations and by cybersecurity vulnerabilities.

I am grateful for House Judiciary Committee Chairman BOB GOODLATTE's and House Committee on Oversight and Government Reform Chairman JASON CHAFFETZ' advocacy in their standing up for American taxpayers.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

ZIKA VIRUS

(Mr. VARGAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VARGAS. Mr. Speaker, I rise to express my deep concerns about the danger the Zika virus continues to represent to expectant mothers all around the world.

As a Member of Congress who represents the whole California-Mexico border, I strongly urge my colleagues to provide adequate resources to avoid potentially tragic consequences for families and communities like mine. More than 275 pregnant women are confirmed Zika cases in America, including 10 in California, and the number only continues to grow.

I believe we have a unique opportunity to work in a bipartisan and bicameral manner in order to prevent, detect, and respond to the spread of the Zika virus. This means fully funding the President's $1.9 billion request for emergency spending on the development of vaccines and diagnostic testing and on vector controls to manage the mosquito population.

The American people deserve a Congress that will respond to this urgent crisis with smart action.

RECOGNIZING THE MICHAEL-ANN RUSSELL JEWISH COMMUNITY CENTER

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to recognize the Michael-Ann Russell Jewish Community Center as it holds its Prom-Night Tribute-Dinner on Thursday, June 2.

During this joyous celebration, leaders of the Michael-Ann Russell JCC will be recognized for their contributions to improving the lives of the Jewish community in south Florida.

The honorees are: Gary Bomzer, who serves as the president and CEO of this wonderful organization; Paul Kruss, who serves as the chair of the board of directors; and Ariel Bentata and Jeffrey Scheck, who were past chairs.

Founded in 1987, the Michael-Ann Russell JCC has been committed to not only strengthening Jewish values in south Florida, but it has also dedicated time and resources to educating our future leaders and fostering a strong relationship with our ally, the democratic Jewish State of Israel.

I am thankful to witness the growth of the Jewish American community in our area as its members continue to strive for a better and more prosperous tomorrow.

Mazel tov to the Michael-Ann Russell Jewish Community Center on a job well done.

WEAR SOMETHING RED WEDNESDAY TO BRING BACK OUR GIRLS

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, today is Wear Something Red Wednesday to bring back our girls.

My heart is overflowing with joy. I am very happy to report that one of the Chibok schoolgirls who had been abducted by the Nigerian terrorist group Boko Haram has been found. She was found last week by a vigilante group in the Sambisa Forest, close to the border of Cameroon.

The young girl has been reunited with her family after having spent 2 years in captivity, an experience that will haunt her for the rest of her life. Sadly, according to several media accounts, the young girl reported that six of the 219 have died since being held by Boko Haram and that the rest are alive and are being held in the forest.

Last week we celebrated the return of this precious young girl, but we cannot stop working until the 212 who are still being held hostage are safely returned to their families, away from these evil, Islamic insurgents.

Mr. Speaker, time is of the essence, and the governments of the Multinational Joint Task Force, alongside our government, must fight as hard as possible to find these girls. We cannot stop until we find them all.

I urge my colleagues to join me today in wearing red on Wednesday until Boko Haram is defeated and all of the kidnapped girls have rejoined their families. Please continue to wear something red on Wednesday. Please continue to tweet, tweet, tweet #BringBackOurGirls and to tweet, tweet, tweet #JoinRepWilson.

CONGRATULATING SLCC BASKETBALL

(Mrs. LOVE asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Mrs. LOVE. Mr. Speaker, I rise to recognize the outstanding achievement of the Salt Lake Community College men's basketball team, this year's National Junior College Men's Basketball champions.

These 12 extraordinary student athletes, with the unwavering support of their four dedicated coaches, dominated the 2016 NJCAA Men's Basketball tournament, beating their opponents by an average of 18.8 points over five games in 6 days.

Conner Toolson was named the tournament's Most Valuable Player. Head coach Todd Phillips was named Coach of the Tournament.

These young men, who hail not only from Utah, but from as far away as Australia, exhibited more than just exceptional athleticism and skill. They were singled out for their good sportsmanship and kindness off court. Tad Dufelmeier was honored with the tournament's Sportsmanship Award.

I congratulate the team on their championship win and for representing their school, their community, and the State in such an exceptional way.

Go Bruins.

□ 1215

HONORING EDUCATOR JOYCE TOAN

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, I rise today to commend Joyce Toan, who has taught the children of Joseph Sears School as a kindergarten teacher for nearly two decades. First arriving at Sears in 1997, Mrs. Toan has positively shaped the lives of hundreds of students.

Personally, she has had an undeniably positive impact on my family, teaching my three children, Harper, Bobby, and Honor. Each is better off because of her guidance and teaching.

Our family and community will be forever indebted to her for the kindness she has shown all of our children. Mrs. Toan always went out of her way to recognize what makes each of her students unique. She taught her students not what to think, but how to think, a skill that will be useful for the rest of their lives.

Despite her career at Sears coming to an end, the lessons and memories that she has imparted upon Harper, Bobby, Honor, and all of her students will last a lifetime.

Mr. Speaker, I offer my personal thanks to Mrs. Toan for all that she has done and wish her well in her retirement. She will be deeply missed.

PROTECTING RELIGIOUS FREEDOM

(Mr. ROTHFUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTHFUS. Mr. Speaker, in contrast to the religious persecutions in Europe between the 16th and 19th centuries, America increasingly became a safe space for people to exercise their faith in accordance with their conscience. Religious freedom was woven into the fabric and constitution of our country from the beginning, and faith has played a big role in forming the character of our Nation.

From efforts to abolish slavery, secure civil rights, and protect human life, to providing health care, food, shelter, and hope to countless millions, religious organizations have been indispensable to the progress we have made. Indeed, the Civil Rights Act of 1964 recognized the extraordinary contributions of religious organizations when it preserved their right to hire individuals who shared their beliefs.

Today we see clouds encroaching upon the sunshine of religious freedom and the freedom of conscience. These attempts to crush conscience must be resisted. It is conscience that convicts us of our own shortcomings, and it is that conviction that allows us to correct course and to seek what is good, beautiful, and true. That is why protecting religious freedom is vital.

Mr. Speaker, let us together join forces against the growing intolerance that threatens it.

STOP GIVING GUANTANAMO PRISONERS EXPENSIVE SPECIAL TREATMENT

(Mr. DUNCAN of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNCAN of Tennessee. Mr. Speaker, yesterday I had 43 students and chaperones from Washburn High School in east Tennessee as my guests at the Capitol.

Among other things, I told them I was next going to a hearing about the prison in Guantanamo and that one group had estimated it was now costing us over $4 million per prisoner to keep that prison open. One of the students said, ''How can I get in?''

There are now only 80 prisoners there, and we spent $445 million to run the facility in 2015. The Washington Times reported in 2013 that we were giving these prisoners classes on computers, horticulture, art, and calligraphy as well as library services, special food, and recreational facilities. We sometimes hear of country club prisons. Apparently, this should be called a resort prison.

I know the Federal Government cannot do anything in a fiscally conservative way, but spending $4 million per prisoner in Guantanamo is ridiculous. It costs an average of $34,000 per year per prisoner in most Federal prisons and $78,000 per year in the supermax prison.

Mr. Speaker, we should stop giving these terrorists such ridiculously expensive special treatment and send all 80 to the worst, most dangerous prison in the U.S.

COMMUNICATION FROM THE HONORABLE TED S. YOHO, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable TED S. YOHO, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 25, 2016.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena, issued by the Circuit Court in and for Dixie County, Florida, Criminal Division, for testimony in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is not consistent with the privileges and rights of the House.

Sincerely,

TED S. YOHO,
Member of Congress.

PROVIDING FOR CONSIDERATION OF S. 2012, ENERGY POLICY MODERNIZATION ACT OF 2016; PROVIDING FOR CONSIDERATION OF H.R. 5233, CLARIFYING CONGRESSIONAL INTENT IN PROVIDING FOR DC HOME RULE ACT OF 2016; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM MAY 27, 2016, THROUGH JUNE 6, 2016

Mr. BURGESS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 744 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 744

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (S. 2012) to provide for the modernization of the energy policy of the United States, and for other purposes. All points of order against consideration of the bill are waived. An amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-55 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided among and controlled by the chair and ranking minority member of the Committee on

Energy and Commerce and the chair and ranking minority member of the Committee on Natural Resources; and (2) one motion to commit with or without instructions.

SEC. 2. If S. 2012, as amended, is passed, then it shall be in order for the chair of the Committee on Energy and Commerce or his designee to move that the House insist on its amendment to S. 2012 and request a conference with the Senate thereon.

SEC. 3. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 5233) to repeal the Local Budget Autonomy Amendment Act of 2012, to amend the District of Columbia Home Rule Act to clarify the respective roles of the District government and Congress in the local budget process of the District government, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform; and (2) one motion to recommit.

SEC. 4. On any legislative day during the period from May 27, 2016, through June 6, 2016—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 5. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 4 of this resolution as though under clause 8(a) of rule I.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

Mr. BURGESS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURGESS. Mr. Speaker, House Resolution 744 provides for the consideration of S. 2012, the Energy Policy Modernization Act of 2016, and H.R. 5233, Clarifying Congressional Intent in Providing for DC Home Rule Act of 2016.

The rule provides 1 hour of debate, equally divided amongst the majority and minority members of the Committees on Energy and Commerce and Natural Resources for S. 2012. As S. 2012, as amended, is a comprehensive compilation of energy legislation that has already passed the House, the Committee on Rules made no further amendments in order. However, the rule affords the minority the customary motion to recommit, a final opportunity to amend the legislation should the minority choose to exercise that option.

The rule further provides for 1 hour of debate, equally divided between the majority and minority of the Committee on Oversight and Government Reform on H.R. 5233. No amendments were made in order as the bill is a targeted response to what Members of the House have perceived as an unlawful action taken by the District of Columbia in contravention of the Federal Home Rule Act. The minority is, however, afforded the customary motion to recommit, a final chance to amend the legislation.

Finally, the rule contains the standard tools to allow the orderly management of the floor of the House of Representatives during an upcoming district work period.

The House amendment to S. 2012, the Energy Policy Modernization Act of 2016, builds on the work of the House. The House has done this work over the past year and a half to update the Nation's energy laws and move the country forward on energy policy. The bills included in this package include work from the Committee on Energy and Commerce, the Agriculture Committee, Committee on Natural Resources, and the Committee on Science, Space, and Technology.

While many House committees have had input on this package, Members can feel comfortable that a wide array of opinions and positions are represented in the legislation. This is how the House works its will most effectively, by combining various pieces of legislation into one package.

In amending S. 2012, the Senate passed energy legislation. Following passage of S. 2012 in the House, both bodies will be able to begin to conference the differences in the two bills, a further step in the regular order of this bill becoming a law.

The legislation will benefit Americans across the country: modernizing our energy infrastructure; expediting and improving forest management; providing for greater opportunities on Federal lands for hunting, fishing, and shooting; and prioritizing science research using Federal taxpayer dollars.

S. 2012, as amended, includes various pieces of legislation considered and passed by the House not only in the current 114th Congress, but it also includes many pieces of bipartisan legislation from the 112th and 113th Congresses.

A major win for the American people in this package is the provisions allowing for expanded access by sportsmen, fishermen, and recreational shooters to Federal lands, lands that should have always been accessible to all Americans for various legal and constitutional activities.

Further, the legislation before us focuses on protecting American interests in a world where uncertainty due to terrorism and unfriendly and unstable regimes in the Middle East threaten American access to reliable sources of energy. We have long believed that America should focus less on relying on foreign energy sources, given the abundance of resources below our very feet across this Nation. Only if Federal policies are aligned with this view, which the House will do with this package, can our country fully focus on becoming energy secure.

The second piece of legislation contained in today's rule addresses the House concerns with recent actions taken by the District of Columbia's Mayor and City Council. H.R. 5233, Clarifying Congressional Intent in Providing for DC Home Rule Act of 2016, repeals the Local Budget Autonomy Amendment Act of 2012, a referendum passed in the District of Columbia, which many believe violates both the U.S. Constitution and the Federal Home Rule Act.

When the Founding Fathers crafted our Constitution, they acknowledged the special status that the Nation's Capital held and created a special relationship between it and the Federal Government not enjoyed by other States and other localities.

While some argue that the District of Columbia should be entirely self-governed, that is not how our Constitution treats the Federal city. Article I, section 8, clause 17 states that the Congress of the United States shall have the power—I am quoting from the Constitution here—''to exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards and other needful Buildings.''

□ 1230

The District of Columbia, falling squarely within the parameters of this clause, is, therefore, subject to Congress' exclusive exercise over its laws.

I have no doubt that a strong debate will surround the consideration of H.R. 5233, as we heard in the Committee on Rules last night, but Congress would be relinquishing its duty under the United States Constitution to oversee the governance of the Nation's Capital.

Today's rule will allow the House to complete the final two pieces of legislation for the month of May, a month where the House of Representatives has passed legislation to provide funding

for our military bases, funding for our veterans, funding for energy and water policies; to provide new authorities and funding to combat the growing threat of the Zika virus; to update our Nation's chemical laws; to provide help to those in this country facing opioid addictions; and to provide tools to our Nation's armed services necessary to keep our citizens safe from the growing threat of terrorism. It has been one of the most productive months of the year for the House of Representatives.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman for yielding me the time. I yield myself such time as I may consume.

Mr. Speaker, I rise today to oppose the rule which joins two disparate issues. The first, District of Columbia budget autonomy. The second, pursuing an energy bill that prioritizes an outdated energy policy.

First, D.C. budget autonomy. Mr. Speaker, Congress sits in the District of Columbia, and our presence looms far beyond the footprint of the buildings. Congress has mandated that the government of the District of Columbia pass every budget plan—every spending plan down to the penny of their own money that they raise—through Congress.

But in 2012, the District of Columbia exerted its own authority and passed the Local Budget Autonomy Amendment Act of 2012 and essentially said: We will allocate our own local funds ourselves unless Congress overrides our plan, and we will only ask permission beforehand when we spend money that comes from the Federal Treasury.

The bill before us, H.R. 5233, would repeal the District's local law, keep the District of Columbia from spending its own money on local services, and prohibit the District from granting itself budget autonomy in the future.

For far too long, the residents of the District have paid their fair share of taxes and have not had full representation in Congress. The District sends young people off to war, but doesn't have an equal voice in either going to war or how the country is governed. In fact, it reminds me a lot of a plantation.

Subjecting the District to the lengthy and uncertain congressional appropriations process for its own use of their local tax collection imposes operational and financial hardships for the District, burdens not borne by any other local government in the country. In addition to that, it is more expensive to them.

It defies reason that the House majority would continue this overreach, and I urge each considerate Republican to rethink their position. In fact, there are some key Republicans who do support the District's budget autonomy. The Oversight and Government Reform Committee's last four chairmen—including Republicans Tom Davis and DARRELL ISSA—worked to give D.C. budget autonomy. I urge my Republican colleagues to follow suit.

Second, the rule would allow the House to replace the text of the Senate's bipartisan energy reform legislation with the House's partisan energy bill. Time and again, we have seen the Senate come to a reasonable, bipartisan compromise, but the House chases a partisan agenda and derails the legislative process every time.

The House proposal encourages an outdated energy policy that favors fossil fuels above the clean and renewable energy sources, and it seeks to roll back important environmental protections. The majority's insistence on negating environmental protections and doubling down on their attacks on environmental laws is a troubling waste of time. Nevertheless, Democrats will fight to protect the environment and precious natural resources.

The bill locks in fossil fuel consumption for years to come by repealing current law aimed at reducing the government's carbon footprint. It also puts up barriers to the integration of clean, renewable energy technologies, all while rolling back the energy efficiency standards. In the past, efficiency standards were an area of bipartisan compromise. Not anymore.

Americans cannot afford the Republican majority's head-in-the-sand approach to climate change and energy consumption. In fact, I understand that the presumed Presidential candidate of the Republican Party had applied to build a wall on one of his foreign golf courses, blaming climate change for the erosion. So if he believes it in a foreign country, I certainly hope he will think about believing it here.

I urge my colleagues to work toward an all-of-the-above strategy that will modernize our Nation's energy infrastructure in a way that addresses climate change, promotes clean energy, drives innovation, and ensures a cleaner, more stable environment for future generations.

Mr. Speaker, I urge a ''no'' vote on the rule.

I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself 30 seconds.

I would remind the House that this energy legislation has worked its way through the House for the last 18 months; and, indeed, the two previous Congresses, multiple committees have had input on this. It has been one of the most thoroughly vetted pieces of legislation. I cannot tell you the number of hearings, the number of markups that I have sat through in the Committee on Energy and Commerce. It has had similar treatment over in the Senate. The concept of getting this bill through the House, going to conference with the Senate, this is a good product and is worthy of the support of this body.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 10 minutes to the gentlewoman from the District of Columbia (Ms. NORTON), a hardworking Member who represents 700,000 people who have no say because this body decides everything that they do. As I pointed out before, they pay their taxes and they send their children off to war, but she cannot vote in this House in any way to affect anything.

Ms. NORTON. Mr. Speaker, first I want to thank my good friend from New York State for the way she has always understood and championed with respect to the District of Columbia, which also happens to be the capital of the United States. But, as she said, it is more than the Capitol and this building. It is where almost 700,000 Americans live.

Mr. Speaker, I must strongly oppose that portion of the bill providing for consideration of H.R. 5233. Understand the spectacle we have ongoing here. A strong Republican House is actively sponsoring a bill that repeals a local law, a local law that in this case authorizes the District of Columbia government to spend its own local funds without congressional approval.

Who do the Republicans think they are, that the people I represent should ask for their approval to spend, and to process funds that they had nothing to do with raising?

Understand, no Federal funds are involved, not one penny, but those pennies, over $7 billion—and I want people who come to the floor to tell me if their State raises $7 billion on its own. Over $7 billion. These are our pennies. Not a cent of Federal money is even implicated.

Let's go back to Republican principles to understand what is happening on this floor today because it is going to happen twice. My Republican friends propose in this rule—these are the same friends who despise the Federal reach, despise it so much that every year they try to give back what have long been Federal matters to the States, like the Department of Education. Need I go through the laundry list? The one thing they stand for in this Congress and have stood for throughout human time is that they prefer that power over the people be exercised at the State and local level. That is what they stand for. There are not many things that you can say a particular party stands for. Local control is certainly their cardinal principle.

But look what they are doing this afternoon. They are doubling down. That is not just a matter of emphasis. That means double bills. They are doubling down to use the awesome power of the Federal Government against a

local district. If you will excuse me, I regard that as very un-Republican.

We are talking about two provisions—not just the rule before us—that use identical language, as if to say, you know, we really mean it, District of Columbia, because we are going to do it twice. We want to be doubly sure that we keep this local district from enforcing its own local budget.

So what is the point of this bill if they are doing it twice?

This bill is a pretense. It is solely designed to lay the predicate for another action that has occurred this very morning in the Committee on Appropriations. How coincidental. I sat through a Committee on Appropriations markup where a rider, using the very same language that is proposed through this rule, and that rider was indeed passed by the House appropriations subcommittee.

Heavens. I wonder if in the history of the House of Representatives we have ever had this Congress or the Congress of the United States to be so threatened by what a local jurisdiction would do that it proposes not one bill, but two, to keep that local jurisdiction from proceeding. We are not seceding from the United States. We are simply trying to spend our own money.

So here we have a bill twice over because the—appropriations bill contains the same language, understand, despite another of their rules that prohibits legislating on an appropriations bill. The Republican leadership included the text of H.R. 5233 in the appropriations bill for what appears to be a very good reason. They recognize that that is the only chance they have of enacting the text of the rule before you, and that is to do so in an appropriations bill. So they are doing it twice for good measure, but the only way it is going to pass is attaching it to some must-pass bill.

The Senate—and I say this on this floor—does not have the votes to pass H.R. 5233 itself. And even if it did, the President of the United States, who has long supported budget autonomy, put it in his own budgets, has said he would veto it. The Executive Statement of Administration Policy that came out yesterday indicated so.

This may be news to some Members of this body, but I am the only Member of Congress who was elected by the almost 700,000 American citizens who live in the District of Columbia, and my constituents are the only American citizens who are affected by this bill.

You might be able to understand the anger of my constituents if you knew these numbers. The people I represent pay more taxes than 22 States pay.

Or you want another one that would make you understand the anger of my constituents?

They are number one per capita in the Federal taxes paid to support their homeland, highest taxes per capita in the United States. And yet this very day, twice—first with respect to this rule, then with respect to the bill—every single Member of Congress will get a vote on this bill solely concerning the District of Columbia except the Member of Congress who represents the District of Columbia and is elected to represent them.

□ 1245

If you have never felt like a despot before, I hope that side of the aisle understands how it feels and what it looks like.

The Republican leadership has claimed that it is committed to letting the House work its will on legislation. However, yesterday, the Rules Committee, on a party-line vote, prevented me from offering my amendment to this bill to the House floor. What are you afraid of, if my amendment comes to the House floor that says, ''Congress, you do it; you grant D.C. budget autonomy''? Are you afraid you can't do it? Sure you can do it. Or, at least let us do it. Give D.C. some respect.

My amendment was the only chance for D.C. residents to have a say on the bill during floor consideration. So even though you could have, obviously, and would have defeated my amendment to say, ''You do it, you grant us budget autonomy,'' what in the world kept you from allowing us the respect of bringing that amendment to counter what you are doing today, particularly knowing that we can't counter what you are doing today?

My amendment, of course, would have called the question on whether Members support or oppose local control of local jurisdictions over their own budget. Do Members oppose budget autonomy because the District initiated it? Or do they actually want to toss their own local control principles out of the Capitol window through a vote requiring Federal approval of local funds?

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. SLAUGHTER. I yield the gentlewoman an additional 3 minutes.

Ms. NORTON. My amendment would have made the text of D.C.'s Local Budget Autonomy Act Federal law. It would have simply said, look, if you don't like what the District did, you do it. We would have lost. But you would at least have given to us the respect that we are entitled to as American citizens—afraid even to do that.

The Local Budget Autonomy Act is already law. The District government has begun to implement it, and I applaud them for doing so. When you are up against a despotic House of Representatives, the only way to proceed in a democracy is to move on your own, or else they will say: See, we waited them out and there is nothing they can do. There is only one of them against all of us.

Only one court opinion has, in fact, upheld the Budget Autonomy Act, though the good Member on the other side implied that this was a lawless act. Well, let me tell you what the court said, without going through all of it:

> Forthwith, enforce all provisions of the Local Budget Autonomy Act of 2012.

That is the law. Who is being lawless, who is being unprincipled is any majority that would want to be involved with the local funds of any American jurisdiction.

When Members cast their vote today on the bill, they will be voting on a bill to require Congress to approve a local budget. How un-Republican. And worse, undemocratic.

Mr. BURGESS. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, the Founders recognized that, within the District of Columbia, this was a unique entity. But Congress, in its benevolence, granted the District of Columbia limited autonomy in the Home Rule Act of 1973. That autonomy did not extend as far as what the current Mayor and city council envisioned it to.

The Home Rule Act maintained the role of the Federal Government in the District's budget process; and, indeed, the Federal Government has had to step in as late as the 1990s because the District had so mismanaged its finances.

Then, the District of Columbia Financial Control Board had to be instituted in order to correct the many financial disasters that the District of Columbia government had created for itself. Congress gave the board the power to override the D.C. government where it saw fit.

Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. MEADOWS), from the Oversight and Government Reform Committee, where this bill originated.

Mr. MEADOWS. Mr. Speaker, I thank the gentleman from Texas for his eloquent words.

As we look at this particular bill, there is a lot that has been said about what home rule is and what it is not. There is a lot that has been said about what the law is and what it is not, and yet it is undeniable that the Constitution actually reserved for this esteemed body the power to legislate over all affairs within the District, going back to Article I, section 8 of our Constitution.

And yet in 1973, Mr. Speaker, this body took on a law, debated it in both the House and the Senate, to actually take some of those authorities granted by the Constitution and allow the District to actually put forth laws with regard to local issues.

Now, specifically reserved in that 1973 law was the whole issue of the budget and appropriations. As we started to look at this particular function—

my good friend, the Delegate from the District, obviously has talked very seriously about the law.

Well, the law was very clear in 1973 on what we passed. Actually, Charles Diggs—Chairman Diggs—had what they called the Diggs Compromise that specifically was spelled out in a dear colleague letter on the fact that budgetary control would remain with this body and, indeed, with the appropriators. Yet somehow we see a decision by a superior court as having the effect of law?

Well, we know from our civics class that it is this body that is putting forth Federal law. It cannot be a local jurisdiction that comes in and usurps the power of the Federal law with its local mandates.

So, Mr. Speaker, while my good friend and I will disagree perhaps on a number of issues, what we should agree on is the fact that the Constitution reserved this right for Congress. The Constitution and, indeed, those relegated and delegated powers in 1973 were specific in keeping the appropriations and budgetary process within this body. To ignore that would be, honestly, ignoring the debate that happened then, debate that happens now, and sworn testimony in hearings that, indeed, those who crafted this particular law are all in agreement that this was the intent of Congress.

So, Mr. Speaker, I rise today to ask my colleagues to not only support this, but reaffirm the role that Congress has and make sure that we keep it within this body.

Ms. SLAUGHTER. Mr. Speaker, may I inquire how much time remains on both sides?

The SPEAKER pro tempore. The gentlewoman from New York has 13 minutes remaining. The gentleman from Texas has 18½ minutes remaining.

Ms. SLAUGHTER. Mr. Speaker, I yield such time as she may consume to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. My good friend Mr. MEADOWS speaks as if he didn't speak up for the Congress of the United States with its awesome power, then Congress would be stripped of its power by the District of Columbia—please.

If there is any concern here about this bill, the one thing my good friend should not do is to base it on what lawyers say. The latest and most definitive, on what lawyers say is a court of law.

I want to indicate what happened, because the matter was first in the Federal district court, then appealed to the Federal court of appeals. The Federal court of appeals heard oral argument and received briefs. It looked at this—and we don't know why—but they sent it to a local D.C. court.

That court heard at every single argument Mr. MEADOWS has raised and found for the District of Columbia. And that is the definitive word on the law, unless what he is saying is: Je suis the law, or, I am the law. Well, maybe you are, but you are the kind of law that led the Framers to rebel against England. No respect for local law.

You speak of the Diggs Compromise. What you didn't say is that some compromise had to be reached because the Senate, in its home rule bill, gave the district control over its local budget.

So what we say, what our lawyers say, is that compromise did leave some room in the charter—which does not specifically say that budget autonomy is denied to the District; and they could have said it, but they didn't—and the compromise was to leave some room at such point as it became relevant to step up and claim the right to process and enforce their own local budget.

My good friend managing the bill on that side dares reach back to the 1990s. Yes, the District got into trouble. My congratulations to the District of Columbia as the only city which, for 200 years, carried State functions. And yes, in the 1990s, it became too much; and yes, the city had a serious financial crisis.

So if you want to go back two decades, also come forward, because at this time, the District has perhaps the strongest economy in the United States of America. How many of you have surpluses? How many of you have anything to brag about in terms of the economy of your district?

Have you looked at what is happening in the District of Columbia? You can see the building going on. You can see the increase in our population. So yes, we have had hard times, and I am sure you have, but I am sure that there was a whole lot less reason for your hard times than for ours.

I am asking you to think about your own principles of local control and try to justify taking local control from the District, but particularly to justify taking local control over our own money. That is what the Framers went to war about. Somebody somewhere was trying to tell them about taxes having to do with their own local funds.

I don't know if that spirit still lives on that side of the aisle, but it still lives in the District of Columbia. This is our money. We are going to keep going at it until you have nothing to say about funds raised in a jurisdiction not your own. My constituents cannot hold you accountable because they cannot vote for you.

Well, sir, they have voted for me; and what I say today represents what they believe and what they will never give up, and that is the right to control their own local laws and, and above all, their own local funds raised from their own local taxpayers.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

□ 1300

Mr. BURGESS. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. MEADOWS).

Mr. MEADOWS. I thank the gentleman for yielding.

Mr. Speaker, indeed, the delegate opposite is my friend. She serves her constituency well. Her impassioned plea on behalf of her constituents is not only recognized this day, but each and every day in this body.

This particular debate is not over what is believed to be right or wrong. It is over the rule of law. Indeed, the argument was made by the gentleman from Georgia yesterday that this is a matter of law, not on the merits of what is right or what is wrong from a standpoint of budget autonomy.

But I would also refer, Mr. Speaker, to the argument that would suggest that everything is great here in Washington, D.C., in terms of the budget. If that indeed is the case that is being argued here today, you can't have it both ways, because the status quo today has been one that truly has the authority rested and vested here in this esteemed body.

So to suggest that things are less than perfect, I am not here to do that. But if indeed everything is turning up roses today, it is the status quo that has indeed preserved that.

So I would suggest that, as we start to look at this, it is a fundamental question: Are we going to uphold the rule of law?

The rule of law here is very clear. In fact, the debates back in 1973 talked about that all we wanted was some of the local control over our local government. And as that debate went on, there was indeed, as my good friend mentioned, in the Senate the desire to give budget autonomy to the district.

Yet, as we know from our civics class, it takes both the Senate and the House and the President to sign it into law. I would say that we need to continue to support the rule of law.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up two desperately needed pieces of legislation.

The first would shed light on secret money in politics by requiring groups to disclose the source of the contributions they are using to fund their campaign-related activities. The second would provide $600 million in funding to combat the growing opioid epidemic.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I would like to take a personal privilege and rise today with a really sad heart and take a moment to mark what is the end of an era for the Rules Committee family.

This is Miles Lackey's last week as the staff director for the committee's minority, and we are sad about it indeed. The Rules Committee is a family, and the loss is personal.

The Rules Committee, in my opinion, has the highest regarded staff of anybody that is on the Hill. In both the House and Senate, Miles has proved to be the gold standard for any staff wishing to make a contribution to the Congress.

He has been a mentor and a colleague to anyone who asked for it. His counsel will be missed not just for the four of us on the Democratic side of the Rules Committee, but I think both staff members and all other Members alike on both sides of the aisle.

Miles is a graduate of the University of North Carolina and of Yale Divinity School, and he brings a grounded, holistic vision of his work as a staff member, and the example has been a guiding force.

He has the patience of Job and takes every dramatic turn of events in stride. From government shutdowns to national emergencies, Miles has always known exactly what to do.

As the staff director of the Rules Committee or as Senator Dodd's chief of staff in the Senate, he made incredible contributions to legislation that has passed out of Congress during his tenure in both Chambers.

From Dodd-Frank to the Affordable Care Act, it is clear that he dedicated his career to benefiting the American people with skill, intellect, and patience.

There is always one more story to tell, one more hug to linger over, but there sure is no good way to say goodbye to a trusted and cherished adviser, a colleague, and a friend. There is only the deep gratitude that we feel and the legacy of the excellence that Miles leaves.

Thank you, dear friend, for everything.

Mr. Speaker, I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. WOODALL).

Mr. WOODALL. Mr. Speaker, when you serve on the Rules Committee, you spend a lot of time dealing in acrimony at least here on the floor.

When you serve on the Rules Committee and your job is to get the business of the House accomplished, when we are not on the House floor, it isn't acrimony. It may be impassioned. It may be, at times, divisive.

But it is all focused on a single goal, and that is making sure that this institution fulfills not just the expectations of our constituents back home, but the expectations of our framers who established it to begin with.

Members of Congress come and go, Mr. Speaker, and, inevitably, what makes a Member of Congress successful is being surrounded by a team of excellence, a team of excellence back home in terms of bosses and constituents and a team of excellence here in Washington to help make sure that all the i's are dotted and all the t's are crossed and that the big things get done.

When Miles Lackey leaves this institution, Mr. Speaker, it is going to be harder to get the big things done. It is going to be harder because the biggest commodity we have in this town is not a Member pin, is not a Member representational allowance, is not how much mail goes out the door.

The most precious commodity in this town is trust, and not everybody has it. Sadly, not everybody wants it. But to do anything that is worth doing in this town, it has to be built on a foundation of trust.

If you don't have people like Miles Lackey on the other side of the aisle—I sit on this side of the aisle. He is physically sitting on that side of the aisle today not just emotionally, not just intellectually, but physically. If you don't have folks that you can trust, you can't begin the conversations about how to make things happen.

There is no committee that brings more measures to the floor than the Rules Committee. That doesn't happen by accident. It happens intentionally. It happens with good folks like Miles Lackey.

There is no committee that has to deal with more contentious issues than the Rules Committee. The committees of jurisdiction have dealt with as many as they can. The hardest ones, the worst ones, end up on the Rules Committee's plate. We don't deal with those issues successfully without the trust built by folks like Miles Lackey.

Mr. Speaker, we can read the resolution that the Rules Committee put out for Miles, but it is only a page long. Truthfully, it doesn't do justice. When you lose folks who have built that trust, it takes years to find folks to rebuild it.

I want you to look at the folks who come to speak on Miles' behalf today, Mr. Speaker. I want you to look at the folks who sit in Miles' chain of command.

He is certainly not leaving the ranking member high and dry. He has trained a tremendous team of folks who are going to step up and try to fill those shoes.

I came to this institution to make a difference, Mr. Speaker. I didn't come just to make a point. Because Miles Lackey has served in this institution not for a day, not for a week, not for a month, but for decade upon decade. We have been able to make a difference.

I don't want to date Miles. He dates back not just before I got here, but before my predecessor got here. He dates back before Republicans took over this institution, Mr. Speaker, and has seen the control change time and time again.

Watch folks when power changes, Mr. Speaker. Watch folks when power changes in this institution. Watch whether they behave the same once they have it as they did yesterday when they didn't.

We are all in the minority at some point, Mr. Speaker. We are all in the minority at some point. The rules exist to protect the minority.

Watch the folks who have the ability to use the rules. See if they treat you the same when they have the power as when they don't.

There is not going to be a man or woman who stands in this Chamber who will tell you that Miles treats you any differently when he is in as when he is out.

He is an advocate for his position, but he is an institutionalist who believes in all of us collectively. I thank him for his service.

Ms. SLAUGHTER. Mr. Speaker, I include in the RECORD the Rules resolution.

Expressing the gratitude of the Committee on Rules to Mr. Miles M. Lackey, the Committee's Democratic staff director, for his service to the Committee, the House, and the Nation on the occasion of his retirement from the House of Representatives.

Whereas Mr. Miles M. Lackey has served the Nation in both the legislative and executive branches over the course of nearly three decades;

Whereas he has served the Committee on Rules for most of his career, first as an associate of the Rules Committee staff, then later as senior advisor to the Chair and both majority and minority staff director;

Whereas during his career, he has brought competence and dignity to each office he has held;

Whereas his advice and counsel are sought by both Members and staff alike;

Whereas he has always endeavored to ensure the effective operation of the Committee, even when the majority and minority differed on policy or process;

Whereas his good humor and steady demeanor will be missed: Now, therefore, be it

Resolved, That—

(1) the Committee on Rules expresses its profound gratitude to Mr. Miles M. Lackey for his exemplary service; and

(2) the clerk of the Committee is hereby directed to prepare this resolution in a manner suitable for presentation to Mr. Lackey.

Ms. SLAUGHTER. Mr. Speaker, I yield 2½ minutes to the gentleman from Massachusetts (Mr. MCGOVERN), a member of the Rules Committee.

Mr. MCGOVERN. Mr. Speaker, I thank the distinguished ranking member of the Rules Committee for yielding me the time, and I join with her in expressing my admiration and my respect for Miles Lackey.

I have known Miles for many, many years. We both served as staff members

up here when I first came to the Hill. I have known him in his capacity when he worked with Tony Beilinson and Ted Weiss and Chris Dodd and John Edwards in the Rules Committee and I guess a thousand other things he did up here. I always admired his intellect and his dedication.

Mr. Speaker, Miles Lackey is a good man. He is a very, very good man. That is an important quality for people who serve up here, whether as Members of Congress or as staff members, that they are good people.

Miles always put the interests of the people of this country first, and always the most vulnerable were at the top of his list. No matter what we talk about in the Rules Committee, he always talks about how it is going to impact people who are struggling in this country.

I just want to say that I have admired Miles' dedication to this country. I have admired his intellect. I have admired his compassion. We are going to miss him greatly.

He has taught me a lot. I know he has taught a lot of people on the Rules Committee and other staffers and Members a lot as well. But he is a unique individual in that everybody loves him.

I joked last night in the Rules Committee that I appreciated the fact that Miles was the inspiration for a resolution in the Rules Committee that Democrats and Republicans could support because very rarely do we have resolutions that we support in a bipartisan way.

So I am grateful to Miles, and I join with everybody here when I say we are going to miss him.

I will just conclude with this. I have had the privilege of serving with some great Members of the House and great Members who have served as staffers up here.

Miles is at the top of that list. He is a great human being and a great public servant. We are all here, in a bipartisan way, to express our admiration, our deep affection, and our respect for him. We wish him well.

And, Miles, we will be calling you often, so be prepared.

I thank the gentlewoman for yielding me the time.

Mr. BURGESS. Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I urge my colleagues to vote ''no'' on the previous question and ''no'' on the rule that joins two unrelated measures, first, to continue the House majority's overreach into the District of Columbia's local budgetary affairs; second, to double down on an outdated energy policy and pursue a partisan path instead of the bipartisan Senate plan.

Mr. Speaker, I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, as I pointed out in the statement I gave at the beginning of this hour, just reflecting back on the month of May, a month where the House of Representatives passed legislation funding our military bases, funding our veterans, funding energy and water policies, providing new authorities to combat the growing threat of the Zika virus, we updated our Nation's chemical laws for the first time in 40 years, we provided help to people in this country facing opiate addictions, we provided pay and benefits to our military, we provided the tools to our armed services necessary to keep our citizens safe from the growing threat of terrorism, it has been a significant month in the United States House of Representatives. Oftentimes we don't reflect back on what has been accomplished. So this is a good opportunity to do that.

□ 1315

Mr. Speaker, today's rule provides for consideration of two important bills to update our Nation's energy policies and address the constitutional deficiencies in recent District of Columbia Council actions.

I want to thank the many Members of the House on both sides who contributed to the underlying pieces of legislation, which will be considered today following the passage of today's rule.

Finally, I do want to join my colleagues—I am probably the most recent addition to the House Rules Committee, but I certainly have been there long enough to appreciate the wise counsel and guidance of Miles Lackey and certainly wish him well in his future endeavors and pray for his successor.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 744 OFFERED BY MS. SLAUGHTER

At the end of the resolution, add the following new sections:

SEC. 6. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 430) to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, and other entities, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the respective chairs and ranking minority members of the Committees on House Administration, the Judiciary, and Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 7. Clause 1(c) of rule XIX shall not apply to the consideration of H. R. 430.

SEC. 8. Immediately after the disposition of H.R. 430 the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5189) to address the opioid abuse crisis. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the respective chairs and ranking minority members of the Committees on Energy and Commerce and the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 9. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 5189.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution. . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BURGESS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 239, nays 176, not voting 18, as follows:

[Roll No. 239]

YEAS—239

Abraham	Bishop (MI)	Brooks (IN)
Aderholt	Bishop (UT)	Buchanan
Allen	Black	Buck
Amash	Blackburn	Bucshon
Amodei	Blum	Burgess
Babin	Bost	Byrne
Barletta	Boustany	Calvert
Barr	Brady (TX)	Carter (GA)
Barton	Brat	Carter (TX)
Benishek	Bridenstine	Chabot
Bilirakis	Brooks (AL)	Chaffetz
Clawson (FL)	Jenkins (WV)	Ratcliffe
Coffman	Johnson (OH)	Reed
Cole	Johnson, Sam	Reichert
Collins (NY)	Jolly	Renacci
Comstock	Jones	Ribble
Conaway	Jordan	Rice (SC)
Cook	Joyce	Rigell
Costa	Katko	Roby
Costello (PA)	Kelly (MS)	Roe (TN)
Cramer	Kelly (PA)	Rogers (KY)
Crawford	King (IA)	Rohrabacher
Crenshaw	King (NY)	Rokita
Culberson	Kinzinger (IL)	Rooney (FL)
Curbelo (FL)	Kline	Ros-Lehtinen
Davis, Rodney	Knight	Roskam
Denham	Labrador	Ross
Dent	LaHood	Rothfus
DeSantis	LaMalfa	Rouzer
DesJarlais	Lamborn	Royce
Diaz-Balart	Lance	Russell
Dold	Latta	Salmon
Donovan	LoBiondo	Sanford
Duffy	Long	Scalise
Duncan (SC)	Loudermilk	Schweikert
Duncan (TN)	Love	Scott, Austin
Ellmers (NC)	Lucas	Sensenbrenner
Emmer (MN)	Luetkemeyer	Sessions
Farenthold	Lummis	Shimkus
Fitzpatrick	MacArthur	Shuster
Fleischmann	Marchant	Simpson
Fleming	Marino	Smith (MO)
Flores	Massie	Smith (NE)
Forbes	McCarthy	Smith (NJ)
Fortenberry	McCaul	Smith (TX)
Foxx	McClintock	Stefanik
Franks (AZ)	McHenry	Stewart
Frelinghuysen	McKinley	Stivers
Garrett	McMorris Rodgers	Stutzman
Gibbs	McSally	Thompson (PA)
Gibson	Meadows	Thornberry
Gohmert	Meehan	Tiberi
Goodlatte	Messer	Tipton
Gosar	Mica	Trott
Gowdy	Miller (MI)	Turner
Graves (GA)	Moolenaar	Upton
Graves (LA)	Mooney (WV)	Valadao
Graves (MO)	Mullin	Wagner
Griffith	Mulvaney	Walberg
Grothman	Murphy (PA)	Walden
Guinta	Neugebauer	Walker
Guthrie	Newhouse	Walorski
Hardy	Noem	Walters, Mimi
Harper	Nugent	Weber (TX)
Harris	Nunes	Webster (FL)
Hartzler	Olson	Wenstrup
Heck (NV)	Palazzo	Westerman
Hensarling	Palmer	Westmoreland
Hice, Jody B.	Paulsen	Williams
Hill	Pearce	Wilson (SC)
Holding	Perry	Wittman
Hudson	Peterson	Womack
Huelskamp	Pittenger	Woodall
Huizenga (MI)	Pitts	Yoder
Hultgren	Poe (TX)	Yoho
Hunter	Poliquin	Young (AK)
Hurd (TX)	Pompeo	Young (IA)
Hurt (VA)	Posey	Young (IN)
Issa	Price, Tom	Zeldin
Jenkins (KS)		Zinke

NAYS—176

Adams	Chu, Judy	Dingell
Aguilar	Cicilline	Doggett
Ashford	Clark (MA)	Doyle, Michael F.
Bass	Clarke (NY)	
Beatty	Clay	Duckworth
Becerra	Cleaver	Edwards
Bera	Clyburn	Ellison
Beyer	Cohen	Engel
Bishop (GA)	Connolly	Eshoo
Blumenauer	Conyers	Esty
Bonamici	Cooper	Farr
Boyle, Brendan F.	Courtney	Foster
Brady (PA)	Crowley	Frankel (FL)
Brown (FL)	Cuellar	Fudge
Brownley (CA)	Cummings	Gabbard
Bustos	Davis (CA)	Gallego
Butterfield	Davis, Danny	Garamendi
Capps	DeFazio	Graham
Capuano	DeGette	Grayson
Carney	Delaney	Green, Al
Carson (IN)	DeLauro	Green, Gene
Cartwright	DelBene	Grijalva
Castor (FL)	DeSaulnier	Gutiérrez
Castro (TX)	Deutch	Hahn
Hastings	Luján, Ben Ray (NM)	Ryan (OH)
Heck (WA)	Lynch	Sánchez, Linda T.
Higgins	Maloney, Carolyn	Sarbanes
Himes	Maloney, Sean	Schakowsky
Hinojosa	Matsui	Schiff
Honda	McCollum	Schrader
Hoyer	McDermott	Scott (VA)
Huffman	McGovern	Scott, David
Israel	McNerney	Serrano
Jackson Lee	Meeks	Sewell (AL)
Jeffries	Meng	Sherman
Johnson (GA)	Moore	Sinema
Johnson, E. B.	Moulton	Sires
Kaptur	Murphy (FL)	Slaughter
Keating	Nadler	Smith (WA)
Kelly (IL)	Napolitano	Swalwell (CA)
Kennedy	Neal	Takano
Kildee	Nolan	Thompson (CA)
Kilmer	Pallone	Thompson (MS)
Kind	Pascrell	Titus
Kirkpatrick	Payne	Tonko
Kuster	Pelosi	Torres
Langevin	Perlmutter	Tsongas
Larsen (WA)	Peters	Van Hollen
Larson (CT)	Pingree	Vargas
Lawrence	Pocan	Veasey
Lee	Polis	Vela
Levin	Price (NC)	Velázquez
Lewis	Quigley	Visclosky
Lieu, Ted	Rangel	Walz
Lipinski	Richmond	Wasserman Schultz
Loebsack	Roybal-Allard	Waters, Maxine
Lofgren	Ruiz	Watson Coleman
Lowenthal	Ruppersberger	Welch
Lowey	Rush	Wilson (FL)
Lujan Grisham (NM)		

NOT VOTING—18

Cárdenas	Hanna	Rogers (AL)
Castro (TX)	Herrera Beutler	Sanchez, Loretta
Collins (GA)	Miller (FL)	Speier
Fattah	Norcross	Takai
Fincher	O'Rourke	Whitfield
Granger	Rice (NY)	Yarmuth

□ 1336

Mr. POE of Texas changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. MILLER of Florida. Mr. Speaker, due to being unavoidably detained, I missed the following rollcall Vote: No. 239 on May 25, 2016. If present, I would have voted:

Rollcall Vote No. 239—On Ordering the Previous Question, ''aye.''

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 242, nays 171, not voting 20, as follows:

[Roll No. 240]

YEAS—242

Abraham	Black	Burgess
Aderholt	Blackburn	Byrne
Allen	Blum	Calvert
Amash	Bost	Carter (GA)
Amodei	Boustany	Carter (TX)
Babin	Brady (TX)	Chabot
Barletta	Brat	Chaffetz
Barr	Bridenstine	Clawson (FL)
Barton	Brooks (AL)	Coffman
Benishek	Brooks (IN)	Cole
Bilirakis	Buchanan	Collins (GA)
Bishop (MI)	Buck	Collins (NY)
Bishop (UT)	Bucshon	Comstock

Conaway
Cook
Costa
Costello (PA)
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—171

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Pallone
Pascrell
Payne
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)

NOT VOTING—20

Cárdenas
Castro (TX)
Cramer
DeGette
Fattah
Fincher
Granger
Green, Gene
Hanna
Herrera Beutler
Hinojosa
Johnson (GA)
Norcross
O'Rourke
Pelosi
Peters
Rice (NY)
Sanchez, Loretta
Takai
Yarmuth

□ 1342

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. GENE GREEN of Texas. Mr. Chair, I was unavoidably detained. Had I been present, I would have voted:

Rollcall No. 240, "nay."

Mr. HINOJOSA. Mr. Chair, I was unavoidably detained. Had I been present, I would have voted:

Rollcall No. 240, "no."

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

The SPEAKER pro tempore. Pursuant to House Resolution 743 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 5055.

Will the gentleman from Illinois (Mr. HULTGREN) kindly take the chair.

□ 1344

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5055) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2017, and for other purposes, with Mr. HULTGREN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Tuesday, May 24, 2016, a request for a recorded vote on an amendment offered by the gentleman from California (Mr. GARAMENDI), had been postponed and the bill had been read through page 80, line 12.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment by Mr. CLAWSON of Florida.

Amendment by Mr. MCNERNEY of California.

Amendment by Mr. GRIFFITH of Virginia.

Amendment by Mr. BUCK of Colorado.

Amendment by Mr. POLIS of Colorado.

Amendment by Mr. POLIS of Colorado.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. CLAWSON OF FLORIDA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. CLAWSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 143, noes 275, not voting 15, as follows:

[Roll No. 241]

AYES—143

Amash
Amodei
Ashford
Barletta
Benishek
Bera
Beyer
Bilirakis
Blum
Bonamici
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brown (FL)
Brownley (CA)
Buchanan
Burgess
Bustos
Byrne
Capuano
Carney
Carter (GA)
Castor (FL)
Chabot
Clawson (FL)
Cohen
Collins (GA)
Courtney
Crawford
Crenshaw
Curbelo (FL)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
DeSantis
DeSaulnier
Deutch
Diaz-Balart
Doyle, Michael F.
Duncan (SC)
Duncan (TN)
Esty
Farenthold
Frankel (FL)
Gabbard
Garamendi
Gibson
Graham
Graves (GA)
Grayson
Griffith
Harris
Hastings
Heck (WA)
Himes
Huizenga (MI)
Hunter
Hurt (VA)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Jones
Jordan
Katko
Kildee
Kilmer
King (IA)
Kirkpatrick
LaHood
Larsen (WA)

Larson (CT)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Loudermilk
Love
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Maloney, Sean
McDermott
Meadows
Meehan
Mica
Miller (FL)
Miller (MI)
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Newhouse
Nugent
Pascrell
Perry
Peterson
Poliquin
Polis
Posey
Reed
Rice (SC)
Richmond
Roby
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Ross
Rothfus
Royce
Russell
Ryan (OH)
Sánchez, Linda T.
Schakowsky
Schweikert
Sessions
Sinema
Sires
Smith (NJ)
Smith (WA)
Stefanik
Stutzman
Swalwell (CA)
Takano
Thompson (MS)
Thompson (PA)
Vargas
Walker
Walorski
Wasserman Schultz
Webster (FL)
Wenstrup
Williams
Wilson (SC)
Yoho
Young (AK)
Zinke

NOES—275

Abraham
Adams
Aderholt
Aguilar
Allen
Babin
Barr
Barton
Bass
Beatty
Becerra
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blumenauer
Bost
Boustany
Bridenstine
Brooks (AL)
Brooks (IN)
Buck
Bucshon
Butterfield
Calvert
Capps
Carson (IN)
Carter (TX)
Cartwright
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cole
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Cramer
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis, Danny
Dent
DesJarlais
Dingell
Doggett
Dold
Donovan
Duckworth
Duffy
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Farr
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallego
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hardy
Harper
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Higgins
Hill
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Hultgren
Hurd (TX)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson, Sam
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kind
King (NY)
Kline
Knight
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Latta
Lawrence
Lee
Levin
Lewis
LoBiondo
Long
Loweenthal
Lowey
Lucas
Luetkemeyer
Lummis
Lynch
MacArthur
Maloney, Carolyn
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meeks
Meng
Messer
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Neal
Neugebauer
Noem
Nolan
Nunes
Olson
Palazzo
Pallone
Palmer
Paulsen
Payne
Pearce
Perlmutter
Peters
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Pompeo
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reichert
Renacci
Ribble
Rigell
Roe (TN)
Rohrabacher
Roskam
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
Rush
Salmon
Sanford
Sarbanes
Scalise
Schiff
Schrader
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Slaughter
Smith (MO)
Smith (NE)
Smith (TX)
Speier
Stewart
Stivers
Thompson (CA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walters, Mimi
Walz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Westerman
Westmoreland
Whitfield
Wilson (FL)
Wittman
Womack
Woodall
Yoder
Young (IA)
Young (IN)
Zeldin

NOT VOTING—15

Cárdenas
Castro (TX)
Fattah
Fincher
Granger
Hanna
Herrera Beutler
Kinzinger (IL)
Norcross
O'Rourke
Pelosi
Rice (NY)
Sanchez, Loretta
Takai
Yarmuth

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1348

Messrs. GARRETT and BARR changed their vote from ''aye'' to ''no.''

Ms. MICHELLE LUJAN GRISHAM of New Mexico changed her vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MCNERNEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. MCNERNEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 169, noes 247, not voting 17, as follows:

[Roll No. 242]

AYES—169

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Pallone
Pascrell
Payne
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)

NOES—247

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carney
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellison
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica

Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—17

Cárdenas
Castro (TX)
Fattah
Fincher
Granger
Graves (LA)
Grijalva
Gutiérrez
Hanna
Herrera Beutler
Norcross
O'Rourke
Pelosi
Rice (NY)
Sanchez, Loretta
Takai
Yarmuth

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1352

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GRIFFITH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. GRIFFITH) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 182, noes 236, not voting 15, as follows:

[Roll No. 243]

AYES—182

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cramer
Crawford
Crenshaw
Davis, Rodney
Dent
DeSantis
DesJarlais
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Farenthold
Fleming
Flores
Forbes
Franks (AZ)
Frelinghuysen
Gibbs
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Hardy
Harper
Harris
Hartzler
Hensarling
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jordan
Kelly (MS)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Latta
Loudermilk
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Pearce
Perry
Pittenger
Poe (TX)
Posey
Price, Tom
Ratcliffe
Renacci
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Russell
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stivers
Stutzman
Thornberry
Tiberi
Tipton
Trott
Turner
Wagner
Walberg
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoho
Young (AK)
Young (IN)
Zinke

NOES—236

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blum
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fitzpatrick
Fleischmann
Fortenberry
Foster
Foxx
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibson
Gohmert
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Guinta
Gutiérrez
Hahn
Hastings
Heck (NV)
Heck (WA)
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Jenkins (KS)
Johnson (GA)
Johnson, E. B.
Jolly
Jones
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
Kirkpatrick
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Love
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
McSally
Meeks
Meng
Mica
Miller (MI)
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Pallone
Pascrell
Paulsen
Payne
Perlmutter
Peters
Peterson
Pingree
Pitts
Pocan
Poliquin
Polis
Pompeo
Price (NC)
Quigley
Rangel
Reed
Reichert
Ribble
Richmond
Rohrabacher
Ros-Lehtinen
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shuster
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Titus
Tonko
Torres
Tsongas
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yoder
Young (IA)
Zeldin

NOT VOTING—15

Cárdenas
Castro (TX)
Ellison
Fattah
Fincher
Granger
Hanna
Herrera Beutler
Norcross
O'Rourke
Pelosi
Rice (NY)
Sanchez, Loretta
Takai
Yarmuth

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1357

Mr. BEN RAY LUJÁN of New Mexico changed his vote from ''aye'' to ''no.''

Mr. COLE changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. BUCK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. BUCK) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 80, noes 339, not voting 14, as follows:

[Roll No. 244]

AYES—80

Amash
Bishop (UT)
Black
Blackburn
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Buck
Burgess
Chabot
Chaffetz
Clawson (FL)
DeSantis
DesJarlais
Duncan (TN)
Farenthold
Fleming

Flores
Foxx
Franks (AZ)
Garrett
Gohmert
Gosar
Gowdy
Graves (LA)
Grothman
Harris
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Jenkins (KS)
Johnson, Sam
Jones
Jordan
Knight
LaMalfa
Love
Massie
McClintock
McHenry
Meadows
Messer
Miller (FL)
Mullin
Mulvaney
Neugebauer
Olson
Perry
Pittenger
Pitts
Pompeo
Posey
Price, Tom
Ratcliffe
Ribble
Rice (SC)
Roe (TN)
Rohrabacher
Rokita
Ross
Rouzer
Royce
Sanford
Scalise
Schweikert
Sensenbrenner
Sessions
Stewart
Stutzman
Walberg
Walker
Webster (FL)
Wenstrup
Woodall
Yoho
Young (IN)

NOES—339

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fitzpatrick
Fleischmann
Forbes
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Goodlatte
Graham
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guinta
Guthrie
Gutiérrez
Hahn
Hardy
Harper
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaHood
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McCollum
McDermott
McGovern
McKinley
McMorris Rodgers
McNerney
McSally
Meehan
Meeks
Meng
Mica
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Nugent
Nunes
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roskam
Rothfus
Roybal-Allard
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Yoder
Young (AK)
Young (IA)
Zeldin
Zinke

NOT VOTING—14

Cárdenas
Castro (TX)
Fattah
Fincher
Granger
Hanna
Herrera Beutler
Norcross
O'Rourke
Pelosi
Rice (NY)
Sanchez, Loretta
Takai
Yarmuth

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1401

Messrs. FORBES and WITTMAN changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. POLIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. POLIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 167, noes 251, not voting 15, as follows:

[Roll No. 245]

AYES—167

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brooks (AL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cohen
Conyers
Cooper
Courtney
Crowley
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Dold
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fortenberry
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Jones
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Pallone
Pascrell
Payne
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reichert
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sánchez, Linda T.
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sherman
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)

NOES—251

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Brown (FL)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Clyburn
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Doyle, Michael F.
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling

Hice, Jody B.
Hill
Hinojosa
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jackson Lee
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jordan
Joyce
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (OH)
Salmon
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stivers
Stutzman
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—15

Cárdenas
Castro (TX)
Fattah
Fincher
Granger
Hanna
Herrera Beutler
Norcross
O'Rourke
Pelosi
Rice (NY)
Sanchez, Loretta
Takai
Webster (FL)
Yarmuth

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1405

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. POLIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. POLIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 144, noes 275, not voting 14, as follows:

[Roll No. 246]

AYES—144

Adams
Aguilar
Amash
Becerra
Bera
Beyer
Blackburn
Blumenauer
Bonamici
Brooks (AL)
Brownley (CA)
Buck
Burgess
Capps
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Cohen
Connolly
Crowley
Culberson
Cummings
Delaney
DeSantis
DesJarlais
Deutch
Ellison
Engel
Eshoo
Farr
Foxx
Frankel (FL)
Gabbard
Gallego
Garamendi
Garrett
Gohmert
Gosar
Graham
Grayson
Grijalva
Grothman
Gutiérrez
Hahn
Hastings
Hensarling
Hice, Jody B.
Higgins
Himes
Holding
Honda
Huelskamp
Huffman
Huizenga (MI)
Israel
Jeffries
Johnson (GA)
Jones
Jordan
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Knight
Kuster
Labrador
Lance
Langevin
Lawrence
Lee
Lewis
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lujan Grisham (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McClintock
McDermott
McGovern
Meadows
Meng
Moore
Moulton
Mulvaney
Murphy (FL)
Nadler
Napolitano
Neal
Pallone
Palmer
Peters
Pingree
Pitts
Pocan
Polis
Pompeo
Price, Tom
Quigley
Ribble
Rice (SC)
Rohrabacher
Rokita
Rouzer
Royce
Ruiz
Ruppersberger
Rush
Sánchez, Linda T.
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schweikert
Serrano
Sherman
Slaughter
Smith (WA)
Speier
Stutzman
Swalwell (CA)
Takano
Titus
Tonko
Van Hollen
Veasey
Velázquez
Walker
Walz
Wasserman Schultz
Watson Coleman
Welch
Woodall
Young (IN)

NOES—275

Abraham
Aderholt
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blum
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Brown (FL)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capuano
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Clay
Cleaver
Clyburn
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Cuellar
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
DeLauro
DelBene
Denham
Dent
DeSaulnier
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellmers (NC)
Emmer (MN)
Esty
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Franks (AZ)
Frelinghuysen
Fudge
Gibbs
Gibson
Goodlatte
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Heck (WA)
Hill
Hinojosa
Hoyer
Hudson
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jackson Lee
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Joyce
Katko
Kelly (MS)
Kelly (PA)
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
LaHood
LaMalfa
Lamborn
Larsen (WA)
Larson (CT)
Latta
Levin
Lipinski
LoBiondo
Long
Loudermilk
Love
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray (NM)
Lummis
MacArthur
Marchant
Marino
McCarthy
McCaul
McCollum
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meehan
Meeks
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Neugebauer
Newhouse
Noem
Nolan
Nugent
Nunes
Olson
Palazzo
Pascrell
Paulsen
Payne
Pearce
Perlmutter
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Price (NC)
Rangel
Ratcliffe
Reed
Reichert
Renacci
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Russell
Ryan (OH)
Salmon
Schrader
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Vela
Visclosky
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Waters, Maxine
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin
Zinke

NOT VOTING—14

Cárdenas
Castro (TX)
Fattah
Fincher
Granger
Hanna
Herrera Beutler
Norcross
O'Rourke
Pelosi
Rice (NY)
Sanchez, Loretta
Takai
Yarmuth

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1410

Mr. LEVIN changed his vote from ''aye'' to ''no.''

Messrs. BECERRA, JODY B. HICE of Georgia, Ms. KELLY of Illinois, Mr. NEAL, Ms. CLARKE of New York, and Mr. BLUMENAUER changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. MILLER of Florida. Mr. Chair, on rollcall vote: No. 246, Second Polis of Colorado Amendment, on May 25, 2016. I inadvertently voted ''nay,'' when I intended to vote ''aye.''

PERSONAL EXPLANATION

Mr. PETERS. Mr. Chair, I intended to vote the following ways on the measures listed below on Wednesday, May 25, 2016.

1. "Yes" on Agreeing to the First Polis of Colorado Amendment to H.R. 5055.

2. "No" on Agreeing to the Second Polis of Colorado Amendment to H.R. 5055.

Mr. SIMPSON. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. POE of Texas) having assumed the chair, Mr. HULTGREN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5055) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2017, and for other purposes, had come to no resolution thereon.

PERMISSION TO POSTPONE PROCEEDINGS ON MOTION TO COMMIT ON S. 2012, ENERGY POLICY MODERNIZATION ACT OF 2016

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that the question of adopting a motion to commit on S. 2012 may be subject to postponement as though under clause 8 of rule XX.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

□ 1415

ENERGY POLICY MODERNIZATION ACT OF 2016

Mr. WHITFIELD. Mr. Speaker, pursuant to House Resolution 744, I call up the bill (S. 2012) to provide for the modernization of the energy policy of the United States, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 744, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–55 is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

S. 2012

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''North American Energy Security and Infrastructure Act of 2016''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Section 15 of the Natural Gas Act (15 U.S.C. 717n) is amended—

(1) by amending subsection (b)(2) to read as follows:

''(2) OTHER AGENCIES.—

''(A) IN GENERAL.—Each Federal and State agency considering an aspect of an application for Federal authorization shall cooperate with the Commission and comply with the deadlines established by the Commission.

''(B) IDENTIFICATION.—The Commission shall identify, as early as practicable after it is notified by a prospective applicant of a potential project requiring Commission authorization, any Federal or State agency, local government, or Indian tribe that may consider an aspect of an application for that Federal authorization.

''(C) NOTIFICATION.—

''(i) IN GENERAL.—The Commission shall notify any agency identified under subparagraph (B) of the opportunity to cooperate or participate in the review process.

''(ii) DEADLINE.—A notification issued under clause (i) shall establish a deadline by which a response to the notification shall be submitted, which may be extended by the Commission for good cause.'';

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''and'' at the end of subparagraph (A);

(ii) by redesignating subparagraph (B) as subparagraph (C); and

(iii) by inserting after subparagraph (A) the following new subparagraph:

''(B) set deadlines for all such Federal authorizations; and'';

(B) by striking paragraph (2); and

(C) by adding at the end the following new paragraphs:

''(2) DEADLINE FOR FEDERAL AUTHORIZATIONS.—A final decision on a Federal authorization is due no later than 90 days after the Commission issues its final environmental document, unless a schedule is otherwise established by Federal law.

''(3) CONCURRENT REVIEWS.—Each Federal and State agency considering an aspect of an application for a Federal authorization shall—

''(A) carry out the obligations of that agency under applicable law concurrently, and in conjunction, with the review required by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), unless doing so would impair the ability of the agency to conduct needed analysis or otherwise carry out those obligations;

''(B) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure completion of required Federal authorizations no later than 90 days after the Commission issues its final environmental document; and

''(C) transmit to the Commission a statement—

''(i) acknowledging receipt of the schedule established under paragraph (1); and

''(ii) setting forth the plan formulated under subparagraph (B) of this paragraph.

''(4) ISSUE IDENTIFICATION AND RESOLUTION.—

''(A) IDENTIFICATION.—Federal and State agencies that may consider an aspect of an application for Federal authorization shall identify, as early as possible, any issues of concern that may delay or prevent an agency from working with the Commission to resolve such issues and granting such authorization.

''(B) ISSUE RESOLUTION.—The Commission may forward any issue of concern identified under subparagraph (A) to the heads of the relevant agencies (including, in the case of a failure by the State agency, the Federal agency overseeing the delegated authority) for resolution.

''(5) FAILURE TO MEET SCHEDULE.—If a Federal or State agency does not complete a proceeding for an approval that is required for a Federal authorization in accordance with the schedule established by the Commission under paragraph (1)—

''(A) the applicant may pursue remedies under section 19(d); and

''(B) the head of the relevant Federal agency (including, in the case of a failure by a State agency, the Federal agency overseeing the delegated authority) shall notify Congress and the Commission of such failure and set forth a recommended implementation plan to ensure completion of the proceeding for an approval.'';

(3) by redesignating subsections (d) through (f) as subsections (g) through (i), respectively; and

(4) by inserting after subsection (c) the following new subsections:

''(d) REMOTE SURVEYS.—If a Federal or State agency considering an aspect of an application for Federal authorization requires the applicant to submit environmental data, the agency shall consider any such data gathered by aerial or other remote means that the applicant submits. The agency may grant a conditional approval for Federal authorization, conditioned on the verification of such data by subsequent onsite inspection.

''(e) APPLICATION PROCESSING.—The Commission, and Federal and State agencies, may allow an applicant seeking Federal authorization to fund a third-party contractor to assist in reviewing the application.

''(f) ACCOUNTABILITY, TRANSPARENCY, EFFICIENCY.—For applications requiring multiple Federal authorizations, the Commission, with input from any Federal or State agency considering an aspect of an application, shall track and make available to the public on the Commission's website information related to the actions required to complete permitting, reviews, and other actions required. Such information shall include the following:

''(1) The schedule established by the Commission under subsection (c)(1).

''(2) A list of all the actions required by each applicable agency to complete permitting, reviews, and other actions necessary to obtain a final decision on the Federal authorization.

''(3) The expected completion date for each such action.

''(4) A point of contact at the agency accountable for each such action.

''(5) In the event that an action is still pending as of the expected date of completion, a brief explanation of the reasons for the delay.''.

SEC. 1102. RESOLVING ENVIRONMENTAL AND GRID RELIABILITY CONFLICTS.

(a) COMPLIANCE WITH OR VIOLATION OF ENVIRONMENTAL LAWS WHILE UNDER EMERGENCY ORDER.—Section 202(c) of the Federal Power Act (16 U.S.C. 824a(c)) is amended—

(1) by inserting ''(1)'' after ''(c)''; and

(2) by adding at the end the following:

''(2) With respect to an order issued under this subsection that may result in a conflict with a requirement of any Federal, State, or local environmental law or regulation, the Commission shall ensure that such order requires generation, delivery, interchange, or transmission of electric energy only during hours necessary to meet the emergency and serve the public interest, and, to the maximum extent practicable, is consistent with any applicable Federal, State, or local environmental law or regulation and minimizes any adverse environmental impacts.

''(3) To the extent any omission or action taken by a party, that is necessary to comply with an order issued under this subsection, including any omission or action taken to voluntarily comply with such order, results in noncompliance with, or causes such party to not comply with, any Federal, State, or local environmental law or regulation, such omission or action shall not be considered a violation of such environmental law or regulation, or subject such party to any requirement, civil or criminal liability, or a citizen suit under such environmental law or regulation.

''(4)(A) An order issued under this subsection that may result in a conflict with a requirement of any Federal, State, or local environmental law or regulation shall expire not later than 90 days after it is issued. The Commission may renew or reissue such order pursuant to paragraphs (1) and (2) for subsequent periods, not to exceed 90 days for each period, as the Commission determines necessary to meet the emergency and serve the public interest.

''(B) In renewing or reissuing an order under subparagraph (A), the Commission shall consult with the primary Federal agency with expertise in the environmental interest protected by such law or regulation, and shall include in any such renewed or reissued order such conditions as such Federal agency determines necessary to minimize any adverse environmental impacts to the extent practicable. The conditions, if any, submitted by such Federal agency shall be made available to the public. The Commission may exclude such a condition from the renewed or reissued order if it determines that such condition would prevent the order from adequately addressing the emergency necessitating such order and provides in the order, or otherwise makes publicly available, an explanation of such determination.

''(5) If an order issued under this subsection is subsequently stayed, modified, or set aside by a

court pursuant to section 313 or any other provision of law, any omission or action previously taken by a party that was necessary to comply with the order while the order was in effect, including any omission or action taken to voluntarily comply with the order, shall remain subject to paragraph (3).''.

(b) TEMPORARY CONNECTION OR CONSTRUCTION BY MUNICIPALITIES.—Section 202(d) of the Federal Power Act (16 U.S.C. 824a(d)) is amended by inserting ''or municipality'' before ''engaged in the transmission or sale of electric energy''.

SEC. 1103. EMERGENCY PREPAREDNESS FOR ENERGY SUPPLY DISRUPTIONS.

(a) FINDING.—Congress finds that recent natural disasters have underscored the importance of having resilient oil and natural gas infrastructure and energy storage and effective ways for industry and government to communicate to address energy supply disruptions.

(b) AUTHORIZATION FOR ACTIVITIES TO ENHANCE EMERGENCY PREPAREDNESS FOR NATURAL DISASTERS.—The Secretary of Energy shall develop and adopt procedures to—

(1) improve communication and coordination between the Department of Energy's energy response team, Federal partners, and industry;

(2) leverage the Energy Information Administration's subject matter expertise within the Department's energy response team to improve supply chain situation assessments;

(3) establish company liaisons and direct communication with the Department's energy response team to improve situation assessments;

(4) streamline and enhance processes for obtaining temporary regulatory relief to speed up emergency response and recovery;

(5) facilitate and increase engagement among States, the oil and natural gas industry, the energy storage industry, and the Department in developing State and local energy assurance plans;

(6) establish routine education and training programs for key government emergency response positions with the Department and States; and

(7) involve States, the energy storage industry, and the oil and natural gas industry in comprehensive drill and exercise programs.

(c) COOPERATION.—The activities carried out under subsection (b) shall include collaborative efforts with State and local government officials and the private sector.

(d) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Energy shall submit to Congress a report describing the effectiveness of the activities authorized under this section.

SEC. 1104. CRITICAL ELECTRIC INFRASTRUCTURE SECURITY.

(a) CRITICAL ELECTRIC INFRASTRUCTURE SECURITY.—Part II of the Federal Power Act (16 U.S.C. 824 et seq.) is amended by adding after section 215 the following new section:

''SEC. 215A. CRITICAL ELECTRIC INFRASTRUCTURE SECURITY.

''(a) DEFINITIONS.—For purposes of this section:

''(1) BULK-POWER SYSTEM; ELECTRIC RELIABILITY ORGANIZATION; REGIONAL ENTITY.—The terms 'bulk-power system', 'Electric Reliability Organization', and 'regional entity' have the meanings given such terms in paragraphs (1), (2), and (7) of section 215(a), respectively.

''(2) CRITICAL ELECTRIC INFRASTRUCTURE.—The term 'critical electric infrastructure' means a system or asset of the bulk-power system, whether physical or virtual, the incapacity or destruction of which would negatively affect national security, economic security, public health or safety, or any combination of such matters.

''(3) CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—The term 'critical electric infrastructure information' means information related to critical electric infrastructure, or proposed critical electrical infrastructure, generated by or provided to the Commission or other Federal agency, other than classified national security information, that is designated as critical electric infrastructure information by the Commission under subsection (d)(2). Such term includes information that qualifies as critical energy infrastructure information under the Commission's regulations.

''(4) DEFENSE CRITICAL ELECTRIC INFRASTRUCTURE.—The term 'defense critical electric infrastructure' means any electric infrastructure located in the United States (including the territories) that serves a facility designated by the Secretary pursuant to subsection (c), but is not owned or operated by the owner or operator of such facility.

''(5) ELECTROMAGNETIC PULSE.—The term 'electromagnetic pulse' means 1 or more pulses of electromagnetic energy emitted by a device capable of disabling or disrupting operation of, or destroying, electronic devices or communications networks, including hardware, software, and data, by means of such a pulse.

''(6) GEOMAGNETIC STORM.—The term 'geomagnetic storm' means a temporary disturbance of the Earth's magnetic field resulting from solar activity.

''(7) GRID SECURITY EMERGENCY.—The term 'grid security emergency' means the occurrence or imminent danger of—

''(A)(i) a malicious act using electronic communication or an electromagnetic pulse, or a geomagnetic storm event, that could disrupt the operation of those electronic devices or communications networks, including hardware, software, and data, that are essential to the reliability of critical electric infrastructure or of defense critical electric infrastructure; and

''(ii) disruption of the operation of such devices or networks, with significant adverse effects on the reliability of critical electric infrastructure or of defense critical electric infrastructure, as a result of such act or event; or

''(B)(i) a direct physical attack on critical electric infrastructure or on defense critical electric infrastructure; and

''(ii) significant adverse effects on the reliability of critical electric infrastructure or of defense critical electric infrastructure as a result of such physical attack.

''(8) GRID SECURITY VULNERABILITY.—The term 'grid security vulnerability' means a weakness that, in the event of a malicious act using an electromagnetic pulse, would pose a substantial risk of disruption to the operation of those electrical or electronic devices or communications networks, including hardware, software, and data, that are essential to the reliability of the bulk-power system.

''(9) SECRETARY.—The term 'Secretary' means the Secretary of Energy.

''(b) AUTHORITY TO ADDRESS GRID SECURITY EMERGENCY.—

''(1) AUTHORITY.—Whenever the President issues and provides to the Secretary a written directive or determination identifying a grid security emergency, the Secretary may, with or without notice, hearing, or report, issue such orders for emergency measures as are necessary in the judgment of the Secretary to protect or restore the reliability of critical electric infrastructure or of defense critical electric infrastructure during such emergency. As soon as practicable but not later than 180 days after the date of enactment of this section, the Secretary shall, after notice and opportunity for comment, establish rules of procedure that ensure that such authority can be exercised expeditiously.

''(2) NOTIFICATION OF CONGRESS.—Whenever the President issues and provides to the Secretary a written directive or determination under paragraph (1), the President shall promptly notify congressional committees of relevant jurisdiction, including the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, of the contents of, and justification for, such directive or determination.

''(3) CONSULTATION.—Before issuing an order for emergency measures under paragraph (1), the Secretary shall, to the extent practicable in light of the nature of the grid security emergency and the urgency of the need for action, consult with appropriate governmental authorities in Canada and Mexico, entities described in paragraph (4), the Electricity Sub-sector Coordinating Council, the Commission, and other appropriate Federal agencies regarding implementation of such emergency measures.

''(4) APPLICATION.—An order for emergency measures under this subsection may apply to—

''(A) the Electric Reliability Organization;

''(B) a regional entity; or

''(C) any owner, user, or operator of critical electric infrastructure or of defense critical electric infrastructure within the United States.

''(5) EXPIRATION AND REISSUANCE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an order for emergency measures issued under paragraph (1) shall expire no later than 15 days after its issuance.

''(B) EXTENSIONS.—The Secretary may reissue an order for emergency measures issued under paragraph (1) for subsequent periods, not to exceed 15 days for each such period, provided that the President, for each such period, issues and provides to the Secretary a written directive or determination that the grid security emergency identified under paragraph (1) continues to exist or that the emergency measure continues to be required.

''(6) COST RECOVERY.—

''(A) CRITICAL ELECTRIC INFRASTRUCTURE.—If the Commission determines that owners, operators, or users of critical electric infrastructure have incurred substantial costs to comply with an order for emergency measures issued under this subsection and that such costs were prudently incurred and cannot reasonably be recovered through regulated rates or market prices for the electric energy or services sold by such owners, operators, or users, the Commission shall, consistent with the requirements of section 205, after notice and an opportunity for comment, establish a mechanism that permits such owners, operators, or users to recover such costs.

''(B) DEFENSE CRITICAL ELECTRIC INFRASTRUCTURE.—To the extent the owner or operator of defense critical electric infrastructure is required to take emergency measures pursuant to an order issued under this subsection, the owners or operators of a critical defense facility or facilities designated by the Secretary pursuant to subsection (c) that rely upon such infrastructure shall bear the full incremental costs of the measures.

''(7) TEMPORARY ACCESS TO CLASSIFIED INFORMATION.—The Secretary, and other appropriate Federal agencies, shall, to the extent practicable and consistent with their obligations to protect classified information, provide temporary access to classified information related to a grid security emergency for which emergency measures are issued under paragraph (1) to key personnel of any entity subject to such emergency measures to enable optimum communication between the entity and the Secretary and other appropriate Federal agencies regarding the grid security emergency.

''(c) DESIGNATION OF CRITICAL DEFENSE FACILITIES.—Not later than 180 days after the date of enactment of this section, the Secretary, in consultation with other appropriate Federal

agencies and appropriate owners, users, or operators of infrastructure that may be defense critical electric infrastructure, shall identify and designate facilities located in the United States (including the territories) that are—

''(1) critical to the defense of the United States; and

''(2) vulnerable to a disruption of the supply of electric energy provided to such facility by an external provider.

The Secretary may, in consultation with appropriate Federal agencies and appropriate owners, users, or operators of defense critical electric infrastructure, periodically revise the list of designated facilities as necessary.

''(d) PROTECTION AND SHARING OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—

''(1) PROTECTION OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—Critical electric infrastructure information—

''(A) shall be exempt from disclosure under section 552(b)(3) of title 5, United States Code; and

''(B) shall not be made available by any Federal, State, political subdivision or tribal authority pursuant to any Federal, State, political subdivision or tribal law requiring public disclosure of information or records.

''(2) DESIGNATION AND SHARING OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—Not later than one year after the date of enactment of this section, the Commission, in consultation with the Secretary of Energy, shall promulgate such regulations and issue such orders as necessary to—

''(A) designate information as critical electric infrastructure information;

''(B) prohibit the unauthorized disclosure of critical electric infrastructure information;

''(C) ensure there are appropriate sanctions in place for Commissioners, officers, employees, or agents of the Commission who knowingly and willfully disclose critical electric infrastructure information in a manner that is not authorized under this section; and

''(D) taking into account standards of the Electric Reliability Organization, facilitate voluntary sharing of critical electric infrastructure information with, between, and by—

''(i) Federal, State, political subdivision, and tribal authorities;

''(ii) the Electric Reliability Organization;

''(iii) regional entities;

''(iv) information sharing and analysis centers established pursuant to Presidential Decision Directive 63;

''(v) owners, operators, and users of critical electric infrastructure in the United States; and

''(vi) other entities determined appropriate by the Commission.

''(3) CONSIDERATIONS.—In promulgating regulations and issuing orders under paragraph (2), the Commission shall take into consideration the role of State commissions in reviewing the prudence and cost of investments, determining the rates and terms of conditions for electric services, and ensuring the safety and reliability of the bulk-power system and distribution facilities within their respective jurisdictions.

''(4) PROTOCOLS.—The Commission shall, in consultation with Canadian and Mexican authorities, develop protocols for the voluntary sharing of critical electric infrastructure information with Canadian and Mexican authorities and owners, operators, and users of the bulk-power system outside the United States.

''(5) NO REQUIRED SHARING OF INFORMATION.—Nothing in this section shall require a person or entity in possession of critical electric infrastructure information to share such information with Federal, State, political subdivision, or tribal authorities, or any other person or entity.

''(6) SUBMISSION OF INFORMATION TO CONGRESS.—Nothing in this section shall permit or authorize the withholding of information from Congress, any committee or subcommittee thereof, or the Comptroller General.

''(7) DISCLOSURE OF PROTECTED INFORMATION.—In implementing this section, the Commission shall segregate critical electric infrastructure information or information that reasonably could be expected to lead to the disclosure of the critical electric infrastructure information within documents and electronic communications, wherever feasible, to facilitate disclosure of information that is not designated as critical electric infrastructure information.

''(8) DURATION OF DESIGNATION.—Information may not be designated as critical electric infrastructure information for longer than 5 years, unless specifically re-designated by the Commission.

''(9) REMOVAL OF DESIGNATION.—The Commission shall remove the designation of critical electric infrastructure information, in whole or in part, from a document or electronic communication if the Commission determines that the unauthorized disclosure of such information could no longer be used to impair the security or reliability of the bulk-power system or distribution facilities.

''(10) JUDICIAL REVIEW OF DESIGNATIONS.—Notwithstanding section 313(b), any determination by the Commission concerning the designation of critical electric infrastructure information under this subsection shall be subject to review under chapter 7 of title 5, United States Code, except that such review shall be brought in the district court of the United States in the district in which the complainant resides, or has his principal place of business, or in the District of Columbia. In such a case the court shall examine in camera the contents of documents or electronic communications that are the subject of the determination under review to determine whether such documents or any part thereof were improperly designated or not designated as critical electric infrastructure information.

''(e) MEASURES TO ADDRESS GRID SECURITY VULNERABILITIES.—

''(1) COMMISSION AUTHORITY.—

''(A) RELIABILITY STANDARDS.—If the Commission, in consultation with appropriate Federal agencies, identifies a grid security vulnerability that the Commission determines has not adequately been addressed through a reliability standard developed and approved under section 215, the Commission shall, after notice and opportunity for comment and after consultation with the Secretary, other appropriate Federal agencies, and appropriate governmental authorities in Canada and Mexico, issue an order directing the Electric Reliability Organization to submit to the Commission for approval under section 215, not later than 30 days after the issuance of such order, a reliability standard requiring implementation, by any owner, operator, or user of the bulk-power system in the United States, of measures to protect the bulk-power system against such vulnerability. Any such standard shall include a protection plan, including automated hardware-based solutions. The Commission shall approve a reliability standard submitted pursuant to this subparagraph, unless the Commission determines that such reliability standard does not adequately protect against such vulnerability or otherwise does not satisfy the requirements of section 215.

''(B) MEASURES TO ADDRESS GRID SECURITY VULNERABILITIES.—If the Commission, after notice and opportunity for comment and after consultation with the Secretary, other appropriate Federal agencies, and appropriate governmental authorities in Canada and Mexico, determines that the reliability standard submitted by the Electric Reliability Organization to address a grid security vulnerability identified under subparagraph (A) does not adequately protect the bulk-power system against such vulnerability, the Commission shall promulgate a rule or issue an order requiring implementation, by any owner, operator, or user of the bulk-power system in the United States, of measures to protect the bulk-power system against such vulnerability. Any such rule or order shall include a protection plan, including automated hardware-based solutions. Before promulgating a rule or issuing an order under this subparagraph, the Commission shall, to the extent practicable in light of the urgency of the need for action to address the grid security vulnerability, request and consider recommendations from the Electric Reliability Organization regarding such rule or order. The Commission may establish an appropriate deadline for the submission of such recommendations.

''(2) RESCISSION.—The Commission shall approve a reliability standard developed under section 215 that addresses a grid security vulnerability that is the subject of a rule or order under paragraph (1)(B), unless the Commission determines that such reliability standard does not adequately protect against such vulnerability or otherwise does not satisfy the requirements of section 215. Upon such approval, the Commission shall rescind the rule promulgated or order issued under paragraph (1)(B) addressing such vulnerability, effective upon the effective date of the newly approved reliability standard.

''(3) GEOMAGNETIC STORMS AND ELECTROMAGNETIC PULSE.—Not later than 6 months after the date of enactment of this section, the Commission shall, after notice and an opportunity for comment and after consultation with the Secretary and other appropriate Federal agencies, issue an order directing the Electric Reliability Organization to submit to the Commission for approval under section 215, not later than 6 months after the issuance of such order, reliability standards adequate to protect the bulk-power system from any reasonably foreseeable geomagnetic storm or electromagnetic pulse event. The Commission's order shall specify the nature and magnitude of the reasonably foreseeable events against which such standards must protect. Such standards shall appropriately balance the risks to the bulk-power system associated with such events, including any regional variation in such risks, the costs of mitigating such risks, and the priorities and timing associated with implementation. If the Commission determines that the reliability standards submitted by the Electric Reliability Organization pursuant to this paragraph are inadequate, the Commission shall promulgate a rule or issue an order adequate to protect the bulk-power system from geomagnetic storms or electromagnetic pulse as required under paragraph (1)(B).

''(4) LARGE TRANSFORMER AVAILABILITY.—Not later than 1 year after the date of enactment of this section, the Commission shall, after notice and an opportunity for comment and after consultation with the Secretary and other appropriate Federal agencies, issue an order directing the Electric Reliability Organization to submit to the Commission for approval under section 215, not later than 1 year after the issuance of such order, reliability standards addressing availability of large transformers. Such standards shall require entities that own or operate large transformers to ensure, individually or jointly, adequate availability of large transformers to promptly restore the reliable operation of the bulk-power system in the event that any such transformer is destroyed or disabled as a result of a geomagnetic storm event or electromagnetic pulse event. The Commission's order shall specify the nature and magnitude of the reasonably foreseeable events that shall provide the basis for such standards. Such standards shall—

''(A) provide entities subject to the standards with the option of meeting such standards individually or jointly; and

''(B) appropriately balance the risks associated with a reasonably foreseeable event, including any regional variation in such risks, and the costs of ensuring adequate availability of spare transformers.

''(5) CERTAIN FEDERAL ENTITIES.—For the 11-year period commencing on the date of enactment of this section, the Tennessee Valley Authority and the Bonneville Power Administration shall be exempt from any requirement under this subsection.

''(f) SECURITY CLEARANCES.—The Secretary shall facilitate and, to the extent practicable, expedite the acquisition of adequate security clearances by key personnel of any entity subject to the requirements of this section, to enable optimum communication with Federal agencies regarding threats to the security of the critical electric infrastructure. The Secretary, the Commission, and other appropriate Federal agencies shall, to the extent practicable and consistent with their obligations to protect classified and critical electric infrastructure information, share timely actionable information regarding grid security with appropriate key personnel of owners, operators, and users of the critical electric infrastructure.

''(g) CLARIFICATIONS OF LIABILITY.—

''(1) COMPLIANCE WITH OR VIOLATION OF THIS ACT.—Except as provided in paragraph (4), to the extent any action or omission taken by an entity that is necessary to comply with an order for emergency measures issued under subsection (b)(1), including any action or omission taken to voluntarily comply with such order, results in noncompliance with, or causes such entity not to comply with any rule, order, regulation, or provision of this Act, including any reliability standard approved by the Commission pursuant to section 215, such action or omission shall not be considered a violation of such rule, order, regulation, or provision.

''(2) RELATION TO SECTION 202(c).—Except as provided in paragraph (4), an action or omission taken by an owner, operator, or user of critical electric infrastructure or of defense critical electric infrastructure to comply with an order for emergency measures issued under subsection (b)(1) shall be treated as an action or omission taken to comply with an order issued under section 202(c) for purposes of such section.

''(3) SHARING OR RECEIPT OF INFORMATION.—No cause of action shall lie or be maintained in any Federal or State court for the sharing or receipt of information under, and that is conducted in accordance with, subsection (d).

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require dismissal of a cause of action against an entity that, in the course of complying with an order for emergency measures issued under subsection (b)(1) by taking an action or omission for which they would be liable but for paragraph (1) or (2), takes such action or omission in a grossly negligent manner.''.

(b) CONFORMING AMENDMENTS.—

(1) JURISDICTION.—Section 201(b)(2) of the Federal Power Act (16 U.S.C. 824(b)(2)) is amended by inserting ''215A,'' after ''215,'' each place it appears.

(2) PUBLIC UTILITY.—Section 201(e) of the Federal Power Act (16 U.S.C. 824(e)) is amended by inserting ''215A,'' after ''215,''.

SEC. 1105. STRATEGIC TRANSFORMER RESERVE.

(a) FINDING.—Congress finds that the storage of strategically located spare large power transformers and emergency mobile substations will reduce the vulnerability of the United States to multiple risks facing electric grid reliability, including physical attack, cyber attack, electromagnetic pulse, geomagnetic disturbances, severe weather, and seismic events.

(b) DEFINITIONS.—In this section:

(1) BULK-POWER SYSTEM.—The term ''bulk-power system'' has the meaning given such term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(2) CRITICALLY DAMAGED LARGE POWER TRANSFORMER.—The term ''critically damaged large power transformer'' means a large power transformer that—

(A) has sustained extensive damage such that—

(i) repair or refurbishment is not economically viable; or

(ii) the extensive time to repair or refurbish the large power transformer would create an extended period of instability in the bulk-power system; and

(B) prior to sustaining such damage, was part of the bulk-power system.

(3) CRITICAL ELECTRIC INFRASTRUCTURE.—The term ''critical electric infrastructure'' has the meaning given that term in section 215A of the Federal Power Act.

(4) ELECTRIC RELIABILITY ORGANIZATION.—The term ''Electric Reliability Organization'' has the meaning given such term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(5) EMERGENCY MOBILE SUBSTATION.—The term ''emergency mobile substation'' means a mobile substation or mobile transformer that is—

(A) assembled and permanently mounted on a trailer that is capable of highway travel and meets relevant Department of Transportation regulations; and

(B) intended for express deployment and capable of being rapidly placed into service.

(6) LARGE POWER TRANSFORMER.—The term ''large power transformer'' means a power transformer with a maximum nameplate rating of 100 megavolt-amperes or higher, including related critical equipment, that is, or is intended to be, a part of the bulk-power system.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(8) SPARE LARGE POWER TRANSFORMER.—The term ''spare large power transformer'' means a large power transformer that is stored within the Strategic Transformer Reserve to be available to temporarily replace a critically damaged large power transformer.

(c) STRATEGIC TRANSFORMER RESERVE PLAN.—

(1) PLAN.—Not later than 1 year after the date of enactment of this Act, the Secretary, acting through the Office of Electricity Delivery and Energy Reliability, shall, in consultation with the Federal Energy Regulatory Commission, the Electricity Sub-sector Coordinating Council, the Electric Reliability Organization, and owners and operators of critical electric infrastructure and defense and military installations, prepare and submit to Congress a plan to establish a Strategic Transformer Reserve for the storage, in strategically located facilities, of spare large power transformers and emergency mobile substations in sufficient numbers to temporarily replace critically damaged large power transformers and substations that are critical electric infrastructure or serve defense and military installations.

(2) INCLUSIONS.—The Strategic Transformer Reserve plan shall include a description of—

(A) the appropriate number and type of spare large power transformers necessary to provide or restore sufficient resiliency to the bulk-power system, critical electric infrastructure, and defense and military installations to mitigate significant impacts to the electric grid resulting from—

(i) physical attack;

(ii) cyber attack;

(iii) electromagnetic pulse attack;

(iv) geomagnetic disturbances;

(v) severe weather; or

(vi) seismic events;

(B) other critical electric grid equipment for which an inventory of spare equipment, including emergency mobile substations, is necessary to provide or restore sufficient resiliency to the bulk-power system, critical electric infrastructure, and defense and military installations;

(C) the degree to which utility sector actions or initiatives, including individual utility ownership of spare equipment, joint ownership of spare equipment inventory, sharing agreements, or other spare equipment reserves or arrangements, satisfy the needs identified under subparagraphs (A) and (B);

(D) the potential locations for, and feasibility and appropriate number of, strategic storage locations for reserve equipment, including consideration of—

(i) the physical security of such locations;

(ii) the protection of the confidentiality of such locations; and

(iii) the proximity of such locations to sites of potentially critically damaged large power transformers and substations that are critical electric infrastructure or serve defense and military installations, so as to enable efficient delivery of equipment to such sites;

(E) the necessary degree of flexibility of spare large power transformers to be included in the Strategic Transformer Reserve to conform to different substation configurations, including consideration of transformer—

(i) power and voltage rating for each winding;

(ii) overload requirements;

(iii) impedance between windings;

(iv) configuration of windings; and

(v) tap requirements;

(F) an estimate of the direct cost of the Strategic Transformer Reserve, as proposed, including—

(i) the cost of storage facilities;

(ii) the cost of the equipment; and

(iii) management, maintenance, and operation costs;

(G) the funding options available to establish, stock, manage, and maintain the Strategic Transformer Reserve, including consideration of fees on owners and operators of bulk-power system facilities, critical electric infrastructure, and defense and military installations relying on the Strategic Transformer Reserve, use of Federal appropriations, and public-private cost-sharing options;

(H) the ease and speed of transportation, installation, and energization of spare large power transformers to be included in the Strategic Transformer Reserve, including consideration of factors such as—

(i) transformer transportation weight;

(ii) transformer size;

(iii) topology of critical substations;

(iv) availability of appropriate transformer mounting pads;

(v) flexibility of the spare large power transformers as described in subparagraph (E); and

(vi) ability to rapidly transition a spare large power transformer from storage to energization;

(I) eligibility criteria for withdrawal of equipment from the Strategic Transformer Reserve;

(J) the process by which owners or operators of critically damaged large power transformers or substations that are critical electric infrastructure or serve defense and military installations may apply for a withdrawal from the Strategic Transformer Reserve;

(K) the process by which equipment withdrawn from the Strategic Transformer Reserve is returned to the Strategic Transformer Reserve or is replaced;

(L) possible fees to be paid by users of equipment withdrawn from the Strategic Transformer Reserve;

(M) possible fees to be paid by owners and operators of large power transformers and substations that are critical electric infrastructure

or serve defense and military installations to cover operating costs of the Strategic Transformer Reserve;

(N) the domestic and international large power transformer supply chain;

(O) the potential reliability, cost, and operational benefits of including emergency mobile substations in any Strategic Transformer Reserve established under this section; and

(P) other considerations for designing, constructing, stocking, funding, and managing the Strategic Transformer Reserve.

(d) ESTABLISHMENT.—The Secretary may establish a Strategic Transformer Reserve in accordance with the plan prepared pursuant to subsection (c) after the date that is 6 months after the date on which such plan is submitted to Congress.

(e) DISCLOSURE OF INFORMATION.—Any information included in the Strategic Transformer Reserve plan, or shared in the preparation and development of such plan, the disclosure of which the agency reasonably foresees would cause harm to critical electric infrastructure, shall be deemed to be critical electric infrastructure information for purposes of section 215A(d) of the Federal Power Act.

SEC. 1106. CYBER SENSE.

(a) IN GENERAL.—The Secretary of Energy shall establish a voluntary Cyber Sense program to identify and promote cyber-secure products intended for use in the bulk-power system, as defined in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(b) PROGRAM REQUIREMENTS.—In carrying out subsection (a), the Secretary of Energy shall—

(1) establish a Cyber Sense testing process to identify products and technologies intended for use in the bulk-power system, including products relating to industrial control systems, such as supervisory control and data acquisition systems;

(2) for products tested and identified under the Cyber Sense program, establish and maintain cybersecurity vulnerability reporting processes and a related database;

(3) promulgate regulations regarding vulnerability reporting processes for products tested and identified under the Cyber Sense program;

(4) provide technical assistance to utilities, product manufacturers, and other electric sector stakeholders to develop solutions to mitigate identified vulnerabilities in products tested and identified under the Cyber Sense program;

(5) biennially review products tested and identified under the Cyber Sense program for vulnerabilities and provide analysis with respect to how such products respond to and mitigate cyber threats;

(6) develop procurement guidance for utilities for products tested and identified under the Cyber Sense program;

(7) provide reasonable notice to the public, and solicit comments from the public, prior to establishing or revising the Cyber Sense testing process;

(8) oversee Cyber Sense testing carried out by third parties; and

(9) consider incentives to encourage the use in the bulk-power system of products tested and identified under the Cyber Sense program.

(c) DISCLOSURE OF INFORMATION.—Any vulnerability reported pursuant to regulations promulgated under subsection (b)(3), the disclosure of which the agency reasonably foresees would cause harm to critical electric infrastructure (as defined in section 215A of the Federal Power Act), shall be deemed to be critical electric infrastructure information for purposes of section 215A(d) of the Federal Power Act.

(d) FEDERAL GOVERNMENT LIABILITY.—Consistent with other voluntary Federal Government certification programs, nothing in this section shall be construed to authorize the commencement of an action against the United States Government with respect to the testing and identification of a product under the Cyber Sense program.

SEC. 1107. STATE COVERAGE AND CONSIDERATION OF PURPA STANDARDS FOR ELECTRIC UTILITIES.

(a) STATE CONSIDERATION OF RESILIENCY AND ADVANCED ENERGY ANALYTICS TECHNOLOGIES AND RELIABLE GENERATION.—

(1) CONSIDERATION.—Section 111(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)) is amended by adding the following at the end:

''(20) IMPROVING THE RESILIENCE OF ELECTRIC INFRASTRUCTURE.—

''(A) IN GENERAL.—Each electric utility shall develop a plan to use resiliency-related technologies, upgrades, measures, and other approaches designed to improve the resilience of electric infrastructure, mitigate power outages, continue delivery of vital services, and maintain the flow of power to facilities critical to public health, safety, and welfare, to the extent practicable using the most current data, metrics, and frameworks related to current and future threats, including physical and cyber attacks, electromagnetic pulse attacks, geomagnetic disturbances, seismic events, and severe weather and other environmental stressors.

''(B) RESILIENCY-RELATED TECHNOLOGIES.—For purposes of this paragraph, examples of resiliency-related technologies, upgrades, measures, and other approaches include—

''(i) hardening, or other enhanced protection, of utility poles, wiring, cabling, and other distribution components, facilities, or structures;

''(ii) advanced grid technologies capable of isolating or repairing problems remotely, such as advanced metering infrastructure, high-tech sensors, grid monitoring and control systems, and remote reconfiguration and redundancy systems;

''(iii) cybersecurity products and components;

''(iv) distributed generation, including backup generation to power critical facilities and essential services, and related integration components, such as advanced inverter technology;

''(v) microgrid systems, including hybrid microgrid systems for isolated communities;

''(vi) combined heat and power;

''(vii) waste heat resources;

''(viii) non-grid-scale energy storage technologies;

''(ix) wiring, cabling, and other distribution components, including submersible distribution components, and enclosures;

''(x) electronically controlled reclosers and similar technologies for power restoration, including emergency mobile substations, as defined in section 1105 of the North American Energy Security and Infrastructure Act of 2016;

''(xi) advanced energy analytics technology, such as Internet-based and cloud-based computing solutions and subscription licensing models;

''(xii) measures that enhance resilience through planning, preparation, response, and recovery activities;

''(xiii) operational capabilities to enhance resilience through rapid response recovery; and

''(xiv) measures to ensure availability of key critical components through contracts, cooperative agreements, stockpiling and prepositioning, or other measures.

''(C) RATE RECOVERY.—Each State regulatory authority (with respect to each electric utility for which it has ratemaking authority) shall consider authorizing each such electric utility to recover any capital, operating expenditure, or other costs of the electric utility related to the procurement, deployment, or use of resiliency-related technologies, including a reasonable rate of return on the capital expenditures of the electric utility for the procurement, deployment, or use of resiliency-related technologies.

''(21) PROMOTING INVESTMENTS IN ADVANCED ENERGY ANALYTICS TECHNOLOGY.—

''(A) IN GENERAL.—Each electric utility shall develop and implement a plan for deploying advanced energy analytics technology.

''(B) RATE RECOVERY.—Each State regulatory authority (with respect to each electric utility for which it has ratemaking authority) shall consider confirming and clarifying, if necessary, that each such electric utility is authorized to recover the costs of the electric utility relating to the procurement, deployment, or use of advanced energy analytics technology, including a reasonable rate of return on all such costs incurred by the electric utility for the procurement, deployment, or use of advanced energy analytics technology, provided such technology is used by the electric utility for purposes of realizing operational efficiencies, cost savings, enhanced energy management and customer engagement, improvements in system reliability, safety, and cybersecurity, or other benefits to ratepayers.

''(C) ADVANCED ENERGY ANALYTICS TECHNOLOGY.—For purposes of this paragraph, examples of advanced energy analytics technology include Internet-based and cloud-based computing solutions and subscription licensing models, including software as a service that uses cyber-physical systems to allow the correlation of data aggregated from appropriate data sources and smart grid sensor networks, employs analytics and machine learning, or employs other advanced computing solutions and models.

''(22) ASSURING ELECTRIC RELIABILITY WITH RELIABLE GENERATION.—

''(A) ASSURANCE OF ELECTRIC RELIABILITY.—Each electric utility shall adopt or modify policies to ensure that such electric utility incorporates reliable generation into its integrated resource plan to assure the availability of electric energy over a 10-year planning period.

''(B) RELIABLE GENERATION.—For purposes of this paragraph, 'reliable generation' means electric generation facilities with reliability attributes that include—

''(i)(I) possession of adequate fuel on-site to enable operation for an extended period of time;

''(II) the operational ability to generate electric energy from more than one source; or

''(III) fuel certainty, through firm contractual obligations (which may not be required to be for a period longer than one year), that ensures adequate fuel supply to enable operation, for an extended period of time, for the duration of an emergency or severe weather conditions;

''(ii) operational characteristics that enable the generation of electric energy for the duration of an emergency or severe weather conditions; and

''(iii) unless procured through other procurement mechanisms, essential reliability services, including frequency support and regulation services.

''(23) SUBSIDIZATION OF CUSTOMER-SIDE TECHNOLOGY.—

''(A) CONSIDERATION.—To the extent that a State regulatory authority may require or allow rates charged by any electric utility for which it has ratemaking authority to electric consumers that do not use a customer-side technology to include any cost, fee, or charge that directly or indirectly cross-subsidizes the deployment, construction, maintenance, or operation of that customer-side technology, such authority shall evaluate whether subsidizing the deployment, construction, maintenance, or operation of a customer-side technology would—

''(i) result in benefits predominately enjoyed by only the users of that customer-side technology;

''(ii) shift costs of a customer-side technology to electricity consumers that do not use that

customer-side technology, particularly where disparate economic or resource conditions exist among the electricity consumers cross-subsidizing the costumer-side technology;

''(iii) negatively affect resource utilization, fuel diversity, or grid security;

''(iv) provide any unfair competitive advantage to market the customer-side technology; and

''(v) be necessary to fulfill an obligation to serve electric consumers.

''(B) PUBLIC NOTICE.—Each State regulatory authority shall make available to the public the evaluation completed under subparagraph (A) at least 90 days prior to any proceedings in which such authority considers the cross-subsidization of a customer-side technology.

''(C) CUSTOMER-SIDE TECHNOLOGY.—For purposes of this paragraph, the term 'customer-side technology' means a device connected to the electricity distribution system—

''(i) at, or on the customer side of, the meter; or

''(ii) that, if owned or operated by or on behalf of an electric utility, would otherwise be at, or on the customer side of, the meter.''.

(2) COMPLIANCE.—

(A) TIME LIMITATIONS.—Section 112(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(b)) is amended by adding at the end the following:

''(7)(A) Not later than 1 year after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which it has ratemaking authority) and each nonregulated electric utility, as applicable, shall commence the consideration referred to in section 111, or set a hearing date for consideration, with respect to the standards established by paragraphs (20), (22), and (23) of section 111(d).

''(B) Not later than 2 years after the date of the enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which it has ratemaking authority) and each nonregulated electric utility, as applicable, shall complete the consideration, and shall make the determination, referred to in section 111 with respect to each standard established by paragraphs (20), (22), and (23) of section 111(d).

''(8)(A) Not later than 6 months after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which it has ratemaking authority) and each nonregulated electric utility shall commence the consideration referred to in section 111, or set a hearing date for consideration, with respect to the standard established by paragraph (21) of section 111(d).

''(B) Not later than 1 year after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which it has ratemaking authority) and each nonregulated electric utility shall complete the consideration, and shall make the determination, referred to in section 111 with respect to the standard established by paragraph (21) of section 111(d).''.

(B) FAILURE TO COMPLY.—Section 112(c) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(c)) is amended by adding the following at the end: ''In the case of the standards established by paragraphs (20) through (23) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of such paragraphs.''.

(C) PRIOR STATE ACTIONS.—Section 112 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622) is amended by adding at the end the following new subsection:

''(g) PRIOR STATE ACTIONS.—Subsections (b) and (c) of this section shall not apply to a standard established by paragraph (20), (21), (22), or (23) of section 111(d) in the case of any electric utility in a State if—

''(1) before the date of enactment of this subsection, the State has implemented for such utility the standard concerned (or a comparable standard);

''(2) the State regulatory authority for such State or relevant nonregulated electric utility has conducted a proceeding to consider implementation of the standard concerned (or a comparable standard) for such utility during the 3-year period ending on the date of enactment of this subsection; or

''(3) the State legislature has voted on the implementation of the standard concerned (or a comparable standard) for such utility during the 3-year period ending on the date of enactment of this subsection.''.

(b) COVERAGE FOR COMPETITIVE MARKETS.—Section 102 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2612) is amended by adding at the end the following:

''(d) COVERAGE FOR COMPETITIVE MARKETS.—The requirements of this title do not apply to the operations of an electric utility, or to proceedings respecting such operations, to the extent that such operations or proceedings, or any portion thereof, relate to the competitive sale of retail electric energy that is unbundled or separated from the regulated provision or sale of distribution service.''.

SEC. 1108. RELIABILITY ANALYSIS FOR CERTAIN RULES THAT AFFECT ELECTRIC GENERATING FACILITIES.

(a) APPLICABILITY.—This section shall apply with respect to any proposed or final covered rule issued by a Federal agency for which compliance with the rule may impact an electric utility generating unit or units, including by resulting in closure or interruption to operations of such a unit or units.

(b) RELIABILITY ANALYSIS.—

(1) ANALYSIS OF RULES.—The Federal Energy Regulatory Commission, in consultation with the Electric Reliability Organization, shall conduct an independent reliability analysis of a proposed or final covered rule under this section to evaluate the anticipated effects of implementation and enforcement of the rule on—

(A) electric reliability and resource adequacy;

(B) the electricity generation portfolio of the United States;

(C) the operation of wholesale electricity markets; and

(D) energy delivery and infrastructure, including electric transmission facilities and natural gas pipelines.

(2) RELEVANT INFORMATION.—

(A) MATERIALS FROM FEDERAL AGENCIES.—A Federal agency shall provide to the Commission materials and information relevant to the analysis required under paragraph (1) for a rule, including relevant data, modeling, and resource adequacy and reliability assessments, prepared or relied upon by such agency in developing the rule.

(B) ANALYSES FROM OTHER ENTITIES.—The Electric Reliability Organization, regional entities, regional transmission organizations, independent system operators, and other reliability coordinators and planning authorities shall timely conduct analyses and provide such information as may be reasonably requested by the Commission.

(3) NOTICE.—A Federal agency shall provide to the Commission notice of the issuance of any proposed or final covered rule not later than 15 days after the date of such issuance.

(c) PROPOSED RULES.—Not later than 150 days after the date of publication in the Federal Register of a proposed rule described in subsection (a), the Federal Energy Regulatory Commission shall make available to the public an analysis of the proposed rule conducted in accordance with subsection (b), and any relevant special assessment or seasonal or long-term reliability assessment completed by the Electric Reliability Organization.

(d) FINAL RULES.—

(1) INCLUSION.—A final rule described in subsection (a) shall include, if available at the time of issuance, a copy of the analysis conducted pursuant to subsection (c) of the rule as proposed.

(2) ANALYSIS.—Not later than 120 days after the date of publication in the Federal Register of a final rule described in subsection (a), the Federal Energy Regulatory Commission shall make available to the public an analysis of the final rule conducted in accordance with subsection (b), and any relevant special assessment or seasonal or long-term reliability assessment completed by the Electric Reliability Organization.

(e) DEFINITIONS.—In this section:

(1) ELECTRIC RELIABILITY ORGANIZATION.—The term ''Electric Reliability Organization'' has the meaning given to such term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(2) FEDERAL AGENCY.—The term ''Federal agency'' means an agency, as that term is defined in section 551 of title 5, United States Code.

(3) COVERED RULE.—The term ''covered rule'' means a proposed or final rule that is estimated by the Federal agency issuing the rule, or the Director of the Office of Management and Budget, to result in an annual effect on the economy of $1,000,000,000 or more.

SEC. 1109. INCREASED ACCOUNTABILITY WITH RESPECT TO CARBON CAPTURE, UTILIZATION, AND SEQUESTRATION PROJECTS.

(a) DOE EVALUATION.—

(1) IN GENERAL.—The Secretary of Energy (in this section referred to as the ''Secretary'') shall, in accordance with this section, annually conduct an evaluation, and make recommendations, with respect to each project conducted by the Secretary for research, development, demonstration, or deployment of carbon capture, utilization, and sequestration technologies (also known as carbon capture and storage and utilization technologies).

(2) SCOPE.—For purposes of this section, a project includes any contract, lease, cooperative agreement, or other similar transaction with a public agency or private organization or person, entered into or performed, or any payment made, by the Secretary for research, development, demonstration, or deployment of carbon capture, utilization, and sequestration technologies.

(b) REQUIREMENTS FOR EVALUATION.—In conducting an evaluation of a project under this section, the Secretary shall—

(1) examine if the project has made advancements toward achieving any specific goal of the project with respect to a carbon capture, utilization, and sequestration technology; and

(2) evaluate and determine if the project has made significant progress in advancing a carbon capture, utilization, and sequestration technology.

(c) RECOMMENDATIONS.—For each evaluation of a project conducted under this section, if the Secretary determines that—

(1) significant progress in advancing a carbon capture, utilization, and sequestration technology has been made, the Secretary shall assess the funding of the project and make a recommendation as to whether increased funding is necessary to advance the project; or

(2) significant progress in advancing a carbon capture, utilization, and sequestration technology has not been made, the Secretary shall—

(A) assess the funding of the project and make a recommendation as to whether increased funding is necessary to advance the project;

(B) assess and determine if the project has reached its full potential; and

(C) make a recommendation as to whether the project should continue.

(d) REPORTS.—

(1) REPORT ON EVALUATIONS AND RECOMMENDATIONS.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Secretary shall—

(A) issue a report on the evaluations conducted and recommendations made during the previous year pursuant to this section; and

(B) make each such report available on the Internet website of the Department of Energy.

(2) REPORT.—Not later than 2 years after the date of enactment of this Act, and every 3 years thereafter, the Secretary shall submit to the Subcommittee on Energy and Power of the Committee on Energy and Commerce and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources and the Committee on Commerce, Science, and Transportation of the Senate a report on—

(A) the evaluations conducted and recommendations made during the previous 3 years pursuant to this section; and

(B) the progress of the Department of Energy in advancing carbon capture, utilization, and sequestration technologies, including progress in achieving the Department of Energy's goal of having an array of advanced carbon capture and sequestration technologies ready by 2020 for large-scale demonstration.

SEC. 1110. RELIABILITY AND PERFORMANCE ASSURANCE IN REGIONAL TRANSMISSION ORGANIZATIONS.

Part II of the Federal Power Act (16 U.S.C. 824 et seq.), as amended by section 1104, is further amended by adding after section 215A the following new section:

"SEC. 215B. RELIABILITY AND PERFORMANCE ASSURANCE IN REGIONAL TRANSMISSION ORGANIZATIONS.

''(a) EXISTING CAPACITY MARKETS.—

''(1) ANALYSIS CONCERNING CAPACITY MARKET DESIGN.—Not later than 180 days after the date of enactment of this section, each Regional Transmission Organization, and each Independent System Operator, that operates a capacity market, or a comparable market intended to ensure the procurement and availability of sufficient future electric energy resources, that is subject to the jurisdiction of the Commission, shall provide to the Commission an analysis of how the structure of such market meets the following criteria:

''(A) The structure of such market utilizes competitive market forces to the extent practicable in procuring capacity resources.

''(B) Consistent with subparagraph (A), the structure of such market includes resource-neutral performance criteria that ensure the procurement of sufficient capacity from physical generation facilities that have reliability attributes that include—

''(i)(I) possession of adequate fuel on-site to enable operation for an extended period of time;

''(II) the operational ability to generate electric energy from more than one fuel source; or

''(III) fuel certainty, through firm contractual obligations, that ensures adequate fuel supply to enable operation, for an extended period of time, for the duration of an emergency or severe weather conditions;

''(ii) operational characteristics that enable the generation of electric energy for the duration of an emergency or severe weather conditions; and

''(iii) unless procured through other markets or procurement mechanisms, essential reliability services, including frequency support and regulation services.

''(2) COMMISSION EVALUATION AND REPORT.—Not later than 1 year after the date of enactment of this section, the Commission shall make publicly available, and submit to the Committee on Energy and Commerce in the House of Representatives and the Committee on Energy and Natural Resources in the Senate, a report containing—

''(A) evaluation of whether the structure of each market addressed in an analysis submitted pursuant to paragraph (1) meets the criteria under such paragraph, based on the analysis; and

''(B) to the extent a market so addressed does not meet such criteria, any recommendations with respect to the procurement of sufficient capacity, as described in paragraph (1)(B).

''(b) COMMISSION EVALUATION AND REPORT FOR NEW SCHEDULES.—

''(1) INCLUSION OF ANALYSIS IN FILING.—Except as provided in subsection (a)(2), whenever a Regional Transmission Organization or Independent System Operator files a new schedule under section 205 to establish a market described in subsection (a)(1), or that substantially modifies the capacity market design of a market described in subsection (a)(1), the Regional Transmission Organization or Independent System Operator shall include in any such filing the analysis required by subsection (a)(1).

''(2) EVALUATION AND REPORT.—Not later than 180 days of receiving an analysis under paragraph (1), the Commission shall make publicly available, and submit to the Committee on Energy and Commerce in the House of Representatives and the Committee on Energy and Natural Resources in the Senate, a report containing—

''(A) an evaluation of whether the structure of the market addressed in the analysis meets the criteria under subsection (a)(1), based on the analysis; and

''(B) to the extent the market does not meet such criteria, any recommendations with respect to the procurement of sufficient capacity, as described in subsection (a)(1)(B).

''(c) EFFECT ON EXISTING APPROVALS.—Nothing in this section shall be considered to—

''(1) require a modification of the Commission's approval of the capacity market design approved pursuant to docket numbers ER15–623–000, EL15–29–000, EL14–52–000, and ER14–2419–000; or

''(2) provide grounds for the Commission to grant rehearing or otherwise modify orders issued in those dockets.''.

SEC. 1111. ETHANE STORAGE STUDY.

(a) IN GENERAL.—The Secretary of Energy and the Secretary of Commerce, in consultation with other relevant agencies and stakeholders, shall conduct a study on the feasibility of establishing an ethane storage and distribution hub in the United States.

(b) CONTENTS.—The study conducted under subsection (a) shall include—

(1) an examination of—

(A) potential locations;

(B) economic feasibility;

(C) economic benefits;

(D) geological storage capacity capabilities;

(E) above ground storage capabilities;

(F) infrastructure needs; and

(G) other markets and trading hubs, particularly related to ethane; and

(2) identification of potential additional benefits to energy security.

(c) PUBLICATION OF RESULTS.—Not later than 2 years after the date of enactment of this Act, the Secretaries of Energy and Commerce shall publish the results of the study conducted under subsection (a) on the websites of the Departments of Energy and Commerce, respectively, and shall submit such results to the Committee on Energy and Commerce of the House of Representatives and the Committees on Energy and Natural Resources and Commerce, Science, and Transportation of the Senate.

SEC. 1112. STATEMENT OF POLICY ON GRID MODERNIZATION.

It is the policy of the United States to promote and advance—

(1) the modernization of the energy delivery infrastructure of the United States, and bolster the reliability, affordability, diversity, efficiency, security, and resiliency of domestic energy supplies, through advanced grid technologies;

(2) the modernization of the electric grid to enable a robust multi-directional power flow that leverages centralized energy resources and distributed energy resources, enables robust retail transactions, and facilitates the alignment of business and regulatory models to achieve a grid that optimizes the entire electric delivery system;

(3) relevant research and development in advanced grid technologies, including—

(A) energy storage;

(B) predictive tools and requisite real-time data to enable the dynamic optimization of grid operations;

(C) power electronics, including smart inverters, that ease the challenge of intermittent renewable resources and distributed generation;

(D) real-time data and situational awareness tools and systems; and

(E) tools to increase data security, physical security, and cybersecurity awareness and protection;

(4) the leadership of the United States in basic and applied sciences to develop a systems approach to innovation and development of cybersecure advanced grid technologies, architectures, and control paradigms capable of managing diverse supplies and loads;

(5) the safeguarding of the critical energy delivery infrastructure of the United States and the enhanced resilience of the infrastructure to all hazards, including—

(A) severe weather events;

(B) cyber and physical threats; and

(C) other factors that affect energy delivery;

(6) the coordination of goals, investments to optimize the grid, and other measures for energy efficiency, advanced grid technologies, interoperability, and demand response-side management resources;

(7) partnerships with States and the private sector—

(A) to facilitate advanced grid capabilities and strategies; and

(B) to provide technical assistance, tools, or other related information necessary to enhance grid integration, particularly in connection with the development at the State and local levels of strategic energy, energy surety and assurance, and emergency preparedness, response, and restoration planning;

(8) the deployment of information and communications technologies at all levels of the electric system;

(9) opportunities to provide consumers with timely information and advanced control options;

(10) sophisticated or advanced control options to integrate distributed energy resources and associated ancillary services;

(11) open-source communications, database architectures, and common information model standards, guidelines, and protocols that enable interoperability to maximize efficiency gains and associated benefits among—

(A) the grid;

(B) energy and building management systems; and

(C) residential, commercial, and industrial equipment;

(12) private sector investment in the energy delivery infrastructure of the United States through targeted demonstration and validation of advanced grid technologies; and

(13) establishment of common valuation methods and tools for cost-benefit analysis of grid integration paradigms.

SEC. 1113. GRID RESILIENCE REPORT.

Not later than 120 days after the date of enactment of this Act, the Secretary of Energy shall submit to the Congress a report on methods to increase electric grid resilience with respect to all threats, including cyber attacks, vandalism, terrorism, and severe weather.

SEC. 1114. GAO REPORT ON IMPROVING NATIONAL RESPONSE CENTER.

The Comptroller General of the United States shall conduct a study of ways in which the capabilities of the National Response Center could be improved.

SEC. 1115. DESIGNATION OF NATIONAL ENERGY SECURITY CORRIDORS ON FEDERAL LANDS.

(a) IN GENERAL.—Section 28 of the Mineral Leasing Act (30 U.S.C. 185) is amended as follows:

(1) In subsection (b)—

(A) by striking ''(b)(1) For the purposes of this section 'Federal lands' means'' and inserting the following:

''(b)(1) For the purposes of this section 'Federal lands'—

''(A) except as provided in subparagraph (B), means'';

(B) by striking the period at the end of paragraph (1) and inserting ''; and'' and by adding at the end of paragraph (1) the following:

''(B) for purposes of granting an application for a natural gas pipeline right-of-way, means all lands owned by the United States except—

''(i) such lands held in trust for an Indian or Indian tribe; and

''(ii) lands on the Outer Continental Shelf.''.

(2) By redesignating subsection (b), as so amended, as subsection (z), and transferring such subsection to appear after subsection (y) of that section.

(3) By inserting after subsection (a) the following:

''(b) NATIONAL ENERGY SECURITY CORRIDORS.—

''(1) DESIGNATION.—In addition to other authorities under this section, the Secretary shall—

''(A) identify and designate suitable Federal lands as National Energy Security Corridors (in this subsection referred to as a 'Corridor'), which shall be used for construction, operation, and maintenance of natural gas transmission facilities; and

''(B) incorporate such Corridors upon designation into the relevant agency land use and resource management plans or equivalent plans.

''(2) CONSIDERATIONS.—In evaluating Federal lands for designation as a National Energy Security Corridor, the Secretary shall—

''(A) employ the principle of multiple use to ensure route decisions balance national energy security needs with existing land use principles;

''(B) seek input from other Federal counterparts, State, local, and tribal governments, and affected utility and pipeline industries to determine the best suitable, most cost-effective, and commercially viable acreage for natural gas transmission facilities;

''(C) focus on transmission routes that improve domestic energy security through increasing reliability, relieving congestion, reducing natural gas prices, and meeting growing demand for natural gas; and

''(D) take into account technological innovations that reduce the need for surface disturbance.

''(3) PROCEDURES.—The Secretary shall establish procedures to expedite and approve applications for rights-of-way for natural gas pipelines across National Energy Security Corridors, that—

''(A) ensure a transparent process for review of applications for rights-of-way on such corridors;

''(B) require an approval time of not more than 1 year after the date of receipt of an application for a right-of-way; and

''(C) require, upon receipt of such an application, notice to the applicant of a predictable timeline for consideration of the application, that clearly delineates important milestones in the process of such consideration.

''(4) STATE INPUT.—

''(A) REQUESTS AUTHORIZED.—The Governor of a State may submit requests to the Secretary of the Interior to designate Corridors on Federal land in that State.

''(B) CONSIDERATION OF REQUESTS.—After receiving such a request, the Secretary shall respond in writing, within 30 days—

''(i) acknowledging receipt of the request; and

''(ii) setting forth a timeline in which the Secretary shall grant, deny, or modify such request and state the reasons for doing so.

''(5) SPATIAL DISTRIBUTION OF CORRIDORS.—In implementing this subsection, the Secretary shall coordinate with other Federal Departments to—

''(A) minimize the proliferation of duplicative natural gas pipeline rights-of-way on Federal lands where feasible;

''(B) ensure Corridors can connect effectively across Federal lands; and

''(C) utilize input from utility and pipeline industries submitting applications for rights-of-way to site corridors in economically feasible areas that reduce impacts, to the extent practicable, on local communities.

''(6) NOT A MAJOR FEDERAL ACTION.—Designation of a Corridor under this subsection, and incorporation of Corridors into agency plans under paragraph (1)(B), shall not be treated as a major Federal action for purpose of section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

''(7) NO LIMIT ON NUMBER OR LENGTH OF CORRIDORS.—Nothing in this subsection limits the number or physical dimensions of Corridors that the Secretary may designate under this subsection.

''(8) OTHER AUTHORITY NOT AFFECTED.—Nothing in this subsection affects the authority of the Secretary to issue rights-of-way on Federal land that is not located in a Corridor designated under this subsection.

''(9) NEPA CLARIFICATION.—All applications for rights-of-way for natural gas transmission facilities across Corridors designated under this subsection shall be subject to the environmental protections outlined in subsection (h).''.

(b) APPLICATIONS RECEIVED BEFORE DESIGNATION OF CORRIDORS.—Any application for a right-of-way under section 28 of the Mineral Leasing Act (30 U.S.C. 185) that is received by the Secretary of the Interior before designation of National Energy Security Corridors under the amendment made by subsection (a) of this section shall be reviewed and acted upon independently by the Secretary without regard to the process for such designation.

(c) DEADLINE.—Within 2 years after the date of the enactment of this Act, the Secretary of the Interior shall designate at least 10 National Energy Security Corridors under the amendment made by subsection (a) in States referred to in section 368(b) of the Energy Policy Act of 2005 (42 U.S.C. 15926(b)).

SEC. 1116. VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE ON FEDERAL LANDS CONTAINING ELECTRIC TRANSMISSION AND DISTRIBUTION FACILITIES.

(a) IN GENERAL.—Title V of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761 et seq.) is amended by adding at the end the following new section:

''SEC. 512. VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE RELATING TO ELECTRIC TRANSMISSION AND DISTRIBUTION FACILITY RIGHTS-OF-WAY.

''(a) GENERAL DIRECTION.—In order to enhance the reliability of the electric grid and reduce the threat of wildfires to and from electric transmission and distribution rights-of-way and related facilities and adjacent property, the Secretary, with respect to public lands and other lands under the jurisdiction of the Secretary, and the Secretary of Agriculture, with respect to National Forest System lands, shall provide direction to ensure that all existing and future rights-of-way, however established (including by grant, special use authorization, and easement), for electric transmission and distribution facilities on such lands include provisions for utility vegetation management, facility inspection, and operation and maintenance activities that, while consistent with applicable law—

''(1) are developed in consultation with the holder of the right-of-way;

''(2) enable the owner or operator of an electric transmission and distribution facility to operate and maintain the facility in good working order and to comply with Federal, State, and local electric system reliability and fire safety requirements, including reliability standards established by the North American Electric Reliability Corporation and plans to meet such reliability standards;

''(3) minimize the need for case-by-case or annual approvals for—

''(A) routine vegetation management, facility inspection, and operation and maintenance activities within existing electric transmission and distribution rights-of-way; and

''(B) utility vegetation management activities that are necessary to control hazard trees within or adjacent to electric transmission and distribution rights-of-way; and

''(4) when review is required, provide for expedited review and approval of utility vegetation management, facility inspection, and operation and maintenance activities, especially activities requiring prompt action to avoid an adverse impact on human safety or electric reliability to avoid fire hazards.

''(b) VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE PLANS.—

''(1) DEVELOPMENT AND SUBMISSION.—Consistent with subsection (a), the Secretary and the Secretary of Agriculture shall provide owners and operators of electric transmission and distribution facilities located on lands described in such subsection with the option to develop and submit a vegetation management, facility inspection, and operation and maintenance plan, that at each owner or operator's discretion may cover some or all of the owner or operator's electric transmission and distribution rights-of-way on Federal lands, for approval to the Secretary with jurisdiction over the lands. A plan under this paragraph shall enable the owner or operator of an electric transmission and distribution facility, at a minimum, to comply with applicable Federal, State, and local electric system reliability and fire safety requirements, as provided in subsection (a)(2). The Secretaries shall not have the authority to modify those requirements.

''(2) REVIEW AND APPROVAL PROCESS.—The Secretary and the Secretary of Agriculture shall jointly develop a consolidated and coordinated process for review and approval of—

''(A) vegetation management, facility inspection, and operation and maintenance plans submitted under paragraph (1) that—

''(i) assures prompt review and approval not to exceed 90 days;

''(ii) includes timelines and benchmarks for agency comments on submitted plans and final approval of such plans;

''(iii) is consistent with applicable law; and

''(iv) minimizes the costs of the process to the reviewing agency and the entity submitting the plans; and

''(B) amendments to the plans in a prompt manner if changed conditions necessitate a modification to a plan.

''(3) NOTIFICATION.—The review and approval process under paragraph (2) shall—

''(A) include notification by the agency of any changed conditions that warrant a modification to a plan;

''(B) provide an opportunity for the owner or operator to submit a proposed plan amendment to address directly the changed condition; and

''(C) allow the owner or operator to continue to implement those elements of the approved plan that do not directly and adversely affect the condition precipitating the need for modification.

''(4) CATEGORICAL EXCLUSION PROCESS.—The Secretary and the Secretary of Agriculture shall apply his or her categorical exclusion process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to plans developed under this subsection on existing electric transmission and distribution rights-of-way under this subsection.

''(5) IMPLEMENTATION.—A plan approved under this subsection shall become part of the authorization governing the covered right-of-way and hazard trees adjacent to the right-of-way. If a vegetation management plan is proposed for an existing electric transmission and distribution facility concurrent with the siting of a new electric transmission or distribution facility, necessary reviews shall be completed as part of the siting process or sooner. Once the plan is approved, the owner or operator shall provide the agency with only a notification of activities anticipated to be undertaken in the coming year, a description of those activities, and certification that the activities are in accordance with the plan.

''(c) RESPONSE TO EMERGENCY CONDITIONS.—If vegetation on Federal lands within, or hazard trees on Federal lands adjacent to, an electric transmission or distribution right-of-way granted by the Secretary or the Secretary of Agriculture has contacted or is in imminent danger of contacting one or more electric transmission or distribution lines, the owner or operator of the electric transmission or distribution lines—

''(1) may prune or remove the vegetation to avoid the disruption of electric service and risk of fire; and

''(2) shall notify the appropriate local agent of the relevant Secretary not later than 24 hours after such removal.

''(d) COMPLIANCE WITH APPLICABLE RELIABILITY AND SAFETY STANDARDS.—If vegetation on Federal lands within or adjacent to an electric transmission or distribution right-of-way under the jurisdiction of each Secretary does not meet clearance requirements under standards established by the North American Electric Reliability Corporation, or by State and local authorities, and the Secretary having jurisdiction over the lands has failed to act to allow an electric transmission or distribution facility owner or operator to conduct vegetation management activities within 3 business days after receiving a request to allow such activities, the owner or operator may, after notifying the Secretary, conduct such vegetation management activities to meet those clearance requirements.

''(e) REPORTING REQUIREMENT.—The Secretary or Secretary of Agriculture shall report requests and actions made under subsections (c) and (d) annually on each Secretary's website.

''(f) LIABILITY.—An owner or operator of an electric transmission or distribution facility shall not be held liable for wildfire damage, loss, or injury, including the cost of fire suppression, if—

''(1) the Secretary or the Secretary of Agriculture fails to allow the owner or operator to operate consistently with an approved vegetation management, facility inspection, and operation and maintenance plan on Federal lands under the relevant Secretary's jurisdiction within or adjacent to a right-of-way to comply with Federal, State, or local electric system reliability and fire safety standards, including standards established by the North American Electric Reliability Corporation; or

''(2) the Secretary or the Secretary of Agriculture fails to allow the owner or operator of the electric transmission or distribution facility to perform appropriate vegetation management activities in response to an identified hazard tree, or a tree in imminent danger of contacting the owner's or operator's electric transmission or distribution facility.

''(g) TRAINING AND GUIDANCE.—In consultation with the electric utility industry, the Secretary and the Secretary of Agriculture are encouraged to develop a program to train personnel of the Department of the Interior and the Forest Service involved in vegetation management decisions relating to electric transmission and distribution facilities to ensure that such personnel—

''(1) understand electric system reliability and fire safety requirements, including reliability standards established by the North American Electric Reliability Corporation;

''(2) assist owners and operators of electric transmission and distribution facilities to comply with applicable electric reliability and fire safety requirements; and

''(3) encourage and assist willing owners and operators of electric transmission and distribution facilities to incorporate on a voluntary basis vegetation management practices to enhance habitats and forage for pollinators and for other wildlife so long as the practices are compatible with the integrated vegetation management practices necessary for reliability and safety.

''(h) IMPLEMENTATION.—The Secretary and the Secretary of Agriculture shall—

''(1) not later than one year after the date of the enactment of this section, propose regulations, or amended existing regulations, to implement this section; and

''(2) not later than two years after the date of the enactment of this section, finalize regulations, or amended existing regulations, to implement this section.

''(i) EXISTING VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE PLANS.—Nothing in this section requires an owner or operator to develop and submit a vegetation management, facility inspection, and operation and maintenance plan if one has already been approved by the Secretary or Secretary of Agriculture before the date of the enactment of this section.

''(j) DEFINITIONS.—In this section:

''(1) HAZARD TREE.—The term 'hazard tree' means any tree inside the right-of-way or located outside the right-of-way that has been found by the either the owner or operator of an electric transmission or distribution facility, or the Secretary or the Secretary of Agriculture, to be likely to fail and cause a high risk of injury, damage, or disruption within 10 feet of an electric power line or related structure if it fell.

''(2) OWNER OR OPERATOR.—The terms 'owner' and 'operator' include contractors or other agents engaged by the owner or operator of an electric transmission and distribution facility.

''(3) VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE PLAN.—The term 'vegetation management, facility inspection, and operation and maintenance plan' means a plan that—

''(A) is prepared by the owner or operator of one or more electric transmission or distribution facilities to cover one or more electric transmission and distribution rights-of-way; and

''(B) provides for the long-term, cost-effective, efficient, and timely management of facilities and vegetation within the width of the right-of-way and adjacent Federal lands to enhance electric reliability, promote public safety, and avoid fire hazards.''.

(b) CLERICAL AMENDMENT.—The table of sections for the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761 et seq.), is amended by inserting after the item relating to section 511 the following new item:

''Sec. 512. Vegetation management, facility inspection, and operation and maintenance relating to electric transmission and distribution facility rights-of-way.''.

Subtitle B—Hydropower Regulatory Modernization

SEC. 1201. PROTECTION OF PRIVATE PROPERTY RIGHTS IN HYDROPOWER LICENSING.

(a) LICENCES.—Section 4(e) of the Federal Power Act (16 U.S.C. 797(e)) is amended—

(1) by striking ''and'' after ''recreational opportunities,''; and

(2) by inserting '', and minimizing infringement on the useful exercise and enjoyment of property rights held by nonlicensees'' after ''aspects of environmental quality''.

(b) PRIVATE LANDOWNERSHIP.—Section 10 of the Federal Power Act (16 U.S.C. 803) is amended—

(1) in subsection (a)(1), by inserting '', including minimizing infringement on the useful exercise and enjoyment of property rights held by nonlicensees'' after ''section 4(e)''; and

(2) by adding at the end the following:

''(k) PRIVATE LANDOWNERSHIP.—In developing any recreational resource within the project boundary, the licensee shall consider private landownership as a means to encourage and facilitate—

''(1) private investment; and

''(2) increased tourism and recreational use.''.

SEC. 1202. EXTENSION OF TIME FOR FERC PROJECT INVOLVING W. KERR SCOTT DAM.

(a) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12642, the Commission may, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the Commission's procedures under that section, extend the time period during which the licensee is required to commence the construction of the project for up to 3 consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission.

(b) REINSTATEMENT OF EXPIRED LICENSE.—If the period required for commencement of construction of the project described in subsection (a) has expired prior to the date of the enactment of this Act, the Commission may reinstate the license effective as of the date of its expiration and the first extension authorized under subsection (a) shall take effect on the date of such expiration.

SEC. 1203. HYDROPOWER LICENSING AND PROCESS IMPROVEMENTS.

Part I of the Federal Power Act (16 U.S.C. 792 et seq.) is amended by adding at the end the following:

''SEC. 34. HYDROPOWER LICENSING AND PROCESS IMPROVEMENTS.

''(a) DEFINITION.—In this section, the term 'Federal authorization'—

''(1) means any authorization required under Federal law with respect to an application for a

license, license amendment, or exemption under this part; and

''(2) includes any permits, special use authorizations, certifications, opinions, or other approvals as may be required under Federal law to approve or implement the license, license amendment, or exemption under this part.

''(b) DESIGNATION AS LEAD AGENCY.—

''(1) IN GENERAL.—The Commission shall act as the lead agency for the purposes of coordinating all applicable Federal authorizations and for the purposes of complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(2) OTHER AGENCIES AND INDIAN TRIBES.—

''(A) IN GENERAL.—Each Federal, State, and local government agency and Indian tribe considering an aspect of an application for Federal authorization shall coordinate with the Commission and comply with the deadline established in the schedule developed for the project in accordance with the rule issued by the Commission under subsection (c).

''(B) IDENTIFICATION.—The Commission shall identify, as early as practicable after it is notified by the applicant of a project or facility requiring Commission action under this part, any Federal or State agency, local government, or Indian tribe that may consider an aspect of an application for a Federal authorization.

''(C) NOTIFICATION.—

''(i) IN GENERAL.—The Commission shall notify any agency and Indian tribe identified under subparagraph (B) of the opportunity to participate in the process of reviewing an aspect of an application for a Federal authorization.

''(ii) DEADLINE.—Each agency and Indian tribe receiving a notice under clause (i) shall submit a response acknowledging receipt of the notice to the Commission within 30 days of receipt of such notice and request.

''(D) ISSUE IDENTIFICATION AND RESOLUTION.—

''(i) IDENTIFICATION OF ISSUES.—Federal, State, and local government agencies and Indian tribes that may consider an aspect of an application for Federal authorization shall identify, as early as possible, and share with the Commission and the applicant, any issues of concern identified during the pendency of the Commission's action under this part relating to any Federal authorization that may delay or prevent the granting of such authorization, including any issues that may prevent the agency or Indian tribe from meeting the schedule established for the project in accordance with the rule issued by the Commission under subsection (c).

''(ii) ISSUE RESOLUTION.—The Commission may forward any issue of concern identified under clause (i) to the heads of the relevant State and Federal agencies (including, in the case of scheduling concerns identified by a State or local government agency or Indian tribe, the Federal agency overseeing the delegated authority, or the Secretary of the Interior with regard to scheduling concerns identified by an Indian tribe) for resolution. The Commission and any relevant agency shall enter into a memorandum of understanding to facilitate interagency coordination and resolution of such issues of concern, as appropriate.

''(c) SCHEDULE.—

''(1) COMMISSION RULEMAKING TO ESTABLISH PROCESS TO SET SCHEDULE.—Within 180 days of the date of enactment of this section the Commission shall, in consultation with the appropriate Federal agencies, issue a rule, after providing for notice and public comment, establishing a process for setting a schedule following the filing of an application under this part for the review and disposition of each Federal authorization.

''(2) ELEMENTS OF SCHEDULING RULE.—In issuing a rule under this subsection, the Commission shall ensure that the schedule for each Federal authorization—

''(A) includes deadlines for actions by—

''(i) any Federal or State agency, local government, or Indian tribe that may consider an aspect of an application for the Federal authorization;

''(ii) the applicant;

''(iii) the Commission; and

''(iv) other participants in a proceeding;

''(B) is developed in consultation with the applicant and any agency and Indian tribe that submits a response under subsection (b)(2)(C)(ii);

''(C) provides an opportunity for any Federal or State agency, local government, or Indian tribe that may consider an aspect of an application for the applicable Federal authorization to identify and resolve issues of concern, as provided in subsection (b)(2)(D);

''(D) complies with applicable schedules established under Federal and State law;

''(E) ensures expeditious completion of all proceedings required under Federal and State law, to the extent practicable; and

''(F) facilitates completion of Federal and State agency studies, reviews, and any other procedures required prior to, or concurrent with, the preparation of the Commission's environmental document required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(d) TRANSMISSION OF FINAL SCHEDULE.—

''(1) IN GENERAL.—For each application for a license, license amendment, or exemption under this part, the Commission shall establish a schedule in accordance with the rule issued by the Commission under subsection (c). The Commission shall publicly notice and transmit the final schedule to the applicant and each agency and Indian tribe identified under subsection (b)(2)(B).

''(2) RESPONSE.—Each agency and Indian tribe receiving a schedule under this subsection shall acknowledge receipt of such schedule in writing to the Commission within 30 days.

''(e) ADHERENCE TO SCHEDULE.—All applicants, other licensing participants, and agencies and tribes considering an aspect of an application for a Federal authorization shall meet the deadlines set forth in the schedule established pursuant to subsection (d)(1).

''(f) APPLICATION PROCESSING.—The Commission, Federal, State, and local government agencies, and Indian tribes may allow an applicant seeking a Federal authorization to fund a third-party contractor selected by such agency or tribe to assist in reviewing the application. All costs of an agency or tribe incurred pursuant to direct funding by the applicant, including all costs associated with the third party contractor, shall not be considered costs of the United States for the administration of this part under section 10(e).

''(g) COMMISSION RECOMMENDATION ON SCOPE OF ENVIRONMENTAL REVIEW.—For the purposes of coordinating Federal authorizations for each project, the Commission shall consult with and make a recommendation to agencies and Indian tribes receiving a schedule under subsection (d) on the scope of the environmental review for all Federal authorizations for such project. Each Federal and State agency and Indian tribe shall give due consideration and may give deference to the Commission's recommendations, to the extent appropriate under Federal law.

''(h) FAILURE TO MEET SCHEDULE.—A Federal, State, or local government agency or Indian tribe that anticipates that it will be unable to complete its disposition of a Federal authorization by the deadline set forth in the schedule established under subsection (d)(1) may file for an extension as provided under section 313(b)(2).

''(i) CONSOLIDATED RECORD.—The Commission shall, with the cooperation of Federal, State, and local government agencies and Indian tribes, maintain a complete consolidated record of all decisions made or actions taken by the Commission or by a Federal administrative agency or officer (or State or local government agency or officer or Indian tribe acting under delegated Federal authority) with respect to any Federal authorization. Such record shall constitute the record for judicial review under section 313(b).''.

SEC. 1204. JUDICIAL REVIEW OF DELAYED FEDERAL AUTHORIZATIONS.

Section 313(b) of the Federal Power Act (16 U.S.C. 825l(b)) is amended—

(1) by striking ''(b) Any party'' and inserting the following:

''(b) JUDICIAL REVIEW.—

''(1) IN GENERAL.—Any party''; and

(2) by adding at the end the following:

''(2) DELAY OF A FEDERAL AUTHORIZATION.—Any Federal, State, or local government agency or Indian tribe that will not complete its disposition of a Federal authorization by the deadline set forth in the schedule by the Commission under section 34 may file for an extension in the United States court of appeals for any circuit wherein the project or proposed project is located, or in the United States Court of Appeals for the District of Columbia. Such petition shall be filed not later than 30 days prior to such deadline. The court shall only grant an extension if the agency or tribe demonstrates, based on the record maintained under section 34, that it otherwise complied with the requirements of section 34 and that complying with the schedule set by the Commission would have prevented the agency or tribe from complying with applicable Federal or State law. If the court grants the extension, the court shall set a reasonable schedule and deadline, not to exceed 90 days, for the agency to act on remand. If the court denies the extension, or if an agency or tribe does not file for an extension as provided in this subsection and does not complete its disposition of a Federal authorization by the applicable deadline, the Commission and applicant may move forward with the proposed action.''.

SEC. 1205. LICENSING STUDY IMPROVEMENTS.

Part I of the Federal Power Act (16 U.S.C. 792 et seq.), as amended by section 1203, is further amended by adding at the end the following:

''SEC. 35. LICENSING STUDY IMPROVEMENTS.

''(a) IN GENERAL.—To facilitate the timely and efficient completion of the license proceedings under this part, the Commission shall, in consultation with applicable Federal and State agencies and interested members of the public—

''(1) compile current and accepted best practices in performing studies required in such license proceedings, including methodologies and the design of studies to assess the full range of environmental impacts of a project that reflect the most recent peer-reviewed science;

''(2) compile a comprehensive collection of studies and data accessible to the public that could be used to inform license proceedings under this part; and

''(3) encourage license applicants, agencies, and Indian tribes to develop and use, for the purpose of fostering timely and efficient consideration of license applications, a limited number of open-source methodologies and tools applicable across a wide array of projects, including water balance models and streamflow analyses.

''(b) USE OF STUDIES.—To the extent practicable, the Commission and other Federal, State, and local government agencies and Indian tribes considering an aspect of an application for Federal authorization shall use current, accepted science toward studies and data in support of their actions. Any participant in a proceeding with respect to a Federal authorization shall demonstrate a study requested by the

party is not duplicative of current, existing studies that are applicable to the project.

''(c) BASIN-WIDE OR REGIONAL REVIEW.—The Commission shall establish a program to develop comprehensive plans, at the request of project applicants, on a regional or basin-wide scale, in consultation with the applicants, appropriate Federal agencies, and affected States, local governments, and Indian tribes, in basins or regions with respect to which there are more than one project or application for a project. Upon such a request, the Commission, in consultation with the applicants, such Federal agencies, and affected States, local governments, and Indian tribes, may conduct or commission regional or basin-wide environmental studies, with the participation of at least 2 applicants. Any study conducted under this subsection shall apply only to a project with respect to which the applicant participates.''.

SEC. 1206. CLOSED-LOOP PUMPED STORAGE PROJECTS.

Part I of the Federal Power Act (16 U.S.C. 792 et seq.), as amended by section 1205, is further amended by adding at the end the following:

''SEC. 36. CLOSED-LOOP PUMPED STORAGE PROJECTS.

''(a) DEFINITION.—For purposes of this section, a closed-loop pumped storage project is a project—

''(1) in which the upper and lower reservoirs do not impound or directly withdraw water from navigable waters; or

''(2) that is not continuously connected to a naturally flowing water feature.

''(b) IN GENERAL.—As provided in this section, the Commission may issue and amend licenses and preliminary permits, as appropriate, for closed-loop pumped storage projects.

''(c) DAM SAFETY.—Before issuing any license for a closed-loop pumped storage project, the Commission shall assess the safety of existing dams and other structures related to the project (including possible consequences associated with failure of such structures).

''(d) LICENSE CONDITIONS.—With respect to a closed-loop pumped storage project, the authority of the Commission to impose conditions on a license under sections 4(e), 10(a), 10(g), and 10(j) shall not apply, and any condition included in or applicable to a closed-loop pumped storage project licensed under this section, including any condition or other requirement of a Federal authorization, shall be limited to those that are—

''(1) necessary to protect public safety; or

''(2) reasonable, economically feasible, and essential to prevent loss of or damage to, or to mitigate adverse effects on, fish and wildlife resources directly caused by the construction and operation of the project, as compared to the environmental baseline existing at the time the Commission completes its environmental review.

''(e) TRANSFERS.—Notwithstanding section 5, and regardless of whether the holder of a preliminary permit for a closed-loop pumped storage project claimed municipal preference under section 7(a) when obtaining the permit, the Commission may, to facilitate development of a closed-loop pumped storage project—

''(1) add entities as joint permittees following issuance of a preliminary permit; and

''(2) transfer a license in part to one or more nonmunicipal entities as co-licensees with a municipality.''.

SEC. 1207. LICENSE AMENDMENT IMPROVEMENTS.

Part I of the Federal Power Act (16 U.S.C. 792 et seq.), as amended by section 1206, is further amended by adding at the end the following:

''SEC. 37. LICENSE AMENDMENT IMPROVEMENTS.

''(a) QUALIFYING PROJECT UPGRADES.—

''(1) IN GENERAL.—As provided in this section, the Commission may approve an application for an amendment to a license issued under this part for a qualifying project upgrade.

''(2) APPLICATION.—A licensee filing an application for an amendment to a project license under this section shall include in such application information sufficient to demonstrate that the proposed change to the project described in the application is a qualifying project upgrade.

''(3) INITIAL DETERMINATION.—Not later than 15 days after receipt of an application under paragraph (2), the Commission shall make an initial determination as to whether the proposed change to the project described in the application for a license amendment is a qualifying project upgrade. The Commission shall publish its initial determination and issue notice of the application filed under paragraph (2). Such notice shall solicit public comment on the initial determination within 45 days.

''(4) PUBLIC COMMENT ON QUALIFYING CRITERIA.—The Commission shall accept public comment regarding whether a proposed license amendment is for a qualifying project upgrade for a period of 45 days beginning on the date of publication of a public notice described in paragraph (3), and shall—

''(A) if no entity contests whether the proposed license amendment is for a qualifying project upgrade during such comment period, immediately publish a notice stating that the initial determination has not been contested; or

''(B) if an entity contests whether the proposed license amendment is for a qualifying project upgrade during the comment period, issue a written determination in accordance with paragraph (5).

''(5) WRITTEN DETERMINATION.—If an entity contests whether the proposed license amendment is for a qualifying project upgrade during the comment period under paragraph (4), the Commission shall, not later than 30 days after the date of publication of the public notice of the initial determination under paragraph (3), issue a written determination as to whether the proposed license amendment is for a qualifying project upgrade.

''(6) PUBLIC COMMENT ON AMENDMENT APPLICATION.—If no entity contests whether the proposed license amendment is for a qualifying project upgrade during the comment period under paragraph (4) or the Commission issues a written determination under paragraph (5) that a proposed license amendment is a qualifying project upgrade, the Commission shall—

''(A) during the 60-day period beginning on the date of publication of a notice under paragraph (4)(A) or the date on which the Commission issues the written determination under paragraph (5), as applicable, solicit comments from each Federal, State, and local government agency and Indian tribe considering an aspect of an application for Federal authorization (as defined in section 34) with respect to the proposed license amendment, as well as other interested agencies, Indian tribes, and members of the public; and

''(B) during the 90-day period beginning on the date of publication of a notice under paragraph (4)(A) or the date on which the Commission issues the written determination under paragraph (5), as applicable, consult with—

''(i) appropriate Federal agencies and the State agency exercising administrative control over the fish and wildlife resources, and water quality and supply, of the State in which the qualifying project upgrade is located;

''(ii) any Federal department supervising any public lands or reservations occupied by the qualifying project upgrade; and

''(iii) any Indian tribe affected by the qualifying project upgrade.

''(7) FEDERAL AUTHORIZATIONS.—The schedule established by the Commission under section 34 for any project upgrade under this subsection shall require final disposition on all necessary Federal authorizations (as defined in section 34), other than final action by the Commission, by not later than 120 days after the date on which the Commission issues a notice under paragraph (4)(A) or a written determination under paragraph (5), as applicable.

''(8) COMMISSION ACTION.—Not later than 150 days after the date on which the Commission issues a notice under paragraph (4)(A) or a written determination under paragraph (5), as applicable, the Commission shall take final action on the license amendment application.

''(9) LICENSE AMENDMENT CONDITIONS.—Any condition included in or applicable to a license amendment approved under this subsection, including any condition or other requirement of a Federal authorization, shall be limited to those that are—

''(A) necessary to protect public safety; or

''(B) reasonable, economically feasible, and essential to prevent loss of or damage to, or to mitigate adverse effects on, fish and wildlife resources, water supply, and water quality that are directly caused by the construction and operation of the qualifying project upgrade, as compared to the environmental baseline existing at the time the Commission approves the application for the license amendment.

''(10) PROPOSED LICENSE AMENDMENTS THAT ARE NOT QUALIFYING PROJECT UPGRADES.—If the Commission determines under paragraph (3) or (5) that a proposed license amendment is not for a qualifying project upgrade, the procedures under paragraphs (6) through (9) shall not apply to the application.

''(11) RULEMAKING.—Not later than 180 days after the date of enactment of this section, the Commission shall, after notice and opportunity for public comment, issue a rule to implement this subsection.

''(12) DEFINITIONS.—For purposes of this subsection:

''(A) QUALIFYING PROJECT UPGRADE.—The term 'qualifying project upgrade' means a change to a project licensed under this part that meets the qualifying criteria, as determined by the Commission.

''(B) QUALIFYING CRITERIA.—The term 'qualifying criteria' means, with respect to a project license under this part, a change to the project that—

''(i) if carried out, would be unlikely to adversely affect any species listed as threatened or endangered under the Endangered Species Act of 1973 or result in the destruction or adverse modification of critical habitat, as determined in consultation with the Secretary of the Interior or Secretary of Commerce, as appropriate, in accordance with section 7 of the Endangered Species Act of 1973;

''(ii) is consistent with any applicable comprehensive plan under section 10(a)(2);

''(iii) includes only changes to project lands, waters, or operations that, in the judgment of the Commission, would result in only insignificant or minimal cumulative adverse environmental effects;

''(iv) would be unlikely to adversely affect water quality and water supply; and

''(v) proposes to implement—

''(I) capacity increases, efficiency improvements, or other enhancements to hydropower generation at the licensed project;

''(II) environmental protection, mitigation, or enhancement measures to benefit fish and wildlife resources or other natural and cultural resources; or

''(III) improvements to public recreation at the licensed project.

''(b) AMENDMENT APPROVAL PROCESSES.—

''(1) RULE.—Not later than 1 year after the date of enactment of this section, the Commission shall, after notice and opportunity for public comment, issue a rule establishing new

standards and procedures for license amendment applications under this part. In issuing such rule, the Commission shall seek to develop the most efficient and expedient process, consultation, and review requirements, commensurate with the scope of different categories of proposed license amendments. Such rule shall account for differences in environmental effects across a wide range of categories of license amendment applications.

''(2) CAPACITY.—In issuing a rule under this subsection, the Commission shall take into consideration that a change in generating or hydraulic capacity may indicate the potential environmental effects of a proposed amendment but is not determinative of such effects.

''(3) PROCESS OPTIONS.—In issuing a rule under this subsection, the Commission shall take into consideration the range of process options available under the Commission's regulations for new and original license applications and adapt such options to amendment applications, where appropriate.''.

SEC. 1208. PROMOTING HYDROPOWER DEVELOPMENT AT EXISTING NONPOWERED DAMS.

Part I of the Federal Power Act (16 U.S.C. 792 et seq.), as amended by section 1207, is further amended by adding at the end the following:

''SEC. 38. PROMOTING HYDROPOWER DEVELOPMENT AT EXISTING NONPOWERED DAMS.

''(a) EXEMPTIONS FOR QUALIFYING FACILITIES.—

''(1) EXEMPTION QUALIFICATIONS.—Subject to the requirements of this subsection, the Commission may grant an exemption in whole or in part from the requirements of this part, including any license requirements contained in this part, to any facility the Commission determines is a qualifying facility.

''(2) CONSULTATION WITH FEDERAL AND STATE AGENCIES.—In granting any exemption under this subsection, the Commission shall consult with—

''(A) the United States Fish and Wildlife Service, the National Marine Fisheries Service, and the State agency exercising administrative control over the fish and wildlife resources of the State in which the facility will be located, in the manner provided by the Fish and Wildlife Coordination Act;

''(B) any Federal department supervising any public lands or reservations occupied by the project; and

''(C) any Indian tribe affected by the project.

''(3) EXEMPTION CONDITIONS.—

''(A) IN GENERAL.—The Commission shall include in any exemption granted under this subsection only such terms and conditions that the Commission determines are—

''(i) necessary to protect public safety; or

''(ii) reasonable, economically feasible, and essential to prevent loss of or damage to, or to mitigate adverse effects on, fish and wildlife resources directly caused by the construction and operation of the qualifying facility, as compared to the environmental baseline existing at the time the Commission grants the exemption.

''(B) NO CHANGES TO RELEASE REGIME.—No Federal authorization required with respect to a qualifying facility described in paragraph (1), including an exemption granted by the Commission under this subsection, may include any condition or other requirement that results in any material change to the storage, control, withdrawal, diversion, release, or flow operations of the associated qualifying nonpowered dam.

''(4) ENVIRONMENTAL REVIEW.—The Commission's environmental review under the National Environmental Policy Act of 1969 of a proposed exemption under this subsection shall consist only of an environmental assessment, unless the Commission determines, by rule or order, that the Commission's obligations under such Act for granting exemptions under this subsection can be met through a categorical exclusion.

''(5) VIOLATION OF TERMS OF EXEMPTION.—Any violation of a term or condition of any exemption granted under this subsection shall be treated as a violation of a rule or order of the Commission under this Act.

''(6) ANNUAL CHARGES FOR ENHANCEMENT ACTIVITIES.—Exemptees under this subsection for any facility located at a non-Federal dam shall pay to the United States reasonable annual charges in an amount to be fixed by the Commission for the purpose of funding environmental enhancement projects in watersheds in which facilities exempted under this subsection are located. Such annual charges shall be equivalent to the annual charges for use of a Government dam under section 10(e), unless the Commission determines, by rule, that a lower charge is appropriate to protect exemptees' investment in the project or avoid increasing the price to consumers of power due to such charges. The proceeds of charges made by the Commission under this paragraph shall be paid into the Treasury of the United States and credited to miscellaneous receipts. Subject to annual appropriation Acts, such proceeds shall be available to Federal and State fish and wildlife agencies for purposes of carrying out specific environmental enhancement projects in watersheds in which one or more facilities exempted under this subsection are located. Not later than 180 days after the date of enactment of this section, the Commission shall establish rules, after notice and opportunity for public comment, for the collection and administration of annual charges under this paragraph.

''(7) EFFECT OF JURISDICTION.—The jurisdiction of the Commission over any qualifying facility exempted under this subsection shall extend only to the qualifying facility exempted and any associated primary transmission line, and shall not extend to any conduit, dam, impoundment, shoreline or other land, or any other project work associated with the qualifying facility exempted under this subsection.

''(b) DEFINITIONS.—For purposes of this section—

''(1) FEDERAL AUTHORIZATION.—The term 'Federal authorization' has the same meaning as provided in section 34.

''(2) QUALIFYING CRITERIA.—The term 'qualifying criteria' means, with respect to a facility—

''(A) as of the date of enactment of this section, the facility is not licensed under, or exempted from the license requirements contained in, this part;

''(B) the facility will be associated with a qualifying nonpowered dam;

''(C) the facility will be constructed, operated, and maintained for the generation of electric power;

''(D) the facility will use for such generation any withdrawals, diversions, releases, or flows from the associated qualifying nonpowered dam, including its associated impoundment or other infrastructure; and

''(E) the operation of the facility will not result in any material change to the storage, control, withdrawal, diversion, release, or flow operations of the associated qualifying nonpowered dam.

''(3) QUALIFYING FACILITY.—The term 'qualifying facility' means a facility that is determined under this section to meet the qualifying criteria.

''(4) QUALIFYING NONPOWERED DAM.—The term 'qualifying nonpowered dam' means any dam, dike, embankment, or other barrier—

''(A) the construction of which was completed on or before the date of enactment of this section;

''(B) that is operated for the control, release, or distribution of water for agricultural, municipal, navigational, industrial, commercial, environmental, recreational, aesthetic, or flood control purposes;

''(C) that, as of the date of enactment of this section, is not equipped with hydropower generating works that are licensed under, or exempted from the license requirements contained in, this part; and

''(D) that, in the case of a non-Federal dam, has been certified by an independent consultant approved by the Commission as complying with the Commission's dam safety requirements.''.

TITLE II—ENERGY SECURITY AND DIPLOMACY

SEC. 2001. SENSE OF CONGRESS.

Congress finds the following:

(1) North America's energy revolution has significantly enhanced energy security in the United States, and fundamentally changed the Nation's energy future from that of scarcity to abundance.

(2) North America's energy abundance has increased global energy supplies and reduced the price of energy for consumers in the United States and abroad.

(3) Allies and trading partners of the United States, including in Europe and Asia, are seeking stable and affordable energy supplies from North America to enhance their energy security.

(4) The United States has an opportunity to improve its energy security and promote greater stability and affordability of energy supplies for its allies and trading partners through a more integrated, secure, and competitive North American energy system.

(5) The United States also has an opportunity to promote such objectives by supporting the free flow of energy commodities and more open, transparent, and competitive global energy markets, and through greater Federal agency coordination relating to regulations or agency actions that significantly affect the supply, distribution, or use of energy.

SEC. 2002. ENERGY SECURITY VALUATION.

(a) ESTABLISHMENT OF ENERGY SECURITY VALUATION METHODS.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy, in collaboration with the Secretary of State, shall develop and transmit, after public notice and comment, to the Committee on Energy and Commerce, the Committee on Science, Space, and Technology, and the Committee on Foreign Affairs of the House of Representatives and the Committee on Energy and Natural Resources, the Committee on Commerce, Science, and Transportation, and the Committee on Foreign Relations of the Senate a report that develops recommended United States energy security valuation methods. In developing the report, the Secretaries may consider the recommendations of the Administration's Quadrennial Energy Review released on April 21, 2015. The report shall—

(1) evaluate and define United States energy security to reflect modern domestic and global energy markets and the collective needs of the United States and its allies and partners;

(2) identify transparent and uniform or coordinated procedures and criteria to ensure that energy-related actions that significantly affect the supply, distribution, transportation, or use of energy are evaluated with respect to their potential impact on energy security, including their impact on—

(A) consumers and the economy;

(B) energy supply diversity and resiliency;

(C) well-functioning and competitive energy markets;

(D) United States trade balance; and

(E) national security objectives; and

(3) include a recommended implementation strategy that identifies and aims to ensure that

the procedures and criteria referred to in paragraph (2) are—

(A) evaluated consistently across the Federal Government; and

(B) weighed appropriately and balanced with environmental considerations required by Federal law.

(b) PARTICIPATION.—In developing the report referred to in subsection (a), the Secretaries may consult with relevant Federal, State, private sector, and international participants, as appropriate and consistent with applicable law.

SEC. 2003. NORTH AMERICAN ENERGY SECURITY PLAN.

(a) REQUIREMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy, in collaboration with the Secretary of State, shall develop and transmit to the Committee on Energy and Commerce and the Committee on Foreign Affairs of the House of Representatives and the Committee on Energy and Natural Resources and the Committee on Foreign Relations of the Senate the plan described in subsection (b).

(b) PURPOSE.—The plan referred to in subsection (a) shall include—

(1) a recommended framework and implementation strategy to—

(A) improve planning and coordination with Canada and Mexico to enhance energy integration, strengthen North American energy security, and promote efficiencies in the exploration, production, storage, supply, distribution, marketing, pricing, and regulation of North American energy resources; and

(B) address—

(i) North American energy public data, statistics, and mapping collaboration;

(ii) responsible and sustainable best practices for the development of unconventional oil and natural gas; and

(iii) modern, resilient energy infrastructure for North America, including physical infrastructure as well as institutional infrastructure such as policies, regulations, and practices relating to energy development; and

(2) a recommended framework and implementation strategy to improve collaboration with Caribbean and Central American partners on energy security, including actions to support—

(A) more open, transparent, and competitive energy markets;

(B) regulatory capacity building;

(C) improvements to energy transmission and storage; and

(D) improvements to the performance of energy infrastructure and efficiency.

(c) PARTICIPATION.—In developing the plan referred to in subsection (a), the Secretaries may consult with other Federal, State, private sector, and international participants, as appropriate and consistent with applicable law.

SEC. 2004. COLLECTIVE ENERGY SECURITY.

(a) IN GENERAL.—The Secretary of Energy and the Secretary of State shall collaborate to strengthen domestic energy security and the energy security of the allies and trading partners of the United States, including through actions that support or facilitate—

(1) energy diplomacy;

(2) the delivery of United States assistance, including energy resources and technologies, to prevent or mitigate an energy security crisis;

(3) the development of environmentally and commercially sustainable energy resources;

(4) open, transparent, and competitive energy markets; and

(5) regulatory capacity building.

(b) ENERGY SECURITY FORUMS.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy, in collaboration with the Secretary of State, shall convene not less than 2 forums to promote the collective energy security of the United States and its allies and trading partners. The forums shall include participation by the Secretary of Energy and the Secretary of State. In addition, an invitation shall be extended to—

(1) appropriate representatives of foreign governments that are allies or trading partners of the United States; and

(2) independent experts and industry representatives.

(c) REQUIREMENTS.—The forums shall—

(1) consist of at least 1 Trans-Atlantic and 1 Trans-Pacific energy security forum;

(2) be designed to foster dialogue among government officials, independent experts, and industry representatives regarding—

(A) the current state of global energy markets;

(B) trade and investment issues relevant to energy; and

(C) barriers to more open, competitive, and transparent energy markets; and

(3) be recorded and made publicly available on the Department of Energy's website, including, not later than 30 days after each forum, publication on the website any significant outcomes.

(d) NOTIFICATION.—At least 30 days before each of the forums referred to in subsection (b), the Secretary of Energy shall send a notification regarding the forum to—

(1) the chair and the ranking minority member of the Committee on Energy and Commerce and the Committee on Foreign Affairs of the House of Representatives; and

(2) the chair and ranking minority member of the Committee on Energy and Natural Resources and the Committee on Foreign Relations of the Senate.

SEC. 2005. AUTHORIZATION TO EXPORT NATURAL GAS.

(a) DECISION DEADLINE.—For proposals that must also obtain authorization from the Federal Energy Regulatory Commission or the United States Maritime Administration to site, construct, expand, or operate LNG export facilities, the Department of Energy shall issue a final decision on any application for the authorization to export natural gas under section 3 of the Natural Gas Act (15 U.S.C. 717b) not later than 30 days after the later of—

(1) the conclusion of the review to site, construct, expand, or operate the LNG facilities required by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(2) the date of enactment of this Act.

(b) CONCLUSION OF REVIEW.—For purposes of subsection (a), review required by the National Environmental Policy Act of 1969 shall be considered concluded—

(1) for a project requiring an Environmental Impact Statement, 30 days after publication of a Final Environmental Impact Statement;

(2) for a project for which an Environmental Assessment has been prepared, 30 days after publication by the Department of Energy of a Finding of No Significant Impact; and

(3) upon a determination by the lead agency that an application is eligible for a categorical exclusion pursuant to National Environmental Policy Act of 1969 implementing regulations.

(c) PUBLIC DISCLOSURE OF EXPORT DESTINATIONS.—Section 3 of the Natural Gas Act (15 U.S.C. 717b) is amended by adding at the end the following:

''(g) PUBLIC DISCLOSURE OF LNG EXPORT DESTINATIONS.—As a condition for approval of any authorization to export LNG, the Secretary of Energy shall require the applicant to publicly disclose the specific destination or destinations of any such authorized LNG exports.''.

SEC. 2006. ENVIRONMENTAL REVIEW FOR ENERGY EXPORT FACILITIES.

Notwithstanding any other provision of law, including any other provision of this Act and any amendment made by this Act, to the extent that the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) applies to the issuance of a permit for the construction, operation, or maintenance of a facility for the export of bulk commodities, no such permit may be denied until each applicable Federal agency has completed all reviews required for the facility under such Act.

SEC. 2007. AUTHORIZATION OF CROSS-BORDER INFRASTRUCTURE PROJECTS.

(a) FINDING.—Congress finds that the United States should establish a more uniform, transparent, and modern process for the construction, connection, operation, and maintenance of pipelines and electric transmission facilities for the import and export of liquid products, including water and petroleum, and natural gas and the transmission of electricity to and from Canada and Mexico.

(b) AUTHORIZATION OF CERTAIN INFRASTRUCTURE PROJECTS AT THE NATIONAL BOUNDARY OF THE UNITED STATES.—

(1) REQUIREMENT.—No person may construct, connect, operate, or maintain a cross-border segment of a pipeline or electric transmission facility for the import or export of liquid products or natural gas, or the transmission of electricity, to or from Canada or Mexico without obtaining a certificate of crossing for such construction, connection, operation, or maintenance under this subsection.

(2) CERTIFICATE OF CROSSING.—

(A) ISSUANCE.—

(i) IN GENERAL.—Not later than 120 days after final action is taken under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to a cross-border segment described in paragraph (1), the relevant official identified under subparagraph (B), in consultation with appropriate Federal agencies, shall issue a certificate of crossing for the cross-border segment unless the relevant official finds that the construction, connection, operation, or maintenance of the cross-border segment is not in the public interest of the United States.

(ii) NATURAL GAS.—For the purposes of natural gas pipelines, a finding with respect to the public interest under section 3(a) of the Natural Gas Act (15 U.S.C. 717b(a)) shall serve as a finding under clause (i) of this subparagraph.

(B) RELEVANT OFFICIAL.—The relevant official referred to in subparagraph (A) is—

(i) the Secretary of State with respect to liquid pipelines;

(ii) the Federal Energy Regulatory Commission with respect to natural gas pipelines; and

(iii) the Secretary of Energy with respect to electric transmission facilities.

(C) ADDITIONAL REQUIREMENT FOR ELECTRIC TRANSMISSION FACILITIES.—The Secretary of Energy shall require, as a condition of issuing a certificate of crossing for an electric transmission facility, that the cross-border segment be constructed, connected, operated, or maintained consistent with all applicable policies and standards of—

(i) the Electric Reliability Organization and the applicable regional entity; and

(ii) any Regional Transmission Organization or Independent System Operator with operational or functional control over the cross-border segment of the electric transmission facility.

(3) MODIFICATIONS TO EXISTING PROJECTS.—No certificate of crossing shall be required under this subsection for a change in ownership, volume expansion, downstream or upstream interconnection, or adjustment to maintain flow (such as a reduction or increase in the number of pump or compressor stations) with respect to a liquid or natural gas pipeline or electric transmission facility unless such modification would result in a significant impact at the national boundary.

(4) EFFECT OF OTHER LAWS.—Nothing in this subsection shall affect the application of any

other Federal statute (including the Natural Gas Act and the Energy Policy and Conservation Act) to a project for which a certificate of crossing is sought under this subsection.

(c) IMPORTATION OR EXPORTATION OF NATURAL GAS TO CANADA AND MEXICO.—Section 3(c) of the Natural Gas Act (15 U.S.C. 717b(c)) is amended by adding at the end the following: ''In the case of an application for the importation or exportation of natural gas to or from Canada or Mexico, the Commission shall grant the application not later than 30 days after the date of receipt of the complete application.''.

(d) TRANSMISSION OF ELECTRIC ENERGY TO CANADA AND MEXICO.—

(1) REPEAL OF REQUIREMENT TO SECURE ORDER.—Section 202(e) of the Federal Power Act (16 U.S.C. 824a(e)) is repealed.

(2) CONFORMING AMENDMENTS.—

(A) STATE REGULATIONS.—Section 202(f) of the Federal Power Act (16 U.S.C. 824a(f)) is amended by striking ''insofar as such State regulation does not conflict with the exercise of the Commission's powers under or relating to subsection 202(e)''.

(B) SEASONAL DIVERSITY ELECTRICITY EXCHANGE.—Section 602(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 824a–4(b)) is amended by striking ''the Commission has conducted hearings and made the findings required under section 202(e) of the Federal Power Act'' and all that follows through the period at the end and inserting ''the Secretary has conducted hearings and finds that the proposed transmission facilities would not impair the sufficiency of electric supply within the United States or would not impede or tend to impede the coordination in the public interest of facilities subject to the jurisdiction of the Secretary''.

(e) EFFECTIVE DATE; RULEMAKING DEADLINES.—

(1) EFFECTIVE DATE.—Subsections (b) through (d), and the amendments made by such subsections, shall take effect on January 20, 2017.

(2) RULEMAKING DEADLINES.—Each relevant official described in subsection (b)(2)(B) shall—

(A) not later than 180 days after the date of enactment of this Act, publish in the Federal Register notice of a proposed rulemaking to carry out the applicable requirements of subsection (b); and

(B) not later than 1 year after the date of enactment of this Act, publish in the Federal Register a final rule to carry out the applicable requirements of subsection (b).

(f) DEFINITIONS.—In this section—

(1) the term ''cross-border segment'' means the portion of a liquid or natural gas pipeline or electric transmission facility that is located at the national boundary of the United States with either Canada or Mexico;

(2) the terms ''Electric Reliability Organization'' and ''regional entity'' have the meanings given those terms in section 215 of the Federal Power Act (16 U.S.C. 824o);

(3) the terms ''Independent System Operator'' and ''Regional Transmission Organization'' have the meanings given those terms in section 3 of the Federal Power Act (16 U.S.C. 796);

(4) the term ''liquid'' includes water, petroleum, petroleum product, and any other substance that flows through a pipeline other than natural gas; and

(5) the term ''natural gas'' has the meaning given that term in section 2 of the Natural Gas Act (15 U.S.C. 717a).

SEC. 2008. REPORT ON SMART METER SECURITY CONCERNS.

Not later than 1 year after the date of enactment of this Act, the Secretary of Energy shall transmit to Congress a report on the weaknesses in currently available smart meters' security architecture and features, including an absence of event logging, as described in the Government Accountability Office testimony entitled ''Critical Infrastructure Protection: Cybersecurity of the Nation's Electricity Grid Requires Continued Attention'' on October 21, 2015.

TITLE III—ENERGY EFFICIENCY AND ACCOUNTABILITY

Subtitle A—Energy Efficiency

CHAPTER 1—FEDERAL AGENCY ENERGY EFFICIENCY

SEC. 3111. ENERGY-EFFICIENT AND ENERGY-SAVING INFORMATION TECHNOLOGIES.

(a) AMENDMENT.—Subtitle C of title V of the Energy Independence and Security Act of 2007 (Public Law 110–140; 121 Stat. 1661) is amended by adding at the end the following:

''SEC. 530. ENERGY-EFFICIENT AND ENERGY-SAVING INFORMATION TECHNOLOGIES.

''(a) DEFINITIONS.—In this section:

''(1) DIRECTOR.—The term 'Director' means the Director of the Office of Management and Budget.

''(2) INFORMATION TECHNOLOGY.—The term 'information technology' has the meaning given that term in section 11101 of title 40, United States Code.

''(b) DEVELOPMENT OF IMPLEMENTATION STRATEGY.—Not later than 1 year after the date of enactment of this section, each Federal agency shall coordinate with the Director, the Secretary, and the Administrator of the Environmental Protection Agency to develop an implementation strategy (that includes best practices and measurement and verification techniques) for the maintenance, purchase, and use by the Federal agency of energy-efficient and energy-saving information technologies, taking into consideration the performance goals established under subsection (d).

''(c) ADMINISTRATION.—In developing an implementation strategy under subsection (b), each Federal agency shall consider—

''(1) advanced metering infrastructure;

''(2) energy-efficient data center strategies and methods of increasing asset and infrastructure utilization;

''(3) advanced power management tools;

''(4) building information modeling, including building energy management;

''(5) secure telework and travel substitution tools; and

''(6) mechanisms to ensure that the agency realizes the energy cost savings brought about through increased efficiency and utilization.

''(d) PERFORMANCE GOALS.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Director, in consultation with the Secretary, shall establish performance goals for evaluating the efforts of Federal agencies in improving the maintenance, purchase, and use of energy-efficient and energy-saving information technology.

''(2) BEST PRACTICES.—The Chief Information Officers Council established under section 3603 of title 44, United States Code, shall recommend best practices for the attainment of the performance goals, which shall include Federal agency consideration of, to the extent applicable by law, the use of—

''(A) energy savings performance contracting; and

''(B) utility energy services contracting.

''(e) REPORTS.—

''(1) AGENCY REPORTS.—Each Federal agency shall include in the report of the agency under section 527 a description of the efforts and results of the agency under this section.

''(2) OMB GOVERNMENT EFFICIENCY REPORTS AND SCORECARDS.—Effective beginning not later than October 1, 2017, the Director shall include in the annual report and scorecard of the Director required under section 528 a description of the efforts and results of Federal agencies under this section.''.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Independence and Security Act of 2007 is amended by adding after the item relating to section 529 the following:

''Sec. 530. Energy-efficient and energy-saving information technologies.''.

SEC. 3112. ENERGY EFFICIENT DATA CENTERS.

Section 453 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17112) is amended—

(1) in subsection (b)(2)(D)(iv), by striking ''determined by the organization'' and inserting ''proposed by the stakeholders'';

(2) by striking subsection (b)(3); and

(3) by striking subsections (c) through (g) and inserting the following:

''(c) STAKEHOLDER INVOLVEMENT.—The Secretary and the Administrator shall carry out subsection (b) in collaboration with the information technology industry and other key stakeholders, with the goal of producing results that accurately reflect the most relevant and useful information available. In such collaboration, the Secretary and the Administrator shall pay particular attention to organizations that—

''(1) have members with expertise in energy efficiency and in the development, operation, and functionality of data centers, information technology equipment, and software, such as representatives of hardware manufacturers, data center operators, and facility managers;

''(2) obtain and address input from Department of Energy National Laboratories or any college, university, research institution, industry association, company, or public interest group with applicable expertise;

''(3) follow—

''(A) commonly accepted procedures for the development of specifications; and

''(B) accredited standards development processes; and

''(4) have a mission to promote energy efficiency for data centers and information technology.

''(d) MEASUREMENTS AND SPECIFICATIONS.—The Secretary and the Administrator shall consider and assess the adequacy of the specifications, measurements, best practices, and benchmarks described in subsection (b) for use by the Federal Energy Management Program, the Energy Star Program, and other efficiency programs of the Department of Energy or the Environmental Protection Agency.

''(e) STUDY.—The Secretary, in collaboration with the Administrator, shall, not later than 18 months after the date of enactment of the North American Energy Security and Infrastructure Act of 2016, make available to the public an update to the Report to Congress on Server and Data Center Energy Efficiency published on August 2, 2007, under section 1 of Public Law 109–431 (120 Stat. 2920), that provides—

''(1) a comparison and gap analysis of the estimates and projections contained in the original report with new data regarding the period from 2008 through 2015;

''(2) an analysis considering the impact of information technologies, including virtualization and cloud computing, in the public and private sectors;

''(3) an evaluation of the impact of the combination of cloud platforms, mobile devices, social media, and big data on data center energy usage;

''(4) an evaluation of water usage in data centers and recommendations for reductions in such water usage; and

''(5) updated projections and recommendations for best practices through fiscal year 2020.

''(f) DATA CENTER ENERGY PRACTITIONER PROGRAM.—The Secretary, in collaboration with key stakeholders and the Director of the Office of Management and Budget, shall maintain a data center energy practitioner program that

leads to the certification of energy practitioners qualified to evaluate the energy usage and efficiency opportunities in Federal data centers. Each Federal agency shall consider having the data centers of the agency evaluated every 4 years, in accordance with section 543(f) of the National Energy Conservation Policy Act (42 U.S.C. 8253), by energy practitioners certified pursuant to such program.

''(g) OPEN DATA INITIATIVE.—The Secretary, in collaboration with key stakeholders and the Director of the Office of Management and Budget, shall establish an open data initiative for Federal data center energy usage data, with the purpose of making such data available and accessible in a manner that encourages further data center innovation, optimization, and consolidation. In establishing the initiative, the Secretary shall consider the use of the online Data Center Maturity Model.

''(h) INTERNATIONAL SPECIFICATIONS AND METRICS.—The Secretary, in collaboration with key stakeholders, shall actively participate in efforts to harmonize global specifications and metrics for data center energy and water efficiency.

''(i) DATA CENTER UTILIZATION METRIC.—The Secretary, in collaboration with key stakeholders, shall facilitate the development of an efficiency metric that measures the energy efficiency of a data center (including equipment and facilities).

''(j) PROTECTION OF PROPRIETARY INFORMATION.—The Secretary and the Administrator shall not disclose any proprietary information or trade secrets provided by any individual or company for the purposes of carrying out this section or the programs and initiatives established under this section.''.

SEC. 3113. REPORT ON ENERGY AND WATER SAVINGS POTENTIAL FROM THERMAL INSULATION.

(a) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy, in consultation with appropriate Federal agencies and relevant stakeholders, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the impact of thermal insulation on both energy and water use systems for potable hot and chilled water in Federal buildings, and the return on investment of installing such insulation.

(b) CONTENTS.—The report shall include—

(1) an analysis based on the cost of municipal or regional water for delivered water and the avoided cost of new water; and

(2) a summary of energy and water savings, including short-term and long-term (20 years) projections of such savings.

SEC. 3114. BATTERY STORAGE REPORT.

Not later than 1 year after the date of enactment of this Act, the Comptroller General shall transmit to Congress a report on the potential of battery energy storage that answers the following questions:

(1) How do existing Federal standards impact the development and deployment of battery storage systems?

(2) What are the benefits of using existing battery storage technology, and what challenges exist to their widespread use? What are some examples of existing battery storage projects providing these benefits?

(3) What potential impact could large-scale battery storage and behind-the-meter battery storage have on renewable energy utilization?

(4) What is the potential of battery technology for grid-scale use nationwide? What is the potential impact of battery technology on the national grid capabilities?

(5) How much economic activity associated with large-scale and behind-the-meter battery storage technology is located in the United States? How many jobs do these industries account for?

(6) What policies other than the Renewable Energy Investment Tax Credit have research and available data shown to promote renewable energy use and storage technology deployment by State and local governments or private end-users?

SEC. 3115. FEDERAL PURCHASE REQUIREMENT.

(a) DEFINITIONS.—Section 203(b) of the Energy Policy Act of 2005 (42 U.S.C. 15852(b)) is amended by striking paragraph (2) and inserting the following:

''(2) RENEWABLE ENERGY.—The term 'renewable energy' means electric energy, or thermal energy if resulting from a thermal energy project placed in service after December 31, 2014, generated from, or avoided by, solar, wind, biomass, landfill gas, ocean (including tidal, wave, current, and thermal), geothermal, municipal solid waste (in accordance with subsection (e)), qualified waste heat resource, or new hydroelectric generation capacity achieved from increased efficiency or additions of new capacity at an existing hydroelectric project.

''(3) QUALIFIED WASTE HEAT RESOURCE.—The term 'qualified waste heat resource' means—

''(A) exhaust heat or flared gas from any industrial process;

''(B) waste gas or industrial tail gas that would otherwise be flared, incinerated, or vented;

''(C) a pressure drop in any gas for an industrial or commercial process; or

''(D) such other forms of waste heat as the Secretary determines appropriate.''.

(b) PAPER RECYCLING.—Section 203 of the Energy Policy Act of 2005 (42 U.S.C. 15852) is amended by adding at the end the following:

''(e) PAPER RECYCLING.—

''(1) SEPARATE COLLECTION.—For purposes of this section, any Federal agency may consider electric energy generation purchased from a facility to be renewable energy if the municipal solid waste used by the facility to generate the electricity is—

''(A) separately collected (within the meaning of section 246.101(z) of title 40, Code of Federal Regulations, as in effect on the date of enactment of the North American Energy Security and Infrastructure Act of 2016) from paper that is commonly recycled; and

''(B) processed in a way that keeps paper that is commonly recycled segregated from non-recyclable solid waste.

''(2) INCIDENTAL INCLUSION.—Municipal solid waste used to generate electric energy that meets the conditions described in paragraph (1) shall be considered renewable energy even if the municipal solid waste contains incidental commonly recycled paper.

''(3) NO EFFECT ON EXISTING PROCESSES.—Nothing in paragraph (1) shall be interpreted to require a State or political subdivision of a State, directly or indirectly, to change the systems, processes, or equipment it uses to collect, treat, dispose of, or otherwise use municipal solid waste, within the meaning of the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), nor require a change to the regulations that implement subtitle D of such Act (42 U.S.C. 6941 et seq.).''.

SEC. 3116. ENERGY PERFORMANCE REQUIREMENT FOR FEDERAL BUILDINGS.

Section 543 of the National Energy Conservation Policy Act (42 U.S.C. 8253) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) ENERGY PERFORMANCE REQUIREMENT FOR FEDERAL BUILDINGS.—

''(1) REQUIREMENT.—Subject to paragraph (2), each agency shall apply energy conservation measures to, and shall improve the design for the construction of, the Federal buildings of the agency (including each industrial or laboratory facility) so that the energy consumption per gross square foot of the Federal buildings of the agency in fiscal years 2006 through 2017 is reduced, as compared with the energy consumption per gross square foot of the Federal buildings of the agency in fiscal year 2003, by the percentage specified in the following table:

''Fiscal Year	*Percentage Reduction*
2006	*2*
2007	*4*
2008	*9*
2009	*12*
2010	*15*
2011	*18*
2012	*21*
2013	*24*
2014	*27*
2015	*30*
2016	*33*
2017	*36.*

''(2) EXCLUSION FOR BUILDINGS WITH ENERGY INTENSIVE ACTIVITIES.—

''(A) IN GENERAL.—An agency may exclude from the requirements of paragraph (1) any building (including the associated energy consumption and gross square footage) in which energy intensive activities are carried out.

''(B) REPORTS.—Each agency shall identify and list in each report made under section 548(a) the buildings designated by the agency for exclusion under subparagraph (A).

''(3) REVIEW.—Not later than December 31, 2017, the Secretary shall—

''(A) review the results of the implementation of the energy performance requirements established under paragraph (1); and

''(B) based on the review conducted under subparagraph (A), submit to Congress a report that addresses the feasibility of requiring each agency to apply energy conservation measures to, and improve the design for the construction of, the Federal buildings of the agency (including each industrial or laboratory facility) so that the energy consumption per gross square foot of the Federal buildings of the agency in each of fiscal years 2018 through 2030 is reduced, as compared with the energy consumption per gross square foot of the Federal buildings of the agency in the prior fiscal year, by 3 percent.''; and

(2) in subsection (f)—

(A) in paragraph (1)—

(i) by redesignating subparagraphs (E), (F), and (G) as subparagraphs (F), (G), and (H), respectively; and

(ii) by inserting after subparagraph (D) the following:

''(E) ONGOING COMMISSIONING.—The term 'ongoing commissioning' means an ongoing process of commissioning using monitored data, the primary goal of which is to ensure continuous optimum performance of a facility, in accordance with design or operating needs, over the useful life of the facility, while meeting facility occupancy requirements.'';

(B) in paragraph (2), by adding at the end the following:

''(C) ENERGY MANAGEMENT SYSTEM.—An energy manager designated under subparagraph (A) shall consider use of a system to manage energy use at the facility and certification of the facility in accordance with the International Organization for Standardization standard numbered 50001 and entitled 'Energy Management Systems'.'';

(C) by striking paragraphs (3) and (4) and inserting the following:

''(3) ENERGY AND WATER EVALUATIONS AND COMMISSIONING.—

''(A) EVALUATIONS.—Except as provided in subparagraph (B), effective beginning on the

date that is 180 days after the date of enactment of the North American Energy Security and Infrastructure Act of 2016, and annually thereafter, each energy manager shall complete, for each calendar year, a comprehensive energy and water evaluation and recommissioning or retrocommissioning for approximately 25 percent of the facilities of that energy manager's agency that meet the criteria under paragraph (2)(B) in a manner that ensures that an evaluation of each facility is completed at least once every 4 years.

''(B) EXCEPTIONS.—An evaluation and recommissioning or recommissioning shall not be required under subparagraph (A) with respect to a facility that—

''(i) has had a comprehensive energy and water evaluation during the 8-year period preceding the date of the evaluation;

''(ii)(I) has been commissioned, recommissioned, or retrocommissioned during the 10-year period preceding the date of the evaluation; or

''(II) is under ongoing commissioning, recommissioning, or retrocommissioning;

''(iii) has not had a major change in function or use since the previous evaluation and commissioning, recommissioning, or retrocommissioning;

''(iv) has been benchmarked with public disclosure under paragraph (8) within the year preceding the evaluation; and

''(v)(I) based on the benchmarking, has achieved at a facility level the most recent cumulative energy savings target under subsection (a) compared to the earlier of—

''(aa) the date of the most recent evaluation; or

''(bb) the date—

''(AA) of the most recent commissioning, recommissioning, or retrocommissioning; or

''(BB) on which ongoing commissioning, recommissioning, or retrocommissioning began; or

''(II) has a long-term contract in place guaranteeing energy savings at least as great as the energy savings target under subclause (I).

''(4) IMPLEMENTATION OF IDENTIFIED ENERGY AND WATER EFFICIENCY MEASURES.—

''(A) IN GENERAL.—Not later than 2 years after the date of completion of each evaluation under paragraph (3), each energy manager may—

''(i) implement any energy- or water-saving measure that the Federal agency identified in the evaluation conducted under paragraph (3) that is life-cycle cost effective; and

''(ii) bundle individual measures of varying paybacks together into combined projects.

''(B) MEASURES NOT IMPLEMENTED.—Each energy manager, as part of the certification system under paragraph (7) and using guidelines developed by the Secretary, shall provide an explanation regarding any life-cycle cost-effective measures described in subparagraph (A)(i) that have not been implemented.''; and

(D) in paragraph (7)(C), by adding at the end the following:

''(iii) SUMMARY REPORT.—The Secretary shall make publicly available a report that summarizes the information tracked under subparagraph (B)(i) by each agency and, as applicable, by each type of measure.''.

SEC. 3117. FEDERAL BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS; CERTIFICATION SYSTEM AND LEVEL FOR FEDERAL BUILDINGS.

(a) DEFINITIONS.—Section 303 of the Energy Conservation and Production Act (42 U.S.C. 6832) is amended—

(1) in paragraph (6), by striking ''to be constructed'' and inserting ''constructed or altered''; and

(2) by adding at the end the following:

''(17) MAJOR RENOVATION.—The term 'major renovation' means a modification of building energy systems sufficiently extensive that the whole building can meet energy standards for new buildings, based on criteria to be established by the Secretary through notice and comment rulemaking.''.

(b) FEDERAL BUILDING EFFICIENCY STANDARDS.—Section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834) is amended—

(1) in subsection (a)(3)—

(A) by striking ''(3)(A) Not later than'' and all that follows through the end of subparagraph (B) and inserting the following:

''(3) REVISED FEDERAL BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS; CERTIFICATION FOR GREEN BUILDINGS.—

''(A) REVISED FEDERAL BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS.—

''(i) IN GENERAL.—Not later than 1 year after the date of enactment of the North American Energy Security and Infrastructure Act of 2016, the Secretary shall establish, by rule, revised Federal building energy efficiency performance standards that require that—

''(I) new Federal buildings and alterations and additions to existing Federal buildings—

''(aa) meet or exceed the most recent revision of the IECC (in the case of residential buildings) or ASHRAE Standard 90.1 (in the case of commercial buildings) as of the date of enactment of the North American Energy Security and Infrastructure Act of 2016; and

''(bb) meet or exceed the energy provisions of State and local building codes applicable to the building, if the codes are more stringent than the IECC or ASHRAE Standard 90.1, as applicable;

''(II) unless demonstrated not to be life-cycle cost effective for new Federal buildings and Federal buildings with major renovations—

''(aa) the buildings be designed to achieve energy consumption levels that are at least 30 percent below the levels established in the version of the ASHRAE Standard or the IECC, as appropriate, that is applied under subclause (I)(aa), including updates under subparagraph (B); and

''(bb) sustainable design principles are applied to the location, siting, design, and construction of all new Federal buildings and replacement Federal buildings;

''(III) if water is used to achieve energy efficiency, water conservation technologies shall be applied to the extent that the technologies are life-cycle cost effective; and

''(IV) if life-cycle cost effective, as compared to other reasonably available technologies, not less than 30 percent of the hot water demand for each new Federal building or Federal building undergoing a major renovation be met through the installation and use of solar hot water heaters.

''(ii) LIMITATION.—Clause (i)(I) shall not apply to unaltered portions of existing Federal buildings and systems that have been added to or altered.

''(B) UPDATES.—Not later than 1 year after the date of approval of each subsequent revision of ASHRAE Standard 90.1 or the IECC, as appropriate, the Secretary shall determine whether the revised standards established under subparagraph (A) should be updated to reflect the revisions, based on the energy savings and life-cycle cost effectiveness of the revisions.'';

(B) in subparagraph (C), by striking ''(C) In the budget request'' and inserting the following:

''(C) BUDGET REQUEST.—In the budget request''; and

(C) in subparagraph (D)—

(i) by striking ''(D) Not later than'' and all that follows through the end of the first sentence of clause (i)(III) and inserting the following:

''(D) CERTIFICATION FOR GREEN BUILDINGS.—

''(i) IN GENERAL.—'';

(ii) by striking clause (ii);

(iii) in clause (iii), by striking ''(iii) In identifying'' and inserting the following:

''(ii) CONSIDERATIONS.—In identifying'';

(iv) in clause (iv)—

(I) by striking ''(iv) At least once'' and inserting the following:

''(iii) STUDY.—At least once''; and

(II) by striking ''clause (iii)'' and inserting ''clause (ii)'';

(v) in clause (v)—

(I) by striking ''(v) The Secretary may'' and inserting the following:

''(iv) INTERNAL CERTIFICATION PROCESSES.—The Secretary may''; and

(II) by striking ''clause (i)(III)'' each place it appears and inserting ''clause (i)'';

(vi) in clause (vi)—

(I) by striking ''(vi) With respect'' and inserting the following:

''(v) PRIVATIZED MILITARY HOUSING.—With respect''; and

(II) by striking ''develop alternative criteria to those established by subclauses (I) and (III) of clause (i) that achieve an equivalent result in terms of energy savings, sustainable design, and'' and inserting ''develop alternative certification systems and levels than the systems and levels identified under clause (i) that achieve an equivalent result in terms of''; and

(vii) in clause (vii), by striking ''(vii) In addition to'' and inserting the following:

''(vi) WATER CONSERVATION TECHNOLOGIES.—In addition to''; and

(2) by striking subsections (c) and (d) and inserting the following:

''(c) PERIODIC REVIEW.—The Secretary shall—

''(1) every 5 years, review the Federal building energy standards established under this section; and

''(2) on completion of a review under paragraph (1), if the Secretary determines that significant energy savings would result, upgrade the standards to include all new energy efficiency and renewable energy measures that are technologically feasible and economically justified.''.

SEC. 3118. OPERATION OF BATTERY RECHARGING STATIONS IN PARKING AREAS USED BY FEDERAL EMPLOYEES.

(a) AUTHORIZATION.—

(1) IN GENERAL.—The head of any office of the Federal Government which owns or operates a parking area for the use of its employees (either directly or indirectly through a contractor) may install, construct, operate, and maintain on a reimbursable basis a battery recharging station in such area for the use of privately owned vehicles of employees of the office and others who are authorized to park in such area.

(2) USE OF VENDORS.—The head of an office may carry out paragraph (1) through a contract with a vendor, under such terms and conditions (including terms relating to the allocation between the office and the vendor of the costs of carrying out the contract) as the head of the office and the vendor may agree to.

(b) IMPOSITION OF FEES TO COVER COSTS.—

(1) FEES.—The head of an office of the Federal Government which operates and maintains a battery recharging station under this section shall charge fees to the individuals who use the station in such amount as is necessary to ensure that office recovers all of the costs it incurs in installing, constructing, operating, and maintaining the station.

(2) DEPOSIT AND AVAILABILITY OF FEES.—Any fees collected by the head of an office under this subsection shall be—

(A) deposited monthly in the Treasury to the credit of the appropriations account for salaries and expenses of the office; and

(B) available for obligation without further appropriation during—

(i) the fiscal year collected; and

(ii) the fiscal year following the fiscal year collected.

(c) NO EFFECT ON EXISTING PROGRAMS FOR HOUSE AND SENATE.—Nothing in this section may be construed to affect the installation, construction, operation, or maintenance of battery recharging stations by the Architect of the Capitol—

(1) under Public Law 112–170 (2 U.S.C. 2171), relating to employees of the House of Representatives and individuals authorized to park in any parking area under the jurisdiction of the House of Representatives on the Capitol Grounds; or

(2) under Public Law 112–167 (2 U.S.C. 2170), relating to employees of the Senate and individuals authorized to park in any parking area under the jurisdiction of the Senate on the Capitol Grounds.

(d) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2016 and each succeeding fiscal year.

SEC. 3119. REPORT ON ENERGY SAVINGS AND GREENHOUSE GAS EMISSIONS REDUCTION FROM CONVERSION OF CAPTURED METHANE TO ENERGY.

(a) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy, in consultation with appropriate Federal agencies and relevant stakeholders, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the impact of captured methane converted for energy and power generation on Federal lands, Federal buildings, and relevant municipalities that use such generation, and the return on investment and reduction in greenhouse gas emissions of utilizing such power generation.

(b) CONTENTS.—The report shall include—

(1) a summary of energy performance and savings resulting from the utilization of such power generation, including short-term and long-term (20 years) projections of such savings; and

(2) an analysis of the reduction in greenhouse emissions resulting from the utilization of such power generation.

CHAPTER 2—ENERGY EFFICIENT TECHNOLOGY AND MANUFACTURING

SEC. 3121. INCLUSION OF SMART GRID CAPABILITY ON ENERGY GUIDE LABELS.

Section 324(a)(2) of the Energy Policy and Conservation Act (42 U.S.C. 6294(a)(2)) is amended by adding the following at the end:

''(J) SMART GRID CAPABILITY ON ENERGY GUIDE LABELS.—

''(i) RULE.—Not later than 1 year after the date of enactment of this subparagraph, the Commission shall initiate a rulemaking to consider making a special note in a prominent manner on any Energy Guide label for any product that includes Smart Grid capability that—

''(I) Smart Grid capability is a feature of that product;

''(II) the use and value of that feature depend on the Smart Grid capability of the utility system in which the product is installed and the active utilization of that feature by the customer; and

''(III) on a utility system with Smart Grid capability, the use of the product's Smart Grid capability could reduce the customer's cost of the product's annual operation as a result of the incremental energy and electricity cost savings that would result from the customer taking full advantage of such Smart Grid capability.

''(ii) DEADLINE.—Not later than 3 years after the date of enactment of this subparagraph, the Commission shall complete the rulemaking initiated under clause (i).''.

SEC. 3122. VOLUNTARY VERIFICATION PROGRAMS FOR AIR CONDITIONING, FURNACE, BOILER, HEAT PUMP, AND WATER HEATER PRODUCTS.

Section 326(b) of the Energy Policy and Conservation Act (42 U.S.C. 6296(b)) is amended by adding at the end the following:

''(6) VOLUNTARY VERIFICATION PROGRAMS FOR AIR CONDITIONING, FURNACE, BOILER, HEAT PUMP, AND WATER HEATER PRODUCTS.—

''(A) RELIANCE ON VOLUNTARY PROGRAMS.—For the purpose of verifying compliance with energy conservation standards established under sections 325 and 342 for covered products described in paragraphs (3), (4), (5), (9), and (11) of section 322(a) and covered equipment described in subparagraphs (B), (C), (D), (F), (I), (J), and (K) of section 340(1), the Secretary shall rely on testing conducted by recognized voluntary verification programs that are recognized by the Secretary in accordance with subparagraph (B).

''(B) RECOGNITION OF VOLUNTARY VERIFICATION PROGRAMS.—

''(i) IN GENERAL.—Not later than 180 days after the date of enactment of this paragraph, the Secretary shall initiate a negotiated rulemaking in accordance with subchapter III of chapter 5 of title 5, United States Code (commonly known as the 'Negotiated Rulemaking Act of 1990') to develop criteria that have consensus support for achieving recognition by the Secretary as an approved voluntary verification program. Any subsequent amendment to such criteria may be made only pursuant to a subsequent negotiated rulemaking in accordance with subchapter III of chapter 5 of title 5, United States Code.

''(ii) MINIMUM REQUIREMENTS.—The criteria developed under clause (i) shall, at a minimum, ensure that a voluntary verification program—

''(I) is nationally recognized;

''(II) is operated by a third party and not directly operated by a program participant;

''(III) satisfies any applicable elements of—

''(aa) International Organization for Standardization standard numbered 17025; and

''(bb) any other relevant International Organization for Standardization standards identified and agreed to through the negotiated rulemaking under clause (i);

''(IV) at least annually tests independently obtained products following the test procedures established under this title to verify the certified rating of a representative sample of products and equipment within the scope of the program;

''(V) maintains a publicly available list of all ratings of products subject to verification;

''(VI) requires the changing of the performance rating or removal of the product or equipment from the program if testing determines that the performance rating does not meet the levels the manufacturer has certified to the Secretary;

''(VII) requires new program participants to substantiate ratings through test data generated in accordance with Department of Energy regulations;

''(VIII) allows for challenge testing of products and equipment within the scope of the program;

''(IX) requires program participants to disclose the performance rating of all covered products and equipment within the scope of the program for the covered product or equipment;

''(X) provides to the Secretary—

''(aa) an annual report of all test results, the contents of which shall be determined through the negotiated rulemaking process under clause (i); and

''(bb) test reports, on the request of the Secretary, that note any instructions specified by the manufacturer or the representative of the manufacturer for the purpose of conducting the verification testing; and

''(XI) satisfies any additional requirements or standards that the Secretary shall establish consistent with this subparagraph.

''(iii) CESSATION OF RECOGNITION.—The Secretary may only cease recognition of a voluntary verification program as an approved program described in subparagraph (A) upon a finding that the program is not meeting its obligations for compliance through program review criteria developed during the negotiated rulemaking conducted under subparagraph (B).

''(C) ADMINISTRATION.—

''(i) IN GENERAL.—The Secretary shall not require—

''(I) manufacturers to participate in a recognized voluntary verification program described in subparagraph (A); or

''(II) participating manufacturers to provide information that has already been provided to the Secretary.

''(ii) LIST OF COVERED PRODUCTS.—The Secretary may maintain a publicly available list of covered products and equipment that distinguishes between products that are and are not covered products and equipment verified through a recognized voluntary verification program described in subparagraph (A).

''(iii) PERIODIC VERIFICATION TESTING.—The Secretary—

''(I) shall not subject products or equipment that have been verification tested under a recognized voluntary verification program described in subparagraph (A) to periodic verification testing to verify the accuracy of the certified performance rating of the products or equipment; but

''(II) may require testing of products or equipment described in subclause (I)—

''(aa) if the testing is necessary—

''(AA) to assess the overall performance of a voluntary verification program;

''(BB) to address specific performance issues;

''(CC) for use in updating test procedures and standards; or

''(DD) for other purposes consistent with this title; or

''(bb) if such testing is agreed to during the negotiated rulemaking conducted under subparagraph (B).

''(D) EFFECT ON OTHER AUTHORITY.—Nothing in this paragraph limits the authority of the Secretary to enforce compliance with any law.''.

SEC. 3123. FACILITATING CONSENSUS FURNACE STANDARDS.

(a) CONGRESSIONAL FINDINGS AND DECLARATION OF PURPOSE.—

(1) FINDINGS.—Congress finds that—

(A) acting pursuant to the requirements of section 325 of the Energy Policy and Conservation Act (42 U.S.C. 6295), the Secretary of Energy is considering amending the energy conservation standards applicable to residential nonweatherized gas furnaces and mobile home gas furnaces;

(B) numerous stakeholders, representing manufacturers, distributors, and installers of residential nonweatherized gas furnaces and mobile home furnaces, natural gas utilities, home builders, multifamily property owners, and energy efficiency, environmental, and consumer advocates have begun negotiations in an attempt to agree on a consensus recommendation to the Secretary on levels for such standards that will meet the statutory criteria; and

(C) the stakeholders believe these negotiations are likely to result in a consensus recommendation, but several of the stakeholders do not support suspending the current rulemaking.

(2) PURPOSE.—It is the purpose of this section to provide the stakeholders described in paragraph (1) with an opportunity to continue negotiations for a limited time period to facilitate the proposal for adoption of standards that enjoy consensus support, while not delaying the current rulemaking except to the extent necessary to provide such opportunity.

(b) OPPORTUNITY FOR A NEGOTIATED FURNACE STANDARD.—Section 325(f)(4) of the Energy Policy and Conservation Act (42 U.S.C. 6295(f)(4))

is amended by adding after subparagraph (D) the following:

''(E)(i) Unless the Secretary has published such a notice prior to the date of enactment of this Act, the Secretary shall publish, not later than October 31, 2015, a supplemental notice of proposed rulemaking or a notice of data availability updating the proposed rule entitled 'Energy Conservation Program for Consumer Products: Energy Conservation Standards for Residential Furnaces' and published in the Federal Register on March 12, 2015 (80 Fed. Reg. 13119), to provide notice and an opportunity for comment on—

''(I) dividing nonweatherized gas furnaces into two or more product classes with separate energy conservation standards based on capacity; and

''(II) any other matters the Secretary determines appropriate.

''(ii) On receipt of a statement that is submitted on or before January 1, 2016, jointly by interested persons that are fairly representative of relevant points of view, that contains recommended standards for nonweatherized gas furnaces and mobile home gas furnaces that are consistent with the requirements of this part (except that the date on which such standards will apply may be earlier or later than the date required under this part), the Secretary shall evaluate the standards proposed in the joint statement for consistency with the requirements of subsection (o), and shall publish notice of the potential adoption of the standards proposed in the joint statement, modified as necessary to ensure consistency with subsection (o). The Secretary shall solicit public comment for a period of at least 30 days with respect to such notice.

''(iii) Not later than July 31, 2016, but not before July 1, 2016, the Secretary shall publish a final rule containing a determination of whether the standards for nonweatherized gas furnaces and mobile home gas furnaces should be amended. Such rule shall contain any such amendments to the standards.''.

SEC. 3124. NO WARRANTY FOR CERTAIN CERTIFIED ENERGY STAR PRODUCTS.

Section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a) is amended by adding at the end the following new subsection:

''(e) NO WARRANTY.—

''(1) IN GENERAL.—Any disclosure relating to participation of a product in the Energy Star program shall not create an express or implied warranty or give rise to any private claims or rights of action under State or Federal law relating to the disqualification of that product from Energy Star if—

''(A) the product has been certified by a certification body recognized by the Energy Star program;

''(B) the Administrator has approved corrective measures, including a determination of whether or not consumer compensation is appropriate; and

''(C) the responsible party has fully complied with all approved corrective measures.

''(2) CONSTRUAL.—Nothing in this subsection shall be construed to require the Administrator to modify any procedure or take any other action.''.

SEC. 3125. CLARIFICATION TO EFFECTIVE DATE FOR REGIONAL STANDARDS.

Section 325(o)(6)(E)(ii) of the Energy Policy and Conservation Act (42 U.S.C. 6295(o)(6)(E)(ii)) is amended by striking ''installed'' and inserting ''manufactured or imported into the United States''.

SEC. 3126. INTERNET OF THINGS REPORT.

The Secretary of Energy shall, not later than 18 months after the date of enactment of this Act, report to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate on the efforts made to take advantage of, and promote, the utilization of advanced technologies such as Internet of Things end-to-end platform solutions to provide real-time actionable analytics and enable predictive maintenance and asset management to improve energy efficiency wherever feasible. In doing so, the Secretary shall look to encourage and utilize Internet of Things energy management solutions that have security tightly integrated into the hardware and software from the outset. The Secretary shall also encourage the use of Internet of Things solutions that enable seamless connectivity and that are interoperable, open standards-based, and built on a repeatable foundation for ease of scalability.

SEC. 3127. ENERGY SAVINGS FROM LUBRICATING OIL.

Not later than 1 year after the date of enactment of this Act, the Secretary of Energy, in cooperation with the Administrator of the Environmental Protection Agency and the Director of Management and Budget, shall—

(1) review and update the report prepared pursuant to section 1838 of the Energy Policy Act of 2005;

(2) after consultation with relevant Federal, State, and local agencies and affected industry and stakeholder groups, update data that was used in preparing that report; and

(3) prepare and submit to Congress a coordinated Federal strategy to increase the beneficial reuse of used lubricating oil, that—

(A) is consistent with national policy as established pursuant to section 2 of the Used Oil Recycling Act of 1980 (Public Law 96–463); and

(B) addresses measures needed to—

(i) increase the responsible collection of used oil;

(ii) disseminate public information concerning sustainable reuse options for used oil; and

(iii) promote sustainable reuse of used oil by Federal agencies, recipients of Federal grant funds, entities contracting with the Federal Government, and the general public.

SEC. 3128. DEFINITION OF EXTERNAL POWER SUPPLY.

Section 321(36)(A) of the Energy Policy and Conservation Act (42 U.S.C. 6291(36)(A)) is amended—

(1) by striking the subparagraph designation and all that follows through ''The term'' and inserting the following:

''(A) EXTERNAL POWER SUPPLY.—

''(i) IN GENERAL.—The term''; and

(2) by adding at the end the following:

''(ii) EXCLUSION.—The term 'external power supply' does not include a power supply circuit, driver, or device that is designed exclusively to be connected to, and power—

''(I) light-emitting diodes providing illumination; or

''(II) organic light-emitting diodes providing illumination.''.

SEC. 3129. STANDARDS FOR POWER SUPPLY CIRCUITS CONNECTED TO LEDS OR OLEDS.

(a) IN GENERAL.—Section 325(u) of the Energy Policy and Conservation Act (42 U.S.C. 6295(u)) is amended by adding at the end the following:

''(6) POWER SUPPLY CIRCUITS CONNECTED TO LEDS OR OLEDS.—Notwithstanding the exclusion described in section 321(36)(A)(ii), the Secretary may prescribe, in accordance with subsections (o) and (p) and section 322(b), an energy conservation standard for a power supply circuit, driver, or device that is designed primarily to be connected to, and power, light-emitting diodes or organic light-emitting diodes providing illumination.''.

(b) ENERGY CONSERVATION STANDARDS.—Section 346 of the Energy Policy and Conservation Act (42 U.S.C. 6317) is amended by adding at the end the following:

''(g) ENERGY CONSERVATION STANDARD FOR POWER SUPPLY CIRCUITS CONNECTED TO LEDS OR OLEDS.—Not earlier than 1 year after applicable testing requirements are prescribed under section 343, the Secretary may prescribe an energy conservation standard for a power supply circuit, driver, or device that is designed primarily to be connected to, and power, light-emitting diodes or organic light-emitting diodes providing illumination.''.

CHAPTER 3—SCHOOL BUILDINGS

SEC. 3131. COORDINATION OF ENERGY RETROFITTING ASSISTANCE FOR SCHOOLS.

Section 392 of the Energy Policy and Conservation Act (42 U.S.C. 6371a) is amended by adding at the end the following:

''(e) COORDINATION OF ENERGY RETROFITTING ASSISTANCE FOR SCHOOLS.—

''(1) DEFINITION OF SCHOOL.—Notwithstanding section 391(6), for the purposes of this subsection, the term 'school' means—

''(A) an elementary school or secondary school (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

''(B) an institution of higher education (as defined in section 102(a) of the Higher Education Act of 1965 (20 U.S.C. 1002(a)));

''(C) a school of the defense dependents' education system under the Defense Dependents' Education Act of 1978 (20 U.S.C. 921 et seq.) or established under section 2164 of title 10, United States Code;

''(D) a school operated by the Bureau of Indian Affairs;

''(E) a tribally controlled school (as defined in section 5212 of the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2511)); and

''(F) a Tribal College or University (as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b))).

''(2) ESTABLISHMENT OF CLEARINGHOUSE.—The Secretary, acting through the Office of Energy Efficiency and Renewable Energy, shall establish a clearinghouse to disseminate information regarding available Federal programs and financing mechanisms that may be used to help initiate, develop, and finance energy efficiency, distributed generation, and energy retrofitting projects for schools.

''(3) REQUIREMENTS.—In carrying out paragraph (2), the Secretary shall—

''(A) consult with appropriate Federal agencies to develop a list of Federal programs and financing mechanisms that are, or may be, used for the purposes described in paragraph (2); and

''(B) coordinate with appropriate Federal agencies to develop a collaborative education and outreach effort to streamline communications and promote available Federal programs and financing mechanisms described in subparagraph (A), which may include the development and maintenance of a single online resource that includes contact information for relevant technical assistance in the Office of Energy Efficiency and Renewable Energy that States, local education agencies, and schools may use to effectively access and use such Federal programs and financing mechanisms.''.

CHAPTER 4—BUILDING ENERGY CODES

SEC. 3141. GREATER ENERGY EFFICIENCY IN BUILDING CODES.

(a) DEFINITIONS.—Section 303 of the Energy Conservation and Production Act (42 U.S.C. 6832), as amended by section 3116, is further amended—

(1) by striking paragraph (14) and inserting the following:

''(14) MODEL BUILDING ENERGY CODE.—The term 'model building energy code' means a voluntary building energy code or standard developed and updated through a consensus process among interested persons, such as the IECC or

ASHRAE Standard 90.1 or a code used by other appropriate organizations regarding which the Secretary has issued a determination that buildings subject to it would achieve greater energy efficiency than under a previously developed code.''; and

(2) by adding at the end the following:

''(18) ASHRAE STANDARD 90.1.—The term 'ASHRAE Standard 90.1' means the American Society of Heating, Refrigerating and Air-Conditioning Engineers ANSI/ASHRAE/IES Standard 90/1 Energy Standard for Buildings Except Low-Rise Residential Buildings.

''(19) COST-EFFECTIVE.—The term 'cost-effective' means having a simple payback of 10 years or less.

''(20) IECC.—The term 'IECC' means the International Energy Conservation Code as published by the International Code Council.

''(21) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

''(22) SIMPLE PAYBACK.—The term 'simple payback' means the time in years that is required for energy savings to exceed the incremental first cost of a new requirement or code.

''(23) TECHNICALLY FEASIBLE.—The term 'technically feasible' means capable of being achieved, based on widely available appliances, equipment, technologies, materials, and construction practices.''.

(b) STATE BUILDING ENERGY EFFICIENCY CODES.—Section 304 of the Energy Conservation and Production Act (42 U.S.C. 6833) is amended to read as follows:

''SEC. 304. UPDATING STATE BUILDING ENERGY EFFICIENCY CODES.

''(a) IN GENERAL.—The Secretary shall provide technical assistance, as described in subsection (e), for the purposes of—

''(1) implementation of building energy codes by States, Indian tribes, and, as appropriate, by local governments, that are technically feasible and cost-effective; and

''(2) supporting full compliance with the State, tribal, and local codes.

''(b) STATE AND INDIAN TRIBE CERTIFICATION OF BUILDING ENERGY CODE UPDATES.—

''(1) REVIEW AND UPDATING OF CODES BY EACH STATE AND INDIAN TRIBE.—

''(A) IN GENERAL.—Not later than 3 years after the date on which a model building energy code is published, each State or Indian tribe shall certify whether or not the State or Indian tribe, respectively, has reviewed and updated the energy provisions of the building code of the State or Indian tribe, respectively.

''(B) DEMONSTRATION.—The certification shall include a statement of whether or not the energy savings for the code provisions that are in effect throughout the State or Indian tribal territory meet or exceed—

''(i) the energy savings of the most recently published model building energy code; or

''(ii) the targets established under section 307(b)(2).

''(C) NO MODEL BUILDING ENERGY CODE UPDATE.—If a model building energy code is not updated by a target date established under section 307(b)(2)(D), each State or Indian tribe shall, not later than 3 years after the specified date, certify whether or not the State or Indian tribe, respectively, has reviewed and updated the energy provisions of the building code of the State or Indian tribe, respectively, to meet or exceed the target in section 307(b)(2).

''(2) VALIDATION BY SECRETARY.—Not later than 90 days after a State or Indian tribe certification under paragraph (1), the Secretary shall—

''(A) determine whether the code provisions of the State or Indian tribe, respectively, meet the criteria specified in paragraph (1);

''(B) determine whether the certification submitted by the State or Indian tribe, respectively, is complete; and

''(C) if the requirements of subparagraph (B) are satisfied, validate the certification.

''(3) LIMITATION.—Nothing in this section shall be interpreted to require a State or Indian tribe to adopt any building code or provision within a code.

''(c) IMPROVEMENTS IN COMPLIANCE WITH BUILDING ENERGY CODES.—

''(1) REQUIREMENT.—

''(A) IN GENERAL.—Not later than 3 years after the date of a certification under subsection (b), each State and Indian tribe shall certify whether or not the State or Indian tribe, respectively, has—

''(i) achieved full compliance under paragraph (3) with the applicable certified State or Indian tribe building energy code or with the associated model building energy code; or

''(ii) made significant progress under paragraph (4) toward achieving compliance with the applicable certified State or Indian tribe building energy code or with the associated model building energy code.

''(B) REPEAT CERTIFICATIONS.—If the State or Indian tribe certifies progress toward achieving compliance, the State or Indian tribe shall repeat the certification until the State or Indian tribe certifies that the State or Indian tribe has achieved full compliance.

''(2) MEASUREMENT OF COMPLIANCE.—A certification under paragraph (1) shall include documentation of the rate of compliance based on—

''(A) inspections of a random sample of the buildings covered by the code in the preceding year; or

''(B) an alternative method that yields an accurate measure of compliance.

''(3) ACHIEVEMENT OF COMPLIANCE.—A State or Indian tribe shall be considered to achieve full compliance under paragraph (1) if—

''(A) at least 90 percent of building space covered by the code in the preceding year substantially meets all the requirements of the applicable code specified in paragraph (1), or achieves equivalent or greater energy savings level; or

''(B) the estimated excess energy use of buildings that did not meet the applicable code specified in paragraph (1) in the preceding year, compared to a baseline of comparable buildings that meet this code, is not more than 5 percent of the estimated energy use of all buildings covered by this code during the preceding year.

''(4) SIGNIFICANT PROGRESS TOWARD ACHIEVEMENT OF COMPLIANCE.—A State or Indian tribe shall be considered to have made significant progress toward achieving compliance for purposes of paragraph (1) if the State or Indian tribe—

''(A) has developed and is implementing a plan for achieving compliance during the 8-year period beginning on the date of enactment of this paragraph, including annual targets for compliance and active training and enforcement programs; and

''(B) has met the most recent target under subparagraph (A).

''(5) VALIDATION BY SECRETARY.—Not later than 90 days after a State or Indian tribe certification under paragraph (1), the Secretary shall—

''(A) determine whether the State or Indian tribe has demonstrated meeting the criteria of this subsection, including accurate measurement of compliance;

''(B) determine whether the certification submitted by the State or Indian tribe is complete; and

''(C) if the requirements of subparagraph (B) are satisfied, validate the certification.

''(6) LIMITATION.—Nothing in this section shall be interpreted to require a State or Indian tribe to adopt any building code or provision within a code.

''(d) STATES OR INDIAN TRIBES THAT DO NOT ACHIEVE COMPLIANCE.—

''(1) REPORTING.—A State or Indian tribe that has not made a certification required under subsection (b) or (c) by the applicable deadline shall submit to the Secretary a report on the status of the State or Indian tribe with respect to meeting the requirements and submitting the certification.

''(2) STATE SOVEREIGNTY.—Nothing in this section shall be interpreted to require a State or Indian tribe to adopt any building code or provision within a code.

''(3) LOCAL GOVERNMENT.—In any State or Indian tribe for which the Secretary has not validated a certification under subsection (b) or (c), a local government may be eligible for Federal support by meeting the certification requirements of subsections (b) and (c).

''(4) ANNUAL REPORTS BY SECRETARY.—

''(A) IN GENERAL.—The Secretary shall annually submit to Congress, and publish in the Federal Register, a report on—

''(i) the status of model building energy codes;

''(ii) the status of code adoption and compliance in the States and Indian tribes;

''(iii) implementation of this section; and

''(iv) improvements in energy savings over time as a result of the targets established under section 307(b)(2).

''(B) IMPACTS.—The report shall include estimates of impacts of past action under this section, and potential impacts of further action, on—

''(i) upfront financial and construction costs, cost benefits and returns (using a return on investment analysis), and lifetime energy use for buildings;

''(ii) resulting energy costs to individuals and businesses; and

''(iii) resulting overall annual building ownership and operating costs.

''(e) TECHNICAL ASSISTANCE TO STATES AND INDIAN TRIBES.—

''(1) IN GENERAL.—The Secretary shall, upon request, provide technical assistance to States and Indian tribes to implement the goals and requirements of this section—

''(A) to implement State residential and commercial building energy codes; and

''(B) to document the rate of compliance with a building energy code.

''(2) TECHNICAL ASSISTANCE.—The assistance shall include, as requested by the State or Indian tribe, technical assistance in—

''(A) evaluating the energy savings of building energy codes;

''(B) assessing the economic considerations, referenced in section 307(b)(4), of implementing building energy codes;

''(C) building energy analysis and design tools;

''(D) energy simulation models;

''(E) building demonstrations;

''(F) developing the definitions of energy use intensity and building types for use in model building energy codes to evaluate the efficiency impacts of the model building energy codes; and

''(G) complying with a performance-based pathway referenced in the model code.

''(3) EXCLUSION.—For purposes of this section, 'technical assistance' shall not include actions that promote or discourage the adoption of a particular building energy code, code provision, or energy savings target to a State or Indian tribe.

''(4) INFORMATION QUALITY AND TRANSPARENCY.—For purposes of this section, information provided by the Secretary, attendant to any technical assistance provided to a State or Indian tribe, is 'influential information' and shall satisfy the guidelines established by the

Office of Management and Budget and published at 67 Federal Register 8,452 (February 22, 2002).

''(f) FEDERAL SUPPORT.—

''(1) IN GENERAL.—The Secretary shall provide support to States and Indian tribes—

''(A) to implement the reporting requirements of this section; and

''(B) to implement residential and commercial building energy codes, including increasing and verifying compliance with the codes and training of State, tribal, and local building code officials to implement and enforce the codes.

''(2) EXCLUSION.—Support shall not be given to support adoption and implementation of model building energy codes for which the Secretary has made a determination under section 307(g)(1)(C) that the code is not cost-effective.

''(3) TRAINING.—Support shall be offered to States to train State and local building code officials to implement and enforce codes described in paragraph (1)(B).

''(4) LOCAL GOVERNMENTS.—States may work under this subsection with local governments that implement and enforce codes described in paragraph (1)(B).

''(g) VOLUNTARY PROGRAMS TO EXCEED MODEL BUILDING ENERGY CODE.—

''(1) IN GENERAL.—The Secretary shall provide technical assistance, as described in subsection (e), for the development of voluntary programs that exceed the model building energy codes for residential and commercial buildings for use as—

''(A) voluntary incentive programs adopted by local, tribal, or State governments; and

''(B) nonbinding guidelines for energy-efficient building design.

''(2) TARGETS.—The voluntary programs described in paragraph (1) shall be designed—

''(A) to achieve substantial energy savings compared to the model building energy codes; and

''(B) to meet targets under section 307(b), if available, up to 3 to 6 years in advance of the target years.

''(h) STUDIES.—

''(1) GAO STUDY.—

''(A) IN GENERAL.—The Comptroller General of the United States shall conduct a study of the impacts of updating the national model building energy codes for residential and commercial buildings. In conducting the study, the Comptroller General shall consider and report, at a minimum—

''(i) the actual energy consumption savings stemming from updated energy codes compared to the energy consumption savings predicted during code development;

''(ii) the actual consumer cost savings stemming from updated energy codes compared to predicted consumer cost savings; and

''(iii) an accounting of expenditures of the Federal funds under each program authorized by this title.

''(B) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of the North American Energy Security and Infrastructure Act of 2016, the Comptroller General of the United States shall submit a report to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives including the study findings and conclusions.

''(2) FEASIBILITY STUDY.—The Secretary, in consultation with building science experts from the National Laboratories and institutions of higher education, designers and builders of energy-efficient residential and commercial buildings, code officials, and other stakeholders, shall undertake a study of the feasibility, impact, economics, and merit of—

''(A) code improvements that would require that buildings be designed, sited, and constructed in a manner that makes the buildings more adaptable in the future to become zero-net-energy after initial construction, as advances are achieved in energy-saving technologies;

''(B) code procedures to incorporate a ten-year payback, not just first-year energy use, in trade-offs and performance calculations; and

''(C) legislative options for increasing energy savings from building energy codes, including additional incentives for effective State and local verification of compliance with and enforcement of a code.

''(3) ENERGY DATA IN MULTITENANT BUILDINGS.—The Secretary, in consultation with appropriate representatives of the utility, utility regulatory, building ownership, and other stakeholders, shall—

''(A) undertake a study of best practices regarding delivery of aggregated energy consumption information to owners and managers of residential and commercial buildings with multiple tenants and uses; and

''(B) consider the development of a memorandum of understanding between and among affected stakeholders to reduce barriers to the delivery of aggregated energy consumption information to such owners and managers.

''(i) EFFECT ON OTHER LAWS.—Nothing in this section or section 307 supersedes or modifies the application of sections 321 through 346 of the Energy Policy and Conservation Act (42 U.S.C. 6291 et seq.).

''(j) FUNDING LIMITATIONS.—No Federal funds shall be—

''(1) used to support actions by the Secretary, or States, to promote or discourage the adoption of a particular building energy code, code provision, or energy saving target to a State or Indian tribe; or

''(2) provided to private third parties or nongovernmental organizations to engage in such activities.''.

(c) FEDERAL BUILDING ENERGY EFFICIENCY STANDARDS.—Section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834) is amended by striking ''voluntary building energy code'' in subsections (a)(2)(B) and (b) and inserting ''model building energy code''.

(d) MODEL BUILDING ENERGY CODES.—

(1) AMENDMENT.—Section 307 of the Energy Conservation and Production Act (42 U.S.C. 6836) is amended to read as follows:

''SEC. 307. SUPPORT FOR MODEL BUILDING ENERGY CODES.

''(a) IN GENERAL.—The Secretary shall provide technical assistance, as described in subsection (c), for updating of model building energy codes.

''(b) TARGETS.—

''(1) IN GENERAL.—The Secretary shall provide technical assistance, for updating the model building energy codes.

''(2) TARGETS.—

''(A) IN GENERAL.—The Secretary shall provide technical assistance to States, Indian tribes, local governments, nationally recognized code and standards developers, and other interested parties for updating of model building energy codes by establishing one or more aggregate energy savings targets through rulemaking in accordance with section 553 of title 5, United States Code, to achieve the purposes of this section.

''(B) SEPARATE TARGETS.—Separate targets may be established for commercial and residential buildings.

''(C) BASELINES.—The baseline for updating model building energy codes shall be the 2009 IECC for residential buildings and ASHRAE Standard 90.1–2010 for commercial buildings.

''(D) SPECIFIC YEARS.—

''(i) IN GENERAL.—Targets for specific years shall be established and revised by the Secretary through rulemaking in accordance with section 553 of title 5, United States Code, and coordinated with nationally recognized code and standards developers at a level that—

''(I) is at the maximum level of energy efficiency that is technically feasible and cost effective, while accounting for the economic considerations under paragraph (4); and

''(II) promotes the achievement of commercial and residential high performance buildings through high performance energy efficiency (within the meaning of section 401 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17061)).

''(ii) INITIAL TARGETS.—Not later than 1 year after the date of enactment of this clause, the Secretary shall establish initial targets under this subparagraph.

''(iii) DIFFERENT TARGET YEARS.—Subject to clause (i), prior to the applicable year, the Secretary may set a later target year for any of the model building energy codes described in subparagraph (A) if the Secretary determines that a target cannot be met.

''(E) SMALL BUSINESS.—When establishing targets under this paragraph through rulemaking, the Secretary shall ensure compliance with the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 601 note; Public Law 104–121) for any indirect economic effect on small entities that is reasonably foreseeable and a result of such rule.

''(3) APPLIANCE STANDARDS AND OTHER FACTORS AFFECTING BUILDING ENERGY USE.—In establishing energy savings targets under paragraph (2), the Secretary shall develop and adjust the targets in recognition of potential savings and costs relating to—

''(A) efficiency gains made in appliances, lighting, windows, insulation, and building envelope sealing;

''(B) advancement of distributed generation and on-site renewable power generation technologies;

''(C) equipment improvements for heating, cooling, and ventilation systems and water heating systems;

''(D) building management systems and smart grid technologies to reduce energy use; and

''(E) other technologies, practices, and building systems regarding building plug load and other energy uses.

In developing and adjusting the targets, the Secretary shall use climate zone weighted averages for equipment efficiency for heating, cooling, ventilation, and water heating systems, using equipment that is actually installed.

''(4) ECONOMIC CONSIDERATIONS.—In establishing and revising energy savings targets under paragraph (2), the Secretary shall consider the economic feasibility of achieving the proposed targets established under this section and the potential costs and savings for consumers and building owners, by conducting a return on investment analysis, using a simple payback methodology over a 3-, 5-, and 7-year period. The Secretary shall not propose or provide technical or financial assistance for any code, provision in the code, or energy target, or amendment thereto, that has a payback greater than 10 years.

''(c) TECHNICAL ASSISTANCE TO MODEL BUILDING ENERGY CODE-SETTING AND STANDARD DEVELOPMENT ORGANIZATIONS.—

''(1) IN GENERAL.—The Secretary shall, on a timely basis, provide technical assistance to model building energy code-setting and standard development organizations consistent with the goals of this section.

''(2) TECHNICAL ASSISTANCE.—The assistance shall include, as requested by the organizations, technical assistance in—

''(A) evaluating the energy savings of building energy codes;

''(B) assessing the economic considerations, under subsection (b)(4), of code or standards proposals or revisions;

''(C) building energy analysis and design tools;

''(D) energy simulation models;

''(E) building demonstrations;

''(F) developing definitions of energy use intensity and building types for use in model building energy codes to evaluate the efficiency impacts of the model building energy codes;

''(G) developing a performance-based pathway for compliance;

''(H) developing model building energy codes by Indian tribes in accordance with tribal law; and

''(I) code development meetings, including through direct Federal employee participation in committee meetings, hearings and online communication, voting, and presenting research and technical or economic analyses during such meetings.

''(3) EXCLUSION.—Except as provided in paragraph (2)(I), for purposes of this section, 'technical assistance' shall not include actions that promote or discourage the adoption of a particular building energy code, code provision, or energy savings target.

''(4) INFORMATION QUALITY AND TRANSPARENCY.—For purposes of this section, information provided by the Secretary, attendant to development of any energy savings targets, is influential information and shall satisfy the guidelines established by the Office of Management and Budget and published at 67 Federal Register 8,452 (February 22, 2002).

''(d) AMENDMENT PROPOSALS.—

''(1) IN GENERAL.—The Secretary may submit timely model building energy code amendment proposals that are technically feasible, cost-effective, and technology-neutral to the model building energy code-setting and standard development organizations, with supporting evidence, sufficient to enable the model building energy codes to meet the targets established under subsection (b)(2).

''(2) PROCESS AND FACTORS.—All amendment proposals submitted by the Secretary shall be published in the Federal Register and made available on the Department of Energy website 90 days prior to any submittal to a code development body, and shall be subject to a public comment period of not less than 60 days. Information provided by the Secretary, attendant to submission of any amendment proposals, is influential information and shall satisfy the guidelines established by the Office of Management and Budget and published at 67 Federal Register 8,452 (February 22, 2002). When calculating the costs and benefits of an amendment, the Secretary shall use climate zone weighted averages for equipment efficiency for heating, cooling, ventilation, and water heating systems, using equipment that is actually installed.

''(e) ANALYSIS METHODOLOGY.—The Secretary shall make publicly available the entire calculation methodology (including input assumptions and data) used by the Secretary to estimate the energy savings of code or standard proposals and revisions.

''(f) METHODOLOGY DEVELOPMENT.—The Secretary shall establish a methodology for evaluating cost effectiveness of energy code changes in multifamily buildings that incorporates economic parameters representative of typical multifamily buildings.

''(g) DETERMINATION.—

''(1) REVISION OF MODEL BUILDING ENERGY CODES.—If the provisions of the IECC or ASHRAE Standard 90.1 regarding building energy use are revised, the Secretary shall make a preliminary determination not later than 90 days after the date of the revision, and a final determination not later than 15 months after the date of the revision, on whether or not the revision—

''(A) improves energy efficiency in buildings compared to the existing IECC or ASHRAE Standard 90.1, as applicable;

''(B) meets the applicable targets under subsection (b)(2); and

''(C) is technically feasible and cost-effective.

''(2) CODES OR STANDARDS NOT MEETING CRITERIA.—

''(A) IN GENERAL.—If the Secretary makes a preliminary determination under paragraph (1)(B) that a revised IECC or ASHRAE Standard 90.1 does not meet the targets established under subsection (b)(2), is not technically feasible, or is not cost-effective, the Secretary may at the same time provide technical assistance, as described in subsection (c), to the International Code Council or ASHRAE, as applicable, with proposed changes that would result in a model building energy code or standard that meets the criteria, and with supporting evidence. Proposed changes submitted by the Secretary shall be published in the Federal Register and made available on the Department of Energy website 90 days prior to any submittal to a code development body, and shall be subject to a public comment period of not less than 60 days. Information provided by the Secretary, attendant to submission of any amendment proposals, is influential information and shall satisfy the guidelines established by the Office of Management and Budget and published at 67 Federal Register 8,452 (February 22, 2002).

''(B) INCORPORATION OF CHANGES.—

''(i) IN GENERAL.—On receipt of the technical assistance, as described in subsection (c), the International Code Council or ASHRAE, as applicable, shall, prior to the Secretary making a final determination under paragraph (1), have an additional 270 days to accept or reject the proposed changes made by the Secretary to the model building energy code or standard.

''(ii) FINAL DETERMINATION.—A final determination under paragraph (1) shall be on the final revised model building energy code or standard.

''(h) ADMINISTRATION.—In carrying out this section, the Secretary shall—

''(1) publish notice of targets, amendment proposals and supporting analysis and determinations under this section in the Federal Register to provide an explanation of and the basis for such actions, including any supporting modeling, data, assumptions, protocols, and cost-benefit analysis, including return on investment;

''(2) provide an opportunity for public comment on targets and supporting analysis and determinations under this section, in accordance with section 553 of title 5, United States Code; and

''(3) provide an opportunity for public comment on amendment proposals.

''(i) VOLUNTARY CODES AND STANDARDS.—Not withstanding any other provision of this section, any model building code or standard established under this section shall not be binding on a State, local government, or Indian tribe as a matter of Federal law.''.

(2) CONFORMING AMENDMENT.—The item relating to section 307 in the table of contents for the Energy Conservation and Production Act is amended to read as follows:

''Sec. 307. Support for model building energy codes.''.

SEC. 3142. VOLUNTARY NATURE OF BUILDING ASSET RATING PROGRAM.

(a) IN GENERAL.—Any program of the Secretary of Energy that may enable the owner of a commercial building or a residential building to obtain a rating, score, or label regarding the actual or anticipated energy usage or performance of a building shall be made available on a voluntary, optional, and market-driven basis.

(b) DISCLAIMER AS TO REGULATORY INTENT.—Information disseminated by the Secretary of Energy regarding the program described in subsection (a), including any information made available by the Secretary on a website, shall include language plainly stating that such program is not developed or intended to be the basis for a regulatory program by a Federal, State, local, or municipal government body.

CHAPTER 5—EPCA TECHNICAL CORRECTIONS AND CLARIFICATIONS

SEC. 3151. MODIFYING PRODUCT DEFINITIONS.

(a) AUTHORITY TO MODIFY DEFINITIONS.—

(1) COVERED PRODUCTS.—Section 322 of the Energy Policy and Conservation Act (42 U.S.C. 6292) is amended by adding at the end the following:

''(c) MODIFYING DEFINITIONS OF COVERED PRODUCTS.—

''(1) IN GENERAL.—For any covered product for which a definition is provided in section 321, the Secretary may, by rule, unless prohibited herein, modify such definition in order to—

''(A) address significant changes in the product or the market occurring since the definition was established; and

''(B) better enable improvements in the energy efficiency of the product as part of an energy using system.

''(2) ANTIBACKSLIDING EXEMPTION.—Section 325(o)(1) shall not apply to adjustments to covered product definitions made pursuant to this subsection.

''(3) PROCEDURE FOR MODIFYING DEFINITION.—

''(A) IN GENERAL.—Notice of any adjustment to the definition of a covered product and an explanation of the reasons therefor shall be published in the Federal Register and opportunity provided for public comment.

''(B) CONSENSUS REQUIRED.—Any amendment to the definition of a covered product under this subsection must have consensus support, as reflected in—

''(i) the outcome of negotiations conducted in accordance with the subchapter III of chapter 5 of title 5, United States Code (commonly known as the 'Negotiated Rulemaking Act of 1990'); or

''(ii) the Secretary's receipt of a statement that is submitted jointly by interested persons that are fairly representative of relevant points of view (including representatives of manufacturers of covered products, States, and efficiency advocates), as determined by the Secretary, which contains a recommended modified definition for a covered product.

''(4) EFFECT OF A MODIFIED DEFINITION.—

''(A) IN GENERAL.—For any type or class of consumer product which becomes a covered product pursuant to this subsection—

''(i) the Secretary may establish test procedures for such type or class of covered product pursuant to section 323 and energy conservation standards pursuant to section 325(l);

''(ii) the Commission may prescribe labeling rules pursuant to section 324 if the Commission determines that labeling in accordance with that section is technologically and economically feasible and likely to assist consumers in making purchasing decisions;

''(iii) section 327 shall begin to apply to such type or class of covered product in accordance with section 325(ii)(1); and

''(iv) standards previously promulgated under section 325 shall not apply to such type or class of product.

''(B) APPLICABILITY.—For any type or class of consumer product which ceases to be a covered product pursuant to this subsection, the provisions of this part shall no longer apply to the type or class of consumer product.''.

(2) COVERED EQUIPMENT.—Section 341 of the Energy Policy and Conservation Act (42 U.S.C. 6312) is amended by adding at the end the following:

''(d) MODIFYING DEFINITIONS OF COVERED EQUIPMENT.—

''(1) IN GENERAL.—For any covered equipment for which a definition is provided in section 340,

the Secretary may, by rule, unless prohibited herein, modify such definition in order to—

''(A) address significant changes in the product or the market occurring since the definition was established; and

''(B) better enable improvements in the energy efficiency of the equipment as part of an energy using system.

''(2) ANTIBACKSLIDING EXEMPTION.—Section 325(o)(1) shall not apply to adjustments to covered equipment definitions made pursuant to this subsection.

''(3) PROCEDURE FOR MODIFYING DEFINITION.—

''(A) IN GENERAL.—Notice of any adjustment to the definition of a type of covered equipment and an explanation of the reasons therefor shall be published in the Federal Register and opportunity provided for public comment.

''(B) CONSENSUS REQUIRED.—Any amendment to the definition of a type of covered equipment under this subsection must have consensus support, as reflected in—

''(i) the outcome of negotiations conducted in accordance with the subchapter III of chapter 5 of title 5, United States Code (commonly known as the 'Negotiated Rulemaking Act of 1990'); or

''(ii) the Secretary's receipt of a statement that is submitted jointly by interested persons that are fairly representative of relevant points of view (including representatives of manufacturers of covered equipment, States, and efficiency advocates), as determined by the Secretary, which contains a recommended modified definition for a type of covered equipment.

''(4) EFFECT OF A MODIFIED DEFINITION.—

''(A) For any type or class of equipment which becomes covered equipment pursuant to this subsection—

''(i) the Secretary may establish test procedures for such type or class of covered equipment pursuant to section 343 and energy conservation standards pursuant to section 325(l);

''(ii) the Secretary may prescribe labeling rules pursuant to section 344 if the Secretary determines that labeling in accordance with that section is technologically and economically feasible and likely to assist purchasers in making purchasing decisions;

''(iii) section 327 shall begin to apply to such type or class of covered equipment in accordance with section 325(ii)(1); and

''(iv) standards previously promulgated under section 325, 342, or 346 shall not apply to such type or class of covered equipment.

''(B) For any type or class of equipment which ceases to be covered equipment pursuant to this subsection the provisions of this part shall no longer apply to the type or class of equipment.''.

(b) CONFORMING AMENDMENTS PROVIDING FOR JUDICIAL REVIEW.—

(1) Section 336 of the Energy Policy and Conservation Act (42 U.S.C. 6306) is amended by striking ''section 323,'' each place it appears and inserting ''section 322, 323,''; and

(2) Section 345(a)(1) of the Energy Policy and Conservation Act (42 U.S.C. 6316(a)(1)) is amended to read as follows:

''(1) the references to sections 322, 323, 324, and 325 of this Act shall be considered as references to sections 341, 343, 344, and 342 of this Act, respectively;''.

SEC. 3152. CLARIFYING RULEMAKING PROCEDURES.

(a) COVERED PRODUCTS.—Section 325(p) of the Energy Policy and Conservation Act (42 U.S.C. 6295(p)) is amended—

(1) by redesignating paragraphs (1), (2), (3), and (4) as paragraphs (2), (3), (5), and (6), respectively;

(2) by inserting before paragraph (2) (as so redesignated by paragraph (1) of this subsection) the following:

''(1) The Secretary shall provide an opportunity for public input prior to the issuance of a proposed rule, seeking information—

''(A) identifying and commenting on design options;

''(B) on the existence of and opportunities for voluntary nonregulatory actions; and

''(C) identifying significant subgroups of consumers and manufacturers that merit analysis.'';

(3) in paragraph (3) (as so redesignated by paragraph (1) of this subsection)—

(A) in subparagraph (C), by striking ''and'' after ''adequate;'';

(B) in subparagraph (D), by striking ''standard.'' and inserting ''standard;''; and

(C) by adding at the end the following new subparagraphs:

''(E) whether the technical and economic analytical assumptions, methods, and models used to justify the standard to be prescribed are—

''(i) justified; and

''(ii) available and accessible for public review, analysis, and use; and

''(F) the cumulative regulatory impacts on the manufacturers of the product, taking into account—

''(i) other government standards affecting energy use; and

''(ii) other energy conservation standards affecting the same manufacturers.''; and

(4) by inserting after paragraph (3) (as so redesignated by paragraph (1) of this subsection) the following:

''(4) RESTRICTION ON TEST PROCEDURE AMENDMENTS.—

''(A) IN GENERAL.—Any proposed energy conservation standards rule shall be based on the final test procedure which shall be used to determine compliance, and the public comment period on the proposed standards shall conclude no sooner than 180 days after the date of publication of a final rule revising the test procedure.

''(B) EXCEPTION.—The Secretary may propose or prescribe an amendment to the test procedures issued pursuant to section 323 for any type or class of covered product after the issuance of a notice of proposed rulemaking to prescribe an amended or new energy conservation standard for that type or class of covered product, but before the issuance of a final rule prescribing any such standard, if—

''(i) the amendments to the test procedure have consensus support achieved through a rulemaking conducted in accordance with the subchapter III of chapter 5 of title 5, United States Code (commonly known as the 'Negotiated Rulemaking Act of 1990'); or

''(ii) the Secretary receives a statement that is submitted jointly by interested persons that are fairly representative of relevant points of view (including representatives of manufacturers of the type or class of covered product, States, and efficiency advocates), as determined by the Secretary, which contains a recommendation that a supplemental notice of proposed rulemaking is not necessary for the type or class of covered product.''.

(b) CONFORMING AMENDMENT.—Section 345(b)(1) of the Energy Policy and Conservation Act (42 U.S.C. 6316(b)(1)) is amended by striking ''section 325(p)(4),'' and inserting ''section 325(p)(3), (4), and (6),''.

CHAPTER 6—ENERGY AND WATER EFFICIENCY

SEC. 3161. SMART ENERGY AND WATER EFFICIENCY PILOT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a utility;

(B) a municipality;

(C) a water district; and

(D) any other authority that provides water, wastewater, or water reuse services.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(3) SMART ENERGY AND WATER EFFICIENCY PILOT PROGRAM.—The term ''smart energy and water efficiency pilot program'' or ''pilot program'' means the pilot program established under subsection (b).

(b) SMART ENERGY AND WATER EFFICIENCY PILOT PROGRAM.—

(1) IN GENERAL.—The Secretary shall establish and carry out a smart energy and water efficiency management pilot program in accordance with this section.

(2) PURPOSE.—The purpose of the smart energy and water efficiency pilot program is to award grants to eligible entities to demonstrate advanced and innovative technology-based solutions that will—

(A) increase and improve the energy efficiency of water, wastewater, and water reuse systems to help communities across the United States make significant progress in conserving water, saving energy, and reducing costs;

(B) support the implementation of innovative processes and the installation of advanced automated systems that provide real-time data on energy and water; and

(C) improve energy and water conservation, water quality, and predictive maintenance of energy and water systems, through the use of Internet-connected technologies, including sensors, intelligent gateways, and security embedded in hardware.

(3) PROJECT SELECTION.—

(A) IN GENERAL.—The Secretary shall make competitive, merit-reviewed grants under the pilot program to not less than 3, but not more than 5, eligible entities.

(B) SELECTION CRITERIA.—In selecting an eligible entity to receive a grant under the pilot program, the Secretary shall consider—

(i) energy and cost savings anticipated to result from the project;

(ii) the innovative nature, commercial viability, and reliability of the technology to be used;

(iii) the degree to which the project integrates next-generation sensors, software, hardware, analytics, and management tools;

(iv) the anticipated cost effectiveness of the pilot project in terms of energy efficiency savings, water savings or reuse, and infrastructure costs averted;

(v) whether the technology can be deployed in a variety of geographic regions and the degree to which the technology can be implemented on a smaller or larger scale, including whether the technology can be implemented by each type of eligible entity;

(vi) whether the technology has been successfully deployed elsewhere;

(vii) whether the technology is sourced from a manufacturer based in the United States; and

(viii) whether the project will be completed in 5 years or less.

(C) APPLICATIONS.—

(i) IN GENERAL.—Subject to clause (ii), an eligible entity seeking a grant under the pilot program shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary determines to be necessary.

(ii) CONTENTS.—An application under clause (i) shall, at a minimum, include—

(I) a description of the project;

(II) a description of the technology to be used in the project;

(III) the anticipated results, including energy and water savings, of the project;

(IV) a comprehensive budget for the project;

(V) the names of the project lead organization and any partners;

(VI) the number of users to be served by the project; and

(VII) any other information that the Secretary determines to be necessary to complete the review and selection of a grant recipient.

(4) ADMINISTRATION.—

(A) IN GENERAL.—Not later than 300 days after the date of enactment of this Act, the Secretary shall select grant recipients under this section.

(B) EVALUATIONS.—The Secretary shall annually carry out an evaluation of each project for which a grant is provided under this section that—

(i) evaluates the progress and impact of the project; and

(ii) assesses the degree to which the project is meeting the goals of the pilot program.

(C) TECHNICAL AND POLICY ASSISTANCE.—On the request of a grant recipient, the Secretary shall provide technical and policy assistance to the grant recipient to carry out the project.

(D) BEST PRACTICES.—The Secretary shall make available to the public—

(i) a copy of each evaluation carried out under subparagraph (B); and

(ii) a description of any best practices identified by the Secretary as a result of those evaluations.

(E) REPORT TO CONGRESS.—The Secretary shall submit to Congress a report containing the results of each evaluation carried out under subparagraph (B).

(c) FUNDING.—To carry out this section, the Secretary is authorized to use not more than $15,000,000, to the extent provided in advance in appropriation Acts.

SEC. 3162. WATERSENSE.

(a) IN GENERAL.—The Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.) is amended by adding after section 324A the following:

''SEC. 324B. WATERSENSE.

''(a) WATERSENSE.—

''(1) IN GENERAL.—There is established within the Environmental Protection Agency a voluntary program, to be entitled 'WaterSense', to identify water efficient products, buildings, landscapes, facilities, processes, and services that sensibly—

''(A) reduce water use;

''(B) reduce the strain on public and community water systems and wastewater and stormwater infrastructure;

''(C) conserve energy used to pump, heat, transport, and treat water; and

''(D) preserve water resources for future generations, through voluntary labeling of, or other forms of communications about, products, buildings, landscapes, facilities, processes, and services while still meeting strict performance criteria.

''(2) DUTIES.—The Administrator, coordinating as appropriate with the Secretary of Energy, shall—

''(A) establish—

''(i) a WaterSense label to be used for items meeting the certification criteria established in this section; and

''(ii) the procedure, including the methods and means, by which an item may be certified to display the WaterSense label;

''(B) conduct a public awareness education campaign regarding the WaterSense label;

''(C) preserve the integrity of the WaterSense label by—

''(i) establishing and maintaining feasible performance criteria so that products, buildings, landscapes, facilities, processes, and services labeled with the WaterSense label perform as well or better than less water-efficient counterparts;

''(ii) overseeing WaterSense certifications made by third parties;

''(iii) using testing protocols, from the appropriate, applicable, and relevant consensus standards, for the purpose of determining standards compliance; and

''(iv) auditing the use of the WaterSense label in the marketplace and preventing cases of misuse; and

''(D) not more often than every six years, review and, if appropriate, update WaterSense criteria for the defined categories of water-efficient product, building, landscape, process, or service, including—

''(i) providing reasonable notice to interested parties and the public of any such changes, including effective dates, and an explanation of the changes;

''(ii) soliciting comments from interested parties and the public prior to any such changes;

''(iii) as appropriate, responding to comments submitted by interested parties and the public; and

''(iv) providing an appropriate transition time prior to the applicable effective date of any such changes, taking into account the timing necessary for the manufacture, marketing, training, and distribution of the specific water-efficient product, building, landscape, process, or service category being addressed.

''(b) USE OF SCIENCE.—In carrying out this section, and, to the degree that an agency action is based on science, the Administrator shall use—

''(1) the best available peer-reviewed science and supporting studies conducted in accordance with sound and objective scientific practices; and

''(2) data collected by accepted methods or best available methods (if the reliability of the method and the nature of the decision justify use of the data).

''(c) DISTINCTION OF AUTHORITIES.—In setting or maintaining standards for Energy Star pursuant to section 324A, and WaterSense under this section, the Secretary and Administrator shall coordinate to prevent duplicative or conflicting requirements among the respective programs.

''(d) DEFINITIONS.—In this section:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Environmental Protection Agency.

''(2) FEASIBLE.—The term 'feasible' means feasible with the use of the best technology, treatment techniques, and other means that the Administrator finds, after examination for efficacy under field conditions and not solely under laboratory conditions, are available (taking cost into consideration).

''(3) SECRETARY.—The term 'Secretary' means the Secretary of Energy.

''(4) WATER-EFFICIENT PRODUCT, BUILDING, LANDSCAPE, PROCESS, OR SERVICE.—The term 'water-efficient product, building, landscape, process, or service' means a product, building, landscape, process, or service for a residence or a commercial or institutional building, or its landscape, that is rated for water efficiency and performance, the covered categories of which are—

''(A) irrigation technologies and services;

''(B) point-of-use water treatment devices;

''(C) plumbing products;

''(D) reuse and recycling technologies;

''(E) landscaping and gardening products, including moisture control or water enhancing technologies;

''(F) xeriscaping and other landscape conversions that reduce water use; and

''(G) new water efficient homes certified under the WaterSense program.''.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy and Conservation Act (Public Law 94–163; 42 U.S.C. 6201 et seq.) is amended by inserting after the item relating to section 324A the following new item:

''Sec. 324B. WaterSense.''.

Subtitle B—Accountability

CHAPTER 1—MARKET MANIPULATION, ENFORCEMENT, AND COMPLIANCE

SEC. 3211. FERC OFFICE OF COMPLIANCE ASSISTANCE AND PUBLIC PARTICIPATION.

Section 319 of the Federal Power Act (16 U.S.C. 825q–1) is amended to read as follows:

''SEC. 319. OFFICE OF COMPLIANCE ASSISTANCE AND PUBLIC PARTICIPATION.

''(a) ESTABLISHMENT.—There is established within the Commission an Office of Compliance Assistance and Public Participation (referred to in this section as the 'Office'). The Office shall be headed by a Director.

''(b) DUTIES OF DIRECTOR.—

''(1) IN GENERAL.—The Director of the Office shall promote improved compliance with Commission rules and orders by—

''(A) making recommendations to the Commission regarding—

''(i) the protection of consumers;

''(ii) market integrity and support for the development of responsible market behavior;

''(iii) the application of Commission rules and orders in a manner that ensures that—

''(I) rates and charges for, or in connection with, the transmission or sale of electric energy subject to the jurisdiction of the Commission shall be just and reasonable and not unduly discriminatory or preferential; and

''(II) markets for such transmission and sale of electric energy are not impaired and consumers are not damaged; and

''(iv) the impact of existing and proposed Commission rules and orders on small entities, as defined in section 601 of title 5, United States Code (commonly known as the Regulatory Flexibility Act);

''(B) providing entities subject to regulation by the Commission the opportunity to obtain timely guidance for compliance with Commission rules and orders; and

''(C) providing information to the Commission and Congress to inform policy with respect to energy issues under the jurisdiction of the Commission.

''(2) REPORTS AND GUIDANCE.—The Director shall, as the Director determines appropriate, issue reports and guidance to the Commission and to entities subject to regulation by the Commission, regarding market practices, proposing improvements in Commission monitoring of market practices, and addressing potential improvements to both industry and Commission practices.

''(3) OUTREACH.—The Director shall promote improved compliance with Commission rules and orders through outreach, publications, and, where appropriate, direct communication with entities regulated by the Commission.''.

CHAPTER 2—MARKET REFORMS

SEC. 3221. GAO STUDY ON WHOLESALE ELECTRICITY MARKETS.

(a) STUDY AND REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report describing the results of a study of whether and how the current market rules, practices, and structures of each regional transmission entity produce rates that are just and reasonable by—

(1) facilitating fuel diversity, the availability of generation resources during emergency and severe weather conditions, resource adequacy, and reliability, including the cost-effective retention and development of needed generation;

(2) promoting the equitable treatment of business models, including different utility types, the integration of diverse generation resources, and advanced grid technologies;

(3) identifying and addressing regulatory barriers to entry, market-distorting incentives, and artificial constraints on competition;

(4) providing transparency regarding dispatch decisions, including the need for out-of-market actions and payments, and the accuracy of day-ahead unit commitments;

(5) facilitating the development of necessary natural gas pipeline and electric transmission infrastructure;

(6) ensuring fairness and transparency in governance structures and stakeholder processes, including meaningful participation by both voting and nonvoting stakeholder representatives;

(7) ensuring the proper alignment of the energy and transmission markets by including both energy and financial transmission rights in the day-ahead markets;

(8) facilitating the ability of load-serving entities to self-supply their service territory load;

(9) considering, as appropriate, State and local resource planning; and

(10) mitigating, to the extent practicable, the disruptive effects of tariff revisions on the economic decisionmaking of market participants.

(b) DEFINITIONS.—In this section:

(1) LOAD-SERVING ENTITY.—The term ''load-serving entity'' has the meaning given that term in section 217 of the Federal Power Act (16 U.S.C. 824q).

(2) REGIONAL TRANSMISSION ENTITY.—The term ''regional transmission entity'' means a Regional Transmission Organization or an Independent System Operator, as such terms are defined in section 3 of the Federal Power Act (16 U.S.C. 796).

SEC. 3222. CLARIFICATION OF FACILITY MERGER AUTHORIZATION.

Section 203(a)(1)(B) of the Federal Power Act (16 U.S.C. 824b(a)(1)(B)) is amended by striking ''such facilities or any part thereof'' and inserting ''such facilities, or any part thereof, of a value in excess of $10,000,000''.

CHAPTER 3—CODE MAINTENANCE

SEC. 3231. REPEAL OF OFF-HIGHWAY MOTOR VEHICLES STUDY.

(a) REPEAL.—Part I of title III of the Energy Policy and Conservation Act (42 U.S.C. 6373) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy and Conservation Act (Public Law 94–163; 89 Stat. 871) is amended—

(1) by striking the item relating to part I of title III; and

(2) by striking the item relating to section 385.

SEC. 3232. REPEAL OF METHANOL STUDY.

Section 400EE of the Energy Policy and Conservation Act (42 U.S.C. 6374d) is amended—

(1) by striking subsection (a); and

(2) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively.

SEC. 3233. REPEAL OF RESIDENTIAL ENERGY EFFICIENCY STANDARDS STUDY.

(a) REPEAL.—Section 253 of the National Energy Conservation Policy Act (42 U.S.C. 8232) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the National Energy Conservation Policy Act (Public Law 95–619; 92 Stat. 3206) is amended by striking the item relating to section 253.

SEC. 3234. REPEAL OF WEATHERIZATION STUDY.

(a) REPEAL.—Section 254 of the National Energy Conservation Policy Act (42 U.S.C. 8233) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the National Energy Conservation Policy Act (Public Law 95–619; 92 Stat. 3206) is amended by striking the item relating to section 254.

SEC. 3235. REPEAL OF REPORT TO CONGRESS.

(a) REPEAL.—Section 273 of the National Energy Conservation Policy Act (42 U.S.C. 8236b) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the National Energy Conservation Policy Act (Public Law 95–619; 92 Stat. 3206) is amended by striking the item relating to section 273.

SEC. 3236. REPEAL OF REPORT BY GENERAL SERVICES ADMINISTRATION.

(a) REPEAL.—Section 154 of the Energy Policy Act of 1992 (42 U.S.C. 8262a) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) The table of contents for the Energy Policy Act of 1992 (Public Law 102–486; 106 Stat. 2776) is amended by striking the item relating to section 154.

(2) Section 159 of the Energy Policy Act of 1992 (42 U.S.C. 8262e) is amended by striking subsection (c).

SEC. 3237. REPEAL OF INTERGOVERNMENTAL ENERGY MANAGEMENT PLANNING AND COORDINATION WORKSHOPS.

(a) REPEAL.—Section 156 of the Energy Policy Act of 1992 (42 U.S.C. 8262b) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 1992 (Public Law 102–486; 106 Stat. 2776) is amended by striking the item relating to section 156.

SEC. 3238. REPEAL OF INSPECTOR GENERAL AUDIT SURVEY AND PRESIDENT'S COUNCIL ON INTEGRITY AND EFFICIENCY REPORT TO CONGRESS.

(a) REPEAL.—Section 160 of the Energy Policy Act of 1992 (42 U.S.C. 8262f) is amended by striking the section designation and heading and all that follows through ''(c) INSPECTOR GENERAL REVIEW.—Each Inspector General'' and inserting the following:

''SEC. 160. INSPECTOR GENERAL REVIEW.

''Each Inspector General''.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 1992 (Public Law 102–486; 106 Stat. 2776) is amended by striking the item relating to section 160 and inserting the following:

''Sec. 160. Inspector General review.''.

SEC. 3239. REPEAL OF PROCUREMENT AND IDENTIFICATION OF ENERGY EFFICIENT PRODUCTS PROGRAM.

(a) REPEAL.—Section 161 of the Energy Policy Act of 1992 (42 U.S.C. 8262g) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 1992 (Public Law 102–486; 106 Stat. 2776) is amended by striking the item relating to section 161.

SEC. 3240. REPEAL OF NATIONAL ACTION PLAN FOR DEMAND RESPONSE.

(a) REPEAL.—Part 5 of title V of the National Energy Conservation Policy Act (42 U.S.C. 8279) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the National Energy Conservation Policy Act (Public Law 95–619; 92 Stat. 3206; 121 Stat. 1665) is amended—

(1) by striking the item relating to part 5 of title V; and

(2) by striking the item relating to section 571.

SEC. 3241. REPEAL OF NATIONAL COAL POLICY STUDY.

(a) REPEAL.—Section 741 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8451) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95–620; 92 Stat. 3289) is amended by striking the item relating to section 741.

SEC. 3242. REPEAL OF STUDY ON COMPLIANCE PROBLEM OF SMALL ELECTRIC UTILITY SYSTEMS.

(a) REPEAL.—Section 744 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8454) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95–620; 92 Stat. 3289) is amended by striking the item relating to section 744.

SEC. 3243. REPEAL OF STUDY OF SOCIO-ECONOMIC IMPACTS OF INCREASED COAL PRODUCTION AND OTHER ENERGY DEVELOPMENT.

(a) REPEAL.—Section 746 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8456) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95–620; 92 Stat. 3289) is amended by striking the item relating to section 746.

SEC. 3244. REPEAL OF STUDY OF THE USE OF PETROLEUM AND NATURAL GAS IN COMBUSTORS.

(a) REPEAL.—Section 747 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8457) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95–620; 92 Stat. 3289) is amended by striking the item relating to section 747.

SEC. 3245. REPEAL OF SUBMISSION OF REPORTS.

(a) REPEAL.—Section 807 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8483) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95–620; 92 Stat. 3289) is amended by striking the item relating to section 807.

SEC. 3246. REPEAL OF ELECTRIC UTILITY CONSERVATION PLAN.

(a) REPEAL.—Section 808 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8484) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95–620; 92 Stat. 3289) is amended by striking the item relating to section 808.

(2) REPORT ON IMPLEMENTATION.—Section 712 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8422) is amended—

(A) by striking ''(a) GENERALLY.—''; and

(B) by striking subsection (b).

SEC. 3247. TECHNICAL AMENDMENT TO POWERPLANT AND INDUSTRIAL FUEL USE ACT OF 1978.

The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95–620; 92 Stat. 3289) is amended by striking the item relating to section 742.

SEC. 3248. EMERGENCY ENERGY CONSERVATION REPEALS.

(a) REPEALS.—

(1) Section 201 of the Emergency Energy Conservation Act of 1979 (42 U.S.C. 8501) is amended—

*(A) in the section heading, by striking ''**FINDINGS AND**'';*

(B) by striking subsection (a); and

(C) by striking ''(b) PURPOSES.—''.

(2) Section 221 of the Emergency Energy Conservation Act of 1979 (42 U.S.C. 8521) is repealed.

(3) Section 222 of the Emergency Energy Conservation Act of 1979 (42 U.S.C. 8522) is repealed.

(4) Section 241 of the Emergency Energy Conservation Act of 1979 (42 U.S.C. 8531) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Emergency Energy Conservation Act of 1979 (Public Law 96–102; 93 Stat. 749) is amended—

(1) by striking the item relating to section 201 and inserting the following:

''Sec. 201. Purposes.''; and

(2) by striking the items relating to sections 221, 222, and 241.

SEC. 3249. REPEAL OF STATE UTILITY REGULATORY ASSISTANCE.

(a) REPEAL.—Section 207 of the Energy Conservation and Production Act (42 U.S.C. 6807) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Conservation and Production Act (Public Law 94–385; 90 Stat. 1125) is amended by striking the item relating to section 207.

SEC. 3250. REPEAL OF SURVEY OF ENERGY SAVING POTENTIAL.

(a) REPEAL.—Section 550 of the National Energy Conservation Policy Act (42 U.S.C. 8258b) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) The table of contents for the National Energy Conservation Policy Act (Public Law 95–619; 92 Stat. 3206; 106 Stat. 2851) is amended by striking the item relating to section 550.

(2) Section 543(d)(2) of the National Energy Conservation Policy Act (42 U.S.C. 8253(d)(2)) is amended by striking '', incorporating any relevant information obtained from the survey conducted pursuant to section 550''.

SEC. 3251. REPEAL OF PHOTOVOLTAIC ENERGY PROGRAM.

(a) REPEAL.—Part 4 of title V of the National Energy Conservation Policy Act (42 U.S.C. 8271 et seq.) is repealed.

(b) CONFORMING AMENDMENTS.—The table of contents for the National Energy Conservation Policy Act (Public Law 95–619; 92 Stat. 3206) is amended—

(1) by striking the item relating to part 4 of title V; and

(2) by striking the items relating to sections 561 through 570.

SEC. 3252. REPEAL OF ENERGY AUDITOR TRAINING AND CERTIFICATION.

(a) REPEAL.—Subtitle F of title V of the Energy Security Act (42 U.S.C. 8285 et seq.) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Security Act (Public Law 96–294; 94 Stat. 611) is amended by striking the items relating to subtitle F of title V.

CHAPTER 4—AUTHORIZATION

SEC. 3261 AUTHORIZATION.

There are authorized to be appropriated, out of funds authorized under previously enacted laws, amounts required for carrying out this division and the amendments made by this division.

TITLE IV—CHANGING CRUDE OIL MARKET CONDITIONS

SEC. 4001. FINDINGS.

The Congress finds the following:

(1) The United States has enjoyed a renaissance in energy production, establishing the United States as the world's leading oil producer.

(2) By authorizing crude oil exports, the Congress can spur domestic energy production, create and preserve jobs, help maintain and strengthen our independent shipping fleet that is essential to national defense, and generate State and Federal revenues.

(3) An energy-secure United States that is a net exporter of energy has the potential to transform the security environment around the world, notably in Europe and the Middle East.

(4) For our European allies and Israel, the presence of more United States oil in the market will offer more secure supply options, which will strengthen United States strategic alliances and help curtail the use of energy as a political weapon.

(5) The 60-ship Maritime Security Fleet is a vital element of our military's strategic sealift and global response capability. It assures United States-flag ships and United States crews will be available to support the United States military when it needs to mobilize to protect our allies, and is the most prudent and economical solution to meet current and projected sealift requirements for the United States.

(6) The Maritime Security Fleet program provides a labor base of skilled American mariners who are available to crew the United States Government-owned strategic sealift fleet, as well as the United States commercial fleet, in both peace and war.

(7) The United States has reduced its oil consumption over the past decade, and increasing investment in clean energy technology and energy efficiency will lower energy prices, reduce greenhouse gas emissions, and increase national security.

SEC. 4002. REPEAL.

Section 103 of the Energy Policy and Conservation Act (42 U.S.C. 6212) and the item relating thereto in the table of contents of that Act are repealed.

SEC. 4003. NATIONAL POLICY ON OIL EXPORT RESTRICTIONS.

Notwithstanding any other provision of law, to promote the efficient exploration, production, storage, supply, marketing, pricing, and regulation of energy resources, including fossil fuels, no official of the Federal Government shall impose or enforce any restriction on the export of crude oil.

SEC. 4004. STUDIES.

(a) GREENHOUSE GAS EMISSIONS.—Not later than 120 days after the date of enactment of this Act, the Secretary of Energy shall conduct, and transmit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the results of, a study on the net greenhouse gas emissions that will result from the repeal of the crude oil export ban under section 4002.

(b) CRUDE OIL EXPORT STUDY.—

(1) IN GENERAL.—The Department of Commerce, in consultation with the Department of Energy, and other departments as appropriate, shall conduct a study of the State and national implications of lifting the crude oil export ban with respect to consumers and the economy.

(2) CONTENTS.—The study conducted under paragraph (1) shall include an analysis of—

(A) the economic impact that exporting crude oil will have on the economy of the United States;

(B) the economic impact that exporting crude oil will have on consumers, taking into account impacts on energy prices;

(C) the economic impact that exporting crude oil will have on domestic manufacturing, taking into account impacts on employment; and

(D) the economic impact that exporting crude oil will have on the refining sector, taking into account impacts on employment.

(3) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Bureau of Industry and Security shall submit to Congress a report containing the results of the study conducted under paragraph (1).

SEC. 4005. SAVINGS CLAUSE.

Nothing in this title limits the authority of the President under the Constitution, the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the National Emergencies Act (50 U.S.C. 1601 et seq.), part B of title II of the Energy Policy and Conservation Act (42 U.S.C. 6271 et seq.), the Trading With the Enemy Act (50 U.S.C. App. 1 et seq.), or any other provision of law that imposes sanctions on a foreign person or foreign government (including any provision of law that prohibits or restricts United States persons from engaging in a transaction with a sanctioned person or government), including a foreign government that is designated as a state sponsor of terrorism, to prohibit exports.

SEC. 4006. PARTNERSHIPS WITH MINORITY SERVING INSTITUTIONS.

(a) IN GENERAL.—The Department of Energy shall continue to develop and broaden partnerships with minority serving institutions, including Hispanic Serving Institutions (HSI) and Historically Black Colleges and Universities (HBCUs) in the areas of oil and gas exploration, production, midstream, and refining.

(b) PUBLIC-PRIVATE PARTNERSHIPS.—The Department of Energy shall encourage public-private partnerships between the energy sector and minority serving institutions, including Hispanic Serving Institutions and Historically Black Colleges and Universities.

SEC. 4007. REPORT.

Not later than 10 years after the date of enactment of this Act, the Secretary of Energy and the Secretary of Commerce shall jointly transmit to Congress a report that reviews the impact of lifting the oil export ban under this title as it relates to promoting United States energy and national security.

SEC. 4008. REPORT TO CONGRESS.

Not later than 180 days after the date of enactment of this Act, the Secretary of Energy and the Secretary of Commerce shall jointly transmit to Congress a report analyzing how lifting the ban on crude oil exports will help create opportunities for veterans and women in the United States, while promoting energy and national security.

SEC. 4009. PROHIBITION ON EXPORTS OF CRUDE OIL, REFINED PETROLEUM PRODUCTS, AND PETROCHEMICAL PRODUCTS TO THE ISLAMIC REPUBLIC OF IRAN.

Nothing in this title shall be construed to authorize the export of crude oil, refined petroleum products, and petrochemical products by or through any entity or person, wherever located, subject to the jurisdiction of the United States to any entity or person located in, subject to the jurisdiction of, or sponsored by the Islamic Republic of Iran.

TITLE V—OTHER MATTERS

SEC. 5001. ASSESSMENT OF REGULATORY REQUIREMENTS.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall ensure that the requirements described in subsection (b) are satisfied.

(b) REQUIREMENTS.—The Administrator shall satisfy—

(1) section 4 of Executive Order No. 12866 (5 U.S.C. 601 note) (relating to regulatory planning and review) and Executive Order No. 13563 (5 U.S.C. 601 note) (relating to improving regulation and regulatory review) (or any successor Executive order establishing requirements applicable to the uniform reporting of regulatory and deregulatory agendas);

(2) section 602 of title 5, United States Code;

(3) section 8 of Executive Order No. 13132 (5 U.S.C. 601 note) (relating to federalism); and

(4) section 202(a) of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1532(a)).

SEC. 5002. DEFINITIONS.

In this title:

(1) COVERED CIVIL ACTION.—The term ''covered civil action'' means a civil action containing a claim under section 702 of title 5, United States Code, regarding agency action (as defined for the purposes of that section) affecting a covered energy project on Federal land.

(2) COVERED ENERGY PROJECT.—

(A) IN GENERAL.—The term ''covered energy project'' means—

(i) the leasing of Federal land for the exploration, development, production, processing, or transmission of oil, natural gas, coal, geothermal, hydroelectric, biomass, solar, or any other source of energy; and

(ii) any action under the lease.

(B) EXCLUSION.—The term ''covered energy project'' does not include any dispute between the parties to a lease regarding the obligations under the lease, including any alleged breach of the lease.

SEC. 5003. EXCLUSIVE VENUE FOR CERTAIN CIVIL ACTIONS RELATING TO COVERED ENERGY PROJECTS.

Venue for any covered civil action shall lie in the United States district court in which the

covered energy project or lease exists or is proposed.

SEC. 5004. TIMELY FILING.

To ensure timely redress by the courts, a covered civil action shall be filed not later than the end of the 90-day period beginning on the date of the final Federal agency action to which the covered civil action relates.

SEC. 5005. EXPEDITION IN HEARING AND DETERMINING THE ACTION.

The court shall endeavor to hear and determine any covered civil action as expeditiously as practicable.

SEC. 5006. LIMITATION ON INJUNCTION AND PROSPECTIVE RELIEF.

(a) IN GENERAL.—In a covered civil action, a court shall not grant or approve any prospective relief unless the court finds that the relief—

(1) is narrowly drawn;

(2) extends no further than necessary to correct the violation of a legal requirement; and

(3) is the least intrusive means necessary to correct the violation.

(b) DURATION.—

(1) IN GENERAL.—A court shall limit the duration of preliminary injunctions to halt covered energy projects to not more than 60 days, unless the court finds clear reasons to extend the injunction.

(2) ADMINISTRATION.—In the case of an extension, the extension shall—

(A) only be in 30-day increments; and

(B) require action by the court to renew the injunction.

(c) IN GENERAL.—Sections 504 of title 5 and 2412 of title 28, United States Code (commonly known as the ''Equal Access to Justice Act''), shall not apply to a covered civil action.

(d) COURT COSTS.—A party to a covered civil action shall not receive payment from the Federal Government for the attorneys' fees, expenses, or other court costs incurred by the party.

SEC. 5007. LEGAL STANDING.

A challenger that files an appeal with the Department of the Interior Board of Land Appeals shall meet the same standing requirements as a challenger before a United States district court.

SEC. 5008. STUDY TO IDENTIFY LEGAL AND REGULATORY BARRIERS THAT DELAY, PROHIBIT, OR IMPEDE THE EXPORT OF NATURAL ENERGY RESOURCES.

Not later than 1 year after the date of enactment of this Act, the Secretary of Energy and the Secretary of Commerce shall jointly transmit to the Committee on Energy and Commerce and the Committee on Natural Resources of the House of Representatives, and the Committee on Commerce, Science, and Transportation and the Committee on Energy and Natural Resources of the Senate, the results of a study to—

(1) identify legal and regulatory barriers that delay, prohibit, or impede the export of natural energy resources, including government and technical (physical or market) barriers that hinder coal, natural gas, oil, and other energy exports; and

(2) estimate the economic impacts of such barriers.

SEC. 5009. STUDY OF VOLATILITY OF CRUDE OIL.

Not later than 1 year after the date of enactment of this Act, the Secretary of Energy shall transmit to Congress the results of a study to determine the maximum level of volatility that is consistent with the safest practicable shipment of crude oil by rail.

SEC. 5010. SMART METER PRIVACY RIGHTS.

(a) ELECTRICAL CORPORATION OR GAS CORPORATIONS.—

(1) For purposes of this section, ''electrical or gas consumption data'' means data about a customer's electrical or natural gas usage that is made available as part of an advanced metering infrastructure, and includes the name, account number, or residence of the customer.

(2)(A) An electrical corporation or gas corporation shall not share, disclose, or otherwise make accessible to any third party a customer's electrical or gas consumption data, except as provided in subsection (a)(5) or upon the consent of the customer.

(B) An electrical corporation or gas corporation shall not sell a customer's electrical or gas consumption data or any other personally identifiable information for any purpose.

(C) The electrical corporation or gas corporation or its contractors shall not provide an incentive or discount to the customer for accessing the customer's electrical or gas consumption data without the prior consent of the customer.

(D) An electrical or gas corporation that utilizes an advanced metering infrastructure that allows a customer to access the customer's electrical and gas consumption data shall ensure that the customer has an option to access that data without being required to agree to the sharing of his or her personally identifiable information, including electrical or gas consumption data, with a third party.

(3) If an electrical corporation or gas corporation contracts with a third party for a service that allows a customer to monitor his or her electricity or gas usage, and that third party uses the data for a secondary commercial purpose, the contract between the electrical corporation or gas corporation and the third party shall provide that the third party prominently discloses that secondary commercial purpose to the customer.

(4) An electrical corporation or gas corporation shall use reasonable security procedures and practices to protect a customer's unencrypted electrical or gas consumption data from unauthorized access, destruction, use, modification, or disclosure.

(5)(A) Nothing in this section shall preclude an electrical corporation or gas corporation from using customer aggregate electrical or gas consumption data for analysis, reporting, or program management if all information has been removed regarding the individual identity of a customer.

(B) Nothing in this section shall preclude an electrical corporation or gas corporation from disclosing a customer's electrical or gas consumption data to a third party for system, grid, or operational needs, or the implementation of demand response, energy management, or energy efficiency programs, provided that, for contracts entered into after January 1, 2016, the utility has required by contract that the third party implement and maintain reasonable security procedures and practices appropriate to the nature of the information, to protect the personal information from unauthorized access, destruction, use, modification, or disclosure, and prohibits the use of the data for a secondary commercial purpose not related to the primary purpose of the contract without the customer's consent.

(C) Nothing in this section shall preclude an electrical corporation or gas corporation from disclosing electrical or gas consumption data as required or permitted under State or Federal law or by an order of a State public utility commission.

(6) If a customer chooses to disclose his or her electrical or gas consumption data to a third party that is unaffiliated with, and has no other business relationship with, the electrical or gas corporation, the electrical or gas corporation shall not be responsible for the security of that data, or its use or misuse.

(b) LOCAL PUBLICLY OWNED ELECTRIC UTILITIES.—

(1) For purposes of this section, ''electrical consumption data'' means data about a customer's electrical usage that is made available as part of an advanced metering infrastructure, and includes the name, account number, or residence of the customer.

(2)(A) A local publicly owned electric utility shall not share, disclose, or otherwise make accessible to any third party a customer's electrical consumption data, except as provided in subsection (b) (5) or upon the consent of the customer.

(B) A local publicly owned electric utility shall not sell a customer's electrical consumption data or any other personally identifiable information for any purpose.

(C) The local publicly owned electric utility or its contractors shall not provide an incentive or discount to the customer for accessing the customer's electrical consumption data without the prior consent of the customer.

(D) A local publicly owned electric utility that utilizes an advanced metering infrastructure that allows a customer to access the customer's electrical consumption data shall ensure that the customer has an option to access that data without being required to agree to the sharing of his or her personally identifiable information, including electrical consumption data, with a third party.

(3) If a local publicly owned electric utility contracts with a third party for a service that allows a customer to monitor his or her electricity usage, and that third party uses the data for a secondary commercial purpose, the contract between the local publicly owned electric utility and the third party shall provide that the third party prominently discloses that secondary commercial purpose to the customer.

(4) A local publicly owned electric utility shall use reasonable security procedures and practices to protect a customer's unencrypted electrical consumption data from unauthorized access, destruction, use, modification, or disclosure, and prohibits the use of the data for a secondary commercial purpose not related to the primary purpose of the contract without the customer's consent.

(5)(A) Nothing in this section shall preclude a local publicly owned electric utility from using customer aggregate electrical consumption data for analysis, reporting, or program management if all information has been removed regarding the individual identity of a customer.

(B) Nothing in this section shall preclude a local publicly owned electric utility from disclosing a customer's electrical consumption data to a third party for system, grid, or operational needs, or the implementation of demand response, energy management, or energy efficiency programs, provided, for contracts entered into after January 1, 2016, that the utility has required by contract that the third party implement and maintain reasonable security procedures and practices appropriate to the nature of the information, to protect the personal information from unauthorized access, destruction, use, modification, or disclosure.

(C) Nothing in this section shall preclude a local publicly owned electric utility from disclosing electrical consumption data as required under State or Federal law.

(6) If a customer chooses to disclose his or her electrical consumption data to a third party that is unaffiliated with, and has no other business relationship with, the local publicly owned electric utility, the utility shall not be responsible for the security of that data, or its use or misuse.

SEC. 5011. YOUTH ENERGY ENTERPRISE COMPETITION.

The Secretaries of Energy and Commerce shall jointly establish an energy enterprise competition to encourage youth to propose solutions to the energy challenges of the United States and to promote youth interest in careers in science,

technology, engineering, and math, especially as those fields relate to energy.

SEC. 5012. MODERNIZATION OF TERMS RELATING TO MINORITIES.

(a) OFFICE OF MINORITY ECONOMIC IMPACT.—Section 211(f)(1) of the Department of Energy Organization Act (42 U.S.C. 7141(f)(1)) is amended by striking ''a Negro, Puerto Rican, American Indian, Eskimo, Oriental, or Aleut or is a Spanish speaking individual of Spanish descent'' and inserting ''Asian American, African American, Hispanic, Puerto Rican, Native American, or an Alaska Native''.

(b) MINORITY BUSINESS ENTERPRISES.—Section 106(f)(2) of the Local Public Works Capital Development and Investment Act of 1976 (42 U.S.C. 6705(f)(2)) is amended by striking ''Negroes, Spanish-speaking, Orientals, Indians, Eskimos, and Aleuts'' and inserting ''Asian American, African American, Hispanic, Native American, or Alaska Natives''.

SEC. 5013. VOLUNTARY VEGETATION MANAGEMENT OUTSIDE RIGHTS-OF-WAY.

(a) AUTHORIZATION.—The Secretary of the Interior or the Secretary of Agriculture may authorize an owner or operator of an electric transmission or distribution facility to manage vegetation selectively within 150 feet of the exterior boundary of the right-of-way near structures for selective thinning and fuel reduction.

(b) STATUS OF REMOVED VEGETATION.—Any vegetation removed pursuant to this section shall be the property of the United States and not available for sale by the owner or operator.

(c) LIMITATION ON LIABILITY.—An owner or operator of an electric transmission or distribution facility shall not be held liable for wildlife damage, loss, or injury, including the cost of fire suppression, resulting from activities carried out pursuant to subsection (a) except in the case of harm resulting from the owner or operator's gross negligence or criminal misconduct.

SEC. 5014. REPEAL OF RULE FOR NEW RESIDENTIAL WOOD HEATERS.

The final rule entitled ''Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces'' published at 80 Fed. Reg. 13672 (March 16, 2015) shall have no force or effect and shall be treated as if such rule had never been issued.

TITLE VI—PROMOTING RENEWABLE ENERGY WITH SHARED SOLAR

SEC. 6001. SHORT TITLE.

This title may be cited as the ''Promoting Renewable Energy with Shared Solar Act of 2016''.

SEC. 6002. PROVISION OF INTERCONNECTION SERVICE AND NET BILLING SERVICE FOR COMMUNITY SOLAR FACILITIES.

(a) IN GENERAL.—Section 111(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)) is amended by adding at the end the following:

''(20) COMMUNITY SOLAR FACILITIES.—

''(A) DEFINITIONS.—In this paragraph:

''(i) COMMUNITY SOLAR FACILITY.—The term 'community solar facility' means a solar photovoltaic system that—

''(I) allocates electricity to multiple individual electric consumers of an electric utility;

''(II) has a nameplate rating of 2 megawatts or less; and

''(III) is—

''(aa) owned by the electric utility, jointly owned, or third-party-owned;

''(bb) connected to a local distribution facility of the electric utility; and

''(cc) located on or off the property of a consumer of the electricity.

''(ii) INTERCONNECTION SERVICE.—The term 'interconnection service' means a service provided by an electric utility to an electric consumer, in accordance with the standards described in paragraph (15), through which a community solar facility is connected to an applicable local distribution facility.

''(iii) NET BILLING SERVICE.—The term 'net billing service' means a service provided by an electric utility to an electric consumer through which electric energy generated for that electric consumer from a community solar facility may be used to offset electric energy provided by the electric utility to the electric consumer during the applicable billing period.

''(B) REQUIREMENT.—On receipt of a request of an electric consumer served by the electric utility, each electric utility shall make available to the electric consumer interconnection service and net billing service for a community solar facility.''.

(b) COMPLIANCE.—

(1) TIME LIMITATIONS.—Section 112(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(b)) is amended by adding at the end the following:

''(7)(A) Not later than 1 year after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which the State has ratemaking authority) and each nonregulated utility shall commence consideration under section 111, or set a hearing date for consideration, with respect to the standard established by paragraph (20) of section 111(d).

''(B) Not later than 2 years after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which the State has ratemaking authority), and each nonregulated electric utility shall complete the consideration and make the determination under section 111 with respect to the standard established by paragraph (20) of section 111(d).''.

(2) FAILURE TO COMPLY.—

(A) IN GENERAL.—Section 112(c) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(c)) is amended—

(i) by striking ''such paragraph (14)'' and all that follows through ''paragraphs (16)'' and inserting ''such paragraph (14). In the case of the standard established by paragraph (15) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of that paragraph (15). In the case of the standards established by paragraphs (16)''; and

(ii) by adding at the end the following: ''In the case of the standard established by paragraph (20) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of that paragraph (20).''.

(B) TECHNICAL CORRECTION.—

(i) IN GENERAL.—Section 1254(b) of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 971) is amended by striking paragraph (2).

(ii) TREATMENT.—The amendment made by paragraph (2) of section 1254(b) of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 971) (as in effect on the day before the date of enactment of this Act) is void, and section 112(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(d)) shall be in effect as if those amendments had not been enacted.

(3) PRIOR STATE ACTIONS.—

(A) IN GENERAL.—Section 112 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622) is amended by adding at the end the following:

''(g) PRIOR STATE ACTIONS.—Subsections (b) and (c) shall not apply to the standard established by paragraph (20) of section 111(d) in the case of any electric utility in a State if, before the date of enactment of this subsection—

''(1) the State has implemented for the electric utility the standard (or a comparable standard);

''(2) the State regulatory authority for the State or the relevant nonregulated electric utility has conducted a proceeding to consider implementation of the standard (or a comparable standard) for the electric utility; or

''(3) the State legislature has voted on the implementation of the standard (or a comparable standard) for the electric utility.''.

(B) CROSS-REFERENCE.—Section 124 of the Public Utility Regulatory Policy Act of 1978 (16 U.S.C. 2634) is amended by adding at the end the following: ''In the case of the standard established by paragraph (20) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of that paragraph (20).''.

TITLE VII—MARINE HYDROKINETIC

SEC. 7001. DEFINITION OF MARINE AND HYDROKINETIC RENEWABLE ENERGY.

Section 632 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17211) is amended in the matter preceding paragraph (1) by striking ''electrical''.

SEC. 7002. MARINE AND HYDROKINETIC RENEWABLE ENERGY RESEARCH AND DEVELOPMENT.

Section 633 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17212) is amended to read as follows:

''SEC. 633. MARINE AND HYDROKINETIC RENEWABLE ENERGY RESEARCH AND DEVELOPMENT.

''The Secretary, in consultation with the Secretary of the Interior, the Secretary of Commerce, and the Federal Energy Regulatory Commission, shall carry out a program of research, development, demonstration, and commercial application to accelerate the introduction of marine and hydrokinetic renewable energy production into the United States energy supply, giving priority to fostering accelerated research, development, and commercialization of technology, including—

''(1) to assist technology development to improve the components, processes, and systems used for power generation from marine and hydrokinetic renewable energy resources;

''(2) to establish critical testing infrastructure necessary—

''(A) to cost effectively and efficiently test and prove the efficacy of marine and hydrokinetic renewable energy devices; and

''(B) to accelerate the technological readiness and commercialization of those devices;

''(3) to support efforts to increase the efficiency of energy conversion, lower the cost, increase the use, improve the reliability, and demonstrate the applicability of marine and hydrokinetic renewable energy technologies by participating in demonstration projects;

''(4) to investigate variability issues and the efficient and reliable integration of marine and hydrokinetic renewable energy with the utility grid;

''(5) to identify and study critical short- and long-term needs to create a sustainable marine and hydrokinetic renewable energy supply chain based in the United States;

''(6) to increase the reliability and survivability of marine and hydrokinetic renewable energy technologies;

''(7) to verify the performance, reliability, maintainability, and cost of new marine and hydrokinetic renewable energy device designs and system components in an operating environment;

''(8) to coordinate and avoid duplication of activities across programs of the Department and other applicable Federal agencies, including National Laboratories, and to coordinate public-private collaboration in all programs under this section;

''(9) to identify opportunities for joint research and development programs and development of economies of scale between—

''(A) marine and hydrokinetic renewable energy technologies; and

''(B) other renewable energy and fossil energy programs, offshore oil and gas production activities, and activities of the Department of Defense; and

''(10) to support in-water technology development with international partners using existing cooperative procedures (including memoranda of understanding)—

''(A) to allow cooperative funding and other support of value to be exchanged and leveraged; and

''(B) to encourage international research centers and international companies to participate in the development of water technology in the United States and to encourage United States research centers and United States companies to participate in water technology projects abroad.''.

SEC. 7003. NATIONAL MARINE RENEWABLE ENERGY RESEARCH, DEVELOPMENT, AND DEMONSTRATION CENTERS.

Section 634(b) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17213(b)) is amended to read as follows:

''(b) PURPOSES.—A Center (in coordination with the Department and National Laboratories) shall—

''(1) advance research, development, demonstration, and commercial application of marine and hydrokinetic renewable energy technologies;

''(2) support in-water testing and demonstration of marine and hydrokinetic renewable energy technologies, including facilities capable of testing—

''(A) marine and hydrokinetic renewable energy systems of various technology readiness levels and scales;

''(B) a variety of technologies in multiple test berths at a single location; and

''(C) arrays of technology devices; and

''(3) serve as information clearinghouses for the marine and hydrokinetic renewable energy industry by collecting and disseminating information on best practices in all areas relating to developing and managing marine and hydrokinetic renewable energy resources and energy systems.''.

SEC. 7004. AUTHORIZATION OF APPROPRIATIONS.

Section 636 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17215) is amended by striking ''2008 through 2012'' and inserting ''2016 through 2019''.

TITLE VIII—EXTENSIONS OF TIME FOR VARIOUS FEDERAL ENERGY REGULATORY COMMISSION PROJECTS

SEC. 8001. EXTENSION OF TIME FOR FEDERAL ENERGY REGULATORY COMMISSION PROJECT INVOLVING CLARK CANYON DAM.

Notwithstanding the time period described in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12429, the Federal Energy Regulatory Commission (referred to in this section as the ''Commission'') shall, at the request of the licensee for the project, and after reasonable notice and in accordance with the procedures of the Commission under that section, reinstate the license and extend the time period during which the licensee is required to commence construction of project works for the 3-year period beginning on the date of enactment of this Act.

SEC. 8002. EXTENSION OF TIME FOR FEDERAL ENERGY REGULATORY COMMISSION PROJECT INVOLVING GIBSON DAM.

(a) IN GENERAL.—Notwithstanding the requirements of section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12478–003, the Federal Energy Regulatory Commission (referred to in this section as the ''Commission'') may, at the request of the licensee for the project, and after reasonable notice and in accordance with the procedures of the Commission under that section, extend the time period during which the licensee is required to commence construction of the project for a 6-year period that begins on the date described in subsection (b).

(b) DATE DESCRIBED.—The date described in this subsection is the date of the expiration of the extension of the period required for commencement of construction for the project described in subsection (a) that was issued by the Commission prior to the date of enactment of this Act under section 13 of the Federal Power Act (16 U.S.C. 806).

SEC. 8003. EXTENSION OF TIME FOR FEDERAL ENERGY REGULATORY COMMISSION PROJECT INVOLVING JENNINGS RANDOLPH DAM.

(a) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12715, the Commission may, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the Commission's procedures under that section, extend the time period during which the licensee is required to commence the construction of the project for up to three consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission. Any obligation of the licensee for the payment of annual charges under section 10(e) of the Federal Power Act (16 U.S.C. 803(e)) shall commence upon conclusion of the time period to commence construction of the project, as extended by the Commission under this subsection.

(b) REINSTATEMENT OF EXPIRED LICENSE.—If the period required for commencement of construction of the project described in subsection (a) has expired prior to the date of the enactment of this Act, the Commission shall reinstate the license effective as of the date of its expiration and the first extension authorized under subsection (a) shall take effect on the date of such expiration.

SEC. 8004. EXTENSION OF TIME FOR FEDERAL ENERGY REGULATORY COMMISSION PROJECT INVOLVING CANNONSVILLE DAM.

(a) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 13287, the Commission may, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the Commission's procedures under that section, extend the time period during which the licensee is required to commence the construction of the project for up to four consecutive 2-year periods from the date of the expiration of the time period required for commencement of construction prescribed in the license.

(b) REINSTATEMENT OF EXPIRED LICENSE.—If the period required for commencement of construction of the project described in subsection (a) has expired prior to the date of the enactment of this Act, the Commission may reinstate the license effective as of the date of its expiration and the first extension authorized under subsection (a) shall take effect on the date of such expiration.

SEC. 8005. EXTENSION OF TIME FOR FEDERAL ENERGY REGULATORY COMMISSION PROJECT INVOLVING GATHRIGHT DAM.

(a) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12737, the Commission may, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the Commission's procedures under that section, extend the time period during which the licensee is required to commence the construction of the project for up to three consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission.

(b) REINSTATEMENT OF EXPIRED LICENSE.—If the period required for commencement of construction of the project described in subsection (a) has expired prior to the date of the enactment of this Act, the Commission may reinstate the license for the project effective as of the date of its expiration and the first extension authorized under subsection (a) shall take effect on the date of such expiration.

SEC. 8006. EXTENSION OF TIME FOR FEDERAL ENERGY REGULATORY COMMISSION PROJECT INVOLVING FLANNAGAN DAM.

(a) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12740, the Commission may, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the Commission's procedures under that section, extend the time period during which the licensee is required to commence the construction of the project for up to three consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission.

(b) REINSTATEMENT OF EXPIRED LICENSE.—If the period required for commencement of construction of the project described in subsection (a) has expired prior to the date of the enactment of this Act, the Commission may reinstate the license for the project effective as of the date of its expiration and the first extension authorized under subsection (a) shall take effect on the date of such expiration.

TITLE IX—ENERGY AND MANUFACTURING WORKFORCE DEVELOPMENT

SEC. 9001. ENERGY AND MANUFACTURING WORKFORCE DEVELOPMENT.

(a) IN GENERAL.—The Secretary of Energy (in this title referred to as the ''Secretary'') shall prioritize education and training for energy and manufacturing-related jobs in order to increase the number of skilled workers trained to work in energy and manufacturing-related fields when considering awards for existing grant programs, including by—

(1) encouraging State education agencies and local educational agencies to equip students with the skills, mentorships, training, and technical expertise necessary to fill the employment opportunities vital to managing and operating the Nation's energy and manufacturing industries, in collaboration with representatives from the energy and manufacturing industries (including the oil, gas, coal, nuclear, utility, pipeline, renewable, petrochemical, manufacturing, and electrical construction sectors) to identify the areas of highest need in each sector and the skills necessary for a high quality workforce in the following sectors of energy and manufacturing:

(A) Energy efficiency industry, including work in energy efficiency, conservation, weatherization, or retrofitting, or as inspectors or auditors.

(B) Pipeline industry, including work in pipeline construction and maintenance or work as engineers or technical advisors.

(C) Utility industry, including work in the generation, transmission, and distribution of electricity and natural gas, such as utility technicians, operators, lineworkers, engineers, scientists, and information technology specialists.

(D) Nuclear industry, including work as scientists, engineers, technicians, mathematicians, or security personnel.

(E) Oil and gas industry, including work as scientists, engineers, technicians, mathematicians, petrochemical engineers, or geologists.

(F) Renewable industry, including work in the development, manufacturing, and production of renewable energy sources (such as solar, hydropower, wind, or geothermal energy).

(G) Coal industry, including work as coal miners, engineers, developers and manufacturers of state-of-the-art coal facilities, technology vendors, coal transportation workers and operators, or mining equipment vendors.

(H) Manufacturing industry, including work as operations technicians, operations and design in additive manufacturing, 3–D printing, advanced composites, and advanced aluminum and other metal alloys, industrial energy efficiency management systems, including power electronics, and other innovative technologies.

(I) Chemical manufacturing industry, including work in construction (such as welders, pipefitters, and tool and die makers) or as instrument and electrical technicians, machinists, chemical process operators, chemical engineers, quality and safety professionals, and reliability engineers; and

(2) strengthening and more fully engaging Department of Energy programs and labs in carrying out the Department's workforce development initiatives including the Minorities in Energy Initiative.

(b) PROHIBITION.—Nothing in this section shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to incentivize, require, or coerce a State, school district, or school to adopt curricula aligned to the skills described in subsection (a).

(c) PRIORITY.—The Secretary shall prioritize the education and training of underrepresented groups in energy and manufacturing-related jobs.

(d) CLEARINGHOUSE.—In carrying out this section, the Secretary shall establish a clearinghouse to—

(1) maintain and update information and resources on training and workforce development programs for energy and manufacturing-related jobs, including job training and workforce development programs available to assist displaced and unemployed energy and manufacturing workers transitioning to new employment; and

(2) provide technical assistance for States, local educational agencies, schools, community colleges, universities (including minority serving institutions), workforce development programs, labor-management organizations, and industry organizations that would like to develop and implement energy and manufacturing-related training programs.

(e) COLLABORATION.—In carrying out this section, the Secretary—

(1) shall collaborate with States, local educational agencies, schools, community colleges, universities (including minority serving institutions), workforce-training organizations, national laboratories, State energy offices, workforce investment boards, and the energy and manufacturing industries;

(2) shall encourage and foster collaboration, mentorships, and partnerships among organizations (including industry, States, local educational agencies, schools, community colleges, workforce-development organizations, and colleges and universities) that currently provide effective job training programs in the energy and manufacturing fields and entities (including States, local educational agencies, schools, community colleges, workforce development programs, and colleges and universities) that seek to establish these types of programs in order to share best practices; and

(3) shall collaborate with the Bureau of Labor Statistics, the Department of Commerce, the Bureau of the Census, States, and the energy and manufacturing industries to develop a comprehensive and detailed understanding of the energy and manufacturing workforce needs and opportunities by State and by region.

(f) OUTREACH TO MINORITY SERVING INSTITUTIONS.—In carrying out this section, the Secretary shall—

(1) give special consideration to increasing outreach to minority serving institutions and Historically Black Colleges and Universities;

(2) make existing resources available through program cross-cutting to minority serving institutions with the objective of increasing the number of skilled minorities and women trained to go into the energy and manufacturing sectors;

(3) encourage industry to improve the opportunities for students of minority serving institutions to participate in industry internships and cooperative work/study programs; and

(4) partner with the Department of Energy laboratories to increase underrepresented groups' participation in internships, fellowships, traineeships, and employment at all Department of Energy laboratories.

(g) OUTREACH TO DISLOCATED ENERGY AND MANUFACTURING WORKERS.—In carrying out this section, the Secretary shall—

(1) give special consideration to increasing outreach to employers and job trainers preparing dislocated energy and manufacturing workers for in-demand sectors or occupations;

(2) make existing resources available through program cross-cutting to institutions serving dislocated energy and manufacturing workers with the objective of training individuals to re-enter in-demand sectors or occupations;

(3) encourage the energy and manufacturing industries to improve opportunities for dislocated energy and manufacturing workers to participate in career pathways; and

(4) work closely with the energy and manufacturing industries to identify energy and manufacturing operations, such as coal-fired power plants and coal mines, scheduled for closure and to provide early intervention assistance to workers employed at such energy and manufacturing operations by—

(A) partnering with State and local workforce development boards;

(B) giving special consideration to employers and job trainers preparing such workers for in-demand sectors or occupations;

(C) making existing resources available through program cross-cutting to institutions serving such workers with the objective of training them to re-enter in-demand sectors or occupations; and

(D) encouraging the energy and manufacturing industries to improve opportunities for such workers to participate in career pathways.

(h) ENROLLMENT IN WORKFORCE DEVELOPMENT PROGRAMS.—In carrying out this section, the Secretary shall work with industry and community-based workforce organizations to help identify candidates, including from underrepresented communities such as minorities, women, and veterans, to enroll in workforce development programs for energy and manufacturing-related jobs.

(i) PROHIBITION.—Nothing in this section shall be construed as authorizing the creation of a new workforce development program.

(j) DEFINITIONS.—In this section:

(1) CAREER PATHWAYS; DISLOCATED WORKER; IN-DEMAND SECTORS OR OCCUPATIONS; LOCAL WORKFORCE DEVELOPMENT BOARD; STATE WORKFORCE DEVELOPMENT BOARD.—The terms ''career pathways'', ''dislocated worker'', ''in-demand sectors or occupations'', ''local workforce development board'', and ''State workforce development board'' have the meanings given the terms ''career pathways'', ''dislocated worker'', ''in-demand sectors or occupations'', ''local board'', and ''State board'', respectively, in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

(2) MINORITY-SERVING INSTITUTION.—The term ''minority-serving institution'' means an institution of higher education with a designation of one of the following:

(A) Hispanic-serving institution (as defined in 20 U.S.C.1101a(a)(5)).

(B) Tribal College or University (as defined in 20 U.S.C.1059c(b)).

(C) Alaska Native-serving institution or a Native Hawaiian-serving institution (as defined in 20 U.S.C.1059d(b)).

(D) Predominantly Black Institution (as defined in 20 U.S.C.1059e(b)).

(E) Native American-serving nontribal institution (as defined in 20 U.S.C.1059f(b)).

(F) Asian American and Native American Pacific Islander-serving institution (as defined in 20 U.S.C.1059g(b)).

SEC. 9002. REPORT.

Five years after the date of enactment of this Act, the Secretary shall publish a comprehensive report to the Committee on Energy and Commerce and the Committee on Education and the Workforce of the House of Representatives and the Senate Energy and Natural Resources Committee on the outlook for energy and manufacturing sectors nationally. The report shall also include a comprehensive summary of energy and manufacturing job creation as a result of the enactment of this title. The report shall include performance data regarding the number of program participants served, the percentage of participants in competitive integrated employment two quarters and four quarters after program completion, the median income of program participants two quarters and four quarters after program completion, and the percentage of program participants receiving industry-recognized credentials.

SEC. 9003. USE OF EXISTING FUNDS.

No additional funds are authorized to carry out the requirements of this title. Such requirements shall be carried out using amounts otherwise authorized.

DIVISION B—RESILIENT FEDERAL FORESTS

SEC. 1. SHORT TITLE.

This division may be cited as the ''Resilient Federal Forests Act of 2016''.

SEC. 2. DEFINITIONS.

In titles I through VIII of this division:

(1) CATASTROPHIC EVENT.—The term ''catastrophic event'' means any natural disaster (such as hurricane, tornado, windstorm, snow or ice storm, rain storm, high water, wind-driven water, tidal wave, earthquake, volcanic eruption, landslide, mudslide, drought, or insect or disease outbreak) or any fire, flood, or explosion, regardless of cause.

(2) CATEGORICAL EXCLUSION.—The term ''categorical exclusion'' refers to an exception to the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) for a project or activity relating to the management of National Forest System lands or public lands.

(3) COLLABORATIVE PROCESS.—The term ''collaborative process'' refers to a process relating

to the management of National Forest System lands or public lands by which a project or activity is developed and implemented by the Secretary concerned through collaboration with interested persons, as described in section 603(b)(1)(C) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591b(b)(1)(C)).

(4) COMMUNITY WILDFIRE PROTECTION PLAN.—The term ''community wildfire protection plan'' has the meaning given that term in section 101(3) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511(3)).

(5) COOS BAY WAGON ROAD GRANT LANDS.—The term ''Coos Bay Wagon Road Grant lands'' means the lands reconveyed to the United States pursuant to the first section of the Act of February 26, 1919 (40 Stat. 1179).

(6) FOREST MANAGEMENT ACTIVITY.—The term ''forest management activity'' means a project or activity carried out by the Secretary concerned on National Forest System lands or public lands in concert with the forest plan covering the lands.

(7) FOREST PLAN.—The term ''forest plan'' means—

(A) a land use plan prepared by the Bureau of Land Management for public lands pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712); or

(B) a land and resource management plan prepared by the Forest Service for a unit of the National Forest System pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(8) LARGE-SCALE CATASTROPHIC EVENT.—The term ''large-scale catastrophic event'' means a catastrophic event that adversely impacts at least 5,000 acres of reasonably contiguous National Forest System lands or public lands.

(9) NATIONAL FOREST SYSTEM.—The term ''National Forest System'' has the meaning given that term in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)).

(10) OREGON AND CALIFORNIA RAILROAD GRANT LANDS.—The term ''Oregon and California Railroad Grant lands'' means the following lands:

(A) All lands in the State of Oregon revested in the United States under the Act of June 9, 1916 (39 Stat. 218), that are administered by the Secretary of the Interior, acting through the Bureau of Land Management, pursuant to the first section of the Act of August 28, 1937 (43 U.S.C. 1181a).

(B) All lands in that State obtained by the Secretary of the Interior pursuant to the land exchanges authorized and directed by section 2 of the Act of June 24, 1954 (43 U.S.C. 1181h).

(C) All lands in that State acquired by the United States at any time and made subject to the provisions of title II of the Act of August 28, 1937 (43 U.S.C. 1181f).

(11) PUBLIC LANDS.—The term ''public lands'' has the meaning given that term in section 103(e) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702(e)), except that the term includes Coos Bay Wagon Road Grant lands and Oregon and California Railroad Grant lands.

(12) REFORESTATION ACTIVITY.—The term ''reforestation activity'' means a project or activity carried out by the Secretary concerned whose primary purpose is the reforestation of impacted lands following a large-scale catastrophic event. The term includes planting, evaluating and enhancing natural regeneration, clearing competing vegetation, and other activities related to reestablishment of forest species on the fire-impacted lands.

(13) RESOURCE ADVISORY COMMITTEE.—The term ''resource advisory committee'' has the meaning given that term in section 201(3) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7121(3)).

(14) SALVAGE OPERATION.—The term ''salvage operation'' means a forest management activity undertaken in response to a catastrophic event whose primary purpose—

(A) is to prevent wildfire as a result of the catastrophic event, or, if the catastrophic event was wildfire, to prevent a re-burn of the fire-impacted area;

(B) is to provide an opportunity for utilization of forest materials damaged as a result of the catastrophic event; or

(C) is to provide a funding source for reforestation and other restoration activities for the National Forest System lands or public lands impacted by the catastrophic event.

(15) SECRETARY CONCERNED.—The term ''Secretary concerned'' means—

(A) the Secretary of Agriculture, with respect to National Forest System lands; and

(B) the Secretary of the Interior, with respect to public lands.

TITLE I—EXPEDITED ENVIRONMENTAL ANALYSIS AND AVAILABILITY OF CATEGORICAL EXCLUSIONS TO EXPEDITE FOREST MANAGEMENT ACTIVITIES

SEC. 101. ANALYSIS OF ONLY TWO ALTERNATIVES (ACTION VERSUS NO ACTION) IN PROPOSED COLLABORATIVE FOREST MANAGEMENT ACTIVITIES.

(a) APPLICATION TO CERTAIN ENVIRONMENTAL ASSESSMENTS AND ENVIRONMENTAL IMPACT STATEMENTS.—This section shall apply whenever the Secretary concerned prepares an environmental assessment or an environmental impact statement pursuant to section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)) for a forest management activity that—

(1) is developed through a collaborative process;

(2) is proposed by a resource advisory committee; or

(3) is covered by a community wildfire protection plan.

(b) CONSIDERATION OF ALTERNATIVES.—In an environmental assessment or environmental impact statement described in subsection (a), the Secretary concerned shall study, develop, and describe only the following two alternatives:

(1) The forest management activity, as proposed pursuant to paragraph (1), (2), or (3) of subsection (a).

(2) The alternative of no action.

(c) ELEMENTS OF NON-ACTION ALTERNATIVE.—In the case of the alternative of no action, the Secretary concerned shall evaluate—

(1) the effect of no action on—

(A) forest health;

(B) habitat diversity;

(C) wildfire potential; and

(D) insect and disease potential; and

(2) the implications of a resulting decline in forest health, loss of habitat diversity, wildfire, or insect or disease infestation, given fire and insect and disease historic cycles, on—

(A) domestic water costs;

(B) wildlife habitat loss; and

(C) other economic and social factors.

SEC. 102. CATEGORICAL EXCLUSION TO EXPEDITE CERTAIN CRITICAL RESPONSE ACTIONS.

(a) AVAILABILITY OF CATEGORICAL EXCLUSION.—A categorical exclusion is available to the Secretary concerned to develop and carry out a forest management activity on National Forest System lands or public lands when the primary purpose of the forest management activity is—

(1) to address an insect or disease infestation;

(2) to reduce hazardous fuel loads;

(3) to protect a municipal water source;

(4) to maintain, enhance, or modify critical habitat to protect it from catastrophic disturbances;

(5) to increase water yield; or

(6) any combination of the purposes specified in paragraphs (1) through (5).

(b) ACREAGE LIMITATIONS.—

(1) IN GENERAL.—Except in the case of a forest management activity described in paragraph (2), a forest management activity covered by the categorical exclusion granted by subsection (a) may not contain harvest units exceeding a total of 5,000 acres.

(2) LARGER AREAS AUTHORIZED.—A forest management activity covered by the categorical exclusion granted by subsection (a) may not contain harvest units exceeding a total of 15,000 acres if the forest management activity—

(A) is developed through a collaborative process;

(B) is proposed by a resource advisory committee; or

(C) is covered by a community wildfire protection plan.

SEC. 103. CATEGORICAL EXCLUSION TO EXPEDITE SALVAGE OPERATIONS IN RESPONSE TO CATASTROPHIC EVENTS.

(a) AVAILABILITY OF CATEGORICAL EXCLUSION.—A categorical exclusion is available to the Secretary concerned to develop and carry out a salvage operation as part of the restoration of National Forest System lands or public lands following a catastrophic event.

(b) ACREAGE LIMITATIONS.—

(1) IN GENERAL.—A salvage operation covered by the categorical exclusion granted by subsection (a) may not contain harvest units exceeding a total of 5,000 acres.

(2) HARVEST AREA.—In addition to the limitation imposed by paragraph (1), the harvest units covered by the categorical exclusion granted by subsection (a) may not exceed one-third of the area impacted by the catastrophic event.

(c) ADDITIONAL REQUIREMENTS.—

(1) ROAD BUILDING.—A salvage operation covered by the categorical exclusion granted by subsection (a) may not include any new permanent roads. Temporary roads constructed as part of the salvage operation shall be retired before the end of the fifth fiscal year beginning after the completion of the salvage operation.

(2) STREAM BUFFERS.—A salvage operation covered by the categorical exclusion granted by subsection (a) shall comply with the standards and guidelines for stream buffers contained in the applicable forest plan unless waived by the Regional Forester, in the case of National Forest System lands, or the State Director of the Bureau of Land Management, in the case of public lands.

(3) REFORESTATION PLAN.—A reforestation plan shall be developed under section 3 of the Act of June 9, 1930 (commonly known as the Knutson-Vandenberg Act; 16 U.S.C. 576b), as part of a salvage operation covered by the categorical exclusion granted by subsection (a).

SEC. 104. CATEGORICAL EXCLUSION TO MEET FOREST PLAN GOALS FOR EARLY SUCCESSIONAL FORESTS.

(a) AVAILABILITY OF CATEGORICAL EXCLUSION.—A categorical exclusion is available to the Secretary concerned to develop and carry out a forest management activity on National Forest System lands or public lands when the primary purpose of the forest management activity is to modify, improve, enhance, or create early successional forests for wildlife habitat improvement and other purposes, consistent with the applicable forest plan.

(b) PROJECT GOALS.—To the maximum extent practicable, the Secretary concerned shall design a forest management activity under this section to meet early successional forest goals in such a manner so as to maximize production and regeneration of priority species, as identified in the forest plan and consistent with the capability of the activity site.

(c) ACREAGE LIMITATIONS.—A forest management activity covered by the categorical exclusion granted by subsection (a) may not contain harvest units exceeding a total of 5,000 acres.

SEC. 105. CLARIFICATION OF EXISTING CATEGORICAL EXCLUSION AUTHORITY RELATED TO INSECT AND DISEASE INFESTATION.

Section 603(c)(2)(B) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591b(c)(2)(B)) is amended by striking ''Fire Regime Groups I, II, or III'' and inserting ''Fire Regime I, Fire Regime II, Fire Regime III, or Fire Regime IV''.

SEC. 106. CATEGORICAL EXCLUSION TO IMPROVE, RESTORE, AND REDUCE THE RISK OF WILDFIRE.

(a) AVAILABILITY OF CATEGORICAL EXCLUSION.—A categorical exclusion is available to the Secretary concerned to carry out a forest management activity described in subsection (c) on National Forest System Lands or public lands when the primary purpose of the activity is to improve, restore, or reduce the risk of wildfire on those lands.

(b) ACREAGE LIMITATIONS.—A forest management activity covered by the categorical exclusion granted by subsection (a) may not exceed 5,000 acres.

(c) AUTHORIZED ACTIVITIES.—The following activities may be carried out using a categorical exclusion granted by subsection (a):

(1) Removal of juniper trees, medusahead rye, conifer trees, piñon pine trees, cheatgrass, and other noxious or invasive weeds specified on Federal or State noxious weeds lists through late-season livestock grazing, targeted livestock grazing, prescribed burns, and mechanical treatments.

(2) Performance of hazardous fuels management.

(3) Creation of fuel and fire breaks.

(4) Modification of existing fences in order to distribute livestock and help improve wildlife habitat.

(5) Installation of erosion control devices.

(6) Construction of new and maintenance of permanent infrastructure, including stock ponds, water catchments, and water spring boxes used to benefit livestock and improve wildlife habitat.

(7) Performance of soil treatments, native and non-native seeding, and planting of and transplanting sagebrush, grass, forb, shrub, and other species.

(8) Use of herbicides, so long as the Secretary concerned determines that the activity is otherwise conducted consistently with agency procedures, including any forest plan applicable to the area covered by the activity.

(d) DEFINITIONS.—In this section:

(1) HAZARDOUS FUELS MANAGEMENT.—The term ''hazardous fuels management'' means any vegetation management activities that reduce the risk of wildfire.

(2) LATE-SEASON GRAZING.—The term ''late-season grazing'' means grazing activities that occur after both the invasive species and native perennial species have completed their current-year annual growth cycle until new plant growth begins to appear in the following year.

(3) TARGETED LIVESTOCK GRAZING.—The term ''targeted livestock grazing'' means grazing used for purposes of hazardous fuel reduction.

SEC. 107. COMPLIANCE WITH FOREST PLAN.

A forest management activity covered by a categorical exclusion granted by this title shall be conducted in a manner consistent with the forest plan applicable to the National Forest System land or public lands covered by the forest management activity.

TITLE II—SALVAGE AND REFORESTATION IN RESPONSE TO CATASTROPHIC EVENTS

SEC. 201. EXPEDITED SALVAGE OPERATIONS AND REFORESTATION ACTIVITIES FOLLOWING LARGE-SCALE CATASTROPHIC EVENTS.

(a) EXPEDITED ENVIRONMENTAL ASSESSMENT.—Notwithstanding any other provision of law, any environmental assessment prepared by the Secretary concerned pursuant to section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)) for a salvage operation or reforestation activity proposed to be conducted on National Forest System lands or public lands adversely impacted by a large-scale catastrophic event shall be completed within 3 months after the conclusion of the catastrophic event.

(b) EXPEDITED IMPLEMENTATION AND COMPLETION.—In the case of reforestation activities conducted on National Forest System lands or public lands adversely impacted by a large-scale catastrophic event, the Secretary concerned shall achieve reforestation of at least 75 percent of the impacted lands during the 5-year period following the conclusion of the catastrophic event.

(c) AVAILABILITY OF KNUTSON-VANDENBERG FUNDS.—Amounts in the special fund established pursuant to section 3 of the Act of June 9, 1930 (commonly known as the Knutson-Vandenberg Act; 16 U.S.C. 576b) shall be available to the Secretary of Agriculture for reforestation activities authorized by this title.

(d) TIMELINE FOR PUBLIC INPUT PROCESS.—Notwithstanding any other provision of law, in the case of a salvage operation or reforestation activity proposed to be conducted on National Forest System lands or public lands adversely impacted by a large-scale catastrophic event, the Secretary concerned shall allow 30 days for public scoping and comment, 15 days for filing an objection, and 15 days for the agency response to the filing of an objection. Upon completion of this process and expiration of the period specified in subsection (a), the Secretary concerned shall implement the project immediately.

SEC. 202. COMPLIANCE WITH FOREST PLAN.

A salvage operation or reforestation activity authorized by this title shall be conducted in a manner consistent with the forest plan applicable to the National Forest System lands or public lands covered by the salvage operation or reforestation activity.

SEC. 203. PROHIBITION ON RESTRAINING ORDERS, PRELIMINARY INJUNCTIONS, AND INJUNCTIONS PENDING APPEAL.

No restraining order, preliminary injunction, or injunction pending appeal shall be issued by any court of the United States with respect to any decision to prepare or conduct a salvage operation or reforestation activity in response to a large-scale catastrophic event. Section 705 of title 5, United States Code, shall not apply to any challenge to the salvage operation or reforestation activity.

SEC. 204. EXCLUSION OF CERTAIN LANDS.

In applying this title, the Secretary concerned may not carry out salvage operations or reforestation activities on National Forest System lands or public lands—

(1) that are included in the National Wilderness Preservation System;

(2) that are located within an inventoried roadless area unless the reforestation activity is consistent with the forest plan; or

(3) on which timber harvesting for any purpose is prohibited by statute.

TITLE III—COLLABORATIVE PROJECT LITIGATION REQUIREMENT

SEC. 301. DEFINITIONS.

In this title:

(1) COSTS.—The term ''costs'' refers to the fees and costs described in section 1920 of title 28, United States Code.

(2) EXPENSES.—The term ''expenses'' includes the expenditures incurred by the staff of the Secretary concerned in preparing for and responding to a legal challenge to a collaborative forest management activity and in participating in litigation that challenges the forest management activity, including such staff time as may be used to prepare the administrative record, exhibits, declarations, and affidavits in connection with the litigation.

SEC. 302. BOND REQUIREMENT AS PART OF LEGAL CHALLENGE OF CERTAIN FOREST MANAGEMENT ACTIVITIES.

(a) BOND REQUIRED.—In the case of a forest management activity developed through a collaborative process or proposed by a resource advisory committee, any plaintiff or plaintiffs challenging the forest management activity shall be required to post a bond or other security equal to the anticipated costs, expenses, and attorneys fees of the Secretary concerned as defendant, as reasonably estimated by the Secretary concerned. All proceedings in the action shall be stayed until the required bond or security is provided.

(b) RECOVERY OF LITIGATION COSTS, EXPENSES, AND ATTORNEYS FEES.—

(1) MOTION FOR PAYMENT.—If the Secretary concerned prevails in an action challenging a forest management activity described in subsection (a), the Secretary concerned shall submit to the court a motion for payment, from the bond or other security posted under subsection (a) in such action, of the reasonable costs, expenses, and attorneys fees incurred by the Secretary concerned.

(2) MAXIMUM AMOUNT RECOVERED.—The amount of costs, expenses, and attorneys fees recovered by the Secretary concerned under paragraph (1) as a result of prevailing in an action challenging the forest management activity may not exceed the amount of the bond or other security posted under subsection (a) in such action.

(3) RETURN OF REMAINDER.—Any funds remaining from the bond or other security posted under subsection (a) after the payment of costs, expenses, and attorneys fees under paragraph (1) shall be returned to the plaintiff or plaintiffs that posted the bond or security in the action.

(c) RETURN OF BOND TO PREVAILING PLAINTIFF.—

(1) IN GENERAL.—If the plaintiff ultimately prevails on the merits in every action brought by the plaintiff challenging a forest management activity described in subsection (a), the court shall return to the plaintiff any bond or security provided by the plaintiff under subsection (a), plus interest from the date the bond or security was provided.

(2) ULTIMATELY PREVAILS ON THE MERITS.—In this subsection, the phrase ''ultimately prevails on the merits'' means, in a final enforceable judgment on the merits, a court rules in favor of the plaintiff on every cause of action in every action brought by the plaintiff challenging the forest management activity.

(d) EFFECT OF SETTLEMENT.—If a challenge to a forest management activity described in subsection (a) for which a bond or other security was provided by the plaintiff under such subsection is resolved by settlement between the Secretary concerned and the plaintiff, the settlement agreement shall provide for sharing the costs, expenses, and attorneys fees incurred by the parties.

(e) LIMITATION ON CERTAIN PAYMENTS.—Notwithstanding section 1304 of title 31, United States Code, no award may be made under section 2412 of title 28, United States Code, and no amounts may be obligated or expended from the

Claims and Judgment Fund of the United States Treasury to pay any fees or other expenses under such sections to any plaintiff related to an action challenging a forest management activity described in subsection (a).

TITLE IV—SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT AMENDMENTS

SEC. 401. USE OF RESERVED FUNDS FOR TITLE II PROJECTS ON FEDERAL LAND AND CERTAIN NON-FEDERAL LAND.

(a) REPEAL OF MERCHANTABLE TIMBER CONTRACTING PILOT PROGRAM.—Section 204(e) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7124(e)) is amended by striking paragraph (3).

(b) REQUIREMENTS FOR PROJECT FUNDS.—Section 204 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7124) is amended by striking subsection (f) and inserting the following new subsection:

''(f) REQUIREMENTS FOR PROJECT FUNDS.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary concerned shall ensure that at least 50 percent of the project funds reserved by a participating county under section 102(d) shall be available only for projects that—

''(A) include the sale of timber or other forest products, reduce fire risks, or improve water supplies; and

''(B) implement stewardship objectives that enhance forest ecosystems or restore and improve land health and water quality.

''(2) APPLICABILITY.—The requirement in paragraph (1) shall apply only to project funds reserved by a participating county whose boundaries include Federal land that the Secretary concerned determines has been subject to a timber or other forest products program within 5 fiscal years before the fiscal year in which the funds are reserved.''.

SEC. 402. RESOURCE ADVISORY COMMITTEES.

(a) RECOGNITION OF RESOURCE ADVISORY COMMITTEES.—Section 205(a)(4) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125(a)(4)) is amended by striking ''2012'' each place it appears and inserting ''2020''.

(b) TEMPORARY REDUCTION IN COMPOSITION OF COMMITTEES.—Section 205(d) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125(d)) is amended—

(1) in paragraph (1), by striking ''Each'' and inserting ''Except during the period specified in paragraph (6), each''; and

(2) by adding at the end the following new paragraph:

''(6) TEMPORARY REDUCTION IN MINIMUM NUMBER OF MEMBERS.—

''(A) TEMPORARY REDUCTION.—During the period beginning on the date of the enactment of this paragraph and ending on September 30, 2020, a resource advisory committee established under this section may be comprised of nine or more members, of which—

''(i) at least three shall be representative of interests described in subparagraph (A) of paragraph (2);

''(ii) at least three shall be representative of interests described in subparagraph (B) of paragraph (2); and

''(iii) at least three shall be representative of interests described in subparagraph (C) of paragraph (2).

''(B) ADDITIONAL REQUIREMENTS.—In appointing members of a resource advisory committee from the three categories described in paragraph (2), as provided in subparagraph (A), the Secretary concerned shall ensure balanced and broad representation in each category. In the case of a vacancy on a resource advisory committee, the vacancy shall be filled within 90 days after the date on which the vacancy occurred. Appointments to a new resource advisory committee shall be made within 90 days after the date on which the decision to form the new resource advisory committee was made.

''(C) CHARTER.—A charter for a resource advisory committee with 15 members that was filed on or before the date of the enactment of this paragraph shall be considered to be filed for a resource advisory committee described in this paragraph. The charter of a resource advisory committee shall be reapproved before the expiration of the existing charter of the resource advisory committee. In the case of a new resource advisory committee, the charter of the resource advisory committee shall be approved within 90 days after the date on which the decision to form the new resource advisory committee was made.''.

(c) CONFORMING CHANGE TO PROJECT APPROVAL REQUIREMENTS.—Section 205(e)(3) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125(e)(3)) is amended by adding at the end the following new sentence: ''In the case of a resource advisory committee consisting of fewer than 15 members, as authorized by subsection (d)(6), a project may be proposed to the Secretary concerned upon approval by a majority of the members of the committee, including at least one member from each of the three categories described in subsection (d)(2).''.

(d) EXPANDING LOCAL PARTICIPATION ON COMMITTEES.—Section 205(d) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125(d)) is amended—

(1) in paragraph (3), by inserting before the period at the end the following: '', consistent with the requirements of paragraph (4)''; and

(2) by striking paragraph (4) and inserting the following new paragraph:

''(4) GEOGRAPHIC DISTRIBUTION.—The members of a resource advisory committee shall reside within the county or counties in which the committee has jurisdiction or an adjacent county.''.

SEC. 403. PROGRAM FOR TITLE II SELF-SUSTAINING RESOURCE ADVISORY COMMITTEE PROJECTS.

(a) SELF-SUSTAINING RESOURCE ADVISORY COMMITTEE PROJECTS.—Title II of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7121 et seq.) is amended by adding at the end the following new section:

''SEC. 209. PROGRAM FOR SELF-SUSTAINING RESOURCE ADVISORY COMMITTEE PROJECTS.

''(a) RAC PROGRAM.—The Chief of the Forest Service shall conduct a program (to be known as the 'self-sustaining resource advisory committee program' or 'RAC program') under which 10 resource advisory committees will propose projects authorized by subsection (c) to be carried out using project funds reserved by a participating county under section 102(d).

''(b) SELECTION OF PARTICIPATING RESOURCE ADVISORY COMMITTEES.—The selection of resource advisory committees to participate in the RAC program is in the sole discretion of the Chief of the Forest Service, except that, consistent with section 205(d)(6), a selected resource advisory committee must have a minimum of six members.

''(c) AUTHORIZED PROJECTS.—Notwithstanding the project purposes specified in sections 202(b), 203(c), and 204(a)(5), projects under the RAC program are intended to—

''(1) accomplish forest management objectives or support community development; and

''(2) generate receipts.

''(d) DEPOSIT AND AVAILABILITY OF REVENUES.—Any revenue generated by a project conducted under the RAC program, including any interest accrued from the revenues, shall be—

''(1) deposited in the special account in the Treasury established under section 102(d)(2)(A); and

''(2) available, in such amounts as may be provided in advance in appropriation Acts, for additional projects under the RAC program.

''(e) TERMINATION OF AUTHORITY.—

''(1) IN GENERAL.—The authority to initiate a project under the RAC program shall terminate on September 30, 2020.

''(2) DEPOSITS IN TREASURY.—Any funds available for projects under the RAC program and not obligated by September 30, 2021, shall be deposited in the Treasury of the United States.''.

(b) EXCEPTION TO GENERAL RULE REGARDING TREATMENT OF RECEIPTS.—Section 403(b) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7153(b)) is amended by striking ''All revenues'' and inserting ''Except as provided in section 209, all revenues''.

SEC. 404. ADDITIONAL AUTHORIZED USE OF RESERVED FUNDS FOR TITLE III COUNTY PROJECTS.

Section 302(a) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7142(a)) is amended—

(1) in paragraph (2)—

(A) by inserting ''and law enforcement patrols'' after ''including firefighting''; and

(B) by striking ''and'' at the end;

(2) by redesignating paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (2) the following new paragraph (3):

''(3) to cover training costs and equipment purchases directly related to the emergency services described in paragraph (2); and''.

SEC. 405. TREATMENT AS SUPPLEMENTAL FUNDING.

Section 102 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112) is amended by adding at the end the following new subsection:

''(f) TREATMENT AS SUPPLEMENTAL FUNDING.—None of the funds made available to a beneficiary county or other political subdivision of a State under this Act shall be used in lieu of or to otherwise offset State funding sources for local schools, facilities, or educational purposes.''.

TITLE V—STEWARDSHIP END RESULT CONTRACTING

SEC. 501. CANCELLATION CEILINGS FOR STEWARDSHIP END RESULT CONTRACTING PROJECTS.

(a) CANCELLATION CEILINGS.—Section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c) is amended—

(1) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(2) by inserting after subsection (g) the following new subsection (h):

''(h) CANCELLATION CEILINGS.—

''(1) IN GENERAL.—The Chief and the Director may obligate funds to cover any potential cancellation or termination costs for an agreement or contract under subsection (b) in stages that are economically or programmatically viable.

''(2) ADVANCE NOTICE TO CONGRESS OF CANCELLATION CEILING IN EXCESS OF $25 MILLION.—Not later than 30 days before entering into a multiyear agreement or contract under subsection (b) that includes a cancellation ceiling in excess of $25 million, but does not include proposed funding for the costs of cancelling the agreement or contract up to such cancellation ceiling, the Chief or the Director, as the case may be, shall submit to the Committee on Energy and Natural Resources and the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives a written notice that includes—

''(A) the cancellation ceiling amounts proposed for each program year in the agreement or contract;

''(B) the reasons why such cancellation ceiling amounts were selected;

''(C) the extent to which the costs of contract cancellation are not included in the budget for the agreement or contract; and

''(D) an assessment of the financial risk of not including budgeting for the costs of agreement or contract cancellation.

''(3) TRANSMITTAL OF NOTICE TO OMB.—Not later than 14 days after the date on which written notice is provided under paragraph (2) with respect to an agreement or contract under subsection (b), the Chief or the Director, as the case may be, shall transmit a copy of the notice to the Director of the Office of Management and Budget.''.

(b) RELATION TO OTHER LAWS.—Section 604(d)(5) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c(d)(5)) is amended by striking '', the Chief may'' and inserting ''and section 2(a)(1) of the Act of July 31, 1947 (commonly known as the Materials Act of 1947; 30 U.S.C. 602(a)(1)), the Chief and the Director may''.

SEC. 502. EXCESS OFFSET VALUE.

Section 604(g)(2) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c(g)(2)) is amended by striking subparagraphs (A) and (B) and inserting the following new subparagraphs:

''(A) use the excess to satisfy any outstanding liabilities for cancelled agreements or contracts; or

''(B) if there are no outstanding liabilities under subparagraph (A), apply the excess to other authorized stewardship projects.''.

SEC. 503. PAYMENT OF PORTION OF STEWARDSHIP PROJECT REVENUES TO COUNTY IN WHICH STEWARDSHIP PROJECT OCCURS.

Section 604(e) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c(e)) is amended—

(1) in paragraph (2)(B), by inserting ''subject to paragraph (3)(A),'' before ''shall''; and

(2) in paragraph (3)(A), by striking ''services received by the Chief or the Director'' and all that follows through the period at the end and inserting the following: ''services and in-kind resources received by the Chief or the Director under a stewardship contract project conducted under this section shall not be considered monies received from the National Forest System or the public lands, but any payments made by the contractor to the Chief or Director under the project shall be considered monies received from the National Forest System or the public lands.''.

SEC. 504. SUBMISSION OF EXISTING ANNUAL REPORT.

Subsection (j) of section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c), as redesignated by section 501(a)(1), is amended by striking ''report to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives'' and inserting ''submit to the congressional committees specified in subsection (h)(2) a report''.

SEC. 505. FIRE LIABILITY PROVISION.

Section 604(d) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c(d)) is amended by adding at the end the following new paragraph:

''(8) MODIFICATION.—Upon the request of the contractor, a contract or agreement under this section awarded before February 7, 2014, shall be modified by the Chief or Director to include the fire liability provisions described in paragraph (7).''.

TITLE VI—ADDITIONAL FUNDING SOURCES FOR FOREST MANAGEMENT ACTIVITIES

SEC. 601. DEFINITIONS.

In this title:

(1) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a State or political subdivision of a State containing National Forest System lands or public lands;

(B) a publicly chartered utility serving one or more States or a political subdivision thereof;

(C) a rural electric company; and

(D) any other entity determined by the Secretary concerned to be appropriate for participation in the Fund.

(2) FUND.—The term ''Fund'' means the State-Supported Forest Management Fund established by section 603.

SEC. 602. AVAILABILITY OF STEWARDSHIP PROJECT REVENUES AND COLLABORATIVE FOREST LANDSCAPE RESTORATION FUND TO COVER FOREST MANAGEMENT ACTIVITY PLANNING COSTS.

(a) AVAILABILITY OF STEWARDSHIP PROJECT REVENUES.—Section 604(e)(2)(B) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c(e)(2)(B)), as amended by section 503, is further amended by striking ''appropriation at the project site from which the monies are collected or at another project site.'' and inserting the following: ''appropriation—

''(i) at the project site from which the monies are collected or at another project site; and

''(ii) to cover not more than 25 percent of the cost of planning additional stewardship contracting projects.''.

(b) AVAILABILITY OF COLLABORATIVE FOREST LANDSCAPE RESTORATION FUND.—Section 4003(f)(1) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303(f)(1)) is amended by striking ''carrying out and'' and inserting ''planning, carrying out, and''.

SEC. 603. STATE-SUPPORTED PLANNING OF FOREST MANAGEMENT ACTIVITIES.

(a) STATE-SUPPORTED FOREST MANAGEMENT FUND.—There is established in the Treasury of the United States a fund, to be known as the ''State-Supported Forest Management Fund'', to cover the cost of planning (especially related to compliance with section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2))), carrying out, and monitoring certain forest management activities on National Forest System lands or public lands.

(b) CONTENTS.—The State-Supported Forest Management Fund shall consist of such amounts as may be—

(1) contributed by an eligible entity for deposit in the Fund;

(2) appropriated to the Fund; or

(3) generated by forest management activities carried out using amounts in the Fund.

(c) GEOGRAPHICAL AND USE LIMITATIONS.—In making a contribution under subsection (b)(1), an eligible entity may—

(1) specify the National Forest System lands or public lands for which the contribution may be expended; and

(2) limit the types of forest management activities for which the contribution may be expended.

(d) AUTHORIZED FOREST MANAGEMENT ACTIVITIES.—In such amounts as may be provided in advance in appropriation Acts, the Secretary concerned may use the Fund to plan, carry out, and monitor a forest management activity that—

(1) is developed through a collaborative process;

(2) is proposed by a resource advisory committee; or

(3) is covered by a community wildfire protection plan.

(e) IMPLEMENTATION METHODS.—A forest management activity carried out using amounts in the Fund may be carried out using a contract or agreement under section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c), the good neighbor authority provided by section 8206 of the Agricultural Act of 2014 (16 U.S.C. 2113a), a contract under section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a), or other authority available to the Secretary concerned, but revenues generated by the forest management activity shall be used to reimburse the Fund for planning costs covered using amounts in the Fund.

(f) RELATION TO OTHER LAWS.—

(1) REVENUE SHARING.—Subject to subsection (e), revenues generated by a forest management activity carried out using amounts from the Fund shall be considered monies received from the National Forest System.

(2) KNUTSON-VANDERBERG ACT.—The Act of June 9, 1930 (commonly known as the Knutson-Vanderberg Act; 16 U.S.C. 576 et seq.), shall apply to any forest management activity carried out using amounts in the Fund.

(g) TERMINATION OF FUND.—

(1) TERMINATION.—The Fund shall terminate 10 years after the date of the enactment of this Act.

(2) EFFECT OF TERMINATION.—Upon the termination of the Fund pursuant to paragraph (1) or pursuant to any other provision of law, unobligated contributions remaining in the Fund shall be returned to the eligible entity that made the contribution.

TITLE VII—TRIBAL FORESTRY PARTICIPATION AND PROTECTION

SEC. 701. PROTECTION OF TRIBAL FOREST ASSETS THROUGH USE OF STEWARDSHIP END RESULT CONTRACTING AND OTHER AUTHORITIES.

(a) PROMPT CONSIDERATION OF TRIBAL REQUESTS.—Section 2(b) of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a(b)) is amended—

(1) in paragraph (1), by striking ''Not later than 120 days after the date on which an Indian tribe submits to the Secretary'' and inserting ''In response to the submission by an Indian tribe of''; and

(2) by adding at the end the following new paragraph:

''(4) TIME PERIODS FOR CONSIDERATION.—

''(A) INITIAL RESPONSE.—Not later than 120 days after the date on which the Secretary receives a tribal request under paragraph (1), the Secretary shall provide an initial response to the Indian tribe regarding—

''(i) whether the request may meet the selection criteria described in subsection (c); and

''(ii) the likelihood of the Secretary entering into an agreement or contract with the Indian tribe under paragraph (2) for activities described in paragraph (3).

''(B) NOTICE OF DENIAL.—Notice under subsection (d) of the denial of a tribal request under paragraph (1) shall be provided not later than 1 year after the date on which the Secretary received the request.

''(C) COMPLETION.—Not later than 2 years after the date on which the Secretary receives a tribal request under paragraph (1), other than a tribal request denied under subsection (d), the Secretary shall—

''(i) complete all environmental reviews necessary in connection with the agreement or contract and proposed activities under the agreement or contract; and

''(ii) enter into the agreement or contract with the Indian tribe under paragraph (2).''.

(b) CONFORMING AND TECHNICAL AMENDMENTS.—Section 2 of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a) is amended—

(1) in subsections (b)(1) and (f)(1), by striking ''section 347 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 2104 note; Public Law 105–277) (as amended by section 323 of the Department of the Interior and Related Agencies Appropriations

Act, 2003 (117 Stat. 275))'' and inserting ''section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c)''; and

(2) in subsection (d), by striking ''subsection (b)(1), the Secretary may'' and inserting ''paragraphs (1) and (4)(B) of subsection (b), the Secretary shall''.

SEC. 702. MANAGEMENT OF INDIAN FOREST LAND AUTHORIZED TO INCLUDE RELATED NATIONAL FOREST SYSTEM LANDS AND PUBLIC LANDS.

Section 305 of the National Indian Forest Resources Management Act (25 U.S.C. 3104) is amended by adding at the end the following new subsection:

''(c) INCLUSION OF CERTAIN NATIONAL FOREST SYSTEM LAND AND PUBLIC LAND.—

''(1) AUTHORITY.—At the request of an Indian tribe, the Secretary concerned may treat Federal forest land as Indian forest land for purposes of planning and conducting forest land management activities under this section if the Federal forest land is located within, or mostly within, a geographic area that presents a feature or involves circumstances principally relevant to that Indian tribe, such as Federal forest land ceded to the United States by treaty, Federal forest land within the boundaries of a current or former reservation, or Federal forest land adjudicated to be tribal homelands.

''(2) REQUIREMENTS.—As part of the agreement to treat Federal forest land as Indian forest land under paragraph (1), the Secretary concerned and the Indian tribe making the request shall—

''(A) provide for continued public access applicable to the Federal forest land prior to the agreement, except that the Secretary concerned may limit or prohibit such access as needed;

''(B) continue sharing revenue generated by the Federal forest land with State and local governments either—

''(i) on the terms applicable to the Federal forest land prior to the agreement, including, where applicable, 25-percent payments or 50-percent payments; or

''(ii) at the option of the Indian tribe, on terms agreed upon by the Indian tribe, the Secretary concerned, and State and county governments participating in a revenue sharing agreement for the Federal forest land;

''(C) comply with applicable prohibitions on the export of unprocessed logs harvested from the Federal forest land;

''(D) recognize all right-of-way agreements in place on Federal forest land prior to commencement of tribal management activities; and

''(E) ensure that all commercial timber removed from the Federal forest land is sold on a competitive bid basis.

''(3) LIMITATION.—Treating Federal forest land as Indian forest land for purposes of planning and conducting management activities pursuant to paragraph (1) shall not be construed to designate the Federal forest land as Indian forest lands for any other purpose.

''(4) DEFINITIONS.—In this subsection:

''(A) FEDERAL FOREST LAND.—The term 'Federal forest land' means—

''(i) National Forest System lands; and

''(ii) public lands (as defined in section 103(e) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702(e))), including Coos Bay Wagon Road Grant lands reconveyed to the United States pursuant to the first section of the Act of February 26, 1919 (40 Stat. 1179), and Oregon and California Railroad Grant lands.

''(B) SECRETARY CONCERNED.—The term 'Secretary concerned' means—

''(i) the Secretary of Agriculture, with respect to the Federal forest land referred to in subparagraph (A)(i); and

''(ii) the Secretary of the Interior, with respect to the Federal forest land referred to in subparagraph (A)(ii).''.

SEC. 703. TRIBAL FOREST MANAGEMENT DEMONSTRATION PROJECT.

The Secretary of the Interior and the Secretary of Agriculture may carry out demonstration projects by which federally recognized Indian tribes or tribal organizations may contract to perform administrative, management, and other functions of programs of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a et seq.) through contracts entered into under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

TITLE VIII—MISCELLANEOUS FOREST MANAGEMENT PROVISIONS

SEC. 801. BALANCING SHORT- AND LONG-TERM EFFECTS OF FOREST MANAGEMENT ACTIVITIES IN CONSIDERING INJUNCTIVE RELIEF.

As part of its weighing the equities while considering any request for an injunction that applies to any agency action as part of a forest management activity under titles I through VIII, the court reviewing the agency action shall balance the impact to the ecosystem likely affected by the forest management activity of—

(1) the short- and long-term effects of undertaking the agency action; against

(2) the short- and long-term effects of not undertaking the action.

SEC. 802. CONDITIONS ON FOREST SERVICE ROAD DECOMMISSIONING.

(a) CONSULTATION WITH AFFECTED COUNTY.—Whenever any Forest Service defined maintenance level one- or two-system road within a designated high fire prone area of a unit of the National Forest System is considered for decommissioning, the Forest Supervisor of that unit of the National Forest System shall—

(1) consult with the government of the county containing the road regarding the merits and possible consequences of decommissioning the road; and

(2) solicit possible alternatives to decommissioning the road.

(b) REGIONAL FORESTER APPROVAL.—A Forest Service road described in subsection (a) may not be decommissioned without the advance approval of the Regional Forester.

SEC. 803. PROHIBITION ON APPLICATION OF EASTSIDE SCREENS REQUIREMENTS ON NATIONAL FOREST SYSTEM LANDS.

On and after the date of the enactment of this Act, the Secretary of Agriculture may not apply to National Forest System lands any of the amendments to forest plans adopted in the Decision Notice for the Revised Continuation of Interim Management Direction Establishing Riparian, Ecosystem and Wildlife Standards for Timber Sales (commonly known as the Eastside Screens requirements), including all preceding or associated versions of these amendments.

SEC. 804. USE OF SITE-SPECIFIC FOREST PLAN AMENDMENTS FOR CERTAIN PROJECTS AND ACTIVITIES.

If the Secretary concerned determines that, in order to conduct a project or carry out an activity implementing a forest plan, an amendment to the forest plan is required, the Secretary concerned shall execute such amendment as a nonsignificant plan amendment through the record of decision or decision notice for the project or activity.

SEC. 805. KNUTSON-VANDENBERG ACT MODIFICATIONS.

(a) DEPOSITS OF FUNDS FROM NATIONAL FOREST TIMBER PURCHASERS REQUIRED.—Section 3(a) of the Act of June 9, 1930 (commonly known as the Knutson-Vandenberg Act; 16 U.S.C. 576b(a)), is amended by striking ''The Secretary'' and all that follows through ''any purchaser'' and inserting the following: ''The Secretary of Agriculture shall require each purchaser''.

(b) CONDITIONS ON USE OF DEPOSITS.—Section 3 of the Act of June 9, 1930 (commonly known as the Knutson-Vandenberg Act; 16 U.S.C. 576b), is amended—

(1) by striking ''Such deposits'' and inserting the following:

''(b) Amounts deposited under subsection (a)'';

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting before subsection (d), as so redesignated, the following new subsection (c):

''(c)(1) Amounts in the special fund established pursuant to this section—

''(A) shall be used exclusively to implement activities authorized by subsection (a); and

''(B) may be used anywhere within the Forest Service Region from which the original deposits were collected.

''(2) The Secretary of Agriculture may not deduct overhead costs from the funds collected under subsection (a), except as needed to fund personnel of the responsible Ranger District for the planning and implementation of the activities authorized by subsection (a).''.

SEC. 806. EXCLUSION OF CERTAIN NATIONAL FOREST SYSTEM LANDS AND PUBLIC LANDS.

Unless specifically provided by a provision of titles I through VIII, the authorities provided by such titles do not apply with respect to any National Forest System lands or public lands—

(1) that are included in the National Wilderness Preservation System;

(2) that are located within an inventoried roadless area unless the forest management activity to be carried out under such authority is consistent with the forest plan applicable to the area; or

(3) on which timber harvesting for any purpose is prohibited by statute.

SEC. 807. APPLICATION OF NORTHWEST FOREST PLAN SURVEY AND MANAGE MITIGATION MEASURE STANDARD AND GUIDELINES.

The Northwest Forest Plan Survey and Manage Mitigation Measure Standard and Guidelines shall not apply to any National Forest System lands or public lands.

SEC. 808. MANAGEMENT OF BUREAU OF LAND MANAGEMENT LANDS IN WESTERN OREGON.

(a) GENERAL RULE.—All of the public land managed by the Bureau of Land Management in the Salem District, Eugene District, Roseburg District, Coos Bay District, Medford District, and the Klamath Resource Area of the Lakeview District in the State of Oregon shall hereafter be managed pursuant to title I of the of the Act of August 28, 1937 (43 U.S.C. 1181a through 1181e). Except as provided in subsection (b), all of the revenue produced from such land shall be deposited in the Treasury of the United States in the Oregon and California land-grant fund and be subject to the provisions of title II of the Act of August 28, 1937 (43 U.S.C. 1181f).

(b) CERTAIN LANDS EXCLUDED.—Subsection (a) does not apply to any revenue that is required to be deposited in the Coos Bay Wagon Road grant fund pursuant to sections 1 through 4 of the Act of May 24, 1939 (43 U.S.C. 1181f–1 through f–4).

SEC. 809. BUREAU OF LAND MANAGEMENT RESOURCE MANAGEMENT PLANS.

(a) ADDITIONAL ANALYSIS AND ALTERNATIVES.—To develop a full range of reasonable alternatives as required by the National Environmental Policy Act of 1969, the Secretary of the Interior shall develop and consider in detail a reference analysis and two additional alternatives as part of the revisions of the resource management plans for the Bureau of Land Management's Salem, Eugene, Coos Bay, Roseburg, and Medford Districts and the Klamath Resource Area of the Lakeview District.

(b) REFERENCE ANALYSIS.—The reference analysis required by subsection (a) shall measure and assume the harvest of the annual growth net of natural mortality for all forested land in the planning area in order to determine the maximum sustained yield capacity of the forested land base and to establish a baseline by which the Secretary of the Interior shall measure incremental effects on the sustained yield capacity and environmental impacts from management prescriptions in all other alternatives.

(c) ADDITIONAL ALTERNATIVES.—

(1) CARBON SEQUESTRATION ALTERNATIVE.—The Secretary of the Interior shall develop and consider an additional alternative with the goal of maximizing the total carbon benefits from forest storage and wood product storage. To the extent practicable, the analysis shall consider—

(A) the future risks to forest carbon from wildfires, insects, and disease;

(B) the amount of carbon stored in products or in landfills;

(C) the life cycle benefits of harvested wood products compared to non-renewable products; and

(D) the energy produced from wood residues.

(2) SUSTAINED YIELD ALTERNATIVE.—The Secretary of the Interior shall develop and consider an additional alternative that produces the greater of 500 million board feet or the annual net growth on the acres classified as timberland, excluding any congressionally reserved areas. The projected harvest levels, as nearly as practicable, shall be distributed among the Districts referred to in subsection (a) in the same proportion as the maximum yield capacity of each such District bears to maximum yield capacity of the planning area as a whole.

(d) ADDITIONAL ANALYSIS AND PUBLIC PARTICIPATION.—The Secretary of the Interior shall publish the reference analysis and additional alternatives and analyze their environmental and economic consequences in a supplemental draft environmental impact statement. The draft environmental impact statement and supplemental draft environmental impact statement shall be made available for public comment for a period of not less than 180 days. The Secretary shall respond to any comments received before making a final decision between all alternatives.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall affect the obligation of the Secretary of the Interior to manage the timberlands as required by the Act of August 28, 1937 (50 Stat. 874; 43 U.S.C. 1181a–1181j).

SEC. 810. LANDSCAPE-SCALE FOREST RESTORATION PROJECT.

The Secretary of Agriculture shall develop and implement at least one landscape-scale forest restoration project that includes, as a defined purpose of the project, the generation of material that will be used to promote advanced wood products. The project shall be developed through a collaborative process.

TITLE IX—MAJOR DISASTER FOR WILDFIRE ON FEDERAL LAND

SEC. 901. WILDFIRE ON FEDERAL LANDS.

Section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)) is amended—

(1) by striking ''(2)'' and all that follows through ''means'' and inserting the following:

''(2) MAJOR DISASTER.—

''(A) MAJOR DISASTER.—The term 'major disaster' means''; and

(2) by adding at the end the following:

''(B) MAJOR DISASTER FOR WILDFIRE ON FEDERAL LANDS.—The term 'major disaster for wildfire on Federal lands' means any wildfire or wildfires, which in the determination of the President under section 802 warrants assistance under section 803 to supplement the efforts and resources of the Department of the Interior or the Department of Agriculture—

''(i) on Federal lands; or

''(ii) on non-Federal lands pursuant to a fire protection agreement or cooperative agreement.''.

SEC. 902. DECLARATION OF A MAJOR DISASTER FOR WILDFIRE ON FEDERAL LANDS.

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.) is amended by adding at the end the following:

''TITLE VIII—MAJOR DISASTER FOR WILDFIRE ON FEDERAL LAND

''SEC. 801. DEFINITIONS.

''As used in this title—

''(1) FEDERAL LAND.—The term 'Federal land' means—

''(A) any land under the jurisdiction of the Department of the Interior; and

''(B) any land under the jurisdiction of the United States Forest Service.

''(2) FEDERAL LAND MANAGEMENT AGENCIES.—The term 'Federal land management agencies' means—

''(A) the Bureau of Land Management;

''(B) the National Park Service;

''(C) the Bureau of Indian Affairs;

''(D) the United States Fish and Wildlife Service; and

''(E) the United States Forest Service.

''(3) WILDFIRE SUPPRESSION OPERATIONS.—The term 'wildfire suppression operations' means the emergency and unpredictable aspects of wildland firefighting, including support, response, emergency stabilization activities, and other emergency management activities of wildland firefighting on Federal lands (or on non-Federal lands pursuant to a fire protection agreement or cooperative agreement) by the Federal land management agencies covered by the wildfire suppression subactivity of the Wildland Fire Management account or the FLAME Wildfire Suppression Reserve Fund account of the Federal land management agencies.

''SEC. 802. PROCEDURE FOR DECLARATION OF A MAJOR DISASTER FOR WILDFIRE ON FEDERAL LANDS.

''(a) IN GENERAL.—The Secretary of the Interior or the Secretary of Agriculture may submit a request to the President consistent with the requirements of this title for a declaration by the President that a major disaster for wildfire on Federal lands exists.

''(b) REQUIREMENTS.—A request for a declaration by the President that a major disaster for wildfire on Federal lands exists shall—

''(1) be made in writing by the respective Secretary;

''(2) certify that the amount appropriated in the current fiscal year for wildfire suppression operations of the Federal land management agencies under the jurisdiction of the respective Secretary, net of any concurrently enacted rescissions of wildfire suppression funds, increases the total unobligated balance of amounts available for wildfire suppression by an amount equal to or greater than the average total costs incurred by the Federal land management agencies per year for wildfire suppression operations, including the suppression costs in excess of appropriated amounts, over the previous ten fiscal years;

''(3) certify that the amount available for wildfire suppression operations of the Federal land management agencies under the jurisdiction of the respective Secretary will be obligated not later than 30 days after such Secretary notifies the President that wildfire suppression funds will be exhausted to fund ongoing and anticipated wildfire suppression operations related to the wildfire on which the request for the declaration of a major disaster for wildfire on Federal lands pursuant to this title is based; and

''(4) specify the amount required in the current fiscal year to fund wildfire suppression operations related to the wildfire on which the request for the declaration of a major disaster for wildfire on Federal lands pursuant to this title is based.

''(c) DECLARATION.—Based on the request of the respective Secretary under this title, the President may declare that a major disaster for wildfire on Federal lands exists.

''SEC. 803. WILDFIRE ON FEDERAL LANDS ASSISTANCE.

''(a) IN GENERAL.—In a major disaster for wildfire on Federal lands, the President may transfer funds, only from the account established pursuant to subsection (b), to the Secretary of the Interior or the Secretary of Agriculture to conduct wildfire suppression operations on Federal lands (and non-Federal lands pursuant to a fire protection agreement or cooperative agreement).

''(b) WILDFIRE SUPPRESSION OPERATIONS ACCOUNT.—The President shall establish a specific account for the assistance available pursuant to a declaration under section 802. Such account may only be used to fund assistance pursuant to this title.

''(c) LIMITATION.—

''(1) LIMITATION OF TRANSFER.—The assistance available pursuant to a declaration under section 802 is limited to the transfer of the amount requested pursuant to section 802(b)(4). The assistance available for transfer shall not exceed the amount contained in the wildfire suppression operations account established pursuant to subsection (b).

''(2) TRANSFER OF FUNDS.—Funds under this section shall be transferred from the wildfire suppression operations account to the wildfire suppression subactivity of the Wildland Fire Management Account.

''(d) PROHIBITION OF OTHER TRANSFERS.—Except as provided in this section, no funds may be transferred to or from the account established pursuant to subsection (b) to or from any other fund or account.

''(e) REIMBURSEMENT FOR WILDFIRE SUPPRESSION OPERATIONS ON NON-FEDERAL LAND.—If amounts transferred under subsection (c) are used to conduct wildfire suppression operations on non-Federal land, the respective Secretary shall—

''(1) secure reimbursement for the cost of such wildfire suppression operations conducted on the non-Federal land; and

''(2) transfer the amounts received as reimbursement to the wildfire suppression operations account established pursuant to subsection (b).

''(f) ANNUAL ACCOUNTING AND REPORTING REQUIREMENTS.—Not later than 90 days after the end of each fiscal year for which assistance is received pursuant to this section, the respective Secretary shall submit to the Committees on Agriculture, Appropriations, the Budget, Natural Resources, and Transportation and Infrastructure of the House of Representatives and the Committees on Agriculture, Nutrition, and Forestry, Appropriations, the Budget, Energy and Natural Resources, Homeland Security and Governmental Affairs, and Indian Affairs of the Senate, and make available to the public, a report that includes the following:

''(1) The risk-based factors that influenced management decisions regarding wildfire suppression operations of the Federal land management agencies under the jurisdiction of the Secretary concerned.

''(2) Specific discussion of a statistically significant sample of large fires, in which each fire is analyzed for cost drivers, effectiveness of risk management techniques, resulting positive or negative impacts of fire on the landscape, impact of investments in preparedness, suggested corrective actions, and such other factors as the respective Secretary considers appropriate.

''(3) Total expenditures for wildfire suppression operations of the Federal land management

agencies under the jurisdiction of the respective Secretary, broken out by fire sizes, cost, regional location, and such other factors as the such Secretary considers appropriate.

''(4) Lessons learned.

''(5) Such other matters as the respective Secretary considers appropriate.

''(g) SAVINGS PROVISION.—Nothing in this title shall limit the Secretary of the Interior, the Secretary of Agriculture, Indian tribe, or a State from receiving assistance through a declaration made by the President under this Act when the criteria for such declaration have been met.''.

SEC. 903. PROHIBITION ON TRANSFERS.

No funds may be transferred to or from the Federal land management agencies' wildfire suppression operations accounts referred to in section 801(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to or from any account or subactivity of the Federal land management agencies, as defined in section 801(2) of such Act, that is not used to cover the cost of wildfire suppression operations.

DIVISION C—NATURAL RESOURCES

TITLE I—WESTERN WATER AND AMERICAN FOOD SECURITY ACT

SEC. 1001. SHORT TITLE.

This title may be cited as the ''Western Water and American Food Security Act of 2015''.

SEC. 1002. FINDINGS.

Congress finds as follows:

(1) As established in the Proclamation of a State of Emergency issued by the Governor of the State on January 17, 2014, the State is experiencing record dry conditions.

(2) Extremely dry conditions have persisted in the State since 2012, and the drought conditions are likely to persist into the future.

(3) The water supplies of the State are at record-low levels, as indicated by the fact that all major Central Valley Project reservoir levels were at 20–35 percent of capacity as of September 25, 2014.

(4) The lack of precipitation has been a significant contributing factor to the 6,091 fires experienced in the State as of September 15, 2014, and which covered nearly 400,000 acres.

(5) According to a study released by the University of California, Davis in July 2014, the drought has led to the fallowing of 428,000 acres of farmland, loss of $810 million in crop revenue, loss of $203 million in dairy and other livestock value, and increased groundwater pumping costs by $454 million. The statewide economic costs are estimated to be $2.2 billion, with over 17,000 seasonal and part-time agricultural jobs lost.

(6) CVPIA Level II water deliveries to refuges have also been reduced by 25 percent in the north of Delta region, and by 35 percent in the south of Delta region.

(7) Only one-sixth of the usual acres of rice fields are being flooded this fall, which leads to a significant decline in habitat for migratory birds and an increased risk of disease at the remaining wetlands due to overcrowding of such birds.

(8) The drought of 2013 through 2014 constitutes a serious emergency that poses immediate and severe risks to human life and safety and to the environment throughout the State.

(9) The serious emergency described in paragraph (4) requires—

(A) immediate and credible action that respects the complexity of the water system of the State and the importance of the water system to the entire State; and

(B) policies that do not pit stakeholders against one another, which history shows only leads to costly litigation that benefits no one and prevents any real solutions.

(10) Data on the difference between water demand and reliable water supplies for various regions of California south of the Delta, including the San Joaquin Valley, indicate there is a significant annual gap between reliable water supplies to meet agricultural, municipal and industrial, groundwater, and refuges water needs within the Delta Division, San Luis Unit and Friant Division of the Central Valley Project and the State Water Project south of the Sacramento-San Joaquin River Delta and the demands of those areas. This gap varies depending on the methodology of the analysis performed, but can be represented in the following ways:

(A) For Central Valley Project South-of-Delta water service contractors, if it is assumed that a water supply deficit is the difference in the amount of water available for allocation versus the maximum contract quantity, then the water supply deficits that have developed from 1992 to 2014 as a result of legislative and regulatory changes besides natural variations in hydrology during this timeframe range between 720,000 and 1,100,000 acre-feet.

(B) For Central Valley Project and State Water Project water service contractors south of the Delta and north of the Tehachapi mountain range, if it is assumed that a water supply deficit is the difference between reliable water supplies, including maximum water contract deliveries, safe yield of groundwater, safe yield of local and surface supplies and long-term contracted water transfers, and water demands, including water demands from agriculture, municipal and industrial and refuge contractors, then the water supply deficit ranges between approximately 2,500,000 to 2,700,000 acre-feet.

(11) Data of pumping activities at the Central Valley Project and State Water Project delta pumps identifies that, on average from Water Year 2009 to Water Year 2014, take of Delta smelt is 80 percent less than allowable take levels under the biological opinion issued December 15, 2008.

(12) Data of field sampling activities of the Interagency Ecological Program located in the Sacramento-San Joaquin Estuary identifies that, on average from 2005 to 2013, the program ''takes'' 3,500 delta smelt during annual surveys with an authorized ''take'' level of 33,480 delta smelt annually—according to the biological opinion issued December 9, 1997.

(13) In 2015, better information exists than was known in 2008 concerning conditions and operations that may or may not lead to high salvage events that jeopardize the fish populations, and what alternative management actions can be taken to avoid jeopardy.

(14) Alternative management strategies, removing non-native species, enhancing habitat, monitoring fish movement and location in real-time, and improving water quality in the Delta can contribute significantly to protecting and recovering these endangered fish species, and at potentially lower costs to water supplies.

(15) Resolution of fundamental policy questions concerning the extent to which application of the Endangered Species Act of 1973 affects the operation of the Central Valley Project and State Water Project is the responsibility of Congress.

SEC. 1003. DEFINITIONS.

In this title:

(1) DELTA.—The term ''Delta'' means the Sacramento-San Joaquin Delta and the Suisun Marsh, as defined in sections 12220 and 29101 of the California Public Resources Code.

(2) EXPORT PUMPING RATES.—The term ''export pumping rates'' means the rates of pumping at the C.W. ''Bill'' Jones Pumping Plant and the Harvey O. Banks Pumping Plant, in the southern Delta.

(3) LISTED FISH SPECIES.—The term ''listed fish species'' means listed salmonid species and the Delta smelt.

(4) LISTED SALMONID SPECIES.—The term ''listed salmonid species'' means natural origin steelhead, natural origin genetic spring run Chinook, and genetic winter run Chinook salmon including hatchery steelhead or salmon populations within the evolutionary significant unit (ESU) or distinct population segment (DPS).

(5) NEGATIVE IMPACT ON THE LONG-TERM SURVIVAL.—The term ''negative impact on the long-term survival'' means to reduce appreciably the likelihood of the survival of a listed species in the wild by reducing the reproduction, numbers, or distribution of that species.

(6) OMR.—The term ''OMR'' means the Old and Middle River in the Delta.

(7) OMR FLOW OF −5,000 CUBIC FEET PER SECOND.—The term ''OMR flow of −5,000 cubic feet per second'' means Old and Middle River flow of negative 5,000 cubic feet per second as described in—

(A) the smelt biological opinion; and

(B) the salmonid biological opinion.

(8) SALMONID BIOLOGICAL OPINION.—The term ''salmonid biological opinion'' means the biological opinion issued by the National Marine Fisheries Service on June 4, 2009.

(9) SMELT BIOLOGICAL OPINION.—The term ''smelt biological opinion'' means the biological opinion on the Long-Term Operational Criteria and Plan for coordination of the Central Valley Project and State Water Project issued by the United States Fish and Wildlife Service on December 15, 2008.

(10) STATE.—The term ''State'' means the State of California.

Subtitle A—ADJUSTING DELTA SMELT MANAGEMENT BASED ON INCREASED REAL-TIME MONITORING AND UPDATED SCIENCE

SEC. 1011. DEFINITIONS.

In this subtitle:

(1) DIRECTOR.—The term ''Director'' means the Director of the United States Fish and Wildlife Service.

(2) DELTA SMELT.—The term ''Delta smelt'' means the fish species with the scientific name Hypomesus transpacificus.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(4) COMMISSIONER.—The term ''Commissioner'' means the Commissioner of the Bureau of Reclamation.

SEC. 1012. REVISE INCIDENTAL TAKE LEVEL CALCULATION FOR DELTA SMELT TO REFLECT NEW SCIENCE.

(a) REVIEW AND MODIFICATION.—Not later than October 1, 2016, and at least every five years thereafter, the Director, in cooperation with other Federal, State, and local agencies, shall use the best scientific and commercial data available to complete a review and, modify the method used to calculate the incidental take levels for adult and larval/juvenile Delta smelt in the smelt biological opinion that takes into account all life stages, among other considerations—

(1) salvage information collected since at least 1993;

(2) updated or more recently developed statistical models;

(3) updated scientific and commercial data; and

(4) the most recent information regarding the environmental factors affecting Delta smelt salvage.

(b) MODIFIED INCIDENTAL TAKE LEVEL.—Unless the Director determines in writing that one or more of the requirements described in paragraphs (1) through (4) are not appropriate, the modified incidental take level described in subsection (a) shall—

(1) be normalized for the abundance of prespawning adult Delta smelt using the Fall Midwater Trawl Index or other index;

(2) be based on a simulation of the salvage that would have occurred from 1993 through

2012 if OMR flow has been consistent with the smelt biological opinions;

(3) base the simulation on a correlation between annual salvage rates and historic water clarity and OMR flow during the adult salvage period; and

(4) set the incidental take level as the 80 percent upper prediction interval derived from simulated salvage rates since at least 1993.

SEC. 1013. FACTORING INCREASED REAL-TIME MONITORING AND UPDATED SCIENCE INTO DELTA SMELT MANAGEMENT.

(a) IN GENERAL.—The Director shall use the best scientific and commercial data available to implement, continuously evaluate, and refine or amend, as appropriate, the reasonable and prudent alternative described in the smelt biological opinion, and any successor opinions or court order. The Secretary shall make all significant decisions under the smelt biological opinion, or any successor opinions that affect Central Valley Project and State Water Project operations, in writing, and shall document the significant facts upon which such decisions are made, consistent with section 706 of title 5, United States Code.

(b) INCREASED MONITORING TO INFORM REAL-TIME OPERATIONS.—The Secretary shall conduct additional surveys, on an annual basis at the appropriate time of the year based on environmental conditions, in collaboration with other Delta science interests.

(1) In implementing this section, the Secretary shall—

(A) use the most accurate survey methods available for the detection of Delta smelt to determine the extent that adult Delta smelt are distributed in relation to certain levels of turbidity, or other environmental factors that may influence salvage rate; and

(B) use results from appropriate survey methods for the detection of Delta smelt to determine how the Central Valley Project and State Water Project may be operated more efficiently to minimize salvage while maximizing export pumping rates without causing a significant negative impact on the long-term survival of the Delta smelt.

(2) During the period beginning on December 1, 2015, and ending March 31, 2016, and in each successive December through March period, if suspended sediment loads enter the Delta from the Sacramento River and the suspended sediment loads appear likely to raise turbidity levels in the Old River north of the export pumps from values below 12 Nephelometric Turbidity Units (NTU) to values above 12 NTU, the Secretary shall—

(A) conduct daily monitoring using appropriate survey methods at locations including, but not limited to, the vicinity of Station 902 to determine the extent that adult Delta smelt are moving with turbidity toward the export pumps; and

(B) use results from the monitoring surveys referenced in paragraph (A) to determine how increased trawling can inform daily real-time Central Valley Project and State Water Project operations to minimize salvage while maximizing export pumping rates without causing a significant negative impact on the long-term survival of the Delta smelt.

(c) PERIODIC REVIEW OF MONITORING.—Within 12 months of the date of enactment of this title, and at least once every 5 years thereafter, the Secretary shall—

(1) evaluate whether the monitoring program under subsection (b), combined with other monitoring programs for the Delta, is providing sufficient data to inform Central Valley Project and State Water Project operations to minimize salvage while maximizing export pumping rates without causing a significant negative impact on the long-term survival of the Delta smelt; and

(2) determine whether the monitoring efforts should be changed in the short or long term to provide more useful data.

(d) DELTA SMELT DISTRIBUTION STUDY.—

(1) IN GENERAL.—No later than January 1, 2016, and at least every five years thereafter, the Secretary, in collaboration with the California Department of Fish and Wildlife, the California Department of Water Resources, public water agencies, and other interested entities, shall implement new targeted sampling and monitoring specifically designed to understand Delta smelt abundance, distribution, and the types of habitat occupied by Delta smelt during all life stages.

(2) SAMPLING.—The Delta smelt distribution study shall, at a minimum—

(A) include recording water quality and tidal data;

(B) be designed to understand Delta smelt abundance, distribution, habitat use, and movement throughout the Delta, Suisun Marsh, and other areas occupied by the Delta smelt during all seasons;

(C) consider areas not routinely sampled by existing monitoring programs, including wetland channels, near-shore water, depths below 35 feet, and shallow water; and

(D) use survey methods, including sampling gear, best suited to collect the most accurate data for the type of sampling or monitoring.

(e) SCIENTIFICALLY SUPPORTED IMPLEMENTATION OF OMR FLOW REQUIREMENTS.—In implementing the provisions of the smelt biological opinion, or any successor biological opinion or court order, pertaining to management of reverse flow in the Old and Middle Rivers, the Secretary shall—

(1) consider the relevant provisions of the biological opinion or any successor biological opinion;

(2) to maximize Central Valley project and State Water Project water supplies, manage export pumping rates to achieve a reverse OMR flow rate of −5,000 cubic feet per second unless information developed by the Secretary under paragraphs (3) and (4) leads the Secretary to reasonably conclude that a less negative OMR flow rate is necessary to avoid a negative impact on the long-term survival of the Delta smelt. If information available to the Secretary indicates that a reverse OMR flow rate more negative than −5,000 cubic feet per second can be established without an imminent negative impact on the long-term survival of the Delta smelt, the Secretary shall manage export pumping rates to achieve that more negative OMR flow rate;

(3) document in writing any significant facts about real-time conditions relevant to the determinations of OMR reverse flow rates, including—

(A) whether targeted real-time fish monitoring in the Old River pursuant to this section, including monitoring in the vicinity of Station 902, indicates that a significant negative impact on the long-term survival of the Delta smelt is imminent; and

(B) whether near-term forecasts with available salvage models show under prevailing conditions that OMR flow of −5,000 cubic feet per second or higher will cause a significant negative impact on the long-term survival of the Delta smelt;

(4) show in writing that any determination to manage OMR reverse flow at rates less negative than −5,000 cubic feet per second is necessary to avoid a significant negative impact on the long-term survival of the Delta smelt, including an explanation of the data examined and the connection between those data and the choice made, after considering—

(A) the distribution of Delta smelt throughout the Delta;

(B) the potential effects of documented, quantified entrainment on subsequent Delta smelt abundance;

(C) the water temperature;

(D) other significant factors relevant to the determination; and

(E) whether any alternative measures could have a substantially lesser water supply impact; and

(5) for any subsequent biological opinion, make the showing required in paragraph (4) for any determination to manage OMR reverse flow at rates less negative than the most negative limit in the biological opinion if the most negative limit in the biological opinion is more negative than −5,000 cubic feet per second.

(f) MEMORANDUM OF UNDERSTANDING.—No later than December 1, 2015, the Commissioner and the Director will execute a Memorandum of Understanding (MOU) to ensure that the smelt biological opinion is implemented in a manner that maximizes water supply while complying with applicable laws and regulations. If that MOU alters any procedures set out in the biological opinion, there will be no need to reinitiate consultation if those changes will not have a significant negative impact on the long-term survival on listed species and the implementation of the MOU would not be a major change to implementation of the biological opinion. Any change to procedures that does not create a significant negative impact on the long-term survival to listed species will not alter application of the take permitted by the incidental take statement in the biological opinion under section 7(o)(2) of the Endangered Species Act of 1973.

(g) CALCULATION OF REVERSE FLOW IN OMR.—Within 90 days of the enactment of this title, the Secretary is directed, in consultation with the California Department of Water Resources to revise the method used to calculate reverse flow in Old and Middle Rivers for implementation of the reasonable and prudent alternatives in the smelt biological opinion and the salmonid biological opinion, and any succeeding biological opinions, for the purpose of increasing Central Valley Project and State Water Project water supplies. The method of calculating reverse flow in Old and Middle Rivers shall be reevaluated not less than every five years thereafter to achieve maximum export pumping rates within limits established by the smelt biological opinion, the salmonid biological opinion, and any succeeding biological opinions.

Subtitle B—ENSURING SALMONID MANAGEMENT IS RESPONSIVE TO NEW SCIENCE

SEC. 1021. DEFINITIONS.

In this subtitle:

(1) ASSISTANT ADMINISTRATOR.—The term ''Assistant Administrator'' means the Assistant Administrator of the National Oceanic and Atmospheric Administration for Fisheries.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(3) OTHER AFFECTED INTERESTS.—The term ''other affected interests'' means the State of California, Indian tribes, subdivisions of the State of California, public water agencies and those who benefit directly and indirectly from the operations of the Central Valley Project and the State Water Project.

(4) COMMISSIONER.—The term ''Commissioner'' means the Commissioner of the Bureau of Reclamation.

(5) DIRECTOR.—The term ''Director'' means the Director of the United States Fish and Wildlife Service.

SEC. 1022. PROCESS FOR ENSURING SALMONID MANAGEMENT IS RESPONSIVE TO NEW SCIENCE.

(a) GENERAL DIRECTIVE.—The reasonable and prudent alternative described in the salmonid biological opinion allows for and anticipates adjustments in Central Valley Project and State

Water Project operation parameters to reflect the best scientific and commercial data currently available, and authorizes efforts to test and evaluate improvements in operations that will meet applicable regulatory requirements and maximize Central Valley Project and State Water Project water supplies and reliability. Implementation of the reasonable and prudent alternative described in the salmonid biological opinion shall be adjusted accordingly as new scientific and commercial data are developed. The Commissioner and the Assistant Administrator shall fully utilize these authorities as described below.

(b) ANNUAL REVIEWS OF CERTAIN CENTRAL VALLEY PROJECT AND STATE WATER PROJECT OPERATIONS.—No later than December 31, 2016, and at least annually thereafter:

(1) The Commissioner, with the assistance of the Assistant Administrator, shall examine and identify adjustments to the initiation of Action IV.2.3 as set forth in the Biological Opinion and Conference Opinion on the Long-Term Operations of the Central Valley Project and State Water Project, Endangered Species Act Section 7 Consultation, issued by the National Marine Fisheries Service on June 4, 2009, pertaining to negative OMR flows, subject to paragraph (5).

(2) The Commissioner, with the assistance of the Assistant Administrator, shall examine and identify adjustments in the timing, triggers or other operational details relating to the implementation of pumping restrictions in Action IV.2.1 pertaining to the inflow to export ratio, subject to paragraph (5).

(3) Pursuant to the consultation and assessments carried out under paragraphs (1) and (2) of this subsection, the Commissioner and the Assistant Administrator shall jointly make recommendations to the Secretary of the Interior and to the Secretary on adjustments to project operations that, in the exercise of the adaptive management provisions of the salmonid biological opinion, will reduce water supply impacts of the salmonid biological opinion on the Central Valley Project and the California State Water Project and are consistent with the requirements of applicable law and as further described in subsection (c).

(4) The Secretary and the Secretary of the Interior shall direct the Commissioner and Assistant Administrator to implement recommended adjustments to Central Valley Project and State Water Project operations for which the conditions under subsection (c) are met.

(5) The Assistant Administrator and the Commissioner shall review and identify adjustments to Central Valley Project and State Water Project operations with water supply restrictions in any successor biological opinion to the salmonid biological opinion, applying the provisions of this section to those water supply restrictions where there are references to Actions IV.2.1 and IV.2.3.

(c) IMPLEMENTATION OF OPERATIONAL ADJUSTMENTS.—After reviewing the recommendations under subsection (b), the Secretary of the Interior and the Secretary shall direct the Commissioner and the Assistant Administrator to implement those operational adjustments, or any combination, for which, in aggregate—

(1) the net effect on listed species is equivalent to those of the underlying project operational parameters in the salmonid biological opinion, taking into account both—

(A) efforts to minimize the adverse effects of the adjustment to project operations; and

(B) whatever additional actions or measures may be implemented in conjunction with the adjustments to operations to offset the adverse effects to listed species, consistent with (d), that are in excess of the adverse effects of the underlying operational parameters, if any; and

(2) the effects of the adjustment can be reasonably expected to fall within the incidental take authorizations.

(d) EVALUATION OF OFFSETTING MEASURES.—When examining and identifying opportunities to offset the potential adverse effect of adjustments to operations under subsection (c)(1)(B), the Commissioner and the Assistant Administrator shall take into account the potential species survival improvements that are likely to result from other measures which, if implemented in conjunction with such adjustments, would offset adverse effects, if any, of the adjustments. When evaluating offsetting measures, the Commissioner and the Assistant Administrator shall consider the type, timing and nature of the adverse effects, if any, to specific species and ensure that the measures likely provide equivalent overall benefits to the listed species in the aggregate, as long as the change will not cause a significant negative impact on the long-term survival of a listed salmonid species.

(e) FRAMEWORK FOR EXAMINING OPPORTUNITIES TO MINIMIZE OR OFFSET THE POTENTIAL ADVERSE EFFECT OF ADJUSTMENTS TO OPERATIONS.—Not later than December 31, 2015, and every five years thereafter, the Assistant Administrator shall, in collaboration with the Director of the California Department of Fish and Wildlife, based on the best scientific and commercial data available and for each listed salmonid species, issue estimates of the increase in through-Delta survival the Secretary expects to be achieved—

(1) through restrictions on export pumping rates as specified by Action IV.2.3 as compared to limiting OMR flow to a fixed rate of −5,000 cubic feet per second within the time period Action IV.2.3 is applicable, based on a given rate of San Joaquin River inflow to the Delta and holding other relevant factors constant;

(2) through San Joaquin River inflow to export restrictions on export pumping rates specified within Action IV.2.1 as compared to the restrictions in the April/May period imposed by the State Water Resources Control Board decision D–1641, based on a given rate of San Joaquin River inflow to the Delta and holding other relevant factors constant;

(3) through physical habitat restoration improvements;

(4) through predation control programs;

(5) through the installation of temporary barriers, the management of Cross Channel Gates operations, and other projects affecting flow in the Delta;

(6) through salvaging fish that have been entrained near the entrance to Clifton Court Forebay;

(7) through any other management measures that may provide equivalent or better protections for listed species while maximizing export pumping rates without causing a significant negative impact on the long-term survival of a listed salmonid species; and

(8) through development and implementation of conservation hatchery programs for salmon and steelhead to aid in the recovery of listed salmon and steelhead species.

(f) SURVIVAL ESTIMATES.—

(1) To the maximum extent practicable, the Assistant Administrator shall make quantitative estimates of survival such as a range of percentage increases in through-Delta survival that could result from the management measures, and if the scientific information is lacking for quantitative estimates, shall do so on qualitative terms based upon the best available science.

(2) If the Assistant Administrator provides qualitative survival estimates for a species resulting from one or more management measures, the Secretary shall, to the maximum extent feasible, rank the management measures described in subsection (e) in terms of their most likely expected contribution to increased through-Delta survival relative to the other measures.

(3) If at the time the Assistant Administrator conducts the reviews under subsection (b), the Secretary has not issued an estimate of increased through-Delta survival from different management measures pursuant to subsection (e), the Secretary shall compare the protections to the species from different management measures based on the best scientific and commercial data available at the time.

(g) COMPARISON OF ADVERSE CONSEQUENCES FOR ALTERNATIVE MANAGEMENT MEASURES OF EQUIVALENT PROTECTION FOR A SPECIES.—

(1) For the purposes of this subsection and subsection (c)—

(A) the alternative management measure or combination of alternative management measures identified in paragraph (2) shall be known as the ''equivalent alternative measure'';

(B) the existing measure or measures identified in subparagraphs (2) (A), (B), (C), or (D) shall be known as the ''equivalent existing measure''; and

(C) an ''equivalent increase in through-Delta survival rates for listed salmonid species'' shall mean an increase in through-Delta survival rates that is equivalent when considering the change in through-Delta survival rates for the listed salmonid species in the aggregate, and not the same change for each individual species, as long as the change in survival rates will not cause a significant negative impact on the long-term survival of a listed salmonid species.

(2) As part of the reviews of project operations pursuant to subsection (b), the Assistant Administrator shall determine whether any alternative management measures or combination of alternative management measures listed in subsection (e) (3) through (8) would provide an increase in through-Delta survival rates for listed salmonid species that is equivalent to the increase in through-Delta survival rates for listed salmonid species from the following:

(A) Through restrictions on export pumping rates as specified by Action IV.2.3, as compared to limiting OMR flow to a fixed rate of −5,000 cubic feet per second within the time period Action IV.2.3 is applicable.

(B) Through restrictions on export pumping rates as specified by Action IV.2.3, as compared to a modification of Action IV.2.3 that would provide additional water supplies, other than that described in subparagraph (A).

(C) Through San Joaquin River inflow to export restrictions on export pumping rates specified within Action IV.2.1, as compared to the restrictions in the April/May period imposed by the State Water Resources Control Board decision D–1641.

(D) Through San Joaquin River inflow to export restrictions on export pumping rates specified within Action IV.2.1, as compared to a modification of Action IV.2.1 that would reduce water supply impacts of the salmonid biological opinion on the Central Valley Project and the California State Water Project, other than that described in subparagraph (C).

(3) If the Assistant Administrator identifies an equivalent alternative measure pursuant to paragraph (2), the Assistant Administrator shall determine whether—

(A) it is technically feasible and within Federal jurisdiction to implement the equivalent alternative measure;

(B) the State of California, or subdivision thereof, or local agency with jurisdiction has certified in writing within 10 calendar days to the Assistant Administrator that it has the authority and capability to implement the pertinent equivalent alternative measure; or

(C) the adverse consequences of doing so are less than the adverse consequences of the equivalent existing measure, including a concise evaluation of the adverse consequences to other affected interests.

(4) If the Assistant Administrator makes the determinations in subparagraph (3)(A) or (3)(B),

the Commissioner shall adjust project operations to implement the equivalent alternative measure in place of the equivalent existing measure in order to increase export rates of pumping to the greatest extent possible while maintaining a net combined effect of equivalent through-Delta survival rates for the listed salmonid species.

(h) TRACKING ADVERSE EFFECTS BEYOND THE RANGE OF EFFECTS ACCOUNTED FOR IN THE SALMONID BIOLOGICAL OPINION AND COORDINATED OPERATION WITH THE DELTA SMELT BIOLOGICAL OPINION.—

(1) Among the adjustments to the project operations considered through the adaptive management process under this section, the Assistant Administrator and the Commissioner shall—

(A) evaluate the effects on listed salmonid species and water supply of the potential adjustment to operational criteria described in subparagraph (B); and

(B) consider requiring that before some or all of the provisions of Actions IV.2.1. or IV.2.3 are imposed in any specific instance, the Assistant Administrator show that the implementation of these provisions in that specific instance is necessary to avoid a significant negative impact on the long-term survival of a listed salmonid species.

(2) The Assistant Administrator, the Director, and the Commissioner, in coordination with State officials as appropriate, shall establish operational criteria to coordinate management of OMR flows under the smelt and salmonid biological opinions, in order to take advantage of opportunities to provide additional water supplies from the coordinated implementation of the biological opinions.

(3) The Assistant Administrator and the Commissioner shall document the effects of any adaptive management decisions related to the coordinated operation of the smelt and salmonid biological opinions that prioritizes the maintenance of one species at the expense of the other.

(i) REAL-TIME MONITORING AND MANAGEMENT.—Notwithstanding the calendar based triggers described in the salmonid biological opinion Reasonable and Prudent Alternative (RPA), the Assistant Administrator and the Commissioner shall not limit OMR reverse flow to −5,000 cubic feet per second unless current monitoring data indicate that this OMR flow limitation is reasonably required to avoid a significant negative impact on the long-term survival of a listed salmonid species.

(j) EVALUATION AND IMPLEMENTATION OF MANAGEMENT MEASURES.—If the quantitative estimates of through-Delta survival established by the Secretary for the adjustments in subsection (b)(2) exceed the through-Delta survival established for the RPAs, the Secretary shall evaluate and implement the management measures in subsection (b)(2) as a prerequisite to implementing the RPAs contained in the Salmonid Biological Opinion.

(k) ACCORDANCE WITH OTHER LAW.—Consistent with section 706 of title 5, United States Code, decisions of the Assistant Administrator and the Commissioner described in subsections (b) through (j) shall be made in writing, on the basis of best scientific and commercial data currently available, and shall include an explanation of the data examined at the connection between those data and the decisions made.

SEC. 1023. NON-FEDERAL PROGRAM TO PROTECT NATIVE ANADROMOUS FISH IN THE STANISLAUS RIVER.

(a) ESTABLISHMENT OF NONNATIVE PREDATOR FISH REMOVAL PROGRAM.—The Secretary and the districts, in consultation with the Director, shall jointly develop and conduct a nonnative predator fish removal program to remove nonnative striped bass, smallmouth bass, largemouth bass, black bass, and other nonnative predator fish species from the Stanislaus River. The program shall—

(1) be scientifically based;

(2) include methods to quantify the number and size of predator fish removed each year, the impact of such removal on the overall abundance of predator fish, and the impact of such removal on the populations of juvenile anadromous fish found in the Stanislaus River by, among other things, evaluating the number of juvenile anadromous fish that migrate past the rotary screw trap located at Caswell;

(3) among other methods, use wire fyke trapping, portable resistance board weirs, and boat electrofishing; and

(4) be implemented as quickly as possible following the issuance of all necessary scientific research.

(b) MANAGEMENT.—The management of the program shall be the joint responsibility of the Secretary and the districts. Such parties shall work collaboratively to ensure the performance of the program, and shall discuss and agree upon, among other things, changes in the structure, management, personnel, techniques, strategy, data collection, reporting, and conduct of the program.

(c) CONDUCT.—

(1) IN GENERAL.—By agreement between the Secretary and the districts, the program may be conducted by their own personnel, qualified private contractors hired by the districts, personnel of, on loan to, or otherwise assigned to the National Marine Fisheries Service, or a combination thereof.

(2) PARTICIPATION BY THE NATIONAL MARINE FISHERIES SERVICE.—If the districts elect to conduct the program using their own personnel or qualified private contractors hired by them in accordance with paragraph (1), the Secretary may assign an employee of, on loan to, or otherwise assigned to the National Marine Fisheries Service, to be present for all activities performed in the field. Such presence shall ensure compliance with the agreed-upon elements specified in subsection (b). The districts shall pay the cost of such participation in accordance with subsection (d).

(3) TIMING OF ELECTION.—The districts shall notify the Secretary of their election on or before October 15 of each calendar year of the program. Such an election shall apply to the work performed in the subsequent calendar year.

(d) FUNDING.—

(1) IN GENERAL.—The districts shall be responsible for 100 percent of the cost of the program.

(2) CONTRIBUTED FUNDS.—The Secretary may accept and use contributions of funds from the districts to carry out activities under the program.

(3) ESTIMATION OF COST.—On or before December 1 of each year of the program, the Secretary shall submit to the districts an estimate of the cost to be incurred by the National Marine Fisheries Service for the program in the following calendar year, if any, including the cost of any data collection and posting under subsection (e). If an amount equal to the estimate is not provided through contributions pursuant to paragraph (2) before December 31 of that year—

(A) the Secretary shall have no obligation to conduct the program activities otherwise scheduled for such following calendar year until such amount is contributed by the districts; and

(B) the districts may not conduct any aspect of the program until such amount is contributed by the districts.

(4) ACCOUNTING.—On or before September 1 of each year, the Secretary shall provide to the districts an accounting of the costs incurred by the Secretary for the program in the preceding calendar year. If the amount contributed by the districts pursuant to paragraph (2) for that year was greater than the costs incurred by the Secretary, the Secretary shall—

(A) apply the excess contributions to costs of activities to be performed by the Secretary under the program, if any, in the next calendar year; or

(B) if no such activities are to be performed, repay the excess contribution to the districts.

(e) POSTING AND EVALUATION.—On or before the 15th day of each month, the Secretary shall post on the Internet website of the National Marine Fisheries Service a tabular summary of the raw data collected under the program in the preceding month.

(f) IMPLEMENTATION.—The program is hereby found to be consistent with the requirements of the Central Valley Project Improvement Act (Public Law 102–575). No provision, plan or definition established or required by the Central Valley Project Improvement Act (Public Law 102–575) shall be used to prohibit the imposition of the program, or to prevent the accomplishment of its goals.

(g) TREATMENT OF STRIPED BASS.—For purposes of the application of the Central Valley Project Improvement Act (title XXXIV of Public Law 102–575) with respect to the program, striped bass shall not be treated as anadromous fish.

(h) DEFINITION.—For the purposes of this section, the term ''districts'' means the Oakdale Irrigation District and the South San Joaquin Irrigation District, California.

SEC. 1024. PILOT PROJECTS TO IMPLEMENT CALFED INVASIVE SPECIES PROGRAM.

(a) IN GENERAL.—Not later than January 1, 2017, the Secretary of the Interior, in collaboration with the Secretary of Commerce, the Director of the California Department of Fish and Wildlife, and other relevant agencies and interested parties, shall begin pilot projects to implement the invasive species control program authorized pursuant to section 103(d)(6)(A)(iv) of Public Law 108–361 (118 Stat. 1690).

(b) REQUIREMENTS.—The pilot projects shall—

(1) seek to reduce invasive aquatic vegetation, predators, and other competitors which contribute to the decline of native listed pelagic and anadromous species that occupy the Sacramento and San Joaquin Rivers and their tributaries and the Sacramento-San Joaquin Bay-Delta; and

(2) remove, reduce, or control the effects of species, including Asiatic clams, silversides, gobies, Brazilian water weed, water hyacinth, largemouth bass, smallmouth bass, striped bass, crappie, bluegill, white and channel catfish, and brown bullheads.

(c) SUNSET.—The authorities provided under this subsection shall expire seven years after the Secretaries commence implementation of the pilot projects pursuant to subsection (a).

(d) EMERGENCY ENVIRONMENTAL REVIEWS.—To expedite the environmentally beneficial programs for the conservation of threatened and endangered species, the Secretaries shall consult with the Council on Environmental Quality in accordance with section 1506.11 of title 40, Code of Federal Regulations (or successor regulations), to develop alternative arrangements to comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for the projects pursuant to subsection (a).

Subtitle C—OPERATIONAL FLEXIBILITY AND DROUGHT RELIEF

SEC. 1031. DEFINITIONS.

In this subtitle:

(1) CENTRAL VALLEY PROJECT.—The term ''Central Valley Project'' has the meaning given the term in section 3403 of the Central Valley Project Improvement Act (Public Law 102–575; 106 Stat. 4707).

(2) RECLAMATION PROJECT.—The term ''Reclamation Project'' means a project constructed pursuant to the authorities of the reclamation

laws and whose facilities are wholly or partially located in the State.

(3) SECRETARIES.—The term ''Secretaries'' means—

(A) the Secretary of Agriculture;

(B) the Secretary of Commerce; and

(C) the Secretary of the Interior.

(4) STATE WATER PROJECT.—The term ''State Water Project'' means the water project described by California Water Code section 11550 et seq. and operated by the California Department of Water Resources.

(5) STATE.—The term ''State'' means the State of California.

SEC. 1032. OPERATIONAL FLEXIBILITY IN TIMES OF DROUGHT.

(a) WATER SUPPLIES.—For the period of time such that in any year that the Sacramento Valley Index is 6.5 or lower, or at the request of the State of California, and until two succeeding years following either of those events have been completed where the final Sacramento Valley Index is 7.8 or greater, the Secretaries shall provide the maximum quantity of water supplies practicable to all individuals or district who receive Central Valley Project water under water service or repayments contracts, water rights settlement contracts, exchange contracts, or refuge contracts or agreements entered into prior to or after the date of enactment of this title; State Water Project contractors, and any other tribe, locality, water agency, or municipality in the State, by approving, consistent with applicable laws (including regulations), projects and operations to provide additional water supplies as quickly as practicable based on available information to address the emergency conditions.

(b) ADMINISTRATION.—In carrying out subsection (a), the Secretaries shall, consistent with applicable laws (including regulations)—

(1) issue all necessary permit decisions under the authority of the Secretaries not later than 30 days after the date on which the Secretaries receive a completed application from the State to place and use temporary barriers or operable gates in Delta channels to improve water quantity and quality for the State Water Project and the Central Valley Project south of Delta water contractors and other water users, on the condition that the barriers or operable gates—

(A) do not result in a significant negative impact on the long-term survival of listed species within the Delta and provide benefits or have a neutral impact on in-Delta water user water quality; and

(B) are designed so that formal consultations under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536) are not necessary;

(2) require the Director of the United States Fish and Wildlife Service and the Commissioner of Reclamation—

(A) to complete, not later than 30 days after the date on which the Director or the Commissioner receives a complete written request for water transfer, all requirements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) necessary to make final permit decisions on the request; and

(B) to approve any water transfer request described in subparagraph (A) to maximize the quantity of water supplies available for nonhabitat uses, on the condition that actions associated with the water transfer comply with applicable Federal laws (including regulations);

(3) adopt a 1:1 inflow to export ratio, as measured as a 3-day running average at Vernalis during the period beginning on April 1, and ending on May 31, absent a determination in writing that a more restrictive inflow to export ratio is required to avoid a significant negative impact on the long-term survival of a listed salmonid species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); provided that the 1:1 inflow to export ratio shall apply for the increment of increased flow of the San Joaquin River resulting from the voluntary sale, transfers, or exchanges of water from agencies with rights to divert water from the San Joaquin River or its tributaries and provided that the movement of the acquired, transferred, or exchanged water through the Delta consistent with the Central Valley Project's and the State Water Project's permitted water rights and provided that movement of the Central Valley Project water is consistent with the requirements of section 3405(a)(1)(H) of the Central Valley Project Improvement Act; and

(4) allow and facilitate, consistent with existing priorities, water transfers through the C.W. ''Bill'' Jones Pumping Plant or the Harvey O. Banks Pumping Plant from April 1 to November 30 provided water transfers comply with State law, including the California Environmental Quality Act.

(c) ACCELERATED PROJECT DECISION AND ELEVATION.—

(1) IN GENERAL.—On request by the Governor of the State, the Secretaries shall use the expedited procedures under this subsection to make final decisions relating to a Federal project or operation, or to local or State projects or operations that require decisions by the Secretary of the Interior or the Secretary of Commerce to provide additional water supplies if the project's or operation's purpose is to provide relief for emergency drought conditions pursuant to subsections (a) and (b).

(2) REQUEST FOR RESOLUTION.—

(A) IN GENERAL.—On request by the Governor of the State, the Secretaries referenced in paragraph (1), or the head of another Federal agency responsible for carrying out a review of a project, as applicable, the Secretary of the Interior shall convene a final project decision meeting with the heads of all relevant Federal agencies to decide whether to approve a project to provide relief for emergency drought conditions.

(B) MEETING.—The Secretary of the Interior shall convene a meeting requested under subparagraph (A) not later than 7 days after the date on which the meeting request is received.

(3) NOTIFICATION.—On receipt of a request for a meeting under paragraph (2), the Secretary of the Interior shall notify the heads of all relevant Federal agencies of the request, including information on the project to be reviewed and the date of the meeting.

(4) DECISION.—Not later than 10 days after the date on which a meeting is requested under paragraph (2), the head of the relevant Federal agency shall issue a final decision on the project, subject to subsection (e)(2).

(5) MEETING CONVENED BY SECRETARY.—The Secretary of the Interior may convene a final project decision meeting under this subsection at any time, at the discretion of the Secretary, regardless of whether a meeting is requested under paragraph (2).

(d) APPLICATION.—To the extent that a Federal agency, other than the agencies headed by the Secretaries, has a role in approving projects described in subsections (a) and (b), this section shall apply to those Federal agencies.

(e) LIMITATION.—Nothing in this section authorizes the Secretaries to approve projects—

(1) that would otherwise require congressional authorization; or

(2) without following procedures required by applicable law.

(f) DROUGHT PLAN.—For the period of time such that in any year that the Sacramento Valley index is 6.5 or lower, or at the request of the State of California, and until two succeeding years following either of those events have been completed where the final Sacramento Valley Index is 7.8 or greater, the Secretaries of Commerce and the Interior, in consultation with appropriate State officials, shall develop a drought operations plan that is consistent with the provisions of this Act including the provisions that are intended to provide additional water supplies that could be of assistance during the current drought.

SEC. 1033. OPERATION OF CROSS-CHANNEL GATES.

(a) IN GENERAL.—The Secretary of Commerce and the Secretary of the Interior shall jointly—

(1) authorize and implement activities to ensure that the Delta Cross Channel Gates remain open to the maximum extent practicable using findings from the United States Geological Survey on diurnal behavior of juvenile salmonids, timed to maximize the peak flood tide period and provide water supply and water quality benefits for the duration of the drought emergency declaration of the State, and for the period of time such that in any year that the Sacramento Valley index is 6.5 or lower, or at the request of the State of California, and until two succeeding years following either of those events have been completed where the final Sacramento Valley Index is 7.8 or greater, consistent with operational criteria and monitoring criteria set forth into the Order Approving a Temporary Urgency Change in License and Permit Terms in Response to Drought Conditions of the California State Water Resources Control Board, effective January 31, 2014 (or a successor order) and other authorizations associated with it;

(2) with respect to the operation of the Delta Cross Channel Gates described in paragraph (1), collect data on the impact of that operation on—

(A) species listed as threatened or endangered under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(B) water quality; and

(C) water supply;

(3) collaborate with the California Department of Water Resources to install a deflection barrier at Georgiana Slough in coordination with Delta Cross Channel Gate diurnal operations to protect migrating salmonids, consistent with knowledge gained from activities carried out during 2014 and 2015;

(4) evaluate the combined salmonid survival in light of activities carried out pursuant to paragraphs (1) through (3) in deciding how to operate the Delta Cross Channel gates to enhance salmonid survival and water supply benefits; and

(5) not later than May 15, 2016, submit to the appropriate committees of the House of Representatives and the Senate a notice and explanation on the extent to which the gates are able to remain open.

(b) RECOMMENDATIONS.—After assessing the information collected under subsection (a), the Secretary of the Interior shall recommend revisions to the operation of the Delta Cross-Channel Gates, to the Central Valley Project, and to the State Water Project, including, if appropriate, any reasonable and prudent alternative contained in the biological opinion issued by the National Marine Fisheries Service on June 4, 2009, that are likely to produce water supply benefits without causing a significant negative impact on the long-term survival of the listed fish species within the Delta or on water quality.

SEC. 1034. FLEXIBILITY FOR EXPORT/INFLOW RATIO.

For the period of time such that in any year that the Sacramento Valley index is 6.5 or lower, or at the request of the State of California, and until two succeeding years following either of those events have been completed where the final Sacramento Valley Index is 7.8 or greater, the Commissioner of the Bureau of Reclamation shall continue to vary the averaging period of the Delta Export/Inflow ratio pursuant to the

California State Water Resources Control Board decision D1641—

(1) to operate to a 35-percent Export/Inflow ratio with a 3-day averaging period on the rising limb of a Delta inflow hydrograph; and

(2) to operate to a 14-day averaging period on the falling limb of the Delta inflow hydrograph.

SEC. 1035. EMERGENCY ENVIRONMENTAL REVIEWS.

(a) NEPA COMPLIANCE.—To minimize the time spent carrying out environmental reviews and to deliver water quickly that is needed to address emergency drought conditions in the State during the duration of an emergency drought declaration, the Secretaries shall, in carrying out this Act, consult with the Council on Environmental Quality in accordance with section 1506.11 of title 40, Code of Federal Regulations (including successor regulations), to develop alternative arrangements to comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) during the emergency.

(b) DETERMINATIONS.—For the purposes of this section, a Secretary may deem a project to be in compliance with all necessary environmental regulations and reviews if the Secretary determines that the immediate implementation of the project is necessary to address—

(1) human health and safety; or

(2) a specific and imminent loss of agriculture production upon which an identifiable region depends for 25 percent or more of its tax revenue used to support public services including schools, fire or police services, city or county health facilities, unemployment services or other associated social services.

SEC. 1036. INCREASED FLEXIBILITY FOR REGULAR PROJECT OPERATIONS.

The Secretaries shall, consistent with applicable laws (including regulations)—

(1) in coordination with the California Department of Water Resources and the California Department of Fish and Wildlife, implement offsite upstream projects in the Delta and upstream of the Sacramento River and San Joaquin basins that offset the effects on species listed as threatened or endangered under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) due to activities carried out pursuant this Act, as determined by the Secretaries;

(2) manage reverse flow in the Old and Middle Rivers at −6,100 cubic feet per second if real-time monitoring indicates that flows of −6,100 cubic feet per second or more negative can be established for specific periods without causing a significant negative impact on the long-term survival of the Delta smelt, or if real-time monitoring does not support flows of −6,100 cubic feet per second than manage OMR flows at −5,000 cubic feet per second subject to section 1013(e)(3) and (4); and

(3) use all available scientific tools to identify any changes to real-time operations of the Bureau of Reclamation, State, and local water projects that could result in the availability of additional water supplies.

SEC. 1037. TEMPORARY OPERATIONAL FLEXIBILITY FOR FIRST FEW STORMS OF THE WATER YEAR.

(a) IN GENERAL.—Consistent with avoiding a significant negative impact on the long-term survival in the short term upon listed fish species beyond the range of those authorized under the Endangered Species Act of 1973 and other environmental protections under subsection (e), the Secretaries shall authorize the Central Valley Project and the State Water Project, combined, to operate at levels that result in negative OMR flows at −7,500 cubic feet per second (based on United States Geological Survey gauges on Old and Middle Rivers) daily average for 56 cumulative days after October 1 as described in subsection (c).

(b) DAYS OF TEMPORARY OPERATIONAL FLEXIBILITY.—The temporary operational flexibility described in subsection (a) shall be authorized on days that the California Department of Water Resources determines the daily average river flow of the Sacramento River is at, or above, 17,000 cubic feet per second as measured at the Sacramento River at Freeport gauge maintained by the United States Geologic Survey.

(c) COMPLIANCE WITH ENDANGERED SPECIES ACT AUTHORIZATIONS.—In carrying out this section, the Secretaries may continue to impose any requirements under the smelt and salmonid biological opinions during any period of temporary operational flexibility as they determine are reasonably necessary to avoid an additional significant negative impacts on the long-term survival of a listed fish species beyond the range of those authorized under the Endangered Species Act of 1973, provided that the requirements imposed do not reduce water supplies available for the Central Valley Project and the State Water Project.

(d) OTHER ENVIRONMENTAL PROTECTIONS.—

(1) STATE LAW.—The Secretaries' actions under this section shall be consistent with applicable regulatory requirements under State law.

(2) FIRST SEDIMENT FLUSH.—During the first flush of sediment out of the Delta in each water year, and provided that such determination is based upon objective evidence, OMR flow may be managed at rates less negative than −5,000 cubic feet per second for a minimum duration to avoid movement of adult Delta smelt (Hypomesus transpacificus) to areas in the southern Delta that would be likely to increase entrainment at Central Valley Project and State Water Project pumping plants.

(3) APPLICABILITY OF OPINION.—This section shall not affect the application of the salmonid biological opinion from April 1 to May 31, unless the Secretary of Commerce finds that some or all of such applicable requirements may be adjusted during this time period to provide emergency water supply relief without resulting in additional adverse effects beyond those authorized under the Endangered Species Act of 1973. In addition to any other actions to benefit water supply, the Secretary of the Interior and the Secretary of Commerce shall consider allowing through-Delta water transfers to occur during this period if they can be accomplished consistent with section 3405(a)(1)(H) of the Central Valley Project Improvement Act. Water transfers solely or exclusively through the State Water Project are not required to be consistent with section 3405(a)(1)(H) of the Central Valley Project Improvement Act.

(4) MONITORING.—During operations under this section, the Commissioner of Reclamation, in coordination with the Fish and Wildlife Service, National Marine Fisheries Service, and California Department of Fish and Wildlife, shall undertake a monitoring program and other data gathering to ensure incidental take levels are not exceeded, and to identify potential negative impacts and actions, if any, necessary to mitigate impacts of the temporary operational flexibility to species listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(e) TECHNICAL ADJUSTMENTS TO TARGET PERIOD.—If, before temporary operational flexibility has been implemented on 56 cumulative days, the Secretaries operate the Central Valley Project and the State Water Project combined at levels that result in OMR flows less negative than −7,500 cubic feet per second during days of temporary operational flexibility as defined in subsection (c), the duration of such operation shall not be counted toward the 56 cumulative days specified in subsection (a).

(f) EMERGENCY CONSULTATION; EFFECT ON RUNNING AVERAGES.—

(1) If necessary to implement the provisions of this section, the Commissioner is authorized to take any action necessary to implement this section for up to 56 cumulative days. If during the 56 cumulative days the Commissioner determines that actions necessary to implement this section will exceed 56 days, the Commissioner shall use the emergency consultation procedures under the Endangered Species Act of 1973 and its implementing regulation at section 402.05 of title 50, Code of Federal Regulations, to temporarily adjust the operating criteria under the biological opinions—

(A) solely for extending beyond the 56 cumulative days for additional days of temporary operational flexibility—

(i) no more than necessary to achieve the purposes of this section consistent with the environmental protections in subsections (d) and (e); and

(ii) including, as appropriate, adjustments to ensure that the actual flow rates during the periods of temporary operational flexibility do not count toward the 5-day and 14-day running averages of tidally filtered daily OMR flow requirements under the biological opinions, or

(B) for other adjustments to operating criteria or to take other urgent actions to address water supply shortages for the least amount of time or volume of diversion necessary as determined by the Commissioner.

(2) Following the conclusion of the 56 cumulative days of temporary operational flexibility, or the extended number of days covered by the emergency consultation procedures, the Commissioner shall not reinitiate consultation on these adjusted operations, and no mitigation shall be required, if the effects on listed fish species of these operations under this section remain within the range of those authorized under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.). If the Commissioner reinitiates consultation, no mitigation measures shall be required.

(g) LEVEL OF DETAIL REQUIRED FOR ANALYSIS.—In articulating the determinations required under this section, the Secretaries shall fully satisfy the requirements herein but shall not be expected to provide a greater level of supporting detail for the analysis than feasible to provide within the short timeframe permitted for timely decisionmaking in response to changing conditions in the Delta.

SEC. 1038. EXPEDITING WATER TRANSFERS.

(a) IN GENERAL.—Section 3405(a) of the Central Valley Project Improvement Act (Public Law 102–575; 106 Stat. 4709(a)) is amended—

(1) by redesignating paragraphs (1) through (3) as paragraphs (4) through (6), respectively;

(2) in the matter preceding paragraph (4) (as so designated)—

(A) in the first sentence, by striking ''In order to'' and inserting the following:

''(1) IN GENERAL.—In order to''; and

(B) in the second sentence, by striking ''Except as provided herein'' and inserting the following:

''(3) TERMS.—Except as otherwise provided in this section'';

(3) by inserting before paragraph (3) (as so designated) the following:

''(2) EXPEDITED TRANSFER OF WATER.—The Secretary shall take all necessary actions to facilitate and expedite transfers of Central Valley Project water in accordance with—

''(A) this Act;

''(B) any other applicable provision of the reclamation laws; and

''(C) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).'';

(4) in paragraph (4) (as so designated)—

(A) in subparagraph (A), by striking ''to combination'' and inserting ''or combination''; and

(B) by striking ''3405(a)(2) of this title'' each place it appears and inserting ''(5)'';

(5) in paragraph (5) (as so designated), by adding at the end the following:

''(E) The contracting district from which the water is coming, the agency, or the Secretary

shall determine if a written transfer proposal is complete within 45 days after the date of submission of the proposal. If the contracting district or agency or the Secretary determines that the proposal is incomplete, the district or agency or the Secretary shall state with specificity what must be added to or revised for the proposal to be complete.''; and

(6) in paragraph (6) (as so designated), by striking ''3405(a)(1)(A)–(C), (E), (G), (H), (I), (L), and (M) of this title'' and inserting ''(A) through (C), (E), (G), (H), (I), (L), and (M) of paragraph (4)''.

(b) CONFORMING AMENDMENTS.—The Central Valley Project Improvement Act (Public Law 102–575) is amended—

(1) in section 3407(c)(1) (106 Stat. 4726), by striking ''3405(a)(1)(C)'' and inserting ''3405(a)(4)(C)''; and

(2) in section 3408(i)(1) (106 Stat. 4729), by striking ''3405(a)(1) (A) and (J) of this title'' and inserting ''subparagraphs (A) and (J) of section 3405(a)(4)''.

SEC. 1039. ADDITIONAL EMERGENCY CONSULTATION.

For adjustments to operating criteria other than under section 1038 of this subtitle or to take urgent actions to address water supply shortages for the least amount of time or volume of diversion necessary as determined by the Commissioner of Reclamation, no mitigation measures shall be required during any year that the Sacramento Valley index is 6.5 or lower, or at the request of the State of California, and until two succeeding years following either of those events have been completed where the final Sacramento Valley Index is 7.8 or greater, and any mitigation measures imposed must be based on quantitative data and required only to the extent that such data demonstrates actual harm to species.

SEC. 1040. ADDITIONAL STORAGE AT NEW MELONES.

The Commissioner of Reclamation is directed to work with local water and irrigation districts in the Stanislaus River Basin to ascertain the water storage made available by the Draft Plan of Operations in New Melones Reservoir (DRPO) for water conservation programs, conjunctive use projects, water transfers, rescheduled project water and other projects to maximize water storage and ensure the beneficial use of the water resources in the Stanislaus River Basin. All such programs and projects shall be implemented according to all applicable laws and regulations. The source of water for any such storage program at New Melones Reservoir shall be made available under a valid water right, consistent with the State of California water transfer guidelines and any other applicable State water law. The Commissioner shall inform the Congress within 18 months setting forth the amount of storage made available by the DRPO that has been put to use under this program, including proposals received by the Commissioner from interested parties for the purpose of this section.

SEC. 1041. REGARDING THE OPERATION OF FOLSOM RESERVOIR.

The Secretary of the Interior, in collaboration with the Sacramento Water Forum, shall expedite evaluation, completion and implementation of the Modified Lower American River Flow Management Standard developed by the Water Forum in 2015 to improve water supply reliability for Central Valley Project American River water contractors and resource protection in the lower American River during consecutive dry-years under current and future demand and climate change conditions.

SEC. 1042. APPLICANTS.

In the event that the Bureau of Reclamation or another Federal agency initiates or reinitiates consultation with the U.S. Fish and Wildlife Service or the National Marine Fisheries Service under section 7(a)(2) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2)), with respect to construction or operation of the Central Valley Project and State Water Project, or any part thereof, the State Water Project contractors and the Central Valley Project contractors will be accorded all the rights and responsibilities extended to applicants in the consultation process.

SEC. 1043. SAN JOAQUIN RIVER SETTLEMENT.

(a) CALIFORNIA STATE LAW SATISFIED BY WARM WATER FISHERY.—

(1) IN GENERAL.—Sections 5930 through 5948 of the California Fish and Game Code, and all applicable Federal laws, including the San Joaquin River Restoration Settlement Act (Public Law 111–11) and the Stipulation of Settlement (Natural Resources Defense Council, et al. v. Kirk Rodgers, et al., Eastern District of California, No. Civ. S–88–1658–LKK/GGH), shall be satisfied by the existence of a warm water fishery in the San Joaquin River below Friant Dam, but upstream of Gravelly Ford.

(2) DEFINITION OF WARM WATER FISHERY.—For the purposes of this section, the term ''warm water fishery'' means a water system that has an environment suitable for species of fish other than salmon (including all subspecies) and trout (including all subspecies).

(b) REPEAL OF THE SAN JOAQUIN RIVER SETTLEMENT.—As of the date of enactment of this section, the Secretary of the Interior shall cease any action to implement the San Joaquin River Restoration Settlement Act (subtitle A of title X of Public Law 111–11) and the Stipulation of Settlement (Natural Resources Defense Council, et al. v. Kirk Rodgers, et al., Eastern District of California, No. Civ. S–88–1658 LKK/GGH).

SEC. 1044. PROGRAM FOR WATER RESCHEDULING.

By December 31, 2015, the Secretary of the Interior shall develop and implement a program, including rescheduling guidelines for Shasta and Folsom Reservoirs, to allow existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed, and refuge service and municipal and industrial water service contractors within the Sacramento River Watershed and the American River Watershed to reschedule water, provided for under their Central Valley Project contracts, from one year to the next; provided, that the program is consistent with existing rescheduling guidelines as utilized by the Bureau of Reclamation for rescheduling water for Central Valley Project water service contractors that are located South of the Delta.

Subtitle D—CALFED STORAGE FEASIBILITY STUDIES

SEC. 1051. STUDIES.

The Secretary of the Interior, through the Commissioner of Reclamation, shall—

(1) complete the feasibility studies described in clauses (i)(I) and (ii)(II) of section 103(d)(1)(A) of Public Law 108–361 (118 Stat. 1684) and submit such studies to the appropriate committees of the House of Representatives and the Senate not later than December 31, 2015;

(2) complete the feasibility study described in clause (i)(II) of section 103(d)(1)(A) of Public Law 108–361 and submit such study to the appropriate committees of the House of Representatives and the Senate not later than November 30, 2016;

(3) complete a publicly available draft of the feasibility study described in clause (ii)(I) of section 103(d)(1)(A) of Public Law 108–361 and submit such study to the appropriate committees of the House of Representatives and the Senate not later than November 30, 2016;

(4) complete the feasibility study described in clause (ii)(I) of section 103(d)(1)(A) of Public Law 108–361 and submit such study to the appropriate committees of the House of Representatives and the Senate not later than November 30, 2017;

(5) complete the feasibility study described in section 103(f)(1)(A) of Public Law 108–361 (118 Stat. 1694) and submit such study to the appropriate Committees of the House of Representatives and the Senate not later than December 31, 2017;

(6) provide a progress report on the status of the feasibility studies referred to in paragraphs (1) through (3) to the appropriate committees of the House of Representatives and the Senate not later than 90 days after the date of the enactment of this Act and each 180 days thereafter until December 31, 2017, as applicable. The report shall include timelines for study completion, draft environmental impact statements, final environmental impact statements, and Records of Decision;

(7) in conducting any feasibility study under this Act, the reclamation laws, the Central Valley Project Improvement Act (title XXXIV of Public Law 102–575; 106 Stat. 4706), the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and other applicable law, for the purposes of determining feasibility the Secretary shall document, delineate, and publish costs directly relating to the engineering and construction of a water storage project separately from the costs resulting from regulatory compliance or the construction of auxiliary facilities necessary to achieve regulatory compliance; and

(8) communicate, coordinate and cooperate with public water agencies that contract with the United States for Central Valley Project water and that are expected to participate in the cost pools that will be created for the projects proposed in the feasibility studies under this section.

SEC. 1052. TEMPERANCE FLAT.

(a) DEFINITIONS.—For the purposes of this section:

(1) PROJECT.—The term ''Project'' means the Temperance Flat Reservoir Project on the Upper San Joaquin River.

(2) RMP.—The term ''RMP'' means the document titled ''Bakersfield Field Office, Record of Decision and Approved Resource Management Plan,'' dated December 2014.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) APPLICABILITY OF RMP.—The RMP and findings related thereto shall have no effect on or applicability to the Secretary's determination of feasibility of, or on any findings or environmental review documents related to—

(1) the Project; or

(2) actions taken by the Secretary pursuant to section 103(d)(1)(A)(ii)(II) of the Bay-Delta Authorization Act (title I of Public Law 108–361).

(c) DUTIES OF SECRETARY UPON DETERMINATION OF FEASIBILITY.—If the Secretary finds the Project to be feasible, the Secretary shall manage the land recommended in the RMP for designation under the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.) in a manner that does not impede any environmental reviews, preconstruction, construction, or other activities of the Project, regardless of whether or not the Secretary submits any official recommendation to Congress under the Wild and Scenic Rivers Act.

(d) RESERVED WATER RIGHTS.—Effective December 22, 2014, there shall be no Federal reserved water rights to any segment of the San Joaquin River related to the Project as a result of any designation made under the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.).

SEC. 1053. CALFED STORAGE ACCOUNTABILITY.

If the Secretary of the Interior fails to provide the feasibility studies described in section 1051 to the appropriate committees of the House of

Representatives and the Senate by the times prescribed, the Secretary shall notify each committee chair individually in person on the status of each project once a month until the feasibility study for that project is provided to Congress.

SEC. 1054. WATER STORAGE PROJECT CONSTRUCTION.

(a) PARTNERSHIP AND AGREEMENTS.—The Secretary of the Interior, acting through the Commissioner of the Bureau of Reclamation, may partner or enter into an agreement on the water storage projects identified in section 103(d)(1) of the Water Supply Reliability and Environmental Improvement Act (Public Law 108–361) (and Acts supplemental and amendatory to the Act) with local joint powers authorities formed pursuant to State law by irrigation districts and other local water districts and local governments within the applicable hydrologic region, to advance those projects.

(b) AUTHORIZATION FOR PROJECT.—If the Secretary determines a project described in section 1052(a)(1) and (2) is feasible, the Secretary is authorized to carry out the project in a manner that is substantially in accordance with the recommended plan, and subject to the conditions described in the feasibility study, provided that no Federal funding shall be used to construct the project.

Subtitle E—WATER RIGHTS PROTECTIONS

SEC. 1061. OFFSET FOR STATE WATER PROJECT.

(a) IMPLEMENTATION IMPACTS.—The Secretary of the Interior shall confer with the California Department of Fish and Wildlife in connection with the implementation of this Act on potential impacts to any consistency determination for operations of the State Water Project issued pursuant to California Fish and Game Code section 2080.1.

(b) ADDITIONAL YIELD.—If, as a result of the application of this Act, the California Department of Fish and Wildlife—

(1) revokes the consistency determinations pursuant to California Fish and Game Code section 2080.1 that are applicable to the State Water Project;

(2) amends or issues one or more new consistency determinations pursuant to California Fish and Game Code section 2080.1 in a manner that directly or indirectly results in reduced water supply to the State Water Project as compared with the water supply available under the smelt biological opinion and the salmonid biological opinion; or

(3) requires take authorization under California Fish and Game Code section 2081 for operation of the State Water Project in a manner that directly or indirectly results in reduced water supply to the State Water Project as compared with the water supply available under the smelt biological opinion and the salmonid biological opinion, and as a consequence of the Department's action, Central Valley Project yield is greater than it would have been absent the Department's actions, then that additional yield shall be made available to the State Water Project for delivery to State Water Project contractors to offset losses resulting from the Department's action.

(c) NOTIFICATION RELATED TO ENVIRONMENTAL PROTECTIONS.—The Secretary of the Interior shall immediately notify the Director of the California Department of Fish and Wildlife in writing if the Secretary of the Interior determines that implementation of the smelt biological opinion and the salmonid biological opinion consistent with this Act reduces environmental protections for any species covered by the opinions.

SEC. 1062. AREA OF ORIGIN PROTECTIONS.

(a) IN GENERAL.—The Secretary of the Interior is directed, in the operation of the Central Valley Project, to adhere to California's water rights laws governing water rights priorities and to honor water rights senior to those held by the United States for operation of the Central Valley Project, regardless of the source of priority, including any appropriative water rights initiated prior to December 19, 1914, as well as water rights and other priorities perfected or to be perfected pursuant to California Water Code Part 2 of Division 2. Article 1.7 (commencing with section 1215 of chapter 1 of part 2 of division 2, sections 10505, 10505.5, 11128, 11460, 11461, 11462, and 11463, and sections 12200 to 12220, inclusive).

(b) DIVERSIONS.—Any action undertaken by the Secretary of the Interior and the Secretary of Commerce pursuant to both this Act and section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) that requires that diversions from the Sacramento River or the San Joaquin River watersheds upstream of the Delta be bypassed shall not be undertaken in a manner that alters the water rights priorities established by California law.

(c) ENDANGERED SPECIES ACT.—Nothing in this subtitle alters the existing authorities provided to and obligations placed upon the Federal Government under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), as amended.

(d) CONTRACTS.—With respect to individuals and entities with water rights on the Sacramento River, the mandates of this section may be met, in whole or in part, through a contract with the Secretary of the Interior executed pursuant to section 14 of Public Law 76–260; 53 Stat. 1187 (43 U.S.C. 389) that is in conformance with the Sacramento River Settlement Contracts renewed by the Secretary of the Interior in 2005.

SEC. 1063. NO REDIRECTED ADVERSE IMPACTS.

(a) IN GENERAL.—The Secretary of the Interior shall ensure that, except as otherwise provided for in a water service or repayment contract, actions taken in compliance with legal obligations imposed pursuant to or as a result of this Act, including such actions under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) and other applicable Federal and State laws, shall not directly or indirectly—

(1) result in the involuntary reduction of water supply or fiscal impacts to individuals or districts who receive water from either the State Water Project or the United States under water rights settlement contracts, exchange contracts, water service contracts, repayment contracts, or water supply contracts; or

(2) cause redirected adverse water supply or fiscal impacts to those within the Sacramento River watershed, the San Joaquin River watershed or the State Water Project service area.

(b) COSTS.—To the extent that costs are incurred solely pursuant to or as a result of this Act and would not otherwise have been incurred by any entity or public or local agency or subdivision of the State of California, such costs shall not be borne by any such entity, agency, or subdivision of the State of California, unless such costs are incurred on a voluntary basis.

(c) RIGHTS AND OBLIGATIONS NOT MODIFIED OR AMENDED.—Nothing in this Act shall modify or amend the rights and obligations of the parties to any existing—

(1) water service, repayment, settlement, purchase, or exchange contract with the United States, including the obligation to satisfy exchange contracts and settlement contracts prior to the allocation of any other Central Valley Project water; or

(2) State Water Project water supply or settlement contract with the State.

SEC. 1064. ALLOCATIONS FOR SACRAMENTO VALLEY CONTRACTORS.

(a) ALLOCATIONS.—

(1) IN GENERAL.—Subject to paragraph (2) and subsection (b), the Secretary of the Interior is directed, in the operation of the Central Valley Project, to allocate water provided for irrigation purposes to existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed in compliance with the following:

(A) Not less than 100 percent of their contract quantities in a ''Wet'' year.

(B) Not less than 100 percent of their contract quantities in an ''Above Normal'' year.

(C) Not less than 100 percent of their contract quantities in a ''Below Normal'' year that is preceded by an ''Above Normal'' or a ''Wet'' year.

(D) Not less than 50 percent of their contract quantities in a ''Dry'' year that is preceded by a ''Below Normal,'' an ''Above Normal,'' or a ''Wet'' year.

(E) In all other years not identified herein, the allocation percentage for existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed shall not be less than twice the allocation percentage to south-of-Delta Central Valley Project agricultural water service contractors, up to 100 percent; provided, that nothing herein shall preclude an allocation to existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed that is greater than twice the allocation percentage to south-of-Delta Central Valley Project agricultural water service contractors.

(2) CONDITIONS.—The Secretary's actions under paragraph (a) shall be subject to—

(A) the priority of individuals or entities with Sacramento River water rights, including those with Sacramento River Settlement Contracts, that have priority to the diversion and use of Sacramento River water over water rights held by the United States for operations of the Central Valley Project;

(B) the United States obligation to make a substitute supply of water available to the San Joaquin River Exchange Contractors; and

(C) the Secretary's obligation to make water available to managed wetlands pursuant to section 3406(d) of the Central Valley Project Improvement Act (Public Law 102–575).

(b) PROTECTION OF MUNICIPAL AND INDUSTRIAL SUPPLIES.—Nothing in subsection (a) shall be deemed to—

(1) modify any provision of a water service contract that addresses municipal and industrial water shortage policies of the Secretary;

(2) affect or limit the authority of the Secretary to adopt or modify municipal and industrial water shortage policies;

(3) affect or limit the authority of the Secretary to implement municipal and industrial water shortage policies; or

(4) affect allocations to Central Valley Project municipal and industrial contractors pursuant to such policies.

Neither subsection (a) nor the Secretary's implementation of subsection (a) shall constrain, govern or affect, directly, the operations of the Central Valley Project's American River Division or any deliveries from that Division, its units or facilities.

(c) NO EFFECT ON ALLOCATIONS.—This section shall not—

(1) affect the allocation of water to Friant Division contractors; or

(2) result in the involuntary reduction in contract water allocations to individuals or entities with contracts to receive water from the Friant Division.

(d) PROGRAM FOR WATER RESCHEDULING.—The Secretary of the Interior shall develop and implement a program, not later than 1 year after the date of the enactment of this Act, to provide for the opportunity for existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed to reschedule water, provided for under their Central

Valley Project water service contracts, from one year to the next.

(e) DEFINITIONS.—In this section:

(1) The term ''existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed'' means water service contractors within the Shasta, Trinity, and Sacramento River Divisions of the Central Valley Project, that have a water service contract in effect, on the date of the enactment of this section, that provides water for irrigation.

(2) The year type terms used in subsection (a) have the meaning given those year types in the Sacramento Valley Water Year Type (40–30–30) Index.

SEC. 1065. EFFECT ON EXISTING OBLIGATIONS.

Nothing in this Act preempts or modifies any existing obligation of the United States under Federal reclamation law to operate the Central Valley Project in conformity with State law, including established water rights priorities.

Subtitle F—MISCELLANEOUS

SEC. 1071. AUTHORIZED SERVICE AREA.

(a) IN GENERAL.—The authorized service area of the Central Valley Project authorized under the Central Valley Project Improvement Act (Public Law 102–575; 106 Stat. 4706) shall include the area within the boundaries of the Kettleman City Community Services District, California, as in existence on the date of enactment of this Act.

(b) LONG-TERM CONTRACT.—

(1) IN GENERAL.—Notwithstanding the Central Valley Project Improvement Act (Public Law 102–575; 106 Stat. 4706) and subject to paragraph (2), the Secretary of the Interior, in accordance with the Federal reclamation laws, shall enter into a long-term contract with the Kettleman City Community Services District, California, under terms and conditions mutually agreeable to the parties, for the delivery of up to 900 acre-feet of Central Valley Project water for municipal and industrial use.

(2) LIMITATION.—Central Valley Project water deliveries authorized under the contract entered into under paragraph (1) shall be limited to the minimal quantity necessary to meet the immediate needs of the Kettleman City Community Services District, California, in the event that local supplies or State Water Project allocations are insufficient to meet those needs.

(c) PERMIT.—The Secretary shall apply for a permit with the State for a joint place of use for water deliveries authorized under the contract entered into under subsection (b) with respect to the expanded service area under subsection (a), consistent with State law.

(d) ADDITIONAL COSTS.—If any additional infrastructure, water treatment, or related costs are needed to implement this section, those costs shall be the responsibility of the non-Federal entity.

SEC. 1072. OVERSIGHT BOARD FOR RESTORATION FUND.

(a) PLAN; ADVISORY BOARD.—Section 3407 of the Central Valley Project Improvement Act (Public Law 102–575; 106 Stat. 4726) is amended by adding at the end the following:

''(g) PLAN ON EXPENDITURE OF FUNDS.—

''(1) IN GENERAL.—For each fiscal year, the Secretary, in consultation with the Advisory Board, shall submit to Congress a plan for the expenditure of all of the funds deposited into the Restoration Fund during the preceding fiscal year.

''(2) CONTENTS.—The plan shall include an analysis of the cost-effectiveness of each expenditure.

''(h) ADVISORY BOARD.—

''(1) ESTABLISHMENT.—There is established the Restoration Fund Advisory Board (referred to in this section as the 'Advisory Board'), which shall be composed of 11 members appointed by the Secretary.

''(2) MEMBERSHIP.—

''(A) IN GENERAL.—The Secretary shall appoint members to the Advisory Board that represent the various Central Valley Project stakeholders, of whom—

''(i) 4 members shall be agricultural users of the Central Valley Project, including at least one agricultural user from north-of-the-Delta and one agricultural user from south-of-the-Delta;

''(ii) 2 members shall be municipal and industrial users of the Central Valley Project, including one municipal and industrial user from north-of-the-Delta and one municipal and industrial user from south-of-the-Delta;

''(iii) 2 members shall be power contractors of the Central Valley Project, including at least one power contractor from north-of-the-Delta and from south-of-the-Delta;

''(iv) 1 member shall be a representative of a Federal national wildlife refuge that contracts for Central Valley Project water supplies with the Bureau of Reclamation;

''(v) 1 member shall have expertise in the economic impacts of the changes to water operations; and

''(vi) 1 member shall be a representative of a wildlife entity that primarily focuses on waterfowl.

''(B) OBSERVER.—The Secretary and the Secretary of Commerce may each designate a representative to act as an observer of the Advisory Board.

''(C) CHAIR.—The Secretary shall appoint 1 of the members described in subparagraph (A) to serve as Chair of the Advisory Board.

''(3) TERMS.—The term of each member of the Advisory Board shall be 4 years.

''(4) DATE OF APPOINTMENTS.—The appointment of a member of the Panel shall be made not later than—

''(A) the date that is 120 days after the date of enactment of this Act; or

''(B) in the case of a vacancy on the Panel described in subsection (c)(2), the date that is 120 days after the date on which the vacancy occurs.

''(5) VACANCIES.—

''(A) IN GENERAL.—A vacancy on the Panel shall be filled in the manner in which the original appointment was made and shall be subject to any conditions that applied with respect to the original appointment.

''(B) FILLING UNEXPIRED TERM.—An individual chosen to fill a vacancy shall be appointed for the unexpired term of the member replaced.

''(C) EXPIRATION OF TERMS.—The term of any member shall not expire before the date on which the successor of the member takes office.

''(6) REMOVAL.—A member of the Panel may be removed from office by the Secretary of the Interior.

''(7) FEDERAL ADVISORY COMMITTEE ACT.—The Panel shall not be subject to the requirements of the Federal Advisory Committee Act.

''(8) DUTIES.—The duties of the Advisory Board are—

''(A) to meet not less frequently than semiannually to develop and make recommendations to the Secretary regarding priorities and spending levels on projects and programs carried out under this title;

''(B) to ensure that any advice given or recommendation made by the Advisory Board reflects the independent judgment of the Advisory Board;

''(C) not later than December 31, 2015, and annually thereafter, to submit to the Secretary and Congress the recommendations under subparagraph (A); and

''(D) not later than December 31, 2015, and biennially thereafter, to submit to Congress details of the progress made in achieving the actions required under section 3406.

''(9) ADMINISTRATION.—With the consent of the appropriate agency head, the Advisory Board may use the facilities and services of any Federal agency.

''(10) COOPERATION AND ASSISTANCE.—

''(A) PROVISION OF INFORMATION.—Upon request of the Panel Chair for information or assistance to facilitate carrying out this section, the Secretary of the Interior shall promptly provide such information, unless otherwise prohibited by law.

''(B) SPACE AND ASSISTANCE.—The Secretary of the Interior shall provide the Panel with appropriate and adequate office space, together with such equipment, office supplies, and communications facilities and services as may be necessary for the operation of the Panel, and shall provide necessary maintenance services for such offices and the equipment and facilities located therein.''.

SEC. 1073. WATER SUPPLY ACCOUNTING.

(a) IN GENERAL.—All Central Valley Project water, except Central Valley Project water released pursuant to U.S. Department of the Interior Record of Decision, Trinity River Mainstem Fishery Restoration Final Environmental Impact Statement/Environmental Impact Report dated December 2000 used to implement an action undertaken for a fishery beneficial purpose that was not imposed by terms and conditions existing in licenses, permits, and other agreements pertaining to the Central Valley Project under applicable State or Federal law existing on October 30, 1992, shall be credited to the quantity of Central Valley Project yield dedicated and managed under this section; provided, that nothing herein shall affect the Secretary of the Interior's duty to comply with any otherwise lawful requirement imposed on operations of the Central Valley Project under any provision of Federal or State law.

(b) RECLAMATION POLICIES AND ALLOCATIONS.—Reclamation policies and allocations shall not be based upon any premise or assumption that Central Valley Project contract supplies are supplemental or secondary to any other contractor source of supply.

SEC. 1074. IMPLEMENTATION OF WATER REPLACEMENT PLAN.

(a) IN GENERAL.—Not later than October 1, 2016, the Secretary of the Interior shall update and implement the plan required by section 3408(j) of title XXXIV of Public Law 102–575. The Secretary shall notify the Congress annually describing the progress of implementing the plan required by section 3408(j) of title XXXIV of Public Law 102–575.

(b) POTENTIAL AMENDMENT.—If the plan required in subsection (a) has not increased the Central Valley Project yield by 800,000 acre-feet within 5 years after the enactment of this Act, then section 3406 of the Central Valley Project Improvement Act (title XXXIV of Public Law 102–575) is amended as follows:

(1) In subsection (b)—

(A) by amending paragraph (2)(C) to read:

''(C) If by March 15, 2021, and any year thereafter the quantity of Central Valley Project water forecasted to be made available to all water service or repayment contractors of the Central Valley Project is below 50 percent of the total quantity of water to be made available under said contracts, the quantity of Central Valley Project yield dedicated and managed for that year under this paragraph shall be reduced by 25 percent.''.

SEC. 1075. NATURAL AND ARTIFICIALLY SPAWNED SPECIES.

After the date of the enactment of this title, and regardless of the date of listing, the Secretaries of the Interior and Commerce shall not distinguish between natural-spawned and hatchery-spawned or otherwise artificially propagated strains of a species in making any determination under the Endangered Species Act of

1973 (16 U.S.C. 1531 et seq.) that relates to any anadromous or pelagic fish species that resides for all or a portion of its life in the Sacramento-San Joaquin Delta or rivers tributary thereto.

SEC. 1076. TRANSFER THE NEW MELONES UNIT, CENTRAL VALLEY PROJECT TO INTERESTED PROVIDERS.

(a) DEFINITIONS.—For the purposes of this section, the following terms apply:

(1) INTERESTED LOCAL WATER AND POWER PROVIDERS.—The term ''interested local water and power providers'' includes the Calaveras County Water District, Calaveras Public Power Agency, Central San Joaquin Water Conservation District, Oakdale Irrigation District, Stockton East Water District, South San Joaquin Irrigation District, Tuolumne Utilities District, Tuolumne Public Power Agency, and Union Public Utilities District.

(2) NEW MELONES UNIT, CENTRAL VALLEY PROJECT.—The term ''New Melones Unit, Central Valley Project'' means all Federal reclamation projects located within or diverting water from or to the watershed of the Stanislaus and San Joaquin rivers and their tributaries as authorized by the Act of August 26, 1937 (50 Stat. 850), and all Acts amendatory or supplemental thereto, including the Act of October 23, 1962 (76 Stat. 1173).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) NEGOTIATIONS.—Notwithstanding any other provision of law, not later than 180 days after the date of the enactment of this Act, the Secretary shall enter into negotiations with interested local water and power providers for the transfer ownership, control, and operation of the New Melones Unit, Central Valley Project to interested local water and power providers within the State of California.

(c) TRANSFER.—The Secretary shall transfer the New Melones Unit, Central Valley Project in accordance with an agreement reached pursuant to negotiations conducted under subsection (b).

(d) NOTIFICATION.—Not later than 360 days after the date of the enactment of this Act, and every 6 months thereafter, the Secretary shall notify the appropriate committees of the House of Representatives and the Senate—

(1) if an agreement is reached pursuant to negotiations conducted under subsection (b), the terms of that agreement;

(2) of the status of formal discussions with interested local water and power providers for the transfer of ownership, control, and operation of the New Melones Unit, Central Valley Project to interested local water and power providers;

(3) of all unresolved issues that are preventing execution of an agreement for the transfer of ownership, control, and operation of the New Melones Unit, Central Valley Project to interested local water and power providers;

(4) on analysis and review of studies, reports, discussions, hearing transcripts, negotiations, and other information about past and present formal discussions that—

(A) have a serious impact on the progress of the formal discussions;

(B) explain or provide information about the issues that prevent progress or finalization of formal discussions; or

(C) are, in whole or in part, preventing execution of an agreement for the transfer; and

(5) of any actions the Secretary recommends that the United States should take to finalize an agreement for that transfer.

SEC. 1077. BASIN STUDIES.

(a) AUTHORIZED STUDIES.—The Secretary of the Interior is authorized and directed to expand opportunities and expedite completion of assessments under section 9503(b) of the SECURE Water Act (42 U.S.C. 10363(b)), with non-Federal partners, of individual sub-basins and watersheds within major Reclamation river basins; and shall ensure timely decision and expedited implementation of adaptation and mitigation strategies developed through the special study process.

(b) FUNDING.—

(1) IN GENERAL.—The non-Federal partners shall be responsible for 100 percent of the cost of the special studies.

(2) CONTRIBUTED FUNDS.—The Secretary may accept and use contributions of funds from the non-Federal partners to carry out activities under the special studies.

SEC. 1078. OPERATIONS OF THE TRINITY RIVER DIVISION.

The Secretary of the Interior, in the operation of the Trinity River Division of the Central Valley Project, shall not make releases from Lewiston Dam in excess of the volume for each water-year type required by the U.S. Department of the Interior Record of Decision, Trinity River Mainstem Fishery Restoration Final Environmental Impact Statement/Environmental Impact Report dated December 2000.

(1) A maximum of 369,000 acre-feet in a ''Critically Dry'' year.

(2) A maximum of 453,000 acre-feet in a ''Dry'' year.

(3) A maximum of 647,000 acre-feet in a ''Normal'' year.

(4) A maximum of 701,000 acre-feet in a ''Wet'' year.

(5) A maximum of 815,000 acre-feet in an ''Extremely Wet'' year.

SEC. 1079. AMENDMENT TO PURPOSES.

Section 3402 of the Central Valley Project Improvement Act (106 Stat. 4706) is amended—

(1) in subsection (f), by striking the period at the end; and

(2) by adding at the end the following:

''(g) to ensure that water dedicated to fish and wildlife purposes by this title is replaced and provided to Central Valley Project water contractors by December 31, 2018, at the lowest cost reasonably achievable; and

''(h) to facilitate and expedite water transfers in accordance with this Act.''.

SEC. 1080. AMENDMENT TO DEFINITION.

Section 3403 of the Central Valley Project Improvement Act (106 Stat. 4707) is amended—

(1) by amending subsection (a) to read as follows:

''(a) the term 'anadromous fish' means those native stocks of salmon (including steelhead) and sturgeon that, as of October 30, 1992, were present in the Sacramento and San Joaquin Rivers and their tributaries and ascend those rivers and their tributaries to reproduce after maturing in San Francisco Bay or the Pacific Ocean;'';

(2) in subsection (l), by striking ''and,'';

(3) in subsection (m), by striking the period and inserting ''; and''; and

(4) by adding at the end the following:

''(n) the term 'reasonable flow' means water flows capable of being maintained taking into account competing consumptive uses of water and economic, environmental, and social factors.''.

SEC. 1081. REPORT ON RESULTS OF WATER USAGE.

The Secretary of the Interior, in consultation with the Secretary of Commerce and the Secretary of Natural Resources of the State of California, shall publish an annual report detailing instream flow releases from the Central Valley Project and California State Water Project, their explicit purpose and authority, and all measured environmental benefit as a result of the releases.

SEC. 1082. KLAMATH PROJECT CONSULTATION APPLICANTS.

If the Bureau of Reclamation initiates or reinitiates consultation with the U.S. Fish and Wildlife Service or the National Marine Fisheries Service under section 7(a)(2) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2)), with respect to construction or operation of the Klamath Project (or any part thereof), Klamath Project contractors shall be accorded all the rights and responsibilities extended to applicants in the consultation process. Upon request of the Klamath Project contractors, they may be represented through an association or organization.

Subtitle G—Water Supply Permitting Act

SEC. 1091. SHORT TITLE.

This subtitle may be cited as the ''Water Supply Permitting Coordination Act''.

SEC. 1092. DEFINITIONS.

In this subtitle:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(2) BUREAU.—The term ''Bureau'' means the Bureau of Reclamation.

(3) QUALIFYING PROJECTS.—The term ''qualifying projects'' means new surface water storage projects in the States covered under the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.) constructed on lands administered by the Department of the Interior or the Department of Agriculture, exclusive of any easement, right-of-way, lease, or any private holding.

(4) COOPERATING AGENCIES.—The term ''cooperating agency'' means a Federal agency with jurisdiction over a review, analysis, opinion, statement, permit, license, or other approval or decision required for a qualifying project under applicable Federal laws and regulations, or a State agency subject to section 1093(c).

SEC. 1093. ESTABLISHMENT OF LEAD AGENCY AND COOPERATING AGENCIES.

(a) ESTABLISHMENT OF LEAD AGENCY.—The Bureau of Reclamation is established as the lead agency for purposes of coordinating all reviews, analyses, opinions, statements, permits, licenses, or other approvals or decisions required under Federal law to construct qualifying projects.

(b) IDENTIFICATION AND ESTABLISHMENT OF COOPERATING AGENCIES.—The Commissioner of the Bureau shall—

(1) identify, as early as practicable upon receipt of an application for a qualifying project, any Federal agency that may have jurisdiction over a review, analysis, opinion, statement, permit, license, approval, or decision required for a qualifying project under applicable Federal laws and regulations; and

(2) notify any such agency, within a reasonable timeframe, that the agency has been designated as a cooperating agency in regards to the qualifying project unless that agency responds to the Bureau in writing, within a timeframe set forth by the Bureau, notifying the Bureau that the agency—

(A) has no jurisdiction or authority with respect to the qualifying project;

(B) has no expertise or information relevant to the qualifying project or any review, analysis, opinion, statement, permit, license, or other approval or decision associated therewith; or

(C) does not intend to submit comments on the qualifying project or conduct any review of such a project or make any decision with respect to such project in a manner other than in cooperation with the Bureau.

(c) STATE AUTHORITY.—A State in which a qualifying project is being considered may choose, consistent with State law—

(1) to participate as a cooperating agency; and

(2) to make subject to the processes of this subtitle all State agencies that—

(A) have jurisdiction over the qualifying project;

(B) are required to conduct or issue a review, analysis, or opinion for the qualifying project; or

(C) are required to make a determination on issuing a permit, license, or approval for the qualifying project.

SEC. 1094. BUREAU RESPONSIBILITIES.

(a) IN GENERAL.—The principal responsibilities of the Bureau under this subtitle are to—

(1) serve as the point of contact for applicants, State agencies, Indian tribes, and others regarding proposed qualifying projects;

(2) coordinate preparation of unified environmental documentation that will serve as the basis for all Federal decisions necessary to authorize the use of Federal lands for qualifying projects; and

(3) coordinate all Federal agency reviews necessary for project development and construction of qualifying projects.

(b) COORDINATION PROCESS.—The Bureau shall have the following coordination responsibilities:

(1) PRE-APPLICATION COORDINATION.—Notify cooperating agencies of proposed qualifying projects not later than 30 days after receipt of a proposal and facilitate a preapplication meeting for prospective applicants, relevant Federal and State agencies, and Indian tribes to—

(A) explain applicable processes, data requirements, and applicant submissions necessary to complete the required Federal agency reviews within the timeframe established; and

(B) establish the schedule for the qualifying project.

(2) CONSULTATION WITH COOPERATING AGENCIES.—Consult with the cooperating agencies throughout the Federal agency review process, identify and obtain relevant data in a timely manner, and set necessary deadlines for cooperating agencies.

(3) SCHEDULE.—Work with the qualifying project applicant and cooperating agencies to establish a project schedule. In establishing the schedule, the Bureau shall consider, among other factors—

(A) the responsibilities of cooperating agencies under applicable laws and regulations;

(B) the resources available to the cooperating agencies and the non-Federal qualifying project sponsor, as applicable;

(C) the overall size and complexity of the qualifying project;

(D) the overall schedule for and cost of the qualifying project; and

(E) the sensitivity of the natural and historic resources that may be affected by the qualifying project.

(4) ENVIRONMENTAL COMPLIANCE.—Prepare a unified environmental review document for each qualifying project application, incorporating a single environmental record on which all cooperating agencies with authority to issue approvals for a given qualifying project shall base project approval decisions. Help ensure that cooperating agencies make necessary decisions, within their respective authorities, regarding Federal approvals in accordance with the following timelines:

(A) Not later than one year after acceptance of a completed project application when an environmental assessment and finding of no significant impact is determined to be the appropriate level of review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(B) Not later than one year and 30 days after the close of the public comment period for a draft environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), when an environmental impact statement is required under the same.

(5) CONSOLIDATED ADMINISTRATIVE RECORD.—Maintain a consolidated administrative record of the information assembled and used by the cooperating agencies as the basis for agency decisions.

(6) PROJECT DATA RECORDS.—To the extent practicable and consistent with Federal law, ensure that all project data is submitted and maintained in generally accessible electronic format, compile, and where authorized under existing law, make available such project data to cooperating agencies, the qualifying project applicant, and to the public.

(7) PROJECT MANAGER.—Appoint a project manager for each qualifying project. The project manager shall have authority to oversee the project and to facilitate the issuance of the relevant final authorizing documents, and shall be responsible for ensuring fulfillment of all Bureau responsibilities set forth in this section and all cooperating agency responsibilities under section 1095.

SEC. 1095. COOPERATING AGENCY RESPONSIBILITIES.

(a) ADHERENCE TO BUREAU SCHEDULE.—Upon notification of an application for a qualifying project, all cooperating agencies shall submit to the Bureau a timeframe under which the cooperating agency reasonably considers it will be able to complete its authorizing responsibilities. The Bureau shall use the timeframe submitted under this subsection to establish the project schedule under section 1094, and the cooperating agencies shall adhere to the project schedule established by the Bureau.

(b) ENVIRONMENTAL RECORD.—Cooperating agencies shall submit to the Bureau all environmental review material produced or compiled in the course of carrying out activities required under Federal law consistent with the project schedule established by the Bureau.

(c) DATA SUBMISSION.—To the extent practicable and consistent with Federal law, the cooperating agencies shall submit all relevant project data to the Bureau in a generally accessible electronic format subject to the project schedule set forth by the Bureau.

SEC. 1096. FUNDING TO PROCESS PERMITS.

(a) IN GENERAL.—The Secretary, after public notice in accordance with the Administrative Procedures Act (5 U.S.C. 553), may accept and expend funds contributed by a non-Federal public entity to expedite the evaluation of a permit of that entity related to a qualifying project.

(b) EFFECT ON PERMITTING.—

(1) IN GENERAL.—In carrying out this section, the Secretary shall ensure that the use of funds accepted under subsection (a) will not impact impartial decisionmaking with respect to permits, either substantively or procedurally.

(2) EVALUATION OF PERMITS.—In carrying out this section, the Secretary shall ensure that the evaluation of permits carried out using funds accepted under this section shall—

(A) be reviewed by the Regional Director of the Bureau, or the Regional Director's designee, of the region in which the qualifying project or activity is located; and

(B) use the same procedures for decisions that would otherwise be required for the evaluation of permits for similar projects or activities not carried out using funds authorized under this section.

(3) IMPARTIAL DECISIONMAKING.—In carrying out this section, the Secretary and the cooperating agencies receiving funds under this section for qualifying projects shall ensure that the use of the funds accepted under this section for such projects shall not—

(A) impact impartial decisionmaking with respect to the issuance of permits, either substantively or procedurally; or

(B) diminish, modify, or otherwise affect the statutory or regulatory authorities of such agencies.

(c) LIMITATION ON USE OF FUNDS.—None of the funds accepted under this section shall be used to carry out a review of the evaluation of permits required under subsection (b)(2)(A).

(d) PUBLIC AVAILABILITY.—The Secretary shall ensure that all final permit decisions carried out using funds authorized under this section are made available to the public, including on the Internet.

Subtitle H—Bureau of Reclamation Project Streamlining

SEC. 1101. SHORT TITLE.

This subtitle may be cited as the ''Bureau of Reclamation Project Streamlining Act''.

SEC. 1102. DEFINITIONS.

In this subtitle:

(1) ENVIRONMENTAL IMPACT STATEMENT.—The term ''environmental impact statement'' means the detailed statement of environmental impacts of a project required to be prepared pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) ENVIRONMENTAL REVIEW PROCESS.—

(A) IN GENERAL.—The term ''environmental review process'' means the process of preparing an environmental impact statement, environmental assessment, categorical exclusion, or other document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for a project study.

(B) INCLUSIONS.—The term ''environmental review process'' includes the process for and completion of any environmental permit, approval, review, or study required for a project study under any Federal law other than the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(3) FEDERAL JURISDICTIONAL AGENCY.—The term ''Federal jurisdictional agency'' means a Federal agency with jurisdiction delegated by law, regulation, order, or otherwise over a review, analysis, opinion, statement, permit, license, or other approval or decision required for a project study under applicable Federal laws (including regulations).

(4) FEDERAL LEAD AGENCY.—The term ''Federal lead agency'' means the Bureau of Reclamation.

(5) PROJECT.—The term ''project'' means a surface water project, a project under the purview of title XVI of Public Law 102–575, or a rural water supply project investigated under Public Law 109–451 to be carried out, funded or operated in whole or in party by the Secretary pursuant to the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.).

(6) PROJECT SPONSOR.—The term ''project sponsor'' means a State, regional, or local authority or instrumentality or other qualifying entity, such as a water conservation district, irrigation district, water conservancy district, joint powers authority, mutual water company, canal company, rural water district or association, or any other entity that has the capacity to contract with the United States under Federal reclamation law.

(7) PROJECT STUDY.—The term ''project study'' means a feasibility study for a project carried out pursuant to the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.).

(8) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(9) SURFACE WATER STORAGE.—The term ''surface water storage'' means any surface water reservoir or impoundment that would be owned, funded or operated in whole or in part by the Bureau of Reclamation or that would be integrated into a larger system owned, operated or administered in whole or in part by the Bureau of Reclamation.

SEC. 1103. ACCELERATION OF STUDIES.

(a) IN GENERAL.—To the extent practicable, a project study initiated by the Secretary, after

the date of enactment of this Act, under the Reclamation Act of 1902 (32 Stat. 388), and all Acts amendatory thereof or supplementary thereto, shall—

(1) result in the completion of a final feasibility report not later than 3 years after the date of initiation;

(2) have a maximum Federal cost of $3,000,000; and

(3) ensure that personnel from the local project area, region, and headquarters levels of the Bureau of Reclamation concurrently conduct the review required under this section.

(b) EXTENSION.—If the Secretary determines that a project study described in subsection (a) will not be conducted in accordance with subsection (a), the Secretary, not later than 30 days after the date of making the determination, shall—

(1) prepare an updated project study schedule and cost estimate;

(2) notify the non-Federal project cost-sharing partner that the project study has been delayed; and

(3) provide written notice to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate as to the reasons the requirements of subsection (a) are not attainable.

(c) EXCEPTION.—

(1) IN GENERAL.—Notwithstanding the requirements of subsection (a), the Secretary may extend the timeline of a project study by a period not to exceed 3 years, if the Secretary determines that the project study is too complex to comply with the requirements of subsection (a).

(2) FACTORS.—In making a determination that a study is too complex to comply with the requirements of subsection (a), the Secretary shall consider—

(A) the type, size, location, scope, and overall cost of the project;

(B) whether the project will use any innovative design or construction techniques;

(C) whether the project will require significant action by other Federal, State, or local agencies;

(D) whether there is significant public dispute as to the nature or effects of the project; and

(E) whether there is significant public dispute as to the economic or environmental costs or benefits of the project.

(3) NOTIFICATION.—Each time the Secretary makes a determination under this subsection, the Secretary shall provide written notice to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate as to the results of that determination, including an identification of the specific one or more factors used in making the determination that the project is complex.

(4) LIMITATION.—The Secretary shall not extend the timeline for a project study for a period of more than 7 years, and any project study that is not completed before that date shall no longer be authorized.

(d) REVIEWS.—Not later than 90 days after the date of the initiation of a project study described in subsection (a), the Secretary shall—

(1) take all steps necessary to initiate the process for completing federally mandated reviews that the Secretary is required to complete as part of the study, including the environmental review process under section 1105;

(2) convene a meeting of all Federal, tribal, and State agencies identified under section 1105(d) that may—

(A) have jurisdiction over the project;

(B) be required by law to conduct or issue a review, analysis, opinion, or statement for the project study; or

(C) be required to make a determination on issuing a permit, license, or other approval or decision for the project study; and

(3) take all steps necessary to provide information that will enable required reviews and analyses related to the project to be conducted by other agencies in a thorough and timely manner.

(e) INTERIM REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate and make publicly available a report that describes—

(1) the status of the implementation of the planning process under this section, including the number of participating projects;

(2) a review of project delivery schedules, including a description of any delays on those studies initiated prior to the date of the enactment of this Act; and

(3) any recommendations for additional authority necessary to support efforts to expedite the project.

(f) FINAL REPORT.—Not later than 4 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate and make publicly available a report that describes—

(1) the status of the implementation of this section, including a description of each project study subject to the requirements of this section;

(2) the amount of time taken to complete each project study; and

(3) any recommendations for additional authority necessary to support efforts to expedite the project study process, including an analysis of whether the limitation established by subsection (a)(2) needs to be adjusted to address the impacts of inflation.

SEC. 1104. EXPEDITED COMPLETION OF REPORTS.

The Secretary shall—

(1) expedite the completion of any ongoing project study initiated before the date of enactment of this Act; and

(2) if the Secretary determines that the project is justified in a completed report, proceed directly to preconstruction planning, engineering, and design of the project in accordance with the Reclamation Act of 1902 (32 Stat. 388), and all Acts amendatory thereof or supplementary thereto.

SEC. 1105. PROJECT ACCELERATION.

(a) APPLICABILITY.—

(1) IN GENERAL.—This section shall apply to—

(A) each project study that is initiated after the date of enactment of this Act and for which an environmental impact statement is prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) the extent determined appropriate by the Secretary, to other project studies initiated before the date of enactment of this Act and for which an environmental review process document is prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(C) any project study for the development of a non-federally owned and operated surface water storage project for which the Secretary determines there is a demonstrable Federal interest and the project—

(i) is located in a river basin where other Bureau of Reclamation water projects are located;

(ii) will create additional water supplies that support Bureau of Reclamation water projects; or

(iii) will become integrated into the operation of Bureau of Reclamation water projects.

(2) FLEXIBILITY.—Any authority granted under this section may be exercised, and any requirement established under this section may be satisfied, for the conduct of an environmental review process for a project study, a class of project studies, or a program of project studies.

(3) LIST OF PROJECT STUDIES.—

(A) IN GENERAL.—The Secretary shall annually prepare, and make publicly available, a list of all project studies that the Secretary has determined—

(i) meets the standards described in paragraph (1); and

(ii) does not have adequate funding to make substantial progress toward the completion of the project study.

(B) INCLUSIONS.—The Secretary shall include for each project study on the list under subparagraph (A) a description of the estimated amounts necessary to make substantial progress on the project study.

(b) PROJECT REVIEW PROCESS.—

(1) IN GENERAL.—The Secretary shall develop and implement a coordinated environmental review process for the development of project studies.

(2) COORDINATED REVIEW.—The coordinated environmental review process described in paragraph (1) shall require that any review, analysis, opinion, statement, permit, license, or other approval or decision issued or made by a Federal, State, or local governmental agency or an Indian tribe for a project study described in subsection (b) be conducted, to the maximum extent practicable, concurrently with any other applicable governmental agency or Indian tribe.

(3) TIMING.—The coordinated environmental review process under this subsection shall be completed not later than the date on which the Secretary, in consultation and concurrence with the agencies identified under section 1105(d), establishes with respect to the project study.

(c) LEAD AGENCIES.—

(1) JOINT LEAD AGENCIES.—

(A) IN GENERAL.—Subject to the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the requirements of section 1506.8 of title 40, Code of Federal Regulations (or successor regulations), including the concurrence of the proposed joint lead agency, a project sponsor may serve as the joint lead agency.

(B) PROJECT SPONSOR AS JOINT LEAD AGENCY.—A project sponsor that is a State or local governmental entity may—

(i) with the concurrence of the Secretary, serve as a joint lead agency with the Federal lead agency for purposes of preparing any environmental document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(ii) prepare any environmental review process document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) required in support of any action or approval by the Secretary if—

(I) the Secretary provides guidance in the preparation process and independently evaluates that document;

(II) the project sponsor complies with all requirements applicable to the Secretary under—

(aa) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(bb) any regulation implementing that Act; and

(cc) any other applicable Federal law; and

(III) the Secretary approves and adopts the document before the Secretary takes any subsequent action or makes any approval based on that document, regardless of whether the action or approval of the Secretary results in Federal funding.

(2) DUTIES.—The Secretary shall ensure that—

(A) the project sponsor complies with all design and mitigation commitments made jointly by the Secretary and the project sponsor in any environmental document prepared by the project sponsor in accordance with this subsection; and

(B) any environmental document prepared by the project sponsor is appropriately supplemented to address any changes to the project the Secretary determines are necessary.

(3) ADOPTION AND USE OF DOCUMENTS.—Any environmental document prepared in accordance with this subsection shall be adopted and used by any Federal agency making any determination related to the project study to the same extent that the Federal agency could adopt or use a document prepared by another Federal agency under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations).

(4) ROLES AND RESPONSIBILITY OF LEAD AGENCY.—With respect to the environmental review process for any project study, the Federal lead agency shall have authority and responsibility—

(A) to take such actions as are necessary and proper and within the authority of the Federal lead agency to facilitate the expeditious resolution of the environmental review process for the project study; and

(B) to prepare or ensure that any required environmental impact statement or other environmental review document for a project study required to be completed under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) is completed in accordance with this section and applicable Federal law.

(d) PARTICIPATING AND COOPERATING AGENCIES.—

(1) IDENTIFICATION OF JURISDICTIONAL AGENCIES.—With respect to carrying out the environmental review process for a project study, the Secretary shall identify, as early as practicable in the environmental review process, all Federal, State, and local government agencies and Indian tribes that may—

(A) have jurisdiction over the project;

(B) be required by law to conduct or issue a review, analysis, opinion, or statement for the project study; or

(C) be required to make a determination on issuing a permit, license, or other approval or decision for the project study.

(2) STATE AUTHORITY.—If the environmental review process is being implemented by the Secretary for a project study within the boundaries of a State, the State, consistent with State law, may choose to participate in the process and to make subject to the process all State agencies that—

(A) have jurisdiction over the project;

(B) are required to conduct or issue a review, analysis, opinion, or statement for the project study; or

(C) are required to make a determination on issuing a permit, license, or other approval or decision for the project study.

(3) INVITATION.—

(A) IN GENERAL.—The Federal lead agency shall invite, as early as practicable in the environmental review process, any agency identified under paragraph (1) to become a participating or cooperating agency, as applicable, in the environmental review process for the project study.

(B) DEADLINE.—An invitation to participate issued under subparagraph (A) shall set a deadline by which a response to the invitation shall be submitted, which may be extended by the Federal lead agency for good cause.

(4) PROCEDURES.—Section 1501.6 of title 40, Code of Federal Regulations (as in effect on the date of enactment of the Bureau of Reclamation Project Streamlining Act) shall govern the identification and the participation of a cooperating agency.

(5) FEDERAL COOPERATING AGENCIES.—Any Federal agency that is invited by the Federal lead agency to participate in the environmental review process for a project study shall be designated as a cooperating agency by the Federal lead agency unless the invited agency informs the Federal lead agency, in writing, by the deadline specified in the invitation that the invited agency—

(A)(i) has no jurisdiction or authority with respect to the project;

(ii) has no expertise or information relevant to the project; or

(iii) does not have adequate funds to participate in the project; and

(B) does not intend to submit comments on the project.

(6) ADMINISTRATION.—A participating or cooperating agency shall comply with this section and any schedule established under this section.

(7) EFFECT OF DESIGNATION.—Designation as a participating or cooperating agency under this subsection shall not imply that the participating or cooperating agency—

(A) supports a proposed project; or

(B) has any jurisdiction over, or special expertise with respect to evaluation of, the project.

(8) CONCURRENT REVIEWS.—Each participating or cooperating agency shall—

(A) carry out the obligations of that agency under other applicable law concurrently and in conjunction with the required environmental review process, unless doing so would prevent the participating or cooperating agency from conducting needed analysis or otherwise carrying out those obligations; and

(B) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure completion of the environmental review process in a timely, coordinated, and environmentally responsible manner.

(e) NON-FEDERAL PROJECTS INTEGRATED INTO RECLAMATION SYSTEMS.—The Federal lead agency shall serve in that capacity for the entirety of all non-Federal projects that will be integrated into a larger system owned, operated or administered in whole or in part by the Bureau of Reclamation.

(f) NON-FEDERAL PROJECT.—If the Secretary determines that a project can be expedited by a non-Federal sponsor and that there is a demonstrable Federal interest in expediting that project, the Secretary shall take such actions as are necessary to advance such a project as a non-Federal project, including, but not limited to, entering into agreements with the non-Federal sponsor of such project to support the planning, design and permitting of such project as a non-Federal project.

(g) PROGRAMMATIC COMPLIANCE.—

(1) IN GENERAL.—The Secretary shall issue guidance regarding the use of programmatic approaches to carry out the environmental review process that—

(A) eliminates repetitive discussions of the same issues;

(B) focuses on the actual issues ripe for analyses at each level of review;

(C) establishes a formal process for coordinating with participating and cooperating agencies, including the creation of a list of all data that are needed to carry out an environmental review process; and

(D) complies with—

(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(ii) all other applicable laws.

(2) REQUIREMENTS.—In carrying out paragraph (1), the Secretary shall—

(A) as the first step in drafting guidance under that paragraph, consult with relevant Federal, State, and local governmental agencies, Indian tribes, and the public on the appropriate use and scope of the programmatic approaches;

(B) emphasize the importance of collaboration among relevant Federal, State, and local governmental agencies, and Indian tribes in undertaking programmatic reviews, especially with respect to including reviews with a broad geographical scope;

(C) ensure that the programmatic reviews—

(i) promote transparency, including of the analyses and data used in the environmental review process, the treatment of any deferred issues raised by Federal, State, and local governmental agencies, Indian tribes, or the public, and the temporal and special scales to be used to analyze those issues;

(ii) use accurate and timely information in the environmental review process, including—

(I) criteria for determining the general duration of the usefulness of the review; and

(II) the timeline for updating any out-of-date review;

(iii) describe—

(I) the relationship between programmatic analysis and future tiered analysis; and

(II) the role of the public in the creation of future tiered analysis; and

(iv) are available to other relevant Federal, State, and local governmental agencies, Indian tribes, and the public;

(D) allow not fewer than 60 days of public notice and comment on any proposed guidance; and

(E) address any comments received under subparagraph (D).

(h) COORDINATED REVIEWS.—

(1) COORDINATION PLAN.—

(A) ESTABLISHMENT.—The Federal lead agency shall, after consultation with and with the concurrence of each participating and cooperating agency and the project sponsor or joint lead agency, as applicable, establish a plan for coordinating public and agency participation in, and comment on, the environmental review process for a project study or a category of project studies.

(B) SCHEDULE.—

(i) IN GENERAL.—As soon as practicable but not later than 45 days after the close of the public comment period on a draft environmental impact statement, the Federal lead agency, after consultation with and the concurrence of each participating and cooperating agency and the project sponsor or joint lead agency, as applicable, shall establish, as part of the coordination plan established in subparagraph (A), a schedule for completion of the environmental review process for the project study.

(ii) FACTORS FOR CONSIDERATION.—In establishing a schedule, the Secretary shall consider factors such as—

(I) the responsibilities of participating and cooperating agencies under applicable laws;

(II) the resources available to the project sponsor, joint lead agency, and other relevant Federal and State agencies, as applicable;

(III) the overall size and complexity of the project;

(IV) the overall schedule for and cost of the project; and

(V) the sensitivity of the natural and historical resources that could be affected by the project.

(iii) MODIFICATIONS.—The Secretary may—

(I) lengthen a schedule established under clause (i) for good cause; and

(II) shorten a schedule only with concurrence of the affected participating and cooperating agencies and the project sponsor or joint lead agency, as applicable.

(iv) DISSEMINATION.—A copy of a schedule established under clause (i) shall be—

(I) provided to each participating and cooperating agency and the project sponsor or joint lead agency, as applicable; and

(II) made available to the public.

(2) COMMENT DEADLINES.—The Federal lead agency shall establish the following deadlines for comment during the environmental review process for a project study:

(A) DRAFT ENVIRONMENTAL IMPACT STATEMENTS.—For comments by Federal and State agencies and the public on a draft environmental impact statement, a period of not more

than 60 days after publication in the Federal Register of notice of the date of public availability of the draft environmental impact statement, unless—

(i) a different deadline is established by agreement of the Federal lead agency, the project sponsor or joint lead agency, as applicable, and all participating and cooperating agencies; or

(ii) the deadline is extended by the Federal lead agency for good cause.

(B) OTHER ENVIRONMENTAL REVIEW PROCESSES.—For all other comment periods established by the Federal lead agency for agency or public comments in the environmental review process, a period of not more than 30 days after the date on which the materials on which comment is requested are made available, unless—

(i) a different deadline is established by agreement of the Federal lead agency, the project sponsor, or joint lead agency, as applicable, and all participating and cooperating agencies; or

(ii) the deadline is extended by the Federal lead agency for good cause.

(3) DEADLINES FOR DECISIONS UNDER OTHER LAWS.—In any case in which a decision under any Federal law relating to a project study, including the issuance or denial of a permit or license, is required to be made by the date described in subsection (i)(5)(B), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate—

(A) as soon as practicable after the 180-day period described in subsection (i)(5)(B), an initial notice of the failure of the Federal agency to make the decision; and

(B) every 60 days thereafter until such date as all decisions of the Federal agency relating to the project study have been made by the Federal agency, an additional notice that describes the number of decisions of the Federal agency that remain outstanding as of the date of the additional notice.

(4) INVOLVEMENT OF THE PUBLIC.—Nothing in this subsection reduces any time period provided for public comment in the environmental review process under applicable Federal law (including regulations).

(5) TRANSPARENCY REPORTING.—

(A) REPORTING REQUIREMENTS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish and maintain an electronic database and, in coordination with other Federal and State agencies, issue reporting requirements to make publicly available the status and progress with respect to compliance with applicable requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other Federal, State, or local approval or action required for a project study for which this section is applicable.

(B) PROJECT STUDY TRANSPARENCY.—Consistent with the requirements established under subparagraph (A), the Secretary shall make publicly available the status and progress of any Federal, State, or local decision, action, or approval required under applicable laws for each project study for which this section is applicable.

(i) ISSUE IDENTIFICATION AND RESOLUTION.—

(1) COOPERATION.—The Federal lead agency, the cooperating agencies, and any participating agencies shall work cooperatively in accordance with this section to identify and resolve issues that could delay completion of the environmental review process or result in the denial of any approval required for the project study under applicable laws.

(2) FEDERAL LEAD AGENCY RESPONSIBILITIES.—

(A) IN GENERAL.—The Federal lead agency shall make information available to the cooperating agencies and participating agencies as early as practicable in the environmental review process regarding the environmental and socioeconomic resources located within the project area and the general locations of the alternatives under consideration.

(B) DATA SOURCES.—The information under subparagraph (A) may be based on existing data sources, including geographic information systems mapping.

(3) COOPERATING AND PARTICIPATING AGENCY RESPONSIBILITIES.—Based on information received from the Federal lead agency, cooperating and participating agencies shall identify, as early as practicable, any issues of concern regarding the potential environmental or socioeconomic impacts of the project, including any issues that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project study.

(4) ACCELERATED ISSUE RESOLUTION AND ELEVATION.—

(A) IN GENERAL.—On the request of a participating or cooperating agency or project sponsor, the Secretary shall convene an issue resolution meeting with the relevant participating and cooperating agencies and the project sponsor or joint lead agency, as applicable, to resolve issues that may—

(i) delay completion of the environmental review process; or

(ii) result in denial of any approval required for the project study under applicable laws.

(B) MEETING DATE.—A meeting requested under this paragraph shall be held not later than 21 days after the date on which the Secretary receives the request for the meeting, unless the Secretary determines that there is good cause to extend that deadline.

(C) NOTIFICATION.—On receipt of a request for a meeting under this paragraph, the Secretary shall notify all relevant participating and cooperating agencies of the request, including the issue to be resolved and the date for the meeting.

(D) ELEVATION OF ISSUE RESOLUTION.—If a resolution cannot be achieved within the 30-day period beginning on the date of a meeting under this paragraph and a determination is made by the Secretary that all information necessary to resolve the issue has been obtained, the Secretary shall forward the dispute to the heads of the relevant agencies for resolution.

(E) CONVENTION BY SECRETARY.—The Secretary may convene an issue resolution meeting under this paragraph at any time, at the discretion of the Secretary, regardless of whether a meeting is requested under subparagraph (A).

(5) FINANCIAL PENALTY PROVISIONS.—

(A) IN GENERAL.—A Federal jurisdictional agency shall complete any required approval or decision for the environmental review process on an expeditious basis using the shortest existing applicable process.

(B) FAILURE TO DECIDE.—

(i) IN GENERAL.—

(I) TRANSFER OF FUNDS.—If a Federal jurisdictional agency fails to render a decision required under any Federal law relating to a project study that requires the preparation of an environmental impact statement or environmental assessment, including the issuance or denial of a permit, license, statement, opinion, or other approval by the date described in clause (ii), the amount of funds made available to support the office of the head of the Federal jurisdictional agency shall be reduced by an amount of funding equal to the amount specified in item (aa) or (bb) of subclause (II), and those funds shall be made available to the division of the Federal jurisdictional agency charged with rendering the decision by not later than 1 day after the applicable date under clause (ii), and once each week thereafter until a final decision is rendered, subject to subparagraph (C).

(II) AMOUNT TO BE TRANSFERRED.—The amount referred to in subclause (I) is—

(aa) $20,000 for any project study requiring the preparation of an environmental assessment or environmental impact statement; or

(bb) $10,000 for any project study requiring any type of review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) other than an environmental assessment or environmental impact statement.

(ii) DESCRIPTION OF DATE.—The date referred to in clause (i) is the later of—

(I) the date that is 180 days after the date on which an application for the permit, license, or approval is complete; and

(II) the date that is 180 days after the date on which the Federal lead agency issues a decision on the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(C) LIMITATIONS.—

(i) IN GENERAL.—No transfer of funds under subparagraph (B) relating to an individual project study shall exceed, in any fiscal year, an amount equal to 1 percent of the funds made available for the applicable agency office.

(ii) FAILURE TO DECIDE.—The total amount transferred in a fiscal year as a result of a failure by an agency to make a decision by an applicable deadline shall not exceed an amount equal to 5 percent of the funds made available for the applicable agency office for that fiscal year.

(iii) AGGREGATE.—Notwithstanding any other provision of law, for each fiscal year, the aggregate amount of financial penalties assessed against each applicable agency office under this Act and any other Federal law as a result of a failure of the agency to make a decision by an applicable deadline for environmental review, including the total amount transferred under this paragraph, shall not exceed an amount equal to 9.5 percent of the funds made available for the agency office for that fiscal year.

(D) NOTIFICATION OF TRANSFERS.—Not later than 10 days after the last date in a fiscal year on which funds of the Federal jurisdictional agency may be transferred under subparagraph (B)(5) with respect to an individual decision, the agency shall submit to the appropriate committees of the House of Representatives and the Senate written notification that includes a description of—

(i) the decision;

(ii) the project study involved;

(iii) the amount of each transfer under subparagraph (B) in that fiscal year relating to the decision;

(iv) the total amount of all transfers under subparagraph (B) in that fiscal year relating to the decision; and

(v) the total amount of all transfers of the agency under subparagraph (B) in that fiscal year.

(E) NO FAULT OF AGENCY.—

(i) IN GENERAL.—A transfer of funds under this paragraph shall not be made if the applicable agency described in subparagraph (A) notifies, with a supporting explanation, the Federal lead agency, cooperating agencies, and project sponsor, as applicable, that—

(I) the agency has not received necessary information or approvals from another entity in a manner that affects the ability of the agency to meet any requirements under Federal, State, or local law;

(II) significant new information, including from public comments, or circumstances, including a major modification to an aspect of the project, requires additional analysis for the agency to make a decision on the project application; or

(III) the agency lacks the financial resources to complete the review under the scheduled timeframe, including a description of the number of

full-time employees required to complete the review, the amount of funding required to complete the review, and a justification as to why not enough funding is available to complete the review by the deadline.

(ii) LACK OF FINANCIAL RESOURCES.—If the agency provides notice under clause (i)(III), the Inspector General of the agency shall—

(I) conduct a financial audit to review the notice; and

(II) not later than 90 days after the date on which the review described in subclause (I) is completed, submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the results of the audit conducted under subclause (I).

(F) LIMITATION.—The Federal agency from which funds are transferred pursuant to this paragraph shall not reprogram funds to the office of the head of the agency, or equivalent office, to reimburse that office for the loss of the funds.

(G) EFFECT OF PARAGRAPH.—Nothing in this paragraph affects or limits the application of, or obligation to comply with, any Federal, State, local, or tribal law.

(j) MEMORANDUM OF AGREEMENTS FOR EARLY COORDINATION.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) the Secretary and other Federal agencies with relevant jurisdiction in the environmental review process should cooperate with each other, State and local agencies, and Indian tribes on environmental review and Bureau of Reclamation project delivery activities at the earliest practicable time to avoid delays and duplication of effort later in the process, prevent potential conflicts, and ensure that planning and project development decisions reflect environmental values; and

(B) the cooperation referred to in subparagraph (A) should include the development of policies and the designation of staff that advise planning agencies and project sponsors of studies or other information foreseeably required for later Federal action and early consultation with appropriate State and local agencies and Indian tribes.

(2) TECHNICAL ASSISTANCE.—If requested at any time by a State or project sponsor, the Secretary and other Federal agencies with relevant jurisdiction in the environmental review process, shall, to the maximum extent practicable and appropriate, as determined by the agencies, provide technical assistance to the State or project sponsor in carrying out early coordination activities.

(3) MEMORANDUM OF AGENCY AGREEMENT.—If requested at any time by a State or project sponsor, the Federal lead agency, in consultation with other Federal agencies with relevant jurisdiction in the environmental review process, may establish memoranda of agreement with the project sponsor, Indian tribes, State and local governments, and other appropriate entities to carry out the early coordination activities, including providing technical assistance in identifying potential impacts and mitigation issues in an integrated fashion.

(k) LIMITATIONS.—Nothing in this section preempts or interferes with—

(1) any obligation to comply with the provisions of any Federal law, including—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) any other Federal environmental law;

(2) the reviewability of any final Federal agency action in a court of the United States or in the court of any State;

(3) any requirement for seeking, considering, or responding to public comment; or

(4) any power, jurisdiction, responsibility, duty, or authority that a Federal, State, or local governmental agency, Indian tribe, or project sponsor has with respect to carrying out a project or any other provision of law applicable to projects.

(l) TIMING OF CLAIMS.—

(1) TIMING.—

(A) IN GENERAL.—Notwithstanding any other provision of law, a claim arising under Federal law seeking judicial review of a permit, license, or other approval issued by a Federal agency for a project study shall be barred unless the claim is filed not later than 3 years after publication of a notice in the Federal Register announcing that the permit, license, or other approval is final pursuant to the law under which the agency action is taken, unless a shorter time is specified in the Federal law that allows judicial review.

(B) APPLICABILITY.—Nothing in this subsection creates a right to judicial review or places any limit on filing a claim that a person has violated the terms of a permit, license, or other approval.

(2) NEW INFORMATION.—

(A) IN GENERAL.—The Secretary shall consider new information received after the close of a comment period if the information satisfies the requirements for a supplemental environmental impact statement under title 40, Code of Federal Regulations (including successor regulations).

(B) SEPARATE ACTION.—The preparation of a supplemental environmental impact statement or other environmental document, if required under this section, shall be considered a separate final agency action and the deadline for filing a claim for judicial review of the action shall be 3 years after the date of publication of a notice in the Federal Register announcing the action relating to such supplemental environmental impact statement or other environmental document.

(m) CATEGORICAL EXCLUSIONS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall—

(A) survey the use by the Bureau of Reclamation of categorical exclusions in projects since 2005;

(B) publish a review of the survey that includes a description of—

(i) the types of actions that were categorically excluded or could be the basis for developing a new categorical exclusion; and

(ii) any requests previously received by the Secretary for new categorical exclusions; and

(C) solicit requests from other Federal agencies and project sponsors for new categorical exclusions.

(2) NEW CATEGORICAL EXCLUSIONS.—Not later than 1 year after the date of enactment of this Act, if the Secretary has identified a category of activities that merit establishing a categorical exclusion that did not exist on the day before the date of enactment this Act based on the review under paragraph (1), the Secretary shall publish a notice of proposed rulemaking to propose that new categorical exclusion, to the extent that the categorical exclusion meets the criteria for a categorical exclusion under section 1508.4 of title 40, Code of Federal Regulations (or successor regulation).

(n) REVIEW OF PROJECT ACCELERATION REFORMS.—

(1) IN GENERAL.—The Comptroller General of the United States shall—

(A) assess the reforms carried out under this section; and

(B) not later than 5 years and not later than 10 years after the date of enactment of this Act, submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes the results of the assessment.

(2) CONTENTS.—The reports under paragraph (1) shall include an evaluation of impacts of the reforms carried out under this section on—

(A) project delivery;

(B) compliance with environmental laws; and

(C) the environmental impact of projects.

(o) PERFORMANCE MEASUREMENT.—The Secretary shall establish a program to measure and report on progress made toward improving and expediting the planning and environmental review process.

(p) CATEGORICAL EXCLUSIONS IN EMERGENCIES.—For the repair, reconstruction, or rehabilitation of a Bureau of Reclamation surface water storage project that is in operation or under construction when damaged by an event or incident that results in a declaration by the President of a major disaster or emergency pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Secretary shall treat such repair, reconstruction, or rehabilitation activity as a class of action categorically excluded from the requirements relating to environmental assessments or environmental impact statements under section 1508.4 of title 40, Code of Federal Regulations (or successor regulations), if the repair or reconstruction activity is—

(1) in the same location with the same capacity, dimensions, and design as the original Bureau of Reclamation surface water storage project as before the declaration described in this section; and

(2) commenced within a 2-year period beginning on the date of a declaration described in this subsection.

SEC. 1106. ANNUAL REPORT TO CONGRESS.

(a) IN GENERAL.—Not later than February 1 of each year, the Secretary shall develop and submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an annual report, to be entitled ''Report to Congress on Future Water Project Development'', that identifies the following:

(1) PROJECT REPORTS.—Each project report that meets the criteria established in subsection (c)(1)(A).

(2) PROPOSED PROJECT STUDIES.—Any proposed project study submitted to the Secretary by a non-Federal interest pursuant to subsection (b) that meets the criteria established in subsection (c)(1)(A).

(3) PROPOSED MODIFICATIONS.—Any proposed modification to an authorized water project or project study that meets the criteria established in subsection (c)(1)(A) that—

(A) is submitted to the Secretary by a non-Federal interest pursuant to subsection (b); or

(B) is identified by the Secretary for authorization.

(4) EXPEDITED COMPLETION OF REPORT AND DETERMINATIONS.—Any project study that was expedited and any Secretarial determinations under section 1104.

(b) REQUESTS FOR PROPOSALS.—

(1) PUBLICATION.—Not later than May 1 of each year, the Secretary shall publish in the Federal Register a notice requesting proposals from non-Federal interests for proposed project studies and proposed modifications to authorized projects and project studies to be included in the annual report.

(2) DEADLINE FOR REQUESTS.—The Secretary shall include in each notice required by this subsection a requirement that non-Federal interests submit to the Secretary any proposals described in paragraph (1) by not later than 120 days after the date of publication of the notice in the Federal Register in order for the proposals to be considered for inclusion in the annual report.

(3) NOTIFICATION.—On the date of publication of each notice required by this subsection, the Secretary shall—

(A) make the notice publicly available, including on the Internet; and

(B) provide written notification of the publication to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(c) CONTENTS.—

(1) PROJECT REPORTS, PROPOSED PROJECT STUDIES, AND PROPOSED MODIFICATIONS.—

(A) CRITERIA FOR INCLUSION IN REPORT.—The Secretary shall include in the annual report only those project reports, proposed project studies, and proposed modifications to authorized projects and project studies that—

(i) are related to the missions and authorities of the Bureau of Reclamation;

(ii) require specific congressional authorization, including by an Act of Congress;

(iii) have not been congressionally authorized;

(iv) have not been included in any previous annual report; and

(v) if authorized, could be carried out by the Bureau of Reclamation.

(B) DESCRIPTION OF BENEFITS.—

(i) DESCRIPTION.—The Secretary shall describe in the annual report, to the extent applicable and practicable, for each proposed project study and proposed modification to an authorized water resources development project or project study included in the annual report, the benefits, as described in clause (ii), of each such study or proposed modification.

(ii) BENEFITS.—The benefits (or expected benefits, in the case of a proposed project study) described in this clause are benefits to—

(I) the protection of human life and property;

(II) improvement to domestic irrigated water and power supplies;

(III) the national economy;

(IV) the environment; or

(V) the national security interests of the United States.

(C) IDENTIFICATION OF OTHER FACTORS.—The Secretary shall identify in the annual report, to the extent practicable—

(i) for each proposed project study included in the annual report, the non-Federal interest that submitted the proposed project study pursuant to subsection (b); and

(ii) for each proposed project study and proposed modification to a project or project study included in the annual report, whether the non-Federal interest has demonstrated—

(I) that local support exists for the proposed project study or proposed modification to an authorized project or project study (including the surface water storage development project that is the subject of the proposed feasibility study or the proposed modification to an authorized project study); and

(II) the financial ability to provide the required non-Federal cost share.

(2) TRANSPARENCY.—The Secretary shall include in the annual report, for each project report, proposed project study, and proposed modification to a project or project study included under paragraph (1)(A)—

(A) the name of the associated non-Federal interest, including the name of any non-Federal interest that has contributed, or is expected to contribute, a non-Federal share of the cost of—

(i) the project report;

(ii) the proposed project study;

(iii) the authorized project study for which the modification is proposed; or

(iv) construction of—

(I) the project that is the subject of—

(aa) the water report;

(bb) the proposed project study; or

(cc) the authorized project study for which a modification is proposed; or

(II) the proposed modification to a project;

(B) a letter or statement of support for the water report, proposed project study, or proposed modification to a project or project study from each associated non-Federal interest;

(C) the purpose of the feasibility report, proposed feasibility study, or proposed modification to a project or project study;

(D) an estimate, to the extent practicable, of the Federal, non-Federal, and total costs of—

(i) the proposed modification to an authorized project study; and

(ii) construction of—

(I) the project that is the subject of—

(aa) the project report; or

(bb) the authorized project study for which a modification is proposed, with respect to the change in costs resulting from such modification; or

(II) the proposed modification to an authorized project; and

(E) an estimate, to the extent practicable, of the monetary and nonmonetary benefits of—

(i) the project that is the subject of—

(I) the project report; or

(II) the authorized project study for which a modification is proposed, with respect to the benefits of such modification; or

(ii) the proposed modification to an authorized project.

(3) CERTIFICATION.—The Secretary shall include in the annual report a certification stating that each feasibility report, proposed feasibility study, and proposed modification to a project or project study included in the annual report meets the criteria established in paragraph (1)(A).

(4) APPENDIX.—The Secretary shall include in the annual report an appendix listing the proposals submitted under subsection (b) that were not included in the annual report under paragraph (1)(A) and a description of why the Secretary determined that those proposals did not meet the criteria for inclusion under such paragraph.

(d) SPECIAL RULE FOR INITIAL ANNUAL REPORT.—Notwithstanding any other deadlines required by this section, the Secretary shall—

(1) not later than 60 days after the date of enactment of this Act, publish in the Federal Register a notice required by subsection (b)(1); and

(2) include in such notice a requirement that non-Federal interests submit to the Secretary any proposals described in subsection (b)(1) by not later than 120 days after the date of publication of such notice in the Federal Register in order for such proposals to be considered for inclusion in the first annual report developed by the Secretary under this section.

(e) PUBLICATION.—Upon submission of an annual report to Congress, the Secretary shall make the annual report publicly available, including through publication on the Internet.

(f) DEFINITION.—In this section, the term ''project report'' means a final feasibility report developed under the Reclamation Act of 1902 (32 Stat. 388), and all Acts amendatory thereof or supplementary thereto.

Subtitle I—Accelerated Revenue, Repayment, and Surface Water Storage Enhancement

SEC. 1111. SHORT TITLE.

This subtitle may be cited as the ''Accelerated Revenue, Repayment, and Surface Water Storage Enhancement Act''.

SEC. 1112. PREPAYMENT OF CERTAIN REPAYMENT CONTRACTS BETWEEN THE UNITED STATES AND CONTRACTORS OF FEDERALLY DEVELOPED WATER SUPPLIES.

(a) CONVERSION AND PREPAYMENT OF CONTRACTS.—

(1) CONVERSION.—Upon request of the contractor, the Secretary of the Interior shall convert any water service contract in effect on the date of enactment of this Act and between the United States and a water users' association to allow for prepayment of the repayment contract pursuant to paragraph (2) under mutually agreeable terms and conditions. The manner of conversion under this paragraph shall be as follows:

(A) Water service contracts that were entered into under section 9(e) of the Act of August 4, 1939 (53 Stat. 1196), to be converted under this section shall be converted to repayment contracts under section 9(d) of that Act (53 Stat. 1195).

(B) Water service contracts that were entered under subsection (c)(2) of section 9 of the Act of August 4, 1939 (53 Stat. 1194), to be converted under this section shall be converted to a contract under subsection (c)(1) of section 9 of that Act (53 Stat. 1195).

(2) PREPAYMENT.—Except for those repayment contracts under which the contractor has previously negotiated for prepayment, all repayment contracts under section 9(d) of that Act (53 Stat. 1195) in effect on the date of enactment of this Act at the request of the contractor, and all contracts converted pursuant to paragraph (1)(A) shall—

(A) provide for the repayment, either in lump sum or by accelerated prepayment, of the remaining construction costs identified in water project specific irrigation rate repayment schedules, as adjusted to reflect payment not reflected in such schedule, and properly assignable for ultimate return by the contractor, or if made in approximately equal installments, no later than 3 years after the effective date of the repayment contract, such amount to be discounted by ½ the Treasury rate. An estimate of the remaining construction costs, as adjusted, shall be provided by the Secretary to the contractor no later than 90 days following receipt of request of the contractor;

(B) require that construction costs or other capitalized costs incurred after the effective date of the contract or not reflected in the rate schedule referenced in subparagraph (A), and properly assignable to such contractor shall be repaid in not more than 5 years after notification of the allocation if such amount is a result of a collective annual allocation of capital costs to the contractors exercising contract conversation under this subsection of less than $5,000,000. If such amount is $5,000,000 or greater, such cost shall be repaid as provided by applicable reclamation law;

(C) provide that power revenues will not be available to aid in repayment of construction costs allocated to irrigation under the contract; and

(D) continue so long as the contractor pays applicable charges, consistent with section 9(d) of the Act of August 4, 1939 (53 Stat. 1195), and applicable law.

(3) CONTRACT REQUIREMENTS.—Except for those repayment contracts under which the contractor has previously negotiated for prepayment, the following shall apply with regard to all repayment contracts under subsection (c)(1) of section 9 of that Act (53 Stat. 1195) in effect on the date of enactment of this Act at the request of the contractor, and all contracts converted pursuant to paragraph (1)(B):

(A) Provide for the repayment in lump sum of the remaining construction costs identified in water project specific municipal and industrial rate repayment schedules, as adjusted to reflect payments not reflected in such schedule, and properly assignable for ultimate return by the contractor. An estimate of the remaining construction costs, as adjusted, shall be provided by the Secretary to the contractor no later than 90 days after receipt of request of contractor.

(B) The contract shall require that construction costs or other capitalized costs incurred after the effective date of the contract or not reflected in the rate schedule referenced in subparagraph (A), and properly assignable to such

contractor, shall be repaid in not more than 5 years after notification of the allocation if such amount is a result of a collective annual allocation of capital costs to the contractors exercising contract conversation under this subsection of less than $5,000,000. If such amount is $5,000,000 or greater, such cost shall be repaid as provided by applicable reclamation law.

(C) Continue so long as the contractor pays applicable charges, consistent with section 9(c)(1) of the Act of August 4, 1939 (53 Stat. 1195), and applicable law.

(4) CONDITIONS.—All contracts entered into pursuant to paragraphs (1), (2), and (3) shall—

(A) not be adjusted on the basis of the type of prepayment financing used by the water users' association;

(B) conform to any other agreements, such as applicable settlement agreements and new constructed appurtenant facilities; and

(C) not modify other water service, repayment, exchange and transfer contractual rights between the water users' association, and the Bureau of Reclamation, or any rights, obligations, or relationships of the water users' association and their landowners as provided under State law.

(b) ACCOUNTING.—The amounts paid pursuant to subsection (a) shall be subject to adjustment following a final cost allocation by the Secretary of the Interior. In the event that the final cost allocation indicates that the costs properly assignable to the contractor are greater than what has been paid by the contractor, the contractor shall be obligated to pay the remaining allocated costs. The term of such additional repayment contract shall be not less than one year and not more than 10 years, however, mutually agreeable provisions regarding the rate of repayment of such amount may be developed by the parties. In the event that the final cost allocation indicates that the costs properly assignable to the contractor are less than what the contractor has paid, the Secretary shall credit such overpayment as an offset against any outstanding or future obligation of the contractor.

(c) APPLICABILITY OF CERTAIN PROVISIONS.—

(1) EFFECT OF EXISTING LAW.—Upon a contractor's compliance with and discharge of the obligation of repayment of the construction costs pursuant to a contract entered into pursuant to subsection (a)(2)(A), subsections (a) and (b) of section 213 of the Reclamation Reform Act of 1982 (96 Stat. 1269) shall apply to affected lands.

(2) EFFECT OF OTHER OBLIGATIONS.—The obligation of a contractor to repay construction costs or other capitalized costs described in subsection (a)(2)(B), (a)(3)(B), or (b) shall not affect a contractor's status as having repaid all of the construction costs assignable to the contractor or the applicability of subsections (a) and (b) of section 213 of the Reclamation Reform Act of 1982 (96 Stat. 1269) once the amount required to be paid by the contractor under the repayment contract entered into pursuant to subsection (a)(2)(A) have been paid.

(d) EFFECT ON EXISTING LAW NOT ALTERED.—Implementation of the provisions of this subtitle shall not alter—

(1) the repayment obligation of any water service or repayment contractor receiving water from the same water project, or shift any costs that would otherwise have been properly assignable to the water users' association identified in subsections (a)(1), (a)(2), and (a)(3) absent this section, including operation and maintenance costs, construction costs, or other capitalized costs incurred after the date of the enactment of this Act, or to other contractors; and

(2) specific requirements for the disposition of amounts received as repayments by the Secretary under the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.).

(e) SURFACE WATER STORAGE ENHANCEMENT PROGRAM.—

(1) IN GENERAL.—Except as provided in subsection (d)(2), three years following the date of enactment of this Act, 50 percent of receipts generated from prepayment of contracts under this section beyond amounts necessary to cover the amount of receipts forgone from scheduled payments under current law for the 10-year period following the date of enactment of this Act shall be directed to the Reclamation Surface Water Storage Account under paragraph (2).

(2) SURFACE STORAGE ACCOUNT.—The Secretary shall allocate amounts collected under paragraph (1) into the ''Reclamation Surface Storage Account'' to fund the construction of surface water storage. The Secretary may also enter into cooperative agreements with water users' associations for the construction of surface water storage and amounts within the Surface Storage Account may be used to fund such construction. Surface water storage projects that are otherwise not federally authorized shall not be considered Federal facilities as a result of any amounts allocated from the Surface Storage Account for part or all of such facilities.

(3) REPAYMENT.—Amounts used for surface water storage construction from the Account shall be fully reimbursed to the Account consistent with the requirements under Federal reclamation law (the law (the Act of June 17, 1902 (32 Stat. 388, chapter 1093))), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.) except that all funds reimbursed shall be deposited in the Account established under paragraph (2).

(4) AVAILABILITY OF AMOUNTS.—Amounts deposited in the Account under this subsection shall—

(A) be made available in accordance with this section, subject to appropriation; and

(B) be in addition to amounts appropriated for such purposes under any other provision of law.

(5) PURPOSES OF SURFACE WATER STORAGE.—Construction of surface water storage under this section shall be made for the following purposes:

(A) Increased municipal and industrial water supply.

(B) Agricultural floodwater, erosion, and sedimentation reduction.

(C) Agricultural drainage improvements.

(D) Agricultural irrigation.

(E) Increased recreation opportunities.

(F) Reduced adverse impacts to fish and wildlife from water storage or diversion projects within watersheds associated with water storage projects funded under this section.

(G) Any other purposes consistent with reclamation laws or other Federal law.

(f) DEFINITIONS.—For the purposes of this subtitle, the following definitions apply:

(1) ACCOUNT.—The term ''Account'' means the Reclamation Surface Water Storage Account established under subsection (e)(2).

(2) CONSTRUCTION.—The term ''construction'' means the designing, materials engineering and testing, surveying, and building of surface water storage including additions to existing surface water storage and construction of new surface water storage facilities, exclusive of any Federal statutory or regulatory obligations relating to any permit, review, approval, or other such requirement.

(3) SURFACE WATER STORAGE.—The term ''surface water storage'' means any federally owned facility under the jurisdiction of the Bureau of Reclamation or any non-Federal facility used for the surface storage and supply of water resources.

(4) TREASURY RATE.—The term ''Treasury rate'' means the 20-year Constant Maturity Treasury (CMT) rate published by the United States Department of the Treasury existing on the effective date of the contract.

(5) WATER USERS' ASSOCIATION.—The term ''water users' association'' means—

(A) an entity organized and recognized under State laws that is eligible to enter into contracts with reclamation to receive contract water for delivery to and users of the water and to pay applicable charges; and

(B) includes a variety of entities with different names and differing functions, such as associations, conservatory district, irrigation district, municipality, and water project contract unit.

Subtitle J—Safety of Dams

SEC. 1121. AUTHORIZATION OF ADDITIONAL PROJECT BENEFITS.

The Reclamation Safety of Dams Act of 1978 is amended—

(1) in section 3, by striking ''Construction'' and inserting ''Except as provided in section 5B, construction''; and

(2) by inserting after section 5A (43 U.S.C. 509) the following:

''SEC. 5B. AUTHORIZATION OF ADDITIONAL PROJECT BENEFITS.

''Notwithstanding section 3, if the Secretary determines that additional project benefits, including but not limited to additional conservation storage capacity, are feasible and not inconsistent with the purposes of this Act, the Secretary is authorized to develop additional project benefits through the construction of new or supplementary works on a project in conjunction with the Secretary's activities under section 2 of this Act and subject to the conditions described in the feasibility study, provided—

''(1) the Secretary determines that developing additional project benefits through the construction of new or supplementary works on a project will promote more efficient management of water and water-related facilities;

''(2) the feasibility study pertaining to additional project benefits has been authorized pursuant to section 8 of the Federal Water Project Recreation Act of 1965 (16 U.S.C. 4601–18); and

''(3) the costs associated with developing the additional project benefits are agreed to in writing between the Secretary and project proponents and shall be allocated to the authorized purposes of the structure and repaid consistent with all provisions of Federal Reclamation law (the Act of June 17, 1902, 43 U.S.C. 371 et seq.) and Acts supplemental to and amendatory of that Act.''.

Subtitle K—Water Rights Protection

SEC. 1131. SHORT TITLE.

This subtitle may be cited as the ''Water Rights Protection Act''.

SEC. 1132. DEFINITION OF WATER RIGHT.

In this subtitle, the term ''water right'' means any surface or groundwater right filed, permitted, certified, confirmed, decreed, adjudicated, or otherwise recognized by a judicial proceeding or by the State in which the user acquires possession of the water or puts the water to beneficial use, including water rights for federally recognized Indian tribes.

SEC. 1133. TREATMENT OF WATER RIGHTS.

The Secretary of the Interior and the Secretary of Agriculture shall not—

(1) condition or withhold, in whole or in part, the issuance, renewal, amendment, or extension of any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement on—

(A) limitation or encumbrance of any water right, or the transfer of any water right (including joint and sole ownership), directly or indirectly to the United States or any other designee; or

(B) any other impairment of any water right, in whole or in part, granted or otherwise recognized under State law, by Federal or State adjudication, decree, or other judgment, or pursuant to any interstate water compact;

(2) require any water user (including any federally recognized Indian tribe) to apply for or acquire a water right in the name of the United States under State law as a condition of the issuance, renewal, amendment, or extension of any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement;

(3) assert jurisdiction over groundwater withdrawals or impacts on groundwater resources, unless jurisdiction is asserted, and any regulatory or policy actions taken pursuant to such assertion are, consistent with, and impose no greater restrictions or regulatory requirements than, applicable State laws (including regulations) and policies governing the protection and use of groundwater resources; or

(4) infringe on the rights and obligations of a State in evaluating, allocating, and adjudicating the waters of the State originating on or under, or flowing from, land owned or managed by the Federal Government.

SEC. 1134. RECOGNITION OF STATE AUTHORITY.

(a) IN GENERAL.—In carrying out section 1133, the Secretary of the Interior and the Secretary of Agriculture shall—

(1) recognize the longstanding authority of the States relating to evaluating, protecting, allocating, regulating, and adjudicating groundwater by any means, including a rulemaking, permitting, directive, water court adjudication, resource management planning, regional authority, or other policy; and

(2) coordinate with the States in the adoption and implementation by the Secretary of the Interior or the Secretary of Agriculture of any rulemaking, policy, directive, management plan, or other similar Federal action so as to ensure that such actions are consistent with, and impose no greater restrictions or regulatory requirements than, State groundwater laws and programs.

(b) EFFECT ON STATE WATER RIGHTS.—In carrying out this subtitle, the Secretary of the Interior and the Secretary of Agriculture shall not take any action that adversely affects—

(1) any water rights granted by a State;

(2) the authority of a State in adjudicating water rights;

(3) definitions established by a State with respect to the term ''beneficial use'', ''priority of water rights'', or ''terms of use'';

(4) terms and conditions of groundwater withdrawal, guidance and reporting procedures, and conservation and source protection measures established by a State;

(5) the use of groundwater in accordance with State law; or

(6) any other rights and obligations of a State established under State law.

SEC. 1135. EFFECT OF TITLE.

(a) EFFECT ON EXISTING AUTHORITY.—Nothing in this subtitle limits or expands any existing legally recognized authority of the Secretary of the Interior or the Secretary of Agriculture to issue, grant, or condition any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement on Federal land subject to the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture, respectively.

(b) EFFECT ON RECLAMATION CONTRACTS.—Nothing in this subtitle interferes with Bureau of Reclamation contracts entered into pursuant to the reclamation laws.

(c) EFFECT ON ENDANGERED SPECIES ACT.—Nothing in this subtitle affects the implementation of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(d) EFFECT ON FEDERAL RESERVED WATER RIGHTS.—Nothing in this subtitle limits or expands any existing or claimed reserved water rights of the Federal Government on land administered by the Secretary of the Interior or the Secretary of Agriculture.

(e) EFFECT ON FEDERAL POWER ACT.—Nothing in this subtitle limits or expands authorities under sections 4(e), 10(j), or 18 of the Federal Power Act (16 U.S.C. 797(e), 803(j), 811).

(f) EFFECT ON INDIAN WATER RIGHTS.—Nothing in this subtitle limits or expands any water right or treaty right of any federally recognized Indian tribe.

TITLE II—SPORTSMEN'S HERITAGE AND RECREATIONAL ENHANCEMENT ACT

SEC. 2001. SHORT TITLE.

This title may be cited as the ''Sportsmen's Heritage and Recreational Enhancement Act'' or the ''SHARE Act''.

SEC. 2002. REPORT ON ECONOMIC IMPACT.

Not later than 12 months after the date of the enactment of this Act, the Secretary of Interior shall submit a report to Congress that assesses expected economic impacts of the Act. Such report shall include—

(1) a review of any expected increases in recreational hunting, fishing, shooting, and conservation activities;

(2) an estimate of any jobs created in each industry expected to support such activities described in paragraph (1), including in the supply, manufacturing, distribution, and retail sectors;

(3) an estimate of wages related to jobs described in paragraph (2); and

(4) an estimate of anticipated new local, State, and Federal revenue related to jobs described in paragraph (2).

Subtitle A—Hunting, Fishing and Recreational Shooting Protection Act

SEC. 2011. SHORT TITLE.

This subtitle may be cited as the ''Hunting, Fishing, and Recreational Shooting Protection Act''.

SEC. 2012. MODIFICATION OF DEFINITION.

Section 3(2)(B) of the Toxic Substances Control Act (15 U.S.C. 2602(2)(B)) is amended—

(1) in clause (v), by striking '', and'' and inserting '', or any component of any such article including, without limitation, shot, bullets and other projectiles, propellants, and primers,'';

(2) in clause (vi) by striking the period at the end and inserting '', and''; and

(3) by inserting after clause (vi) the following:

''(vii) any sport fishing equipment (as such term is defined in subsection (a) of section 4162 of the Internal Revenue Code of 1986) the sale of which is subject to the tax imposed by section 4161(a) of such Code (determined without regard to any exemptions from such tax as provided by section 4162 or 4221 or any other provision of such Code), and sport fishing equipment components.''.

SEC. 2013. LIMITATION ON AUTHORITY TO REGULATE AMMUNITION AND FISHING TACKLE.

(a) LIMITATION.—Except as provided in section 20.21 of title 50, Code of Federal Regulations, as in effect on the date of the enactment of this Act, or any substantially similar successor regulation thereto, the Secretary of the Interior, the Secretary of Agriculture, and, except as provided by subsection (b), any bureau, service, or office of the Department of the Interior or the Department of Agriculture, may not regulate the use of ammunition cartridges, ammunition components, or fishing tackle based on the lead content thereof if such use is in compliance with the law of the State in which the use occurs.

(b) EXCEPTION.—The limitation in subsection (a) shall not apply to the United States Fish and Wildlife Service or the National Park Service.

Subtitle B—Target Practice and Marksmanship Training Support Act

SEC. 2021. SHORT TITLE.

This subtitle may be cited as the ''Target Practice and Marksmanship Training Support Act''.

SEC. 2022. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) the use of firearms and archery equipment for target practice and marksmanship training activities on Federal land is allowed, except to the extent specific portions of that land have been closed to those activities;

(2) in recent years preceding the date of enactment of this Act, portions of Federal land have been closed to target practice and marksmanship training for many reasons;

(3) the availability of public target ranges on non-Federal land has been declining for a variety of reasons, including continued population growth and development near former ranges;

(4) providing opportunities for target practice and marksmanship training at public target ranges on Federal and non-Federal land can help—

(A) to promote enjoyment of shooting, recreational, and hunting activities; and

(B) to ensure safe and convenient locations for those activities;

(5) Federal law in effect on the date of enactment of this Act, including the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.), provides Federal support for construction and expansion of public target ranges by making available to States amounts that may be used for construction, operation, and maintenance of public target ranges; and

(6) it is in the public interest to provide increased Federal support to facilitate the construction or expansion of public target ranges.

(b) PURPOSE.—The purpose of this subtitle is to facilitate the construction and expansion of public target ranges, including ranges on Federal land managed by the Forest Service and the Bureau of Land Management.

SEC. 2023. DEFINITION OF PUBLIC TARGET RANGE.

In this subtitle, the term ''public target range'' means a specific location that—

(1) is identified by a governmental agency for recreational shooting;

(2) is open to the public;

(3) may be supervised; and

(4) may accommodate archery or rifle, pistol, or shotgun shooting.

SEC. 2024. AMENDMENTS TO PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT.

(a) DEFINITIONS.—Section 2 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669a) is amended—

(1) by redesignating paragraphs (2) through (8) as paragraphs (3) through (9), respectively; and

(2) by inserting after paragraph (1) the following:

''(2) the term 'public target range' means a specific location that—

''(A) is identified by a governmental agency for recreational shooting;

''(B) is open to the public;

''(C) may be supervised; and

''(D) may accommodate archery or rifle, pistol, or shotgun shooting;''.

(b) EXPENDITURES FOR MANAGEMENT OF WILDLIFE AREAS AND RESOURCES.—Section 8(b) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669g(b)) is amended—

(1) by striking ''(b) Each State'' and inserting the following:

''(b) EXPENDITURES FOR MANAGEMENT OF WILDLIFE AREAS AND RESOURCES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), each State'';

(2) in paragraph (1) (as so designated), by striking ''construction, operation,'' and inserting ''operation'';

(3) in the second sentence, by striking ''The non-Federal share'' and inserting the following:

''(3) NON-FEDERAL SHARE.—The non-Federal share'';

(4) in the third sentence, by striking ''The Secretary'' and inserting the following:

''(4) REGULATIONS.—The Secretary''; and

(5) by inserting after paragraph (1) (as designated by paragraph (1) of this subsection) the following:

''(2) EXCEPTION.—Notwithstanding the limitation described in paragraph (1), a State may pay up to 90 percent of the cost of acquiring land for, expanding, or constructing a public target range.''.

(c) FIREARM AND BOW HUNTER EDUCATION AND SAFETY PROGRAM GRANTS.—Section 10 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669h–1) is amended—

(1) in subsection (a), by adding at the end the following:

''(3) ALLOCATION OF ADDITIONAL AMOUNTS.—Of the amount apportioned to a State for any fiscal year under section 4(b), the State may elect to allocate not more than 10 percent, to be combined with the amount apportioned to the State under paragraph (1) for that fiscal year, for acquiring land for, expanding, or constructing a public target range.'';

(2) by striking subsection (b) and inserting the following:

''(b) COST SHARING.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Federal share of the cost of any activity carried out using a grant under this section shall not exceed 75 percent of the total cost of the activity.

''(2) PUBLIC TARGET RANGE CONSTRUCTION OR EXPANSION.—The Federal share of the cost of acquiring land for, expanding, or constructing a public target range in a State on Federal or non-Federal land pursuant to this section or section 8(b) shall not exceed 90 percent of the cost of the activity.''; and

(3) in subsection (c)(1)—

(A) by striking ''Amounts made'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), amounts made''; and

(B) by adding at the end the following:

''(B) EXCEPTION.—Amounts provided for acquiring land for, constructing, or expanding a public target range shall remain available for expenditure and obligation during the 5-fiscal-year period beginning on October 1 of the first fiscal year for which the amounts are made available.''.

SEC. 2025. LIMITS ON LIABILITY.

(a) DISCRETIONARY FUNCTION.—For purposes of chapter 171 of title 28, United States Code (commonly referred to as the ''Federal Tort Claims Act''), any action by an agent or employee of the United States to manage or allow the use of Federal land for purposes of target practice or marksmanship training by a member of the public shall be considered to be the exercise or performance of a discretionary function.

(b) CIVIL ACTION OR CLAIMS.—Except to the extent provided in chapter 171 of title 28, United States Code, the United States shall not be subject to any civil action or claim for money damages for any injury to or loss of property, personal injury, or death caused by an activity occurring at a public target range that is—

(1) funded in whole or in part by the Federal Government pursuant to the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.); or

(2) located on Federal land.

SEC. 2026. SENSE OF CONGRESS REGARDING COOPERATION.

It is the sense of Congress that, consistent with applicable laws and regulations, the Chief of the Forest Service and the Director of the Bureau of Land Management should cooperate with State and local authorities and other entities to carry out waste removal and other activities on any Federal land used as a public target range to encourage continued use of that land for target practice or marksmanship training.

Subtitle C—Polar Bear Conservation and Fairness Act

SEC. 2031. SHORT TITLE.

This subtitle may be cited as the ''Polar Bear Conservation and Fairness Act''.

SEC. 2032. PERMITS FOR IMPORTATION OF POLAR BEAR TROPHIES TAKEN IN SPORT HUNTS IN CANADA.

Section 104(c)(5)(D) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1374(c)(5)(D)) is amended to read as follows:

''(D)(i) The Secretary of the Interior shall, expeditiously after the expiration of the applicable 30-day period under subsection (d)(2), issue a permit for the importation of any polar bear part (other than an internal organ) from a polar bear taken in a sport hunt in Canada to any person—

''(I) who submits, with the permit application, proof that the polar bear was legally harvested by the person before February 18, 1997; or

''(II) who has submitted, in support of a permit application submitted before May 15, 2008, proof that the polar bear was legally harvested by the person before May 15, 2008, from a polar bear population from which a sport-hunted trophy could be imported before that date in accordance with section 18.30(i) of title 50, Code of Federal Regulations.

''(ii) The Secretary shall issue permits under clause (i)(I) without regard to subparagraphs (A) and (C)(ii) of this paragraph, subsection (d)(3), and sections 101 and 102. Sections 101(a)(3)(B) and 102(b)(3) shall not apply to the importation of any polar bear part authorized by a permit issued under clause (i)(I). This clause shall not apply to polar bear parts that were imported before June 12, 1997.

''(iii) The Secretary shall issue permits under clause (i)(II) without regard to subparagraph (C)(ii) of this paragraph or subsection (d)(3). Sections 101(a)(3)(B) and 102(b)(3) shall not apply to the importation of any polar bear part authorized by a permit issued under clause (i)(II). This clause shall not apply to polar bear parts that were imported before the date of enactment of the Polar Bear Conservation and Fairness Act.''.

Subtitle D—Recreational Lands Self-Defense Act

SEC. 2041. SHORT TITLE.

This subtitle may be cited as the ''Recreational Lands Self-Defense Act''.

SEC. 2042. PROTECTING AMERICANS FROM VIOLENT CRIME.

(a) FINDINGS.—Congress finds the following:

(1) The Second Amendment to the Constitution provides that ''the right of the people to keep and bear Arms, shall not be infringed''.

(2) Section 327.13 of title 36, Code of Federal Regulations, provides that, except in special circumstances, ''possession of loaded firearms, ammunition, loaded projectile firing devices, bows and arrows, crossbows, or other weapons is prohibited'' at water resources development projects administered by the Secretary of the Army.

(3) The regulations described in paragraph (2) prevent individuals complying with Federal and State laws from exercising the second amendment rights of the individuals while at such water resources development projects.

(4) The Federal laws should make it clear that the second amendment rights of an individual at a water resources development project should not be infringed.

(b) PROTECTING THE RIGHT OF INDIVIDUALS TO BEAR ARMS AT WATER RESOURCES DEVELOPMENT PROJECTS.—The Secretary of the Army shall not promulgate or enforce any regulation that prohibits an individual from possessing a firearm, including an assembled or functional firearm, at a water resources development project covered under section 327.0 of title 36, Code of Federal Regulations (as in effect on the date of enactment of this Act), if—

(1) the individual is not otherwise prohibited by law from possessing the firearm; and

(2) the possession of the firearm is in compliance with the law of the State in which the water resources development project is located.

Subtitle E—Wildlife and Hunting Heritage Conservation Council Advisory Committee

SEC. 2051. WILDLIFE AND HUNTING HERITAGE CONSERVATION COUNCIL ADVISORY COMMITTEE.

The Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.) is amended by adding at the end the following:

''SEC. 10. WILDLIFE AND HUNTING HERITAGE CONSERVATION COUNCIL ADVISORY COMMITTEE.

''(a) ESTABLISHMENT.—There is hereby established the Wildlife and Hunting Heritage Conservation Council Advisory Committee (in this section referred to as the 'Advisory Committee') to advise the Secretaries of the Interior and Agriculture on wildlife and habitat conservation, hunting, and recreational shooting.

''(b) CONTINUANCE AND ABOLISHMENT OF EXISTING WILDLIFE AND HUNTING HERITAGE CONSERVATION COUNCIL.—The Wildlife and Hunting Heritage Conservation Council established pursuant to section 441 of the Revised Statutes (43 U.S.C. 1457), section 2 of the Fish and Wildlife Act of 1956 (16 U.S.C. 742a), and other Acts applicable to specific bureaus of the Department of the Interior—

''(1) shall continue until the date of the first meeting of the Wildlife and Hunting Heritage Conservation Council established by the amendment made by subsection (a); and

''(2) is hereby abolished effective on that date.

''(c) DUTIES OF THE ADVISORY COMMITTEE.—The Advisory Committee shall advise the Secretaries with regard to—

''(1) implementation of Executive Order No. 13443: Facilitation of Hunting Heritage and Wildlife Conservation, which directs Federal agencies 'to facilitate the expansion and enhancement of hunting opportunities and the management of game species and their habitat';

''(2) policies or programs to conserve and restore wetlands, agricultural lands, grasslands, forest, and rangeland habitats;

''(3) policies or programs to promote opportunities and access to hunting and shooting sports on Federal lands;

''(4) policies or programs to recruit and retain new hunters and shooters;

''(5) policies or programs that increase public awareness of the importance of wildlife conservation and the social and economic benefits of recreational hunting and shooting; and

''(6) policies or programs that encourage coordination among the public, the hunting and shooting sports community, wildlife conservation groups, and States, tribes, and the Federal Government.

''(d) MEMBERSHIP.—

''(1) APPOINTMENT.—

''(A) IN GENERAL.—The Advisory Committee shall consist of no more than 16 discretionary members and 8 ex officio members.

''(B) EX OFFICIO MEMBERS.—The ex officio members are—

''(i) the Director of the United States Fish and Wildlife Service or a designated representative of the Director;

''(ii) the Director of the Bureau of Land Management or a designated representative of the Director;

''(iii) the Director of the National Park Service or a designated representative of the Director;

''(iv) the Chief of the Forest Service or a designated representative of the Chief;

''(v) the Chief of the Natural Resources Conservation Service or a designated representative of the Chief;

''(vi) the Administrator of the Farm Service Agency or a designated representative of the Administrator;

''(vii) the Executive Director of the Association of Fish and Wildlife Agencies; and

''(viii) the Administrator of the Small Business Administration or designated representative.

''(C) DISCRETIONARY MEMBERS.—The discretionary members shall be appointed jointly by the Secretaries from at least one of each of the following:

''(i) State fish and wildlife agencies.

''(ii) Game bird hunting organizations.

''(iii) Wildlife conservation organizations.

''(iv) Big game hunting organizations.

''(v) Waterfowl hunting organizations.

''(vi) The tourism, outfitter, or guiding industry.

''(vii) The firearms or ammunition manufacturing industry.

''(viii) The hunting or shooting equipment retail industry.

''(ix) Tribal resource management organizations.

''(x) The agriculture industry.

''(xi) The ranching industry.

''(xii) Women's hunting and fishing advocacy, outreach, or education organization.

''(xiii) Minority hunting and fishing advocacy, outreach, or education organization.

''(xiv) Veterans service organization.

''(D) ELIGIBILITY.—Prior to the appointment of the discretionary members, the Secretaries shall determine that all individuals nominated for appointment to the Advisory Committee, and the organization each individual represents, actively support and promote sustainable-use hunting, wildlife conservation, and recreational shooting.

''(2) TERMS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), members of the Advisory Committee shall be appointed for a term of 4 years. Members shall not be appointed for more than 3 consecutive or nonconsecutive terms.

''(B) TERMS OF INITIAL APPOINTEES.—As designated by the Secretary at the time of appointment, of the members first appointed—

''(i) 6 members shall be appointed for a term of 4 years;

''(ii) 5 members shall be appointed for a term of 3 years; and

''(iii) 5 members shall be appointed for a term of 2 years.

''(3) PRESERVATION OF PUBLIC ADVISORY STATUS.—No individual may be appointed as a discretionary member of the Advisory Committee while serving as an officer or employee of the Federal Government.

''(4) VACANCY AND REMOVAL.—

''(A) IN GENERAL.—Any vacancy on the Advisory Committee shall be filled in the manner in which the original appointment was made.

''(B) REMOVAL.—Advisory Committee members shall serve at the discretion of the Secretaries and may be removed at any time for good cause.

''(5) CONTINUATION OF SERVICE.—Each appointed member may continue to serve after the expiration of the term of office to which such member was appointed until a successor has been appointed.

''(6) CHAIRPERSON.—The Chairperson of the Advisory Committee shall be appointed for a 3-year term by the Secretaries, jointly, from among the members of the Advisory Committee. An individual may not be appointed as Chairperson for more than 2 consecutive or nonconsecutive terms.

''(7) PAY AND EXPENSES.—Members of the Advisory Committee shall serve without pay for such service, but each member of the Advisory Committee may be reimbursed for travel and lodging incurred through attending meetings of the Advisory Committee approved subgroup meetings in the same amounts and under the same conditions as Federal employees (in accordance with section 5703 of title 5, United States Code).

''(8) MEETINGS.—

''(A) IN GENERAL.—The Advisory Committee shall meet at the call of the Secretaries, the chairperson, or a majority of the members, but not less frequently than twice annually.

''(B) OPEN MEETINGS.—Each meeting of the Advisory Committee shall be open to the public.

''(C) PRIOR NOTICE OF MEETINGS.—Timely notice of each meeting of the Advisory Committee shall be published in the Federal Register and be submitted to trade publications and publications of general circulation.

''(D) SUBGROUPS.—The Advisory Committee may establish such workgroups or subgroups as it deems necessary for the purpose of compiling information or conducting research. However, such workgroups may not conduct business without the direction of the Advisory Committee and must report in full to the Advisory Committee.

''(9) QUORUM.—Nine members of the Advisory Committee shall constitute a quorum.

''(e) EXPENSES.—The expenses of the Advisory Committee that the Secretaries determine to be reasonable and appropriate shall be paid by the Secretaries.

''(f) ADMINISTRATIVE SUPPORT, TECHNICAL SERVICES, AND ADVICE.—A designated Federal Officer shall be jointly appointed by the Secretaries to provide to the Advisory Committee the administrative support, technical services, and advice that the Secretaries determine to be reasonable and appropriate.

''(g) ANNUAL REPORT.—

''(1) REQUIRED.—Not later than September 30 of each year, the Advisory Committee shall submit a report to the Secretaries, the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives, and the Committee on Energy and Natural Resources and the Committee on Agriculture, Nutrition, and Forestry of the Senate. If circumstances arise in which the Advisory Committee cannot meet the September 30 deadline in any year, the Secretaries shall advise the Chairpersons of each such Committee of the reasons for such delay and the date on which the submission of the report is anticipated.

''(2) CONTENTS.—The report required by paragraph (1) shall describe—

''(A) the activities of the Advisory Committee during the preceding year;

''(B) the reports and recommendations made by the Advisory Committee to the Secretaries during the preceding year; and

''(C) an accounting of actions taken by the Secretaries as a result of the recommendations.

''(h) FEDERAL ADVISORY COMMITTEE ACT.—The Advisory Committee shall be exempt from the Federal Advisory Committee Act (5 U.S.C. App.).''.

Subtitle F—Recreational Fishing and Hunting Heritage Opportunities Act

SEC. 2061. SHORT TITLE.

This subtitle may be cited as the ''Recreational Fishing and Hunting Heritage and Opportunities Act''.

SEC. 2062. FINDINGS.

Congress finds that—

(1) recreational fishing and hunting are important and traditional activities in which millions of Americans participate;

(2) recreational anglers and hunters have been and continue to be among the foremost supporters of sound fish and wildlife management and conservation in the United States;

(3) recreational fishing and hunting are environmentally acceptable and beneficial activities that occur and can be provided on Federal lands and waters without adverse effects on other uses or users;

(4) recreational anglers, hunters, and sporting organizations provide direct assistance to fish and wildlife managers and enforcement officers of the Federal Government as well as State and local governments by investing volunteer time and effort to fish and wildlife conservation;

(5) recreational anglers, hunters, and the associated industries have generated billions of dollars of critical funding for fish and wildlife conservation, research, and management by providing revenues from purchases of fishing and hunting licenses, permits, and stamps, as well as excise taxes on fishing, hunting, and recreational shooting equipment that have generated billions of dollars of critical funding for fish and wildlife conservation, research, and management;

(6) recreational shooting is also an important and traditional activity in which millions of Americans participate;

(7) safe recreational shooting is a valid use of Federal lands, including the establishment of safe and convenient recreational shooting ranges on such lands, and participation in recreational shooting helps recruit and retain hunters and contributes to wildlife conservation;

(8) opportunities to recreationally fish, hunt, and shoot are declining, which depresses participation in these traditional activities, and depressed participation adversely impacts fish and wildlife conservation and funding for important conservation efforts; and

(9) the public interest would be served, and our citizens' fish and wildlife resources benefitted, by action to ensure that opportunities are facilitated to engage in fishing and hunting on Federal land as recognized by Executive Order No. 12962, relating to recreational fisheries, and Executive Order No. 13443, relating to facilitation of hunting heritage and wildlife conservation.

SEC. 2063. FISHING, HUNTING, AND RECREATIONAL SHOOTING.

(a) DEFINITIONS.—In this section:

(1) FEDERAL LAND.—The term ''Federal land'' means any land or water that is owned by the United States and under the administrative jurisdiction of the Bureau of Land Management or the Forest Service.

(2) FEDERAL LAND MANAGEMENT OFFICIALS.—The term ''Federal land management officials'' means—

(A) the Secretary of the Interior and Director of the Bureau of Land Management regarding Bureau of Land Management lands and interests in lands under the administrative jurisdiction of the Bureau of Land Management; and

(B) the Secretary of Agriculture and Chief of the Forest Service regarding National Forest System lands.

(3) HUNTING.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''hunting'' means use of a firearm, bow, or other authorized means in the lawful—

(i) pursuit, shooting, capture, collection, trapping, or killing of wildlife;

(ii) attempt to pursue, shoot, capture, collect, trap, or kill wildlife; or

(iii) the training of hunting dogs, including field trials.

(B) EXCLUSION.—The term ''hunting'' does not include the use of skilled volunteers to cull excess animals (as defined by other Federal law).

(4) RECREATIONAL FISHING.—The term ''recreational fishing'' means the lawful—

(A) pursuit, capture, collection, or killing of fish; or

(B) attempt to capture, collect, or kill fish.

(5) RECREATIONAL SHOOTING.—The term ''recreational shooting'' means any form of sport, training, competition, or pastime, whether formal or informal, that involves the discharge of a rifle, handgun, or shotgun, or the use of a bow and arrow.

(b) IN GENERAL.—Subject to valid existing rights and subsection (e), and cooperation with the respective State fish and wildlife agency, Federal land management officials shall exercise authority under existing law, including provisions regarding land use planning, to facilitate use of and access to Federal lands, including National Monuments, Wilderness Areas, Wilderness Study Areas, and lands administratively classified as wilderness eligible or suitable and primitive or semi-primitive areas, for fishing, hunting, and recreational shooting, except as limited by—

(1) statutory authority that authorizes action or withholding action for reasons of national security, public safety, or resource conservation;

(2) any other Federal statute that specifically precludes fishing, hunting, or recreational shooting on specific Federal lands, waters, or units thereof; and

(3) discretionary limitations on fishing, hunting, and recreational shooting determined to be necessary and reasonable as supported by the best scientific evidence and advanced through a transparent public process.

(c) MANAGEMENT.—Consistent with subsection (a), Federal land management officials shall exercise their land management discretion—

(1) in a manner that supports and facilitates fishing, hunting, and recreational shooting opportunities;

(2) to the extent authorized under applicable State law; and

(3) in accordance with applicable Federal law.

(d) PLANNING.—

(1) EVALUATION OF EFFECTS ON OPPORTUNITIES TO ENGAGE IN FISHING, HUNTING, OR RECREATIONAL SHOOTING.—Planning documents that apply to Federal lands, including land resources management plans, resource management plans, travel management plans, and general management plans shall include a specific evaluation of the effects of such plans on opportunities to engage in fishing, hunting, or recreational shooting.

(2) STRATEGIC GROWTH POLICY FOR THE NATIONAL WILDLIFE REFUGE SYSTEM.—Section 4(a)(3) of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd(a)(3)) is amended—

(A) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively; and

(B) by inserting after subparagraph (B), the following:

''(C) the Secretary shall integrate wildlife-dependent recreational uses in accordance with their status as priority general public uses into proposed or existing regulations, policies, criteria, plans, or other activities to alter or amend the manner in which individual refuges or the National Wildlife Refuge System (System) are managed, including, but not limited to, any activities which target or prioritize criteria for long and short term System acquisitions;''.

(3) NO MAJOR FEDERAL ACTION.—No action taken under this subtitle, or under section 4 of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd), either individually or cumulatively with other actions involving Federal lands or lands managed by the United States Fish and Wildlife Service, shall be considered to be a major Federal action significantly affecting the quality of the human environment, and no additional identification, analysis, or consideration of environmental effects, including cumulative effects, is necessary or required.

(4) OTHER ACTIVITY NOT CONSIDERED.—Federal land management officials are not required to consider the existence or availability of fishing, hunting, or recreational shooting opportunities on adjacent or nearby public or private lands in the planning for or determination of which Federal lands are open for these activities or in the setting of levels of use for these activities on Federal lands, unless the combination or coordination of such opportunities would enhance the fishing, hunting, or recreational shooting opportunities available to the public.

(e) FEDERAL LANDS.—

(1) LANDS OPEN.—Lands under the jurisdiction of the Bureau of Land Management and the Forest Service, including Wilderness Areas, Wilderness Study Areas, lands designated as wilderness or administratively classified as wilderness eligible or suitable and primitive or semi-primitive areas and National Monuments, but excluding lands on the Outer Continental Shelf, shall be open to fishing, hunting, and recreational shooting unless the managing Federal agency acts to close lands to such activity. Lands may be subject to closures or restrictions if determined by the head of the agency to be necessary and reasonable and supported by facts and evidence, for purposes including resource conservation, public safety, energy or mineral production, energy generation or transmission infrastructure, water supply facilities, protection of other permittees, protection of private property rights or interest, national security, or compliance with other law.

(2) RECREATIONAL SHOOTING RANGES.—

(A) IN GENERAL.—The head of each Federal agency shall use his or her authorities in a manner consistent with this Act and other applicable law, to—

(i) lease or permit use of lands under the jurisdiction of the agency for recreational shooting ranges; and

(ii) designate specific lands under the jurisdiction of the agency for recreational shooting activities.

(B) LIMITATION ON LIABILITY.—Any designation under subparagraph (A)(ii) shall not subject the United States to any civil action or claim for monetary damages for injury or loss of property or personal injury or death caused by any activity occurring at or on such designated lands.

(f) NECESSITY IN WILDERNESS AREAS AND ''WITHIN AND SUPPLEMENTAL TO'' WILDERNESS PURPOSES.—

(1) MINIMUM REQUIREMENTS FOR ADMINISTRATION.—The provision of opportunities for fishing, hunting, and recreational shooting, and the conservation of fish and wildlife to provide sustainable use recreational opportunities on designated Federal wilderness areas shall constitute measures necessary to meet the minimum requirements for the administration of the wilderness area, provided that this determination shall not authorize or facilitate commodity development, use, or extraction, motorized recreational access or use that is not otherwise allowed under the Wilderness Act (16 U.S.C. 1131 et seq.), or permanent road construction or maintenance within designated wilderness areas.

(2) APPLICATION OF WILDERNESS ACT.—Provisions of the Wilderness Act (16 U.S.C. 1131 et seq.), stipulating that wilderness purposes are ''within and supplemental to'' the purposes of the underlying Federal land unit are reaffirmed. When seeking to carry out fish and wildlife conservation programs and projects or provide fish and wildlife dependent recreation opportunities on designated wilderness areas, each Federal land management official shall implement these supplemental purposes so as to facilitate, enhance, or both, but not to impede the underlying Federal land purposes when seeking to carry out fish and wildlife conservation programs and projects or provide fish and wildlife dependent recreation opportunities in designated wilderness areas, provided that such implementation shall not authorize or facilitate commodity development, use or extraction, or permanent road construction or maintenance within designated wilderness areas.

(g) NO PRIORITY.—Nothing in this section requires a Federal land management official to give preference to fishing, hunting, or recreational shooting over other uses of Federal land or over land or water management priorities established by Federal law.

(h) CONSULTATION WITH COUNCILS.—In fulfilling the duties under this section, Federal land management officials shall consult with respective advisory councils as established in Executive Order Nos. 12962 and 13443.

(i) AUTHORITY OF THE STATES.—Nothing in this section shall be construed as interfering with, diminishing, or conflicting with the authority, jurisdiction, or responsibility of any State to exercise primary management, control, or regulation of fish and wildlife under State law (including regulations) on land or water within the State, including on Federal land.

(j) FEDERAL LICENSES.—Nothing in this section shall be construed to authorize a Federal land management official to require a license, fee, or permit to fish, hunt, or trap on land or water in a State, including on Federal land in the States, except that this subsection shall not affect the Migratory Bird Stamp requirement set forth in the Migratory Bird Hunting and Conservation Stamp Act (16 U.S.C. 718 et seq.).

SEC. 2064. VOLUNTEER HUNTERS; REPORTS; CLOSURES AND RESTRICTIONS.

(a) DEFINITIONS.—For the purposes of this section:

(1) PUBLIC LAND.—The term ''public land'' means—

(A) units of the National Park System;

(B) National Forest System lands; and

(C) land and interests in land owned by the United States and under the administrative jurisdiction of—

(i) the Fish and Wildlife Service; or

(ii) the Bureau of Land Management.

(2) SECRETARY.—The term ''Secretary'' means—

(A) the Secretary of the Interior and includes the Director of the National Park Service, with regard to units of the National Park System;

(B) the Secretary of the Interior and includes the Director of the Fish and Wildlife Service, with regard to Fish and Wildlife Service lands and waters;

(C) the Secretary of the Interior and includes the Director of the Bureau of Land Management, with regard to Bureau of Land Management lands and waters; and

(D) the Secretary of Agriculture and includes the Chief of the Forest Service, with regard to National Forest System lands.

(3) VOLUNTEER FROM THE HUNTING COMMUNITY.—The term ''volunteer from the hunting community'' means a volunteer who holds a valid hunting license issued by a State.

(b) VOLUNTEER HUNTERS.—When planning wildlife management involving reducing the size of a wildlife population on public land, the Secretary shall consider the use of and may use volunteers from the hunting community as agents to assist in carrying out wildlife management on public land. The Secretary shall not reject the use of volunteers from the hunting community as agents without the concurrence of the appropriate State wildlife management authorities.

(c) REPORT.—Beginning on the second October 1 after the date of the enactment of this Act and biennially on October 1 thereafter, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(1) any public land administered by the Secretary that was closed to fishing, hunting, and recreational shooting at any time during the preceding year; and

(2) the reason for the closure.

(d) CLOSURES OR SIGNIFICANT RESTRICTIONS.—

(1) IN GENERAL.—Other than closures established or prescribed by land planning actions referred to in section 2064(e) or emergency closures described in paragraph (2), a permanent or temporary withdrawal, change of classification, or change of management status of public land that effectively closes or significantly restricts any acreage of public land to access or use for fishing, hunting, recreational shooting, or activities related to fishing, hunting, or recreational shooting, or a combination of those activities, shall take effect only if, before the date of withdrawal or change, the Secretary—

(A) publishes appropriate notice of the withdrawal or change, respectively;

(B) demonstrates that coordination has occurred with a State fish and wildlife agency; and

(C) submits to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate written notice of the withdrawal or change, respectively.

(2) EMERGENCY CLOSURES.—Nothing in this Act prohibits the Secretary from establishing or implementing emergency closures or restrictions of the smallest practicable area to provide for public safety, resource conservation, national security, or other purposes authorized by law. Such an emergency closure shall terminate after a reasonable period of time unless converted to a permanent closure consistent with this Act.

Subtitle G—Farmer and Hunter Protection Act

SEC. 2071. SHORT TITLE.

This subtitle may be cited as the ''Hunter and Farmer Protection Act''.

SEC. 2072. BAITING OF MIGRATORY GAME BIRDS.

Section 3 of the Migratory Bird Treaty Act (16 U.S.C. 704) is amended by striking subsection (b) and inserting the following:

''(b) PROHIBITION OF BAITING.—

''(1) DEFINITIONS.—In this subsection:

''(A) BAITED AREA.—

''(i) IN GENERAL.—The term 'baited area' means—

''(I) any area on which salt, grain, or other feed has been placed, exposed, deposited, distributed, or scattered, if the salt, grain, or feed could lure or attract migratory game birds; and

''(II) in the case of waterfowl, cranes (family Gruidae), and coots (family Rallidae), a standing, unharvested crop that has been manipulated through activities such as mowing, discing, or rolling, unless the activities are normal agricultural practices.

''(ii) EXCLUSIONS.—An area shall not be considered to be a 'baited area' if the area—

''(I) has been treated with a normal agricultural practice;

''(II) has standing crops that have not been manipulated; or

''(III) has standing crops that have been or are flooded.

''(B) BAITING.—The term 'baiting' means the direct or indirect placing, exposing, depositing, distributing, or scattering of salt, grain, or other feed that could lure or attract migratory game birds to, on, or over any areas on which a hunter is attempting to take migratory game birds.

''(C) MIGRATORY GAME BIRD.—The term 'migratory game bird' means migratory bird species—

''(i) that are within the taxonomic families of Anatidae, Columbidae, Gruidae, Rallidae, and Scolopacidae; and

''(ii) for which open seasons are prescribed by the Secretary of the Interior.

''(D) NORMAL AGRICULTURAL PRACTICE.—

''(i) IN GENERAL.—The term 'normal agricultural practice' means any practice in 1 annual growing season that—

''(I) is carried out in order to produce a marketable crop, including planting, harvest, postharvest, or soil conservation practices; and

''(II) is recommended for the successful harvest of a given crop by the applicable State office of the Cooperative Extension System of the Department of Agriculture, in consultation with, and if requested, the concurrence of, the head of the applicable State department of fish and wildlife.

''(ii) INCLUSIONS.—

''(I) IN GENERAL.—Subject to subclause (II), the term 'normal agricultural practice' includes the destruction of a crop in accordance with practices required by the Federal Crop Insurance Corporation for agricultural producers to obtain crop insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) on land on which a crop during the current or immediately preceding crop year was not harvestable due to a natural disaster (including any hurricane, storm, tornado, flood, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, drought, fire, snowstorm, or other catastrophe that is declared a major disaster by the President in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170)).

''(II) LIMITATIONS.—The term 'normal agricultural practice' only includes a crop described in subclause (I) that has been destroyed or manipulated through activities that include (but are not limited to) mowing, discing, or rolling if the Federal Crop Insurance Corporation certifies that flooding was not an acceptable method of destruction to obtain crop insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

''(E) WATERFOWL.—The term 'waterfowl' means native species of the family Anatidae.

''(2) PROHIBITION.—It shall be unlawful for any person—

''(A) to take any migratory game bird by baiting or on or over any baited area, if the person knows or reasonably should know that the area is a baited area; or

''(B) to place or direct the placement of bait on or adjacent to an area for the purpose of causing, inducing, or allowing any person to take or attempt to take any migratory game bird by baiting or on or over the baited area.

''(3) REGULATIONS.—The Secretary of the Interior may promulgate regulations to implement this subsection.

''(4) REPORTS.—Annually, the Secretary of Agriculture shall submit to the Secretary of the Interior a report that describes any changes to normal agricultural practices across the range of crops grown by agricultural producers in each region of the United States in which the recommendations are provided to agricultural producers.''.

Subtitle H—Transporting Bows Across National Park Service Lands

SEC. 2081. SHORT TITLE.

This subtitle may be cited as the ''Hunter Access Corridors Act''.

SEC. 2082. BOWHUNTING OPPORTUNITY AND WILDLIFE STEWARDSHIP.

(a) IN GENERAL.—Subchapter II of chapter 1015 of title 54, United States Code, is amended by adding at the end the following:

''§ 101513. Hunter access corridors

''(a) DEFINITIONS.—In this section:

''(1) NOT READY FOR IMMEDIATE USE.—The term 'not ready for immediate use' means—

''(A) a bow or crossbow, the arrows of which are secured or stowed in a quiver or other arrow transport case; and

''(B) with respect to a crossbow, uncocked.

''(2) VALID HUNTING LICENSE.—The term 'valid hunting license' means a State-issued hunting license that authorizes an individual to hunt on private or public land adjacent to the System unit in which the individual is located while in possession of a bow or crossbow that is not ready for immediate use.

''(b) TRANSPORTATION AUTHORIZED.—

''(1) IN GENERAL.—The Director shall not require a permit for, or promulgate or enforce any regulation that prohibits an individual from transporting bows and crossbows that are not ready for immediate use across any System unit if—

''(A) in the case of an individual traversing the System unit on foot—

''(i) the individual is not otherwise prohibited by law from possessing the bows and crossbows;

''(ii) the bows or crossbows are not ready for immediate use throughout the period during which the bows or crossbows are transported across the System unit;

''(iii) the possession of the bows and crossbows is in compliance with the law of the State in which the System unit is located; and

''(iv)(I) the individual possesses a valid hunting license;

''(II) the individual is traversing the System unit en route to a hunting access corridor established under subsection (c)(1); or

''(III) the individual is traversing the System unit in compliance with any other applicable regulations or policies; or

''(B) the bows or crossbows are not ready for immediate use and remain inside a vehicle.

''(2) ENFORCEMENT.—Nothing in this subsection limits the authority of the Director to enforce laws (including regulations) prohibiting hunting or the taking of wildlife in any System unit.

''(c) ESTABLISHMENT OF HUNTER ACCESS CORRIDORS.—

''(1) IN GENERAL.—On a determination by the Director under paragraph (2), the Director may establish and publish (in accordance with section 1.5 of title 36, Code of Federal Regulations (or a successor regulation)), on a publicly available map, hunter access corridors across System units that are used to access public land that is—

''(A) contiguous to a System unit; and

''(B) open to hunting.

''(2) DETERMINATION BY DIRECTOR.—The determination referred to in paragraph (1) is a determination that the hunter access corridor would provide wildlife management or visitor experience benefits within the boundary of the System unit in which the hunter access corridor is located.

''(3) HUNTING SEASON.—The hunter access corridors shall be open for use during hunting seasons.

''(4) EXCEPTION.—The Director may establish limited periods during which access through the hunter access corridors is closed for reasons of public safety, administration, or compliance with applicable law. Such closures shall be clearly marked with signs and dates of closures, and shall not include gates, chains, walls, or other barriers on the hunter access corridor.

''(5) IDENTIFICATION OF CORRIDORS.—The Director shall—

''(A) make information regarding hunter access corridors available on the individual website of the applicable System unit; and

''(B) provide information regarding any processes established by the Director for transporting legally taken game through individual hunter access corridors.

''(6) REGISTRATION; TRANSPORTATION OF GAME.—The Director may—

''(A) provide registration boxes to be located at the trailhead of each hunter access corridor for self-registration;

''(B) provide a process for online self-registration; and

''(C) allow nonmotorized conveyances to transport legally taken game through a hunter access corridor established under this subsection, including game carts and sleds.

''(7) CONSULTATION WITH STATES.—The Director shall consult with each applicable State wildlife agency to identify appropriate hunter access corridors.

''(d) EFFECT.—Nothing in this section—

''(1) diminishes, enlarges, or modifies any Federal or State authority with respect to recreational hunting, recreational shooting, or any other recreational activities within the boundaries of a System unit; or

''(2) authorizes—

''(A) the establishment of new trails in System units; or

''(B) authorizes individuals to access areas in System units, on foot or otherwise, that are not open to such access.

''(e) NO MAJOR FEDERAL ACTION.—

''(1) IN GENERAL.—Any action taken under this section shall not be considered a major Federal action significantly affecting the quality of the human environment under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(2) NO ADDITIONAL ACTION REQUIRED.—No additional identification, analyses, or consideration of environmental effects (including cumulative environmental effects) is necessary or required with respect to an action taken under this section.''.

(b) CLERICAL AMENDMENT.—The table of sections for title 54, United States Code, is amended by inserting after the item relating to section 101512 the following:

''101513. Hunter access corridors.''.

Subtitle I—Federal Land Transaction Facilitation Act Reauthorization (FLTFA)

SEC. 2091. SHORT TITLE.

This subtitle may be cited as the ''Federal Land Transaction Facilitation Act Reauthorization''.

SEC. 2092. FEDERAL LAND TRANSACTION FACILITATION ACT.

The Federal Land Transaction Facilitation Act is amended—

(1) in section 203(1) (43 U.S.C. 2302(1)), by striking ''cultural, or'' and inserting ''cultural, recreational access and use, or other'';

(2) in section 203(2) in the matter preceding subparagraph (A), by striking ''on the date of enactment of this Act was'' and inserting ''is'';

(3) in section 205 (43 U.S.C. 2304)—

(A) in subsection (a), by striking ''section 206'' and all that follows through the period and inserting the following: ''section 206—

''(1) to complete appraisals and satisfy other legal requirements for the sale or exchange of public land identified for disposal under approved land use plans under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712);

''(2) not later than 180 days after the date of the enactment of the Federal Land Transaction Facilitation Act Reauthorization, to establish and make available to the public, on the website of the Department of the Interior, a database containing a comprehensive list of all the land referred to in paragraph (1); and

''(3) to maintain the database referred to in paragraph (2).''; and

(B) in subsection (d), by striking ''11'' and inserting ''22'';

(4) by amending section 206(c)(1) (43 U.S.C. 2305(c)(1)) to read as follows:

''(1) USE OF FUNDS.—

''(A) IN GENERAL.—Funds in the Federal Land Disposal Account shall be expended, subject to appropriation, in accordance with this subsection.

''(B) PURPOSES.—Except as authorized under paragraph (2), funds in the Federal Land Disposal Account shall be used for one or more of the following purposes:

''(i) To purchase lands or interests therein that are otherwise authorized by law to be acquired and are one or more of the following:

''(I) Inholdings.

''(II) Adjacent to federally designated areas and contain exceptional resources.

''(III) Provide opportunities for hunting, recreational fishing, recreational shooting, and other recreational activities.

''(IV) Likely to aid in the performance of deferred maintenance or the reduction of operation and maintenance costs or other deferred costs.

''(ii) To perform deferred maintenance or other maintenance activities that enhance opportunities for recreational access.'';

(5) in section 206(c)(2) (43 U.S.C. 2305(c)(2))—

(A) by striking subparagraph (A);

(B) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (A), (B), and (C), respectively;

(C) in subparagraph (C) (as so redesignated by this paragraph)—

(i) by striking ''PURCHASES'' and inserting ''LAND PURCHASES AND PERFORMANCE OF DEFERRED MAINTENANCE ACTIVITIES'';

(ii) by striking ''subparagraph (C)'' and inserting ''subparagraph (B)''; and

(iii) by inserting ''for the activities outlined in paragraph (2)'' after ''generated''; and

(D) by adding at the end the following:

''(D) Any funds made available under subparagraph (C) that are not obligated or expended by the end of the fourth full fiscal year after the date of the sale or exchange of land that generated the funds may be expended in any State.'';

(6) in section 206(c)(3) (43 U.S.C. 2305(c)(3))—

(A) by inserting after subparagraph (A) the following:

''(B) the extent to which the acquisition of the land or interest therein will increase the public availability of resources for, and facilitate public access to, hunting, fishing, and other recreational activities;''; and

(B) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D);

(7) in section 206(f) (43 U.S.C. 2305(f)), by amending paragraph (2) to read as follows:

''(2) any remaining balance in the account shall be deposited in the Treasury and used for deficit reduction, except that in the case of a fiscal year for which there is no Federal budget deficit, such amounts shall be used to reduce the Federal debt (in such manner as the Secretary of the Treasury considers appropriate).''; and

(8) in section 207(b) (43 U.S.C. 2306(b))—

(A) in paragraph (1)—

(i) by striking ''96–568'' and inserting ''96–586''; and

(ii) by striking ''; or'' and inserting a semicolon;

(B) in paragraph (2)—

(i) by inserting ''Public Law 105–263;'' before ''112 Stat.''; and

(ii) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(3) the White Pine County Conservation, Recreation, and Development Act of 2006 (Public Law 109–432; 120 Stat. 3028);

''(4) the Lincoln County Conservation, Recreation, and Development Act of 2004 (Public Law 108–424; 118 Stat. 2403);

''(5) subtitle F of title I of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 1132 note; Public Law 111–11);

''(6) subtitle O of title I of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 460www note, 1132 note; Public Law 111–11);

''(7) section 2601 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1108); or

''(8) section 2606 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1121).''.

Subtitle J—African Elephant Conservation and Legal Ivory Possession Act

SEC. 2101. SHORT TITLE.

This subtitle may be cited as the ''African Elephant Conservation and Legal Ivory Possession Act''.

SEC. 2102. REFERENCES.

Except as otherwise specifically provided, whenever in this subtitle an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision, the reference shall be considered to be made to a provision of the African Elephant Conservation Act (16 U.S.C. 4201 et seq.).

SEC. 2103. PLACEMENT OF UNITED STATES FISH AND WILDLIFE SERVICE LAW ENFORCEMENT OFFICERS IN EACH AFRICAN ELEPHANT RANGE COUNTRY.

Part I (16 U.S.C. 4211 et seq.) is amended by adding at the end the following:

''SEC. 2105. PLACEMENT OF UNITED STATES FISH AND WILDLIFE SERVICE LAW ENFORCEMENT OFFICERS IN EACH AFRICAN ELEPHANT RANGE COUNTRY.

''The Secretary, in coordination with the Secretary of State, may station United States Fish and Wildlife Service law enforcement officers in the primary United States diplomatic or consular post in each African country that has a significant population of African elephants, who shall assist local wildlife rangers in the protection of African elephants and facilitate the apprehension of individuals who illegally kill, or assist the illegal killing of, African elephants.''.

SEC. 2104. TREATMENT OF ELEPHANT IVORY.

Section 2203 (16 U.S.C. 4223) is further amended by adding at the end the following:

''(c) TREATMENT OF ELEPHANT IVORY.—Nothing in this Act or the Endangered Species Act of 1973 (16 U.S.C. 1538) shall be construed—

''(1) to prohibit, or to authorize prohibiting, the possession, sale, delivery, receipt, shipment, or transportation of African elephant ivory, or any product containing African elephant ivory, that is in the United States because it has been lawfully imported or crafted in the United States; or

''(2) to authorize using any means of determining for purposes of this Act or the Endangered Species Act of 1973 whether African elephant ivory that is present in the United States has been lawfully imported, including any presumption or burden of proof applied in such determination, other than such means used by the Secretary as of February 24, 2014.''.

SEC. 2105. AFRICAN ELEPHANT CONSERVATION ACT FINANCIAL ASSISTANCE PRIORITY AND REAUTHORIZATION.

(a) FINANCIAL ASSISTANCE PRIORITY.—Section 2101 (16 U.S.C. 4211) is amended by redesignating subsections (e) and (f) as subsections (f) and (g), respectively, and by inserting after subsection (d) the following:

''(e) PRIORITY.—In providing financial assistance under this section, the Secretary shall give priority to projects designed to facilitate the acquisition of equipment and training of wildlife officials in ivory producing countries to be used in anti-poaching efforts.''.

(b) REAUTHORIZATION.—Section 2306(a) (16 U.S.C. 4245(a)) is amended by striking ''2007 through 2012'' and inserting ''2016 through 2020''.

SEC. 2106. GOVERNMENT ACCOUNTABILITY OFFICE STUDY.

Not later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study examining the effects of a ban of the trade in of fossilized ivory from mammoths and mastodons on the illegal importation and trade of African and Asian elephant ivory within the United States, with the exception of importation or trade thereof related to museum exhibitions or scientific research, and report to Congress the findings of such study.

Subtitle K—Respect for Treaties and Rights

SEC. 2111. RESPECT FOR TREATIES AND RIGHTS.

Nothing in this Act or the amendments made by this Act shall be construed to affect or modify any treaty or other right of any federally recognized Indian tribe.

Subtitle L—State Approval of Fishing Restriction

SEC. 2131. STATE OR TERRITORIAL APPROVAL OF RESTRICTION OF RECREATIONAL OR COMMERCIAL FISHING ACCESS TO CERTAIN STATE OR TERRITORIAL WATERS.

(a) APPROVAL REQUIRED.—The Secretary of the Interior and the Secretary of Commerce shall not restrict recreational or commercial fishing access to any State or territorial marine waters or Great Lakes waters within the jurisdiction of the National Park Service or the Office of National Marine Sanctuaries, respectively, unless those restrictions are developed in coordination with, and approved by, the fish and wildlife management agency of the State or territory that has fisheries management authority over those waters.

(b) DEFINITION.—In this section, the term ''marine waters'' includes coastal waters and estuaries.

Subtitle M—Hunting and Recreational Fishing Within Certain National Forests

SEC. 2141. DEFINITIONS.

In this subtitle:

(1) HUNTING.—The term ''hunting'' means use of a firearm, bow, or other authorized means in the lawful pursuit, shooting, capture, collection, trapping, or killing of wildlife; attempt to pursue, shoot, capture, collect, trap, or kill wildlife; or the training and use of hunting dogs, including field trials.

(2) RECREATIONAL FISHING.—The term ''recreational fishing'' means the lawful pursuit, capture, collection, or killing of fish; or attempt to capture, collect, or kill fish.

(3) FOREST PLAN.—The term ''forest plan'' means a land and resource management plan prepared by the Forest Service for a unit of the National Forest System pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(4) NATIONAL FOREST SYSTEM.—The term ''National Forest System'' has the meaning given that term in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a))

SEC. 2142. HUNTING AND RECREATIONAL FISHING WITHIN THE NATIONAL FOREST SYSTEM.

(a) PROHIBITION OF RESTRICTIONS.—The Secretary of Agriculture or Chief of the Forest Service may not establish policies, directives, or regulations that restrict the type, season, or method of hunting or recreational fishing on lands within the National Forest System that are otherwise open to those activities and are consistent with the applicable forest plan.

(b) PRIOR RESTRICTIONS VOID.—Any restrictions imposed by the Secretary of Agriculture or Chief of the Forest Service regarding the type, season, or method of hunting or recreational fishing on lands within the National Forest System that are otherwise open to those activities in force on the date of the enactment of this Act shall be void and have no force or effect.

(c) APPLICABILITY.—This section shall apply only to the Kisatchie National Forest in the State of Louisiana, the De Soto National Forest in the State of Mississippi, the Mark Twain National Forest in the State of Missouri, and the Ozark National Forest, the St. Francis National Forest and the Ouachita National Forest in the States of Arkansas and Oklahoma.

(d) STATE AUTHORITY.—Nothing in this section, section 1 of the Act of June 4, 1897 (16 U.S.C. 551), or section 32 of the Act of July 22, 1937 (7 U.S.C. 1011) shall affect the authority of States to manage hunting or recreational fishing on lands within the National Forest System.

SEC. 2143. PUBLICATION OF CLOSURE OF ROADS IN FORESTS.

The Chief of the Forest Service shall publish a notice in the Federal Register for the closure of any public road on Forest System lands, along with a justification for the closure.

Subtitle N—Grand Canyon Bison Management Act

SEC. 2151. SHORT TITLE.

This subtitle may be cited as the ''Grand Canyon Bison Management Act''.

SEC. 2152. DEFINITIONS.

In this subtitle:

(1) MANAGEMENT PLAN.—The term ''management plan'' means the management plan published under section 2153(a).

(2) PARK.—The term ''Park'' means the Grand Canyon National Park.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(4) SKILLED PUBLIC VOLUNTEER.—The term ''skilled public volunteer'' means an individual who possesses—

(A) a valid hunting license issued by the State of Arizona; and

(B) such other qualifications as the Secretary may require, after consultation with the Arizona Game and Fish Commission.

SEC. 2153. BISON MANAGEMENT PLAN FOR GRAND CANYON NATIONAL PARK.

(a) PUBLICATION OF PLAN.—Not later than 180 days after the date of enactment of this Act, the Secretary shall publish a management plan to reduce, through humane lethal culling by skilled public volunteers and by other nonlethal means, the population of bison in the Park that the Secretary determines are detrimental to the use of the Park.

(b) REMOVAL OF ANIMAL.—Notwithstanding any other provision of law, a skilled public volunteer may remove a full bison harvested from the Park.

(c) COORDINATION.—The Secretary shall coordinate with the Arizona Game and Fish Commission regarding the development and implementation of the management plan.

(d) NEPA COMPLIANCE.—In developing the management plan, the Secretary shall comply with all applicable Federal environmental laws (including regulations), including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(e) LIMITATION.—Nothing in this subtitle applies to the taking of wildlife in the Park for any purpose other than the implementation of the management plan.

Subtitle O—Open Book on Equal Access to Justice

SEC. 2161. SHORT TITLE.

This subtitle may be cited as the ''Open Book on Equal Access to Justice Act''.

SEC. 2162. MODIFICATION OF EQUAL ACCESS TO JUSTICE PROVISIONS.

(a) AGENCY PROCEEDINGS.—Section 504 of title 5, United States Code, is amended—

(1) in subsection (c)(1), by striking '', United States Code'';

(2) by redesignating subsection (f) as subsection (i); and

(3) by striking subsection (e) and inserting the following:

''(e)(1) The Chairman of the Administrative Conference of the United States, after consultation with the Chief Counsel for Advocacy of the Small Business Administration, shall report to the Congress, not later than March 31 of each year through the 6th calendar year beginning after the initial report under this subsection is submitted, on the amount of fees and other expenses awarded during the preceding fiscal year pursuant to this section. The report shall describe the number, nature, and amount of the awards, the claims involved in the controversy, and any other relevant information that may aid the Congress in evaluating the scope and impact of such awards. The report shall be made available to the public online.

''(2)(A) The report required by paragraph (1) shall account for all payments of fees and other expenses awarded under this section that are made pursuant to a settlement agreement, regardless of whether the settlement agreement is sealed or otherwise subject to nondisclosure provisions.

''(B) The disclosure of fees and other expenses required under subparagraph (A) does not affect any other information that is subject to nondisclosure provisions in the settlement agreement.

''(f) The Chairman of the Administrative Conference shall create and maintain, during the period beginning on the date the initial report under subsection (e) is submitted and ending one year after the date on which the final report under that subsection is submitted, online a searchable database containing the following information with respect to each award of fees and other expenses under this section:

''(1) The case name and number of the adversary adjudication, if available.

''(2) The name of the agency involved in the adversary adjudication.

''(3) A description of the claims in the adversary adjudication.

''(4) The name of each party to whom the award was made, as such party is identified in the order or other agency document making the award.

''(5) The amount of the award.

''(6) The basis for the finding that the position of the agency concerned was not substantially justified.

''(g) The online searchable database described in subsection (f) may not reveal any information the disclosure of which is prohibited by law or court order.

''(h) The head of each agency shall provide to the Chairman of the Administrative Conference in a timely manner all information requested by the Chairman to comply with the requirements of subsections (e), (f), and (g).''.

(b) COURT CASES.—Section 2412(d) of title 28, United States Code, is amended by adding at the end the following:

''(5)(A) The Chairman of the Administrative Conference of the United States shall submit to the Congress, not later than March 31 of each year through the 6th calendar year beginning after the initial report under this paragraph is submitted, a report on the amount of fees and other expenses awarded during the preceding fiscal year pursuant to this subsection. The report shall describe the number, nature, and amount of the awards, the claims involved in each controversy, and any other relevant information that may aid the Congress in evaluating the scope and impact of such awards. The report shall be made available to the public online.

''(B)(i) The report required by subparagraph (A) shall account for all payments of fees and

other expenses awarded under this subsection that are made pursuant to a settlement agreement, regardless of whether the settlement agreement is sealed or otherwise subject to nondisclosure provisions.

''(ii) The disclosure of fees and other expenses required under clause (i) does not affect any other information that is subject to nondisclosure provisions in the settlement agreement.

''(C) The Chairman of the Administrative Conference shall include and clearly identify in the annual report under subparagraph (A), for each case in which an award of fees and other expenses is included in the report—

''(i) any amounts paid from section 1304 of title 31 for a judgment in the case;

''(ii) the amount of the award of fees and other expenses; and

''(iii) the statute under which the plaintiff filed suit.

''(6) The Chairman of the Administrative Conference shall create and maintain, during the period beginning on the date the initial report under paragraph (5) is submitted and ending one year after the date on which the final report under that paragraph is submitted, online a searchable database containing the following information with respect to each award of fees and other expenses under this subsection:

''(A) The case name and number.

''(B) The name of the agency involved in the case.

''(C) The name of each party to whom the award was made, as such party is identified in the order or other court document making the award.

''(D) A description of the claims in the case.

''(E) The amount of the award.

''(F) The basis for the finding that the position of the agency concerned was not substantially justified.

''(7) The online searchable database described in paragraph (6) may not reveal any information the disclosure of which is prohibited by law or court order.

''(8) The head of each agency (including the Attorney General of the United States) shall provide to the Chairman of the Administrative Conference of the United States in a timely manner all information requested by the Chairman to comply with the requirements of paragraphs (5), (6), and (7).''.

(c) CLERICAL AMENDMENTS.—Section 2412 of title 28, United States Code, is amended—

(1) in subsection (d)(3), by striking ''United States Code,''; and

(2) in subsection (e)—

(A) by striking ''of section 2412 of title 28, United States Code,'' and inserting ''of this section''; and

(B) by striking ''of such title'' and inserting ''of this title''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsections (a) and (b) shall first apply with respect to awards of fees and other expenses that are made on or after the date of the enactment of this Act.

(2) INITIAL REPORTS.—The first reports required by section 504(e) of title 5, United States Code, and section 2412(d)(5) of title 28, United States Code, shall be submitted not later than March 31 of the calendar year following the first calendar year in which a fiscal year begins after the date of the enactment of this Act.

(3) ONLINE DATABASES.—The online databases required by section 504(f) of title 5, United States Code, and section 2412(d)(6) of title 28, United States Code, shall be established as soon as practicable after the date of the enactment of this Act, but in no case later than the date on which the first reports under section 504(e) of title 5, United States Code, and section 2412(d)(5) of title 28, United States Code, are required to be submitted under paragraph (2) of this subsection.

Subtitle P—Utility Terrain Vehicles

SEC. 2171. UTILITY TERRAIN VEHICLES IN KISATCHIE NATIONAL FOREST.

(a) IN GENERAL.—The Forest Administrator shall amend the applicable travel plan to allow utility terrain vehicles access on all roads nominated by the Secretary of Louisiana Wildlife and Fisheries in the Kisatchie National Forest, except when such designation would pose an unacceptable safety risk, in which case the Forest Administrator shall publish a notice in the Federal Register with a justification for the closure.

(b) UTILITY TERRAIN VEHICLES DEFINED.—For purposes of this section, the term ''utility terrain vehicle''—

(1) means any recreational motor vehicle designed for and capable of travel over designated roads, traveling on four or more tires with a maximum tire width of 27 inches, a maximum wheel cleat or lug of ¾ of an inch, a minimum width of 50 inches but not exceeding 74 inches, a minimum weight of at least 700 pounds but not exceeding 2,000 pounds, and a minimum wheelbase of 61 inches but not exceeding 110 inches;

(2) includes vehicles not equipped with a certification label as required by part 567.4 of title 49, Code of Federal Regulations; and

(3) does not include golf carts, vehicles specially designed to carry a disabled person, or vehicles otherwise registered under section 32.299 of the Louisiana State statutes.

Subtitle Q—Good Samaritan Search and Recovery

SEC. 2181. SHORT TITLE.

This subtitle may be cited as the ''Good Samaritan Search and Recovery Act''.

SEC. 2182. EXPEDITED ACCESS TO CERTAIN FEDERAL LAND.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE.—The term ''eligible'', with respect to an organization or individual, means that the organization or individual, respectively, is—

(A) acting in a not-for-profit capacity; and

(B) composed entirely of members who, at the time of the good Samaritan search-and-recovery mission, have attained the age of majority under the law of the State where the mission takes place.

(2) GOOD SAMARITAN SEARCH-AND-RECOVERY MISSION.—The term ''good Samaritan search-and-recovery mission'' means a search conducted by an eligible organization or individual for 1 or more missing individuals believed to be deceased at the time that the search is initiated.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior or the Secretary of Agriculture, as applicable.

(b) PROCESS.—

(1) IN GENERAL.—Each Secretary shall develop and implement a process to expedite access to Federal land under the administrative jurisdiction of the Secretary for eligible organizations and individuals to request access to Federal land to conduct good Samaritan search-and-recovery missions.

(2) INCLUSIONS.—The process developed and implemented under this subsection shall include provisions to clarify that—

(A) an eligible organization or individual granted access under this section—

(i) shall be acting for private purposes; and

(ii) shall not be considered to be a Federal volunteer;

(B) an eligible organization or individual conducting a good Samaritan search-and-recovery mission under this section shall not be considered to be a volunteer under section 102301(c) of title 54, United States Code;

(C) chapter 171 of title 28, United States Code (commonly known as the ''Federal Tort Claims Act''), shall not apply to an eligible organization or individual carrying out a privately requested good Samaritan search-and-recovery mission under this section; and

(D) an eligible organization or entity who conducts a good Samaritan search-and-recovery mission under this section shall serve without pay from the Federal Government for such service.

(c) RELEASE OF FEDERAL GOVERNMENT FROM LIABILITY.—The Secretary shall not require an eligible organization or individual to have liability insurance as a condition of accessing Federal land under this section, if the eligible organization or individual—

(1) acknowledges and consents, in writing, to the provisions described in subparagraphs (A) through (D) of subsection (b)(2); and

(2) signs a waiver releasing the Federal Government from all liability relating to the access granted under this section and agrees to indemnify and hold harmless the United States from any claims or lawsuits arising from any conduct by the eligible organization or individual on Federal land.

(d) APPROVAL AND DENIAL OF REQUESTS.—

(1) IN GENERAL.—The Secretary shall notify an eligible organization or individual of the approval or denial of a request by the eligible organization or individual to carry out a good Samaritan search-and-recovery mission under this section by not later than 48 hours after the request is made.

(2) DENIALS.—If the Secretary denies a request from an eligible organization or individual to carry out a good Samaritan search-and-recovery mission under this section, the Secretary shall notify the eligible organization or individual of—

(A) the reason for the denial of the request; and

(B) any actions that the eligible organization or individual can take to meet the requirements for the request to be approved.

(e) PARTNERSHIPS.—Each Secretary shall develop search-and-recovery-focused partnerships with search-and-recovery organizations—

(1) to coordinate good Samaritan search-and-recovery missions on Federal land under the administrative jurisdiction of the Secretary; and

(2) to expedite and accelerate good Samaritan search-and-recovery mission efforts for missing individuals on Federal land under the administrative jurisdiction of the Secretary.

(f) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretaries shall submit to Congress a joint report describing—

(1) plans to develop partnerships described in subsection (e)(1); and

(2) efforts carried out to expedite and accelerate good Samaritan search-and-recovery mission efforts for missing individuals on Federal land under the administrative jurisdiction of each Secretary pursuant to subsection (e)(2).

Subtitle R—Interstate Transportation of Firearms or Ammunition

SEC. 2191. INTERSTATE TRANSPORTATION OF FIREARMS OR AMMUNITION.

(a) IN GENERAL.—Section 926A of title 18, United States Code, is amended to read as follows:

''§ 926A. Interstate transportation of firearms or ammunition

''(a) Notwithstanding any provision of any law, rule, or regulation of a State or any political subdivision thereof:

''(1) A person who is not prohibited by this chapter from possessing, transporting, shipping, or receiving a firearm or ammunition shall be entitled to transport a firearm for any lawful purpose from any place where the person may lawfully possess, carry, or transport the firearm

to any other such place if, during the transportation, the firearm is unloaded, and—

''(A) if the transportation is by motor vehicle, the firearm is not directly accessible from the passenger compartment of the vehicle, and, if the vehicle is without a compartment separate from the passenger compartment, the firearm is in a locked container other than the glove compartment or console, or is secured by a secure gun storage or safety device; or

''(B) if the transportation is by other means, the firearm is in a locked container or secured by a secure gun storage or safety device.

''(2) A person who is not prohibited by this chapter from possessing, transporting, shipping, or receiving a firearm or ammunition shall be entitled to transport ammunition for any lawful purpose from any place where the person may lawfully possess, carry, or transport the ammunition, to any other such place if, during the transportation, the ammunition is not loaded into a firearm, and—

''(A) if the transportation is by motor vehicle, the ammunition is not directly accessible from the passenger compartment of the vehicle, and, if the vehicle is without a compartment separate from the passenger compartment, the ammunition is in a locked container other than the glove compartment or console; or

''(B) if the transportation is by other means, the ammunition is in a locked container.

''(b) In subsection (a), the term 'transport' includes staying in temporary lodging overnight, stopping for food, fuel, vehicle maintenance, an emergency, medical treatment, and any other activity incidental to the transport, but does not include transportation—

''(1) with the intent to commit a crime punishable by imprisonment for a term exceeding one year that involves the use or threatened use of force against another; or

''(2) with knowledge, or reasonable cause to believe, that such a crime is to be committed in the course of, or arising from, the transportation.

''(c)(1) A person who is transporting a firearm or ammunition may not be arrested or otherwise detained for violation of any law or any rule or regulation of a State or any political subdivision thereof related to the possession, transportation, or carrying of firearms, unless there is probable cause to believe that the person is doing so in a manner not provided for in subsection (a).

''(2) When a person asserts this section as a defense in a criminal proceeding, the prosecution shall bear the burden of proving, beyond a reasonable doubt, that the conduct of the person did not satisfy the conditions set forth in subsection (a).

''(3) When a person successfully asserts this section as a defense in a criminal proceeding, the court shall award the prevailing defendant a reasonable attorney's fee.

''(d)(1) A person who is deprived of any right, privilege, or immunity secured by this section, section 926B or 926C, under color of any statute, ordinance, regulation, custom, or usage of any State or any political subdivision thereof, may bring an action in any appropriate court against any other person, including a State or political subdivision thereof, who causes the person to be subject to the deprivation, for damages and other appropriate relief.

''(2) The court shall award a plaintiff prevailing in an action brought under paragraph (1) damages and such other relief as the court deems appropriate, including a reasonable attorney's fee.''.

(b) CLERICAL AMENDMENT.—The table of sections for such chapter is amended in the item relating to section 926A by striking ''firearms'' and inserting ''firearms or ammunition''.

Subtitle S—Gray Wolves

SEC. 2201. REISSUANCE OF FINAL RULE REGARDING GRAY WOLVES IN THE WESTERN GREAT LAKES.

Before the end of the 60-day period beginning on the date of enactment of this Act, the Secretary of the Interior shall reissue the final rule published on December 28, 2011 (76 Fed. Reg. 81666), without regard to any other provision of statute or regulation that applies to issuance of such rule. Such reissuance shall not be subject to judicial review.

SEC. 2202. REISSUANCE OF FINAL RULE REGARDING GRAY WOLVES IN WYOMING.

Before the end of the 60-day period beginning on the date of enactment of this Act, the Secretary of the Interior shall reissue the final rule published on September 10, 2012 (77 Fed. Reg. 55530), without regard to any other provision of statute or regulation that applies to issuance of such rule. Such reissuance shall not be subject to judicial review.

Subtitle T—Miscellaneous Provisions

SEC. 2211. PROHIBITION ON ISSUANCE OF FINAL RULE.

The Director of the United States Fish and Wildlife Service shall not issue a final rule that—

(1) succeeds the proposed rule entitled ''Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures, on National Wildlife Refuges in Alaska'' (81 Fed. Reg. 887 (January 8, 2016)); or

(2) is substantially similar to that proposed rule.

SEC. 2212. WITHDRAWAL OF EXISTING RULE REGARDING HUNTING AND TRAPPING IN ALASKA.

The Director of the National Park Service shall withdraw the final rule entitled ''Alaska; Hunting and Trapping in National Preserves'' (80 Fed. Reg. 64325 (October 23, 2015)) by not later than 30 days after the date of the enactment of this Act, and shall not issue a rule that is substantially similar to that rule.

TITLE III—NATIONAL STRATEGIC AND CRITICAL MINERALS PRODUCTION ACT

SEC. 3001. SHORT TITLE.

This title may be cited as the ''National Strategic and Critical Minerals Production Act of 2015''.

SEC. 3002. FINDINGS.

Congress finds the following:

(1) The industrialization of developing nations has driven demand for nonfuel minerals necessary for telecommunications, military technologies, healthcare technologies, and conventional and renewable energy technologies.

(2) The availability of minerals and mineral materials are essential for economic growth, national security, technological innovation, and the manufacturing and agricultural supply chain.

(3) The exploration, production, processing, use, and recycling of minerals contribute significantly to the economic well-being, security, and general welfare of the Nation.

(4) The United States has vast mineral resources, but is becoming increasingly dependent upon foreign sources of these mineral materials, as demonstrated by the following:

(A) Twenty-five years ago the United States was dependent on foreign sources for 45 nonfuel mineral materials, 8 of which the United States imported 100 percent of the Nation's requirements, and for another 19 commodities the United States imported more than 50 percent of the Nation's needs.

(B) By 2014 the United States import dependence for nonfuel mineral materials increased from 45 to 65 commodities, 19 of which the United States imported for 100 percent of the Nation's requirements, and an additional 24 of which the United States imported for more than 50 percent of the Nation's needs.

(C) The United States share of worldwide mineral exploration dollars was 7 percent in 2014, down from 19 percent in the early 1990s.

(D) In the 2014 Ranking of Countries for Mining Investment (out of 25 major mining countries), found that 7- to 10-year permitting delays are the most significant risk to mining projects in the United States.

SEC. 3003. DEFINITIONS.

In this title:

(1) STRATEGIC AND CRITICAL MINERALS.—The term ''strategic and critical minerals'' means minerals that are necessary—

(A) for national defense and national security requirements;

(B) for the Nation's energy infrastructure, including pipelines, refining capacity, electrical power generation and transmission, and renewable energy production;

(C) to support domestic manufacturing, agriculture, housing, telecommunications, healthcare, and transportation infrastructure; or

(D) for the Nation's economic security and balance of trade.

(2) AGENCY.—The term ''agency'' means any agency, department, or other unit of Federal, State, local, or tribal government, or Alaska Native Corporation.

(3) MINERAL EXPLORATION OR MINE PERMIT.—The term ''mineral exploration or mine permit'' includes—

(A) Bureau of Land Management and Forest Service authorizations for pre-mining activities that require environmental analyses pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) plans of operation issued by the Bureau of Land Management and the Forest Service pursuant to 43 CFR 3809 and 36 CFR 228A or the authorities listed in 43 CFR 3503.13, respectively, as amended from time to time.

Subtitle A—Development of Domestic Sources of Strategic and Critical Minerals

SEC. 3011. IMPROVING DEVELOPMENT OF STRATEGIC AND CRITICAL MINERALS.

Domestic mines that will provide strategic and critical minerals shall be considered an ''infrastructure project'' as described in Presidential order ''Improving Performance of Federal Permitting and Review of Infrastructure Projects'' dated March 22, 2012.

SEC. 3012. RESPONSIBILITIES OF THE LEAD AGENCY.

(a) IN GENERAL.—The lead agency with responsibility for issuing a mineral exploration or mine permit shall appoint a project lead within the lead agency who shall coordinate and consult with cooperating agencies and any other agency involved in the permitting process, project proponents and contractors to ensure that agencies minimize delays, set and adhere to timelines and schedules for completion of the permitting process, set clear permitting goals and track progress against those goals.

(b) DETERMINATION UNDER NEPA.—

(1) IN GENERAL.—To the extent that the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) applies to the issuance of any mineral exploration or mine permit, the requirements of such Act shall be deemed to have been procedurally and substantively satisfied if the lead agency determines that any State and/or Federal agency acting pursuant to State or Federal (or both) statutory or procedural authorities, has addressed or will address the following factors:

(A) The environmental impact of the action to be conducted under the permit.

(B) Possible adverse environmental effects of actions under the permit.

(C) Possible alternatives to issuance of the permit.

(D) The relationship between local long- and short-term uses of man's environment and the maintenance and enhancement of long-term productivity.

(E) Any irreversible and irretrievable commitment of resources that would be involved in the proposed action.

(F) That public participation will occur during the decisionmaking process for authorizing actions under the permit.

(2) WRITTEN REQUIREMENT.—In reaching a determination under paragraph (1), the lead agency shall, by no later than 90 days after receipt of an application for the permit, in a written record of decision—

(A) explain the rationale used in reaching its determination;

(B) state the facts in the record that are the basis for the determination; and

(C) show that the facts in the record could allow a reasonable person to reach the same determination as the lead agency did.

(c) COORDINATION ON PERMITTING PROCESS.—The lead agency with responsibility for issuing a mineral exploration or mine permit shall enhance government coordination for the permitting process by avoiding duplicative reviews, minimizing paperwork, and engaging other agencies and stakeholders early in the process. For purposes of this subsection, the lead agency shall consider the following practices:

(1) Deferring to and relying upon baseline data, analyses and reviews performed by State agencies with jurisdiction over the proposed project.

(2) Conducting any consultations or reviews concurrently rather than sequentially to the extent practicable and when such concurrent review will expedite rather than delay a decision.

(d) MEMORANDUM OF AGENCY AGREEMENT.—If requested at any time by a State or local planning agency, the lead agency with responsibility for issuing a mineral exploration or mine permit, in consultation with other Federal agencies with relevant jurisdiction in the environmental review process, may establish memoranda of agreement with the project sponsor, State and local governments, and other appropriate entities to accomplish the early coordination activities described in subsection (c).

(e) SCHEDULE FOR PERMITTING PROCESS.—For any project for which the lead agency cannot make the determination described in 102(b), at the request of a project proponent the lead agency, cooperating agencies, and any other agencies involved with the mineral exploration or mine permitting process shall enter into an agreement with the project proponent that sets time limits for each part of the permitting process, including for the following:

(1) The decision on whether to prepare a document required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) A determination of the scope of any document required under the National Environmental Policy Act of 1969.

(3) The scope of and schedule for the baseline studies required to prepare a document required under the National Environmental Policy Act of 1969.

(4) Preparation of any draft document required under the National Environmental Policy Act of 1969.

(5) Preparation of a final document required under the National Environmental Policy Act of 1969.

(6) Consultations required under applicable laws.

(7) Submission and review of any comments required under applicable law.

(8) Publication of any public notices required under applicable law.

(9) A final or any interim decisions.

(f) TIME LIMIT FOR PERMITTING PROCESS.—In no case should the total review process described in subsection (d) exceed 30 months unless extended by the signatories of the agreement.

(g) LIMITATION ON ADDRESSING PUBLIC COMMENTS.—The lead agency is not required to address agency or public comments that were not submitted during any public comment periods or consultation periods provided during the permitting process or as otherwise required by law.

(h) FINANCIAL ASSURANCE.—The lead agency will determine the amount of financial assurance for reclamation of a mineral exploration or mining site, which must cover the estimated cost if the lead agency were to contract with a third party to reclaim the operations according to the reclamation plan, including construction and maintenance costs for any treatment facilities necessary to meet Federal, State or tribal environmental standards.

(i) APPLICATION TO EXISTING PERMIT APPLICATIONS.—This section shall apply with respect to a mineral exploration or mine permit for which an application was submitted before the date of the enactment of this Act if the applicant for the permit submits a written request to the lead agency for the permit. The lead agency shall begin implementing this section with respect to such application within 30 days after receiving such written request.

(j) STRATEGIC AND CRITICAL MINERALS WITHIN NATIONAL FORESTS.—With respect to strategic and critical minerals within a federally administered unit of the National Forest System, the lead agency shall—

(1) exempt all areas of identified mineral resources in Land Use Designations, other than Non-Development Land Use Designations, in existence as of the date of the enactment of this Act from the procedures detailed at and all rules promulgated under part 294 of title 36, Code of Federal Regulations;

(2) apply such exemption to all additional routes and areas that the lead agency finds necessary to facilitate the construction, operation, maintenance, and restoration of the areas of identified mineral resources described in paragraph (1); and

(3) continue to apply such exemptions after approval of the Minerals Plan of Operations for the unit of the National Forest System.

SEC. 3013. CONSERVATION OF THE RESOURCE.

In evaluating and issuing any mineral exploration or mine permit, the priority of the lead agency shall be to maximize the development of the mineral resource, while mitigating environmental impacts, so that more of the mineral resource can be brought to the marketplace.

SEC. 3014. FEDERAL REGISTER PROCESS FOR MINERAL EXPLORATION AND MINING PROJECTS.

(a) PREPARATION OF FEDERAL NOTICES FOR MINERAL EXPLORATION AND MINE DEVELOPMENT PROJECTS.—The preparation of Federal Register notices required by law associated with the issuance of a mineral exploration or mine permit shall be delegated to the organization level within the agency responsible for issuing the mineral exploration or mine permit. All Federal Register notices regarding official document availability, announcements of meetings, or notices of intent to undertake an action shall be originated and transmitted to the Federal Register from the office where documents are held, meetings are held, or the activity is initiated.

(b) DEPARTMENTAL REVIEW OF FEDERAL REGISTER NOTICES FOR MINERAL EXPLORATION AND MINING PROJECTS.—Absent any extraordinary circumstance or except as otherwise required by any Act of Congress, each Federal Register notice described in subsection (a) shall undergo any required reviews within the Department of the Interior or the Department of Agriculture and be published in its final form in the Federal Register no later than 30 days after its initial preparation.

Subtitle B—Judicial Review of Agency Actions Relating to Exploration and Mine Permits

SEC. 3021. DEFINITIONS FOR TITLE.

In this subtitle the term ''covered civil action'' means a civil action against the Federal Government containing a claim under section 702 of title 5, United States Code, regarding agency action affecting a mineral exploration or mine permit.

SEC. 3022. TIMELY FILINGS.

A covered civil action is barred unless filed no later than the end of the 60-day period beginning on the date of the final Federal agency action to which it relates.

SEC. 3023. RIGHT TO INTERVENE.

The holder of any mineral exploration or mine permit may intervene as of right in any covered civil action by a person affecting rights or obligations of the permit holder under the permit.

SEC. 3024. EXPEDITION IN HEARING AND DETERMINING THE ACTION.

The court shall endeavor to hear and determine any covered civil action as expeditiously as possible.

SEC. 3025. LIMITATION ON PROSPECTIVE RELIEF.

In a covered civil action, the court shall not grant or approve any prospective relief unless the court finds that such relief is narrowly drawn, extends no further than necessary to correct the violation of a legal requirement, and is the least intrusive means necessary to correct that violation.

SEC. 3026. LIMITATION ON ATTORNEYS' FEES.

Section 504 of title 5, United States Code, and section 2412 of title 28, United States Code (together commonly called the Equal Access to Justice Act) do not apply to a covered civil action, nor shall any party in such a covered civil action receive payment from the Federal Government for their attorneys' fees, expenses, and other court costs.

Subtitle C—Miscellaneous Provisions

SEC. 3031. SECRETARIAL ORDER NOT AFFECTED.

This title shall not apply to any mineral described in Secretarial Order No. 3324, issued by the Secretary of the Interior on December 3, 2012, in any area to which the order applies.

TITLE IV—NATIVE AMERICAN ENERGY ACT

SEC. 4001. SHORT TITLE.

This title may be cited as the ''Native American Energy Act''.

SEC. 4002. APPRAISALS.

(a) AMENDMENT.—Title XXVI of the Energy Policy Act of 1992 (25 U.S.C. 3501 et seq.) is amended by adding at the end the following:

''SEC. 2607. APPRAISAL REFORMS.

''(a) OPTIONS TO INDIAN TRIBES.—With respect to a transaction involving Indian land or the trust assets of an Indian tribe that requires the approval of the Secretary, any appraisal relating to fair market value required to be conducted under applicable law, regulation, or policy may be completed by—

''(1) the Secretary;

''(2) the affected Indian tribe; or

''(3) a certified, third-party appraiser pursuant to a contract with the Indian tribe.

''(b) TIME LIMIT ON SECRETARIAL REVIEW AND ACTION.—Not later than 30 days after the date on which the Secretary receives an appraisal conducted by or for an Indian tribe pursuant to paragraphs (2) or (3) of subsection (a), the Secretary shall—

''(1) review the appraisal; and

''(2) provide to the Indian tribe a written notice of approval or disapproval of the appraisal.

''(c) FAILURE OF SECRETARY TO APPROVE OR DISAPPROVE.—If, after 60 days, the Secretary has failed to approve or disapprove any appraisal received, the appraisal shall be deemed approved.

''(d) OPTION TO INDIAN TRIBES TO WAIVE APPRAISAL.—

''(1) An Indian tribe wishing to waive the requirements of subsection (a), may do so after it has satisfied the requirements of paragraphs (2) and (3).

''(2) An Indian tribe wishing to forego the necessity of a waiver pursuant to this section must provide to the Secretary a written resolution, statement, or other unambiguous indication of tribal intent, duly approved by the governing body of the Indian tribe.

''(3) The unambiguous indication of intent provided by the Indian tribe to the Secretary under paragraph (2) must include an express waiver by the Indian tribe of any claims for damages it might have against the United States as a result of the lack of an appraisal undertaken.

''(e) DEFINITION.—For purposes of this subsection, the term 'appraisal' includes appraisals and other estimates of value.

''(f) REGULATIONS.—The Secretary shall develop regulations for implementing this section, including standards the Secretary shall use for approving or disapproving an appraisal.''.

(b) CONFORMING AMENDMENT.—The table of contents of the Energy Policy Act of 1992 (42 U.S.C. 13201 note) is amended by adding at the end of the items relating to title XXVI the following:

''Sec. 2607. Appraisal reforms.''.

SEC. 4003. STANDARDIZATION.

As soon as practicable after the date of the enactment of this Act, the Secretary of the Interior shall implement procedures to ensure that each agency within the Department of the Interior that is involved in the review, approval, and oversight of oil and gas activities on Indian lands shall use a uniform system of reference numbers and tracking systems for oil and gas wells.

SEC. 4004. ENVIRONMENTAL REVIEWS OF MAJOR FEDERAL ACTIONS ON INDIAN LANDS.

Section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) is amended by inserting ''(a) IN GENERAL.—'' before the first sentence, and by adding at the end the following:

''(b) REVIEW OF MAJOR FEDERAL ACTIONS ON INDIAN LANDS.—

''(1) REVIEW AND COMMENT.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the statement required under subsection (a)(2)(C) for a major Federal action regarding an activity on Indian lands of an Indian tribe shall only be available for review and comment by the members of the Indian tribe, other individuals residing within the affected area, and State, federally recognized tribal, and local governments within the affected area.

''(B) EXCEPTION.—Subparagraph (A) shall not apply to a statement for a major Federal action regarding an activity on Indian lands of an Indian tribe related to gaming under the Indian Gaming Regulatory Act.

''(2) REGULATIONS.—The Chairman of the Council on Environmental Quality shall develop regulations to implement this section, including descriptions of affected areas for specific major Federal actions, in consultation with Indian tribes.

''(3) DEFINITIONS.—In this subsection, each of the terms 'Indian land' and 'Indian tribe' has the meaning given that term in section 2601 of the Energy Policy Act of 1992 (25 U.S.C. 3501).

''(4) CLARIFICATION OF AUTHORITY.—Nothing in the Native American Energy Act, except section 6 of that Act, shall give the Secretary any additional authority over energy projects on Alaska Native Claims Settlement Act lands.''.

SEC. 4005. JUDICIAL REVIEW.

(a) TIME FOR FILING COMPLAINT.—Any energy related action must be filed not later than the end of the 60-day period beginning on the date of the final agency action. Any energy related action not filed within this time period shall be barred.

(b) DISTRICT COURT VENUE AND DEADLINE.—All energy related actions—

(1) shall be brought in the United States District Court for the District of Columbia; and

(2) shall be resolved as expeditiously as possible, and in any event not more than 180 days after such cause of action is filed.

(c) APPELLATE REVIEW.—An interlocutory order or final judgment, decree or order of the district court in an energy related action may be reviewed by the United States Court of Appeals for the District of Columbia Circuit. The District of Columbia Circuit Court of Appeals shall resolve such appeal as expeditiously as possible, and in any event not more than 180 days after such interlocutory order or final judgment, decree or order of the district court was issued.

(d) LIMITATION ON CERTAIN PAYMENTS.—Notwithstanding section 1304 of title 31, United States Code, no award may be made under section 504 of title 5, United States Code, or under section 2412 of title 28, United States Code, and no amounts may be obligated or expended from the Claims and Judgment Fund of the United States Treasury to pay any fees or other expenses under such sections, to any person or party in an energy related action.

(e) LEGAL FEES.—In any energy related action in which the plaintiff does not ultimately prevail, the court shall award to the defendant (including any intervenor-defendants), other than the United States, fees and other expenses incurred by that party in connection with the energy related action, unless the court finds that the position of the plaintiff was substantially justified or that special circumstances make an award unjust. Whether or not the position of the plaintiff was substantially justified shall be determined on the basis of the administrative record, as a whole, which is made in the energy related action for which fees and other expenses are sought.

(f) DEFINITIONS.—For the purposes of this section, the following definitions apply:

(1) AGENCY ACTION.—The term ''agency action'' has the same meaning given such term in section 551 of title 5, United States Code.

(2) INDIAN LAND.—The term ''Indian Land'' has the same meaning given such term in section 203(c)(3) of the Energy Policy Act of 2005 (Public Law 109–58; 25 U.S.C. 3501), including lands owned by Native Corporations under the Alaska Native Claims Settlement Act (Public Law 92–203; 43 U.S.C. 1601).

(3) ENERGY RELATED ACTION.—The term ''energy related action'' means a cause of action that—

(A) is filed on or after the effective date of this Act; and

(B) seeks judicial review of a final agency action to issue a permit, license, or other form of agency permission allowing:

(i) any person or entity to conduct activities on Indian Land, which activities involve the exploration, development, production or transportation of oil, gas, coal, shale gas, oil shale, geothermal resources, wind or solar resources, underground coal gasification, biomass, or the generation of electricity; or

(ii) any Indian Tribe, or any organization of two or more entities, at least one of which is an Indian tribe, to conduct activities involving the exploration, development, production or transportation of oil, gas, coal, shale gas, oil shale, geothermal resources, wind or solar resources, underground coal gasification, biomass, or the generation of electricity, regardless of where such activities are undertaken.

(4) ULTIMATELY PREVAIL.—The phrase ''ultimately prevail'' means, in a final enforceable judgment, the court rules in the party's favor on at least one cause of action which is an underlying rationale for the preliminary injunction, administrative stay, or other relief requested by the party, and does not include circumstances where the final agency action is modified or amended by the issuing agency unless such modification or amendment is required pursuant to a final enforceable judgment of the court or a court-ordered consent decree.

SEC. 4006. TRIBAL BIOMASS DEMONSTRATION PROJECT.

The Tribal Forest Protection Act of 2004 is amended by inserting after section 2 (25 U.S.C. 3115a) the following:

''SEC. 3. TRIBAL BIOMASS DEMONSTRATION PROJECT.

''(a) IN GENERAL.—For each of fiscal years 2016 through 2020, the Secretary shall enter into stewardship contracts or other agreements, other than agreements that are exclusively direct service contracts, with Indian tribes to carry out demonstration projects to promote biomass energy production (including biofuel, heat, and electricity generation) on Indian forest land and in nearby communities by providing reliable supplies of woody biomass from Federal land.

''(b) DEFINITIONS.—The definitions in section 2 shall apply to this section.

''(c) DEMONSTRATION PROJECTS.—In each fiscal year for which projects are authorized, the Secretary shall enter into contracts or other agreements described in subsection (a) to carry out at least 4 new demonstration projects that meet the eligibility criteria described in subsection (d).

''(d) ELIGIBILITY CRITERIA.—To be eligible to enter into a contract or other agreement under this subsection, an Indian tribe shall submit to the Secretary an application—

''(1) containing such information as the Secretary may require; and

''(2) that includes a description of—

''(A) the Indian forest land or rangeland under the jurisdiction of the Indian tribe; and

''(B) the demonstration project proposed to be carried out by the Indian tribe.

''(e) SELECTION.—In evaluating the applications submitted under subsection (c), the Secretary—

''(1) shall take into consideration the factors set forth in paragraphs (1) and (2) of section 2(e) of Public Law 108–278; and whether a proposed demonstration project would—

''(A) increase the availability or reliability of local or regional energy;

''(B) enhance the economic development of the Indian tribe;

''(C) improve the connection of electric power transmission facilities serving the Indian tribe with other electric transmission facilities;

''(D) improve the forest health or watersheds of Federal land or Indian forest land or rangeland; or

''(E) otherwise promote the use of woody biomass; and

''(2) shall exclude from consideration any merchantable logs that have been identified by the Secretary for commercial sale.

''(f) IMPLEMENTATION.—The Secretary shall—

''(1) ensure that the criteria described in subsection (c) are publicly available by not later than 120 days after the date of enactment of this section; and

''(2) to the maximum extent practicable, consult with Indian tribes and appropriate intertribal organizations likely to be affected in developing the application and otherwise carrying out this section.

''(g) REPORT.—Not later than one year subsequent to the date of enactment of this section, the Secretary shall submit to Congress a report that describes, with respect to the reporting period—

''(1) each individual tribal application received under this section; and

''(2) each contract and agreement entered into pursuant to this section.

''(h) INCORPORATION OF MANAGEMENT PLANS.—In carrying out a contract or agreement under this section, on receipt of a request from an Indian tribe, the Secretary shall incorporate into the contract or agreement, to the extent practicable, management plans (including forest management and integrated resource management plans) in effect on the Indian forest land or rangeland of the respective Indian tribe.

''(i) TERM.—A stewardship contract or other agreement entered into under this section—

''(1) shall be for a term of not more than 20 years; and

''(2) may be renewed in accordance with this section for not more than an additional 10 years.

''SEC. 4. TRIBAL FOREST MANAGEMENT DEMONSTRATION PROJECT.

''The Secretary of the Interior and the Secretary of Agriculture may carry out demonstration projects by which federally recognized Indian tribes or tribal organizations may contract to perform administrative, management, and other functions of programs of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a et seq.) through contracts entered into under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).''.

SEC. 4007. TRIBAL RESOURCE MANAGEMENT PLANS.

Unless otherwise explicitly exempted by Federal law enacted after the date of the enactment of this Act, any activity conducted or resources harvested or produced pursuant to a tribal resource management plan or an integrated resource management plan approved by the Secretary of the Interior under the National Indian Forest Resources Management Act (25 U.S.C. 3101 et seq.) or the American Indian Agricultural Resource Management Act (25 U.S.C. 3701 et seq.), shall be considered a sustainable management practice for purposes of any Federal standard, benefit, or requirement that requires a demonstration of such sustainability.

SEC. 4008. LEASES OF RESTRICTED LANDS FOR THE NAVAJO NATION.

Subsection (e)(1) of the first section of the Act of August 9, 1955 (25 U.S.C. 415(e)(1); commonly referred to as the ''Long-Term Leasing Act''), is amended—

(1) by striking '', except a lease for'' and inserting '', including leases for'';

(2) in subparagraph (A), by striking ''25'' the first place it appears and all that follows and inserting ''99 years;'';

(3) in subparagraph (B), by striking the period and inserting ''; and''; and

(4) by adding at the end the following:

''(C) in the case of a lease for the exploration, development, or extraction of mineral resources, including geothermal resources, 25 years, except that any such lease may include an option to renew for one additional term not to exceed 25 years.''.

SEC. 4009. NONAPPLICABILITY OF CERTAIN RULES.

No rule promulgated by the Department of the Interior regarding hydraulic fracturing used in the development or production of oil or gas resources shall have any effect on any land held in trust or restricted status for the benefit of Indians except with the express consent of the beneficiary on whose behalf such land is held in trust or restricted status.

TITLE V—NORTHPORT IRRIGATION EARLY REPAYMENT

SEC. 5001. EARLY REPAYMENT OF CONSTRUCTION COSTS.

(a) IN GENERAL.—Notwithstanding section 213 of the Reclamation Reform Act of 1982 (43 U.S.C. 390mm), any landowner within the Northport Irrigation District in the State of Nebraska (referred to in this section as the ''District'') may repay, at any time, the construction costs of project facilities allocated to the landowner's land within the District.

(b) APPLICABILITY OF FULL-COST PRICING LIMITATIONS.—On discharge, in full, of the obligation for repayment of all construction costs described in subsection (a) that are allocated to all land the landowner owns in the District in question, the parcels of land shall not be subject to the ownership and full-cost pricing limitations under Federal reclamation law (the Act of June 17, 1902, 32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.), including the Reclamation Reform Act of 1982 (13 U.S.C. 390aa et seq.).

(c) CERTIFICATION.—On request of a landowner that has repaid, in full, the construction costs described in subsection (a), the Secretary of the Interior shall provide to the landowner a certificate described in section 213(b)(1) of the Reclamation Reform Act of 1982 (43 U.S.C. 390mm(b)(1)).

(d) EFFECT.—Nothing in this section—

(1) modifies any contractual rights under, or amends or reopens, the reclamation contract between the District and the United States; or

(2) modifies any rights, obligations, or relationships between the District and landowners in the District under Nebraska State law.

TITLE VI—OCMULGEE MOUNDS NATIONAL HISTORICAL PARK BOUNDARY REVISION ACT

SEC. 6001. SHORT TITLE.

This title may be cited as the ''Ocmulgee Mounds National Historical Park Boundary Revision Act of 2016''.

SEC. 6002. DEFINITIONS.

In this Act:

(1) MAP.—The term ''map'' means the map entitled ''Ocmulgee National Monument Proposed Boundary Adjustment, numbered 363/125996'', and dated January 2016.

(2) HISTORICAL PARK.—The term ''Historical Park'' means the Ocmulgee Mounds National Historical Park in the State of Georgia, as redesignated in section 6003.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 6003. OCMULGEE MOUNDS NATIONAL HISTORICAL PARK.

(a) REDESIGNATION.—Ocmulgee National Monument, established pursuant to the Act of June 14, 1934 (48 Stat. 958), shall be known and designated as ''Ocmulgee Mounds National Historical Park''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to ''Ocmulgee National Monument'', other than in this Act, shall be deemed to be a reference to ''Ocmulgee Mounds National Historical Park''.

SEC. 6004. BOUNDARY ADJUSTMENT.

(a) IN GENERAL.—The boundary of the Historical Park is revised to include approximately 2,100 acres, as generally depicted on the map.

(b) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service, the Department of the Interior.

SEC. 6005. LAND ACQUISITION; NO BUFFER ZONES.

(a) LAND ACQUISITION.—The Secretary is authorized to acquire land and interests in land within the boundaries of the Historical Park by donation or exchange only (and in the case of an exchange, no payment may be made by the Secretary to any landowner). The Secretary may not acquire by condemnation any land or interest in land within the boundaries of the Historical Park. No private property or non-Federal public property shall be included within the boundaries of the Historical Park without the written consent of the owner of such property.

(b) NO BUFFER ZONES.—Nothing in this Act, the establishment of the Historical Park, or the management of the Historical Park shall be construed to create buffer zones outside of the Historical Park. That an activity or use can be seen or heard from within the Historical Park shall not preclude the conduct of that activity or use outside the Historical Park.

SEC. 6006. ADMINISTRATION.

The Secretary shall administer any land acquired under section 6005 as part of the Historical Park in accordance with applicable laws and regulations.

SEC. 6007. OCMULGEE RIVER CORRIDOR SPECIAL RESOURCE STUDY.

(a) IN GENERAL.—The Secretary shall conduct a special resource study of the Ocmulgee River corridor between the cities of Macon, Georgia, and Hawkinsville, Georgia, to determine—

(1) the national significance of the study area;

(2) the suitability and feasibility of adding lands in the study area to the National Park System; and

(3) the methods and means for the protection and interpretation of the study area by the National Park Service, other Federal, State, local government entities, affiliated federally recognized Indian tribes, or private or nonprofit organizations.

(b) CRITERIA.—The Secretary shall conduct the study authorized by this Act in accordance with section 100507 of title 54, United States Code.

(c) RESULTS OF STUDY.—Not later than 3 years after the date on which funds are made available to carry out this section, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate—

(1) the results of the study; and

(2) any findings, conclusions, and recommendations of the Secretary.

TITLE VII—MEDGAR EVERS HOUSE STUDY ACT

SEC. 7001. SHORT TITLE.

This title may be cited as the ''Medgar Evers House Study Act''.

SEC. 7002. SPECIAL RESOURCE STUDY.

(a) STUDY.—The Secretary of the Interior shall conduct a special resource study of the home of the late civil rights activist Medgar Evers, located at 2332 Margaret Walker Alexander Drive in Jackson, Mississippi.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall—

(1) evaluate the national significance of the site;

(2) determine the suitability and feasibility of designating the site as a unit of the National Park System;

(3) consider other alternatives for preservation, protection, and interpretation of the site by Federal, State, or local governmental entities, or private and nonprofit organizations;

(4) consult with interested Federal, State, or local governmental entities, private and nonprofit organizations or any other interested individuals;

(5) determine the effect of the designation of the site as a unit of the National Park System on existing commercial and recreational uses, and the effect on State and local governments to manage those activities;

(6) identify any authorities, including condemnation, that will compel or permit the Secretary to influence or participate in local land use decisions (such as zoning) or place restrictions on non-Federal land if the site is designated a unit of the National Park System; and

(7) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives.

(c) APPLICABLE LAW.—The study required under subsection (a) shall be conducted in accordance with section 100507 of title 54, United States Code.

(d) STUDY RESULTS.—Not later than 3 years after the date on which funds are first made available for the study under subsection (a), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the results of the study and any conclusions and recommendations of the Secretary.

TITLE VIII—SKY POINT MOUNTAIN DESIGNATION

SEC. 8001. FINDINGS.

Congress finds the following:

(1) Staff Sergeant Sky Mote, USMC, grew up in El Dorado, California.

(2) Staff Sergeant Mote graduated from Union Mine High School.

(3) Upon graduation, Staff Sergeant Mote promptly enlisted in the Marine Corps.

(4) Staff Sergeant Mote spent 9 years serving his country in the United States Marine Corps, including a deployment to Iraq and two deployments to Afghanistan.

(5) By his decisive actions, heroic initiative, and resolute dedication to duty, Staff Sergeant Mote gave his life to protect fellow Marines on August 10, 2012, by gallantly rushing into action during an attack by a rogue Afghan policeman inside the base perimeter in Helmand province.

(6) Staff Sergeant Mote was awarded the Navy Cross, a Purple Heart, the Navy-Marine Corps Commendation Medal, a Navy-Marine Corps Achievement Medal, two Combat Action Ribbons, and three Good Conduct Medals.

(7) The Congress of the United States, in acknowledgment of this debt that cannot be repaid, honors Staff Sergeant Mote for his ultimate sacrifice and recognizes his service to his country, faithfully executed to his last, full measure of devotion.

(8) A presently unnamed peak in the center of Humphrey Basin holds special meaning to the friends and family of Sky Mote, as their annual hunting trips set up camp beneath this point; under the stars, the memories made beneath this rounded peak will be cherished forever.

SEC. 8002. SKY POINT.

(a) DESIGNATION.—The mountain in the John Muir Wilderness of the Sierra National Forest in California, located at 37°15′16.10091″N 118°43′39.54102″W, shall be known and designated as ''Sky Point''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, record, or other paper of the United States to the mountain described in subsection (a) shall be considered to be a reference to ''Sky Point''.

TITLE IX—CHIEF STANDING BEAR TRAIL STUDY

SEC. 9001. CHIEF STANDING BEAR NATIONAL HISTORIC TRAIL FEASIBILITY STUDY.

Section 5(c) of the National Trails System Act (16 U.S.C. 1244(c)) is amended by adding at the end the following:

''(46) CHIEF STANDING BEAR NATIONAL HISTORIC TRAIL.—

''(A) IN GENERAL.—The Chief Standing Bear Trail, extending approximately 550 miles from Niobrara, Nebraska, to Ponca City, Oklahoma, which follows the route taken by Chief Standing Bear and the Ponca people during Federal Indian removal, and approximately 550 miles from Ponca City, Oklahoma, through Omaha, Nebraska, to Niobrara, Nebraska, which follows the return route taken by Chief Standing Bear and the Ponca people, as generally depicted on the map entitled 'Chief Standing Bear National Historic Trail Feasibility Study', numbered 903/125,630, and dated November 2014.

''(B) AVAILABILITY OF MAP.—The map described in subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the Department of the Interior.

''(C) COMPONENTS.—The feasibility study conducted under subparagraph (A) shall include a determination on whether the Chief Standing Bear Trail meets the criteria described in subsection (b) for designation as a national historic trail.

''(D) CONSIDERATIONS.—In conducting the feasibility study under subparagraph (A), the Secretary of the Interior shall consider input from owners of private land within or adjacent to the study area.''.

TITLE X—JOHN MUIR NATIONAL HISTORIC SITE EXPANSION ACT

SEC. 10001. SHORT TITLE.

This title may be cited as the ''John Muir National Historic Site Expansion Act''.

SEC. 10002. JOHN MUIR NATIONAL HISTORIC SITE LAND ACQUISITION.

(a) ACQUISITION.—The Secretary of the Interior may acquire by donation the approximately 44 acres of land, and interests in such land, that are identified on the map entitled ''John Muir National Historic Site Proposed Boundary Expansion'', numbered 426/127150, and dated November, 2014.

(b) BOUNDARY.—Upon the acquisition of the land authorized by subsection (a), the Secretary of the Interior shall adjust the boundaries of the John Muir Historic Site in Martinez, California, to include the land identified on the map referred to in subsection (a).

(c) ADMINISTRATION.—The land and interests in land acquired under subsection (a) shall be administered as part of the John Muir National Historic Site established by the Act of August 31, 1964 (Public Law 88–547; 78 Stat. 753; 16 U.S.C. 461 note).

TITLE XI—ARAPAHO NATIONAL FOREST BOUNDARY ADJUSTMENT ACT

SEC. 11001. SHORT TITLE.

This title may be cited as the ''Arapaho National Forest Boundary Adjustment Act of 2015''.

SEC. 11002. ARAPAHO NATIONAL FOREST BOUNDARY ADJUSTMENT.

(a) IN GENERAL.—The boundary of the Arapaho National Forest in the State of Colorado is adjusted to incorporate the approximately 92.95 acres of land generally depicted as ''The Wedge'' on the map entitled ''Arapaho National Forest Boundary Adjustment'' and dated November 6, 2013, and described as lots three, four, eight, and nine of section 13, Township 4 North, Range 76 West, Sixth Principal Meridian, Colorado. A lot described in this subsection may be included in the boundary adjustment only after the Secretary of Agriculture obtains written permission for such action from the lot owner or owners.

(b) BOWEN GULCH PROTECTION AREA.—The Secretary of Agriculture shall include all Federal land within the boundary described in subsection (a) in the Bowen Gulch Protection Area established under section 6 of the Colorado Wilderness Act of 1993 (16 U.S.C. 539j).

(c) LAND AND WATER CONSERVATION FUND.—For purposes of section 200306(a)(2)(B)(i) of title 54, United States Code, the boundaries of the Arapaho National Forest, as modified under subsection (a), shall be considered to be the boundaries of the Arapaho National Forest as in existence on January 1, 1965.

(d) PUBLIC MOTORIZED USE.—Nothing in this Act opens privately owned lands within the boundary described in subsection (a) to public motorized use.

(e) ACCESS TO NON-FEDERAL LANDS.—Notwithstanding the provisions of section 6(f) of the Colorado Wilderness Act of 1993 (16 U.S.C. 539j(f)) regarding motorized travel, the owners of any non-Federal lands within the boundary described in subsection (a) who historically have accessed their lands through lands now or hereafter owned by the United States within the boundary described in subsection (a) shall have the continued right of motorized access to their lands across the existing roadway.

TITLE XII—PRESERVATION RESEARCH AT INSTITUTIONS SERVING MINORITIES ACT

SEC. 12001. SHORT TITLE.

This title may be cited as the ''Preservation Research at Institutions Serving Minorities Act'' or the ''PRISM Act''.

SEC. 12002. ELIGIBILITY OF HISPANIC-SERVING INSTITUTIONS AND ASIAN AMERICAN AND NATIVE AMERICAN PACIFIC ISLANDER-SERVING INSTITUTIONS FOR ASSISTANCE FOR PRESERVATION EDUCATION AND TRAINING PROGRAMS.

Section 303903(3) of title 54, United States Code, is amended by inserting ''to Hispanic-serving institutions (as defined in section 502(a) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a))) and Asian American and Native American Pacific Islander-serving institutions (as defined in section 320(b) of the Higher Education Act of 1965 (20 U.S.C. 1059g(b))),'' after ''universities,''.

TITLE XIII—ELKHORN RANCH AND WHITE RIVER NATIONAL FOREST CONVEYANCE ACT

SEC. 13001. SHORT TITLE.

This title may be cited as the ''Elkhorn Ranch and White River National Forest Conveyance Act of 2015''.

SEC. 13002. LAND CONVEYANCE, ELKHORN RANCH AND WHITE RIVER NATIONAL FOREST, COLORADO.

(a) LAND CONVEYANCE REQUIRED.—Consistent with the purpose of the Act of March 3, 1909 (43 U.S.C. 772), all right, title, and interest of the United States (subject to subsection (b)) in and to a parcel of land consisting of approximately 148 acres as generally depicted on the map entitled ''Elkhorn Ranch Land Parcel–White River National Forest'' and dated March 2015 shall be conveyed by patent to the Gordman-Leverich Partnership, a Colorado Limited Liability Partnership (in this section referred to as ''GLP'').

(b) EXISTING RIGHTS.—The conveyance under subsection (a)—

(1) is subject to the valid existing rights of the lessee of Federal oil and gas lease COC–75070 and any other valid existing rights; and

(2) shall reserve to the United States the right to collect rent and royalty payments on the lease referred to in paragraph (1) for the duration of the lease.

(c) EXISTING BOUNDARIES.—The conveyance under subsection (a) does not modify the exterior boundary of the White River National Forest or the boundaries of Sections 18 and 19 of Township 7 South, Range 93 West, Sixth Principal Meridian, Colorado, as such boundaries are in effect on the date of the enactment of this Act.

(d) TIME FOR CONVEYANCE; PAYMENT OF COSTS.—The conveyance directed under subsection (a) shall be completed not later than 180 days after the date of the enactment of this Act. The conveyance shall be without consideration, except that all costs incurred by the Secretary of the Interior relating to any survey, platting, legal description, or other activities carried out to prepare and issue the patent shall be paid by GLP to the Secretary prior to the land conveyance.

TITLE XIV—NATIONAL LIBERTY MEMORIAL CLARIFICATION ACT

SEC. 14001. SHORT TITLE.

This title may be cited as the ''National Liberty Memorial Clarification Act of 2015''.

SEC. 14002. COMPLIANCE WITH CERTAIN STANDARDS FOR COMMEMORATIVE WORKS IN ESTABLISHMENT OF NATIONAL LIBERTY MEMORIAL.

Section 2860(c) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 40 U.S.C. 8903 note) is amended by striking the period at the end and inserting the following: '', except that, under subsections (a)(2) and (b) of section 8905, the Secretary of Agriculture, rather than the Secretary of the Interior or the Administrator of General Services, shall be responsible for the consideration of site and design proposals and the submission of such proposals on behalf of the sponsor to the Commission of Fine Arts and National Capital Planning Commission.''.

TITLE XV—CRAGS, COLORADO LAND EXCHANGE ACT

SEC. 15001. SHORT TITLE.

This title may be cited as the ''Crags, Colorado Land Exchange Act of 2015''.

SEC. 15002. PURPOSES.

The purposes of this title are—

(1) to authorize, direct, expedite, and facilitate the land exchange set forth herein; and

(2) to promote enhanced public outdoor recreational and natural resource conservation opportunities in the Pike National Forest near Pikes Peak, Colorado, via acquisition of the non-Federal land and trail easement.

SEC. 15003. DEFINITIONS.

In this Act:

(1) BHI.—The term ''BHI'' means Broadmoor Hotel, Inc., a Colorado corporation.

(2) FEDERAL LAND.—The term ''Federal land'' means all right, title, and interest of the United States in and to approximately 83 acres of land within the Pike National Forest, El Paso County, Colorado, together with a non-exclusive perpetual access easement to BHI to and from such land on Forest Service Road 371, as generally depicted on the map entitled ''Proposed Crags Land Exchange–Federal Parcel–Emerald Valley Ranch'', dated March 2015.

(3) NON-FEDERAL LAND.—The term ''non-Federal land'' means the land and trail easement to be conveyed to the Secretary by BHI in the exchange and is—

(A) approximately 320 acres of land within the Pike National Forest, Teller County, Colorado, as generally depicted on the map entitled ''Proposed Crags Land Exchange–Non-Federal Parcel–Crags Property'', dated March 2015; and

(B) a permanent trail easement for the Barr Trail in El Paso County, Colorado, as generally depicted on the map entitled ''Proposed Crags Land Exchange–Barr Trail Easement to United States'', dated March 2015, and which shall be considered as a voluntary donation to the United States by BHI for all purposes of law.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture, unless otherwise specified.

SEC. 15004. LAND EXCHANGE.

(a) IN GENERAL.—If BHI offers to convey to the Secretary all right, title, and interest of BHI in and to the non-Federal land, the Secretary shall accept the offer and simultaneously convey to BHI the Federal land.

(b) LAND TITLE.—Title to the non-Federal land conveyed and donated to the Secretary under this Act shall be acceptable to the Secretary and shall conform to the title approval standards of the Attorney General of the United States applicable to land acquisitions by the Federal Government.

(c) PERPETUAL ACCESS EASEMENT TO BHI.—The nonexclusive perpetual access easement to be granted to BHI as shown on the map referred to in section 15003(2) shall allow—

(1) BHI to fully maintain, at BHI's expense, and use Forest Service Road 371 from its junction with Forest Service Road 368 in accordance with historic use and maintenance patterns by BHI; and

(2) full and continued public and administrative access and use of FSR 371 in accordance with the existing Forest Service travel management plan, or as such plan may be revised by the Secretary.

(d) ROUTE AND CONDITION OF ROAD.—BHI and the Secretary may mutually agree to improve, relocate, reconstruct, or otherwise alter the route and condition of all or portions of such road as the Secretary, in close consultation with BHI, may determine advisable.

(e) EXCHANGE COSTS.—BHI shall pay for all land survey, appraisal, and other costs to the Secretary as may be necessary to process and consummate the exchange directed by this Act, including reimbursement to the Secretary, if the Secretary so requests, for staff time spent in such processing and consummation.

SEC. 15005. EQUAL VALUE EXCHANGE AND APPRAISALS.

(a) APPRAISALS.—The values of the lands to be exchanged under this Act shall be determined by the Secretary through appraisals performed in accordance with—

(1) the Uniform Appraisal Standards for Federal Land Acquisitions;

(2) the Uniform Standards of Professional Appraisal Practice;

(3) appraisal instructions issued by the Secretary; and

(4) shall be performed by an appraiser mutually agreed to by the Secretary and BHI.

(b) EQUAL VALUE EXCHANGE.—The values of the Federal and non-Federal land parcels exchanged shall be equal, or if they are not equal, shall be equalized as follows:

(1) SURPLUS OF FEDERAL LAND VALUE.—If the final appraised value of the Federal land exceeds the final appraised value of the non-Federal land parcel identified in section 15003(3)(A), BHI shall make a cash equalization payment to the United States as necessary to achieve equal value, including, if necessary, an amount in excess of that authorized pursuant to section 206(b) of the Federal Land Policy and Management Act of l976 (43 U.S.C. 1716(b)).

(2) USE OF FUNDS.—Any cash equalization moneys received by the Secretary under paragraph (1) shall be—

(A) deposited in the fund established under Public Law 90–171 (commonly known as the ''Sisk Act''; 16 U.S.C. 484a); and

(B) made available to the Secretary for the acquisition of land or interests in land in Region 2 of the Forest Service.

(3) SURPLUS OF NON-FEDERAL LAND VALUE.—If the final appraised value of the non-Federal land parcel identified in section 15003(3)(A) exceeds the final appraised value of the Federal land, the United States shall not make a cash equalization payment to BHI, and surplus value of the non-Federal land shall be considered a donation by BHI to the United States for all purposes of law.

(c) APPRAISAL EXCLUSIONS.—

(1) SPECIAL USE PERMIT.—The appraised value of the Federal land parcel shall not reflect any increase or diminution in value due to the special use permit existing on the date of the enactment of this Act to BHI on the parcel and improvements thereunder.

(2) BARR TRAIL EASEMENT.—The Barr Trail easement donation identified in section 15003(3)(B) shall not be appraised for purposes of this Act.

SEC. 15006. MISCELLANEOUS PROVISIONS.

(a) WITHDRAWAL PROVISIONS.—

(1) WITHDRAWAL.—Lands acquired by the Secretary under this Act shall, without further action by the Secretary, be permanently withdrawn from all forms of appropriation and disposal under the public land laws (including the mining and mineral leasing laws) and the Geothermal Steam Act of 1930 (30 U.S.C. 1001 et seq.).

(2) WITHDRAWAL REVOCATION.—Any public land order that withdraws the Federal land from appropriation or disposal under a public land law shall be revoked to the extent necessary to permit disposal of the Federal land parcel to BHI.

(3) WITHDRAWAL OF FEDERAL LAND.—All Federal land authorized to be exchanged under this Act, if not already withdrawn or segregated from appropriation or disposal under the public lands laws upon enactment of this Act, is hereby so withdrawn, subject to valid existing rights, until the date of conveyance of the Federal land to BHI.

(b) POSTEXCHANGE LAND MANAGEMENT.—Land acquired by the Secretary under this Act shall become part of the Pike-San Isabel National Forest and be managed in accordance with the laws, rules, and regulations applicable to the National Forest System.

(c) EXCHANGE TIMETABLE.—It is the intent of Congress that the land exchange directed by this Act be consummated no later than 1 year after the date of the enactment of this Act.

(d) MAPS, ESTIMATES, AND DESCRIPTIONS.—

(1) MINOR ERRORS.—The Secretary and BHI may by mutual agreement make minor boundary adjustments to the Federal and non-Federal lands involved in the exchange, and may correct any minor errors in any map, acreage estimate, or description of any land to be exchanged.

(2) CONFLICT.—If there is a conflict between a map, an acreage estimate, or a description of land under this Act, the map shall control unless the Secretary and BHI mutually agree otherwise.

(3) AVAILABILITY.—Upon enactment of this Act, the Secretary shall file and make available for public inspection in the headquarters of the Pike-San Isabel National Forest a copy of all maps referred to in this Act.

TITLE XVI—REMOVE REVERSIONARY INTEREST IN ROCKINGHAM COUNTY LAND

SEC. 16001. REMOVAL OF USE RESTRICTION.

Public Law 101–479 (104 Stat. 1158) is amended—

(1) by striking section 2(d); and

(2) by adding at the end the following:

''SEC. 4. REMOVAL OF USE RESTRICTION.

''(a) The approximately 1-acre portion of the land referred to in section 3 that is used for purposes of a child care center, as authorized by this Act, shall not be subject to the use restriction imposed in the deed referred to in section 3.

''(b) Upon enactment of this section, the Secretary of the Interior shall execute an instrument to carry out subsection (a).''.

TITLE XVII—COLTSVILLE NATIONAL HISTORICAL PARK

SEC. 17001. AMENDMENT TO COLTSVILLE NATIONAL HISTORICAL PARK DONATION SITE.

Section 3032(b) of Public Law 113–291 (16 U.S.C. 410qqq) is amended—

(1) in paragraph (2)(B), by striking ''East Armory'' and inserting ''Colt Armory Complex''; and

(2) by adding at the end the following:

''(4) ADDITIONAL ADMINISTRATIVE CONDITIONS.—No non-Federal property may be included in the park without the written consent of the owner. The establishment of the park or the management of the park shall not be construed to create buffer zones outside of the park. That activities or uses can be seen, heard or detected from areas within the park shall not preclude, limit, control, regulate, or determine the

conduct or management of activities or uses outside of the park.''.

TITLE XVIII—MARTIN LUTHER KING, JR. NATIONAL HISTORICAL PARK ACT

SEC. 18001. SHORT TITLE.

This title may be cited as the ''Martin Luther King, Jr. National Historical Park Act of 2016''.

SEC. 18002. MARTIN LUTHER KING, JR. NATIONAL HISTORICAL PARK.

The Act entitled ''An Act to establish the Martin Luther King, Junior, National Historic Site in the State of Georgia, and for other purposes'' (Public Law 96–428) is amended—

(1) in subsection (a) of the first section, by striking ''the map entitled 'Martin Luther King, Junior, National Historic Site Boundary Map', number 489/80,013B, and dated September 1992'' and inserting ''the map entitled 'Martin Luther King, Jr. National Historical Park Proposed Boundary Revision', numbered 489/128,786 and dated June 2015'';

(2) by striking ''Martin Luther King, Junior, National Historic Site'' each place it appears and inserting ''Martin Luther King, Jr. National Historical Park'';

(3) by striking ''national historic site'' each place it appears and inserting ''national historical park'';

(4) by striking ''historic site'' each place it appears and inserting ''historical park''; and

(5) by striking ''historic sites'' in section 2(a) and inserting ''historical parks''.

SEC. 18003. REFERENCES.

Any reference in a law (other than this Act), map, regulation, document, paper, or other record of the United States to ''Martin Luther King, Junior, National Historic Site'' shall be deemed to be a reference to ''Martin Luther King, Jr. National Historical Park''.

TITLE XIX—EXTENSION OF THE AUTHORIZATION FOR THE GULLAH/GEECHEE CULTURAL HERITAGE CORRIDOR COMMISSION

SEC. 19001. EXTENSION OF THE AUTHORIZATION FOR THE GULLAH/GEECHEE CULTURAL HERITAGE CORRIDOR COMMISSION.

Section 295D(d) of the Gullah/Geechee Cultural Heritage Act (Public Law 109–338; 120 Stat. 1833; 16 U.S.C. 461 note) is amended by striking ''10 years'' and inserting ''15 years''.

TITLE XX—9/11 MEMORIAL ACT

SEC. 20001. SHORT TITLE.

This title may be cited as the ''9/11 Memorial Act''.

SEC. 20002. DEFINITIONS.

For purposes of this Act:

(1) ELIGIBLE ENTITY.—The term ''eligible entity'' means a nonprofit organization as defined in section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)) in existence on the date of enactment of this Act.

(2) MAP.—The term ''map'' means the map titled ''National September 11 Memorial Proposed Boundary'', numbered 903/128928, and dated June 2015.

(3) NATIONAL SEPTEMBER 11 MEMORIAL.—The term ''National September 11 Memorial'' means the area approximately bounded by Fulton, Greenwich, Liberty and West Streets as generally depicted on the map.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 20003. DESIGNATION OF MEMORIAL.

(a) DESIGNATION.—The National September 11 Memorial is hereby designated as a national memorial.

(b) MAP.—The map shall be available for public inspection and kept on file at the appropriate office of the Secretary.

(c) EFFECT OF DESIGNATION.—The national memorial designated under this section shall not be a unit of the National Park System and the designation of the national memorial shall not be construed to require or authorize Federal funds to be expended for any purpose related to the national memorial except as provided under section 20004.

SEC. 20004. COMPETITIVE GRANTS FOR CERTAIN MEMORIALS.

(a) COMPETITIVE GRANTS.—Subject to the availability of appropriations, the Secretary may award a single grant per year through a competitive process to an eligible entity for the operation and maintenance of any memorial located within the United States established to commemorate the events of and honor—

(1) the victims of the terrorist attacks on the World Trade Center, the Pentagon, and United Airlines Flight 93 on September 11, 2001; and

(2) the victims of the terrorist attack on the World Trade Center on February 26, 1993.

(b) AVAILABILITY.—Funds made available under this section shall remain available until expended.

(c) CRITERIA.—In awarding grants under this section, the Secretary shall give greatest weight in the selection of eligible entities using the following criteria:

(1) Experience in managing a public memorial that will benefit the largest number of visitors each calendar year.

(2) Experience in managing a memorial of significant size (4 acres or more).

(3) Successful coordination and cooperation with Federal, State, and local governments in operating and managing the memorial.

(4) Ability and commitment to use grant funds to enhance security at the memorial.

(5) Ability to use grant funds to increase the numbers of economically disadvantaged visitors to the memorial and surrounding areas.

(d) SUMMARIES.—Not later than 30 days after the end of each fiscal year in which an eligible entity obligates or expends any part of a grant under this section, the eligible entity shall prepare and submit to the Secretary and Congress a summary that—

(1) specifies the amount of grant funds obligated or expended in the preceding fiscal year;

(2) specifies the purpose for which the funds were obligated or expended; and

(3) includes any other information the Secretary may require to more effectively administer the grant program.

(e) SUNSET.—The authority to award grants under this section shall expire on the date that is 7 years after the date of the enactment of this Act.

TITLE XXI—KENNESAW MOUNTAIN NATIONAL BATTLEFIELD PARK BOUNDARY ADJUSTMENT ACT

SEC. 21001. SHORT TITLE.

This title may be cited as the ''Kennesaw Mountain National Battlefield Park Boundary Adjustment Act of 2015''.

SEC. 21002. FINDINGS.

The Congress finds the following:

(1) Kennesaw Mountain National Battlefield Park was authorized as a unit of the National Park System on June 26, 1935. Prior to 1935, parts of the park had been acquired and protected by Civil War veterans and the War Department.

(2) Kennesaw Mountain National Battlefield Park protects Kennesaw Mountain and Kolb's Farm, which are battle sites along the route of General Sherman's 1864 campaign to take Atlanta.

(3) Most of the park protects Confederate positions and strategy. The Wallis House is one of the few original structures remaining from the Battle of Kennesaw Mountain associated with Union positions and strategy.

(4) The Wallis House is strategically located next to a Union signal station at Harriston Hill.

SEC. 21003. BOUNDARY ADJUSTMENT; LAND ACQUISITION; ADMINISTRATION.

(a) BOUNDARY ADJUSTMENT.—The boundary of the Kennesaw Mountain National Battlefield Park is modified to include the approximately 8 acres identified as ''Wallis House and Harriston Hill'', and generally depicted on the map titled ''Kennesaw Mountain National Battlefield Park, Proposed Boundary Adjustment'', numbered 325/80,020, and dated February 2010.

(b) MAP.—The map referred to in subsection (a) shall be on file and available for inspection in the appropriate offices of the National Park Service.

(c) LAND ACQUISITION.—The Secretary of the Interior is authorized to acquire, from willing owners only, land or interests in land described in subsection (a) by donation or exchange.

(d) ADMINISTRATION OF ACQUIRED LANDS.—The Secretary of the Interior shall administer land and interests in land acquired under this section as part of the Kennesaw Mountain National Battlefield Park in accordance with applicable laws and regulations.

(e) WRITTEN CONSENT OF OWNER.—No non-Federal property may be included in the Kennesaw Mountain National Battlefield Park without the written consent of the owner. This provision shall apply only to those portions of the Park added under subsection (a).

(f) NO USE OF CONDEMNATION.—The Secretary of the Interior may not acquire by condemnation any land or interests in land under this Act or for the purposes of this Act.

(g) NO BUFFER ZONE CREATED.—Nothing in this Act, the establishment of the Kennesaw Mountain National Battlefield Park, or the management plan for the Kennesaw Mountain National Battlefield Park shall be construed to create buffer zones outside of the Park. That activities or uses can be seen, heard, or detected from areas within the Kennesaw Mountain National Battlefield Park shall not preclude, limit, control, regulate or determine the conduct or management of activities or uses outside the Park.

TITLE XXII—VEHICLE ACCESS AT DELAWARE WATER GAP NATIONAL RECREATION AREA

SEC. 22001. VEHICULAR ACCESS AND FEES.

Section 4 of the Delaware Water Gap National Recreation Area Improvement Act (Public Law 109–156) is amended to read as follows:

''SEC. 4. USE OF CERTAIN ROADS WITHIN THE RECREATION AREA.

''(a) IN GENERAL.—Except as otherwise provided in this section, Highway 209, a federally owned road within the boundaries of the Recreation Area, shall be closed to all commercial vehicles.

''(b) EXCEPTION FOR LOCAL BUSINESS USE.—Until September 30, 2020, subsection (a) shall not apply with respect to the use of commercial vehicles that have four or fewer axles and are—

''(1) owned and operated by a business physically located in—

''(A) the Recreation Area; or

''(B) one or more adjacent municipalities; or

''(2) necessary to provide services to businesses or persons located in—

''(A) the Recreation Area; or

''(B) one of more adjacent municipalities.

''(c) FEE.—The Secretary shall establish a fee and permit program for the use by commercial vehicles of Highway 209 under subsection (b). The program shall include an annual fee not to exceed $200 per vehicle. All fees received under the program shall be set aside in a special account and be available, without further appropriation, to the Secretary for the administration and enforcement of the program, including registering vehicles, issuing permits and vehicle identification stickers, and personnel costs.

''(d) EXCEPTIONS.—The following vehicles may use Highway 209 and shall not be subject to a fee or permit requirement under subsection (c):

''(1) Local school buses.

''(2) Fire, ambulance, and other safety and emergency vehicles.

''(3) Commercial vehicles using Federal Road Route 209, from—

''(A) Milford to the Delaware River Bridge leading to U.S. Route 206 in New Jersey; and

''(B) mile 0 of Federal Road Route 209 to Pennsylvania State Route 2001.''.

SEC. 22002. DEFINITIONS.

Section 2 of the Delaware Water Gap National Recreation Area Improvement Act (Public Law 109–156) is amended—

(1) by redesignating paragraphs (1) through (5) as paragraphs (2) through (6), respectively; and

(2) by inserting before paragraph (2) (as so redesignated by paragraph (1) of this section) the following:

''(1) ADJACENT MUNICIPALITIES.—The term 'adjacent municipalities' means Delaware Township, Dingman Township, Lehman Township, Matamoras Borough, Middle Smithfield Township, Milford Borough, Milford Township, Smithfield Township and Westfall Township, in Pennsylvania.''.

SEC. 22003. CONFORMING AMENDMENT.

Section 702 of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333) is repealed.

TITLE XXIII—GULF ISLANDS NATIONAL SEASHORE LAND EXCHANGE ACT

SEC. 23001. SHORT TITLE.

This title may be cited as the ''Gulf Islands National Seashore Land Exchange Act of 2016''.

SEC. 23002. LAND EXCHANGE, GULF ISLANDS NATIONAL SEASHORE, JACKSON COUNTY, MISSISSIPPI.

(a) LAND EXCHANGE AUTHORIZED.—The Secretary of the Interior, acting through the Director of the National Park Service (in this section referred to as the ''Secretary'') may convey to the Veterans of Foreign Wars Post 5699 (in this section referred to as the ''Post'') all right, title, and interest of the United States in and to a parcel of real property, consisting of approximately 1.542 acres and located within the Gulf Islands National Seashore in Jackson County, Mississippi, section 34, township 7 north, range 8 east.

(b) LAND TO BE ACQUIRED.—In exchange for the property described in subsection (a), the Post shall convey to the Secretary all right, title, and interest of the Post in and to a parcel of real property, consisting of approximately 2.161 acres and located in Jackson County, Mississippi, section 34, township 7 north, range 8 east.

(c) EQUAL VALUE EXCHANGE.—The values of the parcels of real property to be exchanged under this section are deemed to be equal.

(d) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary shall require the Post to cover costs to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the land exchange under this section, including survey costs, costs related to environmental documentation, and any other administrative costs related to the land exchange. If amounts are collected from the Secretary in advance of the Secretary incurring the actual costs and the amount collected exceeds the costs actually incurred by the Secretary to carry out the land exchange, the Secretary shall refund the excess amount to the Post.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the land exchange. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of property to be exchanged under this section shall be determined by surveys satisfactory to the Secretary and the Post.

(f) CONVEYANCE AGREEMENT.—The exchange of real property under this section shall be accomplished using a quit claim deed or other legal instrument and upon terms and conditions mutually satisfactory to the Secretary and the Post, including such additional terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

(g) TREATMENT OF ACQUIRED LAND.—Land and interests in land acquired by the United States under subsection (b) shall be administered by the Secretary as part of the Gulf Islands National Seashore.

(h) MODIFICATION OF BOUNDARY.—Upon completion of the land exchange under this section, the Secretary shall modify the boundary of the Gulf Islands National Seashore to reflect such land exchange.

TITLE XXIV—KOREAN WAR VETERANS MEMORIAL WALL OF REMEMBRANCE ACT

SEC. 24001. SHORT TITLE.

This title may be cited as the ''Korean War Veterans Memorial Wall of Remembrance Act of 2016''.

SEC. 24002. WALL OF REMEMBRANCE.

Section 1 of the Act titled ''An Act to authorize the erection of a memorial on Federal Land in the District of Columbia and its environs to honor members of the Armed Forces of the United States who served in the Korean War'', approved October 25, 1986 (Public Law 99–572), is amended by adding at the end the following: ''Such memorial shall include a Wall of Remembrance, which shall be constructed without the use of Federal funds. The American Battle Monuments Commission shall request and consider design recommendations from the Korean War Veterans Memorial Foundation, Inc. for the establishment of the Wall of Remembrance. The Wall of Remembrance shall include—

''(1) a list by name of members of the Armed Forces of the United States who died in theatre in the Korean War;

''(2) the number of members of the Armed Forces of the United States who, in regards to the Korean War—

''(A) were wounded in action;

''(B) are listed as missing in action; or

''(C) were prisoners of war; and

''(3) the number of members of the Korean Augmentation to the United States Army, the Republic of Korea Armed Forces, and the other nations of the United Nations Command who, in regards to the Korean War—

''(A) were killed in action;

''(B) were wounded in action;

''(C) are listed as missing in action; or

''(D) were prisoners of war.''.

TITLE XXV—NATIONAL FOREST SMALL TRACTS ACT AMENDMENTS ACT

SEC. 25001. SHORT TITLE.

This title may be cited as the ''National Forest Small Tracts Act Amendments Act of 2015''.

SEC. 25002. ADDITIONAL AUTHORITY FOR SALE OR EXCHANGE OF SMALL PARCELS OF NATIONAL FOREST SYSTEM LAND.

(a) INCREASE IN MAXIMUM VALUE OF SMALL PARCELS.—Section 3 of Public Law 97–465 (commonly known as the Small Tracts Act; 16 U.S.C. 521e) is amended in the matter preceding paragraph (1) by striking ''$150,000'' and inserting ''$500,000''.

(b) ADDITIONAL CONVEYANCE PURPOSES.—Section 3 of Public Law 97–465 (16 U.S.C. 521e) is further amended—

(1) in the matter preceding paragraph (1), by striking ''which are—'' and inserting ''which involve any one of the following:'';

(2) in paragraph (1)—

(A) by striking ''parcels'' and inserting ''Parcels''; and

(B) by striking the semicolon at the end and inserting a period;

(3) in paragraph (2)—

(A) by striking ''parcels'' the first place it appears and inserting ''Parcels''; and

(B) by striking ''; or'' at the end and inserting a period;

(4) in paragraph (3), by striking ''road'' and inserting ''Road''; and

(5) by adding at the end the following new paragraphs:

''(4) Parcels of 40 acres or less which are determined by the Secretary to be physically isolated, to be inaccessible, or to have lost their National Forest character.

''(5) Parcels of 10 acres or less which are not eligible for conveyance under paragraph (2), but which are encroached upon by permanent habitable improvements for which there is no evidence that the encroachment was intentional or negligent.

''(6) Parcels used as a cemetery, a landfill, or a sewage treatment plant under a special use authorization issued by the Secretary. In the case of a cemetery expected to reach capacity within 10 years, the sale, exchange, or interchange may include, in the sole discretion of the Secretary, up to 1 additional acre abutting the permit area to facilitate expansion of the cemetery.''.

(c) DISPOSITION OF PROCEEDS.—Section 2 of Public Law 97–465 (16 U.S.C. 521d) is amended—

(1) by striking ''The Secretary is authorized'' and inserting the following:

''(a) CONVEYANCE AUTHORITY; CONSIDERATION.—The Secretary is authorized'';

(2) by striking ''The Secretary shall insert'' and inserting the following:

''(b) INCLUSION OF TERMS, COVENANTS, CONDITIONS, AND RESERVATIONS.—The Secretary shall insert'';

(3) by striking ''convenants'' and inserting ''covenants''; and

(4) by adding at the end the following new subsection:

''(c) DISPOSITION OF PROCEEDS.—

''(1) DEPOSIT IN SISK FUND.—The net proceeds derived from any sale or exchange conducted under the authority of paragraph (4), (5), or (6) of section 3 shall be deposited in the fund established by Public Law 90–171 (commonly known as the Sisk Act; 16 U.S.C. 484a).

''(2) USE.—Amounts deposited under paragraph (1) shall be available to the Secretary until expended for—

''(A) the acquisition of land or interests in land for administrative sites for the National Forest System in the State from which the amounts were derived;

''(B) the acquisition of land or interests in land for inclusion in the National Forest System in that State, including land or interests in land which enhance opportunities for recreational access;

''(C) the performance of deferred maintenance on administrative sites for the National Forest System in that State or other deferred maintenance activities in that State which enhance opportunities for recreational access; or

''(D) the reimbursement of the Secretary for costs incurred in preparing a sale conducted under the authority of section 3 if the sale is a competitive sale.''.

TITLE XXVI—WESTERN OREGON TRIBAL FAIRNESS ACT

SEC. 26001. SHORT TITLE.

This title may be cited as the ''Western Oregon Tribal Fairness Act''.

Subtitle A—Cow Creek Umpqua Land Conveyance

SEC. 26011. SHORT TITLE.

This subtitle may be cited as the ''Cow Creek Umpqua Land Conveyance Act''.

SEC. 26012. DEFINITIONS.

In this subtitle:

(1) COUNCIL CREEK LAND.—The term ''Council Creek land'' means the approximately 17,519 acres of land, as generally depicted on the map entitled ''Canyon Mountain Land Conveyance'' and dated June 27, 2013.

(2) TRIBE.—The term ''Tribe'' means the Cow Creek Band of Umpqua Tribe of Indians.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 26013. CONVEYANCE.

(a) IN GENERAL.—Subject to valid existing rights, including rights-of-way, all right, title, and interest of the United States in and to the Council Creek land, including any improvements located on the land, appurtenances to the land, and minerals on or in the land, including oil and gas, shall be—

(1) held in trust by the United States for the benefit of the Tribe; and

(2) part of the reservation of the Tribe.

(b) SURVEY.—Not later than 1 year after the date of enactment of this Act, the Secretary shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under subsection (a).

SEC. 26014. MAP AND LEGAL DESCRIPTION.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of the Council Creek land with—

(1) the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Natural Resources of the House of Representatives.

(b) FORCE AND EFFECT.—The map and legal description filed under subsection (a) shall have the same force and effect as if included in this subtitle, except that the Secretary may correct any clerical or typographical errors in the map or legal description.

(c) PUBLIC AVAILABILITY.—The map and legal description filed under subsection (a) shall be on file and available for public inspection in the Office of the Secretary.

SEC. 26015. ADMINISTRATION.

(a) IN GENERAL.—Unless expressly provided in this subtitle, nothing in this subtitle affects any right or claim of the Tribe existing on the date of enactment of this Act to any land or interest in land.

(b) PROHIBITIONS.—

(1) EXPORTS OF UNPROCESSED LOGS.—Federal law (including regulations) relating to the export of unprocessed logs harvested from Federal land shall apply to any unprocessed logs that are harvested from the Council Creek land.

(2) NON-PERMISSIBLE USE OF LAND.—Any real property taken into trust under section 26013 shall not be eligible, or used, for any gaming activity carried out under Public Law 100–497 (25 U.S.C. 2701 et seq.).

(c) FOREST MANAGEMENT.—Any forest management activity that is carried out on the Council Creek land shall be managed in accordance with all applicable Federal laws.

SEC. 26016. LAND RECLASSIFICATION.

(a) IDENTIFICATION OF OREGON AND CALIFORNIA RAILROAD GRANT LAND.—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture and the Secretary shall identify any Oregon and California Railroad grant land that is held in trust by the United States for the benefit of the Tribe under section 26013.

(b) IDENTIFICATION OF PUBLIC DOMAIN LAND.—Not later than 18 months after the date of enactment of this Act, the Secretary shall identify public domain land in the State of Oregon that—

(1) is approximately equal in acreage and condition as the Oregon and California Railroad grant land identified under subsection (a); and

(2) is located in the vicinity of the Oregon and California Railroad grant land.

(c) MAPS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress and publish in the Federal Register one or more maps depicting the land identified in subsections (a) and (b).

(d) RECLASSIFICATION.—

(1) IN GENERAL.—After providing an opportunity for public comment, the Secretary shall reclassify the land identified in subsection (b) as Oregon and California Railroad grant land.

(2) APPLICABILITY.—The Act of August 28, 1937 (43 U.S.C. 1181a et seq.), shall apply to land reclassified as Oregon and California Railroad grant land under paragraph (1).

Subtitle B—Coquille Forest Fairness

SEC. 26021. SHORT TITLE.

This subtitle may be cited as the ''Coquille Forest Fairness Act''.

SEC. 26022. AMENDMENTS TO COQUILLE RESTORATION ACT.

Section 5(d) of the Coquille Restoration Act (25 U.S.C. 715c(d)) is amended—

(1) by striking paragraph (5) and inserting the following:

''(5) MANAGEMENT.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary, acting through the Assistant Secretary for Indian Affairs, shall manage the Coquille Forest in accordance with the laws pertaining to the management of Indian trust land.

''(B) ADMINISTRATION.—

''(i) UNPROCESSED LOGS.—Unprocessed logs harvested from the Coquille Forest shall be subject to the same Federal statutory restrictions on export to foreign nations that apply to unprocessed logs harvested from Federal land.

''(ii) SALES OF TIMBER.—Notwithstanding any other provision of law, all sales of timber from land subject to this subsection shall be advertised, offered, and awarded according to competitive bidding practices, with sales being awarded to the highest responsible bidder.'';

(2) by striking paragraph (9); and

(3) by redesignating paragraphs (10) through (12) as paragraphs (9) through (11), respectively.

Subtitle C—Oregon Coastal Lands

SEC. 26031. SHORT TITLE.

This subtitle may be cited as the ''Oregon Coastal Lands Act''.

SEC. 26032. DEFINITIONS.

In this subtitle:

(1) CONFEDERATED TRIBES.—The term ''Confederated Tribes'' means the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians.

(2) OREGON COASTAL LAND.—The term ''Oregon Coastal land'' means the approximately 14,408 acres of land, as generally depicted on the map entitled ''Oregon Coastal Land Conveyance'' and dated March 27, 2013.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 26033. CONVEYANCE.

(a) IN GENERAL.—Subject to valid existing rights, including rights-of-way, all right, title, and interest of the United States in and to the Oregon Coastal land, including any improvements located on the land, appurtenances to the land, and minerals on or in the land, including oil and gas, shall be—

(1) held in trust by the United States for the benefit of the Confederated Tribes; and

(2) part of the reservation of the Confederated Tribes.

(b) SURVEY.—Not later than 1 year after the date of enactment of this Act, the Secretary shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under subsection (a).

SEC. 26034. MAP AND LEGAL DESCRIPTION.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of the Oregon Coastal land with—

(1) the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Natural Resources of the House of Representatives.

(b) FORCE AND EFFECT.—The map and legal description filed under subsection (a) shall have the same force and effect as if included in this subtitle, except that the Secretary may correct any clerical or typographical errors in the map or legal description.

(c) PUBLIC AVAILABILITY.—The map and legal description filed under subsection (a) shall be on file and available for public inspection in the Office of the Secretary.

SEC. 26035. ADMINISTRATION.

(a) IN GENERAL.—Unless expressly provided in this subtitle, nothing in this subtitle affects any right or claim of the Confederated Tribes existing on the date of enactment of this Act to any land or interest in land.

(b) PROHIBITIONS.—

(1) EXPORTS OF UNPROCESSED LOGS.—Federal law (including regulations) relating to the export of unprocessed logs harvested from Federal land shall apply to any unprocessed logs that are harvested from the Oregon Coastal land taken into trust under section 26033.

(2) NON-PERMISSIBLE USE OF LAND.—Any real property taken into trust under section 26033 shall not be eligible, or used, for any gaming activity carried out under Public Law 100–497 (25 U.S.C. 2701 et seq.).

(c) LAWS APPLICABLE TO COMMERCIAL FORESTRY ACTIVITY.—Any commercial forestry activity that is carried out on the Oregon Coastal land taken into trust under section 26033 shall be managed in accordance with all applicable Federal laws.

(d) AGREEMENTS.—The Confederated Tribes shall consult with the Secretary and other parties as necessary to develop agreements to provide for access to the Oregon Coastal land taken into trust under section 26033 that provide for—

(1) honoring existing reciprocal right-of-way agreements;

(2) administrative access by the Bureau of Land Management; and

(3) management of the Oregon Coastal lands that are acquired or developed under chapter 2003 of title 54, United States Code (commonly known as the ''Land and Water Conservation Fund Act of 1965''), consistent with section 200305(f)(3) of that title.

(e) LAND USE PLANNING REQUIREMENTS.—Except as provided in subsection (c), once the Oregon Coastal land is taken into trust under section 26033, the land shall not be subject to the land use planning requirements of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) or the Act of August 28, 1937 (43 U.S.C. 1181a et seq.).

SEC. 26036. LAND RECLASSIFICATION.

(a) IDENTIFICATION OF OREGON AND CALIFORNIA RAILROAD GRANT LAND.—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture and the Secretary shall identify any Oregon and California Railroad grant land that is held in trust by the United States for the benefit of the Confederated Tribes under section 26033.

(b) IDENTIFICATION OF PUBLIC DOMAIN LAND.—Not later than 18 months after the date of enactment of this Act, the Secretary shall identify public domain land in the State of Oregon that—

(1) is approximately equal in acreage and condition as the Oregon and California Railroad grant land identified under subsection (a); and

(2) is located in the vicinity of the Oregon and California Railroad grant land.

(c) MAPS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress and publish in the Federal Register one or more maps depicting the land identified in subsections (a) and (b).

(d) RECLASSIFICATION.—

(1) IN GENERAL.—After providing an opportunity for public comment, the Secretary shall reclassify the land identified in subsection (b) as Oregon and California Railroad grant land.

(2) APPLICABILITY.—The Act of August 28, 1937 (43 U.S.C. 1181a et seq.), shall apply to land reclassified as Oregon and California Railroad grant land under paragraph (1).

DIVISION D—SCIENCE

TITLE V—DEPARTMENT OF ENERGY SCIENCE

SEC. 501. MISSION.

Section 209 of the Department of Energy Organization Act (42 U.S.C. 7139) is amended by adding at the end the following:

''(c) MISSION.—The mission of the Office of Science shall be the delivery of scientific discoveries, capabilities, and major scientific tools to transform the understanding of nature and to advance the energy, economic, and national security of the United States. In support of this mission, the Director shall carry out programs on basic energy sciences, advanced scientific computing research, high energy physics, biological and environmental research, fusion energy sciences, and nuclear physics, including as provided under subtitle A of title V of the America COMPETES Reauthorization Act of 2015, through activities focused on—

''(1) fundamental scientific discoveries through the study of matter and energy;

''(2) science in the national interest, including—

''(A) advancing an agenda for American energy security through research on energy production, storage, transmission, efficiency, and use; and

''(B) advancing our understanding of the Earth's climate through research in atmospheric and environmental sciences; and

''(3) National Scientific User Facilities to deliver the 21st century tools of science, engineering, and technology and provide the Nation's researchers with the most advanced tools of modern science including accelerators, colliders, supercomputers, light sources and neutron sources, and facilities for studying materials science.

''(d) COORDINATION WITH OTHER DEPARTMENT OF ENERGY PROGRAMS.—The Under Secretary for Science and Energy shall ensure the coordination of Office of Science activities and programs with other activities of the Department.''.

SEC. 502. BASIC ENERGY SCIENCES.

(a) PROGRAM.—The Director shall carry out a program in basic energy sciences, including materials sciences and engineering, chemical sciences, physical biosciences, and geosciences, for the purpose of providing the scientific foundations for new energy technologies.

(b) MISSION.—The mission of the program described in subsection (a) shall be to support fundamental research to understand, predict, and ultimately control matter and energy at the electronic, atomic, and molecular levels in order to provide the foundations for new energy technologies and to support Department missions in energy, environment, and national security.

(c) BASIC ENERGY SCIENCES USER FACILITIES.—The Director shall carry out a subprogram for the development, construction, operation, and maintenance of national user facilities to support the program under this section. As practicable, these facilities shall serve the needs of the Department, industry, the academic community, and other relevant entities to create and examine new materials and chemical processes for the purposes of advancing new energy technologies and improving the competitiveness of the United States. These facilities shall include—

(1) x-ray light sources;

(2) neutron sources;

(3) nanoscale science research centers; and

(4) other facilities the Director considers appropriate, consistent with section 209 of the Department of Energy Organization Act (42 U.S.C. 7139).

(d) LIGHT SOURCE LEADERSHIP INITIATIVE.—

(1) ESTABLISHMENT.—In support of the subprogram authorized in subsection (c), the Director shall establish an initiative to sustain and advance global leadership of light source user facilities.

(2) LEADERSHIP STRATEGY.—Not later than 9 months after the date of enactment of this Act, and biennially thereafter, the Director shall prepare, in consultation with relevant stakeholders, and submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a light source leadership strategy that—

(A) identifies, prioritizes, and describes plans for the development, construction, and operation of light sources over the next decade;

(B) describes plans for optimizing management and use of existing light source facilities; and

(C) assesses the international outlook for light source user facilities and describes plans for United States cooperation in such projects.

(3) ADVISORY COMMITTEE FEEDBACK AND RECOMMENDATIONS.—Not later than 45 days after submission of the strategy described in paragraph (2), the Basic Energy Sciences Advisory Committee shall provide the Director, the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Energy and Natural Resources of the Senate a report of the Advisory Committee's analyses, findings, and recommendations for improving the strategy, including a review of the most recent budget request for the initiative.

(4) PROPOSED BUDGET.—The Director shall transmit annually to Congress a proposed budget corresponding to the activities identified in the strategy.

(e) ACCELERATOR RESEARCH AND DEVELOPMENT.—The Director shall carry out research and development on advanced accelerator and storage ring technologies relevant to the development of Basic Energy Sciences user facilities, in consultation with the Office of Science's High Energy Physics and Nuclear Physics programs.

(f) ENERGY FRONTIER RESEARCH CENTERS.—

(1) IN GENERAL.—The Director shall carry out a program to provide awards, on a competitive, merit-reviewed basis, to multi-institutional collaborations or other appropriate entities to conduct fundamental and use-inspired energy research to accelerate scientific breakthroughs.

(2) COLLABORATIONS.—A collaboration receiving an award under this subsection may include multiple types of institutions and private sector entities.

(3) SELECTION AND DURATION.—

(A) IN GENERAL.—A collaboration under this subsection shall be selected for a period of 5 years. An Energy Frontier Research Center already in existence and supported by the Director on the date of enactment of this Act may continue to receive support for a period of 5 years beginning on the date of establishment of that center.

(B) REAPPLICATION.—After the end of the period described in subparagraph (A), an awardee may reapply for selection for a second period of 5 years on a competitive, merit-reviewed basis.

(C) TERMINATION.—Consistent with the existing authorities of the Department, the Director may terminate an underperforming center for cause during the performance period.

(4) NO FUNDING FOR CONSTRUCTION.—No funding provided pursuant to this subsection may be used for the construction of new buildings or facilities.

SEC. 503. ADVANCED SCIENTIFIC COMPUTING RESEARCH.

(a) PROGRAM.—The Director shall carry out a research, development, and demonstration program to advance computational and networking capabilities to analyze, model, simulate, and predict complex phenomena relevant to the development of new energy technologies and the competitiveness of the United States.

(b) FACILITIES.—The Director, as part of the program described in subsection (a), shall develop and maintain world-class computing and network facilities for science and deliver critical research in applied mathematics, computer science, and advanced networking to support the Department's missions.

(c) DEFINITIONS.—Section 2 of the Department of Energy High-End Computing Revitalization Act of 2004 (15 U.S.C. 5541) is amended by striking paragraphs (1) through (5) and inserting the following:

''(1) CO-DESIGN.—The term 'co-design' means the joint development of application algorithms, models, and codes with computer technology architectures and operating systems to maximize effective use of high-end computing systems.

''(2) DEPARTMENT.—The term 'Department' means the Department of Energy.

''(3) EXASCALE.—The term 'exascale' means computing system performance at or near 10 to the 18th power floating point operations per second.

''(4) HIGH-END COMPUTING SYSTEM.—The term 'high-end computing system' means a computing system with performance that substantially exceeds that of systems that are commonly available for advanced scientific and engineering applications.

''(5) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

''(6) LEADERSHIP SYSTEM.—The term 'leadership system' means a high-end computing system that is among the most advanced in the world in terms of performance in solving scientific and engineering problems.

''(7) NATIONAL LABORATORY.—The term 'National Laboratory' means any one of the seventeen laboratories owned by the Department.

''(8) SECRETARY.—The term 'Secretary' means the Secretary of Energy.

''(9) SOFTWARE TECHNOLOGY.—The term 'software technology' includes optimal algorithms, programming environments, tools, languages, and operating systems for high-end computing systems.''.

(d) DEPARTMENT OF ENERGY HIGH-END COMPUTING RESEARCH AND DEVELOPMENT PROGRAM.—Section 3 of the Department of Energy High-End Computing Revitalization Act of 2004 (15 U.S.C. 5542) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''program'' and inserting ''coordinated program across the Department'';

(B) by striking ''and'' at the end of paragraph (1);

(C) by striking the period at the end of paragraph (2) and inserting ''; and''; and

(D) by adding at the end the following new paragraph:

''(3) partner with universities, National Laboratories, and industry to ensure the broadest possible application of the technology developed in this program to other challenges in science, engineering, medicine, and industry.'';

(2) in subsection (b)(2), by striking ''vector'' and all that follows through ''architectures''

and inserting ''computer technologies that show promise of substantial reductions in power requirements and substantial gains in parallelism of multicore processors, concurrency, memory and storage, bandwidth, and reliability''; and

(3) by striking subsection (d) and inserting the following:

''(d) EXASCALE COMPUTING PROGRAM.—

''(1) IN GENERAL.—The Secretary shall conduct a coordinated research program to develop exascale computing systems to advance the missions of the Department.

''(2) EXECUTION.—The Secretary shall, through competitive merit review, establish two or more National Laboratory-industry-university partnerships to conduct integrated research, development, and engineering of multiple exascale architectures, and—

''(A) conduct mission-related co-design activities in developing such exascale platforms;

''(B) develop those advancements in hardware and software technology required to fully realize the potential of an exascale production system in addressing Department target applications and solving scientific problems involving predictive modeling and simulation and large-scale data analytics and management; and

''(C) explore the use of exascale computing technologies to advance a broad range of science and engineering.

''(3) ADMINISTRATION.—In carrying out this program, the Secretary shall—

''(A) provide, on a competitive, merit-reviewed basis, access for researchers in United States industry, institutions of higher education, National Laboratories, and other Federal agencies to these exascale systems, as appropriate; and

''(B) conduct outreach programs to increase the readiness for the use of such platforms by domestic industries, including manufacturers.

''(4) REPORTS.—

''(A) INTEGRATED STRATEGY AND PROGRAM MANAGEMENT PLAN.—The Secretary shall submit to Congress, not later than 90 days after the date of enactment of the America COMPETES Reauthorization Act of 2015, a report outlining an integrated strategy and program management plan, including target dates for prototypical and production exascale platforms, interim milestones to reaching these targets, functional requirements, roles and responsibilities of National Laboratories and industry, acquisition strategy, and estimated resources required, to achieve this exascale system capability. The report shall include the Secretary's plan for Departmental organization to manage and execute the Exascale Computing Program, including definition of the roles and responsibilities within the Department to ensure an integrated program across the Department. The report shall also include a plan for ensuring balance and prioritizing across ASCR subprograms in a flat or slow-growth budget environment.

''(B) STATUS REPORTS.—At the time of the budget submission of the Department for each fiscal year, the Secretary shall submit a report to Congress that describes the status of milestones and costs in achieving the objectives of the exascale computing program.

''(C) EXASCALE MERIT REPORT.—At least 18 months prior to the initiation of construction or installation of any exascale-class computing facility, the Secretary shall transmit a plan to the Congress detailing—

''(i) the proposed facility's cost projections and capabilities to significantly accelerate the development of new energy technologies;

''(ii) technical risks and challenges that must be overcome to achieve successful completion and operation of the facility; and

''(iii) an independent assessment of the scientific and technological advances expected from such a facility relative to those expected from a comparable investment in expanded research and applications at terascale-class and petascale-class computing facilities, including an evaluation of where investments should be made in the system software and algorithms to enable these advances.''.

SEC. 504. HIGH ENERGY PHYSICS.

(a) PROGRAM.—The Director shall carry out a research program on the fundamental constituents of matter and energy and the nature of space and time.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the Director should incorporate the findings and recommendations of the Particle Physics Project Prioritization Panel's report entitled ''Building for Discovery: Strategic Plan for U.S. Particle Physics in the Global Context'', into the Department's planning process as part of the program described in subsection (a);

(2) the Director should prioritize domestically hosted research projects that will maintain the United States position as a global leader in particle physics and attract the world's most talented physicists and foreign investment for international collaboration; and

(3) the nations that lead in particle physics by hosting international teams dedicated to a common scientific goal attract the world's best talent and inspire future generations of physicists and technologists.

(c) NEUTRINO RESEARCH.—As part of the program described in subsection (a), the Director shall carry out research activities on rare decay processes and the nature of the neutrino, which may include collaborations with the National Science Foundation or international collaborations.

(d) DARK ENERGY AND DARK MATTER RESEARCH.—As part of the program described in subsection (a), the Director shall carry out research activities on the nature of dark energy and dark matter, which may include collaborations with the National Aeronautics and Space Administration or the National Science Foundation, or international collaborations.

(e) ACCELERATOR RESEARCH AND DEVELOPMENT.—The Director shall carry out research and development in advanced accelerator concepts and technologies, including laser technologies, to reduce the necessary scope and cost for the next generation of particle accelerators. The Director shall ensure access to national laboratory accelerator facilities, infrastructure, and technology for users and developers of accelerators that advance applications in energy and the environment, medicine, industry, national security, and discovery science.

(f) INTERNATIONAL COLLABORATION.—The Director, as practicable and in coordination with other appropriate Federal agencies as necessary, shall ensure the access of United States researchers to the most advanced accelerator facilities and research capabilities in the world, including the Large Hadron Collider.

SEC. 505. BIOLOGICAL AND ENVIRONMENTAL RESEARCH.

(a) PROGRAM.—The Director shall carry out a program of research, development, and demonstration in the areas of biological systems science and climate and environmental science to support the energy and environmental missions of the Department.

(b) PRIORITY RESEARCH.—In carrying out this section, the Director shall prioritize fundamental research on biological systems and genomics science with the greatest potential to enable scientific discovery.

(c) ASSESSMENT.—Not later than 12 months after the date of enactment of this Act, the Comptroller General shall submit a report to Congress identifying climate science-related initiatives under this section that overlap or duplicate initiatives of other Federal agencies and the extent of such overlap or duplication.

(d) LIMITATION.—The Director shall not approve new climate science-related initiatives to be carried out through the Office of Science without making a determination that such work is unique and not duplicative of work by other Federal agencies. Not later than 3 months after receiving the assessment required under subsection (c), the Director shall cease those climate science-related initiatives identified in the assessment as overlapping or duplicative, unless the Director justifies that such work is critical to achieving American energy security.

(e) LOW DOSE RADIATION RESEARCH PROGRAM.—

(1) IN GENERAL.—The Director of the Department of Energy Office of Science shall carry out a research program on low dose radiation. The purpose of the program is to enhance the scientific understanding of and reduce uncertainties associated with the effects of exposure to low dose radiation in order to inform improved risk management methods.

(2) STUDY.—Not later than 60 days after the date of enactment of this Act, the Director shall enter into an agreement with the National Academies to conduct a study assessing the current status and development of a long-term strategy for low dose radiation research. Such study shall be completed not later than 18 months after the date of enactment of this Act. The study shall be conducted in coordination with Federal agencies that perform ionizing radiation effects research and shall leverage the most current studies in this field. Such study shall—

(A) identify current scientific challenges for understanding the long-term effects of ionizing radiation;

(B) assess the status of current low dose radiation research in the United States and internationally;

(C) formulate overall scientific goals for the future of low-dose radiation research in the United States;

(D) recommend a long-term strategic and prioritized research agenda to address scientific research goals for overcoming the identified scientific challenges in coordination with other research efforts;

(E) define the essential components of a research program that would address this research agenda within the universities and the National Laboratories; and

(F) assess the cost-benefit effectiveness of such a program.

(3) RESEARCH PLAN.—Not later than 90 days after the completion of the study performed under paragraph (2) the Secretary of Energy shall deliver to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a 5-year research plan that responds to the study's findings and recommendations and identifies and prioritizes research needs.

(4) DEFINITION.—In this subsection, the term ''low dose radiation'' means a radiation dose of less than 100 millisieverts.

(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to subject any research carried out by the Director under the research program under this subsection to any limitations described in section 977(e) of the Energy Policy Act of 2005 (42 U.S.C. 16317(e)).

SEC. 506. FUSION ENERGY.

(a) PROGRAM.—The Director shall carry out a fusion energy sciences research program to expand the fundamental understanding of plasmas and matter at very high temperatures and densities and to build the scientific foundation necessary to enable fusion power.

(b) FUSION MATERIALS RESEARCH AND DEVELOPMENT.—As part of the activities authorized in section 978 of the Energy Policy Act of 2005 (42 U.S.C. 16318)—

(1) the Director, in coordination with the Assistant Secretary for Nuclear Energy of the Department, shall carry out research and development activities to identify, characterize, and demonstrate materials that can endure the neutron, plasma, and heat fluxes expected in a fusion power system; and

(2) the Secretary shall—

(A) provide an assessment of the need for a facility or facilities that can examine and test potential fusion and next generation fission materials and other enabling technologies relevant to the development of fusion power; and

(B) provide an assessment of whether a single new facility that substantially addresses magnetic fusion and next generation fission materials research needs is feasible, in conjunction with the expected capabilities of facilities operational as of the date of enactment of this Act.

(c) TOKAMAK RESEARCH AND DEVELOPMENT.—

(1) IN GENERAL.—As part of the program described in subsection (a), the Director shall support research and development activities and facility operations to optimize the tokamak approach to fusion energy.

(2) ITER.—

(A) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report providing an assessment of—

(i) the most recent schedule for ITER that has been approved by the ITER Council; and

(ii) progress of the ITER Council and the ITER Director General toward implementation of the recommendations of the Third Biennial International Organization Management Assessment Report.

(B) FAIRNESS IN COMPETITION FOR SOLICITATIONS FOR INTERNATIONAL PROJECT ACTIVITIES.—Section 33 of the Atomic Energy Act of 1954 (42 U.S.C. 2053) is amended by adding at the end the following: ''For purposes of this section, with respect to international research projects, the term 'private facilities or laboratories' shall refer to facilities or laboratories located in the United States.''.

(C) SENSE OF CONGRESS.—It is the sense of Congress that the United States should support a robust, diverse fusion program. It is further the sense of Congress that developing the scientific basis for fusion, providing research results key to the success of ITER, and training the next generation of fusion scientists are of critical importance to the United States and should in no way be diminished by participation of the United States in the ITER project.

(d) INERTIAL FUSION ENERGY RESEARCH AND DEVELOPMENT PROGRAM.—The Secretary shall carry out a program of research and technology development in inertial fusion for energy applications, including ion beam, laser, and pulsed power fusion systems.

(e) ALTERNATIVE AND ENABLING CONCEPTS.—

(1) IN GENERAL.—As part of the program described in subsection (a), the Director shall support research and development activities and facility operations at United States universities, national laboratories, and private facilities for a portfolio of alternative and enabling fusion energy concepts that may provide solutions to significant challenges to the establishment of a commercial magnetic fusion power plant, prioritized based on the ability of the United States to play a leadership role in the international fusion research community. Fusion energy concepts and activities explored under this paragraph may include—

(A) high magnetic field approaches facilitated by high temperature superconductors;

(B) advanced stellarator concepts;

(C) non-tokamak confinement configurations operating at low magnetic fields;

(D) magnetized target fusion energy concepts;

(E) liquid metals to address issues associated with fusion plasma interactions with the inner wall of the encasing device;

(F) immersion blankets for heat management and fuel breeding;

(G) advanced scientific computing activities; and

(H) other promising fusion energy concepts identified by the Director.

(2) COORDINATION WITH ARPA–E.—The Under Secretary and the Director shall coordinate with the Director of the Advanced Research Projects Agency–Energy (in this paragraph referred to as ''ARPA–E'') to—

(A) assess the potential for any fusion energy project supported by ARPA–E to represent a promising approach to a commercially viable fusion power plant;

(B) determine whether the results of any fusion energy project supported by ARPA–E merit the support of follow-on research activities carried out by the Office of Science; and

(C) avoid unintentional duplication of activities.

(f) GENERAL PLASMA SCIENCE AND APPLICATIONS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall provide to Congress an assessment of opportunities in which the United States can provide world-leading contributions to advancing plasma science and non-fusion energy applications, and identify opportunities for partnering with other Federal agencies both within and outside of the Department of Energy.

(g) IDENTIFICATION OF PRIORITIES.—

(1) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall transmit to Congress a report on the Department's proposed fusion energy research and development activities over the following 10 years under at least 3 realistic budget scenarios, including a scenario based on 3 percent annual growth in the non-ITER portion of the budget for fusion energy research and development activities. The report shall—

(A) identify specific areas of fusion energy research and enabling technology development in which the United States can and should establish or solidify a lead in the global fusion energy development effort;

(B) identify priorities for initiation of facility construction and facility decommissioning under each of those scenarios; and

(C) assess the ability of the United States fusion workforce to carry out the activities identified in subparagraphs (A) and (B), including the adequacy of college and university programs to train the leaders and workers of the next generation of fusion energy researchers.

(2) PROCESS.—In order to develop the report required under paragraph (1), the Secretary shall leverage best practices and lessons learned from the process used to develop the most recent report of the Particle Physics Project Prioritization Panel of the High Energy Physics Advisory Panel. No member of the Fusion Energy Sciences Advisory Committee shall be excluded from participating in developing or voting on final approval of the report required under paragraph (1).

SEC. 507. NUCLEAR PHYSICS.

(a) PROGRAM.—The Director shall carry out a program of experimental and theoretical research, and support associated facilities, to discover, explore, and understand all forms of nuclear matter.

(b) ISOTOPE DEVELOPMENT AND PRODUCTION FOR RESEARCH APPLICATIONS.—The Director shall carry out a program for the production of isotopes, including the development of techniques to produce isotopes, that the Secretary determines are needed for research, medical, industrial, or other purposes. In making this determination, the Secretary shall—

(1) ensure that, as has been the policy of the United States since the publication in 1965 of Federal Register notice 30 Fed. Reg. 3247, isotope production activities do not compete with private industry unless critical national interests necessitate the Federal Government's involvement;

(2) ensure that activities undertaken pursuant to this section, to the extent practicable, promote the growth of a robust domestic isotope production industry; and

(3) consider any relevant recommendations made by Federal advisory committees, the National Academies, and interagency working groups in which the Department participates.

SEC. 508. SCIENCE LABORATORIES INFRASTRUCTURE PROGRAM.

(a) PROGRAM.—The Director shall carry out a program to improve the safety, efficiency, and mission readiness of infrastructure at Office of Science laboratories. The program shall include projects to—

(1) renovate or replace space that does not meet research needs;

(2) replace facilities that are no longer cost effective to renovate or operate;

(3) modernize utility systems to prevent failures and ensure efficiency;

(4) remove excess facilities to allow safe and efficient operations; and

(5) construct modern facilities to conduct advanced research in controlled environmental conditions.

(b) APPROACH.—In carrying out this section, the Director shall utilize all available approaches and mechanisms, including capital line items, minor construction projects, energy savings performance contracts, utility energy service contracts, alternative financing, and expense funding, as appropriate.

SEC. 509. DOMESTIC MANUFACTURING.

Not later than 1 year after the date of enactment of this Act, the Secretary shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the current ability of domestic manufacturers to meet the procurement requirements for major ongoing projects funded by the Office of Science of the Department, including a calculation of the percentage of equipment acquired from domestic manufacturers for this purpose.

SEC. 510. AUTHORIZATION OF APPROPRIATIONS.

(a) FISCAL YEAR 2016.—There are authorized to be appropriated to the Secretary for the Office of Science for fiscal year 2016 $5,339,800,000, of which—

(1) $1,850,000,000 shall be for Basic Energy Science;

(2) $788,000,000 shall be for High Energy Physics;

(3) $550,000,000 shall be for Biological and Environmental Research;

(4) $624,700,000 shall be for Nuclear Physics;

(5) $621,000,000 shall be for Advanced Scientific Computing Research;

(6) $488,000,000 shall be for Fusion Energy Sciences;

(7) $113,600,000 shall be for Science Laboratories Infrastructure;

(8) $181,000,000 shall be for Science Program Direction;

(9) $103,000,000 shall be for Safeguards and Security; and

(10) $20,500,000 shall be for Workforce Development for Teachers and Scientists.

(b) FISCAL YEAR 2017.—There are authorized to be appropriated to the Secretary for the Office of Science for fiscal year 2017 $5,339,800,000, of which—

(1) $1,850,000,000 shall be for Basic Energy Science;

(2) $788,000,000 shall be for High Energy Physics;

(3) $550,000,000 shall be for Biological and Environmental Research;

(4) $624,700,000 shall be for Nuclear Physics;

(5) $621,000,000 shall be for Advanced Scientific Computing Research;

(6) $488,000,000 shall be for Fusion Energy Sciences;

(7) $113,600,000 shall be for Science Laboratories Infrastructure;

(8) $181,000,000 shall be for Science Program Direction;

(9) $103,000,000 shall be for Safeguards and Security; and

(10) $20,500,000 shall be for Workforce Development for Teachers and Scientists.

SEC. 511. DEFINITIONS.

In this title—

(1) the term ''Department'' means the Department of Energy;

(2) the term ''Director'' means the Director of the Office of Science of the Department; and

(3) the term ''Secretary'' means the Secretary of Energy.

TITLE VI—DEPARTMENT OF ENERGY APPLIED RESEARCH AND DEVELOPMENT

Subtitle A—Crosscutting Research and Development

SEC. 601. CROSSCUTTING RESEARCH AND DEVELOPMENT.

(a) CROSSCUTTING RESEARCH AND DEVELOPMENT.—The Secretary shall, through the Under Secretary for Science and Energy, utilize the capabilities of the Department to identify strategic opportunities for collaborative research, development, demonstration, and commercial application of innovative science and technologies for—

(1) advancing the understanding of the energy-water-land use nexus;

(2) modernizing the electric grid by improving energy transmission and distribution systems security and resiliency;

(3) utilizing supercritical carbon dioxide in electric power generation;

(4) subsurface technology and engineering;

(5) high performance computing;

(6) cybersecurity; and

(7) critical challenges identified through comprehensive energy studies, evaluations, and reviews.

(b) CROSSCUTTING APPROACHES.—To the maximum extent practicable, the Secretary shall seek to leverage existing programs, and consolidate and coordinate activities, throughout the Department to promote collaboration and crosscutting approaches within programs.

(c) ADDITIONAL ACTIONS.—The Secretary shall—

(1) prioritize activities that promote the utilization of all affordable domestic resources;

(2) develop a rigorous and realistic planning, evaluation, and technical assessment framework for setting objective, long-term strategic goals and evaluating progress that ensures the integrity and independence to insulate planning from political influence and the flexibility to adapt to market dynamics;

(3) ensure that activities shall be undertaken in a manner that does not duplicate other activities within the Department or other Federal Government activities; and

(4) identify programs that may be more effectively left to the States, industry, nongovernmental organizations, institutions of higher education, or other stakeholders.

SEC. 602. STRATEGIC RESEARCH PORTFOLIO ANALYSIS AND COORDINATION PLAN.

Section 994 of Energy Policy Act of 2005 (42 U.S.C. 16358) is amended to read as follows:

''SEC. 994. STRATEGIC RESEARCH PORTFOLIO ANALYSIS AND COORDINATION PLAN.

''(a) IN GENERAL.—The Secretary shall periodically review all of the science and technology activities of the Department in a strategic framework that takes into account the frontiers of science to which the Department can contribute, the national needs relevant to the Department's statutory missions, and global energy dynamics.

''(b) COORDINATION ANALYSIS AND PLAN.—As part of the review under subsection (a), the Secretary shall develop a plan to improve coordination and collaboration in research, development, demonstration, and commercial application activities across Department organizational boundaries.

''(c) PLAN CONTENTS.—The plan shall describe—

''(1) crosscutting scientific and technical issues and research questions that span more than one program or major office of the Department;

''(2) how the applied technology programs of the Department are coordinating their activities, and addressing those questions;

''(3) ways in which the technical interchange within the Department, particularly between the Office of Science and the applied technology programs, can be enhanced, including limited ways in which the research agendas of the Office of Science and the applied programs can better interact and assist each other;

''(4) a description of how the Secretary will ensure that the Department's overall research agenda include, in addition to fundamental, curiosity-driven research, fundamental research related to topics of concern to the applied programs, and applications in Departmental technology programs of research results generated by fundamental, curiosity-driven research;

''(5) critical assessments of any ongoing programs that have experienced sub-par performance or cost over-runs of 10 percent or more over 1 or more years;

''(6) activities that may be more effectively left to the States, industry, nongovernmental organizations, institutions of higher education, or other stakeholders; and

''(7) detailed proposals for innovation hubs, institutes, and research centers prior to establishment or renewal by the Department, including—

''(A) certification that all hubs, institutes, and research centers will advance the mission of the Department, and prioritize research, development, and demonstration;

''(B) certification that the establishment or renewal of hubs, institutes, or research centers will not diminish funds available for basic research and development within the Office of Science; and

''(C) certification that all hubs, institutes, and research centers established or renewed within the Office of Science are consistent with the mission of the Office of Science as described in section 209(c) of the Department of Energy Organization Act (42 U.S.C. 7139(c)).

''(d) PLAN TRANSMITTAL.—Not later than 1 year after the date of enactment of the America COMPETES Reauthorization Act of 2015, and every 4 years thereafter, the Secretary shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the results of the review under subsection (a) and the coordination plan under subsection (b).''.

SEC. 603. STRATEGY FOR FACILITIES AND INFRASTRUCTURE.

(a) AMENDMENTS.—Section 993 of the Energy Policy Act of 2005 (42 U.S.C. 16357) is amended—

*(1) by amending the section heading to read as follows: ''**STRATEGY FOR FACILITIES AND INFRASTRUCTURE**''; and*

(2) in subsection (b)(1), by striking ''2008'' and inserting ''2018''.

(b) TABLE OF CONTENTS AMENDMENT.—The item relating to section 993 in the table of contents of the Energy Policy Act of 2005 is amended to read as follows:

''Sec. 993. Strategy for facilities and infrastructure.''.

SEC. 604. ENERGY INNOVATION HUBS.

(a) AUTHORIZATION OF PROGRAM.—

(1) IN GENERAL.—The Secretary of Energy shall carry out a program to enhance the Nation's economic, environmental, and energy security by making awards to consortia for establishing and operating Energy Innovation Hubs to conduct and support, whenever practicable at one centralized location, multidisciplinary, collaborative research, development, and demonstration of advanced energy technologies.

(2) TECHNOLOGY DEVELOPMENT FOCUS.—The Secretary shall designate for each Hub a unique advanced energy technology focus.

(3) COORDINATION.—The Secretary shall ensure the coordination of, and avoid unnecessary duplication of, the activities of Hubs with those of other Department of Energy research entities, including the National Laboratories, the Advanced Research Projects Agency-Energy, Energy Frontier Research Centers, and within industry.

(b) CONSORTIA.—

(1) ELIGIBILITY.—To be eligible to receive an award under this section for the establishment and operation of a Hub, a consortium shall—

(A) be composed of no fewer than two qualifying entities; and

(B) operate subject to an agreement entered into by its members that documents—

(i) the proposed partnership agreement, including the governance and management structure of the Hub;

(ii) measures to enable cost-effective implementation of the program under this section;

(iii) a proposed budget, including financial contributions from non-Federal sources;

(iv) a plan for managing intellectual property rights; and

(v) an accounting structure that enables the Secretary to ensure that the consortium has complied with the requirements of this section.

(2) APPLICATION.—A consortium seeking to establish and operate a Hub under this section, acting through a prime applicant, shall transmit to the Secretary an application at such time, in such form, and accompanied by such information as the Secretary shall require, including a detailed description of the elements of the consortium agreement required under paragraph (1)(B). If the consortium members will not be located at one centralized location, such application shall include a communications plan that ensures close coordination and integration of the Hub's activities.

(c) SELECTION AND SCHEDULE.—The Secretary shall select consortia for awards for the establishment and operation of Hubs through competitive selection processes. In selecting consortia, the Secretary shall consider the information a consortium must disclose according to subsection (b), as well as any existing facilities a consortium will provide for Hub activities. Awards made to a Hub shall be for a period not to exceed 5 years, subject to the availability of appropriations, after which the award may be renewed, subject to a rigorous merit review. A Hub already in existence on the date of enactment of this Act may continue to receive support for a period of 5 years, subject to the availability of appropriations, beginning on the date of establishment of that Hub.

(d) HUB OPERATIONS.—

(1) IN GENERAL.—Each Hub shall conduct or provide for multidisciplinary, collaborative research, development, and demonstration of advanced energy technologies within the technology development focus designated under subsection (a)(2). Each Hub shall—

(A) encourage collaboration and communication among the member qualifying entities of the

consortium and awardees by conducting activities whenever practicable at one centralized location;

(B) develop and publish on the Department of Energy's website proposed plans and programs;

(C) submit an annual report to the Secretary summarizing the Hub's activities, including detailing organizational expenditures, and describing each project undertaken by the Hub; and

(D) monitor project implementation and coordination.

(2) CONFLICTS OF INTEREST.—

(A) PROCEDURES.—Hubs shall maintain conflict of interest procedures, consistent with those of the Department of Energy, to ensure that employees and consortia designees for Hub activities who are in decisionmaking capacities disclose all material conflicts of interest, and avoid such conflicts.

(B) DISQUALIFICATION AND REVOCATION.—The Secretary may disqualify an application or revoke funds distributed to a Hub if the Secretary discovers a failure to comply with conflict of interest procedures established under subparagraph (A).

(3) PROHIBITION ON CONSTRUCTION.—

(A) IN GENERAL.—No funds provided pursuant to this section may be used for construction of new buildings or facilities for Hubs. Construction of new buildings or facilities shall not be considered as part of the non-Federal share of a Hub cost-sharing agreement.

(B) TEST BED AND RENOVATION EXCEPTION.—Nothing in this subsection shall prohibit the use of funds provided pursuant to this section, or non-Federal cost share funds, for research or for the construction of a test bed or renovations to existing buildings or facilities for the purposes of research if the Secretary determines that the test bed or renovations are limited to a scope and scale necessary for the research to be conducted.

(e) TERMINATION.—Consistent with the existing authorities of the Department, the Secretary may terminate an underperforming Hub for cause during the performance period.

(f) DEFINITIONS.—For purposes of this section:

(1) ADVANCED ENERGY TECHNOLOGY.—The term ''advanced energy technology'' means—

(A) an innovative technology—

(i) that produces energy from solar, wind, geothermal, biomass, tidal, wave, ocean, or other renewable energy resources;

(ii) that produces nuclear energy;

(iii) for carbon capture and sequestration;

(iv) that enables advanced vehicles, vehicle components, and related technologies that result in significant energy savings;

(v) that generates, transmits, distributes, utilizes, or stores energy more efficiently than conventional technologies, including through Smart Grid technologies; or

(vi) that enhances the energy independence and security of the United States by enabling improved or expanded supply and production of domestic energy resources, including coal, oil, and natural gas;

(B) research, development, and demonstration activities necessary to ensure the long-term, secure, and sustainable supply of energy critical elements; or

(C) another innovative energy technology area identified by the Secretary.

(2) HUB.—The term ''Hub'' means an Energy Innovation Hub established or operating in accordance with this section, including any Energy Innovation Hub existing as of the date of enactment of this Act.

(3) QUALIFYING ENTITY.—The term ''qualifying entity'' means—

(A) an institution of higher education;

(B) an appropriate State or Federal entity, including the Department of Energy Federally Funded Research and Development Centers;

(C) a nongovernmental organization with expertise in advanced energy technology research, development, demonstration, or commercial application; or

(D) any other relevant entity the Secretary considers appropriate.

Subtitle B—Electricity Delivery and Energy Reliability Research and Development

SEC. 611. DISTRIBUTED ENERGY AND ELECTRIC ENERGY SYSTEMS.

Section 921 of the Energy Policy Act of 2005 (42 U.S.C. 16211) is amended to read as follows:

''SEC. 921. DISTRIBUTED ENERGY AND ELECTRIC ENERGY SYSTEMS.

''(a) IN GENERAL.—The Secretary shall carry out programs of research, development, demonstration, and commercial application on distributed energy resources and systems reliability and efficiency, to improve the reliability and efficiency of distributed energy resources and systems, integrating advanced energy technologies with grid connectivity, including activities described in this subtitle. The programs shall address advanced energy technologies and systems and advanced grid security, resiliency, and reliability technologies.

''(b) OBJECTIVES.—To the maximum extent practicable, the Secretary shall seek to—

''(1) leverage existing programs;

''(2) consolidate and coordinate activities throughout the Department to promote collaboration and crosscutting approaches;

''(3) ensure activities are undertaken in a manner that does not duplicate other activities within the Department or other Federal Government activities; and

''(4) identify programs that may be more effectively left to the States, industry, nongovernmental organizations, institutions of higher education, or other stakeholders.''.

SEC. 612. ELECTRIC TRANSMISSION AND DISTRIBUTION RESEARCH AND DEVELOPMENT.

(a) AMENDMENTS.—Section 925 of the Energy Policy Act of 2005 (42 U.S.C. 16215) is amended—

(1) by amending the section heading to read as follows: ''**ELECTRIC TRANSMISSION AND DISTRIBUTION RESEARCH AND DEVELOPMENT**'';

(2) by amending subsection (a) to read as follows:

''(a) PROGRAM.—The Secretary shall establish a comprehensive research, development, and demonstration program to ensure the reliability, efficiency, and environmental integrity of electrical transmission and distribution systems, which shall include innovations for—

''(1) advanced energy delivery technologies, energy storage technologies, materials, and systems;

''(2) advanced grid reliability and efficiency technology development;

''(3) technologies contributing to significant load reductions;

''(4) advanced metering, load management, and control technologies;

''(5) technologies to enhance existing grid components;

''(6) the development and use of high-temperature superconductors to—

''(A) enhance the reliability, operational flexibility, or power-carrying capability of electric transmission or distribution systems; or

''(B) increase the efficiency of electric energy generation, transmission, distribution, or storage systems;

''(7) integration of power systems, including systems to deliver high-quality electric power, electric power reliability, and combined heat and power;

''(8) supply of electricity to the power grid by small scale, distributed, and residential-based power generators;

''(9) the development and use of advanced grid design, operation, and planning tools;

''(10) technologies to enhance security for electrical transmission and distributions systems; and

''(11) any other infrastructure technologies, as appropriate.''; and

(3) by amending subsection (c) to read as follows:

''(c) IMPLEMENTATION.—

''(1) CONSORTIUM.—The Secretary shall consider implementing the program under this section using a consortium of participants from industry, institutions of higher education, and National Laboratories.

''(2) OBJECTIVES.—To the maximum extent practicable the Secretary shall seek to—

''(A) leverage existing programs;

''(B) consolidate and coordinate activities, throughout the Department to promote collaboration and crosscutting approaches;

''(C) ensure activities are undertaken in a manner that does not duplicate other activities within the Department or other Federal Government activities; and

''(D) identify programs that may be more effectively left to the States, industry, nongovernmental organizations, institutions of higher education, or other stakeholders.''.

(b) TABLE OF CONTENTS AMENDMENT.—The item relating to section 925 in the table of contents of the Energy Policy Act of 2005 is amended to read as follows:

''Sec. 925. Electric transmission and distribution research and development.''.

Subtitle C—Nuclear Energy Research and Development

SEC. 621. OBJECTIVES.

Section 951 of the Energy Policy Act of 2005 (42 U.S.C. 16271) is amended—

(1) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—The Secretary shall conduct programs of civilian nuclear energy research, development, demonstration, and commercial application, including activities described in this subtitle. Such programs shall take into consideration the following objectives:

''(1) Enhancing nuclear power's viability as part of the United States energy portfolio.

''(2) Reducing used nuclear fuel and nuclear waste products generated by civilian nuclear energy.

''(3) Supporting technological advances in areas that industry by itself is not likely to undertake because of technical and financial uncertainty.

''(4) Providing the technical means to reduce the likelihood of nuclear proliferation.

''(5) Maintaining a cadre of nuclear scientists and engineers.

''(6) Maintaining National Laboratory and university nuclear programs, including their infrastructure.

''(7) Supporting both individual researchers and multidisciplinary teams of researchers to pioneer new approaches in nuclear energy, science, and technology.

''(8) Developing, planning, constructing, acquiring, and operating special equipment and facilities for the use of researchers.

''(9) Supporting technology transfer and other appropriate activities to assist the nuclear energy industry, and other users of nuclear science and engineering, including activities addressing reliability, availability, productivity, component aging, safety, and security of nuclear power plants.

''(10) Reducing the environmental impact of nuclear energy-related activities.

''(11) Researching and developing technologies and processes to meet Federal and State requirements and standards for nuclear power systems.'';

(2) by striking subsections (b) through (d); and

(3) by redesignating subsection (e) as subsection (b).

SEC. 622. PROGRAM OBJECTIVES STUDY.

Section 951 of the Energy Policy Act of 2005 (42 U.S.C. 16271) is further amended by adding at the end the following new subsection:

''(c) PROGRAM OBJECTIVES STUDY.—In furtherance of the program objectives listed in subsection (a) of this section, the Government Accountability Office shall, within 1 year after the date of enactment of this subsection, transmit to the Congress a report on the results of a study on the scientific and technical merit of major Federal and State requirements and standards, including moratoria, that delay or impede the further development and commercialization of nuclear power, and how the Department can assist in overcoming such delays or impediments.''.

SEC. 623. NUCLEAR ENERGY RESEARCH AND DEVELOPMENT PROGRAMS.

Section 952 of the Energy Policy Act of 2005 (42 U.S.C. 16272) is amended by striking subsections (c) through (e) and inserting the following:

''(c) REACTOR CONCEPTS.—

''(1) IN GENERAL.—The Secretary shall carry out a program of research, development, demonstration, and commercial application to advance nuclear power systems as well as technologies to sustain currently deployed systems.

''(2) DESIGNS AND TECHNOLOGIES.—In conducting the program under this subsection, the Secretary shall examine advanced reactor designs and nuclear technologies, including those that—

''(A) have higher efficiency, lower cost, and improved safety compared to reactors in operation as of the date of enactment of the America COMPETES Reauthorization Act of 2015;

''(B) utilize passive safety features;

''(C) minimize proliferation risks;

''(D) substantially reduce production of high-level waste per unit of output;

''(E) increase the life and sustainability of reactor systems currently deployed;

''(F) use improved instrumentation;

''(G) are capable of producing large-scale quantities of hydrogen or process heat;

''(H) minimize water usage or use alternatives to water as a cooling mechanism; or

''(I) use nuclear energy as part of an integrated energy system.

''(3) INTERNATIONAL COOPERATION.—In carrying out the program under this subsection, the Secretary shall seek opportunities to enhance the progress of the program through international cooperation through such organizations as the Generation IV International Forum or any other international collaboration the Secretary considers appropriate.

''(4) EXCEPTIONS.—No funds authorized to be appropriated to carry out the activities described in this subsection shall be used to fund the activities authorized under sections 641 through 645.''.

SEC. 624. SMALL MODULAR REACTOR PROGRAM.

Section 952 of the Energy Policy Act of 2005 (42 U.S.C. 16272) is further amended by adding at the end the following new subsection:

''(d) SMALL MODULAR REACTOR PROGRAM.—

''(1) IN GENERAL.—The Secretary shall carry out a small modular reactor program to promote research, development, demonstration, and commercial application of small modular reactors, including through cost-shared projects for commercial application of reactor systems designs.

''(2) CONSULTATION.—The Secretary shall consult with and utilize the expertise of the Secretary of the Navy in establishing and carrying out such program.

''(3) ADDITIONAL ACTIVITIES.—Activities may also include development of advanced computer modeling and simulation tools, by Federal and non-Federal entities, which demonstrate and validate new design capabilities of innovative small modular reactor designs.

''(4) DEFINITION.—For the purposes of this subsection, the term 'small modular reactor' means a nuclear reactor meeting generally accepted industry standards—

''(A) with a rated capacity of less than 300 electrical megawatts;

''(B) with respect to which most parts can be factory assembled and shipped as modules to a reactor plant site for assembly; and

''(C) that can be constructed and operated in combination with similar reactors at a single site.''.

SEC. 625. FUEL CYCLE RESEARCH AND DEVELOPMENT.

(a) AMENDMENTS.—Section 953 of the Energy Policy Act of 2005 (42 U.S.C. 16273) is amended—

*(1) in the section heading by striking ''**ADVANCED FUEL CYCLE INITIATIVE**'' and inserting ''**FUEL CYCLE RESEARCH AND DEVELOPMENT**'';*

(2) by striking subsection (a);

(3) by redesignating subsections (b) through (d) as subsections (d) through (f), respectively; and

(4) by inserting before subsection (d), as so redesignated by paragraph (3) of this subsection, the following new subsections:

''(a) IN GENERAL.—The Secretary shall conduct a fuel cycle research, development, demonstration, and commercial application program (referred to in this section as the 'program') on fuel cycle options that improve uranium resource utilization, maximize energy generation, minimize nuclear waste creation, improve safety, mitigate risk of proliferation, and improve waste management in support of a national strategy for spent nuclear fuel and the reactor concepts research, development, demonstration, and commercial application program under section 952(c).

''(b) FUEL CYCLE OPTIONS.—Under this section the Secretary may consider implementing the following initiatives:

''(1) OPEN CYCLE.—Developing fuels, including the use of nonuranium materials and alternate claddings, for use in reactors that increase energy generation, improve safety performance and margins, and minimize the amount of nuclear waste produced in an open fuel cycle.

''(2) RECYCLE.—Developing advanced recycling technologies, including advanced reactor concepts to improve resource utilization, reduce proliferation risks, and minimize radiotoxicity, decay heat, and mass and volume of nuclear waste to the greatest extent possible.

''(3) ADVANCED STORAGE METHODS.—Developing advanced storage technologies for both onsite and long-term storage that substantially prolong the effective life of current storage devices or that substantially improve upon existing nuclear waste storage technologies and methods, including repositories.

''(4) FAST TEST REACTOR.—Investigating the potential research benefits of a fast test reactor user facility to conduct experiments on fuels and materials related to fuel forms and fuel cycles that will increase fuel utilization, reduce proliferation risks, and reduce nuclear waste products.

''(5) ADVANCED REACTOR INNOVATION.—Developing an advanced reactor innovation testbed where national laboratories, universities, and industry can address advanced reactor design challenges to enable construction and operation of privately funded reactor prototypes to resolve technical uncertainty for United States-based designs for future domestic and international markets.

''(6) OTHER TECHNOLOGIES.—Developing any other technology or initiative that the Secretary determines is likely to advance the objectives of the program.

''(c) ADDITIONAL ADVANCED RECYCLING AND CROSSCUTTING ACTIVITIES.—In addition to and in support of the specific initiatives described in paragraphs (1) through (5) of subsection (b), the Secretary may support the following activities:

''(1) Development and testing of integrated process flow sheets for advanced nuclear fuel recycling processes.

''(2) Research to characterize the byproducts and waste streams resulting from fuel recycling processes.

''(3) Research and development on reactor concepts or transmutation technologies that improve resource utilization or reduce the radiotoxicity of waste streams.

''(4) Research and development on waste treatment processes and separations technologies, advanced waste forms, and quantification of proliferation risks.

''(5) Identification and evaluation of test and experimental facilities necessary to successfully implement the advanced fuel cycle initiative.

''(6) Advancement of fuel cycle-related modeling and simulation capabilities.

''(7) Research to understand the behavior of high-burnup fuels.''.

(b) CONFORMING AMENDMENT.—The item relating to section 953 in the table of contents of the Energy Policy Act of 2005 is amended to read as follows:

''Sec. 953. Fuel cycle research and development.''.

SEC. 626. NUCLEAR ENERGY ENABLING TECHNOLOGIES PROGRAM.

(a) AMENDMENT.—Subtitle E of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16271 et seq.) is amended by adding at the end the following new section:

''SEC. 958. NUCLEAR ENERGY ENABLING TECHNOLOGIES.

''(a) IN GENERAL.—The Secretary shall conduct a program to support the integration of activities undertaken through the reactor concepts research, development, demonstration, and commercial application program under section 952(c) and the fuel cycle research and development program under section 953, and support crosscutting nuclear energy concepts. Activities commenced under this section shall be concentrated on broadly applicable research and development focus areas.

''(b) ACTIVITIES.—Activities conducted under this section may include research involving—

''(1) advanced reactor materials;

''(2) advanced radiation mitigation methods;

''(3) advanced proliferation and security risk assessment methods;

''(4) advanced sensors and instrumentation;

''(5) high performance computation modeling, including multiphysics, multidimensional modeling simulation for nuclear energy systems, and continued development of advanced modeling simulation capabilities through national laboratory, industry, and university partnerships for operations and safety performance improvements of light water reactors for currently deployed and near-term reactors and advanced reactors and for the development of small modular reactors; and

''(6) any crosscutting technology or transformative concept aimed at establishing substantial and revolutionary enhancements in the performance of future nuclear energy systems that the Secretary considers relevant and appropriate to the purpose of this section.

''(c) REPORT.—The Secretary shall submit, as part of the annual budget submission of the Department, a report on the activities of the program conducted under this section, which shall include a brief evaluation of each activity's progress.''.

(b) CONFORMING AMENDMENT.—The table of contents of the Energy Policy Act of 2005 is amended by adding at the end of the items for subtitle E of title IX the following new item:

''Sec. 958. Nuclear energy enabling technologies.''.

SEC. 627. TECHNICAL STANDARDS COLLABORATION.

(a) IN GENERAL.—The Director of the National Institute of Standards and Technology shall establish a nuclear energy standards committee (in this section referred to as the ''technical standards committee'') to facilitate and support, consistent with the National Technology Transfer and Advancement Act of 1995, the development or revision of technical standards for new and existing nuclear power plants and advanced nuclear technologies.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The technical standards committee shall include representatives from appropriate Federal agencies and the private sector, and be open to materially affected organizations involved in the development or application of nuclear energy-related standards.

(2) CO-CHAIRS.—The technical standards committee shall be co-chaired by a representative from the National Institute of Standards and Technology and a representative from a private sector standards organization.

(c) DUTIES.—The technical standards committee shall, in cooperation with appropriate Federal agencies—

(1) perform a needs assessment to identify and evaluate the technical standards that are needed to support nuclear energy, including those needed to support new and existing nuclear power plants and advanced nuclear technologies, including developing the technical basis for regulatory frameworks for advanced reactors;

(2) formulate, coordinate, and recommend priorities for the development of new technical standards and the revision of existing technical standards to address the needs identified under paragraph (1);

(3) facilitate and support collaboration and cooperation among standards developers to address the needs and priorities identified under paragraphs (1) and (2);

(4) as appropriate, coordinate with other national, regional, or international efforts on nuclear energy-related technical standards in order to avoid conflict and duplication and to ensure global compatibility; and

(5) promote the establishment and maintenance of a database of nuclear energy-related technical standards.

(d) AUTHORIZATION OF APPROPRIATIONS.—To the extent provided for in advance by appropriations Acts, the Secretary may transfer to the Director of the National Institute of Standards and Technology not to exceed $1,000,000 for fiscal year 2016 for the Secretary of Commerce to carry out this section from amounts appropriated for nuclear energy research and development within the Nuclear Energy Enabling Technologies account for the Department.

SEC. 628. AVAILABLE FACILITIES DATABASE.

The Secretary shall prepare a database of non-Federal user facilities receiving Federal funds that may be used for unclassified nuclear energy research. The Secretary shall make this database accessible on the Department's website.

Subtitle D—Energy Efficiency and Renewable Energy Research and Development

SEC. 641. ENERGY EFFICIENCY.

Section 911 of the Energy Policy Act of 2005 (42 U.S.C. 16191) is amended to read as follows:

''SEC. 911. ENERGY EFFICIENCY.

''(a) OBJECTIVES.—The Secretary shall conduct programs of energy efficiency research, development, demonstration, and commercial application, including activities described in this subtitle. Such programs shall prioritize activities that industry by itself is not likely to undertake because of technical challenges or regulatory uncertainty, and take into consideration the following objectives:

''(1) Increasing energy efficiency.

''(2) Reducing the cost of energy.

''(3) Reducing the environmental impact of energy-related activities.

''(b) PROGRAMS.—Programs under this subtitle shall include research, development, demonstration, and commercial application of—

''(1) innovative, affordable technologies to improve the energy efficiency and environmental performance of vehicles, including weight and drag reduction technologies, technologies, modeling, and simulation for increasing vehicle connectivity and automation, and whole-vehicle design optimization;

''(2) cost-effective technologies, for new construction and retrofit, to improve the energy efficiency and environmental performance of buildings, using a whole-buildings approach;

''(3) advanced technologies to improve the energy efficiency, environmental performance, and process efficiency of energy-intensive and waste-intensive industries;

''(4) technologies to improve the energy efficiency of appliances and mechanical systems for buildings in extreme climates, including cogeneration, trigeneration, and polygeneration units;

''(5) advanced battery technologies; and

''(6) fuel cell and hydrogen technologies.''.

SEC. 642. NEXT GENERATION LIGHTING INITIATIVE.

Section 912 of the Energy Policy Act of 2005 (42 U.S.C. 16192) and the item relating thereto in the table of contents of that Act are repealed.

SEC. 643. BUILDING STANDARDS.

Section 914 of the Energy Policy Act of 2005 (42 U.S.C. 16194) is amended by striking subsection (c).

SEC. 644. SECONDARY ELECTRIC VEHICLE BATTERY USE PROGRAM.

Section 915 of the Energy Policy Act of 2005 (42 U.S.C. 16195) and the item relating thereto in the table of contents of that Act are repealed.

SEC. 645. NETWORK FOR MANUFACTURING INNOVATION PROGRAM.

To the extent provided for in advance by appropriations Acts, the Secretary may transfer to the National Institute of Standards and Technology up to $150,000,000 for the period encompassing fiscal years 2015 through 2017 from amounts appropriated for advanced manufacturing research and development under this subtitle (and the amendments made by this subtitle) for the Secretary of Commerce to carry out the Network for Manufacturing Innovation Program authorized under section 34 of the National Institute of Standards and Technology Act (15 U.S.C. 278s).

SEC. 646. ADVANCED ENERGY TECHNOLOGY TRANSFER CENTERS.

Section 917 of the Energy Policy Act of 2005 (42 U.S.C. 16197) is amended—

(1) in subsection (a)—

(A) by inserting ''and'' at the end of paragraph (2)(B);

(B) by striking ''; and'' at the end of paragraph (3) and inserting a period; and

(C) by striking paragraph (4);

(2) in subsection (b)—

(A) by striking paragraph (1);

(B) by redesignating paragraphs (2) through (5) as paragraphs (1) through (4), respectively; and

(C) by striking paragraph (6);

(3) by amending subsection (g) to read as follows:

''(g) PROHIBITION.—None of the funds awarded under this section may be used for the construction of facilities or the deployment of commercially available technologies.''; and

(4) by striking subsection (i).

SEC. 647. RENEWABLE ENERGY.

Section 931 of the Energy Policy Act of 2005 (42 U.S.C. 16231) is amended to read as follows:

''SEC. 931. RENEWABLE ENERGY.

''(a) IN GENERAL.—

''(1) OBJECTIVES.—The Secretary shall conduct programs of renewable energy research, development, demonstration, and commercial application, including activities described in this subtitle. Such programs shall prioritize discovery research and development and take into consideration the following objectives:

''(A) Increasing the conversion efficiency of all forms of renewable energy through improved technologies.

''(B) Decreasing the cost of renewable energy generation and delivery.

''(C) Promoting the diversity of the energy supply.

''(D) Decreasing the dependence of the United States on foreign mineral resources.

''(E) Decreasing the environmental impact of renewable energy-related activities.

''(F) Increasing the export of renewable generation technologies from the United States.

''(2) PROGRAMS.—

''(A) SOLAR ENERGY.—The Secretary shall conduct a program of research, development, demonstration, and commercial application for solar energy, including innovations in—

''(i) photovoltaics;

''(ii) solar heating;

''(iii) concentrating solar power;

''(iv) lighting systems that integrate sunlight and electrical lighting in complement to each other; and

''(v) development of technologies that can be easily integrated into new and existing buildings.

''(B) WIND ENERGY.—The Secretary shall conduct a program of research, development, demonstration, and commercial application for wind energy, including innovations in—

''(i) low speed wind energy;

''(ii) testing and verification technologies;

''(iii) distributed wind energy generation; and

''(iv) transformational technologies for harnessing wind energy.

''(C) GEOTHERMAL.—The Secretary shall conduct a program of research, development, demonstration, and commercial application for geothermal energy, including technologies for—

''(i) improving detection of geothermal resources;

''(ii) decreasing drilling costs;

''(iii) decreasing maintenance costs through improved materials;

''(iv) increasing the potential for other revenue sources, such as mineral production; and

''(v) increasing the understanding of reservoir life cycle and management.

''(D) HYDROPOWER.—The Secretary shall conduct a program of research, development, demonstration, and commercial application for technologies that enable the development of new and incremental hydropower capacity, including:

''(i) Advanced technologies to enhance environmental performance and yield greater energy efficiencies.

''(ii) Ocean energy, including wave energy.

''(E) MISCELLANEOUS PROJECTS.—The Secretary shall conduct research, development, demonstration, and commercial application programs for—

''(i) the combined use of renewable energy technologies with one another and with other energy technologies, including the combined use of renewable power and fossil technologies;

''(ii) renewable energy technologies for cogeneration of hydrogen and electricity; and

''(iii) kinetic hydro turbines.

''(b) RURAL DEMONSTRATION PROJECTS.—In carrying out this section, the Secretary, in consultation with the Secretary of Agriculture,

shall give priority to demonstrations that assist in delivering electricity to rural and remote locations including—

''(1) advanced renewable power technology, including combined use with fossil technologies;

''(2) biomass; and

''(3) geothermal energy systems.

''(c) ANALYSIS AND EVALUATION.—

''(1) IN GENERAL.—The Secretary shall conduct analysis and evaluation in support of the renewable energy programs under this subtitle. These activities shall be used to guide budget and program decisions, and shall include—

''(A) economic and technical analysis of renewable energy potential, including resource assessment;

''(B) analysis of past program performance, both in terms of technical advances and in market introduction of renewable energy;

''(C) assessment of domestic and international market drivers, including the impacts of any Federal, State, or local grants, loans, loan guarantees, tax incentives, statutory or regulatory requirements, or other government initiatives; and

''(D) any other analysis or evaluation that the Secretary considers appropriate.

''(2) FUNDING.—The Secretary may designate up to 1 percent of the funds appropriated for carrying out this subtitle for analysis and evaluation activities under this subsection.

''(3) SUBMITTAL TO CONGRESS.—This analysis and evaluation shall be submitted to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate at least 30 days before each annual budget request is submitted to Congress.''.

SEC. 648. BIOENERGY PROGRAM.

Section 932 of the Energy Policy Act of 2005 (42 U.S.C. 16232) is amended to read as follows:

''SEC. 932. BIOENERGY PROGRAM.

''(a) PROGRAM.—The Secretary shall conduct a program of research, development, demonstration, and commercial application for bioenergy, including innovations in—

''(1) biopower energy systems;

''(2) biofuels;

''(3) bioproducts;

''(4) integrated biorefineries that may produce biopower, biofuels, and bioproducts; and

''(5) crosscutting research and development in feedstocks.

''(b) BIOFUELS AND BIOPRODUCTS.—The goals of the biofuels and bioproducts programs shall be to develop, in partnership with industry and institutions of higher education—

''(1) advanced biochemical and thermochemical conversion technologies capable of making fuels from lignocellulosic feedstocks that are price-competitive with fossil-based fuels and fully compatible with either internal combustion engines or fuel cell-powered vehicles;

''(2) advanced conversion of biomass to biofuels and bioproducts as part of integrated biorefineries based on either biochemical processes, thermochemical processes, or hybrids of these processes; and

''(3) other advanced processes that will enable the development of cost-effective bioproducts, including biofuels.

''(c) RETROFIT TECHNOLOGIES FOR THE DEVELOPMENT OF ETHANOL FROM CELLULOSIC MATERIALS.—The Secretary shall establish a program of research, development, demonstration, and commercial application for technologies and processes to enable biorefineries that exclusively use corn grain or corn starch as a feedstock to produce ethanol to be retrofitted to accept a range of biomass, including lignocellulosic feedstocks.

''(d) LIMITATIONS.—None of the funds authorized for carrying out this section may be used to fund commercial biofuels production for defense purposes.

''(e) DEFINITIONS.—In this section:

''(1) BIOMASS.—The term 'biomass' means—

''(A) any organic material grown for the purpose of being converted to energy;

''(B) any organic byproduct of agriculture (including wastes from food production and processing) that can be converted into energy; or

''(C) any waste material that can be converted to energy, is segregated from other waste materials, and is derived from—

''(i) any of the following forest-related resources: mill residues, precommercial thinnings, slash, brush, or otherwise nonmerchantable material;

''(ii) wood waste materials, including waste pallets, crates, dunnage, manufacturing and construction wood wastes (other than pressure-treated, chemically treated, or painted wood wastes), and landscape or right-of-way tree trimmings, but not including municipal solid waste, gas derived from the biodegradation of municipal solid waste, or paper that is commonly recycled; or

''(iii) solids derived from waste water treatment processes.

''(2) LIGNOCELLULOSIC FEEDSTOCK.—The term 'lignocellulosic feedstock' means any portion of a plant or coproduct from conversion, including crops, trees, forest residues, grasses, and agricultural residues not specifically grown for food, including from barley grain, grapeseed, rice bran, rice hulls, rice straw, soybean matter, cornstover, and sugarcane bagasse.''.

SEC. 649. CONCENTRATING SOLAR POWER RESEARCH PROGRAM.

Section 934 of the Energy Policy Act of 2005 (42 U.S.C. 16234) and the item relating thereto in the table of contents of that Act are repealed.

SEC. 650. RENEWABLE ENERGY IN PUBLIC BUILDINGS.

Section 935 of the Energy Policy Act of 2005 (42 U.S.C. 16235) and the item relating thereto in the table of contents of that Act are repealed.

Subtitle E—Fossil Energy Research and Development

SEC. 661. FOSSIL ENERGY.

Section 961 of Energy Policy Act of 2005 (42 U.S.C. 16291) is amended to read as follows:

''SEC. 961. FOSSIL ENERGY.

''(a) IN GENERAL.—The Secretary shall carry out research, development, demonstration, and commercial application programs in fossil energy, including activities under this subtitle, with the goal of improving the efficiency, effectiveness, and environmental performance of fossil energy production, upgrading, conversion, and consumption. Such programs shall take into consideration the following objectives:

''(1) Increasing the energy conversion efficiency of all forms of fossil energy through improved technologies.

''(2) Decreasing the cost of all fossil energy production, generation, and delivery.

''(3) Promoting diversity of energy supply.

''(4) Decreasing the dependence of the United States on foreign energy supplies.

''(5) Decreasing the environmental impact of energy-related activities.

''(6) Increasing the export of fossil energy-related equipment, technology, and services from the United States.

''(b) OBJECTIVES.—To the maximum extent practicable, the Secretary shall seek to—

''(1) leverage existing programs;

''(2) consolidate and coordinate activities throughout the Department to promote collaboration and crosscutting approaches;

''(3) ensure activities are undertaken in a manner that does not duplicate other activities within the Department or other Federal Government activities; and

''(4) identify programs that may be more effectively left to the States, industry, nongovernmental organizations, institutions of higher education, or other stakeholders.

''(c) LIMITATIONS.—

''(1) USES.—None of the funds authorized for carrying out this section may be used for Fossil Energy Environmental Restoration.

''(2) INSTITUTIONS OF HIGHER EDUCATION.—Not less than 20 percent of the funds appropriated for carrying out section 964 of this Act for each fiscal year shall be dedicated to research and development carried out at institutions of higher education.

''(3) USE FOR REGULATORY ASSESSMENTS OR DETERMINATIONS.—The results of any research, development, demonstration, or commercial application projects or activities of the Department authorized under this subtitle may not be used for regulatory assessments or determinations by Federal regulatory authorities.

''(d) ASSESSMENTS.—

''(1) CONSTRAINTS AGAINST BRINGING RESOURCES TO MARKET.—Not later than 1 year after the date of enactment of the America COMPETES Reauthorization Act of 2015, the Secretary shall transmit to Congress an assessment of the technical, institutional, policy, and regulatory constraints to bringing new domestic fossil resources to market.

''(2) TECHNOLOGY CAPABILITIES.—Not later than 2 years after the date of enactment of the America COMPETES Reauthorization Act of 2015, the Secretary shall transmit to Congress a long-term assessment of existing and projected technological capabilities for expanded production from domestic unconventional oil, gas, and methane reserves.''.

SEC. 662. COAL RESEARCH, DEVELOPMENT, DEMONSTRATION, AND COMMERCIAL APPLICATION PROGRAMS.

(a) IN GENERAL.—Section 962 of the Energy Policy Act of 2005 (42 U.S.C. 16292) is amended—

(1) in subsection (a)—

(A) in paragraph (10), by striking ''and'' at the end;

(B) in paragraph (11), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(12) specific additional programs to address water use and reuse;

''(13) the testing, including the construction of testing facilities, of high temperature materials for use in advanced systems for combustion or use of coal; and

''(14) innovations to application of existing coal conversion systems designed to increase efficiency of conversion, flexibility of operation, and other modifications to address existing usage requirements.'';

(2) by redesignating subsections (b) through (d) as subsections (c) through (e), respectively;

(3) by inserting after subsection (a) the following:

''(b) TRANSFORMATIONAL COAL TECHNOLOGY PROGRAM.—

''(1) IN GENERAL.—As part of the program established under subsection (a), the Secretary may carry out a program designed to undertake research, development, demonstration, and commercial application of technologies, including the accelerated development of—

''(A) chemical looping technology;

''(B) supercritical carbon dioxide power generation cycles;

''(C) pressurized oxycombustion, including new and retrofit technologies; and

''(D) other technologies that are characterized by the use of—

''(i) alternative energy cycles;

''(ii) thermionic devices using waste heat;

''(iii) fuel cells;

''(iv) replacement of chemical processes with biotechnology;

''(v) nanotechnology;

''(vi) new materials in applications (other than extending cycles to higher temperature and pressure), such as membranes or ceramics;

''(vii) carbon utilization, such as in construction materials, using low quality energy to reconvert back to a fuel, or manufactured food;

''(viii) advanced gas separation concepts; and

''(ix) other technologies, including—

''(I) modular, manufactured components; and

''(II) innovative production or research techniques, such as using 3–D printer systems, for the production of early research and development prototypes.

''(2) COST SHARE.—In carrying out the program described in paragraph (1), the Secretary shall enter into partnerships with private entities to share the costs of carrying out the program. The Secretary may reduce the non-Federal cost share requirement if the Secretary determines that the reduction is necessary and appropriate considering the technological risks involved in the project.''; and

(4) in subsection (c) (as so redesignated) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—In carrying out programs authorized by this section, the Secretary shall identify cost and performance goals for coal-based technologies that would permit the continued cost-competitive use of coal for the production of electricity, chemical feedstocks, transportation fuels, and other marketable products.''.

(b) ADVISORY COMMITTEE; AUTHORIZATION OF APPROPRIATIONS.—Section 963 of the Energy Policy Act of 2005 (42 U.S.C. 16293) is amended—

(1) by amending paragraph (6) of subsection (c) to read as follows:

''(6) ADVISORY COMMITTEE.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall establish an advisory committee to undertake, not less frequently than once every 3 years, a review and prepare a report on the progress being made by the Department of Energy to achieve the goals described in subsections (a) and (b) of section 962 and subsection (b) of this section.

''(B) MEMBERSHIP REQUIREMENTS.—Members of the advisory committee established under subparagraph (A) shall be appointed by the Secretary, except that three members shall be appointed by the Speaker of the House of Representatives and two members shall be appointed by the Majority Leader of the Senate. The total number of members of the advisory committee shall be 15.''; and

(2) by amending subsection (d) to read as follows:

''(d) STUDY OF CARBON DIOXIDE PIPELINES.—Not later than 1 year after the date of enactment of the America COMPETES Reauthorization Act of 2015, the Secretary shall transmit to Congress the results of a study to assess the cost and feasibility of engineering, permitting, building, maintaining, regulating, and insuring a national system of carbon dioxide pipelines.''.

SEC. 663. HIGH EFFICIENCY GAS TURBINES RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—The Secretary, through the Office of Fossil Energy, shall carry out a multiyear, multiphase program of research, development, demonstration, and commercial application to innovate technologies to maximize the efficiency of gas turbines used in power generation systems.

(b) PROGRAM ELEMENTS.—The program under this section shall—

(1) support innovative engineering and detailed gas turbine design for megawatt-scale and utility-scale electric power generation, including—

(A) high temperature materials, including superalloys, coatings, and ceramics;

(B) improved heat transfer capability;

(C) manufacturing technology required to construct complex three-dimensional geometry parts with improved aerodynamic capability;

(D) combustion technology to produce higher firing temperature while lowering nitrogen oxide and carbon monoxide emissions per unit of output;

(E) advanced controls and systems integration;

(F) advanced high performance compressor technology; and

(G) validation facilities for the testing of components and subsystems;

(2) include technology demonstration through component testing, subscale testing, and full scale testing in existing fleets;

(3) include field demonstrations of the developed technology elements so as to demonstrate technical and economic feasibility; and

(4) assess overall combined cycle and simple cycle system performance.

(c) PROGRAM GOALS.—The goals of the multiphase program established under subsection (a) shall be—

(1) in phase I—

(A) to develop the conceptual design of advanced high efficiency gas turbines that can achieve at least 62 percent combined cycle efficiency or 47 percent simple cycle efficiency on a lower heating value basis; and

(B) to develop and demonstrate the technology required for advanced high efficiency gas turbines that can achieve at least 62 percent combined cycle efficiency or 47 percent simple cycle efficiency on a lower heating value basis; and

(2) in phase II, to develop the conceptual design for advanced high efficiency gas turbines that can achieve at least 65 percent combined cycle efficiency or 50 percent simple cycle efficiency on a lower heating value basis.

(d) PROPOSALS.—Within 180 days after the date of enactment of this Act, the Secretary shall solicit grant and contract proposals from industry, small businesses, universities, and other appropriate parties for conducting activities under this section. In selecting proposals, the Secretary shall emphasize—

(1) the extent to which the proposal will stimulate the creation or increased retention of jobs in the United States; and

(2) the extent to which the proposal will promote and enhance United States technology leadership.

(e) COMPETITIVE AWARDS.—The provision of funding under this section shall be on a competitive basis with an emphasis on technical merit.

(f) COST SHARING.—Section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352) shall apply to an award of financial assistance made under this section.

Subtitle F—Advanced Research Projects Agency–Energy

SEC. 671. ARPA–E AMENDMENTS.

Section 5012 of the America COMPETES Act (42 U.S.C. 16538) is amended—

(1) by amending paragraph (1) of subsection (c) to read as follows:

''(1) IN GENERAL.—The goals of ARPA–E shall be to enhance the economic and energy security of the United States and to ensure that the United States maintains a technological lead through the development of advanced energy technologies.'';

(2) in subsection (i)(1), by inserting ''ARPA–E shall not provide funding for a project unless the prospective grantee demonstrates sufficient attempts to secure private financing or indicates that the project is not independently commercially viable.'' after ''relevant research agencies.'';

(3) in subsection (l)(1), by inserting ''and once every 6 years thereafter,'' after ''operation for 6 years,''; and

(4) by redesignating subsection (n) as subsection (o) and inserting after subsection (m) the following new subsection:

''(n) PROTECTION OF PROPRIETARY INFORMATION.—

''(1) IN GENERAL.—The following categories of information collected by the Advanced Research Projects Agency–Energy from recipients of financial assistance awards shall be considered privileged and confidential and not subject to disclosure pursuant to section 552 of title 5, United States Code:

''(A) Plans for commercialization of technologies developed under the award, including business plans, technology to market plans, market studies, and cost and performance models.

''(B) Investments provided to an awardee from third parties, such as venture capital, hedge fund, or private equity firms, including amounts and percentage of ownership of the awardee provided in return for such investments.

''(C) Additional financial support that the awardee plans to invest or has invested into the technology developed under the award, or that the awardee is seeking from third parties.

''(D) Revenue from the licensing or sale of new products or services resulting from the research conducted under the award.

''(2) EFFECT OF SUBSECTION.—Nothing in this subsection affects—

''(A) the authority of the Secretary to use information without publicly disclosing such information; or

''(B) the responsibility of the Secretary to transmit information to Congress as required by law.''.

Subtitle G—Authorization of Appropriations

SEC. 681. AUTHORIZATION OF APPROPRIATIONS.

(a) ELECTRICITY DELIVERY AND ENERGY RELIABILITY RESEARCH AND DEVELOPMENT.—There are authorized to be appropriated to the Secretary for research, development, demonstration, and commercial application for electrical delivery and energy reliability technology activities within the Office of Electricity $113,000,000 for each of fiscal years 2016 and 2017.

(b) NUCLEAR ENERGY.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary for research, development, demonstration, and commercial application for nuclear energy technology activities within the Office of Nuclear Energy $504,600,000 for each of fiscal years 2016 and 2017.

(2) LIMITATION.—Any amounts made available pursuant to the authorization of appropriations under paragraph (1) shall not be derived from the Nuclear Waste Fund established under section 302(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(c)).

(c) ENERGY EFFICIENCY AND RENEWABLE ENERGY.—There are authorized to be appropriated to the Secretary for research, development, demonstration, and commercial application for energy efficiency and renewable energy technology activities within the Office of Energy Efficiency and Renewable Energy $1,193,500,000 for each of fiscal years 2016 and 2017.

(d) FOSSIL ENERGY.—There are authorized to be appropriated to the Secretary for research, development, demonstration, and commercial application for fossil energy technology activities within the Office of Fossil Energy $605,000,000 for each of fiscal years 2016 and 2017.

(e) ARPA–E.—There are authorized to be appropriated to the Secretary for the Advanced Research Projects Agency–Energy $140,000,000 for each of fiscal years 2016 and 2017.

Subtitle H—Definitions

SEC. 691. DEFINITIONS.

In this title—

(1) the term ''Department'' means the Department of Energy; and

(2) the term ''Secretary'' means the Secretary of Energy.

TITLE VII—DEPARTMENT OF ENERGY TECHNOLOGY TRANSFER

Subtitle A—In General

SEC. 701. DEFINITIONS.

In this title:

(1) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(2) NATIONAL LABORATORY.—The term ''National Laboratory'' means a Department of Energy nonmilitary national laboratory, including—

(A) Ames Laboratory;

(B) Argonne National Laboratory;

(C) Brookhaven National Laboratory;

(D) Fermi National Accelerator Laboratory;

(E) Idaho National Laboratory;

(F) Lawrence Berkeley National Laboratory;

(G) National Energy Technology Laboratory;

(H) National Renewable Energy Laboratory;

(I) Oak Ridge National Laboratory;

(J) Pacific Northwest National Laboratory;

(K) Princeton Plasma Physics Laboratory;

(L) Savannah River National Laboratory;

(M) Stanford Linear Accelerator Center;

(N) Thomas Jefferson National Accelerator Facility; and

(O) any laboratory operated by the National Nuclear Security Administration, but only with respect to the civilian energy activities thereof.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

SEC. 702. SAVINGS CLAUSE.

Nothing in this title or an amendment made by this title abrogates or otherwise affects the primary responsibilities of any National Laboratory to the Department.

Subtitle B—Innovation Management at Department of Energy

SEC. 712. TECHNOLOGY TRANSFER AND TRANSITIONS ASSESSMENT.

Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report which shall include—

(1) an assessment of the Department's current ability to carry out the goals of section 1001 of the Energy Policy Act of 2005 (42 U.S.C. 16391), including an assessment of the role and effectiveness of the Director of the Office of Technology Transitions; and

(2) recommended departmental policy changes and legislative changes to section 1001 of the Energy Policy Act of 2005 (42 U.S.C. 16391) to improve the Department's ability to successfully transfer new energy technologies to the private sector.

SEC. 713. SENSE OF CONGRESS.

It is the sense of the Congress that the Secretary should encourage the National Laboratories and federally funded research and development centers to inform small businesses of the opportunities and resources that exist pursuant to this title.

SEC. 714. NUCLEAR ENERGY INNOVATION.

Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the National Laboratories, relevant Federal agencies, and other stakeholders, shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report assessing the Department's capabilities to authorize, host, and oversee privately funded fusion and non-light water reactor prototypes and related demonstration facilities at Department-owned sites. For purposes of this report, the Secretary shall consider the Department's capabilities to facilitate privately-funded prototypes up to 20 megawatts thermal output. The report shall address the following:

(1) The Department's safety review and oversight capabilities.

(2) Potential sites capable of hosting research, development, and demonstration of prototype reactors and related facilities for the purpose of reducing technical risk.

(3) The Department's and National Laboratories' existing physical and technical capabilities relevant to research, development, and oversight.

(4) The efficacy of the Department's available contractual mechanisms, including cooperative research and development agreements, work for others agreements, and agreements for commercializing technology.

(5) Potential cost structures related to physical security, decommissioning, liability, and other long-term project costs.

(6) Other challenges or considerations identified by the Secretary, including issues related to potential cases of demonstration reactors up to 2 gigawatts of thermal output.

Subtitle C—Cross-Sector Partnerships and Grant Competitiveness

SEC. 721. AGREEMENTS FOR COMMERCIALIZING TECHNOLOGY PILOT PROGRAM.

(a) IN GENERAL.—The Secretary shall carry out the Agreements for Commercializing Technology pilot program of the Department, as announced by the Secretary on December 8, 2011, in accordance with this section.

(b) TERMS.—Each agreement entered into pursuant to the pilot program referred to in subsection (a) shall provide to the contractor of the applicable National Laboratory, to the maximum extent determined to be appropriate by the Secretary, increased authority to negotiate contract terms, such as intellectual property rights, payment structures, performance guarantees, and multiparty collaborations.

(c) ELIGIBILITY.—

(1) IN GENERAL.—Any director of a National Laboratory may enter into an agreement pursuant to the pilot program referred to in subsection (a).

(2) AGREEMENTS WITH NON-FEDERAL ENTITIES.—To carry out paragraph (1) and subject to paragraph (3), the Secretary shall permit the directors of the National Laboratories to execute agreements with a non-Federal entity, including a non-Federal entity already receiving Federal funding that will be used to support activities under agreements executed pursuant to paragraph (1), provided that such funding is solely used to carry out the purposes of the Federal award.

(3) RESTRICTION.—The requirements of chapter 18 of title 35, United States Code (commonly known as the ''Bayh-Dole Act'') shall apply if—

(A) the agreement is a funding agreement (as that term is defined in section 201 of that title); and

(B) at least one of the parties to the funding agreement is eligible to receive rights under that chapter.

(d) SUBMISSION TO SECRETARY.—Each affected director of a National Laboratory shall submit to the Secretary, with respect to each agreement entered into under this section—

(1) a summary of information relating to the relevant project;

(2) the total estimated costs of the project;

(3) estimated commencement and completion dates of the project; and

(4) other documentation determined to be appropriate by the Secretary.

(e) CERTIFICATION.—The Secretary shall require the contractor of the affected National Laboratory to certify that each activity carried out under a project for which an agreement is entered into under this section—

(1) is not in direct competition with the private sector; and

(2) does not present, or minimizes, any apparent conflict of interest, and avoids or neutralizes any actual conflict of interest, as a result of the agreement under this section.

(f) EXTENSION.—The pilot program referred to in subsection (a) shall be extended until October 31, 2017.

(g) REPORTS.—

(1) OVERALL ASSESSMENT.—Not later than 60 days after the date described in subsection (f), the Secretary, in coordination with directors of the National Laboratories, shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that—

(A) assesses the overall effectiveness of the pilot program referred to in subsection (a);

(B) identifies opportunities to improve the effectiveness of the pilot program;

(C) assesses the potential for program activities to interfere with the responsibilities of the National Laboratories to the Department; and

(D) provides a recommendation regarding the future of the pilot program.

(2) TRANSPARENCY.—The Secretary, in coordination with directors of the National Laboratories, shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an annual report that accounts for all incidences of, and provides a justification for, non-Federal entities using funds derived from a Federal contract or award to carry out agreements pursuant to this section.

SEC. 722. PUBLIC-PRIVATE PARTNERSHIPS FOR COMMERCIALIZATION.

(a) IN GENERAL.—Subject to subsections (b) and (c), the Secretary shall delegate to directors of the National Laboratories signature authority with respect to any agreement described in subsection (b) the total cost of which (including the National Laboratory contributions and project recipient cost share) is less than $1 million.

(b) AGREEMENTS.—Subsection (a) applies to—

(1) a cooperative research and development agreement;

(2) a non-Federal work-for-others agreement; and

(3) any other agreement determined to be appropriate by the Secretary, in collaboration with the directors of the National Laboratories.

(c) ADMINISTRATION.—

(1) ACCOUNTABILITY.—The director of the affected National Laboratory and the affected contractor shall carry out an agreement under this section in accordance with applicable policies of the Department, including by ensuring that the agreement does not compromise any national security, economic, or environmental interest of the United States.

(2) CERTIFICATION.—The director of the affected National Laboratory and the affected contractor shall certify that each activity carried out under a project for which an agreement is entered into under this section does not present, or minimizes, any apparent conflict of interest, and avoids or neutralizes any actual conflict of interest, as a result of the agreement under this section.

(3) AVAILABILITY OF RECORDS.—On entering an agreement under this section, the director of a National Laboratory shall submit to the Secretary for monitoring and review all records of the National Laboratory relating to the agreement.

(4) RATES.—The director of a National Laboratory may charge higher rates for services performed under a partnership agreement entered into pursuant to this section, regardless of the full cost of recovery, if such funds are used exclusively to support further research and development activities at the respective National Laboratory.

(d) EXCEPTION.—This section does not apply to any agreement with a majority foreign-owned company.

(e) CONFORMING AMENDMENT.—Section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting the subparagraphs appropriately;

(B) by striking ''Each Federal agency'' and inserting the following:

''(1) IN GENERAL.—Except as provided in paragraph (2), each Federal agency''; and

(C) by adding at the end the following:

''(2) EXCEPTION.—Notwithstanding paragraph (1), in accordance with section 722(a) of the America COMPETES Reauthorization Act of 2015, approval by the Secretary of Energy shall not be required for any technology transfer agreement proposed to be entered into by a National Laboratory of the Department of Energy, the total cost of which (including the National Laboratory contributions and project recipient cost share) is less than $1 million.''; and

(2) in subsection (b), by striking ''subsection (a)(1)'' each place it appears and inserting ''subsection (a)(1)(A)''.

SEC. 723. INCLUSION OF EARLY-STAGE TECHNOLOGY DEMONSTRATION IN AUTHORIZED TECHNOLOGY TRANSFER ACTIVITIES.

Section 1001 of the Energy Policy Act of 2005 (42 U.S.C. 16391) is amended by—

(1) redesignating subsection (g) as subsection (h); and

(2) inserting after subsection (f) the following:

''(g) EARLY-STAGE TECHNOLOGY DEMONSTRATION.—The Secretary shall permit the directors of the National Laboratories to use funds authorized to support technology transfer within the Department to carry out early-stage and pre-commercial technology demonstration activities to remove technology barriers that limit private sector interest and demonstrate potential commercial applications of any research and technologies arising from National Laboratory activities.''.

SEC. 724. FUNDING COMPETITIVENESS FOR INSTITUTIONS OF HIGHER EDUCATION AND OTHER NONPROFIT INSTITUTIONS.

Section 988(b) of the Energy Policy Act of 2005 (42 U.S.C. 16352(b)) is amended—

(1) in paragraph (1), by striking ''Except as provided in paragraphs (2) and (3)'' and inserting ''Except as provided in paragraphs (2), (3), and (4)''; and

(2) by adding at the end the following:

''(4) EXEMPTION FOR INSTITUTIONS OF HIGHER EDUCATION AND OTHER NONPROFIT INSTITUTIONS.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to a research or development activity performed by an institution of higher education or nonprofit institution (as defined in section 4 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3703)).

''(B) TERMINATION DATE.—The exemption under subparagraph (A) shall apply during the 6-year period beginning on the date of enactment of this paragraph.''.

SEC. 725. PARTICIPATION IN THE INNOVATION CORPS PROGRAM.

The Secretary may enter into an agreement with the Director of the National Science Foundation to enable researchers funded by the Department to participate in the National Science Foundation Innovation Corps program.

Subtitle D—Assessment of Impact

SEC. 731. REPORT BY GOVERNMENT ACCOUNTABILITY OFFICE.

Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report—

(1) describing the results of the projects developed under sections 721, 722, and 723, including information regarding—

(A) partnerships initiated as a result of those projects and the potential linkages presented by those partnerships with respect to national priorities and other taxpayer-funded research; and

(B) whether the activities carried out under those projects result in—

(i) fiscal savings;

(ii) expansion of National Laboratory capabilities;

(iii) increased efficiency of technology transfers; or

(iv) an increase in general efficiency of the National Laboratory system; and

(2) assess the scale, scope, efficacy, and impact of the Department's efforts to promote technology transfer and private sector engagement at the National Laboratories, and make recommendations on how the Department can improve these activities.

TITLE XXXIII—NUCLEAR ENERGY INNOVATION CAPABILITIES

SEC. 3301. SHORT TITLE.

This title may be cited as the ''Nuclear Energy Innovation Capabilities Act''.

SEC. 3302. NUCLEAR ENERGY.

Section 951 of the Energy Policy Act of 2005 (42 U.S.C. 16271) is amended to read as follows:

''SEC. 951. NUCLEAR ENERGY.

''(a) MISSION.—The Secretary shall conduct programs of civilian nuclear research, development, demonstration, and commercial application, including activities in this subtitle. Such programs shall take into consideration the following objectives:

''(1) Providing research infrastructure to promote scientific progress and enable users from academia, the National Laboratories, and the private sector to make scientific discoveries relevant for nuclear, chemical, and materials science engineering.

''(2) Maintaining National Laboratory and university nuclear energy research and development programs, including their infrastructure.

''(3) Providing the technical means to reduce the likelihood of nuclear weapons proliferation and increasing confidence margins for public safety of nuclear energy systems.

''(4) Reducing the environmental impact of nuclear energy related activities.

''(5) Supporting technology transfer from the National Laboratories to the private sector.

''(6) Enabling the private sector to partner with the National Laboratories to demonstrate novel reactor concepts for the purpose of resolving technical uncertainty associated with the aforementioned objectives in this subsection.

''(b) DEFINITIONS.—In this subtitle:

''(1) ADVANCED NUCLEAR REACTOR.—The term 'advanced nuclear reactor' means—

''(A) a nuclear fission reactor with significant improvements over the most recent generation of nuclear fission reactors, which may include inherent safety features, lower waste yields, greater fuel utilization, superior reliability, resistance to proliferation, and increased thermal efficiency; or

''(B) a nuclear fusion reactor.

''(2) FAST NEUTRON.—The term 'fast neutron' means a neutron with kinetic energy above 100 kiloelectron volts.

''(3) NATIONAL LABORATORY.—The term 'National Laboratory' has the meaning given that term in paragraph (3) of section 2, except that with respect to subparagraphs (G), (H), and (N) of such paragraph, for purposes of this subtitle the term includes only the civilian activities thereof.

''(4) NEUTRON FLUX.—The term 'neutron flux' means the intensity of neutron radiation measured as a rate of flow of neutrons applied over an area.

''(5) NEUTRON SOURCE.—The term 'neutron source' means a research machine that provides neutron irradiation services for research on materials sciences and nuclear physics as well as testing of advanced materials, nuclear fuels, and other related components for reactor systems.''.

SEC. 3303. NUCLEAR ENERGY RESEARCH PROGRAMS.

Section 952 of the Energy Policy Act of 2005 (42 U.S.C. 16272) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

SEC. 3304. ADVANCED FUEL CYCLE INITIATIVE.

Section 953(a) of the Energy Policy Act of 2005 (42 U.S.C. 16273(a)) is amended by striking '', acting through the Director of the Office of Nuclear Energy, Science and Technology,''.

SEC. 3305. UNIVERSITY NUCLEAR SCIENCE AND ENGINEERING SUPPORT.

Section 954(d)(4) of the Energy Policy Act of 2005 (42 U.S.C. 16274(d)(4)) is amended by striking ''as part of a taking into consideration effort that emphasizes'' and inserting ''that emphasize''.

SEC. 3306. DEPARTMENT OF ENERGY CIVILIAN NUCLEAR INFRASTRUCTURE AND FACILITIES.

Section 955 of the Energy Policy Act of 2005 (42 U.S.C. 16275) is amended—

(1) by striking subsections (c) and (d); and

(2) by adding at the end the following:

''(c) VERSATILE NEUTRON SOURCE.—

''(1) MISSION NEED.—Not later than December 31, 2016, the Secretary shall determine the mission need for a versatile reactor-based fast neutron source, which shall operate as a national user facility. During this process, the Secretary shall consult with the private sector, universities, National Laboratories, and relevant Federal agencies to ensure that this user facility will meet the research needs of the largest possible majority of prospective users.

''(2) ESTABLISHMENT.—Upon the determination of mission need made under paragraph (1), the Secretary shall, as expeditiously as possible, provide to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a detailed plan for the establishment of the user facility.

''(3) FACILITY REQUIREMENTS.—

''(A) CAPABILITIES.—The Secretary shall ensure that this user facility will provide, at a minimum, the following capabilities:

''(i) Fast neutron spectrum irradiation capability.

''(ii) Capacity for upgrades to accommodate new or expanded research needs.

''(B) CONSIDERATIONS.—In carrying out the plan provided under paragraph (2), the Secretary shall consider the following:

''(i) Capabilities that support experimental high-temperature testing.

''(ii) Providing a source of fast neutrons at a neutron flux, higher than that at which current research facilities operate, sufficient to enable research for an optimal base of prospective users.

''(iii) Maximizing irradiation flexibility and irradiation volume to accommodate as many concurrent users as possible.

''(iv) Capabilities for irradiation with neutrons of a lower energy spectrum.

''(v) Multiple loops for fuels and materials testing in different coolants.

''(vi) Additional pre-irradiation and post-irradiation examination capabilities.

''(vii) Lifetime operating costs and lifecycle costs.

''(4) REPORTING PROGRESS.—The Department shall, in its annual budget requests, provide an

explanation for any delay in its progress and otherwise make every effort to complete construction and approve the start of operations for this facility by December 31, 2025.

''(5) COORDINATION.—The Secretary shall leverage the best practices for management, construction, and operation of national user facilities from the Office of Science.''.

SEC. 3307. SECURITY OF NUCLEAR FACILITIES.

Section 956 of the Energy Policy Act of 2005 (42 U.S.C. 16276) is amended by striking '', acting through the Director of the Office of Nuclear Energy, Science and Technology,''.

SEC. 3308. HIGH-PERFORMANCE COMPUTATION AND SUPPORTIVE RESEARCH.

Section 957 of the Energy Policy Act of 2005 (42 U.S.C. 16277) is amended to read as follows:

''SEC. 957. HIGH-PERFORMANCE COMPUTATION AND SUPPORTIVE RESEARCH.

''(a) MODELING AND SIMULATION.—The Secretary shall carry out a program to enhance the Nation's capabilities to develop new reactor technologies through high-performance computation modeling and simulation techniques. This program shall coordinate with relevant Federal agencies through the National Strategic Computing Initiative created under Executive Order No. 13702 (July 29, 2015) while taking into account the following objectives:

''(1) Utilizing expertise from the private sector, universities, and National Laboratories to develop computational software and capabilities that prospective users may access to accelerate research and development of advanced nuclear reactor systems, and reactor systems for space exploration.

''(2) Developing computational tools to simulate and predict nuclear phenomena that may be validated through physical experimentation.

''(3) Increasing the utility of the Department's research infrastructure by coordinating with the Advanced Scientific Computing Research program within the Office of Science.

''(4) Leveraging experience from the Energy Innovation Hub for Modeling and Simulation.

''(5) Ensuring that new experimental and computational tools are accessible to relevant research communities.

''(b) SUPPORTIVE RESEARCH ACTIVITIES.—The Secretary shall consider support for additional research activities to maximize the utility of its research facilities, including physical processes to simulate degradation of materials and behavior of fuel forms and for validation of computational tools.''.

SEC. 3309. ENABLING NUCLEAR ENERGY INNOVATION.

Subtitle E of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16271 et seq.) is amended by adding at the end the following:

''SEC. 958. ENABLING NUCLEAR ENERGY INNOVATION.

''(a) NATIONAL REACTOR INNOVATION CENTER.—The Secretary shall carry out a program to enable the testing and demonstration of reactor concepts to be proposed and funded by the private sector. The Secretary shall leverage the technical expertise of relevant Federal agencies and National Laboratories in order to minimize the time required to enable construction and operation of privately funded experimental reactors at National Laboratories or other Department-owned sites. Such reactors shall operate to meet the following objectives:

''(1) Enabling physical validation of novel reactor concepts.

''(2) Resolving technical uncertainty and increasing practical knowledge relevant to safety, resilience, security, and functionality of first-of-a-kind reactor concepts.

''(3) General research and development to improve nascent technologies.

''(b) REPORTING REQUIREMENT.—Not later than 180 days after the date of enactment of the Nuclear Energy Innovation Capabilities Act, the Secretary, in consultation with the National Laboratories, relevant Federal agencies, and other stakeholders, shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report assessing the Department's capabilities to authorize, host, and oversee privately funded experimental advanced nuclear reactors as described under subsection (a). The report shall address the following:

''(1) The Department's oversight capabilities, including options to leverage expertise from the Nuclear Regulatory Commission and National Laboratories.

''(2) Potential sites capable of hosting activities described under subsection (a).

''(3) The efficacy of the Department's available contractual mechanisms to partner with the private sector and Federal agencies, including cooperative research and development agreements, strategic partnership projects, and agreements for commercializing technology.

''(4) Potential cost structures related to long-term projects, including physical security, distribution of liability, and other related costs.

''(5) Other challenges or considerations identified by the Secretary.''.

SEC. 3310. BUDGET PLAN.

(a) IN GENERAL.—Subtitle E of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16271 et seq.) is further amended by adding at the end the following:

''SEC. 959. BUDGET PLAN.

''Not later than 12 months after the date of enactment of the Nuclear Energy Innovation Capabilities Act, the Department shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate 2 alternative 10-year budget plans for civilian nuclear energy research and development by the Department. The first shall assume constant annual funding for 10 years at the appropriated level for the Department's civilian nuclear energy research and development for fiscal year 2016. The second shall be an unconstrained budget. The two plans shall include—

''(1) a prioritized list of the Department's programs, projects, and activities to best support the development of advanced nuclear reactor technologies;

''(2) realistic budget requirements for the Department to implement sections 955(c), 957, and 958 of this Act; and

''(3) the Department's justification for continuing or terminating existing civilian nuclear energy research and development programs.''.

(b) REPORT ON FUSION INNOVATION.—Not later than 6 months after the date of enactment of this title, the Secretary of the Department of Energy shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that will identify engineering designs for innovative fusion energy systems that have the potential to demonstrate net energy production not later than 15 years after the start of construction. In this report, the Secretary will identify budgetary requirements that would be necessary for the Department to carry out a fusion innovation initiative to accelerate research and development of these designs.

SEC. 3311. CONFORMING AMENDMENTS.

The table of contents for the Energy Policy Act of 2005 is amended by striking the item relating to section 957 and inserting the following:

''957. High-performance computation and supportive research.
''958. Enabling nuclear energy innovation.
''959. Budget plan.''.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour, equally divided among and controlled by the chair and ranking minority member of the Committee on Energy and Commerce and the chair and ranking minority member of the Committee on Natural Resources.

The gentleman from Kentucky (Mr. WHITFIELD), the gentleman from Illinois (Mr. RUSH), the gentleman from Arkansas (Mr. WESTERMAN), and the gentleman from California (Mr. HUFFMAN) each will control 15 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on S. 2012.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. WHITFIELD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today I rise in support of the House amendment to S. 2012, the Energy Policy Modernization Act of 2016.

In December of last year, the House passed H.R. 8, the North American Energy Security and Infrastructure Act of 2015, which is a large portion of the language we are considering today. This legislation, together with provisions from the Committee on Natural Resources and the Committee on Science, Space, and Technology, would be the first major piece of energy legislation in 8 years, and it addresses many outdated aspects of our Federal energy policy.

Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. UPTON), the chairman of the Committee on Energy and Commerce.

Mr. UPTON. Mr. Speaker, I would like to wish the chairman a happy birthday.

It has been nearly a decade since we last considered an energy package like this. In that time, a lot has changed. Continued innovation and discovery across the energy sector have brought about a new landscape of abundant supply and tremendous potential for economic growth. This has been a multiyear, multi-Congress effort, and a lot of work has gone in to make sure that the bill that we put forward to support the future of American energy is truly comprehensive. Together with our colleagues, I am proud to be moving this legislation one step closer to becoming the new reality for energy producers and consumers across the country.

This bill is about jobs. It is about keeping energy affordable. It is about boosting our energy security here and across the globe. H.R. 8 is the embodiment of an all-of-the-above energy

strategy. One of the most important provisions is, in fact, modernizing and protecting critical energy infrastructure, including the electric grid, from new threats, including severe weather from climate, cyber threats, and physical attacks as well.

It helps to foster and promote new 21st century energy jobs by ensuring that the Department of Energy and our labs and universities work together to train the energy workforce and entrepreneurs of tomorrow. It makes energy efficiency, including Federal Government energy efficiency, a priority, and focuses less on creating new mandates and subsidies to incentivize behavior and more on market changes and using the government as an example.

Finally, it helps update existing laws that bring some added certainty to permitting processes and helps to promote using our abundant resources to aid in diplomacy. For example, by streamlining the approval process for projects such as the interstate natural gas pipelines and LNG export facilities, the legislation will allow businesses at the cutting edge of research to keep putting the full scope of energy abundance to work for consumers both here and abroad. This allows us to provide an energy lifeline to our allies across the globe.

Provisions within H.R. 8 and others that have been included in the amendment under consideration today also seek to capitalize on energy sources that the administration has rejected. H.R. 8 brings much-needed reforms to the hydropower licensing process as well, a clean energy source that, together with nuclear, provides some 25 percent of the United States' electricity, with no greenhouse gas emissions. It is imperative that hydropower remains a vital part of any future.

The all-of-the-above energy strategy also means that the future of American energy does not need to be a series of choices between the environment and the economy. By introducing 21st century regulatory reforms that reflect our energy abundance, and with the DOE's Quadrennial Energy Review as a guide, this bill will help bring about needed reforms and continued innovation across the energy sector.

The legislation before us today is the product of a thorough assessment of the gap that we face between our stale energy regulations and our budding energy supply. H.R. 8 closes the gap. I urge my colleagues to support it.

Mr. RUSH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, when members of the Committee on Energy and Commerce first began to address a comprehensive bipartisan energy bill in the beginning of 2015, there was a sense of hopefulness, a sense of optimism that the committee would once again set the standard for working together to get things done on behalf of the American people in a spirit of bipartisan cooperation.

At that time, Mr. Speaker, many of us on the minority side had enormous expectations that we would draft a bill that would move our energy policy forward in a manner befitting the challenges facing our Nation in this, the 21st century.

Specifically, Mr. Speaker, from my perspective, a comprehensive energy bill would need to modernize the Nation's aging energy infrastructure, train a 21st century workforce, and address the critically important issue of manmade climate change. Unfortunately, Mr. Speaker, none of these issues are addressed in the bill that we are voting on here today.

This 800-page hodgepodge of Republican and corporate priorities is nothing more than a majority wish list of strictly ideological bills, many of which the minority party opposes and the Obama administration and the American people do not support.

Outside of just a few minor crumbs thrown in to represent the priorities of the minority party, including my workforce development legislation, the bill almost contains nothing that the American people could support or rally behind. Specifically, Mr. Speaker, the underlying bill, H.R. 8, does little more than take us backwards in terms of energy policy, while also providing loopholes to help industry avoid accountability and to avoid further regulation.

H.R. 8 contains efficiency provisions that will actually increase energy use and energy costs to consumers, putting industry interests above the public interest.

The bill's hydropower title weakens longstanding environmental review procedures and curtails State, local, and tribal authority over projects in their respective lands.

Mr. Speaker, the bill flagrantly binds the U.S. to an outdated dependency on fossil fuels while failing to offer any constructive, forward-looking policies to incentivize the development and the deployment of clean energy.

As you know, Mr. Speaker, many of the bills contained in the House amendment include controversial provisions that the minority party has repeatedly opposed at both the committee level as well as here on the House floor. Additionally, Mr. Speaker, many of these same poison pill amendments in the bill have already received veto threats from the Obama administration.

So, Mr. Speaker, with a bill that fails to modernize our energy infrastructure, that fails to invest in job-creating clean energy technologies, and that fails to cut carbon pollution, it is safe, Mr. Speaker, to proclaim to this body that we still have a long, hard, and cumbersome road ahead if we are ever to reach a point of finding consensus, bipartisan consensus.

Unfortunately, Mr. Speaker, I cannot support this bill before us. I urge my colleagues to oppose it as well.

Mr. Speaker, I reserve the balance of my time.

Mr. WHITFIELD. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Oregon (Mr. WALDEN), who is a member of the Committee on Energy and Commerce and is quite familiar with energy issues.

Mr. WALDEN. I thank my colleague from Kentucky for his great work on this legislation and his thoughtful leadership on these issues over many years.

Mr. Speaker, for all your work on this legislation to make much-needed reforms to modernize energy policy into something that better promotes affordability, reliability, and ensures we have the energy we need to continue growing jobs in our communities, I say thank you.

Among the many strong provisions in this bill, several are particularly important to the West and our rural communities across central, eastern, and southern Oregon.

For farmers and ranchers in the Klamath Basin, this bill ensures that they will actually get a formal seat at the table when there is consultation with Federal agencies on decisions under the ESA. Irrigators in this area have long been impacted by these decisions, and it is only fair they should have an equal seat at the table with other entities during these discussions.

Perhaps one of the timeliest provisions, Mr. Speaker, as we head into forest fire season in the West, are the provisions that provide for streamlined planning and would reduce frivolous lawsuits and speed up the pace of forest management across our public lands.

This House, 4 years in a row now, after we pass this, has considered much-needed legislation to fix the management of our Federal forests. Now the Senate will have an opportunity to join us in this effort, as we amend this legislation and send it on over to the Senate. Our forested, rural communities, Mr. Speaker, have waited long enough. They have choked on smoke summer after summer long enough. They have seen their watersheds get destroyed by catastrophic fire. It is time to fix the problem.

Now, a couple other specifics, Mr. Speaker, on national forests across eastern Oregon.

Forest managers' hands are tied by a one-size-fits-all rule prohibiting the harvest of trees over 21 inches in diameter. This measure was implemented temporarily in 1997 but still has not been lifted 20 years later, just about. It represents really poor science. It only serves as a source of frequent appeals and litigation. Repealing this will give our forest managers the flexibility they need to use modern science to actually manage the forests for healthier conditions.

□ 1430

Last month the Bureau of Land Management released their proposed resource management plan for Oregon's unique O&C lands in southern and western Oregon. Frankly, it is a terrible plan.

Despite a clear statutory requirement that they manage these lands for sustainable timber production and revenue to the counties—dare I say, jobs in the community—the BLM's plan goes the other way. It locks up 75 percent of the lands and harvests less than half the minimum level directed by the O&C Act. This is a job killer.

This bill includes bipartisan legislation that I wrote, working with my colleagues from Oregon, Representatives DEFAZIO and SCHRADER, to cut costs, increase timber harvest and revenue to local counties, and direct BLM to revise their flawed management plan to actually reflect the underlying act.

Mr. Speaker, this is good energy legislation. This is good natural resource legislation. This is sound environmental legislation. I urge its passage.

Mr. RUSH. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. PALLONE), the outstanding ranking member of the full committee.

Mr. PALLONE. Mr. Speaker, I want to thank Mr. RUSH for managing the opposition to the bill so successfully.

Mr. Speaker, today we are considering the House amendment to S. 2012, the mistitled North American Energy Security Act of 2016. This legislation once again shows us the vastly different paths taken by the two Chambers of Congress.

On the one hand is the Senate energy bill that the House intends to go to conference on. It passed by a vote of 85–15 because it is balanced and because it contains a number of nonenergy provisions that the public supports overwhelmingly, such as permanent funding for the Land and Water Conservation Fund. On the other hand, the House energy bill was the result of a highly partisan process that the President threatened to veto.

As we prepare to head to conference, we have a second chance to do things right and to produce a new, bipartisan energy bill. Unfortunately, that is not what we are doing today. The Republican majority has decided to replace the consensus Senate bill with a new pro-polluter package that dwarfs the original H.R. 8.

When crafting the House amendment before us today, the Republican caucus decided to tack on over 30 extraneous bills to an already bad piece of energy legislation that the President promised to veto. While a number of these new additions are noncontroversial bills, many of these provisions are divisive, dangerous, and have drawn veto threats of their own.

The House amendment to S. 2012 weakens protections for public health and the environment, undermines existing laws designed to promote efficiency, and does nothing to help realize the clean and renewable energy policies of the future.

And, of course, this so-called energy infrastructure bill provides absolutely no money to modernize the grid or our pipeline infrastructure.

The House amendment is a backward-looking piece of energy legislation at a time when we need to move forward.

Let me highlight some of the most harmful provisions solely from the jurisdiction of the Energy and Commerce Committee.

This bill eliminates the current Presidential permitting process for energy projects that cross the U.S. border. Such action would create a new, weaker process that effectively rubberstamps permit applications and allows the Keystone pipeline to rise from the grave.

It makes dangerous and unnecessary changes to the FERC natural gas pipeline siting process at the expense of private landowners, the environment, and our national parks.

It harms electricity consumers at all levels by interfering with competitive markets to subsidize uneconomic generating facilities. These facilities would otherwise be rejected by the market in favor of lower cost natural gas and renewable options.

It strikes language in current law that requires Federal buildings to be designed to reduce consumption of fossil fuels.

It creates loopholes that would permit hydropower operators to dodge compliance with environmental laws, including the Clean Water Act, and gives preferential treatment to electric utilities at the expense of States, tribes, farmers, and sportsmen.

It contains an energy efficiency title that, if enacted, would result in a net increase in consumption and greenhouse gas emissions compared to current law.

Frankly, Mr. Speaker, this is not a legitimate exercise in legislating, and it speaks volumes about the total lack of seriousness with which House Republicans are approaching this conference. We should be trying to narrow the differences and move closer to the bipartisan Senate product.

Instead, we are going in the opposite direction, voting on an 800-page monstrosity energy package that the Republican leadership has stitched together from pieces of pro-polluter bills that passed the Senate only to die in the Senate or on the President's desk.

Voting once on these fundamentally flawed ideas was more than enough. We shouldn't make a mockery of the conference process and be using the House floor to try to raise the dead.

The House amendment to S. 2012 has one central theme binding its energy provisions: an unerring devotion to the energy of the past. It is the Republican Party's 19th century vision for the future of U.S. energy policy in the 21st century.

I strongly oppose the House amendment, obviously, and I urge my colleagues to do the same.

Mr. WHITFIELD. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. SMITH), who is a real expert on energy issues.

Mr. SMITH of Texas. Mr. Speaker, first of all, I want to thank the gentleman from Kentucky, Chairman WHITFIELD, for yielding me time.

I am pleased to support the House amendment to the Senate Energy Policy Modernization Act.

Division D of this legislation includes the three energy titles from the Science Committee's House-passed legislation, H.R. 1806, the America Competes Reauthorization Act of 2015, and H.R. 4084, the Nuclear Energy Innovation Capabilities Act. Division D is both pro-science and fiscally responsible and sets America on a path to remain the world's leader in innovation.

America's economic and productivity growth relies on government support of basic research to enable the scientific breakthroughs that fuel technological innovation, new industries, enhanced international competitiveness, and job creation.

Title V reauthorizes the Department of Energy Office of Science for 2 years. It prioritizes the National Laboratories' basic research that enables researchers in all 50 States to have access to world-class user facilities, including supercomputers and high-intensity light sources.

The bill prevents duplication and requires DOE to certify that its climate science work is unique and not replicated by other Federal agencies.

Title VI likewise reauthorizes DOE's applied research and developmental programs and activities for fiscal year 2016 and fiscal year 2017. It restrains the unjustified growth in spending on late-stage commercialization efforts and focuses instead on basic and applied research efforts.

Division D also requires DOE to provide a regular strategic analysis of science and technology activities within the Department, identifying key areas for collaboration across science and applied research programs.

This will reduce waste and duplication and identify activities that could be better undertaken by States, institutions of higher education or the private sector, and areas of subpar performance that should be eliminated.

Title VII proposes to cut red tape and bureaucracy in the DOE technology transfer process. It allows contractor operators of DOE National Laboratories to work with the private sector more efficiently by delegating signature authority to the directors of the

National Labs themselves rather than DOE contracting officers for cooperative agreements valued at less than $1 million.

Also included is H.R. 4084, Energy Subcommittee Chairman RANDY WEBER's House-passed Nuclear Energy Innovation Capabilities Act. It provides a clear timeline for DOE to complete a research reactor user facility within 10 years. This research reactor will enable proprietary and academic research to develop supercomputing models and design next generation nuclear energy technology.

H.R. 4084 creates a reliable mechanism for the private sector to partner with DOE labs to build fission and fusion prototype reactors at DOE sites.

Overall, Division D sets the right priorities for Federal civilian research, which enhances U.S. competitiveness while reducing spending and the Federal deficit by over $550 million.

I encourage my colleagues to support this bill.

Mr. RUSH. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. CASTOR), an outstanding and hardworking member of the Energy and Power Subcommittee and the Energy and Commerce full committee.

Ms. CASTOR of Florida. I thank the gentleman, Ranking Member RUSH, for his leadership on energy solutions for America.

Mr. Speaker, I rise in opposition to the Republican amendment because it is a giveaway to special interests and it is a missed opportunity to craft a bipartisan package of energy policies that meet the challenges of the 21st century and boost America's clean energy economy.

The GOP-led Congress is out of sync with the American public and out of touch with what is happening in electricity generation across America.

The future is about energy efficiency and geothermal, renewables like solar, wind power, and biomass. In fact, the U.S. Energy Information Administration says renewable energy is the world's fastest growing energy source.

That means innovative, cost-saving energy investments for our neighbors and businesses back home. That means we are going to create jobs through the clean energy economy and, at the same time, reduce carbon pollution.

Instead, in this amendment, the GOP doubles down on dirty fuel sources. It logrolls 36 bills into a single package that, in many cases, eliminates environmental reviews, and the experts say the bill will actually accelerate climate change.

So if the Republican energy package was a car, it wouldn't just be stuck in neutral, it would be stuck in reverse because it harkens back to the energy policies of decades ago rather than America's growing clean energy economy of the future.

Let's not go backwards. Let's move Americans forward and put money back into the pockets of our hardworking neighbors.

I urge the House to reject the GOP amendment.

Mr. WHITFIELD. Mr. Speaker, I would like to inquire how much time is remaining on both sides.

The SPEAKER pro tempore. The gentleman from Kentucky has 4¾ minutes remaining. The gentleman from Illinois has 4 minutes remaining.

Mr. WHITFIELD. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. VALADAO).

Mr. VALADAO. Mr. Speaker, I want to thank my colleagues on both committees of jurisdiction here, Energy and Commerce and Natural Resources. The language that they allowed to be put into this energy bill from my water bill is something that truly makes a difference for the constituents of the Central Valley.

We have been suffering over these last few years, and what it has done is devastated our communities. We have unemployment numbers reaching as high as 30 and 40 percent. We see numbers even in some smaller communities as high as 50 percent. To see these things happen in our communities is a total tragedy, and it doesn't have to happen. All we need is some commonsense legislation.

We have tried reaching out. We have passed legislation out of the House a few different times. We have negotiated and tried to get somewhere, but we weren't able to do it.

So finding another way to get this onto our Senators' desks so that they can actually take some action and get it to the President's desk is of the utmost importance.

I appreciate all the leadership and all the help from both committees to help this move forward.

Mr. RUSH. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Speaker, I thank Ranking Member RUSH. I also want to thank my colleagues on the Energy and Commerce Committee, including the chairman of the subcommittee, for their hard work.

I am pleased to have several bipartisan measures included in the legislation, including reforming hydropower licensing, addressing efficiency in Federal buildings, enhancing the energy-water nexus, verification of cyber-resilient products for the grid, authorization of water programs, an update of our national policy on the future of the grid, and smart grid-capable labels on products to enhance consumer choice.

These are items I believe should remain in any final energy package. Unfortunately, the Republicans have loaded the bill with nonconstructive language.

One such provision is language from H.R. 2898 that would harm California's delta and the economies of the families, farmers, and communities I represent. There is no way this language should be part of an energy package. It is just an add-on. It just shows how desperate the Republicans are to push through this bad policy.

Because of this, I regretfully oppose this legislation.

Mr. Speaker, our Nation's energy and electricity systems need upgrades and modernization. Climate change needs to be addressed. The Senate companion bill does not address these issues.

So, again, unfortunately, I have to oppose this legislation.

□ 1445

Mr. WHITFIELD. Mr. Speaker, I reserve the balance of my time.

Mr. RUSH. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Mr. Speaker, I want to say we have been here before. Last night we argued about undertaking the water wars of California. Once again, here we are. This time, as last night, legislation dumped into this energy bill that will gut the environmental protections of the delta and San Francisco Bay, destroy the fisheries, destroy the economy of the delta and water for millions of people.

Why would we want to do this?

Well, presumably, to take care of the water interests of the San Joaquin Valley, not southern California, but the San Joaquin Valley alone. It makes no sense whatsoever. It is the wrong policy.

We have to let science govern the delta. We have to operate the delta based upon the very best possible science available, do the pumping, do the exports, consistent with the protection of the ecology and the environment of the delta; that is fish, that is the land, that is the water systems.

The ESA, the Clean Water Act, and the biological opinions, cannot be overrun. Yet, this legislation does exactly that.

We ought to vote ''no'' on this bill. These particular sections should be removed.

Mr. WHITFIELD. Mr. Speaker, I reserve the balance of my time.

Mr. RUSH. Mr. Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman from Illinois has 1½ minutes remaining.

Mr. RUSH. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I just want to reemphasize that, for the minority side to support this bill and its going forward, there must be provisions included in the bill that will address the deeply felt concern that our Members have continually expressed.

Specifically, Mr. Speaker, our Members would like to see funding to modernize the Nation's energy infrastructure. Our Members want to see investment in clean energy technology. Our

Members want to see resources to train a 21st century workforce. Our Members want to see policies to transition our economy away from the energy sources of the past and towards the sustainable energy sources of the future.

Mr. Speaker, without these provisions, this bill won't go very far.

Mr. Speaker, I encourage all Members of this House to vote ''no'' on this so-called energy bill. It is a relic. It is backwards-looking. It puts the Nation on a reverse course.

Mr. Speaker, I yield back the balance of my time.

Mr. WHITFIELD. Mr. Speaker, I yield myself such time as I may consume.

To our friends on the other side of the aisle, I want to thank them for working with us on this legislation. I know it is difficult to please everyone.

Any time you talk about energy today, of course, people raise the issue of climate change. And I might say that America does not have to take a back seat to any country in the world on climate change. We have 64 different government programs addressing climate change, so I think America is doing more on that issue than anyone else.

But we have other problems that we have to deal with as well. For example, the U.S. Energy Information Administration estimates that power outages in America cost Americans at least $150 billion annually. One of the reasons we have a lot of power outages is because of our infrastructure needs, but also because of regulations coming out of this administration.

One of the provisions in this bill requires FERC to analyze the impact on electric reliability of new Federal regulations that have many experts concerned. So we want an analysis of all these regulations and its impact on reliability.

We have heard a lot of discussion about the need for work-training programs for people to work in energy, in the renewable sector, and all sectors. And we had a serious discussion with our friends on the other side of the aisle as we were marking up this legislation. We had basically agreed on a provision to provide training for African Americans, for Hispanics, for women, and for other minorities, to get them involved in the energy field, which we all wanted to do. We even provided some money for that training program.

But we had said, if we do this, we want to change a couple of provisions in the 2005 Energy Policy Act. For example, in that act, there was a prohibition against the Federal government in Federal buildings using any fossil fuels after the year 2030.

We think that is pretty draconian. So we said we are not going to mandate the use of fossil fuels, but in keeping even with the President's statements about an all-of-the-above energy policy, we wanted a provision in there that would repeal that so if there was a time in the future when we needed fossil fuels because fossil fuels are still providing about 50 to 60 percent of all the electricity in America—even more than that—coal and natural gas.

So this provision simply says we are going to allow it. We are not mandating it, but the government has the option, after 2030, of using fossil fuel in government buildings. We think that is a sensible approach, but our friends on the other side of the aisle had dug in the sand so much, they refused that: We will not support it if that is in there.

So some of these provisions that we all wanted, we don't have in here, but we are trying to do the best that we can do.

I think this is a major step forward for the American people, and I would urge everyone to support S. 2012, the Energy Policy Modernization Act of 2016, and the House amendment to it.

Mr. Speaker, I yield back the balance of my time.

Mr. WESTERMAN. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support for the inclusion of H.R. 2647, the Resilient Federal Forests Act, in the House amendment to S. 2012.

The House passed H.R. 2647 with 262 bipartisan votes last July, and it has been waiting for Senate action since then.

When we passed the bill nearly a year ago, we knew we were facing a severe wildfire season. We were correct. More than 10.1 million acres of forest land burned across the country, the largest number of acres ever recorded. Over 4,500 homes and other structures were destroyed.

Mr. Speaker, these fires destroyed valuable resources, and emitted in the order of magnitude of 100 million tons of carbon into the atmosphere while burning up the equivalent renewable energy stored in our forests of 20 to 30 billion gallons of gasoline. Tragically, these fires also claimed the lives of seven firefighters who worked courageously to stop the spread of these wildfires into communities.

When the House passed H.R. 2647 last summer, we hoped that the passage would spur action from the Senate. Unfortunately, that has not been the case. We have waited patiently for the Senate to offer its own legislation so we could sit down and negotiate a compromise. However, that has not been the case, so we should again ask the Senate to act on forestry reform.

H.R. 2647 is premised on a simple idea: that the Forest Service and the BLM need to do more work to restore the health and resilience of our Nation's forests.

We understand the problem clearly. Our forests are overgrown due to years of neglect. This problem cannot be solved immediately, but we have an obligation to our rural communities to do everything we can to help mitigate the problem.

In drafting this bill, we included provisions which would allow our Federal land management agencies to be able to shorten lengthy environmental review periods when they already understand the environmental impacts of a proposed management action. This bill also encourages and rewards collaboration between diverse stakeholder groups.

The Natural Resources Committee recognizes the chilling effect of unnecessary litigation and how that can prevent needed restoration work from occurring in our Nation's forests. The committee heard testimony from a variety of experts who testified about how restoration work is not being proposed by the Forest Service for fear that it will be litigated.

My bill takes the simple step of requiring anyone who litigates a forest management project to post a bond if they are challenging a project put forth by a collaborative effort. It is not unreasonable to ask a litigant who threatens an urgently needed project that is put forth by a diverse group of stakeholders to have some skin in the game.

This bill also recognizes the reality that we must rethink the manner in which we fund the fighting of catastrophic wildfires. The Forest Service is burdened with having to transfer funds from other accounts in order to cover the cost of wildfire suppression. Just last year, the Forest Service was forced to transfer $243 million from other agency accounts during 1 week in August in order to pay for firefighting costs. These transfers disrupt the very work that reduces the risk of wildfires in the first place.

H.R. 2647 addresses this issue by allowing catastrophic wildfires to be treated like any other natural disaster. The Department of Agriculture and the Department of the Interior would be able to access FEMA's Disaster Relief Fund to help fight wildfires when all appropriated accounts are exhausted. This provision was drafted in a fiscally responsible manner to ensure that fighting these fires does not become a drain on our budget.

Mr. Speaker, this bill will not make a difference in the health of our Nation's Federal forests overnight, but it provides urgently needed tools to help our land management agencies to reduce the threat of catastrophic wildfires in our communities and to be good stewards of a treasured national resource.

I urge my colleagues to support the House amendment to S. 2012 so that we can go to conference and work out a solution to the many problems facing our Nation's Federal forests.

Mr. Speaker, I reserve the balance of my time.

Mr. HUFFMAN. Mr. Speaker, I yield myself such time as I may consume.

Today I rise in opposition to the litany of bad, environmentally harmful bills that the House Republican leadership is offering in place of the bipartisan Senate energy bill.

Now, the Senate bill, S. 2012, was sound policy and represented real progress on many important issues, but the package we are considering today is a dangerous threat. Not only is this package bad for drought-stricken States like California, but it includes a wish list of giveaways for the fossil fuel and mining industries, it undermines vital Endangered Species Act protections, and it undermines public review.

□ 1500

This is not a promising start to conference negotiations. Why are we wasting our time on a package of partisan bills that we have considered before and which we all know will never be signed into law?

Even worse than the substance, Republicans shot down the request to consider this bill under an open amendment process. Now, I, for one, would have recommended many changes if we were allowed to consider this very controversial omnibus bill under regular order. Just to name a few:

The House amendment we are considering today continues the unending threats that Congress poses under current management to the health of the bay delta and the vital salmon runs that are so important to California and to my district, not to mention specific threats to the San Joaquin River and to the Klamath and Trinity River systems, their salmon fisheries, and the people that depend upon them;

The House amendment we are considering today would bring back from the dead the undeniably harmful Keystone XL pipeline;

The House amendment we are considering today would roll back building codes;

It would be harmful to forest management policy and wildfire mitigation because it uses a short-sighted model for funding instead of bringing forward the actual fix to the fire borrowing problem, the bipartisan legislation by Representatives SIMPSON and SCHRADER that I have supported each of the last several years but we never seem to be able to actually bring to a vote in this House.

I urge my colleagues today to vote for the Senate energy bill in its current form, in its original form, which is the result of true, bipartisan compromise, so we can actually get that legislation and all of its useful provisions over the finish line.

Mr. Speaker, I reserve the balance of my time.

Mr. WESTERMAN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Wyoming (Mrs. LUMMIS).

Mrs. LUMMIS. Mr. Speaker, I am pleased this amendment will improve the stewardship of public lands, water, and natural resources throughout the West.

I am pleased to see Western priorities included in this bill, from the drought-stricken California to the responsible production of strategic and critical minerals on Federal lands. They are critical to national defense and make possible modern amenities like smartphones and tablets.

On tribal lands, the House amendment will empower tribes with more authority over their own land. The best forestry bill we have seen in years came from Mr. WESTERMAN, and he just talked about it.

Finally, the sportsmen's title will restore much-needed attorney fee transparency under the Equal Access to Justice Act. This law was created to help small businesses, veterans, and Social Security beneficiaries when they have to take the Federal Government to court. But it is being used on endless public lands litigation with consequences for sportsmen's access and other multiple use of public lands.

Finally, this would reinstate the Fish and Wildlife Service's own rulemaking regarding gray wolves in Wyoming and Western States.

Mr. Speaker, I urge my colleagues' support.

Mr. HUFFMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Stockton, California (Mr. MCNERNEY), who continuously fights for his district's water interests and the interests of California as they pertain to our most important estuary, the bay-delta system.

Mr. MCNERNEY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, we had a debate last night about a familiar issue—California's drought. It is something that impacts all of us, including Oregon and Washington State, not just people south of the delta.

Unfortunately, H.R. 2898 was included in the Energy and Water Development appropriations bill, and it is alarming that the House Republicans have tacked the same language onto the energy bill. This shows the desperation of the House Republicans to force this bad legislation through.

As I said last night, these provisions would further drain freshwater from the California delta. These provisions would damage the delta's ecosystem and harm the communities I represent. It harms some people to benefit others just because one side has the power to do it.

I represent the seventh largest agricultural county in the Nation, so I understand the needs of farmers and ranchers and the impact that water has on the ability to produce the Nation's fruits, nuts, and vegetables.

Unfortunately, H.R. 2898 would weaken the Endangered Species Act and set a precedent of undermining environmental protections. It also exacerbates a water war in the West just at a time when we are working to bridge those divides. In fact, the State and Federal agencies have been working effectively over the past few years to maximize water deliveries to the delta to communities down south.

Federal and State agencies have maximized what little water exists in the State. A lack of water is our biggest threat, not operational flexibility. Last night we heard about wasted water. What hasn't been said is that water that flows to the ocean pushes the saltwater out away from our farms and allows a path for salmon to the ocean.

The majority hasn't reauthorized WaterSmart. They haven't supported investments in recycling. They have cut funding for the Department of the Interior's efforts to boost water assistance. They haven't voted on water infrastructure improvements. How do we prepare for the future either in wet or dry years? This House isn't willing to make those kinds of investments.

Our Nation loses approximately 2 trillion gallons of water because of aging infrastructure. That is about 6 billion gallons of water wasted every day.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HUFFMAN. Mr. Speaker, I yield the gentleman from California an additional 30 seconds.

Mr. MCNERNEY. There are investments that can be made to recycle water and find wasteful leakage. For example, the State of Israel recycles 90 percent of its water. California recycles only 15 percent. Instead, the Republicans have pushed language that results in diminished fish populations and worsens saltwater intrusion, which affects the water being exported that permanently damages some of our most productive farmland in the world.

Mr. Speaker, this is not a solution. It is a step backward. I am disappointed with this bill, and I urge my colleagues to oppose it.

Mr. WESTERMAN. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. WITTMAN).

Mr. WITTMAN. Mr. Speaker, I rise to support the House amendment to S. 2012, the Energy Policy Modernization Act of 2016.

The House amendment includes the Sportsmen's Heritage and Recreational Enhancement Act of 2016, better known as the SHARE Act, which passed with bipartisan support in February in the House.

The SHARE Act is part of a group of commonsense bills that will eliminate unneeded regulatory impediments, safeguard against new regulations that impede outdoor sporting activities, and protect Second Amendment rights. These packages were similarly introduced and passed in the 112th and 113th Congresses.

Outdoor sporting activities, including hunting, fishing, and recreational shooting are deeply engrained in the fabric of the United States' culture and heritage. Values instilled by partaking in these activities are passed down from generation to generation and play a significant part in the lives of millions of Americans.

Much of America's outdoor sporting activity occurs on our Nation's Federal lands. Unfortunately, Federal agencies like the U.S. Forest Service and the Bureau of Land Management often prevent or impede access to Federal land for outdoor sporting activities. Because lack of access is one of the key reasons sportsmen and -women stop participating in outdoor sporting activities, ensuring the public has reliable access to our Nation's Federal lands must remain a top priority. The SHARE Act does just that.

One of the key provisions of this bill, the Recreational Fishing and Hunting Heritage Opportunities Act, will increase and sustain access for hunting, fishing, and recreational shooting on Federal lands for generations to come. Specifically, it protects sportsmen and -women from arbitrary efforts by the Federal Government to block Federal lands from hunting and fishing activities by implementing an open-until-closed management policy.

It also, in the package, provides tools to jointly create and maintain recreational shooting ranges on Federal lands and allows the Department of the Interior to designate hunter access corridors through National Park units so that sportsmen and -women can hunt and fish on adjacent Federal lands.

The package also protects Second Amendment rights and the use of traditional ammunition and fishing tackle. It defends law-abiding individuals' constitutional rights to keep and bear arms on lands managed by the Corps of Engineers and ensures that hunters are not burdened by outdated laws preventing bows and crossbows from being transported across national parks.

This important legislation will sustain America's rich hunting and fishing traditions, improve access to our Federal lands for responsible outdoor sporting activities, and help ensure that current and future generations of sportsmen and -women are able to enjoy the sporting activities this country holds dear.

Mr. Speaker, I strongly encourage my colleagues to vote ''yes'' on this important achievement.

Mr. HUFFMAN. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Fresno, California (Mr. COSTA).

Mr. COSTA. Mr. Speaker, I thank Mr. HUFFMAN for yielding me the time.

Mr. Speaker, I rise to support the amendment in the Energy Policy Modernization Act that was reflected in Congressman VALADAO's legislation, H.R. 2898, of which I am a cosponsor. It is an important effort to try to fix California's broken water system.

We cannot continue to kick this can down the road as we have for the last several years. Unfortunately, that is what has continued to happen. Farms, farm communities, and farmworkers are desperate to have Washington recognize that we cannot continue the status quo.

Our Nation's food supply is an issue of national security, and we are dependent upon it. We don't think about it that way, but it is a fact. The drought impacts in California and the West are not going to get better. With climate change, they are going to continue to get worse. Passing this bill is part of a continuing effort to try to get something done. The Federal Government cannot continue to ignore the drought and the devastating impacts not only in the San Joaquin Valley, but statewide and Western States-wide.

Parts of the valley are parched and without water, and we must continue to raise this issue every way we can. That is why we are doing this. Getting this legislation passed is part of an effort to fix California's broken water system.

There was talk about issuing an allocation, and we were hoping for an El Nino. Guess what. It didn't happen. We got a 5 percent water allocation on the West side. Last year it was zero. The year before it was zero. Zero is zero. It means no water.

So let's try to work together. Let's put aside our talking points and the political posturing for not only California farmers, farmworkers, and farm communities, but American families who count on having nutritious, healthy, and affordable food on their dinner table every night.

Mr. WESTERMAN. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. Mr. Speaker, I thank the gentleman from Arkansas for his help and for all his good work and for his vast knowledge of trees and forestry. I appreciate it.

Mr. Speaker, today the House has an opportunity to advance real reforms and modernize the outdated policies that are preventing responsible management of California's water resources.

Title I of division C of this measure includes language developed through exhaustive bipartisan, bicameral negotiations passed repeatedly by the House with bipartisan support. While the House has taken action on this issue, including this language today ensures that California's Senators can no longer ignore the crisis facing our State.

This Chamber has heard quite a bit about California's water woes over the last few years, including some claims that don't meet the threshold of fact, and it is time we set the record straight.

Some falsely claim this bill prioritizes one area over another. As the sole Representative of the source of the vast majority of California's usable water, I can state this measure includes the strongest possible protections for northern California area of origin and senior water rights. It safeguards the most fundamental water right of all: that those who live where water originates have access to it. That is why northern California water districts and farmers in my area strongly support this bill.

The measure accelerates surface water storage infrastructure projects that over two-thirds of Californians voted to fund, updating the system last expanded four decades ago. One of these projects, Sites Reservoir, would have saved 1 million acre-feet of water this winter alone, enough to supply 8 million Californians for a year. We simply can't expect 40 million people to survive on infrastructure designed for half that, yet that is exactly what members of the minority party argue for.

We have heard wild claims about how this measure could harm endangered species, but in reality it lives within the ESA and the biological opinions. Rather than alter the ESA—and believe me, I would like to—this measure improves population monitoring techniques and technology. Wildlife agencies currently base orders to cut off water on hunches, not data. This bill would provide actual facts to end the arbitrary decisions we have seen in recent years.

Finally, this bill sensibly allows more water to be stored and used during winter storms when river flows are highest and there is no impact to fish populations. Even as delta outflows surpassed 100,000 acre-feet per second this year, as we see in this graphic here, during 2016, the water saved was even less by a percent than during low-flow years.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WESTERMAN. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. LAMALFA. As a result, the lost opportunity of filling one of our largest reservoirs. San Luis Reservoir is barely half full. This bill ensures that, when we have more water, it is saved for later use, which helps all Californians. Why wouldn't we want to do this?

Mr. Speaker, we can't wait any longer. It is time that we end the rhetoric, end the obstruction, and address the crisis that threatens our State's strong economic livelihood.

If Marin County and San Francisco can get all the water they need, how is it fair that districts in the Central Valley get only 5 percent of their allocation when water is aplenty?

□ 1515

Mr. HUFFMAN. Mr. Speaker, I yield myself such time as I may consume.

Calling the Valadao water bill bipartisan does not make it genuinely so.

Let me just share with my colleagues what Senator DIANNE FEINSTEIN has said about this bill. She said it contains ''provisions that would violate environmental law,'' which she cannot support.

California Senator BARBARA BOXER said the bill is ''the same-old, same-old and will only reignite the water wars.''

The Obama administration opposes this bill. The State of California not only opposes these provisions, but has opposed all previous incarnations of this bill, which has been bouncing around for some time, long before the current drought gave it a new drought-related title.

I will just close with what the Fresno Bee has said about this bill.

The Fresno Bee says about this bill: ''In some cases, it's an unabashed GOP wish list'' that has ''little, if anything, in common with a 140-page draft water bill floated by Democrats.''

Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. MATSUI), who has long fought to protect the delta and the interests of her region.

Ms. MATSUI. Mr. Speaker, I rise in strong opposition to the House amendment to S. 2012, the Energy Policy Modernization Act.

Although this bill contains some important provisions overall, it raises barriers to our clean energy future by reversing important progress we have made to curb emissions and combat climate change. House Republicans have made a bad bill worse by attaching harmful provisions that will have a negative impact on consumers, public health, and our environment.

Mr. Speaker, I am particularly concerned that this energy package is being used to advance irresponsible, short-term policies in response to California's drought. The provisions included in this bill will pit one region of our great State against another instead of providing a balanced, long-term solution.

We need to be taking an all-of-the-above approach to our drought by advancing wastewater recycling projects, investing in groundwater storage, and encouraging new technologies that allow us to responsibly manage our water usage.

I actually grew up on a Central Valley farm. My grandparents farmed in Reedley, California, and I grew up in Dinuba. So I understand that the debate over water is complicated and personal to so many, but I believe that we can balance the needs of our farmers and urban centers while protecting our drinking water supply and our ecosystems. Our American families deserve an energy package that brings us forward, not backwards.

I urge my colleagues to vote ''no'' on the Energy Policy Modernization Act of 2015.

Mr. WESTERMAN. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), our distinguished, hardworking, and, above all, compassionate and fair majority leader.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, there are places in this world that hold people's imagination—Washington, D.C., New York City, and Paris, the great rolling plains crossed by American pioneers, and the Himalayan mountains touching into the heavens.

I was blessed, blessed more than I knew, to grow up in such a place, a place called California. It is so distinctive and impressive, it is unreal. Warm, sun-drenched beaches, snowcapped mountains, great cities, forests, deserts, farmland growing fruits, nuts, and vegetables stretching as far as the eye can see. It is a place that is always filled with promise and potential. In many ways, California's history mirrors the history of America. It started as nothing much, but people came and they built it. We grew and prospered. We became the envy of the world.

Like America, today, California faces great uncertainty. Some problems are the same, shared by the entire Nation, but California and almost the entire Western United States are enduring something much worse—the drought. The drought has lingered for years. El Nino helped alleviate some of the problem, but the drought continues. Communities have less water, farmland that once fed the world now sits dry. People are losing their livelihoods and their hope. There is no way to end the drought, but it doesn't have to be as bad as it is.

Now, water that can be stored is being lost. Bureaucrats release freshwater out to the sea. Our most valuable resource is being wasted.

This matters today because we are considering a bill from our colleagues in the Senate—the Energy Policy Modernization Act. Before the Senate passed this bill, they added several provisions, including language to address water issues in Washington State.

I have to say, Mr. Speaker, that I am very happy that the Senate brought this up. After all, if we are going to address the water issue in Washington State, we should address the water issue across the West. So we included in our amendment to the legislation Representative VALADAO's Western Water and American Food Security Act. We passed this last year in the House so we could build more water storage and increase our reservoirs while still allowing water to flow through the Sacramento delta.

Water is so necessary for our constituents that we aren't stopping with this bill. We have already began consideration of the Energy and Water Appropriations bill, which includes even more provisions to deal with the drought.

So there is a simple message for our Democrat colleagues in the Senate. House Republicans won't stop. We will keep passing bills until our people get the water they need. Because once we get water, so much of the uncertainty facing California and the entire West will be brushed aside.

You see, California and America as a whole face a crisis of bad governance. Many look around and see life isn't getting any better. They wonder if our Nation is in decline.

But that is not who we are, not as Americans and not as Californians. Our best days are not behind us. We will not quietly manage our decline. I reject the idea that we have reached the heights of our shining city on a hill, and that it is time to come back down to a world of limits and uncertainty. The choice is ours to make because as Americans we write our own future. That is what this vote means for me and for every Californian. The laws governing water are broken. The bureaucracy is working against the people. The system is holding us back, but this is not how it has to be.

California has long been a reflection of America's promise. We also helped America to realize its promise. We led the way in media, technology, agriculture, and even space. Bring the water back and I know we will lead America once again, and help to restore hope in our future.

Mr. HUFFMAN. Mr. Speaker, I yield myself such time as I may consume.

I share the majority leader's view that California is a unique and iconic and majestic place. I would only add that part of what makes it so includes the great rivers and iconic salmon runs in California from the Central Valley to the North Coast, where I represent, and the incredibly important bay-delta estuary, the most ecologically important estuary on the West Coast of the Americas, which despite all of the damage we have done to it over the past 100-plus years, still teams with waterfowl and wildlife and still supports salmon that are the staple of the commercial salmon fishing industry, not just in California, but in Washington and Oregon.

That is why groups who advocate for these fisheries, folks who make their living by depending on these fish, are uniformly against the Republican water bill that has been added in by way of this amendment. Fishing jobs matter, too. It is part of what makes California great. There is no one that understands that better than my colleague, MIKE THOMPSON.

Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. Mr. Speaker, I thank my friend for yielding time.

Mr. Speaker, I rise in opposition to the amendment to the Senate bill that is before us.

California is in a true state of emergency when it comes to water. We are in a multiyear drought. And even after this winter's El Nino, only one of our State's reservoirs are filled to capacity.

The drought is having a serious impact on families, on farms, on farmers, on fishers, and on businesses across California. We need science-based, long-term solutions to our State's water challenges, and this bill is not the solution.

It won't help our State to improve water efficiency and make the most of the water that we have. It is based on the misguided assumption that our water crisis can be remedied by pumping more water south. The truth is we haven't pumped more water south because there simply isn't enough water. We are in a drought.

The provisions we are debating today redefine the standard by which the Endangered Species Act is applied. This will weaken the law, increase the risk of species extinction, and lead to costly litigation.

You will hear the other side talk about how this is necessary because we are letting millions of gallons of water wash out to sea in order to protect fish when that water could have been pumped to farmers in California's Central Valley.

The reality is that water needs to keep moving through the delta so that saltwater doesn't wash in, jeopardizing water quality for farms and for communities, including cities in my district that rely on the delta for their freshwater supply.

It is important to note that this bill sets a dangerous precedent for every other State in our country. California has a system of water management rules that have endured for a long time, but this bill overrides water regulations developed by Californians themselves, and tells local resource managers and water districts how to administer their water supplies.

If we pass this bill, we are telling every State in America that we are okay with the Federal Government undermining local experts and State laws from coast to coast.

We need real solutions that are based on science and that work for everyone. If you can set the science aside in California, you can do it anywhere. You have no protection for your resources.

This isn't about farmers versus fish. It is about saving salmon, saving cities in the delta, delta farmers, north of delta farmers, and resources across our country.

I am not insensitive to the supply and demand reality of California's water. I understand the concerns of Central Valley farmers. Remember, I am one. Ag is big in my district, too. But if your well runs dry, the solution isn't to steal water from your neighbors.

This bill isn't the solution. It is bad for the millions who depend on the delta for their livelihoods, it is bad for California, and it is bad for States across our country.

I urge all of my colleagues to vote ''no'' on this measure.

Mr. WESTERMAN. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. VALADAO).

Mr. VALADAO. Mr. Speaker, I always enjoy listening to my friends on the other side of the aisle say that this is theft, that we are stealing water.

This graph has been used a few times. This is the amount of water going through the delta in 2015, and this is when it was exported; in 2016, the amount of water going out into the ocean. This is not stealing from one person's well in their community to another community. This is water that is going out into the ocean that they are advocating that we go and spend more taxpayer money and desalinate so that we can bring it right back.

When it comes to protecting the delta, which we all want to do, I would actually recommend that the communities around the delta stop dumping their sewage in it. With over 300 million gallons of sewage being dumped in the delta on a daily basis, you would think that would have a bigger impact on the delta species and everything else that is going on there than a little bit of water being pumped.

There were periods this past winter alone where there was 150,000 cubic feet of water per second going through that delta. We are asking for 5,000, and at those high periods maybe 7,500. Think about that. 150,000 cubic feet per second, and we are asking for 7,500, as if we are going to pump a delta dry and have a huge impact. I would still argue that dumping your sewage in the delta would have a bigger impact on those species than anything else.

□ 1530

If you are truly concerned with protecting those species, you would think you would take some of the legislation that we have in there that has to do with the invasive species, the predator species, the striped bass that is actually consuming baby salmon and is also consuming the delta smelt.

We know that it is happening. I have seen studies that point to as much as 98 percent of delta smelt being consumed by this striped bass.

Why don't we take a look at the legislation that is in this bill now and actually adopt it and have a real impact and save these species for our future generations. It is time top stop playing games and hurting other communities.

We are looking to capture a little bit of water that goes to the delta. Obviously, a lot was wasted this year. We are not trying to steal from anybody else. It is a fair and very equitable ask. It has little impact on the delta.

If there are those who really want to protect the delta, let's look at every part of it, including the sewage, including the invasive species. I think there is a lot of room to compromise, and I would appreciate the opportunity.

Mr. HUFFMAN. Mr. Speaker, I yield myself such time as I may consume.

When I hear my colleagues across the aisle continually describe outflow through the delta estuary as water that is somehow wasted and available to be taken for any purpose, it requires us often to remind them that this delta water system without that outflow would not be available to millions of Californians for drinking water and it would not be available to the Central Valley for agricultural irrigation because that outflow maintains salinity control and water quality in this very complex water system.

It is also incorrect—and, yet, we continue to hear it regularly—that huge amounts of water in the last few years have been wasted for environmental purposes.

The State Water Resources Control Board in California estimates that, in 2014, only 4 percent of all runoff in the bay-delta watershed flowed into the San Francisco Bay solely for environmental protection, again, because there are other values, other benefits, to this outflow that sustains water quality and other values in the system.

In 2015, the State estimates that it was only 2 percent of the runoff in the watershed that made it through the system for environmental purposes only. It is important that we bear those facts in mind.

The SPEAKER pro tempore. The gentleman from California has 45 seconds remaining.

Mr. HUFFMAN. Mr. Speaker, I yield the balance of my time to the gentleman from California (Mr. DESAULNIER) from Contra Costa County.

Mr. DESAULNIER. I thank my colleague. I will try to be brief.

Mr. Speaker, this debate reminds me of the old expression by Mark Twain that, in California, whiskey is for drinking and water is for fighting.

So for those of you who are listening, as somebody who has represented the delta in local and State government and now at the Federal level for 25 years, I think we are doing well in California.

In a recent op-ed by Charles Fishman, who is an expert on water resources of the United States, the title of it is ''How California is Winning the Drought.''

He writes in this article that it has been the driest 4-year period in California history and the hottest, too.

Yet, by almost every measure, except perception, California is doing fine—not just fine—California is doing fabulously. It has grown 27 percent more than the rest of the country, and the agricultural industry has also grown.

He goes on to write that more than half of the fruits and vegetables that are grown in the United States come from California farms and that last year, 2014, in the third growing season of the drought, both farm employment and farm revenue increased slightly.

I ask my colleagues to oppose the bill because it jeopardizes not just the delta, but California's economy.

Mr. HUFFMAN. I yield back the balance of my time.

Mr. WESTERMAN. Mr. Speaker, I yield myself the balance of my time.

Perfect policy is rare or even impossible. Good policy requires hard work, sound science, good data and data analytics, common sense, and a little bit of give-and-take. Mr. Speaker, this is good policy, fair policy. Most importantly, it will provide for a better way of life for Americans.

I urge support for S. 2012, as amended.

Mr. Speaker, I yield back the balance of my time.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to express my concerns with the Energy Policy Modernization Act of 2016. This bill passed the Senate with overwhelming bipartisan support; however this bill contains unnecessarily controversial language which will jeopardize its passage here in the House. Many of the bills included in today's House amendment have passed largely along party lines and have received veto threats from the White House.

For example, the House Amendment contains The Western Water and American Food Security Act, a bill which aims to address California's record drought. As we all know, California has been in a severe drought which has devastated its water supply. Although this bill includes language to address California's current water crisis, I do not believe that it takes into account the concerns of all major stakeholders. Yes, we need to increase storage sites, reexamine infrastructure to move water to the south, and take immediate steps to provide water to the farmers who put food on our tables. We also cannot afford to ignore the environment as our kids and their kids will have to live in it.

I believe we must put everything on the table. All community stakeholders should be involved as we address California's short-term and long-term water future—and this must be done immediately. Last week during National Infrastructure Week, I spoke about the importance of investing in California's water infrastructure. We should utilize our resources to capture, reuse, and recycle our precious water for future generations.

The House amendment also contains harmful language from the National Strategic and Critical Minerals Production Act of 2015. This legislation would allow mining companies to set their own rules regarding environmental reviews. It would also cripple the permitting authority under the National Environmental Policy Act, or NEPA. Another bill added into this package, the North American Energy and Infrastructure Act, increases our reliance on fossil fuels and cripples the Department of Energy's ability to enforce energy efficiency standards.

Further provisions in this bill would curtail NEPA even further, threaten wildlife protections, and ban the results of Department of Energy-supported research from being used to create assessments. Mr. Speaker, this legislation hurts our environment, our wildlife, our public health, and our energy independence.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 744, the previous question is ordered on the bill, as amended.

The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

MOTION TO COMMIT

Mr. PETERS. Mr. Speaker, I have a motion to commit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. PETERS. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to commit.

The Clerk read as follows:

Mr. Peters moves to commit the bill S. 2012, as amended, to the Committee on Energy and Commerce, with instructions to report the same back to the House forthwith, with the following amendment:

Add at the end the following:

TITLE XI—CONSIDERATION OF IMPACTS

SEC. 11001. CONSIDERATION OF IMPACTS.

Because the scientific consensus is unequivocal that climate change is real, nothing in this Act shall prevent a Federal agency from considering potential climate impacts during any permitting, siting, or approval process undertaken pursuant to this Act.

Mr. PETERS (during the reading). Mr. Speaker, I ask unanimous consent that the reading be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WHITFIELD. Mr. Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

Pursuant to the rule, the gentleman from California is recognized for 5 minutes in support of his motion.

Mr. PETERS. Mr. Speaker, my amendment simply expresses something scientists know to be true and something that is recognized everywhere in the world but in these halls of the United States Congress, that climate change is real and influenced by human activity. We need Congress to get on board with a response, not to stand in the way. That is important for at least three reasons.

First, if we are to lower the rate and impact of greenhouse gas emissions, we need Federal action.

The largest source of greenhouse gas emissions in the United States is from burning fossil fuels, which raises atmospheric levels of CO_2.

Super pollutants like methane and HFCs are many times more potent than CO_2 and are the most significant drivers of climate change. Greenhouse gas emissions can affect coastal regions, energy, defense, food supplies, wildfire preparedness, and our quality of life.

That is why just last month the United States signed the historic Paris climate agreement so as to reduce emissions by at least 26 percent by 2025. As a country that contributes 17 percent of the world's greenhouse gas emissions, we pledge to do our part.

This follows President Obama's executive order on climate change, which established national sustainability goals for the Federal Government. We need Congress to support these efforts, not to get in the way.

Second, all new national plans and projects should consider these effects of climate change as we make decisions about what and where to build infrastructure and to permit projects.

Extreme weather conditions are at an all-time high. One of my first votes as a Member of Congress was to fund a response to Superstorm Sandy with an appropriation of $60 billion off budget.

That is just going to keep happening, folks. Regions around the world are experiencing intense droughts, longer wildfire seasons, and water shortages and flooding, and sea levels are rising at twice the rate they were 20 years ago, threatening to cause destructive erosion, powerful storms, the contamination of agriculture, and lost habitat for wildlife.

We have to make sure that Federal permitting and construction learns the lessons from these trends and these events and that we account for the effect of rising seas, increased winds, and drought on the buildings and infrastructure that we approve and build.

We have to build resiliency into Federal decisionmaking, not dodge the question. A bipartisan Bloomberg report estimated that, if we do not address climate change, between $66 billion and $106 billion worth of coastal property in the United States will be below sea level by 2050.

Third, we need to bring our Federal practices into line with what is already happening outside of the United States Congress, the only entity in the world with its collective head in the sand on the reality of climate change.

There are 175 countries that are on board. That is how many signed the historic Paris Agreement on the first day it was open for signature. There are 154 companies that are on board with Paris, and businesses across the country have committed to putting forward climate targets by reducing carbon emissions and becoming more energy efficient.

PepsiCo, Apple, Qualcomm, Nestle, Kellogg's, and Starbucks are among the private businesses that have included sustainability and alternative energy as smart business practice, and the Department of Defense, our own military, is on board, acting now to address the impacts of climate change.

In January, the Pentagon released a directive stating:

The Department of Defense must be able to adapt current and future operations to address the impacts of climate change in order to maintain an effective and efficient United States military.

Mr. Speaker, let's take a cue from the rest of the world, the American private sector, and the Pentagon and consider climate change in permitting and siting.

For some of my colleagues on the other side, the politics of simple facts may be frightening, but U.S. leadership to curb climate change is not about politics or ideology.

It is about security, ensuring the health of our citizens and of our families, and seizing the unprecedented economic opportunity of the clean energy revolution. The stakes of climate change have never been higher. The time to act is now.

I yield back the balance of my time.

Mr. WHITFIELD. Mr. Speaker, I withdraw my reservation of a point of order.

The SPEAKER pro tempore. The reservation of a point of order is withdrawn.

Mr. WHITFIELD. Mr. Speaker, I rise in opposition to the gentleman's motion to commit.

The SPEAKER pro tempore. The gentleman from Kentucky is recognized for 5 minutes in opposition to the motion to commit.

Mr. WHITFIELD. Mr. Speaker, the main objection here and the basis of the motion to commit relates to climate change. Contrary to the gentleman's statement that the House does not recognize climate change, all of us recognize that the climate is changing.

We do, however, have some significant differences with the President of the United States and with some other Members of the House and Senate in that we, many people, do not believe that climate change is the number one issue facing mankind. There are many other issues as well.

The United States does not have to take a backseat to anyone on this issue. The Congressional Research Service recently reported that over 18 Federal agencies are already administering climate change programs. There are over 67 individual climate change programs in the Federal Government. We are already spending in excess of $15 billion a year on climate change.

One of the problems that we have is that the President has been acting unilaterally on this issue. He went to Copenhagen and made agreements. He went to Paris and unilaterally entered the United States into an agreement without there being any consultation with the U.S. Congress, without discussing it with U.S. Congress on what he was agreeing to. He used that agreement in order to have the EPA issue its Clean Power Plan.

In the Clean Power Plan, the EPA arbitrarily sets CO_2 limits for every State in America and each State would have had to have had its State implementation plan adopted by this September except that, since Congress was not involved and since many people throughout the country were vitally concerned about this unilateral action, they took the only thing available to them, and that was to file a lawsuit to stop it.

What happened? It went all the way to the United States Supreme Court.

I might add that the Supreme Court issued an injunction to prohibit the implementation of the President's clean energy plan until there could be further discussion about it.

I might also say that Congress had many hearings on the clean energy plan. That was our only involvement. We certainly were not a part of the plan. It was interesting that a professor from Harvard University who is generally considered pretty liberal and who taught the President constitutional law came to Congress and testified that the President's clean energy plan, to use not the President's words, but the professor's words, ''was like tearing up the Constitution and throwing it away.''

We agree that climate change is an issue. We simply disagree with this President's unilateral action in trying to decide the way it is addressed.

We are amending the Senate bill because we want to use some commonsense approaches so that we can continue to bring down CO_2 emissions. We can also allow our economy to expand, to create jobs, and we don't have to take a backseat to any country in the world. The U.S. is doing as much as any country in the world on climate change.

I might also say that we expect that our carbon dioxide emissions will remain below our 2005 levels through the year 2040. Now, if you look at India, if you look at China, if you look at many developing countries and even at parts of Europe, they do not meet that standard.

Let's be pragmatic. Let's use common sense. That is precisely what we attempt to do with our amendments to S. 2012, the Energy Policy Modernization Act of 2016.

I would respectfully request that we deny this motion to commit.

Mr. Speaker, I yield back the balance of my time.

□ 1545

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to commit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to commit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. PETERS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the order of the House of today, further proceedings on this question will be postponed.

CLARIFYING CONGRESSIONAL INTENT IN PROVIDING FOR DC HOME RULE ACT OF 2016

Mr. CHAFFETZ. Mr. Speaker, pursuant to House Resolution 744, I call up the bill (H.R. 5233) to repeal the Local Budget Autonomy Amendment Act of 2012, to amend the District of Columbia Home Rule Act to clarify the respective roles of the District government and Congress in the local budget process of the District government, and for other purposes, and ask for its immediate consideration in the House.

The Clerk will report the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 744, the bill is considered read.

The text of the bill is as follows:

H.R. 5233

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Clarifying Congressional Intent in Providing for DC Home Rule Act of 2016''.

SEC. 2. REPEAL OF LOCAL BUDGET AUTONOMY AMENDMENT ACT OF 2012.

Effective with respect to fiscal year 2013 and each succeeding fiscal year, the Local Budget Autonomy Amendment Act of 2012 (D.C. Law 19–321) is hereby repealed, and any provision of law amended or repealed by such Act shall be restored or revived as if such Act had not been enacted into law.

SEC. 3. CLARIFICATION OF ROLES OF DISTRICT GOVERNMENT AND CONGRESS IN LOCAL BUDGET PROCESS.

(a) CLARIFICATION OF APPLICATION OF FEDERAL APPROPRIATIONS PROCESS TO GENERAL FUND.—Section 450 of the District of Columbia Home Rule Act (sec. 1–204.50, D.C. Official Code) is amended—

(1) in the first sentence, by striking ''The General Fund'' and inserting ''(a) IN GENERAL.—The General Fund''; and

(2) by adding at the end the following new subsection:

''(b) APPLICATION OF FEDERAL APPROPRIATIONS PROCESS.—Nothing in this Act shall be construed as creating a continuing appropriation of the General Fund described in subsection (a). All funds provided for the District of Columbia shall be appropriated on an annual fiscal year basis through the Federal appropriations process. For each fiscal year,

the District shall be subject to all applicable requirements of subchapter III of chapter 13 and subchapter II of chapter 15 of title 31, United States Code (commonly known as the 'Anti-Deficiency Act'), the Budget and Accounting Act of 1921, and all other requirements and restrictions applicable to appropriations for such fiscal year.''.

(b) CLARIFICATION OF LIMITATION ON AUTHORITY OF DISTRICT OF COLUMBIA TO CHANGE EXISTING BUDGET PROCESS LAWS.—Section 603(a) of such Act (sec. 1–206.03(a), D.C. Official Code) is amended—

(1) by striking ''existing''; and

(2) by striking the period at the end and inserting the following: '', or as authorizing the District of Columbia to make any such change.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the District of Columbia Home Rule Act.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform.

The gentleman from Utah (Mr. CHAFFETZ) and the gentlewoman from the District of Columbia (Ms. NORTON), each will control 30 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material on H.R. 5233.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, I yield myself such time as I may consume.

I want to start, Mr. Speaker, by thanking the Delegate from the District of Columbia (Ms. NORTON). She pours her heart and soul into her passion for this country and certainly for the District itself. We happen to disagree probably on this issue. We have agreed on some issues, on some topics; and we disagree on others. But I just want to note, Mr. Speaker, how much I appreciate her passion, her commitment, and her desire to represent her constituents as vigorously as she does.

I also thank the gentleman from North Carolina (Mr. MEADOWS) for introducing H.R. 5233, the Clarifying Congressional Intent in Providing for DC Home Rule Act of 2016, and his leadership on this issue. He is the subcommittee chairman who deals with this issue. He has spent a considerable amount of time working on this topic, working with city leaders, getting to know the city, and working with them. I appreciate his proactive approach and the manner in which he approaches this and his thoughtfulness on this sensitive but important topic.

We are here today to discuss the bill that would do, just as the title says: clarify the congressional intent behind the D.C. Home Rule Act passed in 1974.

First, a little bit of background about the need for this legislation. In December of 2012, the District of Columbia Council disregarded clear limitations found in the Home Rule Act of 1973. In doing so, it passed the Local Budget Autonomy Act, or the LBAA, in an attempt to remove Congress from the District's budgeting process.

If the bill is implemented, it would allow the District government to appropriate money without the need for any Federal action. In doing so, the Council violated clear legislative authority granted to Congress by the Constitution.

Article I, section 8, clause 17 of the Constitution gives Congress plenary authority over the District of Columbia. As with its other powers, Congress may delegate some of its authority to the local District government, which it did when it passed the Home Rule Act back in 1974. Absent the congressional delegation, the District has no legislative power.

As enacted more than 40 years ago, the Home Rule Act was designed to allow the District to self-govern on truly local matters. At the same time, Home Rule preserved a necessary role of Congress in matters that could affect the Federal Government, including congressional authority over the District's overall budget. The LBAA, however, violates the Home Rule Act and removes Congress from the District's budgeting process.

Today's legislation clarifies the original intent behind the Home Rule Act and reinforces the intent of Congress, our Founding Fathers, and the Constitution.

Importantly, the language of the Home Rule Act makes it clear it is not authorizing the District authority over its budget.

In fact, Mr. Jacques DePuy, then counsel to the House subcommittee that drafted the Home Rule Act, testified this month at our committee. He said: ''Congress did not intend to delegate the D.C. Council or District voters any authority over local revenues through the charter amendment or any other process.'' And then it went on.

His recollections are supported by the legislative history, particularly a dear colleague letter sent by then-Chairman Diggs. Chairman Diggs' letter indicated the comprise language that became the Home Rule Act was drafted with the explicit intention of maintaining the congressional appropriations process for the District funds.

I believe Chairman Diggs' letter leaves no confusion as to whether Congress intended to give the District budget autonomy in the Home Rule Act. Therefore, it is clear the District acted beyond its own authority to grant itself budget authority.

Today's legislation will clarify the original intent of the Home Rule Act and address any pending legal questions currently working their way through the courts.

H.R. 5233 will make clear the Local Budget Autonomy Act of 2012 is not legally valid and will ensure the congressional intent behind the Home Rule Act is preserved. It will also prevent a potential violation of the Anti-deficiency Act protecting District government employees from administrative and criminal penalties.

Ultimately, the unilateral action, as taken by the District in this instance, to subsume congressional authority is unacceptable. H.R. 5233 recognizes this need for exclusive congressional authority and stewardship.

I, therefore, urge my colleagues to support the bill and place budget authority for the District firmly back in the hands of Congress, the sole place where it was intended to be located.

I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

I am happy to speak of my friendship with the chairman of our full committee, and I thank him for his kind words. I only hope he will come to where the two past immediate Republican chairs of the committee—former-Chairman Davis and former-Chairman DARRELL ISSA—have come and, that is, to support budget autonomy for the District of Columbia.

I rise in strong opposition to this bill. This bill, that would repeal a law approved by 83 percent of the District of Columbia voters, would nullify a court ruling and would permanently take away the authority of the 700,000 D.C. citizens and their elected officials to spend their local funds without congressional approval.

This bill manages to be unprincipled and impractical at the same time. It is profoundly undemocratic for any Member of Congress in the 21st century to declare that he has authority over any other jurisdiction except his own. It also would harm the finances and operations of the District of Columbia.

As a matter of fact, the District of Columbia Budget Autonomy Act is already in effect. The District Council has begun the process of passing its first local budget without the assistance of Federal overseers. Therefore, this bill would be the most significant reduction in the District's authority to govern itself since Congress granted the District limited home rule in 1973.

Now, as a lawyer myself, I am the first to concede that lawyers differ about the validity of the Budget Autonomy Act, even when the District was in the process of enacting it.

What is indisputable, though, Mr. Speaker, is that the Budget Autonomy Act is now law; the Budget Autonomy Act has been litigated; and there is only one judicial opinion in effect.

In March, the D.C. Superior Court upheld the Budget Autonomy Act. Do you believe in the rule of law? It

upheld the Budget Autonomy Act. No appeal was filed, and the court ordered D.C. officials to implement it.

The Superior Court of the District of Columbia then evaluated each and every legal and constitutional argument you will hear brought forward today about whether the Budget Autonomy Act violates the U.S. Constitution, the District of Columbia Home Rule Act, the Federal Antideficiency Act, and the Federal Budget and Accounting Act. All of that, every last one of it, every last provision has been litigated.

The House leadership made the very same arguments in an amicus brief they filed. There are a whole gang of Members anxious to see that this one jurisdiction can't handle its own money. The court, nevertheless, found—indeed, disposed of—all of these arguments.

Specifically, the court upheld the Budget Autonomy Act and held that the Home Rule Act preserved the then-existing 1973 budget process, but did not—and this is essential here—did not prohibit the District from changing the local process in the future. The charter does not. The charter is like the Constitution. Congress knew how to say: Don't change budget matters discussed in this document. It did not do so. So it had to be interpreted, and it was interpreted by the District.

The Senate of the United States, at the time of the Home Rule Act, passed budget autonomy for the District of Columbia. So you can cite the Diggs Compromise all you want to. The compromise was that budget control now is in the hands of the Congress. But you will note they have left room in the charter for budget control to come from the District. That was the compromise.

There was no compromise that said that the District can never have any jurisdiction, any final say, over its local budget.

This is, after all, the country that went to war over taxation without representation. Imagine saying: you folks, you can raise all the money you want to; but it doesn't mean anything unless the Congress of the United States passes your budget.

The District followed the charter procedure that was in the Diggs budget to pass the Budget Autonomy Act. And as the court noted, Congress had the authority to pass a disapproval resolution while the referendum was in the Congress for 30 days but this Congress did not disapprove it.

The Federal courts also have evaluated the validity of the Budget Autonomy Act. A Federal district court, indeed, did find the act to be invalid.

But then look at what the U.S. Court of Appeals for the District of Columbia did. After receiving briefs, reading them hopefully and hearing oral argument, the higher court, the Court of Appeals for the District of Columbia, vacated the district court decision altogether, meaning that that initial decision against the Budget Autonomy Act had no force or effect.

□ 1600

Instead of issuing a decision on the merits or sending the case back to the lower Federal court, the Federal appeals court, without explanation, simply remanded the case to the Superior Court of the District of Columbia, which then issued the only existing court ruling on the validity of the D.C. Budget Autonomy Act.

Is there a rational reason for opposition to budget autonomy?

After all, budget autonomy is not statehood, it is not independence, it doesn't take away any of your much-vaunted power. The D.C. budget autonomy act has no effect, indeed, on congressional authority over the District.

Under the Budget Autonomy Act, the D.C. Council must transmit the local D.C. budget to Congress for a review period before that budget would take effect, like all other D.C. legislation under the Home Rule Act, and that is about to happen, as I speak. During the review period Congress can use expedited procedures to disapprove the budget.

You see, what the District was doing here was not committing revolution. It was using the procedures in place in order to gain greater control over its own local budget. In addition, under the U.S. Constitution, Congress has total legislative authority over the District. Congress can legislate on any District matter at any time, but Congress can also delegate any or all of its legislative authority over the District, and it can take back any delegated authority at any time.

In 1973, under the Home Rule Act, Congress did just that. It delegated most of its authority, its legislative authority over the District to an elected local government. Congress can delegate more or it can delegate less authority than provided in the Home Rule Act. It can repeal the Home Rule Act at any time. It can even abolish the government of the District of Columbia.

My friends, I ask you: Is that enough authority for you? Over 700,000 American citizens who are not your constituents, is that enough for you? Is that enough power? Why is that not enough to satisfy any Congress of the United States?

Until this Congress, Democrats were not alone in supporting budget autonomy. President George W. Bush supported D.C. budget autonomy. The Republican-controlled Senate passed a budget autonomy bill by unanimous consent in 2003. The last two Republican chairmen, of whom I spoke today as I began to speak myself, who had the jurisdiction that Chairman CHAFFETZ now has—Tom Davis and DARRELL ISSA—actually fought for, not simply supported, but fought for budget autonomy. I think they recognized that this is a set of principles we have in common.

I always thought that local control was a cardinal principle of the Republican Party. Even the Republicans' own witnesses at the hearing on this bill who took a position on the policy of budget autonomy—and that was most of them—supported budget action.

Control over the dollars raised by local taxpayers is a much-cited principle of congressional Republicans, and it happens to be central to our form of government as held by Democrats and Republicans. The exalted status of local control for Republicans, though, keeps being announced as if we need to be retaught.

The Republicans did so again in their recently released budget. I quote you only one sentence: ''We are humble enough,'' Republicans said, ''to admit that the Federal Government does not have all the answers.'' That was their latest abeyance to local control for every single American jurisdiction, except the American jurisdiction that happens to be the capital of the United States.

Beyond this core principle, budget autonomy has practical benefits that I don't see how any Member of Congress can ignore. In a recent amicus brief filed by former Congressman Davis: ''The benefits of budget autonomy for the District are numerous, real, and much needed. There is no drawback.''

One of the other signatories of the brief was Alice Rivlin, a former Director of the Congressional Budget Office, also a former Director of the White House Office of Management and Budget.

It is with some irony and real pain that I see come to this floor even to speak against this bill Members whose budgets are not as large as the budget of the District of Columbia, even though they come from entire, big States. The District's budget is bigger than the budgets of 14 States. We raise that money ourselves. The District raises more than $7 billion in local funds. The District contributes more Federal taxes to the Treasury of the United States than 22 States. The District of Columbia is number one in federal taxes per capita paid to the Federal Government, and the District is in better financial shape than most cities and States in the United States, with a rainy day fund of $2.17 billion on a total budget of $13.4 billion. Budget autonomy will make the District—which, after all, has no State to fall back on—even stronger.

How?

Budget autonomy gives the District what every other local government in the United States enjoys: lower borrowing costs on Wall Street. Imagine

having to do what the District has to do: pay a penalty because your budget has to come to a Congress that knows nothing of your city or your budget, and they get to vote on it even though your own Member does not. D.C. will also have improved agency operations, and in D.C.'s case, the removal of the threat of Federal Government shutdowns, shutting down the entire D.C. government just because Members of Congress can't figure out what to do about the Federal Government. The Federal Government has benefits, too. Congress would no longer waste time on a budget it never amends.

So budget autonomy has no downside. I am trying to figure out why anybody would want to deal with my budget. Heavens.

Don't Members have enough to do?

Congress maintains total legislative control over the District, with all the Federal financial controls in place. Congress has nothing to lose, can step in at anytime they don't like it. We are not asking for very much. It is for some loosening of Congressional control. So, for example, we would not have to pay more when we borrow on Wall Street because we are seen as involved in a two-step budgetary process; one, I might add, that is far more problematic, the Federal process, than the other, the local process. It also is ironic to note that Congress granted D.C. budget autonomy during its early years.

Yesterday the Committee on Rules prevented my amendment to make the text of the Budget Autonomy Act Federal law from getting a vote. Today the appropriations subcommittee passed an appropriation rider containing the text of the very bill that is before us on this floor right now. That makes 2 days, 2 identical provisions. Just in case—just in case anybody would think that Republicans don't mean it, they are doing it twice.

What do they need? An insurance policy of identical language in case, God forbid, the Senate does not pass this bill?

I predict that the Senate won't pass this bill. So it is on you, Members of the House of Representatives, the people's House, to take the lead in denying for the people who live in your Nation's Capital the same control over their local budget that you, yourselves, hold so dear. You can stand on what you do today, but you won't stand up straight because what you do today, if you vote to take away our budget autonomy bill, will not be standing on principle.

Mr. Speaker, I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. MEADOWS), the chief sponsor of this bill.

Mr. MEADOWS. Mr. Speaker, I would like to thank the gentleman from Utah, Chairman CHAFFETZ, for his strong statement in support of H.R. 5233, the Clarifying Congressional Intent in Providing for DC Home Rule Act of 2016.

As we begin debate on this important bill, I would like to first take the opportunity to reiterate that I firmly believe that the Local Budget Autonomy Act is, indeed, unlawful and null and void. The Home Rule Act clearly provides that the District's budget shall pass through the Federal appropriations process, preserving Congress' role in the passage of that budget.

However, because of the precedent that allowing the District to usurp the congressional authority may set, and the potential negative consequences that the District government employees may face for enforcing the Local Budget Autonomy Act, I have introduced H.R. 5233.

I would further say that my good friend, the Delegate from the District of Columbia, Ms. ELEANOR HOLMES NORTON, indeed is a friend, and I appreciate her passionate way that she always represents her constituency. While we disagree on the debate and the merits of that debate, I can't help but acknowledge my friendship with her and, truly, her passion for the people who she serves.

H.R. 5233 will repeal the Local Budget Autonomy Act and reinforce Congress' intended role in the budgetary process. As many of you know, Congress was granted that exclusive legislative authority over the District in Article 1, section 8, clause 17. This exclusive authority was explained further in the Federalist 43 as being a crucial component in keeping the Federal Government free from potential influence by any State housing the government's seat.

There was a distinct worry that placing the seat of the Federal Government in a territory where Congress was not the sole sovereign would, indeed, impact its integrity. Therefore, the Founding Fathers saw fit to authorize Congress to create the District and act as the sole legislative authority for the District.

As seen in Federalist 43, the Founding Fathers believed that Congress would delegate some of those exclusive authorities to the District, specifically the power to deal with solely local matters. In 1973, Congress made a decision to enact such legislation when they passed the Home Rule Act.

□ 1615

In that act, Congress provided the District with the authority to have the jurisdiction over legislative matters on a limited basis. But—and this is a critically important point—Congress reserved for itself, and prohibited the District from altering, the role of Congress in the budgetary process.

There can be little doubt that Congress intended to reserve that power for itself. The language of the Home Rule Act itself is clear. Both the former and the current attorney general for the District, as well as the former Mayor, believe the Local Budget Autonomy Act to be unlawful and contrary to the Home Rule Act.

Mr. Irvin Nathan, the former attorney general, testified before the House Committee on Oversight and Government Reform that numerous sections of the Home Rule Act prohibit the District's action.

Mr. Nathan, who supports the policy, as my good friend acknowledged, who actually supports the policy of budget autonomy, even stated that he believed the Federal District Court's opinion invalidating the Local Budget Autonomy Act was, indeed, a correct opinion.

Beyond the clear language, the legislative history makes it clear, Mr. Speaker, that Congress had no intent to delegate to the District the authority for the budgetary process. In fact, Mr. Jacques DePuy, who participated in the drafting of the Home Rule Act itself, made it clear in testimony before Congress that, indeed, Congress did not intend to delegate the appropriations powers to the District. The legislative record of the Home Rule Act supports Mr. DePuy.

One such piece of the record is, indeed, the Diggs letter, which the chairman referenced earlier, that was issued by Chairman Charles Diggs. The letter describes how it was clarifying the intent of Congress by making several changes, including reserving Congress' role in the budgetary process.

The Diggs letter highlighted a pivotal aspect of the congressional intent in the Home Rule Act. It represents a compromise in response to the Senate's Home Rule Act, which actually included a form of budget autonomy.

The compromise does not indicate that Congress intended to grant the District budget autonomy. To the contrary, what the Diggs compromise represents is that there could be no Home Rule Act, absent an express reservation of the role of Congress in the District's budget process.

I believe there can be no stronger statement that Congress intended to reserve its appropriation role than the fact that the Home Rule Act would have failed, absent that reservation.

Importantly, both of these men, Mr. Irvin and Mr. DePuy, who support budget autonomy further believe that the District's action is illegal and, therefore, null and void.

I want to be clear on this. We are not here today to make a power grab against the District, as some would suggest. We are here, Mr. Speaker, to uphold the rule of law.

At the committee's hearing, even the chairman of the Council of the District of Columbia was forced to acknowledge that it was clear that the majority of the Members of Congress who passed

the Home Rule Act intended to reserve the complete appropriations for Congress. Again, another individual who supports budget autonomy recognizes the intent of Congress.

So, in moving ahead with the Local Budget Autonomy Act, the District government is usurping congressional authority, and inaction would undermine not only this institution, but all organs of government across this Nation.

To suggest that any city council's action, whether it be here in the District or in any other city in the country, could unilaterally overturn the intent of Congress would set a bad precedent. Regardless of the precedent, however, such action by local government is a blatant violation of the Supremacy Clause and, therefore, unconstitutional.

Moreover, as a result of the unlawful way in which the budget autonomy is purported to have been achieved, District government employees are now at risk of the Antideficiency Act and the sanctions therein.

Under the Antideficiency Act, absent a congressional appropriation, the District may not expend or obligate funds. Doing so will result in potential criminal or administrative penalties for not only the District's elected officials, but the line level employees charged with purchasing items for the District.

The GAO testified that they maintain that the Local Budget Autonomy Act violates the Home Rule Act and the Antideficiency Act, despite the superior court's decision. H.R. 5233 would repeal the Local Budget Autonomy Act and prevent the District government employees from having to worry that the purchases they make on behalf of the District may indeed violate the law.

H.R. 5233 will also augment the already clear prohibitions on the District in altering the role of Congress in the budget process, ensuring that Congress' intent and constitutional authority, Mr. Speaker, remains in place.

Ms. NORTON. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER) the Democratic Whip and my good friend from a neighboring jurisdiction.

Mr. HOYER. Mr. Speaker, I thank the gentlewoman for yielding, and I thank the gentleman from North Carolina for outlining his position.

We are a nation of laws. The gentleman has indicated a court has ruled on this issue—an opinion with which he disagrees—and we have a mechanism for overturning or clarifying or changing such a ruling, and that is the court system. That case may well reach the Supreme Court.

I rise in opposition to this piece of legislation, which, in my opinion, is an exercise in hypocrisy. Why do I say that? That can be a harsh word. We are witnessing the party that proclaims itself to be the champion of local autonomy and less Federal Government involvement in local affairs—we hear that all the time—bring to this floor legislation that would do exactly the opposite.

The District of Columbia's over 700,000 American citizens deserve a form of home rule not characterized by constant and intrusive micromanaging by congressional Republicans or Democrats.

Now, if I were to ask unanimous consent that we substitute the District of Columbia and perhaps include Milwaukee, Wisconsin—now, I am not going to ask for that—I am sure I would get objection. Or, if I might ask that Salt Lake City be substituted or perhaps even Baltimore, Maryland, my own city in my State, or maybe even Charlotte, North Carolina, those of us who represent those four cities would stand and say: This is not your role, Congress of the United States.

Speaker RYAN just released a statement in which he said: ''The current D.C. government needs to be reined in.''

From where? From balanced budgets? From surpluses in their budgets? Reined in? They are a model, I would suggest, of fiscal responsibility. Not always, but today. But then again, none of our jurisdictions have always been such a model.

The SPEAKER pro tempore (Mr. HULTGREN). The time of the gentleman has expired.

Mr. CHAFFETZ. Mr. Speaker, I yield an additional 1 minute to the gentleman from Maryland.

Mr. HOYER. I would say to the Speaker, in response, quite the opposite. The government and the people of the District of Columbia need to be allowed to chart their own course, which is what I think most of you say on a regular basis.

It is a mystery to me—and ought to be a mystery to every American who believes in the premise that people ought to govern themselves—why House Republicans are determined to strip that ability from the 700,000 Americans who live in our Nation's Capital. They pay taxes. They pay taxes to their local government. And we want to make that decision.

I understand what the court has said and that courts may rule that way, but shouldn't we have the patience to let the court system decide whether or not this referendum of the people of the District of Columbia is adjudged to be appropriate? The locally raised revenues from taxes and fees do not originate from the Federal Government, but from the hardworking residents of Washington.

The District of Columbia has proven Congress' wisdom in enacting the 1973 D.C. Home Rule Act time and again by managing its affairs in a fiscally responsible, democratic way.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. CHAFFETZ. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. HOYER. The gentleman is very generous, and I appreciate it.

I would say to my friends, the District of Columbia deserves the same respect that any of our governments deserve and that, in fact, we demand for them. And I always lament how the District is demeaned.

When I was the majority leader, I made sure that Ms. NORTON had a vote on the floor of this House and that the Virgin Islands' Representative had a vote on the floor of this House. One of the first things you did when you took the majority was take that away.

It was not a vote that made a difference. It was a vote that was symbolic. But it gave them the opportunity to have their name as our equals, as Americans, on that board and express their opinion.

Let us not take this degree of autonomy away from them. Let us respect these local citizens as you would want your local citizens respected.

I urge the defeat of this legislation. If the courts tell us that they could not do this, so be it, but let us let the system work its will.

Mr. Speaker, I rise in opposition to this bill, which is an exercise in Republican hypocrisy.

We are witnessing the party that proclaims itself to be a champion of local autonomy and less Federal Government involvement in local affairs bring to this floor legislation that would do exactly the opposite.

The District of Columbia deserves a form of home rule not characterized by constant and intrusive micromanaging by congressional Republicans.

Speaker Ryan just released a statement in which he said—and I quote: "The current D.C. Government needs to be reined in."

I would say to the Speaker in response: Quite the opposite; the government and people of the District of Columbia need to be allowed to chart their own course.

It is a mystery to me—and ought to be a mystery to every American who believes in the premise that people ought to govern themselves—Why House Republicans are determined to strip that ability away from the 670,000 Americans who live in our Nation's Capital.

The locally raised revenues from taxes and fees do not originate from the Federal Government but from hardworking residents of Washington.

The District of Columbia has proven Congress's wisdom in enacting the 1973 D.C. Home Rule Act time and again by managing its affairs in a fiscally responsible, democratic way.

That is what this bill is, Mr. Speaker—a reminder to the people of this city that they remain unrepresented in this House and a Federal colony within a nation dedicated to democracy and fair representation.

When Democrats were in the majority, we worked to give District of Columbia residents

a greater voice in the Committee of the Whole.

And when Republicans took the majority, one of the first acts was taking this small but important democratic tool and indication of respect away from the District's representative and the other representatives of our U.S. territories.

Now Republicans want to erode the District of Columbia's hard-earned right to govern itself.

I thank my friend the gentlewoman from the District of Columbia, Ms. HOLMES NORTON, for her impassioned defense of Washingtonians' unalienable right to have a say.

And I will continue to stand with her to demand that right be recognized—and in seeking for the District of Columbia the real budget autonomy, home rule, and representation in Congress that its people deserve.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

Mr. CHAFFETZ. Mr. Chairman, I have no additional speakers, and I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, how much time does each side have remaining?

The SPEAKER pro tempore. The gentlewoman from the District of Columbia has 8 minutes remaining. The gentleman from Utah has 1 minute remaining.

Ms. NORTON. Mr. Speaker, I yield 2 minutes to the gentlewoman from the Virgin Islands (Ms. PLASKETT), my very good friend.

Ms. PLASKETT. Mr. Speaker, I thank the gentlewoman from the District of Columbia, and I thank all of the speakers here today for expressing their opinions.

Today, I rise in support of retaining local budget autonomy for the District of Columbia and to express my strong opposition to H.R. 5233, Clarifying Congressional Intent in Providing for DC Home Rule Act of 2016.

Now, this partisan bill would repeal a District of Columbia referendum that allowed the District to implement its own local budget without affirmative congressional approval.

While this bill passed the Oversight and Government Reform Committee on a party-line vote of 22–14, I would remind this body that the committee's last four chairmen—including Republican Chairmen, Representatives Tom Davis and DARRELL ISSA, who have studied and had substantial oversight over the D.C. government—each worked to give the District of Columbia budget autonomy.

Now, some of my colleagues here may argue that the District of Columbia will loose its financial discipline under budget autonomy; however, this could not be further from the truth. Budget autonomy actually improves the operations and finances for the District of Columbia government because the District would employ financial budget experts who are focused solely on the economic growth, fiscal soundness, and stability of the District, not Members of Congress intent on ideological posturing or voting on budgets of constituencies that are not their own, with Members of those districts or those jurisdictions prohibited from voting on those measures.

□ 1630

Autonomy would, in fact, lower borrowing costs, allow more accurate revenue and expenditure forecasts, improve agency operations and the removal of the threat that the Federal Government shutdowns would also shut down the District of Columbia's government.

Congress also loses no authority under budget autonomy because this body can use expedited procedures during the 30-day review period or other measures that are in there.

The U.S. Constitution also provides for Congress to retain authority to legislate any D.C. matter, including its local budget, at any time.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. NORTON. I yield the gentlewoman an additional 30 seconds.

Ms. PLASKETT. Now, I fear, when we leave the well-being of the District of Columbia to this body, this body seems to lack the will or fortitude to make equitable decisions for everyday people of this country or, more particularly, the historically disenfranchised people.

This Congress seems intent on stripping away what little power those who don't have a vote on this floor have been able to wring from the hands of the majority.

It is my belief that Congress should stop wasting its time debating legislation that continues to subjugate the District of Columbia to its authority and work on passing a Federal budget that would boost the economy of the entire American people.

Mr. CHAFFETZ. Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Before I recognize the ranking member of the Committee on Oversight and Government Reform, I cannot help but note, when I listen to my friend, Ms. PLASKETT, speak up for the District of Columbia, she, who comes from what is known as a territory, the Virgin Islands—isn't it interesting—and I know she must understand it—that the Virgin Islands does not have to submit a budget to the Congress of the United States. I never have had to debate the gentlewoman's budget here. I have never had to debate the gentlewoman's legislation here.

There is a unique denial here in the District of Columbia. That is one reason it is so roundly resented.

Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. CUMMINGS), my good friend, the ranking member of the Oversight and Government Reform Committee.

Mr. CUMMINGS. I thank the gentlewoman for yielding.

Mr. Speaker, I strongly oppose this bill, which would repeal the District of Columbia's Local Budget Autonomy Act and prohibit D.C. from passing such laws in the future.

I do not believe there is a Member of Congress who would stand for the Federal Government dictating the local budget of a city in his or her district, and D.C. should be treated no differently.

Granting D.C. local budget autonomy is not only the right thing to do, it would also have significant financial benefits for the District, such as lowering borrowing costs.

It would also mean an end to the threat of a cutoff of D.C. municipal services in the event of a Federal Government shutdown.

I also want to express my disappointment that some Members have threatened jail for D.C. employees who implement the Autonomy Act. The threat is backwards. The only court ruling in effect on this law upheld it and ordered all District employees to implement it.

House Republicans have taken a regrettable turn in their approach to D.C. home rule. The last four chairmen of the Oversight and Government Reform Committee, including Republicans Tom Davis and DARRELL ISSA, sought to give the District more home rule and more budget autonomy, not less.

Yet, in this Congress, the Oversight and Government Reform Committee has passed legislation to overturn a District law that prohibits employment discriminating based on reproductive health decisions and launched an investigation into the District's marijuana legalization initiative. This bill is not only unprincipled. It is simply bad policy.

The former counsel for the District of Columbia Committee and the majority's own hearing witness said this: ''It is the duly elected representatives for the citizens of the District of Columbia who should determine how taxpayer money is spent.''

We hear a lot of rhetoric about devolving authority to local governments. Yet, this bill tramples on local government and the will of their local citizens.

Mr. Speaker, I urge Members to reject this bill.

Mr. CHAFFETZ. Mr. Speaker, I yield myself such time as I may consume.

I want to be clear about my motives and intentions. I find it curious when other Members try to prescribe my feelings and my approach to this issue.

It is my belief, and support of this legislation is based on the Constitution. It is that simple to me. Article I, section 8, clause 17, says: ''To exercise

exclusive Legislation in all Cases whatsoever, over such District,'' and it continues on.

The District of Columbia is more than just a local jurisdiction. It is more than just a local city. It is our Nation's Capital.

I think what the founders were intending to do was to understand and allow participation for Members all over this country in the affairs of the city. That was the intention, and that is what is in the Constitution.

Don't be confused or misled or allow anybody else to prescribe my motives and my motivation, my belief, in the District of Columbia because it is rooted, first and foremost, in the Constitution.

Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, how much time remains on both sides, please?

The SPEAKER pro tempore. The gentlewoman from the District of Columbia has 2 minutes remaining. The gentleman from Utah has 13 minutes remaining.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Just as lawyers have disagreed about whether or not the District could proceed with budget autonomy, lawyers have disagreed from the beginning of our Nation on what the Constitution says.

I would take at his word what James Madison said in speaking of the District of Columbia: ''A municipal legislature for local purposes, derived from their own suffrages, will of course be allowed to them.''

That is what, according to Madison, the Constitution said.

Now, my friends have cited all manner of lawyers and their own views on whether this matter is legal or constitutional. They have even cited the interpretation of staff who helped draft the Home Rule Act.

Well, we stand this afternoon on the only authoritative opinion, the opinion of the Superior Court and its court order. And I leave with you that order.

Ordered that all members of the Council of the District of Columbia, Mayor Muriel E. Bowser, Chief Financial Officer, Jeffrey S. DeWitt, their successors in office, and all officers, agents, servants, employees, and all persons in active concert or participation with the Government of the District of Columbia shall forthwith enforce all provisions of the Local Budget Autonomy Act of 2012.

That is the law. Respect the rule of law.

Mr. Speaker, I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I stand in support of H.R. 5233. I am proud of the fact that, in the Oversight and Government Reform Committee, we had a hearing, we had a proper markup, and we are bringing it here to the floor today for all Members to vote on.

I would urge my colleagues to adhere to the Constitution. Do what the Constitution says and support the bill, H.R. 5233.

I want to thank again Mr. MEADOWS for his work and leadership on this and getting us to this point. I urge its passage.

Mr. Speaker, I yield back the balance of my time.

Mr. HASTINGS. Mr. Speaker, I rise today in strong opposition to H.R. 5233, the Clarifying Congressional Intent in Providing for DC Home Rule Act of 2016.

The legislation seeks to overturn a local statute in Washington, D.C., the Local Budget Autonomy Amendment Act of 2012, a measure that was passed by the Washington, D.C. City Council, approved by the Mayor, and subsequently ratified by D.C. voters by ballot initiative with an overwhelming 83 percent of the vote.

The Local Budget Autonomy Amendment Act of 2012, the BAA, gave the District of Columbia authority to determine its own budget without getting approval from Congress. H.R. 5233 removes this authority and prohibits D.C. from passing any budget autonomy legislation in the future.

Washington, D.C. voters want budget autonomy. Washington D.C. voters deserve budget autonomy. They have already voted for it, passed it, and ratified it. When it was challenged by the Government Accountability Office (GAO), the U.S. Court of Appeals for the District of Columbia Circuit and the D.C. Superior Court upheld its validity. This should be a done deal.

But instead of focusing on the critical issues facing this body—passing a budget for instance, which we were required by law to do last month—the House of Representatives has decided to focus on this.

I remind those here today and watching at home that Washington D.C. is a Federal District. Congress maintains the power to overturn laws approved by the D.C. Council and can vote to impose laws on the district, as it is trying to do right with this particular measure. Washington D.C.'s Delegate to the House of Representatives, my good friend ELEANOR HOLMES NORTON, who has served in this body for 24 years, is not permitted to vote on final passage of any legislation, let alone legislation directly intended to govern the jurisdiction which she was elected to serve.

Congresswoman NORTON described the measure in question as ''the most significant abuse of congressional authority over the District of Columbia since passage of the Home Rule Act in 1973.''

One might hope that Congress would consider the wishes of the sole Representative of Washington, D.C. and the nearly 700,000 residents of the District. But, as we see today, that simply isn't the case.

Congress is currently undergoing its own appropriations process, and I need not remind everyone here that Republicans haven't even passed a budget. We have missed deadline after deadline and are now moving ahead without setting a budget at all. How can anyone tell me that the District of Columbia should yield to the budgetary wisdom of the House Majority when they can't even get their own act together to pass a budget?

The issue of Home Rule has come up before in this body. In recent years, House Republicans have challenged the District of Columbia on issues ranging from the legalization of marijuana, access to reproductive health care, and charter schools, in all three instances forcing their will over the desires of the residents of D.C. This needs to stop.

Given the numerous pressing and time-sensitive matters facing this body, I can't help but feel bewildered as to why we are spending our time on this measure. What is more confusing is our current efforts to undo a measure that was passed by an overwhelming majority of D.C. residents and subsequently upheld in the courts.

Meanwhile, Republicans continue to ignore our nation's crumbling infrastructure, income inequality, the need for jobs, immigration reform, and sensible gun control, not to mention the Federal budget, yet we are debating a measure that would further roll-back the clock on the rights of D.C. residents. Where are our priorities?

Let me put it another way—why should Congressional dysfunction keep the District government from using tax revenues paid by District residents to pick up trash? Why should Congressional dysfunction keep the District from spending its own money on its own priorities?

I will note that Representatives Tom Davis and DARRELL ISSA, both members of the Majority and former Chairmen of the House Committee on Oversight and Government Reform each supported the idea of budget autonomy for Washington, D.C.

Budget autonomy means lower borrowing costs and more accurate revenue and expenditure forecasts. It means improved government operations and removing the threat of government shutdown for Washington, D.C.'s local government. It means streamlining Congressional operations. Most importantly, it means giving residents of Washington, D.C., the right to make decisions for themselves.

These are all things we should all be overwhelmingly support of. We should move on and focus on the real issues before us. It is past time for Congress to get out of the way of the will of the residents of D.C.

Ms. NORTON. Mr. Speaker, I submit the following:

MAY 25, 2016.

Hon. MITCH MCCONNELL,
Majority Leader, U.S. Senate.
Hon. PAUL RYAN,
Speaker, House of Representatives.
Hon. HARRY REID,
Democratic Leader, U.S. Senate.
Hon. NANCY PELOSI,
Democratic Leader, House of Representatives.

DEAR MAJORITY LEADER MCCONNELL, DEMOCRATIC LEADER REID, SPEAKER RYAN, AND DEMOCRATIC LEADER PELOSI: This week, the House of Representatives is voting on H.R. 5233, the Clarifying Congressional Intent in Providing for DC Home Rule Act of 2016. I strongly oppose this legislation as well as any effort to overturn the District of Columbia's budget autonomy law with a rider to any appropriations bill.

Budget autonomy was approved by the voters and upheld in the courts. I have proposed our 21st consecutive balanced budget in accordance with the prevailing law and I expect the Council of the District of Columbia to do the same. As is the case with all DC

laws, the approved 2017 DC budget will be submitted to Congress for passive review. The American people expect their congressional representatives to focus on the issues affecting our nation—safety and security, fair wages, and growing the middle class—not on the local budget of DC.

The District has a strong track record of administering our government finances responsibly. We have passed and implemented a balanced budget every year for the last 21 years and our General Fund balance—which currently stands at $2.17 billion—is the envy of other jurisdictions. Our bond rating is AA by S&P and Fitch and Aa1 by Moody's as a result of the District's strong, institutionalized and disciplined financial management and long track record of balanced budgets and clean audits. Our debt obligations remain within the 12 percent limit of total General Fund expenditures and the District's pension and Other Post-Employment Benefit Plan (OPEB) remain well-funded.

The vast majority of the District of Columbia's budget is locally-generated revenue (such as property and sales taxes) or federal grant funds received in the same manner as any other state. In fact, the vast majority of our $13.4 billion budget is raised locally. In recent years, only about one percent, or about $130 million, has been a direct federal payment to the District, and that amount remains subject to active appropriation by Congress. About 25 percent of our budget, or $3.3 billion, is federal grants and Medicaid payments that are made to every other state.

The District of Columbia operates as a state, county, and city, administering federal block grant programs, health and human services programs, transportation infrastructure, homeland security services, and other governmental duties typically overseen by governors. It is time that Congress recognizes the District's financial maturity and responsibility and allows us to approve our own budget without first seeking a congressional appropriation.

Budget autonomy also supports good government by helping the District of Columbia plan its finances more efficiently. For instance, tying our budgeting process to the congressional appropriations process requires us to rely on outdated revenue and uncertain expenditure projections, which in turn results in more uncertainty and budget reprogramming. Also, Congress has not completed its appropriations process on time since 1996. Without budget autonomy, each time congressional appropriations are delayed, the finalization of the District's budget is also delayed. If the District cannot spend its own locally-raised revenue (as occurred in 2013) by the start of the fiscal year, the operations of the District and the well-being of its residents are put at risk. Budget autonomy relieves us of this inefficiency and uncertainty.

Budget autonomy will also improve our already excellent bond ratings. The rating agencies are keenly interested in predictability. Tying the District's budget to the congressional appropriations process hurts our credit rating which unjustly punishes District taxpayers who have no voting representation in either the U.S. House of Representatives or the U.S. Senate.

Further, it is important to note that budget autonomy does not exclude Congress from the District's budget approval process. Each annual budget for the District of Columbia will be submitted to Congress for a 30-day period of review under the Home Rule Act. During that time period (and, for that matter, even after that time period), Congress is able to reject the District's budget or modify it as Congress sees fit. Budget autonomy does not mean that Congress no longer has a say in the District's budget. It just means that we have a more efficient and productive way of passing our budget and thus a more efficient and productive way to serve the residents, visitors, and businesses in the District.

With the move to pass H.R. 5233, Congress is unnecessarily restricting local government control and further denying democracy to the residents of the District of Columbia. I ask for your support in putting aside any attempts to overturn local control of our budget and our ability to operate our government more efficiently.

Sincerely,

MURIEL BOWSER,
Mayor.

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA CIVIL DIVISION

Council of the District of Columbia, Plaintiff, and Muriel E. Bowser, in her official capacity as Mayor of the District of Columbia, Intervenor-Plaintiff, v. Jeffrey S. DeWitt, in his official capacity as Chief Financial Officer of the District of Columbia, Defendant.

Case No. 2014 CA 2371 B, Calendar 12, Judge Brian F. Holeman.

ORDER OF JUDGMENT

Upon consideration of the Omnibus Order of March 18, 2016, it is on this 18th day of March 2016, hereby

ORDERED, that Judgment is entered in favor of Plaintiff Council of the District of Columbia and Intervenor-Plaintiff Muriel E. Bowser, in her official capacity as Mayor of the District of Columbia and against Defendant Jeffrey S. DeWitt, in his official capacity as Chief Financial Officer of the District of Columbia; and it is further

ORDERED, that all members of the Council of the District of Columbia, Mayor Muriel E. Bowser, Chief Financial Officer Jeffrey S. DeWitt, their successors in office, and all officers, agents, servants, employees, and all persons in active concert or participation with the Government of the District of Columbia SHALL FORTHWITH enforce all provisions of the Local Budget Autonomy Act of 2012.

BRIAN F. HOLEMAN,
Judge.

Mr. AL GREEN of Texas. Mr. Speaker, I ardently oppose H.R. 5233, wrongfully entitled the ''Clarifying Congressional Intent in Providing for DC Home Rule Act of 2016.'' H.R. 5233 seeks to repeal a District of Columbia referendum, approved by a super-majority of D.C. residents, 83 percent, to allow the local D.C. government to implement its own local budget. To be clear, implement its own local budget after a 30-day congressional review period. This legislation does not preserve the authority of Congress, the 30-day congressional review period already does that, rather it subjects the local D.C. government to the arduous appropriations process to use tax dollars from its own residents.

Why, Mr. Speaker, would we choose to overturn the will of the local D.C. electorate to spend their tax dollars as they choose? Optically, it does not look right. Substantively, it is not right, and, legislatively, we are on the wrong track.

In closing, Mr. Speaker, H.R. 5233 is a move in the wrong direction away from granting the residents of D.C. increased self-determination and home-rule.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 744, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. CONNOLLY. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. CONNOLLY. I am in its current form.

Mr. MEADOWS. Mr. Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Connolly moves to recommit the bill H.R. 5233 to the Committee on Oversight and Government Reform with instructions to report the same back to the House forthwith with the following amendment:

In section 2 of the bill—

(1) strike ''Effective with respect to fiscal year 2013'' and insert ''(a) REPEAL.—Except as provided in subsection (b), effective with respect to fiscal year 2013''; and

(2) add at the end the following new subsection:

(b) EXCEPTION FOR USE OF LOCAL FUNDS TO PREVENT AND TREAT ZIKA.—The Local Budget Autonomy Amendment Act of 2012, together with any applicable provision of law amended or repealed by such Act, shall remain in effect with respect to the use of local funds by the District of Columbia government to prevent and treat the Zika virus.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia is recognized for 5 minutes in support of his motion.

Mr. CONNOLLY. Mr. Speaker, I have listened with great, rapt attention this afternoon to my friends, Mr. CHAFFETZ and Mr. MEADOWS, who have gone on eloquently about protecting the Constitution of the United States at, of course, the collateral expense of the people of the District of Columbia.

They cite the Constitution as if the Constitution and the Founders who wrote it were fully cognizant of the evolution that was going to take place in the District of Columbia when we know, as a historical fact, the Constitution was actually written before there was a District of Columbia, let alone almost 700,000 American citizens still denied voting representation in this body today.

In fact, that very Constitution my friends cite protected slavery, decided that certain people of color were only worth three-fifths of the normal mortal, but allowed the South to count them for the purposes of representation in this body.

The same Constitution. We changed it. We took cognizance of changes in

reality. The fact that you exercise your will over an entire city just because you can does not make it right or noble.

In fact, if we follow the logic of my friends on the other side of the aisle, why not just take over the day-to-day mechanics of running the government of the city?

So let's do rezoning. Let's do emergency preparedness. Let's run the police department. Let's run the EMT and the fire department. Let's take over mental health facilities and human services.

Why go only halfway? Why go only halfway? I am curious. What is it about the budget that is so sacred? All the rest of you are going to let go.

This final amendment, Mr. Speaker, will preserve a small modicum of the District's control over local taxpayer dollars to prevent and treat the emerging threat of Zika. If adopted, we can move to immediate final passage of the bill.

Although we may disagree—and do—on the underlying purpose of the bill, surely we can agree on the seriousness of the Zika threat. There have already been 4 reported cases of travel-associated Zika here in the District, 15 in the Commonwealth of Virginia, my home State, and 17 in Maryland.

It may seem foreign to some of my colleagues on the other side of the aisle, but in the National Capital Region, the two States, D.C., and the region's local governments actually have a rich tradition of working together, including in public health.

Working through the Council of Governments, which I used to chair, our local and State partners regularly come together. The District of Columbia needs to be a full partner in those regional efforts so that it cannot be placed in a position of having to come to Congress to actually ask for permission before spending its own local dollars on Zika prevention and education.

□ 1645

I might add, it is not just the people of the District of Columbia who will be at risk if we are not addressing Zika in an efficacious way; it is the 12 million constituents, the people my friend from North Carolina (Mr. MEADOWS) represents and that I represent who come to this city every year to visit the Nation's Capital. Will we protect them? Or will we dither here in Congress?

There is irony in that, isn't there? Because we can't get our own budget together. We can't pass our own appropriations bills, but we are going to second-guess the local government here in the District of Columbia because somehow we do it better? I don't think there is a neutral observer who would conclude that.

But we are going to do it cloaked in the respectability of a constitutional argument that is, I believe, false and antiquated—not because the Constitution is antiquated, but because what was known in the late 18th century at the time of the writing of the Constitution is different today.

Are we going to return to the plantation mentality Congress used to have with respect to the District of Columbia? Or are we actually going to act on principle here, not ideology? We are not going to fire up our base or the right-wing radio talk show hosts. We are actually going to do the right thing—the right thing for 700,000 fellow citizens—and let them have an ounce of decency with respect to their own self-determination.

Mr. Speaker, I yield back the balance of my time.

Mr. MEADOWS. Mr. Speaker, I withdraw my reservation of a point of order.

The SPEAKER pro tempore. The reservation of the point of order is withdrawn.

Mr. MEADOWS. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from North Carolina is recognized for 5 minutes.

Mr. MEADOWS. Mr. Speaker, my friend opposite—and I say that in the most authentic and complete terms because, indeed, the gentleman is my friend—raises a point of debate about the Constitution and the fact that explicitly in the Constitution, our Founding Fathers reserved this particular authority in Article I, section 8, clause 17, which shows the wisdom of our Founding Fathers to anticipate what, indeed, we are debating here today.

For many of the other arguments that my good friend has made in terms of what we need to change, there is the appropriate place for those changes to be made, and that is exactly what this debate has been about. It is about the rule of law; it is about the Constitution; and it is about this institution being the proper place to make those determinations on behalf of the will of We the People.

Now, the motion to recommit talks about Zika funding. And I might remind the gentleman that, indeed, in this very body within the last few days, we have already passed funding to address the Zika virus' potential healthcare concern; and, indeed, this is the correct body for us to do that. It is not the District of Columbia or any other municipality across the country. It is, indeed, this body, the role for this particular body that has been reserved constitutionally; and it has been that way since the very founding of this great country we all call home.

I would also add that, as we start to look at this, the debate has been over local control. And when we start to see the debate that continues to play out, this particular issue was reserved in the Constitution, and it was solely that of Congress to have all legislative power over the District.

Now, is that somehow inconsistent with the fact that we want to make sure that all control is local? It is not. Because as we look at that, we must, indeed, make sure that we stand up.

And I would ask all of my colleagues to look at the very foundation of who we are as an institution, as Members of Congress. To allow the Budget Autonomy Act to stand in place would not only usurp the authority—the congressional authority—that has been given to us in our Constitution but, indeed, it would undermine it for future Congresses to come.

So it is with great humility, but also with great passion, that I would urge my colleagues to defeat the motion to recommit, knowing that we have already addressed the particular funding requirement that the gentleman from Virginia brings up—defeat the motion to recommit, and support the underlying bill.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. CONNOLLY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX and the order of the House of today, this 15-minute vote on adoption of the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered; adoption of the motion to commit on S. 2012; and passage of S. 2012, if ordered.

The vote was taken by electronic device, and there were—yeas 179, nays 239, not voting 15, as follows:

[Roll No. 247]

YEAS—179

Adams	Clark (MA)	Doyle, Michael F.
Aguilar	Clarke (NY)	Duckworth
Ashford	Clay	Edwards
Bass	Cleaver	Ellison
Beatty	Clyburn	Engel
Becerra	Cohen	Eshoo
Bera	Connolly	Esty
Beyer	Conyers	Farr
Bishop (GA)	Cooper	Foster
Blumenauer	Costa	Frankel (FL)
Bonamici	Courtney	Fudge
Boyle, Brendan F.	Crowley	Gabbard
Brady (PA)	Cuellar	Gallego
Brown (FL)	Cummings	Garamendi
Brownley (CA)	Davis (CA)	Graham
Butterfield	Davis, Danny	Grayson
Capps	DeFazio	Green, Al
Capuano	DeGette	Green, Gene
Carney	Delaney	Grijalva
Carson (IN)	DeLauro	Gutiérrez
Cartwright	DelBene	Hahn
Castor (FL)	DeSaulnier	Hastings
Chu, Judy	Deutch	Heck (WA)
Cicilline	Dingell	Higgins
	Doggett	

Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)

NAYS—239

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—15

Bustos
Cárdenas
Castro (TX)
Fattah
Fincher
Granger
Hanna
Herrera Beutler
Jenkins (KS)
Mooney (WV)
O'Rourke
Rice (NY)
Speier
Takai
Yarmuth

□ 1711

Messrs. NEUGEBAUER and FITZPATRICK changed their vote from ''yea'' to ''nay.''

Messrs. VARGAS, COHEN, PRICE of North Carolina, and POCAN changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. BUSTOS. Mr. Speaker, on the Legislative Day of May 25, 2016, a series of votes was held. Had I been present for these rollcall votes, I would have cast the following vote:

Rollcall 247—I vote ''yes.''

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. NORTON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 240, noes 179, not voting 14, as follows:

[Roll No. 248]

AYES—240

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—179

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)

Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)

NOT VOTING—14

Cárdenas
Castro (TX)
Fattah
Fincher
Granger
Grothman
Hanna
Herrera Beutler
Jenkins (KS)
Mooney (WV)
O'Rourke
Rice (NY)
Takai
Yarmuth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1717

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GROTHMAN. Mr. Speaker, on rollcall No. 248, I was in a very important meeting. Had I been present, I would have voted "yes."

ENERGY POLICY MODERNIZATION ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on the motion to commit on the bill (S. 2012) to provide for the modernization of the energy policy of the United States, and for other purposes, offered by the gentleman from California (Mr. PETERS), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to commit.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 178, nays 239, not voting 16, as follows:

[Roll No. 249]

YEAS—178

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)

NAYS—239

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—16

Barletta
Cárdenas
Castro (TX)
Fattah
Fincher
Granger
Hanna
Herrera Beutler
Jenkins (KS)
Kaptur
Mooney (WV)
O'Rourke
Rice (NY)
Scott, David
Takai
Yarmuth

□ 1723

So the motion to commit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 241, noes 178, not voting 14, as follows:

[Roll No. 250]

AYES—241

Abraham
Aderholt
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar

Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nolan
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Rush
Russell
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zinke

NOES—178

Adams
Aguilar
Amash
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McCollum
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Norcross
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Zeldin

NOT VOTING—14

Cárdenas
Castro (TX)
Fattah
Fincher
Granger
Hanna
Herrera Beutler
Jenkins (KS)
McDermott
Mooney (WV)
O'Rourke
Rice (NY)
Takai
Yarmuth

□ 1731

Mr. FRANKS of Arizona changed his vote from ''no'' to ''aye.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. RUSH. Mr. Speaker, during rollcall Vote No. 250 on S. 2012, I mistakenly recorded my vote as ''yea'' when I should have voted ''nay.''

REPORT ON H.R. 5325, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017

Mr. GRAVES of Georgia, from the Committee on Appropriations, submitted a privileged report (Rept. No. 114–594) on the bill (H.R. 5325) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

MOTION TO GO TO CONFERENCE ON S. 2012, ENERGY POLICY MODERNIZATION ACT OF 2016

Mr. BARTON. Mr. Speaker, pursuant to House Resolution 744, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Barton moves that the House insist on its amendment to S. 2012 and request a conference with the Senate thereon.

The SPEAKER pro tempore. The gentleman from Texas (Mr. BARTON) is recognized for 1 hour.

Mr. BARTON. Mr. Speaker, I won't take nearly that much time.

This motion authorizes a conference on S. 2012. This is a bill that will update our national energy policy.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the motion.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BARTON).

The motion was agreed to.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT OFFERED BY MR. GRIJALVA

Mr. GRIJALVA. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Grijalva moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the House amendment to the bill S. 2012 (an Act to provide for the modernization of the energy policy of the United States, and for other purposes) be instructed to insist on inclusion of section 5002 of S. 2012.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Arizona (Mr. GRIJALVA) and the gentleman from Utah (Mr. BISHOP) each will control 30 minutes.

The Chair recognizes the gentleman from Arizona (Mr. GRIJALVA).

Mr. GRIJALVA. Mr. Speaker, the Democratic motion would instruct House conferees to insist that section 5002 of S. 2012 be included in the final conference report on this energy package. Section 5002 of the Senate bill would permanently reauthorize the Land and Water Conservation Fund and make other minor changes to the program.

The Land and Water Conservation Fund Act of 1965 is based on a simple idea. If we are going to allow Big Oil to make huge profits from drilling off our coasts, then a small percentage of those profits should be set aside for parks and recreational opportunities onshore. The oil and gas on the Outer Continental Shelf belongs to all our constituents, so it is only right that all of our constituents should see the same benefit when Big Oil develops these resources.

Fifty years later, the program has been a huge success. More than $36 billion has accrued to the fund. Millions of acres have been conserved and projects have been funded in every State in the Union.

Meanwhile, the companies paying into the fund have become some of the most profitable multinational conglomerates in human history. Over the

same five decades, States with large amounts of public land have developed robust tourism and recreation economies, with job and economic opportunities and a quality of life attractive enough to make them among the fastest growing communities in the country.

By investing and expanding recreational opportunities, Congress gets a significant return on its investment as outdoor recreation generates $646 billion in spending each year, supports 6.1 million jobs, and $39.9 billion in tax revenue.

The Land and Water Conservation Fund benefits people. It benefits the environment. It benefits companies and allows them to drill off our shores. It benefits the Federal budget. It benefits those mainly western States with lots of public land. It is a win-win-win.

Our colleagues in the Senate saw fit to include permanent reauthorization for LWCF in the Senate-passed energy bill, a bill which received overwhelming support, including most Republicans.

The Land and Water Conservation Fund is pretty popular here in the House as well. My legislation to permanently reauthorize the program, H.R. 1814, has 207 bipartisan cosponsors.

There is no doubt that many of the provisions in the House and Senate energy bills are controversial. It is, frankly, difficult to see a path toward a bipartisan conference report. In such a contentious conference situation, a provision reauthorizing a program as widely popular as LWCF would play a constructive role in moving toward consensus.

Section 5002 from the Senate bill should be absolutely included in the conference report.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

I rise in opposition to the motion. I appreciate that this is a nonbinding resolution, so I have to appreciate the fact that—hopefully, I think I will be one of the conferees—the instructions tell me to do what I already can do.

At this time, we are looking at a program that does not necessarily fit with the goal of the rest of the bill. Look, everything that we are doing in this entire bill that we just passed was to support House-endorsed programs. This now asks us to do something that has never been endorsed by the House. In fact, it is quite the opposite.

So, when the Land and Water Conservation Fund was first established back in 1965, the goal was that 60 percent of all the revenue that is generated would go to local governments to build what they call the state assistance grant program. That program is widely popular. In fact, unfortunately, most people think that that 60 percent, as originally intended, is the entire Land and Water Conservation Fund.

The sad part is that, over the years, that 60 percent has dwindled away and is no longer a statutory mandate. It dwindled down to like 16 percent of all that money was going to those stateside widely popular programs to help local governments come up with recreation opportunities for their citizens. That part that everyone supports had dwindled from 60 down to 16 percent. The rest of the money went for the Federal Government to acquire more property.

Now, if you think about this rationally for a second, we are putting more money into the Federal Government to acquire more property when the Federal Government already has a $20 billion backlog in the maintenance of what we already have. Park Service alone has a $12 billion backlog in the maintenance of the programs we already have.

So what we are basically trying to do in this motion to instruct is to tell us to go in there and fight for money to go to a program to get more land when we can't actually manage what we want.

If the program was to go and say it would be mandatory for local governments to be able to pick and choose their recreation opportunity, then you have got something that makes sense, but that is not what the Senate has tried to do in their appropriations.

Now, last December, the House did vote on this issue when it reauthorized the Land and Water Conservation Fund for 3 more years. But what they did in that process is do, at least, the first step of the reform by saying, if you are going to do it for 3 more years, at least, at least as a minimum 50 percent has to go to the States, and then you can spend the other 50 percent for this quixotic effort to control all the land in America. But at least do that. Now, unfortunately, that, at least, is a reform to make the process better.

But this motion to instruct would tell us to even go back from that and would not even put that modest type of reform into the program. At the minimum, that should be the way. It should not be a process where we try and walk back from what we have already done. It should not be a process where we forget what the original intent of this program is. It should not be a process in which we add to the Federal estate when we can't manage what we already have. It should not be a process that basically has been abused from the intent of 1965.

So, with that, I appreciate the offer to instruct me to do what I can already do. I appreciate that this is still nonbinding. It is a nice concept, nice spirit. There is a better way. We did a better way before. We can come up with a better way now.

Mr. Speaker, I have no other speakers. Let's move this stuff along as quickly as we can. I already said what we are supposed to do.

If we are really serious about these instructions, let's do an instruction that actually moves us forward. I know that they are still just simply nonbinding issues. It is kind of cute, but it doesn't move the body forward and it certainly does not support House-backed positions.

I yield back the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield myself such time as I may consume.

Some of the claims that the Land and Water Conservation Fund is some kind of a slush fund are completely false. All LWCF expenditures are approved by Congress through the appropriations process. The proposed land acquisitions are developed over many years after a public land management planning process. This is a far more responsible and transparent process than many Federal expenditures, and it is opposite of a slush fund.

The allegation that the Land and Water Conservation Fund has drifted from its original intent is also false. The purpose of the program is to provide balance. As we allow oil companies to reap massive profits from Federal oil reserves, we should set some of the revenue aside for conservation purposes, and that is still what LWCF does today.

Funding for State matching grants has fluctuated over the years, but that is not a drift. That is the result of previous Congress' appropriations decisions, many of which were made during Republican Congresses.

□ 1745

The truth is, LWCF is under attack precisely because for 50 years it has not drifted from its conservation goals. We do not need to rob LWCF in order to pay the maintenance costs. Federal land management agencies have maintenance backlogs because Congress refuses to give them the funding they deserve and need. Any Member concerned about backlogged maintenance should contact the Committee on Appropriations immediately and express support for an increase in maintenance budgets. You can do this without gutting LWCF.

Finally, LWCF is not a Federal land grab. At least 40 percent of LWCF money goes to States in the form of matching grants. The Federal funding is targeted at in-holdings, already surrounded by Federal land. Acquiring an in-holding does not increase the size of the Federal footprint. Buying in-holdings can provide access to parcels that are closed because there is no public access route. These purchases are from willing sellers. These are people who want to sell their land.

Those who oppose this motion to instruct or oppose LWCF are part of a larger campaign to hand over all remaining open space to private development. Oil and gas companies, mining conglomerates, timber companies, real

estate developers, and large scale agribusinesses would love to get their hands on the open space in the West. Some in Congress want to help them, and they see LWCF standing in the way because it conserves open space for public and not private use.

Congress should reauthorize and strengthen this program. We face more habitat fragmentation, greater urban sprawl, and more severe climate change than ever before. It is time to double down on the promise of the Land and Water Conservation Fund, not fold so developers can cash out.

The energy bill is the place to do that, and I urge the adoption of the motion to instruct.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CULBERSON). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. GRIJALVA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

GENERAL LEAVE

Mr. SIMPSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 5055, and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 743 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 5055.

Will the gentleman from Illinois (Mr. HULTGREN) kindly take the chair.

□ 1849

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5055) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2017, and for other purposes, with Mr. HULTGREN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, an amendment offered by the gentleman from Colorado (Mr. POLIS) had been disposed of, and the bill had been read through page 80, line 12.

VACATING DEMAND FOR RECORDED VOTE ON AMENDMENT OFFERED BY MR. WELCH

Ms. KAPTUR. Mr. Chair, I ask unanimous consent that the request for a recorded vote on the amendment offered by the gentleman from Vermont (Mr. WELCH) be withdrawn to the end that the Chair put the question de novo.

The Acting CHAIR. The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The Acting CHAIR. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Vermont (Mr. WELCH).

The amendment was rejected.

AMENDMENT NO. 34 OFFERED BY MR. PITTENGER

Mr. PITTENGER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to revoke funding previously awarded to or within the State of North Carolina.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from North Carolina (Mr. PITTENGER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. PITTENGER. Mr. Chairman, I rise today in full support of this very critical amendment. The objective of this amendment is to prohibit the President of the United States from restricting funds to go to North Carolina.

The President's emissaries have stated through the Department of Transportation, Department of Education, Department of Justice, Department of Housing and Urban Development, and, yes, through Valerie Jarrett and through his press secretary, Josh Earnest, that funds should not be dispensed to North Carolina until North Carolina is coerced into complying with the legal beliefs of the President and his political views.

We believe that this is an egregious abuse of executive power and that the State of North Carolina should not be required to comply with the President's wishes. The President is not a monarch; he is not a dictator; he doesn't issue fiats. We are a constitutional divided government.

This amendment I am offering today stops the President from bullying States, stops the President from bullying North Carolina. What he seeks to do in North Carolina, he has sought to do around the country. He has sent letters to the Departments of Education in every State giving them guidelines. Already 11 States in the country have sued the Federal Government over the abuse of these egregious powers.

This is not a fight about a city ordinance with wording that was poorly edited or about a legislature. This is about a constitutional divided government. To that end, I would submit to our colleagues in the House of Representatives that it is critical that we address this and we rein in this President, who has time and again used his authority and abused his power; that we must submit to the President and to the will of the people that we are a country of the people, by the people, and for the people, and this is a constitutionally divided government.

I yield such time as he may consume to the gentleman from North Carolina (Mr. WALKER).

Mr. WALKER. Mr. Chairman, today I rise in support of this amendment. President Obama and his administration are threatening to remove Federal funding to North Carolina's educators, law enforcement, and critical infrastructure as punishment for its passage of the Public Facilities Privacy & Security Act. This is despite the fact that this administration's lawsuit against North Carolina is still pending and unresolved. Simply put, our courts have not yet found North Carolina in violation of the law.

To punish or to threaten to punish North Carolina before our courts have properly ruled on the case violates our Constitution. It is for our courts, not President Obama, to adjudicate whether someone has violated the law.

Further, our Nation was founded on the strength of diverse values. During this time of heated rhetoric, we must focus on maintaining a civil society where the government does not punish people for what they believe, but allows an open discourse to all where all are free to follow their beliefs.

This is why this amendment is necessary—to protect North Carolinians from President Obama's executive overreach and maintain our constitutional system.

Mr. PITTENGER. Mr. Chairman, I submit to my colleagues in the House of Representatives that now is the time that we must stand. We cannot allow the President of the United States to continue to bully. We must wait on the adjudication by this court action with the Department of Justice. We must wait and allow the people to decide and make these determinations through its constitutionally divided government.

I thank my colleagues, and I thank Mr. SIMPSON for his leadership on this bill.

Mr. Chairman, I reserve the balance of my time.

PARLIAMENTARY INQUIRY

Ms. KAPTUR. Mr. Chairman, I have a parliamentary inquiry.

The Acting CHAIR. The gentlewoman will state her parliamentary inquiry.

Ms. KAPTUR. Mr. Chairman, I would like to assure the Members that the following amendment is the one that we are debating: ''None of the funds made available by this act may be used to revoke funding previously awarded to or within the State of North Carolina.''

Is this the amendment that the gentleman is offering?

The Acting CHAIR. Amendment No. 34, as printed in the CONGRESSIONAL RECORD, is pending.

Ms. KAPTUR. Okay. I thank the Chair so very much. In such case, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chairman, I rise in strong opposition to this amendment which ties the hands of several departments—certainly the Department of Energy, the Army Corps of Engineers, the Bureau of Reclamation, all of our independent agencies that are contained in the bill, like Denali and Northern Border—from making responsible financial decisions and basic oversight of Federal dollars going into North Carolina.

I find it interesting that my colleagues on the other side of the aisle support this amendment, as they normally are such strong supporters of fiscal responsibility and government accountability and fiscal oversight. Prohibiting the Federal Government from being able to withhold or revoke funding in a particular State would abandon that principle.

How do we know that contractors are meeting their obligations? How do we know that criminal activity is not occurring inside the State of North Carolina related to Federal expenditures in that State?

If this amendment were accepted, the Department of Energy, the Army Corps of Engineers—these are huge contracting departments—would be prohibited from conducting investigations of performance issues related to contracts or financial assistance awards. The departments could not terminate financial assistance agreements for material noncompliance.

I don't think that the gentleman wishes to promote irresponsibility, but I think that is what his amendment actually does. If an award winner wanted to terminate their relationship with one of the departments or agencies under our bill for whatever reason, the Federal Government could not accept that termination. This throws a wrench into every Federal project inside of your State. I don't think the gentleman really wants to do that.

If an organization which receives funding, for example, from the Department of Energy commits fraud, the Department of Energy has no recourse. They can't report on the performance of the organization because it could prevent them from winning future awards.

I can think of no greater irresponsible or unjust system than building on restrictions that deny the American people a proper functioning oversight by the Federal Government, including the literally billions of dollars that go into the State of North Carolina. Those don't only come from our committee or our subcommittee, but they are significant.

I must oppose this amendment. I urge my colleagues to vote ''no.''

Mr. Chairman, I reserve the balance of my time.

Mr. PITTENGER. Mr. Chairman, I yield such time as he may consume to the gentleman from Idaho (Mr. SIMPSON).

□ 1800

Mr. SIMPSON. I thank the gentleman for yielding.

I actually support this amendment, and I don't think it was as drastic as was just characterized by the ranking member. The fact is you can still have oversight; you can still do what is necessary to make sure that contractors at various sites are doing their job; it doesn't mean that you just have to pay them no matter what.

The reality is that this administration, as we all know, is using its pen and phone to execute executive orders, and they are punishing the State of North Carolina because they don't like something that North Carolina did. It is in a court. And the Federal Government should not have the ability to come in and prejudge the outcome of that determination by the court by withholding funds from the State of North Carolina simply because it doesn't like what North Carolina did.

So this is a good amendment, and I compliment the gentleman for bringing it forward.

We have got numerous provisions in this bill to stop the administration and their efforts to impose policies without regard to current law or the support of the Congress. I compliment the gentleman.

Mr. PITTENGER. Mr. Chairman, I submit this is a good amendment. I do believe that what we do with this amendment is prevent the egregious abuse of power by our President and allow the adjudication of this process to be completed by the Justice Department.

I yield back the balance of my time.

The Acting CHAIR (Mr. LOUDERMILK). The gentleman will avoid inappropriate references to the President.

Ms. KAPTUR. Mr. Chair, may I inquire how much time I have remaining, please?

The Acting CHAIR. The gentlewoman from Ohio has 2 minutes remaining.

Ms. KAPTUR. Mr. Chair, I hate to disagree with the chairman of our subcommittee. But let me just say that the amendment actually reads: ''None of the funds made available by this act may be used to revoke funding previously awarded.''

''None of the funds.'' That means there can be no oversight. If criminal activity is occurring, none of the funds may be used to revoke funding previously awarded.

What kind of an amendment is this? This is a very irresponsible amendment, and it shouldn't be on this bill. If the gentleman has got some problem down there he wants to solve, we will be happy to work with him on that one. But I think to tie the hands of our government in making sure that every taxpayer dollar is properly managed and has oversight is really wrongheaded.

Again, I urge my colleagues to vote ''no'' on the Pittenger amendment.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. PITTENGER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. KAPTUR. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from North Carolina will be postponed.

AMENDMENT OFFERED BY MR. GARAMENDI

Mr. GARAMENDI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Bureau of Reclamation to issue a permit for California WaterFix or, with respect to California WaterFix, to provide for compliance under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) or section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536).

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Chairman, I yield myself such time as I may consume.

About an hour ago, this House of Representatives kicked off a new quarter in the ongoing California water war. This House passed a piece of legislation that will ultimately gut the Endangered Species Act; the Clean Water Act; the biological opinions protecting salmon and smelt; the health of the largest estuary on the West Coast of

the Western Hemisphere, the San Francisco Bay; and salmon up and down the Pacific Coast.

This amendment is designed to stop the ultimate threat to the California Sacramento-San Joaquin Delta and San Francisco Bay. The ultimate threat is the twin tunnels that are being proposed by the Brown administration, tunnels that are sized at 15,000-cubic-feet-per-second capacity, tunnels that have the capability to take half or take all of the water out of the Sacramento River.

Six months of the year, the Sacramento River flows somewhere between 12,000 and 18,000 cubic feet per second. These tunnels, if ever built, will be capable of literally sucking the Sacramento River dry and destroying the largest estuary on the West Coast of the Western Hemisphere.

This amendment is designed to protect the delta by denying the State of California the opportunity to use the Federal Government to build such a destructive system. We don't need that system.

There are solutions to the delta problem. There are solutions that are capable of addressing the water issues of California. They have been proposed for many, many years. But this particular proposal that has been on the books for, now, nearly half a decade is the ultimate vampire ditch that will suck the Sacramento River dry and destroy the largest estuary on the West Coast of the Western Hemisphere. It is not needed. It is, at a minimum, a $15 billion boondoggle that will not create 1 gallon of new water. It will only destroy. It will be the ultimate death.

Some day, what was proved here in the House of Representatives not more than an hour ago, some day the votes will be there both in the House of Representatives and in the Senate and a bill will be sent to the President that will not be able to be vetoed. We will see the death of the largest estuary, the most important estuary on the West Coast of the Western Hemisphere from Alaska to Chile. There is no other place like this.

The solutions are known. They have been proposed. They have been out there. Build the infrastructure.

I have introduced a bill that would provide the Federal Government to work with the State government, in proposition 1 at the State level, to bring into harmony reservoirs, underground aquifers, conservation, recycling, desalinization, community water supplies.

It is in the legislation. It is available to us today. All of that, without destroying the delta and also operating it in such a manner that we let science determine what to do—not legislation, not legislation here, not the desire of the Governor of California, but, rather, science.

Where are the fish? Are they going to be harmed? Ramp the pumps down. If they are not going to be harmed, then turn the pumps on—very simple. But the solution that passed the House today doesn't do that. Oh, it gives some bypassing words to the Endangered Species Act, to the biological opinions. But, in reality, what it does, it says turn the dam pumps on anyway. Let them rip. Let them destroy the delta.

This bill speaks to the second threat to the delta—not the legislation that was passed today, but the issue that is before the California voters in November, the issue that is before the California Legislature and others today—and that issue is: Should the tunnels be built?

The tunnels must never be built. They must never be built because they are the ultimate existential threat to the delta. With their size, 15,000 cubic feet per second, they are perfectly capable of taking all of the water out of the Sacramento River half of the year. Don't ever build something that is so destructive.

Mr. Chairman, I yield back the balance of my time.

Mr. VALADAO. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. VALADAO. Mr. Chairman, I really wish on this floor that there was a requirement that we had to tell the whole truth and nothing but the truth.

Mr. Chairman, the amendment that is being offered here, there is a huge exaggeration that is going on now. There were periods this past year alone, just in the last few months, that there were 150,000 cubic feet per second flowing through that delta.

Now, these tunnels, I do not believe are the ultimate solution for the delta and for the valley, but I do believe that taking more options off the table and an option that, actually, the Governor of California—a close friend of the person that offered this amendment—does support, and making sure that we have an honest debate as we go forward to solve the problems of the delta, that we have to have all options on the table.

I have looked for every opportunity to have an honest dialogue across the aisle. We have had those conversations. Those who were in the room with us walked away and told the press they never existed or were never a part of them. Now they are coming back and asking for those same private conversations again, and we are not going to play that game anymore. We want to make sure we have an honest dialogue.

In conference, as this bill moves forward and as long as language is there, we have the opportunity to have that dialogue and keep those options on the table that the Governor of California actually supports. Anybody who supports this amendment is actually closing more opportunities for us to have that open dialogue, so I rise in opposition to this.

I yield such time as he may consume to the gentleman from California (Mr. CALVERT), the chairman.

Mr. CALVERT. Mr. Chair, here we go. This last winter, as the gentleman pointed out, actually upwards of 200,000 cubic feet per second were moving through the delta. On days like that, we were pumping 2,300 cubic feet per second at the pumps.

Now, the Governor believes—and many believe—that the solution, because they were afraid it was going to reverse flow, the delta, when 200,000 cubic feet are moving through the delta, is to build these tunnels. And now, if these tunnels are built, we are saying we are going to suck dry the Sacramento River. Come on. That couldn't happen. We can't even pump up to the biological opinion.

We are not talking about eviscerating the Endangered Species Act. We are talking about pumping water up to the biological opinion of 5,000 cubic feet per second. We all know that those pumps are capable of pumping up to 11,000 cubic feet per second. They couldn't even pump 15,000 cubic feet per second, because they can only go up to 11,000 cubic feet.

Saying that, this is a solution that is on the table. It has been thought out. It costs a lot of money. I know there are some questions that have to be answered. But the solution that the gentleman keeps bringing up is a solution that nobody can agree to.

So we are doing the best we can in the majority to make sure that we have water for the people in the Central Valley—and, by the way, for southern California, where our economy is suffering because of this; certainly, the Central Valley is suffering because of this—and to come up with solutions that can work.

Mr. VALADAO. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from California has 1½ minutes remaining.

Mr. VALADAO. Mr. Chairman, again, I have to rise in opposition to this. I think we have to have an open dialogue on water legislation going forward, and it obviously needs to be transparent and open for the world to see.

We have tried working quietly with some folks and, obviously, that didn't produce anything. This is the next best option: having that option to have an open dialogue with all options on the table. We already have the option that is being performed today, where my district is suffering, unemployment is through the roof, and people are truly suffering, and that needs to be fixed.

We are asking for a simple solution to this. Legislation has been introduced. It has been part of a couple pieces of legislation now. I think it is a

very reasonable request, and I strongly recommend a ''no'' on this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. GARAMENDI).

The amendment was rejected.

□ 1815

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to prepare, propose, or promulgate any regulation or guidance that references or relies on the analysis contained in—

(1) ''Technical Support Document: Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866'', published by the Interagency Working Group on Social Cost of Carbon, United States Government, in February 2010;

(2) ''Technical Support Document: Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866'', published by the Interagency Working Group on Social Cost of Carbon, United States Government, in May 2013 and revised in November 2013; or

(3) ''Revised Draft Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in NEPA Reviews'', published by the Council on Environmental Quality on December 24, 2014 (79 Fed. Reg. 77801).

Mr. GOSAR (during the reading). Mr. Chair, I ask unanimous consent that the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise today to offer a commonsense amendment that will protect American jobs and our economy by prohibiting funds from being used to implement the Obama administration's flawed social cost of carbon valuation.

This job killing and unlawful guidance sneakily attempts to pave the way for cap-and-trade-like mandates. Congress and the American people have repeatedly rejected cap-and-trade proposals.

Knowing that he can't lawfully enact a carbon tax plan, President Obama is attempting to circumvent Congress by playing loose and fast with the Clean Air Act and unilaterally implementing this unlawful new requirement under the guise of guidance.

The committee was wise to raise concern about the administration's abuse of the social cost of carbon valuation in the report. My amendment explicitly prohibits funds from being used to implement this deeply flawed guidance in the bill text.

The House voted in favor of similar measures to reject the social cost of carbon four times last Congress and multiple times over the past couple of years.

Roger Martella, a self-described, lifelong environmentalist and career environmental lawyer, testified at the May 2015 House Natural Resources Committee hearing on the revised guidance and the flaws associated with the social cost of carbon model, stating that the social cost of carbon estimates suffer from a number of significant flaws that should exclude them from the NEPA process.

Among these flaws are:

One: The projected costs of carbon emissions can be manipulated by changing key parameters, such as timeframes, discount rates, and other values that have no relation to a given project undergoing review.

Two: OMB and other Federal agencies developed the draft social cost of carbon estimates without any known peer review or opportunity for public comment during the developmental process.

Three: OMB's draft social cost of carbon estimates are based primarily on global rather than domestic costs and benefits.

Four: There is still considerable uncertainty in many of the assumptions and data elements used to create the draft social cost of carbon estimates, such as the damage functions and the modeled time horizons.

Mr. Martella's testimony was spot on. Congress, not Washington bureaucrats, at the behest of the President should dictate our country's climate change policy.

The sweeping changes that the White House is utilizing did not go through the normal regulatory process, and there was no public comment.

Unfortunately, this administration just doesn't get it and continues to try to circumvent Congress to impose an extremist environmental agenda that is not based on the best available science.

Worse yet, the model utilized to predict the social cost of carbon can be easily manipulated to arrive at the desired outcome.

For instance, the administration recently attempted to justify the EPA's methane rule using the social cost of carbon. Using this flawed metric, they claim that the EPA's methane rule will yield climate benefits of $690 million in 2025 and that those benefits will outweigh the $530 million that the rule will cost businesses and job creators that year alone.

Clearly, the social cost of carbon is the administration's latest unconstitutional tool to deceive the American people and to enact job-killing regulations.

The House voted in favor of similar measures to reject the social cost of carbon four times last Congress and multiple times over the last couple of years.

This amendment is supported by the Americans for Limited Government, Americans for Tax Reform, Arch Coal, the Council for Citizens Against Government Waste, FreedomWorks, the National Taxpayers Union, the Taxpayers Protection Alliance, and the Gila County Cattle Growers Association.

I ask that all Members join me once again in rejecting this flawed proposal and in protecting job rights here in America.

I commend the chairman and the committee for their efforts on this legislation and for recognizing that the NEPA process is in desperate need of reform.

Mr. Chairman, I reserve the balance of my time.

Ms. KAPTUR. Mr. Chairman, I rise to claim the time in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chairman and Members, this amendment tells the Department of Energy to ignore the latest climate change science. Even worse, the amendment denies that carbon pollution is harmful.

According to this amendment, the cost of carbon pollution is zero. That is science denial at its worst, and, frankly, it is just simply wrong.

Tell homeowners in Arizona or those who live up in Canada, where the wildfires have just raged and who have seen their homes ravaged by drought-stoked wildfires, that there are no costs from climate change.

If you are a gardener, like I am, even the backs of seed packets have changed, because what used to be a Tennessee tomato, now we grow it in Ohio. The climate zones are moving north. It is getting warmer.

Tell that to the firefighters who have to put everything else on the line to fight those fires that rage in California and points west or north.

Tell that to the children and the elderly that will be plagued by heat stress and vulnerable to increased disease.

Tell that to the people evacuated from the Isle de Jean Charles in Louisiana who will lose homes as their island vanishes under the rising sea.

Or how about Houston, Texas, with the flash flooding? That is one of the most recent.

These people are looking to us to protect America and to protect them, and they are looking to the Republicans to finally be reasonable.

The truth is that no one will escape the effects of unmitigated climate

change. It will have an impact on all of us, and, frankly, it is having an impact on all of us.

But this amendment waves a magic wand and decrees that climate change imposes no costs at all. House Republicans can vote for this amendment. They can try to block the Department from recognizing the damage caused by climate change and the potential damage, but they cannot overturn the laws of nature. They are powerful.

We should be heeding the warnings of the climate scientists, not denying reality. Thank God we have them. We don't have to operate in ignorance.

Recently, our Nation's leading climate scientists released the National Climate Assessment, which continues to show evidence confirming the ongoing impacts of climate change.

Leading scientists around the world, not just here, agree the evidence is unambiguous. This amendment tells the Department to ignore some of the wisest people in the world.

The latest science shows that climate change is expected to exacerbate heat waves—those have been felt around the country—droughts—look at Lake Mead in Las Vegas. Look at the rings going down.

Look at millions and millions of acres now enduring wildfires. Look at the added floods, water- and vector-borne diseases, which will be greater risks to human health and lives around the world.

The security of our food supply will diminish, resulting in reductions in production and increases in prices.

According to a leading climate science body, the IPCC, increasing global temperatures and drastic changes in water availability, which we have just heard about on this floor, in California, for heaven's sake, combined with an increase in food demand poses large risks to food security globally and regionally.

When I was born, there were 146 million people in this country. By 2050, we will have 500 million. It takes more animals, it takes more machines, it takes more energy, to feed that population, and it takes much more to feed the global population.

Human beings and our way of life do have an impact on what happens on this very, very suspended planet in the Milky Way galaxy.

This amendment tells the Department to ignore these and many other impacts, and, frankly, I view that as irresponsible.

Federal agencies have a responsibility to calculate the costs of climate change and take them into account. It is plain common sense, and it is a life-and-death matter.

That is exactly what the Obama administration is doing. An interagency task force worked over the course of several years to estimate the costs of the harm from carbon pollution.

The cost calculation was first issued in 2010 and updated in 2014 and continues to be refined by incorporating new scientific and technical information and soliciting input from leading experts.

This was a very constructive calculation and a conservative one at that, with the full costs of climate change almost certainly being higher. But it is better than the previous estimate and much, much better than assuming the costs are nothing.

Unfortunately, that is what this amendment would require the government to assume: zero harm, zero costs, zero danger, from carbon pollution and climate change.

The truth is that unchecked climate change would have a catastrophic economic and human impact here and across the world.

I urge my colleagues to oppose this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. GOSAR. Mr. Chairman, if I could inquire from the Chair how much time I have.

The Acting CHAIR. The gentleman from Arizona has 1½ minutes remaining.

Mr. GOSAR. Mr. Chairman, the Earth's climate has been changing since the beginning of time, and that is something on which I think we can all agree.

MIT researchers have looked at a massive extinction some 252 million years ago as a result of a massive buildup of carbon dioxide. Funny, man wasn't around.

The nonpartisan Congressional Research Service estimates that the administration squandered $77 billion, with a B, between fiscal year 2008 and fiscal year 2013 in trying to study all this.

Now, if the President, the emperor himself, would like to bypass Congress, that is fine. But Congress has a fiduciary duty and a responsibility legislatively to actually pass something that the agency should enforce.

We talked about wildfires. Well, there we go again. It has been mismanagement of our forests that have created these catastrophic wildfires. Take it from somebody in Arizona who should know.

So I ask all of my colleagues to vote for this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. KAPTUR. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 29 OFFERED BY MR. GARAMENDI

Mr. GARAMENDI. Mr. Chairman, I have amendment No. 29 at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. (a) For an additional amount for ''Bureau of Reclamation—Water and Related Resources'' for an additional amount for WaterSMART programs, as authorized by subtitle F of title IX of the Omnibus Public Land Management Act of 2009 (42 U.S.C. ch. 109B), section 6002 of such Act (16 U.S.C. 1015a), title XVI of the Reclamation Projects Authorization and Adjustment Act of 1992 (42 U.S.C. 390h et seq.), and the Reclamation States Emergency Drought Relief Act (43 U.S.C. ch. 40), there is hereby appropriated, and the amount otherwise made available by this Act for ''National Nuclear Security Administration—Weapons Activities'' is hereby reduced by, $100,000,000.

(b) None of the funds made available by this Act for ''National Nuclear Security Administration—Weapons Activities'' in excess of $120,253,000 may be used for the W80–4 Life Extension Program.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Chairman, I believe this is known as amendment 116.

I think most of us should be aware that we are well into the first quarter of a new nuclear arms race this time with not only Russia, but with China. And perhaps there are some others out there that would like to build nuclear weapons and armaments.

This amendment goes directly to one of the critical parts of that arms race, which is the development of what is essentially a new nuclear bomb. Some would like to say it is simply a refurbishment of an older weapon, and I guess you can get away with that if you stretch the words a bit.

But this is the W80–4 nuclear bomb. It is the warhead that will go on the new cruise missile, sometimes called the LSRO. It is a very expensive proposition.

This particular budget calls for $240 million to be spent this year on the early stages of the refurbishment. We are probably looking at twice that level of funding over the next decade to develop a few hundred of these weapons or these bombs.

We need to wake up. We need to be paying attention to this trillion-dollar enterprise. Over the next 25 years, we will be spending $1 trillion on a new nuclear arms race.

To what effect? Well, some would say that what we have is old and we ought to have something that is new. Well, what is old actually continues to work for many, many years.

So it is not just the nuclear bombs that will be refurbished or rebuilt or life-extended or whatever words you want to use, but they are new and are extraordinary expensive and, obviously, extraordinarily dangerous.

□ 1830

We are going to develop an entire new array of delivery systems. Discussed on the House floor not so long ago in debate was the question of whether we ought to have new intercontinental ballistic missiles in the silos in the upper Midwest. It was an interesting debate. The result of the debate was, well, we ought to build new ICBMs for those silos without paying too much attention to the cost, and we ought to have a whole new array of nuclear-armed submarines, a new Stealth Bomber, and a new cruise missile.

So what are we talking about here? A trillion dollars. At the same time, we debate on the floor whether we have any money for Zika. Apparently, we don't; although that is a real threat, and it is real today. We talk about our community water systems, and we don't have any money for those either. I will tell you where the money is. It is in this nuclear arms race.

It is not about disarmament. Nobody is suggesting that. It is about are we going to spend all this money and perpetuate what is already underway without giving thought to the impact it is going to have on the things that we know we must do—educate our children, provide the infrastructure for our communities, our water, our sanitation systems, and our transportation systems—or are we going to go about building new nuclear bombs.

Apparently, that is what we are going to do because there is $240 million right here, money that we didn't have available for Zika, money that we don't have for the water systems of Flint, Michigan, or our own State of California. But it is here.

The W80—keep that number in mind, ladies and gentlemen. You are going to see that coming back before you as we appropriate more and more dollars for not only this new nuclear bomb, but for many others.

So I draw your attention to this issue. I ask that we move about $100 million of this money out of this nuclear bomb that we really don't need for another decade. We don't need it tomorrow. We may never need it. It won't be on any piece of equipment for at least a decade. So why don't we spend this money on our communities? Why don't we spend it on Flint, Michigan? Why don't we spend it on the communities in Central Valley, California, that we have heard so much about?

There are communities that don't have water systems, communities in the San Joaquin Valley that we heard so much about just a moment ago where the children have to take their water out of a horse water trough, not out of a tap.

No, we are going to spend our money building a new nuclear bomb. I think that is wrong. I think it is not necessary. In fact, I know it is not necessary. But that is what we are going to do.

So I ask you to make a choice, to make a choice to spend our money on what we need today: clean water systems, transportation, and education, not on a new nuclear bomb.

Mr. SIMPSON. Mr. Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chair, I respect the gentleman's comments, and I respect the gentleman.

He mentioned many of the functions that are necessary for the government that we should be doing. The one he didn't mention was defending the security of the United States. That is one of the fundamental purposes of the Federal Government.

What this amendment would do is take money out of the program to continue the life extension program of the W80 warhead, the only cruise missile in the U.S. nuclear arsenal. The gentleman says we don't need it now, so let's spend the money somewhere else; and if we need it next year, I guess we can just spend the money next year.

But you can't develop this, and you don't do these life-extension programs in just a year. These are long-term investments. The life extension program will replace the nonnuclear and other components to support the Air Force's plan to develop the long-range standoff cruise missile, or the LRSO. If the gentleman believes the LRSO is not necessary, I would point him at the Air Force, whose leadership has testified on numerous occasions before Congress that we need to sustain our nuclear capabilities and we need to make these investments.

We must do the work that is needed to extend the life of this warhead as long as there is a clear defense requirement for maintaining a nuclear cruise missile capability. While the LRSO is still at an early stage of development, these warheads are very complex, and there is a considerable amount of work to accomplish between now and then. Performing development work earlier in the schedule will allow the NNSA to reduce technical risks and limit any cost growth by validating the military requirements at an early stage.

The gentleman's amendment will not stop the program but would only add additional risks into the schedule and raise the cost for modernizing the warhead down the line.

I should point out also that the gentleman's amendment also proposes to move defense funding to nondefense without any regard to the firewalls negotiated in previous budget deals.

Mr. Chairman, I urge Members to vote against this amendment.

I yield back the balance of my time.

Mr. GARAMENDI. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. GARAMENDI).

The amendment was rejected.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk, Gosar 221.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used for the Department of Energy's Climate Model Development and Validation program.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise today to offer an amendment to save taxpayer money, help the Department of Energy avoid duplicative programs, and ensure the agency's limited resources are focused on programs directly related to its mission to ensure energy security for the United States.

This simple amendment would prohibit the use of funds for the Climate Model Development and Validation program within the Department of Energy. This exact same amendment passed this body in fiscal year 2015 and 2016.

This year, this amendment is even more important because, despite this amendment getting approval from this body multiple years in a row and being denied funding from the bipartisan Appropriations Committee multiple years in a row, the President was given access to about half of what he requested previously to create this new duplicitous and wasteful program.

With our Nation more than $19 trillion in debt, the question must be asked: Why would Congress give millions of dollars to the President for new computer-generated climate models? The administration is already manipulating the social cost of carbon models to deceive the American people and to enact job-killing regulations.

For example, the administration recently attempted to justify the EPA's methane rule using the social cost of carbon valuation model. Using this flawed metric, they claimed that the EPA's methane rule will yield climate benefits of $690 million in 2025 and that those benefits will outweigh the $530 million that the rule would cost businesses and job creators that year alone.

If funded, the Climate Model Development and Validation program will be yet another addition to the President's

ever-growing list of duplicative global warming, research, and modeling programs currently being hijacked by the EPA to manufacture alleged climate benefits and force new regulations like the EPA's Clean Power Plan and WOTUS down the throats of the American people. The nonpartisan Congressional Research Service estimates this administration has already squandered $77 billion from fiscal year 2008 through fiscal year 2013 studying and trying to develop global climate change regulations.

This amendment is about fiscal responsibility and priorities. While research and modeling of the Earth's climate—including how and why Earth's climate is changing—can be of value, it is not central to the department's mission and is already being done by dozens of government, academic, business, and nonprofit organizations around the world. With more than 50 universities and academic institutions around the globe engaged in climate modeling, this particular issue is being addressed very well by the academic and nonprofit sector with much greater efficiency and speed than any government bureaucracy can offer. Further, the research and models utilized by our universities are not being manipulated to impose a partisan agenda.

Regardless of your opinion on climate change, I feel strongly that the House of Representatives must continue its firm position that we should not be wasting precious taxpayer resources on programs that are duplicitous in nature and compete with programs funded by private investment.

The wastefulness of the Climate Model and Validation program has been recognized by several outside spending and watchdog groups. This amendment proposal has been supported in the past by the Council for Citizens Against Government Waste, the American Conservative Union, Eagle Forum, and the Taxpayers Protection Alliance.

The House of Representatives has wisely declined to fund this program in fiscal years 2014, 2015, and 2016. Considering the extensive work being done to research, model, and forecast climate change trends by other areas in government, the private sector, and internationally, funding for this specific piece of President Obama's climate agenda is not only redundant, but inefficient. Considering the Nation's $19 trillion in debt, it is also irresponsible

I thank the chairman, ranking member, and committee for their work.

Mr. Chairman, I reserve the balance of my time.

Ms. KAPTUR. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chair, years ago, there were people that served in this body that denied that America should pass a Clean Water Act. Today, in many places in our country when we turn on the tap, we trust what we drink. We had to change our way of life. Yes, we had to make investments, but we produced a stronger country.

There were those who fought against the Clean Air Act. You can go back and read the RECORD. There are always those folks who have difficulty embracing the future.

This amendment blocks funding for the Department of Energy's Climate Model Development and Validation program. This is climate science denial at its worst.

It used to be that people said, well, it is okay that industry dumps in the water. It kind of washes everything out somewhere. Well, when the bald eagle became an endangered species, it became pretty clear that all of that pollution was causing long-term damage. Now the world's top scientists are telling us that we have a rapidly closing window to reduce our carbon pollution before the catastrophic impacts of climate change cannot be avoided.

So far, the world has already warmed by 0.9 degrees Celsius, and we are already seeing the effects of climate change. Most scientists agree that 2 degrees Celsius is the maximum amount we can warm without really dangerous tipping points, although many scientists now believe that even 2 degrees is far too much, given the effects we are already experiencing all around the world. But absent dramatic action, we are on track to warm 4 to 6 degrees Celsius by midcentury. That is more than 10 degrees Fahrenheit.

Even with the pledges to reduce carbon emissions as part of COP 21, we are still in danger of experiencing the drastic consequences of climate change, including increased frequency and intensity of extreme weather events and drought. The International Energy Agency has concluded that increased efforts are still needed—in addition to existing pledges—to stay within the 2-degree limit.

We are already seeing the devastation from climate change, including, recently, the evacuation of climate refugees from the Isle de Jean Charles near New Orleans. So you sort of think to the world you knew versus the world of the future, and you have to embrace the future, and you have to help those who are going to follow us.

There are multiple lines of evidence, including direct measurements, that life is changing. The projections that these models anticipate are critical as they provide the guideposts to understanding how quickly and how steeply the world needs to cut carbon pollution in order to avoid the worst effects of climate change.

The goal of the Department of Energy's Climate Model Development and Validation program is to further improve the reliability of climate models and equip policymakers and citizens with tools to predict the current and future effects of climate change, such as sea level rise, extreme weather events, and drought.

This amendment scraps this program. It says ''no'' to enhancing the reliability of our climate models. Who wouldn't want that? It says ''no'' to investing in the security of the people of this Nation and the Nation's assets themselves. It says ''no'' to improving our understanding of how the climate is changing, and it says ''no'' to informing policymakers about the consequences of unmitigated climate change. That is absolutely irresponsible and an outcome this Nation cannot afford.

It is interesting. There is an author, Richard Louv, who has written a book, ''Last Child in the Woods.'' What it talks about is how America has become so technologically sophisticated that most people have lost a real connection to nature, especially our children, who spend 8 hours in front of a blue screen. But perhaps it is because of that technological advancement and lack of connection to nature that we do not have a population—including, perhaps, some who serve in this Chamber—that observe what nature is actually doing in her powerful force.

I would urge our colleagues to read that book and to think a little bit about reconnecting to nature, paying attention to what the temperature is of the lake near you or the ocean near you. Pay attention to what is happening in our coastal communities. Pay attention to what is happening in agriculture and our ability to produce food for the future because of changes in weather.

What is happening with rainfall? There is a lot going on. What happens to clouds in your region of the country? How close do they come to the Earth? When the rain falls, how severe are those weather events? These events are happening around our country and around our world.

Mr. Chairman, I have to rise in opposition, obviously, to this amendment and urge a ''no'' vote on this amendment because I don't think it leads us into the future. I think it takes us back into the past, to a world that does not exist anymore.

Mr. Chairman, I yield back the balance of my time.

□ 1845

Mr. GOSAR. Mr. Chairman, could I inquire how much time I have remaining?

The Acting CHAIR. The gentleman from Arizona has 1½ minutes remaining.

Mr. GOSAR. Mr. Chairman, this amendment is not about making a statement about climate change or the validity of science. This amendment is

about fiscal responsibility and efficiency.

More than 50 universities and institutions around the globe are engaged in climate modeling. This particular issue is being addressed very well by the academic and nonprofit sector, with much greater efficiency and speed than government bureaucracy can offer.

Can I remind you of the VA? The government doesn't do anything very well at all, and we need to start looking at this.

When we talk about responsibility, $19 trillion in debt, there are some apples that we need to start coming to look at. When we start looking at institutions that are actually doing this, they are hardly second-tier institutions—the Massachusetts Institute of Technology, MIT for short; the University of California, Berkeley. There are some really good people out there doing this work on our behalf.

When we start looking at efficacies and effectiveness, we need to look no further than the private sector and the universities that are already doing this. This is something we don't need to be duplicitous in and be partisan in our outcomes.

I ask my colleagues to vote for this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT NO. 24 OFFERED BY MR. AL GREEN OF TEXAS

Mr. AL GREEN of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. In addition to the amounts otherwise provided under the heading ''Department of the Army—Corps of Engineers-Civil—Construction'', there is appropriated $311,000,000 for fiscal year 2017, to remain available through fiscal year 2026, for an additional amount for flood control projects and storm damage reduction projects to save lives and protect property in areas affected by flooding on April 19th, 2016, that have received a major disaster declaration pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act: *Provided*, That such amount is designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Mr. SIMPSON. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 743, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. AL GREEN of Texas. Mr. Chairman, as a preamble to my amendment, please allow me to thank the chairman, Mr. SIMPSON, for his courtesies. I would also like to thank the ranking member, Ms. KAPTUR, for her courtesies.

Mr. Chairman, if you live in Houston, Texas, you monitor the weather. You monitor the weather, Mr. Chairman, because, over the last year, Houston, Texas, has been declared a disaster area not once, but twice. If you live in Houston, Texas, you monitor the weather because, in the last year, we have spent billions in recovery damages. If you live in Houston, Texas, you monitor the weather because, in the last year, we have lost 17 lives to flooding.

Houston has a problem. But there is a solution. This amendment—which is based upon H.R. 5025, an emergency supplemental bill—would accord $311 million that will eventually be spent. This is not money that will not be spent in Houston, Texas, but money that will be spent on projects that are already authorized. The projects are authorized. The money is going to be spent.

However, we can take a piecemeal approach and do some now, some later, and spend billions more in recovery efforts, which is what we are doing. We are spending billions after floods when we could spend millions before and save money, save lives, and give Houston, Texas, and the citizens therein some degree of comfort.

Mr. Chairman, I believe that my friends in this House have a great deal of sympathy and a good deal of empathy for Houston, Texas, as is evidenced by the fact that over 70 Members have signed onto the bill, H.R. 5025. And we have bipartisan support. We have Republicans at the committee level who are doing what they can within the committee. We also have Democrats who are working to try to help Houston, Texas.

So I am honored tonight to stand in the well of the House to make this request, that Houston, Texas, be made a priority and that the Corps of Engineers, when they do assess the needs of the Nation, that Houston be given some degree of preference because money is being spent that need not be spent.

But, more importantly, Mr. Chairman and Madam Ranking Member, lives are being lost. Houston, Texas, has what are captioned as flash floods. You can find yourself in a circumstance from which you cannot extricate yourself, and you may lose your life when we have one of these inclement, adverse weather conditions.

They happen more often than prognosticated some years ago. It can be debated as to whether we are having 100-year floods or 500-year floods. That is debatable. But what is not debatable is the fact that we are having billion-dollar floods—billion-dollar floods—in Houston, Texas, a major American city declared a disaster area not once, but twice in the last year.

Mr. Chairman, I reserve the balance of my time.

Mr. GENE GREEN of Texas. Mr. Chair, on April 18th the City of Houston and Harris County, Texas were subjected to paralyzing flooding which claimed the lives of seven of our citizens and required the rescue of 1,200 more.

Approximately 2,000 housing units were flooded and we are currently working to figure out where to house the folks who cannot return to their homes.

This is the second major flooding disaster Houston has experienced in the last six months and the City is expecting additional rain and thunderstorms on Friday and Saturday of this week.

Residents in our congressional district as well as other Member's districts have been severely affected and we must do something to stop the needless loss of life.

The President has recognized the significance of the catastrophe and a fulfilled a request for a disaster declaration.

Now it's the job of Congress to help our constituents.

I have worked closely with my neighbor and friend, Rep. AL GREEN to offer this amendment to the Energy and Water Appropriations bill.

The amendment would provide $311 million dollars to the U.S. Army Corps of Engineers for the construction, and in most cases, completion of our bayous and flood control projects.

Flooding is not new in Houston but we've learned how to control it.

Our bayou system has saved countless lives and millions of dollars of damage since creation.

Unfortunately, due to consistent budget pressure, the Army Corps of Engineers cannot adequately fund these projects.

This amendment would ensure that our federal, state, and local authorities have the resources necessary to expedite the flood control projects we know protect people and property.

Mr. Chair, we can help the victims in our neighborhoods and we must help them.

I urge this body to pass this emergency funding legislation and do so quickly.

POINT OF ORDER

Mr. SIMPSON. Mr. Chairman, I insist on my point of order.

The Acting CHAIR. The gentleman will state his point of order.

Mr. SIMPSON. I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and, therefore, violates clause 2 of rule XXI.

The rule states in pertinent part: ''An amendment to a general appropriation bill shall not be in order if changing existing law.''

The amendment includes an emergency designation and, as such, constitutes legislation in violation of clause 2 of rule XXI.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

Mr. AL GREEN of Texas. Mr. Chairman, I would like to be heard, if I may.

The Acting CHAIR. The gentleman is recognized on the point of order.

Mr. AL GREEN of Texas. Would Chairman SIMPSON allow me to give my closing comments before we receive the ruling from the Chair, which will be just a few seconds more, I believe?

How much time do I have remaining?

The Acting CHAIR. The gentleman from Texas has 1 minute remaining on the amendment.

Does the gentleman wish to be heard on the point of order?

Mr. AL GREEN of Texas. Well, yes, on the point of order, if so, in so doing, I may speak to the flooding in Houston, Texas. I want to be appropriate as I do this, and I will yield to the wisdom of the Chair.

The Acting CHAIR. The Chair will rule.

The Chair finds that this amendment includes an emergency designation.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

Ms. KAPTUR. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chairman, I yield to the fine gentleman from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. Mr. Chairman, I thank Ranking Member KAPTUR.

Please allow me to continue with just a brief commentary. I have a colleague who is not here, the Honorable GENE GREEN. He has asked that his statement with reference to this amendment be placed in the RECORD.

I would also add this. A good deal of my comments have emanated from, as I indicated, H.R. 5025.

This bill has bipartisan support. I see in the Chamber my good friend and colleague, the Honorable TED POE, who is one of the cosponsors of the legislation.

Some of my other colleagues who are cosponsoring from Texas would include the Honorable JOHN CULBERSON, the Honorable RANDY WEBER, the Honorable SHEILA JACKSON LEE, also the Honorable GENE GREEN whom I have mentioned. There are others as well.

This is bipartisan. This is a recognition that we are going to have problems that we can solve that will create greater circumstances than we should have to endure.

There is little reason for us to be back here a year or so from now indicating that we have had another flood, a billion-dollar flood—maybe less, maybe more—and that we may have lost lives in that future event.

My hope is that, while this amendment is not in order—and I accept the ruling of the Chair—my hope is that we will find a means by which we will do sooner that which we will do later, spend the $311 million after we have had additional billion-dollar floods.

This amendment makes good sense. It is a commonsense solution.

I thank the ranking member for her very kind words and the opportunity that she has accorded me.

I thank you, Mr. SIMPSON, for being so generous as well.

Mr. SIMPSON. Will the gentlewoman yield?

Ms. KAPTUR. I yield to the gentleman from Idaho.

Mr. SIMPSON. Mr. Chairman, I appreciate the gentleman's passion with this and his obvious concern and interest. I will tell you that there is a great deal of support for what the gentleman is proposing.

Congressman POE, Congressman CULBERSON, as well as Members on your side of the aisle, have talked to us repeatedly about the issues that you address here.

While this amendment is out of order, I will promise to the gentleman that we will work with him to try to address this problem of one of America's great cities.

Mr. AL GREEN of Texas. Mr. Chairman, I thank the gentleman. As he knows, I believe his word is as good as gold.

Ms. KAPTUR. Mr. Chairman, I yield back the balance of my time.

AMENDMENT OFFERED BY MR. YOHO

Mr. YOHO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Department of Energy to employ in excess of 95 percent of the Department's total number of employees as of the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. YOHO. Mr. Chair, my amendment is simply a commonsense measure to help reduce the size of out-of-control Federal departments that continue to grow annually unchecked, increasing both scope, size, and increasing our spending, both discretionary and mandatory.

Our Nation is over $19 trillion in debt—let me repeat that—$19 trillion in debt. This Chamber, us, we, the people, in government, or Members of the people's House in charge of the taxpayers' purse strings, must start taking action to actively reduce our expenditures.

I appreciate the chairman and ranking member for their hard work on this bill. But I am concerned that the cost it will place on the American people is too great. We can do better and we must do better.

This amendment is offered as a modest solution and establishes a 5 percent across-the-board cut to the Department of Energy's total employees.

In the private sector, when scrambling to cover your costs, you have to make decisions, including sometimes the elimination of positions that are not essential to the overall purpose and mission of the organization, or you simply can't afford it.

Not only is reducing the current size of the Department's full-time staff essential, but I think it also should be accompanied by a 1-year hiring freeze.

In 2013, when the government was shut down—and I want to remind people that the government shut down over money, and it wasn't from an excess; it was from a lack of it—the Department of Energy was faced with this very dilemma and made a decision to furlough 69 percent of its workforce. These workers were deemed nonessential.

I understand the circumstances were extraordinary, but the Department was still able to target areas within it that were not deemed essential to maintaining its most necessary functions.

My amendment is only requiring the Department to reduce its full-time employees by 5 percent, which in the scheme of things is nominal, but essential, in getting our country back on track fiscally, and it is the right thing to do.

For our Nation to remain prosperous and to keep the American Dream alive for generations to come, we must make these decisions now. We must scale back Federal spending. One cannot have personal freedom without financial freedom.

That same philosophy also applies to nations if they wish to pass on to their future generations the blessings of our past and our current posterity, liberties, and freedoms.

I urge my colleagues to support my amendment.

I reserve the balance of my time.

□ 1900

Mr. SIMPSON. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR (Mr. POE of Texas). The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chair, I understand the desire for an efficient and effective Federal Government with an appropriately sized workforce. In fact, if the gentleman has specific programs or offices that he believes are currently overstaffed, I would be happy to work with him to see if that is the case and to figure out a way to address any problems we may find; but this amendment doesn't look at specific details and make targeted reductions.

It requires the Department of Energy to furlough 5 percent of its employees

on October 1. It doesn't allow the Department time to review whether it might need more people to carry out its national security responsibilities, for instance, or fewer people to carry out other programs whose work is ramping down or is being reduced by this bill. That is not good government. That is putting almost 800 people across the country out of work for no good reason.

The underlying bill, on the other hand, includes reasonable and targeted reductions to funding levels for the Department's administrative accounts. The departmental administration account was $36 million below the President's budget request in the bill that was brought to the floor, and amendments already passed by the House have resulted in further cuts to the departmental administration. Federal salaries and expenses for the National Nuclear Security Administration are $30 million below the President's request. The funding levels in this bill send a clear message about growth in the Federal workforce. Requiring an automatic 5 percent cut across the board is a step too far. As I said, it is not good government.

For these reasons, I oppose this amendment, and I urge my colleagues to vote against it.

I would also note that when the gentleman said that during the government shutdown, it furloughed 60-some-odd percent of its employees, remember, we are talking 16 days here, and these employees were labeled as ''nonessential.'' The same thing happened in Congress. At least I know in my office—and I would suspect in the gentleman's office—we had to declare which employees were nonessential. Those employees now work for me again and have been rehired. I would suspect they have been in the gentleman's office, too. Just because they were furloughed during a 16-day government shutdown doesn't mean they are, essentially, nonessential.

I don't think this is a well-thought-out amendment. I oppose it, and I urge my colleagues to oppose it.

Ms. KAPTUR. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. I thank the gentleman.

Mr. Chair, I join the chairman in opposing this amendment. It is, truly, a blunt cut—5 percent to the Department of Energy from its current level with no analysis, no consultation, no consideration of impact. It is just a blunt cut. It would actually mean about 700 people who would be fired at headquarters, at field offices, even at our Power Marketing Administrations across the West. Layoffs of this magnitude would profoundly impede the Department of Energy's ability to oversee its nuclear security responsibilities, its science and energy and environmental cleanup mandates.

I strenuously oppose this amendment and urge the gentleman to bring back a more thoughtful amendment at some point if he wishes, but I don't support the blunt cut.

Mr. SIMPSON. Mr. Chair, I yield back the balance of my time.

Mr. YOHO. Mr. Chair, I appreciate the chairman and ranking member's opposition.

I would like to remind them that this amendment is a necessary step in reducing the size and scope of the Federal Government. We are approaching $20 trillion in debt. That approximates to about $60,000 for every man, woman, and child in America. When we talked about nonessential employees, I didn't have any in my office. Everybody in my office was essential, so we didn't lay anybody off. We didn't put them off.

The gentleman laughs, which is fine.

The executive departments and agencies have gradually taken on the personification of the 1958 horror flick, ''The Blob.'' Departments like the DOE are consuming everything in their path and increasing their own presence in the private sector.

At what point do we say enough is enough? At what point do we say we are going to get our spending under control?

This is a small, 5 percent incremental change to the Department of Energy. It is not specific because it gives the flexibility to the Department to come up with the changes that it wants, keeping in mind that our Federal Government's number one task is national security; so the people who are tasked to run the Department of Energy can make the commonsense and the needed reforms that they need to.

Again, in the private sector, you see the major companies changing and laying off people as they need to. Government continues to grow, and it adds not just to the discretionary spending, but also to the mandatory spending that goes into Social Security and retirement.

We have a responsibility to the American people and to future generations to fix the problems at hand instead of giving rhetoric and saying: Well, it is not specific enough. We need to stand up and say: The time is now. If we start now with small, incremental changes, we can change the direction of our Nation's debt while we still have the option because the day will come when we will not have that option with our out-of-control spending.

I am telling my colleagues, if they really want to change the debt structure in this country and get a handle on it, it is time we start now and stop talking about it. I urge people to support this.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. YOHO).

The amendment was rejected.

AMENDMENT OFFERED BY MR. FOSTER

Mr. FOSTER. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Secretary of Energy for the Experimental Program to Stimulate Competitive Research.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Illinois and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. FOSTER. Mr. Chair, I yield myself such time as I may consume.

I offer an amendment on behalf of me and my colleague, Congressman SCOTT GARRETT, who is my Republican co-chair of the Payer State Caucus, which is a group of Members opposed to the massive transfer of wealth between one set of States to another.

This amendment is a very simple one that would prohibit any of the funds in this bill from being used in the Experimental Program to Stimulate Competitive Research, otherwise known as EPSCoR. EPSCoR was started in 1978 as an experimental program in the hopes of strengthening research infrastructure in areas of the country that receive less than their fair share, however defined.

As a scientist and as an American, I think this goal is commendable, but the implementation of this program—and, in particular, the formulas used to earmark grants to a specific set of States—is absurd. The ability to participate in EPSCoR opportunities is based solely on whether or not a State has received less than 0.75 percent of the NSF research funding in the previous 3 years. Let me reiterate that. The Department of Energy's EPSCoR eligibility is determined by how much NSF research funding a given State has received in the previous 3 years.

There is no rational basis for earmarking a grant program in one area of spending based on the spending in another unrelated program. Moreover, because EPSCoR considers the funding on a per-State basis rather than on a per capita basis, it has devolved into just another one of the many programs that steers money into States that already get far more than their fair share of Federal spending.

EPSCoR is emblematic of a larger problem we have in this country. Every year, hundreds of billions of dollars are transferred out of States that pay far more in Federal taxes than they receive back in Federal spending—the payer States—and into States that receive a lot more Federal spending than they pay back in taxes—the taker States. In the case of Illinois, our economy loses $40 billion a year because we

pay far more in Federal taxes than we receive back in Federal spending. As for my colleague from New Jersey, his State on a per capita basis has it even worse. This alone is responsible for the fiscal stress in both of our States.

This is an enormous and unjustifiable redistribution of wealth between the States. This amendment takes a first small step to begin rolling back these taker State preferences by eliminating one of the many—but one of the most unjustifiable of them—the EPSCoR program.

I reserve the balance of my time.

Mr. SIMPSON. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chair, I appreciate my colleague's passion for the Office of Science. I am a strong supporter of the Office of Science and the work that they do.

As the Nation's largest supporter of basic research in the physical sciences, the Office of Science directs important research funding to the national laboratories and universities across this country. The EPSCoR program extends this even further by supporting research in areas where there has historically been less Federal funding.

The program has been successful in laying the foundation and in expanding research programs in the basic sciences across the Nation. Taking away this funding puts existing grants and partnerships in jeopardy at the many universities that receive EPSCoR grants. Therefore, I must oppose this amendment and urge other Members to do the same.

Mr. Chair, I yield such time as he may consume to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. I thank the chairman for yielding.

Mr. Chair, I rise in opposition to this amendment, which would eliminate funding for the Department of Energy's EPSCoR program.

For more than 40 years, the Department of Energy has provided academic research funding to colleges and universities around the Nation, and it has been critical to ongoing research that is essential to maintaining our competitive edge in energy advancement.

The DOE's Experimental Program to Stimulate Competitive Research, commonly known as EPSCoR, is a science-driven, merit-based program, whose mission is to help balance the allocation of DOE and other Federal research and development funding to avoid an undue concentration of money to only a few States.

This successful program has had a profound impact on my home State of Rhode Island by allowing our academic institutions to increase research capacity, to enrich the experiences of their students, and to contribute to important advances in a variety of fields. Currently, 24 States, including Rhode Island, and three jurisdictions account for only about 6 percent of all DOE funding despite the fact that these States account for 20 percent of the U.S. population. EPSCoR has helped to stabilize this imbalance in funding, and it should continue to do so in the 2017 fiscal year and beyond.

In order to ensure robust academic research and outcomes across the country, geographic diversity in funding should be considered to ensure that we are taking advantage of the particular experiences, knowledge, and perspectives of academic institutions from every State. This amendment to eliminate this successful program would be a step backward for the United States' commitment to research and development. Investments in critical programs, such as EPSCoR, are essential to creating jobs, innovating for the future, and maintaining our competitive edge in scientific research and a global economy.

I urge my colleagues to join me in strongly opposing this amendment.

Mr. FOSTER. Mr. Chair, I inquire as to how much time I have remaining.

The Acting CHAIR. The gentleman from Illinois has 2 minutes remaining.

Mr. FOSTER. Mr. Chair, first off, I would like to emphasize that this does not take away funding from the Office of Science. It eliminates a very poorly designed set-aside that is based on spending that is completely unrelated to the actual Office of Science.

If the goal of this program were to equalize the funding in the Office of Science, then it should be based on the actual expenditures of the Office of Science so that States that are underrepresented there would, presumably, be able to qualify for these. It does not do that. If it were designed to equalize the spending between States that receive a lot more Federal funding than those that don't, then you would see a very different set of States in this.

Particularly the fact that it is not based on a per capita basis is the fundamental flaw in this thing. If you look at those States, the single distinguishing characteristic is not that they are poor or rural or anything else; it is that they have small populations, which means that they are overrepresented in the Senate.

One of the main mechanisms for transferring wealth out of large States like New Jersey, like Illinois, like California, and a large number of other States into smaller States are spending formulas that have, frankly, been cooked up in the Senate, where small States are overrepresented and the formulas steer large amounts of money into them.

If this were based on a per capita basis, it would, at least, be rational. If the Office of Science's funding were based on actual expenditures, at least in the Department of Energy, it would be rational. What we see are States receiving EPSCoR funds that get far more than their share both in Federal funding and in Department of Energy funding overall. A rational program would, first off, collect all research funding in all areas and base the set-asides on that. Secondly, it would do it on a per capita basis.

These are fundamental flaws, and at this point it is preferable to just eliminate the entire program and start over if people think it is a useful thing.

I urge my colleagues to support this bipartisan amendment.

Mr. Chair, I yield back the balance of my time.

□ 1915

Mr. SIMPSON. Mr. Chair, I appreciate the gentleman's arguments. It sounds like we are back at the Constitutional Convention: Should we have the legislative branch of government be represented by the population, or should it be represented by the States? I know. Let's compromise. Let's have two bodies, one that represents the States with an equal number from each State, and one that represents the population. We will call one the House of Representatives, and we will call one the Senate. That is how it works out.

We are one Nation, and we try to make sure that funds go to all States. Some of them have a disadvantage just by the sheer size. And if you look at Idaho, we are the 12th largest State, and, I suspect, populationwise, we are down there substantially. Montana is probably even worse off than we are. So it is almost impossible for the universities and so forth to compete with some of the larger States.

So we can argue about whether the formulas are correct or absolutely correct or if they shouldn't be modified or anything else like that, and I am more than willing to do that, but to eliminate the program I think is just an entire mistake.

I would urge my colleagues to vote against this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. FOSTER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FOSTER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois will be postponed.

AMENDMENT OFFERED BY MRS. BLACK

Mrs. BLACK. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. 508. None of the funds made available by this Act may be used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373(a)).

The Acting CHAIR. Pursuant to House Resolution 743, the gentlewoman from Tennessee and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACK. Mr. Chairman, sanctuary cities flaunt our laws and put our citizens at risk. We need only to look at the tragic 2015 murder of Kate Steinle in San Francisco to see the grave danger of allowing cities to ignore the Federal immigration policy. We cannot allow this to stand. That is why I am introducing this amendment to the Energy and Water Development and Related Agencies Appropriations bill that would ban funding to any State or city that refuses to comply with our immigration laws.

Mr. Chair, I recognize that some of my colleagues may say that an amendment like this is better suited on the Homeland Security or the Commerce, Justice, Science Appropriations bill; and, indeed, I joined my colleague, Congressman GOSAR, on a letter to the subcommittees asking that similar language be attached to their bills as well. But the truth is, Mr. Chairman, amnesty for lawbreakers impacts every aspect of our society: our jobs, our security, and, in the case of Ms. Steinle, a young innocent woman's life.

I believe the crisis of sanctuary cities demands a multipronged response, and this amendment can be a piece of that effort. If cities choose to put their citizens at risk in defiance of Federal law—yes, in defiance of Federal law—there is no reason to continue spending Federal money on their energy and water projects. It is really that simple.

I urge my colleagues to take a vote for your constituents and support this commonsense amendment.

I reserve the balance of my time.

Ms. KAPTUR. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chair, the Black amendment would prohibit financial assistance to any State or political subdivision that is acting in contravention of the Illegal Immigration Reform and Immigrant Responsibility Act. But this is an energy and water bill. This isn't a part of our bill.

I rise in opposition to the amendment because it is, frankly, nongermane. The Department of Energy isn't involved. The Army Corps of Engineers or the Bureau of Reclamation or the regional independent agencies that are under the jurisdiction of this bill have nothing to do with the concern that the gentlewoman raises.

Why are we debating immigration policy on an Energy and Water Appropriations bill? It doesn't make any sense.

Frankly, the amendment would prohibit funding for State and local governments that have policies against the sharing of information related to immigration status, but State and local law enforcement routinely and automatically share biometric information with ICE that is used to determine immigration status. They do so through the same electronic system that shares these biometrics with the FBI for checks against the criminal databases. So even if this amendment were germane, I don't think the amendment is necessary or would do what the gentlewoman believes that it would do.

Even more to the point, if the premise of the amendment is that local law enforcement agencies aren't notifying ICE prior to releasing from custody individuals who fit ICE immigration enforcement priorities, then the amendment is misguided because the Department of Homeland Security has established a priority enforcement program, known as the PEP, designed to better work with State and local law enforcement to take custody of criminal aliens who pose a danger in public safety before they are released into our communities.

Prior to that program's establishment, 377 jurisdictions refused to honor some or all of ICE detainers. But as of early this year, 277 of those jurisdictions, or 73 percent, have now signed up to participate in that program by responding to ICE requests for notification, honoring detainer requests, or both.

So the Department of Homeland Security is making good progress in soliciting the participation of State and local law enforcement in the PEP program, and we should support them in those efforts and avoid muddling the issue and reject this amendment.

The Department of Homeland Security is not a part of the Appropriations Energy and Water Development, and Related Agencies Subcommittee; and it is doubtful that this amendment would have any effect, even if it were germane to the bill and not subject to a point of order.

Because this biometric sharing system is in effect across the country, no jurisdiction currently refuses to share information about immigration with ICE. So, as a result, it is difficult to see how this amendment would have any effect whatsoever, even if it were offered on the Commerce, Justice, Science, and Related Agencies Committee or the Department of Homeland Security bills.

I urge my colleagues to oppose this amendment. Frankly, it is not germane to this bill.

I yield back the balance of my time.

Mrs. BLACK. Mr. Chair, it really is ironic that this amendment is even necessary. It would not be necessary if the executive branch and the Department of Justice and Homeland Security were all doing their job and applying the law to each one of these sanctuary cities.

I do want to point to the fact that, back in February of this year, Attorney General Loretta Lynch testified before the House Appropriations Committee. It was in that committee that she talked about cracking down on what is happening in these sanctuary cities. I want to read what was in The Washington Times that came as a result of that testimony:

''The Obama administration is preparing to crack down on sanctuary cities, Attorney General Loretta Lynch told Congress on Wednesday, saying she would try to stop Federal grant money from going to jurisdictions that actively thwart agents seeking to deport illegal immigrants.''

It goes on to say that there was a follow-up in a letter to Mr. CULBERSON that week that the Justice Department said that if it determined that a city or a county receiving Federal grants is refusing to cooperate with ICE agents, they could lose money and face criminal prosecution.

So, hopefully, we will see the administration crack down on what really is unlawful, and that is for these sanctuary cities to be in operation at all. They should not be receiving any Federal funds in each one of these appropriation bills, and that is exactly what this amendment does.

I urge my colleagues to support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACK).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MCNERNEY

Mr. MCNERNEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. No Federal funds under this Act may be used for a project with respect to which an investigation was initiated by the Inspector General of the Department of the Interior during calendar years 2015, 2016, or 2017.

Mr. MCNERNEY (during the reading). Mr. Chair, I ask unanimous consent that my amendment be considered read.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

Mr. SIMPSON. Mr. Chairman, I would object to waiving the reading.

The Acting CHAIR. Objection is heard. The Clerk will continue to read.

The Clerk continued to read.

Mr. SIMPSON. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 743, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCNERNEY. Mr. Chairman, California, like much of the West, has been enduring a devastating drought. This affects the livelihoods of families, farmers, and small businesses throughout the State.

California's Governor now wants to move forward with something called WaterFix tunnels plan, which will build two massive tunnels to divert water from one part of the State to another.

I agree with every other Californian that we need long-term, statewide solutions to our State's water needs. I agree that there needs to be some level of certainty for the families, farmers, and small businesses about our water supply. To do that, we need to focus on conservation, recycling, reuse, storage, and leak detection and fixing. The WaterFix tunnels do none of these things. It creates no new water at all.

California voters and the State legislature haven't agreed on whether or not to fund this project, which is expected to exceed at least $25 billion, and that cost keeps rising. In addition, the Federal Government is expected to contribute $4 billion.

The cost of this plan is an even more important issue now that the Department of the Interior inspector general has opened an investigation into the possible illegal use of millions of dollars by the California Department of Water Resources in preparing environmental documents for the WaterFix tunnels plan. Instead of funding important habitat improvements, the State administration may be using Federal funds for the tunnel plan that will harm critical habitat for at least five endangered and threatened species.

California needs a water solution for the entire State, not one that is too expensive, doesn't create water, and is potentially the source of misappropriated funds. We have to use the funding for projects that make sense for California, that make California resilient and regionally self-sufficient.

My amendment will ban the government from funding tunnels taking our water, especially while subject to Federal investigation.

Mr. Chairman, I reserve the balance of my time.

POINT OF ORDER

Mr. SIMPSON. Mr. Chairman, I insist on my point of order.

The Acting CHAIR. The gentleman will state his point of order.

Mr. SIMPSON. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and, therefore, violates clause 2 of rule XXI.

The rule states in pertinent part: ''An amendment to a general appropriation bill shall not be in order if changing existing law.''

The amendment imposes additional duties.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

If not, the Chair is prepared to rule.

The Chair finds that this amendment requires a new determination on the Federal officials covered by the bill with regard to investigations of the Department of the Interior.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

Mr. MCNERNEY. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. The amendment has been ruled out and is no longer pending.

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AMENDMENT OFFERED BY MR. BYRNE

Mr. BYRNE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. In allocating funds made available by this Act for projects of the Army Corps of Engineers, the Chief of Engineers shall give priority to the Dog River, Fowl River, Fly Creek, Bayou Coden, and Bayou La Batre projects.

Mr. SIMPSON. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 743, the gentleman from Alabama and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BYRNE. Mr. Chairman, my amendment would allow for a number of important Army Corps of Engineers projects in my home district of coastal Alabama to move forward.

In many areas, our Nation's waterways are the lifeblood of the economy. Being from a port city, I certainly understand this and appreciate the work the Army Corps of Engineers does to keep our waterways well maintained.

I know the Army Corps works hard in tandem with Congress to prioritize projects to keep our waterways and ports open for commerce. Unfortunately, at times, it seems like smaller projects in our more rural areas get ignored or forgotten altogether. While they may not include a major waterway, these projects are vital to many of our local communities and have a significant economic impact from commercial and recreational fishing as well as tourism in general.

My amendment seeks to prioritize some projects in southwest Alabama that are long overdue. These include a project to dredge Fly Creek in Baldwin County, where depths need restoring after severe flooding in 2014. Another project would allow for Dog and Fowl Rivers to be dredged to help accommodate commercial and recreational fishing. This project hasn't been touched since 2009. Yet another project that needs attention is Bayou Coden, which is an important area for local shipbuilding.

I must thank the Army Corps of Engineers for their attention to a few projects in coastal Alabama, such as dredging Perdido Pass and the Bon Secour River. These are critical projects, but more work remains.

Mr. Chairman, I understand that my amendment may not be allowed under House rules, but I believe it is important to have this debate and remind the Committee on Appropriations as well as the Army Corps of Engineers about the importance of these smaller projects that really make a huge difference in communities across the United States.

In these tight budget times, I know it can be difficult to balance the need for major Army Corps projects with smaller projects like the one I have mentioned, but I hope the Army Corps will work with Congress to seek a proper balance that ensures our smaller waterways receive the maintenance and attention they deserve.

Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I continue to reserve my point of order.

Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I do understand the gentleman's concern. In fact, this is an issue we hear about from quite a few Members. The administration's insistence on budgeting on tonnage alone with no other consideration is shortsighted. That is why this bill provides additional funding specifically for small navigation projects, and the report encourages the administration to correct its budget criteria.

Unfortunately, the gentleman's amendment would establish priority in funding for specific projects. That is not something I can support, particularly in light of the House prohibition on congressional earmarks.

I would urge my colleague to withdraw his amendment and instead continue to work with the committee to show the administration the importance of small navigation projects.

Mr. BYRNE. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman from Alabama.

Mr. BYRNE. Mr. Chairman, I appreciate the gentleman's words. He is a man of his word. I appreciate his understanding the importance of these projects.

Having heard his words, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. MCNERNEY

Mr. MCNERNEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to issue Federal debt forgiveness or capital repayment forgiveness for any district or entity served by the Central Valley Project if the district or entity has been subject to an order from the Securities and Exchange Commission finding a violation of section 17(a)(2) of the Securities Act of 1933 (15 U.S.C. 77q(a)(2)).

Mr. SIMPSON. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 743, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCNERNEY. Mr. Chairman, my amendment is being raised to raise awareness of a very unjust situation. My amendment would ban Federal funding for debt forgiveness to any entity that has been subject to an order finding a violation of the Securities Act of 1933.

This is timely because there was a hearing yesterday in the Committee on Natural Resources that included two bills that would affirm a drainage settlement between the United States and Westlands Water District. This settlement would award Federal forgiveness to Westlands, which has violated such an SEC order.

These agreements matter because they will result in a $300 million taxpayer giveaway. They also fail to address or solve the extreme water pollution these irrigation districts discharge into the San Joaquin River and California delta estuary.

These settlement agreements do not require enough land retirements and provide more access to water, further draining the delta, and there are no real performance standards or oversight if pollution runoff is mismanaged.

Considering recent news of the SEC fining Westlands due to its conduct in misleading investors about its financial health, the lack of specific performance standards and enforcement tools makes the current settlement terms even more questionable.

My amendment will ban the government from funding the debt forgiveness of these agreements not only because these agreements are bad for California, but no entity should have Federal debt forgiveness when they have violated Federal laws.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. BYRNE

Mr. BYRNE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. (a) None of the funds made available by this Act may be used for the Energy Information Administration.

(b) The amount otherwise made available by this Act for ''Department of Energy—Energy Programs—Energy Information Administration'' is hereby reduced to $0.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Alabama and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BYRNE. Mr. Chairman, my amendment would prohibit any funding from going to the Energy Information Administration, which under this bill is set to receive $122 million in taxpayer money.

Mr. Chairman, rule XXI of the House rules prohibits funding programs that are not authorized under law. The authorization process is so important because it gives Congress the ability to set each agency's agenda, provide proper oversight, and ensure the agency is fulfilling the mission it was designed by Congress to meet.

Nearly one-third of the Federal discretionary spending goes to programs whose mandate to exist has expired. In this bill, we will fund 28 programs that have expired authorizations, many which expired in the 1980s. One program that we are funding has existed since the 1970s, but has never been authorized by Congress.

The Energy Information Administration, which this amendment would block funding for, is one of the worst offenders. Its authorization expired in 1984, over 30 years ago. That means that the last time this agency received proper congressional instructions, oversight, and review, the Los Angeles Raiders had won the Super Bowl, Ronald Reagan was in the White House, and ''Ghostbusters'' was in the theaters.

The Energy Information Administration has seen its fair share of challenges since it was last authorized. In fact, a few years ago The Wall Street Journal wrote an article about how errors by the EIA caused a significant jump in oil prices. The same story noted that the agency was vulnerable to hacking and that information could be easily compromised, yet this body has not acted on an authorization.

Mr. Chairman, I don't question that there may be some important functions performed by this agency, but at some point we must have accountability in the authorization process. If my amendment is approved, we can send a message as a House that we are serious about fiscal discipline and demand that, if a program is worthy to receive taxpayer funds, it should be authorized by the Congress.

Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, this is kind of a hard one because I have to tell you, in all honesty, I agree with the gentleman. There are too many programs that are not authorized. Unfortunately, it is not the Committee on Appropriations' responsibility. It is the authorizing committees that haven't been doing their job.

It is not the EIA's fault that they are not reauthorized. It is that Congress has not done their job in reauthorizing them. As the gentleman has stated, there are many, many programs throughout. I think the whole Department of State is up for reauthorization and hasn't been reauthorized.

The gentleman is absolutely right. We need to do something about that. We have been debating and discussing how exactly you do that. We have had various proposals. In fact, members of our Conference are looking at it now. I know Mr. MCCLINTOCK is very interested in doing this. We have talked about it several times. We are trying to find some way to force the authorizing committees to actually do their job and do the reauthorizations that are necessary.

But I rise to oppose this amendment. The amendment proposes to eliminate funding for the Energy Information Administration, a semi-independent agency that collects, analyzes, and disseminates impartial energy statistics and information to the Nation. The EIA performs essential work for understanding the electricity generation and energy consumption in the complex energy markets that make up our Nation. The EIA provides a statistical and informational service to the private sector that the private sector would not.

Eliminating this funding would immediately impact the ability to perform energy policy and would remove essential reports on the energy market. Eliminating the EIA would have virtually no effect on the total spending in this bill, but would negatively impact our ability to make energy policies.

I must oppose this amendment, although I sympathize with what the gentleman is trying to do. I would be willing to work with him and any others who are willing to work with a way to force the authorizing committees to do the authorizations that should be being redone or the reauthorizations that should being redone.

The reason things expire and the reason they need to be reauthorized is because you need to look to see if they are doing what we intended when we enacted them. Sometimes they are. Sometimes they are not. Sometimes they need be modified. Sometimes they need to be amended. But if we don't get back to reauthorizing them, that never happens, and that is our fault, Congress' fault.

Ms. KAPTUR. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. I appreciate the chairman yielding to me. I agree with his opposition to this amendment.

Why blame one of the best parts of our government, in my opinion, for Congress not doing its job? I am always impressed with the Energy Information Administration. Their data is stellar. They are professionally run. The business community looks to them. Frankly, the global energy community looks to them.

I think the amendment is shortsighted and would eliminate one of the best, most important sources of information that guides all of our decisions. They are so precise. The data that they present also can be easily understood. They have maps. They have charts. They have continuous data over a number of years.

I think the gentleman wants to solve a problem, but I think that one could say that this amendment might be penny wise and pound foolish because, if you have had any experience with the Energy Information Administration, you know how excellent they really are and their work is.

We depend on it in order to make solid decisions to save money or to make decisions that are sound rather than unsound. Don't rip the heart out of one of the most important administrations that we have at the Federal level on the energy front.

I thank the chairman for yielding.

I would urge that this amendment be defeated.

Mr. SIMPSON. Let me just explain that this is something that I have been trying to find a solution to for a number of years. When I was chairman of the Interior, Environment and Related Agencies Appropriations Subcommittee—this has been like 4 years ago—the Endangered Species Act had not been reauthorized for 23 years at the time. It is like 27 years now that it has not been reauthorized. We brought down the Interior appropriation bill, and we put no money in it for endangered species listing or for critical habitat designation, and the intent was to force the Committee on Natural Resources to do a reauthorization of the Endangered Species Act.

□ 1945

The individual who was supporting me the most was the then-chairman of the Natural Resources Committee. Well, of course, we lost an amendment because nobody wants to eliminate all the funding for the Endangered Species Act. But the gentleman that supported me the most was the chairman of the Natural Resources Committee at the time, who had the ability and authority to go do a reauthorization of the Endangered Species Act, but didn't do it. And it still hasn't been done.

It is frustrating. I want to work with anybody in this body that is willing to try to find a way to put pressure on the committees to do their job.

I yield back the balance of my time.

Mr. BYRNE. Mr. Chairman, I appreciate the gentleman's remarks. I accept his offer. I look forward to working with him. We have got to start somewhere, and this is a good place to start.

I heard the gentlewoman's remarks. The Wall Street Journal reported that this agency caused an increase in oil prices by one of its malfunctions. So I don't think it is quite a perfect agency as she made it out to be. This is a point that we need to make. And I intend to continue to make this point as we go through the appropriations process.

I urge a ''yes'' vote on this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alabama (Mr. BYRNE).

The amendment was rejected.

AMENDMENT OFFERED BY MR. SEAN PATRICK MALONEY OF NEW YORK

Mr. SEAN PATRICK MALONEY of New York. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used in contravention of Executive Order No. 13672 of July 21, 2014 (''Further Amendments to Executive order 11478, Equal Employment in the Federal Government, and Executive Order 11246, Equal Employment Opportunity'').

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. SEAN PATRICK MALONEY of New York. Mr. Chairman, last week, I came to the floor to offer an amendment to preserve basic workplace protections for LGBT Americans. My amendment would have kept taxpayer dollars from going to government contractors who discriminate against LGBT employees. That is it. It said you cannot take taxpayer dollars and fire people just for being gay.

There are 28 million Americans working for employers who receive taxpayer dollars, and simple math will tell you millions would have been protected from arbitrary firing. So it made sense, it was fair, and it deserved a fair vote.

When the vote was held, a bipartisan majority of this House, including 36 members of the majority party, supported my amendment. That tally clock right there showed 217 ''yes'' votes—4 more than the 213 needed that day to pass. With all time expired, it was clear as can be that equality had won the vote.

But when the world watched, something else happened. Something shameful happened. Something about sticking up for basic workplace fairness for LGBT Americans rankled certain people around here.

Even though my amendment simply would have applied the same standard to LGBT employees that we have long applied when people are fired because of their race or gender or religion or disability, it simply was too much. Even though we would have preserved time-honored religious exemptions, it was too much. Something about treating LGBT people fairly just wouldn't do.

So people went to work. Even though all Members had voted, strangely, the expired clock stayed up four times longer than it should have. The gavel did not fall. And as we all watched, the tally began to change: 217, 216, 215. The votes in support were dropping. Members of this House were changing their votes. Why? From being in support of fairness, they were now changing them to be opposed to it.

Down the vote went, 214, 213, and yet no one came to the well, as is customary, to announce their vote. It was all in secret, happening out of sight, so no one might see the ugly reality of what was happening.

And what happened? Well, when it hit 212, one vote shy of the majority it needed to pass—one vote shy of the majority it had a few moments earlier—the gavel came down and the result was declared. A defeat.

It was a shameful exercise, made more shameful in that it took place on a civil rights vote that enjoyed a bipartisan majority of support in this House. From Portland, Maine, to Des

Moines, Iowa, to southeast Oregon, to Bakersfield, California, newspaper editorial boards, radio hosts, and ordinary citizens joined a chorus that was heard first on this floor. ''Shame,'' they said. Shame on those who would betray the will of this House, who would betray this vote, and shame on anyone who would rig this vote and rig our democracy.

Shame on those who snatched discrimination from the jaws of equality, especially those ''Switching Seven'' who, having at first voted for fairness, allowed themselves to be dragged backward into voting for discrimination.

On Friday, at a meeting of my Veterans' Advisory Board back home, I spoke to decorated military heroes and civilians who have dedicated their lives to the service of this country. To a person, they were outraged by what happened on the floor of this House.

One member of the group, Edie, who served as a first lieutenant and combat medic in Vietnam, said when she heard about the rigged vote, she thought of her daughter, who right now is serving her country in the military. And Edie's daughter is a lesbian.

Edie said:

> When my daughter finishes her active military service, she will enter the civilian workforce—perhaps for a government contractor, as so many vets do. Will they be able to fire her, even though she and I are both veterans?

Mr. Chairman, does Edie's service in combat count for anything here? Does her daughter's service right now to this country count for anything here?

Her daughter isn't alone. There are 71,000 Active Duty LGBT servicemen and -women right now and over 1 million LGBT veterans. Making it easier to fire LGBT Americans, even LGBT veterans, isn't honoring our values. It is sacrificing them to preserve a worn out and dying prejudice that weakens our Nation rather than strengthening it.

So, today, I want to thank Speaker RYAN for allowing an open process so that I can offer my amendment again. It is through this open process that we can give our colleagues another chance—a second chance—to do the right thing and to stand for equality.

Let us this time ensure that no taxpayer dollars will be used to discriminate against hardworking Americans simply because of who they are, simply because of who they love. And we will also reaffirm legitimate religious exemptions that the President also included in his executive orders on this subject.

Discrimination has no place in our law. It does not make our water cleaner. It does not power our homes. It doesn't defeat ISIS. It doesn't support our veterans.

Every American deserves the right to work, support a family, and achieve the American Dream, regardless of who they are or who they love.

I urge my colleagues to stand up to discrimination and adopt my amendment to the bill.

The Acting CHAIR. The time of the gentleman has expired.

AMENDMENT OFFERED BY MR. PITTS TO AMENDMENT OFFERED BY MR. SEAN PATRICK MALONEY OF NEW YORK

Mr. PITTS. Mr. Chairman, I have an amendment to the amendment.

The Acting CHAIR. The Clerk will report the amendment to the amendment.

The Clerk read as follows:

> In the section proposed to be added, insert before the period at the end the following: '', except as required by the First Amendment, the Fourteenth Amendment, and Article I of the Constitution''.

Ms. KAPTUR. Mr. Chairman, I reserve a point of order.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 743, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes on the amendment to the amendment.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PITTS. Mr. Chairman, I would like to offer this perfecting amendment to my colleague's amendment.

This amendment is very simple. It would merely state that, as the Federal Government spends money with regard to contracting, the administration must not run afoul of the First Amendment, the 14th Amendment, or Article I of the Constitution.

The President's executive order referred to in the Maloney amendment defines a law that was never defined by Congress. It violates the equal protection rights of individuals who are merely seeking work from the government.

With this amendment, this Congress can help ensure that, while funds may be going out the door to implement this policy, he must respect Congress' authority to write the law, respect an individual's right to exercise his or her religion, and respect their rights to work.

Does anyone in this Chamber seriously oppose Article I of the Constitution, the First Amendment, or the 14th Amendment?

I urge my colleagues to join me in supporting the Constitution and limiting the damaging effects of this executive order.

Mr. Chairman, I yield back the balance of my time.

Mr. SEAN PATRICK MALONEY of New York. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SEAN PATRICK MALONEY of New York. Mr. Chairman, may I have the amendment read back? Does it include only the First Amendment, the 14th Amendment, and the Equal Protection Clause?

The Acting CHAIR. Without objection, the amendment to the amendment will be reported.

There was no objection.

The Clerk reported the amendment.

The Acting CHAIR. The gentleman from New York is recognized.

Mr. SEAN PATRICK MALONEY of New York. Mr. Chair, I would like to ask my colleague what is meant by Article I of the Constitution, if he could clarify that for us.

No one who supports my amendment—certainly, not I—has any problem with the First Amendment, the 14th Amendment, particularly the Equal Protection Clause, or with Article I of the Constitution, I assure the gentleman.

I also, however, would note—and I am sure the gentleman would appreciate—that many times throughout American history, Presidents, under their authority under the Constitution, have acted in the area of workplace discrimination, particularly in the executive branch.

For example, would the gentleman oppose President Truman's action to integrate the armed services? Perhaps he would like that order to be circumscribed in some way, if he thinks that violates Article I of the Constitution, the 14th Amendment, or the First Amendment to the Constitution?

In other words, the President has, throughout American history, under his constitutional authority, taken actions to widen the circle of opportunity and to end discrimination in the executive branch.

Nothing in my amendment is in any way at odds with the Constitution of the United States or the amendments thereto, but it should not be allowed to go unchallenged on the floor of this House to suggest that President Obama, in his executive action in 2014, ran afoul of any of those things either.

Indeed, I am unaware of any legal challenge to the President's action in those executive orders of 2014. It is pretty clear to me that, if there was something illegal or unconstitutional about them, there would have been a challenge.

I don't think anybody seriously contests the President's authority to do what he did in 2014, and many Americans welcome it as one of the signature equal protection actions by a Commander in Chief or by a President of the United States.

So, far from being concerned about reconciling our activities with the Constitution, we believe they are perfectly consistent. Therefore, I would ask the gentleman if he would be willing to also include, since we are so fond of the Constitution, Article II of the Constitution which specifies the powers of the President?

If the gentleman would answer that question.

In other words, if we are so fond of the Constitution, what do you say we

follow the whole thing, including the Civil War amendments, including some of the things about equal protection and due process. You might have heard something about that. We had a little bit dispute about that in the mid-19th century.

What do you say we abide by the whole Constitution; the part that tries to make it more progressive, more inclusive of people like me, of people of color, of women, of people who are shut out when it was written?

How about we include the whole Constitution? Can we do that?

The Acting CHAIR. The gentleman will address his remarks to the Chair.

Mr. SEAN PATRICK MALONEY of New York. Mr. Chairman, how about we include the whole Constitution? Can we do that?

Hearing no objection, I assume we are including the entire Constitution, including the powers of the President under Article II.

Mr. Chair, I reserve the balance of my time.

The Acting CHAIR. The gentleman from Pennsylvania has yielded back his time.

Therefore, the gentleman from New York is recognized on the amendment to the amendment.

Mr. SEAN PATRICK MALONEY of New York. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman has 2 minutes remaining.

Mr. SEAN PATRICK MALONEY of New York. Well, then, let me just say again, the point of today's vote is to redo a mistake that was made in this House.

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But of course it wasn't really a mistake, was it?

It was an effort to change the outcome of a bipartisan majority supporting an amendment to end discrimination in Federal contracting.

So today, what we are doing is getting a second bite at that apple, giving Members a chance to vote their conscience, to do the right thing, free from any pressure, free from any vote swapping or switching, free from a clock being held open long after it should have closed.

The American people want to know if their government is on the level, so let's have this vote on the level. We know there is a bipartisan majority for equality in this House, and, if allowed a fair vote, we know what the outcome will be. I look forward to that vote, Mr. Chairman.

I yield back the balance of my time.

Ms. KAPTUR. Mr. Chairman, I withdraw my reservation of a point of order on the amendment to the amendment.

The Acting CHAIR. The reservation of the point of order is withdrawn.

Ms. KAPTUR. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chairman, I just wanted to say that I associate myself with Congressman MALONEY's remarks. Workplace discrimination is a crime that we, as lawmakers, have long sought to mitigate.

I have to say I admire him for his courage, for his eloquence, and for being here this evening.

I yield to the gentleman from New York in order to complete his statement.

Mr. SEAN PATRICK MALONEY of New York. Mr. Chairman, how much time is remaining?

The Acting CHAIR. The gentlewoman from Ohio has 4½ minutes remaining.

Mr. SEAN PATRICK MALONEY of New York. Mr. Chairman, I want to make it perfectly clear that we stand here as servants of the Constitution, all of us, and all of the actions we take here are subject to that beautiful document, as amended.

So there is nothing about the gentleman's amendment, to the extent that it simply restates what is obvious which is that all of our actions are subject to the Constitution, that we would object to.

My only point is simply that we need to read it as a whole document. We don't need to read anything into it. We can read the text. We can understand the history of the text. We can understand the global and expansive nature of the language written into the Constitution after the searing experience of the Civil War around equal protection, around due process.

We don't fear the Constitution; we welcome it. We embrace it. We claim it as our own when we come to this floor and ask that the circle of opportunity be widened for others who have been excluded before.

We think that is in the best tradition of the American Constitution. We believe the Constitution provides a series of promises that, as King said, it is a promissory note and that a check was written; we are coming to cash it so we will all be treated equally, so we will all be treated fairly, that we all count. Regardless of who we love, regardless of the color of our skin, whether we walk in or roll in, we believe we all count. And we believe that the Constitution enshrines those values in the most beautiful way in all of human history.

So, far from being concerned in any way by the gentleman's amendment, we welcome it.

But let it not detract from the fact that what happened in this House was an effort to enshrine and rationalize discrimination under Federal law. And despite the success we had in defeating that with a bipartisan majority, there were those here who wanted to perpetuate discrimination at the expense of equality.

That is inconsistent with the Constitution, Mr. Chairman.

And let that be the final word on this.

Ms. KAPTUR. Mr. Chairman, how much time is remaining?

The Acting CHAIR. The gentlewoman from Ohio has 1¼ minutes remaining.

Ms. KAPTUR. Mr. Chairman, let me just end by saying, this country has a long and storied history of supporting civil rights and worker rights, and that spirit was clearly violated last week during the vote on the spending bill.

We know that businesses should operate under strict rules of fairness and equality, and, certainly, the Federal Government should.

I am just grateful that we could all be here this evening and try to find a way to move America forward and to make progress, not just for the people of this country, but for humankind.

This amendment will ensure that we are able to achieve a fully equitable workplace and society.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. All time having expired on the amendment to the amendment, does any Member seek time in opposition to the first-degree amendment offered by Representative MALONEY?

If not, the Chair will put the question on the amendment to the amendment.

The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PITTS) to the amendment offered by the gentleman from New York (Mr. SEAN PATRICK MALONEY).

The amendment to the amendment was agreed to.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. SEAN PATRICK MALONEY), as amended.

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SEAN PATRICK MALONEY of New York. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York, as amended, will be postponed.

AMENDMENT OFFERED BY MR. BYRNE

Mr. BYRNE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act shall be used in contravention of—

(1) the Religious Freedom Restoration Act of 1993 (42 U.S.C. 2000bb et seq.);

(2) Executive Order 13279; or

(3) sections 702(a) and 703(e)(2) of the Civil Rights Act of 1964 (42 U.S.C. 2000e-1(a), 42 U.S.C. 2000e-2(e)(2)), or section 103(d) of the Americans with Disabilities Act of 1990 (42

U.S.C. 12113(d)), with respect to any religious corporation, religious association, religious educational institution, or religious society.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Alabama and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BYRNE. Mr. Chairman, unlike our European forebears, the Framers made clear that our Nation would have no state church. Instead, under the First Amendment, all will be protected in the free exercise of the religion of their choosing, and we have a proud tradition of conservatives and liberals, Republicans and Democrats, working together to protect this free exercise right.

In the 1963 case of Sherbert v. Verner, the liberal Justice William Brennan mandated that any government intrusion into one's free exercise must meet the most stringent standard of judicial review, strict scrutiny.

It was actually the conservative Justice Antonin Scalia who wrote the 1990 opinion in Employment Division v. Smith that rolled back the protections of Sherbert.

Fortunately, 3 years later, a Democrat Congress and a Democrat President, Bill Clinton, rallied large, bipartisan majorities to legislatively overturn Smith in the Religious Freedom Restoration Act, otherwise known as RFRA, and restores strict scrutiny when the government seeks to invade the free exercise of religion.

RFRA had 170 cosponsors. The gentlewoman from California (Ms. PELOSI) and the gentleman from Maryland (Mr. HOYER) were original cosponsors. It passed by a voice vote in the House and 97–3 in the Senate.

On July 21, 2014, President Obama signed Executive Order 11478 banning Federal contractors from discriminating on the basis of sexual orientation and gender identity in hiring.

Unfortunately, despite our broad history of working together to protect the free exercise right, the President refused to provide conscience protections for religious-based organizations who engage in government contracting.

This amendment would clarify that existing religious freedom protection already in law under the RFRA, the Americans with Disabilities Act, the 1964 Civil Rights Act, and President Bush's Executive Order 13279 would apply, irrespective of the amendment offered by Mr. MALONEY.

We can debate the merits of Executive Order 11478; however, we should have no problem ensuring that religious entities still enjoy the protections of the free exercise of religion.

I urge a ''yes'' vote on my amendment.

Mr. Chairman, I reserve the balance of my time.

Ms. KAPTUR. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chairman, I don't have a copy of the amendment in front of me, but from what I have listened to the gentleman, it sounds like discrimination in the guise of religious freedom, and I would hope that isn't what the gentleman intends.

I have just been given language: ''None of the funds made available by this Act shall be used in contravention of the Religious Freedom Restoration Act.''

I don't have full confidence that the equal protection of the laws for the faith-based community are fully considered in this amendment, and I would have to oppose the gentleman's amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. BYRNE. Mr. Chairman, I want to make very clear that my amendment says not one single thing about discrimination. It talks about religious freedom.

We treat religious freedom sometimes in this country like it is a secondary right. It is not. It is a fundamental right. And what my amendment does is make sure that people of religious conscience still have that freedom.

So, far from being discrimination, it makes sure that we have freedoms for people that they have had for over 200 years; under the 1964 Civil Rights Act, for over 50 years; under the Americans with Disabilities Act, for over 25 years; and under RFRA, for over 20 years.

This is not new. This is not novel. This is settled law. We are making sure we protect people here. This has nothing to do with discrimination.

I know that some people would like to wipe out the effect of church, the effect of religion, the effect of faith in the public square in America. But that is not what our Constitution is about, and I think this House should stand up for religious freedom for everybody.

So I ask that everybody in this House vote for this very important amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alabama (Mr. BYRNE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. KAPTUR. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Alabama will be postponed.

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AMENDMENT OFFERED BY MR. HIGGINS

Mr. HIGGINS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Secretary of Energy to carry out, or for the salary of any officer or employee of the Department of Energy to carry out, the proposed action of the Department to transport target residue material from Ontario, Canada to the United States, described in the supplement analysis entitled ''Supplement Analysis for the Foreign Research Reactor Spent Nuclear Fuel Acceptance Program'', issued by the Department in November 2015 (DOE/EIS–0218–SA–07).

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. HIGGINS. Mr. Chairman, I want to thank Chairman SIMPSON and Ranking Member KAPTUR for their work on this bill.

Mr. Chairman, my amendment would prohibit the shipment of dangerous, highly radioactive liquid nuclear waste, which the Department of Energy plans to begin shipping by truck later this year in a series of over 100 shipments from Ontario, Canada, to South Carolina.

The department wants to transport this liquid waste, which is far more radioactive than spent nuclear fuel, across the northern border at the Peace Bridge and through downtown Buffalo.

In contrast to spent nuclear fuel in solid form, which has a history of being shipped by land, this would constitute the first ever shipment of liquid nuclear waste by truck in a transportation cask that was never certified for this purpose. Its liquid form, if spilled, could make containment nearly impossible.

The route crosses the Great Lakes, across the busiest passenger crossing at the northern border, and through a high-density metropolitan area. In the event of an attack or an accident, the consequences could be devastating.

In spite of these concerns, the Department of Energy failed to comply with the National Environmental Policy Act by not commencing with a new Environmental Impact Statement, instead, relying on old, outdated information.

The evolving threat picture since 9/11 requires that the Department of Energy reassess the manner in which it ships such dangerous materials.

Proceeding with the shipments would also ignore the will of the House, which unanimously passed legislation requiring the Department of Homeland Security perform a terrorism threat assessment regarding the transportation of chemical, biological, nuclear and radiological materials through the United States.

To reiterate, my bill would only impact one type of nuclear waste shipment, and other shipments of spent nuclear fuel would not be affected.

I urge support for my amendment, which would prohibit these shipments until the Department of Energy performs a full and thorough review process. Proceeding without doing so would seriously compromise public safety.

Mr. Chairman, I urge support of my amendment.

I yield back the balance of my time.

The Acting CHAIR (Mr. HUIZENGA of Michigan). The question is on the amendment offered by the gentleman from New York (Mr. HIGGINS).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. GRAYSON

Mr. GRAYSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to enter into a contract with any offeror or any of its principals if the offeror certifies, as required by Federal Acquisition Regulation, that the offeror or any of its principals:

(A) within a three-year period preceding this offer has been convicted of or had a civil judgment rendered against it for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contract or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property; or

(B) are presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated above in subsection (A); or

(C) within a three-year period preceding this offer, has been notified of any delinquent Federal taxes in an amount that exceeds $3,000 for which the liability remains unsatisfied.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chairman, this amendment is identical to other amendments that have been inserted by voice vote into every appropriations bill considered under an open rule during the 113th and 114th Congresses. The amendment simply expands the list of parties with whom the Federal Government is prohibited from contracting due to serious misconduct on the part of the contractors.

I hope that this amendment remains noncontroversial.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. GRAYSON).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. BABIN

Mr. BABIN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be made available to enter into new contracts with, or new agreements for Federal assistance to, the Islamic Republic of Iran.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BABIN. Mr. Chairman, I rise in strong support of my amendment to prohibit any contracts or Federal assistance to the Islamic Republic of Iran from being funded in this Energy and Water Development Appropriations bill.

As a result of this recent nuclear deal, Iran is now cleared to receive up to $150 billion in assets that should have never made its way back to the Ayatollahs.

Iran is the world's leading State sponsor of terrorism. Any dollar sent to Iran's government is a dollar sent to a brutal, apocalyptic, and dangerous regime that routinely flouts international norms, threatens to wipe Israel off the map, captures and humiliates our U.S. sailors, flagrantly violating Geneva Convention rules, and is responsible for the murders of hundreds of United States soldiers.

Passage of this amendment will wipe the slate clean of any potential for money from the hardworking taxpayers in my district and from across the United States of America to go to Iran. No money for contracts to buy their heavy water, no money for their so-called civilian nuclear power program. Let's not get fooled again like we did with North Korea.

The Iran deal was only given an ''aye'' vote by 162 Members of this House—a very small total. The President may have lifted the sanctions that Congress passed in 2010, but there is no reason that we cannot take this step to show Iran and the world that we are serious about putting them back in place for their flagrant violations.

Mr. Chairman, I urge a ''yes'' vote.

I yield back the balance of my time.

Ms. KAPTUR. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chairman, I oppose this amendment and want to begin by saying that ideological riders have no place on appropriation bills, certainly on this bill, and, frankly, I don't believe that this is even germane to the Energy and Water Development bill.

This amendment is just the first of many possible attempts to tie the hands of the administration from implementing an extremely important international agreement that will result in exactly the opposite of what the gentleman infers.

The plan of action that was agreed to by several countries, P5+1, closed the four pathways through which Iran could get to a nuclear weapon in less than a year. We do not gain anything by putting limitations on United States' ability to engage or monitor Iran's compliance with the agreement. The President has repeatedly said that he will continue to take aggressive steps to counter any activities in violation of existing sanctions, and this includes restrictions on certain nuclear-related transfers, conventional arms, and ballistic missile items, certain asset freezes and travel bans, as well as cargo inspections.

Today, international inspectors are on the ground, and Iran is being subjected to the most comprehensive, intrusive inspection regime ever negotiated to monitor a nuclear program. Inspectors will remain to monitor Iran's key nuclear facilities 24 hours a day, 365 days a year. For decades to come, inspectors will have access to Iran's entire nuclear supply chain. That is an incredible achievement.

The Department of Energy's vast expertise in the nuclear fuel cycle, nuclear safeguards and security, and nuclear materials plays a critical role in informing and ensuring that Iran is meeting its nuclear commitments.

To date, experts at the Department of Energy headquarters, seven national laboratories, and two Department of Energy nuclear sites have been actively involved in reaching and now implementing the agreement. These experts will continue to support the International Atomic Energy Agency's monitoring and verification activities worldwide and are vital as the United States works with our P5+1 and European Union partners to ensure viability into Iran's nuclear program.

Why would we proactively cut off our nonproliferation program and experts from working to prevent Iran to achieve nuclear weapons? Isn't that counter to our own national security interests?

In other words, if Iran tries to cheat, if they try to build a bomb covertly, we will catch them, the world will catch them, unless we here in Congress undo these efforts and adopt amendments such as the one we are discussing now.

The bottom line is this: Iran was steadily expanding its nuclear program. The agreement has now cut off every single path to build a bomb.

Mr. Chairman, I oppose this harmful amendment and encourage my colleagues to oppose as well.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. BABIN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LOWENTHAL

Mr. LOWENTHAL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ (a) None of the funds made available by this Act may be used in contravention of Executive Order No. 13547 of July 19, 2010.

(b) None of the funds made available by this Act may be used to implement, administer, or enforce section 506 of this Act.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LOWENTHAL. Mr. Chair, I, along with Representatives CICILLINE, FARR, LANGEVIN, KEATING, BEYER, and PETERS have introduced an amendment to clarify that the National Ocean Policy is a critical multiagency action that should be implemented.

Mr. Chair, my district is a poster child for the need for ocean coordination and information sharing between local, State, and Federal Governments, and the military, ports, shippers, energy developers, recreational users, and other stakeholders. I know firsthand that we can have a thriving ocean economy and at the same time protect and conserve our precious ocean resources.

For example, the Port of Long Beach is the second busiest port in the United States in my district, moving $140 billion in goods, supporting 1.4 million jobs in the United States.

Offshore oil platforms extract crude oil in San Pedro Bay less than a mile from my front door. San Clemente Island in my district has a Navy training ground and a ship-to-shore firing range. Nearby waters are home to seabirds, fisheries, and migrating whales. Sea level rise and extreme weather threaten neighborhoods and businesses all along my district and the entire coast of California.

With so much activity happening, it simply makes sense to have the Navy at the table when NOAA is working on siting of a new aquaculture installation. It makes sense to have the fishery management council weigh in when oil rigs are being decommissioned, and it is a no-brainer that NOAA, the Coast Guard, and the ports all work together to get these massive ships in and out of port safely.

We want these collaborations to happen because we want to have a sustainable ocean economy, and by developing regional plans and having a framework for multi-stakeholder involvement, we can streamline this process and promote a robust ocean economy that also conserves our precious ocean resources.

The country and my district need a comprehensive approach to our ocean resources, which the National Ocean Policy provides.

I urge my colleagues to vote ''yes'' on my amendment.

I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, while there may be instances in which greater coordination would be helpful in ensuring our ocean and coastal resources are available to future generations, any such coordination must be done carefully to protect against Federal overreach.

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As we have seen recently with the proposed rule to redefine waters of the United States, strong congressional oversight is needed to ensure that we protect private property rights.

Unfortunately, the way the administration developed its National Ocean Policy, it increases the opportunities for overreach. The implementation plan is so broad and so sweeping, that it may allow the Federal Government to effect agricultural practices, mining, energy producers, fishermen, and anyone else whose actions may have an impact on the oceans.

The fact is the administration did not work with Congress to develop this plan and has even refused to provide relevant information to Congress, so we can't be sure how sweeping it actually will be. That is why I support the language in the underlying bill and, therefore, oppose the amendment.

I yield back the balance of my time.

Mr. LOWENTHAL. Mr. Chairman, there is an agreement among all of us that there needs to be more coordination among all of the stakeholders to make smart decisions about our ocean resources. However, many on the other side of the aisle oppose the National Ocean Policy on the grounds that, as we have just heard, it is overreach, which is authorized by an executive order of a President that they don't like.

To me, this seems petty. National Ocean Policy is not a failed policy like some suggest, nor is it an instance of executive overreach. It is merely a commonsense way to facilitate multi-stakeholder collaboration on complex ocean issues, and it promotes economic opportunity, national security, and environmental protection.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. LOWENTHAL).

The amendment was rejected.

AMENDMENT OFFERED BY MR. MEADOWS

Mr. MEADOWS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. _____. None of the funds made available by this Act may be spent by the Army Corps of Engineers to award contracts using the lowest price technically acceptable source selection process unless the source selection decision is documented and such documentation includes the rationale for any business judgments and tradeoffs made or relied on by the source selection authority, including benefits associated with additional costs.

Mr. MEADOWS. Mr. Chairman, I ask unanimous consent that the amendment be considered read.

The Acting CHAIR. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from North Carolina and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. MEADOWS. Mr. Chairman, I will be brief. The night is getting long, and the committee has done some great work on the underlying bill.

This amendment is a commonsense amendment, one meant to provide transparency as it relates to the Army Corps of Engineers and the awarding of contracts. When they actually award a technically acceptable lowest bid, the rationale and the other transparency documents would actually be reported that no funds could be extended except for those express purposes.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. MEADOWS).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. JACKSON LEE

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act for ''Department of Energy—Energy Programs—Science'' may be used in contravention of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.).

The Acting CHAIR. Pursuant to House Resolution 743, the gentlewoman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, I want to thank the ranking member, Ms. KAPTUR, her staff, and the chairman of the subcommittee, Mr. SIMPSON, and staff and others because they have been working hard.

I want to emphasize that this is an amendment that was approved and adopted in an identical form on April 29, 2015, during the 114th Congress, as an amendment to H.R. 2028, the Energy and Water Development and Related Agencies Appropriations Act.

I do this amendment because I do believe it is extremely important. If you travel around this country, whether it is Silicon Valley, whether it is NASA, whether it is dealing with energy resources, renewable and otherwise, you realize the importance of science, technology, engineering, and math.

Twenty years ago, Mr. Chairman, on February 11, 1994, President Clinton issued Executive Order 12898, directing Federal agencies to identify and address the disproportionately high and adverse human health or environmental effects of their actions on minority and low-income populations.

The Department of Energy seeks to provide equal access to these opportunities for underrepresented groups in STEM, including minorities, Native Americans, and women. We need professionals in these areas to be able to assess the various impacts, environmental impacts, on the minority community. But, more importantly, we also need our organizations, such as Historically Black Colleges and other colleges, to make sure to include opportunities for minority and women students. They make up 70 percent of college students, but only 45 percent of undergraduate STEM degree holders.

This large pool of untapped talent is a great potential source of STEM professionals. As the Nation's demographics change, I think it is imperative that we emphasize in the various Federal agencies that we need to provide and extend opportunities for minorities in science, technology, engineering, and math.

Earlier today, I had the opportunity to visit with Scott Kelly. One would call him the miracle astronaut, spending over 300 days on the International Space Station. The International Space Station was the entity built some years ago when I was on the Science, Space, and Technology Committee. But to realize that a human being tested himself to stay, an American making history. I believe science, technology, engineering, and math commemorates and celebrates the giant work of Scott Kelly, but it produces more Scott Kellys.

I applaud Energy Secretary Moniz's commitment, which will increase the Nation's economic competitiveness and enable more of our people to realize their full potential.

I would ask my colleagues to support this amendment, as it has been supported in the past, to again, through this legislation, emphasize the importance of science, technology, engineering, and math.

I ask support for the Jackson Lee amendment.

Mr. Chair, thank you for this opportunity to describe my amendment, which simply provides that: "None of the funds made available by this Act for 'Department of Energy—Energy Programs—Science' may be used in contravention of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.)."

This amendment was approved and adopted in identical form on April 29, 2015, during the 114th Congress as an amendment to H.R. 2028, the Energy and Water Resources Appropriations Act of 2016.

Mr. Chair, I want to thank Chairman SIMPSON and Ranking Member KAPTUR for their stewardship in bringing this legislation to the floor and for their commitment to preserving America's great natural environment and resources so that they can serve and be enjoyed by generations to come.

Mr. Chair, twenty years ago, on February 11, 1994, President Clinton issued Executive Order 12898, directing federal agencies to identify and address the disproportionately high and adverse human health or environmental effects of their actions on minority and low-income populations.

The Department of Energy seeks to provide equal access in these opportunities for underrepresented groups in STEM, including minorities, Native Americans, and women.

Mr. Chair, women and minorities make up 70 percent of college students, but only 45 percent of undergraduate STEM degree holders.

This large pool of untapped talent is a great potential source of STEM professionals.

As the nation's demographics are shifting and now most children under the age of one are minorities, it is critical that we close the gap in the number of minorities who seek STEM opportunities.

I applaud the Energy Secretary Moniz's commitment which will increase the nation's economic competitiveness and enable more of our people to realize their full potential.

Mr. Chair, there are still a great many scientific riddles left to be solved—and perhaps one of these days a minority engineer or biologist will come-up with some of the solutions.

The larger point is that we need more STEM educators and more minorities to qualify for them.

The energy and science education programs funded in part by this bill will help ensure that members of underrepresented communities are not placed at a disadvantage when it comes to the environmental sustainability, preservation, and health.

Through education about the importance of environmental sustainability, we can promote a broader understanding of science and how citizens can improve their surroundings.

Through community education efforts, teachers and students have also benefitted by learning about radiation, radioactive waste management, and other related subjects.

The Department of Energy places interns and volunteers from minority institutions into energy efficiency and renewable energy programs.

The DOE also works to increase low income and minority access to STEM fields and help students attain graduate degrees as well as find employment.

With the continuation of this kind of funding, we can increase diversity, provide clean energy options to our most underserved communities, and help improve their environments, which will yield better health outcomes and greater public awareness.

But most importantly businesses will have more consumers to whom they may engage in related commercial activities.

My amendment will help ensure that underrepresented communities are able to participate and contribute equitably in the energy and scientific future.

I ask my colleagues to join me and support the Jackson Lee Amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. STIVERS

Mr. STIVERS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used for the Cape Wind Energy Project on the Outer Continental Shelf off Massachusetts, Nantucket Sound.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Ohio and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. STIVERS. Mr. Chairman, I rise in support of my amendment, which would prohibit the Department of Energy funding from being used for the Cape Wind offshore wind generation project in Cape Cod, Massachusetts.

I offered this amendment in last year's appropriation, and it was adopted by a voice vote, so I believe it should be fairly noncontroversial. I urge my colleagues to support the amendment.

Nearly 2 years ago, the Department of Energy offered conditional commitments for the Cape Wind project of a $150 million loan guarantee. Since that time, the project has been plagued by setbacks amid concerns about its impact on the environment, disruptions of safety for passenger aircraft, or just the high cost of electricity produced by the proposed facility. Last year, two of the State's utilities terminated contracts to purchase power from the wind farm, jeopardizing the viability of the project.

I believe we should encourage the development of all forms of energy. Renewable sources like wind power are important for our Nation's energy portfolio.

But this project, in particular, has a troubled history. This amendment seeks to ensure that the American taxpayers do not have to foot the bill if the project fails.

Mr. Chairman, I urge adoption of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. STIVERS).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. JACKSON LEE

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. ____. The amounts otherwise provided by this Act are revised by reducing the amount made available for ''Corps of Engineers-Civil—Investigations'', and increasing the amount made available for the same account, by $3,000,000.

The Acting CHAIR. Pursuant to House Resolution 743, the gentlewoman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, allow me again to thank Mr. SIMPSON and Ms. KAPTUR for their work on this energy and water bill that is so very important, and emphasize the importance of this legislation to many and all regions of the United States of America.

My amendment speaks to the need for robust funding for the U.S. Army Corps of Engineers investigations account. Let me be very clear. It speaks to the general need for robust funding for the investigations account, and it speaks to it in terminology of redirecting $3 million for increased funding for postdisaster watershed assessment studies, like the one that is being contemplated for the Houston/Harris County metropolitan area. It does this to emphasize the importance of the investigations account, not to single out a particular project, but for describing a project, which I will take time to do.

I am pleased that H.R. 5055 provides $120 million for the investigations account. This is very important to the Army Corps of Engineers. As a Federal agency that collects and studies basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and conducts detailed studies, plans, and specifications for river and harbor, and flood and storm damage reduction, the U.S. Army Corps of Engineers plays a critical role in building, maintaining, and expanding the most critical of the Nation's infrastructure. We understand this very well in my home State of Texas and the 18th Congressional District.

Over the last 2 years, Mr. Chairman, 2 years around the exact same time, we didn't have something called a hurricane. We had a heavy rain in April-May of 2015 and April of 2016. 2016 had 20 inches of rain, which was enormous. The damage was unbelievable.

Let me cite for you the words from the Greater Houston Partnership that supports this amendment:

''Perhaps the most telling statistic of all: based on the 7,021 calls the United Way of Greater Houston has received through its 2–1-1 line, 1,937 calls have been requests for 'food replacement.'''

The amount of money that was lost was $1.9 billion in damage during the weeks that followed the storm, which includes damage to homes, cars, schools, parks, churches, roadways, and other important elements of our infrastructure. This is what we faced in Houston, Texas.

I am recounting that and indicating that we believe this investigations account is so very important. It will have the opportunity, through a $3 million study, to deal with the bayous that are located in the larger Houston/Harris County area: Sims Bayou, Greens Bayou, Brays Bayou, White Oak Bayou, Hunting Bayou, and Clear Creek.

Again, let me be very clear. As the Army Corps of Engineers works through their work study program, this investigations account will be enormously important.

We have also received a letter from Members of the United States Congress supporting the study of all of the bayous in our community. We want to ensure that the account is robust to provide that possible opportunity.

Let me indicate to my colleagues again, the investigations account is $120 million. We rise to support it. We also rise to acknowledge the need for the utilization of those funds all over America, and certainly in Houston/Harris County, Texas, and the surrounding counties, which will help us, through a study, have a better pathway to how we fix this, how do we not have this be Houston next year in 2017.

Let me thank my colleagues.

I reserve the balance of my time.

□ 2045

Mr. SIMPSON. Mr. Chair, I claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Idaho is recognized for 5 minutes.

There was no objection.

Mr. SIMPSON. Mr. Chair, first, let me assure my colleague that I understand her interest in addressing the flooding risks in her district in Houston.

Besides the fact that the fiscal year 2017 Energy and Water bill includes a total of $13.3 million above the budget request for flood and storm damage reduction studies, the bill also allows for several new studies to be initiated, and the Corps could choose the study of interest to the gentlewoman as one of them.

Since this amendment does not change the funding levels within the bill, I do not oppose the amendment.

Ms. KAPTUR. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. I thank the gentleman for yielding.

Mr. Chair, Congresswoman SHEILA JACKSON LEE has been absolutely unrelenting in her representation of Houston and of the serious situation that is faced there by the citizenry and leaders because of the flooding. What a tremendous voice she is for the people whom she represents. There isn't a time that I see her in the elevators or walking around that she doesn't ask me about this bill and about wanting to come down and amend it to make sure that it is sensitive to the needs of Houston. I just wanted to put that on the record.

Mr. SIMPSON. Mr. Chair, I yield back the balance of my time.

Ms. JACKSON LEE. I thank the distinguished gentleman and the distinguished gentlewoman for their courtesies.

I want the chairman to know that I have acknowledged in my written statement the funds that he has placed in the legislation.

Mr. Chair, I ask my colleagues to support the Jackson Lee amendment as a very fine statement that contributes to this bill, to the people of the Nation, but also to the people of Texas and Houston.

Mr. Chair, I want to thank Chairman SIMPSON and Ranking Member KAPTUR for shepherding this legislation to the floor and for their commitment to preserving America's great natural environment and resources so that they can serve and be enjoyed by generations to come.

My amendment speaks to the need for robust funding for the U.S. Army Corps of Engineers ''Investigations'' account by redirecting $3 million for increases funding for post-disaster watershed assessment studies, like the one that is being contemplated for the Houston/Harris County metropolitan area.

Mr. Chair, I am pleased that H.R. 5055 provides $120 million for the Investigations account.

As the federal agency that collects and studies basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and conducts detailed studies, plans, and specifications for river and harbor, and flood and storm damage reduction, the U.S. Army Corps of Engineer plays a critical role in the building, maintaining, and expanding the most critical of the nation's infrastructure.

We understand this very well in my home state of Texas and the Eighteenth Congressional District that I represent.

The Army Corps of Engineers has been working with the Harris County I Flood Control District since 1937 to reduce the risk of flooding within Harris County.

Current projects include 6 federal flood risk management projects:

1. Sims Bayou
2. Greens Bayou

3. Brays Bayou
4. White Oak Bayou
5. Hunting Bayou, and
6. Clear Creek

In addition to these ongoing projects, the Army Corps of Engineers operates and maintains the Addicks and Barker (A&B) Detention Dams in northwest Harris County.

Mr. Chair, I am pleased that the bill provides that the Secretary of the Army may initiate up to six new study starts during fiscal year 2017, and that five of those studies are to consist studies where the majority of the benefits are derived from flood and storm damage reduction or from navigation transportation savings.

I am optimistic that one of those new study starts will be the Houston Regional Watershed Assessment Flood Risk Management Feasibility study.

Such a study is certainly needed given the frequency and severity of historic-level flood events in recent years in and around the Houston metropolitan area.

On April 15, 2016, an estimated 240 billion gallons of water fell in the Houston area over a 12 hour period, which resulted in several areas exceeding the 100 to 500 year flood event record.

The areas that experienced these historic rain falls were west of 1–45, north of I–10, and Greens Bayou.

Additionally, an estimated 140 billion gallons of water fell over the Cypress Creek, Spring Creek, and Addicks watershed in just 14 hours.

The purpose of the Houston Regional Watershed Assessment is to identify risk reduction measures and optimize performance from a multi-objective systems performance perspective of the regional network of nested and intermingled watersheds, reservoir dams, flood flow conveyance channels, storm water detention basins, and related Flood Risk Management (FRM) infrastructure.

Special emphasis of the study, which covers 22 primary watersheds within Harris County's 1,756 square miles, will be placed on extreme flood events that exceed the system capacity resulting in impacts to asset conditions/functions and loss of life.

Mr. Chair, during the May 2015 Houston flood, 3,015 homes were flooded and 8 persons died; during the April 2016 Houston flood, 5,400 homes were flooded and 8 deaths recorded.

The economic damage caused by the 2015 Houston flood is estimated at $3 billion; the 2016 estimate is being compiled and is estimated to be well above $2 billion.

Mr. Chair, minimizing the risk of flood damage to the Houston and Harris County metropolitan area, the nation's 4th largest, is a matter of national significance because the region is one of the nation's major technology, energy, finance, export and medical centers:

1. Port of Houston is the largest bulk port in the world;

2. Texas Medical Center is a world renowned teaching, research and treatment center;

3. Houston is home to the largest conglomeration of foreign bank representation and second only to New York City as home to the most Fortune 500 companies; and

4. The Houston Watershed Assessment study area sits within major Hurricane Evacuation arteries for the larger Galveston Gulf Coast region.

I ask my colleagues to join me and support the Jackson Lee Amendment for the Environmental Justice Program.

Mr. Chair, I yield back the balance of my time.

GREATER HOUSTON PARTNERSHIP,
May 26, 2016.

Hon. SHEILA JACKSON LEE,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE JACKSON LEE, as you know, on April 18, 2016, the Houston region experienced unprecedented rain and flooding. According to an estimate prepared by BBVA Compass, Houston experienced over $1.9 billion in damage during the weeks that followed the storm, which includes damage to homes, cars, schools, parks, churches, roadways and other important elements of our infrastructure. For many, the recent storms have affected every aspect of their quality of life. Perhaps the most telling statistic of all: based on the 7,021 calls the United Way of Greater Houston has received through its 2–1–1 line, 1,937 calls have been requests for ''food replacement.''

We greatly appreciate your leadership ensuring the Houston area receives appropriate federal funding to help Houston heal and make it more resilient in the future. To that end, we are supportive of the requested $3 million for a study by the U.S. Army Corps of Engineers to investigate flood risk management opportunities in the Houston metropolitan area by analyzing the watersheds as a system of systems.

Sincerely,

BOB HARVEY,
President and CEO.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 26, 2016.

Hon. HAL ROGERS,
Chairman, House Committee on Appropriations, Washington, DC.

Hon. NITA LOWEY,
Ranking Member, House Committee on Appropriations, Washington DC.

DEAR CHAIRMAN ROGERS AND RANKING MEMBER LOWEY: We write to the Committee on Appropriations to allocate $3 million in the FY 2016 supplemental funding for a 3 year study to be conducted by the Army Corps of Engineers that will investigate flood risk management opportunities in the Houston metropolitan area by analyzing the watersheds as a system of systems. This request for funding is based upon the frequency and severity of flood events in and around the Houston metropolitan area.

An estimated 240 billion gallons of water fell in the Houston area over a 12 hour period, which resulted in several areas exceeded the 100 to 500 year flood event record. The records are based upon time period of rain fall, the location of the rain fall, and the duration of the event over a watershed. The areas that experienced these historic rain falls were west of 1–45, north of I–10, and Greens Bayou. Further, an estimated 140 billion gallons of water fell over the Cypress Creek, Spring Creek, and Addicks watershed in just 14 hours.

The study we seek funding will identify risk reduction measures and optimize performance from a multi-objective systems performance perspective of the regional network of nested and intermingled watersheds, reservoir dams, flood flow conveyance channels, storm water detention basins, and related Flood Risk Management (FRM) infrastructure. Special emphasis will be placed on extreme flood events that exceed the system capacity resulting in impacts to asset conditions/functions and loss of life.

The study area includes 22 primary watersheds within the county's 1,756 square miles, each having unique flooding problems. These include Spring-Creek, Little Cypress Creek, Willow Creek, Cypress Creek, Addicks, Barker, Buffalo Bayou, Clear Creek, Sims Bayou, Brays Bayou, White Oak Bayou, Greens Bayou, Hunting Bayou, Vince Bayou, Armand Bayou, Carpenters Bayou, San Jacinto River, Jackson Bayou, Luce Bayou, Cedar Bayou, Spring Gully and Goose Creek, and San Jacinto and Galveston Bay Estuaries. The flooding problems in the watershed are frequent, widespread, and severe, with projects to reduce flood risks in place that are valued at several billion dollars. Recent historical flooding in the region was documented in 1979, 1980, 1983, 1989, 1993, 1994, 1997, 2001 (Tropical Storm Allison), 2006, 2007, 2008 (Hurricane Ike), 2015 and was most recently demonstrated during the significant flooding, widespread damages, and losses of life during the 12 hour flood event from April 17–18, 2016.

The study will involve coordination with local, state and federal stakeholders to comprehensively evaluate the life safety, economic, and environmental impacts of potential regional flooding, as well as land use that is managed by local entities so future regional development is regulated to avoid individual and cumulative impacts of the broad pattern and rapid pace of development that contribute to poor FRM systems performance.

Thank you for your careful consideration of this request is appreciated. If you have questions contact Glenn Rushing glenn.rushing@mail.house.gov in Congresswoman Jackson Lee's office.

Sheila Jackson Lee (TX–18), Rubén Hinojosa (TX–15), Filemon Vela (TX–34), Eddie Bernice Johnson (TX–30), Marc Veasey (TX–33), Randy K. Weber (TX–14), Michael McCaul (TX–10), Blake Farenthold (TX–27), Pete Olson (TX–22), Gene Green (TX–29), Al Green (TX–09), Dan Kildee (MI–05), Joaquin Castro (TX–20), Henry Cuellar (TX–28), Members of Congress.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MULLIN

Mr. MULLIN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. Beginning on November 8, 2016, through January 20, 2017, none of the funds made available by this Act may be used to propose or finalize a regulatory action that is likely to result in a rule that may have an annual effect on the economy of $100,000,000 or more, as specified in section 3(f)(1) of Executive Order No. 12866 of September 30, 1993.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Oklahoma and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. MULLIN. Mr. Chair, I offer an amendment to protect Americans from the costly regulations this administration or future administrations may try to issue before the President leaves office. My amendment would prohibit funds from being used to propose or to finalize any major regulation from November 8 to January 20 of next year.

In the past, we have seen administrations issue politically motivated regulations between the day of the election and the day the new President takes office. In 2000 and in 2008, the number of midnight regulations issued was nearly double the average of non-midnight regulations. We expect this administration to maintain this practice, and with the nature of the regulations we have seen from the Federal agencies over the past 8 years, this amendment is more important than ever.

I would like to briefly thank the gentleman from Michigan (Mr. WALBERG) for leading on this issue in the House.

Let's hold the executive branch in check in its remaining days so that families and businesses across the country don't fall victim to unnecessary, burdensome regulations.

Mr. Chair, I reserve the balance of my time.

Ms. KAPTUR. Mr. Chair, I claim the time in opposition.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chair, this amendment is actually costly, inefficient, and it rolls back progress in a department that has really been experiencing tremendous leadership under Dr. Ernest Moniz.

The Mullin amendment would stop the Department of Energy from proposing or finalizing any rule that may cost more than $100 million annually, the Congressman says. Mr. Chair, this is just another attempt to ensure that agencies are unable to enact important rules and regulations that protect consumers and benefit our Nation.

What if that had been done back when the Clean Water Act was first passed?

We would have had communities across this country pumping sewage into their kitchens.

At the DOE alone, the Mullin amendment would stall 14 rules that are currently in progress, a third of which are consensus agreements that the DOE has worked with industry to finalize. The amendment would also waste valuable manpower and resources for both the DOE and the industries involved in these consensus agreements.

This makes no sense. We need to move on with the business of America. Taking a myopic view of our Nation's regulatory practices is nothing new for this majority. Time and again, we have seen appropriation riders and authorizing legislation that only looks at the costs that are associated with agency rules and that completely ignores the associated benefits to our country. This amendment is no different.

These proposals overlook the extensive review process that already exists for rules. For example, every new rule is already scrutinized up and down by numerous Federal agencies as well as by key stakeholders and the public through very, very extensive input that agencies seek. Let me explain.

For economically significant rules, an agency must provide the Office of Management and Budget with an assessment and, to the extent possible, with a quantification of the benefits as well as of the costs of a proposed rule. In accordance with Executive Order No. 12866, the agency has to justify the costs associated with the rule, and these costs are justified with benefits, which is something the Mullin amendment appears to think doesn't exist, but that is simply false.

For example, in his 2015 analysis of the estimated costs and benefits of significant Federal regulations, the OMB estimated that, over the last decade, the benefits of these rules outweighed the economic costs by nine to one—and that is OMB. These benefits have translated into real money for the American taxpayer.

As a result of standards established by the DOE, a typical American household already saves over $200 a year on its energy bill. That comes in different forms. Whether it is a more efficient refrigerator or whether it is light bulbs or whether it is insulation, we all know the benefits.

Besides economic benefits, these standards provide benefits to our environment and the well-being of our communities. The 40 new or updated standards issued by the DOE will assist in reducing carbon emissions by over 2 million metric tons through 2030, and will help this Nation curb climate change, which we all know threatens the health of our environment as well as of our communities.

Republicans should stop trying to undermine the rulemaking process. They should stop ignoring the real-world benefits of these rules to society and the progress that we are making as a country.

I urge my colleagues to oppose this amendment.

Mr. Chair, I reserve the balance of my time.

Mr. MULLIN. Mr. Chair, with respect to my colleague, I do want to point out that the Clean Water Act had absolutely nothing to do with pumping sewage into someone's house. It had to do with the direct discharge into navigable waters, like in Mississippi. It has nothing to do with what we are talking about or with what the gentlewoman brought up.

Second of all, when the gentlewoman starts talking about its being costly, the last time I checked, the cost of living has skyrocketed due to the regulations, due to the amount of inflation that has been brought on by regulations and from the costs of doing business. As a businessowner, I well understand the costs.

Through rulemaking, the legislators lose the ability to legislate, which is what our Founding Fathers had decided to do when they set up the legislative branch. We surrender that when we allow the executive branch to go crazy towards the end of the year to clean the slate of their last year in office. Let me give you some numbers.

Under the Carter administration—this is how far I am going to go back, and don't think that this is a Republican thing or a Democrat thing. During the midnight hours of regulations, which is considered to be November 8 to January 20, the Carter administration issued 24,531 pages of midnight regulations. The Reagan administration issued 14,584 pages of midnight regulations. The Bush administration issued 20,148 pages of midnight regulations. The Clinton administration issued 26,542 pages of midnight regulations. Mind you, this is between the election in November until he leaves office in January. Bush: 21,251 pages.

All I am saying is let's be the legislators our Founding Fathers set up, and let's not allow the executive branch to allow rulemaking to go on and bypass the legislative branch.

Mr. Chair, I reserve the balance of my time.

Ms. KAPTUR. Mr. Chair, I urge Members to oppose the gentleman's amendment.

I yield back the balance of my time.

Mr. MULLIN. Mr. Chair, I urge my colleagues to vote for this amendment so we can hold this administration accountable.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oklahoma (Mr. MULLIN).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. JACKSON LEE

Ms. JACKSON LEE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. ____. The amounts otherwise provided by this Act are revised by reducing the amount made available for ''Corps of Engineers-Civil—Construction'', and increasing the amount made available for the same account, by $100,000,000.

The Acting CHAIR. Pursuant to House Resolution 743, the gentlewoman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chair, my previous amendment dealt with the Investigations account, which is the predecessor to the Construction account.

Before I begin the discussion, let me say that I took to the floor of the House in May, after the floods occurred in Houston, and had a moment of silence for the eight people who had died in those floods. Mr. Chair, this was not a hurricane, and it was not a tornado. It was hard rain that caused individuals in their cars to drown. It was very, very tragic. Some going to work, some nurses, some students who were drowning in their cars. This is what it looked like in my district. It looked the same way in 2015 and again in 2016.

The Construction account, for which I want to thank Ms. KAPTUR and Mr. SIMPSON, has $1.94 billion. I believe the Construction account is very important to Members across the Nation. Certainly, it is important to the Houston-Harris County region, with other counties around. As the Federal agency that collects and studies basic information pertaining to river and harbor flood and storm damage and shore protection, this is important construction money that will be vital to preventing this kind of catastrophe—first a study, then the construction. The areas that may be impacted by the Army Corps' resources include Sims Bayou, Greens Bayou, Brays Bayou, White Oak Bayou, Hunting Bayou, and Clear Creek Bayou. These are the areas that spilt over and caused the enormous damage.

On April 15, 2016, an estimated 240 billion gallons of water fell in the Houston area over a 12-hour period, which resulted in several areas exceeding the 100- to 500-year flood event. That is why these construction dollars are so important. The areas that experienced these historic rainfalls were west of I–45, north of I–10 and Greens Bayou—my congressional district, among others.

Finally, during the May 2015 Houston flood, 3,000 homes were flooded, and eight people died. During the April 2016 Houston flood, 5,400 homes were flooded, and, again, eight deaths were recorded. As for my previous numbers, April 15, 2016, was when they had this constant rain—240 billion gallons. The economic damage caused by the 2015 Houston flood is estimated at $3 billion.

This Construction account is so very important. I ask my colleagues to support the Jackson Lee amendment, which is the broader view of how these dollars can be utilized to save lives, in particular in regions that I happen to live in, which is the Houston-Harris County area.

Mr. Chair, I want to thank Chairman SIMPSON and Ranking Member KAPTUR for shepherding this legislation to the floor and for their commitment to preserving America's great natural environment and resources so that they can serve and be enjoyed by generations to come.

My amendment speaks to the need for robust funding for the U.S. Army Corps of Engineers "Construction" account by redirecting $100 million for increased funding for critical construction projects, like those current and future projects proposed for the Houston/Harris County metropolitan area.

Mr. Chair, I am pleased that H.R. 5055 provides $1.945 billion for the Construction account.

As the federal agency that collects and studies basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and conducts detailed studies, plans, and specifications for river and harbor, and flood and storm damage reduction, the U.S. Army Corps of Engineers plays a critical role in building, maintaining, and expanding the most critical of the nation's infrastructure.

We understand this very well in my home state of Texas and the Eighteenth Congressional District that I represent.

The Army Corps of Engineers has been working with the Harris County Flood Control District since 1937 to reduce the risk of flooding within Harris County.

Current projects include 6 federal flood risk management projects:

1. Sims Bayou
2. Greens Bayou
3. Brays Bayou
4. White Oak Bayou
5. Hunting Bayou, and
6. Clear Creek

In addition to these ongoing projects, the Army Corps of Engineers operates and maintains the Addicks and Barker (A&B) Detention Dams in northwest Harris County.

Such a study is certainly needed given the frequency and severity of historic-level flood events in recent years in and around the Houston metropolitan area. It is clear that much more needs to be done to minimize the vulnerability of the nation's 4th largest metropolitan area and economic engine from the flood damage.

On April 15, 2016, an estimated 240 billion gallons of water fell in the Houston area over a 12 hour period, which resulted in several areas exceeding the 100 to 500 year flood event record.

The areas that experienced these historic rainfalls were west of 1–45, north of I–10, and Greens Bayou.

Additionally, an estimated 140 billion gallons of water fell over the Cypress Creek, Spring Creek, and Addicks watershed in just 14 hours.

Mr. Chair, during the May 2015 Houston flood, 3,015 homes were flooded and 8 persons died; during the April 2016 Houston flood, 5,400 homes were flooded and 8 deaths recorded.

The economic damage caused by the 2015 Houston flood is estimated at $3 billion; the 2016 estimate is being compiled and is estimated to be well above $2 billion.

Mr. Chair, minimizing the risk of flood damage to the Houston and Harris County metropolitan area, the nation's 4th largest, is a matter of national significance because the region is one of the nation's major technology, energy, finance, export and medical centers:

1. Port of Houston is the largest bulk port in the world;

2. Texas Medical Center is a world renowned teaching, research and treatment center;

3. Houston is home to the largest conglomeration of foreign bank representation and second only to New York City as home to the most Fortune 500 companies; and

4. The Houston Watershed Assessment study area sits within major Hurricane Evacuation arteries for the larger Galveston Gulf Coast region.

I ask my colleagues to join me and support the Jackson Lee Amendment.

I thank Chairman SIMPSON and Ranking Member KAPTUR for their work in shepherding this bill to the floor.

Mr. Chair, I reserve the balance of my time.

□ 2100

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Idaho is recognized for 5 minutes.

There was no objection.

Mr. SIMPSON. Mr. Chair, first let me assure my colleague that I understand the issue prompting this amendment. Seeing our communities flood and our constituents struggling to deal with the aftermath of flooding, especially when there are projects already planned to prevent such flooding, can be extremely frustrating.

That is why the energy and water bills over the past several years have included significant funding above the budget request for the Corps of Engineers flood and storm damage reduction mission.

In fact, the fiscal year 2017 energy and water bill more than doubles the budget requested from the administration for construction of these projects. It is an increase of 113 percent, or $457 million.

More specifically, the bill includes $392 million in additional funding, for which the Houston area projects could compete. That amount is $82 million more than the amount provided in the fiscal year 2016 act.

Additionally, the committee report directs the Corps to consider the severity of risks of flooding or the frequency with which an area has experienced flooding when deciding how to allocate the additional funding provided. The bill provides strong support for addressing flood risks.

Because the amendment does not actually change funding levels and, so, does not upset the balance of priorities within this bill, I will not oppose this amendment.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chair, again I thank Mr. SIMPSON for recounting that information and Ms. KAPTUR for the leadership that she has given and the understanding of the plight that we are in.

Flood control is critical to dams and harbors, and it is most critical of all as

infrastructure. That is what the construction funding will do. We understand that this now will give us the opportunity for long overdue projects that are dealing with major flooding.

The previous amendment giving us a work plan through the Army Corps of Engineers will again be instructive and helpful to saving lives and reducing the enormity of loss and the enormity of damage that has been caused to these areas.

I ask for support of the Jackson Lee amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to carry out the memorandum from the White House Counsel's Office to all Executive Department and Agency General Counsels entitled ''Reminder Regarding Document Requests'' dated April 15, 2009.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chair, I rise to offer an amendment which will prevent the administration from causing unnecessary delays and blocking important information from being released to the general public under the Freedom of Information Act.

In 2009, the White House released a secret memo to every executive department and agency urging them to consult with counsel at the White House before releasing any documents or fulfilling any requests that may involve ''White House equities.''

Last year the Department of Energy, Office of Inspector General, released a special report titled The Department of Energy's Freedom of Information Act Process.

In this report, Federal investigators determined that, in numerous cases where the Department of Energy's general counsel had provided their FOIA response to the White House, ''the FOIA case file was incomplete and did not contain all of the documents related to the FOIA response.''

What does that mean, Mr. Chairman? As the report tells us, incomplete documentation in these cases prevents us from being absolutely certain we know what changes or redactions were made when the White House reviewed the documents. Further, we don't know how many records requests submitted to the Department of Energy were blocked by the White House.

For an administration that once sought to be the most transparent administration in our Nation's history, actions such as these do nothing to inspire trust or confidence amongst the American people.

It took a FOIA request in 2014 to reveal that, out of more than 450 Department of the Interior inspector general requests, the Obama administration only allowed the IG to release three reports.

While that stat is troubling, figures released by the Associated Press this year through their annual FOIA review are even more disturbing. The annual review covers Freedom of Information Act requests made to more than 100 different Federal agencies.

Shockingly, the AP reported in March that, in 2015, the American people received censored responses or nothing in 77 percent of all FOIA requests, redacted releases or nothing in response to nearly 600,000 Freedom of Information Act requests. Absolutely shameful.

Daniel Epstein, executive director of the nonprofit government watchdog Cause of Action, said it best when he stated: ''Information seekers, whether they're individuals, members of the news media or public interest groups, should be extremely troubled by the fact that this White House has been interfering with how Federal agencies comply with the Freedom of Information Act.''

This amendment is supported by Americans for Tax Reform; the Council for Citizens Against Government Waste; the National Taxpayers Union; the Taxpayers Protection Alliance; Concerned Citizens for America, Arizona Chapter; the Gila County Cattle Growers Association; and the Sulphur Springs Valley Electric Cooperative.

Agency officials that want to comply with the law and respond to Freedom of Information Act requests in a timely manner should not be blocked from doing so because of an arbitrary memo from the White House.

The Department of Energy IG and numerous government watchdog groups claim the memo that my amendment defunds is limiting public access under the Freedom of Information Act.

I urge my colleagues to support this amendment and defund this unlawful memo.

I also want to thank the distinguished chair and ranking member for their work on this bill.

I reserve the balance of my time.

Ms. KAPTUR. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR (Mr. POE of Texas). The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chair, I am opposed to the amendment as the provision interferes with the standard practice spanning administrations of both parties and raises potential constitutional concerns.

It is standard practice for agencies processing Freedom of Information Act requests to confer with other executive branch entities with equities, including the White House, prior to releasing documents. Agencies refer documents to the White House just as they refer documents to other agencies.

The practice of agencies consulting with the White House prior to Freedom of Information Act requests regarding White House equities is longstanding, spanning administrations of both parties. The Reagan administration issued a memorandum in 1988 directing such consultation.

Finally, the provision could interfere with the President's ability to protect privileged information and thereby could raise constitutional concerns in some applications. This is just one more instance of the majority prioritizing message amendments rather than getting on with the hard work of legislating.

I oppose this amendment. It has no place on an appropriations bill and should be defeated.

I yield back the balance of my time.

Mr. GOSAR. Mr. Chairman, once again I would like to just actually reiterate these responses. Seventy-seven percent of all FOIA requests were not complied with. Redacted releases are nothing in response to nearly 600,000 Freedom of Information Act requests. Once again, smoke and mirrors. When are we going to get this?

I would ask everybody to vote for this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. ENGEL

Mr. ENGEL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Department of Energy, the Department of the Interior, or any other Federal agency to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. ENGEL. Mr. Chairman, on May 24, 2011, President Obama issued a

memorandum on Federal fleet performance that required all new light-duty vehicles in the Federal fleet to be alternative fuel vehicles, such as hybrid, electric, natural gas, or biofuel.

My amendment echoes the President's memorandum by prohibiting funds in this act from being used to lease or purchase new light-duty vehicles unless that purchase is made in accord with the President's memorandum.

I have submitted identical language to 20 different appropriations bills over the past few years, and every time it has been accepted by both the majority and the minority. I hope my amendment will receive similar support today.

Global oil prices are down. We no longer pay $147 per barrel. But spikes in oil prices would still have profound repercussions for our economy. The primary reason is that our cars and trucks run only on petroleum. We can change that with alternative technologies that exist today.

The Federal Government operates the largest fleet of light-duty vehicles in America, over 640,000 vehicles. More than 55,000 of those vehicles are within the jurisdiction of this bill, being used by the Department of Energy, the Department of the Interior, and the Army Corps of Engineers.

When I was in Brazil a few years ago, I saw how they diversified their fuel use. People there can drive to a gasoline station and choose whether to fill their vehicle with gasoline or ethanol. They make their choice based on cost or whatever criteria they deem important.

I want the same choice for American consumers. That is why I am proposing a bill in Congress, as I have done many times in the past, which will provide for cars built in America to be able to run on a fuel instead of or in addition to gasoline. It is less than $100 per vehicle. That is a separate issue, but I raise it because it is in conjunction with what I am proposing here. If they can do it in Brazil, we can do it here.

So, in conclusion, expanding the role these alternative technologies play in our transportation economy will help break the leverage that foreign government-controlled oil companies hold over Americans. It will increase our Nation's domestic security and protect consumers.

Again, I have submitted this in different appropriations bills through the years, and it has always passed unanimously by both Democrats and Republicans. I hope it will be the same.

I ask that my colleagues support the Engel amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. ENGEL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Department of Energy for the 21st Century Clean Transportation Plan.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise to offer an amendment which will help prevent an unnecessary tax increase on hardworking families and send a strong message from the House of Representatives that we oppose the administration's new mandatory climate change transportation program.

In February, the Obama administration proposed creating a new program nicknamed the 21st Century Clean Transportation Plan that aims to spend $320 billion over the next 10 years and divert precious taxpayer funds to self-driving cars, high-speed rail, and mass transit in the name of preserving the environment.

In fact, $20 billion of the estimated $32 billion each year for this proposed program won't go to roads or bridges, but instead will be squandered on inefficient programs that require significant taxpayer subsidies.

To pay for the majority of this unlawful $320 billion program, the Obama administration has proposed a $10.25 tax on every barrel of oil. This new tax on crude oil and petroleum products will inevitably be passed on to hardworking Americans that can't afford another new tax increase from the Obama administration.

In fact, the $10.25 per-barrel tax is estimated to add an additional 25 cents to the cost of every gallon of gasoline. Millions of energy-related jobs will be put at risk and low-income families will be forced to bear larger financial burdens as a result of this unnecessary tax that is being proposed to pay for Obama's flawed climate change transportation program.

In the Department of Energy's fiscal year 2017 budget, the agency requested $1.3 billion for this year and $11.3 billion over the next 10 years to fund the administration's 21st Century Clean Transportation Plan.

My amendment rejects the new $10.25 tax on every barrel of crude oil and prohibits funding in this bill for the administration's flawed climate change transportation program.

This amendment is supported by Americans for Limited Government; Americans for Tax Reform; the Council for Citizens Against Government Waste; the National Taxpayer Union; the Taxpayers Protection Alliance; Concerned Citizens for America, Arizona Chapter; the Gila County Cattle Growers Association; and the Sulphur Springs Valley Electric Cooperative.

I thank the distinguished chair and ranking member for their work on this bill.

I reserve the balance of my time.

□ 2115

Ms. KAPTUR. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chairman, the gentleman has hit a very soft spot with me here, the automotive and trucking industries, so vital to my area of the country and so vital to the whole economy.

Actually, the manufacturing part of America, as it recovers, is lifting us to new heights with economic growth. I rise in strong opposition to this amendment because, again, it takes America backward, not forward.

This amendment seeks to prohibit funding for the Department of Energy's 21st Century Clean Transportation Plan, which is a fantastic initiative which would set America on a long-term path to achieving our economic and climate goals.

I am telling you, when you see some of what is being done with new materials science, with new composites, with metals and plastics technologies, I can go from Ford's Ecoboost engine, to Chrysler's new vehicles, to Dana's new axle plant being built in the Midwest, to General Motors and the wonderful work that they are doing at Brook Park. One plant after another, you can see the results of innovation where the Department of Energy, working with the private sector, is bringing the future to us every day.

The 21st Century Clean Transportation Plan would scale up clean transportation research and development, critical for the clean transportation systems of the future. Did you know that in the internal combustion engine we still do not understand how fuel actually burns? The Department of Energy is doing wonderful research to try to help important companies like Cummins Engine figure out how fuel is actually used in those engines to make them more efficient.

We have to talk about reducing the cost of batteries and developing low-carbon fuels such as biofuels. We don't have all the answers. Industry alone doesn't do it alone because some of this is basic research.

We also are involved in funding the development of regional low-carbon fueling infrastructure, including charging stations for electric vehicles for those people who choose to purchase those and pumps for hydrogen fuel cell cars. Yes, we are inventing the future. You know what? It feels pretty good.

Finally, it would investigate future mobility and intelligent transportation

systems like vehicle connectivity and self-driving cars. Last week the Motor & Equipment Manufacturers Association was up here, and I went over to the northeastern part of the city, drove a Peterbilt truck with Bendix technology and with the automatic braking systems that are just incredible in a vehicle that has a cubic ratio of about 480 cubic inches to that engine. What an incredible piece of engineering that is.

The Department of Energy is always driving us into the future, and that is where we need to go. Our Nation has always been a leader on innovation. To sustain this pace, we must continue to invest in programs like the 21st Century Clean Transportation Plan, which drives our economy forward.

The automotive industry and all the related suppliers, including trucks, represent about one out of every seven jobs in this country. We are in stiff competition with markets that are closed, with markets that try to target our industry and snuff them out of existence. I think that we have to do everything possible.

I co-chair the House Automotive Caucus here along with Congressman MIKE KELLY of Pennsylvania, and I would have to say that the gentleman's amendment does not take us forward, but backward.

I would urge my colleagues to oppose it very, very strongly.

Mr. SIMPSON. Will the gentlewoman yield?

Ms. KAPTUR. I yield to the gentleman from Idaho.

Mr. SIMPSON. Mr. Chair, I appreciate the gentlewoman's comments. Getting back to the amendment, I would remind the gentleman offering the amendment, A, that this is not the tax committee, that any $10 tax on a barrel of oil would come out of the Ways and Means Committee. I don't see that coming out of the Ways and Means Committee, but it is not included in this bill.

The other thing that I would remind the gentleman of is there is no—I repeat no—funding in this bill for the President's 21st Century Clean Transportation Plan, the mandatory funding that was proposed by the administration. There is no funding in this bill for it; so, this amendment does nothing. It strikes no funding because there is no funding in this bill.

I thank the gentlewoman for yielding.

Ms. KAPTUR. Mr. Chairman, I yield back the balance of my time.

Mr. GOSAR. Mr. Chairman, I want to remind everybody that $20 billion of the estimated $32 billion each year for this proposed program won't go to roads or bridges, but to these inefficient programs.

I guess we are going to the future. We are $19 trillion in debt and soon to be $22 trillion and $23 trillion and $24 trillion in debt. Yes, I do understand, in the Department of Energy's fiscal year 2017 budget, the agency requested $1.3 billion for this year and $11.3 billion over the next 10 years to fund the administration's 21st Century Clean Transportation Plan.

Now, while the budget request this year happened to be mandatory, next year it could be discretionary. The House has not taken action to date to reject the $10.25 tax on every barrel of oil and to this fundamentally flawed program.

My amendment rejects that tax increase and the Obama administration's new climate change transportation program.

I urge adoption of this commonsense amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SANFORD

Mr. SANFORD. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to provide a loan under section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013).

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from South Carolina and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. SANFORD. Mr. Chair, I think what I have before all of us is a commonsense amendment. It simply says that the advanced technology vehicle manufacturing loan program will continue to exist, but there can be no additional loans.

The reason that I do so is, when I came and offered this amendment last year, I had a cutting amendment last year, but what was explained to me was that, if you cut the program, then you wouldn't have money to administer the existing loans that were out there.

So, as a result, I have altered this amendment so that it again leaves in place the appropriation, which is more than $5 million, so that you could continue to administer the existing loans that are in place, but there would be no additional loans.

Now, why do I think that that is important? I think it is important for a couple different reasons. I think, from a Democratic standpoint, what we would say is that we all believe in equality and that there shouldn't be subsidized loans for major corporations, global corporations, here in the United States while your cousin's pizza business is struggling or your friend's landscaping business is struggling. They don't get subsidized loans. Why should a big business?

So, from a Democratic standpoint, I think we would hold that belief. From a Republican standpoint, we would say we need to watch out for the taxpayer.

If you look at the default rate on these loans, unfortunately, it has been relatively high. You would say: I don't know if government is in the best spot to be making these kinds of loans to businesses.

I think that ultimately is the role not of government, but of business. Let them do what they do. I think from both vantage points it is something that makes sense.

I would add just a couple of additional thoughts and then I would yield.

I would say, one, there have been only five loans made since 2007. This is not a huge program. This is a very limited program.

Two, two out of the five loans made since 2007, in fact, have defaulted. That is a 40 percent default rate. I don't think that that is the kind of thing that we would like to see in government.

There have been no loans made since 2011. And then the GAO came in March of 2013 and said the costs outweigh the benefits of this program.

They followed that up with another GAO report in March of 2014 and said: We recommend shutting down the program unless the Department of Energy can show real demand for the loans.

Then they followed that up with a final GAO report in March of this year, and it said that there hadn't been a sufficient level of demand.

As a consequence, their words were this: Determining whether funds will be used is important, particularly in a constrained fiscal environment. This Congress should rescind unused appropriations or direct them to other government priorities.

I think the simple issue with this loan program is that there could be other priorities where you take that $4 billion of loan authority and let other parts of government use it or turn it back to the private sector and use that money much more effectively.

Mr. Chair, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Idaho is recognized for 5 minutes.

There was no objection.

Mr. SIMPSON. Mr. Chairman, I just want to state that I don't want people who may be listening to this, other Members who may be listening to this, to get the impression that we are putting money in here for the Loan Guarantee Program.

There is no money in the underlying bill for the ATVM additional new

loans. The only money in there is to administer the existing loans.

I understand what the gentleman is saying. I agree with the gentleman. I just don't want Members to think that we are putting money into the program when we are not.

I yield back the balance of my time.

Mr. SANFORD. Mr. Chair, I very, very much appreciate what the chairman pointed out. Again, that is why I think it is so important to simply codify this notion that we won't go forward.

The money is in there for administration of existing loans. It is just saying that we are not going to go out and administer new ones, given the other needs that exist within both the public and the private sector for funds like this.

Mr. Chair, I will reserve the balance of my time.

Ms. KAPTUR. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chairman, I rise in opposition to the gentleman's amendment. Any proposal to sunset the Advanced Technology Vehicle Manufacturing Program or limit the pipeline of projects that may be eligible is shortsighted and should be rejected.

Why? First, the program is a critical one for the American automotive industry and has supported its resurgence. They have issued more than $8 billion in loans to date, and these loans have resulted in the manufacture of more than 4 million fuel-efficient advanced vehicles, supported approximately 35,000 direct jobs across eight States, including California, Illinois, Michigan, Missouri, Ohio, Kentucky, New York, and Tennessee, and saved more than 1.35 million gallons of gasoline. Not too bad.

The success has been achieved with losses of only approximately 2 percent of a total portfolio of $32 billion for the loan programs office. That is a lower percent than most banks have on the loans that they make. What we are talking about here is higher level research, higher level investments in technologies that are yet being born.

Why else should we reject this amendment? Instituting an arbitrary and immediate deadline for applications to this program would result in the Department losing billions of dollars in loan authority itself. The program currently has billions in loan requests in the pipeline from both automakers and component manufacturers for projects in 10 States.

Thirdly, capping the program of eligible projects will hinder the Department's ability to issue new loans to support domestic manufacturing of advanced vehicles especially at a time when we are asking the industry to meet rising fuel economy standards.

It is really amazing what has been done just in the last 15 years. When we look at some of the vehicles coming out now, we are seeing vehicles like the Cruze, 33 miles a gallon. Some are going up to 40, some to 50. It is really amazing what has happened, the transformation that is happening in this industry that we are living through directly.

I oppose the gentleman's amendment because I really do believe innovation has always led us into the future. This is the kind of program that can provide the capital necessary to expand our domestic manufacturing when so much of it is being offshored. It is a major issue in the Presidential election this year in both political parties, how we are going to restore manufacturing in this country.

We have to do it through innovation. We have to do it in sectors that are muscle sectors like the automotive and truck industry that are so vital and produce real wealth for this country, not imported wealth, but wealth that we produce ourselves through all the componentry, the thousands and thousands and thousands of components that go into these vehicles, and the fuel efficiency that makes them competitive in the marketplace of today.

I oppose the gentleman's amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. SANFORD. Mr. Chair, I would agree with much of what my colleague said just a moment ago. I think that innovation is, indeed, the gateway to the future, but I would argue that great innovation has been led by the private sector, not by loan guarantees to major corporations.

You think about Steve Jobs and his partner opening up that business in basically what amounted to the basement of a house. That is not what we are talking about here. I think some of the great innovations will come from small businesses that don't see this kind of financial advantage.

Two, I would make the point that this is not about just helping American companies. One of the largest loans out there was to Mazda, which is not an American company. Ford is—that is one of the other big loans, but Mazda is not.

I would put this in the larger classification of Reagan's words: The closest thing to eternal life is a government program.

This is one of those government programs that has not proved successful, and I think it is important that we wean government programs. We prune them where they don't make sense.

Forty percent is, in fact, the default rate. If you add up all the numbers, it amounts to 2 percent. But most people when they think of default and what the American Bankers Association would think of when they think of default is divided by the number of loans out there, what percent defaulted, and that number happens to be a real 40 percent, not 2 percent of the aggregate amount of the total loans out there.

□ 2130

Finally, I would again go back to this simple point. I agree with my colleagues about what they have said on the need for innovation and for reform, but I don't think it will be led through a loan program that has seen any number of defaults in the process. That money could be redeployed to education and a whole host of our primary needs in this country.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. SANFORD).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BUCK

Mr. BUCK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to research, draft, propose, or finalize the Notice of Proposed Rulemaking that was published by the Department of Energy on December 19, 2014, at 79 Fed. Reg. 76,142, titled, ''Energy Conservation Program: Energy Conservation Standards for Residential Dishwashers'', the Notice of Proposed Rulemaking that was published by the Department of Energy on August 13, 2015, at 80 Fed. Reg. 48,624, titled, ''Energy Conservation Program: Energy Conservation Standards for Ceiling Fan Light Kits'', or the Notice of Proposed Rulemaking that was published by the Department of Energy on August 19, 2015, at 80 Fed. Reg. 50,462, titled, ''Energy Conservation Program: Energy Conservation Standards for Refrigerated Bottled or Canned Vending Machines''.

Mr. BUCK (during the reading). Mr. Chair, I ask unanimous consent to waive the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. BUCK. Mr. Chairman, this amendment returns choice to consumers and keeps the price of products affordable.

The Department of Energy's energy conservation program issues efficiency regulations for everyday appliances like dishwashers and vending machines. The rules are based on a cost-benefit analysis, but the analysis is vague and skewed to the desired outcome. Rather than improving the lives of consumers, these mandates drive up the cost of appliances.

To address the rising costs and the crackdown on consumer choice, this

amendment prohibits energy mandates on residential dishwashers, ceiling fan light kits, and vending machines. Individuals should have a choice of whether or not to buy these appliances.

As consumer demand for efficiency increases, the market will find a way to produce appliances that save more energy. This amendment stops the administration from implementing their radical green energy agenda on the backs of American families.

I urge a ''yes'' vote.

Mr. Chairman, I yield 1 minute to the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. I thank the gentleman for yielding.

Mr. Chairman, I rise in support of this amendment. My colleague's amendment would prohibit the use of funds at the Department of Energy to propose efficiency standards for ceiling fan light kits, residential dishwashers, and vending machines.

Mr. Chairman, the law in question allows for executive overreach by prescribing what industry can and cannot sell and what consumers can and cannot buy. Industry has legitimate concerns about the government forcing a wholesale change to a market for something as common as a dishwasher. This amendment reins back this overreaching regulation, and I support this amendment and recommend my colleagues vote ''yes.''

Ms. KAPTUR. Mr. Chair, I claim the time in opposition.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chair, I oppose the gentleman's amendment. It is just one more instance where the majority is saddling the consumer with ever-increasing energy bills. We know how the standards have really saved consumers money over the years. I have some figures here that are very interesting.

A typical household saves about $216 a year off their energy bills now as a result of renewed standards. As people replace their appliances with newer models, they can expect to save more than $453 annually by 2030. The cumulative utility bill savings to consumers from all standards in effect since 1987 are estimated to be nearly $1 trillion by 2020 and grow to nearly $2 trillion through 2030.

Invention does matter. And the application of that to our daily life really matters. The efficiency standards have spurred innovation that dramatically expanded options for consumers. It is time to choose common sense over rigid ideology, and it is time to listen to the manufacturing companies, consumer groups, and efficiency advocates, who all agree this rider is harmful.

I urge all Members to vote ''no'' on the Buck amendment.

I yield back the balance of my time.

Mr. BUCK. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. BUCK).

The amendment was agreed to.

AMENDMENT NO. 14 OFFERED BY MRS. BLACKBURN

Mrs. BLACKBURN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. Each amount made available by this Act is hereby reduced by 1 percent.

The Acting CHAIR. Pursuant to House Resolution 743, the gentlewoman from Tennessee and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACKBURN. Mr. Chairman, I know that the committee has worked hard to get a bill that is going to come into the numbers. Unfortunately, I disagree with the $1.070 trillion number that is in the Bipartisan Budget Act. I like the Budget Control Act's number of $1.040 trillion.

A $30 billion difference doesn't sounds like a lot when you are talking about trillions of dollars, but I tell you, to my constituents, with $19 trillion debt, it does make a difference.

The funding level of this bill is $37.444 billion. I will be offering an amendment, which I offer every year to our spending bills, to cut 1 percent across the board. That would yield us $374 million in budget authority savings, and outlays savings of $222 million.

I know it doesn't sound like a lot, but it is simply taking one penny out of every dollar that is appropriated. And that, quite frankly, is the type of scrimping and saving that our constituents and American families are having to do all across this country in order to make their budgets work.

I am fully aware of the strong opposition that many have to making those 1 percent across-the-board cuts. As I have offered these amendments, many times I am told that cuts of this magnitude go far too deep, that they would be very damaging to our Nation's security, but I kind of agree with Joint Chiefs of Staff Chairman MULLIN when he said the greatest threat to our Nation's security is our Nation's debt.

I think we ought not to be putting future generations at risk, and we should be working toward reducing what our Federal outlays are every single year and working toward balancing the budget. It means yes, we have to go in and cut that penny out of a dollar and save it for our children and our grandchildren to get this Nation back on the right track.

Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I commend the gentlewoman for her consistency. She always has these amendments to cut 1 percent across the board out of the appropriations bills, and I appreciate her consistent work to protect the taxpayer dollars, but this is an approach that, frankly, I can't support.

While the President may have proposed a budget that exceeds this bill, the increases were paid for with proposals and gimmicks that would never be enacted. This bill makes the tough choices within an allocation that adheres to current law.

You may not agree with current law, but it is the current law, and that is what we had to go with. Since there wasn't a budget resolution passed, what we ended up with is current law; and that is the allocation that we have, and that is what we stayed within.

I don't think the Appropriations Committee gets enough credit over the last several years for the work we have been doing in reducing Federal spending.

If you look at the total Federal budget and the amount of discretionary spending and mandatory spending, at one time it was about two-thirds discretionary spending and one-third mandatory spending 30 or 40 years ago. Then, about 5 years ago, it was one-third discretionary spending and two-thirds mandatory spending. That is Medicare, Medicaid, and Social Security entitlements.

Since we have taken control the last 5 years, that one-third of the budget that is discretionary spending is about 28 percent now. As it continues to go down in relationship to the entire budget, we cut discretionary spending more and more.

We have made difficult tradeoffs that had to be made in this bill to balance it with our needs. We prioritize funding for critical infrastructure and for our national defense. These tradeoffs were carefully weighed for their respective impacts and are responsible. Yet the gentlewoman's amendment imposes an across-the-board cut on every one of these programs, even the national defense programs, which are vitally important.

This makes no distinction between where we need to be spending to invest in our infrastructure, promote jobs, and meet our national security needs, like meeting the Ohio-class submarine dates so that we can get the Ohio-class submarine done, so that we can do the refurbishment of our nuclear stockpile, so that we can do the other things that are important on the national defense side of this budget.

It makes no distinction between those and where we need to limit spending to meet our deficit reduction goals. Therefore, I must oppose this amendment and urge my colleagues to vote ''no.''

I reserve the balance of my time.

Mrs. BLACKBURN. Mr. Chairman, indeed, the Appropriations Committee does deserve some credit. But also, passing the Budget Control Act with the 2 percent across-the-board spending reduction in discretionary spending deserves some credit also, because it shows the effectiveness of what those cuts can do.

Governors use this, Democratic and Republican alike. They do it because their States have balanced budget amendments, and they can't crank up the printing press and print the money.

I would encourage my colleagues to take a step toward fiscal responsibility, get inside and cut one more penny out of a dollar. We can do that on every appropriation that we have.

Mr. Chairman, I yield back the balance of my time.

Mr. SIMPSON. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. BLACKBURN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Tennessee will be postponed.

AMENDMENT OFFERED BY MR. SMITH OF MISSOURI

Mr. SMITH of Missouri. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Army Corps of Engineers to implement, administer, or enforce the last four words of subparagraph (B) of section 1341(a)(1) of title 31, United States Code, with respect to crevassing of levees under the Birds Point–New Madrid Floodway Operations Plan.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Missouri and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. SMITH of Missouri. Mr. Chairman, in May of 2011, under the strong objections of numerous folks in southeast Missouri and my predecessor, the Army Corps of Engineers activated the Birds Point levee, which is the second time since 1937. This resulted in an extensive amount of damage: over $156 million worth of damage and flooding of over 130,000 acres. In that place, homes and communities were completely destroyed and crops were lost.

After the water receded, many residents simply chose not to ever return home and back to their community. These are individuals that lived there for numerous generations. One community, a small town called Pinhook in Mississippi County, right in the boot heel, that no longer exists after the activation of that floodway.

The amendment that I have today is quite simple, Mr. Chairman. It says, when an activation of the Birds Point levee occurs, we must build it back. Not anything else other than if there is an activation, the government must build it back. If they destroy a community by activating and blowing up a levee, they must build it back. The amendment is extremely simple.

Had families in the Birds Point floodway had the assurance that a plan was already in place, perhaps they would have chosen to return back to their home for generations.

When river levels rise, safety is always the number one concern. But the Corps of Engineers should never, under any circumstances, breach a levee without already having in place plans for its restoration, allowing for residents to return to their lives as soon as possible.

□ 2145

I urge my colleagues to support my amendment and give assurance to Americans who live in floodways that their homes and livelihoods matter, and to remove any uncertainty that, should the worst happen, their lives can return to normal.

Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I rise in opposition to the amendment.

First, let me assure the gentleman that I understand his concerns and appreciate his passion for protecting his constituents. I agree with him that, if the floodway is required to be operated in a major flood event, the levee should be restored as soon as possible after the flood event. In fact, the committee report on this bill makes that very point.

Unfortunately, the amendment and the impacts of it are not clear. It is possible that the amendment would actually increase flood risks for other communities within the Mississippi River and tributaries project area.

Without understanding the effects of the amendment, I must oppose it.

Mr. BOST. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman from Illinois.

Mr. BOST. Mr. Chairman, I do stand in opposition, reluctant opposition. I have a tremendous respect for the gentleman from Missouri. I understand what he is trying to do, and that is that if the activation of the Birds Point levee does occur, that it should be built back.

But when you read the language, the concern I have is that it would actually stop the activation of the levee in the first place.

Understand, when these levees were first built, there were certain key points that were pressure release valves. The Birds Point was one of those. So as it rises, the Army Corps of Engineers has explained through a process of when to go in. And when we say crevasse, we mean we have to actually put explosive charges into the levee to relieve the pressure so that other areas—this is the way the system was built. It was designed by engineers to work this way originally.

The concern that we have is not with the fact that it should be built back, because I agree with the gentleman it should be built back. But the way the language actually reads, we are not sure that it would actually stop the Army Corps of Engineers from doing what it is that they are required by law to do, and that is to use that pressure release valve in times of emergency.

It is true, we have only had to use it twice since those systems have been put in place. It is a sad thing when it occurs. It floods a tremendous amount of crop land, and because it had not been operated in so long, people had built homes in there. Now, that was unfortunate that they built them in that situation, but we cannot endanger all other areas for putting language like this forward. I am more than willing to work with the gentleman on trying to make sure that this language is correct. We just couldn't be able to do that at this time.

Mr. SIMPSON. Mr. Chairman, I yield back the balance of my time.

Mr. SMITH of Missouri. Mr. Chairman, the language of the amendment is very clear, very clear. It does one simple thing. It means, if the activation of this levee ever occurs, that the Federal Government is obligated to rebuild it.

It is a limiting amendment that is crystal clear. It provides that, if there is an activation, that the Federal Government is obligated to build it back, simple as it is, making sure the Federal Government is responsible for its actions.

I ask the body to support the amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Missouri (Mr. SMITH).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SMITH of Missouri. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Missouri will be postponed.

AMENDMENT OFFERED BY MR. WALKER

Mr. WALKER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. (a) The amounts otherwise made available by this Act for the following accounts of the Department of Energy are hereby reduced by the following amounts:

(1) ''Energy Efficiency and Renewable Energy'', $400,000.

(2) ''Nuclear Energy'', $25,455,000.

(3) ''Fossil Energy Research and Development'', $13,000,000.

(4) ''Strategic Petroleum Reserve'', $45,000,000.

(5) ''Non-Defense Environmental Cleanup'', $2,400,000.

(6) ''Science'', $49,800,000.

(7) ''Advanced Research Projects Agency-Energy'', $14,889,000.

(b) The amounts otherwise made available by this Act for the following accounts are hereby reduced by the following amounts:

(1) ''Power Marketing Administrations—Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration'', $2,209,000.

(2) ''Nuclear Regulatory Commission—Salaries and Expenses'', $32,132,000.

Mr. WALKER (during the reading). Mr. Chair, I ask unanimous consent to suspend the reading of the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from North Carolina and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. WALKER. Mr. Chairman, this bill includes over $9 billion in appropriations for 22 nondefense programs that are not authorized by law. Nine of these programs receive a total of $185 million more than their enacted 2016 level. Several of these programs have not been authorized since the 1980s, and one has never been authorized by Congress.

My amendment is simple. My amendment would reduce unauthorized nondefense accounts to the 2016 levels. My amendment would also cut around $185 million and send that money to the spending reduction account.

In a time when we, as a Nation, are approaching close to $20 trillion in debt, we cannot continue to fund unauthorized accounts in our appropriations process. This is a democratic Nation, and the men and women send the Members of this body, not to slip unauthorized programs in appropriations bills, but to have an open discussion on our funding priorities.

Furthermore, the inclusion of appropriations for these programs in the reported bill is a violation of clause(2)(a)(1) of rule XXI of the rules of the House.

I applaud Representative TOM MCCLINTOCK and Conference Chair CATHY MCMORRIS RODGERS for their significant work to raise awareness of the problem of unauthorized appropriations and work towards a solution so that the House actually enforces its rules.

This year's Energy and Water appropriations includes over $1 billion in appropriations, and six more unauthorized programs that the House did pass in the 2016 Energy and Water bill from last year.

If we want to fund a program, we should have an open debate and a transparent process that promotes trust and accountability.

Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I rise to oppose this amendment. My colleague's amendment would reduce multiple accounts in the bill.

This year, the committee continues its responsibility to effectively manage government spending, and we have worked tirelessly to that end. For example, the nuclear and fossil programs see modest increases in the bill to continue our commitment for an all-of-the-above energy strategy.

Basic research conducted by the Office of Science is increased by less than 1 percent, to support research and operation efforts to advance research and development through university partnerships and at the Nation's national laboratory system.

Programs to clean up the legacy of the Manhattan Project and nuclear research also see minor increases in order to provide cleanup progress at sites across the country. These are targeted funds to produce needed investments to efficiently and safely utilize our natural resources, maintain the Nation's basic research infrastructure in the physical sciences, and continue the cleanup of Department of Energy legacy programs.

I understand my colleague's desire to reduce the size of government, but this amendment goes too far in reducing the strategic investments we need to make in our future.

I, therefore, oppose this amendment, and I urge Members to do the same.

Ms. KAPTUR. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, I thank the gentleman for yielding.

I also oppose this amendment, which will reduce jobs in our country and hurt the middle class. There will be less investment in science, environmental cleanup, energy research and development, all of which create the future in this country, and have substantial returns on investments.

Since 2003, by the way, the United States has spent $2.3 trillion on importing foreign petroleum. This is a vast shift of wealth. That is the big shift of wealth, and thousands upon thousands of jobs from our country elsewhere. This amendment only exacerbates this shift of wealth from the American middle class.

The bill funds support in science and R&D activities necessary for our competitiveness. The world is becoming more competitive, not less. Energy is at the center of that.

I urge my colleagues to join me in opposing this amendment.

Mr. SIMPSON. Mr. Chairman, I reserve the balance of my time.

Mr. WALKER. Mr. Chairman, I yield to the gentlewoman from Wyoming (Mrs. LUMMIS).

Mrs. LUMMIS. Mr. Chairman, I thank the gentleman from North Carolina.

Scientific research is an important province of the Federal Government, and normally I support it; but I support it if it has been authorized.

The programs the gentleman from North Carolina has identified have not been authorized. Therefore, it is appropriate that the gentleman from North Carolina be supported in his amendment to just reduce them to the amount that gets us to flat funding. Flat funding is a reasonable request for programs that are not authorized.

Let's get those programs reauthorized, if that is what the American people want, and the Congress wants, and let's do it in a way that makes sure these programs are authorized in a way that recognizes 21st century priority.

That should happen at the authorizing committee level. If it doesn't happen at the authorizing committee level, a couple of things are wrong: either the authorizing committee doesn't have its hands on the steering wheel, or the authorizing committee thinks there needs to be changes that cannot be accomplished if the appropriators keep increasing the funding.

The incentive for the authorizing committee comes when these programs are flat-funded. We should not be funding programs with increases that are no longer authorized.

This is a problem throughout government. It is a way to save money in a government that is $19 trillion in debt, and I applaud the gentleman from North Carolina for his conscientious, careful, thoughtful, reasoned amendment.

Mr. WALKER. Mr. Chairman, my amendment is simple. It simply rolls back or reduces unauthorized nondefense accounts to the 2016 levels.

Mr. Chairman, I yield back the balance of my time.

Mr. SIMPSON. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Idaho has 3 minutes remaining.

Mr. SIMPSON. Mr. Chairman, let me respond and tell the story again. We have already gone through this once

tonight about authorizations. I don't think we should fund any program that isn't authorized. I don't think we should flat-fund it. I don't think we should fund it. But that is, unfortunately, what the Appropriations Committee ends up doing because the authorizing committees aren't doing their dang job. They are not getting out and reauthorizing the programs.

One year—and I will tell the story again. I will tell it again and again, I suspect, as we go through all of this—when I was chairman of the Interior Committee, because the Endangered Species Act at that time had not been reauthorized for 23 years, 23 years, I took all funding for listing of endangered species and designation of critical habitat out of the bill, zero funded it.

We brought the bill to the floor. The biggest supporter of my bill and opponent to the amendment to put funding in it for those purposes was the chairman of the Resources Committee. It is the Resources Committee's responsibility to reauthorize the Endangered Species Act. But he supported my amendment.

And after all of that, guess what? They still haven't reauthorized the Endangered Species Act.

Mrs. LUMMIS. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentlewoman from Wyoming.

Mrs. LUMMIS. This year, the Land and Water Conservation Fund expired in its authorization on September 30. In October, we began reauthorizing the Land and Water Conservation Fund and reforming it to get it back to its original intent. And before we could complete the process, the appropriators increased funding and reauthorized it for 3 years.

We can't get the reforms we need when appropriators continue to appropriate. The burden should be on the authorizers.

Mr. SIMPSON. Yes, I agree with the gentlewoman. The burden should be on the authorizers, and they should do their job, and they should reauthorize the program.

I still haven't seen the reauthorization for the Land and Water Conservation Fund. That was last year. I still haven't seen it. I haven't seen the reauthorizations for any of the programs. The whole State Department is unauthorized.

Where is the reauthorization?

What do you want us to do?

We would eliminate about two-thirds of the Federal Government. Now, some people might like that. But we would eliminate about two-thirds of the Federal Government if we just said we are not going to fund any of the Federal programs.

So, I mean, it is a debate that goes on.

I agree with Congressman MCCLINTOCK. We have to find a way around this. We have to find a way to address the reauthorization issue without screwing up the whole appropriation process.

□ 2200

I think we can do that if reasonable people sit down and try to find a way around this. I actually think that every committee chairman ought to sit down with leadership at the start of a session and say: This is my 5-year plan, and these are all of the programs that are unauthorized under my jurisdiction. This is my 5-year plan to get them reauthorized.

They ought to follow through on that work plan.

Mr. Chairman, I oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. WALKER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. WALKER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from North Carolina will be postponed.

AMENDMENT OFFERED BY MR. DESANTIS

Mr. DESANTIS. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

Sec. ____. None of the finds made available by this Act may be used to purchase heavy water from Iran.

The Acting CHAIR. Pursuant to House Resolution 743, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. DESANTIS. Mr. Chairman, to be clear, the JCPOA requires Iran to cap its stockpile of heavy water. It does not require the U.S. to subsidize or to purchase that heavy water.

This is a simple funding limitation amendment to an appropriations bill. It is similar to language used throughout the bill. It is a matter clearly related to the use of appropriated funds.

I listened to this debate in the Senate, and people said: Well, we have to spend U.S. tax dollars on getting heavy water; otherwise, Iran is going to sell it to North Korea. But understand, it is already against international law to ship heavy water to North Korea. So if Iran were to decide to do that and violate those sanctions, we have a way bigger policy issue than simply heavy water purchases, and it would call into question the entire Iran deal.

So instead of suppressing illicit nuclear proliferation among rogue nations, continuing purchases of Iranian heavy water would subsidize Iran's nuclear program and allow them to maintain the threshold capacity to make a dash for nuclear breakout.

If we want to take heavy water, then we can take it, but we should not subsidize Iran's nuclear program.

Mr. Chairman, I urge adoption of the amendment, and I reserve the balance of my time.

Ms. KAPTUR. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chairman, I oppose the gentleman's amendment. Really, this provision doesn't belong on this appropriations bill. It is an issue best considered by the Foreign Affairs Committee.

This amendment would prevent the Department from spending any fiscal 17 funds to purchase heavy water produced in Iran and would undermine the Iran deal.

This transaction provides the United States industry with a critical product while enabling Iran to sell some of its excess heavy water as contemplated in the agreement and further ensuring that this product will not be used to develop a nuclear weapon, which is the objective that we all sought when we supported the agreement. Heavy water is needed here in our country. We stopped producing it in 1988 and now buy what we need from India and other countries.

A portion of this heavy water will be used at the Spallation Neutron Source at Oak Ridge National Laboratory and by manufacturers for fiberoptic cable, MRI machines, and semiconductors.

Most importantly, U.S. purchase of this heavy water prevents Iran from selling it to those who would choose to use it for the wrong reasons.

Mr. Chairman, as I have stated, I object to this amendment as proposed. I urge my colleagues to vote ''no'' on the DeSantis amendment.

I yield back the balance of my time.

Mr. DESANTIS. It is interesting, Mr. Chair, people talk about the Iran deal, and what the administration has really been doing is they have even gone beyond the concessions that are in the Iran deal.

If you look at getting access now to dollarized transactions, they said they weren't going to have access to the American financial system, but effectively, Iran is going to have indirect access to the American dollar. That was never called for by the Iran deal. That is a concession. Nor does the deal require us to spend American taxpayer funds to essentially inject into the Iranian regime and subsidize the nuclear program.

So, Mr. Chair, I think it is a good amendment. I think our Members should vote for it.

I yield back the balance of time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. DESANTIS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. GOSAR. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment by Mr. WEBER of Texas.

Amendment by Mr. ELLISON of Minnesota.

Amendment No. 1 by Mr. FARR of California.

Amendment by Mr. GARAMENDI of California.

Amendment No. 34 by Mr. PITTENGER of North Carolina.

Amendment by Mr. GOSAR of Arizona.

Amendment by Mr. FOSTER of Illinois.

Amendment by Mr. SEAN PATRICK MALONEY of New York, as amended.

Amendment by Mr. BYRNE of Alabama.

Amendment No. 14 by Mrs. BLACKBURN of Tennessee.

Amendment by Mr. SMITH of Missouri.

Amendment by Mr. WALKER of North Carolina.

Amendment by Mr. DESANTIS of Florida.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. WEBER OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. WEBER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 158, noes 260, not voting 15, as follows:

[Roll No. 251]

AYES—158

Abraham	Bishop (MI)	Brat
Amash	Bishop (UT)	Bridenstine
Babin	Black	Brooks (AL)
Barr	Blackburn	Brooks (IN)
Barton	Blum	Buck
Benishek	Bost	Burgess
Bilirakis	Brady (TX)	Byrne
Carter (TX)	Hultgren	Ratcliffe
Chabot	Hunter	Ribble
Chaffetz	Hurt (VA)	Rice (SC)
Clawson (FL)	Issa	Roby
Coffman	Johnson, Sam	Roe (TN)
Comstock	Jones	Rohrabacher
Cook	Jordan	Rokita
Cramer	Kelly (MS)	Rooney (FL)
Crawford	King (IA)	Roskam
Culberson	Knight	Ross
Denham	Labrador	Rothfus
DeSantis	LaHood	Rouzer
DesJarlais	LaMalfa	Royce
Duncan (SC)	Latta	Russell
Duncan (TN)	Love	Salmon
Ellmers (NC)	Luetkemeyer	Sanford
Emmer (MN)	Lummis	Scalise
Farenthold	Marchant	Schweikert
Fleischmann	Marino	Scott, Austin
Fleming	Massie	Sensenbrenner
Flores	McCarthy	Sessions
Forbes	McCaul	Smith (MO)
Foxx	McClintock	Smith (NE)
Franks (AZ)	McHenry	Smith (TX)
Garrett	McMorris Rodgers	Stewart
Gibbs	Meadows	Stutzman
Gohmert	Messer	Thornberry
Goodlatte	Miller (FL)	Tipton
Gosar	Moolenaar	Wagner
Gowdy	Mooney (WV)	Walberg
Graves (GA)	Mullin	Walker
Graves (LA)	Mulvaney	Walorski
Graves (MO)	Murphy (PA)	Walters, Mimi
Griffith	Neugebauer	Weber (TX)
Grothman	Noem	Webster (FL)
Guinta	Olson	Westerman
Guthrie	Palmer	Westmoreland
Harper	Pearce	Wilson (SC)
Harris	Perry	Wittman
Hartzler	Pittenger	Womack
Hensarling	Pitts	Woodall
Hill	Poe (TX)	Yoder
Holding	Pompeo	Yoho
Hudson	Posey	Young (IA)
Huelskamp	Price, Tom	Young (IN)
Huizenga (MI)		Zinke

NOES—260

Adams	Cooper	Green, Gene
Aderholt	Costa	Grijalva
Aguilar	Costello (PA)	Gutiérrez
Allen	Courtney	Hahn
Amodei	Crenshaw	Hardy
Ashford	Crowley	Hastings
Barletta	Cuellar	Heck (NV)
Bass	Cummings	Heck (WA)
Beatty	Curbelo (FL)	Hice, Jody B.
Becerra	Davis (CA)	Higgins
Bera	Davis, Danny	Himes
Beyer	Davis, Rodney	Hinojosa
Bishop (GA)	DeFazio	Hoyer
Blumenauer	DeGette	Huffman
Bonamici	Delaney	Hurd (TX)
Boustany	DeLauro	Israel
Boyle, Brendan F.	DelBene	Jackson Lee
Brady (PA)	Dent	Jeffries
Brown (FL)	DeSaulnier	Jenkins (WV)
Brownley (CA)	Deutch	Johnson (GA)
Buchanan	Diaz-Balart	Johnson (OH)
Bucshon	Dingell	Johnson, E. B.
Bustos	Doggett	Jolly
Butterfield	Dold	Joyce
Calvert	Donovan	Kaptur
Capps	Doyle, Michael F.	Katko
Capuano	Duckworth	Keating
Carney	Edwards	Kelly (IL)
Carson (IN)	Ellison	Kelly (PA)
Carter (GA)	Engel	Kennedy
Cartwright	Eshoo	Kildee
Castor (FL)	Esty	Kilmer
Chu, Judy	Farr	Kind
Cicilline	Fitzpatrick	King (NY)
Clark (MA)	Fortenberry	Kinzinger (IL)
Clarke (NY)	Foster	Kirkpatrick
Clay	Frankel (FL)	Kline
Cleaver	Frelinghuysen	Kuster
Clyburn	Fudge	Lance
Cohen	Gabbard	Langevin
Cole	Gallego	Larsen (WA)
Collins (GA)	Garamendi	Larson (CT)
Collins (NY)	Gibson	Lawrence
Conaway	Graham	Lee
Connolly	Grayson	Levin
Conyers	Green, Al	Lewis
Lipinski	Pallone	Simpson
LoBiondo	Pascrell	Sinema
Loebsack	Paulsen	Sires
Lofgren	Payne	Slaughter
Long	Pelosi	Smith (NJ)
Loudermilk	Perlmutter	Smith (WA)
Lowenthal	Peters	Speier
Lowey	Peterson	Stefanik
Lucas	Pingree	Stivers
Lujan Grisham (NM)	Pocan	Swalwell (CA)
Luján, Ben Ray (NM)	Poliquin	Takano
Lynch	Polis	Thompson (CA)
MacArthur	Price (NC)	Thompson (MS)
Maloney, Carolyn	Quigley	Thompson (PA)
Maloney, Sean	Rangel	Tiberi
Matsui	Reed	Titus
McCollum	Reichert	Tonko
McDermott	Renacci	Torres
McGovern	Richmond	Trott
McKinley	Rigell	Tsongas
McNerney	Rogers (AL)	Turner
McSally	Rogers (KY)	Upton
Meehan	Ros-Lehtinen	Valadao
Meeks	Roybal-Allard	Van Hollen
Meng	Ruiz	Vargas
Mica	Ruppersberger	Veasey
Miller (MI)	Rush	Vela
Moore	Ryan (OH)	Velázquez
Moulton	Sánchez, Linda T.	Visclosky
Murphy (FL)	Sanchez, Loretta	Walden
Nadler	Sarbanes	Walz
Napolitano	Schakowsky	Wasserman Schultz
Neal	Schiff	Waters, Maxine
Newhouse	Schrader	Watson Coleman
Nolan	Scott (VA)	Welch
Norcross	Scott, David	Wenstrup
Nugent	Serrano	Whitfield
Nunes	Sewell (AL)	Williams
Palazzo	Sherman	Wilson (FL)
	Shimkus	Young (AK)
	Shuster	Zeldin

NOT VOTING—15

Cárdenas	Granger	Lamborn
Castro (TX)	Hanna	O'Rourke
Duffy	Herrera Beutler	Rice (NY)
Fattah	Honda	Takai
Fincher	Jenkins (KS)	Yarmuth

□ 2228

Ms. TSONGAS, Messrs. POLIS, AGUILAR, Ms. PELOSI, Messrs. LOUDERMILK, and VELA changed their vote from ''aye'' to ''no.''

Messrs. BILIRAKIS, WALBERG, GIBBS, FLEISCHMANN, LABRADOR, Mrs. ROBY, and Mr. BOST changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ELLISON

The Acting CHAIR (Ms. FOXX). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota (Mr. ELLISON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 174, noes 245, not voting 14, as follows:

[Roll No. 252]

AYES—174

Adams
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Hinojosa
Honda
Hoyer
Huffman
Hunter
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Nadler
Napolitano
Neal
Nolan
Norcross
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)

NOES—245

Abraham
Aderholt
Aguilar
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Himes
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurd (TX)
Hurt (VA)
Issa
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Keating
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—14

Cárdenas
Castro (TX)
Duffy
Fattah
Fincher
Granger
Hanna
Herrera Beutler
Jenkins (KS)
Lamborn
O'Rourke
Rice (NY)
Takai
Yarmuth

□ 2233

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 1 OFFERED BY MR. FARR

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. FARR) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 189, noes 228, not voting 16, as follows:

[Roll No. 253]

AYES—189

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Buchanan
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fortenberry
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Guinta
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poliquin
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)

NOES—228

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)

Graves (MO)
Griffith
Grothman
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—16

Cárdenas
Castro (TX)
Duffy
Fattah
Fincher
Granger
Hanna
Herrera Beutler
Jenkins (KS)
Keating
Lamborn
Meehan
O'Rourke
Rice (NY)
Takai
Yarmuth

□ 2236

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GARAMENDI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. GARAMENDI) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 126, noes 293, not voting 14, as follows:

[Roll No. 254]

AYES—126

Adams
Aguilar
Bass
Beatty
Becerra
Beyer
Bishop (GA)
Blumenauer
Bonamici
Brownley (CA)
Bustos
Capps
Capuano
Carney
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cohen
Connolly
Conyers
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Doggett
Doyle, Michael F.
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Gallego
Garamendi
Grayson
Green, Al
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Hinojosa
Honda
Huffman
Jackson Lee
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Larsen (WA)
Lawrence
Lee
Levin
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Pallone
Pascrell
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Richmond
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schrader
Scott (VA)
Sherman
Slaughter
Smith (WA)
Speier
Takano
Thompson (CA)
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)

NOES—293

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bera
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Buchanan
Buck
Bucshon
Burgess
Butterfield
Byrne
Calvert
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Chabot
Chaffetz
Clawson (FL)
Clyburn
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Delaney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dingell
Dold
Donovan
Duckworth
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Higgins
Hill
Himes
Holding
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaHood
LaMalfa
Lance
Langevin
Larson (CT)
Latta
Lewis
Lipinski
LoBiondo
Long
Loudermilk
Love
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Norcross
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Payne
Pearce
Pelosi
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Russell
Salmon
Sanford
Scalise
Schiff
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Torres
Trott
Turner
Upton
Valadao
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—14

Cárdenas
Castro (TX)
Duffy
Fattah
Fincher
Granger
Hanna
Herrera Beutler
Jenkins (KS)
Lamborn
O'Rourke
Rice (NY)
Takai
Yarmuth

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mr. COLLINS of Georgia)(during the vote). There is 1 minute remaining.

□ 2239

Ms. WILSON of Florida changed her vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 34 OFFERED BY MR. PITTENGER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from North Carolina (Mr. PITTENGER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 227, noes 192, not voting 14, as follows:

[Roll No. 255]

AYES—227

Abraham
Aderholt
Allen
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cramer
Crawford
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—192

Adams
Aguilar
Amash
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jolly
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poliquin
Polis
Price (NC)
Quigley
Rangel
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)

NOT VOTING—14

Cárdenas
Castro (TX)
Duffy
Fattah
Fincher
Granger
Hanna
Herrera Beutler
Jenkins (KS)
Lamborn
O'Rourke
Rice (NY)
Takai
Yarmuth

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2243

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GOSAR

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GOSAR) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 230, noes 188, not voting 15, as follows:

[Roll No. 256]

AYES—230

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cramer
Crawford
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—188

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)

Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)

NOT VOTING—15

Cárdenas
Castro (TX)
Duffy
Fattah
Fincher
Granger
Hanna
Herrera Beutler
Jenkins (KS)
Lamborn
McHenry
O'Rourke
Rice (NY)
Takai
Yarmuth

□ 2246

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FOSTER

The Acting CHAIR (Ms. FOXX). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. FOSTER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 206, noes 213, not voting 14, as follows:

[Roll No. 257]

AYES—206

Aguilar
Allen
Amash
Ashford
Barletta
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (MI)
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brownley (CA)
Buck
Bucshon
Burgess
Bustos
Carter (GA)
Cartwright
Chu, Judy
Clarke (NY)
Clawson (FL)
Clay
Coffman
Cohen
Collins (GA)
Cooper
Costa
Costello (PA)
Courtney
Crowley
Curbelo (FL)
Davis (CA)
Davis, Rodney
Delaney
DeLauro
Denham
Dent
DeSantis
DeSaulnier
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fitzpatrick
Forbes
Foster
Foxx
Franks (AZ)
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Graham
Graves (GA)
Green, Gene
Griffith
Gutiérrez
Hahn
Harris
Hensarling
Hice, Jody B.
Higgins
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt (VA)
Israel
Issa
Jeffries
Johnson (GA)
Jones
Jordan
Joyce
Katko
Kelly (IL)
Kelly (PA)
Kildee
Kind
Kinzinger (IL)
Kirkpatrick
Kline
Knight
LaHood
Lance
Larsen (WA)
Larson (CT)
Latta
Lawrence
Levin
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Loudermilk
Lowenthal
Maloney, Carolyn
Maloney, Sean
Marino
Massie
McCarthy
McClintock
McDermott
McHenry
McSally
Meeks
Meng
Miller (FL)
Moore
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross
Pallone
Pascrell
Paulsen
Pelosi
Perry
Peters
Peterson
Polis
Posey
Price, Tom
Quigley
Rangel
Ratcliffe
Renacci
Ribble
Rigell
Rohrabacher
Rooney (FL)
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Ruiz
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schweikert
Scott, Austin
Sensenbrenner
Serrano
Sherman
Shimkus
Shuster
Sinema
Sires
Slaughter
Smith (MO)
Smith (NJ)
Smith (WA)
Stefanik
Stivers
Takano
Thompson (MS)
Tiberi
Tipton
Tonko
Torres
Veasey
Vela
Walberg
Walker
Walz
Wasserman Schultz
Watson Coleman
Wenstrup
Westmoreland
Wittman
Woodall
Yoho
Zeldin

NOES—213

Abraham
Adams
Aderholt
Amodei
Babin
Barr
Barton
Bishop (GA)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Boustany
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Buchanan
Butterfield
Byrne
Calvert
Capps
Capuano
Carney
Carson (IN)
Carter (TX)
Castor (FL)
Chabot
Chaffetz
Cicilline
Clark (MA)
Cleaver
Clyburn
Cole
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Cummings
Davis, Danny
DeFazio
DeGette
DelBene
DesJarlais
Deutch
Diaz-Balart
Edwards
Ellison
Farenthold
Fleischmann
Fleming
Flores
Fortenberry
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gosar
Gowdy
Graves (LA)
Graves (MO)
Grayson
Green, Al
Grijalva
Grothman
Guinta
Guthrie
Hardy
Harper
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hill
Huelskamp
Hurd (TX)
Jackson Lee
Jenkins (WV)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Kaptur
Keating
Kelly (MS)
Kennedy
Kilmer
King (IA)
King (NY)
Kuster
Labrador
LaMalfa
Langevin
Lee
Lewis
Long
Love
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Marchant
Matsui
McCaul
McCollum
McGovern
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Messer
Mica
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Mulvaney
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Payne
Pearce
Perlmutter
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Pompeo
Price (NC)
Reed
Reichert
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Ross
Roybal-Allard
Royce
Ruppersberger
Rush
Russell
Salmon
Sanford
Scalise
Schrader
Scott (VA)
Scott, David
Sessions
Sewell (AL)
Simpson
Smith (NE)
Smith (TX)
Speier
Stewart
Stutzman
Swalwell (CA)
Thompson (CA)
Thompson (PA)
Thornberry
Titus
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Velázquez
Visclosky
Wagner
Walden
Walorski
Walters, Mimi
Waters, Maxine
Weber (TX)
Webster (FL)
Welch
Westerman
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Womack
Yoder
Young (AK)
Young (IA)
Young (IN)
Zinke

NOT VOTING—14

Cárdenas
Castro (TX)
Duffy
Fattah
Fincher
Granger
Hanna
Herrera Beutler
Jenkins (KS)
Lamborn
O'Rourke
Rice (NY)
Takai
Yarmuth

□ 2249

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SEAN PATRICK MALONEY OF NEW YORK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. SEAN PATRICK MALONEY), as amended, on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 223, noes 195, not voting 15, as follows:

[Roll No. 258]

AYES—223

Adams
Aguilar
Amash
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Bonamici
Boyle, Brendan F.
Brady (PA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fitzpatrick
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hurd (TX)
Israel
Issa
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jolly
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kinzinger (IL)
Kirkpatrick
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
McSally
Meehan
Meeks
Meng
Messer
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Richmond
Rooney (FL)
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Young (IA)
Young (IN)
Zeldin

NOES—195

Abraham
Aderholt
Allen
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cramer
Crawford
Crenshaw
Culberson
DeSantis
DesJarlais
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt (VA)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kline
Knight
Labrador
LaHood
LaMalfa
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
Meadows
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price, Tom
Ratcliffe
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Wagner
Walberg
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Zinke

NOT VOTING—15

Blumenauer
Cárdenas
Castro (TX)
Duffy
Fattah
Fincher
Granger
Hanna
Herrera Beutler
Jenkins (KS)
Lamborn
O'Rourke
Rice (NY)
Takai
Yarmuth

□ 2253

So the amendment, as amended, was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. BYRNE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Alabama (Mr. BYRNE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 233, noes 186, not voting 14, as follows:

[Roll No. 259]

AYES—233

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Davis, Rodney
Denham
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lance
Latta
Lipinski
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—186

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)

Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)

NOT VOTING—14

Cárdenas
Castro (TX)
Duffy
Fattah
Fincher
Granger
Hanna
Herrera Beutler
Jenkins (KS)
Lamborn
O'Rourke
Rice (NY)
Takai
Yarmuth

□ 2256

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 14 OFFERED BY MRS. BLACKBURN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 158, noes 258, not voting 17, as follows:

[Roll No. 260]

AYES—158

Allen
Amash
Babin
Barton
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Carter (GA)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Cook
Cooper
Cramer
Crawford
DeSantis
DesJarlais
Duncan (SC)
Duncan (TN)
Farenthold
Fleming
Flores
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harris
Hartzler
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Johnson, Sam
Jones
Jordan
Kelly (MS)
King (IA)
Kline
Knight
Labrador
Lance
Latta
Long
Loudermilk
Love
Lucas
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
McSally
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pitts
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price, Tom
Ratcliffe
Ribble
Rice (SC)
Roe (TN)
Rohrabacher
Rokita
Rothfus
Rouzer
Royce
Russell
Salmon
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Tipton
Upton
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)
Zinke

NOES—258

Abraham
Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Barr
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Calvert
Capps
Capuano
Carney
Carson (IN)
Carter (TX)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Costa
Costello (PA)
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fitzpatrick
Fleischmann
Forbes
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Harper
Hastings
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
Meehan
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pittenger
Pocan
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson Coleman
Welch
Westmoreland
Whitfield
Wilson (FL)
Womack
Young (AK)
Zeldin

NOT VOTING—17

Cárdenas
Castro (TX)
Duffy
Fattah
Fincher
Granger
Hanna
Herrera Beutler
Jenkins (KS)
LaMalfa
Lamborn
O'Rourke
Rice (NY)
Sanford
Takai
Waters, Maxine
Yarmuth

□ 2259

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SMITH OF MISSOURI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Missouri (Mr. SMITH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 119, noes 300, not voting 14, as follows:

[Roll No. 261]

AYES—119

Amodei
Babin
Barletta
Benishek
Bilirakis
Bishop (UT)
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (IN)
Buchanan
Buck
Burgess
Byrne
Carter (GA)
Chabot
Chaffetz
Clay
Cleaver
Collins (GA)
Cook
Cramer
Crawford
Culberson
Curbelo (FL)
Denham
DeSantis
DesJarlais
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Farenthold
Fleming
Franks (AZ)
Gabbard
Garrett
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harris
Hartzler
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hunter
Hurt (VA)
Jones
Jordan
Kelly (PA)
King (IA)
Knight
LaMalfa
Latta
Long
Loudermilk
Love
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McMorris Rodgers
Meadows
Mica
Miller (FL)
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Palmer
Pearce
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Ribble
Rice (SC)
Roe (TN)
Ros-Lehtinen
Ross
Rouzer
Russell
Schweikert
Scott, Austin
Sensenbrenner
Smith (MO)
Stutzman
Thompson (PA)
Tipton
Wagner
Walden
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Woodall
Yoder
Yoho
Zinke

NOES—300

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Ashford
Barr
Barton
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Bishop (MI)
Black
Blum
Blumenauer
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brat
Brooks (AL)
Brown (FL)
Brownley (CA)
Bucshon
Bustos
Butterfield
Calvert
Capps
Capuano
Carney
Carson (IN)
Carter (TX)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clyburn
Coffman
Cohen
Cole
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fitzpatrick
Fleischmann
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gallego
Garamendi
Gibbs
Gibson
Graham
Graves (LA)
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Harper
Hastings
Heck (NV)
Heck (WA)
Hensarling
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hurd (TX)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaHood
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McHenry
McKinley
McNerney
McSally
Meehan
Meeks
Meng
Messer
Miller (MI)
Moolenaar
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
Olson
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Polis
Price (NC)
Quigley
Rangel
Reichert
Renacci
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Rothfus
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walberg
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Wilson (FL)
Wilson (SC)
Wittman
Womack
Young (AK)
Young (IA)
Young (IN)
Zeldin

NOT VOTING—14

Cárdenas
Castro (TX)
Duffy
Fattah
Fincher
Granger
Hanna
Herrera Beutler
Jenkins (KS)
Lamborn
O'Rourke
Rice (NY)
Takai
Yarmuth

□ 2302

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. WALKER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from North Carolina (Mr. WALKER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 128, noes 291, not voting 14, as follows:

[Roll No. 262]

AYES—128

Allen
Amash
Amodei
Babin
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Buck
Burgess
Byrne
Carter (GA)
Chabot
Chaffetz
Clawson (FL)
Conaway
Cook
Culberson
DeSantis
DesJarlais
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fleming
Forbes
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graves (LA)
Griffith
Grothman
Guinta
Guthrie
Harris
Hartzler
Hensarling
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hunter
Hurt (VA)
Johnson, Sam
Jones
Jordan
Kelly (MS)
Knight
Labrador
LaHood
LaMalfa
Lance
Latta
Loudermilk
Love
Lummis
Marino
Massie
McCarthy
McClintock
McHenry
McMorris Rodgers
Meadows
Messer
Miller (FL)
Miller (MI)
Moolenaar
Mullin
Mulvaney
Neugebauer
Olson
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Polis
Pompeo
Posey
Price, Tom
Ratcliffe
Ribble
Rice (SC)
Roe (TN)
Rohrabacher
Rokita
Rooney (FL)
Ross
Rouzer
Royce
Russell
Sanford
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Stewart
Stutzman
Tiberi
Tipton
Walberg
Walker
Walters, Mimi
Webster (FL)
Westerman
Wilson (SC)
Wittman
Woodall
Yoder
Yoho
Young (IN)
Zinke

NOES—291

Abraham
Adams
Aderholt
Aguilar
Ashford
Barletta
Barr
Barton
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Calvert
Capps
Capuano
Carney
Carson (IN)
Carter (TX)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hardy
Harper
Hastings
Heck (NV)
Heck (WA)
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hurd (TX)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (WV)

Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Matsui
McCaul
McCollum
McDermott
McGovern
McKinley
McNerney
McSally
Meehan
Meeks
Meng
Mica
Mooney (WV)
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
Palazzo
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poliquin
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roskam
Rothfus
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walden
Walorski
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Womack
Young (AK)
Young (IA)
Zeldin

NOT VOTING—14

Cárdenas
Castro (TX)
Duffy
Fattah
Fincher
Granger
Hanna
Herrera Beutler
Jenkins (KS)
Lamborn
O'Rourke
Rice (NY)
Takai
Yarmuth

□ 2306

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. DESANTIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. DESANTIS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 251, noes 168, not voting 14, as follows:

[Roll No. 263]

AYES—251

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bera
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Boyle, Brendan F.
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Engel
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lance
Latta
Lieu, Ted
Lipinski
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Maloney, Sean
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sherman
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Vargas
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—168

Adams
Aguilar
Bass
Beatty
Becerra
Beyer
Bishop (GA)
Blumenauer
Bonamici
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Duncan (TN)
Edwards
Ellison
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Grayson
Green, Al
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Serrano
Sewell (AL)
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)

NOT VOTING—14

Cárdenas
Castro (TX)
Duffy
Fattah
Fincher
Granger
Hanna
Herrera Beutler
Jenkins (KS)
Lamborn
O'Rourke
Rice (NY)
Takai
Yarmuth

□ 2309

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the ''Energy and Water Development and Related Agencies Appropriations Act, 2017''.

Mr. SIMPSON. Madam Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. ROS-LEHTINEN) having assumed the chair, Ms. FOXX, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5055) making appropriations for energy and water development and related agencies for the fiscal

year ending September 30, 2017, and for other purposes, had come to no resolution thereon.

MOTION TO INSTRUCT CONFEREES ON S. 2012, ENERGY POLICY MODERNIZATION ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on the bill (S. 2012) to provide for the modernization of the energy policy of the United States, and for other purposes, offered by the gentleman from Arizona (Mr. GRIJALVA) on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 205, nays 212, not voting 16, as follows:

[Roll No. 264]

YEAS—205

Adams	Ellison	Lofgren
Aguilar	Engel	Lowenthal
Ashford	Eshoo	Lowey
Bass	Esty	Lujan Grisham (NM)
Beatty	Farr	Luján, Ben Ray (NM)
Becerra	Fitzpatrick	Lynch
Benishek	Fortenberry	MacArthur
Bera	Foster	Maloney, Carolyn
Beyer	Frankel (FL)	Maloney, Sean
Bishop (GA)	Fudge	Matsui
Blumenauer	Gabbard	McCaul
Bonamici	Gallego	McCollum
Boyle, Brendan F.	Garamendi	McDermott
Brady (PA)	Gibson	McGovern
Brown (FL)	Graham	McNerney
Brownley (CA)	Grayson	McSally
Bustos	Green, Al	Meehan
Butterfield	Green, Gene	Meeks
Capps	Grijalva	Meng
Capuano	Guinta	Moore
Carney	Gutiérrez	Moulton
Carson (IN)	Hahn	Murphy (FL)
Cartwright	Hastings	Nadler
Castor (FL)	Heck (WA)	Napolitano
Chu, Judy	Higgins	Neal
Cicilline	Himes	Nolan
Clark (MA)	Hinojosa	Norcross
Clarke (NY)	Honda	Pallone
Clay	Hoyer	Pascrell
Cleaver	Huffman	Payne
Clyburn	Israel	Pelosi
Cohen	Jackson Lee	Perlmutter
Connolly	Jeffries	Peters
Conyers	Johnson (GA)	Pingree
Cooper	Johnson, E. B.	Pocan
Costa	Jolly	Poliquin
Costello (PA)	Kaptur	Polis
Courtney	Katko	Price (NC)
Crowley	Keating	Quigley
Cuellar	Kelly (IL)	Rangel
Cummings	Kennedy	Reichert
Davis (CA)	Kildee	Richmond
Davis, Danny	Kilmer	Roybal-Allard
DeFazio	Kind	Ruiz
DeGette	King (NY)	Ruppersberger
Delaney	Kirkpatrick	Rush
DeLauro	Kuster	Ryan (OH)
DelBene	LaMalfa	Sánchez, Linda T.
Dent	Lance	Sanchez, Loretta
DeSaulnier	Langevin	Sarbanes
Deutch	Larsen (WA)	Schakowsky
Dingell	Larson (CT)	Schiff
Doggett	Lawrence	Schrader
Dold	Lee	Scott (VA)
Donovan	Levin	Scott, David
Doyle, Michael F.	Lewis	Serrano
Duckworth	Lieu, Ted	Sewell (AL)
Edwards	Lipinski	Sherman
	LoBiondo	Simpson
	Loebsack	Sinema
		Sires
		Slaughter
		Smith (WA)
		Speier
		Stefanik
		Swalwell (CA)
		Takano
		Thompson (CA)
		Thompson (MS)
		Titus
		Tonko
		Torres
		Tsongas
		Van Hollen
		Vargas
		Veasey
		Vela
		Velázquez
		Visclosky
		Walz
		Wasserman Schultz
		Waters, Maxine
		Watson Coleman
		Welch
		Wilson (FL)
		Zeldin
		Zinke

NAYS—212

Abraham	Grothman	Pittenger
Aderholt	Guthrie	Pitts
Allen	Hardy	Poe (TX)
Amash	Harper	Pompeo
Amodei	Harris	Posey
Babin	Hartzler	Price, Tom
Barletta	Heck (NV)	Ratcliffe
Barr	Hensarling	Reed
Barton	Hice, Jody B.	Renacci
Bilirakis	Hill	Ribble
Bishop (MI)	Holding	Rice (SC)
Bishop (UT)	Hudson	Rigell
Black	Huelskamp	Roby
Blackburn	Huizenga (MI)	Roe (TN)
Blum	Hultgren	Rogers (AL)
Bost	Hunter	Rogers (KY)
Boustany	Hurd (TX)	Rohrabacher
Brady (TX)	Hurt (VA)	Rokita
Brat	Issa	Rooney (FL)
Bridenstine	Jenkins (WV)	Ros-Lehtinen
Brooks (AL)	Johnson (OH)	Roskam
Brooks (IN)	Johnson, Sam	Ross
Buchanan	Jones	Rothfus
Buck	Jordan	Rouzer
Bucshon	Joyce	Royce
Burgess	Kelly (MS)	Russell
Byrne	Kelly (PA)	Salmon
Calvert	King (IA)	Sanford
Carter (GA)	Kinzinger (IL)	Scalise
Carter (TX)	Kline	Schweikert
Chabot	Knight	Scott, Austin
Chaffetz	Labrador	Sensenbrenner
Clawson (FL)	LaHood	Sessions
Coffman	Latta	Shimkus
Cole	Long	Shuster
Collins (GA)	Loudermilk	Smith (MO)
Collins (NY)	Love	Smith (NE)
Comstock	Lucas	Smith (NJ)
Conaway	Luetkemeyer	Smith (TX)
Cook	Lummis	Stewart
Cramer	Marchant	Stivers
Crawford	Marino	Stutzman
Crenshaw	Massie	Thompson (PA)
Culberson	McCarthy	Thornberry
Curbelo (FL)	McClintock	Tiberi
Davis, Rodney	McHenry	Tipton
Denham	McKinley	Trott
DeSantis	McMorris Rodgers	Turner
DesJarlais	Meadows	Upton
Diaz-Balart	Messer	Valadao
Duncan (SC)	Mica	Wagner
Ellmers (NC)	Miller (FL)	Walberg
Emmer (MN)	Miller (MI)	Walden
Farenthold	Moolenaar	Walker
Fleischmann	Mooney (WV)	Walorski
Fleming	Mullin	Walters, Mimi
Flores	Mulvaney	Weber (TX)
Forbes	Murphy (PA)	Webster (FL)
Foxx	Neugebauer	Wenstrup
Franks (AZ)	Newhouse	Westerman
Frelinghuysen	Noem	Westmoreland
Garrett	Nugent	Whitfield
Gibbs	Nunes	Williams
Gohmert	Olson	Wilson (SC)
Goodlatte	Palazzo	Wittman
Gosar	Palmer	Womack
Gowdy	Paulsen	Woodall
Graves (GA)	Pearce	Yoder
Graves (LA)	Perry	Yoho
Graves (MO)	Peterson	Young (IA)
Griffith		Young (IN)

NOT VOTING—16

Cárdenas	Granger	Rice (NY)
Castro (TX)	Hanna	Takai
Duffy	Herrera Beutler	Yarmuth
Duncan (TN)	Jenkins (KS)	Young (AK)
Fattah	Lamborn	
Fincher	O'Rourke	

□ 2316

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The Chair will appoint conferees on S. 2012 at a later time.

PERSONAL EXPLANATION

Ms. JACKSON LEE. Madam Speaker, I was detained in my district on official business on May 24, 2016, and I missed the following rollcall votes:

Rollcall vote No. 238, I would have voted ''yes.''

Rollcall vote No. 237, I would have voted ''no.''

Rollcall vote No. 236, I would have voted ''yes.''

Rollcall vote No. 235, I would have voted ''no.''

Rollcall vote No. 234, I would have voted ''no.''

Rollcall vote No. 233, I would have voted ''no.''

Rollcall vote No. 232, I would have voted ''no.''

Rollcall vote No. 231, I would have voted ''no.''

Madam Speaker, on Tuesday, May 24, 2016, I was attending to representational duties in my congressional district and was not present for Roll Call Votes 231 through 238. I ask the record to reflect that had I been present I would have voted as follows:

1. On Roll Call 238, I would have voted yes. (H.R. 2576—On Concurring in the Senate Amendment with an Amendment to Frank R. Lautenberg Chemical Safety for the 21st Century Act)

2. On Roll Call 237, I would have voted no. (H.R. 897—On Passage of the Zika Vector Control Act)

3. On Roll Call 236, I would have voted yes. (H.R. 897—On Motion to Recommit with Instructions the Zika Vector Control Act)

4. On Roll Call 235, I would have voted no. (H.R. 5077—On Motion to Suspend the Rules and Pass, as Amended the Intelligence Authorization Act for Fiscal Year 2017)

5. On Roll Call 234, I would have voted no. (H. Res. 742—On Agreeing to the Resolution Providing for consideration of the Senate amendment to the bill (H.R. 2576) to modernize the Toxic Substances Control Act, and for other purposes, and providing for consideration of the bill (H.R. 897) Reducing Regulatory Burdens Act, and for other purposes)

6. On Roll Call 233, I would have voted no. (H. Res. 742—On Ordering the Previous Question Providing for consideration of the Senate amendment to the bill (H.R. 2576) to modernize the Toxic Substances Control Act, and for other purposes, and providing for consideration of the bill (H.R. 897) Reducing Regulatory Burdens Act, and for other purposes)

7. On Roll Call 232, I would have voted no. (H. Res. 743—On Agreeing to the Resolution Providing for consideration of the bill (H.R. 5055) making appropriations for energy and water development and related agencies for

the fiscal year ending September 30, 2017, and for other purposes)

8. On Roll Call 231, I would have voted no. (H. Res. 743—On Ordering the Previous Question Providing for consideration of the bill (H.R. 5055) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2017, and for other purposes)

REPORT ON RESOLUTION RELATING TO CONSIDERATION OF THE SENATE AMENDMENT TO H.R. 2577, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

Mr. COLE, from the Committee on Rules, submitted a privileged report (Rept. No. 114–595) on the resolution (H. Res. 751) relating to consideration of the Senate amendment to the bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, which was referred to the House Calendar and ordered to be printed.

HOUR OF MEETING ON TOMORROW

Mr. COLE. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

□ 2320

CELEBRATING 81ST BIRTHDAY OF FORMER CONGRESSMAN WILLIAM STUCKEY, JR.

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Madam Speaker, I rise today in recognition of former Congressman William S. Stuckey, Jr.'s 81st birthday today.

Born in 1935 in Eastman, Georgia, he attended the Georgia Military Academy and then graduated from the University of Georgia in 1956.

For Georgians, he is most known for his time spent in Congress from 1967 to 1977, serving the Eighth District of Georgia and later the Ninth District.

He went to great lengths to pass legislation that aided coastal Georgia's environmental heritage, including a bill that made Cumberland Island a national seashore by the United States National Park Service.

Thanks to Mr. Stuckey, the island is an impressive, well-preserved, and secluded maritime force that amazes visitors each year.

Another environmental bill passed by Mr. Stuckey made the Okefenokee Swamp a federally protected wilderness and created trails that visitors walk along today.

I want to thank Mr. Stuckey for his service to Georgia. I wish him a very happy birthday.

ZIKA VIRUS CRISIS

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Madam Speaker, as we go home for the Memorial Day commemoration to honor the fallen in battle, as we go home to commemorate the next step in the lives of many of the graduates in our district, it is shameful that we have not completed our work on the full funding to fight the Zika virus crisis and respond to the President's request for $1.9 billion.

Before I left my district on Monday, we had a major press conference with the mayor, the county commissioner, doctors, and others expressing their apprehension and concern about the dangerousness of the Zika virus.

We are trying to inform our constituents, but we are also pleading for resources to clean up sitting water and tires and to be able to continue the research for a vaccine. One of our experts indicated that they didn't know how dangerous the Zika virus will be.

Madam Speaker, it is important that we do our job. It is appropriate to take the President's request and pass it—$1.9 billion—to do our job to fight the Zika virus.

HOUSE AMENDMENTS TO S. 2012

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Madam Speaker, with the House amendments to S. 2012, California is moving in the direction of doing responsible management of California's water resources.

Since this House has taken action, it is now up to California's Senators to no longer ignore the crisis facing our State.

We have heard a lot about California's water woes. Some falsely claim this bill prioritizes one area over another. But, also, it includes instead the strongest possible protections for northern California's area of origin and senior water rights.

It safeguards the most fundamental water right of all. Those who live where water originates will have access to it. Northern California water districts and farmers are strongly in support of this bill.

This measure accelerates surface water storage infrastructure projects, such as Sites Reservoir, which this year would have saved 1 million acre-feet of water had it been in place already. We can't expect 40 million people to survive on infrastructure designed generations ago.

We have heard wild claims about how this measure could cause harm to the Endangered Species Act. But, in reality, it lives within the Endangered Species Act and biological opinions.

Wildlife agencies currently base orders to cut off water to people on hunches, not data. This bill would provide actual facts to end the arbitrary decisions we have seen in recent years.

Finally, it allows more water to be stored and used during winter storms, when river flows are highest and there is no impact to fish populations.

The delta outflows surpassed record numbers this year. As a result, very little water actually got saved and much was wasted, which could be in the San Luis Reservoir.

We have to change these policies and save the people's water for California with smarter management.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DUFFY (at the request of Mr. MCCARTHY) for today after 7:00 p.m. and for the balance of the week on account of the birth of his child.

Mr. LAMBORN (at the request of Mr. MCCARTHY) for today after 7:00 p.m. and for the balance of the week on account of attending his son's graduation from Harvard Law School.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on May 24, 2016, she presented to the President of the United States, for his approval, the following bill:

H.R. 2814. To name the Department of Veterans Affairs community-based outpatient clinic in Sevierville, Tennessee, the Dannie A. Carr Veterans Outpatient Clinic.

ADJOURNMENT

Mr. LAMALFA. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 25 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, May 26, 2016, at 9 a.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the fourth quarter of 2015 and the second quarter of 2016, pursuant to Public Law 95–384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO ISRAEL, JORDAN, SAUDI ARABIA, EGYPT, AND GERMANY, EXPENDED BETWEEN APR. 2 AND APR. 10, 2016

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Paul Ryan	4/3	4/5	Israel		1,036.00		(3)				1,036.00
Hon. Mac Thornberry	4/3	4/5	Israel		1,036.00		(3)				1,036.00
Hon. Devin Nunes	4/3	4/5	Israel		1,036.00		(3)				1,036.00
Hon. Mike Turner	4/3	4/5	Israel		1,036.00		(3)				1,036.00
Hon. Gregory Meeks	4/3	4/5	Israel		1,036.00		(3)				1,036.00
Hon. Kristi Noem	4/3	4/5	Israel		1,036.00		(3)				1,036.00
Hon. Ron Kind	4/3	4/5	Israel		1,036.00		(3)				1,036.00
Hon. Will Hurd	4/3	4/5	Israel		1,036.00		(3)				1,036.00
Paul Irving	4/3	4/5	Israel		1,036.00		(3)				1,036.00
Brian Monahan	4/3	4/5	Israel		1,036.00		(3)				1,036.00
Jonathan Burks	4/3	4/5	Israel		1,036.00		(3)				1,036.00
Damon Nelson	4/3	4/5	Israel		1,036.00		(3)				1,036.00
Sophia LaFargue	4/3	4/5	Israel		1,036.00		(3)				1,036.00
Brendan Buck	4/3	4/5	Israel		1,036.00		(3)				1,036.00
Casey Higgins	4/3	4/5	Israel		1,036.00		(3)				1,036.00
Tory Wickiser	4/3	4/5	Israel		1,036.00		(3)				1,036.00
Rachel Klay	4/1	4/5	Israel		1,972.00		10,682.00				12,654.00
Hon. Paul Ryan	4/5	4/7	Jordan		780.00		(3)				780.00
Hon. Mac Thornberry	4/5	4/7	Jordan		780.00		(3)				780.00
Hon. Devin Nunes	4/5	4/7	Jordan		780.00		(3)				780.00
Hon. Mike Turner	4/5	4/7	Jordan		780.00		(3)				780.00
Hon. Gregory Meeks	4/5	4/7	Jordan		780.00		(3)				780.00
Hon. Kristi Noem	4/5	4/7	Jordan		780.00		(3)				780.00
Hon. Ron Kind	4/5	4/7	Jordan		780.00		(3)				780.00
Hon. Will Hurd	4/5	4/7	Jordan		780.00		(3)				780.00
Paul Irving	4/5	4/7	Jordan		780.00		(3)				780.00
Brian Monahan	4/5	4/7	Jordan		780.00		(3)				780.00
Jonathan Burks	4/5	4/7	Jordan		780.00		(3)				780.00
Damon Nelson	4/5	4/7	Jordan		780.00		(3)				780.00
Sophia LaFargue	4/5	4/7	Jordan		780.00		(3)				780.00
Brendan Buck	4/5	4/7	Jordan		780.00		(3)				780.00
Casey Higgins	4/5	4/7	Jordan		780.00		(3)				780.00
Tory Wickiser	4/5	4/7	Jordan		780.00		(3)				780.00
Robert Fitzpatrick	4/3	4/7	Jordan		1,809.00		2,158.00				3,967.00
Hon. Paul Ryan	4/7	4/8	Egypt		284.00		(3)				284.00
Hon. Mac Thornberry	4/7	4/8	Egypt		284.00		(3)				284.00
Hon. Devin Nunes	4/7	4/8	Egypt		284.00		(3)				284.00
Hon. Mike Turner	4/7	4/8	Egypt		284.00		(3)				284.00
Hon. Gregory Meeks	4/7	4/8	Egypt		284.00		3,112.00				3,396.00
Hon. Kristi Noem	4/7	4/8	Egypt		284.00		(3)				284.00
Hon. Ron Kind	4/7	4/8	Egypt		284.00		(3)				284.00
Hon. Will Hurd	4/7	4/8	Egypt		284.00		(3)				284.00
Paul Irving	4/7	4/8	Egypt		284.00		(3)				284.00
Brian Monahan	4/7	4/8	Egypt		284.00		(3)				284.00
Jonathan Burks	4/7	4/8	Egypt		284.00		(3)				284.00
Damon Nelson	4/7	4/8	Egypt		284.00		(3)				284.00
Sophia LaFargue	4/7	4/8	Egypt		284.00		(3)				284.00
Brendan Buck	4/7	4/8	Egypt		284.00		(3)				284.00
Casey Higgins	4/7	4/8	Egypt		284.00		(3)				284.00
Tory Wickiser	4/7	4/8	Egypt		284.00		(3)				284.00
Robert Fitzpatrick	4/7	4/8	Egypt		284.00		(3)				284.00
Hon. Paul Ryan	4/8	4/10	Germany		712.00		(3)				712.00
Hon. Mac Thornberry	4/8	4/10	Germany		712.00		(3)				712.00
Hon. Devin Nunes	4/8	4/10	Germany		712.00		(3)				712.00
Hon. Mike Turner	4/8	4/10	Germany		712.00		(3)				712.00
Hon. Kristi Noem	4/8	4/10	Germany		712.00		(3)				712.00
Hon. Ron Kind	4/8	4/10	Germany		712.00		(3)				712.00
Hon. Will Hurd	4/8	4/10	Germany		712.00		(3)				712.00
Paul Irving	4/8	4/10	Germany		712.00		(3)				712.00
Brian Monahan	4/8	4/10	Germany		712.00		(3)				712.00
Jonathan Burks	4/8	4/10	Germany		712.00		(3)				712.00
Damon Nelson	4/8	4/10	Germany		712.00		(3)				712.00
Sophia LaFargue	4/8	4/10	Germany		712.00		(3)				712.00
Brendan Buck	4/8	4/10	Germany		712.00		(3)				712.00
Casey Higgins	4/8	4/10	Germany		712.00		(3)				712.00
Tory Wickiser	4/8	4/10	Germany		712.00		(3)				712.00
Robert Dohr	4/6	4/10	Germany		1,824.00		1,756.00				3,580.00
Committee total					50,169.00		17,708.00				67,877.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. PAUL D. RYAN, May 10, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO ITALY, EXPENDED BETWEEN APR. 15 AND APR. 18, 2016

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Nancy Pelosi	4/15	4/18	Italy		1,392.60		843.46				2,236.06
Andrew Hammill	4/15	4/18	Italy		1,392.60		2,034.36				3,426.96
Bina Surgeon	4/15	4/18	Italy		1,392.60		2,041.06				3,433.66
Committee total					4,177.80		4,918.88				9,096.68

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. NANCY PELOSI, May 17, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2015

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. George Holding	10/11	10/13	Vietnam		542.00		([3])				542.00
	10/13	10/15	Singapore		906.00		([3])				906.00
	10/15	10/16	Malaysia		223.87		([3])				223.87
	10/16	10/17	Philippines		462.44		([3])				462.44
Hon. Jason Smith	10/11	10/13	Vietnam		542.00		([3])				542.00
	10/13	10/15	Singapore		906.00		([3])				906.00
	10/15	10/16	Malaysia		223.87		([3])				223.87
	10/16	10/17	Vietnam		462.44		([3])				462.44
Hon. Linda T. Sánchez	11/20	11/22	Bosnia		338.42		11,577.40				11,915.82
	11/22	11/24	Croatia		694.00						694.00
Angela Ellard	11/14	11/18	Philippines		1,603.57		13,872.80				15,476.37
Stephen Claeys	11/14	11/18	Philippines		1,361.40		13,872.80				15,234.20
Katherine Tai	11/14	11/18	Philippines		1,242.56		17,985.80				19,228.36
Angela Ellard	12/14	12/18	Kenya		1,459.88		13,200.20				14,660.08
Geoff Antell	12/14	12/18	Kenya		1,207.41		16,587.20				17,794.61
Keigan Mull	12/14	12/18	Kenya		1,662.41		17,407.20				19,069.61
Committee total					13,838.27		104,503.40				118,341.67

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. KEVIN BRADY, Chairman, May 10, 2016.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5493. A letter from the Director, Center for Faith-Based and Neighborhood Partnerships, Department of Agriculture, transmitting the Department's final rule — Federal Agency Final Regulations Implementing Executive Order 13559: Fundamental Principles and Policymaking Criteria for Partnerships With Faith-Based and Other Neighborhood Organizations (RIN: 0503-AA55) received May 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

5494. A letter from the Assistant General Counsel for Regulations, Office of General Counsel, Office of the Secretary, Department of Housing and Urban Development, transmitting the Department's final rule — Federal Agency Final Regulations Implementing Executive Order 13559: Fundamental Principles and Policymaking Criteria for Partnerships With Faith-Based and Other Neighborhood Organizations [Docket No.: FR-5781-F-02] (RIN: 2501-AD65) received May 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5495. A letter from the Assistant General Counsel, Office of the General Counsel, Department of Education, transmitting the Department's final rule — Federal Agency Final Regulations Implementing Executive Order 13559: Fundamental Principles and Policymaking Criteria for Partnerships With Faith-Based and Other Neighborhood Organizations [ED-2014-OS-0131] (RIN: 1895-AA01) received May 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

5496. A letter from the Principle Deputy Assistant Secretary for Policy, Office of the Assistant Secretary for Policy, Office of the Secretary, Department of Labor, transmitting the Department's final rule — Federal Agency Final Regulations Implementing Executive Order 13559: Fundamental Principles and Policymaking Criteria for Partnerships With Faith-Based and Other Neighborhood Organizations (RIN: 1290-AA29) received May 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

5497. A letter from the Director, HHS Center for Faith-based and Neighborhood Partnerships, Department of Health and Human Services, transmitting the Department's final rule — Federal Agency Final Regulations Implementing Executive Order 13559: Fundamental Principles and Policymaking Criteria for Partnerships With Faith-Based and Other Neighborhood Organizations (RIN: 0991-AB96) received May 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5498. A letter from the Regulatory Policy Officer, Center for Faith-Based and Community Initiatives, United States Agency for International Development, transmitting the Agency's final rule — Federal Agency Final Regulations Implementing Executive Order 13559: Fundamental Principles and Policymaking Criteria for Partnerships With Faith-Based and Other Neighborhood Organizations (RIN: 0412-AA75) received May 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

5499. A letter from the Acting Deputy Assistant Attorney General, Office of Legal Policy, Office of the Attorney General, Department of Justice, transmitting the Department's final rule — Federal Agency Final Regulations Implementing Executive Order 13559: Fundamental Principles and Policymaking Criteria for Partnerships With Faith-Based and Other Neighborhood Organizations [Docket No.: OAG 149; AG Order No.: 3649-2016] (RIN: 1105-AB45) received May 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

5500. A letter from the Director, Office of Regulation Policy and Management, Office of the General Counsel (02REG), Office of the Secretary, Department of Veterans Affairs, transmitting the Department's final rule — Federal Agency Final Regulations Implementing Executive Order 13559: Fundamental Principles and Policymaking Criteria for Partnerships With Faith-Based and Other Neighborhood Organizations (RIN: 2900-AP05) received May 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

5501. A letter from the Senior Advisor to the Officer for Civil Rights and Civil Liberties, Office of the Secretary, Department of Homeland Security, transmitting the Department's final rule — Federal Agency Final Regulations Implementing Executive Order 13559: Fundamental Principles and Policymaking Criteria for Partnerships With Faith-Based and Other Neighborhood Organizations [Docket No.: DHS-2006-0065] (RIN: 1601-AA40) received May 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Homeland Security.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GRAVES of Georgia: Committee on Appropriations. H.R. 5325. A bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes (Rept. 114–594). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLE: Committee on Rules. House Resolution 751. Resolution relating to consideration of the Senate amendment to the bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes (Rept. 114–595). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SAM JOHNSON of Texas (for himself and Mr. RENACCI):

H.R. 5320. A bill to restrict the inclusion of social security account numbers on documents sent by mail by the Social Security Administration, and for other purposes; to the Committee on Ways and Means.

By Mr. POE of Texas (for himself, Mr. CONYERS, Mr. FARENTHOLD, and Ms. LOFGREN):

H.R. 5321. A bill to prevent the proposed amendments to rule 41 of the Federal Rules of Criminal Procedure from taking effect; to the Committee on the Judiciary.

By Ms. VELÁZQUEZ (for herself, Mr. PIERLUISI, and Mr. SERRANO):

H.R. 5322. A bill to amend the Investment Company Act of 1940 to terminate an exemption for companies located in Puerto Rico, the Virgin Islands, and any other possession of the United States; to the Committee on Financial Services.

By Mr. MARINO (for himself and Ms. DELBENE):

H.R. 5323. A bill to amend title 18, United States Code, to safeguard data stored abroad, and for other purposes; to the Committee on the Judiciary.

By Mr. BRAT (for himself, Mr. CULBERSON, and Mr. MEADOWS):

H.R. 5324. A bill to amend the Internal Revenue Code of 1986 to expand the permissible use of health savings accounts to include health insurance payments and to increase the dollar limitation for contributions to health savings accounts, and for other purposes; to the Committee on Ways and Means.

By Ms. KUSTER (for herself and Mr. GIBSON):

H.R. 5326. A bill to provide funding for fiscal year 2017 for the Office of Public Participation; to the Committee on Energy and Commerce.

By Ms. KUSTER (for herself and Mr. MOONEY of West Virginia):

H.R. 5327. A bill to reauthorize and improve programs related to mental health and substance use disorders; to the Committee on Energy and Commerce.

By Mr. BOUSTANY:

H.R. 5328. A bill to amend title 5, United States Code, to require a general notice of proposed rule making for a major rule to include a cost-benefit analysis of the proposed rule, and for other purposes; to the Committee on the Judiciary.

By Mr. KELLY of Pennsylvania:

H.R. 5329. A bill to require the National Telecommunications and Information Administration to extend the IANA functions contract unless it certifies that the United States Government has secured sole ownership of the .gov and .mil top-level domains, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BEN RAY LUJÁN of New Mexico (for himself, Mrs. NAPOLITANO, Mr. LOEBSACK, Mr. MCNERNEY, Ms. CLARKE of New York, and Mr. HASTINGS):

H.R. 5330. A bill to provide for a report on best practices for peer-support specialist programs, to authorize grants for behavioral health paraprofessional training and education, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BEN RAY LUJÁN of New Mexico (for himself, Mr. KENNEDY, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mrs. NAPOLITANO, and Ms. CLARKE of New York):

H.R. 5331. A bill to amend title XIX of the Social Security Act to provide for behavioral health infrastructure improvements under the Medicaid program; to the Committee on Energy and Commerce.

By Mrs. NOEM (for herself, Ms. SCHAKOWSKY, Mr. ROYCE, and Mr. ENGEL):

H.R. 5332. A bill to ensure that the United States promotes the meaningful participation of women in mediation and negotiations processes seeking to prevent, mitigate, or resolve violent conflict; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POMPEO:

H.R. 5333. A bill to impose sanctions in relation to violations by Iran of the Geneva Convention (III) or the right under international law to conduct innocent passage, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. STEFANIK (for herself, Mr. COLLINS of New York, Mr. GIBSON, Mr. HANNA, Mr. KING of New York, Mr. KATKO, Mr. HIGGINS, Ms. MENG, Mr. GRIJALVA, Ms. BORDALLO, Mr. BENISHEK, Mr. THOMPSON of California, Mr. PAULSEN, Mr. DOLD, Mr. COSTELLO of Pennsylvania, and Mr. WALZ):

H.R. 5334. A bill to provide for the issuance of a semipostal to benefit programs that combat invasive species; to the Committee on Oversight and Government Reform, and in addition to the Committees on Natural Resources, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Iowa (for himself, Mr. LOEBSACK, Mrs. NOEM, Mr. KING of Iowa, Mr. PETERSON, Mr. EMMER of Minnesota, Mr. BLUM, Mr. LAHOOD, and Mr. SMITH of Nebraska):

H.R. 5335. A bill to amend the Internal Revenue Code of 1986 to expand certain exceptions to the private activity bond rules for first-time farmers, and for other purposes; to the Committee on Ways and Means.

By Mr. JONES:

H. Res. 748. A resolution expressing the sense of the House of Representatives that United States law firms should not represent Iran in any judicial proceeding or other capacity to assist efforts of Iran to avoid paying compensation to victims of Iran-sponsored terrorism; to the Committee on the Judiciary.

By Mr. DEUTCH (for himself, Mr. POSEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PERLMUTTER, Mr. MURPHY of Florida, and Mr. BROOKS of Alabama):

H. Res. 749. A resolution expressing support for the designation of May 25 as ''National Moonshot Day'' and recognizing the importance of conquering scientific challenges from medicine to space and beyond; to the Committee on Education and the Workforce.

By Mr. DEUTCH (for himself, Mr. BILIRAKIS, Mr. ISRAEL, Mr. KELLY of Pennsylvania, Mr. TED LIEU of California, Mr. KINZINGER of Illinois, Mr. JEFFRIES, Mr. ZELDIN, and Mrs. DAVIS of California):

H. Res. 750. A resolution urging the European Union to designate Hizballah in its entirety as a terrorist organization and increase pressure on it and its members; to the Committee on Foreign Affairs.

By Mr. HASTINGS (for himself, Mr. SHERMAN, Mr. CÁRDENAS, Mr. GRIJALVA, Ms. WILSON of Florida, Mr. DEUTCH, Mr. COHEN, Mr. BRADY of Pennsylvania, Ms. LEE, Mr. DEFAZIO, Ms. FRANKEL of Florida, Mr. POLIS, Mr. MEEKS, Ms. CLARK of Massachusetts, Mr. CARTWRIGHT, Mr. BUCHANAN, Mr. FATTAH, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MOORE, Mr. CLAY, Mr. MURPHY of Florida, Mr. KEATING, Mr. DONOVAN, Ms. BONAMICI, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CONNOLLY, Ms. NORTON, and Mr. SCOTT of Virginia):

H. Res. 752. A resolution condemning the Dog Meat Festival in Yulin, China, and urging China to end the dog meat trade; to the Committee on Foreign Affairs.

By Ms. KELLY of Illinois (for herself, Mr. JEFFRIES, Mr. RANGEL, Mr. THOMPSON of California, Mrs. LAWRENCE, Mrs. BEATTY, Mr. HASTINGS, Ms. LEE, Ms. DUCKWORTH, Mrs. WATSON COLEMAN, and Ms. FUDGE):

H. Res. 753. A resolution expressing support for the designation of June 2, 2016, as ''National Gun Violence Awareness Day'' and June 2016 as ''National Gun Violence Awareness Month''; to the Committee on the Judiciary.

By Ms. STEFANIK (for herself, Mr. COLLINS of New York, Mr. GIBSON, Mr. HANNA, Mr. KING of New York, Mr. KATKO, Mr. HIGGINS, Ms. MENG, Mr. GRIJALVA, Ms. BORDALLO, Mr. BENISHEK, Mr. THOMPSON of California, Mr. PAULSEN, Mr. DOLD, Mr. COSTELLO of Pennsylvania, and Mr. WALZ):

H. Res. 754. A resolution expressing the commitment of the House of Representatives to work to combat the nationwide problem of invasive species threatening native ecosystems; to the Committee on Natural Resources, and in addition to the Committees on Agriculture, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SAM JOHNSON of Texas:

H.R. 5320.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution to ''provide for the common defense and general welfare of the United States.''

By Mr. POE of Texas:

H.R. 5321.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Ms. VELÁZQUEZ:

H.R. 5322.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. MARINO:

H.R. 5323.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: ''To regulate Commerce with foreign Nations, and among

the several States and with the Indian Tribes.''

Article I, Section 8, Clause 18: ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers. . .''

By Mr. BRAT:

H.R. 5324.

Congress has the power to enact this legislation pursuant to the following:

The Sixteenth Amendment to the Constitution grants Congress ''power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.'' Left undefined in the amendment, the ''incomes'' appropriate for taxation must be determined through legislation passed by Congress. Congress therefore has the power to exclude from income taxation such sources as it deems appropriate.

By Mr. GRAVES of Georgia:

H.R. 5325.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . .'' In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: ''The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . .'' Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate finds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Ms. KUSTER:

H.R. 5326.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8—To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes

By Ms. KUSTER:

H.R. 5327.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. BOUSTANY:

H.R. 5328.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

To make all laws which shall be necessary and proper for carrying into the Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. KELLY of Pennsylvania:

H.R. 5329.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 5330.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 5331.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII

By Mrs. NOEM:

H.R. 5332.

Congress has the power to enact this legislation pursuant to the following:

Aricle I, Section 8

By Mr. POMPEO:

H.R. 5333.

Congress has the power to enact this legislation pursuant to the following:

Clauses 3 Article I, Section 8 of the U.S. Constitution

By Ms. STEFANIK:

H.R. 5334.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. YOUNG of Iowa:

H.R. 5335.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 27: Mr. DUNCAN of South Carolina.

H.R. 230: Ms. ROS-LEHTINEN.

H.R. 303: Ms. MENG.

H.R. 317: Mr. PERLMUTTER.

H.R. 347: Mrs. WAGNER.

H.R. 430: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 499: Mr. ZELDIN.

H.R. 581: Mrs. DINGELL.

H.R. 667: Mr. COSTELLO of Pennsylvania.

H.R. 711: Mr. DOLD and Mr. KILMER.

H.R. 816: Mr. DUNCAN of Tennessee.

H.R. 822: Ms. BROWNLEY of California.

H.R. 836: Mr. DONOVAN.

H.R. 863: Mr. MOOLENAAR.

H.R. 911: Mr. THOMPSON of California and Mrs. WATSON COLEMAN.

H.R. 923: Mr. WALKER.

H.R. 964: Mrs. CAROLYN B. MALONEY of New York.

H.R. 986: Mr. ISSA.

H.R. 1197: Mr. KILMER.

H.R. 1343: Mr. ABRAHAM.

H.R. 1347: Mr. BLUMENAUER.

H.R. 1427: Mr. BUTTERFIELD.

H.R. 1571: Mr. CROWLEY.

H.R. 1594: Mr. KNIGHT and Mr. COSTELLO of Pennsylvania.

H.R. 1688: Mr. GOSAR, Ms. GRAHAM, Mr. CARTWRIGHT, Mr. COHEN, and Mr. BOUSTANY.

H.R. 1713: Mr. RODNEY DAVIS of Illinois.

H.R. 1736: Mr. NOLAN.

H.R. 1877: Mr. HECK of Nevada.

H.R. 1943: Mrs. DAVIS of California.

H.R. 2058: Mr. SMITH of Nebraska.

H.R. 2096: Ms. KUSTER.

H.R. 2218: Mr. BOUSTANY.

H.R. 2264: Mr. AGUILAR.

H.R. 2290: Mr. MCCAUL and Mr. JODY B. HICE of Georgia.

H.R. 2315: Mr. GARRETT, Mr. FLEISCHMANN, and Mr. ASHFORD.

H.R. 2411: Mr. COHEN and Mr. CARTWRIGHT.

H.R. 2434: Mr. COHEN.

H.R. 2646: Ms. VELÁZQUEZ.

H.R. 2703: Mrs. CAROLYN B. MALONEY of New York.

H.R. 2739: Mr. GUTHRIE and Mr. KILMER.

H.R. 2889: Ms. VELÁZQUEZ, Mr. CONYERS, Mr. DEFAZIO, Mrs. WATSON COLEMAN, Mr. GUTIÉRREZ, and Mr. HIGGINS.

H.R. 2903: Mrs. ELLMERS of North Carolina, Mr. SHIMKUS, and Ms. MCSALLY.

H.R. 2938: Mr. CICILLINE.

H.R. 2992: Mr. COSTELLO of Pennsylvania, Mr. FITZPATRICK, Mr. GUINTA, Mr. LUCAS, Mr. CRAWFORD, Mr. NEUGEBAUER, Mr. GIBSON, Mr. POLIQUIN, Ms. TSONGAS, and Mr. NEAL.

H.R. 3084: Ms. ROS-LEHTINEN.

H.R. 3092: Mr. SARBANES.

H.R. 3137: Mr. JENKINS of West Virginia.

H.R. 3163: Mr. AGUILAR, Mr. VARGAS, Mr. LOWENTHAL, and Mr. SMITH of Washington.

H.R. 3229: Mr. BYRNE.

H.R. 3235: Ms. BROWNLEY of California.

H.R. 3316: Mr. CARTWRIGHT.

H.R. 3411: Mr. NORCROSS.

H.R. 3412: Ms. LORETTA SANCHEZ of California.

H.R. 3516: Mr. GIBSON and Mr. BARLETTA.

H.R. 3558: Mr. JOLLY.

H.R. 3656: Mr. DOGGETT.

H.R. 3687: Ms. CASTOR of Florida, Mr. FARR, and Mr. GIBBS.

H.R. 3706: Mr. CUMMINGS and Mr. CONNOLLY.

H.R. 3742: Mr. SMITH of Washington and Ms. MCSALLY.

H.R. 3929: Mr. MCDERMOTT, Mrs. CAROLYN B. MALONEY of New York, Mr. KELLY of Mississippi, Mr. HURD of Texas, and Mrs. NAPOLITANO.

H.R. 3957: Mr. MILLER of Florida.

H.R. 4013: Ms. JACKSON LEE.

H.R. 4055: Ms. LOFGREN.

H.R. 4062: Mr. PAULSEN.

H.R. 4137: Mr. SMITH of Washington.

H.R. 4141: Mr. BOUSTANY.

H.R. 4161: Ms. ROS-LEHTINEN.

H.R. 4166: Mr. CARNEY.

H.R. 4172: Mr. COHEN.

H.R. 4177: Ms. EDDIE BERNICE JOHNSON of Texas and Ms. DUCKWORTH.

H.R. 4247: Mr. ZINKE, Mr. STUTZMAN, Mr. DONOVAN, Ms. MCSALLY, Mr. HUIZENGA of Michigan, Ms. SINEMA, Mr. DEFAZIO, and Mr. BLUMENAUER.

H.R. 4333: Mr. ROGERS of Alabama, Mr. ROUZER, Mr. ROKITA, Ms. BROWN of Florida, Mr. SMITH of New Jersey, and Mrs. CAROLYN B. MALONEY of New York.

H.R. 4365: Mr. KILMER, Ms. BROWNLEY of California, Mr. DOLD, Mr. DONOVAN, Mr. WELCH and Mr. GUINTA.

H.R. 4386: Mr. HUFFMAN.

H.R. 4435: Mr. COURTNEY, Mr. RYAN of Ohio, Mr. THOMPSON of California, Mr. CLEAVER, Ms. TSONGAS, Mr. KEATING, Mr. ELLISON, and Mr. CAPUANO.

H.R. 4442: Mr. FORTENBERRY.

H.R. 4448: Mr. SESSIONS.

H.R. 4469: Mr. STUTZMAN and Mr. BARR.

H.R. 4514: Mr. BISHOP of Michigan, Mr. NADLER, Mr. LARSON of Connecticut, Mr. CARTWRIGHT, and Mr. GUINTA.

H.R. 4542: Mr. CARTWRIGHT.

H.R. 4592: Mr. LOEBSACK, Mr. FARR, Mr. AL GREEN of Texas, Ms. WASSERMAN SCHULTZ, Mr. VELA, Mr. MURPHY of Florida, Mr. NADLER, Mr. HINOJOSA, and Mr. DOGGETT.

H.R. 4616: Mr. SCHIFF and Ms. PINGREE.

H.R. 4620: Mr. NEUGEBAUER, Mr. HUIZENGA of Michigan, Mrs. WAGNER, and Mr. STIVERS.

H.R. 4626: Mr. GIBBS.

H.R. 4640: Mr. LEWIS.

H.R. 4681: Ms. PINGREE.

H.R. 4693: Mr. CARTWRIGHT.

H.R. 4715: Mr. ROE of Tennessee.

H.R. 4730: Mr. BRADY of Texas, Mr. BROOKS of Alabama, and Mr. MEADOWS.

H.R. 4764: Mrs. DAVIS of California, Mr. BISHOP of Utah, and Mr. HECK of Nevada.

H.R. 4768: Mr. CARTER of Georgia.
H.R. 4773: Mr. RIGELL, Mr. POLIQUIN, Mr. NEUGEBAUER, and Mr. BUCHANAN.
H.R. 4774: Mr. BUTTERFIELD.
H.R. 4796: Mr. NOLAN and Ms. LEE.
H.R. 4815: Mr. LANCE.
H.R. 4888: Mr. DESAULNIER, Mr. SMITH of Washington, and Ms. SLAUGHTER.
H.R. 4893: Mr. SMITH of Missouri, Mrs. ELLMERS of North Carolina, Mr. BYRNE, and Mr. CARTWRIGHT.
H.R. 4932: Ms. BROWNLEY of California.
H.R. 4956: Mr. BRADY of Texas and Mr. YODER.
H.R. 4979: Mr. GUINTA.
H.R. 5035: Mr. VALADAO.
H.R. 5044: Mr. BEN RAY LUJÁN of New Mexico, Mr. FOSTER, Mr. DANNY K. DAVIS of Illinois, Mr. DEUTCH, Ms. VELÁZQUEZ, Mrs. WATSON COLEMAN, Mr. CÁRDENAS, Mr. GALLEGO, Ms. ADAMS, and Miss RICE of New York.
H.R. 5073: Ms. PINGREE.
H.R. 5082: Mrs. ELLMERS of North Carolina.
H.R. 5085: Ms. NORTON, Mr. DANNY K. DAVIS of Illinois, Mrs. WATSON COLEMAN, Mr. BISHOP of Georgia, Ms. MOORE, Mrs. NAPOLITANO, Mr. GUTIÉRREZ, Ms. BROWN of Florida, Mr. ELLISON, Mr. RANGEL, Ms. BASS, Mr. BUTTERFIELD, Mr. HASTINGS, Mr. QUIGLEY, Mr. VEASEY, Mr. RICHMOND, Mr. CLEAVER, Mr. HINOJOSA, and Mr. CUMMINGS.
H.R. 5091: Mr. SENSENBRENNER, Mr. ASHFORD, and Mrs. WALORSKI.
H.R. 5094: Mr. FRELINGHUYSEN and Mr. CARTWRIGHT.
H.R. 5119: Mr. RATCLIFFE, Mr. OLSON, Mr. COSTELLO of Pennsylvania, Mr. MULVANEY, Mr. POSEY, Mr. CRAMER, and Mr. LANCE.
H.R. 5124: Mr. SERRANO and Mr. RANGEL.
H.R. 5143: Mr. WILLIAMS.
H.R. 5149: Ms. BROWNLEY of California.
H.R. 5190: Mrs. WALORSKI.
H.R. 5208: Mrs. COMSTOCK.
H.R. 5210: Mr. FORTENBERRY, Mr. SCHRADER, Mr. VISCLOSKY, Mr. WHITFIELD, and Ms. PINGREE.
H.R. 5213: Mr. NEUGEBAUER, Mr. FARENTHOLD, and Mr. SESSIONS.
H.R. 5214: Mr. HANNA.
H.R. 5216: Ms. LOFGREN.
H.R. 5224: Mr. KING of Iowa and Mr. SALMON.
H.R. 5234: Mr. TED LIEU of California.
H.R. 5240: Mr. TAKAI, Mr. BISHOP of Georgia, and Ms. KUSTER.
H.R. 5265: Mr. TAKANO and Mr. SMITH of Washington.
H.R. 5272: Ms. SLAUGHTER and Mr. POCAN.
H.R. 5275: Mr. MILLER of Florida, Mr. BYRNE, Mr. NEUGEBAUER, Mr. ROE of Tennessee, Mrs. BLACK, Mr. GIBBS, Mr. BARR, Mr. STUTZMAN, Mr. WALBERG, Mr. BARTON, Mr. LAMBORN, and Mr. CARTER of Texas.
H.R. 5292: Ms. MCCOLLUM, Mr. DANNY K. DAVIS of Illinois, Mr. DUNCAN of Tennessee, Ms. SINEMA, Mr. POE of Texas, Mr. AGUILAR, Mr. RYAN of Ohio, Mr. JEFFRIES, Mr. TAKAI, Mr. GRAVES of Missouri, Mr. MURPHY of Pennsylvania, and Mr. POSEY.
H.R. 5294: Mr. ADERHOLT, Mrs. BLACK, Mr. FARENTHOLD, Mr. OLSON, Mr. ROUZER, Mr. ABRAHAM, Mr. KING of Iowa, Mr. YOHO, and Mr. JODY B. HICE of Georgia.
H.R. 5307: Mr. PALAZZO.
H. Con. Res. 40: Mr. YARMUTH.
H. Con. Res. 114: Mr. POE of Texas.
H. Con. Res. 128: Mr. ROGERS of Alabama.
H. Res. 14: Mr. AL GREEN of Texas, Ms. SLAUGHTER, Mr. NEUGEBAUER, and Mr. REED.
H. Res. 94: Mr. DAVID SCOTT of Georgia and Mr. TAKANO.
H. Res. 230: Mr. SCHRADER.
H. Res. 494: Mr. ABRAHAM.
H. Res. 590: Ms. SINEMA.
H. Res. 650: Ms. CLARKE of New York.
H. Res. 660: Mr. SCHIFF, Mr. DESJARLAIS, and Mr. DONOVAN.
H. Res. 683: Mr. HASTINGS.
H. Res. 705: Mr. JEFFRIES, Ms. WASSERMAN SCHULTZ, Mr. VAN HOLLEN, and Mr. CARSON of Indiana.
H. Res. 717: Ms. TITUS.
H. Res. 746: Miss RICE of New York, Ms. BONAMICI, and Mr. ISRAEL.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 5055

OFFERED BY: MR. LOWENTHAL

AMENDMENT NO. 35: At the end of the bill (before the short title), insert the following:

SEC. ____ (a) None of the funds made available by this Act may be used in contravention of Executive Order No. 13547 of July 19, 2010.

(b) None of the funds made available by this Act may be used to implement, administer, or enforce section 506 of this Act.

H.R. 5055

OFFERED BY: MR. WALKER

AMENDMENT NO. 36: At the end of the bill (before the short title), insert the following:

SEC. ____. (a) The amounts otherwise made available by this Act for the following accounts of the Department of Energy are hereby reduced by the following amounts:

(1) ''Energy Efficiency and Renewable Energy'', $400,000.

(2) ''Nuclear Energy'', $25,455,000.

(3) ''Fossil Energy Research and Development'', $13,000,000.

(4) ''Strategic Petroleum Reserve'', $45,000,000.

(5) ''Non-Defense Environmental Cleanup'', $2,400,000.

(6) ''Science'', $49,800,000.

(7) ''Advanced Research Projects Agency-Energy'', $14,889,000.

(b) The amounts otherwise made available by this Act for the following accounts are hereby reduced by the following amounts:

H.R. 5055

OFFERED BY: MR. MCNERNEY

AMENDMENT NO. 37: At the end of the bill (before the short title), insert the following:

SEC. ____. No Federal funds under this Act may be used for a project with respect to which an investigation was initiated by the Inspector General of the Department of the Interior during calendar years 2015, 2016, or 2017.

H.R. 5055

OFFERED BY: MR. MCNERNEY

AMENDMENT NO. 38: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to issue Federal debt forgiveness or capital repayment forgiveness for any district or entity served by the Central Valley Project if the district or entity has been subject to an order from the Securities and Exchange Commission finding a violation of section 17(a)(2) of the Securities Act of 1933 (15 U.S.C. 77q(a)(2)).

H.R. 5055

OFFERED BY: MR. BRAT

AMENDMENT NO. 39: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to make or renew a loan guarantee under the Innovative Technology Loan Guarantee Program under title XVII of the Energy Policy Act of 2005 in excess of 50 percent of the project cost.

Amendment to H.R. 5055

OFFERED BY MR. BRAT

AMENDMENT NO. 40: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to make or renew a loan guarantee under the Innovative Technology Loan Guarantee Program under title XVII of the Energy Policy Act of 2005.

Amendment to H.R. 5055

OFFERED BY: MR. GARAMENDI

AMENDMENT NO. 41: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Bureau of Reclamation to issue a permit for California WaterFix or, with respect to California WaterFix, to provide for compliance under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) or section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536).

Amendment to H.R. 5055

OFFERED BY: MR. MULLIN

AMENDMENT NO. 42: At the end of the bill (before the short title), insert the following:

SEC. ____. Beginning on November 8, 2016, through January 20, 2017, none of the funds made available by this Act may be used to propose or finalize a regulatory action that is likely to result in a rule that may have an annual effect on the economy of $100,000,000 or more, as specified in section 3(f)(1) of Executive Order No. 12866 of September 30, 1993.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. TAMMY DUCKWORTH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Ms. DUCKWORTH. Mr. Speaker, on May 23, 2016, on Roll Call Number 229 on the Motion to Suspend the Rules and Pass, as Amended, H.R. 4889, Kelsey Smith Act, I am not recorded. Had I been present, I would have voted YEA on the Motion to Suspend the Rules and Pass, As Amended, H.R. 4889.

On May 23, 2016, on Roll Call Number 230 on the Motion to Suspend the Rules and Pass, as Amended, H.R. 3998, Securing Access to Networks in Disasters Act, I am not recorded. Had I been present, I would have voted YEA on the Motion to Suspend the Rules and Pass, as Amended, H.R. 3998.

TAIWANESE ELECTION AND INAUGURATION

HON. DINA TITUS

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Ms. TITUS. Mr. Speaker, as a longtime friend of Taiwan, I rise to congratulate the country's people on their recent presidential elections and President-elect Tsai Ing-wen on her victory. A respected leader in trade and national security, the country's first-ever female president, Tsai Ing-wen, is setting a great example for governments around the globe.

The people of Taiwan should be proud of their strong democratic institutions, freedom of expression, and open elections. This joint appreciation and application of democracy have brought our two countries together.

We have been fortunate to work hand-in-hand on many critical issues. One example is Congress' recent effort to expand the Visa Waiver Program so citizens of Taiwan and the United States can travel freely between both countries. These visits allow for increased economic cooperation between our governments, the exchange of ideas and culture, and the development of long-lasting relationships.

I am proud to represent a large and thriving Taiwanese-American population living in Las Vegas and my congressional district, where they have made valuable contributions to our culture, economy, and society.

Again, I send my best wishes to President-elect Tsai and the people of Taiwan as you celebrate her history-making inauguration and look forward to working with you all as we grow our democratic partnership. I hope you will visit us soon, either in Las Vegas or Washington, D.C.

HONORING BOB OPSAHL

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. WEBSTER of Florida. Mr. Speaker, it is my pleasure to recognize the service of Bob Opsahl, the early evening news anchor for Cox Media Group Orlando's Channel 9 Eyewitness News. After nearly 38 years of faithful work with the television station, Bob Opsahl will be retiring this week.

In 1978, Bob joined the WFTV Eyewitness News Team as a general assignment reporter, and began anchoring on the weekends in 1980. Since then, Bob Opsahl has become a familiar face as a trusted and consistent evening newscast anchor in Central Florida.

After serving four years in the U.S. Navy, Bob graduated from the University of Central Florida in 1976 with a major in Radio and Television Communications. Opsahl later received the Distinguished Alumnus Award from his alma mater, and has been widely recognized for his community involvement, specific attention to special needs children, and excellence in journalism and reporting.

Through the decades, Bob Opsahl covered many major events such as the Challenger and Columbia space shuttle tragedies, Hurricane Andrew's impact in South Florida, the inauguration of President George H.W. Bush, the 2000 Florida recount, and the Casey Anthony Trial. Bob Opsahl has been a reliable familiar and trusted news source, relaying it with clarity and heart. Bob will be missed in Central Florida.

HONORING WADE CLARK ROOF

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mrs. CAPPS. Mr. Speaker, I rise today in honor of Wade Clark Roof, who is retiring as the Director of the Walter H. Capps Center at the University of California at Santa Barbara.

Wade has had a distinguished career as a leader, educator, and colleague on California's central coast and exemplifies the qualities of a true academic. Wade graduated from Wofford University in 1961 magna cum laude and Phi Beta Kappa. Having formed an interest in theological studies and religion, Wade moved to New Haven, Connecticut where he studied at Yale University, receiving his Master of Divinity degree in 1964, before earning a Ph.D. in Sociology at the University of North Carolina in 1971.

Following the completion of his doctorate, Wade accepted a professorship at the University of Massachusetts, Amherst where he taught research methods for studying religion, religious pluralism, and religion and society. In 1989, Wade moved to the University of California at Santa Barbara (UCSB), where he was named the Rowny Professor of Religion and Society. He has been an irreplaceable part of the UCSB community ever since.

Wade is a gifted educator who constantly challenges his students to reflect on the changing roles of religion in society and analyze how changes in religion, faith, and spirituality have affected how we define ourselves as Americans. He is also a prolific author. Throughout his academic career Wade has produced many works of scholarship, including 17 books and edited collections, 88 journal articles and book chapters, and dozens of newspaper editorials. In addition, he has provided professional commentary for various media outlets including Time, Newsweek, New York Times, Washington Post, and the LA Times.

It is also important to note that Wade is a trusted colleague and friend, something I have experienced firsthand. Wade worked with my husband Walter in the Department of Religious Studies at UCSB. After Walter's passing, Wade raised $2 million in matching funds to establish the Walter H. Capps Center for the Study of Ethics, Religion, and Public Life at UCSB. Serving as the center's founding director from 2002 to 2016, Wade has demonstrated an unwavering commitment to the center's mission: ''the belief that public dialogue and an informed and engaged citizenry are vital to democratic society.'' He is a dear friend, and I am so grateful for his indispensable contributions to honor Walter's legacy through the Capps Center and their innovative programming.

Wade has announced his retirement and will be starting a new chapter. He can do so knowing that his work and influence have been immeasurable and will continue to have an effect on his students and the entire UCSB community for many years to come.

I am pleased to celebrate Wade's countless achievements and I would like to express my utmost gratitude for his service to his students and community. I wish him nothing but continued success in his retirement.

HONORING THE ALICE HIGH SCHOOL ACADEMIC DECATHLON TEAM

HON. FILEMON VELA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. VELA. Mr. Speaker, I rise today to recognize and congratulate the Alice, Texas High School Academic Decathlon Team for winning the state title. After countless hours of studying and preparation, their record-breaking performance demonstrates the remarkable talent and dedication of these bright students.

The Alice team is the first Title 1 school—one with a disproportionate number of students from low-income families—to win an Academic Decathlon at any level in Texas. They defeated 29 other qualifying schools to claim the state championship. After 14 consecutive regional titles won by Alice teams, this year's squad shattered the previous 5A state record by scoring 50,292 points in the competition. Alice High School is one of only eight institutions to score above 50,000 points in the 30-year history of the Texas Academic Decathlon.

I also want to recognize the coaches, teachers, parents, school administrators, and everyone who has helped in developing the minds of these champions. Their support, and that of other role models, has contributed greatly to the past decade and a half of success at Alice High School.

Success in Academic Decathlon competitions requires levels of commitment and preparation that go well beyond what is asked of a typical high schooler. Each round consists of ten events, including a seven-minute interview, an essay, two speeches, and comprehensive written exams in subjects from music to literature to economics. Not only did these Alice students outperform the competition, they did so with fewer resources and advantages than many of their opponents.

I commend these students for studying many hours each week to prepare for the State Academic Decathlon competition, and for bringing home the top prize. The future could hardly be brighter for each of them. I rise today to share my congratulations and applaud their efforts.

CELEBRATING THE 125TH ANNIVERSARY OF BETHANY UNITED CHURCH OF CHRIST

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. DENT. Mr. Speaker, it is an honor and a privilege to bring to the House's attention the 125th Anniversary of the Bethany United Church of Christ located in Bethlehem, Pennsylvania, and to offer congratulations to the congregation.

Bethany UCC, located at the corner of 5th Avenue and West Market Street in Bethlehem, was originally founded in order to provide a conveniently located place of worship for the western portion of Bethlehem that would help alleviate the over-crowding at the First Reformed Church of Christ in the City.

One hundred twenty five years later, Bethany UCC continues to thrive with an engaged congregation who immerse themselves in their community to aid and enrich the lives of others through service, fellowship, and music.

My heartfelt congratulations are extended to the members of the Bethany United Church of Christ on this 125th Anniversary. I believe I speak on behalf of the community when I thank them for their efforts on behalf of the people of the Lehigh Valley.

Mr. Speaker, I ask the House to join me in offering well wishes and congratulations to the men and women of Bethlehem's Bethany United Church of Christ. May the next 125 years foster additional congregational growth and provide further opportunities for continued service and fellowship within the Bethlehem community.

IN RECOGNITION OF HELENE M. WHITAKER FOR THIRTY-ONE YEARS OF SERVICE TO NORTHAMPTON COMMUNITY COLLEGE

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Helene M. Whitaker, vice president for administrative affairs at Northampton Community College, where she is responsible for government relations, planning, institutional research, human resources, and labor relations.

Few people have had as significant an impact on Northampton's outreach to students and the community as Helene. She has worked with state legislators from the Lehigh Valley to support the conversion of the former Bethlehem Steel plant offices into the Fowler Family Southside Center—a hub of education and workforce development to which tens of thousands of people flock each year. She also was instrumental in garnering public funding critical to the construction of a new campus to serve citizens of Monroe County.

Highly respected both on campus and off, she is the recipient of numerous awards, including the Athena Award presented by the Bethlehem Chamber of Commerce, the Outstanding Woman of the Year Award presented by the Bethlehem YWCA, the Women's Leadership Award presented by the Allentown YWCA, the Woman of Distinction Award presented by the Great Valley Girl Scouts, the Courageous Woman of the Year Award presented by Lehigh Valley Hospital, the Alumnae Award and Associates Award from Cedar Crest College, and the Pennsylvanians with Disabilities Award. She was named a ''Mover and Shaper'' by Lehigh Valley Magazine and an honorary alumna by the NCC Alumni Association. Last, but certainly not least, she was a national finalist in the White House Fellows Program.

Her commitment to improving the quality of life in the community is reflected in her current or past service on the Lehigh Valley Planning Commission, the City of Bethlehem Zoning Board, and the boards of ArtsQuest, Musikfest, the Banana Factory, the Fine Arts Commission, the Northampton County Development Corporation, the Northampton County Open Space Advisory Board, Cedar Crest College, Northampton County United Way, Turning Point of the Lehigh Valley, and the former Allentown State Hospital.

Helene earned a master's in public administration at Lehigh University, a master of arts in government at Villanova University, and a bachelor of arts at Cedar Crest College. Prior to joining the staff at Northampton Community College in 1985, she was a community and government affairs representative in the public affairs department at Bethlehem Steel Corporation. I wish her well in her retirement—it is certainly well-earned.

IN HONOR OF ALL AMERICAN WEEK AT FORT BRAGG

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. HUDSON. Mr. Speaker, I rise today in honor of All American Week at Fort Bragg, the epicenter of the universe. This week recognizes the 82nd Airborne Division stationed at Fort Bragg which will be celebrating their 99th Anniversary this summer.

To kick off the week, more than 15,000 paratroopers participated in a four mile run led by Maj. Gen. Richard D. Clarke, who is the 82nd Airborne Division's commanding general. They were joined by dozens of veterans who cheered on the participants from the sidelines. This year's event was particularly special because of the large number of paratroopers who were able to attend. However, we remember and celebrate the approximately 3,000 paratroopers that are currently deployed around the world and were unable to participate.

During All American Week, paratroopers and veterans will be joined by their loved ones in a week full of events that celebrate the rich history and legacy of the 82nd Airborne Division; ranging from picnics and reunions to a memorial ceremony remembering those who have made the ultimate sacrifice for their country.

Our men and women in uniform reflect the best our nation has to offer and events like these are an important way to honor their commitment. The paratroopers of the 82nd Airborne Division are the tip of the spear and maintain a constant state of readiness, able to be deployed in a moment's notice to defend our nation. I am eternally grateful for the sacrifice of these brave patriots and am honored to serve them in Congress.

Mr. Speaker, please join me today in celebrating All American Week at Fort Bragg honoring the 82nd Airborne Division.

OPIOID BILLS PACKAGE

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. VAN HOLLEN. Mr. Speaker, I rise in support of the package of opioid bills considered by the House this week, which is a comprehensive approach that aims to address the country's opioid crisis.

America is experiencing an opioid addiction epidemic that is striking people of all incomes, races, and backgrounds. Every day, 78 Americans die from an opioid overdose—this is unacceptable. The urgency of this public health

epidemic is clear and this legislation is an important first step to addressing this crisis.

This package includes a number of important measures, including a provision to expand the availability of nalaxone and other overdose reversal drugs. It also encourages criminal justice agencies to integrate and sustain Medication-Assisted Treatment (MAT) programs. Another notable provision creates an inter-agency task force that encourages collaboration among the many agencies that come in contact with addicts—pertaining to criminal justice, mental health, substance abuse, and veteran affairs—and promotes a holistic approach to dealing with the crisis.

While the package includes these important bipartisan provisions, I am deeply concerned that Congressional Republicans refused to allow a vote on a provision to provide the resources necessary to support this new strategy. Congressman JOE COURTNEY offered an amendment to provide an additional $600 million, which is also the President's request, in emergency funds. Sadly, it was rejected by all voting House Republicans from being considered on the floor. The funding would provide necessary resources to meaningfully address the increasing tragedy of this crisis. Our states and districts urgently need funding now.

Despite these shortcomings, I support this legislation as a step in the right direction. In the coming weeks, I urge Republicans to work on a bipartisan basis to provide the emergency funding necessary to fully confront this crisis.

WELCOMING JUSTIN McELWEE TO THE HOUSE OF REPRESENTATIVES

HON. DANIEL T. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. KILDEE. Mr. Speaker, I ask the United States House of Representatives to join me in welcoming my constituent, Mr. Justin McElwee, to Congressional Foster Youth Shadow Day.

Today, I am honored to be joined by Justin McElwee, who is shadowing me as part of the 2016 Congressional Foster Youth Day. Throughout his time with me, I have had the opportunity to learn more about Justin and he has had the opportunity to learn more about my work in Congress.

Justin is a remarkable young man who has dedicated himself to the work of fighting for a better future for young individuals in poverty and those in foster care. Justin is studying international relations with the hope of working with international organizations who battle for the downtrodden in the United States and around the world. Justin's commitment to serve his fellow man, especially young individuals like himself, is commendable. I am honored to have had the opportunity to meet such a remarkable young individual. Justin is living proof that the circumstances of youth can be used to help shape a brilliant future.

Foster Youth Shadow Day, launched in 2011, provides Members of Congress the opportunity to meet foster youth in order to discuss and develop policy recommendations to strengthen the child welfare system and improve the overall well-being of youth and families throughout the United States. It has been an honor to take part in this program.

Therefore, Mr. Speaker, I applaud Mr. Justin McElwee for his dedication to serve those in his community and commitment to helping young individuals like him to build a bright future.

PEARLAND ISD EMPLOYEES OF THE YEAR

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate the following Principals of Pearland Independent School District for being named Employee of the Year.

Each school year, principals, teachers and staff members are recognized by the school district with various awards as a reflection of their hard work and dedication to their students and the school as a whole. This year five employees were awarded with the title ''Employee of the Year'': Cindy Brown from the Education Support Center, Sharon Harper from the Food Service, Charlie Saenz from Maintenance, Laura Aguilar from Operations, and Abel Garza from Transportation. These employees go above and beyond to support the students and faculty in Pearland and we thank them for their exceptional service.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to these dedicated Pearland ISD staff members for being named Employees of the Year. We thank them for all that they do.

IN HONOR OF AMBASSADOR F. HADYN WILLIAMS

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Ms. KAPTUR. Mr. Speaker, I rise today in honor of my dear friends of the WWII Memorial.

It is with deepest sympathy I am unable to attend the Celebration of Life Ceremony to honor Ambassador Hadyn Williams, a champion of liberty's legacy. With this regret, I send a few words to remember Ambassador Williams and all he did to create the centerpiece Memorial, which preserves rightful attention to the greatest generation.

Ambassador F. Hadyn Williams had a long and distinguished career in international development, diplomacy and public service, one that demonstrated a lifetime of integrity and a duty to country, which left a lasting legacy for future generations.

I had the honor to work closely with Ambassador Williams. Together, we along with other great champions implemented the idea of honoring the 16 million brave and dedicated men and women who served in World War II—over 400,000 of whom never came home to their loved ones—with a glorious memorial on the National Mall—America's front yard—between the Lincoln Memorial and the Washington Monument. The five million people who visit the World War II Memorial every year owe a small debt of gratitude for Ambassador Williams' role in this tribute.

Ambassador Williams had a remarkable lifetime of achievements—with service in World War II; in academia at the University of California, Berkeley and Tufts University, as a student and then as a professor and administrator; as a public servant, serving as a deputy assistant secretary in the Defense Department under both Presidents Eisenhower and Kennedy; as a diplomat as the longest-serving President of the Asia Foundation; and as Chairman of the American Battle Monuments Commission's World War II Memorial Committee.

Ambassador Williams will be remembered for his service and devotion to others, his vision, his commitment, and his contribution to honor our World War II veterans and to preserve this lasting memory.

Ambassador Williams' memory will live on through the fruits of his achievements.

HONORING TERESA LEAL

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. GRIJALVA. Mr. Speaker, I rise today to honor the life and memory of Teresa Leal, a passionate historian and activist and curator of the Pimeria Alta Historical Society Museum. Teresa passed away on May 1, 2016 in Nogales, Arizona at the place dearest to her, the museum at which she proudly worked for over 20 years.

Teresa's roots are every bit as eclectic as our nation as a whole, with lineage tracing back to Mexican, Chinese and Opata native ancestors. Born in Navojoa, Sonora, she was raised in Tucson, Arizona, and attended Catalina High School. Teresa was only sixteen years old when she joined the United Farm Workers to educate female cotton workers on the risks they faced at their jobs. As a young girl, her mother, Isabel Leal, was a chef to the United States Ambassador to the court of St. James in Great Britain, Lewis Douglas, who later became Teresa's friend and mentor. Growing up, Teresa was fortunate to meet important figures in the reconstruction of the post-World War II world like John McCloy, the postwar High Commissioner of Germany. After graduation she enrolled at the University of San Carlos in Guatemala where she studied social anthropology. Teresa later came back to Nogales, Sonora where she spent the rest of her life.

In 1986, Teresa founded the women's group known as Proyecto Comadres, where she addressed labor, environmental, and civil rights issues concerning women who labored at the ''maquiladoras'' in Nogales, Sonora. As the group's membership grew they expanded their efforts to include women who faced domestic violence and economic or family struggles. At

the same time she served as a substitute teacher in Mexico. Teresa also worked with the Binational Health Council to examine health issues affecting both sides of the Nogales border, as well as the nongovernmental organization Gente de l'itoi in Sonora, where she trained indigenous women as health educators throughout the Yaqui, Seri and Tohono tribes. Teresa was the grantee recipient from the Southwest Network for Environmental and Economic Justice and also a member of the National Advisory Council for the North American Commission for Environmental Cooperation.

Teresa was also a freelance journalist, working with La Voz Del Norte newspaper in Sonora from 1984–1989 and the Nogales International Newspaper, among several other publications. Teresa ended her career as the curator of Pimeria Alta Historical Society Museum, where family, friends, and colleagues remembered her as a selfless person committed to keeping local history alive.

Southern Arizona and the borderlands will miss Teresa Leal's passion, sense of justice, and love of her community. Teresa leaves a living legacy of leadership, empowerment, and a commitment to social and economic justice. This legacy will continue to make all of us better and our community a better place.

HONORING RAY SCARPELLI & RAY CHEVROLET

HON. ROBERT J. DOLD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. DOLD. Mr. Speaker, I rise today to honor Ray Chevrolet and their President, Ray Scarpelli, who are celebrating their 25th Anniversary of doing business in Fox Lake.

Starting with a small inventory of cars in 1991, Ray Chevrolet now has over 130 employees and is one of the top-selling auto dealerships in Illinois. They have won numerous customer service awards, including the 2016 Customer Satisfaction Award from DealerRater, a dealer review website.

Part of the success of their business has been the dealership's commitment to give back to the community. Each year, Ray Chevrolet partners with the USO of Illinois to put on a BBQ for the Troops event to thank our local service members and their families. I am proud to have been able to join Ray and his team for this program. Since 1991, they have also been supporting area high schools and new drivers by donating cars to their driver's education departments.

Ray has attributed Ray Chevrolet's success to their dedication to treating customers with respect, ''the way you'd like to be treated.'' Their 25 years in business proves what small business owners across the 10th Congressional District of Illinois know to be true: customers stay loyal when you treat them with respect.

Mr. Speaker, I offer my sincere thanks to Ray, and the Ray Chevrolet team, for all they do for our local economy and our community.

IN HONOR OF LANCE CORPORAL RICHARD PEREZ

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. GENE GREEN of Texas. Mr. Speaker, I rise to honor an American hero, Lance Corporal Richard G. Perez.

Lance Corporal Richard G. Perez, a constituent of the 29th District recently passed away on April 29th, 2016. I have had the pleasure of knowing Mr. Perez for many years now and am familiar with his courageous actions during the Vietnam War.

On the afternoon of February 7, 1967 Lance Corporal Perez's patrol was suddenly attacked by approximately 30 Viet Cong using grenades and small arms fire.

During the attack, Lance Corporal Perez took extraordinarily courageous action to stop the enemy threat against the left flank where he received several abdominal gunshot wounds. Despite his wounds he continued to fight on and encouraged his fellow marines to stop the attack.

His heroic actions on that day were an inspiration to all who observed him and were in keeping with the highest traditions of the United States Marine Corps and United States Naval Service.

Lance Corporal Perez was awarded the Bronze Star for his actions on that day.

I offer my condolences to the family and friends of Richard Perez, his wife of 43 years Betty Jean Perez, his children Richard Jr., Carolina and Eloy and I offer the thanks of a grateful nation.

IN RECOGNITION OF THE IMPORTANCE OF BUILDING ENERGY CODES AND ENERGY EFFICIENCY

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. LIPINSKI. Mr. Speaker, I rise today to highlight the importance of building energy codes. As a member of the High Performance Building Caucus, I recognize the need to pursue cost effective means to promote energy efficiency.

American homes and commercial buildings consume 71 percent of our nation's electricity, 54 percent of its natural gas, and 42 percent of all its energy. The model residential and commercial building energy codes developed by the International Code Council and ASHRAE, the American Society of Heating, Refrigerating, and Air-Conditioning Engineers, have the potential to benefit both consumers and the environment. The Department of Energy's Building Energy Codes Program participates in this process by researching, further developing, and implementing these codes. A study of this program by the Pacific Northwest National Laboratory found that model energy codes saved consumers roughly $44 billion and cut greenhouse gas emissions by nearly 3.9 billion metric tons over the past 20 years. In addition, the energy efficiency gained by updating building energy codes stands to stabilize the U.S. demand for electricity and decrease the need to construct more power plants.

The economic and environmental benefits of model building codes are also appreciated by homebuyers. According to a 2013 survey conducted by the National Association of Home Builders, 9 out of 10 Americans will pay 2 to 3 percent more for a new home with energy efficient features. Homeowners understand that having an energy efficient home reduces monthly utility bills and provides long-lasting savings. Additionally, many homebuyers are aware that energy efficient features make their homes quieter and more comfortable, while also raising their resale values.

Mr. Speaker, it is clear from all of the benefits gained from building energy codes that we should continue to support upgrading model codes, adopting the codes in state and local jurisdictions, and improving compliance. This will save Americans money, contribute to our nation's energy security, and help protect our environment.

IN RECOGNITION OF THE 150TH ANNIVERSARY OF NEPTUNE HOSE COMPANY NO. 1

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. PALLONE. Mr. Speaker, I rise today to congratulate the Long Branch Fire Department's Neptune Hose Company No. 1 on the 150th anniversary of its founding. Neptune Hose Company No. 1 continues to live up to its motto ''Semper Paratus'' (''Always Ready'') to ensure the safety of Long Branch residents and its dedication is truly deserving of this body's recognition.

The first organized fire company in Monmouth County, Neptune Hose Company No. 1, originally known as the Neptune Hook and Ladder Company No. 1, was founded by Dr. James O. Green in 1866. The name was changed in September 1877 to reflect Long Branch's new public water system and fire hydrants. Initially maintained by share and stock holders, the company chartered as Neptune Hose Company No. 1 on November 10, 1877. Over the years, the company was housed at different locations, finally settling at its current property in January 1906. It underwent renovations from 1974 until 1975 to update and expand the structure and again in 2007 to repair and restore the second floor.

Neptune Hose Company No. 1 was one of the three fire companies, along with Oceanic Fire Engine Company No. 1 and the Atlantic Fire Engine and Hook and Ladder Company No. 2, to organize the Long Branch Fire Department on November 2, 1878. Since the inception of the department, sixteen members of Neptune Hose Company No. 1 have served as Chief.

Mr. Speaker, I sincerely hope my colleagues will join me in recognizing the 150th anniversary of Neptune Hose Company No. 1 and thanking its members for upholding the duty to serve and protect the community.

GORDON CENTRAL MARCHING BAND

HON. TOM GRAVES

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. GRAVES of Georgia. Mr. Speaker, I rise today to recognize the Gordon Central High School Blue Wave Marching Band on being selected to perform in the 2016 National Memorial Day Parade.

The Blue Wave Marching Band was established in 1985 and has a long tradition of superior performances which have taken them all across our great country.

This year the Blue Wave Band will be marching in honor of Lance Corporal Cody Kristopher Warren, a saxophone player and drum major for the Blue Wave Band who joined the Marines upon graduation.

In 2006, Cody made the ultimate sacrifice for his country while serving in Iraq.

I am proud and excited that the Blue Wave Marching Band is performing in his honor in this year's National Memorial Day Parade.

I wish them the best of luck as they bring a piece of Georgia to our nation's capital.

RECOGNIZING ST. PAUL'S UNITED METHODIST CHURCH'S 50TH ANNIVERSARY

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize the 50th anniversary of St. Paul's United Methodist Church.

St. Paul's United Methodist Church is celebrating 50 years of faithful service to the people of the Central Bucks County and Warrington area. Congratulations. This is a milestone for a church that has at its heart, faith and spirituality and a mission to fulfill the needs of all congregants. Devoted church leaders and pastors have overseen this spiritual task throughout St. Paul's 50-year history and continue on this same path, today. Since 1966, the church has grown to include more than one generation of faithful Christian families who care about each other and their neighbors. And for your 50 years of spiritual guidance, we extend our heartiest congratulations on this Golden Jubilee with sincere wishes for continued growth and service in the coming years.

PEARLAND ISD PARAPROFESSIONALS OF THE YEAR

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate the following paraprofessionals of Pearland Independent School District for being named Paraprofessionals of the Year.

Each school year, principals, teachers and staff members are recognized by the school district with various awards as a reflection of their hard work and dedication to their students and the school as a whole. This year 23 paraprofessionals were awarded with the title ''Paraprofessionals of the Year'': Tara Randall from Carleston Elementary, Julie Putnam from Challenger Elementary, Sharleen Escobar from Cockrell Elementary, Jacob Chavarria from C.J. Harris Elementary, Laura Lemmon from Lawhon Elementary, Sherry Schluntz from Magnolia Elementary, Tara Pitre from Massey Ranch Elementary, Suzan Kimball from Rustic Oak Elementary, Kim Phillips from Shadycrest Elementary, Lawonza Hampton from Silvercrest Elementary, Mindy Bitner from Silverlake Elementary, Christine Coleman from Alexander Middle School, Kenneth Martin II from Jamison Middle School, Reginald Mitchell from Rogers Middle School, Aurelia Montes from Sablatura Middle School, Deborah Cooks from Berry Miller Junior High, Beth Powell from Pearland Junior High East, Armando Torres from Pearland Junior High South, Maria Salais from Pearland Junior High West, Rebecca Moreno from Dawson High School, April Shecterle from Pearland High School, Jure Mejia from Turner College and Career High School, and Maria Fogarty from the PACE Center. These paraprofessionals go above and beyond to inspire their students and create a supportive educational environment. We are grateful for their commitment to education and providing a safe, inspirational learning environment for our students.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to these dedicated Pearland paraprofessionals for being named Paraprofessionals of the Year. We thank them for all that they do.

INTRODUCING A RESOLUTION CONDEMNING THE DOG MEAT FESTIVAL IN YULIN, GUANGXI ZHUANG AUTONOMOUS REGION, CHINA, AND URGING THE CHINESE GOVERNMENT TO END THE DOG MEAT TRADE

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. HASTINGS. Mr. Speaker, I rise today to introduce a very important resolution condemning the dog meat festival in Yulin, Guangxi Zhuang Autonomous Region, China, and urging the Chinese Government to end their dog meat trade.

The Dog Meat Festival begins on June 21st. More than 10,000 dogs are reported to be captured, transported in cages under horrific conditions, and slaughtered every year for this Dog Meat festival, for human consumption, which poses a risk to human health by exposing people to a multitude of diseases, including rabies and cholera. In addition, more than 10 million dogs are killed annually in China for the dog meat trade. This festival epitomizes the cruelty of the industry. Many of these dogs are stolen from their owners and are still wearing their collars when they reach the slaughterhouses. Many die during transport to the slaughterhouses after days or weeks without food or water, and others suffer illness and injury during transport, such as broken bones.

The festival takes place in residential areas and public marketplaces, imposing scenes of extreme animal cruelty on local residents, including young children who may, as a result, suffer psychological trauma and desensitization. It is a spectacle of extreme animal cruelty for commercial purposes. This practice, in my opinion, is completely unacceptable, and can be stopped by the diligent efforts of members of the Chinese government.

Tens of millions of people around the world have called upon the Government of China, the Governor of the Guangxi Autonomous Region, and the Mayor of Yulin to officially end the Dog Meat Festival and stop the mass slaughter of dogs all year round in Yulin. In addition, it is often wrongly assumed to be a Chinese tradition, however, the majority of people in China do not consume dog meat and dog meat is not a part of mainstream Chinese culinary practice. Millions of Chinese citizens recently voted in support of a legislative proposal by Zhen Xiaohe, a deputy to the National People's Congress of China, to ban the dog meat trade. Alongside these voices, I have already written a letter to the Chairman of the National People's Congress Standing Committee urging him to draft legislation to prohibit this festival from taking place ever again.

Mr. Speaker, I urge my colleagues to support this resolution, and sincerely hope that the House Republican Leadership will bring this critically important measure to the floor without delay.

LIVING IN A WORLD OF MAKE BELIEVE

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. POE of Texas. Mr. Speaker, the VA is not the ''Happiest Place on Earth.'' It is not Disneyland, and our veterans are not living in a world of make-believe. Secretary McDonald should be ashamed of himself for belittling our veterans. Dying in line waiting for medical services is not the same as waiting for Mickey Mouse.

Disneyland wait times are a matter of hours—not months. Reports find that nearly half of vets never see a doctor because of failure of VA staff to schedule an appointment. The VA owes our veterans an apology. Veterans should be allowed to get vouchers for private physicians.

Next week we observe Memorial Day—honoring our warriors who died for America. We also will honor those who fought in faraway-distant lands just to come home and be a casualty of the VA's incompetence.

Secretary McDonald should be replaced with someone who respects America's heroes and ensures that no one else dies in line waiting for care at the fault of the VA.

And that's just the way it is.

PHELAN RESIDENT NATHANIEL STOCKS RECEIVES AWARD FOR BRAVERY

HON. PAUL COOK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. COOK. Mr. Speaker, I rise today to recognize Nathaniel Stocks of Phelan, California. On Friday, May 13, 2016, Nathaniel was awarded the "Hope and Courage Award" from the Fire & Burn Foundation.

Nathaniel was selected to receive this award because of his heroic actions during the early morning hours of November 7, 2015. A fire started in his bedroom and awoke five-year-old Nathaniel from his sleep. Fearing for the safety of his grandmother, young Nathaniel crawled below the smoke to her bedroom and alerted her. Both Nathaniel and his grandmother escaped from the home without injury.

The San Bernardino County Fire Department also deserves recognition for their role during this incident. Just two days prior to the fire, Nathaniel attended a school tour of County Fire Station 10 where the students were given fire safety lessons. Without a doubt, the firefighters at Station 10 gave Nathaniel the knowledge and skills necessary to ensure this positive outcome.

I would like to congratulate Nathaniel Stocks for this momentous achievement. It is an honor to represent you in the United States House of Representatives.

HONORING ROBERT AND ELLEN MULFORD

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. MESSER. Mr. Speaker, I rise today to recognize Robert & Ellen Mulford of Versailles, Indiana, and celebrate the 30th anniversary of the Conservation Reserve Program (CRP).

Dr. Robert and Ellen Mulford have enrolled over 238 acres into six different CRP practices that focused on wildlife habitat and environmental preservation by creating wetlands and planting trees.

CRP is an important program that helps preserve wild life habitats by reducing soil erosion and encouraging the planting of native species that will improve environmental quality. In five years, with the help of CRP, Robert and Ellen Mulford have been able to completely change the landscape of their farm. The Mulfords plan to continue to showcase and improve the Capability Farm as a commitment to nature and hope to share it in as many different ways as possible.

As the CRP marks this important milestone, I ask the entire 6th Congressional District to join me in congratulating Robert & Ellen Mulford. We can all appreciate and learn from their deep commitment to the environment and their community.

HONORING THE LIFE OF SHERIFF J.B. ROBERTS

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. HUDSON. Mr. Speaker, I rise today to honor the life and legacy of Sheriff J.B. Roberts who served the people of Cabarrus County, North Carolina from 1956 to 1982. He passed away on Monday, May 9, 2016 after complications from an injury he sustained while working on the family farm. We send our prayers and sincerest condolences to his entire family as they celebrate the life of this extraordinary man.

Except for his time at Mars Hill College and a stint in the Navy during WWII, Sheriff Roberts spent his entire life living and working on his farm in Midland, NC. During the war, he served his nation on the U.S.S. *Yorktown* as a trainer on one of the ship's five-inch guns. Roberts' service took him to several major engagements in the Pacific theater including the Battle of Coral Sea and the Battle of Midway where he spent several hours in the water before his rescue when the *Yorktown* was sunk.

As Sheriff of Cabarrus County, Roberts earned the respect of everyone he worked with. Never one to sweat the little things, he was known as a selfless, humble, and incredibly hardworking man. He continued to serve as a mentor and role model for the next generation of public servants even after his retirement. Almost everyone that knew Sheriff Roberts could share a story of how he impacted their life in one way or another. You would be hard pressed to find a man who was more admired by the people he served than Sheriff Roberts.

Mr. Speaker, please join me today in commemorating the life of Sheriff J.B. Roberts for his service to God, country and his community.

PEARLAND ISD CAMPUS GLENDA DAWSON FIRST-YEAR TEACHERS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate the following teachers of Pearland Independent School District for being named Campus Glenda Dawson Teachers of the Year.

Each school year, principals, teachers and staff members are recognized by the school district with various awards as a reflection of their hard work and dedication to their students and the school as a whole. This year 20 teachers were awarded with the title "Campus Glenda Dawson Teachers of the Year": Elandrea McMillan from Carleston Elementary, Caitlin Walsh from Challenger Elementary, Page Madison from Cockrell Elementary, Holly Martinez from C.J. Harris Elementary, KellyAnn Walker from Lawhon Elementary, Joanna Kelley from Magnolia Elementary, Amanda Delgado from Massey Ranch Elementary, Jennifer Rayner from Shadycrest Elementary, Laura Kesseler from Silvercrest Elementary, Amy Klepper from Silverlake Elementary, Brittany Suarez from Alexander Middle School, Charlotte Raggette from Rogers Middle School, Jessica Stone from Sablatura Middle School, Carl Coleman from Berry Miller Junior High, Jennifer Crutcher from Pearland Junior High East, Katie Bruno from Pearland Junior High South, John Aleman from Pearland Junior High West, Daniel Nava from Dawson High School, Brittany Doyle from Pearland High School, and John D. Robinson from Turner College and Career High School. These teachers go above and beyond to inspire their students and create a supportive educational environment. We are grateful for their commitment to education and providing a safe, inspirational learning environment for our students.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to these dedicated Pearland teachers for being named Campus Glenda Dawson Teachers of the Year. We thank them for all that they do.

PERSONAL EXPLANATION

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Ms. GRANGER. Mr. Speaker, on Roll Call No. 235, had I been present, I would have voted Yea.

On Roll Call No. 237, had I been present, I would have voted Aye.

On Roll Call No. 238, had I been present, I would have voted Yea.

WELCOMING JAMESHIA SHEPHERD TO THE HOUSE OF REPRESENTATIVES

HON. DANIEL T. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. KILDEE. Mr. Speaker, I ask the United States House of Representatives to join me in welcoming my constituent, Ms. Jameshia Shepherd, to Congressional Foster Youth Shadow Day.

Today, I am honored to be joined by Jameshia Shepherd, who is shadowing me as part of the 2016 Congressional Foster Youth Day. Throughout her time with me, I have had the opportunity to learn more about Jameshia and she has had the opportunity to learn more about my work in Congress.

Jameshia is a remarkable young woman who has dedicated herself to help enrich the lives of those who, like her, have grown up in the foster care system. Like me, Jameshia is studying social work. She hopes to pursue her law degree with the intention of eventually working with juvenile delinquent youth. Using her experiences as a template for a brighter future, Jameshia has shown a great dedication to her fellow community members. I am confident that her passion to impact young lives

will prove to be a determining factor in the futures of young individuals like her. Her commitment is commendable, and I am honored to have had the opportunity to meet her.

Foster Youth Shadow Day, launched in 2011, provides Members of Congress the opportunity to meet foster youth in order to discuss and develop policy recommendations to strengthen the child welfare system and improve the overall well-being of youth and families throughout the United States. It has been an honor to take part in this program.

Therefore, Mr. Speaker, I applaud Ms. Jameshia Shepherd for her dedication to serve those in her community and commitment to helping young individuals like her to build a bright future.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $19,212,492,715,543.24. We've added $8,585,615,666,630.16 to our debt in 7 years. This is over $7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

CONGRATULATING CHARLES SKILES ON HIS RETIREMENT FROM THE EULESS POLICE DEPARTMENT

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. MARCHANT. Mr. Speaker, I rise today to congratulate Charles 'Chuck' Skiles on his well-earned retirement from the City of Euless, Texas, Police Department after thirty-two years of dedicated service.

Charles' esteemed career began when he enlisted in the United States Marine Corps in 1977. Stationed in Oceanside, California, he achieved the rank of Sergeant during his two tours and was granted a reserve commission with the Oceanside Police Department. In 1983, after receiving an honorable discharge from the Marine Corps, Charles, wishing to continue his career in law enforcement, joined the Euless Police Department.

Since joining the department, Charles has honorably served his community and built a reputation as a hardworking and respected officer. In his thirty-two years of service, Charles has received over 28 police commendations, recognizing his professionalism and service to community. Charles has been described as an excellent detective with outstanding investigative skills and a dedicated, self-sacrificing police officer. Charles has been nominated for the Police Officer of the Year Award, Distinguished Service Award, and two Life Saving Awards.

Charles' dedication as an officer is apparent in his pursuit of continued education and trainings to help provide a better service to his community. He has completed his basic, intermediate, advanced, and masters police certifications, as well as over 1,200 hours of police in-service trainings including Special Weapons and Tactics, criminal investigation, and crime scene investigation. Charles is also a certified advanced accident investigator and accident reconstruction specialist.

Charles' contributions to the law enforcement operations in the City of Euless have helped to ensure that countless officers have been adequately trained and prepared for the challenges they face in their everyday duties in the police force. His legacy will leave a lasting mark on the City of Euless and the Euless Police Department for many years to come.

Mr. Speaker, it is a pleasure to recognize the exhaustive efforts Charles has contributed to the City of Euless. I ask all of my distinguished colleagues to join me in recognizing Charles Skiles and his many years of service.

HONORING MRS. CLARISSA (T.C.) FREEMAN

HON. ED WHITFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. WHITFIELD. Mr. Speaker, I rise today to honor the life and legacy of my friend, Mrs. Clarissa (T.C.) Freeman. T.C. passed away last Thursday morning after a long, courageous battle. She was a personal friend, but more importantly, she was a friend to every man and woman who wears our Nation's uniform. Her dedication to the United States Army endured throughout her life and her distinguished record of service to our country has left a lasting impression on everyone who knew her.

This point became abundantly clear during her funeral service over the weekend where several hundred people came to pay their respects to the woman affectionately known as ''Fort Campbell's Mom.'' Among those was General Richard A. Cody, former Vice Chief of Staff of the United States Army and former Commanding General of the 101st Airborne Division (Air Assault) and Fort Campbell, who provided the eulogy. General Cody's remarks perfectly captured what made T.C. so special to us, and with his permission, I share his words again today:

''As we gather here today to celebrate the life and the gift of T.C. Freeman, I have the distinct privilege and honor of putting into words and trying to capture a very extraordinary human being and how she touched each and every one of us. As difficult as this is, I hope my thoughts and words represent the feelings of so many of you.

In describing T.C. Freeman many clichés come to mind, like ''one of a kind—a true force of nature—a friend to all and a stranger to none—small in stature but larger than life.'' She was those things—but T.C. was anything but cliché. We will never meet another T.C. Freeman. She wore many hats, played many roles—as she championed her many causes; every one of them having to do with Soldiers, their families, her beloved 101st Airborne Division, the 160th Special Operations Aviation Regiment, and 5th Special Forces Group. She was an untiring champion of all of Fort Campbell and we will all feel a little bit lost without her in our lives.

The list of her accomplishments is significant and long—T.C. has been honored here within the gates of Fort Campbell and this community—in the Corridors of the Pentagon—and in the Halls of Congress. I believe most of you know all of her awards and honors—but a list of things does not fully define a person—especially a T.C. Freeman. What this amazing woman left behind is far greater than the awards and accolades she received here on earth. She left a legacy in Generations of Soldiers and Families—past, present and future. That is why we all have gathered here today—many of you traveling great distances to be here—We are Her Legacy.

T.C. was a devoted wife to Bobby for 55 years, loving him, following him, and supporting him in his Army career, and a devoted mother to Gil, William, and Robert. A true military family with both sons serving and their daughter, an Army wife. Later T.C. reveled in the accomplishments of their 3 grandchildren—Clytie, Richard and Sarah. We thank each of you—her family—for sharing her with us for all these years.

I first met the Freemans in 1984 . . . Bobby was still on active duty, the Garrison Commander of the 101st and T.C. was not just any Army wife, but the epitome of an Army wife. Like others in her generation, she saw being a supportive Army wife as a privilege and an honor that carried with it the responsibility of passing on the traditions of Army life to the next generation of wives. As a young major's wife, new to the 101st Airborne Division, my wife Vicki, like so many others, found a role model in T.C. Freeman. And that was just the beginning of a long and enduring friendship.

In the early years—As an Army wife to Bobby—she sent him off to war and welcomed him home from Viet Nam. Later she would remind us all how important it is to take care of the Families of our deployed Soldiers and to give a Hero's Welcome to our returning Soldiers—something that was not done for our Viet Nam Veterans. T.C. vowed that would not happen again and was part of the driving force behind hundreds of Welcome Home Ceremonies beginning after Desert Storm, continuing through the 90's and the Kosovo rotations, and currently the deployments to Iraq and Afghanistan. At any hour of the day or night, you would find T.C. at Hangar One talking to our waiting Families, setting up refreshments, offering advice, encouragement, and thanks. Once the official ceremony was over and the Families left the bleachers to embrace their Soldier, T.C. watched for any Soldier who did not have someone—she would walk up and hug that Soldier, saying, ''I am T.C. Freeman—I love you and thank you for your service . . . Welcome home!'' She was tireless in her commitment to our returning Soldiers.

Those of us who have known T.C. for decades have watched her transition and change with the times . . . from Army wife to Army

mom to a powerful voice for Soldiers and their families. For the first half of her life she supported Bobby in his career, but in the second half, it was Bobby by her side, supporting her endeavors. What an inspiration for women of any generation. And through all of the years, all of the many changes in our Army and Fort Campbell, T.C. never lost sight of her true mission in life . . . to make the Army, specifically Fort Campbell, a better place for everyone, Soldiers and family members alike. She opened her home, her arms, and her heart to each and every one of us. Advocating for Soldiers and their families would become T.C.'s most important role and contribution to our Army.

By the time we entered this new era and what is now our Nation's longest war with unprecedented deployments and stress on families, T.C.'s reach had gone far beyond the gates of Fort Campbell. As an AUSA Chapter president and a Civilian Aide to the Secretary of the Army, T.C. was able to advocate and reach even more Soldiers and families throughout our Army. Even with her exhausting schedule traveling to D.C. and beyond; she never tired of greeting planeloads of Soldiers returning to Campbell Army Airfield. Often driving to the airfield in the middle of the night, to greet a plane, she was devout and steadfast in her loyalty to Soldiers.

The 101st Airborne Division, with all of its tenant units, was her family. It was obvious to any and all of us, that she would do anything for her post. And how great it was for so many of us to return again and again, knowing that T.C. and Bobby were always there to welcome us. I remarked more than once that, First Ladies of the 101st come and go every 2 years—but T.C. Freeman was the First Lady of Fort Campbell for life.

One of her many unique qualities was her ability to relate to anyone; Soldier or 4 star general. She was as comfortable in the hangar welcoming Soldiers as she was shaking hands with Senators and Congressmen on Capitol Hill. And as she mentored Army spouses, she was not above mentoring and lecturing commanding generals, to include this one. I always knew when T.C. began a sentence with Richard, instead of Dick, that I was about to get a tasking. But I didn't mind because her tasking always had to do with a Soldier or family member who needed help, had fallen through the cracks, or was getting a bad deal; it was never for her . . . so how could I say no? One time after one such tasking, I was curious and I asked her if she had already told the Soldier it was a done deal. She replied, ''Of course I did, Richard. Now you will have to figure out how to get it done!'' I couldn't help but laugh. She was a piece of work . . .

But the one task I hoped never to have to do, the one thing I did not want to be asked came last year when she realized what was ahead of her . . . Her final tasking was for me to give the eulogy at her funeral. Not wanting to face the inevitable, I jokingly replied, ''I'll do yours, if you'll do mine.'' I wanted so much to turn her down, but I had never said no to T.C. Freeman and I wasn't about to say no for something so important to her. Especially when she remarked with her sly grin—''Besides Richard, You are an Army Aviator—and I know you will exaggerate . . . like you always do!''

In her last role, she was sidelined and forced to work out of her bedroom for the past year. But work it she did . . . texting and facebooking with her many fans and admirers, both young and old. Until the end, she entertained her hundreds of well-wishers from her bed, showing us the grace and dignity that were synonymous with her.

I hope that someday there is a bronze statue of T.C.—and I think it should be of her hugging a Soldier, something that she did for decades and something we will always remember her for. I have a feeling she is looking down today, very pleased with the love and support being shown her family but she knew that she was needed in heaven.

On Thursday there was a Welcome Home ceremony . . . but this one was not in Hangar One . . . it was in Heaven. I picture her now surrounded by Soldiers embracing her, saying, ''We love you . . . thank you for your service . . . Welcome Home!''

RECOGNIZING THE RETIREMENT OF CAROLYN DELLA-RODOLFA

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize the retirement of Carolyn Della-Rodolfa.

Congratulations to Carolyn Della-Rodolfa, who is recognized by her peers and community organizations as one who embodies the true spirit of volunteerism, having served as chairman of the boards of Doylestown Hospital, Doylestown Health Foundation, Doylestown Health Physicians and the Health & Wellness Center of Doylestown Hospital. Her leadership encompasses years of valuable participation in strategic planning groups that have helped change health care delivery in the Bucks County community. In addition, she is a student who consistently attends seminars, reads and studies to broaden her knowledge. Under her tutelage, Doylestown Hospital and its related parts greatly expanded the quality and breadth of healthcare services. Notably, Ms. Della-Rodolfa's social and business acumen has had a financial impact on the total community beyond lifesaving healthcare and life-improving wellness care. Retiring, with the appreciation and gratitude of her colleagues and community, this outstanding volunteer/leader clearly has set an example for others to follow.

BUSINESS RAIDING AND ASSET GRABBING IN RUSSIA

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. SMITH of New Jersey. Mr. Speaker, I'd like to bring to my colleagues' attention an illuminating report on corruption and corporate dispossession in Russia. Written by Dr. Louise Shelley and Judy Deane of George Mason University's Terrorism, Transnational Crime and Corruption Center, ''Reiderstvo: Implications for Russia and the West,'' concisely lays out the systematic tactics, fraud and corruption of business raiding and asset grabbing in Russia.

The most well-known case is that of the Yukos Oil Company, which not only saw its Russian founder Mikhail Khodorovsky imprisoned for ten years in a Siberian gulag while his $22 billion company was dismantled under the guise of $22 billion in unpaid tax claims. A corporate entity, Yukos shares were confiscated and assets sold off at rigged auctions, without any regard for even its international—including U.S.—shareholders. As some of you may recall, I held a hearing last fall on the Russian government's violations of the rule of law, which examined the challenges these investors faced in enforcing the Permanent Court of Arbitration's $50 billion finding of unlawful appropriation against the Russian government. It turns out Yukos is only the tip of the iceberg.

The reiderstvo report neatly encapsulates a Russian phenomenon that both contributes to, and is accelerating as a result of, Russia's economic decline. According to the authors, Russian corporate raiding practices, facilitated and even directed by the Kremlin, are ''contributing to Russia's current unfriendly business climate and to declining investor confidence in the country.'' Russia's uniquely destructive practice of corporate raiding not only has dire ramifications for the Russian people and any remaining foreign investors, it has long term implications for Russian stability.

Reiderstvo (literally ''raiding''), an ominous and violent practice in Russia since the early 1990s, is vastly different from U.S. corporate ''raiding''—that is, hostile takeovers by outside shareholders. Reiderstvo represents both private acquisition of business assets and public expropriation through a series of illegal bullying tactics that allow raiders to sell off a company's assets, often to a state controlled entity, and rapidly launder the proceeds, making massive profits and destroying businesses in the process.

This particular report is noteworthy for its documentation of two aspects of reiderstvo. First, reiderstvo and asset grabbing is far more widespread and imbedded in Russian business culture than most people outside of Russia have thought. Astonishingly, Russian President Putin himself said that the number of current arrests for economic crimes suggests that tens of thousands of companies of all sizes in Russia continue to be harassed, intimidated, robbed, and outright stolen.

Second, the study analyzes major cases of corporate raiding, and identifies the most common raiding tactics. These tactics include malicious prosecutions (false charges), malicious tax inspections, regulatory harassment, misuse of shares and shareholder protections, misuse of the banking system, abuse of international law enforcement, ''Dark PR'' campaigns, and even violence. In any given raid against a business, it is likely that several of these tactics will be used simultaneously. From their case studies the authors extract four stages of the reiderstvo process: preparation, negotiation, execution, and legalization.

In the case of OGAT, Ltd., one of the largest and most successful transportation companies in Russia, raiders used fraudulent documents to sell off company assets. In the case of TogliattiAzot, Russia's largest ammonia company, the company underwent 120 tax inspections in 18 months and was assessed $150 million in alleged unpaid taxes in order to try to force the company into bankruptcy, making it easier and cheaper to acquire. Yevroset, a highly successful mobile phone operator, was the victim of three raids in which $1.4 million worth of cell phone handsets were taken, tax charges levied against one of its suppliers, and searches made of the homes of top managers, all to force owners to sell the company to a raider.

It is easy to draw parallels from these cases to the more famous cases of Hermitage Capital and the Yukos Oil Company and demonstrate the state's own growing role in corporate raiding.

Mr. Speaker, as Chairman of the Human Rights subcommittee and of the Helsinki Commission, I have focused much of my congressional work on fighting for human rights—for all human rights, throughout the world. And countless times I have seen the connection between human rights violations and governments that engage such grotesque forms of corruption. One connection, of course, is that rampantly corrupt governments commit human rights violations in order to cover up their crimes, or those of the mafias that dominate them. Such was the famous case of the heroic Sergei Magnitsky. The kind of government corruption we see in Russia today, manifesting itself in the ruthlessness of reiderstvo, is that which imperils the human rights of the Russian people.

Mr. Speaker, this report is a much needed and critical assessment of Russian corruption at the highest levels of authority and has important implications for U.S. foreign policy in the dimensions of human rights and rule of law and commercial relations.

The report may be found at www.reiderstvo.org. I strongly urge my colleagues to read it.

PEARLAND ISD CAMPUS TEACHERS OF THE YEAR

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate the following teachers of Pearland Independent School District for being named Campus Teachers of the Year.

Each school year, principals, teachers and staff members are recognized by the school district with various awards as a reflection of their hard work and dedication to their students and the school as a whole. This year 23 Pearland teachers were awarded the title ''Campus Teachers of the Year'': Jennifer Black from Carleston Elementary, Anne Romolo from Challenger Elementary, Patricia Guel from Cockrell Elementary, Tiffany Cox from C.J. Harris Elementary, Katie Strong from Lawhon Elementary, Lisa Rocha from Magnolia Elementary, Christina Morton from Massey Ranch Elementary, Maureen Clayvon-Wright from Rustic Oak Elementary, Ruth Mondich from Shadycrest Elementary, Katie Cruz from Silvercrest Elementary, Gay Stricklin from Silverlake Elementary, Kristine Holland from Alexander Middle School, Rebekkah Rudd from Jamison Middle School, Crystal Hildebrand from Rogers Middle School, Connie Medley from Sablatura Middle School, Shaterra Jackson from Berry Miller Junior High, Lori Sandman from Pearland Junior High East, Lana Garcia from Pearland Junior High South, Mara Williams from Pearland Junior High West, Troy Myers from Dawson High School, Jennifer Duggan from Pearland High School, Hunter Morgan from Turner College and Career High School, and Ann Lowrey Merrill from the PACE Center. These teachers go above and beyond to inspire their students and create a supportive educational environment. We are grateful for their commitment to education and providing a safe, inspirational learning environment for our students.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to these dedicated Pearland teachers for being named Campus Teachers of the Year. We thank them for all that they do.

HONORING THE LIFE OF ROBERT HANSON

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mrs. BUSTOS. Mr. Speaker, I rise today to mourn the passing of Robert ''Bob'' Hanson, who served as the Chairman and CEO of Deere & Company from 1982 to 1990.

Both as a citizen and a businessman, Bob was invaluable to the Quad-Cities and our region. During his tenure as CEO, Bob guided John Deere through the farm crisis of the 1980s, and kept up company morale during a decade rife with layoffs and downsizing. He focused on developing Deere as a good corporate citizen that gave back to Moline, and made time to engage and build relationships with employees at every level of the company. Later CEOs have credited Bob with laying the foundation for Deere's future success.

In addition to his business success, Bob also gave back to the community as an individual. In the middle of earning his degree, Bob served our country for three years as a Marine in World War II. His passion for helping others led him and his wife, Patricia, to contribute generously to his alma mater, Augustana College, and establish a scholarship for the Quad-City Symphony Orchestra.

Mr. Speaker, as we commemorate Bob's life, and his dedication to our community, my thoughts and prayers are with Bob's wife, Patricia, and the rest of his family during this difficult time.

IN RECOGNITION OF THE CAPE COD MUSEUM OF ART

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. KEATING. Mr. Speaker, I rise today to recognize the Cape Cod Museum of Art on their 35th anniversary.

Thirty-five years ago, Harry Holl and Roy Freed brought to life their vision for a museum that honors and celebrates the works of outstanding artists from the Cape Cod region in Massachusetts. Mr. Holl, a renowned potter, sculptor, painter, and a Dennis resident himself, lived out the same values that comprise the museum's mission. As a teacher, he inspired his students and developed local art programs. Mr. Freed, both a lawyer and a sculptor, was dedicated to providing a venue to showcase the talents of our community. He brought together supporters at the founding of the Museum, and he contributed to the remarkable achievements and growth of this museum.

What started with ten local supporters, the Cape Cod Museum of Art now houses seven exhibition galleries, the Weny Education Center, a screening room, an outdoor sculpture garden, and a permanent collection of more than 2,000 works of art. Artists across the nation have drawn inspiration from our local community and our beautiful landscapes. I am proud to say the museum is esteemed nationwide, with the recent exhibit 'Breaking the Mold' which featured outside artists drawing 718 submissions by 227 artists from 29 states.

The Cape Cod Museum of Art continues to serve an important mission. It is dedicated to preserving our heritage and engage our community in local art appreciation has proved to be invaluable. The museum promotes art appreciation through great programs, workshops, and classes. The Resource Library serves as a hub for learning the history of Cape Cod artists, past and present. As a proud member of this community, I am grateful for the work the museum has done in preserving our cultural history.

Mr. Speaker, I ask my colleagues to join me in honoring the Cape Cod Museum of Art as they celebrate this joyous milestone. I look forward to seeing what the future brings to this pillar of the Cape Cod art community.

RECOGNIZING THE RETIREMENT OF THOMAS R. MACFARLAN

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize the retirement of Thomas R. Macfarlan.

Congratulations to Thomas R. Macfarlan on the occasion of his retirement as Nockamixon Township's Emergency Management Coordinator. Beginning in June 1994, his tenure has been marked with outstanding contributions to the safety and security of area residents. He

wrote the township's first Emergency Operations Plan, which brought Nockamixon into compliance with the Pennsylvania Emergency Management directive, helped write the first school district Emergency Management Operations Plan and many other effective plans to deal with emergency situations and events in Nockamixon. He has distinguished himself with responsible service and countless contributions to his community. Mr. Macfarlan also is known for the key role he played in development of regional EMA groups and under his direction, the Nockamixon EMA is acknowledged in many communities for its leadership in Bucks County, Pennsylvania and also New Jersey. Thomas R. Macfarlan leaves his post with the appreciation of the citizens he so willingly and ably served.

TRIBUTE TO V. RICHARD (DICK) MILLER

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. ROKITA. Mr. Speaker, I rise today to honor a prominent Hoosier leader and my dear friend, Mr. V. Richard (Dick) Miller who passed away on May 18, 2016 surrounded by his loving family.

Dick was born in Des Moines, Iowa and moved to Warsaw, Indiana with his family as a young child. He received his undergraduate degree from Purdue University and earned a MSBA from Indiana University South Bend in 1972. In 1976, Dick was elected State Senator and served for three terms in the Indiana General Assembly, half of his service on the Senate Republican leadership team.

Dick put a lot of care and dedication into his work. After taking over the family business, he expanded Miller's Merry Manor across the state and employed over 3000 Hoosiers. With the help of his siblings, they made Miller's Health Systems one of the largest 100 percent employee owned companies in the nation. Providing quality care to thousands and rewarding those dedicated employees is a true testament to his character and the reason why Miller's Merry Manor continues to be successful after 52 years.

He continued to serve unofficially as a vital resource of good advice and wisdom to those in office, such as myself, up until his last day. He was gracious enough to be a member of my Healthcare Advisory Team, where his counsel was helpful in my efforts to determine how to best serve the people of Indiana and our country, though his advice was not limited to healthcare as he was well versed in many aspects of public policy and economics. I will always be thankful for his invaluable advice and friendship over the years.

Dick leaves Jane, his beloved wife of almost 55 years, two children, six grandchildren and five great grandchildren to carry on his legacy of service to fellow Hoosiers. I believe this world is a better place because of his compassionate service to our community, state and nation. Rest in peace Dick, you will not be forgotten.

IN RECOGNITION OF MR. JUSTIN MENDES

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. VALADAO. Mr. Speaker, I rise today to thank Mr. Justin Mendes for his service to my office and California's Central Valley.

Mr. Mendes was born on September 17, 1986 in Fresno, California to Tom Mendes and Karen Carreiro. After attending Riverdale High School in Riverdale, California, Mr. Mendes went on to receive his Bachelor's Degree in Business Administration from the University of the Pacific in Stockton, California. Upon his graduation in 2008, Mr. Mendes worked in the banking industry, specifically in agricultural lending.

In 2010, Mr. Mendes began his career in public service with my office in Hanford, while I was then serving in the California State Assembly. Upon my election to the United States House of Representatives in 2012, he continued his service as my District Director, a position he held until March, 2016. During his time as District Director in my office, Mr. Mendes demonstrated himself to be a person of outstanding character and work ethic. His knowledge of the Twenty-First Congressional District of California was immensely beneficial to my office and my constituents. Throughout his career, Mr. Mendes has been an invaluable asset to Team Valadao and the people of California's Central Valley. Without his advice and friendship, I would not be where I am at today.

In March of 2014, Mr. Mendes and his fiancée Melissa celebrated the birth of their first child, Alexander. Their family currently resides in Hanford, California.

Mr. Mendes again demonstrated his dedication to public service when he was elected Mayor of Hanford in December of 2015. I have no doubt his work ethic, combined with his knowledge of public policy and his community, will be immensely valuable to the citizens of Hanford.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending Justin Mendes for his public service to the people of the Central Valley and wishing him well in this next chapter of his life.

PEARLAND ISD PRINCIPALS OF THE YEAR

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate the following Principals of Pearland Independent School District for being named Principal of the Year.

Each school year, principals, teachers and staff members are recognized by the school district with various awards as a reflection of their hard work and dedication to their students and the school as a whole. This year, the two principals that were awarded with the title ''Principal of the Year,'' are Verna Tipton from Sablatura Middle School and Jason Frerking from Pearland Junior High South. These principals have gone above and beyond to inspire their students and create a supportive educational environment. We are grateful for their commitment to education and providing a safe, inspirational learning environment for our students.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Principals Tipton and Frerking for being named Principal of the Year. On behalf of our children, we thank them for all that they do.

IN APPRECIATION OF RAMZI NEMO

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to express my appreciation for the contributions of Ramzi Nemo to the work of the Committee on Homeland Security on the occasion of his return to the U.S. Government Accountability Office (GAO).

Since March 2015, Mr. Nemo has shared his considerable expertise in acquisitions and sourcing management as a detailee on my Committee staff. In his time with the Committee, Ramzi helped staff 10 hearings on topics as diverse as the policy questions surrounding the closing of the prison in Guantanamo Bay, Cuba to climate change to vehicle fleet management. Additionally, Mr. Ramzi provided specialized technical expertise with respect to oversight of the Department of Homeland Security's Management Directorate, particularly with respect to how it handles its information technology, personnel, and real property.

Strengthening the effectiveness of the Department's acquisitions program has been a central focus of the Committee's work and, with Mr. Nemo's contributions, Committee Democrats successfully advanced a number of legislative proposals that were incorporated into H.R. 3572, the ''DHS Headquarters Reform and Improvement Act.''

Finally, I would like to acknowledge that, during his time with the Committee, Mr. Nemo provided consistent and positive contributions to the work of the Subcommittee on Oversight and Management Efficiency and helped advance the priorities of the Ranking Member, Representative BONNIE WATSON COLEMAN (D–NJ).

I appreciate his service to the Committee, the Congress, and the Nation and wish him every success, as he returns to the GAO.

TRIBUTE TO MARIE AND RANDY FOSTER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Marie and

Randy Foster of Oakland, Iowa, on the very special occasion of their 50th wedding anniversary. They celebrated their anniversary on May 7, 2016.

Marie and Randy's lifelong commitment to each other and their children, Ted, Ron, Randy, Sammarra, Elliott, and Christy, and their 18 grandchildren and two great-grandchildren, truly embodies Iowa values. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

I commend this great couple on their 50th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

CONGRATULATING THE PHOENIX POLICE DEPARTMENT'S ARIZONA INTERNET CRIMES AGAINST CHILDREN TASK FORCE UPON RECEIVING THE ATTORNEY GENERAL'S SPECIAL COMMENDATION

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Ms. SINEMA. Mr. Speaker, on this National Missing Children's Day, we come together to honor the victims of kidnapping and child abuse, and recognize the extraordinary efforts of law enforcement to prevent and uncover these tragic crimes.

Today, we are proud to announce that the Arizona Internet Crimes Against Children Task Force in the Phoenix Police Department is the 2016 recipient of the Attorney General's Special Commendation.

The Department of Justice awards the Attorney General's Special Commendation each year to an Internet Crimes Against Children Task Force that makes an exceptional contribution to the coordinated national effort against online child exploitation.

Phoenix Police task force members earned this honor by successfully pursuing and arresting a criminal who was sexually abusing two young boys in her care. They put a stop to the nightmare of abuse for these two children and, by gathering forensic evidence at the scene, discovered leads on an international ring of crime and exploitation. Their work to date has led to more than 25 arrests across the United States and Europe.

It is my privilege to congratulate these brave Arizonans for their work to protect children and keep our communities safe. Their diligence in the face of terrible circumstances sets an example for everyone in public service.

National Missing Children's Day reminds us each year that we have more work to do to protect children from kidnapping and abuse. I will continue to work with my colleagues on both sides of the aisle to ensure public servants like the Arizona Internet Crimes Against Children Task Force have the tools they need to break the cycle of child exploitation.

TRIBUTE TO LOIS AND VERL PAULLIN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Lois and Verl Paullin on the very special occasion of their 70th wedding anniversary.

Verl and Lois were married in May, 1946 and make their home in Guthrie Center, Iowa. Their lifelong commitment to each other and their family truly embodies Iowa's values. As the years pass, may their love continue to grow even stronger and may they continue to love, cherish, and honor one another for many more years to come.

I commend this lovely couple on their 70 years of life together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

WHY WE NEED TO LOWER PRESCRIPTION DRUG PRICES

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Ms. SCHAKOWSKY. Mr. Speaker, I would like to submit the following article, written by Heather Block. I encourage all of my colleagues to read this short and powerful piece, which provides us with yet another personal testimony highlighting the need to lower the price of prescription drugs and support the Medicare Part B Demonstration Project proposed by CMS. In this article, Ms. Block describes ''what it is like to have stage 4 cancer, and to fear bankruptcy as much as cancer due to our health system and the lack of drug pricing regulation''. Sadly, her story is not unique. Across this country, millions of people who are already facing devastating health issues suddenly find themselves in dire financial straits due to the cost of prescription drugs. Let us not forsake the wellbeing of the many for the financial gain of the very few. I ask you to join me in taking the side of people like Heather by supporting CMS's proposal.

PHARMA CAN BUY TIME. I CAN'T.

HEATHER BLOCK MAY 23, 2016

I testified before the House Energy and Commerce Committee's Subcommittee on Health last week. It was a big deal for me. As I told my brother, I want my niece to know that we can speak to the powers that be—even individuals like me, without any group or organization to back me up. I want her to know that our voices can still be heard in America.

I testified about what it is like to have stage 4 cancer, and to fear bankruptcy as much as cancer due to our health system and the lack of drug pricing regulation. I also said that I support a Medicare proposal to evaluate ways to lower drug costs. It would reduce financial incentives that could encourage doctors to use more expensive drugs, while trying several different approaches that would improve quality of care and potentially cut drug costs for taxpayers and patients.

I felt like most of the Representatives had already made up their minds. Probably not due to the actual proposal, but to the pressures placed by groups that would lose money if the so-called Medicare Part B Demo is launched. I joked before I testified that I might ask, ''Could anyone that doesn't receive any money from the pharmaceutical industry, raise their hands,'' and that I would probably be the only one with a hand raised in the room.

Turns out my joke wasn't that far off-base. Imagine my surprise when Representative Jan Schakowsky (D–Ill.) pointed out that two of the five witnesses had several pages of identical testimony—identical down to the highlights. What that says to me is that the pharmaceutical industry lobbyists are so confident of their power that they can be sloppy.

I do not have that luxury. I have limited time; no one knows how much with stage 4 cancer and certainly limited means. My friends jokingly call me ''Dona Quixote.'' But I feel urgency around the issue, and I do appreciate Representative Peter Welch for pointing out this urgency.

I know I cannot be alone. Other patients are slowly being bled dry by the cost of our life saving drugs.

While the Medicare Part B Demo will not solve the problem of high prescription drug spending, it's at least a thoughtful step in the right direction. I hope to keep pushing and reminding everyone of the urgency of this issue. Americans recognize that the cost of drugs is not sustainable but no one knows what to do. And so far, no one knows how to overcome the money and power being mobilized by the drug companies to keep their profits high, even as patients go bankrupt.

While the Medicare Part B demo may not be perfect, it's at least a step in the right direction when everyone else seems to be more interested in standing still.

Let's proceed.

Heather Block served as a witness for the Energy and Commerce's Health committee hearing on the proposed Medicare Part B Payment Demonstration Project on May 17, 2016.

TRIBUTE TO RYAN NEWBERRY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise to honor and congratulate Ryan Newberry of Council Bluffs, Iowa, for being the first recipient of the Employee of the Year award sponsored by the Council Bluffs Community School District in conjunction with the Council Bluffs Area Chamber of Commerce. Ryan is a student at Thomas Jefferson High School in Council Bluffs and is employed by Menard's, Inc.

The Employee of the Year award is given through a new program initiative, GROW CB, which stands for Graduation is Required in Our Workforce in Council Bluffs. Superintendent of Schools for Council Bluffs Martha Bruckner said, ''This is representative of some good work we're doing together. The goal of

this initiative is to raise the awareness of the importance of regular school attendance, earning good grades, and earning a high diploma.'' The GROW CB program was created as a school-business partnership while helping businesses to invest in the future of area youth and the Council Bluffs community.

I applaud and congratulate Ryan Newberry for earning this award. He is a shining example of the future of our youth. I urge my colleagues in the U.S. House of Representatives to join me in congratulating Ryan Newberry for his accomplishments in school and with his employment. I wish him continued success in all his future endeavors.

JUSTICE FOR VICTIMS OF TRAFFICKING ONE YEAR ANNIVERSARY

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. POE of Texas. Mr. Speaker, it happened right under the entire community's nose. Eight year old Jen Spry was raped and tortured on a daily basis.

She was not kidnapped by a stranger in a dark alley. She was trafficked just a few doors down from her mother's house.

It was not just Jen who was trafficked. Her younger sister, a male cousin, and a whole group of kids from her hometown of Norristown Pennsylvania were victims as well.

No one ever went looking for the children, simply because they never went missing. From 3–6 p.m. every day she was forced to have sex with strangers, because, as she describes it, it was her job.

The children were coerced into participating and threatened into keeping it a secret. The trafficking finally ended when she was about 10 when the neighbor suddenly moved away.

Jen went to great lengths to hide the abuse from her single mother, who never found out about the tragedies that Jen experienced. In fact, Jen did not speak out about what happened until after her mother passed away.

Stories like Jen's drove us to write JVTA. As did stories like Tina Frundt's, who joins us today.

She is a huge part of the solution with her organization Courtney's House and her membership on the U.S. Advisory Council on Human Trafficking created by JVTA as well as the persistence of many of the groups present today.

The United States views itself as a leader in the fight against human trafficking. Even going as far as to grade other countries on their efforts to combat trafficking in persons.

Yet, before the Justice for Victims of Trafficking Act (JVTA) became law, I heard about common issues from survivors and anti-trafficking organizations on the national, state, and local levels, as well as law enforcement and local leaders. Some of the common concerns included:

The federal government barely funds efforts to combat trafficking in the United States. Trafficking victims are often arrested and treated as criminals, but buyers are often not.

Many Americans including those that interact with trafficking victims—law enforcement, educators, medical professionals, and others—do not know about human trafficking or understand how to identify victims. Hearing this message loud and clear, a bipartisan, bicameral group of Members of Congress set out to write a bill using the survivor experience to guide us and learning from programs around the country that are working to fight trafficking and serve victims.

CAROLYN MALONEY, a Democrat from New York and I lead the effort on JVTA in the House. Congresswoman MALONEY and I hardly speak the same language.

Being from New York she thinks I talk funny and as a Texan I can hardly understand her either the effort was led by another unusual pair in the Senate.

A Texas Republican, Senator JOHN CORNYN and an Oregon Democrat, Senator RON WYDEN. 11 anti-trafficking bills passed through the House, including those led by some of the wonderful women here today.

The bills were combined in the Senate, came back to the House, passed overwhelmingly and were signed into law. The law addresses the common problems we heard from the field. We created a Domestic Trafficking Victims Fund that makes those who harm vulnerable people pay for the damage they have caused.

A $5,000 special assessment is collected from those convicted of human trafficking and other related charges, and goes into a Fund to provide resources to victims and those fighting trafficking.

A fundamental goal of JVTA is for victims of human trafficking to be treated as victims and not criminals. This is addressed in a number of provisions in the law, including a newly created community-based block grant.

We also focus on the demand—buyers, those that exploit women and children. While many call these people ''johns,'' I call them child molesters.

John is a name from the Bible, a good guy, not someone who pays money to abuse a fellow person.

JVTA clarifies that those who buy sex from trafficking victims are human traffickers, can and should be punished under federal law, and are subject to the same penalties as sellers.

JVTA has done a lot to change the mindset of people in this country. But we need the law to be fully implemented by all the agencies charged with executing the law including DOJ, HHS, and DHS.

In order to truly be the leader in the fight against modern day slavery. We anxiously await the response to our letter. A society will be judged by how it treats the most vulnerable.

And that's just the way it is.

TRIBUTE TO BABE AND FRANK MAINS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Babe and Frank Mains on the very special occasion of their 60th wedding anniversary.

Frank and Babe were married on May 18, 1956 and make their home in Guthrie Center, Iowa. Their lifelong commitment to each other and their family truly embodies Iowa's values. As the years pass, may their love continue to grow even stronger and may they continue to love, cherish, and honor one another for many more years to come.

I commend this lovely couple on their 60 years of life together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

PERSONAL EXPLANATION

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. SAM JOHNSON of Texas. Mr. Speaker, I missed several votes on Wednesday, May 18, and Thursday, May 19.

On Wednesday, May 18, had I been present, I would have voted No on the Nadler Amendment (Roll Call 204); Aye on the Poe of Texas Amendment (Roll Call 205); Yea on final passage of H.R. 5243, the Zika Response Control Act, 2016 (Roll Call 207); Aye on the Buck Amendment (Roll Call 208); Aye on the Fleming Amendment (Roll Call 209); No on the Lee Amendment (Roll Call 210); No on the Polis Amendment (Roll Call 211); and Aye on final passage of H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017 (Roll Call 216).

On Thursday, May 19, had I been present, I would have voted No on the Blumenauer Amendment (Roll Call 221); Aye on the Fleming Amendment (Roll Call 222); No on the Sean Patrick Maloney of New York Amendment (Roll Call 226); and Yea on final passage of H.R. 4974, the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2017 (Roll Call 228).

TRIBUTE TO MARY AND PAT DOUD

HON. DAVID YOUNG

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Mary and Pat Doud on the very special occasion of their 60th wedding anniversary.

Pat and Mary Doud were married in May 19, 1956 and make their home in Stuart, Iowa. Their lifelong commitment to each other and their family truly embodies Iowa's values. As the years pass, may their love continue to grow even stronger and may they continue to love, cherish, and honor one another for many more years to come.

I commend this lovely couple on their 60 years of life together and I wish them many more. I know my colleagues in the United States House of Representatives will join me

in congratulating them on this momentous occasion.

TRIBUTE TO THE HONORS COLLEGE PROGRAM AT COLUMBIA COLLEGE

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to the Honors College Program at Columbia College, a first class institution of higher education located in my Congressional District in Columbia, South Carolina.

The Columbia College Honors Program was chartered in 1984 to recruit, retain, and develop high-achieving, motivated, talented students. At the heart of the program is the belief that the outstanding student should challenge her intellectual limits, working creatively and seriously to reach her highest potential as a scholar, reflective learner, individual thinker, risk taker, and influential leader. The program requires a selection of pedagogically innovative and rigorous courses across disciplines and a culminating thesis or project designed to make honors learning meaningful and practical. The program's senior seminars—with a study-travel component—have engaged students in the value of experiential, global learning in sites such as Paris, Berlin, Dublin, Belfast, New York, Orlando, Miami, London, and others.

The stimulating classroom atmosphere of honors—steeped in the liberal-arts tradition—encourages development of critical thinking, writing, and other skills vital to an education in the twenty-first century. Fostering a culture of serious undergraduate research and faculty development, the program also continues to make its mark in other professional arenas by promoting and supporting opportunities for student and faculty scholarship across disciplines. Honors students have earned degrees from Princeton, Rutgers, NYU, Emory, Duke, Columbia, MUSC, Wake Forest, Elon Law School, Drew, NY School of Art, Syracuse, Georgetown, University of Oklahoma, University of Tennessee Knoxville, University of Florida, Ohio State University, University of Central Florida, University of Maryland, USC, George Washington, Howard, Texas Women's University, North Carolina State University, among others.

The impact of the program on teaching excellence at Columbia College is revealed by the fact that all ten South Carolina Independent Colleges and Universities (SCICU) Outstanding Teacher Award recipients have been honors faculty or project mentors, and thirty of thirty-three Columbia College Faculty Excellence Award winners have taught in honors. Honors faculty have also garnered awards from the American Association of Higher Education, South Carolina Humanities Council, Methodist Board of Higher Education, South Atlantic Association of Departments of English, South Carolina Commission on Higher Education, National Association of Developmental Education, South Carolina Psychological Association, Carolina Communications Association, Project Kaleidoscope, and others. Most significantly, the program's director, Dr. John Zubizarreta, is a Carnegie Foundation/CASE U.S. Professor of the Year, the only professor ever from any institution in South Carolina to receive the nation's most prestigious teaching award.

In the National Collegiate Honors Council—which this year celebrates five decades of providing diverse students with superior educational experiences for academic and professional careers—the Columbia College Honors Program enjoys an enviable reputation, built from the numerous presentations by students and faculty at yearly conferences, the service of several students on the NCHC and Southern Regional Honors Council Board of Directors, the director's election as NCHC and SRHC President, two students' recognition as National Honors Student of the Year and one as runner-up, thirteen student participants in NCHC Honors Semesters, four student participants in Partners-in-the-Parks programs, and more.

Mr. Speaker, the Honors Program is widely regarded as the premier, internationally acclaimed academic program at Columbia College, and ask you and my colleagues to join me in paying homage to them.

TRIBUTE TO BEVERLY WADLE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Beverly Wadle of Des Moines, Iowa on the very special occasion of her retirement after 25 years of faithful service as office manager to Trinity Lutheran Church of Des Moines. As she retires, her church community is acutely aware that her dedication will be missed.

Mrs. Wadle has served the traditional congregation, the Trinity Lutheran Church Sunday School program, and welcomed nearby Drake University students to the church family, making them feel welcomed while away at college. Many say that her most fulfilling work has been the unwavering commitment to assist the church's efforts for relocation of Laotian and Sudanese refugees as they build a better life in Iowa. She also coordinates the Lutheran Women's Missionary League, Drake Lutheran Student Fellowship, and Trinity Lutheran Church's partner churches, the Asian Lutheran Mission, and the Sudanese Lutheran Mission. Her daily duties have included coordinating independent day care as well as several 12-step programs which use the Trinity Lutheran Church facilities.

I commend Beverly Wadle for living her faith and her Iowa values. I wish her a lifetime of joy and happiness as she embarks on a new journey. I know my colleagues in the United States House of Representatives will join me in congratulating Beverly Wadle on this celebratory occasion.

TRIBUTE TO CRESTON HIGH SCHOOL iJAG

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate the Creston High School iJAG program as they took top honors at the 2016 Career Development Conference on May 3, 2016.

iJAG is a program that relies on real-world, project-based instructional methods and unconventional approaches to personal connections with students. The Creston High School program, directed by instructor Jerry Hartman, competed against more than 40 iJAG programs from throughout Iowa and Illinois. The students competed in contests about employment preparation and interview skills, critical thinking in business situations, leadership skills and basic business methods.

Mr. Speaker, the success of this team, their program and its director demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent them and the other team members in the United States Congress. I know all of my colleagues in the United States House of Representatives will join me in congratulating these young people for competing in this rigorous competition and wishing them all nothing but continued success.

TRIBUTE TO PAM AND MARSH CHRISTIANSEN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Pam and Marsh Christiansen of Council Bluffs, Iowa, on the very special occasion of their 50th wedding anniversary. They were married on May 7, 1966 at St. Patrick's Church in Council Bluffs.

Pam and Marsh's lifelong commitment to each other and their children, Lori, Lisa, and Stacy, and their six grandchildren, truly embodies Iowa values. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

I commend this great couple on their 50th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating Pam and Marsh on this momentous occasion.

TRIBUTE TO FLOYD ROBERT ''BOB'' BOOTS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mr. Bob

Boots of Atlantic, Iowa, for his service to our country and his community. Mr. Boots is a part of the often-titled ''Greatest Generation'' who defended and served our country—not for fame or fortune but because it was the right thing to do.

Mr. Boots was born in 1932 and graduated from Panora High School in 1949. He joined the U.S. Coast Guard in 1952, serving three years on active duty and five years on non-active duty. Upon release from the U.S. Coast Guard, he returned to his family farm. In 1956, he married Neoma Jean Wheeldon and were blessed with three children, Steven, Judith, and Linda. In 1961, he started an upholstery business in Atlantic, Iowa where he worked in their small business for 45 years before his retirement in 2006. Mr. Boots has been a fixture in the Atlantic community, always volunteering for the Boy Scouts, Cass County American Red Cross, Cass County Memorial Hospital Auxiliary, Meals on Wheels, American Legion, Veterans of Foreign Wars, Disabled Veterans of America, Atlantic Color Guard, and the Atlantic Rock Island Society Enterprise. He has devoted many years to rescuing U.S. flags, those which need repair or to be put aside for proper flag disposal. Mr. Boots has not asked for any special recognition. He was motivated only by his desire to serve his country and community.

I commend and congratulate Floyd Robert ''Bob'' Boots for his commitment, dedication, and leadership to his business, community, the State of Iowa. I am proud to represent him in the United States Congress. I know my colleagues in the U.S. House of Representatives join me in congratulating Mr. Boots for his service and wishing him the very best in the future.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, May 26, 2016 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 8

10:30 a.m.
Committee on Appropriations
Subcommittee on Military Construction and Veterans Affairs, and Related Agencies
To hold hearings to examine a review of the Department of Veterans Affairs' electronic health record (VistA), progress toward interoperability with the Department of Defense's electronic health record, and plans for the future.
SD–124

2:15 p.m.
Committee on Indian Affairs
To hold an oversight hearing to examine improving interagency forest management to strengthen tribal capabilities for responding to and preventing wildfires.
SD–628